City of Port St. Lucie

121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984

"A City for All Ages"

Meeting Agenda

Tuesday, August 1, 2023

6:30 PM

Council Chambers, City Hall

Planning and Zoning Board

Deborah Beutel, Chair, Term 2 Expires 6/21/25
Alfreda Wooten, Vice Chair, Term 2 Expires 5/28/27
Carol Taylor-Moore, Secretary, Term 1 Expires 9/27/25
Peter Previte, At-Large, Term 1 Expires 7/12/25
Joseph Piechocki, At-Large, Term 1 Expires 7/12/25
Roberta Briney, At-Large, Term 1 Expires 7/12/25
Eric Reikenis, At-Large, Term 1 Expires 11/1/26
Melody Creese, Alternate, Term 1 Expires 11/1/26
Peter Louis Spatara, Alternate, Term 1 Expires 5/8/2027

Please visit www.cityofpsl.com/tv for new public comment options.

1. Meeting Called to Order

2. Roll Call

3. Determination of a Quorum

4. Pledge of Allegiance

5. Approval of Minutes

5.a Approval of Minutes: June 6, 2023 & July 5, 2023 **2023-643**

6. Consent Agenda

7. Public Hearings - Non Quasi-Judicial

7.a P23-113 A City Initiated Text Amendment to Chapter 156 - Subdivision Regulations, Section 156.094 and Chapter 158 - Zoning Code, Section(s) 158.172, 158.187 & 158.222. **2023-647**

This is a request to establish standards for the minimum number of access points for residential developments located within the Planned Unit Development (PUD) and Master Planned Unit Development (MPUD) zoning districts.

8. Public Hearing - Quasi-Judicial

8.a P22-279 LTC Ranch Development of Regional Impact - 6th Amendment to the Development Order **2023-639**

Location: The property is located south of Midway Road, west of I-95 and northeast of Glades Cut-Off Road.

Legal Description: A parcel of land lying in Sections 1, 2, 3, 4 9, 10, 11, 15 and 16, Township 36 South, Range 39 East.

This is a request to amend Map H, the Master Plan, to change 140 acres from a Residential, Office, Institutional (ROI) land use to a High Density Residential (RH) land use and remove and mitigate for a wetland; to amend Map “G”, the Environmental Exhibit, to remove and mitigate for the wetland; and to amend Transportation Condition 17.g.5 regarding improvements to Midway and Glades Cut-Off Roads.

8.b P23-056 Murphy USA - Special Exception Use **2023-641**

Location: East side of South US Highway 1 and north of SE Port St. Lucie Blvd.
Legal Description: Saint Lucie Gardens 12, 37, & 40, Block 1
This is a request for a Special Exception Use to allow a convenience store with fuel sales.

8.c P23-097 Monna Homes, LLC - Variance **2023-568**

Location: 520 SE Cliff Road
Legal Description: Port St. Lucie Section 39, Block 2655, Lot 18
This is a request for a variance of 12.42 feet to allow a 12.58-foot setback from the rear property line for a proposed single-family residence.

8.d P23-103 SLW-Jay's Fine Jewelry Inc. - Cosmetology School-Special Exception Use **2023-650**

Location: East of the intersection of SW California Blvd. & SW St. Lucie West Blvd
Legal Description: St. Lucie West Plat No. 186 Commercial Sites Phase 10, Lot 1
This is a request for a Special Exception Use to allow a vocational school within the General Commercial Zoning District (CG).

8.e P23-104 Southern Grove - SOGRO Park - Rezoning **2023-646**

Location: The subject property is located south of Becker Road and west of SW Village Parkway.
Legal Description: Southern Grove Replat No. 40, Tract F
This is a request to rezone 36.04 acres of property from SLC Agricultural 5 (SLC AG-5) to General Use (GU) zoning district.

8.f P23-109 Soma Investors, LLC - Rezoning **2023-635**

Location: Northeast Corner of SW Port St. Lucie Blvd and SW Squirrel Ave
Legal Description: Port St. LucieSection 15, Block 1463, Lots 19, 20, 21 and 22
This is a request to rezone 0.99 acres of land currently zoned Institutional (I) to Professional (P).

9. New Business

10. Old Business

11. Public to be Heard

12. Adjourn

Notice: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, any person who may seek to appeal a decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at said meeting upon which any appeal is to be based.

Notice: In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk's office at (772) 871-5157 for assistance.

As a courtesy to the people recording the meeting, please put your cell phone on silent.

"A City for All Ages"

Agenda Summary

2023-643

Agenda Date: 8/1/2023 **Agenda Item No.:** 5.a

Placement: Minutes

Action Requested: Motion / Vote

Approval of Minutes: June 6, 2023 & July 5, 2023

Submitted By: Pat Shutt, Administrative Assistant, Planning & Zoning Department

Executive Summary: June 6, 2023 & July 5, 2023 minutes attached.

Presentation Information: N/A

Staff Recommendation: Move that the Board approve the minutes.

Alternate Recommendations:

1. Move that the Board amend the recommendation and approve the minutes with changes.
2. Move that the Board not approve the minutes and provide staff direction.

Background: N/A

Issues/Analysis: N/A

Special Consideration: N/A

Location of Project: N/A

Attachments: June 6, 2023 & July 5, 2023 minutes.

City of Port St.Lucie

121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984

Planning and Zoning Board

Meeting Minutes

Deborah Beutel, Chair, Term 2 Expires 6/21/25
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Melody Creese, Alternate, Term 1 Expires 11/1/26
Peter Louis Spatara, Alternate, Term 1 Expires 5/8/2027

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Tuesday, June 6, 2023 **6:00 PM** **Council Chambers, City Hall**

1. Meeting Called to Order

A Regular Meeting of the Planning and Zoning Board of the City of Port St. Lucie was called to order by Chair Beutel on June 6, 2023, at 6:02 PM in the Council Chambers of Port St. Lucie City Hall, 121 Port St. Lucie Boulevard, Port St. Lucie, Florida.

2. Roll Call

Board Members Present:
Debra Beutel, Chair
Alfreda Wooten, Vice Chair
Joseph Piechocki, At-Large
Peter Previte, At-Large
Eric Reikenis, At-Large
Melody Creese, Alternate

Board Members Not Present:
Roberta Briney, At-Large
Carol Taylor-Moore, Secretary

Others present:
Peter L. Spatara, Alternate

3. Determination of a Quorum

Chair Beutel determined there was a quorum.

4. Pledge of Allegiance

Chair Beutel led the assembly in reciting the Pledge of Allegiance.

5. Appointments

5.a Board Member Swearing in: Peter L. Spatara as Alternate Member and Reappointment of Alfreda Wooten as a Regular Member **2023-499**

The Deputy City Clerk administered the Oath of Office to Alternate Member Peter L. Spatara and Regular Member Alfreda Wooten.

6. Approval of Minutes

6.a Approval of Minutes - May 2, 2023 **2023-484**

There being no corrections, Vice Chair Wooten moved to approve the minutes of May 2, 2023. Board Member Piechocki seconded the motion, which passed unanimously by roll call vote.

7. Consent Agenda

There was nothing scheduled for this item.

At this time, Chair Beutel suggested reorganizing the order of the Agenda. Board Member Piechocki motioned to move items 8a and 9a to the end of the Agenda. Alternate Board Member Creese seconded the motion, which passed unanimously by voice vote.

8. Public Hearings - Non Quasi-Judicial

8.a P21-128 Wilson Groves - Large Scale Comprehensive Plan **2023-327**

Location: The property is generally located north of the C-23 Canal and east of Range Line Road. It is bounded to the north and east by the Riverland Kennedy DRI.

Legal Description: The property is legally described as a portion of the Alan Wilson Grove plat and portions of Sections 30 and 31 Township 37 South, Range 39 East. A full legal description is available in the Planning and Zoning Department.

This is a request for a Large Scale Comprehensive Plan Text Amendment to amend Figure 1-6 of the Future Land Use Element.

(Clerk's Note: This item was moved to the end of the Agenda and heard after item 9f.)

Bridget Kean, Planner, Planning and Zoning, indicated Item 8a is legislative action and Item 9a is quasi-judicial. The Deputy City Clerk swore in those individuals who wished to speak on these items.

Planner Kean provided a PowerPoint presentation on the Large Scale Comprehensive Plan Text Amendment Application to amend Figure 1-6 of the Future Land Use Element. She stated the applicant is ACR Acquisition, LLC, for the Wilson Groves DRI or NCD District, and Dan Sorrow with Cotleur and Hearing is the agent for property owners ACR Acquisition, LLC, and Florida Power and Light Company.

Planner Kean showed the location of Wilson Groves and indicated the Future Land Use is NCD. She reviewed the background of the project as well as discussed the location and developers of the related DRI's. She also reviewed the SW Annexation Area Roadway Plan and construction of Becker Road.

Planner Kean discussed the proposed Comprehensive Plan Amendment to amend Figure 1-6 and the associated DRI amendment that will be heard after this item to amend Map H in accordance with Figure 1-6. She showed the existing and proposed Figure 1-6 and explained that 566 acres of Mixed-Use was being relocated to south of Becker Road. Planner Kean stated the proposed land amendment is consistent with the Comprehensive Plan, Policy 1.2.11.2 and Policy 1.2.3.1, which states that Wilson Groves is required to have 57 acres of Neighborhood/Village Commercial, 566 acres of Mixed-Use, and 1,876 acres of Residential close to where people live and work.

Planner Kean spoke to the Traffic Impact Analysis prepared by O'Rourke Engineering and last revised on April 18, 2023. She stated the analysis indicates that no additional roadway improvements are required to be constructed in the Wilson Groves DRI until the development reaches 2,200 dwelling units or 2,573 PM peak hour trips, whichever comes last, as shown in Table 2. Planner Kean reviewed the concerns of the traffic impact and indicated the Public Works Department is recommending a condition that when the City deems monitoring is required, the City's 3rd party consultant undertake the monitoring and the applicant reimburse the City for the cost.

Planner Kean presented staff's recommended changes to proposed Figure 1-6, which removes the note addressing the Paseo and other miscellaneous notes from the map. She stated the Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's Comprehensive Plan and recommends approval with the following conditions.

1. The adoption of Revised Exhibit "B" depicting Staff recommended changes.

2. The developer shall reimburse the City for the City's consultant to conduct a monitoring analysis when deemed necessary for the developer's obligated roadways as recommended by the Public Works Department.

Board Member Piechocki asked for a definition of the Paseo and inquired if there was a site plan. Planner Kean stated there is no definition, but she understands it to be a multipurpose path in the City-owned right-of-way. She explained staff does not want the Paseo mentioned at this time, because it is not identified or described in the development order for the City to even know what is being proposed and if it would fit in the City's right-of-way. Board Member Piechocki and Planner Kean discussed and commented on the Paseo.

Board Member Piechocki requested more information on the traffic study. Diana Spriggs with Public Works spoke to the level of service, commercial traffic, and Becker Road.

Dan Sorrow with Cotleur & Hearing stated he was sworn in and requested that all documents, submittal materials, Staff Reports, etc., used as part of this application and Staff's review be entered into the record. He introduced Ramsy Akel, Alex Akel, and Horacio Moncada for Akel Homes as well as Traffic Engineer Susan O'Rourke and Legal Counsel Tara Duhy.

Mr. Sorrow presented a PowerPoint presentation on Wilson Groves and discussed the DRI, Annexation Agreement, entitlements, development order and related resolutions. He explained the request before the Board is to relocate the land uses within the existing entitlement area. He also reviewed the steps and process of the entitlement applications. Mr. Sorrow showed the project site and access via Becker Road, which the applicant is building to Rangeline Road ahead of schedule in partnership with the City. He also discussed the proposed changes to Map H.

Mr. Sorrow elaborated further on the Wilson Groves project and spoke to the community being contained. He discussed the mobility plan, shopping, traffic/golf cart circulation, Becker Road, roadways and

pathways, the Paseo, etc. He indicated the 4 Corners was the heart and soul of the project as well as the inspiration behind the design of Wilson Groves with the active and passive parks, recreation complex, and golf course.

Mr. Sorrow reviewed Staff's recommendations and conditions as well as the developer's responses for clarity with future submissions and implementations. He asked for the Board's support in passing this project onto the City Council with a favorable recommendation of approval.

Planner Kean clarified the DRI requirements for parks and indicated the applicant would have to work with the City and the Parks and Recreation Department on certain park proposals.

Planner Kean explained that at various times during the course of this process, the applicant was going to amend their DRI but decided to amend the map, which is why staff has taken a position on the Paseo. She stated if the applicant is not going to add the Paseo as an improvement or identify it on their DRI, they should not be adding items to the map that could create policy.

For the record, Planner Kean advised the City received a letter from the Law Firm of Shubin & Bass on behalf of the Riverland Kennedy/GL Homes developers. She stated the letter was included in the Board's packet and entered into the record

Chair Beutel opened Public to be Heard.

1. Attorney Denise Haire, Law Firm of Shubin & Bass, stated she is representing Riverland Kennedy, an affiliate of GL Homes. She discussed the June 2, 2023, letter that outlines her client's position in detail and ACR's proposed relocation of land uses and impacts. She stated GL Homes objects to the ACR applications, as the proposed changes would adversely affect GL Homes development of its Riverland DRI property and its roadway obligations as well as impact the health, safety, and welfare of residents in the southwest annexation area. She requested that ACR's pending applications be denied or be approved subject to the inclusions of the policies and conditions outlined in their letter.

There being no further comments, Chair Beutel closed Public to be

Heard.

Attorney Tara Duhy, Law Firm of Lewis, Longman and Walker, stated she was Legal Counsel to ACR. She discussed the Shubin & Bass/GL Homes letter as well as the change in location of the same intensity and density in an improved and vested DRI. She indicated the traffic study would be the same, so there would be no impact.

Board Member Piechocki inquired about the issues outlined in the Shubin & Bass letter as well as the traffic information provided in the Staff Report, to which Attorney Duhy, Planner Kean and staff responded. Colt Schwerdt, Assistant Public Works Director and City Engineer, advised staff was recommending changing the monitoring condition, because they are concerned with the roadway network and level of service capacity. He stated staff is requesting that the City take full control of the monitoring in-house and be reimbursed. Mr. Sorrow indicated he was not comfortable with this condition. Susan O'Rourke, O'Rourke Engineering and Planning, explained the process taken for the Traffic Study. Attorney Duhy opined that the applicant should have control over its study, and not pay for a study and the review of it. Board Member Piechocki recapped the issues and conditions as well as commented on the growth of the City, speaking to City Council, and the Board's responsibilities and discussions.

Board Member Previte questioned why the trigger on when roads will be built comes last, to which Planner Kean explained that process was agreed to within the development orders in approximately 2006. Assistant Public Works Director Schwerdt stated staff does not like the wording of "later" and would prefer "earlier," and explained the trigger is harder to meet with residential units. Board Member Previte stated the residents are concerned about traffic and he did not want to prolong the building of roadways or wait to address it when it is already a concern. Mr. Schwerdt agreed and noted that there will be future development.

Planner Kean clarified the conditions for Mr. Piechocki and explained the process to amend a development order. Mary Savage-Dunham, Director of Planning & Zoning, and Theresa Lamar-Sarno, Deputy City Manager, added to the discussion and spoke to the City's position on the Paseo. Attorney Duhy suggested the condition state the "Paseo may be permitted if approved at the time of site plan by the City as a typical section." She stated they want to reserve the right to bring it forward for consideration when those typical sections would be

presented. Chair Beutel indicated that would not happen tonight, as that would be putting the cart before the horse.

Alternate Board Member Creese asked for further clarification on Map H and the developer's two-way road obligation. Planner Kean noted that Map H is for the DRI amendment and this application is for the NCD Concept Plan that first has to be approved before the DRI can move forward. Assistant Public Works Director Schwerdt explained the orange space on Map H distributes the traffic throughout the DRI development and when the applicant moves all of the Mixed-Use to the south side, it changes the distribution configuration. He noted mixed land use is generally the highest trip generation of the land uses.

Alternate Board Member Creese suggested the language in condition #2 read as follows: The developer shall reimburse the City for the City's consultant to conduct a monitoring analysis when deemed necessary "by the City" for the developer's obligated roadways as recommended by the Public Works Department.

There being no further discussion, Board Member Piechocki moved to recommend approval of P21-128 Wilson Groves - Large Scale Comprehensive Plan with the recommendation and conditions outlined in the Planning Staff's Presentation, Page 11, and Condition #2 to include "when deemed necessary by the City" for the developers obligated roadways, to the City Council. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

8.b P22-336 Lulfs Grove - Comprehensive Plan Amendment - Large Scale **2023-232**

Location: The property is generally located on the west side of Glades Cut Off Road, east of the C-24 Canal and south of Midway Road.
Legal Description: A portion of Sections 20 & 21, Township 36 South, Range 39 East.
This is a request to change the Future Land Use of 90 acres of Commercial Service/Light Industrial/Heavy Industrial (CS/LI/HI), 311.50 acres of Commercial Service/Light Industrial/Residential, Office and Institutional (CS/LI/ROI) and 63 acres of Commercial General/Residential, Office and Institutional (CG/ROI) to 389.24 acres of Low Density Residential (RL), 29.70 of Medium Density Residential (RM), and 11.56 acres of Recreation Open Space (OSR) for the Lulfs Groves property.

Chair Beutel indicated the applicant requested to table this item to July 5, 2023. There being no discussion, Vice Chair Wooten moved to

table item 8b, P22-236 Lulfs Grove - Comprehensive Plan Amendment - Large Scale, to the July 5, 2023, Planning and Zoning Board meeting. Alternate Board Member Creese seconded the motion, which passed unanimously by roll call vote.

8.c P23-059 City of Port St. Lucie - Text Amendment to Chapter 155: Sign Code **2023-398**

A City initiated text amendment to Chapter 155, Sign Code to add public (City) electric message monument signs and updates for clarification of the existing code.

Daniel Robinson, Planning and Zoning, provided a PowerPoint presentation on this City initiated text amendment for the Chapter 155: Sign Code. He indicated the main objective is to update and provide provisions for City signs on City properties and right-of-ways. Planner Robinson reviewed the definition of public electronic message signs and noted the Definition Code Section will be updated in a future amendment. He also discussed the maximum luminance for digital signage.

Planner Robinson stated the Planning and Zoning Department finds the proposed text amendment to be consistent with the intent and direction of the City's Comprehensive Plan and recommends approval.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

There being no further discussion, Board Member Previte moved to recommend approval of P23-059, City of Port St. Lucie - Text Amendment to Chapter 155: Sign Code. Vice Chair Wooten seconded the motion which passed unanimously by roll call vote.

9. Public Hearing - Quasi-Judicial

Elizabeth Hertz, Senior Deputy City Attorney, reviewed the process and procedures for the Board to hear the Quasi-Judicial Hearings listed under Section 9. The Deputy City Clerk swore in those individuals who intended to speak on any items in Section 9.

9.a P21-127 Wilson Groves DRI - Map Amendment **2023-328**

Location: The property is generally located north of the C-23 Canal and east of Range Line Road. It is bounded to the north and east by the Riverland Kennedy DRI.

Legal description: The property is legally described as a portion of the Alan Wilson Grove plat and portions of Sections 30 and 31 Township 37 South, Range 39 East. A full legal description is available in the

Planning and Zoning Department.
This is a request to amend the Wilson Groves DRI development order
by amending Map H, the DRI master development plan.

(Clerk's Note: This item was moved to the end of the Agenda and heard after item 8a.)

Chair Beutel inquired if the Board members had any ex parte communications. Mr. Piechocki disclosed he had communications regarding Wilson Groves with Deputy City Manager Teresa Lamar-Sarno, Planning & Zoning Director Mary Savage-Dunham, Planner Bridget Kean, Senior Deputy City Attorney Elizabeth Hertz, City Attorney James Stokes, Councilman Dave Pickett, and Daniel Sorrow with Cotleur & Hearing. Ms. Creese indicated she had no ex parte communications but does live in the Riverland area. Chair Beutal stated she spoke with Azlina Goldstein and met with staff. Vice Chair Wooten stated she spoke with Azlyna Goldstein. Mr. Reikenis reported he met with Daniel Sorrow of Cotleur & Hearing as well as staff. Mr. Previte indicated he met with Daniel Sorrow and the applicant last year, spoke to Azlyna Goldstein in relation to the letter, and met with staff.

Bridget Kean, Planner, Planning and Zoning, stated she was sworn in and the official file was submitted to the City Clerk's Office five days before the hearing. She requested that the file be entered into the record.

Planner Kean provided a PowerPoint presentation on the 3rd Amendment to the Wilson Groves DRI Development Order, which amends Map H of the Development Order. She indicated the applicant is not proposing any other changes to the development conditions in the DRI. She reviewed the proposed project and indicated the property owners are ACR Acquisition, LLC, and the Florida Power and Light Company.

Planner Kean showed the location of the subject property and indicated the Future Land Use is NCD. She reviewed the background of the project, identified the developers of the related DRI's as well as discussed the WATS and grid roadway network. She spoke to the Southwest Annexation Agreement with the City and the construction of Becker Road by the developers.

Planner Kean noted the Board just heard the associated Comprehensive Plan Amendment for Wilson Groves and reviewed the

related entitlements. She reiterated the City will approve how their parks are developed and other responsibilities of the Wilson Groves DRI.

Planner Kean discussed the proposed DRI Amendment to amend Map H of the Master Developer Plan in accordance with Figure 1-6. She showed the current and proposed Map H, and explained there was only one school site even though two are required by the Annexation Agreement and DRI. She stated there is also an issue with the proposed amendment Map H labels of East/West 4, as it consists of a roadway and a Paseo. She indicated the applicant is also including a note on Map H to allow low speed vehicles along pathways, sidewalks, multiuse trails, and roadway crossings within City-owned right-of-ways on Becker Road, North/South A, North/South B, and East/West 3.

Planner Kean reviewed Staff 's analysis of the amendment and noted the two school sites need to be depicted on Map H. She also discussed and recapped the traffic study, traffic impact analysis, and traffic impact concerns and conditions. Planner Kean reiterated the City's position on the Paseo and staff's recommendation to remove it from the proposed Map H.

Planner Kean stated the Planning and Zoning Department found the petition to be consistent with the proposed changes to the City's Comprehensive Plan. She indicated City staff recommends approval with the following conditions:

1. The applicant’s proposed changes to Map H be updated to depict the location of the two school sites required by Condition 51 of the Wilson Groves DRI development order and the southwest annexation agreement prior to the application going before City Council.

2. Any references to the Paseo be removed from the proposed changes to Map H.

3. The miscellaneous notes and the note to allow low speed vehicles along pathways, sidewalks, multi-use trails, and roadway crossings within the city owned rights of way for Becker Road, N/S A, N/S B, and E/W be removed from proposed changes to Map H.

4. The developer shall reimburse the City for the City’s consultant to conduct a monitoring analysis when deemed necessary for the

developer's obligated roadways as recommended by the Public Works Department.

Planner Kean explained the process of having the DRI Map Amendment and Large Scale Comprehensive Plan Text Amendment go before the City Council at the same time.

Planner Kean also noted the letter from the Law Firm of Shubin & Bass was entered into the record as part of this application.

Daniel Sorrow with Cotleur & Hearing stated he would like to enter the PowerPoint presentation he provided for the Comprehensive Plan into the record for this agenda item. He asked the Board to favorably support this Map Amendment.

Chair Beutel opened Public to be Heard.

1. Kevin Rattery, Vice President of GL Homes, indicated he would be requesting the opportunity to present their arguments in front of City Council. He spoke to the fairness of the traffic report, widening of Becker Road, reallocation of land uses, and trip distribution, as discussed in their letter.

There being no further comments, Chair Beutel closed Public to be Heard.

Attorney Tara Duhy, Law Firm of Lewis, Longman and Walker, stated this was a long process with the three developments to the west and it was always planned to work with one another regarding the conditions. She indicated Riverland Kennedy has not completed its East/West roadway network, and Wilson Groves has committed over $20 million for an interchange and has advanced its requirement to construct Becker Road. She thought this was an important point to make in regards to fairness.

Alternate Board Member Creese noted the language in condition #4 should include ". . . when deemed necessary by the City . . ."

There being no further discussion, Alternate Board Member Creese moved to recommend approval of P21-127, Wilson Groves DRI, Map Amendment, with the conditions listed as recommended by the City for #1-3 as written, and for #4 the developer shall reimburse the City for

the City's consultant to conduct a monitoring analysis when deemed necessary by the City for the developer obligated roadways as recommended by the Public Works Department. Board Member Piechocki seconded the motion, which passed unanimously by roll call vote.

9.b P22-155 Gatlin Boulevard Car Wash - Special Exception Use **2023-241**

Location: 1837 SW Gatlin Boulevard, at the northwest corner of Gatlin Boulevard and SW Import Drive.

Legal Description: Lot 9, Lot 10 and Tract P of Block 1702, Port St. Lucie Section 31

The request is for approval of a Special Exception Use (SEU) to allow a car wash in the General Commercial (CG) zoning district per Section 158.124(C)(4) of the Code of Ordinances.

(Clerk's Note: This item was heard after item 8.c.)

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative.

Bethany Grubbs, Planner, Planning and Zoning, stated she was sworn in and the official file was provided at least five days prior to this meeting. She requested that the file be entered into the record.

Planner Grubbs provided a PowerPoint presentation on this Special Exception Use Application for the Gatlin Boulevard Car Wash. She indicated the property owner is PS Lucie SR CGP, LLC, and represented by agent Brandy Zackery of ACES, Arnold Consulting Engineering Services, Inc. She stated Benjamin McDaniel was in attendance via Zoom to answer any questions.

Planner Grubbs showed the location of the subject property and stated the land use and zoning are general commercial. She reviewed the surrounding areas, conceptual plan, and elevations.

Planner Grubbs discussed the Traffic Impact Statement and stated it was found to be acceptable. She also reviewed the SEU criteria and indicated everything has been met. She stated the Site Plan Review Committee recommended approval of the Conceptual Site Plan on October 12, 2022, and Staff recommends approval with two conditions.

Applicant McDaniel, ACES, stated he was sworn in and performed the civil engineering for this project. He indicated Andrew Barkley, for the client Driven Brands, was also via Zoom to answer any questions.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

There being no further discussion, Alternate Board Member Creese moved to recommend approval of P22-155, Gatlin Boulevard Car Wash Special Exception Use with Staff's Recommendations, to the City Council. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

9.c P22-197 Freese, James - Variance **2023-488**

Location: 2732 SW Casella Street

Legal Description: Port St. Lucie Section 31, Block 1706, Lot 12

This is a request to grant a variance to the requirements of Appendix B, Land Use Conversion Manual of the City's Zoning Code to isolate one (1) lot.

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative.

Bethany Grubbs, Planner, Planning and Zoning, stated she was sworn in and the official file was provided at least five days prior to this meeting. She requested that the file be entered into the record.

Planner Grubbs provided a PowerPoint presentation on a variance application from owner James Freese, to allow for the isolation of one lot. Planner Grubbs showed the location of the subject property and explained the intent is to grant a rezoning to Service Commercial from Residential. She reviewed the surrounding areas and conceptual layout plan. Planner Grubbs stated the request is to utilize the lot for open storage of vehicles and indicated the lot would have to meet the zoning code requirements upon site plan approval with regard to adequate screening and buffering. She explained conversion area 24 allows conversion to Service Commercial; however, it has to meet the hardship requirements of the Conversion Manual and Zoning Code outlined in the Staff Report.

Alternate Board Member Creese inquired about the special circumstances, to which Planner Grubbs explained the applicant would need to meet the Zoning Code for an open storage lot, which includes landscape buffering and fencing. She stated, for a variance request in a conversion area, the applicant has to describe how each property can stand independently .

Applicant/Owner Freese stated his lot was not really isolated. He explained Bush Construction owns five commercial lots and started the commercial trend in this neighborhood in the1990's. He indicated it was incompatible to have a single family residence, his lot 12, right next to Walgreen's, Bush Construction, and auto repair bays. Applicant/Owner Freese stated he would allow the overflow of vehicles to be parked on his lot, so he would be doing the City a favor. He thought Bush Construction might be wanting to purchase his property and encouraging the issue.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

Chair Beutel stated she has never seen the City isolate a property and that there is no hardship at this point. Board Member Previte stated that based on Staff's findings, he is not inclined to approve the variance.

There being no further discussion, Board Member Piechocki moved to recommend denial of P22-197, Freese, James - Variance. Board Member Previte seconded the motion, which passed unanimously by roll call vote.

9.d P22-349 Prima Vista Shops - Planned Unit Development (PUD) Amendment No. 2 **2023-492**

Location: The property is located on the north side of NW Prima Vista Boulevard, east of NW Friar Street

Legal Description: Plat of Prima Vista Commercial Center Plat No. 2, Lot 3

This is a request to amend the PUD (Planned Unit Development) document and conceptual plan for the Prima Vista Shops PUD.

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative.

Bethany Grubbs, Planner, Planning and Zoning, stated she was sworn in and the official file was provided at least five days prior to this meeting. She requested that the file be entered into the record.

Planner Grubbs provided a PowerPoint presentation on Amendment No. 2 of the Prima Vista Shops Planned Unit Development, to add a right-in-only driveway access to lot 3 of the PUD. She indicated the applicant and property owner is CSC Properties, LLC, who is being represented by Jason Bellows of Retail Development Properties, LLC,

and Brad Currie of Engineer, Design and Construction.

Planner Grubbs showed the location of the subject property and indicated the two lots to the west are O'Reilly's and Family Dollar. She indicated the applicant owns lot 3, which is the last lot to be developed. Planner Grubbs stated the future land use is General Commercial and the zoning district is Planned Unit Development. She reviewed the conceptual plan and stated the request is to allow a right-in-only driveway into lot 3. Planner Grubbs noted that the applicant offered to install a driveway for the neighbor, since the location of the turn lane is not ideal.

Planner Grubbs stated the PUD is consistent with the direction and policies of the Comprehensive Plan. She indicated the Site Plan Review Committee recommended approval of this PUD amendment on March 8, 2023.

Brad Currie, Engineer, Design and Construction, stated he was sworn in and representing the property owner. He explained the PUD amendment will allow an additional access point off Prima Vista Boulevard. He indicated they received an email from the neighbor north of the property questioning the landscaping on the north side of the wall. Mr. Currie stated Planner Grubbs showed that the wall, and the landscaping for all three parcels, was constructed when the first parcel was built. He indicated some of the trees are no longer there and the site plan approval will include replacing all trees to match the approved landscape plan.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

There being no further discussion, Board Member Piechocki moved to recommend approval of P22-349, Prima Vista Shops - Planned Unit Development with the added conditions of a circular driveway, if the abutting residential property desires it, and replacing the trees as to the approved landscaping, to the City Council. Board Member Reikenis seconded the motion, which passed unanimously by roll call vote.

9.e P23-038 Tommy C. Creel - Custom Welding Diversified, Inc. - Variance **2023-324**

Location: 1983 SW Biltmore St.

Legal Description: Port St Lucie Section 13, Block 628 S, ½ Lot 14 and all lots 15 and 16.

This is a request for a variance of 4 feet to allow a 6-foot setback from the side property line for a proposed concrete slab used for open storage.

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative.

Bianca Lee, Planner, Planning and Zoning, stated she was sworn in and the official City file was provided at least five days prior to this meeting. She asked that the file be entered into the record.

Planner Lee provided a PowerPoint presentation on the variance request from Tommy C. Creel, as he is seeking a variance to the setback requirements of the Service Commercial zoning district. Planner Lee presented a photo from her site visit indicating where the proposed slab would be located for open storage. She reviewed the variance request as well as the location of the subject property, zoning map for service commercial, and boundary survey with the proposed slab.

Applicant Sherry Creel stated she was sworn in. She explained five mature oak trees on the west side caught a fungus and were taken down. She stated the soil is contaminated, so anything planted there dies. She indicated bushes were not planted in the front, because it would be a good hiding spot from the eye level of a police car. Chair Beutel stated the Board had to adhere to the Code of Ordinances, but she would take this into consideration.

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

Board Member Previte stated in looking at the variance criteria in Section 158 of the Code, he is not in favor of approving the variance.

There being no further discussion, Board Member Previte moved to deny approval of P23-038, Tommy C. Creel - Custom Welding Diversified, Inc. - Variance. Board Member Piechocki seconded the motion, which passed unanimously by roll call vote.

9.f P23-081 SLW Total Wine & More (Town Center) - Variance **2023-465**

Location: The Property is located on the northeast corner of St. Lucie West and Peacock Boulevards.

Legal Description: Lot 1-3, Block 3, Parcel 28, St. Lucie West Plat Number 1, Prima Vista Boulevard, Plat Book 26, Page 8

A request to grant a variance to Section 110.02 - Alcoholic Beverage Code that states no license shall be granted to a vendor of alcoholic beverages whose place of business is or shall be within one thousand five hundred (1,500) feet of a school or religious institution. This application is for a variance of four hundred and fifty-eight point thirteen (458.13) feet to allow a separation distance of one thousand forty-one point eighty-seven (1,041.87) feet from a school or religious institution. This variance will allow a Total Wine and More retail store acquire the proper state license for the sale of packaged liquor

Chair Beutel inquired if the Board had any ex parte communications, to which each member responded in the negative.

Daniel Robinson, Planner, Planning and Zoning, stated he was sworn in and the official file was submitted to the City Clerk at least five days prior to this meeting. He requested that the file be entered into the record.

Planner Robinson provided a PowerPoint presentation on the request for a variance of Chapter 110 for Total Wine & More located within the Benderson Development or Town Center. He explained the applicant is seeking a variance for a separation distance requirement of Section 110.02 of the Alcoholic Beverage Code, to allow for a relief or variance of 458.13 feet near schools or religious institutions. Planner Robinson showed the location of the subject property, and stated the property is zoned general commercial and the land use is general commercial/highway commercial/institutional. He noted that Staff was not recommending any conditions with this application and apologized for any confusion regarding the Staff Report.

Attorneys Nicholas Gieseler and Cynthia Angelos from Bartlett, Loeb, Hinds, Thompson and Angelos, PLLC, stated they were the agents for the applicant. Attorney Gieseler indicated Nico Romano with Spiritus Law represents Total Wine & More interests nationwide and is available to answer any specific questions regarding operations. Another representative from Total Wine & More attended via Zoom as well.

Attorney Gieseler provided a PowerPoint presentation and reviewed the background of the request. He discussed the location of the subject property and the related ordinance regarding proximity. Attorney Gieseler also spoke to the standards for a variance request, special conditions and circumstances of the unit within a multiuse plaza, and measuring for the required distance.

Chair Beutel opened Public to be Heard.

1. Melissa Kraus stated she was speaking on behalf of St. Lucie Wine & Liquors located at 1485 NW St. Lucie West Boulevard and indicated she resides in Stuart. Ms. Kraus spoke against granting the variance to Total Wine & More as it would cause St. Lucie Wine & Liquors and other small stores undue hardship, because they cannot compete with the larger stores.

2. Annie Balshi, 117 NW Madison Court, St. Lucie West, stated she would like the variance denied for multiple reasons, as she is a small liquor store owner who has to comply with everything in the code and they will not survive the competition.

3. Atul Patel, 2614 SW River Shore Drive, stated he has resided in Port St. Lucie and has been in the liquor business for 40 years. He explained he went through the same process and was denied several locations. He stated the traffic would increase significantly if Total Wine & More moves in and the small businesses would suffer.

4. Kiran Patel, 6939 Okeechobee Road, Fort Pierce, requested that the Board deny this application because he had the same request in another city and the small businesses do not have the money to hire a big legal team. He asked the Board to treat the big-box stores as they do small businesses.

5. Manish Shukla, 5346 NW Aloha Street, stated the small businesses follow the same City ordinance as the big-box stores. He indicated he was holding a letter and petitions in his hand from a church near the subject property that does not want any liquor stores near them. Mr. Shukla read his own thoughts and experience as a liquor store owner into the record. He provided Senior Deputy City Attorney Hertz the letter from the Church along with the signed petitions.

There being no further comments, Chair Beutel closed Public to be Heard.

(Clerk's Note: Chair Beutel called for a break at 7:11 PM and the meeting resumed at 7:17 PM.)

Chair Beutel indicated the Board was just provided the letter from the

church and the signatures that accompany it. Senior Deputy City Attorney Hertz stated these documents could be entered into the record.

Attorney Gieseler stated he understood the concerns of the competing businesses, but the issue at hand is the application of the ordinance. He indicated the church was the only affected party and the letter was signed by the pastor who may or may not have authority to act on the church's behalf. He opined that it would make sense to grant the variance.

Board Member Previte stated it would be interesting to know if any restrictions were given to Walmart when their variance was approved on April 5, 2016. Board Member Piechocki stated he did not know how the Board could deny this request when Walmart's variance was approved. Chair Beutel reminded the Board that every variance is considered separately.

Chair Beutel questioned if the distance was being measured correctly according to state law. Senior Deputy City Attorney Hertz stated she did not know which state law was being referenced, but Attorney Gieseler's point was if they measured from location to location they met the requirement of 1,500 feet, so it depends on the layout of the property on a large versus small parcel. Mary Savage-Dunham, Director of Planning and Zoning, explained the code speaks to property line to property line, which is what brought Walmart before the previous Board for relief. She stated if they measured from the actual physical location of the liquor store to the physical location of the church or religious institution, it would exceed the 1,500 foot distance. Director Savage-Dunham indicated Staff was looking at revising this section of the code, as it was last updated in 2006, but they have to enforce the code that is before them now.

The Board discussed the measurement process, prior variances approved by the Board, and the City's code adapting to growth. Ms. Savage-Dunham explained the City has a mechanism for relief within the code, which is a variance and being requested tonight.

Board Member Previte stated he was inclined to approve this request based on the actual location of the store and the prior granting of a variance to Walmart. Board Member Reikenis stated he would like to know if any small business owners were denied a variance with this

same request. Senior Deputy City Attorney Hertz reiterated that each variance application is an individual application, so the Board needs to look at the facts and circumstances related to this application.

There being no further discussion, Board Member Previte moved to approve P23-081, SLW Total Wine & More (Town Center) - Variance. Board Member Piechocki seconded the motion, which passed by roll call vote with Chair Beutel, Board Member Piechocki, Alternate Board Member Creese, Board Member Previte, and Vice Chair Wooten voting in favor and Board Member Reikenis voting against.

10. New Business

Board Member Piechocki provided an update on the Site Plan Review Committee and indicated 41 projects were considered, 13 were tabled, and 28 were approved. He stated most of the projects are in Saint Lucie West.

11. Old Business

There was nothing scheduled for this item.

12. Public to be Heard

Chair Beutel opened Public to be Heard. There being no comments, she closed Public to be Heard.

Mary Savage-Dunham reminded the Board that their next meeting is on Wednesday, July 5, 2023, due to the July 4th holiday.

13. Adjourn

There being no further business, the meeting adjourned at 9:48 PM.

_____
Carol Taylor-Moore, Secretary

_____
Calleigh Nazario, Deputy City Clerk

_____
Typed by: Traci Mehl, Deputy City Clerk

City of Port St.Lucie

121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984

Planning and Zoning Board

Meeting Minutes - Draft

Deborah Beutel, Chair, Term 2 Expires 6/21/25
Alfreda Wooten, Vice Chair, Term 2 Expires 5/28/27
Carol Taylor-Moore, Secretary, Term 1 Expires 9/27/25
Peter Previte, At-Large, Term 1 Expires 7/12/25
Joseph Piechocki, At-Large, Term 1 Expires 7/12/25
Roberta Briney, At-Large, Term 1 Expires 7/12/25
Eric Reikenis, At-Large, Term 1 Expires 11/1/26
Melody Creese, Alternate, Term 1 Expires 11/1/26
Peter Louis Spatara, Alternate, Term 1 Expires 5/8/2027

Please visit www.cityofpsl.com/tv for new public comment options.

Wednesday, July 5, 2023 **6:00 PM** **Council Chambers, City Hall**

1. Meeting Called to Order

A Regular & Virtual Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Vice Chair Wooten at 6:00 p.m., on July 5, 2023, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Council Chambers, Port St. Lucie, Florida & via Zoom.

2. Roll Call

Members Present:
Deborah Beutel, Chair (via Zoom)
Alfreda Wooten, Vice Chair
Carol Taylor-Moore, Secretary
Roberta Briney
Peter Previte
Joseph Piechocki
Eric Reikenis

3. Determination of a Quorum

Vice Chair Wooten confirmed that there was a quorum.

4. Pledge of Allegiance

Vice Chair Wooten led the assembly in the Pledge of Allegiance.

5. Approval of Minutes

(Clerk's Note: There were no minutes listed on the agenda.) Mr. Piechocki

questioned whether or not the Board's recommendation on Wilson Groves was included when staff presented the item to the City Council. He also questioned why the item was not revisited by the Planning & Zoning Board (as a full packet) when an item was submitted after the Planning & Zoning meeting but before the City Council meeting. Mary Savage-Dunham, Planning & Zoning Director, replied that the Board's recommendation was submitted to the City Council but on June 2nd, staff received an updated Traffic Analysis from the applicant which was peer reviewed on the 9th. As a result of that peer review staff recommended that the City Council deny the item but also supplied an alternate motion approving with conditions. The Board agreed to table the minutes to the next meeting.

6. Consent Agenda

There was nothing scheduled under this item.

7. Public Hearings - Non Quasi-Judicial

7.a P22-336 Lulfs Grove - Comprehensive Plan Amendment - Large Scale **2023-232**

Location: The property is generally located on the west side of Glades Cut Off Road, east of the C-24 Canal and south of Midway Road.
Legal Description: A portion of Sections 20 & 21, Township 36 South, Range 39 East.
This is a request to change the Future Land Use of 90 acres of Commercial Service/Light Industrial/Heavy Industrial (CS/LI/HI), 311.50 acres of Commercial Service/Light Industrial/Residential, Office and Institutional (CS/LI/ROI) and 63 acres of Commercial General/Residential, Office and Institutional (CG/ROI) to 389.24 acres of Low Density Residential (RL), 29.70 of Medium Density Residential (RM), and 11.56 acres of Recreation Open Space (OSR) for the Lulfs Groves property.

Mr. Previte moved to table P22-336, Lulfs Grove, Comprehensive Plan Amendment, Large Scale, to the September 5, 2023 Planning & Zoning Board Meeting. Mr. Reikenis seconded the motion which passed unanimously by roll call vote.

8. Public Hearing - Quasi-Judicial

The Deputy City Attorney read the Quasi-Judicial Rules into the record for Items 8 a.) through c.) and the Deputy City Clerk swore in staff and the applicants.

8.a P23-088 Imperium Construction Company, LLC - Variance **2023-573**

Location: 1429 SW South Macedo Boulevard
Legal description: Port St. Lucie Section 28, Block 240, Lot 3
This is a request for a variance to Section III of the Land Use Conversion Manual to allow for a lot with less than 20,000 square feet and less than 160 feet of frontage.

Vice Chair Wooten inquired if there were any ex-parte communications, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Francis Foreman, Planner II, informed the Board that the item was a variance to the Land Use Conversion Manual for the overall rezoning of a lot which was currently vacant. He showed a location map, an aerial and zoning map. He stated that the applicant was unable to acquire any more property. He informed the Board that the item would be going before the City Council. Mr. Previte inquired if the word "not" was missing in the report under 1, to which Mr. Foreman responded in the affirmative.

George Ruiz Ortiz stated that it was a small lot and did not meet the minimum requirements, therefore he applied for a variance. Vice Chair Wooten opened for Public to Be Heard, to which there was no one, therefore she closed the Public Hearing.

Mr. Piechocki moved to approve P23-088, Imperium Construction Company, LLC Variance. Mr. Reikenis seconded the motion which passed unanimously by roll call vote.

8.b P23-094 St. Lucie Battery & Tire @ Gatlin Boulevard - Landscape Modification **2023-574**

Location: North of SW Gatlin Boulevard and east of SW Edgarce Street

Legal Description: Parcel B, Fotios Subdivision.

This is a request to waive the requirement for an architectural buffer wall and substitute landscaping in lieu of a wall on the northwest side of the property as per Section 154.12 of the Landscape and Land Clearing Code.

Vice Chair Wooten inquired if there were any ex-parte communications, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Bianca Lee, Planner I, stated that she had been sworn in & stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She informed the Board that a Minor Site Plan had been previously approved and described how the property abutting a residential property. She said that the applicant was requesting to forego the six-foot architectural wall and install a double row of hedges, to which the City was requesting that the hedges be planted at three feet high but be maintained at six feet and include irrigation. She showed a location map, an aerial & street view, the Site Plan, and the Landscape Plan/buffer. Secretary

Taylor-Moore inquired if there was an existing wall, to which Ms. Lee responded in the affirmative and added that the applicant was proposing landscaping because there were utility pipes and an oak tree in the area.

Areli Armendariz, Velcon Engineering, stated that there was an issue with the proposed wall because of a large oak tree.

Vice Chair Wooten opened the Public Hearing. Carolina Catala, 2149 SW Medlock Ave, spoke in opposition of the landscaping as she felt that the property needed the wall for security and as a noise barrier.

Ms. Armendariz stated that the site was under construction but once constructed, the landscaping would be saturated which would not allow pedestrians or vehicles to cross. Mr. Previte clarified that there would be a wall on the west side to the north side, to which Ms. Armendariz responded in the affirmative. Vice Chair Wooten closed Public to be Heard. Chair Beutel inquired if the oak tree could be removed, to which Ms. Armendariz replied that the tree was located on a different property. Chair Beutel stated that it was impossible to attach the walls. She inquired if the applicant would increase the height of the shrubs, to which Ms. Lee replied that it may be possible to plant shrubs higher than 24-36” and if parked cars as an issue the residents could call Code Compliance. Mr. Reikenis inquired if the gap would exist if the item was denied, to which Ms. Lee replied that she was unsure of how the issue could be remedied since things were impeding the continuation of the wall.

Clyde Cuffy, Public Works, informed the Board that there was a large drainage pipe and construction of a wall on top of the pipe would be an issue.

Mr. Previte moved to approve P23-094, St. Lucie Battery & Tire @ Gatlin Boulevard, Landscape Modification, with the condition that the planted shrubs start at six feet and include irrigation. Mr. Piechocki seconded the motion which passed unanimously by roll call vote.

8.c P23-097 Monna Homes, LLC - Variance **2023-568**

Location: 520 SE Cliff Road

Legal Description: Port St. Lucie Section 39, Block 2655, Lot 18

This is a request for a variance of 12.42 feet to allow a 12.58-foot setback from the rear property line for a proposed single-family residence.

Chair Beutel moved to table P23-097, Monna Homes, LLC Variance, to the August 1, 2023 Planning & Zoning Board Meeting which will start at 6:30 p.m. Mr. Previte seconded the motion which passed unanimously by roll call vote.

9. New Business

Vice Chair Wooten informed the Board that the August 1, 2023 Planning & Zoning Board meeting would start at 6:30 p.m.

10. Old Business

Mr. Piechocki updated the Board on projects that were heard before the Site Plan Review Committee.

11. Public to be Heard

There was nothing heard under this item.

12. Adjourn

There being no further business, the meeting adjourned at 6:45 p.m.

_____

Carol Taylor-Moore, Secretary

_____

Shanna Donleavy, Deputy City Clerk

"A City for All Ages"

Agenda Summary

2023-647

Agenda Date: 8/1/2023 **Agenda Item No.:** 7.a

Placement: Public Hearing - Non Quasi Judicial

Action Requested: Motion / Vote

P23-113 A City Initiated Text Amendment to Chapter 156 - Subdivision Regulations, Section 156.094 and Chapter 158 - Zoning Code, Section(s) 158.172, 158.187 & 158.222.

This is a request to establish standards for the minimum number of access points for residential developments located within the Planned Unit Development (PUD) and Master Planned Unit Development (MPUD) zoning districts.

Submitted By: Bethany Grubbs, Planner III

Executive Summary: The purpose of this amendment is to establish standards for the minimum number of access points for residential developments located within the Planned Unit Development (PUD) and Master Planned Unit Development (MPUD) zoning districts. The amendment intends to address secondary access requirements for developments that are between one (1) to ninety-nine (99) dwelling units and those that exceed one hundred (100) or more dwelling units.

Presentation Information: The Planning and Public Works Departments will be providing a presentation.

Staff Recommendation: Move that the Board recommend approval of the text amendment.

Alternate Recommendations:

1. Move that the Board amend the recommendation and recommend approval of the text amendment.
2. Move that the Board recommend denial of the text amendment.

Background: At the 2023 Winter Workshop, Council directed that staff provide minimum vehicular access standards for residential developments within the PUD and MPUD zoning districts. The Public Works Department presented recommendations by way of a special presentation during the June 26, 2023, Regular City Council meeting.

Issues/Analysis: See the attached staff report.

Special Consideration: City staff coordinated with the St. Lucie County Fire District to understand the National Fire Protection Association and local Fire District requirements for access roads and fire lanes, as the public health, safety, and welfare needs of the City's residents are of utmost importance. The Fire District has provided a letter of support for this amendment.

Location of Project: N/A

Attachments:

1. Staff Report
2. Exhibit “A” Section 156.094 Subdivision and Lot Access
3. Exhibit “B” Section 158.172 Standards for District Establishment
4. Exhibit “C” Section 158.187 Standards for District Establishment
5. Exhibit “D” Section 158.222 Access Standards Sidewalks and Bikepaths
6. SLC Fire District Letter of Support
7. Staff Presentation

City of Port St. Lucie Text Amendment
Chapter 156 – Subdivision Regulations, Section 156.094 and Chapter 158 – Zoning Code, Section(s) 158.172, 158.187 & 158.222
P23-113

SUMMARY

Applicant's Request:	An amendment to Chapter 156, Section 156.094 & Chapter 158, Section(s) 156., 158.172, 158.187 & 158.222
Applicant:	City of Port St. Lucie
Application Type:	Text Amendment to City's Land Development and Subdivision Regulations
Project Planner:	Bethany Grubbs, Planner III

Background

The proposed amendment to Chapter 156 – Subdivision Regulations, Section 156.094 and Chapter 158 – Zoning Code, Section(s) 158.172, 158.187, and 158.222 of the Code of Ordinances is a staff-initiated text amendment. The purpose of this amendment is to establish standards for the minimum number of access points for all residential developments, including those located within the Planned Unit Development (PUD) and Master Planned Unit Development (MPUD) zoning districts. The amendment intends to address secondary access requirements for developments that are between one (1) to ninety-nine (99) dwelling units and those of one hundred (100) or more dwelling units.

At the 2023 Winter Workshop, Council directed that staff provide minimum vehicular access standards for all residential developments. The Public Works Department presented recommendations by way of a special presentation during the June 26, 2023, Regular City Council meeting.

Analysis

Currently, the city code is silent on the minimum number of access points required within residential developments and indicates the minimum number of access points shall be provided to adequately serve the development. Adoption of the recommended vehicular access standards would further ensure that all future residential development subdivisions, including those located within the PUD and MPUD zoning districts, provide the appropriate access and traffic facilities to serve the development in a safe and efficient manner.

To ensure safe and timely access into planned residential developments for emergency response vehicles, in the event of an emergency, one justifying factor in determining the necessity of a secondary access point is the number of proposed dwelling units in a subdivision. The number of dwelling units impacts site design considerations as they contribute to increased vehicle congestion and access concerns. Staff used comparisons to other Florida jurisdictions which require a secondary point of access. Upon review, it was determined that one hundred (100) dwelling units are the standard threshold to require a permanent secondary access point for ingress and egress to residential developments that are open for all community residents, and not intended only for emergency access.

To eliminate ambiguity in the current guidelines, staff is proposing the following modifications:

1. **One to 99 units.** Site must provide a minimum of two access points. One access may operate as an emergency only access point and may utilize a stabilized, pervious surface approved by the City Engineer and Fire Marshall. The secondary access point shall be located on a different public roadway than the primary access and on different sides of the development where feasible. Installation of a secondary access point shall be completed prior to 50 percent of building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.
2. **100 or more units.** Site must provide a minimum of two access points with impervious surfaces suitable for all users and shall be located on public roadways independent of one another and on different sides of the development where feasible. Installation of the secondary access point shall be completed prior to the 75th building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

City staff coordinated with the St. Lucie County Fire District to understand the National Fire Protection Association and local Fire District requirements for access roads and fire lanes, as the public health, safety, and welfare needs of the City's residents are of utmost importance. The Fire District has provided a letter of support for this amendment.

Proposed Amendment
See attached Exhibits A-D. Changes are shown in ~~strikethrough~~ and underline format. We have highlighted the changes in yellow also.

STAFF RECOMMENDATION

The Planning and Zoning Department staff recommends approval of the proposed amendment based on the analysis and findings, as noted in the staff report.

PLANNING AND ZONING BOARD ACTION OPTIONS: *

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with changes
- Motion to recommend denial to the City Council

* Should the Board need further clarification or information from staff it may exercise the right to table or continue the hearing or review to a future meeting.

Sec. 156.094. Subdivision and Lot Access.

(A) Minimum number of access points shall be provided to adequately serve the ~~subdivision~~ development, as outlined below, or as determined by a traffic study, or the Fire Marshall, whichever is more stringent. Additional access points may be required as determined by the Site Plan Review Committee.

(1) One to 99 units. Site must provide a minimum of two access points. One access may operate as an emergency only and may utilize a stabilized, pervious surface approved by the City Engineer and Fire Marshall. The secondary access point shall be located on different public roadway than the primary access and on different sides of the development where feasible. Installation of a secondary access point shall be completed prior to 50 percent of building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

(2) 100 or more units. Site must provide a minimum of two access points with impervious surfaces suitable for all users and shall be located on public roadways independent of one another and on different sides of the development where feasible. Installation of the secondary access point shall be completed prior to the 75th building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

(B) In order to provide ease and convenience in ingress and egress to private property and the maximum safety with the least interference to the traffic flow on public streets, classified major collector and above, the number and location of driveways shall be regulated by the dedication of access rights to the City.

(C) Street stubs to adjoining undeveloped areas shall be provided for proper traffic circulation. Street stubs in excess of two hundred fifty (250) feet shall be provided with a temporary cul-de-sac turnaround.

(D) Tapers, deceleration lanes, left-turn lanes, bypass lanes, median modifications or other designed features may be required to protect the safe and efficient operation of the access street.

(E) Every lot or parcel shall be served from a publicly dedicated street; however, a developer may retain as private a local street if the following conditions are met:

(1) Public right-of-way is not required in order to serve adjacent development that is existing or proposed;

(2) A permanent access easement is granted for service and emergency vehicles and for maintenance of public and semi-public utilities; and

(3) A reciprocal easement for ingress and egress is granted all residents of the development.

(F) All lots shall front on a paved road. A development shall abut, or have as its primary access, a street paved to City standards. This street shall be paved by the developer from the entrance of the development to the nearest public paved road, except as provided for in subsection 158.222(C) of Chapter 158.

(Ord. 94-7, passed 3-14-94; Ord. No. 11-69, § 1, 9-12-11)

Sec. 158.172. Standards for District Establishment.

In reaching recommendations and decisions as to rezoning land to PUD classification, the Planning and Zoning Board and the City Council shall apply the following standards in addition to the standards and procedures of sections 158.315 through 158.322 applicable to the rezoning of land generally:

(A) **Area Requirement.** In general, the area of a proposed planned unit development district will have to be of substantial size to permit its design and development as a cohesive unit fulfilling the stated purpose and objectives of these regulations and to establish the district as a meaningful segment of the larger community. Each proposed district shall therefor be evaluated as to its adequacy in size with respect to both the nature and character of its internal design and to its specific location within the City. The minimum size of a PUD district to be considered for establishment shall be two (2) acres.

(B) **Relation to Major Transportation Facilities.** PUD districts shall be so located with respect to arterial or major streets, highways, collector streets, or other transportation facilities as to provide suitable access to those districts without creating or generating traffic along minor streets in residential areas or districts outside the PUD districts.

(1) The minimum number of residential development access points are outlined below, or as determined by a traffic study, or the Fire Marshall, whichever is more stringent. Additional access points may be required as determined by the Site Plan Review Committee.

a. One to 99 units. Site must provide a minimum of two access points. One access may operate as an emergency only and may utilize a stabilized, pervious surface approved by the City Engineer and Fire Marshall. The secondary access point shall be located on different public roadway than the primary access and on different sides of the development where feasible. Installation of a secondary access point shall be completed prior to 50 percent of building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

b. 100 or more units. Site must provide a minimum of two access points with impervious surfaces suitable for all users and shall be located on public roadways independent of one another and on different sides of the development where feasible. Installation of the secondary access point shall be completed prior to the 75th building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

(C) **Relation to Utilities, Public Facilities, and Services.** PUD districts shall be required to obtain developers agreements regarding provision of utilities, to meet the requirements of the Comprehensive Plan regarding levels of service (LOS) for public facilities and to meet the requirements of Chapter 160, Concurrency Management System.

(D) **Physical Character of the Site.** The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of soil, ground water level, drainage, and topography shall be appropriate to both kind and pattern of use intended.

(E) **Consistency with the City Comprehensive Plan.** To be eligible for consideration, a PUD rezoning proposal must be found to be consistent with all applicable elements of the City's adopted

Comprehensive Plan with respect to both its proposed internal design and its relationship to adjacent areas and the City as a whole.

(Ord. No. 98-84, § 1, 3-22-99)

Sec. 158.187. Standards for District Establishment.

In reaching recommendations and decisions as to rezoning land to MPUD classification, the Planning and Zoning Board and the City Council shall apply the following standards in addition to the standards and procedures of sections 158.315 through 158.322 applicable to the rezoning of land generally:

(A) **Area Requirement.** The City shall allow the establishment of a MPUD zoning district for land within the New Community Development (NCD) Future Land Use designation and under a specific NCD sub-district to be consistent with those minimum size requirements established for each sub-district; except the establishment of a MPUD for the Residential sub-district shall require a minimum area of fifty (50) acres. Boundaries of the area shall be identified and established.

(B) **Relation to Major Transportation Facilities.** MPUD districts shall be so located with respect to arterial or major streets, highways, collector streets, or other transportation facilities as to provide suitable access to those districts.

(1) The minimum number of residential development access points are outlined below, or as determined by a traffic study, or the Fire Marshall, whichever is more stringent. Additional access points may be required as determined by the Site Plan Review Committee.

a. One to 99 units. Site must provide a minimum of two access points. One access may operate as an emergency only and may utilize a stabilized, pervious surface approved by the City Engineer and Fire Marshall. The secondary access point shall be located on different public roadway than the primary access and on different sides of the development where feasible. Installation of a secondary access point shall be completed prior to 50 percent of building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

b. 100 or more units. Site must provide a minimum of two access points with impervious surfaces suitable for all users and shall be located on public roadways independent of one another and on different sides of the development where feasible. Installation of the secondary access point shall be completed prior to the 75th building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

(C) **Relation to Utilities, Public Facilities, and Services.** MPUD districts shall be required to obtain developers agreements regarding provision of utilities, public facilities and services as applicable.

(D) **Development of Regional Impact (DRI).** The proposed MPUD district shall be located within an approved DRI and be consistent with all applicable conditions of the approved DRI development order.

(E) **Consistency with the City Comprehensive Plan.** To be eligible for consideration, a MPUD rezoning proposal must be found to be consistent with all applicable elements of the City's adopted Comprehensive Plan with respect to both its proposed internal design and its relationship to adjacent areas and the City as a whole.

(Ord. No. 10-62, § 2, 8-9-10; Ord. No. 15-85, § 1, 12-7-15; Ord. No. 19-35, § 2, 6-24-19; Ord. No. 22-22, § 2, 4-11-22)

Sec. 158.222. Access Standards, Sidewalks, and Bikepaths.

(A) **General Requirements.**

(1) All new development or redevelopment will be provided with the appropriate access and traffic facilities to serve the transportation needs of the development in a safe and efficient manner while simultaneously preserving the flow of traffic on the surrounding public road system. The minimum number of residential development access points are outlined below, or as determined by a traffic study, or the Fire Marshall, whichever is more stringent. Additional access points may be required as determined by the Site Plan Review Committee.

a. One to 99 units. Site must provide a minimum of two access points. One access may operate as an emergency only and may utilize a stabilized, pervious surface approved by the City Engineer and Fire Marshall. The secondary access point shall be located on different public roadway than the primary access and on different sides of the development where feasible. Installation of a secondary access point shall be completed prior to 50 percent of building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

b. 100 or more units. Site must provide a minimum of two access points with impervious surfaces suitable for all users and shall be located on public roadways independent of one another and on different sides of the development where feasible. Installation of the secondary access point shall be completed prior to the 75th building permit issuance. When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

(2) It is intended that access be restricted on arterial and collector streets in order to limit traffic conflicts and to preserve the capacity of these roads.

(3) All new development shall be required to dedicate to the public, or a private maintenance entity, the necessary rights-of-way for all new streets and roads within the development. Additional rights-of-way shall be dedicated on existing roads to bring that road to the necessary right-of-way indicated in the functional classification system contained in the transportation element of the Comprehensive Plan. All new development shall be required to construct or contribute towards off-site road improvements necessary to serve the development, unless otherwise addressed by the City Council. Necessary road improvements may include road construction, road widening, left and right turn lanes, traffic signals, regulatory signs and pavement markings. A traffic study may be required by the Zoning Administrator in order to properly identify the traffic impacts of the new development and measures needed to mitigate the impact of the new development.

(4) Every building, structure, or use hereafter erected, moved, or established shall be on a lot adjacent to a public street by means of an approved private street, and all buildings, structures, and uses shall be so located on lots so as to provide safe and convenient access for servicing, fire protection, and required off-street parking and loading. No building, structure, or use shall be erected on, moved onto, or established upon a lot which does not abut on at least one (1) public street or approved private street for a distance of at least twenty (20) feet.

(5) No lot which is residentially zoned shall be used for driveway, walkway, or access purposes to any lot which is zoned nonresidential or used for any purpose not permitted within the applicable residential zoning district except for ingress and egress to and from an existing use which does not abut a street.

(6) All new development shall be required to provide a traffic analysis appropriate to the magnitude of the new development including impacts to affected roadway facilities and construct or contribute towards off-site road improvements necessary to serve the development, unless otherwise addressed by the City Council. Necessary road improvements may include, but are not limited to, road construction, road widening, left and right turn lanes, traffic signals, regulatory signs and pavement markings.

(7) Internal circulation systems, interconnected parking lots, and/or frontage roads shall be utilized wherever possible.

(8) Temporary driveway permits may be issued as an interim measure until interconnected parking lots or frontage roads can be feasibly developed.

(B) **Design Requirements.** General design standards for the drive width, allowable number of driveways, and driveway spacing are provided below. Traffic generators with volumes of one thousand (1,000) plus trips per day, shall have driveways designed as a street intersection. Refer to the City's Engineering Standards for Land Development for additional information on requirements for pavement design, driveway profile, driveway radius, throat lengths, medians, median openings, and turn lanes.

(1) **Driveway Surface.** All driveways shall be paved with concrete, asphalt, or comparable hard surfacing and shall be in accordance with the City's Engineering Standards for Land Development.

(2) **Driveway Width.** The minimum and maximum driveway widths shall be as follows:

	Driveway Width	
District and Driveway Type	Minimum (feet)	Maximum (feet)
Residential		
Single-family, detached	10	32
Single-family, detached (circular, main portion to garage)	10	32
Single-family, detached (circular, secondary portion)	10	20
Multi-family	20	24
Multi-family (one way)	12	16
Commercial		
One way	12	16
Two way	24	36
Industrial		
One way	12	24
Two way	24	40

(3) **Number of Driveways.** Driveways shall be limited to the minimum necessary to provide access to the land uses. The following standards for the number of driveways are a guideline for the City to utilize in the review of specific development projects. Standards in excess of the guideline are preferable and may be required for driveways located within the functional area of an intersection or areas where access restrictions are necessary to reduce conflicts, preserve the safety of the traveling public, or to preserve the function of the adjacent roadway. These guidelines may not always apply to conversion areas. Approval from the owner of the roadway is required for driveway connections to roads that are

not owned by the City. Access restrictions shall be more severe for projects located on arterial or collector roads, especially for areas of strip commercial development.

Allowable Number of Driveways			
District	Number of Driveways, Type, and Frequency		
	Arterial Road	Collector Road	Local Road
Residential			
Single-family (Lots < 18,500 square feet)	1 two-way per lot or 1 circular per lot	1 two-way per lot or 1 circular per lot	2 two-way per lot or 1 circular per lot
Single-family (Lots > 18,500 square feet)	2 two-way per lot or 1 circular per lot	2 two-way per lot or 1 circular per lot	2 two-way per lot or 1 circular per lot
Multi-family (minimum access standards must follow section 158.222(A)(1))	1 two-way or 2 one-way per each 500 feet of road frontage	1 two-way or 2 one-way per each 350 feet of road frontage	1 two-way per each 100 feet of road frontage
Commercial	1 two-way or 2 one-way per each 500 feet of road frontage	1 two-way or 2 one-way per each 350 feet of road frontage	1 two-way or 2 one-way per each 100 feet of road frontage
Industrial	1 two-way or 2 one-way per each 500 feet of road frontage	1 two-way or 2 one-way per each 250 feet of road frontage	1 two-way or 2 one-way per each 100 feet of road frontage

(4) **Driveway Spacing from Intersections.** Driveway spacing from intersections shall be measured from the right-of-way line of the intersecting street to the midpoint of the driveway. Spacing between driveways shall be measured from the midpoint of each driveway. Standards in excess of these requirements are preferable and may be required for driveways located within the functional area of an intersection or areas where access restrictions are necessary to reduce conflicts, preserve the safety of the traveling public, or to preserve the function of the adjacent roadway. The spacing requirements are shown in the following table:

Driveway Spacing from Intersections			
District	Driveway Location		
	Arterial Road	Collector Road	Local Road
Residential			
Single-family	50'	50'	25'
Multi-family	250'	250'	50'
Commercial	250'	250'	50'
Industrial	250'	200'	50'

(5) **Driveway Spacing Between Driveways.** The spacing requirements are shown in the following table where the spacing between driveways shall be measured from the midpoint of each driveway.

Driveway Spacing Between Driveways			
District	Driveway Location		
	Arterial Road	Collector Road	Local Road
Residential			
Single-family	20'	20'	20'

Multi-family	150'	100'	50'
Commercial	250'	200'	50'
Industrial	n/a	150'	50'

(C) **Exceptions.** The Site Plan Review Committee may exempt utilities, cellular towers, billboards, and other similar uses from the aforementioned requirements for access standards provided sufficient access to the facility is provided and the facility is not accessible for the benefit of the general public.

(D) **Drive-Throughs.** No drive-through windows located between the right-of-way of a primary collector/arterial roadway and a building are permitted. If there is no viable location, the entire drive-through lane must be completely screened from adjacent view using a continuous planting of vegetation at a height of six (6) feet at time of planting. Vegetation shall be maintained at a height of at least six (6) feet.

