C I T Y O F F O R T P I E R C E

CITY COMMISSION AGENDA

Regular Meeting - Monday, March 17, 2014 - 6:30 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **OPENING PRAYER**

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

5. **APPROVAL OF MINUTES**

   a. Approval of Minutes from meeting on 3/3/2014

6. **PROCLAMATIONS**

   a. Proclamation declaring the month of April 2014 as Fire Fighter Appreciation Month for their efforst on behalf of the Muscular Dystrophy Association; being received by Alexia Birth, St. Lucie County Fire Fighter, and Stephanie Glavin, Executive Director of the South Florida Chapter of the Muscular Dystrophy Association.

   b. Proclamation designating the week of March 22 - 29, 2014 as Fort Pierce Jazz Festival Week; being received by Don Bestor, President of the Fort Pierce Jazz & Blues Society.

   c. Proclamation declaring the month of April 2014 as City of Fort Pierce Volunteer Month; being received by Gerald Roden, Commissioner, Volunteer Florida, and Barbara Smith, AmeriCorps Program Assistant.

   d. Proclamation declaring April 5, 2014, as Elder Care Day in the City of Fort Pierce; being received by Michael Sancho, Chief Executive Office of the Boys and Girls Club of St. Lucie County.

7. **LETTERS TO COMMISSION**

a. Letter of Appreciation from Ms. Donna Friedman to Executive Director, John Wilkes, Staff, Board of Directors and Volunteers of the Sunrise Theatre for their continuing efforts to grow an affordable cultural assett in downtown that benefits all of Fort Pierce and the surrounding communities.

8. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject which is not under Public Hearings on the Agenda may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

ANY PERSON SEEKING TO APPEAL ANY DECISION BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING IS ADVISED THAT A RECORD OF PROCEEDINGS IS REQUIRED IN ANY SUCH APPEAL AND THAT SUCH PERSON MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

9. **CONSENT AGENDA**

a. Accept Florida Humanities Council Grant Award in the amount of $15,000.00 to Complete Highwaymen Heritage Trail project.

b. Approve request for Site Plan and Conditional Use extension of two (2) years from Grace Way Village, 1780 Hartman Road.

c. Approval of Dunkelberger Engineering proposal in the amount of $24,990.00 to provide geotechnical services during the construction of the Indian Hills Drainage Improvement Project.

d. Request for waiver of interest, penalties and administrative fees totaling $1,192.92 of a Lot Clearing Lien in the amount of $1,828.91 against 430 North 7th Street, owned by Fire Equipment Services of St. Lucie, Inc., contingent upon payment of $635.99.

e. Approval of Travel Expenses in the amount of $1,086.44 for Commissioner Rufus J. Alexander, III, to attend the 2014 Florida League of Cities' Legislative Action Days which take place April 1 - 2, 2014, in Tallahassee, Florida.

10. **PUBLIC HEARINGS**

a. Ordinance No. 14-007 - A Zoning Atlas Amendment request for 4100 Glades Cut-Off Road. FIRST READING

b. Ordinance No. 14-009 - Easement Abandonment, Fort Pierce Shopping Center, 1167 S US Highway 1. SECOND READING

c. Ordinance No. 14-010 - Amending the Future Land Use Designation of Properties Generally Located at 1210 S 25th Street from OP to NC - FIRST READING

d. Ordinance No. 14-011 - Rezoning Properties Generally Located at 1210 S 25th Street from C-1, Office Commercial to C-2, Neighborhood Commercial. FIRST READING

11. **MISCELLANEOUS REPORTS & REQUESTS**

a. City Marina Reconstruction Update

b. Report on railway grade crossing diagnostic inspection for All Aboard Florida project

12. **CITY COMMISSION**

13. **COMMENTS FROM THE CITY MANAGER**

a. Department Activity Report

14. **COMMENTS FROM THE COMMISSION**

15. **ADJOURNMENT**

City Commission Regular Meeting **Agenda Item # 5. a.**

Meeting Date: 03/17/2014

Re: Minutes 03.03.2014

SUBJECT:

Approval of Minutes from meeting on 3/3/2014

Attachments

Becht 8B

Minutes

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
Bach Ed	City of Fort Pierce
MAILING ADDRESS 321 S. 2nd Street	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY Fort Pierce COUNTY St. Lucie	NAME OF POLITICAL SUBDIVISION: City of Fort Pierce
DATE ON WHICH VOTE OCCURRED 3-3-14	MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Ed Bacht, hereby disclose that on March 3, 20 14:

(a) A measure came or will come before my agency which (check one)

___ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

___ inured to the special gain or loss of my relative, _____;

X inured to the special gain or loss of Fort Pierce Shopping Center, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

10 ft.
Abandonment of Utility Easement

3-3-14
Date Filed

Edward B
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON MONDAY MARCH 3, 2014.

1. CALL TO ORDER

2. OPENING PRAYER - Mayor Linda Hudson offered the opening prayer.

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Edward Becht; Commissioner Thomas Perona

Absent: Commissioner Reginald Sessions

Staff Present: City Clerk Linda Cox
City Manager Robert Bradshaw
City Attorney Robert Schwerer

Commissioner Reginald Sessions arrived at 6:35 p.m.

5. APPROVAL OF MINUTES

a. Approval of Minutes from February 18, 2014 meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve the Minutes of the Regular Meeting on March 3, 2014.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona

Passed

6. **PROCLAMATIONS**

7. **LETTERS TO COMMISSION -** the following letter will be kept on file in the City Clerk's Office.

a. Letter from Dave Forest, Supervisor Physical Medicine and Rehabilitation at Lawnwood Regional Medical Center & Heart Institute, expressing gratitude for the Healing of Magic program arranged by John Wilkes and provided through the Sunrise Theatre to patients at the Lawnwood Rehab Pavilion.

8. **COMMENTS FROM THE PUBLIC**

Ms. Bonnie Howard, Lakewood Park
Mr. Rick Reed
Mr. Roy Darby, 619 South 6th Street
Mr. Patrick Henry, 1123 Granada Street
Mr. Marion Mathews, 1612 Oleander Boulevard

9. CONSENT AGENDA

a. Approve piggyback to the City of Cocoa Beach, RFP No. CB-13-002 Website Redesign contract with CivicPlus,Inc., Manhattan, KS to update the City's website to current governmental standards of appearance, functionality, and interactivity for the purpose of providing vital information and user friendly access to the public.

b. Approve Communitywide Council Recommendations for CDBG Commercial Façade Grant Awards for eight (8) projects in the total amount of $50,000.00.

c. Request by Ms. Gertrude Elliot to reduce lien in the amount of $75,750.00 to $500.00.

d. Request by Mr. Michael James Beck to reduce lien in the amount of $376,980.00 to $7,500.00

e. The police department requests approval to submit and accept the 2014 Firehouse Subs Public Safety Foundation Grant in the amount of $20,000.

f. Approve Modification Number Two to Subgrant Agreement Number 14HM-2Y-10-66-02-144 pending review as to form and correctness by City Attorney.

g. Approval of Subordination of Utility Interests Agreements between the State of Florida Department of Transportation and the City of Fort Pierce for the Use and Benefit of the Fort Pierce Utilities Authority for Parcel Nos. 114.5R and 115.2R, which were approved and signed by the FPUA Board on February 18, 2014.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions that the following items on the Consent Agenda be approved - **9b, 9c, 9d, 9e, 9f, 9g.** Mayor Hudson pulled item **9a.**

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

As to Item **9a,** Mayor Hudson wanted to make sure the current programs the city is using will work with the website. Mr. Shay Johnson, Network Specialist, responded that all current programs will be compatible.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Edward Becht to approve Consent Agenda **9a**.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

10. PUBLIC HEARINGS

a. Notice of Appeal submitted by Mr. David Cleveland. On February 18, 2014, Mr. Cleveland withdrew his appeal indicating that his concerns had been addressed.

b. Ordinance No. 14-003 - Amending the future land use map of the comprehensive plan for property located at 1110 North 29th Street, Pinecreek Village Apartments. SECOND READING

City Clerk, Linda Cox, read the title of the Ordinance into the record.

Planner, Clarissa Davis, appeared with a presentation. Commissioner Becht stated since they have already seen the presentation they could speed up the process and forego it. Mayor Hudson asked if anyone wanted to hear more or had any questions, there were none.

Mayor Hudson opened the Public Hearing.

Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Ordinance No. 14-003 on second and final reading.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

c. Ordinance No. 14-004 - Rezoning of property located at 1110 North 29th Street, Pinecreek Village Apartments. SECOND READING

City Clerk, Linda Cox, read the title of the Ordinance into the record.

Mayor Hudson opened the Public Hearing.

Seeing no one, the closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance No. 14-004 on second and final reading.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

d. Ordinance No. 14-005 - Annexation of 3700 Okeechobee Road - Indian River Oil - SECOND READING

City Clerk, Linda Cox, read the title of the Ordinance into the record.

Mayor Hudson opened the Public Hearing.

Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve Ordinance No. 14-005 on second and final reading.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

e. Ordinance No. 14-006, Amendment to Chapter 2, Administration; Removing Section 2-29(c)(2) Comments from the Public and creating Section 2-35 Addressing the Commission Generally. SECOND READING

City Clerk, Linda Cox, read the title of the Ordinance into the record.

Mayor Hudson opened the Public Hearing.

Mr. Rick Reed thought that the foundation of Democracy is freedom of speech, a fundamental

right. He was taken aback that some on the commission would vote for this ordinance, he feels this reflects poorly on this body and this city.

Mr. Marion Matthews asked what 2-29(c)(2) was, he needed some clarity. Mayor Hudson explained this ordinance is patterned from surrounding municipalities and it addresses decorum during meetings; how we are addressing one another and how we respect one another. There is no change from what we have done in the past. There are no restrictions except that we treat one another with respect and address the Commission as a whole.

Seeing no one else, the Mayor closed the Public Hearing.

Commissioner Alexander asked if there was anything in this ordinance that should have anybody in an uproar that they cannot come here and say what they feel like. Mr. Schwerer responded there absolutely is not, this is an ordinance that maintains the civility and decorum of a public business meeting of the City Commission. If you are civil and professional in your demeanor in addressing this commission and respectful to this commission and respectful to how this commission functions that person who abides by those rules has nothing to be concerned about.

Commissioner Sessions stated he did not want to be responsible for somebody going to jail. Mr. Schwerer clarified that if the chair calls someone out of order and they continue to be unruly and violate the decorum ordinance, the chair can ask that they be removed. It shall be the duty of the officer present to remove them from the room, if that person resists being removed there can be any number of charges that could result from that disruptive behavior. No one is being arrested for their speech.

Commissioner Becht stated there has been a whole lot of paranoia attached to what this ordinance may mean. He would like to add that if there is to be an arrest it will not be for what you have said it will be because of a refusal to obey the lawful commands of an officer.

Commissioner Perona feels this is redundant, he would rather leave this part up to law enforcement and the laws that already exist on the books. He asked to remove the last section of this ordinance.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Ordinance No. 14-006 with the deletion of the last sentence in Section 2-35(c)(3).

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

f. Ordinance No. 14-009 - Easement Abandonment, Fort Pierce Shopping Center, 1167 S US Highway 1. FIRST READING

City Clerk, Linda Cox, read the title of the Ordinance into the record.

Mr. Kori Benton, Historic Preservation Officer, appeared and stated this is a procedural item to relinquish control of these outdated easements.

Commissioner Alexander asked why they are requesting an additional 3 feet and why it was not calculated in the beginning. Mr. Benton stated originally the plat was a single family home subdivision with numerous lots configured with rear property lines each with a 3 foot easement. This ordinance collectively describes all of the easements they are seeking to abandon. Staff has coordinated with all affected departments and utility providers to redefine

and re-establish replacement easements. Commissioner Alexander asked if the property went from residential to commercial. Mr. Benton stated the property has been zoned commercial for quite some time.

Mayor Hudson opened the Public Hearing.

Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Thomas Perona to approve Ordinance No. 14-009 on first reading.

Commissioner Becht abstained because he represents the applicants requesting the abandonment of the easements, Fort Pierce Shopping Center, and filed Form 8B as required.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

11. MISCELLANEOUS REPORTS & REQUESTS

12. CITY COMMISSION

a. Resolution 14-R15 accepting the proposal of Bank of America to purchase the City's not to exceed $6.15 Million capital improvement revenue note to finance the City's cost of Acquiring and Installing Energy Conservation Equipment.

Approval of Guaranteed Energy and Water Performance Savings Contract between City of Fort Pierce and BGA, Inc. which was manually routed.

Mr. Rob Schwerer, City Attorney, presented the Commission a brief summary. Staff recommends for the City Commission to approve the contract and all of the attachments and further vote to approve Resolution 14-R15.

Mr. Jeff Wykoff of BGA Inc, Mr. Wes Bradish of RBC, and Mr. Greg Ratter of ConEdison appeared and were available for questions.

This is a contract and corporate guarantee agreement where the provider is guaranteeing that if we spend the money to do these upgrades that we will be guaranteed the total amount of savings that we are borrowing to make those installations during the life and term of the financing. That is a corporate guarantee that basically guarantees that no funds will be used from the city's general fund or funds that are available to the city to pay for these installations, it is solely from the loan funds. If we do not get those guaranteed savings throughout any one given year then that will be made up by the provider BGA.

It was stated the entire amount of the $6.15 million will be use to complete $6.15 million of improvements. The annual energy savings to the city is $432,664. The financing term is 16 years with a guaranteed savings for 19 years.

The majority of the savings will come from the replacement of the street lights and maintenance. We do know the actual calculation for the flat rate is based on fixture, not consumption. As soon as that light is replaced we will have a reduced rate and less maintenance.

The whole project is about a year long and they will be able to accomplish the street lighting in about 4 months.

The City's debt ceiling is $67 million. The city is currently at $57,007,000 with an available $9,993,000, this loan will take up $6 million of this amount bringing us to $3.8 million shy of our debt ceiling.

Mr. Schwerer requested each part be voted on individually.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve the Guaranteed Energy and Water Performance Savings Contract.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

City Clerk, Linda Cox, read the title of Resolution No. 14-R15 into the record.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Resolution No. 14-R15.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

b. Selection of Alternate Member for Treasure Coast Regional League of Cities

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to select Commissioner Alexander as an alternate member.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

c. Resolution 14-R10 - Re-appointing two members and appointing one new member to the Code Enforcement Board.