(E) **Sidewalks and Bikepaths. Minimum design and construction standards**

(1) New development located along existing streets. New development located along an existing street right-of-way that is 60 feet in width or greater shall provide a sidewalk that is at least 5 feet in width, typically along the property line and within the street right-of-way. However, in such case where the Engineering Department determines that a sidewalk located within a right-of-way is not appropriate or will be in conflict with other public works, the Engineering Department may require that the sidewalk be located on the subject property to be developed, typically along the property line. Location and design shall be subject to review by the Site Plan Review Committee. In areas where the City plans to install and finance the construction of a sidewalk, the developer shall not be required to install the sidewalk. However, the developer shall be required to pay the current bid price for the installation of the proposed sidewalk for the length of the subject property unless previous agreement or ordinance indicates otherwise. In areas where a design plan for sidewalks and/or bikepaths has been adopted or established, the design plan shall take precedence as to the location, size, and other features of the sidewalk and/or bikepath. Sidewalks shall not encroach into landscape strips.

(2) Existing development located along existing streets. Existing development located along an existing street right-of-way that is 60 feet in width or greater seeking major revisions of a site plan pursuant to Section 158.237(D) of the Zoning Code, shall provide a sidewalk that is at least 5 feet in width, typically along the property line and within the street right-of-way. However, in such case where the Engineering Department determines that a sidewalk located within a right-of-way is not appropriate or will be in conflict with other public works, the Engineering Department may require that the sidewalk be located on the subject property to be developed, typically along the property line. Location and design shall be subject to review by the Site Plan Review Committee. In areas where the City plans to install and finance the construction of a sidewalk, the developer shall be required to pay the current bid price for the installation of the proposed sidewalk for the length of the subject property unless previous agreement or ordinance indicates otherwise. In areas where a design plan for sidewalks and/or bikepaths has been adopted or established, the design plan shall take precedence as to the location, size, and other features of the sidewalk and/or bikepath. Sidewalks shall not encroach into landscape strips. Existing development seeking minor revisions of a site plan pursuant to Section 158.237(C) shall not be subject to the sidewalk requirement.

(F) **Public and Private Streets or Driveways.** A sidewalk that is at least 5 feet in width shall be located along the side or sides of the following proposed street rights-of-way or main access routes:

(1) A public or private street right-of-way located adjacent to a non-residential use. A sidewalk shall be located along the side of the street located adjacent to the non-residential use.

(2) A public or private street right-of-way or driveway that serves as a main access route to a residential development having 400 units or more. Sidewalks shall be located on both sides.

(3) All collector or arterial roads. Sidewalks shall be located on both sides.

(G) Whenever possible, a sidewalk shall be located along the edge of the street right-of-way, leaving a green space located between the street pavement and the sidewalk. See Subdivision Regulations, Chapter 156, for additional requirements concerning sidewalks for subdivisions. Where there is conflict, the more stringent code requirement shall take precedence.

(H) All sidewalks shall comply with the Americans with Disabilities Act, the Florida Accessibility Code for Construction and the Engineering Department's Standards Book.

(I) In order to avoid installing a sidewalk that will lead nowhere nor have a functional purpose, where developed properties located along both sides of the subject property do not have sidewalks and it is unlikely that in the near future that sidewalks will be installed, the installation of a sidewalk shall not be required.

(Ord. No. 98-84, § 1, 3-22-99; Ord. No. 11-69, § 1, 9-12-11; Ord. No. 15-85, § 1, 12-7-15; Ord. No. 22-11, § 3, 2-28-22)

Editor's note(s)—Ord. No. 15-85, § 1, adopted December 7, 2015, amended § 158.222, to read as set out herein. Previously § 158.222 was titled "Access Standards."

ST. LUCIE COUNTY FIRE DISTRICT
ADMINISTRATION

Telephone: (772) 621-3400
Telephone: (772) 621-3314

St. Lucie County Fire District
5160 NW Milner Dr.
Port St. Lucie, FL 34983

July 10, 2023

Colt Scherdt, PE
Assistant Director & City Engineer
Public Works Department
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984

SUBJECT: Port St. Lucie City Code Revisions Letter of Support

Dear Mr. Scherdt:

On behalf of the St. Lucie County Fire District, I am writing to show support for the proposed code revisions pertaining to access standards, which include subdivision and lot access, sidewalks, and bike paths.

As you know, the Fire District is responsible under the *Florida Fire Prevention Codes* to provide appropriate water supply and access for fire suppression purposes. These city code revisions will further enhance the Fire District's ability to ensure that proper access is provided for fire protection in proposed developments and subdivisions.

Please accept this letter of support for the proposed revisions to the city codes.

Best Regards,

Paul Langel

Paul Langel, BS, FM, CDM, FiFireE
Deputy Chief
Community Risk Reduction Division
St. Lucie County Fire District
5160 NW Milner Dr.
Port St. Lucie, FL 34983

Minimum Access Points – Residential Subdivisions

Chapter 156, Section 156.094 and Chapter 158, Section(s)158.172, 158.187 & 158.222

City initiated Text Amendment P23-113

Planning and Zoning Board Meeting
August 1, 2023

Request

- The purpose of this amendment is to establish standards for the minimum number of access points for all residential developments including those located within the Planned Unit Development (PUD) and Master Planned Unit Development (MPUD) zoning districts.

- The amendment intends to address secondary access requirements for developments that are between one (1) to ninety-nine (99) dwelling units and those of one hundred (100) or more dwelling units.

Background

- City Council Winter Workshop 2023
  - Residential subdivision secondary access requirements were discussed with the SW Annexation Area Traffic Study presentation.
  - Council directed staff to review the City's existing standards and bring forward certain dwelling unit threshold recommendations.
- City Council June 26th Meeting
  - Council directed staff to prepare code revisions as necessary.
- Public Health, Safety and Welfare
  - Similar to ensuring a 2-lane City roadway network is established, it is important to also ensure residents have appropriate access and traffic facilities to efficiently and safely serve the development.
  - Staff coordinated with the St. Lucie County Fire District and received the July 10, 2023 letter of support from the Fire District for the proposed code revisions.

Existing City Access Requirements

- City Code, Section 156.094 – Subdivision and Lot Access
  - Minimum number of access points shall be provided to adequately serve the subdivision
- City Code, Section 158.172 – Standards for District Establishment
  - PUD districts shall be so located with respect to arterial or major streets, highways, collector streets, or other transportation facilities as to provide suitable access to those districts without creating or generating traffic along minor streets in residential areas or districts outside the PUD districts.
- City Code, Section 158.187 – Standards for District Establishment
  - MPUD districts shall be so located with respect to arterial or major streets, highways, collector streets, or other transportation facilities as to provide suitable access to those districts.
- City Code, Section 158.222 – Access Standards, Sidewalks, and Bikepaths.
  - All new development or redevelopment will be provided with the appropriate access and traffic facilities to serve the transportation needs of the development in a safe and efficient manner while simultaneously preserving the flow of traffic on the surrounding public road system.

Proposed City Access Requirements

- City Code, Sections 156.094, 158.172, 158.187 & 158.222 – New Thresholds
  - <u>One to 99 units</u>
    - Site must provide a minimum of two access points. One access may operate as an emergency only and may utilize a stabilized, pervious surface approved by the City Engineer and Fire Marshall.
    - Installation of a secondary access point shall be completed prior to 50 percent of building permit issuance.
  - <u>100 or more units</u>
    - Site must provide a minimum of two access points with impervious surfaces suitable for all users.
    - Installation of the secondary access point shall be completed prior to the 75th building permit issuance.
  - <u>Common Requirements of Both Thresholds</u>
    - Secondary access point shall be located on a different public roadway than the primary access and on different sides of the development where feasible.
    - When the public roadway is not yet constructed to the secondary access point, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum; and which shall be constructed in conformance with the City's Engineering Standards for Land Development.

Recommendation

- Staff recommends approval of the proposed Text Amendment.

"A City for All Ages"

Agenda Summary

2023-639

Agenda Date: 8/1/2023 **Agenda Item No.:** 8.a

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P22-279 LTC Ranch Development of Regional Impact - 6th Amendment to the Development Order

Location: The property is located south of Midway Road, west of I-95 and northeast of Glades Cut-Off Road.
Legal Description: A parcel of land lying in Sections 1, 2, 3, 4 9, 10, 11, 15 and 16, Township 36 South, Range 39 East.
This is a request to amend Map H, the Master Plan, to change 140 acres from a Residential, Office, Institutional (ROI) land use to a High Density Residential (RH) land use and remove and mitigate for a wetland; to amend Map "G", the Environmental Exhibit, to remove and mitigate for the wetland; and to amend Transportation Condition 17.g.5 regarding improvements to Midway and Glades Cut-Off Roads.

Submitted By: Anne Cox, Assistant Director of Planning and Zoning

Executive Summary: This is a request to amend Map H, the Master Plan, to change 140 acres from a Residential, Office, Institutional (ROI) land use to a High Density Residential (RH) land use and remove and mitigate for a wetland; to amend Map "G", the Environmental Exhibit, to remove and mitigate for the wetland; and to amend Transportation Condition 17.g.5 regarding improvements to Midway and Glades Cut-Off Roads.

Presentation Information: A presentation will be provided.

Staff Recommendation: Move that the Board recommend approval of the proposed DRI Amendment.

Alternate Recommendations:

1. Move that the Board amend the recommendation and recommend approval with changes.
2. Move that the Board not recommend approval.

Background: See attached staff report.

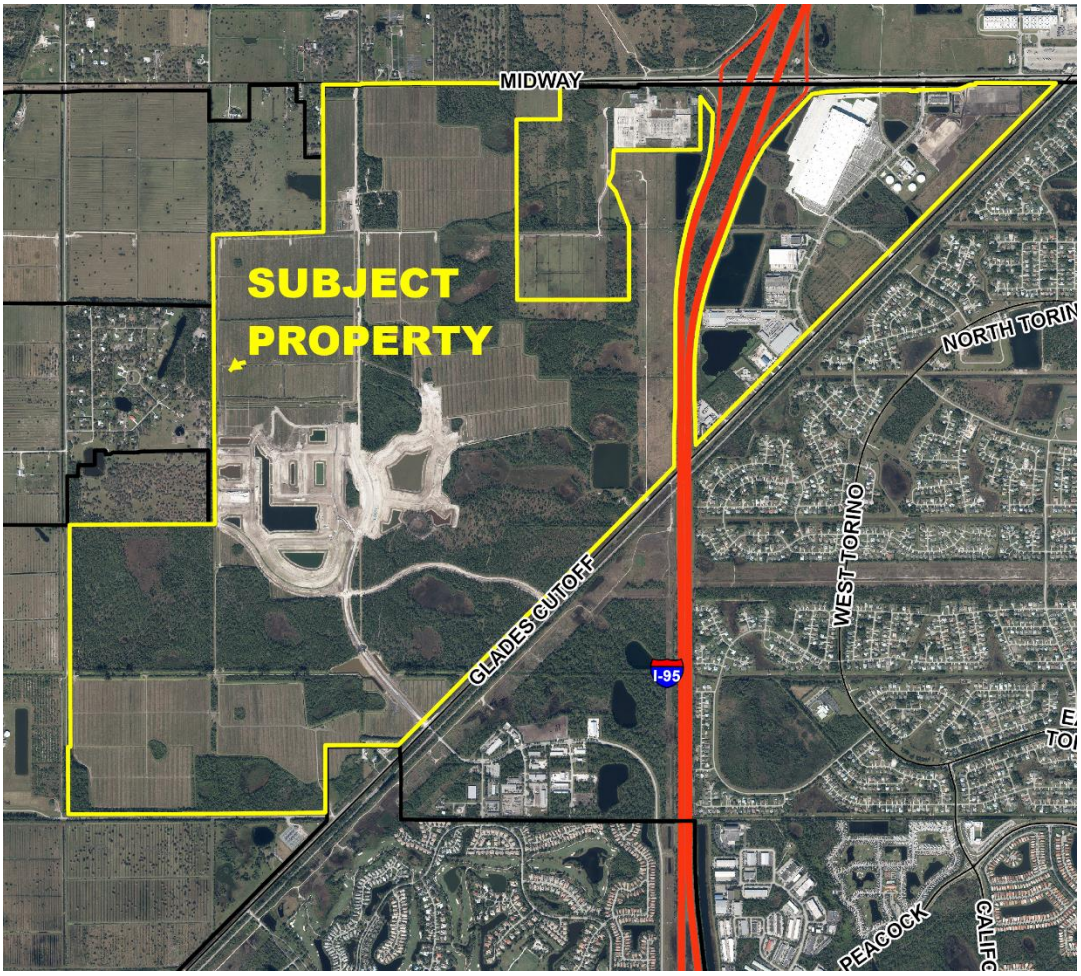
Issues/Analysis: See attached staff report.

Special Consideration: N/A

Location of Project: The property is located south of Midway Road and east and west of I-95.

Attachments: Staff Report, Resolution, Exhibits to Resolution, Public Works Traffic Memo, Agent Authorizations, Staff Presentation

LTC Ranch Development of Regional Impact (DRI) Amendment Application
6th Amendment to the DRI Development Order
P22-279



SUMMARY

Applicant's Request:	An application to amend the development order for the LTC Ranch DRI (6th amendment).
Applicant:	Derrick Phillips of Lucido & Associates
Property Owners:	Midway Glades Developers, LLC and LTC Midway, LLC (DRI west side)
Location:	The property is located south of Midway Road and east and west of I-95.
Legal Description:	A parcel of land lying in Sections 1, 2, 3, 4, 9, 10, 11, 15 and 16, Township 36 South, Range 39 East. The complete legal description is located in the development order.
Application Type:	Development of Regional Impact (DRI) Amendment

Project Background

The LTC Ranch DRI Development Order was originally approved by the Board of County Commissioners of St. Lucie County by Resolution No. 97-085. The property was annexed into the City and an amended DRI development order was approved by City of Port St. Lucie Resolution No. 00-R25. The second amendment to the development order was approved by City of Port St. Lucie Resolution No. 07-R77, the third amendment by City of Port St. Lucie Resolution 19-R40, the fourth amendment by City of Port St. Lucie Resolution 21-R11, and the fifth amendment by City of Port St. Lucie Resolution 22-R122.

The total area of the LTC Ranch DRI property is 2,445 acres. The approved development plan allows for 4,000 residential dwelling units; 725,000 square feet of retail; 1,960,200 square feet of industrial; and 1,508,500 square feet of office. The Master Development Plan (Map H) includes approximately 80 acres for commercial uses; 390 acres for Industrial uses; 1,764 acres for residential; a 52.7-acre school site; a 113 public park site and 465 acres of conservation areas with wetlands and uplands.

Proposed Amendments

The proposed changes to the LTC Ranch DRI development order are to Condition No. 17 Transportation (g)5 regarding the timing of roadway improvements and to the Master Plan, Map H-1 and the Environmental Exhibit, Map G.

The changes to Condition 17(g)5 are to require the widening to 4 lanes of West Midway Road from Arterial A to I-95; the signalization and adding a second westbound left turn lane to the intersection of West Midway Road and Arterial A; and the widening to 4 lanes of Glades Cut-Off Road from I-95 to Arterial A to be triggered by the issuance of a certain number of building permits rather than traffic trips or when a monitoring report shows the improvements would be needed. The construction of the Glades Cut-Off Road improvements will occur after the Midway Road improvements are completed. The proposed changes are shown in the attached resolution as ~~strike through~~ and underlined.

The changes to the Master Plan, Map H-1 are as follows:

1. Changing approximately 140 acres located east of Wylder Parkway, northeast of Glades Cut-off Road and to the north and south of the E/W #5 road right-of-way from Residential, Office, Institutional (ROI) to High Density Residential (RH).
2. Re-alignment of the road right-of-way for E/W # 5 from Glades Cutoff Road to Wylder Parkway to reduce the proposed curvature of the road.
3. Removing a 3.91- acre wetland from the map that mitigation will be provided for.

The changes to the Environmental Exhibit, Map G, are to show the 3.91-acre impacted Wetland W-11 and adjust the acreages of preserved and impacted wetlands and native upland habitat.

Analysis

Originally, the DRI development order required Wylder Parkway to be connected to Midway Road prior to issuance of any building permits. The 5th DRI amendment, approved by Resolution 22-R122, allowed for the Wylder Parkway connection to Midway Road to be pushed back to 950 dwelling units, since the Wylder Parkway to Glades Cut-off Road connection was proposed with the first phase of the development. At the City Council meeting of November 14, 2022, the west side developer agreed to work with the City with their next amendment to update the Glades Cut-off Road and Midway Road widening conditions. Several meetings occurred with the developer and City staff. St. Lucie County staff was also included since Midway and Glades Cut-Off are County roads. All three parties agreed to the proposed changes as shown in the attached resolution. The proposed amendment will give the City the certainty that widening of Midway Road and Glades Cut-off will occur at defined thresholds of building permits rather than by

number of trips or when a monitoring report indicates the improvements would be needed. A memo from the City's Public Works department further explaining the changes is attached.

There is a proposed comprehensive plan amendment (P22-298) for the change to the land use for 140 acres from ROI (Residential, Office, Institutional) to RH (High Density Residential) and the roadway alignment E/W #5 to be consistent with the proposed changes to the DRI Master Plan, Map H-1. The comprehensive plan amendment was reviewed by the Planning and Zoning Board on February 7, 2023, and the City Council on February 27, 2023. The proposed amendment was transmitted to the Florida Department of Economic Opportunity (DEO) and reviewing agencies. There were no comments. The comprehensive plan amendment will be considered by the City Council for adoption at the same meeting as the DRI amendment.

The elimination of the 3.91-acre Wetland 11 as proposed on Maps H-1 and Map G will result in 225.19 acres of preserved wetlands and 12.52 acres of wetland impacts for the west side of the DRI. The upland preserve area for the west side will be reduced from 222.56 to 215.22 acres due to the elimination of the upland buffer and some native habitat around Wetland 11 and to the reconfiguration of the upland preserve area on the west side of the development to accommodate the proposed golf course and residential lots. Wetland mitigation for the additional impacts will be provided in accordance with the South Florida Water Management District permit. The proposed changes are consistent with the Conservation and Coastal Management Element of the City's Comprehensive Plan.

Section 380.06(7)(a) of the Florida Statutes requires any proposed change to a previously approved DRI to be reviewed by the local government based on the standards and procedures in its adopted local comprehensive plan and adopted local land development regulations. The proposed amendment has been reviewed for consistency with the City's Comprehensive Plan.

STAFF RECOMMENDATION

Staff finds the petition to be consistent with the intent and direction of the City's comprehensive plan and recommends approval.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with changes
- Motion to recommend denial to the City Council

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF PORT ST. LUCIE, FLORIDA APPROVING AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE DEVELOPMENT OF REGIONAL IMPACT KNOWN AS LTC RANCH PREVIOUSLY APPROVED BY RESOLUTION NO. 97-085 BY THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AND BY RESOLUTION NOS. 00-R25, 07-R77, 19-R40, 21-R11 AND 22-R122 BY THE CITY COUNCIL OF PORT ST. LUCIE, FLORIDA.

WHEREAS, the City Council of Port St. Lucie, St. Lucie County, Florida, has made the following determinations:

1. The Board of County Commissioners of St. Lucie County, Florida, adopted Resolution No. 97-085 approving a Development of Regional Impact and Development Order on the real property described in the attached Exhibit "A" and recorded in Official Record Book 1081, Page 1808 on June 10, 1997 with the Clerk of the Circuit Court, St. Lucie County, Florida.

2. The findings of fact and conclusions of law set forth in Resolution No. 97-085 of the Board of County Commissioners of St. Lucie County, Florida, are adopted by reference herein.

3. The City Council of Port St. Lucie and LTC Joint Venture executed an Annexation Agreement allowing for the annexation of the property described in the attached Exhibit “A” and as part of that annexation approved Resolution No. 00-R25 to govern the development of the LTC Ranch DRI as it became part of the City.

4. As the real property was annexed into the City, those portions of the Development Order applicable to the real property so annexed applied and the property remaining in the unincorporated area remained subject to the Development Order adopted by the Board of County Commissioners until such time as that property was annexed into the City.

5. All of the property described in the attached Exhibit “A” has been annexed into the City of Port St. Lucie by Ordinance No. 00-14 and Ordinance No. 02-126 and so is governed by the Development Order adopted by the City Council of Port St. Lucie.

6. On October 30, 2006, Centex Homes, Southeast Florida Division filed a Notification of Proposed Change to an Approved Development of Regional Impact pursuant to Section 380.06(19), Florida Statutes, requesting certain changes to the Development Order for the LTC Ranch DRI.

7. On September 24, 2007, the City Council of Port St. Lucie held a duly noticed public hearing on the requested changes to the Development Order for the LTC Ranch DRI. After considering the comments of the various reviewing agencies and the evidence presented by the applicant, the City Council concluded that the requested changes do not constitute a substantial deviation and are in the best interest of the public health, safety and welfare of the citizens of Port St. Lucie, and the City Council passed and duly adopted Resolution No. 07-R77, adopting the requested changes to the DRI.

8. On September 28, 2018, LTC Midway, LLC, a Florida limited liability company ("LTC Midway, LLC"), as the owner of all of the land within the DRI west of I-95 (the "DRI West Side") and LTC Joint Venture ("LTC Joint Venture"), as the developer of all of the land within the DRI east of I-95 (the "DRI East Side") jointly filed an application with the City to amend the DRI, in order to update and amend the DRI conditions, and to clarify the rights and obligation that apply to the DRI East Side and the DRI West Side, as more specifically set forth herein.

9. On May 28, 2019, the City Council of Port St. Lucie held a public hearing, passing and adopting Resolution No. 19-R40, adopting the requested changes to the DRI.

10. On September 16, 2020, Midway Glades Developers, LLC, a Delaware limited liability company, filed an application with the City to make certain amendments to the DRI, only affecting the DRI West Side, as more specifically set forth herein.

11. On April 12, 2021, the City Council of Port St. Lucie held a public hearing, passing and adopting Resolution No. 21-R11, adopting the requested changes to the DRI.

12. On September 25, 2022, Midway Glades Developers, LLC, a Delaware limited liability company, filed an application with the City to make certain amendments to Paragraph A.17.c of the DRI, only affecting the DRI West Side, as more specifically set forth herein.

13. On November 14, 2022, the City Council of Port St. Lucie held a public hearing, passing and adopting Resolution No. 22-R122, adopting the requested changes to the DRI.

14. On November 21, 2022, Midway Glades Developers, LLC, a Delaware limited liability company, filed an application with the City to make certain amendments to Paragraph A.17.g.5, Exhibit B (Map H-1) and Exhibit C (Map G) of the DRI, only affecting the DRI West Side, as more specifically set forth herein.

15. On , the City Council of Port St. Lucie held a public hearing, passing and adopting Resolution No. , adopting the requested changes to the DRI.

16. The following uses may be developed within the LTC Ranch DRI (subject to adjustment as permitted by Paragraph A.17.j below):

Residential	4,000 units within the DRI West Side
Industrial	1,960,200 gross sq. ft. within the DRI East Side
Retail	725,000 gross sq. ft. within the DRI West Side
Office	1,508,500 gross sq. ft. within the DRI East Side

CONCLUSIONS OF LAW

NOW THEREFORE, BE IT RESOLVED by the City Council of Port St. Lucie, Florida:

A. That in a public meeting, duly constituted and assembled this day of _____, 2023, Resolution No. _____ which amends and restates Resolution No. 22-R122 is hereby approved subject to the following conditions, restrictions, and limitations.

1. APPLICATION FOR DEVELOPMENT APPROVAL

The LTC Ranch Development of Regional Impact Application for Development Approval, including all sufficiency responses (herein referred to collectively as the "Application for Development Approval" or "ADA"), are incorporated herein by reference. Substantial compliance with the representations contained in the Application for Development Approval, as modified by the Development Order conditions, is a condition for approval. In the event of a conflict between the Application for Development Approval and the Development Order, the Development Order shall prevail.

For purposes of this condition, the Application for Development Approval shall include the following items:

a. The Application for Development Approval dated September 1992.
b. Supplemental information dated February 8, 1993.
c. Supplemental information dated August 16, 1993.
d. Supplemental information dated November 10, 1993.
e. Water Quality data dated August and October 1994.
f. Revised Phase I Analysis and Revised Trade-off documentation dated September 9, 1996.
g. Affordable Housing Analysis dated April 8 and 10, 1997.
h. The Application for approval of the Amended Development Order by the City of Port St. Lucie dated April 6, 2000 and the Revised Notification of a

Proposed Change to a Previously Approved Development of Regional Impact dated March _, 2007.

i. The Application for approval of the Amended and Restated Development Order by the City of Port St. Lucie, dated September 28, 2018.

j. The Application for approval of additional amendments to the Development Order by the City of Port St. Lucie, affecting only the DRI West Side, dated September 16, 2020.

k. The Application for approval of amendments to Paragraph A.17.c of the Development Order by the City of Port St. Lucie, affecting only the DRI West Side, dated September 25, 2022.

l. The Application for approval of amendments to Paragraph A.17.g.5, Exhibit B (Map H-1) and Exhibit C (Map G), of the Development Order by the City of Port St. Lucie, affecting only the DRI West side, dated November 21, 2022.

2. DRI APPROVAL

Final Development of Regional Impact ("DRI") approval is given to Phases 1, 2 and 3, subject to adjustment as set forth in Section 17.j. (Trade-Off section) and Sections 10 and 11 (water and wastewater sections) ("Authorized Entitlements").

	USE	PHASE 1*	PHASE 2*	PHASE 3*	TOTAL
DRI West Side	Residential (units)	1,000	1,500	1,500	4,000
	Retail (gross square feet)	90,000	215,000	420,000	725,000
DRI East Side	Industrial (gross square feet)	392,040	588,060	980,100	1,960,200
	Office (gross square feet)	34,975	314,775	1,158,750	1,508,500

Phase 1 May 22, 2031 (in accordance with previously filed extensions, and subject to additional extensions of this deadline that may be obtained in the future)
Phase 2 May 23, 2036 (in accordance with previously filed extensions, and subject to additional extensions of this deadline that may be obtained in the future)
Phase 3 December 20, 2040 (in accordance with previously filed extensions, and subject to additional extensions of this deadline that may be obtained in the future)

* The phasing deadlines above signify the dates by which all development and associated improvements for a given phase must be complete. Development of Phase 2 may commence prior to the phasing deadline for Phase 1 on either the DRI West Side or the DRI East Side, if (1) all of the mitigation associated with the Phase 1 for that side of the DRI entering Phase 2 has been completed and (2) the mitigation required as part of the Phase 2 for that side of the DRI is developed consistent with the Development Order conditions for that side of the DRI. Similarly, Development of Phase 3 may commence prior to the phasing deadline for Phase 2, on either the DRI West Side or DRI East Side, if (1) all of the mitigation associated with Phases 1 & 2 for that side of the DRI entering Phase 3 has been completed and (2) the mitigation required as part of Phase 3 for that side of the DRI is developed consistent with the Development Order conditions for that side of the DRI.

All conditions contained herein must be followed in the development of any property within LTC Ranch. No modifications can be made to the provisions of this Development Order regulating Development Area A (DRI East Side) without written consent of LTC Joint Venture and no modifications can be made to the provisions of this Development Order regulating Development Areas B and C (DRI West Side) without written consent of Midway Glades Developers, LLC and LTC Midway, LLC (collectively, the "West Side Owners"). The owner(s) of property within the LTC Ranch DRI shall be responsible for compliance with all conditions until such responsibility is assigned to and accepted by another entity such as a successor purchaser of the property, a homeowners' association or a special taxing district. LTC Joint Venture and the West Side Owners shall each be entitled to develop the properties they own in accordance with the uses and limitations set forth in Paragraph 10 above. Throughout this DRI Approval, the term "LTC Joint Venture" shall refer not only to LTC Joint Venture, but also to any successor or assign of the development rights and obligations of LTC Joint Venture under this DRI Approval relating to the DRI East Side. Throughout this DRI Approval, the term "West Side Owners" shall refer not only to Midway Glades Developers, LLC and LTC Midway, LLC, but also to any successor or assign of the development rights and obligations of Midway Glades Developers, LLC and LTC Midway, LLC under this DRI Approval relating to the DRI West Side.

3. FAILURE TO COMMENCE DEVELOPMENT

In the event significant physical development is not commenced within five years of the effective date of this Development Order, development approval shall be suspended by the local government until a Notification of Proposed Change is filed with the Florida Department of Community Affairs, the Treasure Coast Regional Planning Council, and the City of Port St. Lucie regarding the failure to commence development, and, if required, a Substantial Deviation Application for Development Approval is submitted. For the purpose of this paragraph, significant physical development shall be deemed to have been initiated after placement of permanent evidence of a structure (other than a mobile home) on the site, the pouring of slabs or footings, the construction of permanent roads or physical placement of permanent utilities, or any permanent work beyond the stage of excavation or land clearing. **This condition A.3 has been satisfied**.

4. TERMINATION DATE

This Development Order shall terminate May 23, 2041 (in accordance with previously filed extensions). Building Permits for all development must be issued by June 23, 2039 (in accordance with previously filed extensions), and construction completed by December 20, 2040 (in accordance with previously filed extensions). The foregoing shall not limit any right of LTC Joint Venture or any West Side Owner to obtain any further extensions of such deadlines allowed by laws then in effect.

5. MASTER PLANS

a. Master Plan, Map H-1

1) All future development, except agricultural uses, must be consistent with Map H-1 Master Plan (as amended herein) attached hereto as Exhibit "B". No increase of intensity in agricultural activities or clearing cutting for agricultural purposes shall be permitted within proposed preservation areas.

2) Agricultural activities shall be permitted on all DRI property and all zoning categories until physical vertical development commences on each parcel or part thereof. When a building permit has been issued for vertical development, that land shall no longer be utilized for agricultural purposes. Map H-1, Master Plan identifies maximum permitted development densities and intensities, Development Area delineations, existing FPL transmission line easements, and minimum vehicular access points. Open space tabular data, designated upland and wetland preservation areas and applicable notes affecting future development are also identified on Map H-1, Master Plan. Other than the phases set forth thereon, the Master Plan shall not limit the order of development.

3) LTC Ranch will develop as one or more Planned Unit Developments (each a "PUD") in accordance with the requirements for PUDs in the City's Land Development Regulations.

4) The ADA describes the open spaces to be provided. A total of 25% open space shall be provided within the DRI East Side as a whole and a total of 35% open space shall be provided within the DRI West Side as a whole rather than within each parcel or portion therein independently. With each application for site plan approval, the owner of the parcel shall provide documentation of the area to be provided as open space to enable the City to ensure compliance with this requirement. Open space shall include upland and wetland preservation areas, parks, existing and constructed lakes and canals, dry retention areas, landscape and drainage areas. The

upland and wetland preservation areas shown on Map H-1, Master Plan, are in the general locations that will be placed under conservation easements. Minor adjustments to the upland and wetland preservation areas may change subject to applicable local, state or federal permitting requirements, habitat management plan needs and permit needs not to exceed a decrease of 5% or 20 acres in open space, whichever is less, within either the DRI East Side or the DRI West Side. In any case, a minimum of 15% of the habitat found within the entire LTC Ranch DRI (East Side and West Side combined) shall be preserved. The foregoing habitat preservation requirement shall be satisfied by the preservation of the wetlands and uplands required in Section 8 below. Pursuant to existing conservation easements, the DRI East Side has already preserved the wetlands and uplands it is required to preserve, therefore no further habitat preservation is required within the DRI East Side.

b. Conceptual Master Development Plan

A conceptual master development plan shall be prepared to provide long-term guidance and direction for development by showing the general location of all residential and non-residential land uses, arterial and collector roads, stormwater facilities, school sites, civic and institutional sites, other major facilities, major access points and multi-use trails and greenways. The conceptual master development plan shall be consistent with the Master Plan, Map H-1, attached to this Development Order as Exhibit "B" but shall not be adopted as nor require an amendment to this Development Order. The conceptual master development plan shall be presented to the City's Planning and Zoning Board and to the City Council for consideration and approval; provided, however, that notwithstanding the foregoing, the conceptual master development plan shall only be a generalized reference tool which is not regulatory but rather a planning reference to provide long range guidance for development approval. The conceptual master development plan shall be revised from time to time as needed to show approved and proposed development, and the City and the owner(s) of property within the LTC Ranch DRI shall agree on a mutually acceptable process for doing so. LTC Joint Venture shall have the right to submit and amend the conceptual master development plan with respect to the land within the DRI East Side and the West Side Owners shall each have the right to submit and amend the conceptual master development plan with respect to their portion of the land within the DRI West Side, in accordance with all requirements set forth herein.

c. The following tracking mechanisms are required concurrent with each biennial report submitted for the DRI:

1) The number of overall approved land use types requested and associated with thresholds for density or intensity of uses within the DRI project;

2) The number of requested residential units by type and associated population or square footage of non-residential land uses, and associated ERU's if utilizing the trade off mechanisms;

3) The remaining density or intensity of land uses within the DRI project as subtracted from the approved amounts;

4) Improvements required for the proposed use including infrastructure to service the proposal as related to the DRI conditions, including wastewater and water facilities, transportation related road and intersection improvements as well as daily and peak hour trips, park land, and compliance with adopted level of service standards and conditions contained in the Development Order;

A summary of this information for each approved project shall be provided in the required biennial monitoring report for the DRI.

6. AIR

a. Stabilization of disturbed areas shall be undertaken within 7 days of completion of clearing in accordance with the City's NPDES requirements.

b. During land clearing and site preparation, wetting operations or other soil treatment techniques appropriate for controlling unconfined emissions, including seeding and mulching of disturbed areas, shall be undertaken and implemented by the owner of a parcel being developed to the satisfaction of the City of Port St. Lucie and the Florida Department of Environmental Protection and in accordance with the City's NPDES requirements.

7. HISTORIC AND ARCHAEOLOGICAL SITES

In the event of discovery of any archaeological artifacts during project construction, the owner of the parcel being developed shall stop construction within that permitted area and immediately notify the Division of Historical Resources in the Florida Department of State ("Division"). Proper protection, to the satisfaction of the Division, shall be provided by the owner of that land.

8. HABITAT, VEGETATION, AND WILDLIFE

a. Wetland Habitat Preservation:

1) Wetland numbers 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 20, 21, 22, 23, 24A, 24B, 32, 33, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 50, 51, and 52 (on the West Side) and W-39, W-40 and W-41 (on the East Side) (presently calculated to include 239.77 acres) as are shown on Map G, Wildlife Habitat/Listed Species Map, attached hereto as Exhibit "C", shall be preserved or enhanced by the permittee in accordance with jurisdictional

permitting criteria. Preservation, monitoring and maintenance at all wetland preserve and mitigation areas shall be assured by deed restriction, conservation easements, best development and drainage plan design, and assignment of future preservation, monitoring, and maintenance responsibility to a master property owners association or other entity approved by the SFWMD and the City of Port St. Lucie prior to commencement of construction within parcels which contain wetland preservation or mitigation areas. Areas set aside for preservation shall have conservation easements placed on them for conservation in perpetuity. **The wetlands within the DRI East Side have been dedicated for preservation by those certain subdivision plats recorded in Plat Book 41, Page 1 and Plat Book 48, Page 2 of the Public Records of St. Lucie County, Florida.**

2) All or portions of wetland numbers 1, 2, 9, 15, 16, 17, 18, 19, 41, and 49 (on the West Side) and W-37, W-38, W-42 and W-43 (on the East Side) (presently calculated to include a total of 13.63 acres) may be developed consistent with jurisdictional permitting criteria and wetland mitigation policies. Verification of wetland boundaries/acreages and avoidance/minimization of wetland impacts shall be addressed at the time of application to the SFWMD for an ERP.

3) As shown on the Map H-1, Master Plan, a buffer zone of upland vegetation shall be provided around all preserved wetlands on site. The buffer shall be maintained in a natural condition with the exception of exotic and nuisance vegetation removal. Where native canopy, understory, and/or groundcover exists, these elements shall be maintained and preserved. The width of the buffer shall be a minimum of twenty-five (25) feet and an average of fifty (50) feet project-wide.

4) Where proposed wetland crossings cannot be reasonably avoided and wetland impacts have been minimized to the greatest extent feasible, construction techniques such as proper culverting or bridging shall be employed to maintain or restore wetland hydroperiods, drainage patterns and sheet flows, in accordance with SFWMD permitting criteria. Best Management Practices (BMP's) shall be utilized to minimize turbidity and erosion during construction activities.

b. Upland Habitat Preservation and Listed Species Protection:

1) Within the DRI East Side, no less than 6.8 acres of Upland Habitat (Pine Flatwoods) shall be preserved in the general locations shown on Map H-1, Master Plan, unless such boundaries are modified to conform to permits approved by any federal, state or regional permitting agency. Within the DRI West Side, no less than 215.48 acres of Upland Habitat (204.68 acres of Pine Flatwoods and restored Pine Flatwoods and 10.8

acres (100%) of existing Cabbage Palm Hammocks) shall be preserved in the general locations shown on Map H-1, Master Plan, unless such boundaries are modified to conform to permits approved by any federal, state of regional permitting agency. Habitat shall be defined to include canopy, understory, and ground cover. Upland habitat preserved pursuant to wetland buffer zone requirements and meeting the requirements of the City of Port St. Lucie shall be counted towards meeting this requirement. As a minimum, upland preserve areas should be of appropriate size, quality and arrangement to support listed species which may occur in the habitat type preserved. **The requirements of this paragraph A.8.b.1 have been satisfied with respect to the DRI East Side.**

2) If not prepared previously, to ensure accurate delineation and protection of the designated preserve areas, the owner of a parcel upon which development is proposed shall provide an overall special purpose boundary survey of the upland and wetland preserve areas upon the earlier of:

   a) approval of a site plan application;

   b) commencement of vertical construction activities; or

   c) prior to issuance of an ERP.

   The survey shall include those preserve areas adjacent to or within the parcel which is the subject of one of the three activities listed above.

3) In order to protect listed species on site, including the Gopher Tortoise and other observed and potential listed species identified in Tables 12B-1, 12B-2, and 12B-3 of the LTC Ranch Application for Development Approval, no less than 6.8 acres of upland habitat and 15.37 acres of native wetland habitat within the DRI East Side, and 215.48 acres of upland habitat and 224.40 acres of native wetland habitat within the DRI West Side, including canopy, understory and ground cover, shall be preserved in the general locations shown on Map H-1, Master Plan, unless such boundaries are modified to conform to permits approved by any federal, state or regional permitting agency. **The requirements of this paragraph A.8.b.3 have been satisfied with respect to the DRI East Side.**

4) Prior to commencement of construction activities within affected areas not designated for preservation, a site specific survey for listed species shall be required and performed in accordance with survey methodology approved by the City of Port St Lucie and the Florida Fish and Wildlife Conservation Commission. Protection, management and/or relocation of

listed species shall be required into the designated preservation areas described in paragraph 3) above, in accordance with the governing agencies approval.

5) Specific follow-up site assessments for *Lilum catesbaei (Pine Lily)* within affected portions of the undisturbed Pine Flatwood habitat not designated for preservation within a parcel, will be necessary in late summer and fall prior to commencement of construction activities.

6) Prior to construction activities, the owner of a parcel upon which development is proposed shall complete a survey for the Sandhill Crane in accordance with current guidelines established by the Florida Fish and Wildlife Conservation Commission and/or the United States Fish & Wildlife Service (USFWS). During the period of January 1 to June 30, no construction within 300 feet of any wetland preserve shall occur until the wetland has been surveyed for Sandhill Crane nests. In the event active nests are found, construction shall not occur until 90 days after the eggs have hatched or the nest activity ceases, whichever comes first.

7) Prior to commencement of construction activities, the owner of a parcel upon which development is proposed shall complete a survey for the Southeastern American Kestrel (Falco sparverius paulus), as outlined in the Florida Fish and Wildlife Conservation Commission Nongame Wildlife Technical Report No. 13. If the survey detects the Southeastern American Kestrel, a management plan must be prepared, as described below that requires the placement of nest boxes and preservation and management of adequate foraging habitat within the conservation areas designated on Map H-1, Master Plan, and described in paragraph 3) above.

8) Concurrent with the submittal of the conceptual master development plan required by Section A.5.b. and with the approval of the City of Port St. Lucie and SFWMD, a habitat management plan for the designated preserve areas within the DRI boundaries shall be submitted. With each application for site plan approval, the owner of a parcel upon which development is proposed shall include a habitat management plan for the parcel seeking approval. LTC Joint Venture shall be responsible for submitting and/or amending any master habitat management plan with respect to the land within the DRI East Side and the West Side Owners shall each be responsible for submitting and/or amending any master habitat management plan with respect to their portion of the land within the DRI West Side, in accordance with all requirements set forth herein. The habitat management plan submitted at site plan approval shall include the following management guidelines:

   a) Removal of trash and debris.

b) Removal of exotic vegetation and pest species.

c) Prescribed burns, as appropriate, in consultation with the U.S. Forestry Service and the City of Port St. Lucie.

d) Strict adherence to the hazardous materials and waste management practices for agricultural uses outlined in Exhibit "20B-1" of the LTC Ranch ADA.

e) Timber management and fencing for on-going agricultural activities.

f) Prohibited activities shall include:

- construction or placing of building materials on or above the ground, which shall not be deemed to include interpretive trails and/or materials (signage), as approved by the City of Port St. Lucie;
- dumping or placing soil or other substances such as garbage, trash or cuttings;
- removal or destruction of native trees, shrubs or ground covers;
- excavation, dredging, or removal of soil materials;
- diking or fencing (except where appropriate for silt fencing and for protection and management of preserves and Gopher Tortoises);
- recreation vehicle use; and
- any other activities detrimental to drainage, flood control, water conservation, erosion control, or wildlife conservation and management.

9) The DRI East Side and/or the DRI West Side may be relieved of the implementation of the management plan if the preserve areas within such DRI East Side or DRI West Side are sold or deeded free and clear of all liens and encumbrances to St. Lucie County, the City of Port St. Lucie, or such other environmental entity which accepts the ownership, so long as suitable restrictions assuring preservation in perpetuity as natural habitat of the designated preserve areas identified on Map H-1, Master Plan are required and if such transfer of responsibilities is consistent with SFWMD

criteria. Thereafter, the assignee shall assume the implementation responsibilities. In addition, reasonable vehicular access for ingress and egress to the total preserve area for the purposes of wildlife study, monitoring and management of the preserve areas as may be necessary shall be granted. Vehicular access for general, uncontrolled public access shall not be granted.

10) Proper separation between lake/canal excavations and wetlands shall be maintained in accordance with SFWMD criteria. Wells in the shallow aquifer shall not be located where the proximity of the well will impact a protected, restored or enhanced wetland on the project site.

11) To help assure that maintenance or implementation of predevelopment hydroperiods occurs within the preserved, restored or enhanced wetlands and within any wetland mitigation areas, final drainage plans shall provide for routing of sufficient volumes of runoff of acceptable quality to wetlands prior to routing of any excess runoff to lake systems. Control elevations established shall be consistent with the intent to maintain or improve predevelopment hydroperiods within all wetland areas. The SFWMD will review the routing of runoff and control elevations at the time of permit submittal as shown on the final drainage plans to achieve the intent indicated above.

12) In the event the City of Port St. Lucie adopts a land acquisition impact fee ordinance for the preservation of native wetland and upland habitat, any owner that preserves a native wetland and upland habitat area shall be entitled to a credit, based on the impact fee ordinance in effect at the time of dedication of habitat, for all native habitat preserved as part of this Development Order.

9. DRAINAGE

a. The owner of a parcel upon which development is proposed shall design and construct the stormwater management system for the parcel to retain the volumes of water consistent with providing flood protection. For non-residential development, the system shall be designed and constructed to retain or detain, as a minimum, the first one inch of runoff or the runoff equal to 2 ½ inches times the percentage of impervious surface, whichever is greater. Required retention volumes may be accommodated in a combination of vegetated swales, dry retention areas, lakes with vegetated littoral zones, or other suitable retention structures. All discharges from the surface water management system shall meet the water quality standards of Florida Administrative Code Rule 17-3. Under no circumstances shall post-development runoff volumes exceed predevelopment runoff volumes for a storm event of three-day duration

and 25-year return frequency. Should the above criteria be subject to change, the SFWMD criteria in effect at the time of permit application shall be met.

b. The owner of a parcel upon which development is proposed shall design and construct the surface water management system for the parcel such that maintenance of normal hydroperiods within restored, preserved, and created wetlands can be protected against the negative impacts of activities within the project boundaries, and that the functions and values provided by these habitats will be maintained or improved. Water quality treatment shall be provided prior to discharge into wetlands. Unfiltered runoff from impervious surfaces and parking areas shall not be diverted directly into wetlands. Final drainage plans shall be submitted to the South Florida Water Management District and the City of Port St. Lucie for review and approval. At a minimum, such plans shall depict how preserved and created wetland areas will be incorporated into the development site plans for each parcel or drainage basin with appropriate supporting information to demonstrate how sufficient quantities of surface runoff from the developed parcels will be conveyed to wetland areas in order to maintain or improve their existing hydroperiod in accordance with elevations established in the ADA (or in accordance with elevations submitted by applicant from a water table monitoring program established during the permit application review process). Plans shall also indicate proposed lake and well locations and demonstrate that there are no adverse impacts to wetland hydroperiods and ground water levels in the vicinity of the project site. The owner of a parcel upon which development is proposed may establish a water level monitoring program, upon approval by the SFWMD, to verify or reduce water tables established in the ADA.

c. Existing agricultural ditches shall be maintained or rerouted such that existing drainage patterns for ongoing agricultural uses are not adversely affected. Any proposed rerouting of existing agricultural ditches shall meet SFWMD excavation/wetland separation criteria.

d. The master stormwater system shall be designed to accommodate discharge from the proposed road rights-of-way within the DRI boundary.

10. WATER SUPPLY: POTABLE AND NONPOTABLE WATER

a. To reduce the demand for irrigation water in all developed portions of the project site, a minimum of 30 percent of all landscaping material and 50 percent of all planted trees shall be native plants adapted to the soil and climatic conditions occurring on site.

b. For irrigation and on an interim basis for potable water, until Port St. Lucie Utilities are cleared by Florida Department of Environmental Protection to provide service, surficial aquifer wellfields serving the LTC Ranch shall be located such that principal land uses within the cone of influence of such wells shall not be engaged in storing or producing hazardous or toxic materials unless such use, handling, storage, or production is consistent with binding wellfield protection regulations. Clearance generally means line construction, testing and acceptance of constructed transmission lines.

c. If available, reclaimed water shall be used for irrigation.

d. For the purpose of potable water conservation, water-saving plumbing devices shall be required in all construction (both residential and nonresidential to reduce potable and nonpotable water demands. These devices shall include ultra-low volume water use plumbing fixtures and self closing and/or metered water faucets. The project shall also use other water conserving devices/methods consistent with the criteria outlined in the water conservation plan of the public water supply permit issued to the City of Port St. Lucie Utilities Department by the SFWMD. Should another utility be approved, the project shall conform to the water conservation plan of that utility provider. Treated irrigation quality water shall be used for irrigation if available from the utility. Otherwise, irrigation water shall be withdrawn from existing or proposed lakes/wells whenever feasible and in accordance with SFWMD permitting criteria.

e. Except as noted herein below, development shall occur concurrently with the provision of adequate central water services. Prior to approval of the first preliminary subdivision plat or site plan, land or capital charges shall be provided to the City as determined by the City's Utility Department in order to construct potable water facilities needed to serve the DRI development, or phase of development. The LTC Ranch DRI has received a commitment from the service provider for public water for the authorized and conceptual entitlements. A copy of the commitment letter from Port St. Lucie is attached as Exhibit "D".

Prior to an application for building permits for development demand exceeding 2.873 MGD, the owner of a parcel requesting approval shall demonstrate that adequate water supply will exist to handle all water for completed development.

Phase I or equivalent ERUS = 2.873 MGD

1,000 Residential Units
392,040 Square Feet of Industrial
90,000 Square Feet of Retail

34,975 Square Feet of Office

If the owner of a parcel upon which development is proposed is utilizing the trade-off mechanism, the request for use of the trade-off mechanism must include a demonstration that adequate water supplies exist to handle the proposed land use. Wells shall be permitted on an interim basis, subject to approval by the State Department of Health and Rehabilitative Services and the service provider until development density has reached a threshold that enables the utility provider to provide central services to LTC Ranch. Installation and permitting of wells shall comply with Section 62-532, Florida Administrative Code.

f. The City of Port St. Lucie Utilities Department shall have access to potable water systems within the proposed development at all times. Exclusive utility easements up to 20 feet shall be provided for water mains in accordance with applicable regulations. Exclusive utility easements with a minimum width of 20 feet shall be required to be dedicated to the City of Port St. Lucie along and adjacent to Midway Road and McCarty Road. Easements in excess of 20 feet may be required for larger sized pipelines in proximity to proposed structures.

g. The LTC Ranch DRI development's landscape irrigation system may include piping, storage ponds and appurtenances as necessary to enable these systems to accommodate reclaimed water at future date, if deemed feasible by the City and the owner of the parcel being developed. Any on-site ponds proposed for the storage of reclaimed water must be reviewed and approved by the SFWMD.

11. WASTEWATER

a. Except as noted herein below, development shall occur concurrently with the provision of adequate central wastewater treatment services. Prior to approval of the first preliminary subdivision plat or site plan, the owner of a parcel requesting approval shall provide land or capital charges to the City as determined by the city's Utility Department in order to construct wastewater system facilities needed to serve the DRI development, or phase of development. The LTC Ranch DRI has received a commitment from the service provider for central wastewater treatment services for the authorized and conceptual entitlements. A copy of the commitment letter from Port St. Lucie is attached as Exhibit "D".

The owner of a parcel requesting approval shall demonstrate that adequate treatment facilities will exist to handle all wastewater generated in excess of the following cumulative entitled before additional development is authorized:

Phase 1 or equivalent ERU = a total of 2.873 MGD

1,000 Residential Units
392,040 Square Feet of Industrial
90,000 Square Feet of Retail
34,975 Square Feet of Office

b. For wastewater treatment from the City in excess of Phase 1, the issuance of building permits and final development orders shall be subject to concurrency management regulations of the City with respect to the provision of adequate wastewater facility capacity and levels of service pursuant to an approved developer's agreement. If the owner of a parcel upon which development is proposed is utilizing the trade-off mechanism, the request for use of the trade-off mechanism must include a demonstration that adequate treatment facilities will exist to handle the proposed land use. Evidence of adequate treatment and disposal capability shall be subject to approval by the service provider in consultation with the Department of Environmental Protection.

c. If agreed with the service provider, the existing and proposed wastewater treatment and disposal system shall be constructed or modified to produce irrigation quality water, if possible, so that spray irrigation of such water will be a wastewater disposal method. Excess wastewater may be disposed of, as permitted.

d. If requested by the service provider, a site for wastewater treatment plant shall be deeded in a location acceptable to the service provider and the owner of the parcel upon which development is proposed. Capacity credits shall be granted in an amount equal to the fair market value of the site dedicated and sewer connection fees shall be waived for the DRI property.

e. The City of Port St. Lucie Utilities Department shall have access to wastewater collection systems within the proposed development at all times. Exclusive utility easements with a minimum width of 20 feet shall be provided for gravity sewer collection systems and exclusive utility easements up to 20 feet shall be provided for force mains in accordance with applicable regulations. Easements in excess of 20 feet may be required for larger sized pipelines in proximity to proposed structures.

12. HAZARDOUS MATERIALS AND WASTE

The owner of each nonresidential parcel shall follow the hazardous materials management plan submitted in the ADA. Pretreatment of hazardous wastewater which may be generated within the office, commercial or industrial portions of the DRI shall be the responsibility of individual site owners. The plan includes:

a. Required disclosure by all owners or tenants of nonresidential property of all hazardous materials proposed to be stored, used, or generated on the premises;

b. Required inspection of all business premises storing, using, or generating hazardous materials prior to the commencement of operation, and periodically thereafter to assure that adequate facilities and procedures are in place to properly manage hazardous materials projected to occur; and

c. An outline of emergency procedures in case of a spill or contamination involving hazardous materials. This plan shall indicate exit routes from buildings, personnel and agencies to be contacted and any medical information necessary.

13. EDUCATION

A School Dedication Site is shown on Map H-1, within the DRI West Side. Midway Glades Developers, LLC, or its successors or assigns, shall enter into an agreement with the School Board of St. Lucie County setting forth the calculation of school impact fee credits that Midway Glades Developers, LLC, or its successors or assigns, will receive for the conveyance of the foregoing school site to the School Board. **The DRI East Side has no obligations with respect to this Paragraph 13, as there is no residential development permitted within the DRI East Side.**

14. RECREATION AND OPEN SPACE

Before the issuance of a certificate of occupancy for the first residence in the DRI West Side, Midway Glades Developers, LLC, or its successor or assigns, shall convey a site to the City of Port St. Lucie to be used for park and recreational facilities, depicted on Map H-1 as the 113 acre OSR/I Dedication Site. The OSR/I Dedication Site is encumbered by a Well Site Easement Agreement, whereby Midway Glades Developers, LLC granted the City an easement for a well site and related improvements, and for access thereto, and the area encumbered by this easement shall not be deemed to reduce the acreage of the land being donated to the City for the OSR/I Dedication Site. As to the City's park impact fee ordinance, the owner of a parcel upon which development is proposed may elect either a payment of the impact fee or construction of improvements for public parks with an impact fee credit, if approved by the City. **The DRI East Side has no obligations with respect to this Paragraph 14, as there is no residential development permitted within the DRI East Side.**

15. POLICE AND PUBLIC SAFETY

In conjunction with preliminary and/or final development plan application, the owner of a parcel requesting approval shall consult with the City of Port St. Lucie through the development review process to ensure that all development plans enhance the ability to provide for public safety through consideration of adequate access to the parcel,

consideration of lighting and building layout, and other features which will help ensure the safety and security of the project.

The owner of a parcel requesting approval may elect either a payment of any adopted impact fee or the designation of the site acceptable to St. Lucie County or the City of Port St. Lucie with an impact fee credit as may be permitted.

16. FIRE PROTECTION

In conjunction with preliminary and/or final development plan application, the owner of the parcel requesting approval shall consult with the St. Lucie County Fire District through the development review process to ensure that all development plans enhance the ability of the District to provide for public safety through consideration of adequate access to the parcel, consideration of building layout, consideration of fire hydrant location and spacing, and other features which will help ensure the safety and security of the project. If St. Lucie County or the City of Port St. Lucie adopts a fire impact fee ordinance, the owner of a parcel upon which development is proposed may elect either a payment of the impact fee or the designation of a site acceptable to the fire district with an impact fee credit as may be permitted.

17. TRANSPORTATION

a. No individual building permit shall be granted for a parcel upon which development is proposed within the DRI West Side unless and until any right-of-way described in the St. Lucie County Thoroughfare Plan or on the City of Port St. Lucie Transportation Needs Assessment Map, as applicable, within the boundaries of the parcel has been dedicated to or acquired by the appropriate public agency, free and clear of all liens and encumbrances. No future road corridors within the DRI East Side are shown on the St. Lucie County Thoroughfare Plan or the City of Port St. Lucie Transportation Needs Assessment Map. Impact fee credits may be granted to the owner of the parcel for all dedicated right-of-way as permitted under the City's road impact fee ordinance. The dedication of right-of-way provided for in the annexation agreement entered into by LTC Joint Venture and the City Council of Port St. Lucie shall not be entitled to an impact fee credit. Pursuant to the Contribution Agreement dated April 15, 2003 and recorded in Official Records Book 1863, Page 1819, of the Public Records of St. Lucie County and attached hereto as Exhibit "F", a $2,000,000.00 contribution was paid to the City. The Contribution Agreement states as follows: "In consideration of all the payments to be made by the Owner as set forth herein, the City agrees and hereby acknowledges that the entire LTC Ranch DRI is and shall be vested in perpetuity for purposes of transportation concurrency as set forth herein and shall not have any further obligation for any traffic or transportation impacts (including but not limited to off-site improvements or contribution for any road improvements) east of I-95, with the exception of the Owner's proportionate share of the intersection (including

signalization) improvements, if warranted, for the north bound entrance ramp at the intersection of I-95 and Midway Road, and the Owner shall be permitted to develop the property as permitted on the date of execution of this Agreement to the full extent permitted by the Development Order. The foregoing shall not be interpreted to exempt the Owner from the payment of applicable transportation impact fees." The forgoing improvements at the intersection of I-95 and Midway Road have been completed, therefore the entire LTC Ranch DRI has no further obligations for any traffic or transportation impacts east of I-95 (other than the payment of transportation impact fees). Obligations relating to improvements east of I-95 set forth in this Paragraph A.17 have therefore been identified as "satisfied".

b. **The obligations set forth in this paragraph A.17.b (including subparagraphs 1 and 2 below) have all been satisfied.** No building permit shall be issued for any structure within a parcel which uses Delcris Drive (as shown on Map H-1) for access until all of the intersection improvements listed in either paragraph 1) or 2) below have been completed or contracts let and bonded with the County or the City of Port St. Lucie, as applicable to obtain the following configurations:

1) West Midway Road and Delcris Drive

Northbound Delcris Drive	Eastbound West Midway Road
One right-turn lane*	One through lane
One left-turn lane*	One right-turn lane*
	Westbound West Midway Road
	Two through lanes
	One left-turn lane*

2) Glades Cut-Off Road and Delcris Drive

Northbound Glades Cut-Off Road	Eastbound Delcris Drive
One through lane	One right-turn lane*
One left-turn lane*	One left-turn lane*
	Southbound Glades Cut-Off Road
	One through lane

* Required Improvement

No building permits for development in Development Area A (DRI East Side), as shown on Map H-1 shall be issued for more than 9,000 daily trips, 600 A.M. peak hour trips and 950 P.M. peak hour trips until contracts for all improvements outlined in paragraphs 1 and 2 above have been let and the improvements have been bonded with the County or the City of Port St. Lucie, as applicable.

c. Building permits for no more than 950 residential dwelling units may be issued for development within the DRI west side unless and until intersection improvements have been completed or contracts let and bonded with the County or the City of Port St. Lucie, as applicable to obtain the following access configurations (this paragraph A.17.c shall not apply to the DRI East Side, and the DRI East side shall have no obligation hereunder):

West Midway Road and Arterial A

Northbound Arterial A	Eastbound West Midway Road
One right-turn lane*	One through lane
One left-turn lane*	
	Westbound West Midway Road
	One through lane
	One left-turn lane*

* Required Improvement.

d. No building permits shall be issued within a parcel which has direct access to Glades Cut-Off Road or West Midway Road until separate left and right turn lanes serving inbound and outbound movements at the Glades Cut-Off Road or West Midway Road access points have been let for construction. All access points onto West Midway Road and Glades Cut-Off Road shall comply with St. Lucie County's Access Management Guidelines.

e. **The obligations set forth in this Paragraph A.17.e (including the traffic improvements listed below) have all been satisfied.** No building permits shall be issued until the plans have been authorized for completion and the following improvements have been budgeted by St. Lucie County or paid for by third parties for construction of the intersection improvements to obtain the following configurations at the intersection of West Midway Road and Glades Cut-Off Road:

Northbound Glades Cut-Off Road	Eastbound West Midway Road
One through lane	One right-turn lane*
One left-turn lane*	One through lane
	One left-turn lane*

Southbound Glades Cut-Off Road	Westbound West Midway
One through lane	One through lane
One left-turn lane*	One left-turn lane*

* Required Improvement

f. Monitoring Program for St. Lucie West Boulevard from 1-95 to West Peacock Boulevard.

The obligations set forth in this Paragraph A.17.f (including subparagraphs f.1 through f.4 below) have all been satisfied.

Prior to approval of development generating more than 15,800 average daily trips, 1050 A.M. peak hour trips or 1660 P.M. peak hour trips, an annual monitoring program of St. Lucie West Boulevard from I-95 to West Peacock Boulevard including the intersections of St. Lucie West Boulevard at I-95 and St Lucie West Boulevard at West Peacock Boulevard shall be undertaken.

This monitoring program shall end at the completion of developing the Authorized Entitlements - (Phases 1 and 2). The traffic monitoring program shall be conducted by a traffic engineering firm that is qualified by the Florida Department of Transportation in F(3.05), Traffic Operation Studies, and G(3.06), Traffic Operation Design, or equivalent. Traffic counts shall be conducted in the peak season period (January 1 - March 31). A two-day, mid-week twenty-four hour (hourly recording) count shall be made on the link. Turning movement counts shall be conducted during two P.M. peak hours (4:00 to 6:00 P.M.) at each intersection.

f.1 Link and Intersection Traffic Volume Projections.

The monitoring program will project traffic demands for the link and intersections using historical traffic growth data from the monitoring program. Forecasts will be made for a three year period. When the link is projected to exceed its service volume for the adopted Level-of-Service standard for peak season peak hour conditions, or an intersection is projected to operate at below the adopted Level-of-Service standard, during the three year period, the month and the year for such exceedence will be estimated (exceedence date).

f.2 Signalization.

The actual P.M. peak hour intersection traffic volumes collected in accordance with paragraph f. above, for the unsignalized study intersections shall be compared to the volume thresholds of signal warrants numbers I and 2 in the Manual of Uniform Traffic Control Devices (MUTCD). At such time that the actual P.M. peak hour turning movements exceed both the major street and minor street volume signal warrant criteria, it will constitute an indication of a possible signal warrant and a complete signal analysis will be conducted unless the City engineer determines such study is not required. The complete signal warrant study

shall be completed within four months of the approval of a monitoring report that finds the P.M. peak hour to indicate a possible signal warrant.

f.3 Improvements.

The link and intersection improvements identified in this monitoring program must be let for construction by the construction date. The construction date is defined as twelve (12) months prior to the exceedence date defined in paragraph h. above. Design and permitting of these improvements must be completed by the construction date.

The signalization requirements identified in this monitoring program must be let for construction within twelve months after a signal is warranted.

f.4 Annual Traffic Monitoring Report for St. Lucie West Boulevard

An annual traffic monitoring report on the operating condition of St. Lucie West Boulevard shall be submitted as part of the Annual Report. The report shall present existing counts and traffic conditions, and shall include all analysis and projections. The report shall specify any improvements necessary to provide Level-of-Service "D" for peak season, peak hour conditions. The report will identify any exceedence and construction dates as defined under this condition. The report will be submitted to all agencies which receive the annual development report and the Florida Department of Transportation. The City of Port St. Lucie shall review and approve the monitoring report and its findings in consultation with the Florida Department of Transportation's recommendation for state roads.

g. Monitoring Program for Roads and Intersections in Tables 1 and 2

The traffic monitoring set forth in this Paragraph A.17.g shall take place biennially instead of annually.

Commencing in January of 1998, a biennial monitoring program for the roadway links and intersections listed in Tables 1 and 2 shall be undertaken. The links and intersections contained in Table 1 have been projected to be significantly impacted by the LTC Ranch DRI by full build out of the Entitlements (Phases 1, 2 and 3). Monitoring of each roadway segment and intersection as specified by this condition may be discontinued whenever all related improvements to the roadway segment or intersection have been completed. The monitoring program shall end at completion of developing the Authorized Entitlements (Phases 1, 2 and 3).

The traffic monitoring program shall be conducted by a traffic engineering firm that is qualified by the Florida Department of Transportation in F(3.05). Traffic Operation Studies, and G(3.06), Traffic Operation Design or equivalent. Traffic

counts shall be conducted in the peak season period (January 1 - March 3l). A two-day, mid-week twenty-four hour (hourly recording) count shall be made on the link. Turning movement counts shall be conducted during two P.M. peak hours (4:00 to 6:00 P.M.) at each intersection.

g.1 Links and Intersection Traffic Volume Projections.

Commencing in January of 1998, the monitoring program will project traffic demands for each link and intersection listed in Table 1, using historical traffic growth data from the monitoring program. Forecasts will be made for a three year period. When a link is projected to exceed its service volume for a Level-of-Service "D" for peak season peak hour conditions, or an intersection is projected to operate below Level-of-Service "D" during the three year period, the month and the year for such exceedence will be estimated (exceedence date).

g.2 Signalization.

The actual P.M. peak hour intersection traffic volumes collected in accordance with above, for the unsignalized intersections in Table 1, shall be compared to the volume thresholds of signal warrants numbers 1 and 2 in the Manual of Uniform Traffic Control Devices (MUTCD). At such time that the actual P.M. peak hour turning movements exceed both the major street and minor street volume signal warrant criteria, it will constitute an indication of a possible signal warrant and a complete signal analysis will be conducted unless the City engineer determines such study is not required. The complete signal warrant study shall be completed within four months of approval of a monitoring report that finds the P.M. peak hour to indicate a possible signal warrant.

g.3 Improvements.

The link and intersection improvements listed in Table 1, which are shown to be needed by the monitoring program, must be let for construction by the construction date. The construction date is defined as twelve (12) months prior to the exceedence date defined in paragraph g.1 above. Design and permitting of these improvements must be completed by the construction date.

The signalization requirements identified in this monitoring program must be let for construction within twelve months after a signal is warranted.

g.4 Biennial Traffic Monitoring Report for Tables 1 and 2.

A biennial traffic monitoring report shall be submitted on the operating condition of the links and intersections listed in Tables 1 and 2, as part of the Biennial Report. The report shall present existing counts and traffic conditions, and shall include all analysis and projections. The report shall specify any improvements necessary to provide the adopted Level-of-Service for peak season, peak hour conditions. The report will identify any exceedence and construction dates as defined under this condition. The report will be submitted to all agencies which receive the biennial development report and the Florida Department of Transportation. The City of Port St. Lucie shall obtain comments from the appropriate agencies and shall review and approve the monitoring report and its findings.

g.5 ~~Site Plan Approval.~~ Midway and Glades Cut-Off Road Traffic Improvements.

Certain traffic improvements listed in Tables 1 & 2 below have been marked "satisfied". The requirements of this paragraph g.5 shall only apply to those remaining traffic improvements listed in Tables 1 & 2 below, which have not been marked "satisfied".

~~No site plan approval for development within the DRI West Side shall be issued if cumulative site plan approvals within the DRI West Side include development generating more than 10,000 average daily trips, 660 A.M. peak hour trips or 1,030 P.M. peak hour trips from the DRI West Side beginning one year prior to the construction date until any of the following improvements identified to be required by the monitoring program described above are contained in the first three years of the St. Lucie County or City of Port St. Lucie or Florida Department of Transportation work program or are bonded for construction (the "West Side Traffic Improvements"):~~

No later than ninety (90) days after the issuance of a building permit for the 1100th cumulative dwelling unit within the DRI West Side, construction of the Midway Road Traffic Improvements must commence. No additional building permits within the DRI West Side will be issued if the timeframe and building permit threshold above are exceeded.

The following are defined as the "Midway Road Traffic Improvements":

- West Midway Road from Arterial A to I-95 (widen to 4 lanes)
- ~~Glades Cut-Off Road from I-95 to Arterial A (widen to 4 lanes)~~
- Intersection of West Midway Road and Arterial A
    - Signalization ~~when warranted~~
    - Add second westbound left turn lane

No site plan approval for development within the DRI East Side shall be issued if cumulative site plan approvals within the DRI East Side include development generating more than 7,928 average daily trips, 535 A.M. peak hour trips or 851 P.M. peak hour trips from the DRI East Side beginning one year prior to the construction date until any of the following improvements identified to be required by the monitoring program described above are contained in the first three years of the St. Lucie County or City of Port St. Lucie or Florida Department of Transportation work program or are bonded for construction (the "East Side Traffic Improvements"):

- Intersection of West Midway Road and I-95 West
    - Add second southbound left turn lane
    - Add second westbound left turn lane

~~No site plan approval for development within the DRI West Side shall be issued if cumulative site plan approvals include development within Development Areas B and C and if the combined trip generation of the development within Development Areas B and C (also known as the DRI West Side) would be more than 10,000 average daily trips, 660 A.M. peak hour trips or 1,030 P.M. peak hour trips beginning one year prior to the construction date until The West Side Traffic Improvements (defined above) identified to be required by the monitoring program described above are contained in the first three years of the St. Lucie County or City of Port St. Lucie or Florida Department of Transportation work program or are bonded for construction.~~

No later than the issuance of a building permit for the 1100th cumulative dwelling unit within the DRI West Side, the design of the Glades Cut-Off Road Traffic Improvements must commence. Construction of the Glades Cut-Off Road Traffic Improvements must commence no later than the earlier of the following: (1) twelve (12) months after completion of the construction of the Midway Road Traffic Improvements, or (2) six (6) months after the issuance of a building permit for the 1400th cumulative dwelling unit within the DRI West Side, but no sooner than the completion of the Midway Road Traffic Improvements. Construction of the Midway Road Traffic Improvements shall be deemed complete upon the inspection and acceptance of such improvements by St. Lucie County staff. No additional building permits will be issued within the DRI West Side if the timeframe and building permit threshold above are exceeded.

The following are defined as the "Glades Cut-Off Road Traffic Improvements":

- Glades Cut-Off Road from I-95 to Arterial A (widen to 4 lanes)

h. Within the DRI West Side, no building permits shall be issued for development generating more than 35,053 (average daily trips) 2,126 A.M. peak hour trips, or 3,615 P.M. peak hour trips from the DRI West Side, until additional review of the cumulative regional impacts of the 35,053 daily trips and 2,126 A.M. peak hour trips, and 3,615 P.M. peak hour trips together with the impact of proposed development beyond the threshold is undertaken and the City may require additional transportation improvements to address such proposed development within the DRI West Side. Within the DRI East Side, no building permits shall be issued for development generating more than 14,183 (average daily trips) 1,321 A.M. peak hour trips, or 1,676 P.M. peak hour trips from the DRI East Side, until additional review of the cumulative regional impacts of the 14,183 daily trips and 1,321 A.M. peak hour trips, and 1,676 P.M. peak hour trips together with the impact of proposed development beyond the threshold is undertaken and the City may require additional transportation improvements to address such proposed development within the DRI East Side. A traffic report shall be provided with each biennial report for the DRI East Side or DRI West Side, showing the average daily trips, A.M. peak hour trips and P.M. peak hour trips generated by the then-existing development within such DRI East Side or DRI West Side, unless no new development has occurred within such DRI East Side or DRI West Side since the last biennial report. Attached as Exhibit "G" is a trip tracking table to be used in tracking trip generation as development within the DRI East Side or DRI West Side is approved by the City. If the land use for any proposed development within the DRI does not match the uses shown on Exhibit "G", then ITE Trip Generation 10th Edition should be applied with 34% internal capture and ITE pass-by. T**he Contribution Agreement referenced in Paragraph A.17.a above states as follows: "In consideration of all the payments to be made by the Owner as set forth herein, the City agrees and hereby acknowledges that the entire LTC Ranch DRI is and shall be vested in perpetuity for purposes of transportation concurrency as set forth herein and shall not have any further obligation for any traffic or transportation impacts (including but not limited to off-site improvements or contribution for any road improvements) east of I-95, with the exception of the Owner's proportionate share of the intersection (including signalization) improvements, if warranted, for the north bound entrance ramp at the intersection of I-95 and Midway Road, and the Owner shall be permitted to develop the property as permitted on the date of execution of this Agreement to the full extent permitted by the Development Order. The foregoing shall not be interpreted to exempt the Owner from the payment of applicable transportation impact fees." The forgoing improvements at the intersection of I-95 and Midway Road have been completed, therefore the entire LTC Ranch DRI has no further obligations for any traffic or transportation impacts east of I-95 (other than the payment of transportation impact fees). Therefore, any traffic improvements located east of I-95 referenced in Tables 1 & 2 below have been marked "satisfied".**

TABLE 1

ROADWAY LINKS	FROM	TO	POTENTIAL IMPROVEMENT TO:
West Midway Road	Arterial A	1-95	4-lane
	1-95	Glades Cut-Off Road	4-lane - **Satisfied**
	1-95	Glades Cut-Off Road	6-lane - **Satisfied**
	Glades Cut-Off Road	25th Street	4-lane - **Satisfied**
	25th Street	U. S. 1	4-lane - **Satisfied**
Glades Cut-Off Road	West Midway Road	Delcris Drive	4-lane - **Satisfied**
	I-95	Arterial A	4-lane
Glades Cut-Off Road[1]	Selvitz Road	West Midway Road	4-lane - **Satisfied**
St James Drive[2]	West Midway Road	Aircso Boulevard	4-lane - **Satisfied**
East Torino Parkway[2]	West Midway Road	St. Lucie West Boulevard	4-lane - **Satisfied**
St. Lucie West Blvd.	1-95	Cashmere Road	6-lane - **Satisfied**

TABLE 2

Intersections	Improvements
West Midway Road and Arterial A	Signalization~~. when warranted~~ Add second WB left-turn lane
West Midway Road and 1-95 West	Signalization when warranted - **Satisfied** Add second SB left-turn lane Add second WB left-turn lane
West Midway Road and I-95 East	Signalization when warranted - **Satisfied**
West Midway Road and Delcris Drive	Signalization when warranted - **Satisfied** Add second NB left-turn lane - **Satisfied** Add second WB through lane - **Satisfied**
West Midway Road and Glades Cut-Off Road	Add SB right-turn lane - **Satisfied** Add second NB left-turn lane - **Satisfied**
West Midway Road and Torino Parkway	As required by monitoring studies - **Satisfied**
West Midway Road and Selvitz Road	As required by monitoring studies - **Satisfied**
West Midway Road and 25th Street	As required by monitoring studies - **Satisfied**
Glades Cut-Off Road and Delcris Drive	Signalization when warranted - **Satisfied**
Okeechobee Road and I-95 East	Signalization when warranted - **Satisfied** Add third WB through lane - **Satisfied**

1 Glades Cut-Off Road will be monitored until two years after the completion of construction on the four laning of Prima Vista Boulevard between Airoso Boulevard and Cashmere Boulevard, or until two years after entering Phase 2, whichever is later. At that monitoring this road will be discontinued. **– Satisfied. This monitoring is no longer required.**

2 St. James Drive will be monitored until East Torino Parkway is connected between West Midway and North Peacock Drive. At that time monitoring of St. James Drive will be replaced with monitoring of East Torino Parkway. **– Satisfied. This monitoring is no longer required.**

3 **Pursuant to the Contribution Agreement referenced in Paragraph A.17.a above (and attached hereto as Exhibit "F"), the requirements to construct traffic improvements East of I-95 referenced in Tables 1 & 2 have been satisfied, and therefore those improvements have been marked "satisfied" in Tables 1 & 2.**

i. Phase 1 development shall occur in Development Areas A and B. If development is requested in Area C during Phase 1, a traffic analysis evaluating Glades Cut-Off Road from I-95 to the most southerly development access shall be submitted to the City of Port St. Lucie (the DRI East Side shall have no obligation with respect to this traffic analysis). The analysis will document the adequacy of Glades Cut-Off Road to accommodate the proposed Area C development. Should roadway improvements (other than access turn lanes be required), then prior to issuance of a building permit in Area C, one or both of the West Side Owners shall enter into an agreement with the City to provide for four-laning Glades Cut-Off Road from I-95 to the most southerly development access (the foregoing improvements to Glades Cut-Off Road shall be obligations of the DRI West Side). Access turn lanes will be required in conjunction with roadway or access connection permitting.

j. Development quantities reflected in Section 2, DRI Approval, pages 3 - 4, and in the Map H-1, Master Plan (Exhibit "B") can be adjusted in accordance with the Conversion Matrix attached here to as Exhibit "E". Additionally, each biennial report submitted shall include a summary of the trade-off mechanisms requested or utilized to date.

Residential trade offs to non-residential shall be limited to a maximum of 1,350 dwelling units in additional Authorized Entitlements. Non-residential trade offs to residential shall be limited to a maximum of 1,060,000 square feet total. Further, no more than 60,000 total square feet of retail may be traded for any other use in the Authorized Entitlements. The limits in this paragraph can be exceeded with the approval of the City of Port St. Lucie, if such changes do not create additional unreviewed regional impacts.

No tradeoff shall be permitted within the DRI East Side without the express written consent of the LTC Joint Venture. No tradeoff shall be permitted within the DRI West Side without the express written consent of the West Side Owners. No tradeoffs shall be permitted between the DRI East Side and the DRI West Side, or vice versa (for example, reducing the square footage of retail space in the DRI West Side to allow additional square footage of office space in the DRI East Side), without the express written consent of the City, LTC Joint Venture and the

West Side Owners , in which case the City may require additional transportation improvements.

18. COMPLIANCE AND VIOLATIONS.

LTC Joint Venture shall be responsible for compliance with all requirements and conditions set forth herein relating to the DRI East Side and the West Side Owners shall each be responsible for compliance with all requirements and conditions set forth herein relating to their respective properties within the DRI West Side. If the DRI East Side is in violation of any requirements or conditions set forth herein, such violation shall not prevent or otherwise affect the development of the DRI West Side. If the DRI West Side is in violation of any requirements or conditions set forth herein, such violation shall not prevent or otherwise affect the development of the DRI East Side.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF PORT ST. LUCIE, FLORIDA, AS FOLLOWS:

A. It has been determined that the conditions contained herein assure that the development meets all the City of Port St. Lucie concurrency regulations.

B. Approval of this Development Order does not constitute a zoning, as referenced in Section 193.461, Florida Statutes.

C. Any modifications or deviations from the approved plans or requirements of this Development Order shall be submitted to the Port St. Lucie Director of Planning & Zoning for a determination by the City Council of Port St Lucie as to whether the change constitutes a substantial deviation as provided in Section 380.06(19), Florida Statutes. The City Council of Port St. Lucie shall make its determination of substantial deviation at a public hearing after notice to the applicant, if required by Chapter 380, Florida Statutes.

D. The City of Port St. Lucie shall monitor the development of the project to ensure compliance with this Development Order. The Port St. Lucie Director of Planning & Zoning shall be the local official assigned the responsibility for monitoring the development and enforcing the terms of the Development Order. The Port St. Lucie Director of Planning & Zoning may require periodic reports of the development with regard to any item set forth in the Development Order.

E. A biennial report or biennial reports is ~~as~~ required by the City , notwithstanding Section 380.06(6) Florida Statutes, and shall be submitted once every two (2) years on the anniversary date of the adoption of this Development Order, for the DRI East Side and the DRI West Side in accordance with the forms previously promulgated by the Department of Community Affairs, and shall continue until expiraton of this Development Order. This requirement may be satisfied by separate biennial reports submitted for the DRI East Side and the DRI West Side, or by the submission of a single biennial report addressing both properties, at the option of LTC Joint Venture and the

West Side Owners. LTC Joint Venture and the West Side Owners shall each only be responsible for the biennial report for their respective property and shall not be penalized if biennial report is not filed for the other party's property within the DRI. In addition to the information requested on the forms, the following information must be submitted as part of the biennial report:

1. Any changes in the plan of development, or in the representations contained in the Application for Development Approval, or in the phasing for the reporting year and for the next year;

2. A summary comparison of development activity proposed and actually conducted for the year;

3. Undeveloped tracts of land that have been sold, transferred, or leased to a successor developer;

4. An updated Map H-1 incorporating the preliminary plan approvals, final plan approvals given to date showing the uses, parks, schools, uplands, wetlands and public facilities designated;

5. Identification and intended use of lands purchased, leased, or optioned by a developer adjacent to the original site since the Development Order was issued;

6. An assessment of the LTC Ranch's and local government's compliance with the conditions of approval contained in this Development Order and the commitments specified in the Application for Development Approval and summarized in the Regional Planning Council Assessment Report for the development undertaken;

7. The Conversion Matrix set forth on Exhibit "E" shall be provided summarizing the trade-off mechanism utilized for transportation to date;

8. A summary of the trade-off used for water and wastewater showing the total GPD used to date;

9. A list of significant local, State, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

10. Any request for a substantial deviation determination that was filed in the reporting year or is anticipated to be filed during the next year;

11. An indication of a change, if any, in local government jurisdiction for any portion of the development since the Development Order was issued;

12. The traffic monitoring referenced in Paragraphs A.17.e and f is no longer required, as more specifically set forth above, however, a traffic report, including

the traffic monitoring requirements of Paragraph 17.g and h above, will be provided with each biennial report.

13. A copy of any recorded notice of the adoption of a Development Order or the subsequent modification of an adopted Development Order that was recorded by the applicant pursuant to Subsection 380.06(15), Florida Statutes; and

14. Any other information requested by the City Council of Port St. Lucie or its Director of Planning & Zoning to be included in the biennial report;

15. The biennial report shall be transmitted to the City of Port St. Lucie, and such additional parties as may be appropriate or required by law.

F. The definitions found in Chapter 380, Florida Statutes, shall apply to this amended Development Order.

G. The City of Port St. Lucie hereby agrees that prior to May 23, 2041 (in accordance with previously filed extensions), the LTC Ranch shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the City of Port St. Lucie demonstrates that substantial changes in the conditions underlying the approval of the Development Order have occurred or the Development Order was based on substantially inaccurate information provided by the original DRI applicant, or that the change is clearly established by the City of Port St. Lucie to be essential to the public health, safety, or welfare. The foregoing shall not limit any right of LTC Joint Venture or either of the West Side Owners to obtain any further extensions of such deadline allowed by laws then in effect.

H. This Development Order shall be binding upon the owners of land within LTC Ranch and their assignees or successors in interest. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created and designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced government agency in existence on the effective date of this Development Order.

I. The approval granted by this Development Order is conditional and shall not be construed to obviate the duty of the owners of land within the LTC Ranch DRI to comply with all other applicable local, state and federal permitting requirements in effect at the date of adoption of this Development Order to the extent consistent with this Development Order.

J. Pursuant to Section 380.06(5)(c), Florida Statutes, this development is bound to the rules adopted pursuant to Chapters 373 and 403, Florida Statutes, in effect at the time of issuance of this Development Order.

K. In the event that any portion or section of this Development Order is deemed to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order, which shall remain in full force and effect.

L. This Development Order shall become effective immediately upon adoption by the City Council of Port St. Lucie.

M. Certified copies of this Development Order shall be transmitted immediately by certified mail to the applicants.

N. Within 21 days of the effective date of this Resolution No. _____, approving an amended and restated Development Order, the applicant shall record a notice of adoption of this order in compliance with Chapter 380.06(15)(f), Florida Statutes, with copies of said notice being provided to the City of Port St. Lucie.

After motion and second, the vote on this resolution was as follows:

(Remainder of page intentionally left blank.)

PASSED AND DULY ADOPTED this _____ day of _____, 20___.

CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA

By:_____
Shannon M. Martin, Mayor

ATTEST:

_____
Sally Walsh, City Clerk

APPROVED AS TO FORM:

_____
James D. Stokes, City Attorney

EXHIBITS

Exhibit A	Legal Description
Exhibit B	Master Plan, Map H-1
Exhibit C	Wildlife Habitat/Listed Species Map (Map G)
Exhibit D	City Commitment Letter for Water
Exhibit E	Conversion Matrix
Exhibit F	Contribution Agreement
Exhibit G	Trip Generation Table

EXHIBIT A

5.

LTC Ranch Legal Description

A parcel of land lying within Sections 1, 2, 3, 4, 9, 10, 11, 15 and 16, Township 36 South, Range 39 East, St Lucie County, Florida, and being more particularly described as follows:

All lands in the South 1/2 of Section 1, Township 36 South, Range 39 East, St. Lucie County, Florida, lying North and Northwesterly of Glades Cut-Off Road and South of Canal 103; LESS the right-of way of I-95;

TOGETHER WITH all lands in the South 1/2 of Section 2, Township 36 South, Range 39 East, St. Lucie County, Florida, lying North and Northwesterly of Glades Cut-Off Road and South of Canal 103; LESS the lands described in O.R. Book 102, Page 538, ALSO LESS the right-of-way for I-95 as recorded in O.R. Book 318, Page 2209, St. Lucie County, Florida; SUBJECT TO easement for Florida Power & Light Company as described in O.R. Book 206, Page 2302; O.R. Book 254, Page 370; St. Lucie County, Florida;

TOGETHER WITH all lands in Section 3, Township 36 South, Range 39 East, St. Lucie County, Florida, lying North and Northwesterly of Glades Cut-Off Road and South of the South right-of-way of State Road No. 712, LESS the lands described in O.R. Book 385, Page 2944, and O.R. Book 318, Page 2209, St. Lucie County, Florida; SUBJECT TO easements for Florida Power & Light Company rights-of-way as described in O.R. Book 302 , Page 192; O.R. Book 206, Page 2302; O.R. Book 265, Page 1184, St. Lucie County,Florida;

TOGETHER WITH all lots 1, 8, 9 and 16 of the Southeast 1/4 of the PLAT OF SUBDIVISION OF SECTION 4, as recorded in Plat Book 3, Page 30 , of the Public Records of St. Lucie County, Florida; LESS the right-of-way of State Road No. 712;

TOGETHER WITH all lands in the East 1/2 of Section 9, Township 36 South, Range 39 East, St. Lucie County, Florida; LESS right-of-way of North St. Lucie River Water Management District Canal 91;

TOGETHER WITH all lands in Section 10, Township 36 South, Range 39 East, St. Lucie County, Florida, lying North and Northwesterly of Glades Cut-Off Road; LESS lands described in O.R. Book 385, Page 2944, St. Lucie County, Florida; SUBJECT TO easements for Florida Power & Light Company rights-of-way as described in O.R. Book 206, Page 2302; O.R. Book 265, Page 1184; O.R. Book 302, Page 192; St. Lucie County, Florida;

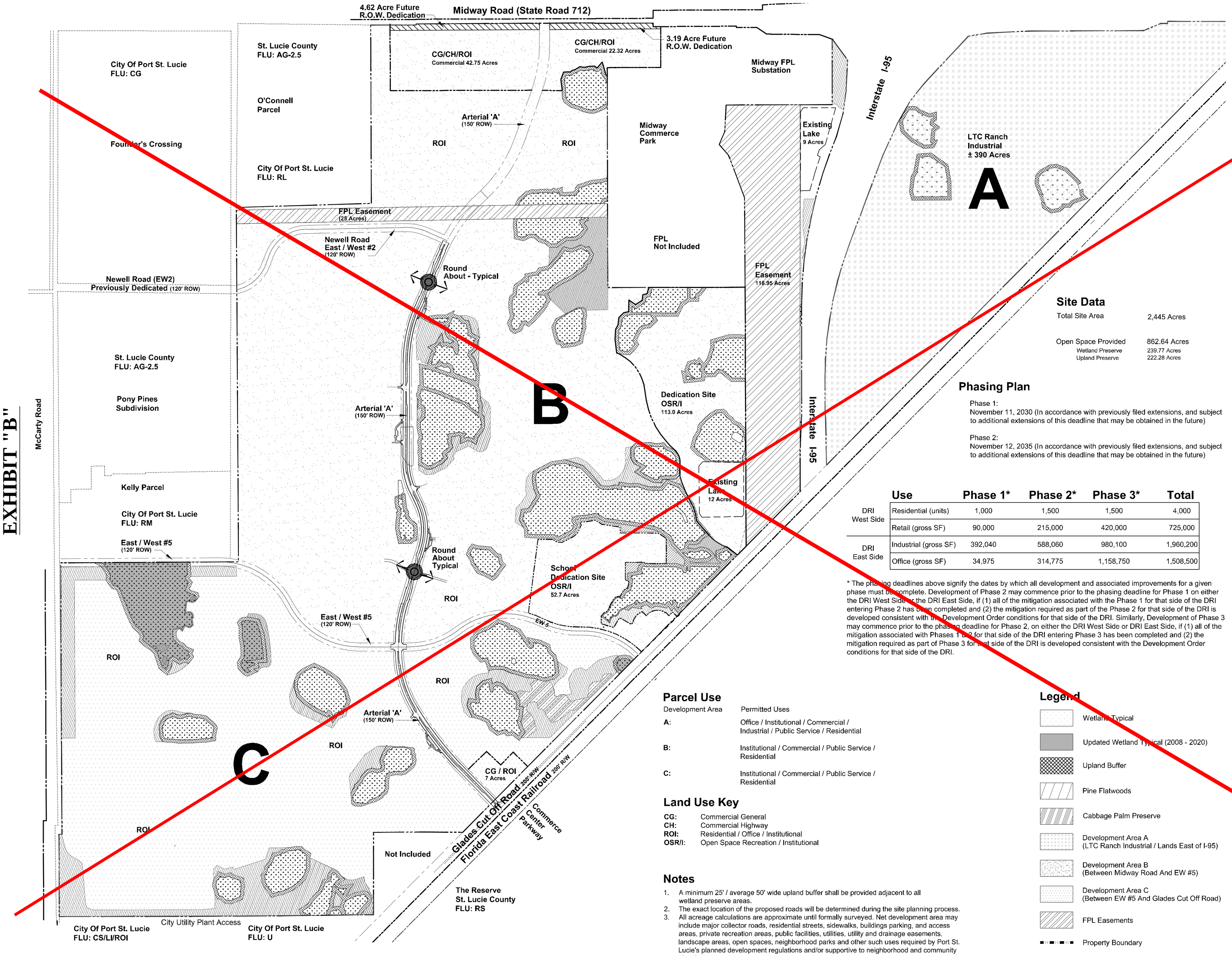
TOGETHER WITH all lands in Section 11,Township 36 South, Range 39 East, St. Lucie County, Florida, lying North and Northwesterly of Glades Cut-Off Road; LESS the right-of-way for I-95 as recorded in O.R. Book 318, Page 2209, St. Lucie County, Florida; SUBJECT TO easement for Florida Power & Light Company as described in O.R. Book 302, Page 2302; O.R. Book 254, Page 370, St. Lucie County, Florida;

TOGETHER WITH all lands lying in Section 15, Township 36 South, Range 39 East, St. Lucie County, Florida, lying North and Northwesterly of Glades Cut-Off Road; LESS the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of said Section 15, Township 36 South, Range 39 East, St. Lucie County, Florida;

TOGETHER WITH all lands lying in Section 16, Township 36 South, Range 39 East, St. Lucie County, Florida, lying North and Northwesterly of Glades Cut-Off Road; LESS the right-of-way of McCarty Road, as described in Deed Book 245, Page 193, St. Lucie County, Florida; ALSO LESS right-of-way of North St. Lucie Water Management District Canal No. 90; ALSO LESS the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 16, Township 36 South, Range 39 East, St. Lucie County, Florida.

The area of the above-described parcel contains 2,455.021 acres.

EXHIBIT "B"



Site Data

Total Site Area	2,445 Acres
Open Space Provided	862.64 Acres
Wetland Preserve	239.77 Acres
Upland Preserve	222.28 Acres

Phasing Plan

Phase 1:
November 11, 2030 (In accordance with previously filed extensions, and subject to additional extensions of this deadline that may be obtained in the future)

Phase 2:
November 12, 2035 (In accordance with previously filed extensions, and subject to additional extensions of this deadline that may be obtained in the future)

	Use	Phase 1*	Phase 2*	Phase 3*	Total
DRI West Side	Residential (units)	1,000	1,500	1,500	4,000
	Retail (gross SF)	90,000	215,000	420,000	725,000
DRI East Side	Industrial (gross SF)	392,040	588,060	980,100	1,960,200
	Office (gross SF)	34,975	314,775	1,158,750	1,508,500

* The phasing deadlines above signify the dates by which all development and associated improvements for a given phase must be complete. Development of Phase 2 may commence prior to the phasing deadline for Phase 1 on either the DRI West Side or the DRI East Side, if (1) all of the mitigation associated with the Phase 1 for that side of the DRI entering Phase 2 has been completed and (2) the mitigation required as part of the Phase 2 for that side of the DRI is developed consistent with the Development Order conditions for that side of the DRI. Similarly, Development of Phase 3 may commence prior to the phasing deadline for Phase 2, on either the DRI West Side or DRI East Side, if (1) all of the mitigation associated with Phases 1 & 2 for that side of the DRI entering Phase 3 has been completed and (2) the mitigation required as part of Phase 3 for that side of the DRI is developed consistent with the Development Order conditions for that side of the DRI.

Parcel Use

Development Area	Permitted Uses
A:	Office / Institutional / Commercial / Industrial / Public Service / Residential
B:	Institutional / Commercial / Public Service / Residential
C:	Institutional / Commercial / Public Service / Residential

Land Use Key

CG: Commercial General
CH: Commercial Highway
ROI: Residential / Office / Institutional
OSR/I: Open Space Recreation / Institutional

Notes

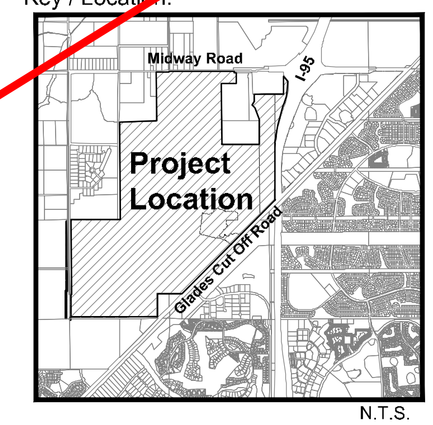
1. A minimum 25' / average 50' wide upland buffer shall be provided adjacent to all wetland preserve areas.
2. The exact location of the proposed roads will be determined during the site planning process.
3. All acreage calculations are approximate until formally surveyed. Net development area may include major collector roads, residential streets, sidewalks, buildings parking, and access areas, private recreation areas, public facilities, utilities, utility and drainage easements, landscape areas, open spaces, neighborhood parks and other such uses required by Port St. Lucie's planned development regulations and/or supportive to neighborhood and community planning.

Legend

- Wetland Typical
- Updated Wetland Typical (2008 - 2020)
- Upland Buffer
- Pine Flatwoods
- Cabbage Palm Preserve
- Development Area A (LTC Ranch Industrial / Lands East of I-95)
- Development Area B (Between Midway Road And EW #5)
- Development Area C (Between EW #5 And Glades Cut Off Road)
- FPL Easements
- Property Boundary

lucido & associates
701 SE Ocean Blvd., Stuart, Florida 34994 (772) 220-2100, Fax (772) 223-0220

Key / Location:



N.T.S.

Project Team:

Client & Property Owner:	Glades Midway Developers, LLC 7807 Baymeadows Road East, Suite, 205 Jacksonville, Florida 32256
Land Planner / Landscape Architect:	Lucido & Associates 701 East Ocean Boulevard Stuart, Florida 34994
Engineer:	Kimley Horn & Associates 445 24th Street Suite 200 Vero Beach, Florida 32960
Surveyor:	Culpepper & Terpening, Inc. 2960 South 25th Street Fort Pierce, Florida 34981
Traffic Engineer:	Mackenzie Engineering & Planning, Inc. 1172 SW 30th Street, Suite 500 Palm City, Florida 34990
Environmental Consultant:	EW Consultants 1000 SE Monterey Commons Blvd. Suite 208 Stuart, Florida 34996

LTC Ranch DRI

Revised Master Plan Map H-1

City of Port St. Lucie

Date	By	Description
16SEP20	SJS	Submittal
13JAN21	SJS	Update per Comp Plan
23MAR21	SJS	Correction To Wetland Boundary

NORTH

SCALE: 1" = 600'

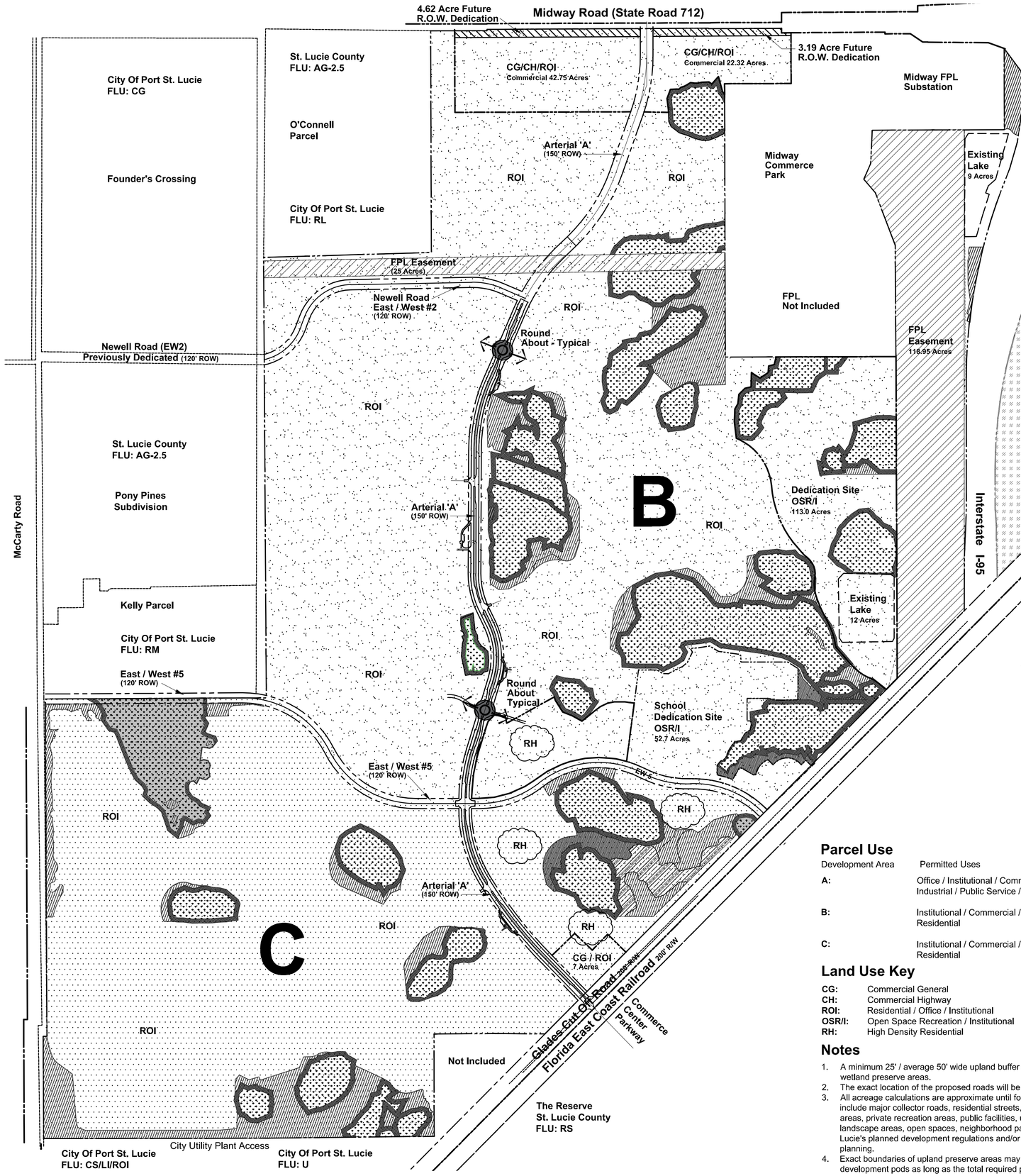
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REG. # 1018
Thomas P. Lucido

Designer	SJS	Sheet
Manager	SG	1 of 1
Project Number	20-535	
Municipal Number	---	
Computer File	20-535 - LTC - Map H.dwg	

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Drawing Name: J:\Projects Active\20-535 LTC RANCH RESIDENTIAL\Maps G & H\ Mar 23, 2021 - 11:44am 20-535 - LTC - Map H.dwg



Site Data

Total Site Area	2,445 Acres
Open Space Required	816.75 Acres
DRI West - 2,055 ac (35%)	719.25 Ac
DRI East - 390 ac (25%)	97.50 Ac
Open Space Provided	862.64 Acres
Wetland Preserve	240.56 Ac
Upland Preserve	223.27 Ac
Within Development Parcels	398.81 Ac

Phasing Plan

Phase 1:
November 11, 2030 (In accordance with previously filed extensions, and subject to additional extensions of this deadline that may be obtained in the future)

Phase 2:
November 12, 2035 (In accordance with previously filed extensions, and subject to additional extensions of this deadline that may be obtained in the future)

	Use	Phase 1*	Phase 2*	Phase 3*	Total
DRI West Side	Residential (units)	1,000	1,500	1,500	4,000
	Retail (gross SF)	90,000	215,000	420,000	725,000
DRI East Side	Industrial (gross SF)	392,040	588,060	980,100	1,960,200
	Office (gross SF)	34,975	314,775	1,158,750	1,508,500

* The phasing deadlines above signify the dates by which all development and associated improvements for a given phase must be complete. Development of Phase 2 may commence prior to the phasing deadline for Phase 1 on either the DRI West Side or the DRI East Side, if (1) all of the mitigation associated with the Phase 1 for that side of the DRI entering Phase 2 has been completed and (2) the mitigation required as part of the Phase 2 for that side of the DRI is developed consistent with the Development Order conditions for that side of the DRI. Similarly, Development of Phase 3 may commence prior to the phasing deadline for Phase 2, on either the DRI West Side or DRI East Side, if (1) all of the mitigation associated with Phases 1 & 2 for that side of the DRI entering Phase 3 has been completed and (2) the mitigation required as part of Phase 3 for that side of the DRI is developed consistent with the Development Order conditions for that side of the DRI.

Parcel Use

Development Area	Permitted Uses
A:	Office / Institutional / Commercial / Industrial / Public Service / Residential
B:	Institutional / Commercial / Public Service / Residential
C:	Institutional / Commercial / Public Service / Residential

Land Use Key

CG:	Commercial General
CH:	Commercial Highway
ROI:	Residential / Office / Institutional
OSR/I:	Open Space Recreation / Institutional
RH:	High Density Residential

Notes

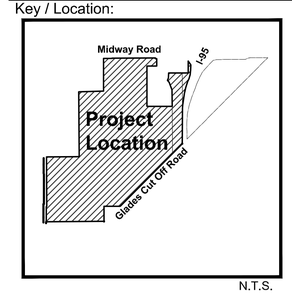
1. A minimum 25' / average 50' wide upland buffer shall be provided adjacent to all wetland preserve areas.
2. The exact location of the proposed roads will be determined during the site planning process.
3. All acreage calculations are approximate until formally surveyed. Net development area may include major collector roads, residential streets, sidewalks, buildings parking, and access areas, private recreation areas, public facilities, utilities, utility and drainage easements, landscape areas, open spaces, neighborhood parks and other such uses required by Port St. Lucie's planned development regulations and/or supportive to neighborhood and community planning.
4. Exact boundaries of upland preserve areas may change during the site plan process for the development pods as long as the total required preserve area is met.

Legend

- Wetland Typical
- Updated Wetland Typical (2008 - 2020)
- Upland Buffer
- Pine Flatwoods
- Cabbage Palm Preserve
- Development Area A (LTC Ranch Industrial / Lands East of I-95)
- Development Area B (Between Midway Road And EW #5)
- Development Area C (Between EW #5 And Glades Cut Off Road)
- FPL Easements
- Property Boundary

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Key / Location:



N.T.S.

Project Team:

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Land Planner / Landscape Architect: Lucido & Associates, 701 East Ocean Boulevard, Stuart, Florida 34994

Engineer: Kimley Horn & Associates, 445 24th Street, Suite 200, Vero Beach, Florida 32960

Surveyor: Culpepper & Terpening, Inc., 2980 South 25th Street, Fort Pierce, Florida 34981

Traffic Engineer: Mackenzie Engineering & Planning, Inc., 1172 SW 30th Street, Suite 500, Palm City, Florida 34990

Environmental Consultant: EW Consultants, 1000 SE Monterey Commons Blvd, Suite 208, Stuart, Florida 34996

LTC Ranch DRI

Master Plan

Proposed Map H-1

City of Port St. Lucie P22-279

Date	By	Description
17NOV22	MRY	Update per Amendment
17JULY23	MRY	Refine Open Space Data

NORTH

SCALE: 1" = 600'

0 300' 600' 12,000'

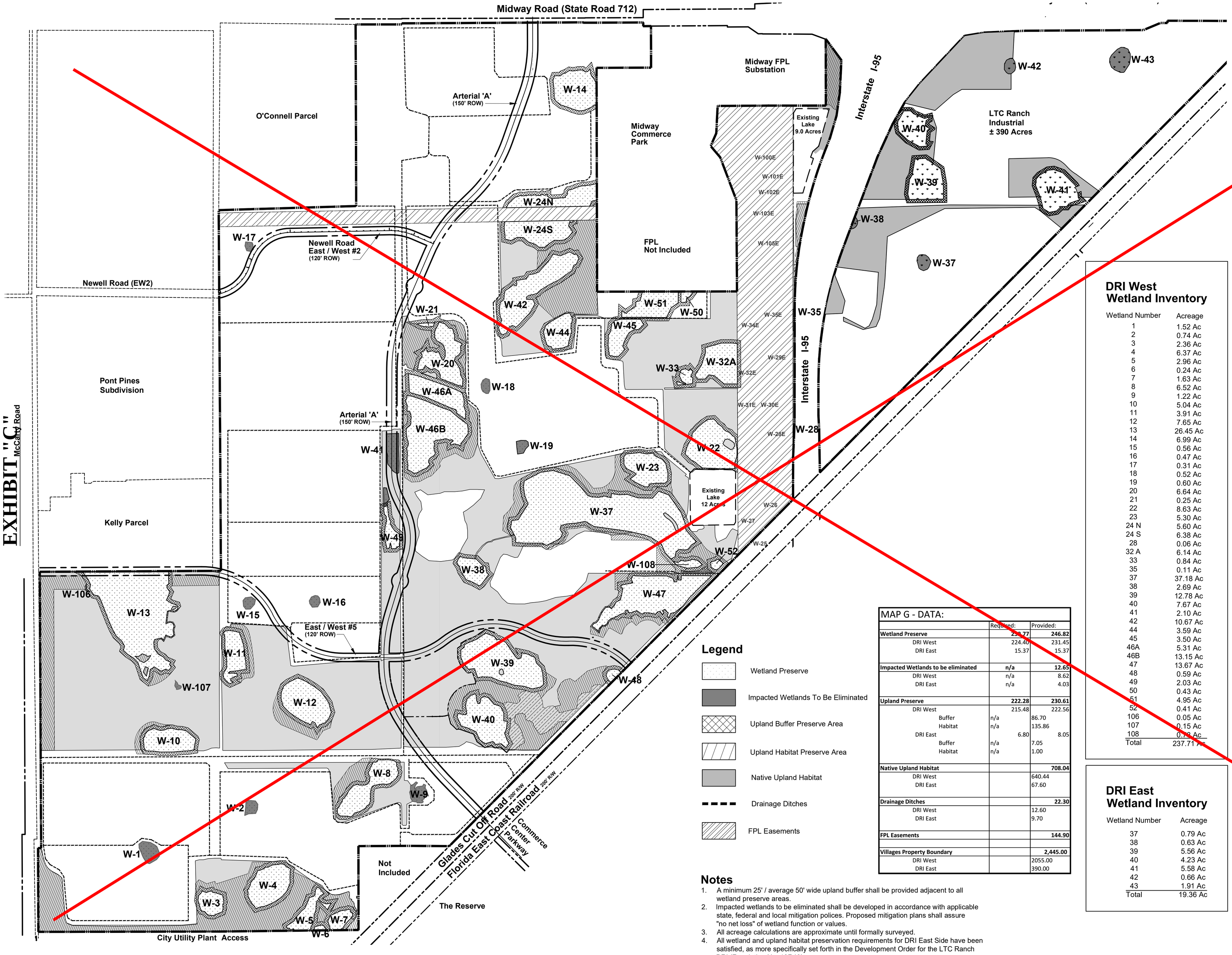
REG. # 1018
Thomas P. Lucido

Designer	SJS	Sheet
Manager	SG	1 of 1
Project Number	20-535	
Municipal Number	—	
Computer File	20-535 - LTC - Map H.dwg	

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Drawing Name: J:\Projects Active\20-535 LTC RANCH RESIDENTIAL\Maps G & H and PUD Exhibits\ Jul 17, 2023 - 3:14pm 20-535 - LTC - Map H.dwg

EXHIBIT "G"



Legend

- Wetland Preserve
- Impacted Wetlands To Be Eliminated
- Upland Buffer Preserve Area
- Upland Habitat Preserve Area
- Native Upland Habitat
- Drainage Ditches
- FPL Easements

Notes

1. A minimum 25' / average 50' wide upland buffer shall be provided adjacent to all wetland preserve areas.
2. Impacted wetlands to be eliminated shall be developed in accordance with applicable state, federal and local mitigation polices. Proposed mitigation plans shall assure "no net loss" of wetland function or values.
3. All acreage calculations are approximate until formally surveyed.
4. All wetland and upland habitat preservation requirements for DRI East Side have been satisfied, as more specifically set forth in the Development Order for the LTC Ranch DRI (Resolution No. 19R40)

MAP G - DATA:

	Required:	Provided:
Wetland Preserve	**237.77**	**246.82**
DRI West	224.40	231.45
DRI East	15.37	15.37
Impacted Wetlands to be eliminated	**n/a**	**12.65**
DRI West	n/a	8.62
DRI East	n/a	4.03
Upland Preserve	**222.28**	**230.61**
DRI West	215.48	222.56
Buffer	n/a	86.70
Habitat	n/a	135.86
DRI East	6.80	8.05
Buffer	n/a	7.05
Habitat	n/a	1.00
Native Upland Habitat		**708.04**
DRI West		640.44
DRI East		67.60
Drainage Ditches		**22.30**
DRI West		12.60
DRI East		9.70
FPL Easements		**144.90**
Villages Property Boundary		**2,445.00**
DRI West		2055.00
DRI East		390.00

DRI West Wetland Inventory

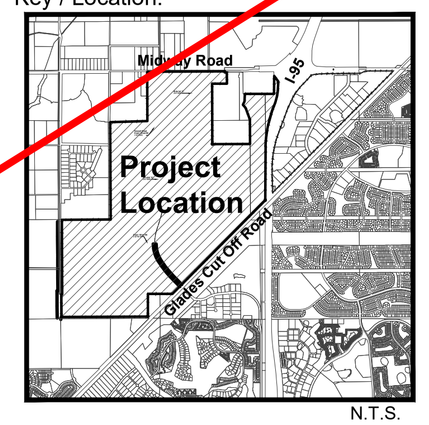
Wetland Number	Acreage
1	1.52 Ac
2	0.74 Ac
3	2.36 Ac
4	6.37 Ac
5	2.96 Ac
6	0.24 Ac
7	1.63 Ac
8	6.52 Ac
9	1.22 Ac
10	5.04 Ac
11	3.91 Ac
12	7.65 Ac
13	26.45 Ac
14	6.99 Ac
15	0.56 Ac
16	0.47 Ac
17	0.31 Ac
18	0.52 Ac
19	0.60 Ac
20	6.64 Ac
21	0.25 Ac
22	8.63 Ac
23	5.30 Ac
24 N	5.60 Ac
24 S	6.38 Ac
28	0.06 Ac
32 A	6.14 Ac
33	0.84 Ac
35	0.11 Ac
37	37.18 Ac
38	2.69 Ac
39	12.78 Ac
40	7.67 Ac
41	2.10 Ac
42	10.67 Ac
44	3.59 Ac
45	3.50 Ac
46A	5.31 Ac
46B	13.15 Ac
47	13.67 Ac
48	0.59 Ac
49	2.03 Ac
50	0.43 Ac
51	4.95 Ac
52	0.41 Ac
106	0.05 Ac
107	0.15 Ac
108	0.73 Ac
Total	237.71 Ac

DRI East Wetland Inventory

Wetland Number	Acreage
37	0.79 Ac
38	0.63 Ac
39	5.56 Ac
40	4.23 Ac
41	5.58 Ac
42	0.66 Ac
43	1.91 Ac
Total	19.36 Ac

lucido & associates
701 SE Ocean Blvd., Stuart, Florida 34994 (772) 220-2100, Fax (772) 223-0220

Key / Location:



N.T.S.

Project Team:

Client & Property Owner:	Glades Midway Developers, LLC 7807 Baymeadows Road East, Suite, 205 Jacksonville, Florida 32256
Land Planner / Landscape Architect:	Lucido & Associates 701 East Ocean Boulevard Stuart, Florida 34994
Engineer:	Kimley Horn & Associates 445 24th Street Suite 200 Vero Beach, Florida 32960
Surveyor:	Culpepper & Terpening, Inc. 2980 South 25th Street Fort Pierce, Florida 34981
Traffic Engineer:	Mackenzie Engineering & Planning, Inc. 1172 SW 30th Street, Suite 500 Palm City, Florida 34990
Environmental Consultant:	EW Consultants 1000 SE Monterey Commons Blvd. Suite 208 Stuart, Florida 34996

LTC Ranch DRI

Environmental Exhibit

Map G

City of Port St. Lucie

Date	By	Description
16SEP20	SJS	Submittal
13JAN21	SJS	Update per Comp Plan
3MAR21	SJS	Update Wetland Hatch

NORTH

SCALE: 1" = 600'

0 300' 600' 12,000'

REG. # 7918
Thomas P. Lucido

Designer	SJS	Sheet
Manager	SG	1 of 1
Project Number	20-535	
Municipal Number	---	
Computer File		

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Legend

- Wetland Preserve
- Impacted Wetlands To Be Eliminated
- Upland Buffer Preserve Area
- Upland Habitat Preserve Area
- Native Upland Habitat
- Drainage Ditches
- FPL Easements

MAP G - DATA:	Required:	Provided:
Wetland Preserve	**239.77**	**240.56**
DRI West	224.40	225.19
DRI East	15.37	15.37
Impacted Wetlands to be eliminated	**n/a**	**16.55**
DRI West	n/a	12.52
DRI East	n/a	4.03
Upland Preserve	**222.28**	**223.27**
DRI West	215.48	215.22
Buffer	n/a	81.06
Habitat	n/a	134.16
DRI East	6.80	8.05
Buffer	n/a	7.05
Habitat	n/a	1.00
Native Upland Habitat		**708.04**
DRI West		640.44
DRI East		67.60
Drainage Ditches		**22.30**
DRI West		12.60
DRI East		9.70
FPL Easements		**144.90**
Villages Property Boundary		**2,445.00**
DRI West		2055.00
DRI East		390.00

Notes

1. A minimum 25' / average 50' wide upland buffer shall be provided adjacent to all wetland preserve areas.
2. Impacted wetlands to be eliminated shall be developed in accordance with applicable state, federal and local mitigation polices. Proposed mitigation plans shall assure "no net loss" of wetland function or values.
3. All acreage calculations are approximate until formally surveyed.
4. All wetland and upland habitat preservation requirements for DRI East Side have been satisfied, as more specifically set forth in the Development Order for the LTC Ranch DRI (Resolution No. 19R40)
5. Exact boundaries of upland preserve areas may change during the site plan process for the development pods as long as the total required preserve area is met.

DRI West Wetland Inventory

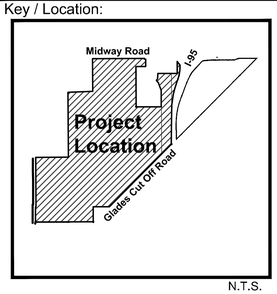
Wetland Number	Acreage
1	1.52 Ac
2	0.74 Ac
3	2.36 Ac
4	6.37 Ac
5	2.96 Ac
6	0.24 Ac
7	1.63 Ac
8	6.52 Ac
9	1.22 Ac
10	5.04 Ac
11	3.91 Ac
12	7.65 Ac
13	26.45 Ac
14	6.99 Ac
15	0.56 Ac
16	0.47 Ac
17	0.31 Ac
18	0.52 Ac
19	0.60 Ac
20	6.64 Ac
21	0.25 Ac
22	8.63 Ac
23	5.30 Ac
24 N	5.60 Ac
24 S	6.38 Ac
28	0.06 Ac
32 A	6.14 Ac
33	0.84 Ac
35	0.11 Ac
37	37.18 Ac
38	2.69 Ac
39	12.78 Ac
40	7.67 Ac
41	2.10 Ac
42	10.67 Ac
44	3.59 Ac
45	3.50 Ac
46A	5.31 Ac
46B	13.15 Ac
47	13.67 Ac
48	0.59 Ac
49	2.03 Ac
50	0.43 Ac
51	4.95 Ac
52	0.41 Ac
106	0.05 Ac
107	0.15 Ac
108	0.78 Ac
Total	237.71 Ac

DRI East Wetland Inventory

Wetland Number	Acreage
37	0.79 Ac
38	0.63 Ac
39	5.56 Ac
40	4.23 Ac
41	5.58 Ac
42	0.66 Ac
43	1.91 Ac
Total	19.36 Ac

lucido & associates
701 SE Ocean Blvd., Stuart, Florida 34994 (772) 220-2100, Fax (772) 223-0220

Key / Location:



N.T.S.

Project Team:

Client & Property Owner:	Glades Midway Developers, LLC 7807 Baymeadows Road East, Suite, 205 Jacksonville, Florida 32256
Land Planner / Landscape Architect:	Lucido & Associates 701 East Ocean Boulevard Stuart, Florida 34994
Engineer:	Kimley Horn & Associates 445 24th Street Suite 200 Vero Beach, Florida 32960
Surveyor:	Culpepper & Terpening, Inc. 2980 South 25th Street Fort Pierce, Florida 34981
Traffic Engineer:	Mackenzie Engineering & Planning, Inc. 1172 SW 30th Street, Suite 500 Palm City, Florida 34990
Environmental Consultant:	EW Consultants 1000 SE Monterey Commons Blvd. Suite 208 Stuart, Florida 34996

LTC Ranch DRI
Environmental Exhibit
Proposed Map G

City of Port St. Lucie P22-279

Date	By	Description
17NOV22	MRY	Update per Amendment
17JULY23	MRY	Refine west wetland impacts

NORTH

SCALE: 1" = 600'

0 300' 600' 12,000'

REG. # 1018
Thomas P. Lucido

Designer	SJS
Manager	SG
Project Number	20-535
Municipal Number	---
Computer File	20-535 - LTC - Map G.dwg

Sheet **1 of 1**

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Drawing Name: J:\Projects Active\20-535 LTC RANCH RESIDENTIAL\Maps G & H and PUD Exhibits\ Jul 17, 2023 - 12:29pm 20-535 - LTC - Map G.dwg

EXHIBIT D

(... OF PORT ST. LUCIE

CONSERVE OUR WATER RESOURCES

CITY of PORT ST. LUCIE FLORIDA

UTILITY SYSTEMS DEPARTMENT

Clint Burgess, Director

March 10, 1995

Ms. Cynthia A. Henderson
Annis, Mitchell, Cockey, Edwards & Roehn
One Tampa City Center Suite 2100
P.O. Box 3433
Tampa FL 33601

Re: LTC Ranch DRI

Dear Ms. Henderson,

Thank you for your letter of February 16, 1995 (copy attached) regarding availability of water and wastewater capacity for the referenced development. As we discussed with you and Mr. Glauhitz of BSE Consultants, Inc., this utility will provide service to the proposed project pursuant to our interlocal agreement with St. Lucie County, in accordance with ordinance no. 94-95 (utility service availability and extension rules) and upon execution of a Developer Service Agreement. However, we will respond to your questions, numbered one (1) through five (5) as accurately as possible based on your projected phasing schedule, present available capacity, existing capacity reservations, scheduled plant expansions and future capacity consumption based on historical connection rates.

Water Facilities - Response to Question No. 1:

Phase	Time	(1) Projected Excess Capacity MGD
I	1995	1.036
	1996 (2)	2.873
	2001	2.173
II	2006	1.423
III		

(1) See Exhibit "A" to MOU - Attached

(2) Water plant expansion to 8.0 MGD 4/96 and assuming connection rate of 50 ERC's/month at 250 GPD.

Water Facilities - Response to Question No. 2:

The above projected excess capacity includes reserved capacity as of February 1, 1995. No projected capacity reservations are included. Please see Exhibit "A" to MOU - Attached.

250 N.W. Country Club Drive • Port St. Lucie, FL 34986
Administration - (407) 871-5395 Technical Services - (407) 871-5435
Fax (407) 871-5460

Water Facilities - Response to Question No. 3:

The utility confirms receipt of the proposed project water demand and supply exhibits contained in the DRI application.

Water Facilities - Response To Question No. 4:

Provisions for providing capacity for the proposed project if not available at the time the project requests capacity will be addressed in a Developer Service Agreement. Several options are available, i.e., the utility charges for water treatment facilities expansion or the project constructs a water treatment facility on-site and donates the facilities to the utility. Typical costs for new lime softening facility expansion is in the range of $ 1.50 to $ 1.75 per gallon and for new construction is in the range of $ 1.50 per gallon.

Wastewater Facilities - Response to Question No. 1:

Wastewater service can be provided by the Northport NWTP or by construction of a wastewater facility on the project site. The permitted capacity of the NPWWTP is 1.000 MGD and the 12 month average day flow is 0.700 MGD. The present available capacity is 0.300 MGD. No capacity reservations presently exist. Projected excess capacity is not identified at this time for each phase, however excess capacity can be addressed in a Developer Service Agreement.

Wastewater Facilities - Response to Question No. 2:

No commitments presently exist for wastewater capacity at the NPWWTP.

Wastewater Facilities - Response to Question No. 3:

The utility confirms receipt of the proposed project wastewater flows and exhibits contained in the DRI application.

Wastewater Facilities - Response to Question No. 4:

Provisions for providing capacity for the proposed project if not available at the time the project requests capacity will be addressed in a Developer Service Agreement. Several options are available, i.e., the utility charges for wastewater treatment facilities expansion or the project constructs a wastewater treatment facility on-site and donates facilities to the utility. Typical costs for the wastewater facility expansion is in the range of $ 2.50 to $ 3.00 per gallon and for new construction is the range of $ 2.25 to $ 2.50 per gallon.

Hopefully this information will provide the necessary documentation that the Port St. Lucie Utility Systems Department can and will

provide the water and wastewater service to your proposed project at such time as service is requested.

Sincerely,

Samuel T. Amerson, P.E.
Utilities Engineer

STA/kat

cc: Cliff Burgess - Utility Systems Director
John Moulton - Florida Department of Environmental Protection
Scott Glaubitz, P.E. - BSE Consultants, Inc.
Ken Johnson - System Planning Coordinator
File - 11.054

EXHIBIT "E"

Conversion Rates Based Upon Resultant PM Peak Hour Trip Rates

Land Use		SF	MF	GO	IP	WH	SC
	↓ Trip Rate per DU or per KSF →	0.64	0.34	0.71	0.29	0.14	1.15
Single Family Detached	0.64	1.00	1.88	0.90	2.21	4.57	0.56
Multi-Famiily Housing	0.34	0.53	1.00	0.48	1.17	2.43	0.30
General Office	0.71	1.11	2.09	1.00	2.45	5.07	0.62
Industrial Park	0.29	0.45	0.85	0.41	1.00	2.07	0.25
Warehousing	0.14	0.22	0.41	0.20	0.48	1.00	0.12
Shopping Center	1.15	1.80	3.38	1.62	3.97	8.21	1.00

Note: GO, IP, WH and SC are per 1000 SF

To Add a land use located the use you want to add along the Y axis then locate the use to remove along the x axis, multiply by the number in the intersecting cell:

- If the applicant wishes to add units they would multiply that intesity by the conversion rate for the land use they would need to remove.

Ex: If you want to add 100 Du's of SF, and remove units from multi-family, you would multiply the 100 new DU's by 1.88, the conversion rate for SF:MF. 100*1.88=188. Therefore 188 DU's would need to be removed from MF.

- If the applicant wanted to add 12,000 square feet of of shopping center and wanted to know how much to reduce the Industrial Park you would: calculate 12,000 x 3.97 = 47, 647 square feet.

If the applicant wants to add 30,000 SF of Industrial Park they could remove 12,300 SF of GO general office space (30000 * 0.41)

To Subtract/ reduce a use:

Start with the use along the x axis and locate the use to add along the y, divide by the number in the intersecting cell.

- If the applicant has 200,000 square feet of warehouse to remove, how many multifamily units can be added?

Divide 200,000 square feet by 2.43 = 82.34 or 82 MFDUs

If the applicant wants to remove 50,000 SF of industrial and see how many dwelling units of MF it could replace it with, divide 50 by 1.17 = 42.7 or 42 dus.

EXHIBIT "F"

COUNCIL ITEM 7
DATE 4/21/03

April 11, 2003

CONTRIBUTION AGREEMENT

THIS AGREEMENT entered into this 15 day of April, 2003, by and between the CITY OF PORT ST. LUCIE, a Florida corporation (the "City") and LTC JOINT VENTURE (the "Owner"), recites and provides as follows:

RECITALS

A. The City has entered into an "Interlocal Agreement" with St. Lucie County (the "County") in the form of Exhibit "A" attached hereto, pursuant to which the County will construct the Midway Road Improvement Project (the "Project") described therein.

B. LTC Joint Venture and the City have entered into an "Annexation Agreement" with respect to the LTC Ranch DRI property lying east and west of I-95 and containing, in the aggregate, 2455 acres, more or less (the "Property") and consistent with that agreement the Property has been annexed into the City.

C. The Owner has agreed to fund the City's contribution obligations under the Interlocal Agreement on the terms and conditions hereinafter set forth.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Funding. The Owner will contribute to the City ~~(or pay directly to the County if so directed in writing by the City)~~ the total amount of Two Million Dollars ($2,000,000.00), ~~payable in eight (8) quarterly payments of Two Hundred Fifty Thousand Dollars ($250,000.00) each. This obligation shall be secured by an~~

Additions to text are indicated by underline; deletions by ~~strikeout~~.

Ref.

CITY CLERK'S OFFICE

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
File Number: 2322043 OR BOOK 1863 PAGE 1819
Recorded:12/16/03 09:48

~~irrevocable letter of credit substantially similar in form to that attached to the Interlocal Agreement as Exhibit "A." The Owner shall deliver the signed original letter of credit to the City (or directly to the County if so directed in writing by the City) within thirty (30) days after the City approves this Agreement. The City reserves the right to assign the letter of credit to the County.~~ City hereby acknowledges receipt of Two Hundred Fifty Thousand Dollars ($250,000.00) on or about March 13, 2003. The balance, One Million Seven Hundred Fifty Thousand Dollars ($1,750,000.00) is due and payable within three (3) days after City's acceptance of this Agreement.

~~The first quarterly payment of $250,000.00 shall be due and payable on or before the earlier to occur of: April 1, 2003, or within 30 days after the construction contract for the Project has been executed. Future payments shall be made as provided in the schedule attached hereto as Exhibit "B." In the event the Owner shall fail to make any payment when due, the Owner shall have the right to cure such failure by the payment of said amount to the City within ten (10) days following receipt of written notice of such failure by the Owner from the City, as provided herein below.~~

2. Vesting. In consideration of all the payments to be made by the Owner as set forth herein, the City agrees and hereby acknowledges that the entire LTC Ranch DRI is and shall be vested in perpetuity for purposes of transportation concurrency as set forth herein and shall not have any further obligation for any traffic or transportation impacts (including but not limited to off-site improvements or contribution for any road improvements) east of I-95, with the exception of the Owner's proportionate share of the intersection (including signalization) improvements, if warranted, for the north bound entrance ramp at the intersection of I-95 and Midway Road, and the Owner shall be permitted to develop the

property as permitted on the date of execution of this Agreement to the full extent permitted by the Development Order. The foregoing shall not be interpreted to exempt the Owner from the payment of applicable transportation impact fees. ~~The failure to timely make the payments provided for herein, after notice and grace period provided above, shall be a default hereunder and a termination of the vesting determination.~~

3. Whole Understanding. This Agreement embodies the whole understanding of the parties. There are no promises, terms, conditions or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties hereto.

4. Amendments. The Agreement may only be amended by a written document signed by both parties and filed with the Clerk of the Circuit Court of St. Lucie County, Florida.

5. Filing; Effectiveness. This Agreement shall be filed with the Clerk of the Circuit Court of St. Lucie County, Florida, prior to its effectiveness.

6. Reliance. Owner is permitted to rely hereon in proceeding with the development of the Property.

7. DRI Condition. Owner agrees to seek an amendment to the existing Development Order for the LTC Ranch DRI to conform to the provisions hereof.

8. Successors and Assigns. This Agreement shall be binding on the successors and assigns of the parties hereto.

Additions to text are indicated by underline; deletions by ~~strikeout~~.

OR BOOK 1863 PAGE 1821

9. Attorneys' Fees. Should any litigation arise between, among or involving any of the parties concerning or arising out of this Agreement, including, but not limited to, actions for damages, specific performance, declaratory, injunctive or other relief, and whether at law or in equity, and including appellate and bankruptcy proceedings as well as at the trial level, the prevailing party in any such litigation or proceeding shall be entitled to recover reasonable attorneys' fees and costs for same.

10. Notice. Any notice required or permitted under this Agreement shall be in writing and shall be deemed to have been given either (i) when delivered in person to the persons designated hereinbelow for that purpose, (ii) upon delivery to an overnight courier (e.g., Federal Express, Airborne) as evidenced by the sender's copy, addressed as set forth hereinbelow; (iii) upon mailing by United States certified mail, return receipt requested, postage paid, to such address. Such notice shall be deemed received, when either (i) delivered in person to the agents designated hereinbelow for that purpose, (ii) on the first business day after delivery to an overnight courier (e.g., Federal Express, Airborne) as evidenced by the sender's copy, addressed as set forth hereinbelow, or (iii) three (3) days after deposited in the United States Mail, by certified mail, postage prepaid, return receipt requested, addressed to the other party. The addresses of the parties are as follows:

To City:

Don Cooper
City Manager
City of Port St. Lucie
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984

OR BOOK 1863 PAGE 1822

With Copy To:

Roger Orr, Esq.
City Attorney
City of Port St. Lucie
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984

To Owner:

LTC Joint Venture
c/o James Kern
The Kern Company
700 Island Landing Drive
St. Augustine, FL 32095

With Copy to:

Alan J. Ciklin, Esq.
Boose Casey Ciklin, et al.
515 North Flagler Drive
Suite 1700
West Palm Beach, FL 33401

Notice sent to counsel for either party hereto, in the manner or delivery provided for herein, shall be effective as notice to such party. Any party hereto may, from time to time, give to the party written notice, in the manner provided for herein, of some other address to which communications to such party shall be sent, in which event, notices to such party shall be personally delivered or sent in the manner set forth hereinabove to such address.

WITNESS the following signatures on the dates signed below.

CITY:
CITY OF PORT ST. LUCIE, FLORIDA

Attest:

By: Karen A. Phillips
Karen A. Phillips, City Clerk

By: Donald B Cooper
Name: DONALD B. COOPER
Title: CITY MANAGER

Date: 4-21-03

OR BOOK 1863 PAGE 1823

Additions to text are indicated by underline; deletions by ~~strikeout~~.

Approved As to Form and Correctness:

By: _____
Roger G. Orr, City Attorney

Date: 4/21/03

OWNER:

LTC JOINT VENTURE

By: _____
Name: JAMES A. KERN
Title: PROPERTY MGR

[Corporate Seal]

Date: 15 April '03

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Florida to take acknowledgments, personally appeared Donald B. Cooper as CITY MANAGER of the CITY OF PORT ST. LUCIE, who is personally known to me or has produced _____ as identification and who executed the foregoing instrument, and who acknowledged before me that he/she executed the same.

WITNESS my hand and official seal in the State of Florida, County of St. Lucie, this 21 day of April, 2003.

_____
Notary Public, State of Florida

OFFICIAL NOTARY SEAL
KAREN ANN PHILLIPS
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. DD057926
MY COMMISSION EXP. OCT. 7,2005

OR BOOK 1863 PAGE 1824

Additions to text are indicated by underline; deletions by ~~strikeout~~.

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Florida to take acknowledgments, personally appeared James A Keen, as Property Manager of LTC JOINT VENTURE, who is personally known to me or has produced FLDL as identification and who executed the foregoing instrument, and who acknowledged before me that he/she executed the same.

WITNESS my hand and official seal in the State of Florida, County of St. Lucie, this 15 day of April, 2003.

Notary Public, State of Florida

TERESA L SOVINE
Notary Public, State of Florida
My comm. expires June 7, 2003
Comm. No. CC944211
ID #674330
Bonded thru Service Insurance Company, Inc.

OR BOOK 1863 PAGE 1825

Additions to text are indicated by underline; deletions by ~~strikeout~~.

INTERLOCAL AGREEMENT
MIDWAY ROAD IMPROVEMENT PROJECT

THIS AGREEMENT entered into this 4 day of November, 2002, by and between **ST. LUCIE COUNTY**, a political subdivision of the State of Florida, hereinafter referred to as "County," and the **CITY OF PORT ST. LUCIE**, a Florida municipal corporation, hereinafter referred to as "City."

WHEREAS, County and the City have agreed to cooperate in the implementation of the Midway Road Improvement Project (the "Project"); and,

WHEREAS, the objective of this Project is to provide road improvements to Midway Road which are more specifically described in Exhibit "A" attached, which improvements benefit the citizens of the City and the County; and,

WHEREAS, the County will be responsible for the design, permitting and construction of the Project; and,

WHEREAS, the City has agreed to assist the County in partially funding the Project as hereinafter set forth.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. **Authority:** This Agreement is entered into pursuant to Section 163.01, Florida Statutes, Interlocal Cooperation Act.

2. **Design and Permitting.** The County will contract with a consulting engineer to prepare the necessary plans and specifications for the Project and obtain all required permits.

3. **Bidding; Award; Contract Administration.** The County will bid and award the contract for construction of the improvement project. The County will provide contract administration and inspection during construction.

4. **Project Budget; Funding.** The estimated total project cost is eight million two hundred thousand and 00/100 ($8,200,000.00) dollars including design, permitting and construction. The City will contribute the amount of two million ($2,000,000.00) dollars payable in eight (8) quarterly payments of two hundred fifty thousand ($250,000.00) dollars each and secured by an irrevocable letter of credit in substantially the form attached hereto as Exhibit B. The City shall provide the signed letter of credit within thirty (30) days after the County notifies the City that the County has advertised for bids for construction of the Project. The first quarterly payment shall be due January, 2003 or within 30 days of award of contract, whichever comes first.