City Clerk, Linda Cox, read the title of the Resolution into the record.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Edward Becht to approve Resolution 14-R10 appointing members to the Code Enforcement Board.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

d. Resolution 14-R11 - Appointing and Re-Appointing seven members to the City Planning Board

City Clerk, Linda Cox, read the title of the Resolution into the record.

Commissioner Alexander brought to the attention of the Commission that he voted incorrectly. He did not vote in order by preference, he thought he was re-appointing existing board members and he would like to rectify this.

Commissioner Perona feels that since we have announced the appointees on this Resolution and then we go through and change it again it would cause irreparable harm to our system.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve Resolution No. 14-R11 appointing members to the Planning Board.

AYE: Mayor Linda Hudson, Commissioner Edward Becht, Commissioner Thomas Perona
NAY: Commissioner Rufus Alexander, Commissioner Reginald Sessions
Passed

e. Resolution 14-R12 - Appointing and Re-Appointing two regular and two alternate members to the Board of Adjustment

City Clerk, Linda Cox, read the title of the Resolution into the record.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Edward Becht to approve Resolution 14-R12 appointing members to the Board of Adjustment.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona
Passed

f. Resolution No. 14-R13 authorizing the City to apply for and accept a second grant from the Florida Inland Navigation District (FIND) for completion of the construction of the Melody Lane Fishing Pier.

City Clerk, Linda Cox, read the title of the Resolution into the record.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to approve Resolution No. 14-R13.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona
Passed

g. Resolution 14-R14 - Funding of All Aboard Florida Impacts to the City of Fort Pierce, subject to review as to form and correctness by City Attorney.

City Clerk, Linda Cox, read the title of the Resolution into the record.

Mr. Nick Mimms, Deputy City Manager, appeared and said we have crafted a resolution that speaks to several different aspects unique to Fort Pierce, he believes they have identified the many different impacts and we are requesting All Aboard Florida to fund and mitigate all offsite impacts that are realized as a effect of the enhanced double tracking and increased railroad traffic associated with the increased freight and the passenger rail component.

In response to Commissioner Perona's request that we stay "in the know", Mr. Mimms informed the Commission of an email he received this evening from All Aboard Florida stating they would be in Fort Pierce on March 6th and 7th. They have invited staff to accompany them on their inspections of our intersections.

Commissioner Becht requested to add an additional paragraph that talks about financial assistance regarding the loss of revenue to our local businesses due to the loss of visitors and guests that will no longer use I-95 and the turnpike to travel between Orlando and South Florida.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Resolution No. 14-R14 with the addition of a paragraph for financial assistance regarding loss of revenue to our local businesses due to the loss of visitors along the turnpike and I-95 corridors.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Reginald Sessions, Commissioner Thomas Perona

Passed

13. COMMENTS FROM THE CITY MANAGER

a. Department Activity Report - Mr. Bradshaw had no comments.

14. COMMENTS FROM THE COMMISSION

Commissioner Alexander wanted to state for the record that he does not think Mr. Schwerer is taking matters serious about the matter at the Federal Court House.

Mr. Schwerer asked to speak to the Commission. He said we see these comments from the podium and to comment back against them lends creditability to inaccuracies and misstatements. But when it comes to his job with the city, he takes it very serious and he wants the commission to understand that what happened in Miami is totally out of the control of the attorneys and the City Commission.

He also commented that we have a gentleman come here and attempt to criticize his office about a lawsuit. Mr. Henry's lawsuit was filed over 12 years ago for nuisance abatement, his office was directed by the commission to do so. But what the public does not understand is Mr. Henry continues to talk about a lawsuit that ended over 12 years ago by his voluntary agreement and stipulation. He wrote a letter commending Mr. Schwerer's office on how we handled that and was grateful for bringing the case to a resolution. The issued was resolved over 12 years ago and he feels the public needs to know this.

Commissioner Perona has adopted All Aboard Florida almost as his number 1 aspect. There is a large concern within the community out there and he stresses that this commission is working diligently with staff to make sure we are at the table when decisions are being made.

Commissioner Sessions had no comment.

Commissioner Becht wishes Mr. Bradshaw good luck on putting his application in with County. If we are lucky he won't get the job, but if he does, we have team here capable of taking us forward.

Mayor Hudson saw the memo from Ms. Johnson about the Retirement Board and would like to know when those meetings are so Commissioners may attend. She asked Ms. Johnson if she wanted recommendations from the commission. She responded that yes, they do want the commission's input. She would like to know when the fence is coming down at the Backus Gallery so the parking lot will be free for public use.

15. ADJOURNMENT

There being no further business, Mayor Hudson declared the meeting adjourned at 8:50 p.m.

ATTEST:

_____ _____

CITY CLERK

MAYOR COMMISSIONER

City Commission Regular Meeting **Agenda Item # 6. a.**

Meeting Date: 03/17/2014

Re: Fire Fighter Appreciation Month Proclamation

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Proclamation declaring the month of April 2014 as Fire Fighter Appreciation Month for their efforst on behalf of the Muscular Dystrophy Association; being received by Alexia Birth, St. Lucie County Fire Fighter, and Stephanie Glavin, Executive Director of the South Florida Chapter of the Muscular Dystrophy Association.

Attachments

Fire Fighter Appreciation Month Proclamation

WHEREAS, fighting fires is one of the most hazardous professions, requiring physical strength, stamina, extensive training, courage, selfless concern for the welfare of our citizens; and

WHEREAS, in addition to their daily service to communities, Fire Fighters throughout the state and across the nation have joined the Muscular Dystrophy Association for over 60 years in the fight against neuromuscular diseases; and

WHEREAS, the Muscular Dystrophy Association is extremely grateful to the Fire Fighters of St. Lucie County whose 2013 "Fill the Boot" campaign collected over $34,728. These funds will assist the MDA in providing medical services at local clinics, summer camps, research grants, support groups, and public education seminars at no cost to local children and families; and

WHEREAS, in honor of the efforts of the Fire Fighters of St. Lucie County, the MDA is sponsoring St. Lucie County Fire Fighter Appreciation Month; and

WHEREAS, it is appropriate for all St. Lucie County citizens to join the Muscular Dystrophy Association in this tribute to our Fire Fighters.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, do hereby proclaim the month of April, 2014, as:

"Fire Fighter Appreciation Month"

in the City of Fort Pierce and commend the Fire Fighters of St. Lucie County for their efforts on behalf of the Muscular Dystrophy Association.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official Seal of the City of Fort Pierce, Florida, to be affixed this 17th day of March, 2014.

_____

MAYOR COMMISSIONER

City Commission Regular Meeting **Agenda Item # 6. b.**

Meeting Date: 03/17/2014

Re: Fort Pierce Jazz Festival Week

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Proclamation designating the week of March 22 - 29, 2014 as Fort Pierce Jazz Festival Week; being received by Don Bestor, President of the Fort Pierce Jazz & Blues Society.

Attachments

Fort Pierce Jazz Festival Week

WHEREAS, Jazz has achieved preeminence throughout the world as an indigenous American music and art form, bringing to this area and throughout the world a uniquely American musical synthesis and culture unique to the African-American experience; and

WHEREAS, Jazz makes evident to the world an outstanding artistic model of individual expression and democratic cooperation within the creativity process, thus fulfilling the highest ideals and aspirations of our nation; and

WHEREAS, Jazz has evolved into a multifaceted art form which continues to nurture new stylistic idioms and cultural fusions while it inspires dancers, choreographers, filmmakers, composers and musicians; and

WHEREAS, it is important for the youth of America to recognize and understand Jazz as a significant part of their culture and intellectual heritage to be appreciated; and

WHEREAS, there is an increasing emphasis on public-private partnership and the cutting edge of support for cultural institutions and the arts in the United States and abroad where it bridges differences and brings people of all races, ages, and backgrounds together; and

WHEREAS, the Fort Pierce Jazz Society will present a variety of concerts and events in an eight-day undertaking to celebrate the historic, artistic and cultural value of this American art form.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby designate Jazz as a rare and valuable treasure and proclaim the week of March 22 - 29, 2014 as:

FORT PIERCE JAZZ FESTIVAL WEEK

in the City of Fort Pierce, and encourage our citizens to recognize Jazz as a unique art form, celebrate its tradition, and devote attention and support to make certain it is preserved, understood and promoted.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 17th day of March, 2014.

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MAYOR COMMISSIONER

City Commission Regular Meeting **Agenda Item # 6. c.**

Meeting Date: 03/17/2014

Re: City of Fort Pierce Volunteer Month Proclamation

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Proclamation declaring the month of April 2014 as City of Fort Pierce Volunteer Month; being received by Gerald Roden, Commissioner, Volunteer Florida, and Barbara Smith, AmeriCorps Program Assistant.

Attachments

Volunteer Month Proclamation 2014

WHEREAS, April is Florida Volunteer Month, and National Volunteer Week was established in April to celebrate the efforts of volunteers at the local, state, and national levels; and

WHEREAS, volunteerism strengthens communities, improves social problems, enhances the overall quality of life for all citizens in need of assistance and changes the lives of the volunteers themselves in a positive way; and

WHEREAS, businesses experience an increase in morale, loyalty, teamwork and goodwill as positive effects produced by volunteering; and

WHEREAS, non-profit organizations, charities, community and faith-based groups, schools and national service programs in the City of Fort Pierce have joined together in celebration of volunteers who have given tirelessly and selflessly to the service of others.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, and do hereby proclaim the month of April 2014 as:

City of Fort Pierce Volunteer Month

in the City of Fort Pierce and urge all citizens to promote the spirit of volunteerism by observing this month with appropriate activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 17th day of March 2014.

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MAYOR COMMISSIONER

City Commission Regular Meeting **Agenda Item # 6. d.**

Meeting Date: 03/17/2014

Re: Elder Care Day Proclamation

SUBJECT:

Proclamation declaring April 5, 2014, as Elder Care Day in the City of Fort Pierce; being received by Michael Sancho, Chief Executive Office of the Boys and Girls Club of St. Lucie County.

Attachments

Elder Care Day Proclamation 2014

WHEREAS, more than 1,000 youth in St. Lucie County will join with their friends, peers and community volunteers to take part in a day of service; and

WHEREAS, as part of the Jefferson Awards 360 Challenge, more than 50 employees and volunteers of the Boys & Girls Clubs of St. Lucie County will undertake a one-day project that benefits the community and reinforces the Boys & Girls Clubs commitment to youth development, with a focus on Good Character and Citizenship; and

WHEREAS, approximately 1,000 youth and volunteers will reinforce the Boys & Girls Clubs' commitment to youth development focusing on Good Character and Citizenship by concentrating their efforts on a day of elder care; and

WHEREAS, 300 youth and volunteers will be spending quality time with senior citizens throughout Fort Pierce engaged in storytelling, performing arts, board games, and good old fashion talking in order to bring joy and a smile to the faces of elderly in the City of Fort Pierce.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, and do hereby proclaim April 5, 2014 as:

Elder Care Day

in the City of Fort Pierce and urge all citizens to join together in order to give back to our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 17th day of March 2014.

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MAYOR COMMISSIONER

City Commission Regular Meeting **Agenda Item # 7. a.**

Meeting Date: 03/17/2014

Re: Donna Friedman Letter of Appreciation

Submitted For: John Wilkes, Executive Director, Sunrise Theater

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SUBJECT:

Letter of Appreciation from Ms. Donna Friedman to Executive Director, John Wilkes, Staff, Board of Directors and Volunteers of the Sunrise Theatre for their continuing efforts to grow an affordable cultural assett in downtown that benefits all of Fort Pierce and the surrounding communities.

Attachments

Donna Friedman Letter of Appreciation

Anne W. Satterlee

From: Donna Friedman (dlf) <dlf@towerconsultants.com>
Sent: Monday, February 17, 2014 12:30 PM
To: 'Mark.tomasik@scripps.com'; 'mainstreet15@aol.com'; 'Lhudson@city-ftpierce.com'; 'commeddiebecht@bechtlaw.com'; 'Tperona@city-ftpierce.com'; 'Ralexander@city-ftpierce.com'; 'sarah772@bellsouth.net'; 'Robert Bradshaw City Mgr.'
Subject: FW: Cheers!!!!

From: Donna Friedman (dlf)
Sent: Friday, February 14, 2014 12:35 PM
To: 'John D. Wilkes'; 'dzadovskyc@stlucieco.org'; 'moweryt@stlucieco.org'; 'lewisp@stlucieco.org'; 'johnsonk@stlucieco.com'; 'boxoffice@sunrisetheatre.com'
Cc: 'Anne W. Satterlee'; 'Main Street Fort Pierce'
Subject: FW: Cheers!!!!

To all the leadership and staff of the City of Ft Pierce and the Sunrise Theatre,

I want to extend my heartfelt appreciation to the Sunrise Theatre, the Board of Directors, the Executive Director, John Wilkes, his excellent staff and the many volunteers for building our entertainment center into the wonderful gift it has been to the city of Fort Pierce.

As a recent permanent resident to our downtown area, the Sunrise Theatre was the key magnet that brought us from our home in Stuart to live in the heart and soul of Ft. Pierce. We enjoyed the gem of the smaller Lyric Theater in Stuart, but the limited seating capped the spectrum of shows and talent that could be attracted. Further, parking in downtown Stuart was always difficult making, it easier to shoot up Indian River Drive or venture up Hutchinson Island. . With the Sunrise, we walk or park near by, see many of the same acts that play at the Kravis Center in West Palm Beach and enjoy excellent seating from just about any where in the theatre and at an affordable price! We've been delighted that by becoming members of the Sunrise we can get early notification of newly booked shows, discounts at local businesses and enjoy much better access to premium seating.

The Sunrise does so much more than bring theater to our town. It brings people that see a town they didn't know and shied away from before. Our young people get an opportunity for a cultural initiation and education that they might not otherwise have the occasion to appreciate. The theatre- goers dine in our restaurants, refresh in our bars and spend money at our stores that are smartly staying open some evenings. These newcomers populate otherwise very lonely dark streets with strolling window shopping pedestrians, occupied parking spaces and even occasional traffic! When the Sunrise turns on it's lights, the silent movie set of our town that's just been waiting for a film producer to arrive, springs to life and the energy emanates from Second Street and ripples through the downtown area to the river's edge .What's more, even on evenings that the theater is closed , newcomers remember their discovery of our downtown area and come back to enjoy the restaurants and stores at a more leisurely pace when they are not rushing off to the theatre.

Thank you so much for the dedicated leadership and staff of the Sunrise. For many of us it was the draw to Ft. Pierce and is surely the anchor that keeps us here. We applaud the City and all those who have supported our wonderful theatre. ENCORE!!!

Sincerely ,

Donna

Donna Friedman
20 Orange Ave.
Ft Pierce , Fl. 34950

Sent via the Samsung GALAXY S®4 Active™, an AT&T 4G LTE smartphone

City Commission Regular Meeting **Agenda Item # 9. a.**

Meeting Date: 03/17/2014

Re: Accept Grant Award to Complete Highwaymen Heritage Trail

Submitted For: Libby Woodruff, Grant Writer, Urban Redevelopment

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SUBJECT:

Accept Florida Humanities Council Grant Award in the amount of $15,000.00 to Complete Highwaymen Heritage Trail project.

SUMMARY:

The City recently received a $15k grant award from the Florida Humanities Council (FWC) to complete the Highwaymen Heritage Trail project in Fort Pierce.

RECOMMENDATION:

Staff recommends that the City Commission accept the $15k grant award from the FHC to complete the Highwaymen Heritage Trail project in Fort Pierce and direct Project Director Libby Woodruff and Project Fiscal Officer Gloria Johnson to execute the Grant Contractual Agreement, subject to approval of form and correctness by the City Attorney.

ALTERNATIVES:

Do not accept the grant award.

RESPONSIBLE STAFF:

Libby Woodruff, Grants Administrator

COORDINATED WITH:

Gloria Johnson, Finance Director

Fiscal Impact

Budgeted Y/N:	Y
Fiscal Year:	2013-2014
Account:	CDBG
Amount:	$15,000

OTHER INFORMATION:

Cash Match for this grant award is allocated for CDBG Program Year 2013-2014.

Attachments

FHC Grant Award Contract

GRANT AGREEMENT

between the Florida Humanities Council (FHC) and
City of Fort Pierce, Florida (Grantee)

This Agreement including all attachments and the award letter, and the Grantee's original application, set forth the terms and conditions upon which the Florida Humanities Council (FHC) has awarded funds to the Grantee for the purposes specified in the approved Major Grant Application.

FHC Grant Number:	**GR_0214_3973_2332**

The grant number must be included on all communication (including email) with FHC concerning the grant.

Grantee:	**City of Fort Pierce, Florida**
Project Title:	**Final Phase - Highwaymen Heritage Trail**
Date Approved:	**January 31, 2014**
Grant Amount:	**$15,000**
Minimum Sponsor Cost Share:	**$15,000**
Grant Period:	**February 1, 2014 – July 31, 2015**

The Grantee agrees to administer the grant in compliance with the **General Provisions** and **Certifications** which follow and any applicable **Special Conditions** as noted:

GENERAL PROVISIONS

Payee: All grant funds will be made payable to the Grantee identified above. Any changes to payee must be pre-approved by FHC upon submittal of a Grant Change Request form. Grantee and assigned Project Director are responsible for the fiscal and programmatic management of all project activities.

Release of Grant Funds: The funds to be provided may be spent only in accordance with the provisions of the Major Grant Application and budget as approved by FHC. Upon return to FHC of **ONE** signed original Grant Agreement, certification of non-profit status, and copies of legislative letters sent, funds may be requested by Grantee in accordance with the payment schedule detailed on the Cash Request Form. Any funds provided in advance and not expended according to the approved budget must be returned to FHC. Due to federal reporting requirements, grantees must also maintain an active DUNS number and SAM account in order to receive any grant funds. Please refer to the attached Federal Guidelines for more information.

Changes: The Major Grant Application submitted by Grantee is part of this contract and Grantee will carry out the project as set forth in the approved application, during the grant period specified and within the budget shown for the items covered by the FHC grant. Any significant changes to the scope or objectives of the project, the duration of the project, or the project budget must be approved in writing by FHC. FHC must also be notified if a change in project director will occur. Unapproved changes may result in loss of some or all funds covered by this agreement. Grantee must submit a Grant Change Request Form to FHC for any expected grant changes.

Financial Records / Sponsor Cost Share: It is advisable that the Grantee maintain a separate ledger account for this grant. A summary of all grant expenditures must be recorded and reported on the appropriate FHC financial form. All receipts and other financial records, including documentation of all in-kind contributions, must be kept by grantee for potential audit for a period of at least five years after the grant closes. Grantee is also required to document a minimum one-to-one match (cost share) for all FHC grant dollars expended. Financial reporting forms will be provided by FHC.

Limitations on the Use of Grant Funds: Depending on classification of sponsoring organization, grantee must comply with all allowable cost principles outlined in either OMB Circular A122, *Cost Principles for Nonprofit Organizations* or OMB Circular A-21 *Cost Principles for Educational Institutions*. In addition, grant funds may only be obligated during the specified grant period and in accordance with the originally approved grant application budget. Grantee must also comply with the current list of unallowable expenses published on the FHC website.

Fees or Charges: No admission or other fees may be charged to any participant in any activities conducted under this grant unless specifically approved by FHC.

Collection and Use of Information: Where information is collected from the public in connection with this grant (as by interview, questionnaire, or evaluation), it may not, without prior approval from FHC and NEH, be represented as being collected for FHC, NEH or other federal agency.

Right to Reproduce: The federal government and FHC reserve a non-exclusive license to use and reproduce, without payment, any produced materials, including copyrighted material, arising out of grant activities.

Acknowledgement of Support and Disclaimer: Awarded funds are provided by the Florida Humanities Council through a grant from the National Endowment for the Humanities (NEH). All materials publicizing or resulting from award activities must contain an acknowledgement of FHC and NEH support and carry the appropriate FHC logo found on the FHC website. The acknowledgement must also include the following statement:

> "Funding for this program was provided through a grant from the Florida Humanities Council with funds from the National Endowment for the Humanities. Any views, findings, conclusions or recommendations expressed in this (publication) (program) (exhibition) (website) do not necessarily represent those of the Florida Humanities Council or the National Endowment for the Humanities."

Termination: FHC reserves the right to terminate this agreement at any time if, in sole discretion, it determines that the Grantee has made any misrepresentations, has in any way misappropriated grant funds, or has done anything inconsistent with the grant purpose/agreement. If within one year, the project has not started or no funds have been requested, the award may also be terminated.

Reporting Requirements: Grantee must submit required Interim and Final narrative and financial reports on forms to be provided by FHC. All final reports must be submitted within 60 days of the last grant-funded activity or the closing date of the grant period, whichever occurs first. Grant forms and resources, including publicity materials, can be found on the FHC website (**www.flahum.org/grantforms**).

Because all funds awarded by FHC are provided by the National Endowment for the Humanities, FHC is required to provide the following federal funding information to all grantees:

Award CFDA #: 45.129
NEH grant award #: SO-50410-11

CERTIFICATIONS

By signing this Agreement, Grantee certifies compliance with the following government-wide requirements:

1. Uniform Administrative Requirements: The uniform administrative requirements of the Office of Management and Budget Circular A-110 (2 CFR Part 215) apply to all grant recipients.
2. Non-Profit Status: Grantee certifies that the sponsoring organization is not an agency of the federal government, a for-profit business, or an individual. Grantee will also provide official documentation (i.e. Articles of Incorporation, IRS determination letters, By-Laws, Constitutions, etc.) which demonstrate that the organization is either an unincorporated association, a non-profit or not-for-profit corporation.
3. Nondiscrimination Statutes: Grantee certifies that it will comply with the following non-discrimination statutes and their implementing regulations:
   a. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 200d et seq.)
   b. Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.)
   c. The Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.)
   d. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794)
   e. The Americans with Disabilities Act of 1990 (42 U.S.C. 12101-12213)
3. Lobbying Activities: Grantee certifies that it will comply with the Byrd Anti-Lobbying Amendment as described in (31 U.S.C. 1352) and (18 U.S.C. 1913)
4. Drug-Free Workplace Requirements: Grantees are required to maintain a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988.
5. Debarment and Suspension: Grantees are prohibited from doing business with any organization or person if they have been debarred or suspended by any federal department or agency (2CFR Parts 180 and 3369)
6. Labor Standards: Grantees are subject to the labor standards set forth in 29 CFR Part 505 and the Davis-Beacon Act as amended (40 U.S.C. 276a through 276a-5)

SPECIAL CONDITIONS

No Special Conditions have been placed on this grant by the FHC board of directors.

REQUIRED SIGNATURES

In signing this Agreement, the signatories below acknowledge that they have been authorized by the Grantee agency to sign on its behalf and that they have read, understood and agree to the terms and conditions of the Grant Agreement and will conform to all applicable government-wide requirements and special conditions noted above. Signatories also certify that the Grantee has, and will maintain, a current DUNS number and SAM account throughout the grant period.

Project Director signature	Fiscal Officer signature
Printed Name	Printed Name
Title	Title
Date	Date

Janine Parver 2-1-14

Janine Parver, Executive Director, Florida Humanities Council / Date

Florida Humanities Council

City Commission Regular Meeting **Agenda Item # 9. b.**

Meeting Date: 03/17/2014

Re: Grace Way Village - Site Plan Extension - 1780 Hartman Road

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

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SUBJECT:

Approve request for Site Plan and Conditional Use extension of two (2) years from Grace Way Village, 1780 Hartman Road.

SUMMARY:

- The original Site Plan and Conditional Use approval to construct a 20 unit “family transitional living facility” was granted on March 19, 2012 with two (2) conditions.
- Received approval for a site plan extension for one year in March of 2013.
- The two (2) conditions of approval have not yet been completed as the applicants do not wish to donate the requested right-of-way (R/W) unless they are going to build the proposed structure.
- The extension has been requested due to a slower response to their fundraising than originally anticipated. St. Lucie County is looking at funding sources to assist them. Stefanie Myers notes "our experiences show growing numbers of homeless families in St. Lucie County. Currently, the only support facility, Homeless Family Center (HFC) in Vero Beach has a waiting list. A majority of HFC residents are from St. Lucie County. There is limited housing for mothers with children but there are really no other options available unless the household has a veteran in it. Waiting lists for public housing and Section 8 vouchers are long. Our residents are truly in need of another option so they can stabilize and get back on their feet – keeping the kids in school and having an opportunity to get more education and/or find employment."
- If granted, the site plan extension will expire March 17, 2016.

RECOMMENDATION:

Approve the Site Plan and Conditional Use extension request for the two years with the conditions of approval as noted in the original minutes. New expiration date, upon approval, will be March 17, 2016.

ALTERNATIVES:

Deny the Site Plan and Conditional Use extension request.

RESPONSIBLE STAFF:

Clarissa Davis, Planner

COORDINATED WITH:

Ryan Sweeney

Fiscal Impact

Budgeted Y/N:
Fiscal Year:
Account:
Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

CC Minutes - 3-19-2012

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would not have been a success. She would like to give kudos to Nick Mimms and the Public Works Department, which did an outstanding job clearing the properties at the northwest, northeast, and southwest corners of 8th Street and Avenue D - just the aesthetics of the property has changed the face of that area immensely. It adds value to Moore's Creek as well as the Intermodal Transit Facility and the developments along the corridor. The community is excited about it, she heard rave reviews about the look and the event as a whole. She really appreciates all that everyone has done. They pulled together so that they could meet the strategic principle of the City - Building
Community Unity & Pride. They are starting this
event quarterly. There next event will be June 8th. By the Fall, they are proposing to move it to a monthly event.

The next item on the Agenda was Public Hearing on Applications for **Conditional Use & Site Plan** Review submitted by Rev. Dr. Dana S. Allin, Indian River Presbyterian Church, for construction of **Grace Way Village**, a family transitional living facility, at **1780 Hartman Road**; said property zoned C-3, General Commercial Zone.

Mr. Ryan Sweeney, Development Review Planner, said the applicant is requesting review and approval for a family transitional living facility, which is not an identified use in the City Code; so the first step was to bring this before the Planning Board per Section 22-7 to get this authorized as a similar use to an ACLF, and that occurred on July 12, 2011. The site is located at 1780 Hartman Road and is approximately 7.84 acres. There are two existing principal structures and one small accessory structure on the site currently. The parcel is zoned C-3, General Commercial. The parcels to the east and to the south are zoned C-3, General Commercial, and the parcels to the west are zoned R-4, Medium Density Residential, and there is canal right-of-way and road right-of-way to the north. The proposed family transitional living facility will be approximately 18,700 square feet in size and will consist of a central core with a common dining area, a full service kitchen, and two residential wings. The eastern residential wing contains 12 units and the southern residential wing contains 8 units. It will be a CBS structure with smooth stucco and some horizontal cement clapboard on the front facade. There are a number of architectural features included in the design, Florida vernacular with some modern cues as well. All the required site parking, landscaping, etc. is provided on the Site Plan. As this is a Conditional Use, 27 notifications were mailed to property owners within 500 feet; to date, 11 have been received back - 9 approved, 2 disapproved. The Planning Board unanimously recommended approval with conditions at their February 14, 2012 meeting. Therefore, as the proposed Site Plan and Conditional Use meets the requirements of the City Code, and is found to be consistent with the City's Comprehensive Plan, Staff recommends approval of the Site Plan and Conditional Use with the following conditions: (1) The applicant shall record the St. Lucie County requested right-of-way dedications within 90 days of Site Plan approval; and (2) The applicant will be required to complete a Road Improvement Agreement with St. Lucie County for the proposed Hartman Road sidewalk within 90 days of Site Plan approval.

Commissioner Becht said he doesn't want to empower the County at the expense of this applicant. Did they have any input or say-so with the amount of footage the County is requesting for Hartman Road? They want 25-feet on the east side of this road.

Mr. Sweeney said the County sits on their Technical Review Committee. They have a right-of-way protection plan in their Land Development Code and that is what they go by.

Commissioner Becht asked so the County is going to have a 90-foot right-of-way in there?

Mr. Sweeney said he believes the ultimate right-of-way for Hartman Road is intended to be 160-feet total.