5. In consideration of the City contributing to the improvement of the Midway Road Improvement Project, the County agrees and hereby acknowledges that

properties and developments within the existing city limits of the City of Port St. Lucie as described on the effective date of this agreement, including upon annexation into the City of Port St. Lucie, the LTC Ranch, Development of Regional Impact Area lying in unincorporated St. Lucie County, that would otherwise require that West Midway Road be four laned between the intersection of West Midway Road and I-95 and the intersection of West Midway Road and U.S. #1 shall be deemed to be vested for purposes of concurrency and any transportation impacts on that section of West Midway Road as herein described, except any proportional improvements that may be required to the northbound on/off ramps with I-95 (including signalization) at West Midway Road . Provided that nothing in this Agreement shall prevent the City and County from jointly agreeing to fund future improvements to West Midway Road, where it is shown that the improvements would be of benefit to the City of Port St. Lucie and St. Lucie County.

Furthermore, in recognition that the West Midway Road Corridor is a critical transportation corridor to all of St. Lucie County, both the City and the County agree to jointly request that as part of the development of the next project priority list, the St. Lucie MPO advance the segment of West Midway Road from Torino Parkway

to South 25th Street into the Cost Feasible Plan component of the 2025 Long Range Plan.

6. **Maintenance.** The County will continue to maintain roads within the Project.

7. **Whole Understanding.** This Agreement embodies the whole understanding of the parties. There are no promises, terms, conditions or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties hereto.

8. **Amendment.** The Agreement may only be amended by a written document signed by both parties and filed with the Clerk of the Circuit Court of St. Lucie County, Florida.

9. **Filing; Effectiveness.** This Agreement shall be filed with the Clerk of the Circuit Court of St. Lucie County, Florida, prior to its effectiveness.

IN WITNESS WHEREOF, the parties hereto have caused the execution hereof by their duly authorized officials on the dates stated below.

ATTEST:

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA

BY: _____
Chairman

DATE: 11/4/02

APPROVED AS TO FORM AND
CORRECTNESS:

BY: _____
County Attorney

ATTEST:

Deputy Clerk

CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
Mayor

DATE: 11-25-02

APPROVED AS TO FORM AND
CORRECTNESS:

BY: _____
City Attorney

G:\ATTY\AGREEMNT\INTERLOC\MidwayRoadFinalDraft#9.wpd

EXHIBIT "G"

Trip Generation: LTC Ranch - Trip Tracking

Date: _____

Site Plan Name/Number: _____

Daily

Allowed Uses / Resultant Rates to be Used for Trip Tracking / Factored to Allowable Trips

Land Use	ITE Code	Intensity	Units	In	Out	Total	West Side Trips	East Side Trips	West Side Trips	East Side Trips
Single Family Detached	210	3,350	DU	2.89	2.85	5.73	19,207		20,940	-
Multi-Famiily Housing	220	650	DU	2.76	2.72	5.48	3,559		3,880	-
General Office	710	1,508,500	Sft	3.86	2.55	6.41		9,680	-	10,553
Industrial Park	130	1,000,000	Sft	1.33	0.94	2.27		2,275	-	2,480
Warehousing	150	960,000	Sft	0.64	0.46	1.10		1,054	-	1,149
Shopping Center	820	725,000	Sft	4.81	8.14	12.95	9,387		10,234	-
TOTALS							**32,153**	**13,009**	**35,054**	**14,182**

Enter Site Plan Units and Calculate Trips

East Side		West Side	
DUs or SF	Trips	DUs or SF	Trips

Source: ITE 10th Edition Trip Generation Rates

45,162 49,236

AM Peak Hour

Resultant Rates to be Used for Trip Tracking / Factored to Allowable Trips 3447

Land Use	ITE Code	Intensity	Units	In	Out	Total	West Side Tips	East Side Trips	West Side Trips	East Side Trips
Single Family Detached	210	3,350	DU	0.17	0.35	0.52	1,739		1,739	-
Multi-Famiily Housing	220	650	DU	0.09	0.22	0.32	206		206	-
General Office	710	1,508,500	Sft	0.55	0.08	0.63		949	-	951
Industrial Park	130	1,000,000	Sft	0.21	0.05	0.26		263	-	263
Warehousing	150	960,000	Sft	0.08	0.03	0.11		107	-	107
Shopping Center	820	725,000	Sft	0.11	0.14	0.25	181		181	-
TOTALS							**2,126**	**1,319**	**2,126**	**1,321**

East Side		West Side	
DUs or SF	Trips	DUs or SF	Trips

Source: ITE 10th Edition Trip Generation Rates

3,445 3,447

PM Peak Hour

Resultant Rates to be Used for Trip Tracking / Factored to Allowable Trips 5291

Land Use	ITE Code	Intensity	Units	In	Out	Total	West Side Tips	East Side Trips	West Side Trips	East Side Trips
Single Family Detached	210	3,350	DU	0.48	0.16	0.64	2,146		2,416	-
Multi-Famiily Housing	220	650	DU	0.26	0.08	0.34	226		254	-
General Office	710	1,508,500	Sft	0.05	0.66	0.71		1,073	-	1,208
Industrial Park	130	1,000,000	Sft	0.04	0.25	0.29		286	-	322
Warehousing	150	960,000	Sft	0.03	0.11	0.14		130	-	146
Shopping Center	820	725,000	Sft	0.18	0.97	1.15	840		945	-
TOTALS							**3,212**	**1,489**	**3,615**	**1,676**

East Side		West Side	
DUs or SF	Trips	DUs or SF	Trips

Source: ITE 10th Edition Trip Generation Rates

4,701 5,291

City of Port St. Lucie

PUBLIC WORKS DEPARTMENT

Accredited Agency - American Public Works Association

"A City for All Ages"

MEMORANDUM

TO: Anne Cox, Planning & Zoning

THRU: Colt Schwerdt, P.E. - Assistant Public Works Director and City Engineer CS

FROM: Diana Spriggs, P.E. – Regulatory Division Director, Public Works D.S.

DATE: July 13, 2023

SUBJECT: P22-279 LTC Ranch DRI Text Amendment
Traffic Generation & Circulation Approval

This application prepared by Lee Dobbins dated July 5, 2023 has been reviewed by the Public Works Department and the transportation elements of the project were found to be in compliance with the adopted level of service and requirements of Chapter 156 of City Code, and Public Works Policy 19-01pwd.

The developer has provided a shift in the development of their land to start on the southern portion rather than the originally intended portion on the north side. This has required the connection to Glades Cut-Off Road and Arterial A (Wylder Parkway) first instead of the original DRI condition to construct the Midway Road and Wylder Parkway connection first.

The previous amendment in November 2022 that was approved included pushing back the Midway Road connection and improvements to 950 dwelling units. This was approximately 60% build out of the submitted and under review parcels within this DRI at that time. Providing the connection to Midway Road at Wylder Parkway will provide a secondary arterial access to their sites. The previous DRI amendment had this requirement similar in timing to what has been required with other developments recently approved. With the additional parcels that have been submitted for review since this approval, the requirement is now at 40% of the submitted and under review parcels within the DRI.

Currently the widening improvements along Glades Cut-Off Road to 4 lanes from I-95 to Wylder Parkway are triggered prior to a total of 10,000 average daily trips, 660 AM Peak hour trips or 1,030 PM Peak hour trips. Currently the approved first 2 plats for LTC Ranch West include a total of 4,974 average daily trips, 423 AM Peak hour trips, and 512 PM Peak hour trips. It was promised and the developer agreed during the City Council meeting with the last DRI Amendment approval that Greenpointe (LTC Ranch West Developer) would come back and work with the City with their next amendment to update the Glades and Midway Road widening conditions in their DRI.

After multiple correspondence and meetings with Greenpointe and Saint Lucie County, and then a joint meeting with all 3 parties, all three parties have agreed upon the proposed DRI Amendment for Section 17. TRANSPORTATION g.5 Midway and Glades Cut-off Road Traffic Improvements with the below changes:

- No more than 90 days after the issuance of the building permit for the 1,100th dwelling unit, construction of the Midway Road Traffic Improvements must commence. These improvements include the widening of Midway Road from Arterial A to I-95 and the signalization of the intersection of West Midway Road and Arterial A including the addition of the second westbound left turn lane.
- Design of the widening of Glades Cut-Off between I-95 to Arterial A must start prior to the issuing of the building permit for the 1,100th dwelling unit. Construction of this roadway widening must commence prior to either twelve months after completion of the Midway Road widening and intersection improvements or six months after the issuance of the building permit for the 1,400th

dwelling unit, whichever comes first. This will occur no sooner than the completion of the Midway Road widening and signalization.

Midway Glades Developers, LLC

Planning & Zoning Department
City of Port St. Lucie
121 S.W. Port St. Lucie Boulevard, Building B
Port St. Lucie, FL 34984-5099

Re: Owner's Authorization – LTC Ranch DRI Amendment Midway Glades Developers, LLC

To Whom It May Concern:

As owner of the property referenced above, please consider this correspondence as formal authorization for LUCIDO & ASSOCIATES to represent MIDWAY GLADES DEVELOPERS, LLC as applicant during the governmental review process for the above noted project.

Thank you for your attention to this matter.

Sincerely,

R. Austin Burr

Name: R. Austin Burr

Title: Vice President

Date: 11/30/2022

LTC Midway, LLC

July 18, 2023

Planning & Zoning Department
City of Port St. Lucie
121 S.W. Port St. Lucie Boulevard, Building B
Port St. Lucie, FL 34984-5099

Re: Owner's Authorization - LTC Ranch DRI
City of Port Saint Lucie

To Whom It May Concern:

As owner of the property referenced above, please consider this correspondence as formal authorization for LUCIDO & ASSOCIATES to represent LTC Midway, LLC as applicant during the governmental review process for the above noted project.

Thank you for your attention to this matter.

Sincerely,

SIGNITURE AND PRINTED NAME OF AUTHORIZED AGENT

LTC Ranch DRI 6th Amendment

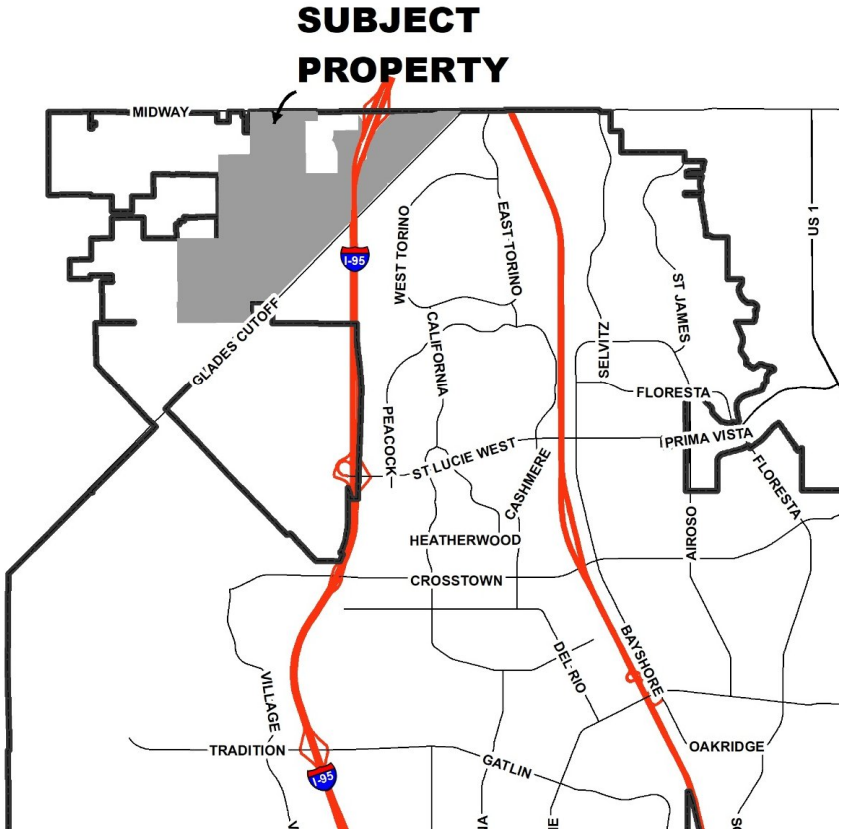
DRI Amendment Application
(P22-279)

Applicant and Owners

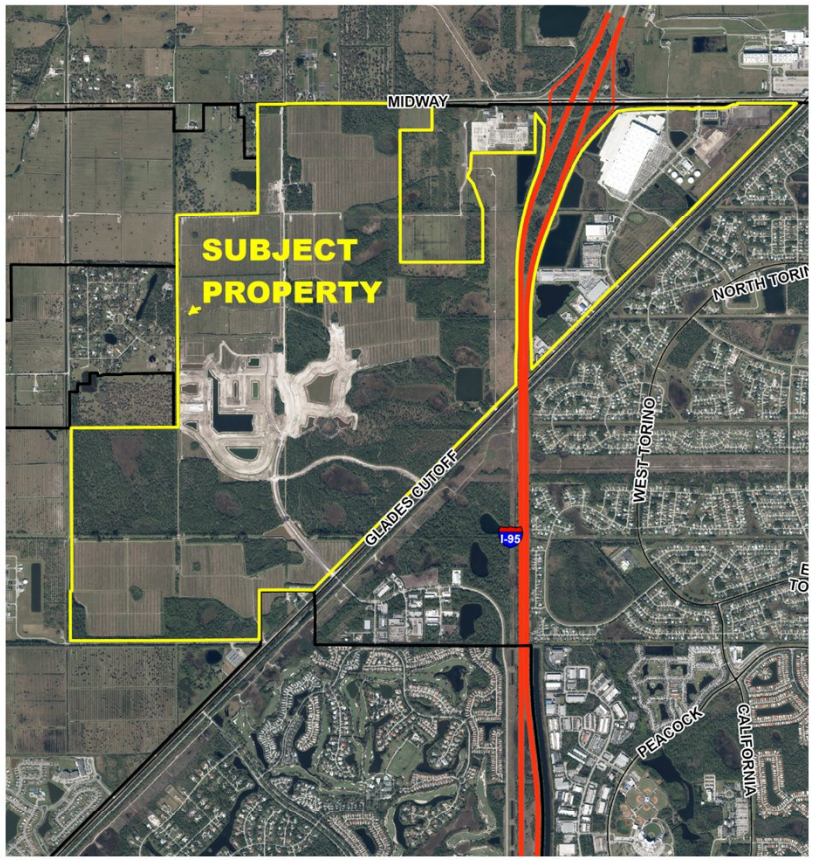
Lucido & Associates, acting as the agent for

Midway Glades Developers, LLC and LTC Midway, LLC

Location


SUBJECT PROPERTY
MIDWAY
I-95
WEST TORINO
EAST TORINO
US 1
ST JAMES
SELVITZ
CALIFORNIA
GLADES CUTOFF
FLORESTA
PEACOCK
ST LUCIE WEST
PRIMA VISTA
FLORESTA
CASHMERE
AIROSO
HEATHERWOOD
CROSSTOWN
BAYSHORE
DEL RIO
VILLAGE
TRADITION
GATLIN
OAKRIDGE
I-95

Aerial


MIDWAY
SUBJECT
PROPERTY
GLADES CUTOFF
I-95
WEST TORINO
PEACOCK
CALIFORNIA

Background

- LTC Ranch is an approved Development of Regional Impact (DRI) approximately 2,445 acres in size.
- Entitlements include:
  - 4,000 residential dwelling units
  - 725,000 square feet of retail use
  - 1,960,200 square feet of industrial use
  - 1,508,500 square feet of office use

Proposed Amendment

The proposed changes to the LTC Ranch DRI development order are to Condition No. 17 Transportation (g)5 regarding the timing of roadway improvements and to the Master Plan, Map H-1 and the Environmental Exhibit, Map G.

Current Traffic Impacts

- Original DRI roadway configuration intended for construction to begin on the northern side of the development closer to Midway road rather than the current switch to start south near Glades Cut-off Road.

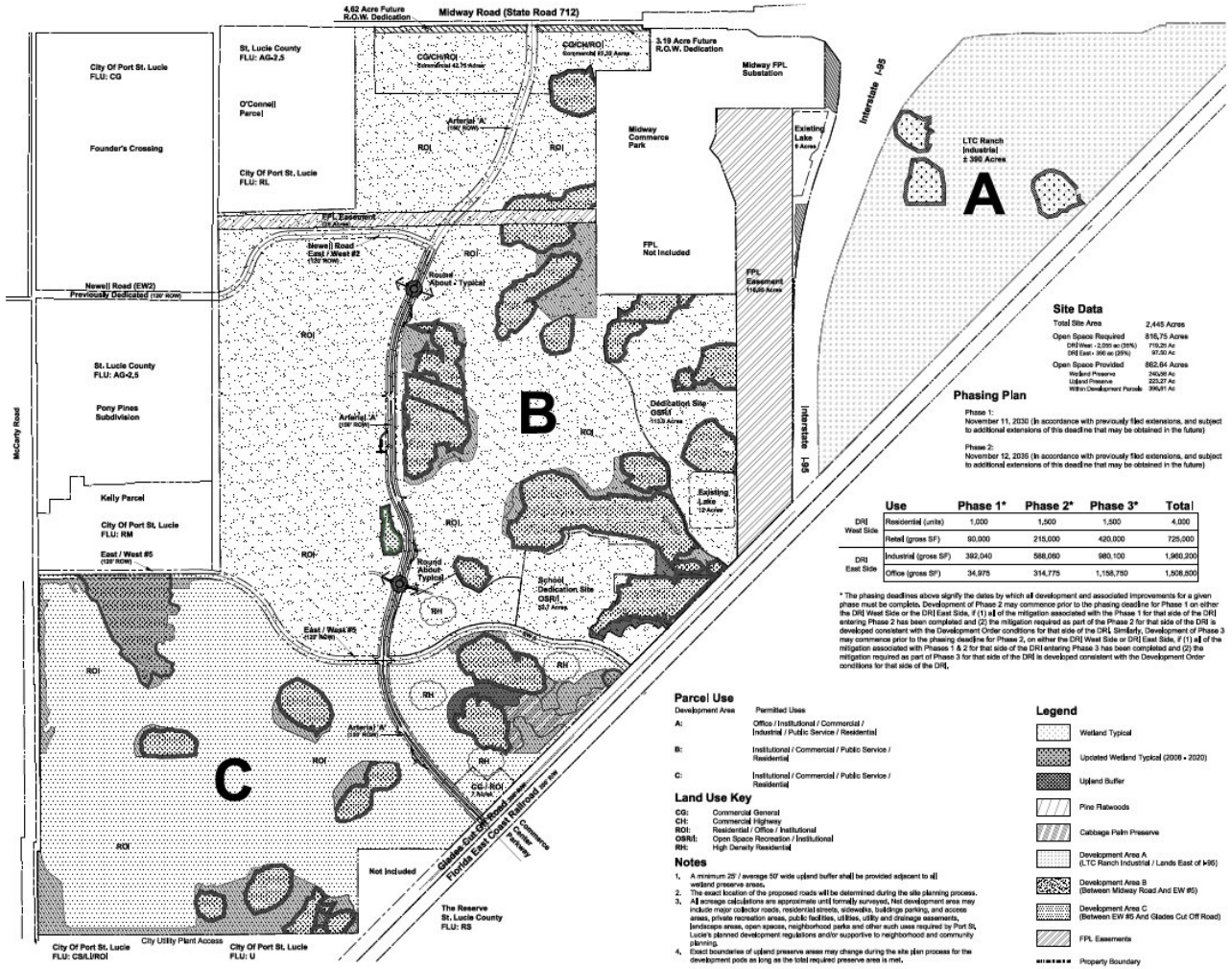
- Due to this shift, the previous approved DRI Amendment extended the deadline for the Midway Road and Wylder Parkway connection to 950 dwelling units. This allowed the developer to start building houses while the review and construction of this connection occurs.

- This provides a secondary arterial access at approximately 40% buildout of the current approved and under review developments within this DRI.

New Traffic Commitments

- DRI requirement for widening to 4 lanes for Glades Cut-off Road and Midway Road between Arterial A and I-95.
- Existing Triggers for improvements:
  - 10,000 Average daily trips, 660 AM Peak hour trips, 1,030 PM Peak hour trips, or when determined by monitoring.
- Proposed Triggers for improvements:
  - Midway Road widening to 4 Lane
    - No more than 90 days after issuance of the 1,100th building permit
  - Glade Cut Off Road widening to 4 Lanes
    - Design & Permitting to begin at 1,100 building permits
    - Construction to begin at the earlier of 6 months after 1,400 building permits, or 12 months after completion of the Midway Road widening
    - This will occur no sooner than the completion of the Midway Road widening & signalization

Master Development Plan – Map H-1



Site Data

Total Site Area	2,445 Acres
Open Space Required	816.75 Acres
DRI West - 2,050 ac (35%)	715.25 Ac
DRI East - 390 ac (25%)	97.50 Ac
Open Space Provided	862.64 Acres
Wetland Preserve	240.68 Ac
Upland Preserve	223.27 Ac
Within Development Parcels	398.91 Ac

Phasing Plan

Phase 1:
November 11, 2030 (In accordance with previously filed extensions, and subject to additional extensions of this deadline that may be obtained in the future)

Phase 2:
November 12, 2035 (In accordance with previously filed extensions, and subject to additional extensions of this deadline that may be obtained in the future)

	Use	Phase 1*	Phase 2*	Phase 3*	Total
DRI West Side	Residential (units)	1,000	1,500	1,500	4,000
	Retail (gross SF)	90,000	215,000	420,000	725,000
DRI East Side	Industrial (gross SF)	392,040	588,060	980,100	1,960,200
	Office (gross SF)	34,975	314,775	1,158,750	1,508,500

* The phasing deadlines above signify the dates by which all development and associated improvements for a given phase must be complete. Development of Phase 2 may commence prior to the phasing deadline for Phase 1 on either the DRI West Side or the DRI East Side, if (1) all of the mitigation associated with the Phase 1 for that side of the DRI entering Phase 2 has been completed and (2) the mitigation required as part of the Phase 2 for that side of the DRI is developed consistent with the Development Order conditions for that side of the DRI. Similarly, Development of Phase 3 may commence prior to the phasing deadline for Phase 2, on either the DRI West Side or DRI East Side, if (1) all of the mitigation associated with Phases 1 & 2 for that side of the DRI entering Phase 3 has been completed and (2) the mitigation required as part of Phase 3 for that side of the DRI is developed consistent with the Development Order conditions for that side of the DRI.

Parcel Use

Development Area	Permitted Uses
A:	Office / Institutional / Commercial / Industrial / Public Service / Residential
B:	Institutional / Commercial / Public Service / Residential
C:	Institutional / Commercial / Public Service / Residential

Land Use Key

CG: Commercial General
CH: Commercial Highway
ROI: Residential / Office / Institutional
OSR/I: Open Space Recreation / Institutional
RH: High Density Residential

Notes

1. A minimum 25' / average 50' wide upland buffer shall be provided adjacent to all wetland preserve areas.
2. The exact location of the proposed roads will be determined during the site planning process.
3. All acreage calculations are approximate until formally surveyed. Net development area may include major collector roads, residential streets, sidewalks, buildings parking, and access areas, private recreation areas, public facilities, utilities, utility and drainage easements, landscape areas, open spaces, neighborhood parks and other such uses required by Port St. Lucie's planned development regulations and/or supportive to neighborhood and community planning.
4. Exact boundaries of upland preserve areas may change during the site plan process for the development pods as long as the total required preserve area is met.

Legend

- Wetland Typical
- Updated Wetland Typical (2009 - 2020)
- Upland Buffer
- Pine Flatwoods
- Cabbage Palm Preserve
- Development Area A (LTC Ranch Industrial / Lands East of I-95)
- Development Area B (Between Midway Road And EW #5)
- Development Area C (Between EW #5 And Glades Cut Off Road)
- FPL Easements
- Property Boundary

Master Development Plan - Map H-1

- A proposed comprehensive plan amendment (P22-298) to change the land use for 140 acres from ROI (Residential, Office, Institutional) to RH (High Density Residential) and the roadway alignment E/W #5 to be consistent with the proposed changes to the DRI Master Plan, Map H-1 was reviewed by the Planning and Zoning Board on February 7, 2023, and the City Council on February 27, 2023.
- The proposed amendment was transmitted to the Florida Department of Economic Opportunity (DEO) and reviewing agencies. There were no comments.
- The comprehensive plan amendment will be considered by the City Council for adoption at the same meeting as the DRI amendment.

Environmental Exhibit – Map G

- The elimination of the 3.91-acre Wetland 11 is proposed on Maps H-1 and Map G.
- The upland preserve area for the west side will be slightly reduced due to the elimination of the upland buffer and some native habitat around Wetland 11 and to the reconfiguration of the upland preserve area on the west side of the development to accommodate the proposed golf course and residential lots.
- Wetland mitigation for the additional impacts will be provided in accordance with the South Florida Water Management District permit.
- The proposed changes are consistent with the Conservation and Coastal Management Element of the City's Comprehensive Plan.

Staff Recommendation

Staff finds the proposed amendment to be consistent with the direction and intent of the City's Comprehensive Plan and recommends approval.

"A City for All Ages"

Agenda Summary

2023-641

Agenda Date: 8/1/2023 **Agenda Item No.:** 8.b

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-056 Murphy USA - Special Exception Use

Location: East side of South US Highway 1 and north of SE Port St. Lucie Blvd.

Legal Description: Saint Lucie Gardens 12, 37, & 40, Block 1

This is a request for a Special Exception Use to allow a convenience store with fuel sales.

Submitted By: Francis Forman, Planner II

Executive Summary: The owner, Sun Lucie Pooh, LLC, is requesting a special exception use to allow a 2,824 square-foot convenience store with 12 fuel sale positions totaling 6,396 square feet, as per Section 158.124(C)(11) of the General Commercial (CG) zoning district. The Zoning Code lists a convenience store with fuel sales may be permitted only following the review and specific approval thereof by the City Council. The proposed special exception use would allow the operation of a gas station to operate at the corner of two major arterial roadways adjacent to other high intensity commercial uses in the area.

Presentation Information: Staff will provide a brief presentation.

Planning and Zoning Board Action Options:

- Recommend approval.
- Recommend approval with conditions.
- Recommend denial.
- Table or continue the hearing and review to a future meeting.

Background: See attached staff report.

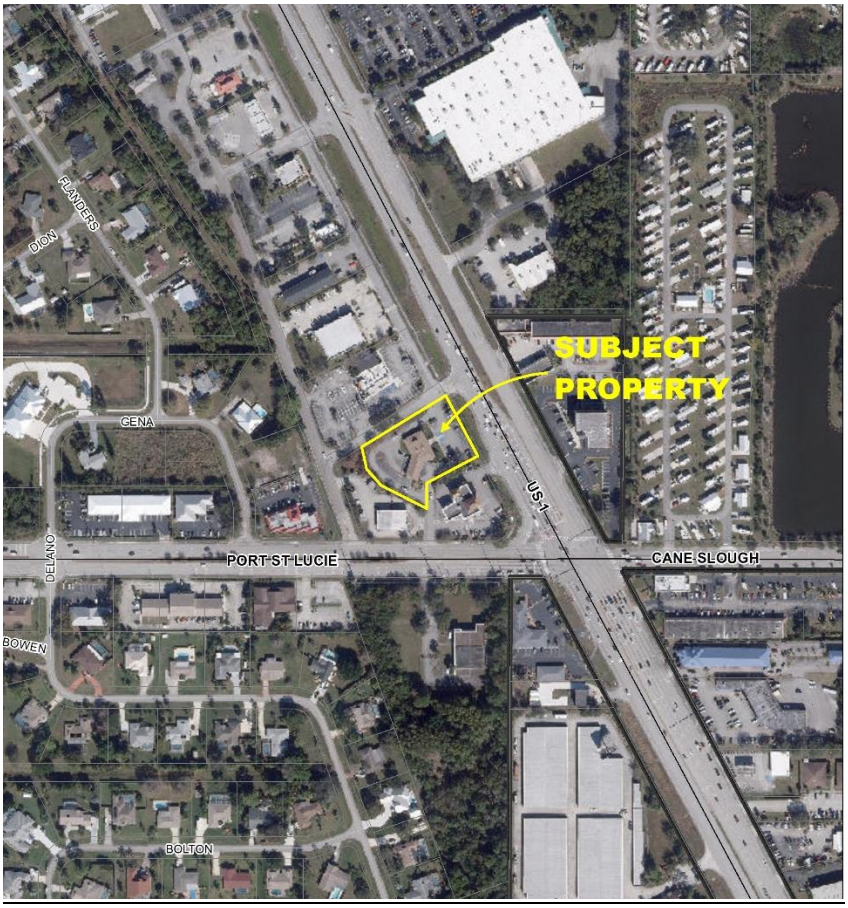
Issues/Analysis: See attached staff report.

Special Consideration: N/A

Location of Project: 10575 S US Highway 1

Attachments: 1) Staff Report, 2) Conceptual Plan, 3) Landscape Plan, 4) Elevation, 5) Traffic Memo, 6) Deed, 7) SEU Applicant Responses, 8) Staff Presentation.

Murphy USA – Convenience Store and Fuel Service Station
Special Exception Use
P23-056



Project Location Map

SUMMARY

Applicant's Request:	The request is for the approval of a 6,396 square foot convenience store with a fuel service station in the General Commercial (CG) Zoning District as per Section 158.124(C)(11) for the Zoning Code.
Agent:	Brad Currie, Engineering Design & Construction, Inc.
Applicant/Property Owner:	Sun Lucie Pooh, LLC
Location:	The site is generally located on the west side of South US Highway 1, north of SE Port St. Lucie Blvd.
Address:	10575 S US Highway 1
Project Planner:	Francis Forman, Planner II

Project Description

The owner, Sun Lucie Pooh, LLC, is requesting a special exception use to allow a 2,824 square-foot convenience store with 12 fuel sale positions totaling 6,396 square feet, as per Section 158.124(C)(11) of the General Commercial (CG) zoning district. The Zoning Code lists a convenience store with fuel service station may be permitted only following the review and specific approval thereof by the City Council. There is an existing bank with a drive through that will be demolished for the redevelopment.

Public Notice Requirements

Notice of this request for a Special Exception Use was mailed on July 20, 2023, to owners of property within a 750-foot radius of the subject property.

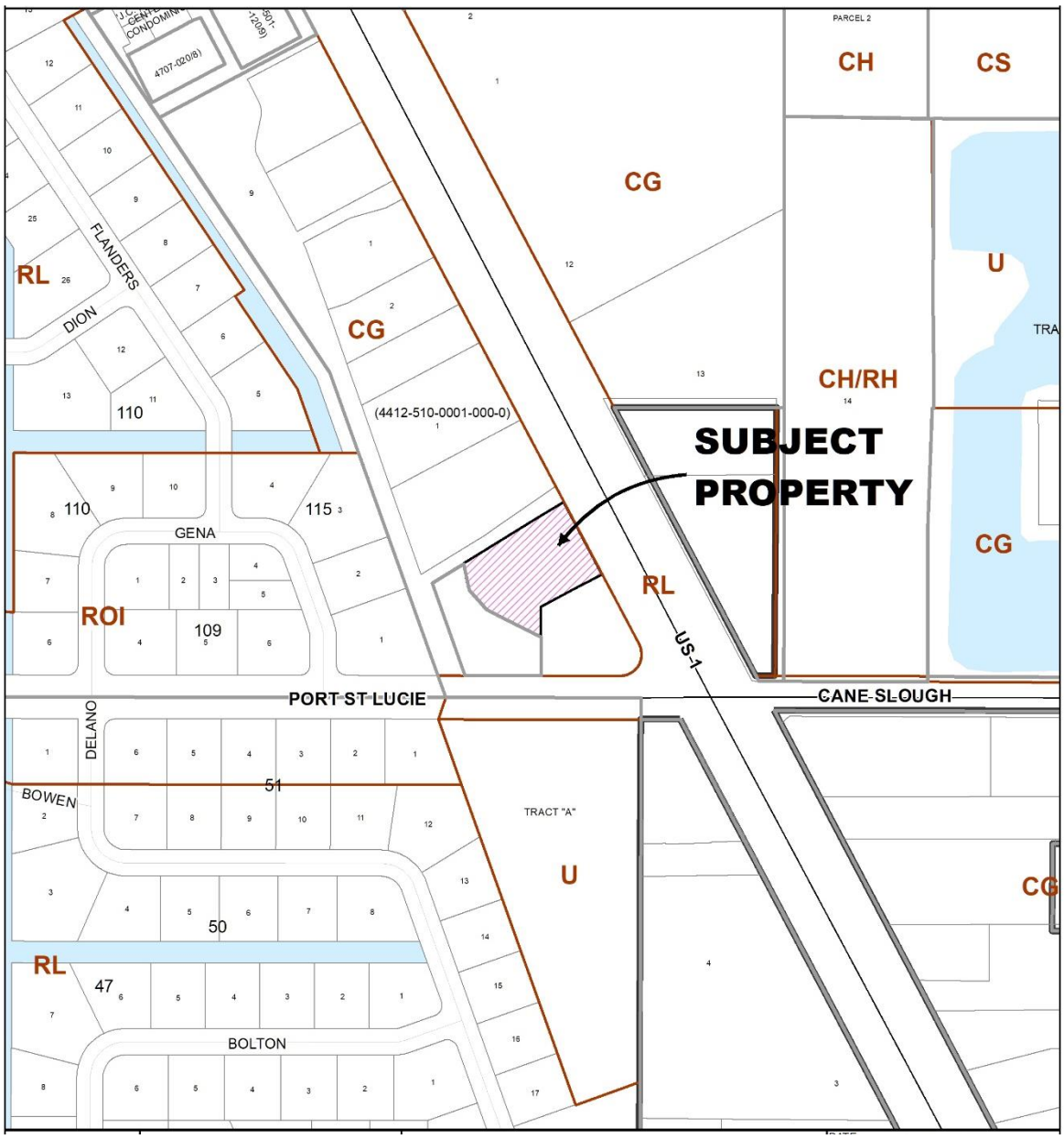
Location and Site Information

Parcel Number:	3414-501-4711-000-3
Property Size:	1.17 acres, more or less
Legal Description:	St. Lucie Gardens 12, 37, & 40, Block 1
Future Land Use:	General Commercial (CG)
Existing Zoning:	General Commercial (CG)
Existing Use:	Bank

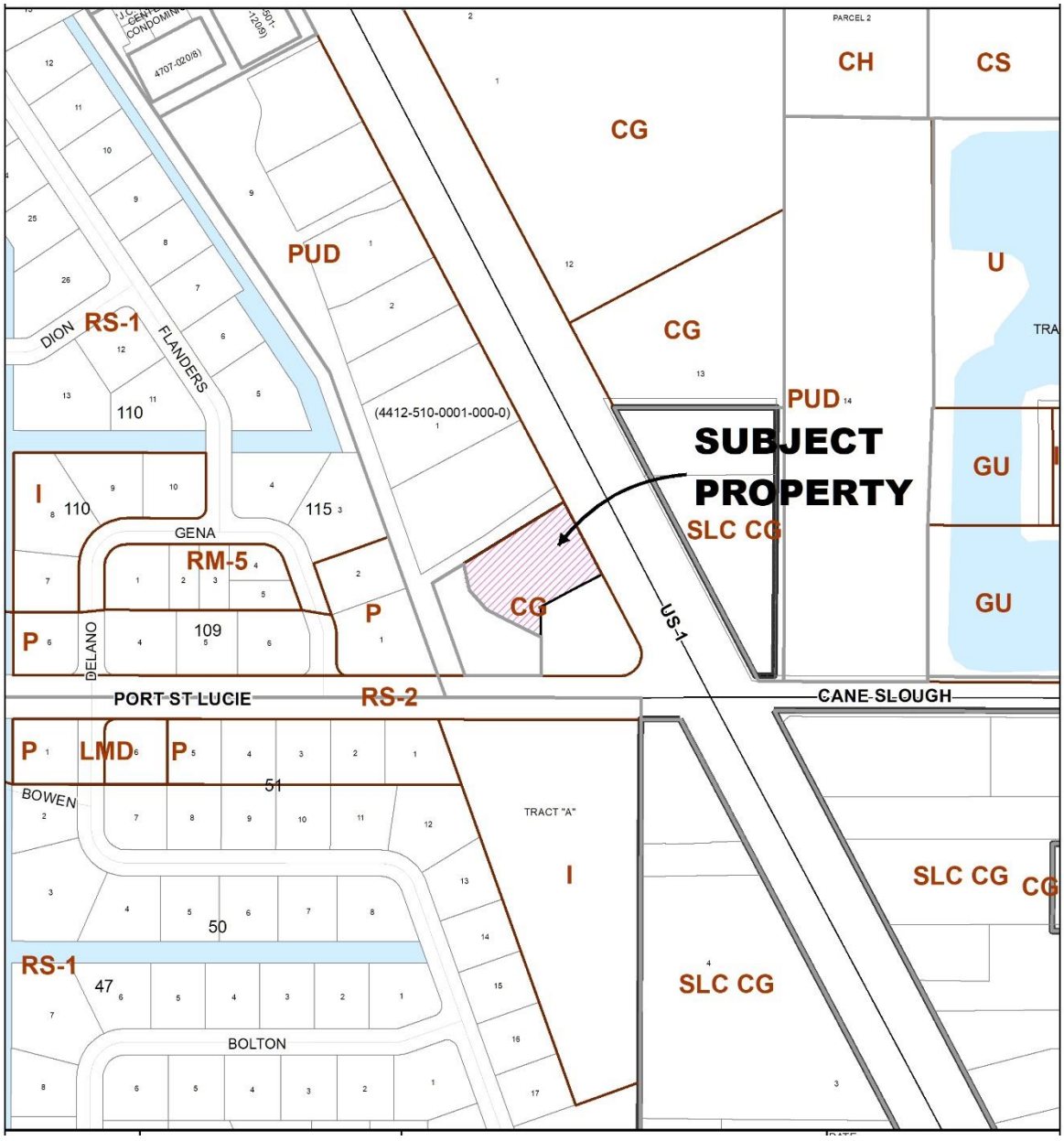
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	CG	PUD	Restaurant, Auto Parts
South	CG	CG	Bank, Vehicle Repair
East	CG, CH/RH	CG, PUD	Bank, Retail, Residential
West	CG	CG, PUD, P	Professional Office

CG – General Commercial PUD – Planned Unit Development P – Professional
CH/RH – Commercial High/Residential High



Future Land Use Map



Zoning District Map

PROJECT ANALYSIS

Special exceptions are uses that would only be allowed under certain conditions and are reviewed to be compatible with the existing neighborhood. Approval of a special exception application shall only be granted by the City Council if it meets the criteria established under Section 158.260 (A) through (L) as noted below. The applicant's response to the criteria is attached to the application. Staff's review is provided below.

Evaluation of Special Exception Criteria (Section 158.260)

(A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.

- *Applicant's Response:* Ingress and egress access currently exists on the north and south of the proposed development via exiting access easements onsite.
- Staff findings: The conceptual site plan demonstrates that the site will have adequate ingress and egress for vehicles. Pedestrian access to the existing sidewalk along US Highway 1 will be required at the time of site plan. The property has existing cross-connectivity to the north and south which provides further ingress and egress.

(B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

- *Applicant's Response:* The proposed development meets the minimum parking and loading area requirements. The proposed development would not create undue noise, glare, odor or other detrimental effects to the adjacent properties.
- Staff findings: Adequate off-street parking is provided for the proposed use within the site. The 2,824 sq. ft. facility requires 14 spaces for the proposed convenience store use. A convenience store use requires one (1) space per two hundred (200) square feet of gross floor area as per Section 158.221(C)(5). The conceptual site plan provides a total of 17 spaces for the convenience store use meeting the code requirement.

(C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

- *Applicant's Response:* The property development will be served by PSLUSD. The applicant is proposing a grinder station to serve the development. There are adequate facilities in the area to serve the development.
- Staff findings: Adequate utilities are available to service the proposed development.

(D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.

- *Applicant's Response:* The proposed development is adjacent to other commercial developments. The proposed development will supply the appropriate landscape buffering.
- Staff findings: There is adequate screening and buffering proposed for the site.

(E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

- *Applicant's Response:* Photometric plans will be submitted as part of the site plan review process and will meet the minimum requirements of the City of Port St. Lucie Land Development Code to ensure no adverse effects to adjacent properties and to ensure traffic safety.

- Staff findings: Exterior lighting for the site will provide for pedestrian and traffic safety and minimize any undue glare to adjacent sights. The lighting will be required to meet the City code requirements.

(F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

- *Applicant's Response:* At the time of site plan application, required yard and open space will be depicted on the site plan and will meet the minimum requirements of the City of Port St. Lucie Land Development Code.

- Staff findings: Yard setbacks and open space are adequate to properly serve the proposed development and to ensure compatibility with its adjoining properties.

(G) The use as proposed will be in conformance with all stated provisions and requirements of this chapter.

- *Applicant's Response:* The proposed use does conform with the stated provisions and requirements of this chapter. All local and State permits will be obtained prior to commencement of construction.

- Staff findings: The proposed Special Exception Use is permitted as defined by Section 158.124(C)(11) - CG (General Commercial) Zoning District and shall conform to all provisions of the City's Zoning Code.

(H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.

- *Applicant's Response:* The proposed use will not impair the health, safety, welfare or convenience of residents and workers in the City. The parcel is currently adjacent to other commercial uses and not adjacent to residential parcels.

- Staff findings: By adhering to City Codes and Regulations, the establishment and operation of the proposed use is not anticipated to impair the health, safety, welfare, or convenience of residents and workers in the City.

(I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

- *Applicant's Response:* Access to the development is proposed via ingress/egress easement to US Highway 1 and Port St. Lucie Blvd. The proposed uses would not create undue noise. The development will meet the minimum requirements of the City of Port St. Lucie Land Development Code, including but not limited to pedestrian access, lighting and signage.

- Staff findings: The use is not expected to generate noise that will adversely affect the surrounding uses. There is adequate ingress and egress to the site. There is a bank and tire store to the south which are open during daytime business hours and a restaurant to the north which is open for the lunch and evening hours. This Murphy USA gas station is proposed to operate 24-hours a day, which is compatible with the surrounding uses and will not adversely affect the surrounding uses.

J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

- *Applicant's Response:* The parcels located to the subject parcel have a Future Land Use Designation of Commercial General (CG) and Planned Unit Development (PUD) which are designated to accommodate general retail stores and services with restrictions on heavy vehicular sales, service, wholesale, warehouse uses and outdoor storage or other nuisance uses. The proposed convenience store with gas sales is consistent with the intent of the Future Land Use element and is consistent with other developed uses currently constructed in the City of Port St. Lucie with CG Future Land Use designations. The proposed uses would not create undue noise. The development will meet the minimum requirements of the City of Port St. Lucie Land Development Code, including but not limited to pedestrian access, lighting and signage. The proposed Dumpster enclosure is located on the southern portion of the site to also reduce any impacts to residential parcels.

- Staff findings: The proposed use is not expected to adversely impact surrounding properties. The proposed building is surrounded by other one-story commercial buildings and has shared access with the properties to the north and south. Exterior lighting will adhere to the City Code requirements.

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

- *Applicant's Response:* Acknowledged. The parcel totals 1.16 acres for development of a Murphy Convenience Store with fuel sales. The site plan will meet all requirements of the City of Port St. Lucie Land Development Code.

- Staff findings: Acknowledged.

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

- *Applicant's Response:* Acknowledged.

- Staff findings: Acknowledged.

Related Projects

P23-054 – Murphy USA – Site Plan

P23-055 – Murphy USA – Subdivision Plat

PLANNING AND ZONING BOARD ACTION OPTIONS

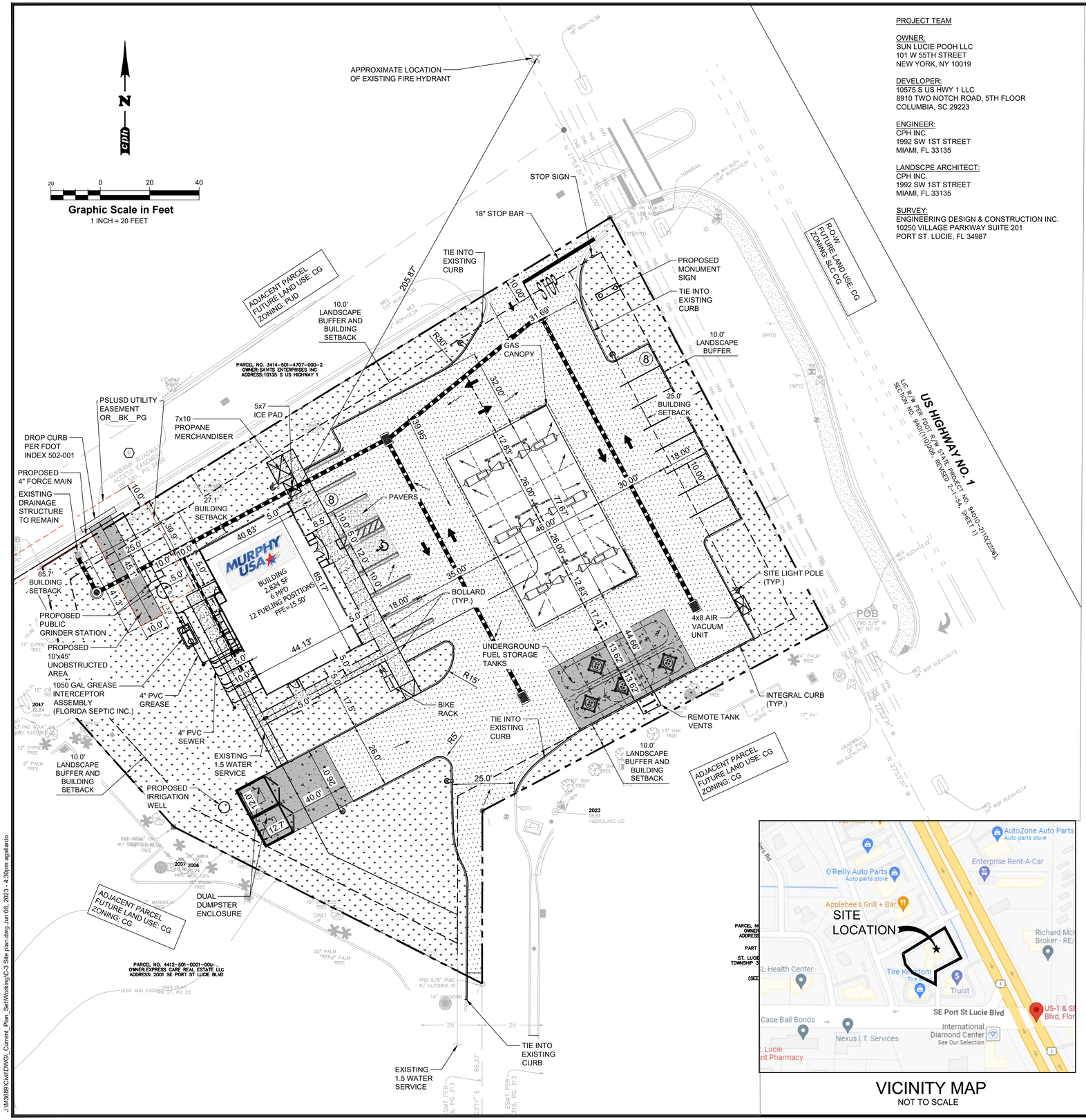
If the Board finds that the special exception use application is consistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions as recommended by staff

If the board finds that the special exception use application is inconsistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend denial to the City Council

Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to table or continue the hearing or review to a future meeting.



VICINITY MAP
NOT TO SCALE

PROJECT TEAM

OWNER:
SUN LUCIE POOH LLC
101 W 55TH STREET
NEW YORK, NY 10019

DEVELOPER:
10575 S US HWY 1 LLC
8910 TWO NOTCH ROAD, 5TH FLOOR
COLUMBIA, SC 29223

ENGINEER:
CPH INC.
1992 SW 1ST STREET
MIAMI, FL 33135

LANDSCPE ARCHITECT:
CPH INC.
1992 SW 1ST STREET
MIAMI, FL 33135

SURVEY:
ENGINEERING DESIGN & CONSTRUCTION INC.
10250 VILLAGE PARKWAY SUITE 201
PORT ST. LUCIE, FL 34987

SITE DATA

LEGAL DESCRIPTION:

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, AS IT NOW EXISTS, AND THE NORTH RIGHT-OF-WAY LINE OF PORT ST. LUCIE BOULEVARD, AS IT NOW EXISTS, THENCE N. 27°53'31" W. ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, 262.93 FEET TO THE POINT-OF-BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND. THENCE N. 27°53'31" W, ALONG THE SAID WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, 187.96 FEET; GO THENCE S. 58°22'54" 354.81 FEET; THENCE S. 19°30'40" E., 225.0 FEET; THENCE S. 89°56'45" E. ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF PORT ST. LUCIE BOULEVARD, 175.0 FEET; THENCE N. 00°03'11" E., 158.15 FEET; THENCE N. 62°06'29" E., 158.15 FEET TO THE POINT-OF-BEGINNING. ALL OF SAID LAND LYING AND SITUATE IN SECTION 12, TOWNSHIP 37 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

LESS AND EXCEPT:

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, AS IT NOW EXISTS AND THE NORTH RIGHT-OF-WAY OF PORT ST. LUCIE BLVD. AS IT NOW EXISTS, THENCE N 27°53'31" WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, A DISTANCE OF 450.89 FEET, THENCE SOUTH 58°22'54" WEST A DISTANCE OF 269.89 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 58°22'54" WEST A DISTANCE OF 84.92 FEET, THENCE SOUTH 19°30'40" E., A DISTANCE OF 225.00 FEET TO THE NORTH RIGHT-OF-WAY OF PORT ST. LUCIE BLVD., THENCE SOUTH 89°56'45" EAST ALONG THE NORTH RIGHT-OF-WAY OF PORT ST. LUCIE BLVD., A DISTANCE OF 175.00 FEET, THENCE NORTH 0°03'11" EAST A DISTANCE OF 88.27 FEET, THENCE NORTH 63°02'41" WEST A DISTANCE OF 139.98 FEET, THENCE NORTH 41°52'44" WEST A DISTANCE OF 60.31 FEET, THENCE NORTH 12°05'17" WEST A DISTANCE OF 61.50 FEET TO THE POINT OF BEGINNING. ALL OF SAID LAND LYING AND SITUATE IN SECTION 12, TOWNSHIP 37 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

TOGETHER WITH THOSE EASEMENTS AS SET OUT IN THE GRANT OF EASEMENT BETWEEN GENERAL DEVELOPMENT CORPORATION, A DELAWARE CORPORATION AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA AND HERITAGE FEDERAL SAVINGS AND LOAN ASSOCIATION OF DAYTONA BEACH, A FLORIDA CORPORATION, ITS SUCCESSORS AND ASSIGNS RECORDED IN OFFICIAL RECORDS, BOOK 315, PAGE 313, AND AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 365, PAGE 342

TOGETHER WITH AN EASEMENT FOR INGRESS/EGRESS AS SET OUT GRANT OF EASEMENT BETWEEN TOWN CENTRE/EAST GATE ASSOCIATES, LTD., F/K/A WEST-LANDCOM DEVELOPERS, LTD., A FLORIDA LIMITED PARTNERSHIP, D/VALL INSURED INCOME PROPERTIES 2 LIMITED PARTNERSHIP, A WISCONSIN LIMITED PARTNERSHIP TO SUN BANK/TREASURE COAST, NATIONAL ASSOCIATION, A NATION BANKING CORPORATION RECORDED IN OFFICIAL RECORDS BOOK 591, PAGE 2856, AND AS MODIFIED BY MODIFICATION OF EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 671, PAGE 1307

TOGETHER WITH THOSE EASEMENTS AS SET OUT IN THE DRAINAGE EASEMENT BETWEEN TOWNE CENTER/EAST GATE ASSOCIATES, LTD., FORMERLY KNOWN AS WEST-LANDCOM DEVELOPERS, LTD., A FLORIDA LIMITED PARTNERSHIP TO SUN BANK/TREASURE COAST, NATIONAL ASSOCIATION, A NATIONAL BANKING ASSOCIATION, SUCCESSOR BY MERGER TO SUN BANK OF ST. LUCIE COUNTY, A FLORIDA BANKING CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 810, PAGE 1672

BUILDING COVERAGE:
PROPOSED: 6,396 S.F. 12.65%
MAXIMUM ALLOWED: 20,216 S.F. 40%, PROVIDED THAT THE COMBINED AREA COVERAGE OF ALL IMPERVIOUS SURFACES SHALL NOT EXCEED 80%

STATEMENT OF INTENT:
THE OWNER PROPOSES TO CONSTRUCT A NEW 2,824 S.F. MURPHY EXPRESS CONVENIENCE STORE AND THE REQUIRED SITE SUPPORT ELEMENTS TO SERVE IT.

OVERAL SITE ADDRESS: 10575 S US HWY 1 PORT ST. LUCIE, FL 34952

TOWNSHIP: SEC. 12 TOWNSHIP 37 S. RANGE 40 E

FOLIO: 3414-501-4711-000-3

TOTAL SITE AREA: 50,797 S.F. (1.17 AC. ±)

EXISTING ZONING: CG (GENERAL COMMERCIAL)

EXISTING LAND USE: GENERAL COMMERCIAL

PROPOSED USE: CONVENIENCE STORE WITH GAS SALES

REQUIRED BUILDING HEIGHT:
THE FACADE OF A BUILDING THAT FACES AN ARTERIAL OR COLLECTOR ROAD OR INTERSTATE HIGHWAY SHALL HAVE A MINIMUM BUILDING WALL HEIGHT OF 22 FEET, EXCLUSIVE OF SLOPED ROOF HEIGHT, FOR AT LEAST 60% OF THE LENGTH OF THE BUILDING. 35 FEET MAX HEIGHT.

PROPOSED BUILDING HEIGHT:
TOP OF BUILDING: 22'-0"
TOP OF TOWER ROOF: 28'-6"

NUMBER OF STORIES: 1

CONVENIENCE STORE AREA: 2,824 S.F.

CANOPY AREA: 3,572 S.F.

TOTAL BUILDING AREA: 6,396 S.F.

BUILDING SETBACKS	REQUIRED	PROVIDED
NORTH:	10'	27.10'
EAST:	25'	58'
SOUTH:	10'	54.66'
WEST:	10'	65.70'

PROVIDED FLOOR AREA RATIO: 0.12

REQUIRED FLOOR AREA RATIO: N/A

	ZONING:	LAND USE:
NORTH:	PUD	COMMERCIAL
SOUTH:	CG	COMMERCIAL
EAST:	(R-O-W)	(R-O-W)
WEST:	CG	COMMERCIAL

PROJECT NOTES

UTILITY PROVIDERS:
WATER & WASTEWATER: PSLUSD
IRRIGATION: N/A (PROPOSED)
SOLID WASTE: WASTEPRO
ELECTRIC: FPL

STORM WATER DRAINAGE: THE SURFACE WATER MANAGEMENT SYSTEM FOR THE PROJECT WILL COLLECT SITE RUNOFF IN A SERIES OF INLETS WHICH WILL ROUTE RUNOFF TO A RETENTION AREA WHICH ULTIMATELY OUTFALLS TO AN EXISTING DRAINAGE SYSTEM.

WATER: EXISTING WATER SERVICE WILL BE UTILIZED TO SERVE THE PROPOSED BUILDING.

SEWER: PROPOSED PUBLIC LIFT STATION WILL BE UTILIZED TO SERVE THE PROPOSED BUILDING.

FIRE PROTECTION: EXISTING FIRE HYDRANTS SHOWN ON THE PLAN VIEW. EXISTING FIRE HYDRANT IS ROUGHLY 185' TO THE CLOSEST POINT OF THE PROPOSED BUILDING.

HAZARDOUS WASTE: ALL HAZARDOUS WASTES DISPOSAL SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS.

SOLID WASTE: BASED ON THE INTENDED USE OF THE BUILDING, THIS PROJECT WILL UTILIZE A PROPOSED DUMPSTER AREA FOR SOLID WASTE AND RECYCLABLE ITEMS.

LANDSCAPE: PROPOSED LANDSCAPE PLANS TO ADHERE WITH CITY OF PORT ST. LUCIE LAND DEVELOPMENT CODE.

ENVIRONMENTAL: AN ENVIRONMENTAL ASSESSMENT WILL BE PROVIDED DURING CONSTRUCTION PLAN SUBMITTAL.

ACCESSIBILITY AND ADA COMPLIANCE: ALL SIDEWALKS AND RAMPS WILL MEET FDOT AND ADA REQUIREMENTS.

A/C UNITS: ALL A/C UNITS TO BE LOCATED ON THE ROOF.

SIGNAGE: SIGNAGE IS SEPARATE REVIEW FOR APPROVAL.

TRAFFIC STATEMENT:
THE ITE TRIP GENERATION MANUAL, 11TH EDITION, LAND USE CODE 945 (CONVENIENCE STORE/GAS STATION) WAS USED TO DETERMINE EXPECTED GROSS DAILY AND PEAK HOUR TRIPS FOR THE PROPOSED PROJECT.

Trip Generation [Peak Hour of Generator]

Land Use	Intensity	Daily Traffic	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total
Gas Station	12 FPs	3,181	99	99	198	115	115	230
	Gross Traffic	*3,181*	*99*	*99*	*198*	*115*	*115*	*230*

WELLFIELD PROTECTION ORDINANCE: THE SUBJECT PARCEL IS NOT LOCATED WITHIN A FLORIDA WELLFIELD PROTECTION ZONE.

NEAREST FIRE HYDRANT LOCATIONS: EXISTING FIRE HYDRANTS ARE SHOWN ON THE PLAN VIEW.

MAINTENANCE NOTE: THE PROPERTY OWNER, CONTRACTOR, AND AUTHORIZED REPRESENTATIVES SHALL PROVIDE PICKUP, REMOVAL, AND DISPOSAL OF LITTER WITHIN THE PROJECT LIMITS SHALL E RESPONSIBLE FOR MAINTENANCE OF THE AREA FROM THE EDGE OF PAVEMENT TO THE PROPERTY LINE WITHIN THE CITY'S RIGHT-OF-WAY IN ACCORDANCE WITH THE ITY CODE, SECTION 41.08 (g).

PARKING DATA

REQUIRED PARKING (ADA): 1 SPACE/ 25 REGULAR SPACES

REQUIRED PARKING: 1 SPACE / 200 SF OF GFA

REQUIRED PARKING: 15 SPACES

PROPOSED PARKING: 17 SPACES

REQUIRED PARKING (ADA): 1 SPACE

PROPOSED PARKING (ADA): 1 SPACE

PROPOSED PARKING (EV): 0 SPACES

PROPOSED LOADING ZONE: 0 SPACES

PROPOSED

- BOUNDARY LINE
- CONCRETE CURB AND GUTTER
- BUILDING SETBACK LINE AND LANDSCAPE BUFFER
- PROPOSED PSLUSD UTILITY EASEMENT
- CONCRETE SIDEWALK
- LANDSCAPE
- PAVERS
- HEAVY DUTY CONCRETE 8"
- STAND DUTY CONCRETE 5"

PRE-CONSTRUCTION

IMPERVIOUS SITE RATIO (ISR)		
	PROJECT AREA	TOTAL
AREA	SQUARE SF	%
IMPERVIOUS PAVEMENT	38,289	75
GREEN SPACE	12,508	25
TOTAL SITE	50,797	100

POST-CONSTRUCTION

IMPERVIOUS SITE RATIO (ISR)		
	PROJECT AREA	TOTAL
AREA	SQUARE SF	%
IMPERVIOUS (ROOF AND PAVING)	30,250	60
GREEN SPACE	20,547	40
TOTAL SITE	50,797	100

P23-056
PSLUSD # 11-033-0017

SHEET NO. C-3

ANDREW MICHAEL DEEGAN LICENSE No. 85482 STATE OF FLORIDA PROFESSIONAL ENGINEER
June 08, 2023
ANDREW M. DEEGAN, P.E.
FL. P.E. No. 95482

JOB NO. M3689 | Concept 1.0

REV–2	6/8/23	T.H.H.	A.M.D.	J.CH.
	DATE	PRN	PM	DES	DRW

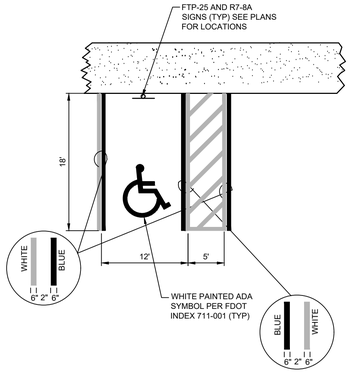
SEU CONCEPTUAL SITE PLAN 1 OF 2
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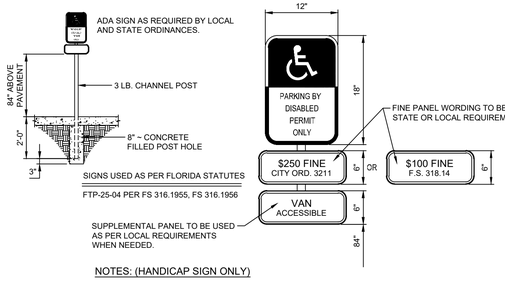
MURPHY OIL USA, INC.
MURPHY USA
200 PEACH STREET
EL DORADO, AR 71731-7000

J:\M3689\Civil\DWG_Current_Plan_Set\Working\C-3 Site plan.dwg Jun 08, 2023 - 4:30pm agallardo



ADA PARKING STRIPING DETAIL

N.T.S.

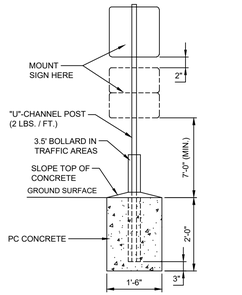


NOTES: (HANDICAP SIGN ONLY)

1. THE SIGN'S FACE SHALL BE OF AN ENGINEERING GRADE REFLECTORIZED MATERIAL.
2. ALL LETTERS ARE 1 INCH SERIES "C" PER THE MUTCD.
3. THE TOP PORTION OF THE SIGN SHALL HAVE A BLUE BACKGROUND WITH A WHITE LEGEND AND BORDER.
4. THE BOTTOM PORTION OF THE SIGN SHALL HAVE A WHITE BACKGROUND WITH A BLACK OPAQUE LEGEND AND BORDER.
5. THE FINE NOTIFICATION SIGN SHALL HAVE A WHITE BACKGROUND WITH A BLACK OPAQUE LEGEND AND BORDER.
6. ONE SIGN SHALL BE REQUIRED FOR EACH PARKING SPACE.
7. EACH SIGN SHALL HAVE A CLEARANCE OF 7 FEET FROM THE BOTTOM OF THE SIGN TO FINAL GRADE OR THE TOP OF CURB, WHICHEVER IS GREATER. SIGNS SHALL NOT BE FARTHER THAN 5 FEET FROM THE FRONT OF THE PARKING SPACE.
8. ALL SIGNS SHALL BE MOUNTED ON 3 POUND CHANNEL POSTS. SIGNS MAY BE MOUNTED ON BUILDINGS WITH CITY APPROVAL.

ACCESSIBLE SIGN

N.T.S.

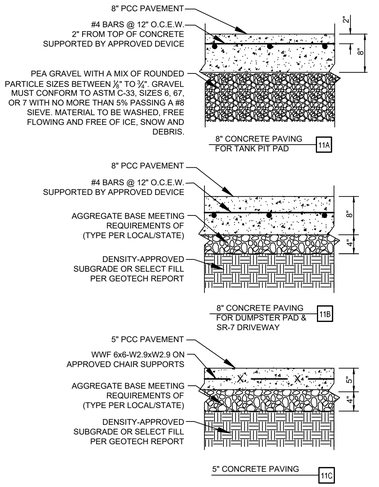


NOTE:

ALL SIGNS SHALL COMPLY WITH U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION'S "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", LOCAL CODES AND AS SPECIFIED. MOUNT SIGNS TO POST IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.

STANDARD SIGN BASE

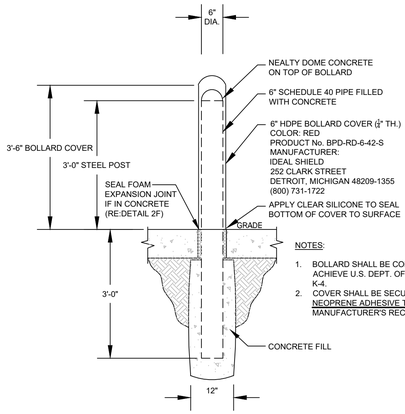
N.T.S.



NOTES:
1. CONCRETE SHALL BE 4,000 PSI COMPRESSIVE STRENGTH.
2. SEE SHEET C-13 FOR CONCRETE SPECIFICATIONS.

CONCRETE PAVING

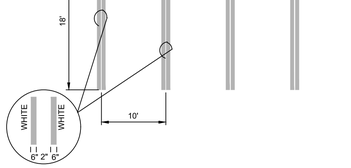
N.T.S.



NOTES:
1. BOLLARD SHALL BE CONSTRUCTED TO ACHIEVE U.S. DEPT. OF STATE RATING OF K-4.
2. COVER SHALL BE SECURED TO POST WITH NEOPRENE ADHESIVE TAPE PER MANUFACTURER'S RECOMMENDATIONS.

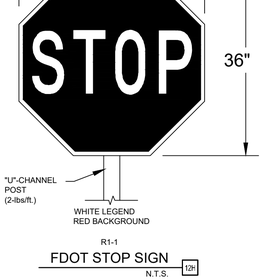
STEEL BOLLARD WITH COVER

N.T.S. 5F



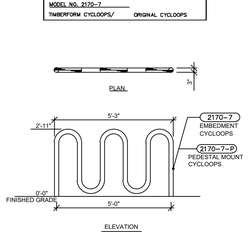
REGULAR PARKING STRIPING DETAIL

N.T.S.



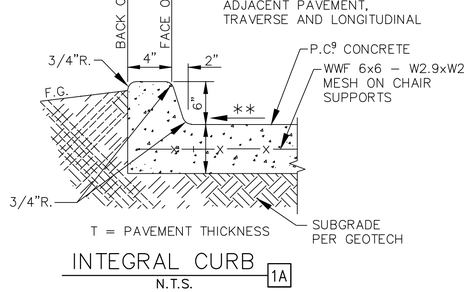
FDOT STOP SIGN

N.T.S. 12h



BICYCLE RACK DETAIL

N.T.S.