Commissioner Becht said he checked it, it is on the survey. It is 45-feet now. He figures if the County is taking 25-feet off the east and if they take 25-feet off the west, they will have a 90-foot right-of-way in there. He would like to know what the County asked from Bent Creek, what they took off of that, because he wants to make sure they took at least 25-feet off of a project they approved in the unincorporated County before it was annexed into the City. He would like to know what the County took off of Whiteway Dairy Road at the same time they permitted that project, because he does not think they took anything for Whiteway Dairy Road at the time they permitted this County project. But the County wants to take 30-feet off the north end of this City project. The applicant may not care; but he does not want to empower the County to take property away from City residents. The County seems to be inclined that way recently. So he wants to know, what is the precedent for the County to take 30-feet off the north of this property? He knows there is precedent to take property off for right-of-way for Hartman Road. He just wants to make sure the County is being consistent in applying that all the way up and down Hartman Road for both County projects and for City projects. Because to him, it doesn't seem to be fair to take 30-feet off the top of this property on the canal for a City project when they didn't take anything off of the property that was developed on Whiteway Dairy Road. He may be wrong, but he doesn't think so. Could Staff check on that? The sole point here is to not empower the County to take property away from City residents when they come through for City projects.

Commissioner Alexander asked the sidewalks will be to where? Are these sidewalks to nowhere?

Mr. David Carlin, Assistant Planning Director, said ultimately it will be a sidewalk to somewhere. This is the process they have had for years. When an applicant comes in for a new development, they are required to put a sidewalk along their property frontage. Ultimately they will fill in those pieces of puzzle.

Commissioner Alexander said for them to put sidewalks in, it is dangerous now to walk down Hartman Road. Are they going to entice people to walk because they have a little section of

sidewalk there? He does not think it is fair to the developers of this property. They can do it in the future, but not this being a condition for them getting their Site Plan approved.

Mr. Carlin said he brings up a good point. Staff is working to modify their sidewalk ordinance provisions to account for different flexible options, so they don't have the problem 10 or 15 years down the road - where they wanted a sidewalk but didn't get it at the time they were asking for an easement or a right-of-way. So there is a balance. They are trying to work a new sidewalk ordinance provision through the system.

Commissioner Perona said the Planning Board had three conditions. There was some discussion about the minimum required illumination along Hartman Road. They ride down that street and it is dark, then all of a sudden there is glowing streetlights that meet the minimum requirement. How have they dealt with that requirement as the City, with the County not wanting to take ownership and all these other issues? How did that end up?

Mr. Matthew Margotta, Planning Director, said one of the things he has been looking at as far as the ordinances go, just a few things he can do in the interim before they get their LDR's updated - and this is his interpretation of the Code - but he is not going to require lighting along County roads that the City does not maintain or own. The County doesn't want it, never has wanted lighting in their rights-of-way unless they did it themselves. But an interpretation of the City's Code, it doesn't require lighting along the roads the City is not maintaining and doesn't own. He is developing what that interpretation looks like, how it addresses the code, what it means legally for them, so that he can forward that on. But in the interim, he has already made that interpretation of the code. So they are not requiring lighting along County roads. But there might be a development out there along a County road and a City road; and if it is fronted on the City road, it is going to be lit to the City's standards and it is going to have sidewalks and everything like it is supposed to.

Commissioner Perona said they need to make that clear, so they are not setting a precedent here for roads that are both County and City applications. But this is merely a County road and the County has said it is not interested in ownership and maintenance of the lighting system. Is that correct?

Mr. Sweeney said this is completely a County owned and maintained road, correct.

Mr. Margotta said he didn't do this in a vacuum, he spoke with Engineering and Public Works and the County, individuals that deal with these things, to make sure he is not being cavalier. He took due consideration.

Mayor Benton said for the record, he has met with representatives on this project prior to tonight.
(Commissioners Becht, Perona, and Sessions indicated they had met with representatives also.)

Mayor Benton declared a Public Hearing in session and asked if anyone in the audience wished to be heard.

Mr. Daniel Retherford, Engineering Design & Construction Inc., said they are the civil engineers for the project. He is here tonight representing the applicant. Also here are members of the church, the pastor, an associate pastor, and the director of operations for the facility. There will answer any questions the Commissioners may have.

Mayor Benton asked could they see a show of hands for everyone here supporting this project? (Approximately 75 people in the audience raised their hand.)

Seeing no one further and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Perona, seconded by Commissioner Alexander, to approve the Conditional Use & Site Plan submitted by Rev. Dr. Dana S. Allin, Indian River Presbyterian Church, for construction of Grace Way Village, a family transitional living facility, at 1780 Hartman Road, with the following conditions: (1) The applicant shall record the St. Lucie County requested right-of-way dedications within 90 days of Site Plan approval; and (2) The applicant will be required to complete a Road Improvement Agreement with St. Lucie County for the proposed Hartman Road sidewalk within 90 days of Site Plan approval.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Benton. Those opposed: None.

Ordinance No. L-252 entitled, "AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 5 ARTICLE I OF THE CODE OF ORDINANCES ENTITLED "BUILDING CODE"; AMENDING SECTION 5-1.102.9, "WORDS DEFINED", TO CHANGE THE DEFINITION OF **BASIC WIND SPEED LINE** TO COMPLY WITH FLORIDA BUILDING CODE AND **SUBSTANTIAL IMPROVEMENT** TO READ THE SAME AS SECTION 5-316; AND AMENDING SECTION 5-1.131.1 "WIND LINES", TO CHANGE THE WIND SPEEDS AND WIND LINES TO COMPLY WITH THE FLORIDA BUILDING CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE." was placed on first reading and read by title only.

Mr. Marc Meyers, Building Official, said the new Florida Building Code went into effect on March 15th.

Commissioner Becht said he read the material very comprehensively. Has he shown this yet to the Treasure Coast Builder's Association? He suspects they are aware of the State mandates; but are they aware of where they are drawing the line on 25th Street?

Mr. Meyers said he has been in discussion with them; but he is not sure if they discussed this in particular or not.

Commissioner Becht said as he understands the material, the only

City Commission Regular Meeting **Agenda Item # 9. c.**

Meeting Date: 03/17/2014

Re: Indian Hills Drainage Improvements Geotechnical Services

Submitted For: John Andrews, City Engineer, Engineering

SUBJECT:

Approval of Dunkelberger Engineering proposal in the amount of $24,990.00 to provide geotechnical services during the construction of the Indian Hills Drainage Improvement Project.

SUMMARY:

Approval of Dunkelberger Engineering proposal to provide geotechnical services during the construction of the Indian Hills Drainage Improvement project. Dunkleberger is the second ranked firm noted on the City's approved shortlist and is in line for the next project according to their ranking.

RECOMMENDATION:

Staff recommends approval

ALTERNATIVES:

Request a proposal from the third ranked firm on the approved short list

RESPONSIBLE STAFF:

Jack Andrews

COORDINATED WITH:

N/A

Fiscal Impact

Budgeted Y/N:	Y
Fiscal Year:	2014
Account:	403-4300-538-3490
Amount:	$24,990.00

FISCAL IMPACT:

Payment of the $24,990.00 shall be encumbered from Stormwater Management Utility Account No. 403-4300-538-3490.

Attachments

Dunkleberger Proposal

Attachment A

Estimated Scope and Budget
Engineering Services - Construction Materials Testing and Geotechnical Services
Heathcote Botanical Park and Gardens Phase 1

Project Name:	Heathcote Botanical Park and Gardens Phase 1 Stormwater Improvement Project	Dunkelberger Engineering & Testing, Inc., A Terracon Company 607 NW Commodity Cove Port St. Lucie, Florida 34986
Client:	City of Ft. Pierce Engineering Attn: Jack Andrews, PE	
Dunkelberger Proposal No.:	PHB140038	
Date:	March 7, 2014	(772) 343-9787 FAX (772) 343-9404 Contact: David T. Youngstrom

Itemized CMT Services	Contract Amount				~~Previously Invoiced~~		~~Progress Invoice~~		~~Total To Date~~		Remaining on Contract	
	Qty	Unit	Price	Amount	~~Qty~~	~~Amount~~	~~Qty~~	~~Amount~~	~~Qty~~	~~Amount~~	Qty	Amount
I. Field Observations & Testing												
A. Senior Engineering Technician												
-Earthwork Observations & Material Sampling	30	hour	$54.00	$1,620.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	30	$1,620.00
B. Density Testing												
-Embankment	30	test	$21.00	$630.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	30	$630.00
-Drainage	170	test	$21.00	$3,570.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	170	$3,570.00
-Watermain	40	test	$21.00	$840.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	40	$840.00
-Compacted Subgrade	30	test	$21.00	$630.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	30	$630.00
-Base Course	20	test	$21.00	$420.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	20	$420.00
C. Concrete Testing	16	set	$80.00	$1,280.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	16	$1,280.00
D. Pile Driving Inspector (4 days @ 10 hrs/day)	40	hour	$65.00	$2,600.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	40	$2,600.00
Subtotal				**$11,590.00**		**~~$0.00~~**		**~~$0.00~~**		**~~$0.00~~**		**$11,590.00**
II. Laboratory Testing												
Proctors (T-99 or T-180)	6	test	$85.00	$510.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	6	$510.00
Percent Fines (FM 1-T011)	6	test	$25.00	$150.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	6	$150.00
Limerock Bearing Ratio	2	test	$275.00	$550.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	2	$550.00
Sieve Analysis (T27)	2	test	$65.00	$130.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	2	$130.00
Subtotal				**$1,340.00**		**~~$0.00~~**		**~~$0.00~~**		**~~$0.00~~**		**$1,340.00**
III. Engineering & Reporting												
Senior Engineer	26	hour	$120.00	$3,120.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	26	$3,120.00
Project Engineer (*WEAP Analysis for Pile*)	8	hour	$95.00	$760.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	8	$760.00
Administrative Assistant	10	hour	$42.00	$420.00	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	~~0~~	~~$0.00~~	10	$420.00
Subtotal				**$4,300.00**		**~~$0.00~~**		**~~$0.00~~**		**~~$0.00~~**		**$4,300.00**
Estimated Total				**$17,230.00**		**~~$0.00~~**		**~~$0.00~~**		**~~$0.00~~**		**$17,230.00**

ESTIMATED CMT BUDGET OF: $17,230.00

PREVIOUS GEOTECHNICAL SERVICES: $7,760.00

TOTAL CMT & GEOTECHNICAL BUDGET OF: $24,990.00

ATTACHMENT B

Dunkelberger Engineering & Testing, Inc.
Standard Fee Schedule for the City of Ft. Pierce
Construction Materials Testing & Geotechnical Services RFQ No. 6005
Dunkelberger Project No. PSL-10-3233
2011 to 2012

Note: The intent of the contract is to include all labor, materials, transportation, set-up, fuel, equipment, and other items necessary to complete the item of work. All items incidental to or necessary for the completion of the item are included in the price.

SOIL & AGGREGATE TESTING

1.	Field Density Test – Nuclear (4 min) (T238)	$ 21.00/test
2.	Field Density Test – Drive Sleeve (4 min) (T204)	$ 22.00/ test
3.	Field Density Test – Sand Cone (4 min) (T191)	$ 25.00/ test
4.	Proctors (Standard or Modified T99 or T180)	$ 85.00/ test
5.	Florida Bearing Value Test (FBV)	$ 45.00/test
6.	Limerock Bearing Ratio Test (FM 5-515 LBR)	$275.00/test
7.	Carbonate Content Test (FM 5-514)	$ 55.00/test
8.	Organic Content Test (T267)	$ 30.00/test
9.	Natural Sample Moisture Content	$ 15.00/test
10.	Unit Weight and Moisture Content (undisturbed sample)	$ 30.00/test
11.	Permeability of Granular Soils Constant Head (T125)	$170.00/test
12.	Triaxial Tests (D4767)	$385.00/point
13.	Sieve Analysis of Aggregates (T27)	$ 65.00/test
14.	Particle Size Analysis of Soils (T88)	$ 50.00/test
15.	Hydrometer Analysis (D422)	$ 80.00/test
16.	Specific Gravity & Absorption of Fine or Coarse Aggregate	$ 45.00/test
17.	Double Ring Infiltration Test	$400.00/test
18.	Consolidation Testing of Undisturbed Sample (T216)	$450.00/test
19.	Unconfined Compressive Strength of Cohesive Soil (D2166)	$ 45.00/test
20.	Soil Corrosivity – pH Sulfate, Chloride, Resistivity	$145.00/test
21.	Liquid Limit (T89)	$ 45.00/test
22.	Plastic Limit (T90)	$ 45.00/test
23.	Percent Finer than the U.S. No. 200 Sieve (FM1-T011)	$ 25.00/test
24.	SFWMD Constant/Falling Head Permeability Tests	$350.00/test

CONCRETE & MASONRY MATERIALS

1.	Concrete Compression Test (4 min cylinders/trip) (T22) --Prepare cylinders & slump test on-site	$ 80.00/set
2.	Additional concrete cylinders	$ 15.00/cylinder
3.	Concrete Compression Test - only (delivered to lab)	$ 15.00/cylinder
4.	Flexural Strength Test (up to beams) (T97) --Includes slump, molding (additional beams $30/beam)	$ 150.00/set
5.	Unit weight of fresh concrete (C138)	$ 35.00/set
6.	Technician time due to construction delays (i.e., on-site time in excess of 1 hr/set) and cylinder pickup/transport not in conjunction with other field work	$ 45.00/hour
7.	Continuous monitoring of concrete for slump, temperature and other such plastic property testing	$ 45.00/hour
8.	Additional Slump Test (T119)	$ 15.00/test
9.	Air Content Test (C173)	$ 30.00/test
10.	Grout Prism (four (4) per set) (ASTM C1019 using manufactured grout boxes) --Includes preparation of prism on site	$ 75.00/set
11.	2" X 2" Mortar Cubes (six (6) per set) (T106) --Includes preparation of cubes on site	$ 55.00/set
12.	Additional Mortar Cubes	$ 10.00/each
13.	Masonry Units	
	A. Compressive Strength	$ 30.00/unit
	B. Absorption and Strength (set of three (3))	$125.00/set

Dunkelberger Engineering & Testing, Inc.
Standard Fee Schedule for the City of Ft. Pierce
Construction Materials Testing & Geotechnical Services RFQ No. 6005
Dunkelberger Project No. PSL-10-3233
2011 to 2012

SAMPLING & TESTING OF HARDENED IN-PLACE CONCRETE

1.	Mobilization & usage of portable coring equipment*	
	- with power available (no generator req'd)	$75.00/day
	- generator required	$125.00/day
2.	Field coring of concrete – technician time (2 men may be req'd)	$ 45.00/hour
3.	Trim, cap and compressive strength testing of cores (C42)	$ 30.00/core
4.	Windsor Probe Test (set of 3 shots) (C803)	$120.00/set
5.	Additional Windsor Probe Tests	$ 80.00/test
6.	Swiss Hammer Testing (C805)	
	- equipment usage	$ 35.00/day
	- technician time for performing testing	$ 54.00/hour

*Does Not Include Maintenance of Traffic (MOT) set-up or costs

SAMPLING AND TESTING OF ASPHALTIC CONCRETE

1.	Mobilization & usage of portable coring equipment*	
	- with power available (no generator req'd)	$75.00/day
	- generator required	$125.00/day
2.	Field coring of in-place asphalt – technician time (2 men may be req'd)	$ 45.00/hour
3.	Asphalt Extraction and Graduation (T164)	$150.00/test
4.	Asphalt Density and Thickness (T166)	$ 25.00/test

*Does Not Include Maintenance of Traffic (MOT) set-up or costs

INSPECTION SERVICES (Certified Inspector)

1.	Building Inspection	
	• Threshold or Steel Inspection [Structural – Welding/Bolt Torque]	$ 65.00/hour
	• Mechanical, Electrical & Plumbing Inspections	$ 85.00/hour
	• Plan Review	$ 85.00/hour
2.	Specialist Inspector (on job site or plant)	$ 65.00/hour
	• Concrete	
	• Asphalt	
	• Pile driving	
	• Pre-cast	
3.	Senior Engineering Technician	$ 54.00/hour
4.	Engineering Technician	$ 45.00/hour

ENGINEERING AND PROFESSIONAL SERVICES

1.	Principal Engineer (Florida Registered PE/Court Qualified Expert)	$145.00/hour
2.	Senior Engineer (Florida Registered PE)	$120.00/hour
3.	Project Engineer	$ 95.00/hour
4.	Staff Engineer	$ 75.00/hour
5.	Staff Scientist	$ 65.00/hour
6.	CADD Technician	$ 50.00/hour
7.	Administrative Assistant	$ 42.00/hour

Dunkelberger Engineering & Testing, Inc.
Standard Fee Schedule for the City of Ft. Pierce
Construction Materials Testing & Geotechnical Services RFQ No. 6005
Dunkelberger Project No. PSL-10-3233
2011 to 2012

ENVIRONMENTAL SITE ASSESSMENTS

1.	Phase I Environmental Site Assessments	
	- 0 to 2 acres	$2,100.00/site
	- 2 to 10 acres	$2,300.00/site
	- 10 to 25 acres	$2,500.00/site
	- 25+ acres	by site specific quote
2.	Phase II Environmental Site Assessments	by site specific quote
3.	Use of Turbidity Meter	$ 25.00/day
4.	Use of Water Level Indicator	$ 15.00/day
5.	Use of Groundwater Sampling Equipment	$ 50.00/day
6.	Analytical Laboratory Testing of Soil or Water	cost + 15%
7.	Steam Cleaner	$ 175.00/day
8.	Disposal Equipment (bailers, filters, tubing, gloves, storage drums, etc.)	cost + 12%

FIELD EXPLORATIONS

1.	Mobilization of Truck Mounted Drilling Equipment to Project (min. charge)	$250.00/trip
2.	Auger Borings/Hollow-Stem	$ 9.00/lf
3.	Hand Augers w/Hand-Held Cone Penetrometer (readings per foot)	$ 45.00/hour/technician
4.	Standard Penetration Tests – Truck Rig (T206)	
	• 0'-50'	$ 12.00/lf
	• 51'-100'	$ 13.00/lf
	• 101'-125'	$ 15.00/lf
	• 126'-150'	$ 18.00/lf
5.	Grout Bore Holes	
	• 0'-50'	$ 3.00/lf
	• 51'-100'	$ 4.00/lf
	• 101'-150'	$ 6.00/lf
6.	Casing – F&I, Remove (Up To 4" ID)	
	• 0'-50'	$ 5.00/lf
	• 51'-100'	$ 6.00/lf
	• 101'-125'	$ 10.00/lf
7.	Static Cone Penetration Test 0'-100'	$ 10.50/lf
8.	Muck Probing (4 hour min.)	$ 120.00/crew/hour
9.	Rock Coring – N or H Size	
	• 0'-50'	$ 30.00/lf
	• 51'-100'	$ 32.00/lf
	• 101'-125'	$ 37.00/lf
10.	Shelby Tube Undisturbed Samples	$100.00/each
11.	Fixed Piston Shelby, Osterberg, Pitcher Undisturbed Samples	$135.00/each
12.	Shallow Temporary Piezometer (Non-Environmental)	
	• 0'-12'	$ 20.00/lf
	• 12'-25'	$ 30.00/lf
13.	Piezometer Locking Assembly & Pad	$225.00/each
14.	Clear/Develop Piezometer Well	$150.00/hour
15.	Groundwater Monitoring Wells 2" Diameter	
	• 0'-25'	$ 30.00/lf
	• 26'-50'	$ 40.00/lf
16.	Abandonment of up to 4" diameter wells (0 – 100')	$ 20.00/lf

NOTE: A factor of 1.2 will be applied to the above drilling rates for the use of Dunkelberger's "Mud-bug" (ATV) drilling rig.

Assumptions/Exemptions/Limitations/Exclusions:

1. Natural moisture content will be included at no charge when performed in conjunction with all other soil and aggregate testing services.
2. Sample pickup time for laboratory tests will be billed at $45.00/hour unless performed in conjunction with other field testing services (in place density tests or concrete tests).
3. Engineering technician time spent on concrete testing services will be billed at $45.00/hour for on-site, standby time in excess of one (1) hour per set, cylinder set pickup performed not in conjunction with other field testing services cancellation without notice.
4. Hourly rates are portal-to-portal.
5. An overtime factor of 1.3 will be applied to the attached rates for work performed on weekends, holidays, and outside the regular work week (7:30 a.m. to 5:00 p.m. Monday through Friday).
6. These fees do not include costs for Maintenance-Of-Traffic (MOT) and/or utility locations which may be required for certain jobs. These costs will be negotiated on an as-needed, case-by-case basis.
7. The Field Explorations costs are for land-based work using truck-mounted drilling equipment only. Sites requiring all-terrain drilling equipment, clearing, and water-based work will be quoted on a site specific basis.

City Commission Regular Meeting **Agenda Item # 9. d.**

Meeting Date: 03/17/2014

Re: Lot Clearing Reduction Request - 430 N 7th St

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

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SUBJECT:

Request for waiver of interest, penalties and administrative fees totaling $1,192.92 of a Lot Clearing Lien in the amount of $1,828.91 against 430 North 7th Street, owned by Fire Equipment Services of St. Lucie, Inc., contingent upon payment of $635.99.

SUMMARY:

Lot clearing lien in the amount of $1828.91 of which owner is requesting lot clearing interest, penalties, and administrative fees totaling $1192.92 be waived leaving a balance of $635.99.

RECOMMENDATION:

Based upon the fact that the owner purchased this property in a distressed state and removed two unsafe structures at his own expense, staff recommends approving Mr. Folbrecht's request to waive all interest, penalties and administrative fees in the amount of $1,192.92 contingent upon payment of the actual lot clearing costs of $635.99.

ALTERNATIVES:

Deny request.
Make alternative recommendation.

RESPONSIBLE STAFF:

Colleen Greer, Administrative Assistant

COORDINATED WITH:

Peggy Arraiz, Code Compliance Manager
Kathy D'Arton, Accounts Receivable

Fiscal Impact

Budgeted Y/N:
Fiscal Year: 2014
Account:
Amount: 635.99

OTHER INFORMATION:

Revenue of $635.99 to the general fund.

Attachments

breakdown
Request
Tax card

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Assistant to Code Enforcement

SUBJECT: **LOT CLEARING LIEN REDUCTION**
430 N 7th Street, Fort Pierce, FL

DATE: March 17, 2014

The following is a breakdown of the above property:

	Costs (General Fund)	Interest & Penalties	Administrative Fees
Lot Clearing Lien (02/28/2014)	$635.99	$1042.92	$150.00
TOTAL	$635.99	$1042.92	$150.00

CAN BE WAIVED (ALL INTEREST, PENALTIES, AND ADMIN. COSTS)	$1192.92
CANNOT BE WAIVED (ALL LOT CLEARING COSTS)	$ 635.99
	$1828.91

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A WAIVER
LOT CLEARING / DEMOLITION LIENS

Property address:	430 NORTH 7th ST.				
Owner(s) of record:	FIRE EQUIPMENT SERVICES of ST. LUCIE, INC.				
Mailing address:	434 NORTH 7th ST. FT. PIERCE, FL 34950				
Property tax ID #:	2410-603-0037-0009				
Original purchase date:		Original purchase price:			
Other Information:	☐ Inherited Property	☐ Purchased at Tax Sale	☐ Adjoining Property Owner		
Property is used for:	☐ Single Family	☐ Multi-family	☑ Commercial	☐ Industrial	☐ Vacant Lot
Name of person requesting waiver	MEL FOLBRECHT	Relationship to owner(s):	PRESIDENT FIRE EQUIP. SERVICES		
Telephone #:	772 461 6845	Mobile phone #:	772 216 4784		
E-mail:	fes1946@bellsouth.net	Preferred contact method:	Mobile		
What are owner(s) intentions for property:	PARKING for COMPANY VEHICLES				
Are there current code violations?	☑ No	☐ Yes	Explain: (please attached notice)		
Is a lien filed against the property?	☐ No	☑ Yes	If yes, what is the lien amount?	$ 1878.91	
Is property listed for sale?	☑ No	☐ Yes	If yes, what is listing price?		
Is property under contract for sale?	☑ No	☐ Yes	If yes, what is the sale price?		

City incurred charges (lot clearing, demolition, etc)	$ 635.99
Administrative fees	$ 150.00
Interest	$ 867.41
Penalties	$ 171.93
Recording fee	3.58
TOTAL AMOUNT DUE TO CITY	$ 1878.91
DOLLAR AMOUNT REQUESTING TO BE WAIVED	$ 1192.92
DOLLAR AMOUNT I AGREE TO PAY	$

If the city waives any fees, interest, penalties or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Commission's decision unless an alternate time frame is specified in the motion.

(Signature of Owner or Representative)

MEL FOLBRECHT
(Printed Name)

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 430 NORTH 7th ST.

Property Owner: FIRE EQUIPMENT SERVICES of ST. LUCIE, INC.

Mailing Address: 434 NORTH 7th ST.

Telephone #: 772 461 6845 Cell Phone #: 772 216 4784

E-Mail Address: fes1946@bellsouth.net

Is the property in compliance? YES If no, please explain _____

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, Mel Folbrecht, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

Purchased property from county — cleaned property from 9.17.90 to current date inclusive of removing (2) condemned houses at my expense

Date: 3.4.14

Signed: [signature]

Print Name: Mel Folbrecht

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Melvin Folbrecht who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced _____ as identification.

SWORN TO AND SUBSCRIBED before me this 4th day of March, 2014.

WILLIAM KIMMEN
MY COMMISSION # EE 205273
EXPIRES: June 5, 2016
Bonded Thru Budget Notary Services

[signature]
Notary Public, State of Florida

PROPERTY RECORD CARD

Fire Equipment Serv St Lucie Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address:	430 N 7th St	ParcelID:	2410-603-0032-000-9
Sec/Town/Range:	10 :35S :40E	Account #:	23312
Map ID:	24/10N	Use Type:	COUNTIES
Zoning:	C3	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: Fire Equipment Serv St Lucie

Address: 434 N 7th St
Fort Pierce FL 34950-2972

Legal Description

PLAT OF A C DITTMAR'S RE-S/D BLK19 LOT 6 (MAP 24/10C) (OR 3408-1694)

Sales Information

Date	Price	Code	Deed	Book/Page
6/27/2012	0	0118	DE	3408 / 1694
8/29/2002	0	01	TD	1573 / 2086
7/15/1996	100	01	QC	1026 / 1179
9/17/1990	42700	01	WD	0708 / 0686
5/25/1989	12055	01	AA	0645 / 0536
4/1/1988	23000	00	CV	0582 / 1900

Assessment 2013

2013 Final:	16000
Assessed:	16000
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	408.95

Total Land and Building

Land Value: 16000 Acres: 0.23
Building Value: 0
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available

No Image Available

Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No.	Use Type	Type	Measure	Depth
1	8600-COUNTIES	205 -Sq Feet	10000	
2	8600-COUNTIES	205 -Sq Feet	0	

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

City Commission Regular Meeting **Agenda Item # 9. e.**

Meeting Date: 03/17/2014

Re: Florida League of Cities 2014 Legislative Action Days Travel - Commissioner Alexander

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of Travel Expenses in the amount of $1,086.44 for Commissioner Rufus J. Alexander, III, to attend the 2014 Florida League of Cities' Legislative Action Days which take place April 1 - 2, 2014, in Tallahassee, Florida.

SUMMARY:

The Florida League of Cities' Legislative Action Days will be held in Tallahassee, Florida, on Tuesday and Wednesday, April 1 - 2, 2014. This will enable Commissioner Alexander, the Florida League of Cities Voting Delegate for the City of Fort Pierce, to visit the Capitol for meetings with our local/regional legislators. It will also offer the opportunity to learn the latest on the League's legislative action agenda priorities and other key issues affecting municipalities.

RECOMMENDATION:

Approval of travel expenses to attend Legislative Action Days.

ALTERNATIVES:

Denial of travel expenses to attend Legislative Action Days.

RESPONSIBLE STAFF:

Angela Wilkinson, Executive Assistant

COORDINATED WITH:

Linda W. Cox, City Clerk

Fiscal Impact

Budgeted Y/N:	Y
Fiscal Year:	2013/2014
Account:	00110005114030
Amount:	1,086.44

OTHER INFORMATION:

No fiscal impact other than that included on the Travel Expense Statement.

Attachments

Legislative Action Days Travel Statement - Commissioner Alexander

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REGISTRATION INFORMATION

HOTEL INFORMATION

TRAVEL EXPENSE STATEMENT

DATE:

1. TRAVELER'S NAME: Rufus Alexander
2. DEPARTURE DATE: 3/31/2014
3. RETURN DATE: 4/3/2014
4. DESTINATION: Tallahasse, FL
5. CODE CHARGE: **001-1000-511-40-30**
6. AMT BUDGETED:

7. BALANCE AVAILABLE: _____

DEPARTMENT: City Commission
DEPARTURE TIME: 1:00 PM
RETURN TIME: 8:00 AM
PURPOSE: 2014 Florida League of Cities
Legislative Action Days

Expenses must comply with City Code of Ordinances 1-158.
Per Diem Allowance $50.00 or $12.50 per quarter day.
Class A Travel 24-hour day.