INTEGRAL CURB

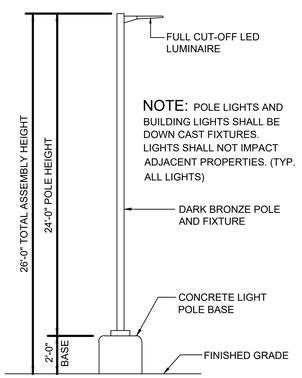
N.T.S. 1A

LUMINAIRE SCHEDULE								
MOUNTING CONFIG	SYMBOL	QTY	ASSEMBLY HEIGHT	POLE HEIGHT	LUMENS	TOTAL WATTS	MODEL NUMBER	DESCRIPTION
S		6	26'-0"	24'-0"	18904	135	SLM-18L-SIL-FT-UNV-50-70-BRZ	LSI LIGHTING, SLICE MEDIUM LED SERIES AREA LIGHT, 18,000 LUMENS PACKAGE, 5000K 70 CRI, SINGLE HEAD FLAT LENS FIXTURE, FORWARD THROW
D180		1	26'-0"	24'-0"	18904	270	SLM-18L-SIL-FT-UNV-50-70-BRZ	LSI LIGHTING, SLICE MEDIUM LED SERIES AREA LIGHT, 18,000 LUMENS PACKAGE, 5000K 70 CRI, DOUBLE HEAD FLAT LENS FIXTURE, FORWARD THROW
CANOPY		18	15'-0"	N/A	19071	152	CRUS-SC-LED-HO-50-UE-WHT	LSI LIGHTING, LEGACY SERIES, HIGH OUTPUT DRIVER, FLAT LENS CANOPY FIXTURE
H H-BB		2 1	8'-3"	N/A	4124	30	XWM 3 LED 04L 50 UE BRZ XWM 3 LED 04L 50 UE BRZ BB	LSI LIGHTING, MIRADA (XWM) WALL MOUNT LUMINAIRE, 5000k CCT, 4000 LUMEN PACKAGE, BRONZE COLOR, H-BB WITH BATTERY BACK-UP
J		2	8'-8"	N/A	2333	22	LCD6LED25LUNVDIM135WF TR6RWWHAZ EM	LSI LIGHTING, LCD6 DOWN LIGHT LUMINAIRE, 3500k CCT, 2500 LUMENS, WIDE FLOOD HAZE SEMI-DIFFUSED WALL WASH REFLECTOR, WHITE OR EQUIVALENT

NOTES: ALL AREA SITE LIGHT FIXTURES AND POLES TO BE MOUNTED ON CONCRETE BASE PER DETAIL, THIS SHEET
ALL ANCHOR BOLTS TO BE ORIENTED IN THE SAME DIRECTION (SQUARE) AT INSTALLATION PER MANUFACTURER'S SPECIFICATIONS.
ALL PROPOSED FIXTURES ARE FULL CUT-OFF FIXTURES

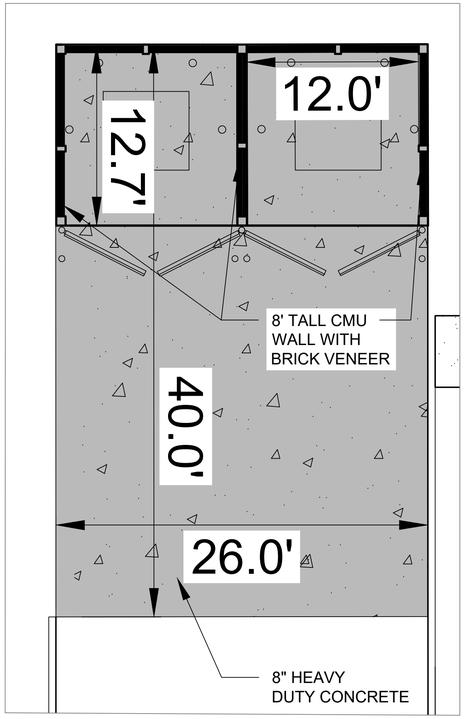
POLE SCHEDULE					
MOUNTING	SYMBOL	QTY	POLE HEIGHT	MODEL NUMBER	DESCRIPTION
S		6	24'-0"	4SQB3-S11G-24-S-BRZ-4BC	LSI LIGHTING, 4" STEEL SQUARE POLE, BOLT-ON ARM MOUNT, BRONZE
D180		1	24'-0"	4SQB3-S11G-24-D180-BRZ-4BC	LSI LIGHTING, 4" STEEL SQUARE POLE, BOLT-ON ARM MOUNT, BRONZE

NOTES: ALL AREA SITE LIGHT FIXTURES AND POLES TO BE MOUNTED ON CONCRETE BASE PER DETAIL, THIS SHEET



AREA LIGHT DETAIL

SCALE: NOT TO SCALE



DUMPSTER ENCLOSURE DETAIL

N.T.S.

P23-056
PSLUSD # 11-033-0017

SHEET NO. C-3.1

ANDREW MICHAEL DEEGAN LICENSE No. 95482 STATE OF FLORIDA PROFESSIONAL ENGINEER

June 08, 2023
ANDREW M. DEEGAN, P.E.
FL. P.E. No. 95482

JOB NO. M3589 Concept 1.0

REV	DATE	T.H.H.	A.M.D.	A.M.D.	J.CH.
REV-2	6/8/23	PRN	PM	DES	DR'W

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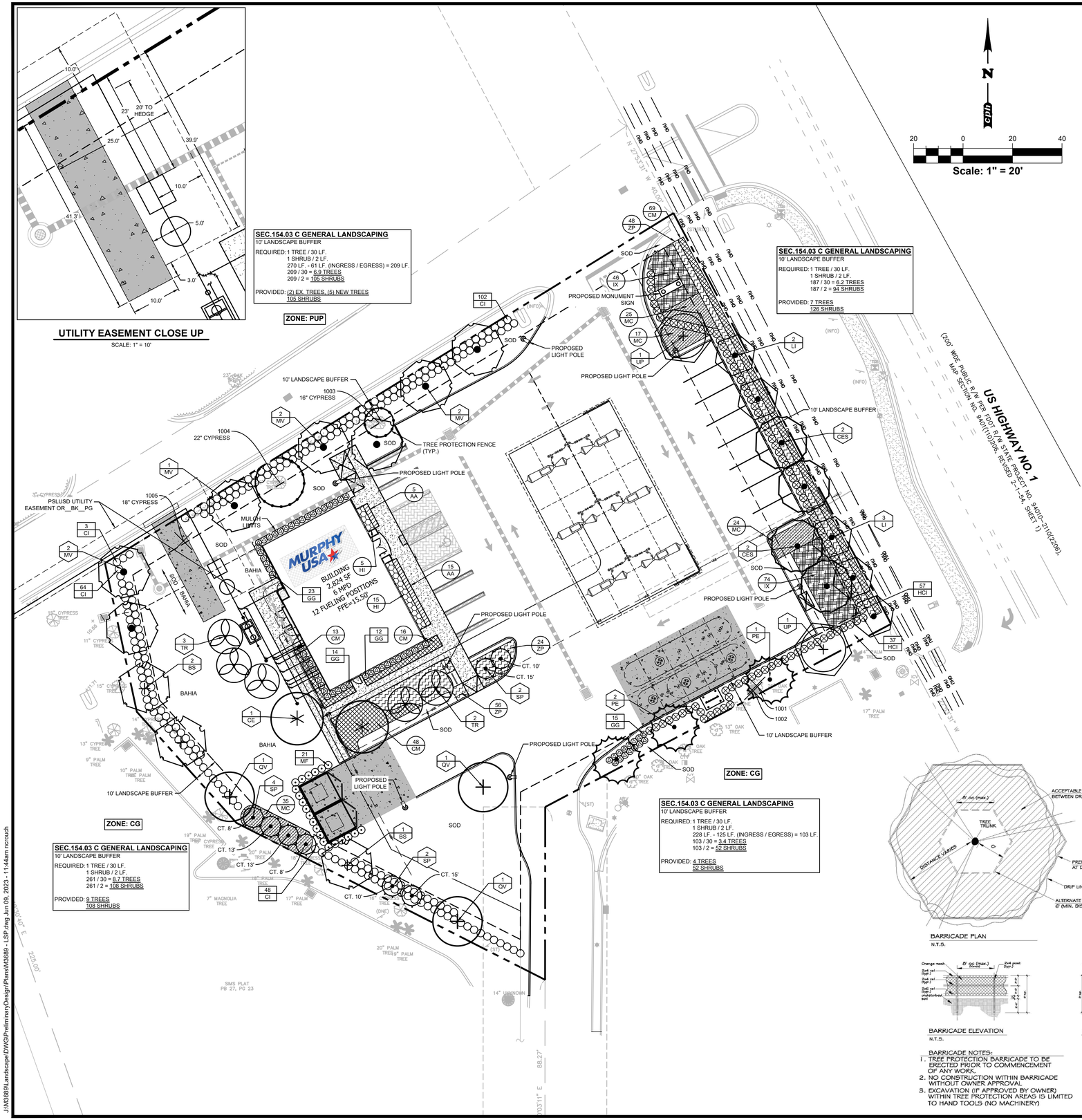
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200 PEACH STREET
EL DORADO, AR 71731-7000

J:\M3589\Civil\DWG_Current_Plan_Set\Working\C-3 Site plan.dwg Jun 08, 2023 - 4:42pm adeegan

UTILITY EASEMENT CLOSE UP
SCALE: 1" = 10'

SEC.154.03 C GENERAL LANDSCAPING
10' LANDSCAPE BUFFER
REQUIRED: 1 TREE / 30 LF.
1 SHRUB / 2 LF.
270 LF. - 61 LF. (INGRESS / EGRESS) = 209 LF.
209 / 30 = 6.9 TREES
209 / 2 = 105 SHRUBS
PROVIDED: (2) EX. TREES, (5) NEW TREES
105 SHRUBS

ZONE: PUP



N

20 0 20 40

Scale: 1" = 20'

PLANT LIST

SYM	COMMON NAME	BOTANICAL NAME	DESCRIPTION	NATIVE	DROUGHT TOLERANT	QTY.
TREES						
BS	GUMBO LIMBO (D)	BURSERA SIMARUBA	2.5" MIN. CAL., 12' HT. MIN., 5' SPRD. STRAIGHT TRUNK	YES	HIGH	3
CE	GREEN BUTTONWOOD (E)	CONOCARPUS ERECTUS	2.5" MIN. CAL., 12' HT. MIN., 5' SPRD.	YES	HIGH	2
CES	SILVER BUTTONWOOD (E)	CONOCARPUS ERECTUS SERICEUS	2.5" MIN. CAL., 12' HT. MIN., 5' SPRD. STD. TRUNK	YES	HIGH	4
LI	TONTO CRAPE MYRTLE (F)	LAGESTROEMIA INDICA 'TONTO'	2.5" MIN. CAL., 12' HT. MIN., 5' SPRD. STD. TRUNK	NO	HIGH	5
MV	SWEET BAY MAGNOLIA (E, F)	MAGNOLIA VIRGINIANA	2.5" MIN. CAL., 12' HT. MIN., STD. TRUNK	YES	HIGH	7
PE	SLASH PINE (E)	PINUS ELLIOTTII	2.5" MIN. CAL., 12' HT. MIN., STD. TRUNK	YES	HIGH	3
QV	LIVE OAK (E)	QUERCUS VIRGINIANA	2.5" MIN. CAL., 12' HT. MIN., STD. TRUNK	YES	HIGH	3
UP	DRAKE ELM (D)	ULMUS PARVIFOLIA 'DRAKE'	2.5" MIN. CAL., 12' HT. MIN., 5' SPRD.	NO	HIGH	2
SP	CABBAGE PALM (E)	SABAL PALMETTO	REFER TO PLAN FOR CT., CLEAN STRAIGHT TRUNKS, REGEN HEADS	YES	HIGH	8
TR	FLORIDA THATCH (E)	THRINAX RADIATA	8' O.A., CLEAN STRAIGHT TRUNK	YES	HIGH	5
EX	EXISTING TREES					
SHRUBS						
CI	RED TIP COCOPLUM	CHRYSOBALANUS ICACO 'REDTIP'	24" HT., 16" SPRD., 36" O.C.	YES	HIGH	217
GG	THRYALLIS	GALPHIMIA GALAUCA	15" HT., 15" SPRD., 30" O.C.	NO	MED.	64
HCI	HORIZONTAL COCOPLUM	CHRYSOBALANUS ICACO 'HORIZONTAL'	24" HT., 16" SPRD., 36" O.C.	YES	HIGH	94
MF	SIMPSON STOPPER	MYRCIANTHES FRAGRANS	24" HT., 16" SPRD., 36" O.C.	YES	HIGH	21
GROUNDCOVER						
AA	LILY OF THE NILE	AGAPANTHUS AFRICANUS	15" HT., 10" SPRD., 24" O.C.	NO	MED.	20
CM	EMERALD BLANKET CARISSA	CARISSA MACROCARPUS	7" HT., 14" SPRD., 30" O.C.	NO	HIGH	146
HI	RED HIBISCUS	HIBISCUS ROSA SINENSIS 'RED'	30" O.C.	NO	MED.	20
IX	MAUI YELLOW IXORA	IXORA COCCINEA 'MAUI YELLOW'	24" MIN. HT., 12" SPRD., 30" O.C.	NO	HIGH	120
MC	MUHLY GRASS	MUHLENBERGIA CAPILLARIS	15" MIN. HT., 10" SPRD., 30" O.C.	YES	MED.	101
ZP	COONTIE	ZAMIA PUMLIA	15" HT., 10" SPRD., 30" O.C.	YES	HIGH	128
BAHIA	ARGENTINE BAHIA SOD	PASPALUM NOTATUM 'ARGENTINE'	SOLID SOD, CONTRACTOR TO VERIFY QTY.			
SOD	ST. AUGUSTINE GRASS	STENOTAPHRUM SECUNDATUM	SOLID SOD, CONTRACTOR TO VERIFY QTY.			

(D) = DECIDUOUS
(E) = EVERGREEN
(F) = FLOWERING

NOTE:
1. PLANT DESCRIPTIONS ARE FOR MINIMUM ACCEPTABLE SPECIFICATIONS. ALL CRITERIA LISTED FOR CONTAINER SIZE, CALIPER, HEIGHT, SPREAD, ETC. MUST BE MET FOR PLANT MATERIAL ACCEPTANCE. FOR EXAMPLE, IF A THREE GALLON SHRUB DOES NOT MEET THE HEIGHT OR SPREAD SPECIFICATION, IT WILL NOT BE ACCEPTED.
2. IF SPECIFIED PLANTS ARE UNAVAILABLE AT TIME OF CONSTRUCTION, CONTRACTOR MAY REPLACE SPECIFIED PLANTS WITH PLANTS APPROVED BY LANDSCAPE ARCHITECT AND CITY STAFF.
3. ALL OPEN SPACE AREAS WITHIN THE PROPERTY SHALL BE SODDED UNLESS PAVED, SEEDED AND MULCHED OR PLANTED WITH SHRUBS AND GROUND COVER.
4. ALL LANDSCAPED AREAS WILL BE 100% IRRIGATED WITH A CENTRAL AUTOMATIC IRRIGATION SYSTEM INCLUDING A RAIN SENSOR.
5. CONTRACTOR TO MODIFY EXISTING IRRIGATION SYSTEM TO ENSURE ADEQUATE IRRIGATION FOR ALL NEW PLANT MATERIAL.
6. CONTRACTOR SHALL REPLACE ANY EXISTING SOD OR OTHER PLANT MATERIALS DAMAGED DURING CONSTRUCTION IN AREAS THAT ARE OUTSIDE PROPOSED LANDSCAPE AS SHOWN ON THE PLAN.

CITY OF PORT SAINT LUCIE NOTES:
1. NO LANDSCAPING SHALL BE PLANTED IN A MANNER THAT WOULD ADVERSELY AFFECT UTILITY EASEMENTS. LANDSCAPING SHALL BE IN COMPLIANCE WITH CHAPTER 154 OF THE CITY OF PORT ST. LUCIE CODE OF ORDINANCES, PSLUSD TECHNICAL SPECIFICATIONS AND POLICIES.
2. ALL LANDSCAPING WITHIN CITY UTILITY EASEMENTS SHALL COMPLY WITH PSLUSD TECHNICAL SPECIFICATIONS, POLICIES, AND CODES.
3. ALL LANDSCAPING SHALL MEET THE LATEST PSLUSD LANDSCAPE POLICY AND SHALL NOT BE PLACED IN A MANNER THAT WOULD CREATE CONFLICTS WITH THE INTENDED OPERATION AND MAINTENANCE OF ANY EXISTING UTILITY.
4. TREES SHALL NOT BE PLANTED WITHIN TEN (10') FEET OF ANY PSLUSD UNDERGROUND INFRASTRUCTURE.
5. NO LANDSCAPING OTHER THAN SOD GRASSES SHALL BE LOCATED WITHIN 5' OF A PSLUSD APPURTENANCE SUCH AS A WATER METER ASSEMBLY, BACK-FLOW DEVICE, FIRE HYDRANT OR SEWER CLEANOUT, ECT.

LANDSCAPE DATA

SEC. 154.03 C 2 BUILDING FACADE
REQUIRED: 5' WIDE, 1 TREE OR PALM FOR EVERY 30 LF. 1 SHRUB FOR EVERY 2 LF.
214 LF. / 30 = 7 TREES
214 LF. / 2 = 107 SHRUBS
PROVIDED: 2 TREES
5 PALMS
107 SHRUBS

SEC. 154.04 (C) LANDSCAPE STANDARDS
MAXIMUM PALMS: 25%
38 X .25 = 9.5
PROVIDED: 8 (EXCLUDES THATCH PALMS AS FOUNDATION PLANTINGS)

NATIVE
REQUIRED: 50% 41 x .5 = 21
PROVIDED: 33

FLOWERING
REQUIRED: 20% 41 x .2 = 8
PROVIDED: 12

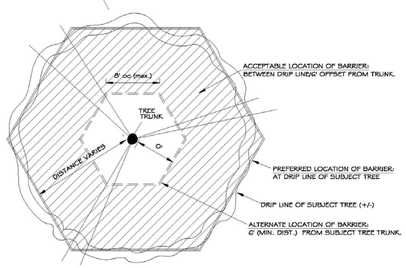
PARKING
REQUIRED: 75% EVERGREEN 4 x .75 = 3
PROVIDED: 3

REQUIRED NUMBER OF SPECIES MIX
REQUIRED: 38 TREE, MIN OF 4 SPECIES
PROVIDED: 11

SEC. 154.16 TREE MITIGATION

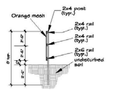
#TREE	D.B.H.	SPECIES	DISPOSITION
1001	26"	OAK	REMOVE
1002	17"	PINE	REMOVE
1003	16"	CYPRESS	REMAIN
1004	22"	CYPRESS	REMAIN
1005	18"	CYPRESS	REMOVE

D.B.H. REMOVED: 61"
D.B.H. REMAINING: 43"
PROPOSED INCHES: 105"



BARRICADE PLAN
N.T.S.

BARRICADE ELEVATION
N.T.S.



BARRICADE SECTION
N.T.S.

BARRICADE NOTES:
1. TREE PROTECTION BARRICADE TO BE ERECTED PRIOR TO COMMENCEMENT OF ANY WORK.
2. NO CONSTRUCTION WITHIN BARRICADE WITHOUT OWNER APPROVAL.
3. EXCAVATION (IF APPROVED BY OWNER) WITHIN TREE PROTECTION AREAS IS LIMITED TO HAND TOOLS (NO MACHINERY)

CITY OF PSL # P23-054 (SP), P23-056 (SEU)

PSLUSD #11-033-0017

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SHEET NO. LS-1

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Jun 09, 2023

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REV	DATE	T.H.H.	A.M.D.	D.R.B.	N.R.C.
1	5/1/23	PRN	PM	DES	DRW

JOB NO. M3689

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LANDSCAPE NOTES:

1. The landscape Contractor shall be responsible for all materials and all work as called for on the Landscape Plans and in the Landscape Specifications. In the event of variation between quantities shown on plant list and the plans, the plans shall control. The Landscape Contractor shall verify all quantities and report any discrepancies at the time of bidding.

2. The Landscape Contractor shall review architectural/engineering plans and become thoroughly familiar with surface and subsurface utilities.

3. Prior to construction, the contractor shall be responsible for locating all underground utilities and shall avoid damage to all utilities during the course of the work. Locations of existing buried utility lines shown on the plans are based upon best available information and are considered to be approximate. It shall be the responsibility of the contractor 1) to verify the locations of utility lines within and adjacent to the work area 2) to protect all utility lines during the construction period 3) to repair any and all damage to utilities, structures, site appurtenances, etc. which occurs as a result of the construction 4) To field adjust the location of proposed trees and palms 10' off the center of the utility lines. Notify the Landscape Architect if a 10' offset does not function.

4. The work shall be coordinated with other trades to prevent conflicts. Coordinate the planting with the irrigation work to ensure availability and proper location of irrigation items and plants.

5. Contractor shall ensure that there are no visual obstructions to vehicle lines of sight and traffic controls. Contractor shall field adjust tree and/or large shrub locations to avoid any such obstructions.

6. Trees shall be maintained by the owner to avoid future such obstructions by pruning trees and/or shrubs as necessary utilizing horticulturally sound techniques.

7. All planting shall be performed by personnel familiar with planting procedure and under the supervision of a qualified planting foreman.

8. All plant material shall be graded Florida No. 1 or better as outlined under Grades and Standards for Nursery Stock, Part I and II, published by the Florida Department of Agriculture and Consumer Services.

9. The minimum acceptable size of all plants, measured after pruning, with branches in normal positions, shall conform to the measurements specified on the plant list or as indicated on the landscape drawing. Height and spread dimensions refer to main body of the plant and not extreme branch tip to tip. Trunk caliper (trunk diameter) is measured 6 inches from the ground on trees up to and including 4 inches in caliper, and 12 inches from the ground for larger trees. Since trunks are seldom round, the average of the largest diameter and that perpendicular to it is referred to as caliper. When the plant list description calls out DBH or caliper at DBH, it shall govern over the caliper definition in this note.

10. The Landscape Architect or Owner shall have the right, at any stage of the operations, to reject any and all work and materials which, in his opinion, do not meet with the requirements of these specifications.

11. Except as otherwise specified, the Landscape Contractor's work shall conform to accepted horticultural practices as used in the trade.

12. Plants shall be protected upon arrival at the site, by being thoroughly watered and properly maintained until planted.

13. TOPSOIL

    Topsoil shall be natural, friable, fertile, fine loamy soil possessing characteristics of representative topsoil in the vicinity that produces heavy growth. Topsoil shall have a pH range of 5.5 to 7.4, free from subsoil, objectionable weeds, litter, sods, stiff clay, stones larger than 1-inch in diameter, stumps, roots, trash, toxic substances, or any other material which may be harmful to plant growth or hinder planting operations. Top soil shall contain a minimum of three percent organic material. 6" Top Soil shall be placed in all turf & landscape areas.

14. All tree pits shall be excavated to size and depth in accordance with the Florida Grades & Standards for Nursery Stock, unless shown otherwise on the drawings, and backfilled with the specified planting soil. The Landscape Contractor shall test fill all tree pits with water before planting to assure proper drainage percolation is available.

15. The Landscape Contractor shall be responsible for proper watering of all plants. All plants shall be thoroughly watered at time of planting and kept adequately watered for plants to thrive as defined by Florida Grades and Standards for Nursery stock until time of acceptance. It shall be the Landscape Contractor's responsibility to assure that plants are not over watered.

16. It shall be the Landscape Contractor's responsibility to prevent plants from falling or being blown over, to re-straighten and replant all plants which lean or fall and to replace all plants which are damaged due to lack of proper guying or staking. The Landscape Contractor shall be legally liable for any damage caused by instability of any plant material.

17. All Palms to be staked as indicated per Palm staking details. All other trees to be stabilized utilizing 8' lodge poles per tree planting details.

18. Plants blown over by high winds, within the guaranteed period, shall not be cause for additional expense to the Owner, but shall be the responsibility of the Landscape Contractor. Damaged plants shall be replaced by the Landscape Contractor at no additional cost to the Owner.

19. Sod shall be of a species specified on the drawings and originate from a commercial turf grower, whose farm is free of muck soils. Muck grown sod will not be approved. It shall be a dense stand of live turf, reasonably free of weeds, well matted with grass roots in rectangles 12 inch by 24 inch or in 12 inch wide rolls in a length consistent with the equipment and methods used to handle the rolls and place the sod. Any netting contained within the sod shall be certified by the manufacturer to be bio-degradable. The soil and root mat shall be a minimum of 1-1/2 inch thick and must hold together during placement. Sod shall be place adjacent to one another to avoid gaps and overlaps. Joints shall be staggered between the rows. Sod placed on slopes exceeding 3:1 shall be pinned with turf staples. Sod turf, shall have been mowed a minimum of one week prior to cutting and delivery, so that the length of the turf is no longer than 4 inches at time of delivery. Place sod within 48 hours of cutting the sod. The sod shall be kept moist throughout the 48 hour period to maintain the health and viability of the sod. Submit a letter of certification to the Owner's CEI Representative, at time of delivery, as to the source of the sod, the time it was cut, the species and cultivars provided, last mowing date, and that the sod is free of fire ants. Sod which has been cut for longer than 48 hours after being cut shall not be used unless specifically authorized by Owner's CEI Representative.

20. It shall be the Contractor's responsibility to measure and determine the exact quantity of sod required for a complete job at the time of bidding or providing a price quote. The Owner shall not be responsible for additional cost due to the Contractor's under estimating of the quantity of sod for the original bid area.

21. The Landscape Contractor shall insure adequate vertical drainage in all plant beds, planters, and sod areas. Vertical drilling through any compacted fill to native soil shall be accomplished to insure drainage. If well drained fill is necessary to assure positive drainage, this issue shall be brought up by the Landscape Contractor at time of bidding.

22. UNSUITABLE SUBSOILS
    Locations containing unsuitable subsoil shall be treated by one or more of the following:

    A. Where unsuitability is deemed by Owner or Owner's Representative to be due to excessive compaction caused by heavy equipment and where natural subsoil is other than AASHTO classification of A6 or A7, loosen such areas with spikes, discing, or other means to loosen soil to condition acceptable to Owner. Loosen soil to minimum depth of 12 inches with additional loosening as required to obtain adequate drainage. Contractor may introduce peat moss, sand, or organic matter into the subsoil to obtain adequate measures shall be considered as incidental, without additional cost to Owner.

    B. Where unsuitability is deemed by Owner or Owner's Representative to be due to presence of boards, mortar, concrete, graded aggregate base, or other construction materials in sub grade and where natural subsoil is other than AASHTO classification of A6 or A7, remove debris and objectionable material. Such remedial measures shall be considered as incidental, without additional cost to Owner.

    C. Where unsuitability is deemed by Owner to be because natural subsoil falls into AASHTO classification of A6 or A7 and contains moisture in excess of 30 percent, then installation of sub drainage system or other means described elsewhere in Specifications shall be used. Where such conditions have not been known or revealed prior to planting time and they have not been recognized in preparation of The Drawings and Specifications, then Owner shall issue pricing order to install proper remedial measures.

    D. Planting beds where existing subsoil is determined by Owner to be unsuitable for plant growth in accordance paragraph Unsuitable Subsoil herein shall be excavated to a depth of 12 inches or as needed to provide adequate drainage. Replace excavated soil with planting soil.

23. The Landscape Contractor shall ensure that his work does not interrupt established or projected drainage patterns.

24. The Landscape Contractor shall prune, shape and remove dead foliage/limbs from existing plant material to remain. Confirm with the Landscape Architect or Owner the extent of work required at time of Bidding.

25. Mulch - All plant beds shall be top dressed with 3" shredded hardwood mulch (or approved equal). Cypress mulch not permitted. a 5' diameter mulch ring is to be placed around trees located in sod areas or outside of planting beds.

26. Transplanted Material - The Landscape Contractor shall be responsible for determining and evaluating which plant materials are suitable for transplanting and shall verify this with the Landscape Architect or Owner. The Landscape Contractor shall take all reasonable, horticulturally acceptable measures to assure the successful transplanting of determined plant materials. The Landscape Contractor shall be responsible for replacing any relocated plant materials which die if such measures are not taken, as determined by the Landscape Architect or Owner. Replacement plants shall be of identical species and size if required.

27. MAINTENANCE PRIOR TO FINAL INSPECTION AND ACCEPTANCE:

    A. Maintenance shall commence after each plant is planted and the maintenance period shall continue until the job or specific phase of the job is accepted by the Landscape Architect or Owner. Extreme care shall be taken to instruct the Owner or his representatives in general maintenance procedures.

    B. Plant maintenance shall include watering, pruning, weeding, cultivating, mulching, tightening, and repairing of guys, replacement of sick or dead plants, resetting plants to proper grades or upright positions and restoration of the planting saucer and all other care needed for proper growth of the plants.

    C. During the maintenance period and up to the date of final acceptance, the Landscape Contractor shall do all seasonal spraying and/or dusting of trees and shrubs. Upon completion of all planting, an inspection for acceptance of work will be held. The Landscape Contractor shall notify the Landscape Architect or Owner for scheduling of the inspection 10 days prior to the anticipated date.

    D. At the time of the inspection, if all of the materials are acceptable, a written notice will be given by the Landscape Architect or Owner to the Landscape Contractor Stating the date when the Maintenance Period ends.

    GUARANTEE AND REPLACEMENT:

    A. All plant materials shall be guaranteed for one (1) year from the time of final inspection and interim acceptance shall be alive and in satisfactory growth for each specific kind of plant at the end of the guaranteed period.

    B. At the end of the guarantee period, any plant required under this contract that is dead or not in satisfactory growth, as determined by the Owner or the Landscape Architect, shall be removed and replaced. Replacement plants shall have an extended guarantee, as noted above, from time of replacement.

    C. All replacements shall be planted of the same kind and size as specified on the plant list. They shall be the responsibility of the Landscape Contractor.

MURPHY EXPRESS GENERAL LANDSCAPE NOTES

A. LOCATE ALL UTILITIES AND SITE LIGHTING CONDUITS BEFORE LANDSCAPE CONSTRUCTION BEGINS.

B. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT DISCREPANCIES PRIOR TO ANY PLANTING.

C. ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTH AND FOUR INCHES OF TOPSOIL APPLIED. IF ADEQUATE TOPSOIL IS NOT AVAILABLE ON SITE, THE CONTRACTOR SHALL PROVIDE TOPSOIL. APPROVED BY THE OWNER, AS NEEDED. THE AREA SHALL THEN BE SODDED, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL HARDY GRASS GROWTH IS ESTABLISHED IN ALL AREAS. ANY RELOCATED TREES SHALL BE MAINTAINED UNTIL SUCH POINT AS TREE IS RE-ESTABLISHED. ANY AREAS DISTURBED SHALL ANY REASON PRIOR TO THE FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.

D. CONTRACTOR IS TO VERIFY IF APPLICABLE THE LOCATION OF THE MASTER DEVELOPMENT IRRIGATION SYSTEM, VALVE BOXES, CONTROL BOXES, BACKFLOW PREVENTION DEVICES AND OTHER ITEMS WHICH ARE PART OF THE SYSTEM. IF DAMAGED THEY MUST BE REPAIRED AT CONTRACTOR'S COST.

E. CONTRACTOR IS TO PROTECT EXISTING LANDSCAPING/IRRIGATION MATERIALS.

F. ACCEPTANCE OF GRADING AND SEEDING SHALL BE BY THE OWNER. THE CONTRACTOR SHALL ASSUME MAINTENANCE RESPONSIBILITIES FOR A MINIMUM OF ONE (1) YEAR OR UNTIL SECOND CUTTING, WHICH EVER IS LONGER. MAINTENANCE SHALL INCLUDE WATERING, WEEDING, RESEEDING AND OTHER OPERATIONS NECESSARY TO KEEP ALL LAWN AREAS IN A THRIVING CONDITIONS. UPON FINAL ACCEPTANCE, OWNER SHALL ASSUME ALL MAINTENANCE RESPONSIBILITIES. AFTER LAWN AREA HAVE GERMINATED, AREAS WHICH FAIL TO SHOW A UNIFORM STAND OF GRASS FOR ANY REASON WHATSOEVER SHALL BE RE-SEEDED REPEATEDLY UNTIL ALL AREAS ARE COVERED WITH A SATISFACTORY STAND OF GRASS. MINIMUM ACCEPTANCE OF SEEDED LAWN AREAS MAY INCLUDE SCATTERED BARE SPOTS, NONE OF WHICH ARE LARGER THAN 1 SQUARE FOOT, AND WHEN COMBINED DO NOT EXCEED 2% OF TOTAL SEEDED LAWN AREA.

G. ALL PERMANENT TURF AREAS SHALL BE SOD.

H. FERTILIZE ALL PLANTS AT THE TIME OF PLANTING WITH TIME RELEASE FERTILIZER.

I. SEE DEVELOPMENT PLAN FOR APPLICATION OF TOPSOIL AND MAINTENANCE OF SEEDED AREAS.

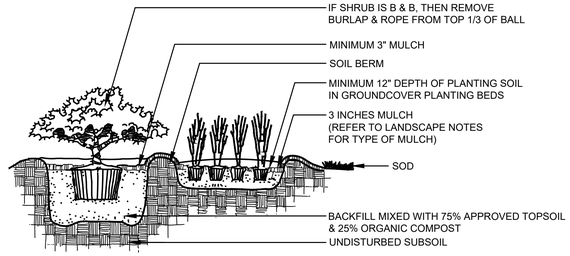
J. SINGLE PROCESSED NON-CYPRESS HARDWOOD MULCH SHALL BE USED AS A FOUR INCH (4") TOP DRESSING IN ALL PLANT BEDS AND AROUND ALL TREES. SINGLE TREES OR SHRUBS SHALL BE MULCHED TO THE OUTSIDE EDGE OF THE SAUCER OR LANDSCAPE ISLAND (SEE PLANTING DETAILS).

K. ALL PLANT MATERIAL SHALL BE WARRANTED FOR A PERIOD OF 1 YEAR AFTER PLANTING. IF ANY PLANTS DIE BEFORE THEY END OF 1 YEAR THEY SHALL BE REPLACED, AT NO COST TO THE OWNER, BY A PLANT OF SIMILAR SIZE AND SPECIES.

L. ALL TREES SHALL BE PLANTED PER DETAILS, SHEET L5.0.

M. GC SHALL INCORPORATE PRE-EMERGENT HERBICIDE AND WEED BARRIER FABRIC IN ALL MULCH AND PLANTING AREAS.

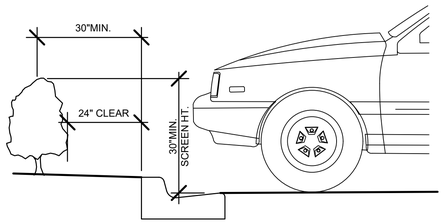
N. IF A CONFLICT ARISES BETWEEN THESE AND THE GENERAL LANDSCAPE NOTES, THESE WILL TAKE PRECEDENCE.



-PROVIDE MINIMUM PIT CLEARANCE AROUND ROOT BALL OF 6" SIDES AND BOTTOM.
-MAINTAIN 3"-4" MULCH FREE ZONE AROUND BASE OF PLANT.

SHRUB AND GROUNDCOVER PLANTING DETAIL

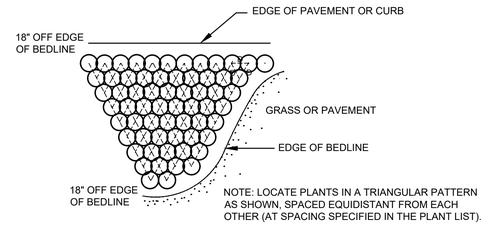
N.T.S.



NOTES:
INSTALL HEDGE ALONG PARKING BAYS A MINIMUM OF 30" BEHIND BACK OF CURB TO ALLOW FOR 24" VEHICULAR OVERHANG. AT TIME OF INSTALLATION, HEDGE SHALL SCREEN A MINIMUM OF 30" ABOVE FINISH GRADE OF PARKING STALLS.

TYPICAL SECTION - HEDGE INSTALLATION

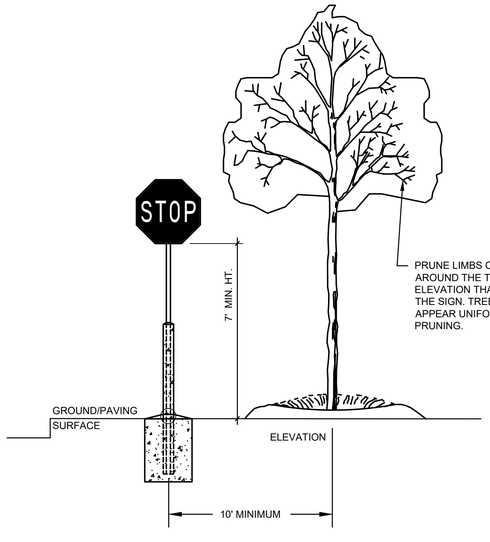
N.T.S.



NOTE: LOCATE PLANTS IN A TRIANGULAR PATTERN AS SHOWN, SPACED EQUIDISTANT FROM EACH OTHER (AT SPACING SPECIFIED IN THE PLANT LIST).

SHRUB/GROUNDCOVER SPACING PLAN

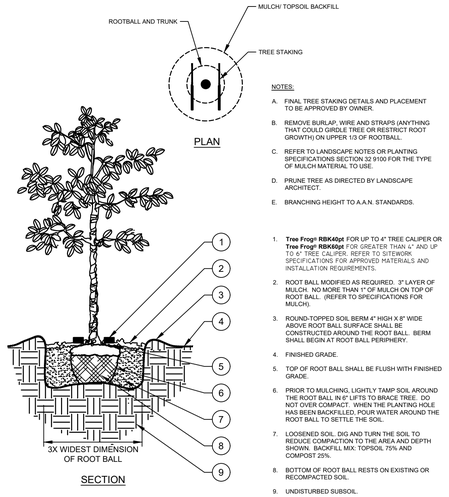
N.T.S.



ALL TREES TO BE PLANTED NO CLOSER THAN 10' IN ALL DIRECTIONS FROM ANY TRAFFIC SIGNS

TREE PLANTING AT TYPICAL SIGN

N.T.S.



NOTES:

A. FINAL TREE STAKING DETAILS AND PLACEMENT TO BE APPROVED BY OWNER.

B. REMOVE BURLAP, WIRE AND STRAPS (ANYTHING THAT COULD GIRDLE TREE OR RESTRICT ROOT GROWTH) ON UPPER 1/3 OF ROOTBALL.

C. REFER TO LANDSCAPE NOTES OR PLANTING SPECIFICATIONS SECTION 32 9100 FOR THE TYPE OF MULCH MATERIAL TO USE.

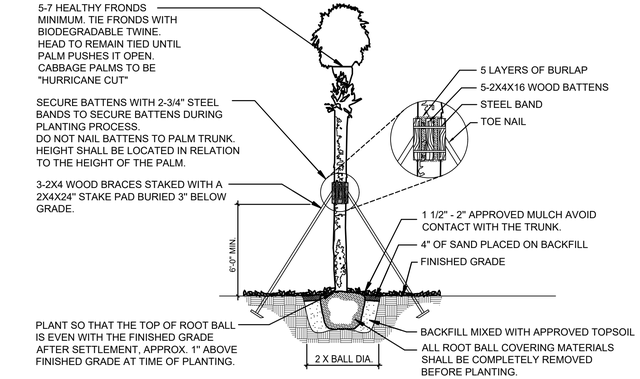
D. PRUNE TREE AS DIRECTED BY LANDSCAPE ARCHITECT.

E. BRANCHING HEIGHT TO A.A.N. STANDARDS.

1. **Tree Frog® RBK40pt** FOR UP TO 4" TREE CALIPER OR **Tree Frog® RBK60pt** FOR GREATER THAN 4" AND UP TO 6" TREE CALIPER. REFER TO SITEWORK SPECIFICATIONS FOR APPROVED MATERIALS AND INSTALLATION REQUIREMENTS.
2. ROOT BALL MODIFIED AS REQUIRED. 3" LAYER OF MULCH. NO MORE THAN 1" OF MULCH ON TOP OF ROOT BALL. (REFER TO SPECIFICATIONS FOR MULCH)
3. ROUND-TOPPED SOIL BERM 4" HIGH X 8" WIDE ABOVE ROOT BALL SURFACE SHALL BE CONSTRUCTED AROUND THE ROOT BALL. BERM SHALL BEGIN AT ROOT BALL PERIPHERY.
4. FINISHED GRADE.
5. TOP OF ROOT BALL SHALL BE FLUSH WITH FINISHED GRADE.
6. PRIOR TO MULCHING, LIGHTLY TAMP SOIL AROUND THE ROOT BALL IN 6" LIFTS TO BRACE TREE. DO NOT OVER COMPACT. WHEN THE PLANTING HOLE HAS BEEN BACKFILLED, POUR WATER AROUND THE ROOT BALL TO SETTLE THE SOIL.
7. LOOSENED SOIL, DIG AND TURN THE SOIL TO REDUCE COMPACTION TO THE AREA AND DEPTH SHOWN. BACKFILL MIX: TOPSOIL 75% AND COMPOST 25%.
8. BOTTOM OF ROOT BALL RESTS ON EXISTING OR RECOMPACTED SOIL.
9. UNDISTURBED SUBSOIL.

SMALL TREE PLANTING (14' OR LESS)

N.T.S.



PALM STAKING DETAIL

N.T.S.

CITY OF PSL # P23-054 (SP), P23-056 (SEU)

PSLUSD #11-033-0017

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SHEET NO. LS-5

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DN: C=US, O=CPH INC., CN=Danita R Bryant: A01410C00000177F F4592340001852?
Reason: I am the author of this document
Location: your signing location here
Date: 2023.06.09 11:58:28-04'00'

Jun 09, 2023

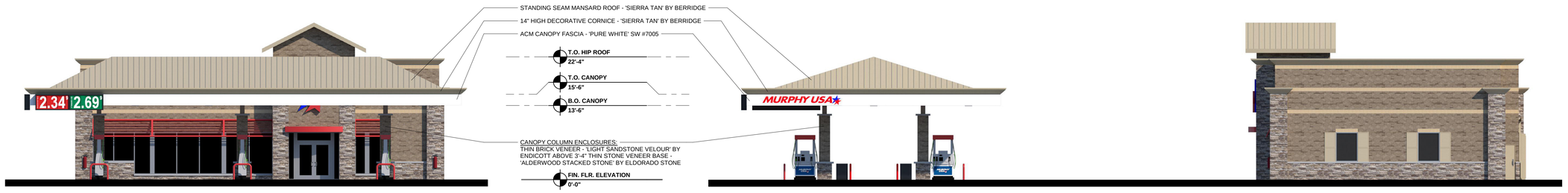
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JOB NO. M3689	N.R.C.
	D.R.B. DES
	A.M.D. PM
5/1/23 DATE	T.H.H. PRN
REV–1	

LANDSCAPE NOTES AND DETAILS
MURPHY USA
10575 US HWY 1
PORT SAINT LUCIE FLORIDA

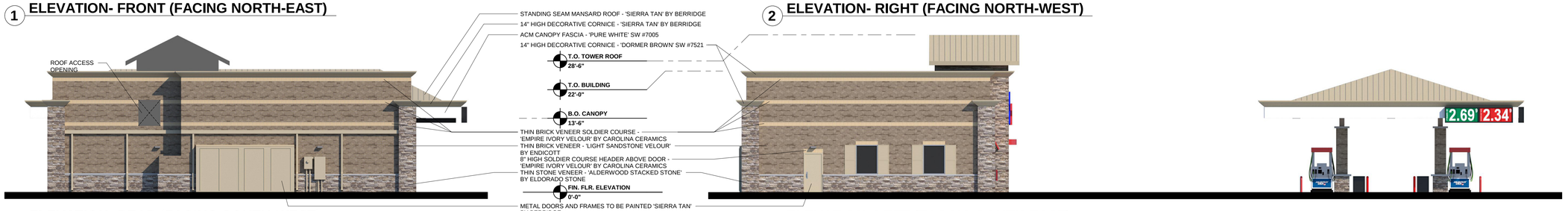
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Miami, Fl 33135
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Licenses:
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Survey L.B. No. 7143
Arch, Lic. No. AA2600926
Lndscp. Lic. No. LC0000298

MURPHY OIL USA, INC.
200 PEACH STREET
EL DORADO, AR 71731-7000
MURPHY USA



1 ELEVATION- FRONT (FACING NORTH-EAST)

2 ELEVATION- RIGHT (FACING NORTH-WEST)



3 ELEVATION- REAR (FACING SOUTH-WEST)

4 ELEVATION- LEFT (FACING SOUTH-EAST)



FRONT ELEVATION

BUILDING MATERIALS	AREA (SQ.FT.)
ACM:	
PROGRAM RED	10.50
BRICK:	
LIGHT SANDSTONE VELOUR	686.59
EMPIRE IVORY VELOUR	93.27
STONE:	
ALDERWOOD STACKED STONE	285.88

CANOPY MATERIALS	AREA (SQ.FT.)
ACM:	
PURE WHITE	156.69
BRICK:	
LIGHT SANDSTONE VELOUR	100.12
STONE:	
ALDERWOOD STACKED STONE	48.19

RIGHT ELEVATION

BUILDING MATERIALS	AREA (SQ.FT.)
ACM:	
PROGRAM RED	-
BRICK:	
LIGHT SANDSTONE VELOUR	514.95
EMPIRE IVORY VELOUR	79.73
STONE:	
ALDERWOOD STACKED STONE	210.65

CANOPY MATERIALS	AREA (SQ.FT.)
ACM:	
PURE WHITE	92.00
BRICK:	
LIGHT SANDSTONE VELOUR	100.12
STONE:	
ALDERWOOD STACKED STONE	48.19

REAR ELEVATION

BUILDING MATERIALS	AREA (SQ.FT.)
ACM:	
PROGRAM RED	-
BRICK:	
LIGHT SANDSTONE VELOUR	932.26
EMPIRE IVORY VELOUR	117.98
STONE:	
ALDERWOOD STACKED STONE	285.68

CANOPY MATERIALS	AREA (SQ.FT.)
ACM:	
PURE WHITE	156.69
BRICK:	
LIGHT SANDSTONE VELOUR	100.12
STONE:	
ALDERWOOD STACKED STONE	48.19

LEFT ELEVATION

BUILDING MATERIALS	AREA (SQ.FT.)
ACM:	
PROGRAM RED	-
BRICK:	
LIGHT SANDSTONE VELOUR	530.38
EMPIRE IVORY VELOUR	81.17
STONE:	
ALDERWOOD STACKED STONE	210.01

CANOPY MATERIALS	AREA (SQ.FT.)
ACM:	
PURE WHITE	92.00
BRICK:	
LIGHT SANDSTONE VELOUR	100.12
STONE:	
ALDERWOOD STACKED STONE	48.19

SIGNAGE COLOR CHART

BUILDING - CHANNEL LETTER SIGNS FURNISHED AND INSTALLED BY THE SIGN VENDOR

MURPHY USA STAR LOGO	BLUE	ORACAL 8500 - 005 MIDDLE BLUE
	RED	ORACAL 8500 - 031 RED
	RETURNS	WHITE
	TRIMCAP	WHITE JEWELEITE

CANOPY - ROUTED SIGNS FURNISHED AND INSTALLED BY FMS

MURPHY USA STAR LOGO	BLUE	EASTMAN BLUE, PANTONE 287 BLUE 3M 3630-87 ROYAL BLUE
	RED	PROGRAM RED, PANTONE 485 RED 3M 3630-43 RED
	WHITE	EASTMAN WHITE

CANOPY - PRICE SIGNS FURNISHED AND INSTALLED BY THE SIGN VENDOR

UNLEADED	RED	3M 3632-73
	WHITE	3M 3632-20
	DIGIT	RED/WHITE
	CABINET	BLACK
DIESEL	GREEN	3M 3632-26
	WHITE	3M 3632-20
	DIGIT	GREEN/WHITE
	CABINET	BLACK

MONUMENT - PRICE SIGNS FURNISHED AND INSTALLED BY THE SIGN VENDOR

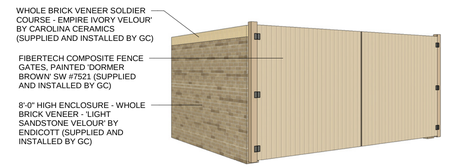
MURPHY USA STAR LOGO	BLUE	3M 3632-157
	RED	3M 3632-43
	SILVER	3M 3630-121
	CABINET	BLACK
UNLEADED	RED	3M 3632-73
	WHITE	3M 3632-20
	DIGIT	RED/WHITE
	CABINET	BLACK
DIESEL	GREEN	3M 3632-26
	WHITE	3M 3632-20
	DIGIT	GREEN/WHITE
	CABINET	BLACK

5 ELEVATION- FRONT BUILDING ONLY (FACING NORTH-EAST)

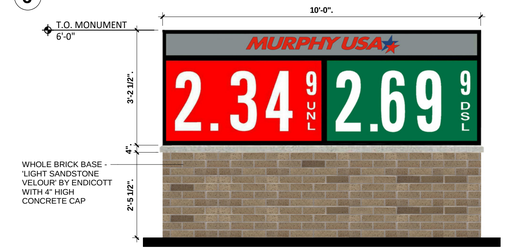


KEYED NOTES:

1. VERTICAL, RECTANGULAR WINDOWS
2. BAHAMA SHUTTERS
3. SIDE WINDOW SHUTTERS
4. SLOPED PRIMARY ROOF
5. STONE / CONCRETE / BRICK PAVERS
6. CANOPY / AWNING



6 TRASH ENCLOSURE



7 MONUMENT SIGN

BUILDING & CANOPY SIGNS:	QTY.	HEIGHT	WIDTH	AREA S.F.	TOTAL S.F.
MURPHY USA CHANNEL LETTER BLDG. LOGO SIGN	1	GRAPHIC AREA		24.76	24.76
MURPHY USA CHANNEL 'STAR' SIGN	1	GRAPHIC AREA		34.90	34.90
MURPHY USA CANOPY LOGO SIGN	1	GRAPHIC AREA		24.76	24.76
SMALL CANOPY PRICE SIGN	4	34.13"	74.00"	17.54	70.16
			BUILDING & CANOPY SIGNS TOTAL SIGNAGE :		154.58 S.F.
MONUMENT SIGN:					
LOGO / UNL / DSL	1	38.50"	120.00"	32.08	32.08
			MONUMENT SIGNS TOTAL SIGNAGE :		32.08 S.F.
			TOTAL SIGN AREA :		186.66 S.F.

MURPHY USA

PORT ST. LUCIE (10575 S US HWY 1) (R01)
MARCH 06, 2023

LETTER OF JUSTIFICATION
Special Exception Use Application
Murphy USA
September 13, 2023

REQUEST

On behalf of the Petitioner, Engineering, Design, & Construction, Inc. (EDC) is requesting approval of a special exception use application for a proposed 2,824-sf Murphy convenience store to allow for automobile fuel sales and to allow for retail convenience store uses with or without fuel service stations within the General Commercial (CG) zoning designation. The subject property is approximately 1.16 acres and can be identified as parcel ID # 3414-501-4711-000-3. The applicant is proposing to the redevelopment of this site. A Site Plan application is being submitted concurrently with this application. The property address is 10575 S. US Highway 1 in Port St. Lucie, Florida.

SITE CHARACTERISTICS & PROJECT HISTORY

The subject property is located on the west side of US Highway 1 and north of SE Port St. Lucie Boulevard and is currently developed. The application is proposing the redevelopment of this parcel for a convenience store with gas sales.

The subject property currently comprised of approximately 1.16 acres. The parcel currently has a 3,318-sf bank building with five (5) drive-thru lanes constructed along with associated site improvements.

The subject property has a Future Land Use designation of Commercial General (CG) and an underlying Zoning designation of General Commercial (CG).

North of the subject parcel is an Applebee's restaurant. This parcel has a Future Land Use designation Commercial General (CG) and an underlying Zoning designation of Planned Unit Development (PUD).

South of the subject parcel lies an existing bank building (southeast) and a Tire Kingdom (southwest). These parcels have a Future Land Use designation Commercial General (CG) and an underlying Zoning designation of Commercial General (CG).

East of the subject parcel lies the Right-of-Way of US Highway 1 followed by a developed commercial building. This parcel is in the jurisdiction of St. Lucie County and has a Future Land Use designation of Commercial (COM) and an underlying Zoning designation of General Commercial (CG).

West of the subject parcel lies a developed Tire Kingdom. This parcel has a Future Land Use designation of Commercial General (CG) and an underlying Zoning designation of Commercial General (CG).

SPECIAL EXCEPTION USE (SEU REQUIREMENTS)

Section 158.260 of the Port St. Lucie Zoning Code identifies the requirements for approval of an SEU application. The attached site plan meets all of the requirements of Section 158.260.

The below outlines the requirements that must be met for City Council to grant an approval.

a) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.

RESPONSE: As seen on the attached SEU plan, ingress and egress access currently exists on the north and side of the proposed development via exiting access easements onsite.

b) Adequate off-street parking, loading areas, and adequate stacking may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

RESPONSE: The proposed development meets the minimum parking and loading area requirements. The proposed development would not create undue noise, glare, odor or other detrimental effects to the adjacent properties.

c) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

RESPONSE: The proposed development will be served by PSLUSD. The applicant is proposing a grinder station to serve the development. There are adequate facilities in the area to serve the development.

d) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.

RESPONSE: The proposed development is adjacent to other commercial developments. The proposed development will supply the appropriate landscape buffering.

e) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

RESPONSE: Photometric plans will be submitted as part of the site plan review process and will meet the minimum requirements of the City of Port St. Lucie Land Development Code to ensure no adverse effects to adjacent properties and to ensure traffic safety.

f) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

RESPONSE: At the time of site plan application, required yard and open space will be depicted on the site plan and will meet the minimum requirements of the City of Port St. Lucie Land Development Code.

g) The use as proposed will be in conformance with all stated provisions and requirements of this chapter.

RESPONSE: The proposed use does conform with the stated provisions and requirements of this chapter. All local and State permits will be obtained prior to commencement of construction.

h) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.

RESPONSE: The proposed use will not impair the health, safety, welfare or convenience of residents and workers in the City. The parcel is currently adjacent to other commercial uses and not adjacent to residential parcels.

i) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity. The City may require certain uses such as car washes, gas stations, and other potential noise generating uses submit a noise impact analysis prepared by a qualified professional.

RESPONSE: Access to the development is proposed via ingress / egress easements to US Highway 1 and Port St. Lucie Blvd. The proposed uses would not create undue noise. The development will meet the minimum requirements of the City of Port St. Lucie Land Development Code, including but not limited to pedestrian access, lighting and signage. A Dumpster enclosure is proposed on the southern portion of the site also to reduce any impacts to residential parcels.

j) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes, changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood. To minimize exposure to excessive noise, the City may require noise control features, limit hours of operation, and other mitigation methods.

RESPONSE: The parcels located to the subject parcel have a Future Land Use Designation of Commercial General (CG) and Planned Unit Development (PUD) which are designated to accommodate general retail stores and services with restrictions on heavy vehicular sales, service, wholesale, warehouse uses and outdoor storage or other nuisance uses. The proposed convenience store with gas sales is consistent with the intent of the Future Land Use element and is consistent with other developed uses currently constructed in the City of Port St. Lucie with CG Future Land Use designations.

The proposed uses would not create undue noise. The development will meet the minimum requirements of the City of Port St. Lucie Land Development Code, including but not limited to pedestrian access, lighting and signage. The proposed Dumpster enclosure is located on the southern portion of the site to also reduce any impacts to residential parcels.

k) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

RESPONSE: Acknowledged. The parcel totals 1.16 acres for development of a Murphy Convenience Store with fuel sales. The site plan will meet all requirements of the City of Port St. Lucie Land Development Code.

l) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

RESPONSE: Acknowledged.

SEU REQUIREMENTS

Section 158.256 of the Port St. Lucie Zoning Code identifies the submittal requirements for an SEU Submittal. Documents required as part of this application are included in full.

Based on the above and attached information, the applicant respectfully requests approval of the proposed applications.

Z:\EDC-2022\22-494 - Stern Development - US 1\ENGINEERING\Documents\Submittal Documents\Justification Statement\2022-03-13_Murphy_USA_SEU_Justification_22-494.docx

City of Port St. Lucie

PUBLIC WORKS DEPARTMENT

Accredited Agency - American Public Works Association

"A City for All Ages"

MEMORANDUM

TO: Francis Forman Planner II, Planning & Zoning

THRU: Diana Spriggs, P.E. – Regulatory Division Director, Public Works D.S.

FROM: Breanna Vasquez - Project Coordinator, Public Works B.V.

DATE: July 18, 2023

SUBJECT: P23-056 Murphy USA – Special Exception Use
Traffic Generation, Stacking & Circulation Approval

This application and Traffic Report prepared by JFO Group Inc. dated March 14, 2023 has been reviewed by the Public Works Department and the transportation elements of the project were found to be in compliance with the adopted level of service and requirements of Chapter 156 of City Code, and Public Works Policy 19-01pwd.

The proposed 2,824 SF Convenience Store with 12 fueling positions results in 230 PM Peak Hour trips according to the ITE Trip Generation Manual, 11th edition. Due to this site being already surrounded by commercial development and this site is existing as a bank site, no further turn lanes or offsite improvements are needed. The access off U.S Hwy No.1 already has an existing right turn lane.

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4260128 OR BOOK 3945 PAGE 150, Recorded 12/21/2016 09:50:15 AM Doc Tax: $17910.20

Return to Brooke McCranie
Commonwealth Land Title Insurance Co.
5690 W Cypress St., Ste A
Tampa, FL 33607
File # 6092056

Consideration: $2,558,600.00

Prepared by and return to:

Daniel F. Sullivan
101 West 55th Street
New York, NY 10019

Tax Folio or Parcel ID No.
3414-501-4711-000-3

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED is made effective 19 day of December, 2016 by and between **NNN Sun, LLC**, whose mailing address is 465 First Street West, Second Floor, Sonoma, California 95476, as **Grantor**, and **Sun Lucie Pooh, LLC,** whose mailing address is 101 West 55th Street, New York, New York 10019, and is hereinafter called the **Grantee**. (All references to the parties herein shall include their successors, and assigns, and the terms "Grantor" and "Grantee" shall include all parties to this instrument and the successors, and assigns of the parties.)

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged by these presents, does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situate in ~~Hillsborough~~ St. Lucie County, Florida, *viz*:

See Exhibit "A" attached hereto

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging to or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND as against all persons claiming by, through, or under the Grantor, said Grantor does hereby covenant and warrant that (a) the title to the Property is free from all liens and encumbrances, except for all matters of public record; (b) lawful seizing of and good right to convey the Property are vested in Grantor; and (c) Grantor will defend the same against the lawful claims of all persons claiming by, through or under Grantor but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of:

GRANTOR: **NNN Sun, LLC**
A Delaware limited liability company

Witness

By: _____
David R. Grieve, Manager

Benjamin B. Vick
Print or type your name here

Witness

PETER WOHLFEILER
Print or type your name here

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of November, 2013 by _____

Who: (check one)
☒ is personally known to me; or
☐ has produced , as identification.

See attached

_____
Signature of notary public

_____
My Commission Expires: _____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

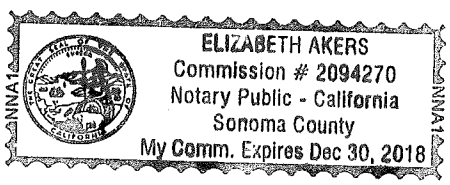
State of California

County of Sonoma

On December 15, 2016, before me, Elizabeth Akers, Notary Public, personally appeared David R. Grieve, who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is~~/are~~ subscribed to within the instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity, and that by his~~/her/their~~ signature on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Elizabeth Akers
Notary Public

NOTARY SEAL

EXHIBIT "A"

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, AS IT NOW EXISTS, AND THE NORTH RIGHT-OF-WAY LINE OF PORT ST. LUCIE BOULEVARD, AS IT NOW EXISTS, THENCE N. 27° 53'31" W. ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, 262.93 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE N. 27° 53'31" W, ALONG THE SAID WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, 187.96 FEET; GO THENCE S. 58° 22'54" W., 354.81 FEET; THENCE S. 19° 30'40" E 225.0 FEET; THENCE S. 89° 56'45" E. ALONG THE SAID NORTH RIGHT-OF-WAY LINE OF PORT ST. LUCIE BOULEVARD, 175.0 FEET; THENCE N. 00° 03'11" E 158.15 FEET; THENCE N. 62° 06'29" E., 158.15 FEET TO THE POINT OF BEGINNING. ALL OF SAID LAND LYING AND SITUATE IN SECTION 12, TOWNSHIP 37 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

LESS AND EXCEPT:

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, AS IT NOW EXISTS AND THE NORTH RIGHT-OF-WAY OF PORT ST. LUCIE BLVD. AS IT NOW EXISTS, THENCE N 27° 53'31" WEST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, A DISTANCE OF 450.89 FEET, THENCE SOUTH 58° 22'54" WEST A DISTANCE OF 269.89 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 58° 22'54" WEST A DISTANCE OF 84.92 FEET, THENCE SOUTH 19° 30'40" E., A DISTANCE OF 225.00 FEET TO THE NORTH RIGHT-OF-WAY OF PORT ST. LUCIE BLVD., THENCE SOUTH 89° 56'45" EAST ALONG THE NORTH RIGHT-OF-WAY OF PORT ST. LUCIE BLVD., A DISTANCE OF 175.00 FEET, THENCE NORTH 0° 03'11" EAST A DISTANCE OF 88.27 FEET, THENCE NORTH 63° 02'41" WEST A DISTANCE OF 139.98 FEET, THENCE NORTH 41° 52'44" WEST A DISTANCE OF 60.31 FEET, THENCE NORTH 12° 5'17" WEST A DISTANCE OF 61.50 FEET TO THE POINT OF BEGINNING. ALL OF SAID LAND LYING AND SITUATE IN SECTION 12, TOWNSHIP 37 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

TOGETHER WITH THOSE EASEMENTS AS SET OUT IN THE GRANT OF EASEMENT RECORDED IN OFFICIAL RECORDS, BOOK 315, PAGE 313, AND AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 365 PAGE 342

TOGETHER WITH AN EASEMENT FOR INGRESS/EGRESS AS SET OUT IN OFFICIAL RECORDS BOOK 591, PAGE 2856, AND AS MODIFIED BY MODIFICATION OF EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 671 PAGE 1307

TOGETHER WITH THOSE EASEMENTS AS SET OUT IN THE DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 810, PAGE 1672

Murphy USA – Convenience Store
10575 S US Highway 1
Special Exception Use
Project: P23-056

Planning and Zoning Board Meeting

Francis Forman, Planner II

August 1, 2023, Meeting

CityofPSL.com

PROJECT SUMMARY

- A special exception use is sought to allow a convenience store with fuel sales for a use totaling 6,396 square feet for a proposed Murphy USA gas station.
- Section 158.124(C)(11) of the General Commercial Zoning Code: Lists a retail convenience store with or without fuel service station as a special exception use that may only be permitted following the review and specific approval by the City Council.

CityofPSL.com

Request Summary

Applicant's Request:	Review a Special Exception Use to allow a retail convenience store with fuel sales in the General Commercial (CG) Zoning District: for a Murphy USA gas station.
Agent:	Brad Currie, EDC Inc.
Applicant /Property Owner:	Sun Lucie Pooh, LLC
Location:	This property is located at the northwest corner of the intersection of US Highway 1 and SE Port St. Lucie Boulevard.

AERIAL MAP

Surrounding Uses

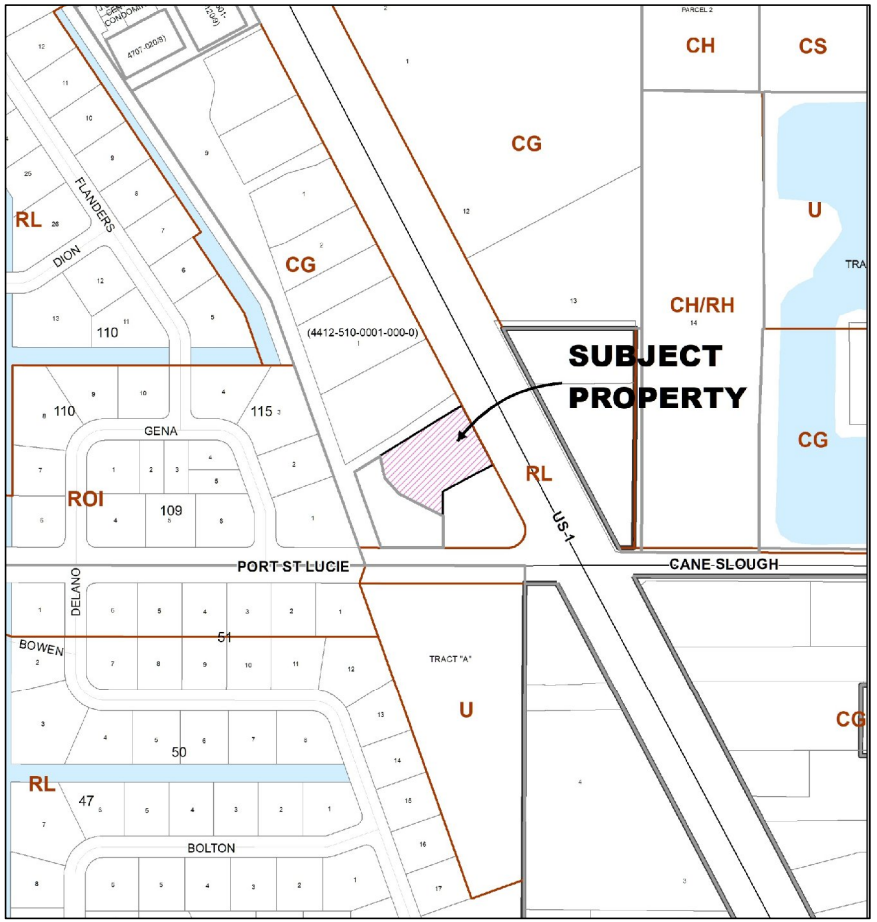
Direction	Future Land Use	Zoning	Existing Use
North	Commercial General (CG)	Planned Unit Development (PUD)	Retail
South	General Commercial (CG)	General Commercial (CG)	Bank/Retail
East	Highway Commercial/High Density Residential (CH/RH)	General Commercial (CG)	Retail/Residential
West	General Commercial (CG)	Professional (P)	Office



CityofPSL.com

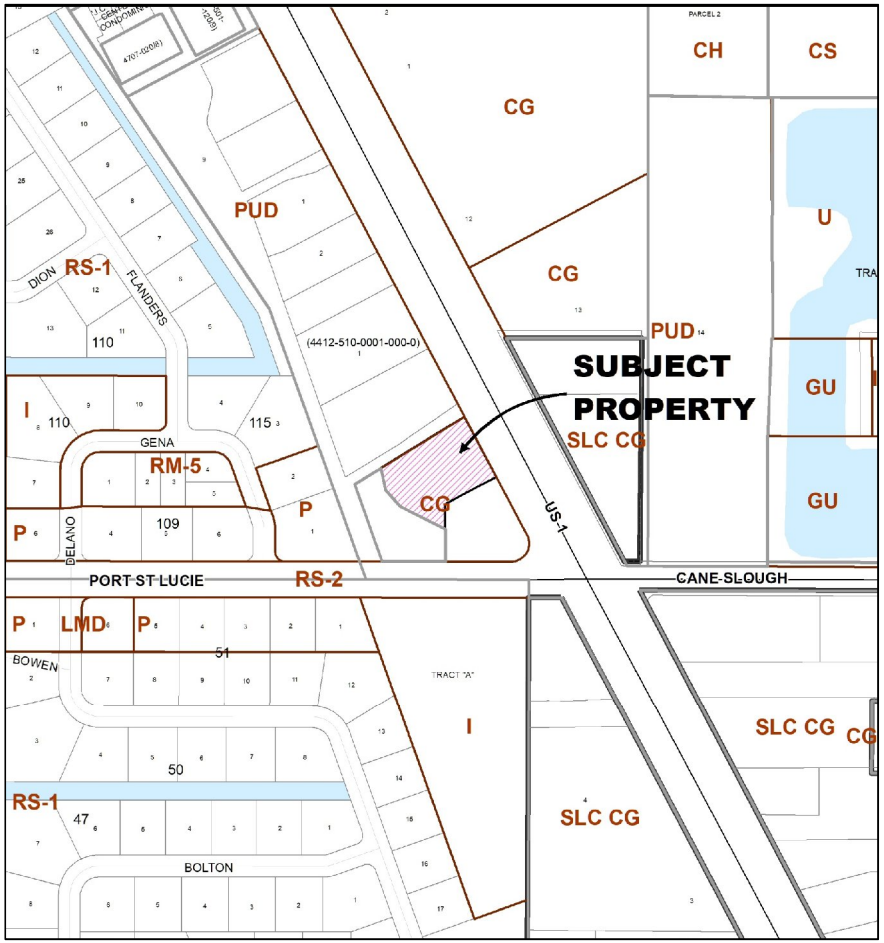
Land Use

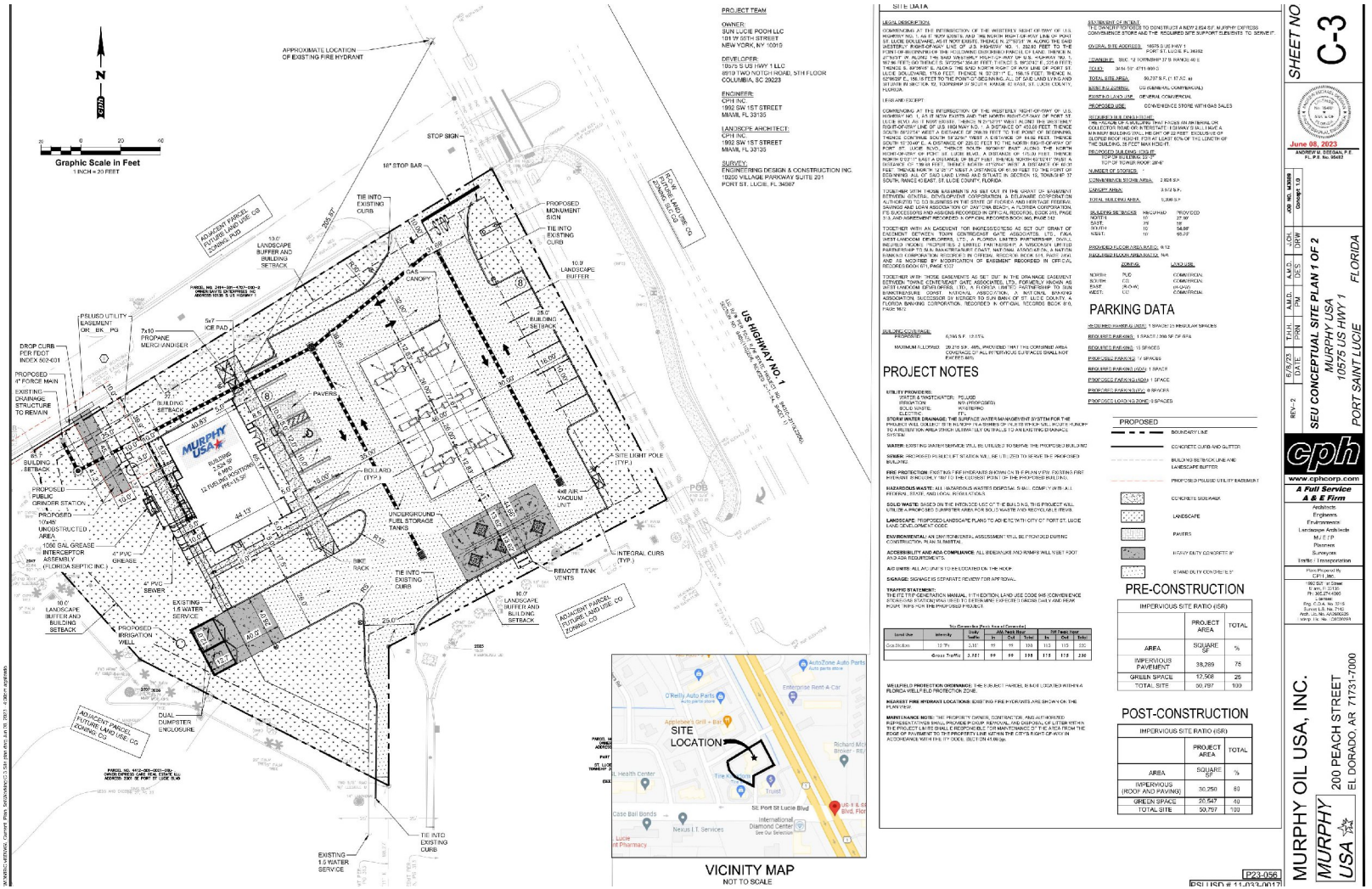
CG (General Commercial)



Zoning

CG (General Commercial)





Conceptual Site Plan

Evaluation of SEU CRITERIA (Section 158.260)	FINDINGS
ADEQUATE INGRESS AND EGRESS (§ 158.260 (A))	The conceptual site plan demonstrates that the site has adequate ingress and egress for vehicles and will allow for pedestrian safety and convenience.
ADEQUATE OFF-STREET PARKING AND LOADING AREAS (§ 158.260 (B))	Adequate off-street parking is provided for the proposed use within the proposed site. A recreational facility requires one (1) space per two hundred (200) square feet of gross floor area as per section 158.221(C)(5). The establishment requires 14 spaces. The site plan provides a total of 17 spaces for the retail strip.
ADEQUATE AND PROPERLY LOCATED UTILITIES (§ 158.260 (C))	Adequate utilities are available to service the development.
ADEQUATE SCREENING OR BUFFERING (§§ 158.260 (D) (F))	There will be adequate screening and buffering for this site.
SIGNAGE AND EXTERIOR LIGHTING (§158.260 (E))	Signs and outdoor lighting will comply with City Codes.
COMPATIBILITY WITH SURROUNDING USES (§§ 158.260 (H) (I) (J))	The establishment is not anticipated to impair the health, safety, welfare, or convenience of residents and workers in the City. The proposed convenience store with fuel sales is expected to generate noise to the area based off the intensity of the proposed use, however the noise from the proposed use will not affect the surrounding uses in the area as they are of similar use. The establishment will operate year-round and is open 7 days a week.

Traffic Impact Analysis

- The Traffic Impact Analysis received in March 2023 was reviewed by City Staff and found to be in compliance with Public Works Policy #19-01
- Per ITE Trip Generation Manual, 11th Edition, this site would produce a total of 230 PM Peak Hour trips. This is divided over access points and in/out movements.
- A right turn lane is existing at the driveway along U.S Hwy No. 1.
- No stacking concerns are anticipated at this site based on the proposed driveway throat designs.

QUESTIONS OR COMMENTS?

PLANNING AND ZONING BOARD ACTION OPTIONS:

- Make a motion to recommend approval to the City Council
- Make a motion to recommend approval to the City Council with conditions
- Make a motion to recommend denial to the City Council
- Make a motion to table or continue the hearing or review to a future meeting

CityofPSL.com



MEMORANDUM

TO: Francis Forman, Planner II
Planning and Zoning Department

FROM: Jennifer Davis, Director, Community Redevelopment Agency

DATE: July 25, 2023

RE: Murphy Oil
Special Exception Use P23-056

The City of Port St. Lucie Community Redevelopment Agency staff is in support of the Special Exception Use application for a new Murphy Oil USA location along the US Highway One corridor (P23-056).

The redevelopment of a site of a former bank building along the US Highway One Corridor is in line with the CRA Master Plan Goals and Objectives by promoting business investment and economic development within the corridor. In addition, and more specifically within Goal 10 therein, the City should "encourage renovation and redevelopment of older strip commercial areas or vacated sites per the direction of the plan."

Should you have any questions or need any additional information, please do not hesitate to reach out to me.

"A City for All Ages"

Agenda Summary

2023-568

Agenda Date: 8/1/2023 **Agenda Item No.:** 8.c

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-097 Monna Homes, LLC - Variance

Location: 520 SE Cliff Road

Legal Description: Port St. Lucie Section 39, Block 2655, Lot 18

This is a request for a variance of 12.42 feet to allow a 12.58-foot setback from the rear property line for a proposed single-family residence.

Submitted By: Bianca Lee, Planner II

Executive Summary: The applicant is requesting a variance of 12.42 feet to allow a 12.58-foot setback from the rear property line for a proposed single-family residence. As per Section 158.073(H)(3) Yard Requirements and Landscaping, a minimum building setback line of twenty-five (25) feet is required in the rear yard for Single-Family Residential Districts. The proposed single-family residence will meet the side setback requirement within RS-2 (Single-Family Residential).

Presentation Information: A presentation will be provided.

Staff Recommendation: Move that the Board review the variance application and vote to approve, approve with conditions, or deny the variance request.

Background: The item was tabled at the July 5, 2023 Planning & Zoning Board meeting at the request of Planning & Zoning staff.

Issues/Analysis: See attached staff report.

Special Consideration: N/A

Location of Project: 520 SE Cliff Rd.

Attachments: 1. Staff report, 2. Formboard survey, 3. Proposed plot plan survey, 4. Applicant response to variance criteria, 5. Deed, 6. Staff presentation, 7. Variance Memo 7-3-23 Entered as Public Comment, 8. Additional Public Comment

Monna Homes, LLC
Variance: Rear Yard Setback
Project Number: P23-097



Project Aerial Map

S**UMMARY**

Applicant's Request:	To grant a variance of 12.42 feet to allow a 12.58-foot setback from the rear property line for a proposed single-family residence.
Applicant:	Zamel Abou
Property Owner:	Monna Homes LLC.
Location:	520 SE Cliff Rd.
Application Type: (Identify if quasi-judicial)	Variance, Quasi-Judicial
Project Planner:	Bianca Lee

Project Description

The applicant is requesting a variance of 12.42 feet to allow a 12.58-foot setback from the rear property line for a proposed single-family residence. Section 158.073(H)(3) Yard Requirements and Landscaping, requires a minimum building setback line of twenty-five (25) feet in the rear yard for Single-Family Residential Districts. The proposed addition will meet the side setback requirement within RS-2 (Single-Family Residential).

Review Criteria

An application for a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299. Final action on the application (approval or denial) is in the form of an Order of the Planning and Zoning Board following a quasi-judicial public hearing. A vote of approval by five (5) members of the Planning and Zoning Board is required to grant a variance.

Public Notice Requirements (Section 158.298 (B))

Public notice was mailed to owners within 750 feet and the file was included in the ad for the Planning & Zoning Board's agenda.

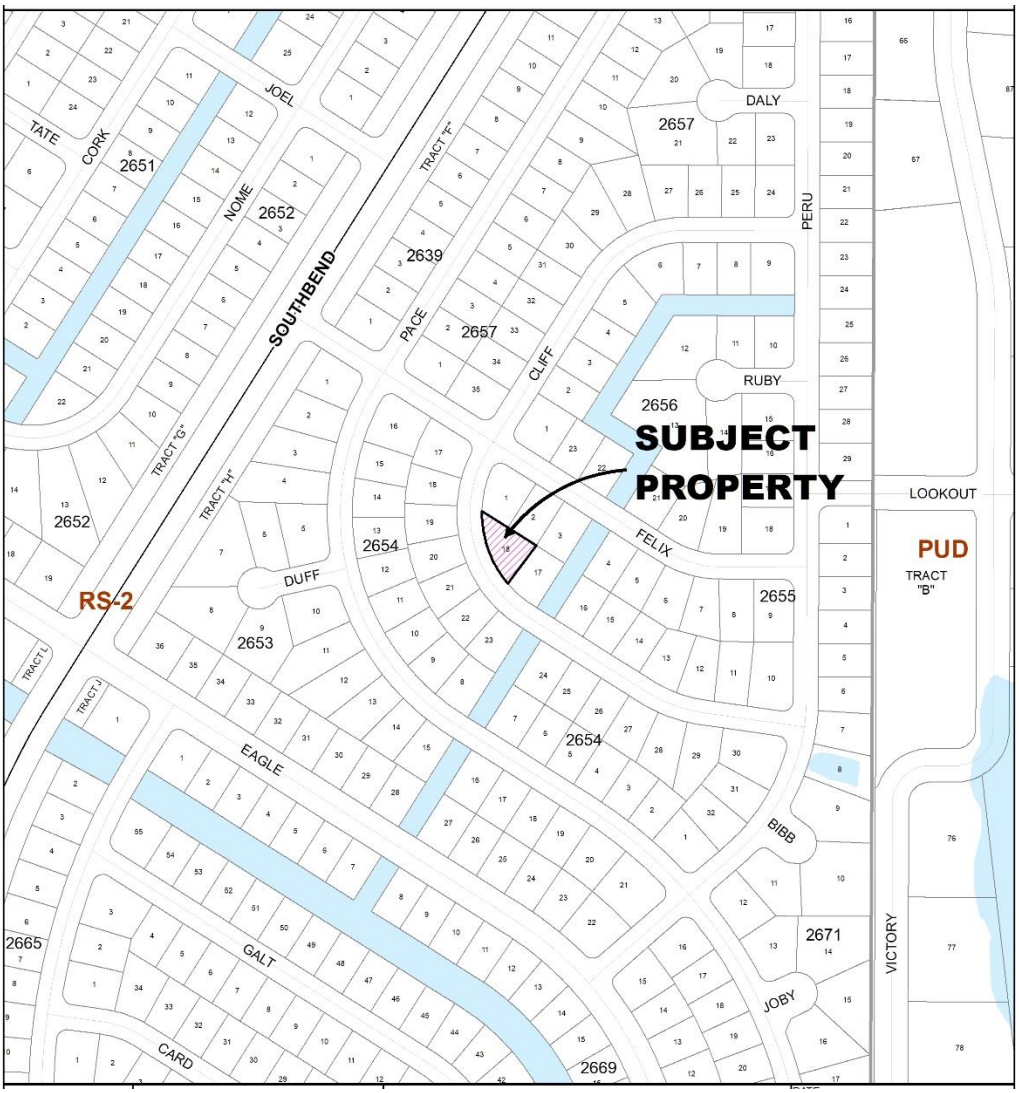
Location and Site Information

Parcel Number:	3420-690-0576-000-8
Property Size:	0.34 AC/ 14,995 SF
Legal Description:	Port St. Lucie Section 39, Block 2655, Lot 18
Address:	520 SE Cliff Rd.
Future Land Use:	Low Density Residential (RL)
Existing Zoning:	Single-Family Residential (RS-2)
Existing Use:	Single-Family Residential

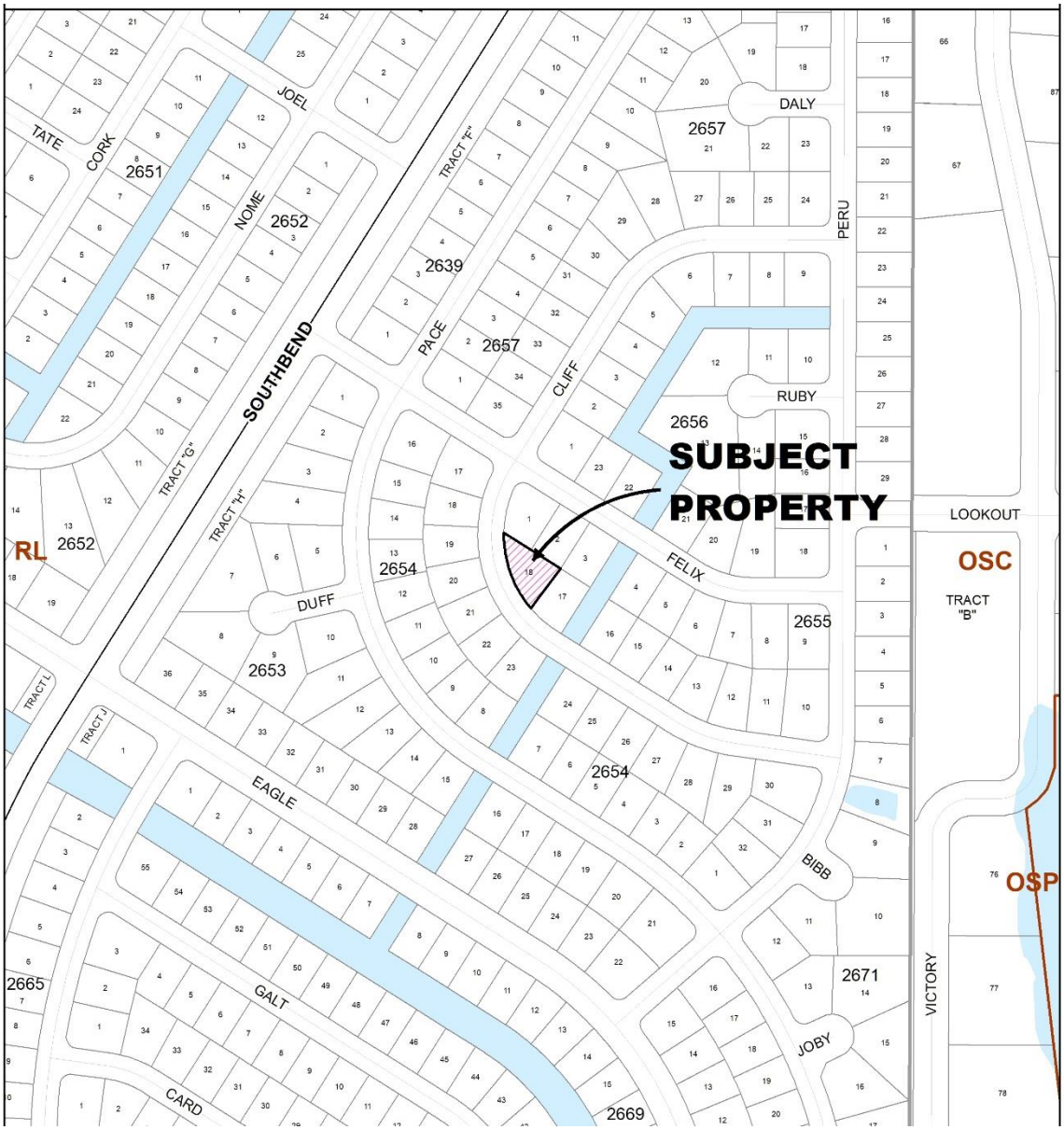
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	RS-2
South	RL	RS-2	RS-2
East	RL	RS-2	RS-2
West	RL	RS-2	RS-2

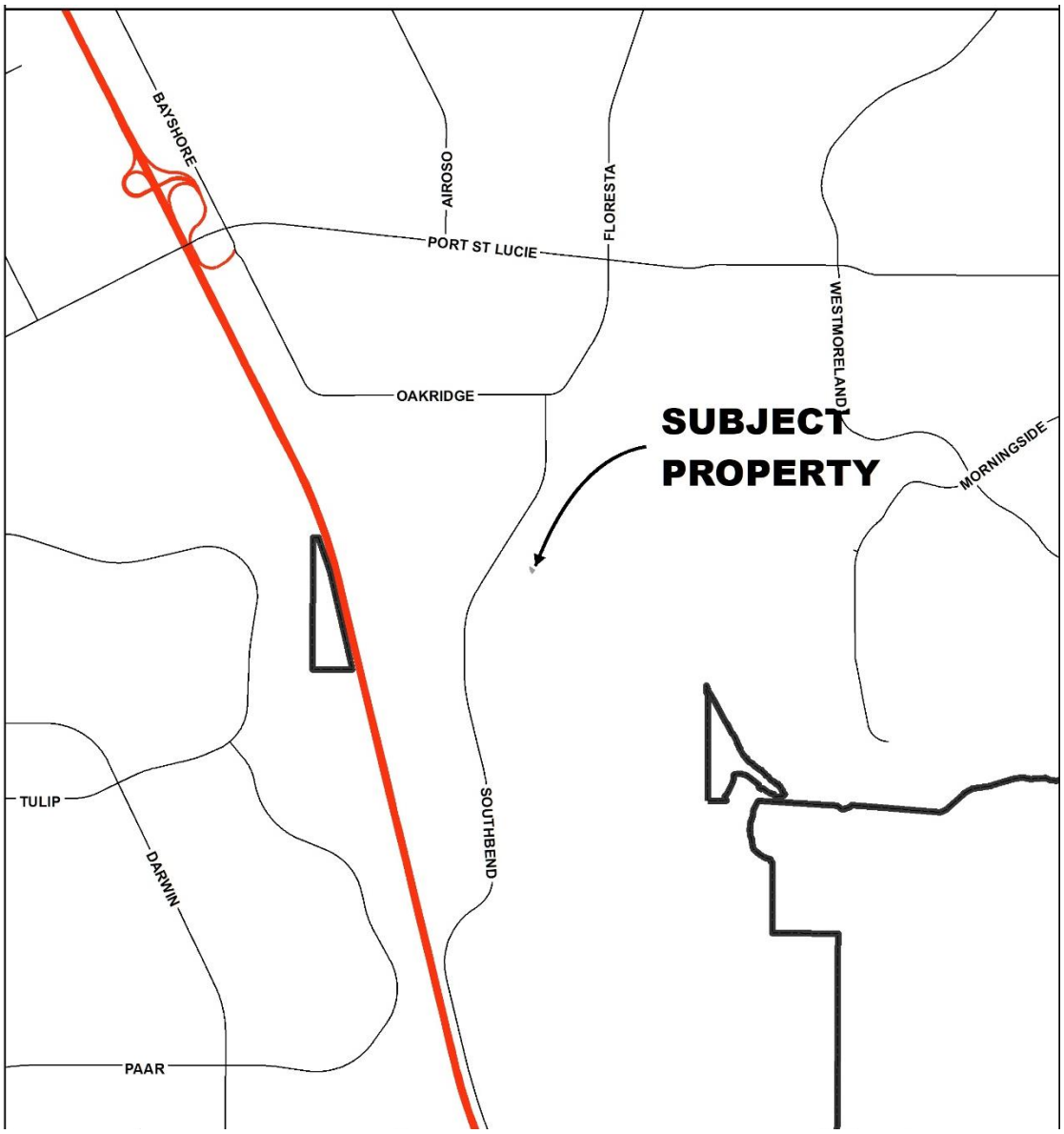
RL-Low Density Residential, and RS-2- Single-Family Residential


SUBJECT PROPERTY
RS-2
PUD
TRACT "B"
SOUTHBEND
PERU
CLIFF
PACE
FELIX
DUFF
RUBY
DALY
LOOKOUT
VICTORY
JOBY
BIBB
EAGLE
GALT
CARD
JOEL
NOME
CORK
TATE
TRACT "G"
TRACT "H"
TRACT "I"
TRACT L
TRACT J
2651
2652
2653
2654
2655
2656
2657
2639
2665
2669
2671

Zoning Map



Project Land Use Map



Location Map

IMPACTS AND FINDINGS

Section 158.295 (B) of the Zoning Code establishes the duties of the Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board may authorize a variance from the provisions of the Zoning Code as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. Pursuant to Section 158.296, a variance is authorized only for height, area, and size of structure, yard size, building setback, lot size requirements, and other applicable development regulations, excluding use. To authorize a variance, the Planning and Zoning Board should consider the criteria listed under Section 158.295 (B) (1) through (7) of the Zoning Code. The applicant's response to this criterion is attached to the application and joined with staff's review provided below:

Compatibility with variance criteria Section 158:295 (B).

1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

    - *Applicant Response: This is an odd, triangular-shaped lot.*
    - *Staff Findings: Special conditions and circumstances exist, which are peculiar to the land, structure, or building involved. The 2,352 sq. ft. home is proposed to be built on a 14,995 sq. ft. lot with an irregular shape. The applicant has secured Public Works and Building permits but has failed to receive a passing inspection on the formboard survey due to the rear-setback on said survey showing a building setback of 12.58 ft. The attached proposed plot plan was approved by City staff in error, the setbacks do not meet the code requirement. The Building Department recognized the error when the formboard survey was submitted and the site inspection was entered as a failed status on 5/15/23.*

2) That the special conditions and circumstances do not result from any action of the applicant.

    - *Applicant Response: The lot was platted with this odd shape from the beginning.*
    - *Staff Findings: Staff agrees. Also, see No. 1 above.*

3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.

    - *Applicant Response: We would still pass all inspections and pull all permits as would be required to build a single-family house on any lot in this district. We would not be receiving any special privilege.*
    - *Staff Findings: The dimensions of the proposed house would fit on a standard 80' by 125' lot. The proposed home would appear to fit on the lot if it was rotated and constructed adjacent to lot 17 with a 10' side yard setback.*

4) That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.

    - *Applicant Response: We would lose all money invested in this property and would not be able to build a single family home.*

- *Staff Findings: Literal interpretation of the provisions of the chapter may deprive the applicant of rights commonly enjoyed by other properties in the same zoning district or introduce unnecessary and undue hardships on the applicant. The plans would need to be revised to show the home in a different orientation on the plot plan and formboard survey.*

5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

    - *Applicant Response: This variance is the minimal possible variance that would allow us to build a small home on this lot.*

    - *Staff Findings: The variance granted is the minimum variance that will allow the home to be built in accordance with the existing formboard survey. The proposed home is 1,844 sq. ft. under air, & 2,352 sq. ft. to include the garage, porch, & patio. The minimum living area within RS-2 Zoning is 1,200 sq. ft. for a one-story house as per RS-2 zoning Section 158.073(G). Each single-family residence shall have either a garage or a carport containing a minimum of two hundred (200) square feet and an enclosed storage area with a minimum of eighty (80) square feet which shall be accessible from the outside, garage, or carport as per Section 158.206- Special Design Requirements for Single-Family Residences.*

6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

    - *Applicant Response: Granting the variance would allow us to build a single-family home on this lot, within the property lines, as intended.*

    - *Staff Findings: See No. 5 above.*

7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

    - *Applicant Response: We will be in full compliance with any additional conditions and safeguards.*

    - *Staff Findings: The applicant has acknowledged this.*

PLANNING AND ZONING BOARD ACTION OPTIONS

The Board may choose to approve, deny, or table the proposed variance. If the Board finds that the variance application is consistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code (listed above), then the Board may:

- Motion to approve
- Motion to approve with conditions

If the Board finds that the variance application is inconsistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code, then the Board may:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may:

- Motion to table or continue the hearing or review to a future meeting

(NOTE TO APPLICANTS: Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing).

DocuSign Envelope ID: 3E40BE37-4E09-4E7D-911B-6A231D3EA5B1

BOUNDARY SURVEY

LEGAL DESCRIPTION:
(Supplied by Client)

LOT 18 IN BLOCK 2655 OF PORT ST. LUCIE SECTION THIRTY NINE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 30, PAGES 30A THROUGH 30NN, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

ABBREVIATIONS:

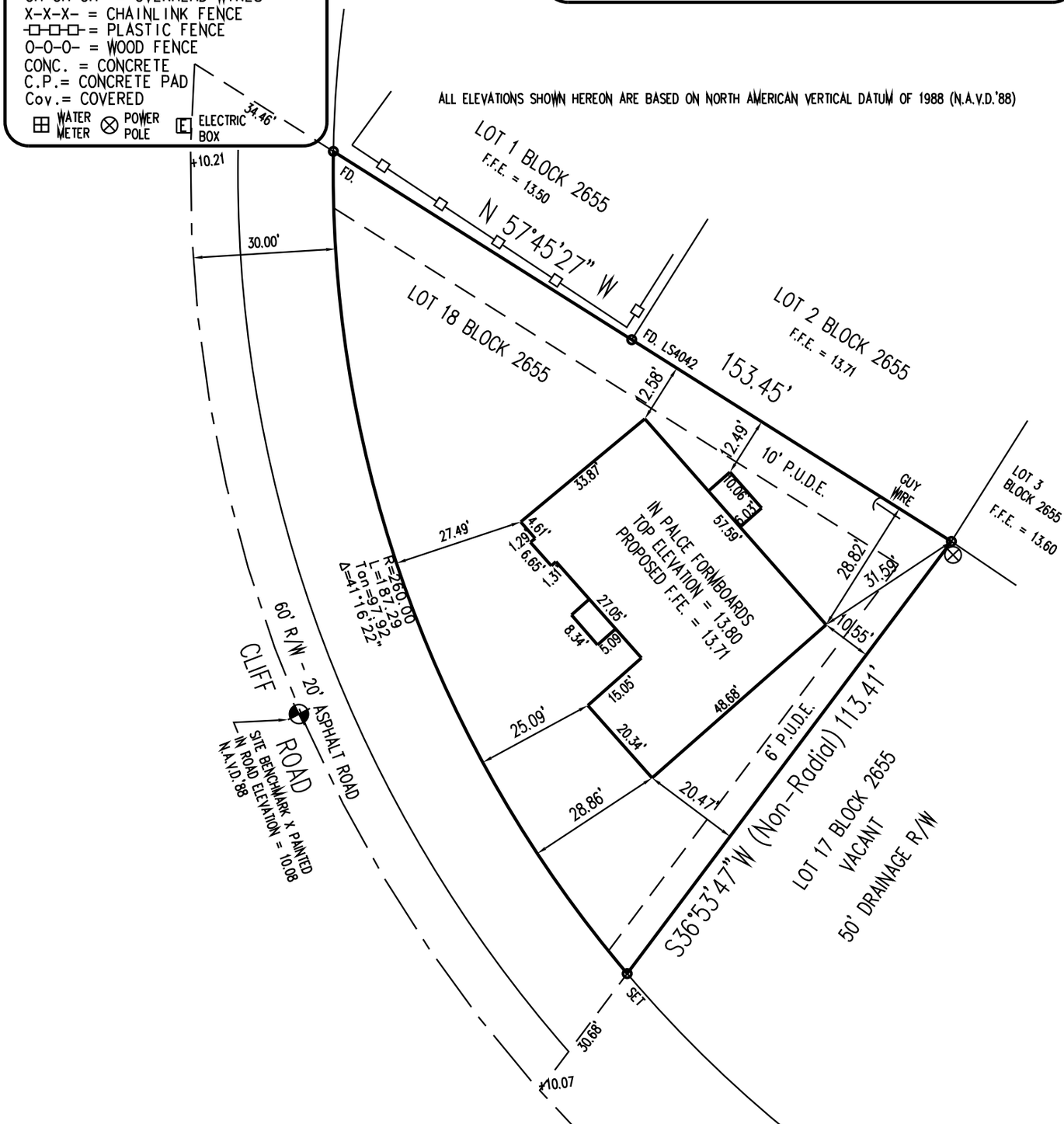
SET = SET 5/8" IRON REBAR WITH YELLOW CAP MARKED "PSM5543"
FD = FOUND 5/8 IRON REBAR
R/W = RIGHT OF WAY
(M) = MEASURED
(P) = PLATTED
(C) = CALCULATED
R = RADIUS OF CURVE
L = LENGTH OF CURVE
D= DELTA OF CURVE
FFE = FINISHED FLOOR ELEVATION
OH-OH-OH- = OVERHEAD WIRES
X-X-X- = CHAINLINK FENCE
-□-□-□- = PLASTIC FENCE
O-O-O- = WOOD FENCE
CONC. = CONCRETE
C.P.= CONCRETE PAD
Cov.= COVERED

WATER METER ⊗ POWER POLE E ELECTRIC BOX

GRAPHIC SCALE 30 20 10 0 5 10 30 NORTH

SURVEYORS NOTES:

1. UNLESS OTHERWISE NOTED ONLY PLATTED EASEMENTS ARE SHOWN HEREON.
2. ALL LOT DIMENSIONS SHOWN ARE PER PLAT UNLESS OTHERWISE SHOWN.
3. NO UNDERGROUND UTILITIES OR IMPROVEMENTS WERE LOCATED UNLESS OTHERWISE SHOWN.
4. THIS SITE LIES WITHIN FLOOD INSURANCE RATE MAP ZONE X MAP# 12111C0289 K DATED: 2-19-20.
5. FLOOD ZONE SHOWN HEREON IS AN INTERPRETATION BY THE SURVEYOR AND IS PROVIDED AS A COURTESY. THE FLOOD ZONE SHOULD BE VERIFIED BY A DETERMINATION AGENCY.+
6. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF LOT 6 AS BEING N14°24'02"E ACCORDING TO THE PLAT DESCRIBED HEREON.
7. P.U.D.E. DENOTES PUBLIC UTILITIES AND DRAINAGE EASEMENT, U.E. DENOTES UTILITY EASEMENT.
8. THE ACCURACY OF THIS SURVEY IS PREMISED ON THE EXPECTED USE OF THE SURVEY. THE EXPECTED USE/PURPOSE OF THIS SURVEY IS HOME CONSTRUCTION. ACCURACY=1 FOOT IN 7,500 FEET OR BETTER.
9. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY ANYONE OTHER THAN THE SIGNING SURVEYOR IS PROHIBITED WITHOUT WRITTEN CONSENT.



520 SE CLIFF ROAD	
SCALE: 1"=30'	Atlantic Land Designs
DATE: 4/20/23	of the Treasure Coast, LB7468
DRAWN: JC	754 NE Jensen Beach Blvd. Jensen Beach, FL 34957
2023-0268	Mailing Address: P.O. Box 1421 Jensen Beach, FL 34958 ALD5543@gmail.com (772) 398-4290
DATE:	REVISIONS
5/12/23:	FORMBOARD SURVEY
LAST FIELD DATE: 5/12/23	

Certified to: Bela Vista Contractors, Inc.
(954) 815-2700
BP# 23-18675

I hereby certify that the survey shown hereon is true and correct and is based on actual measurements taken in the field.

DocuSigned by:
James Cesiro
A1338D8A59FD4C1...

JIM CESIRO CERTIFICATE PSM 5543 STATE OF FLORIDA REGISTERED SURVEYOR & MAPPER

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL

BOUNDARY SURVEY

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WATER METER ⊗ POWER POLE E ELECTRIC BOX

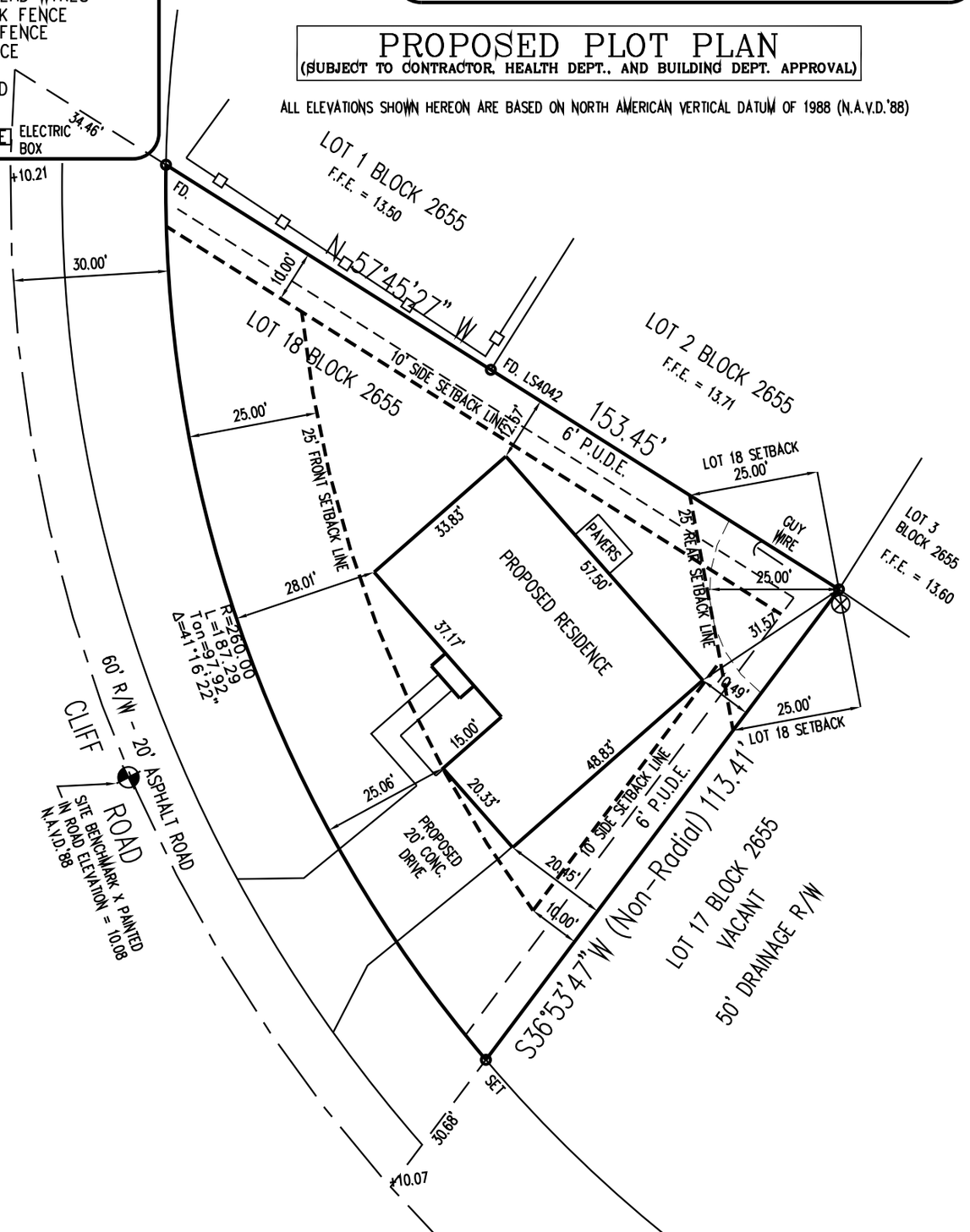
GRAPHIC SCALE 30 20 10 0 5 10 30 NORTH

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4. THIS SITE LIES WITHIN FLOOD INSURANCE RATE MAP ZONE X MAP# 12111C0289 K DATED: 2-19-20.
5. FLOOD ZONE SHOWN HEREON IS AN INTERPRETATION BY THE SURVEYOR AND IS PROVIDED AS A COURTESY. THE FLOOD ZONE SHOULD BE VERIFIED BY A DETERMINATION AGENCY.+
6. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF LOT 6 AS BEING N14°24'02"E ACCORDING TO THE PLAT DESCRIBED HEREON.
7. P.U.D.E. DENOTES PUBLIC UTILITIES AND DRAINAGE EASEMENT, U.E. DENOTES UTILITY EASEMENT.
8. THE ACCURACY OF THIS SURVEY IS PREMISED ON THE EXPECTED USE OF THE SURVEY. THE EXPECTED USE/PURPOSE OF THIS SURVEY IS HOME CONSTRUCTION. ACCURACY=1 FOOT IN 7,500 FEET OR BETTER.
9. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY ANYONE OTHER THAN THE SIGNING SURVEYOR IS PROHIBITED WITHOUT WRITTEN CONSENT.

PROPOSED PLOT PLAN
(SUBJECT TO CONTRACTOR, HEALTH DEPT., AND BUILDING DEPT. APPROVAL)

ALL ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D.'88)



520 SE CLIFF ROAD	
SCALE: 1"=30'	Atlantic Land Designs
DATE: 4/20/23	of the Treasure Coast, LB7468
DRAWN: JC	754 NE Jensen Beach Blvd. Jensen Beach, FL 34957
2023-0268	Mailing Address: P.O. Box 1421 Jensen Beach, FL 34958
	ALD5543@gmail.com (772) 398-4290
DATE:	REVISIONS
LAST FIELD DATE: 4/13/23	

Certified to: Bela Vista Contractors, Inc.
(954) 815-2700

I hereby certify that the survey shown hereon is true and correct and is based on actual measurements taken in the field.

James A. Cesiro Jr.

Digitally signed by James A. Cesiro Jr.
DN: cn=James A. Cesiro Jr., o=Atlantic Land Designs of the TC, Inc., ou, email=ALD5543@gmail.com, c=US
Date: 2023.05.24 16:38:40 -04'00'

JAMES A. CESIRO CERTIFICATE PSM 5543 STATE OF FLORIDA REGISTERED SURVEYOR & MAPPER

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL

VARIANCE APPLICATION

CITY OF PORT ST. LUCIE
Planning & Zoning Department
121 SW Port ST. Lucie Blvd.
Port St. Lucie, Florida 34984
(772)871-5213

FOR OFFICE USE ONLY

Planning Dept_____
Fee (Nonrefundable) $_____
Receipt #_____

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie. Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g.: warranty deed, affidavit), a copy of recent survey and a statement addressing each of the attached criteria.**

PRIMARY CONTACT EMAIL ADDRESS: permits@monnahomes.com

PROPERTY OWNER:

Name: Monna Homes LLC

Address: 569 Sanderling Cir, Deerfield Beach, FL 33442

Telephone No. (954) 815-2700

APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):

Name: _____

Address: _____

Telephone No. _____ Email _____

SUBJECT PROPERTY:

Legal Description: Lot 18, Block 2655, of Port St. Lucie Section 39

Parcel I.D. Number: 3420-690-0576-000-8

Address: 520 SE Cliff Rd, Port St Lucie, FL 34984

Current Zoning Classification RS-2

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary): Provide documentation that the attached variance criteria have been met.

We are requesting a variance to allow us to finish building a house on this odd-shaped lot. We had already pulled engineering and building permits (permit # 23-18675), passed the underground plumbing inspection, and placed form boards, when we were surprised to learn that there may be an issue with the rear setback.

Signature of Applicant	Zamel Abou, Managing Member Hand Print Name	06/02/2023 Date

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted. 03/02/20

§ 158.295 PLANNING AND ZONING BOARD OR ZONING ADMINISTRATOR (DIRECTOR OF PLANNING AND ZONING) TO HEAR VARIANCES; POWERS AND DUTIES OF BOARD AND ZONING ADMINISTRATOR

(C) Duties of the Zoning Administrator and Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator should consider:

(1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

(2) That the special conditions and circumstances do not result from any action of the applicant;

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;

(4) That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;

(6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

(7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

VARIANCES

The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator will consider the variance criteria in **§ 158.295 (C) 1-7 and consider your responses to the following when making a determination.**

(1) Please explain special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

This is an odd, triangular-shaped lot.

(2) Please explain if these conditions and circumstances result from actions by the applicant;

The lot was platted this odd shape from the beginning.

(3) Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;

We would still pass all inspections and pull all permits as would be required to build a single family house on any lot in this district. We would not be receiving any special priviledge.

(4) Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;

We would lose all money invested in this property, and would not be able to build a single family home.

(5) Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;

This variance is the minimal possible variance that would allow us to build a small home on this lot.

(6) Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

Granting the variance would allow us to build a single family home on this lot, within the property lines, as intended.

(7) Please indicate that there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

We will be in full compliance with any additional conditions and safeguards.

Signature of Applicant	Zamel Abou, Authorized Member	06/02/2023
	Hand Print Name	Date

MICHELLE R. MILLER, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 5177838 OR BOOK 4974 PAGE 300, Recorded 04/11/2023 02:57:09 PM Doc Tax $644.00

Prepared by:
Brittany Clyatt
Cove Harbour Title Services, LLC
311 S. 2nd Street, Suite 102-A
Ft. Pierce, Florida 34950
File Number: 23-0037

General Warranty Deed

Made this April 7, 2023 A.D. By **Brad Gadow, a married man**, whose post office address is: 2881 SE South Lookout Blvd., Port St. Lucie, Florida 34984, hereinafter called the grantor, to **Monna Homes, LLC, Florida Limited Liability Company**, whose post office address is: 569 Sanderling Circle, Deerfield Beach, Florida 33442, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in St. Lucie County, Florida, viz:

Lot 18, Block 2655, PORT ST. LUCIE SECTION THIRTY NINE, according to the Plat thereof, as recorded in Plat Book 15, at Pages 30, 30A through 30NN, of the Public Records of St. Lucie County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID Number: **3420-690-0576-000-8**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2022.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Brooke Ridle
Witness Printed Name Brooke Ridle

Witness Printed Name Brittany Clyatt

_____ (Seal)
Brad Gadow
Address: 2881 SE South Lookout Blvd., Port St. Lucie, Florida 34984

State of Florida
County of St. Lucie

The foregoing instrument was acknowledged before me by means of [✓] physical presence or [ ] online notarization, this 7th day of April, 2023, by Brad Gadow, a married man, who is/are personally known to me or who has produced FLDL as identification.

BRITTANY CLYATT
MY COMMISSION # HH 290628
EXPIRES: June 1, 2024

_____
Notary Public
Print Name: _____

My Commission Expires: _____

DEED Individual Warranty Deed With Non-Homestead-Legal on Face

Monna Homes LLC
520 SE Cliff Road
VARIANCE
Project: P23-097

Planning and Zoning Board Meeting

Bianca Lee, Planner II

August 1, 2023, Meeting

CityofPSL.com

PROJECT SUMMARY

- A variance to the setback requirements of RS-2 Zoning.
- The proposed home is not expected to interfere with drainage or utilities.

CityofPSL.com

APPLICANT AND OWNER

- Zamel Abou, agent, for Monna Homes LLC., owner

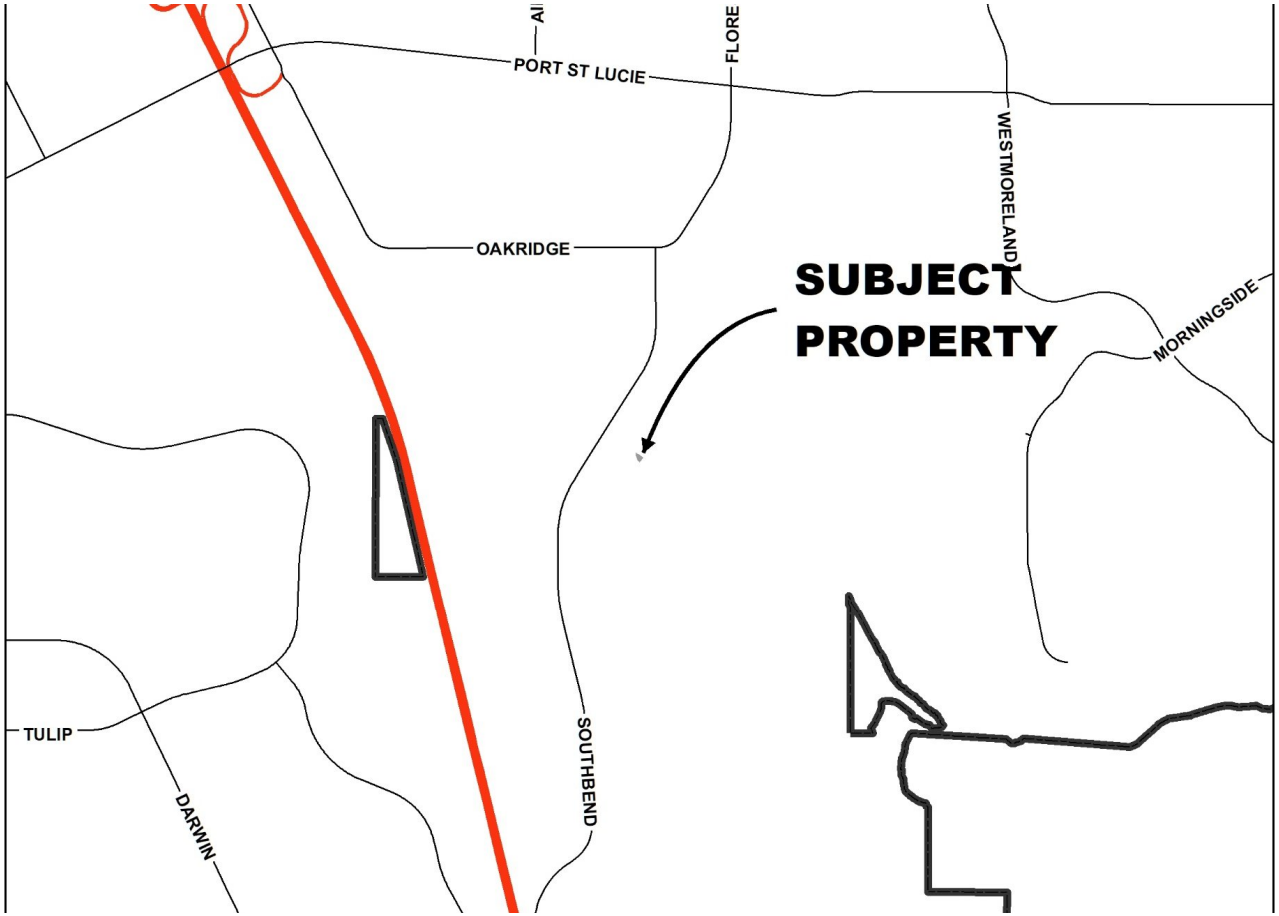
CityofPSL.com

VARIANCE REQUEST

- A variance of 12.42 feet to allow a 12.58-foot setback from the rear property line for a proposed single-family residence.
- Section 158.073(H)(3) Yard Requirements and Landscaping, requires a minimum building setback line of twenty-five (25) feet in the rear yard for Single-Family Residential Districts.
- The minimum setback from side property lines shall be those set forth in the applicable zoning district. The property is zoned RS-2 (Single-Family Residential), Section 158.073(H)(2) requires two (2) side yards, each of which providing a building setback line of ten (10) feet. The proposed addition will meet the side setback requirement within RS-2 (Single-Family Residential).

CityofPSL.com

LOCATION



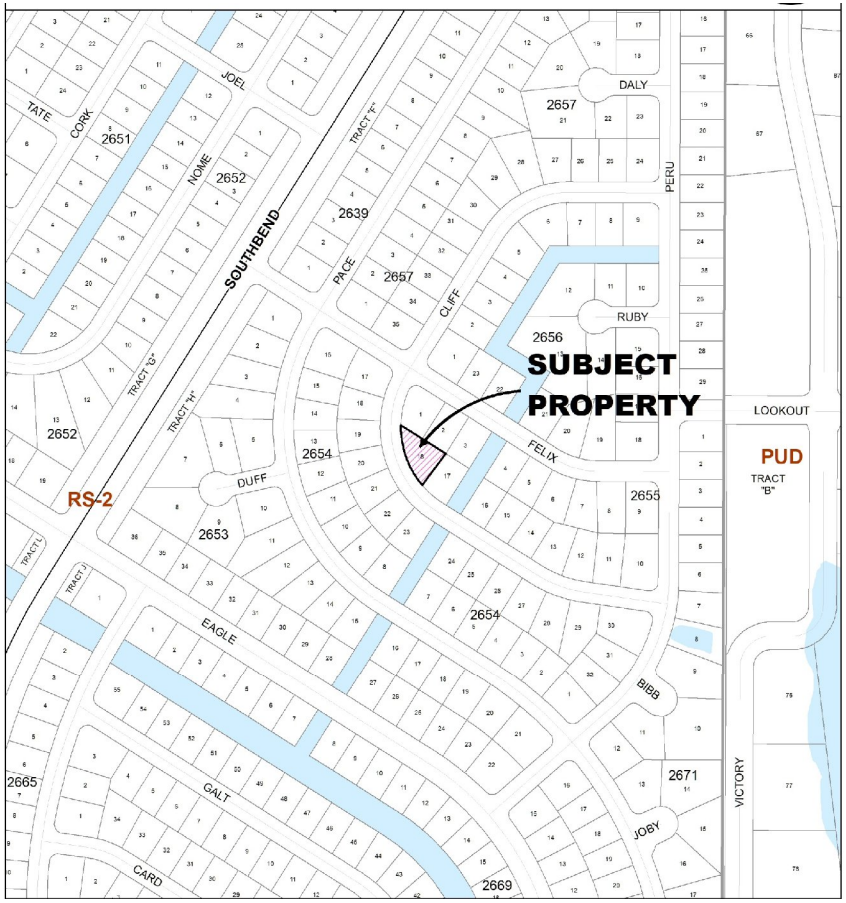
CityofPSL.com

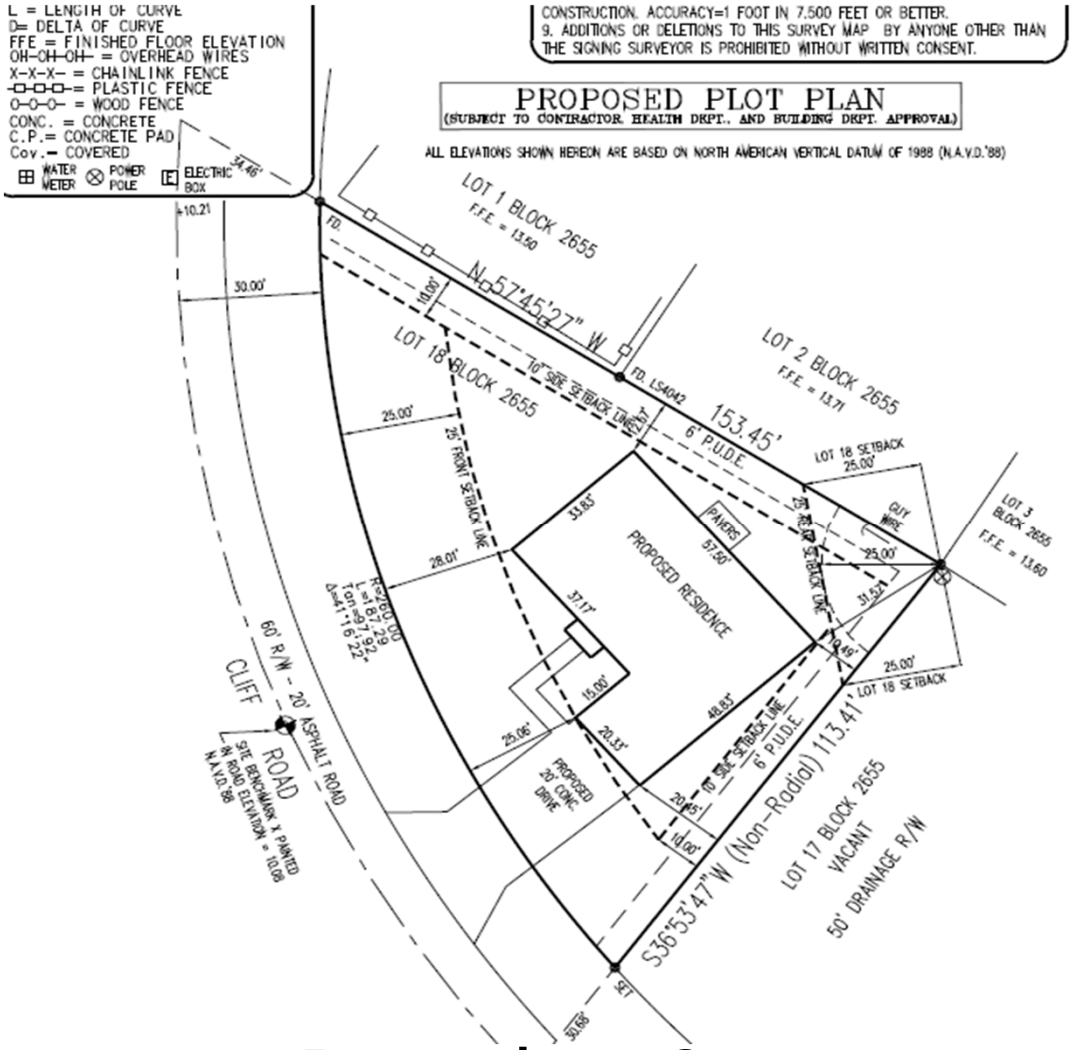
AERIAL MAP



CityofPSL.com

Zoning Map


SUBJECT PROPERTY
RS-2
PUD
TRACT "B"
SOUTHBEND
JOEL
TATE
CORK
NOME
PACE
CLIFF
PERU
DALY
RUBY
FELIX
DUFF
EAGLE
GALT
CARD
BIBB
JOBY
VICTORY
LOOKOUT
2651
2652
2653
2654
2655
2656
2657
2639
2665
2669
2671



Boundary Survey

QUESTIONS OR COMMENTS?

PLANNING AND ZONING BOARD ACTION OPTIONS:

- Make a motion to approve
- Make a motion to approve with conditions
- Make a motion to deny
- Make a motion to table

CityofPSL.com

From:	Bianca Lee
To:	Jessica Heinz
Cc:	Anne Cox
Subject:	FW: Variance Memorandum 7-3-23 2:49pm
Date:	Monday, July 3, 2023 3:59:33 PM
Attachments:	Variance Memo 7-3-23.pdf image001.png PS23-097 - Variance response from Lot 2.msg

Good afternoon,

A resident (Laura Carreno) would like to enter the attached memo into the public record.

Kind Regards,

Bianca C. Lee, Planner II
City of Port St. Lucie
Department of Planning & Zoning
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, FL 34984-5099
(772) 871-5149 (Office)| (772) 871-5124 (Fax)
Blee@cityofpsl.com

"A City for All Ages"

For immediate assistance, please call the Planner of the Day at 772-871-5213 or email the department at planning@cityofpsl.com with any questions or inquiries.

From: Laura Carreño <carrenofln@icloud.com>
Sent: Monday, July 3, 2023 3:51 PM
To: Bianca Lee <blee@cityofpsl.com>
Subject: Fwd: Variance Memorandum 7-3-23 2:49pm

[[CAUTION: This email originated outside of the City of PSL. Please use caution when opening attachments, clicking links, or responding to this email.]]

Sent from my iPhone

Begin forwarded message:

> **From:** Dave Beyer <davebeyer44@gmail.com>
> **Date:** July 3, 2023 at 2:50:20 PM EDT

To: Laura Carreño <carrenofln@icloud.com>
Subject: Variance Memorandum 7-3-23 2:49pm

Please find attached signed and sealed memorandum with the needed material indicating that approval of requested variance is NOT recommended.

Please don't hesitate to contact me if the City requires additional material or clarifications.

Thank you.

David B Beyer, P.E.
407-405-8610

MEMORANDUM

INFORMATION:
P23-097 Monna Homes, LLC – Variance
Agenda Item No. 8.c

Submitted on Behalf of:
Lucinia Ferreira
508 SE Felix Ave., Port Saint Lucie, Fl 34984

Executive Summary/Findings:
The following information has been provided to assist the existing adjacent property owner for the pending Public Hearing / Agenda Item scheduled for July 5, 2023.
On June 26, 2023, Ms. Ferreira, who resides at the above address, raised several concerns regarding the proposed variance. These findings are presented here within as a technical and professional evaluation of those concerns.

The information used in this evaluation is of public record in nature and is attached as reference material in support of these findings. In addition, other publicly recorded data from the County's property appraiser's office, as well as site photos have been utilized for this purpose.

After review of the City's standard forms and applications submitted by Bela Vista Contractors, Inc., on behalf of Zamel Abou (authorized member of Monna Homes, LLC), the permitting process and the sequence of procedures appears to be irregular and exasperates the approval of this applied for variance.
An approved permit was issued April 24, 2023 at 8:57 AM, however the application submitted was dated three (3) days later on April 27, 2023. This was brought to your attention, because both documents listed rear setbacks of 25 feet or greater. Thereby indicating that the applicant/owner were aware of a greater dimension yet commenced construction with an approved site plan demonstrating otherwise. Deviations from the local development code require approved variances/waivers prior to permit issuance. Approved site plans/permits dated prior to permit application dates and without approved deviations to the code are suspect in general and as mentioned, exasperate the situation.

If the proper steps had been followed, a more practical and less impactful placement of and/or a decreased size of the proposed structure could have been accomplished, thereby alleviating Ms. Ferreira from the undue stress this whole process has brought upon her.

Included with the reference material, please find a less impactful solution to the placement of the proposed structure on the vacant lot in question. Whereas the site plan included in the permit has a much greater encroachment into the building setback area. Best management practices and sound engineering efforts should not be replaced with code deviations.

In addition to setback impacts, stormwater runoff from the proposed development is another concern. After reviewing the surrounding area, the existing subdivision appears to drain runoff

from the rear of the property to the front, where it is collected into a roadside swale, which in turn conveys runoff to collection canals. With the proposed variance, the applicant needs to demonstrate that no adverse runoff shall be directed on to Ms. Ferriera's property. As a resident of 22 years and the increase of storm activity in recent years, additional runoff is a great concern of hers. Proper collection of rainwater via gutters and downspouts, along with proper grading directing to the front, is more challenging with less rear yard, which approval of this variance causes.

Approval of this variance is not recommended. Given valid stormwater concerns and the ease of a design that produces minimum encroachment of existing setbacks, a more appropriate step would be a permit alteration. The review of the special conditions provided does not justify approval of P23-097. A structure of less overall square footage (more consistent with the existing surrounding homes) and sound engineering as to the placement, can significantly reduce and/or eliminate the need for a variance in its entirety. The fact that the applicant/owner decided to commence construction without approval to deviate from code, when the application indicating foreknown knowledge of such setbacks, does not constitute financial hardship or justify negative impacts to adjacent property owners. Furthermore, as an experienced home builder/developer in the area, special exemption cannot replace proper due diligence.

A rebuttal to the explanations provided by the application, along with all other reference material is provided below.

David B. Beyer, P.E.
License # 77386
13903 Arbor Glen Ct., Orlando, FL 32832
407-405-8610
Davebeyer44@gmail.com

REFERENCE MATERIAL

Special Conditions Rebuttal:

P23-097 Monna Homes, LLC – Variance

1) *Please explain special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.* This is not a standard shape lot and has some limitations, but are not surpassable.

2) *Please explain if these conditions and circumstances result from actions by the applicant;* As stated by the applicant, the lot was platted this way and the applicant had foreknowledge of such prior to purchasing and obtaining a permit.

3) *Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district.* A special privilege would be provided by allowing a building footprint larger than the surrounding homes and allowing construction to commence prior to a needed variance to do so.

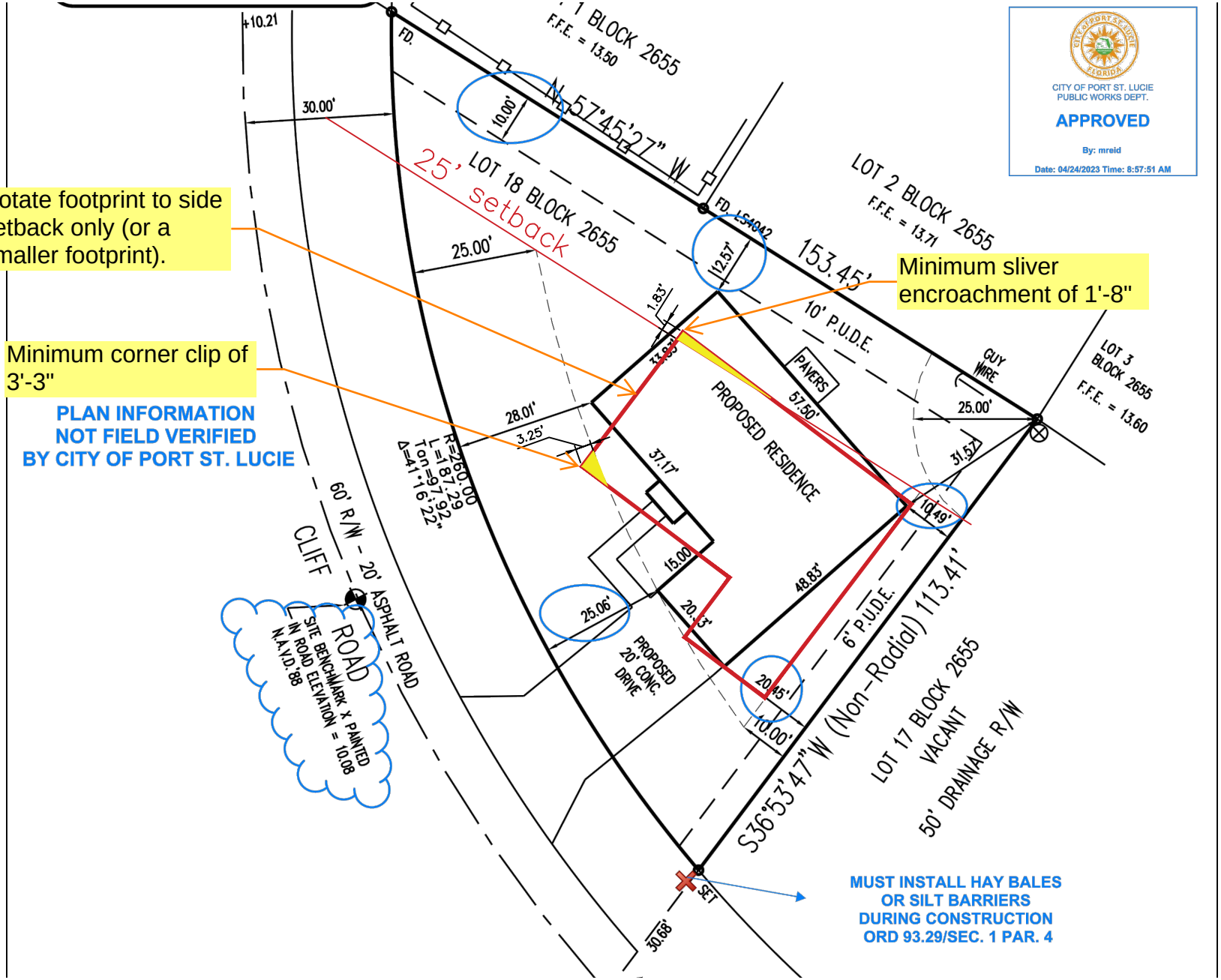
4) *Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;* There is no issue with the applicant constructing a single-family home. Any financial loss would be from actions taken as a result of undue process and risky business decisions to process at their own risk knowing there was a setback deviation.

5) *Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;* The variance is clearly NOT the minimum variance needed. A less impactful solution is provided below.

6) *Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise determined to the public welfare;* It has already been demonstrated that a less impactful solution is achievable. Just the idea of allowing a deviation of the rear setback has already caused harm to the physical welfare to the adjacent property owner's existing medical condition in the terms of undue worry and stress of excessive runoff and expectation of anticipated eyesore of having a home in close proximity unlike what exist with the surrounding neighbors.

7) *Please indicate that there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.* The applicant has already set the precedence for not complying or following due process, as well as risky decisions.