	PREPAID EXPENSES	CREDIT CARD	ESTIMATED CASH EXPENSES	ACTUAL CASH EXPENSES
* REGISTRATION FEE:	0.00			
* HOTEL BILL: (3 nts @ $192.00)			576.00	
BAGGAGE ALLOWANCE ($5 PER PERSON)			5.00	
* COMMUNICATION:				
* FARES: AIR FARE				
* TAXI, BUS				
* CAR RENTAL				
* MILEAGE @ 0.505 732 miles			369.66	
* GASOLINE EXPENSE				
* TOLL ROAD FEES OR PARKING FEES (4 days @ $8)			24.00	
* MISC. EXPENSES				
MEALS				
2 BREAKFAST @ $8.00 (1 breakfast provided)			16.00	
2 LUNCH @ $8.00 (1 lunch provided)			16.00	
3 DINNER @ $20.00			60.00	
SPECIAL LUNCHEON/BANQUET			0.00	
6.5% STATE TAX			5.98	
15% GRATUITIES			13.80	
TOTALS	0.00	0.00	1,086.44	

BREAKFAST = When travel begins before 6:00 a.m. and extends beyond 8:00 a.m.
LUNCH = When travel begins before 12:00 noon and extends beyond 2:00 p.m.
DINNER = When travel begins before 6:00 p.m. and extends beyond 8:00 p.m.

ADVANCE CASH RECEIVED: _____
REFUND DUE CITY: _____
REFUND DUE EMPLOYEE: _____

TRAVEL APPROVED BY:

_____
DEPARTMENT SUPERVISOR

_____
CITY MANAGER
(220 WITH CITY MANAGER
SIGNATURE ACCEPTED)

EXPENSES ARE ALSO INCLUDED
FOR THE FOLLOWING PERSONS:

_____
_____
_____
_____

* RECEIPT REQUIRED
REV 10/10 DLN

2014 FLC Legislative Action Days

The Florida League of Cities' Legislative Action Days will be held **Tuesday and Wednesday, April 1-2, 2014**, in Tallahassee. Hotel space is limited in Tallahassee during session, so make your travel plans now!

Be part of this year's advocacy efforts as President P.C. Wu and the League's legislative team strategize and prepare for this critical session. You'll hear directly from key legislators on an array of important issues.

The event begins on **Tuesday, April 1**, with an opening luncheon and legislative briefing from 12:00 p.m. until 2:00 p.m. Our lobbyists will provide status reports on the League's legislative action agenda priorities. You'll learn the latest on these and other key issues affecting municipalities. After lunch, plan to visit the Capitol for scheduled meetings with your legislators. League staff will be working with the regional leagues to coordinate legislative visits. Please indicate **your local regional league** on the attached registration form. In addition, please let your local league know which legislators you would like to meet.

There will be a reception that evening for all registrants beginning at 5:30 p.m. Share ideas with your city colleagues and legislators in a relaxed setting.

On **Wednesday, April 2**, plan to continue meetings with your legislators in the morning. While the legislative appointment schedule is expected to conclude around noon on Wednesday, please feel free to stick around for committee hearings or other legislative events.

REGISTRATION FORM

Return the completed form by **March 21, 2014**, to Florida League of Cities, P.O. Box 1757, Tallahassee, FL 32302-1757; fax to (850) 222-3806; or email to *mhowe@flcities.com*. Please type or print information requested. Complete one registration form per registrant; duplicate as needed. No registration fee is required; however, on-site registrants cannot be guaranteed for the meal function. The deadline for cancellations is **March 21, 2014**.

Name: Rufus J. Alexander, III
(First / M.I. / Last)

First Name/Nickname: Butch (as you wish it to appear on your badge) Title: City Commissioner

City/Organization: Fort Pierce Local/Regional League Affiliation: Treasure Coast

Mailing Address: P.O. Box 1480

City: Fort Pierce State: FL Zip: 34982

Phone: (772) 467-3025 First-Time Attendee? ☐ Yes ☒ No

Email: awilkinson@city-ftpierce.com

Special Needs: If you are physically challenged and require special service or if you have special dietary needs, please attach a written description to this registration form and notify the hotel for special service.

Join your city colleagues from across Florida in the fight for Home Rule! You can view the League's 2014 Legislative Action Agenda at *www.floridaleagueofcities.com*.

HOTEL INFORMATION: DoubleTree by Hilton Hotel Tallahassee - 101 South Adams Street

Reservations can be made by calling the hotel at (850) 222-8733 and asking for the Florida League of Cities room block or online at *www.tallahassee.doubletree.com* and entering the Special Rate Code: FLE. The room rate is $192/night, single or double occupancy. Self-parking is $8.00 per night; valet is $12.00 per night. The cut-off date for making reservations is February 28, 2014.

- **Please remember, the room block could sell out before this date and FLC cannot guarantee availability at any time.**
- **Reservations must be guaranteed by one night's deposit or a major credit card and cancellations must be made at least 24 hours prior to arrival.**

TENTATIVE SCHEDULE*

TUESDAY, APRIL 1, 2014

Registration Desk Open *(DoubleTree)*
11:30 a.m. - 3:00 p.m.

Opening Luncheon & Legislative Briefing *(DoubleTree)*
12:00 p.m. - 2:00 p.m.

- Opening Remarks
- Invocation
- Welcome
- Legislative Overview
  Scott Dudley, Director, Legislative Affairs, Florida League of Cities
- Speakers to include various House and Senate Members
- "Charge to the Delegates"
  P.C. Wu, President, Florida League of Cities; Councilmember, City of Pensacola

FLC Board of Directors Meeting *(Sittig Hall at Kleman Plaza)*
2:30 p.m. - 4:30 p.m.

Reception *(Sittig Hall at Kleman Plaza)*
5:30 p.m. - 6:30 p.m.

WEDNESDAY, APRIL 2, 2014

Continental Breakfast & Legislative Visit Coordination *(DoubleTree)*
7:30 a.m. - 8:30 a.m.

Florida League of Mayors Roundtable *(Sittig Hall at Kleman Plaza)*
12:00 p.m. - 2:00 p.m.

Florida League of Mayors Board of Directors Meeting *(Sittig Hall at Kleman Plaza)*
2:00 p.m. - 3:00 p.m.

**Subject to change.*

Florida League of Cities, Inc.
P.O. Box 1757
Tallahassee, FL 32302-1757

US POSTAGE $00.48⁰
FEB 07 2014
ZIP 32301
0801 1052139

Rufus J. Alexander, III, Commissioner
City of Fort Pierce
100 N US Highway 1
Fort Pierce, FL 34950-4205

34950$4205 C007



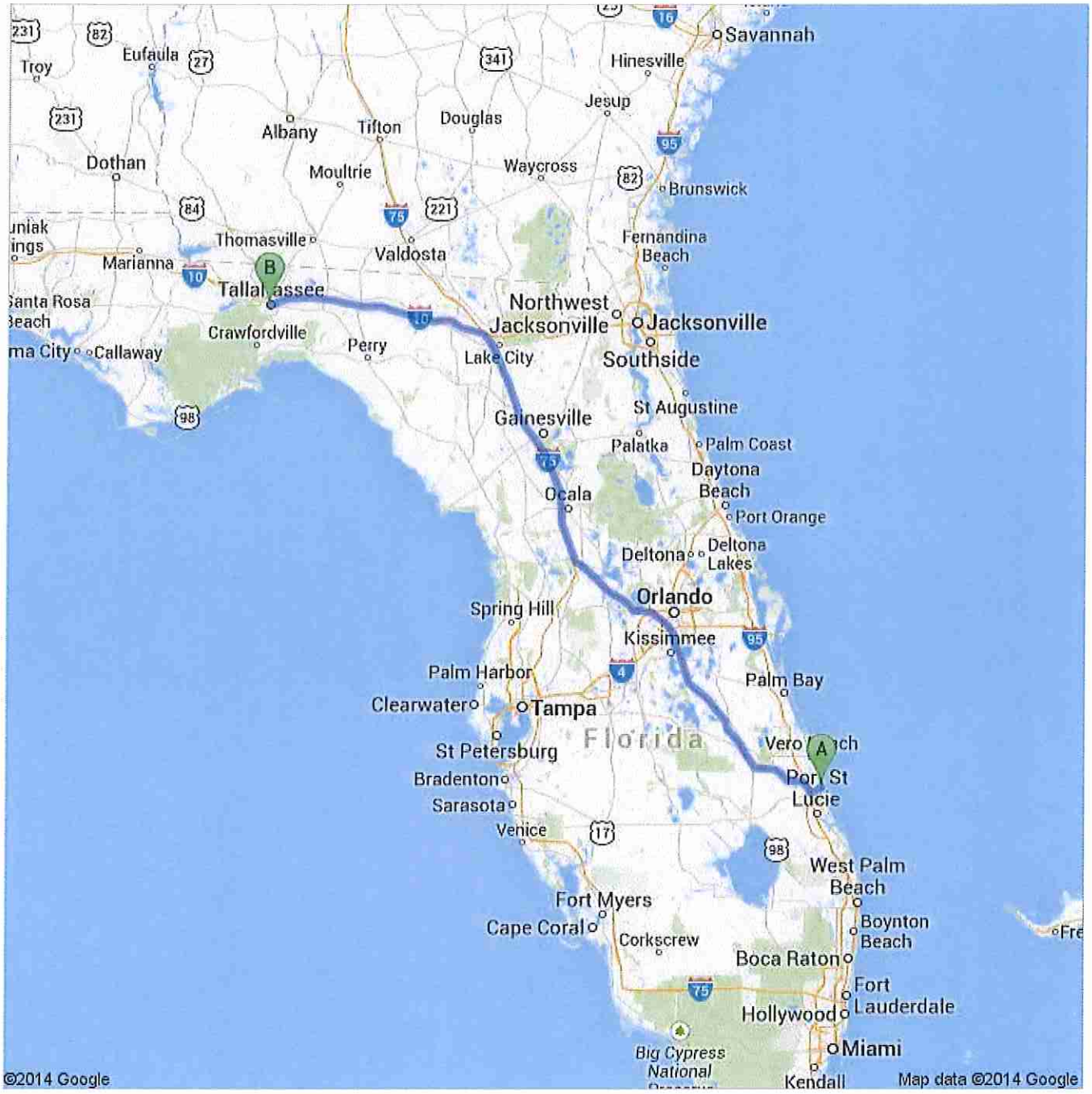
Florida League of Cities
Legislative Action Days
DoubleTree by Hilton Tallahassee Hotel
April 1-2, 2014

Join your city colleagues from across Florida in the fight for *Home Rule!*

Hotel Reservation Deadline: February 28, 2014
Registration Deadline: March 21, 2014
View the League's 2014 Legislative Action Agenda at *www.floridaleagueofcities.com.*

Google

Directions to 101 S Adams St, Tallahassee, FL 32301
366 mi – about **5 hours 12 mins**
Commissioner Rufus J. Alexander - 2014 FLC Legislative Action Days in Tallahassee



A	100 U.S. 1, Fort Pierce, FL 34950	
1	1. Head **northwest** on **U.S. 1 N** toward **Ave A**	go 269 ft total 269 ft
↰	2. Turn left onto **Ave A** About 1 min	go 0.2 mi total 0.2 mi
↰	3. Turn left onto **N 7th St**	go 72 ft total 0.2 mi
↱	4. Take the 1st right onto **Orange Ave** About 3 mins	go 1.3 mi total 1.5 mi
↰	5. Turn left onto **S 25th St** About 1 min	go 0.7 mi total 2.2 mi
↱	6. Turn right onto **Okeechobee Rd** About 6 mins	go 3.5 mi total 5.7 mi
↰	7. Turn left onto the **Florida's Turnpike** ramp Partial toll road	go 0.2 mi total 5.9 mi
↱	8. Keep right at the fork and merge onto **Florida's Turnpike** Partial toll road About 2 hours 7 mins	go 156 mi total 162 mi
75	9. Merge onto **I-75 N** About 1 hour 27 mins	go 107 mi total 269 mi
10	10. Take exit **435** to merge onto **I-10 W** toward **Tallahassee** About 1 hour 12 mins	go 88.0 mi total 357 mi
10	11. Take exit **209A** to merge onto **FL-10 W/US-90 W/Mahan Dr** toward **Tallahassee** Continue to follow FL-10 W/US-90 W About 12 mins	go 8.2 mi total 365 mi
↰	12. Turn left onto **N Monroe St**	go 0.2 mi total 365 mi
↱	13. Take the 2nd right onto **E Park Ave**	go 420 ft total 366 mi
↰	14. Take the 1st left onto **N Adams St** Destination will be on the left	go 305 ft total 366 mi
B	101 S Adams St, Tallahassee, FL 32301	

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2014 Google

Directions weren't right? Please find your route on www.google.com and click "Report a problem" at the bottom left.

DoubleTree by Hilton Confirmation #81641427

DoubleTree by Hilton Confirmed to: awilkinson@city-ftpierce.com 02/27/2014 01:41 PM

Please respond to HILTONNET

DoubleTree by Hilton Hotel Tallahassee
101 South Adams Street | Tallahassee | FL |
United States 32301
T: 1-850-224-5000 | F: 1-850-513-9516

Rooms & Suites | Dining | Amenities & Services | Map & Directions

Thank you for booking with us, Rufus Alexander

Confirmation: 81641427 **Modify Reservation**
Arrival: 31 Mar 2014 3:00 PM
Departure: 03 Apr 2014 12:00 PM

Rate Information:

Rate Type:
FL LEAGUE OF CITIES
Rate per night: 192.00 USD
Total for Stay per Room:

Rate	576.00 USD
Taxes	72.00 USD
Total	648.00 USD

Total for Stay: **648.00 USD**
Includes estimated taxes and service charges. (Gratuities not included.)

Tax:

- 7.50% per room per night
- 5.00% per room per night

Additional Charges:

- Valet parking: 12.00/night Self parking: 8.00/night

Room Information:

We are a smoke-free hotel

Rooms: 1
Clients: 1 Adult
Room Type: 1 KING UPGRADED NONSMOKING

Preferences: King

Your room type preferences have been submitted with your reservation, and are subject to hotel availability.