MINIMAL IMPACT SOLUTION



City of Port St. Lucie Building Department

121 SW Port St. Lucie Blvd
Port St. Lucie, FL 34984
772-871-5132 - Web Site: http://www.cityofpsl.com
To Schedule Inspections
http://pandapublicweb.cityofpsl.com

Permit #: 2318675

Single Family Residence

CONSTRUCTION UNDER THIS PERMIT WILL BE DONE IN ACCORDANCE WITH THE FBC 7th Edition (2020)

PROPERTY ADDRESS:			Parcel ID
520 SE CLIFF RD			**342069005760008**
LEGAL DESCR	SECTION	BLOCK	LOT
	39	**2655**	**18**

OWNER	MAIL ADDRESS	ZIP	PHONE **(954) 815-2700**
	569 Sanderling Circle	**33442**	CELL **(954) 815-2700**

CONTRACTOR	MAIL ADDRESS	ZIP	STATE LIC. # **CGC1508411**
BELA VISTA CONTRACTORS INC	**750 E SAMPLE ROAD, 3-2**	**33064**	PSL COMP # **15148**

CONTRACTOR E-mail Address	PHONE	FAX #	CELL
BELAVISTACONTRACTORS@GMAIL.COM	**9546443121**		

Applied Date	Received By	After the Fact
4/27/2023	**Web**	**NO**

SPECS

Description of work	SFR - 4/2/2 - 1 STORY
Square feet living	1844
Square feet non-living	508
Total square feet of SFR	2352
Valuation per square foot	62.50
Total valuation	147000
# of stories	1
# of Bedrooms	4
Roof Type	SHINGLE
City water	YES
City sewer	YES
Septic tank permit #	NA
Use zone	SFR
Special conditions	CBS _ R-19, 11, 4.1 _ SHINGLE ROOF _ FFE 13.71 NAVD
FFE	13.71 NAVD
Right Side setback	12.57
Left Side setback	10.49
Rear setback	31.57
Front setback	25.06
Flood hazard	X
Ceiling R-Value	19
SEER	16
EPI	PASS
Heating Type	ELECTRIC HEAT PUMP
Wind Speed	165
Type of Construction	VB
Property Use	SFR
Construction Material	CBS
Affordable Housing?	No

Application date after Approval date.

THIS PERMIT BECOMES NULL AND VOID IF CONSTRUCTION OR WORK AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION ORWORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS COMMENCED.

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS AND AIR CONDITIONERS, etc.

OWNER'S AFFIDAVIT: I certify that all the forgoing information is accurate and that all work will be done in compliance with all applicable laws regulating to construction andzoning.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION.

IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

MARCIO SILVA
Contractor Signature

Form Created 08/29/2011 updated 10/13/15

RP# 63933

PERMIT#

CITY OF PORT ST. LUCIE
PUBLIC WORKS DEPARTMENT
Residential (Single-Family) & Pool Permit Application
June 2022

Per City Ordinance 57.01 "Commercial and Residential Permits will be valid for a period of one year after date of issuance/approval. If no site work has occurred within this time, the permit is null and void and no fees will be refunded."

Check One: ☑ Inside Lot	☐ Corner Lot	☐ Pools (No Spas)	☐ Additional Driveway	☐ Curb/Gutter (Developments)	
Home Owner Builder: ☐ Yes	☑ No	Contractor Key # (From Bldg. Dept.): 34810			
Licensed Name: BELA VISTA CONTRACTORS INC			Builder/Home Owner Bldr. Name:		
Phone: 954-448-0022			Affordable Housing (involving federal, state, or local funds): ☐ Yes	☑ No	
Contact Name: Marcio Silva			Email: belavistacontractors@gmail.com		
Driveway Material: ☑ Concrete	☐ Pavers	☐ Asphalt	☐ Other:		
Pool Deck Material: ☐ Concrete	☐ Pavers	☐ N/A			
Property Information: Lot: 18	Block: 2655	Section/Unit or Subdivision/Plat: 39			
Address: 520 SE CLIFF RD					

I, Marcio Silva, intending to be legally bound, hereby certify that the work authorized by the issuance of this permit will be installed in accordance with all applicable Port St. Lucie City Codes of Ordinances and other appropriate permits.

Stakeouts typically take 4-6 weeks after request.

Please do not write below

Approval date prior to Application date.

CITY OF PORT ST. LUCIE
PUBLIC WORKS DEPT.
APPROVED
By: mreid
Date: 04/24/2023 Time: 8:57:51 AM

Minimum required setback: Front 25 Left side 10 Right side 10 Rear 25

Minimum required FFE (Finished Floor Elevation): 13.71 NAVD

(NOTE: For Building in special Flood Hazard areas, the finished floor elevation must be at least 1 foot above the base flood elevation.)

Rejection #1 Fee: _____ Rejection #2 Fee: _____ Rejection #3 Fee: _____

For questions regarding PLOT PLAN rejections please call the Public Works Reviewer at (772) 871-5177

If the proposed residence will be built across 2 lots, the following utility companies must by notified in order to vacate the two 6-foot side easements.

Comcast:	Anthony Springsteel	Anthony_Sprinsteel@cable.comcast.com	772-321-3425
AT&T	Mr. Ivan Arill	Ia7286@att.com	321-388-9719
FPL:	April Parker (Everything west of Turnpike, Crosstwon south Bayshore up to Foresta, Southbend, and Becker Rd.)	April.Parker@fpl.com	
FPL:	Laura Goez (Crosstown north, St. Lucie West, Torino, Bayshore up to St. James to Midway Rd.)	Laura.Goez@fpl.com	
Florida City Gas:	Generic Mailbox	FCG-Engineering.SharedMailbox@nexteraenergy.com	

PIPE TO BE SIZED AT STAKEOUT

Other: MINIMUM 12" TEMPORARY PIPE REQUIRED IN CITY RIGHT OF WAY
PER CODE 51.04(4)(E) - 80% IS THE MAXIMUM PERMISSIBLE IMPERVIOUS AREA ALLOWED

**** For Pool Permit Only ****

Final Inspection Approval Date: _____ Inspector: _____

General Permit Requirements

1. The work performed shall not adversely affect the public's health, safety, or general welfare, and shall be conducted and maintained in a safe and sanitary condition at the sole cost, risk, and responsibility of the permittee. The City may issue a stop work order for any work that is creating a threat to the public's health, safety, or general welfare, or if the work is not in accordance with the approved permit.

2. The City reserves the right to require additional requirements or reject the request if the permittee has failed to comply with the requirements of a permit.

3. The work shall be completed in accordance with the approved permit.

4. The permittee shall notify the city for the following inspections: culvert, stakeout, driveway, and final.

5. The work shall not alter the material, slope, or finish of a sidewalk that is adjacent to or bisects the driveway.

6. Contractors will be responsible for the repair of any roadway damaged during construction. When damage to roadway is noted, a police report as well as damage claim will be filed. The City will then contract with an appropriate vendor to conduct repair. The contractor will be responsible for all costs associated with the repair and will be contacted by the City's Risk Management Department for subrogation.

7. Any time a sidewalk is being removed; a sidewalk closure request form is required. (See requirements on the link below). https://www.cityofpsl.com/government/departments/public-works/commercial-residential-review-permitting

8. Must install silt fence along all ditches, canals, or waterways.

9. Must protect all City culvert pipes from debris. Contractor may be required to clean all City pipes if not protected during construction.

I, Marcio Silva intending to be legally bound, hereby certify that the work authorized by the issuance of this permit will be installed in accordance with all applicable Port St. Lucie City Codes of Ordinances and other appropriate permits and that I have read and acknowledge the Genral Permit Requirements as provided above.

DocuSign Envelope ID: 98F9B1A8-0CFD-43F5-B0C7-E3C5EB9D205D

BOUNDARY SURVEY

LEGAL DESCRIPTION:
(Supplied by Client)

LOT 18 IN BLOCK 2655 OF PORT ST. LUCIE SECTION THIRTY NINE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 30, PAGES 30A THROUGH 30NN, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

ABBREVIATIONS:

SET = SET 5/8" IRON REBAR WITH YELLOW CAP MARKED "PSM5543"
FD = FOUND 5/8 IRON REBAR
R/W = RIGHT OF WAY
(M) = MEASURED
(P) = PLATTED
(C) = CALCULATED
R = RADIUS OF CURVE
L = LENGTH OF CURVE
D= DELTA OF CURVE
FFE = FINISHED FLOOR ELEVATION
OH-OH-OH- = OVERHEAD WIRES
X-X-X- = CHAINLINK FENCE
-□-□-□- = PLASTIC FENCE
O-O-O- = WOOD FENCE
CONC. = CONCRETE
C.P.= CONCRETE PAD
Cov.= COVERED

WATER METER ⊗ POWER POLE E ELECTRIC BOX

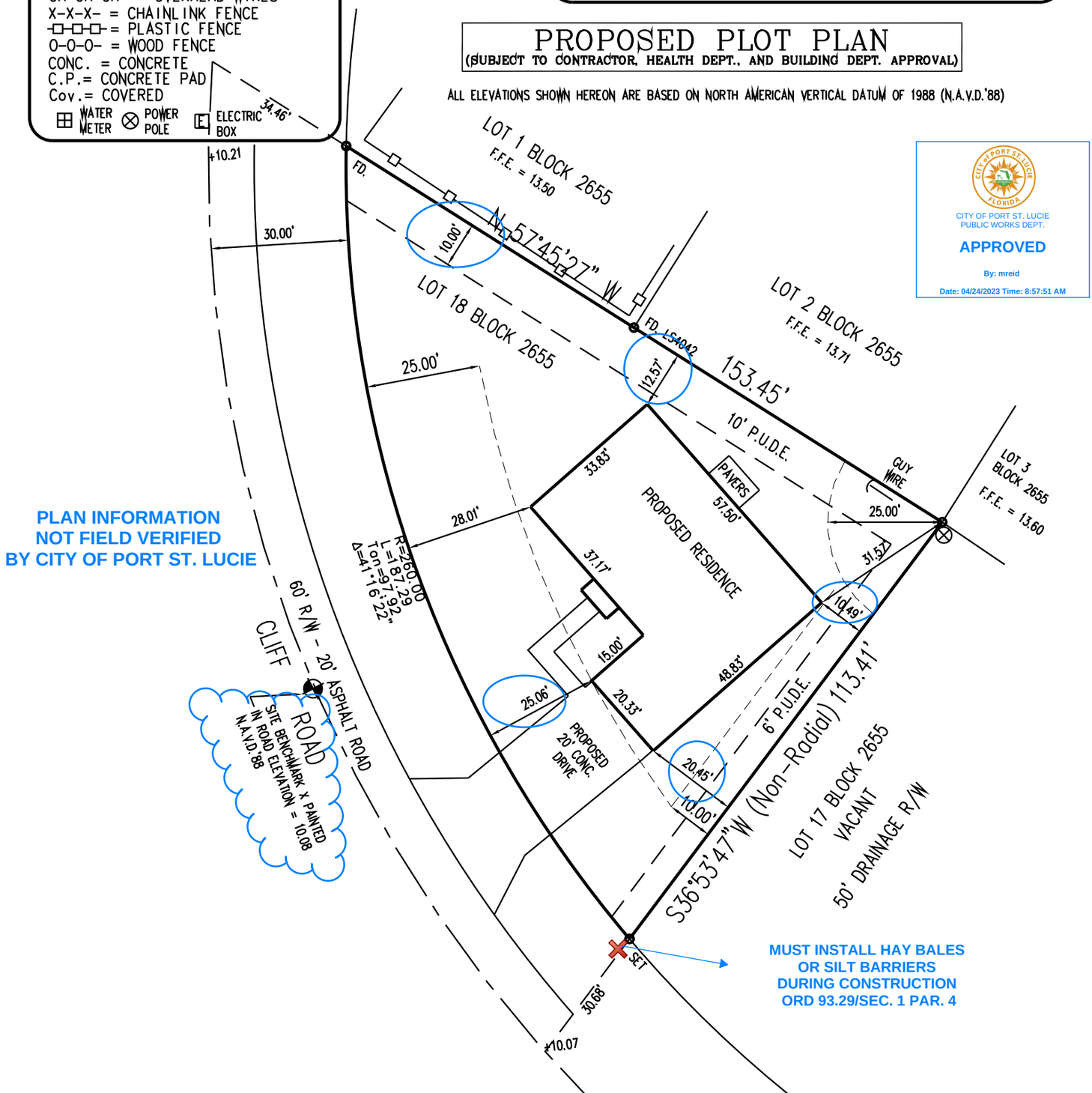
GRAPHIC SCALE 30 20 10 0 5 10 30 NORTH

SURVEYORS NOTES:

1. UNLESS OTHERWISE NOTED ONLY PLATTED EASEMENTS ARE SHOWN HEREON.
2. ALL LOT DIMENSIONS SHOWN ARE PER PLAT UNLESS OTHERWISE SHOWN.
3. NO UNDERGROUND UTILITIES OR IMPROVEMENTS WERE LOCATED UNLESS OTHERWISE SHOWN.
4. THIS SITE LIES WITHIN FLOOD INSURANCE RATE MAP ZONE X MAP# 12111C0289 K DATED: 2-19-20.
5. FLOOD ZONE SHOWN HEREON IS AN INTERPRETATION BY THE SURVEYOR AND IS PROVIDED AS A COURTESY. THE FLOOD ZONE SHOULD BE VERIFIED BY A DETERMINATION AGENCY.+
6. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF LOT 6 AS BEING N14°24'02"E ACCORDING TO THE PLAT DESCRIBED HEREON.
7. P.U.D.E. DENOTES PUBLIC UTILITIES AND DRAINAGE EASEMENT, U.E. DENOTES UTILITY EASEMENT.
8. THE ACCURACY OF THIS SURVEY IS PREMISED ON THE EXPECTED USE OF THE SURVEY. THE EXPECTED USE/PURPOSE OF THIS SURVEY IS HOME CONSTRUCTION. ACCURACY=1 FOOT IN 7,500 FEET OR BETTER.
9. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY ANYONE OTHER THAN THE SIGNING SURVEYOR IS PROHIBITED WITHOUT WRITTEN CONSENT.

PROPOSED PLOT PLAN
(SUBJECT TO CONTRACTOR, HEALTH DEPT., AND BUILDING DEPT. APPROVAL)

ALL ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D.'88)



CITY OF PORT ST. LUCIE
PUBLIC WORKS DEPT.
APPROVED
By: mreid
Date: 04/24/2023 Time: 8:57:51 AM

PLAN INFORMATION NOT FIELD VERIFIED BY CITY OF PORT ST. LUCIE

MUST INSTALL HAY BALES OR SILT BARRIERS DURING CONSTRUCTION ORD 93.29/SEC. 1 PAR. 4

520 SE CLIFF ROAD

SCALE: 1"=30'
DATE: 4/20/23
DRAWN: JC
2023-0268

Atlantic Land Designs
of the Treasure Coast, LB7468
754 NE Jensen Beach Blvd. Jensen Beach, FL 34957
Mailing Address:
P.O. Box 1421 Jensen Beach, FL 34958
ALD5543@gmail.com (772) 398-4290

DATE:	REVISIONS

LAST FIELD DATE: 4/13/23

Certified to: Bela Vista Contractors, Inc.
(954) 815-2700

I hereby certify that the survey shown hereon is true and correct and is based on actual measurements taken in the field.

DocuSigned by:
James Cesiro
A1338D8A59FD4C1...

JAMES CESIRO CERTIFICATE PSM 5543 STATE OF FLORIDA REGISTERED SURVEYOR & MAPPER

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL

From: Bianca Lee
To: Jessica Heinz
Subject: FW: P23-097 - Variance response
Date: Monday, July 3, 2023 4:28:57 PM
Attachments: PS-23-097 - pictures - 05-04-23.msg

Good afternoon,

Please enter additional public comment into the record.

Regards,

Bianca C. Lee, Planner II
City of Port St. Lucie
Department of Planning & Zoning
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, FL 34984-5099
(772) 871-5149 (Office)| (772) 871-5124 (Fax)
Blee@cityofpsl.com

"A City for All Ages"

For immediate assistance, please call the Planner of the Day at 772-871-5213 or email the department at planning@cityofpsl.com with any questions or inquiries.

-----Original Message-----
From: Laura Carreño <carrenofln@icloud.com>
Sent: Monday, July 3, 2023 4:15 PM
To: Bianca Lee <blee@cityofpsl.com>
Subject: PS-23-097 - Variance response

[[CAUTION: This email originated outside of the City of PSL. Please use caution when opening attachments, clicking links, or responding to this email.]]

Dear Ms. Lee,

Our concern with the storm water runoff to the adjacent property of 508 SE Felix Avenue and the setback violation was evident since the end of April 2023 and we made numerous phone calls voicing our concerns to the building, permitting, drainage and public works department.

The pictures attached shows the encroaching proximity to the rear yard of 508 SE Felix Avenue.

Thank you for attaching this to the variance response for the hearing on PS-23-097.

Sincerely,

Laura Carreno
Lucinia Ferreira

Sent from my iPhone




CHAOYANG





From:	Clyde Cuffy
To:	Bianca Lee; Jessica Heinz
Cc:	Colt Schwerdt
Subject:	RE: Variance motion to deny - P23-097 Monna Homes
Date:	Wednesday, July 5, 2023 11:38:33 AM
Attachments:	image001.png

thanks

From: Bianca Lee <blee@cityofpsl.com>
Sent: Wednesday, July 5, 2023 11:25 AM
To: Jessica Heinz <JHeinz@cityofpsl.com>
Cc: Clyde Cuffy <CCuffy@cityofpsl.com>; Colt Schwerdt <CSchwerdt@cityofpsl.com>
Subject: FW: Variance motion to deny - P23-097 Monna Homes

Good morning,

Please see additional public comment attached.

Regards,

Bianca C. Lee, Planner II
City of Port St. Lucie
Department of Planning & Zoning
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, FL 34984-5099
(772) 871-5149 (Office)| (772) 871-5124 (Fax)
Blee@cityofpsl.com

"A City for All Ages"

For immediate assistance, please call the Planner of the Day at 772-871-5213 or email the department at planning@cityofpsl.com with any questions or inquiries.

From: Laura Carreño <carrenofln@icloud.com>
Sent: Wednesday, July 5, 2023 11:05 AM
To: Bianca Lee <blee@cityofpsl.com>
Subject: Variance motion to deny - P23-097

[[CAUTION: This email originated outside of the City of PSL. Please use caution when opening attachments, clicking links, or responding to this email.]]

Dear Ms. Lee,

Please find attached our variance response to deny variance to be reviewed by the City of Port St. Lucie Planning and Zoning board.

Please send me a copy of the proposed relocation of proposed home.

Sincerely,

Laura Carreno

Sent from my iPhone

July 3, 2023

Dear City of Port St. Lucie Planning and Zoning Board:

RE: Variance Application - Monna Homes LLC., P23-097
Subject Property: 520 SE Cliff Road, Port St. Lucie, FL 34984, legally described as Port St. Lucie-Sec. 39, Block 2655, Lot 18
Motion to Deny

I am Laura Carreno, a much concerned resident that resides within the 750 feet radius of the subject property, daughter and caretaker of the adjacent property owner (of the subject property), Lucinia Ferreira, and, also, speaking on her behalf.

Since the end of April 2023 and the beginning of May 2023, we (my family, concerned neighbors and myself) have called the City of Port St. Lucie permitting, building, and public works department and met with Lawrence DeNieunkerk, City of Port St. Lucie stormwater/drainage inspector and Paul Lewis, City of Port St. Lucie stormwater/drainage inspector and stated our concerns: (**1**) adverse effects of stormwater runoff to the rear property of 508 SE Felix Avenue, Port St. Lucie, FL 34984; (**2**) no drainage plans provided showing erosion control, flooding and standing water prevention to adjacent properties; (**3**) extreme encroachment and close proximity of the Monna Homes LLC. proposed house to the adjacent property of 508 SE Felix Avenue, Port St. Lucie, FL 34984; (**4**) a three-way call was made between Mr. DeNieunkerk, Omar Abuzamel (Monna Homes LLC.) and myself stating the stormwater runoff concerns and extreme proximity of the proposed home of the subject property to the rear adjacent property - Mr. Abuzamel's response was that there was enough space in the rear subject property to place a swimming pool and that he abides by the City's rules; (**5**) proposed home dimensions are too large for the lot and looks forced onto the property - even model home designs should be adjusted as to not cause adverse impacts on adjacent properties and the public welfare; (**6**) no silt fence in place, although required by Florida ordinance 93.29/Sec 1, Par. 4 and, also shown on signed and sealed boundary survey dated April 20, 2023 provided by Atlantic Land Designs.

There are still outstanding questions in place: (**1**) how can Monna Homes LLC. (Zamel Abou, managing member) be "... surprised to learn that there may be an issue with the rear setback" as he stated on the signed variance application (June 2, 2023) for the subject property when this concern was brought to Monna Homes LLC and to the City of Port St. Lucie's attention in April and May 2023; (**2**) why was the setback encroachment allowed without a variance?; (**3**) why was no drainage plan filed for the subject property site?; (**4**) according to the Code of Ordinances - Title IV - Chapter 41 - Property Maintenance Code - Sec. 41.00 c (3) "to avoid, prevent, and eliminate conditions which, if permitted to exist or continue, **will depreciate the value of adjacent or surrounding properties.**" and said depreciation of the adjacent property would be caused by stormwater runoff of the proposed home of the subject property and encroachment of minimum 25 feet rear setback; (**5**) why was an express permit granted for the subject property?; (**6**) is an express permit given as a special privilege?; (**7**) this variance public

hearing sign posted for this meeting of Wednesday, July 5, 2023 is posted to take place at 1:30 pm instead of 6 pm. (photo attached); and (8) the subject property proposed home does not comply with the legal minimum 25 feet rear setback as per Section 158.073(H)(3) Yard Requirements and Landscaping.

This above afore-mentioned situation has caused much unnecessary emotional and mental stress which has further exasperated present illnesses in our family.

We trust that the City of Port St. Lucie and Monna Homes LLC. will rectify the location, lower the ground elevation, and reduce the size of the proposed home on the subject property to meet all legal setbacks and not cause any runoff drainage problems to the rear and any other surrounding adjacent lots.

Sincerely,

Laura Carreno

Laura Carreno
Lucinia Ferreira

Agenda Summary

2023-650

Agenda Date: 8/1/2023 **Agenda Item No.:** 8.d

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-103 SLW-Jay's Fine Jewelry Inc. - Cosmetology School- Special Exception Use

Location: East of the intersection of SW California Blvd. & SW St. Lucie West Blvd

Legal Description: St. Lucie West Plat No. 186 Commercial Sites Phase 10, Lot 1

This is a request for a Special Exception Use to allow a vocational school within the General Commercial Zoning District (CG).

Submitted By: Bianca Lee, Planner II

Executive Summary: A special exception use to allow a vocational school as per Section 158.124(C)(7) of the General Commercial (CG) zoning district. The Zoning Code lists a school (public, private or parochial) or technical or vocational schools as a special exception use that may be permitted only following the review and specific approval thereof by the City Council.

Presentation Information: N/A.

Staff Recommendation: See attached memo to table to a date uncertain.

Background: N/A.

Issues/Analysis: N/A.

Special Consideration: N/A

Location of Project: 1623 NW St Lucie West Blvd.

Attachments: 1. Memo to table

CITY OF PORT ST. LUCIE
Planning and Zoning Department
121 S.W. Port St. Lucie Blvd., Building B
Port St. Lucie, FL 34984-5099
www.cityofpsl.com

MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Bianca Lee, Planner II

DATE: July 21, 2023

RE: Special Exception Use – **SLW-Jay's Fine Jewelry Inc. - Cosmetology School**
Request to Table Application (P23-103)

- The Department of Planning & Zoning is requesting to **table this application to a date uncertain, Planning and Zoning Board meeting.**

- The Planning and Zoning Department advertised this application for the August 1, 2023, board hearing. Notices were sent to all property owners within 750 ft. of the property, however planning staff and the applicant will be meeting to discuss the project further.

"A City for All Ages"

Agenda Summary

2023-646

Agenda Date: 8/1/2023 **Agenda Item No.:** 8.e

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-104 Southern Grove - SOGRO Park - Rezoning

Location: The subject property is located south of Becker Road and west of SW Village Parkway.

Legal Description: Southern Grove Replat No. 40, Tract F

This is a request to rezone 36.04 acres of property from SLC Agricultural 5 (SLC AG-5) to General Use (GU) zoning district.

Submitted By: Cody Sisk, Planner II, Planning & Zoning Department

Executive Summary: This is an application to rezone a vacant, 36.04-acre property from the SLC Agricultural 5 (SLC AG-5) zoning district to the General Use (GU) zoning district. The subject property is located on the south of Becker Road and west of SW Village Parkway.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board recommend approval of the rezoning request.

Alternate Recommendations:

1. Move that the Board recommend denial of the rezoning request.

Background: See attached staff report.

Issues/Analysis: See attached staff report.

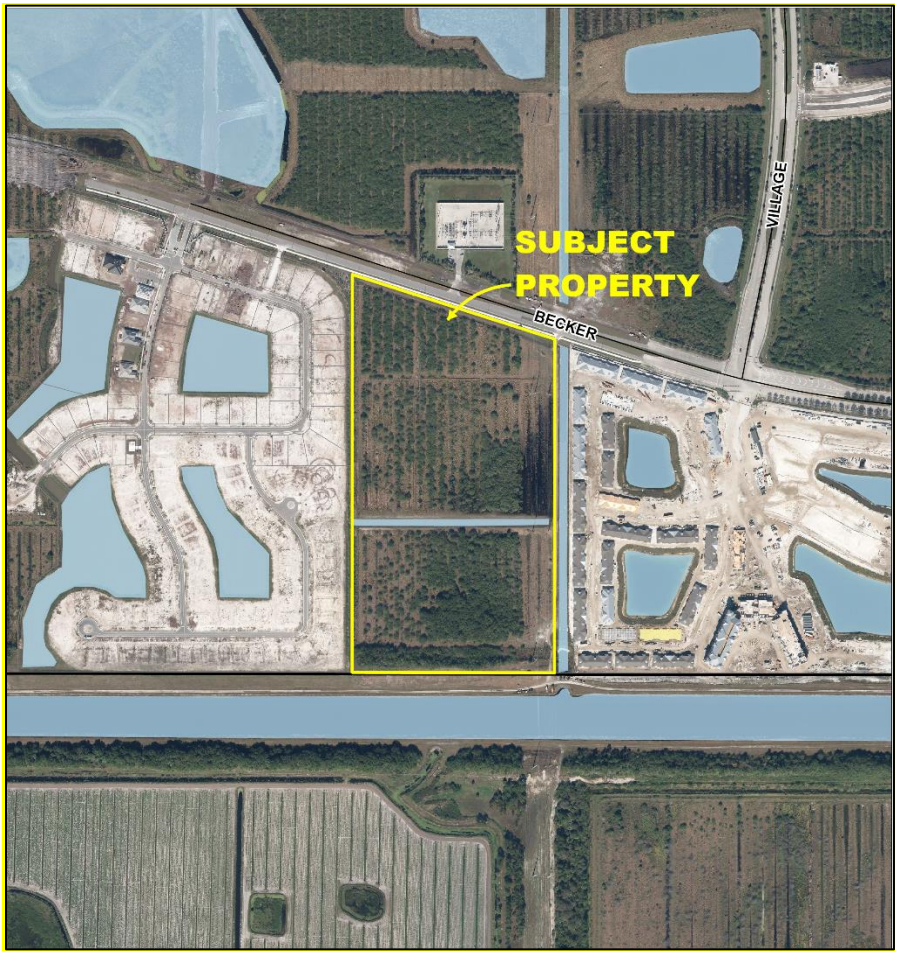
Special Consideration: N/A

Location of Project: The subject property is located south of Becker Road and west of SW Village Parkway.

Attachments:

1. Staff Report
2. Application
3. Deed
4. Staff Presentation

Southern Grove-SOGRO Park
Rezoning
P23-104



Project Location Map

SUMMARY

Applicant's Request:	A request to rezone 36.04 acres of property from SLC Agricultural 5 (SLC AG-5) to General Use (GU) zoning district.
Applicant:	Derrick Phillips, Lucido and Associates
Property Owner:	Mattamy Palm Beach, LLC
Location:	The subject property is located on the south of Becker Road and west of SW Village Parkway.
Address:	Not assigned
Project Planner:	Cody Sisk, Planner II

Project Description

This is an application to rezone a vacant, 36.04-acre property from the SLC Agricultural 5 (SLC AG-5) zoning district to the General Use (GU) zoning district. The subject property is located south of Becker Road and west of SW Village Parkway. Adjacent zoning categories to the north are MPUD, GU, SLC AG-5 zoning districts; to the south is the county line; and to the east and west is zoned MPUD (Master Planned Unit Development).

Public Notice Requirements

Per Section 158.318 of the City's Zoning Code, a mailed notification of public hearing has been provided to property owners within 750 feet of the parcel and a copy of the notice has been kept available for public inspection during regular business hours.

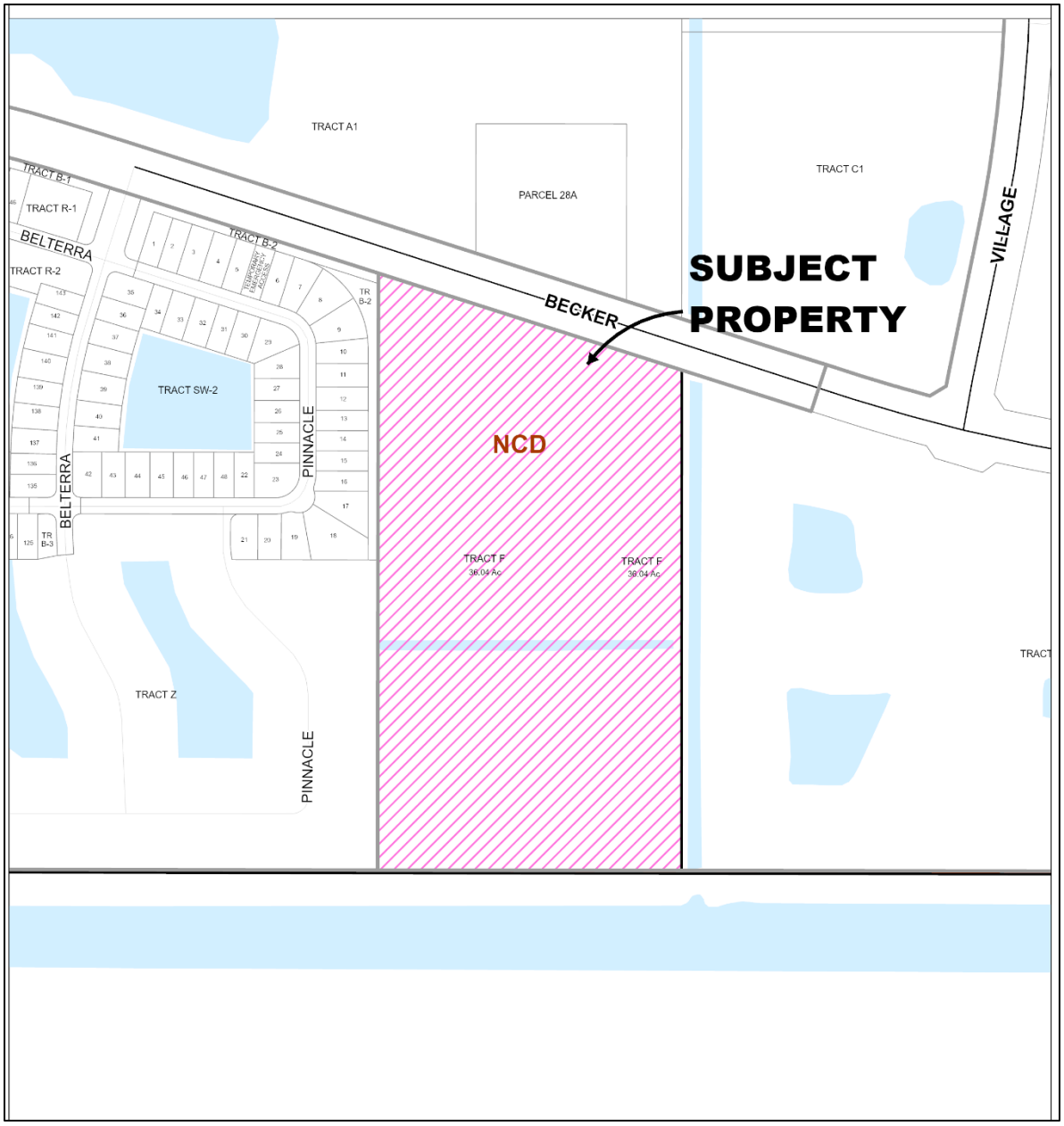
Location and Site Information

Parcel Number:	3443-700-0004-000-5
Property Size:	36.04 acres
Legal Description:	Southern Grove Replat No. 40 (PB 87-17) Tract F
Existing Future Land Use:	New Community Development (NCD)
Existing Zoning:	SLC Agricultural 5 (SLC AG-5)
Existing Use:	Vacant
Requested Zoning:	General Use (GU)
Proposed Use:	Planned Amphitheaters, Test Kitchens and Park Related Activities

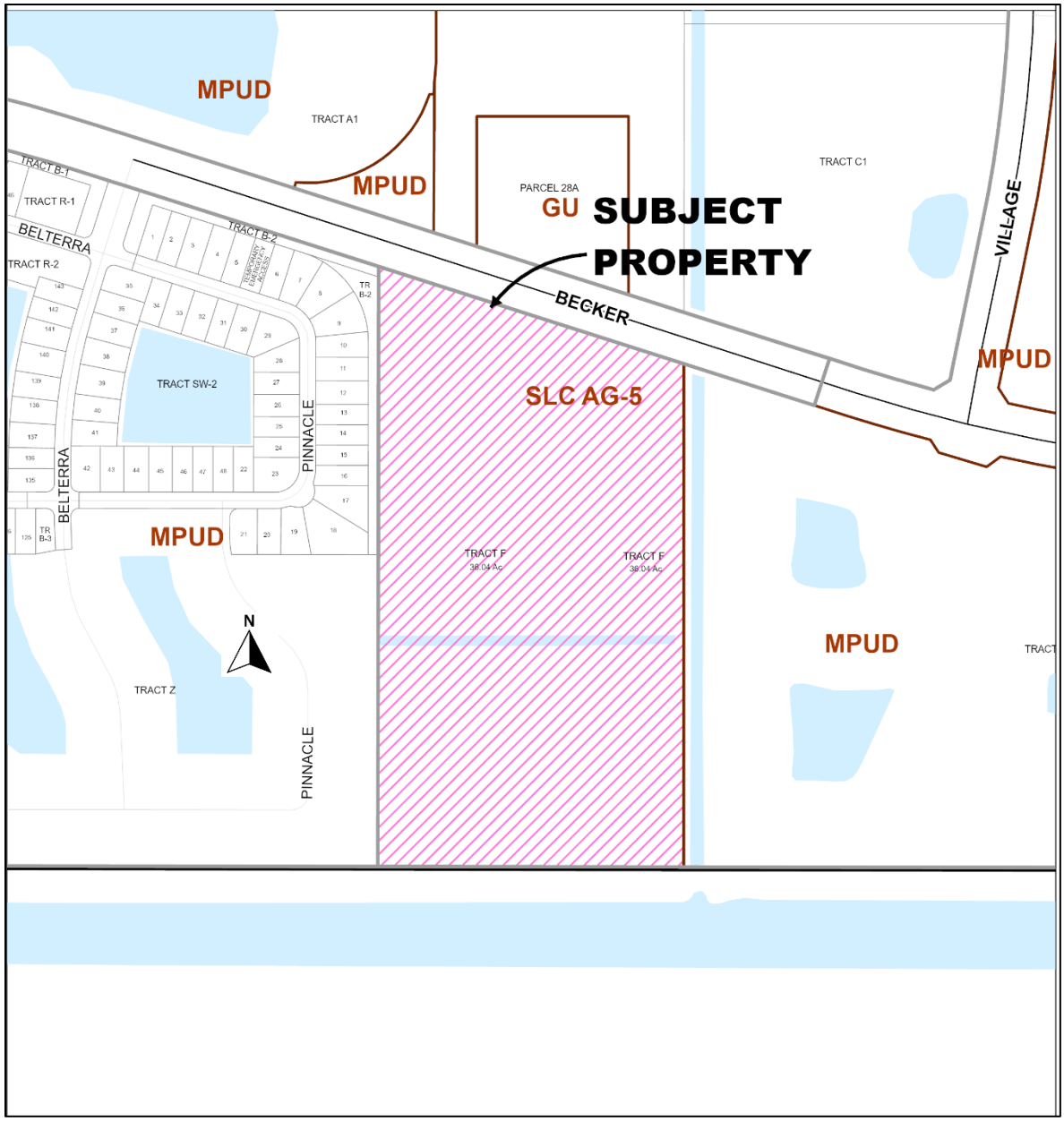
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	NCD	MPUD, GU, SLC AG-5	Vacant Agricultural Lots
South	Martin County Line Canal - C23	Martin County Line Canal - C23	Martin County Line Canal - C23
East	NCD	MPUD	Single-family residences
West	NCD	MPUD	Single-family residences

NCD - New Community Development, MPUD – Master Planned Unit Development, GU – General Use,
SLC AG-5 - SLC Agricultural 5


TRACT A1
PARCEL 28A
TRACT C1
VILLAGE
SUBJECT
PROPERTY
BECKER
TRACT B-1
TRACT R-1
BELTERRA
TRACT R-2
TRACT B-2
TRACT SW-2
PINNACLE
BELTERRA
TR B-2
TR B-3
NCD
TRACT F
36.04 Ac
TRACT F
36.04 Ac
TRACT Z
PINNACLE
TRACT

Land Use Map


MPUD
TRACT A1
MPUD
PARCEL 28A
GU
SUBJECT
PROPERTY
TRACT C1
VILLAGE
TRACT B-1
TRACT R-1
BELTERRA
TRACT B-2
TRACT R-2
BECKER
MPUD
TRACT SW-2
SLC AG-5
PINNACLE
BELTERRA
TR B-2
TR B-3
MPUD
TRACT F
38.04 Ac
TRACT F
38.04 Ac
MPUD
N
TRACT Z
PINNACLE

Zoning Map

IMPACTS AND FINDINGS

COMPREHENSIVE PLAN REVIEW

Land Use Consistency: The proposed rezoning is consistent with Policy 1.1.4.13 of the Future Land Use Element. Policy 1.1.4.13 establishes the compatible future land use and zoning categories. The GU (General Use) zoning district is listed as a compatible zoning district under the NCD (New Community Development) as shown in the following table:

FUTURE LAND USE CLASSIFICATION	COMPATIBLE ZONING DISTRICT(S)
NCD (New Community Development)	MPUD, **GU**, OSC

ZONING REVIEW

Applicant's Justification Statement: The requested rezoning of the subject property will allow all potential uses associated with planned amphitheaters, test kitchens, and park related activities.

Staff Analysis: The rezoning complies with the direction and intent of the City of Port St. Lucie Comprehensive Plan. The GU (General Use) Zoning District is compatible with the NCD (New Community Development) future land use classification per Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan.

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and recommends approval.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend denial to the City Council

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.

REZONING APPLICATION

CITY OF PORT ST. LUCIE
Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34984
(772) 871-5213

FOR OFFICE USE ONLY

Planning Dept._____
Fee (Nonrefundable)$_____
Receipt #_____

Refer to "Fee Schedule" for application fee. Make checks payable to the "City of Port St. Lucie". Fee is nonrefundable unless application is withdrawn prior to the Planning and Zoning Board Meeting. **All** items on this application should be addressed, otherwise it cannot be processed. Attach proof of ownership: two copies of recorded deed. If the application includes more than one (1) lot, our Legal Department will contact you regarding execution of the required Unity of Title. Please type or print clearly in **BLACK** ink.

PRIMARY CONTACT EMAIL ADDRESS: dphillips@lucidodesign.com

PROPERTY OWNER:

Name: Mattamy Palm Beach LLC

Address: 2500 Quantum Lakes dr. Ste. 215 Boynton Beach, FL 33426

Telephone No.: 561-413-6100 Email tony.Palumbo@mattamycorp.com

AGENT OF OWNER (if any)

Name: Derrick Phillips Jr

Address: 701 SE Ocean Blvd

Telephone No.: 772-220-2100 Email dphillips@lucidodesign.com

PROPERTY INFORMATION

Legal Description: Southern Grove Replat NO. 30 (PB 87-17) Tract F
(Include Plat Book and Page)

Parcel I.D. Number: 4334-700-0004-000-5

Current Zoning: SLC AG-5

Proposed Zoning: GU

Future Land Use Designation: NCD Acreage of Property: 36.040 ac.

Reason for Rezoning Request: Rezoning to GU (General Use) will cover all potential uses associated with planned amphitheaters, test kitchens, and park related activities.

*Signature of Owner | Derrick E Phillips Jr Hand Print Name | 6-20-23 Date

***If signature is not that of the owner, a letter of authorization from the owner is needed.**

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted.

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4454602 OR BOOK 4153 PAGE 856, Recorded 07/05/2018 12:22:55 PM Doc Tax: $159402.60

Prepared by and return to:
Greenspoon Marder, P.A.
200 East Broward Blvd., Suite 1800
Fort Lauderdale, FL 33301
Attn: Barry E. Somerstein, Esq.
Tax Account No.: 4310-603-0007-000-4
[LIST ALL TAX ACCOUNT NOS.]

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, made and executed as of the 29th day of June, 2018, by **TRADITION LAND COMPANY, LLC**, an Iowa limited liability company ("**Grantor**"), whose address is 10490 SW Village Center Drive, Port St. Lucie, Florida 34987, to and in favor of **MATTAMY PALM BEACH LLC**, a Delaware limited liability company ("**Grantee**"), whose address is 1500 Gateway Boulevard, Suite 212, Boynton Beach, Florida 33426.

WITNESSETH:

That the Grantor for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the Grantee all of Grantor's right, title and interest in and to those certain pieces, parcels or tracts of land situated in St. Lucie County, Florida more particularly described as follows, to wit:

SEE EXHIBIT "A-1," "A-2" and "A-3" ATTACHED HERETO

(hereinafter referred to as the "**Property**");

TOGETHER WITH all the tenements, hereditaments, easements and appurtenances, including riparian rights, if any, thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the Property in fee simple forever.

AND Grantor does hereby covenant with and warrant to the Grantee that it has good right and lawful authority to sell and convey the Property; and that it will defend the title to the Property, against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

THE conveyance made herein, however, is expressly made **SUBJECT TO** (i) those matters described on **Exhibit "B"** attached hereto ("**Permitted Exceptions**"), however this reference shall not operate to reimpose same, and (ii) the Property is also subject to the restrictions and covenants running with the land applicable to the Property as set forth on **Exhibit "C"** attached hereto ("**Deed Restrictions**").

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in manner and form sufficient to bind it as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

Kelly Rene Rea

Name: Kelly Rene Rea

Wade DeRemer

Name: WADE DEREMER

GRANTOR:

TRADITION LAND COMPANY, LLC, an Iowa limited liability company

By: David C. Feltman

Name: David C. Feltman

Title: President

STATE OF Florida

COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 21st day of June, 2018 by David C. Feltman, as President of Tradition Land Company, LLC, an Iowa limited liability company, on behalf of the company. He/She is personally known to me or has produced _____ as identification.

(NOTARY SEAL)

KELLY RENE REA
MY COMMISSION # FF 204147
EXPIRES: March 22, 2019
Bonded Thru Notary Public Underwriters

Kelly Rene Rea

Notary Public Signature

Kelly Rene Rea

(Name typed, printed or stamped)

Commission No.: FF 204147

My Commission Expires: 3/22/2019

35188720.4
33451.0019

EXHIBIT "A-1"
DESCRIPTION OF WESTERN GROVE PROPERTY

LEGAL DESCRIPTION WESTERN GROVE
TRACTS A & B

LEGAL DESCRIPTION

WESTERN GROVE

PARCEL ID NUMBERS
4305-100-0000-000-5
4305-110-0000-000-6
4305-131-0001-000-8
4305-333-0001-000-8
4305-322-0001-000-4
4305-322-0002-000-1
4306-311-0000-000-6
4307-100-0000-000-1
4308-000-0000-000-7
4318-122-0001-000-0

BEING A PARCEL OF LAND LYING IN SECTIONS 5, 6, 7, 8, 17, AND 18, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY OF THE FLORIDA EAST COAST RAILWAY AND THE EAST RIGHT-OF-WAY LINE OF STATE ROAD S-609, AS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 2186, PAGE 548, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 00°08'55" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 156.89 FEET; THENCE SOUTH 00°01'15" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 2906.07 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

THENCE SOUTH 89°58'45" EAST, ALONG THE SOUTH LINE OF CROSSTOWN PARKWAY AS DEEDED FROM RESERVE HOMES LTD, L.P. TO CITY OF PORT ST. LUCIE, AS RECORDED IN OFFICIAL RECORDS BOOK 2186, PAGE 548, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, A DISTANCE OF 4633.87 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2,158.00 FEET, THE CHORD OF WHICH BEARS SOUTH 00°03'13" WEST, 0.93 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 0.93 FEET THROUGH A CENTRAL ANGLE OF 00°01'28" TO A POINT OF COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 1,690.00 FEET AND A CENTRAL ANGLE OF 03°25'08"; THENCE SOUTHERLY ALONG THE ARC, A DISTANCE OF 100.84 FEET; THENCE NORTH 86°37'20" EAST, A DISTANCE OF 54.69 FEET; THENCE NORTH 53°38'02" EAST, A DISTANCE OF 11.25 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 501.54 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 1,000.00 FEET, A CENTRAL ANGLE OF 12°20'03"; THENCE EASTERLY ALONG THE ARC A DISTANCE OF 215.27 FEET; THENCE NORTH 77°39'57" EAST, A DISTANCE OF 108.05 FEET; THENCE NORTH 73°41'12" EAST, A DISTANCE OF 447.38 FEET; THENCE NORTH 74°15'42" EAST, A DISTANCE OF 502.35 FEET; THENCE NORTH 74°29'48" EAST, A DISTANCE OF 493.07 FEET; THENCE NORTH 73°45'42" EAST, A DISTANCE OF 491.41 FEET; THENCE NORTH 74°31'50" EAST, A DISTANCE OF 526.42 FEET; THENCE NORTH 74°05'56" EAST, A DISTANCE OF 326.26 FEET TO THE WEST LINE OF A PARCEL OF LAND AS RECORDED IN OFFICIAL RECORDS BOOK 3131, PAGE 1673, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 13°12'00" EAST, ALONG SAID WEST LINE, AND ALONG THE WEST LINE OF TRADITION PLAT NO. 35, AS RECORDED IN PLAT BOOK 52, PAGE 1, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, A DISTANCE OF 4,266.67 FEET TO THE NORTH LINE OF TRADITION PLAT NO. 62, AS RECORDED IN PLAT BOOK 60, PAGE 22, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID TRADITION PLAT NO. 62 THE FOLLOWING 3 COURSES AND DISTANCES; 1) THENCE SOUTH 81°33'53" WEST, A DISTANCE OF 621.46 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 1,130.00 FEET, A CENTRAL ANGLE OF 05°23'17"; 2) THENCE WESTERLY ALONG THE ARC A DISTANCE OF 106.26 FEET; THENCE NORTH 53°22'26" WEST, A DISTANCE OF 15.42 TO THE EASTERLY RIGHT-OF-WAY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3071, PAGE 2612 OF SAID ST. LUCIE COUNTY PUBLIC RECORDS; THENCE NORTHERLY ALONG A CURVE TO THE RIGHT CONTAINING THE FOLLOWING ELEMENTS; RADIUS 760.00 FEET, CENTRAL ANGLE 2°03'38", ARC LENGTH OF 27.33 FEET; CHORD BEARING N1°53'40"W, A CHORD DISTANCE OF 27.33 FEET; THENCE S89°08'09"W, DEPARTING SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 80.00 FEET TO THE NORTHWEST CORNER OF SAID TRADITION PLAT 62; THENCE ALONG THE WESTERLY BOUNDS OF SAID PLAT THE FOLLOWING 4 COURSES AND DISTANCES; 1) SOUTHERLY ALONG A CURVE TO THE LEFT CONTAINING THE FOLLOWING ELEMENTS; RADIUS 840.00 FEET, CENTRAL ANGLE 12°36'21", ARC LENGTH 184.81 FEET, CHORD BEARING S7°10'01"E, A CHORD DISTANCE OF 184.44 FEET TO POINT OF REVERSE CURVATURE; 2) SOUTHWESTERLY ALONG A CURVE TO THE RIGHT CONTAINING THE FOLLOWING ELEMENTS; RADIUS 50.00 FEET, CENTRAL ANGLE 55°30'50", ARC LENGTH 48.45 FEET, CHORD BEARING S14°17'13"W, A CHORD DISTANCE OF 46.57 FEET TO A POINT OF REVERSE CURVATURE; 3) SOUTHWESTERLY ALONG A CURVE TO THE LEFT CONTAINING THE FOLLOWING ELEMENTS; RADIUS 110.00 FEET, CENTRAL ANGLE 8°37'53", ARC LENGTH 16.57 FEET, CHORD BEARING S37°43'42"W, A CHORD DISTANCE OF 16.56 FEET TO A POINT OF REVERSE CURVATURE; 4) SOUTHWESTERLY ALONG A CURVE TO THE RIGHT CONTAINING THE FOLLOWING ELEMENTS; RADIUS 50.00 FEET, CENTRAL ANGLE 51°19'04", ARC LENGTH 44.78 FEET, CHORD BEARING S59°04'17"W, A CHORD DISTANCE OF 43.30 FEET TO A POINT OF TANGENCY ON THE SOUTH LINE OF A PARCEL OF LAND AS RECORDED IN OFFICIAL RECORDS BOOK 1178, PAGE 2311 AND OFFICIAL RECORDS BOOK 3274, PAGE 915, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG SAID SOUTH LINE THE FOLLOWING 4 COURSES AND DISTANCES; THENCE SOUTH 84°43'49" WEST, A DISTANCE OF 174.38 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 1,100.00 FEET, A CENTRAL ANGLE OF 45°17'00"; THENCE WESTERLY ALONG THE ARC A DISTANCE OF 869.38 FEET; THENCE NORTH 49°59'11" WEST, A DISTANCE OF 1,546.87 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 1,200.00 FEET, A CENTRAL ANGLE OF 39°18'59"; THENCE WESTERLY ALONG THE ARC A DISTANCE OF 823.44 FEET; THENCE NORTH 89°18'10" WEST, A DISTANCE OF 401.19 FEET TO THE WEST LINE OF EXHIBIT A (POWERLINE ROAD), AS RECORDED IN OFFICIAL RECORDS BOOK 3071, PAGE 2651, PUBLIC RECORDS OF

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981
151 SW FLAGLER AVENUE • STUART, FLORIDA 34994
PHONE 772-464-3537 • FAX 772-464-9497 • www.ct-eng.com
STATE OF FLORIDA CERTIFICATION No. LB 4286

Tradition Florida LLC Tradition Land Company LLC	
Western Grove, St. Lucie County, Fl	
DATE: 6/15/2018	DRAWN BKH
SCALE: N/A	JOB No. *18-039*

LEGAL DESCRIPTION

WESTERN GROVE

ST. LUCIE COUNTY, FLORIDA; THENCE ALONG SAID WEST LINE THE FOLLOWING 3 COURSES AND DISTANCES; THENCE SOUTH 00°41'50" WEST, A DISTANCE OF 557.37 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 1,440.00 FEET, A CENTRAL ANGLE OF 18°08'36"; THENCE SOUTHERLY ALONG THE ARC A DISTANCE OF 455.99 FEET; THENCE SOUTH 18°50'26" WEST, A DISTANCE OF 800.66 FEET; THENCE SOUTH 70°06'36" EAST, A DISTANCE OF 540.99 FEET TO THE WEST LINE OF A 200.00 FOOT WIDE FLORIDA POWER AND LIGHT EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 767, PAGE 2676, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 00°41'50" WEST, ALONG SAID WEST LINE, A DISTANCE OF 3,427.77 FEET; THENCE SOUTH 00°08'18" WEST, ALONG SAID WEST LINE, A DISTANCE OF 317.26 FEET TO THE NORTH LINE OF CONSERVATION TRACT 3, AS RECORDED IN OFFICIAL RECORDS BOOK 1485, PAGE 708, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LINE OF CONSERVATION TRACT 3 THE FOLLOWING 24 COURSES AND DISTANCES; THENCE NORTH 31°45'23" EAST, A DISTANCE OF 287.98 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 479.11 FEET; THENCE NORTH 25°42'03" EAST, A DISTANCE OF 815.85 FEET; THENCE NORTH 67°14'46" EAST, A DISTANCE OF 611.45 FEET; THENCE NORTH 80°50'18" EAST, A DISTANCE OF 311.82 FEET; THENCE SOUTH 39°35'38" EAST, A DISTANCE OF 373.81 FEET; THENCE SOUTH 62°56'57" WEST, A DISTANCE OF 710.69 FEET; THENCE SOUTH 09°54'33" WEST, A DISTANCE OF 528.17 FEET; THENCE SOUTH 43°15'34" EAST, A DISTANCE OF 1.86 FEET; THENCE NORTH 89°57'05" EAST, A DISTANCE OF 1,118.66 FEET; THENCE NORTH 35°27'24" EAST, A DISTANCE OF 161.02 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 130°29'58"; THENCE EASTERLY ALONG THE ARC A DISTANCE OF 455.53 FEET; THENCE SOUTH 14°02'38" EAST, A DISTANCE OF 439.21 FEET; THENCE SOUTH 11°24'07" WEST, A DISTANCE OF 156.51 FEET; THENCE SOUTH 54°52'19" WEST, A DISTANCE OF 285.65 FEET; THENCE NORTH 87°53'08" WEST, A DISTANCE OF 303.75 FEET; THENCE NORTH 64°44'39" WEST, A DISTANCE OF 347.21 FEET; THENCE NORTH 38°28'42" WEST, A DISTANCE OF 244.24 FEET; THENCE SOUTH 61°48'44" WEST, A DISTANCE OF 265.08 FEET; THENCE SOUTH 26°55'17" EAST, A DISTANCE OF 157.56 FEET; THENCE SOUTH 04°24'55" WEST, A DISTANCE OF 302.92 FEET; THENCE SOUTH 51°49'41" EAST, A DISTANCE OF 294.23 FEET; THENCE SOUTH 28°06'28" EAST, A DISTANCE OF 898.96 FEET TO THE NORTH LINE OF CONSERVATION TRACT 1, AS RECORDED IN OFFICIAL RECORDS BOOK 1485, PAGE 708, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY AND WESTERLY LINE OF CONSERVATION TRACT 1 THE FOLLOWING 5 COURSES AND DISTANCES; THENCE SOUTH 72°37'52" WEST, A DISTANCE OF 619.63 FEET; THENCE SOUTH 18°11'57" WEST, A DISTANCE OF 269.91 FEET; THENCE SOUTH 01°51'59" EAST, A DISTANCE OF 146.75 FEET; THENCE SOUTH 32°55'06" EAST, A DISTANCE OF 1,128.20 FEET; THENCE SOUTH 49°21'19" EAST, A DISTANCE OF 380.65 FEET TO THE NORTH RIGHT-OF-WAY LINE OF E/W # 1, AS RECORDED IN OFFICIAL RECORDS BOOK 2972, PAGE 829, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 89°50'39" WEST, ALONG SAID NORTH LINE OF E/W # 1 AND THE NORTH LINE OF PARCEL 2 OF RIVERLAND GROVE, A DISTANCE OF 2,230.58 FEET TO THE POINT OF BEGINNING OF CONSERVATION TRACT 2, AS SHOWN IN OFFICIAL RECORDS BOOK 1485, PAGE 708, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG THE EASTERLY, NORTHERLY AND WESTERLY LINE OF CONSERVATION TRACT 2 THE FOLLOWING 24 COURSES AND DISTANCES; THENCE NORTH 16°14'32" EAST, A DISTANCE OF 312.22 FEET; THENCE NORTH 60°39'52" EAST, A DISTANCE OF 69.34 FEET; THENCE NORTH 70°31'49" EAST, A DISTANCE OF 130.24 FEET; THENCE NORTH 46°25'24" EAST, A DISTANCE OF 54.76 FEET; THENCE NORTH 32°01'44" EAST, A DISTANCE OF 35.62 FEET; THENCE NORTH 08°45'15" EAST, A DISTANCE OF 49.65 FEET; THENCE NORTH 10°37'45" WEST, A DISTANCE OF 61.45 FEET; THENCE NORTH 24°33'27" WEST, A DISTANCE OF 95.46 FEET; THENCE NORTH 09°05'54" WEST, A DISTANCE OF 95.57 FEET; THENCE NORTH 20°34'23" WEST, A DISTANCE OF 64.51 FEET; THENCE NORTH 45°12'39" WEST, A DISTANCE OF 167.70 FEET; THENCE NORTH 59°18'14" WEST, A DISTANCE OF 151.59 FEET; THENCE NORTH 88°01'37" WEST, A DISTANCE OF 54.82 FEET; THENCE SOUTH 74°52'40" WEST, A DISTANCE OF 305.26 FEET; THENCE NORTH 70°03'54" WEST, A DISTANCE OF 245.26 FEET; THENCE SOUTH 76°25'53" WEST, A DISTANCE OF 232.03 FEET; THENCE NORTH 35°37'28" WEST, A DISTANCE OF 365.49 FEET; THENCE NORTH 64°00'05" WEST, A DISTANCE OF 104.96 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 614.79 FEET; THENCE SOUTH 15°45'52" WEST, A DISTANCE OF 524.60 FEET; THENCE SOUTH 29°27'50" EAST, A DISTANCE OF 150.74 FEET; THENCE SOUTH 63°02'12" EAST, A DISTANCE OF 200.44 FEET; THENCE NORTH 89°59'49" EAST, A DISTANCE OF 311.47 FEET; THENCE SOUTH 57°38'10" EAST, A DISTANCE OF 1,042.53 FEET TO THE NORTH RIGHT-OF-WAY LINE OF E/W # 1, AS RECORDED IN OFFICIAL RECORDS BOOK 2972, PAGE 829, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 89°50'39" WEST, ALONG SAID NORTH LINE OF E/W # 1 AND THE NORTH LINE OF PARCEL 2 OF RIVERLAND GROVE, A DISTANCE OF 5063.33 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE ROAD 609 (RANGELINE ROAD) A 150.00 FOOT WIDE RIGHT-OF-WAY; THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE ROAD 609 (RANGELINE ROAD) THE FOLLOWING 6 COURSES AND DISTANCES; THENCE NORTH 00°00'21" EAST, A DISTANCE OF 1,040.46 FEET; THENCE NORTH 00°01'22" WEST, A DISTANCE OF 2,608.92 FEET; THENCE NORTH 85°42'58" EAST, A DISTANCE OF 74.89 FEET; THENCE NORTH 02°05'08" WEST, A DISTANCE OF 5,257.15 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 5,654.58 FEET, A CENTRAL ANGLE OF 02°06'23"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 207.88 FEET; THENCE NORTH 00°01'15" EAST, A DISTANCE OF 2,337.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,771.478 ACRES, MORE OR LESS.

Sheet 2 of 5

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STATE OF FLORIDA CERTIFICATION No. LB 4286

Tradition Florida LLC
Tradition Land Company LLC

Western Grove, St. Lucie County, Fl

DATE: 6/15/2018	DRAWN BKH
SCALE: N/A	JOB No. *18-039*

LEGAL DESCRIPTION

WESTERN GROVE

TOGETHER WITH PARCEL 1 Parcel ID: 4305-322-0002-000-1

A PARCEL OF LAND LYING IN SECTIONS 5 AND 6, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHWEST CORNER OF THE PLAT OF WESTERN GROVE PLAT NO. 2 ALLAPATTAH SUBSTATION, AS RECORDED IN PLAT BOOK 58, PAGE 12, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE N89°58'45"W A DISTANCE OF 50.00 FEET; THENCE N00°01'15"E A DISTANCE OF 60.00 FEET; THENCE S89°58'45"E A DISTANCE OF 4633.87 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

AND THE BEGINNING OF A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES SOUTH 89°56'03" EAST, A RADIAL DISTANCE OF 2,158.00 FEET AND HAVING A CHORD BEARING OF SOUTH 00°03'12" WEST, 0.93 FEET; THENCE SOUTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 00°01'28", A DISTANCE OF 0.93 FEET TO A POINT OF COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 1,690.00 FEET AND A CENTRAL ANGLE OF 03°25'08"; THENCE SOUTHERLY ALONG THE ARC, A DISTANCE OF 100.84 FEET; THENCE NORTH 86°37'20" EAST, A DISTANCE OF 54.69 FEET; THENCE NORTH 53°38'02" EAST, A DISTANCE OF 11.25 FEET; THENCE EAST, A DISTANCE OF 501.54 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 1,000.00 FEET, A CENTRAL ANGLE OF 11°43'53"; THENCE EASTERLY ALONG THE ARC A DISTANCE OF 204.75 FEET; THENCE NORTH 55°36'44" EAST, A DISTANCE OF 125.02 FEET; THENCE NORTH 89°58'45" WEST, A DISTANCE OF 874.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.684 ACRES, MORE OR LESS.

TOGETHER WITH PARCEL 2 (WETLAND 81) Parcel ID: 4308-331-0001-000-1

BEING A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHWEST CORNER OF TRACT 1, ACCORDING TO TRADITION PLAT NO. 70, AS RECORDED IN PLAT BOOK 67, PAGE 31, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 80°50'18" WEST, A DISTANCE OF 311.82 FEET; THENCE SOUTH 67°14'46" WEST, A DISTANCE OF 363.33 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

THENCE CONTINUE SOUTH 67°14'46" WEST, A DISTANCE OF 248.12 FEET; THENCE SOUTH 25°42'03" WEST, A DISTANCE OF 107.45 FEET; THENCE NORTH 55°58'12" WEST, A DISTANCE OF 41.35 FEET; THENCE NORTH 64°04'09" WEST, A DISTANCE OF 36.99 FEET; THENCE NORTH 34°18'02" WEST, A DISTANCE OF 57.12 FEET; THENCE NORTH 04°58'20" EAST, A DISTANCE OF 32.40 FEET; THENCE NORTH 29°38'11" EAST, A DISTANCE OF 56.90 FEET; THENCE NORTH 55°08'19" EAST, A DISTANCE OF 39.86 FEET; THENCE NORTH 67°58'26" EAST, A DISTANCE OF 76.12 FEET; THENCE NORTH 79°45'14" EAST, A DISTANCE OF 78.71 FEET; THENCE NORTH 86°56'06" EAST, A DISTANCE OF 47.36 FEET; THENCE SOUTH 83°49'59" EAST, A DISTANCE OF 32.61 FEET; THENCE SOUTH 76°45'58" EAST, A DISTANCE OF 32.93 FEET; THENCE SOUTH 58°01'15" EAST, A DISTANCE OF 60.94 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.923 ACRES, MORE OR LESS.

LESS AND EXCEPT PARCEL 3

BEING A PARCEL OF LAND LYING IN SECTIONS 5 AND 6, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHWEST CORNER OF THE PLAT OF WESTERN GROVE PLAT NO. 2 ALLAPATTAH SUBSTATION, AS RECORDED IN PLAT BOOK 58, PAGE 12, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE N89°58'45"W A DISTANCE OF 50.00 FEET; THENCE N00°01'15"E A DISTANCE OF 60.00 FEET; THENCE S89°58'45"E A DISTANCE OF 5508.49 FEET; THENCE S55°36'44"W A DISTANCE OF 125.02 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

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STATE OF FLORIDA CERTIFICATION No. LB 4286

Tradition Florida LLC Tradition Land Company LLC	
Western Grove, St. Lucie County, Fl	
DATE: 6/15/2018	DRAWN BKH
SCALE: N/A	JOB No. *18-039*

LEGAL DESCRIPTION

WESTERN GROVE

THENCE SOUTH 49°13'04" EAST, A DISTANCE OF 69.74 FEET; THENCE NORTH 74°03'19" EAST, A DISTANCE OF 2,864.71 FEET; THENCE NORTH 13°12'00" WEST, A DISTANCE OF 46.01 FEET; THENCE SOUTH 74°05'56" WEST, A DISTANCE OF 326.26 FEET; THENCE SOUTH 74°31'50" WEST, A DISTANCE OF 526.42 FEET; THENCE SOUTH 73°45'42" WEST, A DISTANCE OF 491.41 FEET; THENCE SOUTH 74°29'48" WEST, A DISTANCE OF 493.07 FEET; THENCE SOUTH 74°15'42" WEST, A DISTANCE OF 502.35 FEET; THENCE SOUTH 73°41'12" WEST, A DISTANCE OF 447.38 FEET; THENCE SOUTH 77°39'57" WEST, A DISTANCE OF 108.05 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 1,000.00 FEET, A CENTRAL ANGLE OF 00°36'10"; THENCE WESTERLY ALONG THE ARC A DISTANCE OF 10.52 FEET TO THE POINT OF BEGINNING. ALSO LESSING OUT THAT PORTION OF EXHIBIT A, AS RECORDED IN OFFICIAL RECORDS BOOK 3071, PAGE 2612, THAT LIES IN THE ABOVE DESCRIBED PARCEL.

CONTAINING 3.318 ACRES, MORE OR LESS.

LESS AND EXCEPT: Parcel ID: 4306-700-0001-000-7
FLORIDA POWER AND LIGHT ALLAPATTAH SUBSTATION, AS RECORDED IN PLAT BOOK 58, PAGE 12, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. (CONTAINING 2.491 ACRES, MORE OR LESS).

ALSO LESS AND EXCEPT: Parcel ID: 4308-501-0001-020-8
FERNLAKE DRIVE, AS RECORDED IN OFFICIAL RECORDS BOOK 3071, PAGE 2612, EXHIBIT B (CONTAINING 8.358 ACRES, MORE OR LESS).

ALSO LESS AND EXCEPT: Parcel ID: 4306-111-0001-000-9 Parcel ID: 4306-144-0001-000-1
POWERLINE ROAD, AS RECORDED IN OFFICIAL RECORDS BOOK 3071, PAGE 2612, EXHIBIT C AND OFFICIAL RECORDS BOOK 3071, PAGE 2651, EXHIBIT C (CONTAINING 40.982 ACRES, MORE OR LESS).