Rate Rules and Cancellation Policy:

- Your reservation is guaranteed for late arrival.
- Please contact us should you need to cancel your reservation.
- Cancellations are required by 4PM on 30 Mar 2014 local hotel time.
- Cancellation penalties may apply.

* Service of alcoholic beverages is subject to state and local laws. Must be of legal drinking age.

Requests Upon Arrival™ items are subject to availability.

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If you use a debit/credit card to check in, a hold may be placed on your card account for the full anticipated amount to be owed to the hotel, including estimated incidentals, through your date of check-out and such hold may not be released for 72 hours from the date of check-out or longer at the discretion of your card issuer.

If you need to MODIFY or CANCEL your reservation, click here.
Any change to the arrival date, departure date or room type of this reservation is subject to the hotel's availability at the time the change is requested and may result in a possible rate change or an additional fee. For example, shortening or lengthening your reservation is subject to availability and may not be possible at a later date. For more information, please click here to see all the rules and restrictions applicable to this reservation.

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City Commission Regular Meeting **Agenda Item # 10. a.**

Meeting Date: 03/17/2014

Re: Zoning Map Amendment (Rezoning) - 4100 Glades Cut-Off Rd. - Diamond R. Fertilizer

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

---

SUBJECT:

Ordinance No. 14-007 - A Zoning Atlas Amendment request for 4100 Glades Cut-Off Road. FIRST READING

SUMMARY:

- Diamond R. Fertilizer has been at this location since the 1970's.
- While in the County, prior to Annexation, it had a heavy industrial (I3) zoning classification.
- This property was annexed into the City limits in 2004 under I1, Light Industrial zoning in the absence of a Heavy Industrial zoning category which was later implemented in 2008 via ordinance L-63. It would be a business friendly effort to restore their zoning status to the heavy industrial classification they enjoyed prior to annexation.
- HI, Heavy Industrial Future Land Use

RECOMMENDATION:

Approve the Zoning Atlas Amendment for 4100 Glades Cut-Off Road.

ALTERNATIVES:

Deny the Zoning Atlas Amendment

RESPONSIBLE STAFF:

Clarissa Davis

COORDINATED WITH:

Rebecca Grohall, AICP

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Staff Report

Location Map
Zoning Map
Property Record Card
Warranty Deed
Ordinance K-308
Zoning Atlas Amendment Application
Ordinance 14-007

CITY OF FORT PIERCE
PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Clarissa Davis, Planner

SUBJECT: Diamond R Fertilizer: Zoning Map Amendment

DATE: February 19, 2013

STAFF REPORT

Owner/Applicant: Diamond R Fertilizer
4100 Glades Cut-Off Road
Fort Pierce, Fl 34981

Representative: Tracy Kay
4100 Glades Cut-Off Road
Fort Pierce, Florida 34981

Requested Action: Approval of a Zoning Atlas Amendment (Rezoning) from I1, Light Industrial to I3, Heavy Industrial.

Location: 4100 Glades Cut-Off Road

Parcel Id: 2430-441-0005-000-7

Current Future Land Use: HI, Heavy Industrial

Current Zoning: I1, Light Industrial

Proposed Zoning: I3, Heavy Industrial

Surrounding Zoning:

North	East	South	West
AR-1	I1	I1	IX/IH

Parcel(s) Size: 37.46 acres

Utilities: Within the FPUA Retail Service Area

Staff Analysis:

The applicant is requesting the approval of a Zoning Atlas Amendment (Rezoning) from I1, Light Industrial to I3, Heavy Industrial.

Diamond R. Fertilizer is a fertilizer and agrichemical business that has been in production for over 70 years producing dry and liquid fertilizers, seeds and crop protection. The business has grown immensely and has established many locations including one at 4100 Glades Cut-Off Rd.

The subject site was annexed into City limits in 2004 via Ordinance K-308 along with 5 other parcels. Though the intensity of the use for the parcel would warrant a heavier zoning, it received I-1, Light Industrial in the absence of an appropriate zoning. I3, Heavy Industrial wasn't established until the later date of December 1, 2008 via Ordinance L-63. This request is to give the subject site its proper zoning.

The current future land use zoning for this site is HI, Heavy Industrial. This zoning exists for uses that include intensive manufacturing and processing facilities; storage and distribution facilities; warehousing; general and intensive commercial uses; large business parks; office, retail, and service uses that provide support to employees; and compatible public, quasi-public, and special uses.

There will be no additional impact on facilities such as water, solid waste, transportation, etc. Any further expansion of the facility will require review of the impacts on level of service.

TRC Comments:

This Zoning Atlas Amendment was distributed to the respective entities of the Technical Review Committee. All affected departments have reviewed the application and had no comment.

Planning Board Recommendation:

The Planning Board, at their February 11th, 2014 meeting, gave a recommendation of **approval.**

Staff Comments:

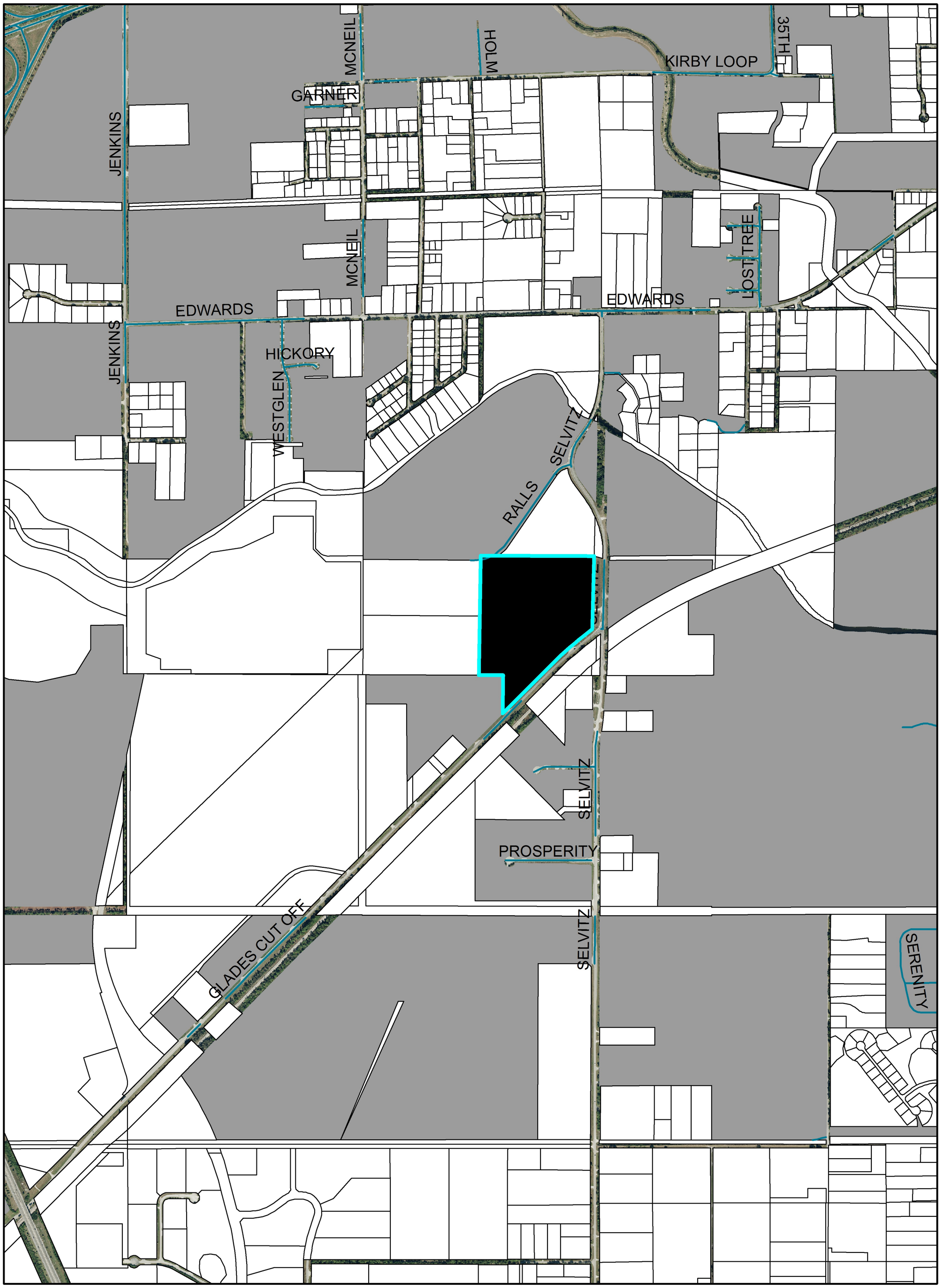
Before an amendment may be approved, the following standards must be satisfied per Section 22-131 of the City Code:

(1) The amendment is consistent with the comprehensive plan;
(2) The amendment will not have an adverse affect on the ability of the city to:
    a. Satisfy land and water use needs; and
    b. Meet transportation demands and provide community facilities and services; and
(3) The amendment will promote and protect the public health, safety and general welfare.

The Zoning Atlas Amendment is to give the correct zoning classification to this use now that the proper zoning is available. The change in its zoning classification does not, at this time, create any additional impact on water, wastewater, solid waste, etc.

As the proposed amendment meets the above standards, Staff recommends that the City Commission **approve** the Zoning Atlas Amendment on first reading and schedule for second reading for April 7, 2014.

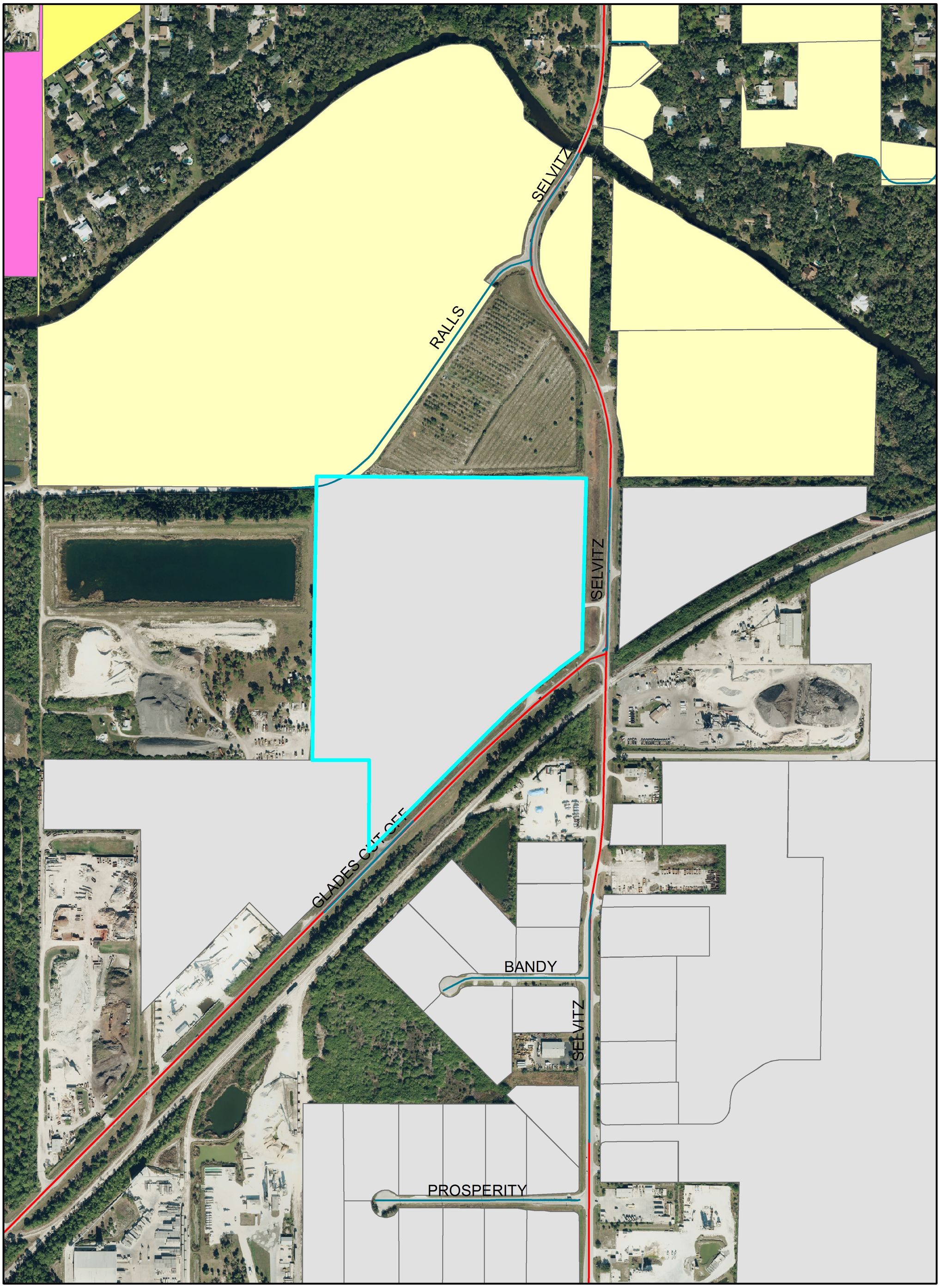
Location Map



Legend

- County Limits
- 4100 Glades Cut-Off Rd.
- Fort Pierce City Limits

Zoning Map


N
Legend
I1
R1
R2
PUD
SELVITZ
RALLS
SELVITZ
GLADES CUT OFF
BANDY
SELVITZ
PROSPERITY

PROPERTY RECORD CARD

Property Identification

Site Address:	4100 Glades Rd	ParcelID:	2430-441-0005-000-7
Sec/Town/Range:	30 :35S :40E	Account #:	32835
Map ID:	24/30S	Use Type:	MNRAL
Zoning:	I1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: Diamond R Fertilizer Co Inc

Address: 4100 Glades Cut Off Rd
Fort Pierce FL 34981-4711

Legal Description

30/31 35 40 THAT PART OF SE 1/4 OF SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE 1/4 OF SEC 31 LYG

More...

Sales Information

Date	Price	Code	Deed	Book/Page
7/19/2004	100	01	WD	2021 / 0449
9/1/1974	300000	00	CV	0232 / 1272

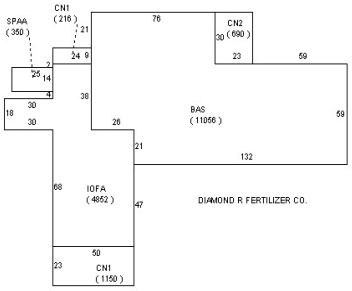
Assessment 2013

2013 Final:	3204200
Assessed:	3204200
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	81897.1

Total Land and Building

Land Value:	2247600 Acres: 37.46
Building Value:	956600
Finished Area:	48789 SqFt

BUILDING INFORMATION





Exterior Features

View:	-	RoofCover:	SM - Sheet Metal	RoofStruct:	ST - Steel Truss
ExtType:	INDM - INDUS-MANUF	YearBlt:	1975	Frame:	-
Grade:	Y_D+ - Commer D+	EffYrBlt:	1975	PrimeWall:	CM - Corr Metal
StoryHght:	0010 - 1 Story	No.Units:	1	SecWall:	-

Interior Features

BedRooms:	0	Electric:	MX - MAXIMUM	PrmIntWall:	DW - Drywall
FullBath:	0	HeatType:	FHA - FrcdHotAir	AvgHt/Fl:	
1/2Bath:	0	HeatFuel:	ELEC - Electric	Prm.Flors:	CU - Carpet
%A/C:	100	%Heated:	100	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
CNC2 - CONCRETE LOW	Y	1	5000	AV	AV	1977
FEN7 - CHAINLINK 7'	Y	1	1970	AV	AV	1977
BARB - BARB WIRE	Y	1	1970	AV	AV	1977
ASP1 - ASP1 HIGH	Y	1	17830	AV	AV	1977
LLDK - LOADING DOCK	Y	1	3083	AV	AV	1975
FEN4 - CHAINLINK 4'	Y	1	292	AV	AV	2011

Land Information

No.	Use Type	Type	Measure	Depth
1	4700-MNRAL	580 -Acres	37.46	

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
File Number: 2443371 OR BOOK 2021 PAGE 449
Recorded:07/20/04 14:36

* Doc Assump:	$	0.00
* Doc Tax :	$	0.70
* Int Tax :	$	0.00

Parcel ID Number:
Grantee TIN:

Warranty Deed

This Indenture, made this 19th, day of July A.D. 2004 **Between**

Pioneer Ag-Chem, Inc., A Florida Corporation

of the County of **St. Lucie,** State of **Florida,** **grantor**, and

Diamond R Fertilizer Co., Inc., A Florida Corporation

whose address is: P.O. Box 12489, Fort Pierce, Florida

of the County of **St. Lucie,** State of **Florida,** **grantee.**

Witnesseth that the GRANTOR, for and in consideration of the sum of

----------**TEN DOLLARS ($10)**---------- DOLLARS,

and other good an valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever the following described land, situate, lying and being in the County of **St. Lucie** State of **Florida** to wit:

See attached Exhibit A

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set hand and seal the day and year first above written.
Signed, sealed and delivered in our presence:

Tracy A Kay
Printed Name: Tracy A Kay
Witness

Barbara Conits
Printed Name: BARBARA CONITS

Witness

Pioneer Ag-Chem, Inc

BY: _____ (Seal)
Wayne Carlton, President
Post Office Box 12489
Ft. Pierce, FL 34979

ATTEST: _____
Steve Cassens, Secretary
Post Office Box 12489
Ft. Pierce, FL 34979

State of Florida
County of St. Lucie

The foregoing instrument was acknowledged before me this 19th day of July, 2004 by Wayne Carlton, President Steve Cassens, Sec. who is personally known to me or who has produced _____ as identification.

Tracy A Kay
Printed Name: Tracy A Kay
Notary Public
My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
Tracy A. Kay
Commission #DD245548
Expires: Sep 09, 2007
Bonded Thru
Atlantic Bonding Co, Inc.

OFFICE OF CITY CLERK
CITY OF FT. PIERCE
100 N. U.S. 1
P.O. BOX 1480
FT PIERCE, FL 34954

ORDINANCE NO. K-308

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **SIX PARCELS OF LAND GENERALLY LOCATED EAST AND WEST OF SELVITZ ROAD, NORTH OF GLADES CUT-OFF ROAD (KNOWN AS 3398 SELVITZ ROAD, 3548 SELVITZ ROAD, 3630 SELVITZ ROAD, 4100 GLADES CUT-OFF ROAD, 4510 GLADES CUT-OFF ROAD, AND OTHER PARCELS CONTIGUOUS THERETO)**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS JANUARY 1, 2005; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, be and they are hereby extended to annex to the said City six parcels of land generally located east and west of Selvitz Road, north of Glades Cut-off Road (known as 3398 Selvitz Road, 3548 Selvitz Road, 3630 Selvitz Road, 4100 Glades Cut-off Road, 4510 Glades Cut-off Road, and other parcels contiguous thereto); legally described as:

PARCEL 1 - THAT PART OF NW 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING SOUTH OF TEN MILE CREEK, SUBJECT TO CANAL RIGHT-OF-WAY OVER THE WEST 48 FEET THEREOF; AND ALSO THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING SOUTH OF TEN MILE CREEK, SUBJECT TO CANAL RIGHT-OF-WAY OVER THE WEST 48 FEET THEREOF; AND ALSO THAT PART OF SECTION 30, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE FOR SELVITZ ROAD AS IT PRESENTLY EXISTS, SUBJECT TO A CANAL RIGHT-OF-WAY OVER THE EAST 48 FEET THEREOF, ALL OF THE ABOVE BEING IN ST. LUCIE COUNTY, FLORIDA. (OR 455-1910) (PROPERTY I.D. 2429-321-0003-000-0)(PROPERTY I.D. 2430-411-0001-000-6) - 3398 SELVITZ ROAD

PARCEL 2 - 30 35 40 THAT PART OF S 1/2 OF NE 1/4 LYG SLY OF CANAL 71 (TEN MILE CREEK) AND WLY OF SELVITZ RD AND N 1/2 OF SE 1/4 LYG WLY OF SELVITZ AND RALLS RDS AND SLY OF CANAL 71 (TEN MILE CREEK) AND N 50FT OF N 1/2 OF SW 1/4 OF SE 1/4 (72.62 AC)(OR 495-2541)(PROPERTY I.D. 2430-134-0014-000-0) - ADDRESS TO BE DETERMINED

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 2527722 12/30/2004 at 08:58 AM
OR BOOK 2125 PAGE 2193 - 2196 Doc Type: ORDN
RECORDING: $35.50

PARCEL 3 - 29 35 40 S 1/2 OF NW 1/4 OF SW 1/4-LESS W 88 FT AND LESS THAT PART LYG WITHIN 54.08 FT ELY OF BASE LI OF SURVEY OF SELVITZ RD (SURVEY RECORDED IN PB 13-2)(19.00 AC)(PROPERTY I.D. 2429-323-0001-000-2)- 3548 SELVITZ ROAD

PARCEL 4 - 29 35 40 THAT PART OF SW 1/4 OF SW 1/4 LYG N OF FEC CUT-OFF BRANCH MPDAF: BEG SW COR OF SEC RUN N 1320 FT, TH E 1320 FT, TH S 1320 FT, TH W 1320 FT TO POB-LESS W 128 FT FOR RD AND CANAL RS/W- (33) (12.34 AC) (OR 1641-2079)(PROPERTY I.D. 2429-331-0002-000-4) - 3630 SELVITZ ROAD

PARCEL 5 - 0/31 35 40 THAT PART OF SE 1/4 OF SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE 1/4 OF SEC 31 LYG N AND W OF GLADES CUT-OFF RD-LESS W 272.18 FT AND LESS RD AND CANAL RS/W- (37.46 AC)(OR 232-1272,1273)(PROPERTY I.D. 2430-441-0005-000-7) - 4100 GLADES CUT-OFF ROAD

PARCEL 6 - 31 35 40 BEG AT NE COR OF NW 1/4 OF NE 1/4 TH ELY ALG N LI SD SEC31 272.18 FT, TH SLY 410 FT M/L TO N LY R/W GLADES CUTOFF RD, TH S44 DEG 34 MIN W ALG SD R/W 608.44 FT M/L, TH N 45 DEG 26 MIN W 219.21 FT, TH S 44 DEG 34 MIN W727.15 FT, TH N 882.03 FT, TH W LY ALG S LI OF N 1/2 OF N 1/2 OF NW 1/4 OF NE 1/4 457.88 FT M/L TO ELY R/W CANAL #99, TH N LY ALG SD ELY CANAL R/W 330 FT M/L TO N LI SD SEC 31, TH ELY ALG SD N LI 1277.50 FT M/L TO POB (23.57 AC)(OR 351-1336,1341:514-2288)(PROPERTY I.D. 2431-121-0002-000-6) - 4510 GLADES CUT-OFF ROAD

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Section 1 hereof as of January 1, 2005 and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That the City Clerk shall cause notice of this annexation to be published once each week for two consecutive weeks prior to final passage in The Tribune in Fort Pierce, Florida.

SECTION 4. That upon this ordinance becoming effective, the land hereinabove described and annexed to the territorial limits of

the City of Fort Pierce shall be and the same are zoned: Parcels 1-3 - R-1, Single Family Low Density Zone, and the Future Land Use Designation is RL, Low Density Residential Land Use; and Parcels 4-6 - I-1, Light Industrial Zone, and the Future Land Use Designation is I, Industrial Land Use, in accordance with the Zoning Ordinance of the City of Fort Pierce, Florida.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall be and become effective December 31, 2004.

STATE OF FLORIDA) ss
ST. LUCIE COUNTY)

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. K-308 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in The Tribune in Fort Pierce, Florida, on November 8, 2004, and on November 15, 2004; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on December 6, 2004; and was duly introduced, read by title only, and passed on second and final reading on December 20, 2004, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 21th day of December 2004.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

CITY OF FORT PIERCE

PLANNING DEPARTMENT

Rebecca Grohall, AICP, Planning Manager
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

Map Amendment

Property address or Location: 4100 Glades Road, Ft. Pierce, Florida

Parcel ID #(s): 2430-441-0005-000-7

Project description: Rezoning of Property

Property Owner(s)	Applicant/Representative, Title, Company
Diamond R Fertilizer Co., Inc.	Tracy Kay, Vice President
4100 Glades Rd.	4100 Glades Rd.
Street Address	Street Address
Ft. Pierce, FL 34981	Ft. Pierce, FL 34981
City State Zip	City State Zip
772-464-9300	772-464-9300
Phone Number	Phone Number
tracy.kay@diamond-r.com	tracy.kay@diamond-r.com
Email Address	Email Address

Property Owner(s) Acknowledgements: *- This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein.*

Diamond R Fertilizer Co., Inc.

By: _____

Property Owner(s) Signature(s) Tracy Kay, Vice President

STATE OF FLORIDA -- St Lucie COUNTY

The foregoing instrument was acknowledged before me this 26 day of Dec, 20 13, by Tracy Kay who is personally known to me or has produced _____ as identification.

Barbara Conits

Signature of Notary (seal)

BARBARA CONITS
Commission # EE 145917
Expires December 26, 2015
Bonded Thru Troy Fain Insurance 800-385-7019

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 460-2200 x247

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation
I2	HI	37.46	N/A	Contributing Individual Non-Contributing None

Pre-Application Meeting Date_____

Intake Planner_____

Planner Assigned_____

Approved By_____ Date _____

Comments_____

Fees_____ Control #_____ B. Permit #_____

Intake Date Stamp

❑ MAP AMENDMENT

Submit one (1) original & seven (7) hard copies and one (1) CD of the following. Additional copies will be required of subsequent submittals.

- ❑ Complete notarized application
- ❑ As-built Survey
- ❑ Warranty Deed
- ❑ Concurrency submittals
- ❑ SLC Property Record Card
- ❑ Environmental Impact Report
- ❑ Traffic Impact Report
- ❑ Support Documentation

Application Type:

- ☒ Amending the Zoning Atlas Map
- ❑ Amending the Future Land Use Map

Site Information:

1,631,757.60 s.f or 37.46 acres

Non-Residential: Proposed Sq. Ft.: _____ Residential: Proposed Units:_____

Surrounding Uses: *(i.e. single family home, retail, industrial, etc.)*

North	South	East	West
AR-1	IH & I1	IH & I1	I1 & IH

Application Outlook



PROPERTY RECORD CARD

Property Identification

Site Address:	4100 Glades Rd	ParcelID:	2430-441-0005-000-7
Sec/Town/Range:	30 :35S :40E	Account #:	32835
Map ID:	24/30S	Use Type:	MNRAL
Zoning:	I1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: Diamond R Fertilizer Co Inc

Address: 4100 Glades Cut Off Rd
Fort Pierce FL 34981-4711

Legal Description

30/31 35 40 THAT PART OF SE 1/4 OF SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE 1/4 OF SEC 31 LYG

More...

Sales Information

Date	Price	Code	Deed	Book/Page
7/19/2004	100	01	WD	2021 / 0449
9/1/1974	300000	00	CV	0232 / 1272

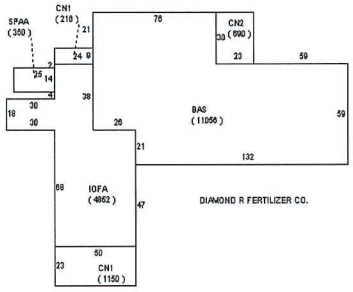
Assessment 2013

2013 Final:	3204200
Assessed:	3204200
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	81897.1

Total Land and Building

Land Value:	2247600 Acres: 37.46
Building Value:	956600
Finished Area:	48789 SqFt

BUILDING INFORMATION





Exterior Features

View:	-	RoofCover:	SM - Sheet Metal	RoofStruct:	ST - Steel Truss
ExtType:	INDM - INDUS-MANUF	YearBlt:	1975	Frame:	-
Grade:	Y_D+ - Commer D+	EffYrBlt:	1975	PrimeWall:	CM - Corr Metal
StoryHght:	0010 - 1 Story	No.Units:	1	SecWall:	-

Interior Features

BedRooms:	0	Electric:	MX - MAXIMUM	PrmIntWall:	DW - Drywall
FullBath:	0	HeatType:	FHA - FrcdHotAir	AvgHt/Fl:	
1/2Bath:	0	HeatFuel:	ELEC - Electric	Prm.Flors:	CU - Carpet
%A/C:	100	%Heated:	100	%Sprinkled:	0

Special Features and Yard Items