TRACT C Parcel ID: 4308-000-0000-000-7

BEING A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT THE NORTHEAST CORNER OF THE PLAT OF TRADITION PLAT NO. 58, AS RECORDED IN PLAT BOOK 59, PAGE 21, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY LINE OF SAID TRADITION PLAT NO. 58 THE FOLLOWING 7 COURSES AND DISTANCES; THENCE NORTH 89°53'05" WEST, A DISTANCE OF 194.96 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 70°02'04"; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 61.12 FEET; THENCE NORTH 19°51'01" WEST, A DISTANCE OF 224.93 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 83°40'24"; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 292.08 FEET; THENCE SOUTH 76°28'35" WEST, A DISTANCE OF 669.95 FEET; THENCE SOUTH 07°29'09" EAST, A DISTANCE OF 209.34 FEET; THENCE SOUTH 47°13'42" WEST, A DISTANCE OF 508.14 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF TRADITION PARKWAY (A 130.00 FOOT WIDE RIGHT-OF-WAY) AND TO AN INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1,465.00 FEET, THE CHORD OF WHICH BEARS NORTH 24°41'40" WEST, 443.56 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 445.27 FEET THROUGH A CENTRAL ANGLE OF 17°24'52" TO THE SOUTHWEST CORNER OF TRACT A, ACCORDING TO THE PLAT OF TRADITION PLAT NO. 68, AS RECORDED IN PLAT BOOK 66, PAGE 37, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY, EASTERLY, AND NORTHERLY LINE OF SAID TRACT A THE FOLLOWING 7 COURSES AND DISTANCES; THENCE NORTH 74°00'46" EAST, A DISTANCE OF 60.76 FEET; THENCE NORTH 21°07'28" EAST, A DISTANCE OF 100.75 FEET; THENCE NORTH 30°08'54" EAST, A DISTANCE OF 78.00 FEET; THENCE NORTH 14°10'47" WEST, A DISTANCE OF 112.39 FEET; THENCE NORTH 71°42'41" WEST, A DISTANCE OF 90.85 FEET; THENCE NORTH 51°27'29" WEST, A DISTANCE OF 76.73 FEET; THENCE SOUTH 88°24'58" WEST, A DISTANCE OF 16.19 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF TRADITION PARKWAY (A 130.00 FOOT WIDE RIGHT-OF-WAY); THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID TRADITION PARKWAY THE FOLLOWING 6 COURSES AND DISTANCES; AND TO AN INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 1,465.00 FEET, THE CHORD OF WHICH BEARS NORTH 00°47'31" WEST, 40.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 40.50 FEET THROUGH A CENTRAL ANGLE OF 01°35'02"; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 182.47 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 1,595.00 FEET, A CENTRAL ANGLE OF 09°38'59"; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 268.63 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 47°50'06"; THENCE NORTHERLY ALONG THE ARC, A DISTANCE OF 41.74 FEET TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 130.00 FEET AND A CENTRAL ANGLE OF 21°42'43"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 49.26 FEET TO A

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STATE OF FLORIDA CERTIFICATION No. LB 4286

Tradition Florida LLC Tradition Land Company LLC	
Western Grove, St. Lucie County, Fl	
DATE: 6/15/2018	DRAWN BKH
SCALE: N/A	JOB No. *18-039*

LEGAL DESCRIPTION

WESTERN GROVE

POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 56°42'14"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 49.48 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF FERNLAKE DRIVE (A 80.00 FOOT WIDE RIGHT-OF-WAY); THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID FERNLAKE DRIVE THE FOLLOWING 3 COURSES AND DISTANCES, AND TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 930.00 FEET AND A CENTRAL ANGLE OF 54°51'10"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 890.35 FEET; THENCE NORTH 18°19'28" EAST, A DISTANCE OF 61.04 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 870.01 FEET, A CENTRAL ANGLE OF 13°23'54"; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 203.45 FEET TO THE SOUTHWESTERLY CORNER OF TRADITION PLAT NO. 62, AS RECORDED IN PLAT BOOK 60, PAGE 22, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG THE SOUTHERLY LINE OF SAID TRADITION PLAT NO. 62 THE FOLLOWING 3 COURSES AND DISTANCES; THENCE SOUTH 51°55'07" EAST, A DISTANCE OF 701.92 FEET TO THE INTERSECTION WITH A NON TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 440.00 FEET, THE CHORD OF WHICH BEARS NORTH 75°57'08" EAST, 209.81 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 211.85 FEET THROUGH A CENTRAL ANGLE OF 27°35'12"; THENCE NORTH 89°44'44" EAST, A DISTANCE OF 277.08 FEET TO THE NORTHWEST CORNER OF TRADITION PLAT NO. 16, AS RECORDED IN PLAT BOOK 44, PAGE 12, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 00°06'55" WEST, ALONG THE WEST LINE OF SAID TRADITION PLAT NO. 16, A DISTANCE OF 1,493.94 FEET TO THE POINT OF BEGINNING. CONTAINING 54.548 ACRES, MORE OR LESS.

CONTAINING 1,773.484 ACRES (TOTAL NET), MORE OR LESS.

TOGETHER WITH:

All of Parcel ID: 4305-110-0000-000-6
A portion of Parcel ID: 4304-124-0001-000-3
A portion of Parcel ID: 4304-111-0000-000-6

A PARCEL OF LAND LYING IN SECTIONS 4 AND 5, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST LUCIE COUNTY, FLORIDA AND BEING A PORTION OF THE LANDS DESCRIBED BY DEED RECORDED IN OFFICIAL RECORDS BOOK 1745 AT PAGE 1819, PUBLIC RECORDS OF SAID ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF LOT 375 AS SHOWN ON TRADITION PLAT NO. 28 AS RECORDED IN PLAT BOOK 45 AT PAGES 24 THROUGH 38, PUBLIC RECORDS OF ST, LUCIE COUNTY, FLORIDA AND RUNNING THENCE N74°03'19"E ALONG THE NORTHERLY BOUNDS OF SAID LOT 375 AND CONTINUING ALONG THE NORTHERLY BOUNDS OF WATER MANAGEMENT TRACT 1 AS SHOWN ON SAID TRADITION PLAT NO. 28, A DISTANCE OF 182.96 FEET TO A POINT LOCATED S74°03'19"W A DISTANCE OF 50.00 FEET FROM THE CENTERLINE OF A 20 WIDE WATER MANAGEMENT EASEMENT SHOWN ON THE ABOVE MENTIONED TRADITION PLAT 28; THENCE N15°45'29"W ALONG A LINE PARALLEL TO AND 50 FEET DISTANT WESTERLY FROM SAID CENTERLINE, A DISTANCE OF 29.52 FEET TO A POINT ON THE NORTHERLY BOUNDS OF THE PLAT LAST ABOVE MENTIONED AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE S74°14'30"W ALONG THE NORTHERLY BOUNDS OF SAID TRADITION PLAT 18 A DISTANCE OF 816.16 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S74°14'30"W A DISTANCE OF 18.57 FEET TO A POINT ON THE SOUTHERLY BOUNDS OF LANDS DESCRIBED BY DEED FIRST ABOVE MENTIONED; THENCE S13°37'52"W ALONG SAID BOUNDS A DISTANCE OF 14.03 FEET; THENCE S74°03'19"W, STILL ALONG SAID SOUTHERLY BOUNDS, A DISTANCE OF 5341.55 FEET TO A POINT ON THE NORTHERLY BOUNDS OF THE SO-CALLED WESTERN GROVE PARCEL; THENCE ALONG THE NORTHERLY BOUNDS THEREOF THE FOLLOWING TWO COURSES AND DISTANCES; 1) N49°13'04"W A DISTANCE OF 69.74 FEET; 2) N55°36'44"E A DISTANCE OF 125.02 FEET TO A POINT ON THE NORTHERLY BOUNDS OF THE O.L. PEACOCK CANAL AS DESCRIBED BY DEED FIRST ABOVE MENTIONED; THENCE ALONG SAID NORTHERLY BOUNDS THE FOLLOWING 4 COURSES AND DISTANCES; 1) N74°05'51"E A DISTANCE OF 4714.77 FEET; 2) N74°35'02"E A DISTANCE OF 620.60 FEET; 3) N34°54'59"E A DISTANCE OF 16.17 FEET; 4) N74°00'26"E A DISTANCE OF 755.08 FEET; THENCE S15°45'29"E, PARALLEL TO AND 50' DISTANT WESTERLY FROM THE CENTERLINE OF THE 20 FEET WIDE WATER MANAGEMENT EASEMENT REFERRED TO ABOVE, A DISTANCE OF 89.94 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT EXHIBIT "A" AS DESCRIBED BY DEED RECORDED IN OFFICIAL RECORDS BOOK 3071 AT PAGE 2612, PUBLIC RECORDS OF SAID ST. LUCIE COUNTY, FLORIDA. CONTAINING 13.24 ACRES OF LAND, MORE OR LESS.

TOTAL AREA OF ALL WESTERN GROVE PARCELS CONTAIN 1786.724 ACRES OF LAND, MORE OR LESS.

Sheet 5 of 5

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Tradition Land Company LLC
Western Grove, St. Lucie County, Fl

DATE: 6/15/2018	DRAWN BKH
SCALE: N/A	JOB No. *18-039*

EXHIBIT "A-2"
SOUTHERN GROVE PROPERTY

LEGAL DESCRIPTION

SOUTHERN GROVE

TOGETHER WITH: Parcel ID: 4322-231-0002-000-5

A PARCEL OF LAND LYING IN SECTION 22, TOWNSHIP 37 SOUTH, RANGE 39 EAST, AND BEING A PORTION OF THE PLAT OF SOUTHERN GROVE PLAT NUMBER 3 AS RECORDED IN PLAT BOOK NUMBER 61 AT PAGE 17, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

FROM THE SOUTHWEST CORNER OF PARCEL 24 OF THE ABOVE MENTIONED SOUTHERN GROVE PLAT NO. 3, THENCE N 90°00'00" E 75.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 90°00'00" E 648.81 FEET TO A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 4,950 FEET, THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 1210.08 FEET, THENCE N 75°59'37" E 561.12 FEET TO THE WESTERLY RIGHT-OF-WAY OF VILLAGE PARKWAY AND A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 4,925 FEET, THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 100.00 FEET, THENCE S 75°59'37" W 561.12 FEET TO A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 5,050 FEET, THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 1234.52 FEET, THENCE S 90°00'00" W 648.97 FEET, THENCE N 00°05'34" E A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING- LESS THAT PART FOR RELOCATED E/W NO. 2 ROAD RIGHT-OF-WAY AS IN OFFICIAL RECORDS BOOK 3935 AT PAGE 2995, PUBLIC RECORDS OF SAID ST. LUCIE COUNTY.

CONTAINING 4.21 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH: Parcel ID: 4315-700-0025-000-9 (PARCEL 24)
Parcel ID: 4315-700-0030-000-7 (PARCEL 28)
Parcel ID: 4315-700-0032-000-1 (PARCEL 29)

BEING ALL OF PARCELS 24, 28 AND 29 ACCORDING TO SOUTHERN GROVE PLAT NO. 3, AS RECORDED IN PLAT BOOK 61, PAGE 17, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LESS AND EXCEPT THAT PART FOR COMMUNITY BOULEVARD AND UTILITY SITE 1 AS DESCRIBED BY DEED RECORDED IN OFFICIAL RECORDS BOOK 3935 AT PAGE 2995.

PARCEL 24 CONTAINS 130.570 ACRES OF LAND, MORE OR LESS.
PARCEL 28 CONTAINS 436.727 ACRES OF LAND, MORE OR LESS.
PARCEL 29 CONTAINS 386.544 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH: Parcel ID: 4315-700-0001-000-5

BEING ALL OF UTILITY SITE 1 AS SHOWN ON THE PLAT OF SOUTHERN GROVE PLAT NUMBER 3, RECORDED IN PLAT BOOK 61 AT PAGE 17, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. (0.50 AC) (OR 3935-2984)

CONTAINING 0.50 ACRE OF LAND, MORE OR LESS.

TOGETHER WITH: Parcel ID: 4315-700-0007-000-7 (CONSERVATION TRACT 3)
Parcel ID: 4315-700-0016-000-3 (CONSERVATION TRACT 12)

BEING ALL OF CONSERVATION TRACTS 3 AND 12 AS SHOWN ON THE PLAT OF SOUTHERN GROVE PLAT NUMBER 3, RECORDED IN PLAT BOOK 61 AT PAGE 17, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

CONSERVATION TRACT 3 CONTAINS 1.071 ACRE OF LAND, MORE OR LESS.
CONSERVATION TRACT 12 CONTAINS 41.300 ACRES OF LAND, MORE OR LESS.

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STATE OF FLORIDA CERTIFICATION No. LB 4286

Tradition Florida LLC Tradition Land Company LLC	
Mattamy Parcels	
DATE: 6/15/2018	DRAWN BKH
SCALE: N/A	JOB No. *18-039*

LEGAL DESCRIPTION

SOUTHERN GROVE

TOGETHER WITH: Parcel ID: 4315-500-0008-000-0

BEING ALL OF PARCEL 1, ACCORDING TO SOUTHERN GROVE PLAT NO. 4, AS RECORDED IN PLAT BOOK 56, PAGE 18, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL;

FROM THE NORTHEAST CORNER OF SAID PARCEL 1 RUNNING THENCE TO A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1657.00 FEET, RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 1031.85 FEET, THENCE S 60° 57' 01" E 68.14 FEET TO THE POINT OF BEGINNING; THENCE S 60° 57' 01" E 140.00 FEET, THENCE S 74° 02' 59" W 42.43 FEET, THENCE N 60° 57' 01" W 80.00 FEET, THENCE N 15° 57' 01" W 42.43 FEET TO THE POINT OF BEGINNING. CONTAINING 0.076 ACRE OF LAND, MORE OR LESS.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL;

EXHIBIT B AS DESCRIBED BY DEED RECORDED IN OFFICIAL RECORDS BOOK 3071 AT PAGE 2591, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. CONTAINING 0.004 ACRE OF LAND, MORE OR LESS

OVERALL PARCEL CONTAINS 60.681 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH: Parcel ID: 4315-500-0006-000-6 (CONSERVATION TRACT 10)
Parcel ID: 4315-500-0007-000-3 (CONSERVATION TRACT 21)

BEING ALL OF CONSERVATION TRACTS 10 AND 21, ACCORDING TO SOUTHERN GROVE PLAT NO. 4, AS RECORDED IN PLAT BOOK 56, PAGE 18, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

CONSERVATION TRACT 10 CONTAINS 0.943 ACRES OF LAND. MORE OR LESS.
CONSERVATION TRACT 21 CONTAINS 5.064 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH: Parcel ID: 4322-600-0020-000-9 (PARCEL 25A)
Parcel ID: 4322-600-0023-000-0 (PARCEL 25D)
Parcel ID: 4322-600-0027-000-8 (PARCEL 27D)

BEING ALL OF PARCELS 25A, 25D AND 27D ACCORDING TO SOUTHERN GROVE PLAT NO. 13, AS RECORDED IN PLAT BOOK 74, PAGE 10, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

PARCEL 25A CONTAINS 28.766 ACRES OF LAND, MORE OR LESS.
PARCEL 25D CONTAINS 15.573 ACRES OF LAND, MORE OR LESS.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL FROM THE ABOVE MENTIONED PARCEL 27D;

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL 27D AND RUNNING THENCE ALONG THE BOUNDS THEREOF THE FOLLOWING 6 COURSES AND DISTANCES; 1) N4°13'26"E A DISTANCE OF 635.29 FEET; 2) S89°14'41"E A DISTANCE OF 596.05 FEET; 3) N3°14'21"E A DISTANCE OF 87.14 FEET; 4) S81°49'52"E A DISTANCE OF 217.07 FEET; 5) S75°35'46"E A DISTANCE OF 2.83 FEET; 6) S57°00'52"E A DISTANCE OF 172.59 FEET TO A POINT ON THE WESTERLY LINE OF A 60 FOOT WIDE FLORIDA POWER & LIGHT COMPANY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 97 AT PAGE 505, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE S00°02'34"W ALONG SAID WESTERLY BOUNDS A DISTANCE OF 596.94 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF E/W 4 R/W (PARR DRIVE) AS SHOWN ON THE ABOVE MENTIONED PLAT OF SOUTHERN GROVE PLAT NO. 13; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING 2 COURSES AND DISTANCES; 1) N89°59'43"W A DISTANCE OF 772.26 FEET TO A POINT OF CURVATURE; 2) WESTERLY ALONG A CURVE TO THE RIGHT CONTAINING THE FOLLOWING ELEMENTS; RADIUS 2925.00 FEET, CENTRAL ANGLE 4°39'19" AN ARC LENGTH OF 237.65 FEET TO THE POINT OF BEGINNING. CONTAINING 14.825 ACRES OF LAND, MORE OR LESS.

THE PORTION OF PARCEL 27D DESCRIBED HEREIN CONTAINS 30.864 ACRES OF LAND, MORE OR LESS.

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STATE OF FLORIDA CERTIFICATION No. LB 4286

Tradition Florida LLC
Tradition Land Company LLC

Mattamy Parcels

DATE: 6/15/2018	DRAWN BKH
SCALE: N/A	JOB No. *18-039*

LEGAL DESCRIPTION

SOUTHERN GROVE

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL;

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY OF VILLAGE PARKWAY AS DESCRIBED BY DEED RECORDED IN OFFICIAL RECORDS BOOK 2899 AT PAGE 2933 (EXHIBIT "A"), PUBLIC RECORDS OF ST LUCIE COUNTY, FLORIDA, WHICH POINT IS THE MOST NORTHERLY CORNER OF PARCEL 3 AS DESCRIBED IN THE ABOVE MENTIONED DEED AND RUNNING THENCE N25°57'22"W ALONG SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 1204.05 FEET TO THE SOUTHWEST CORNER OF A UTILITY SITE AS RECORDED IN OFFICIAL RECORDS BOOK 3935 AT PAGE 2995, SAID PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE N64°02'38"E, DEPARTING SAID RIGHT-OF-WAY AND RUNNING ALONG THE SOUTHERLY LINE OF THE PARCEL LAST ABOVE MENTIONED AND CONTINUE ON THE SAME COURSE, A TOTAL DISTANCE OF 654.68 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG SAID CURVE CONTAINING THE FOLLOWING ELEMENTS; RADIUS 171.25 FEET, CENTRAL ANGLE 104°16'41", ARC LENGTH 311.67 FEET, CHORD BEARING S54°21'56"E, A CHORD DISTANCE OF 270.40 FEET TO THE BEGINNING OF A NON-TANGENT LINE; THENCE S26°39'19"E ALONG SAID LINE A DISTANCE OF 732.16 FEET; THENCE S30°11'31"E A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTHERLY BOUNDS OF E/W 3 RIGHT-OF-WAY AS DESCRIBED BY DEED RECORDED IN OFFICIAL RECORDS BOOK 2418 AT PAGE 2680 (EXHIBIT "E"), PUBLIC RECORDS OF ST. LUCIE COUNTY. FLORIDA; THENCE S59°48'29"W ALONG THE NORTHERLY BOUNDS THEREOF A DISTANCE OF 784.24 FEET TO THE MOST EASTERLY CORNER OF PARCEL 3 REFERRED TO ABOVE; THENCE N72°56'17"W ALONG THE NORTHERLY BOUNDS OF SAID PARCEL 3 A DISTANCE OF 34.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 21.66 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH: Parcel ID: 4315-609-0001-000-5

BEING ALL OF WATER MANAGEMENT TRACT 1, ACCORDING TO SOUTHERN GROVE PLAT NO. 18, AS RECORDED IN PLAT BOOK 73, PAGE 25, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

CONTAINING 10.872 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH: Parcel ID: 4315-609-0001-000-5

BEING ALL OF OPEN SPACE TRACT 1, ACCORDING TO SOUTHERN GROVE PLAT NO. 18, AS RECORDED IN PLAT BOOK 73, PAGE 25, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

CONTAINING 1.06 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH: Parcel ID: 4315-610-0001-000-9

BEING ALL OF TRACT 1, ACCORDING TO SOUTHERN GROVE PLAT NO. 21, AS RECORDED IN PLAT BOOK 75, PAGES 1-3, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

CONTAINING 37.30 ACRES OF LAND, MORE OR LESS.

THE TOTAL AREA OF ALL SOUTHERN GROVE PARCELS DESCRIBED HEREIN IS 1213.705 ACRES OF LAND, MORE OR LESS.

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Tradition Florida LLC Tradition Land Company LLC	
Mattamy Parcels	
DATE: 6/15/2018	DRAWN BKH
SCALE: N/A	JOB No. *18-039*

EXHIBIT A-3
TRADITION PROPERTY

LEGAL DESCRIPTION

TRADITION

TOGETHER WITH: Parcel ID: 4309-803-0008-000-1

BEING ALL OF PARCEL A, ACCORDING TO TRADITION PLAT 17, AS RECORDED IN PLAT BOOK 43, PAGES 22, 22A-22F, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. CONTAINING 8.573 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH: Parcel ID: 3333-800-0004-000-6

BEING ALL OF TRACT 1, ACCORDING TO TRADITION PLAT 32, AS RECORDED IN PLAT BOOK 62, PAGES 5-9, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. CONTAINING 9.20 ACRES OF LAND, MORE OR LESS.

TOGETHER WITH: Parcel ID: 4308-501-0001-000-2

TRADITION PLAT NO. 62 (PLAT BOOK 60-22) THAT PART OF SAID SUBDIVISION MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF TRADITION PLAT NUMBER 62 REFERRED TO ABOVE, THENCE S 11° 13' 04" E 30.00 FEET TO A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 1300.00 FEET, THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 10.00 FEET, THENCE S 12° 58' 52" E 129.50 FEET TO CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 32.00 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.58 FEET TO A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 108.00 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 12.56 FEET TO A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 182.00 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 129.09 FEET TO CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 1450.00 FEET, THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 417.90 FEET, THENCE N 78° 46' 37" W 146.08 FEET TO CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 1205.00 FEET, THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 413.44 FEET, THENCE S 81° 33' 53" W 654.60 FEET TO CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2950.00 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 70.91 FEET TO CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 50.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 45.78 FEET TO CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 110.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 47.79 FEET TO CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 50.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 48.95 FEET TO CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 760.00 FEET, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 139.01 FEET, THENCE S 53° 22' 26" E 15.42 FT TO CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 130.00 FEET, THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 106.26 FEET, THENCE N 81° 33' 53" E 708.20 FEET TO A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 1430.00 FEET, THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 490.64 FEET, THENCE S 78° 46' 37" E 112.72 FEET TO CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 1270.00 FEET, THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 497.42 FEET TO THE POINT OF BEGINNING. CONTAINING 9.98 ACRES OF LAND. (OFFICIAL RECORDS BOOK 3274-915)

THE TOTAL AREA OF ALL TRADITION PARCELS DESCRIBED HEREIN IS 27.753 ACRES OF LAND, MORE OR LESS.

Sheet 1 of 1

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STATE OF FLORIDA CERTIFICATION No. LB 4286

Tradition Florida LLC
Tradition Land Company LLC
Mattamy Parcels

DATE: 6/15/2018	DRAWN BKH
SCALE: N/A	JOB No. *18-039*

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes and assessments, including, but not limited to, any assessments of property owner associations and assessments and liens imposed by any governmental authority, the community development districts and special association districts which may impose and levy taxes and assessments on the Property for the year 2018 and all subsequent years which are not yet due and payable.

2. Zoning restrictions and prohibitions imposed by governmental authority, including, but not limited to, plats, site plans and/or any other governmental approvals or regulations pertaining to the Property.

3. Easements, restrictions and all other matters of record.

4. Facts which an accurate survey would show.

5. Rights of any parties in possession.

6. Any matter created by Grantee or through the Grantee.

EXHIBIT "C"

DEED RESTRICTIONS

The following restrictions, covenants and provisions shall be deemed a part of the conveyance described in the Special Warranty Deed to which these Deed Restrictions are attached and shall be deemed covenants running with the land applicable to the Property described in such Special Warranty Deed ("**Property**"). These restrictions are for the benefit of the City of Port St. Lucie, Florida ("**City**") and any waiver or amendment to the restrictions in this Exhibit "C" shall require the written consent of the City.

Grantor and Grantee acknowledge that there shall be no improvements constructed upon the Property conveyed by Grantor, other than the "Proposed Uses", as hereinafter defined, without the written consent of the City.

"**Proposed Uses**" shall mean (unless otherwise approved in writing by the City) the Property may only be used for (i) not more than 4,000 units of residential density and not more than 220,000 square feet of available retail/office square footage within the Western Grove DRI Amended and Restated Development Order contemplated under City of Port St. Lucie Resolution 16-R24 recorded in Official Records Book 3864, Page 1792 of the Public Records of St. Lucie County, Florida ("**Western Grove DRI**") with respect to the portion of the Property described on Exhibit "A-1" ("**Western Grove Property**"), (ii) not more than 2,010 units of single-family dwelling units, not more than 808 units of multi-family dwelling units and not more than 576 apartment units, not more than 895,940 retail/office square feet on parcels SG-4, SG-5 and SG-7, not more than 240 hotel rooms on parcel SG-5, and not more than 123,449 square feet of retail/commercial square footage on CDD-1 Commercial Property, all within the portions of the Property more particularly described on Exhibit "A-2" ("**Southern Grove Property**") which are located within the Southern Grove DRI Amended and Restated Development Order contemplated under City of Port St. Lucie Resolution 15-R95 recorded in Official Records Book 3826, Page 2235 of the Public Records of St. Lucie County, Florida ("**Southern Grove DRI**"), and (iii) not more than 20 single-family dwelling units, not more than 130 multi-family dwelling units of residential density and not more than 90,000 square feet of retail square footage on the portion of the Property set forth on Exhibit "A-3" attached hereto and made a part hereof ("**Tradition Property**") which is subject to the Tradition DRI Amended and Restated Development Order as contemplated in City of Port St. Lucie Resolution 16-R25 recorded in Official Records Book 1840, Page 1881 of the Public Records of St. Lucie County, Florida ("**Tradition DRI**"); provided, however, without the written consent of the City, the owner of the various portions of the Property shall have the right to shift the uses set forth above as permitted under the conversion matrix set forth in (a) the Southern Grove DRI as to the Southern Grove Property, (b) as permitted under the Tradition DRI as to the Tradition Property, and (c) in the Western Grove Property as permitted under the Western Grove DRI.

In advance of any portion of the Property being developed, as evidenced by the submission of a site plan application or land development permit application with respect thereto, Grantee agrees that the portion of the Property being developed shall then be submitted to and encumbered by one of the following Charters, as applicable, to wit: (i) Commercial Charter For Tradition recorded in Official Records Book 2098, Page 1697 of the Public Records of St. Lucie

County, Florida, as amended from time to time, as to any non-residential uses intended to be developed on the portions of the Property, and (ii) the Community Charter For Tradition recorded in Official Records Book 1700, Page 868 of the Public Records of St. Lucie County, Florida, as amended from time to time, as to any residential uses intended to be developed on the portions of the Property ("**Charters**").

Except with the City of Port St. Lucie, Florida's written consent, the restrictions and covenants set forth in this **Exhibit C** shall be covenants running with the land for a period ending on a date which is twenty-one (21) years after the death of the last surviving lineal descendant of Queen Elizabeth, the queen of England.

Southern Grove-SOGRO Park

Rezoning Application

Project No. P23-104

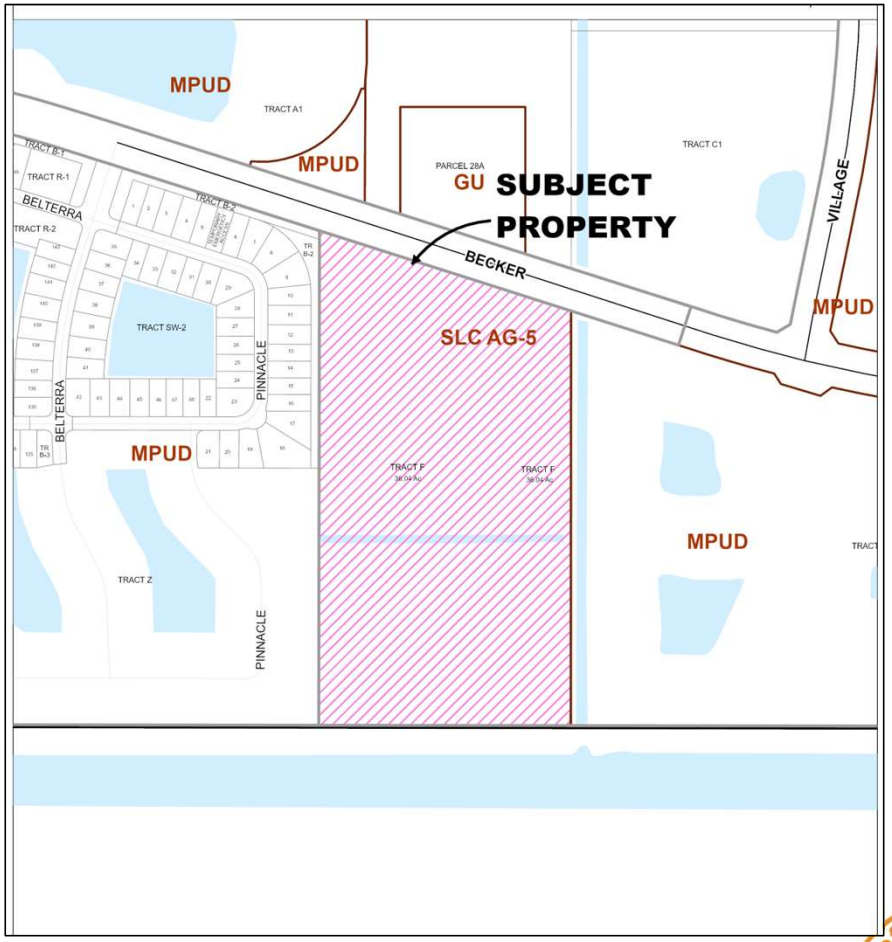
Planning & Zoning Board
August 1, 2023
Cody Sisk, Planner II

Request Summary

Applicant's Request:	A request to rezone 36.04 acres of property from SLC Agricultural 5 (SLC AG-5) to General Use (GU) zoning district
Agent:	Derrick Phillips, Lucido and Associates
Applicant /Property Owner:	Mattamy Palm Beach, LLC
Location:	The subject property is located on the south of Becker Road and west of SW Village Parkway

Surrounding Areas

Direction	Future Land Use	Zoning	Existing Use
North	New Community Development (NCD)	Master Planned Unit Development (MPUD), General Use (GU), SLC AG-5	Vacant Agricultural Lots
South	Martin County Line Canal - C23	Martin County Line Canal - C23	Martin County Line Canal - C23
East	New Community Development (NCD)	Master Planned Unit Development (MPUD)	Single-family residences
West	New Community Development (NCD)	Master Planned Unit Development (MPUD)	Single-family residences
Existing	New Community Development (NCD)	SLC AG-5	Vacant Agricultural Lots



Justification

- The proposed rezoning is consistent with Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan which establishes the compatible future land use and zoning categories.

- The proposed GU (General Use) zoning district is listed as a compatible zoning district under the NCD (New Community Development) future land use classification.

Policy 1.1.4.13 Future Land Use Element	
Future Land Use Classification	Compatible Zoning District
NCD (New Community Development)	MPUD, **GU**, OSC

Staff Recommendation

- The Planning & Zoning Department staff recommends approval of the rezoning request.

Agenda Summary

2023-635

Agenda Date: 8/1/2023 **Agenda Item No.:** 8.f

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P23-109 Soma Investors, LLC - Rezoning

Location: Northeast Corner of SW Port St. Lucie Blvd and SW Squirrel Ave

Legal Description: Port St. LucieSection 15, Block 1463, Lots 19, 20, 21 and 22

This is a request to rezone 0.99 acres of land currently zoned Institutional (I) to Professional (P).

Submitted By: Marissa Da Breo-Latchman, Environmental Planner II

Executive Summary: The applicant is requesting approval for the rezoning of a 0.99-acre parcel from Institutional (I) to Professional (P). The subject property is located at the northeast corner of SW Port St. Lucie Blvd and SW Squirrel Ave, between SW Darwin and SW Paar Dr. The applicant is requesting a rezoning to allow for a medical office building.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board recommend approval of the request to rezone 0.99 acres of property from Institutional (I) to Professional (P) to City Council.

Alternate Recommendations:

1. Move that the Board recommend denial of the rezoning request to City Council.

Background: See Staff Report.

Issues/Analysis: See staff Report.

Special Consideration: N/A

Location of Project: 3625 SW Port St. Lucie Blvd

Attachments: Staff Report, Application, Warranty Deed, Agent Authorization, Staff Presentation.

3625 SW PORT ST LUCIE BLVD
Rezoning
P23-109



Project Location Map

SUMMARY

Applicant's Request:	A request to rezone 0.99 acres of land currently zoned Institutional (I) to Professional (P) zoning district.
Applicant:	2GHO, Inc., George Gentile, Patricia Lentini & Dan Siemsen
Property Owner:	Soma Investors, LLC
Location:	Northeast Corner of SW Port St. Lucie Blvd & SW Squirrel Ave
Address:	3625 SW Port St. Lucie Blvd
Project Planner:	Marissa Da Breo-Latchman, Environmental Planner II

Project Description

The applicant is requesting approval for the rezoning of a 0.99-acre parcel from Institutional (I) to Professional (P). The subject property is located at the northeast corner of SW Port St. Lucie Blvd and SW Squirrel Ave, between SW Darwin and SW Paar Dr. The parcel has an assigned address of 3625 SW Port St. Lucie Blvd. The applicant is requesting a rezoning to allow for a medical office building.

Previous Actions and Prior Reviews

In 2005, applications were made to change both the Future Land Use and Zoning of the parcel. The Future Land Use was changed from Multi-family Residential (RM) to Residential Office Institutional (ROI) via Ordinance 05-110. The zoning was changed from Residential Single Family (RS-2) to Professional (P) via Ordinance 05-156. Subsequently in 2010, the parcels were rezoned from Professional (P) to Institutional (I) via Ordinance 10-21. The property was never developed.

Public Notice Requirements

Notice of the rezoning was mailed to property owners within a maximum of 750 feet of the subject property on July 20, 2023.

Location and Site Information

Parcel Number:	3420-570-0801-000-6
Property Size:	0.99 acres
Legal Description:	Port St. Lucie Section 15, Block 1463, Lots 19, 20, 21 and 22
Existing Future Land Use:	ROI (Residential Office institutional)
Existing Zoning:	Institutional (I)
Existing Use:	Vacant Land
Requested Zoning:	Professional (P)
Proposed Use:	Medical office building.

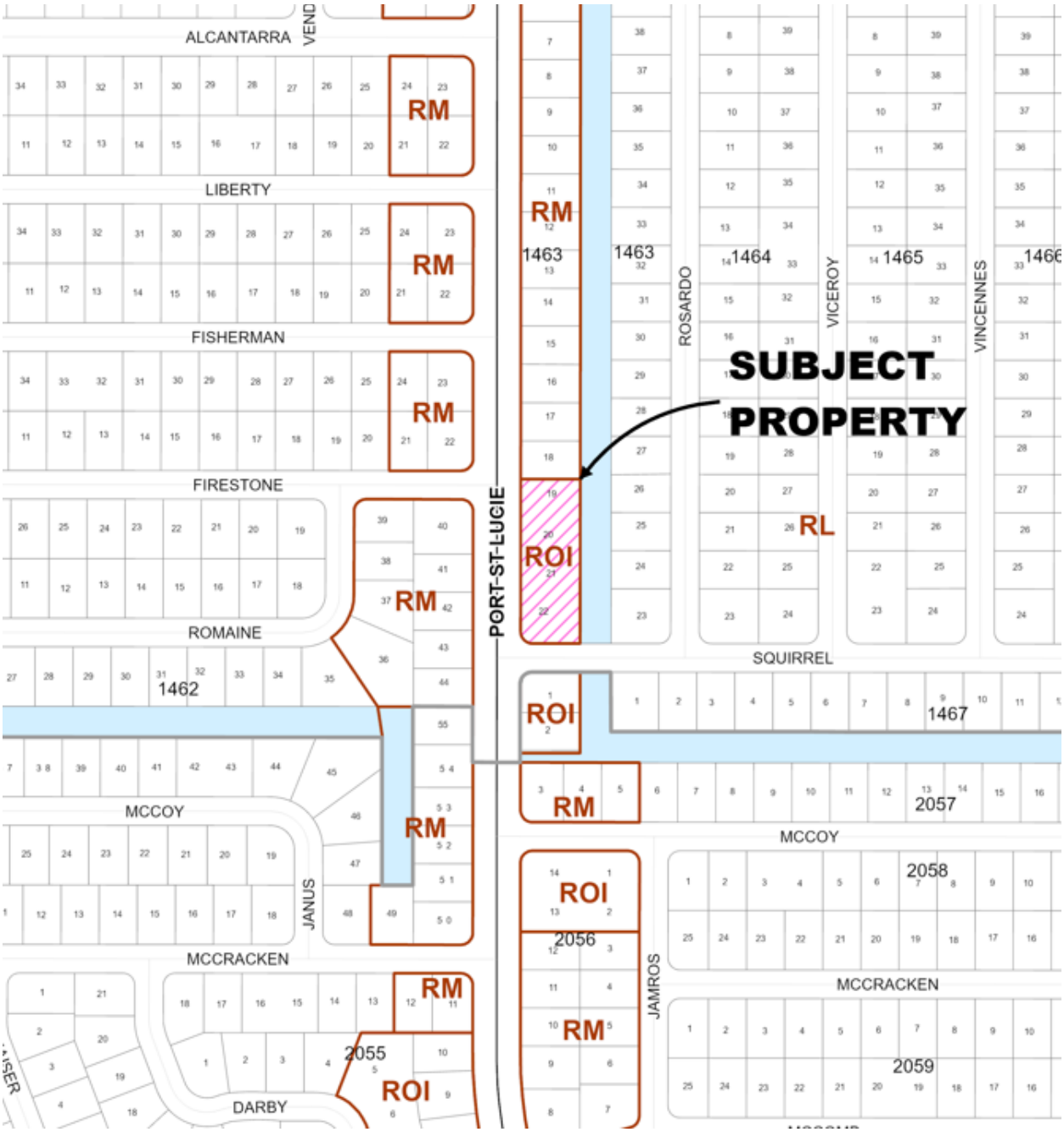
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	RM	RS-2	Single family residential
South	ROI	LMD	Single family residential (under construction)
East	RL	RS-2	Drainage canal; Single family residential
West	RM	RS-2	Single family residential

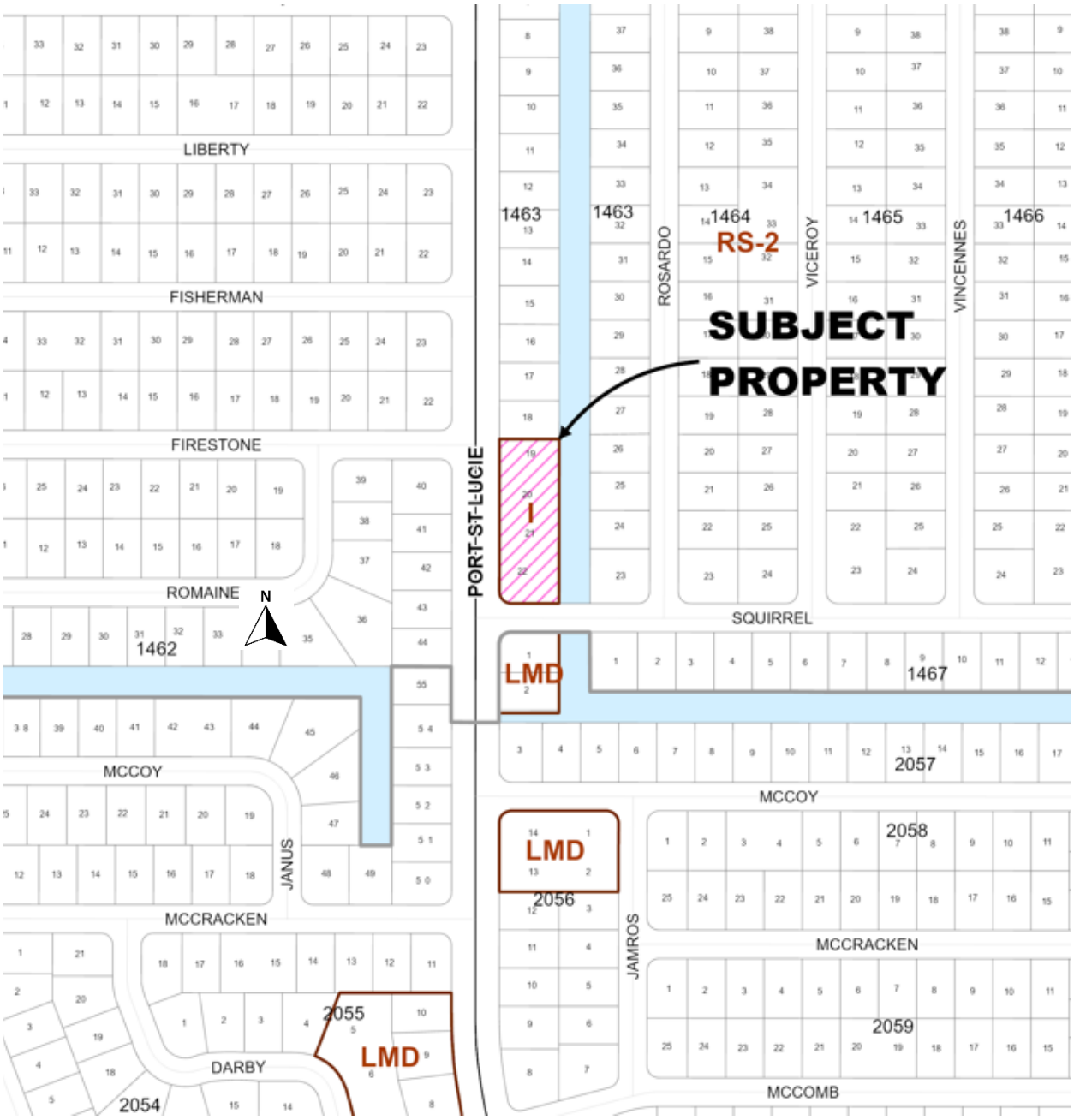
RM – Medium Density Residential, RL-Low Density Residential, LMD – Limited Mixed Use, RS-2-Signle Family Residential



Location Map


ALCANTARRA
LIBERTY
FISHERMAN
FIRESTONE
ROMAINE
MCCOY
MCCRACKEN
DARBY
JANUS
PORT-ST-LUCIE
ROSARDO
VICEROY
VINCENNES
SQUIRREL
JAMROS
SUBJECT PROPERTY
RM
RL
ROI
1462
1463
1464
1465
1466
1467
2055
2056
2057
2058
2059

Land Use Map



Zoning Map

IMPACTS AND FINDINGS

COMPREHENSIVE PLAN REVIEW

Land Use Consistency: The proposed rezoning is consistent with Policy 1.1.4.13 of the Future Land Use Element. Policy 1.1.4.13 establishes the compatible future land use and zoning categories. The Professional (P) zoning district is listed as a compatible zoning district under the Residential Office Institutional (ROI) future land use classification as shown in the following table:

FUTURE LAND USE CLASSIFICATION	COMPATIBLE ZONING DISTRICT(S)
ROI (Residential, Office & Institutional)	**P**, LMD, RM-5 or Residential PUD (Planned Unit Development) between 5-11 units per acre

Applicant's Justification Statement: The requested change of zone would allow for the construction of a 6,526 SF medical office building.

Staff Analysis: The rezoning complies with the direction and intent of the City of Port St. Lucie Comprehensive Plan. The Professional (P) Zoning District is compatible with the Residential Office Institutional (ROI) future land use classification per Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan.

Additionally, the property is in Conversion Area 1A. The proposed rezoning is consistent with the applicable regulations for the conversion area and advances the objective of the Comprehensive Plan to provide more intensive commercial uses along major throughfares and allow for a transition to less intensive residential uses.

Compliance with Conversion Area Requirements

Planning Area location per Conversion Manual	Area 1A	
Is all property within planning area?	Yes	
Type of Conversion Area	ROI (Residential/Office/Institutional)	
Proposed rezoning	Professional (P)	
Will rezoning result in isolation of lots?	No	
Has Unity of Title been submitted?	A Unity of Title was recorded with the previous rezoning.	
	Required	**Proposed**
Minimum Frontage	160'	+/- 345'
Minimum Depth	Entire conversion area perpendicular to the street.	Entire conversion area perpendicular to the street.
Landscape Buffer Wall	A 6 ft high architectural wall is required along the eastern property line and a 6 ft. fence is required to screen development from residential property to the north.	

RELATED PROJECTS

P05-209 Comprehensive Plan Amendment to change Future Land Use from Medium Density Residential (RM) to Residential Office Institutional (ROI) approved via Ordinance 05-110 on August 8, 2005.

P05-365 Rezoning from Single Family Residential (RS-2) to Professional (P) approved via Ordinance 05-156 on November 28, 2005.

P10-019 Rezoning from Professional (P) to Institutional (I) approved via Ordinance 10-21 on May 10, 2010.

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and recommends approval.

Planning and Zoning Board Action Options:

- Motion to recommend approval to the City Council
- Motion to recommend denial to the City Council

Please note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.

REZONING APPLICATION

CITY OF PORT ST. LUCIE
Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34984
(772) 871-5213

FOR OFFICE USE ONLY

Planning Dept. _____
Fee (Nonrefundable)$ _____
Receipt # _____

Refer to "Fee Schedule" for application fee. Make checks payable to the "City of Port St. Lucie". Fee is nonrefundable unless application is withdrawn prior to the Planning and Zoning Board Meeting. **All** items on this application should be addressed, otherwise it cannot be processed. Attach proof of ownership: two copies of recorded deed. If the application includes more than one (1) lot, our Legal Department will contact you regarding execution of the required Unity of Title. Please type or print clearly in **BLACK** ink.

PRIMARY CONTACT EMAIL ADDRESS: pat@2gho.com and dan@2gho.com

PROPERTY OWNER:

Name: Soma Investors, LLC

Address: 3625 SW Port St. Lucie Boulevard Port St. Lucie FL

Telephone No.: See Agent Information Email See Agent Information

AGENT OF OWNER (if any)

Name: 2GHO, Inc. - George Gentile, Patricia Lentini, Dan Siemsen

Address: 1907 Commerce Lane Suite 101 Jupiter FL 33458

Telephone No.: 561-575-9557 Email pat@2gho.com/dan@2gho.com

PROPERTY INFORMATION

Legal Description: (Include Plat Book and Page) Port St. Lucie Section 15-Blk 1463 Lots 19, 20 21 and 22 (Map44/19s)

Parcel I.D. Number: 3420-570-0801-000-6

Current Zoning: Institutional

Proposed Zoning: Professional Office

Future Land Use Designation: Residential Office Institutional Acreage of Property: .99

Reason for Rezoning Request: The Applicant is proposing a rezoning to Professional Office to allow a proposed 6,526 s.f. medical office building.

*Signature of Owner

Jacqueline Nunez-Florez
Hand Print Name

06/27/2023
Date

***If signature is not that of the owner, a letter of authorization from the owner is needed.**

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted.

02/26/20

MICHELLE R. MILLER, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4965861 OR BOOK 4737 PAGE 2470, Recorded 12/13/2021 11:57:44 AM Doc Tax: $1995.00

Document Prepared by and Return to
Timothy H. Olenn, Esq.
Alliant Title and Escrow
1900 Glades Road, Suite #245
Boca Raton, FL 33431

21-6422NHSOMA
Property Appraisers Parcel ID#
3420-570-0801-000-6
Consideration Amount: $285,000.00

Warranty Deed

THIS WARRANTY DEED executed on the 26 day of October, 2021 shown below, by **Shir Affron Nabi, a single man and Rafael Shir Nabi, a single man**, whose address is 19311 SW 15th St, Pembroke Pines, FL 33029, first party, to **SOMA Investors, LLC, a Florida limited liability company**, whose address is 3625 SW PORT ST LUCIE BLVD, PORT SAINT LUCIE, FL 34953, second party:

(Wherever used herein the terms "grantor" and grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of $10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto grantee, all the certain land situated in the County of ST. LUCIE, Florida, viz:

LOTS 19, 20, 21, AND 22 , BLOCK 1463 OF PORT ST. LUCIE SECTION FIFTEEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE(S) 6, 6A THROUGH 6E, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

And the said party of the first part does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever. Subject to easements, restrictions, zoning restrictions and ordinances, reservations and limitations of record which are not reimposed by this deed, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in Fee Simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of

said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: December 31, 2021.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

X Steven Reginald
Witness 1 Signature

Steven Reginald
Witness 1 Print Name

X Tejnarine Geer
Witness 2 Signature

Tejnarine Shaun Geer
Witness 2 Print Name

Shir Affron Nabi

Rafael Shir Nabi

Country/ State of: Country of Guyana]
Country of Demerara]ss
County/ Province of: City of Georgetown]
Embassy of the United States of America]

The foregoing instrument was acknowledged before me Josue Matos Vice Consul, a Notary Public in and for _____ County/Province, Country/State of USA by means of ☒ physical presence or ☐ online notarization this 26th day of October, 2021, by **Shir Affron Nabi and Rafael Shir Nabi,** who [ ] is/are personally known to me or [X] has/have each produced Passport driver's licenses as identification.

Notary Public

Josue Matos
Vice Consul

My Commission Expires: COMMISSION INDEFINITE

June 27, 2023

City of Port St. Lucie
Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

Re: Soma Investors – 3625 SW Port St. Lucie Boulevard – Agent Letter

This letter is to serve as permission for George G. Gentile, Patricia Lentini and Dan Siemsen of 2GHO, Inc., to act as the agents to prepare and submit all documentation and attend all meetings pertaining to the property as above described, as it relates to the zoning process, site plan review and approval process.

Sincerely,

Soma Investors, LLC

Jacqueline Nunez-Florez

STATE OF FLORIDA
COUNTY OF PALM BEACH

I hereby certify on the 28th day of June, 2023, Jacqueline Nunez-Florez personally appeared before me and produced identification, or is personally known to me, to be the person described herein and who executed the foregoing instrument.

Witness my hand and official seal in the state and county, the day and year aforesaid.

Paola A Alomia Roman

Notary

Commission Expires: June 29th, 2027

PAOLA ANDREA ALOMIA ROMAN
Notary Public - State of Florida
Commission # HH 403400
My Comm. Expires Jun 29, 2027
Bonded through National Notary Assn.

Soma Investors, LLC
Rezoning Application
P23-109

Planning and Zoning Board

August 1, 2023

Marissa Da Breo-Latchman

Environmental Planner II

Request Summary

Applicant / Property Owner: Soma Investors, LLC
Agent: 2GHO, Inc., George Gentile, Patricia Lentini & Dan Siemsen
Address: 3625 SW Port St. Lucie Blvd

Existing Use: Vacant land

Request: The applicant is requesting a rezoning from Institutional (I) to Professional (P) for a 0.99-acre parcel to allow for the construction of a medical office building.

Aerial

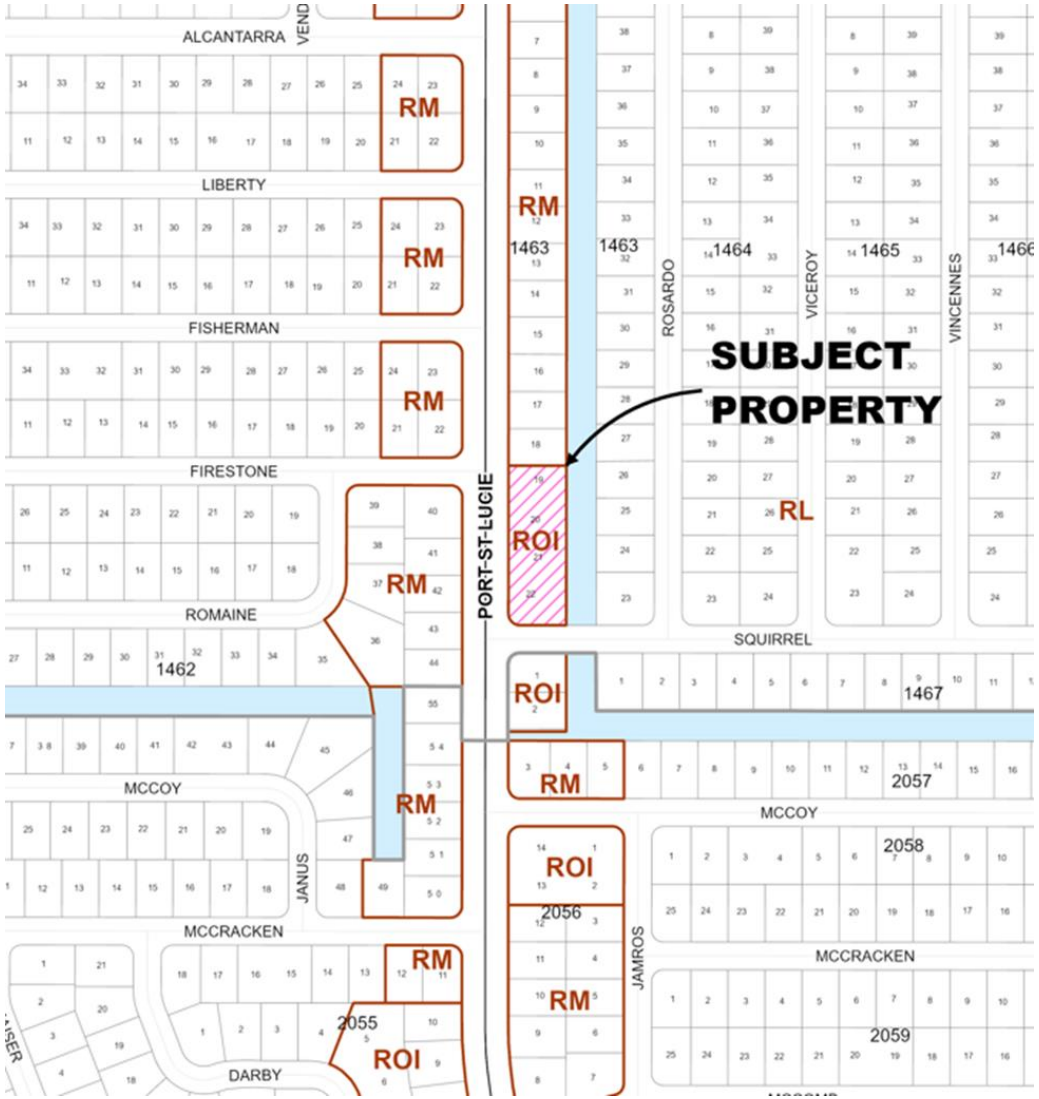
Direction	Existing Use
North	Single family residential
South	Single family residential (under construction)
East	Drainage canal; Single family residential
West	Single family residential



Land Use

ROI (Residential Office Institutional)

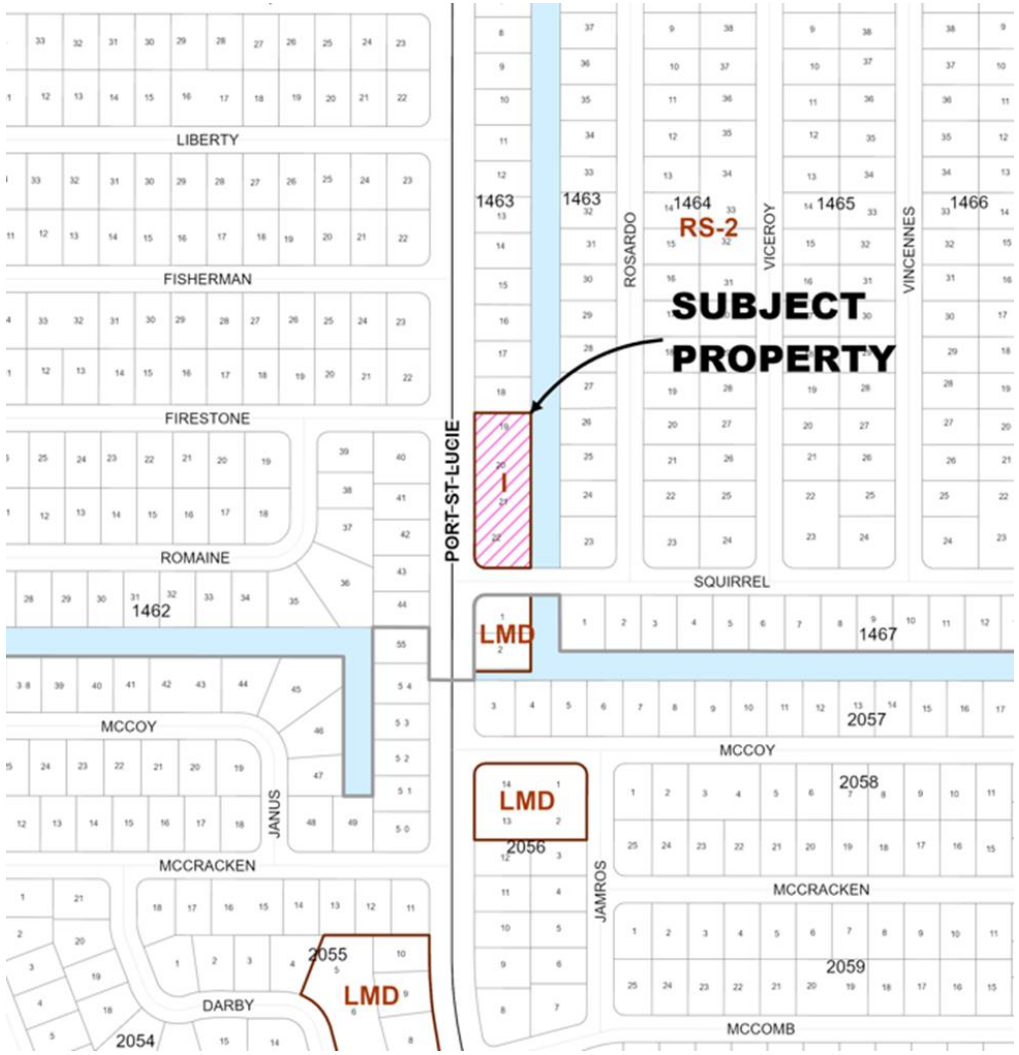
Direction	Future Land Use
North	RM (Medium Density Residential)
South	ROI (Residential Office Institutional)
East	RL (Low Density Residential)
West	RM (Medium Density Residential)



Zoning

I (Institutional)

Direction	Zoning
North	RS-2 (Single-family Residential)
South	LMD (Limited Mixed Use)
East	RS-2 (Single Family Residential)
West	RS-2 (Single-family Residential)



Future Land Use-Zoning Compatibility

FUTURE LAND USE CLASSIFICATION	COMPATIBLE ZONING DISTRICT(S)
ROI (Residential, Office & Institutional)	**P**, LMD, RM-5 or Residential PUD (Planned Unit Development) between 5-11 units per acre

Justification

- The proposed rezoning is consistent with Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan which establishes the compatible future land use and zoning categories.

- The proposed (P) Professional zoning district is listed as a compatible zoning district under the ROI (Residential Office Institutional) future land use classification.

Planning and Zoning Staff Recommendation

- Planning and Zoning Department staff recommends approval of the rezoning request.

From: B-House Joneleit
To: Marissa Da Breo-Latchman
Subject: Your petition
Date: Monday, July 24, 2023 11:30:17 AM

Hi Mrs. Marissa Da Breo-Latchman,
Thank you for the letter to property owners regarding rezoning for Soma Investors. I work nights but hope to come to the meeting on August 1st if possible. We are one of the residents in the effected zone. I was to say I am 100% against the rezoning. Traffic on Port Saint Lucie Blvd is already horrendous all the way between Galtin and Becker. For us to make a left turn from our Squirrel Ave onto Port Saint Lucie Blvd can take several minutes, sometimes as many as five minutes (we've timed it). Adding on a store on that corner will significantly add to that delay and that area past the street widening so every customer coming in and leaving will be stopping traffic. This does not include supply trucks. Please also keep in mind that there are no sidewalks so it's already an incredibly dangerous place for pedestrians, especially children who use walk past that area every day walking to and from school during the school season. Then there is the noise and pollution of constant cars coming and going right near our house. Then there is the question of what would potentially be built and if it would be family friendly or attract unwanted people right into our small neighborhood. It was zoned for residential for a reason and to change that would devalue our homes and hurt our lifestyle. This suggestion was not thought out because it is so unreasonable that no one would even fathom the idea other than a money hungry developer who doesn't care about the residents it will affect. We would seriously consider joining with neighbors to hire a law firm to fight this. We would lose money but bot as much as we would be in having to move. Please take the time to drive in our neighborhood and various times of the day on a weekday and see how bad this idea is.
Thank you and I hope that you will take these objections seriously,
Peter Joneleit
836 SW Squirrel Avenue
PSL

BOUNDARY SURVEY

LEGAL DESCRIPTION:
(Supplied by Client)

LOT 18 IN BLOCK 2655 OF PORT ST. LUCIE SECTION THIRTY NINE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE 30, PAGES 30A THROUGH 30NN, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

ABBREVIATIONS:

SET = SET 5/8" IRON REBAR WITH YELLOW CAP MARKED "PSM5543"
FD = FOUND 5/8 IRON REBAR
R/W = RIGHT OF WAY
(M) = MEASURED
(P) = PLATTED
(C) = CALCULATED
R = RADIUS OF CURVE
L = LENGTH OF CURVE
D= DELTA OF CURVE
FFE = FINISHED FLOOR ELEVATION
OH-OH-OH- = OVERHEAD WIRES
X-X-X- = CHAINLINK FENCE
-□-□-□- = PLASTIC FENCE
O-O-O- = WOOD FENCE
CONC. = CONCRETE
C.P.= CONCRETE PAD
Cov.= COVERED

WATER METER ⊗ POWER POLE E ELECTRIC BOX

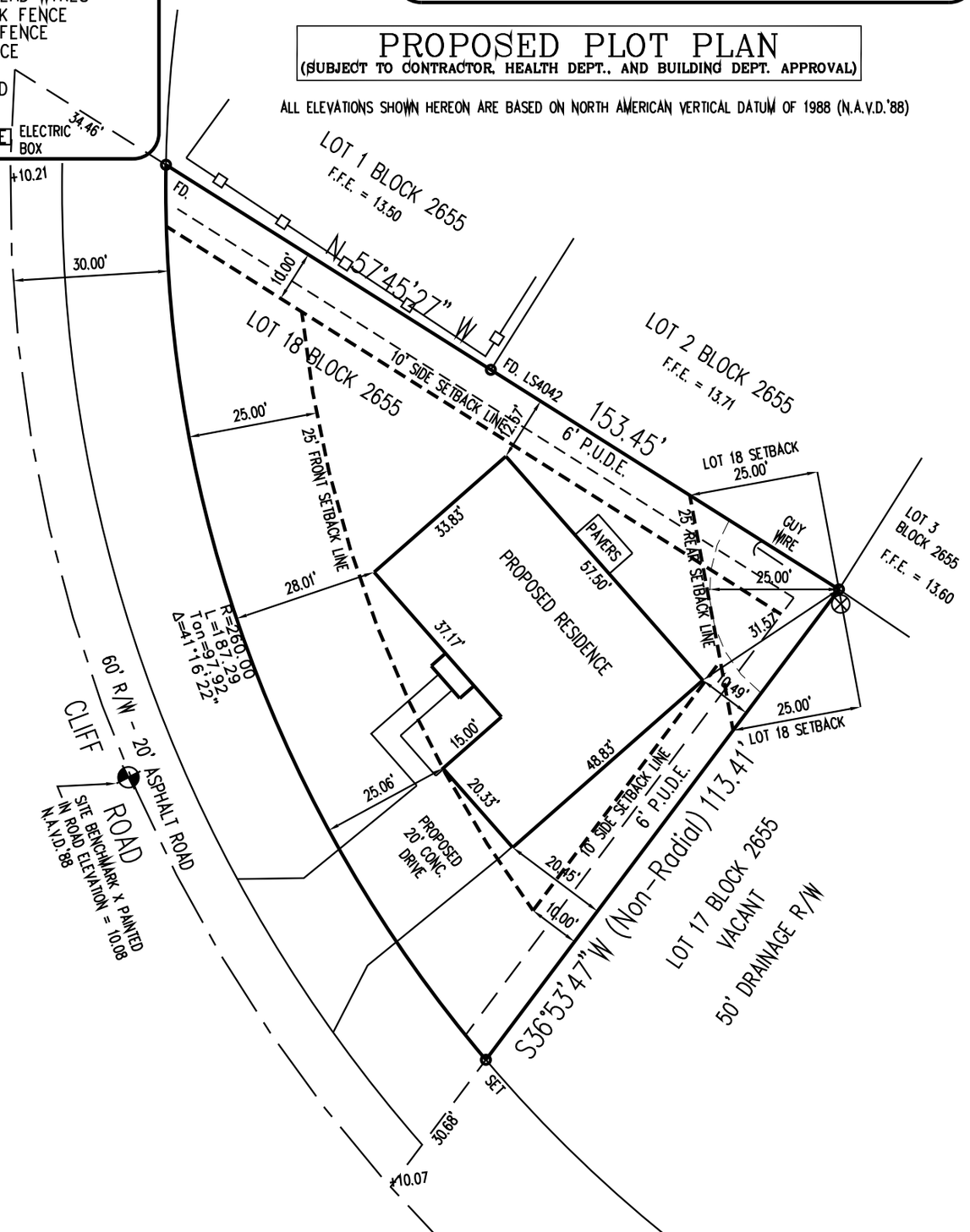
GRAPHIC SCALE 30 20 10 0 5 10 30 NORTH

SURVEYORS NOTES:

1. UNLESS OTHERWISE NOTED ONLY PLATTED EASEMENTS ARE SHOWN HEREON.
2. ALL LOT DIMENSIONS SHOWN ARE PER PLAT UNLESS OTHERWISE SHOWN.
3. NO UNDERGROUND UTILITIES OR IMPROVEMENTS WERE LOCATED UNLESS OTHERWISE SHOWN.
4. THIS SITE LIES WITHIN FLOOD INSURANCE RATE MAP ZONE X MAP# 12111C0289 K DATED: 2-19-20.
5. FLOOD ZONE SHOWN HEREON IS AN INTERPRETATION BY THE SURVEYOR AND IS PROVIDED AS A COURTESY. THE FLOOD ZONE SHOULD BE VERIFIED BY A DETERMINATION AGENCY.+
6. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF LOT 6 AS BEING N14°24'02"E ACCORDING TO THE PLAT DESCRIBED HEREON.
7. P.U.D.E. DENOTES PUBLIC UTILITIES AND DRAINAGE EASEMENT, U.E. DENOTES UTILITY EASEMENT.
8. THE ACCURACY OF THIS SURVEY IS PREMISED ON THE EXPECTED USE OF THE SURVEY. THE EXPECTED USE/PURPOSE OF THIS SURVEY IS HOME CONSTRUCTION. ACCURACY=1 FOOT IN 7,500 FEET OR BETTER.
9. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY ANYONE OTHER THAN THE SIGNING SURVEYOR IS PROHIBITED WITHOUT WRITTEN CONSENT.

PROPOSED PLOT PLAN
(SUBJECT TO CONTRACTOR, HEALTH DEPT., AND BUILDING DEPT. APPROVAL)

ALL ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D.'88)



520 SE CLIFF ROAD	
SCALE: 1"=30'	Atlantic Land Designs
DATE: 4/20/23	of the Treasure Coast, LB7468
DRAWN: JC	754 NE Jensen Beach Blvd. Jensen Beach, FL 34957
2023-0268	Mailing Address: P.O. Box 1421 Jensen Beach, FL 34958
	ALD5543@gmail.com (772) 398-4290
DATE:	REVISIONS
LAST FIELD DATE: 4/13/23	

Certified to: Bela Vista Contractors, Inc.
(954) 815-2700

I hereby certify that the survey shown hereon is true and correct and is based on actual measurements taken in the field.

James A. Cesiro Jr.

Digitally signed by James A. Cesiro Jr.
DN: cn=James A. Cesiro Jr., o=Atlantic Land Designs of the TC, Inc., ou, email=ALD5543@gmail.com, c=US
Date: 2023.05.24 16:38:40 -04'00'

JAMES A. CESIRO CERTIFICATE PSM 5543 STATE OF FLORIDA REGISTERED SURVEYOR & MAPPER

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL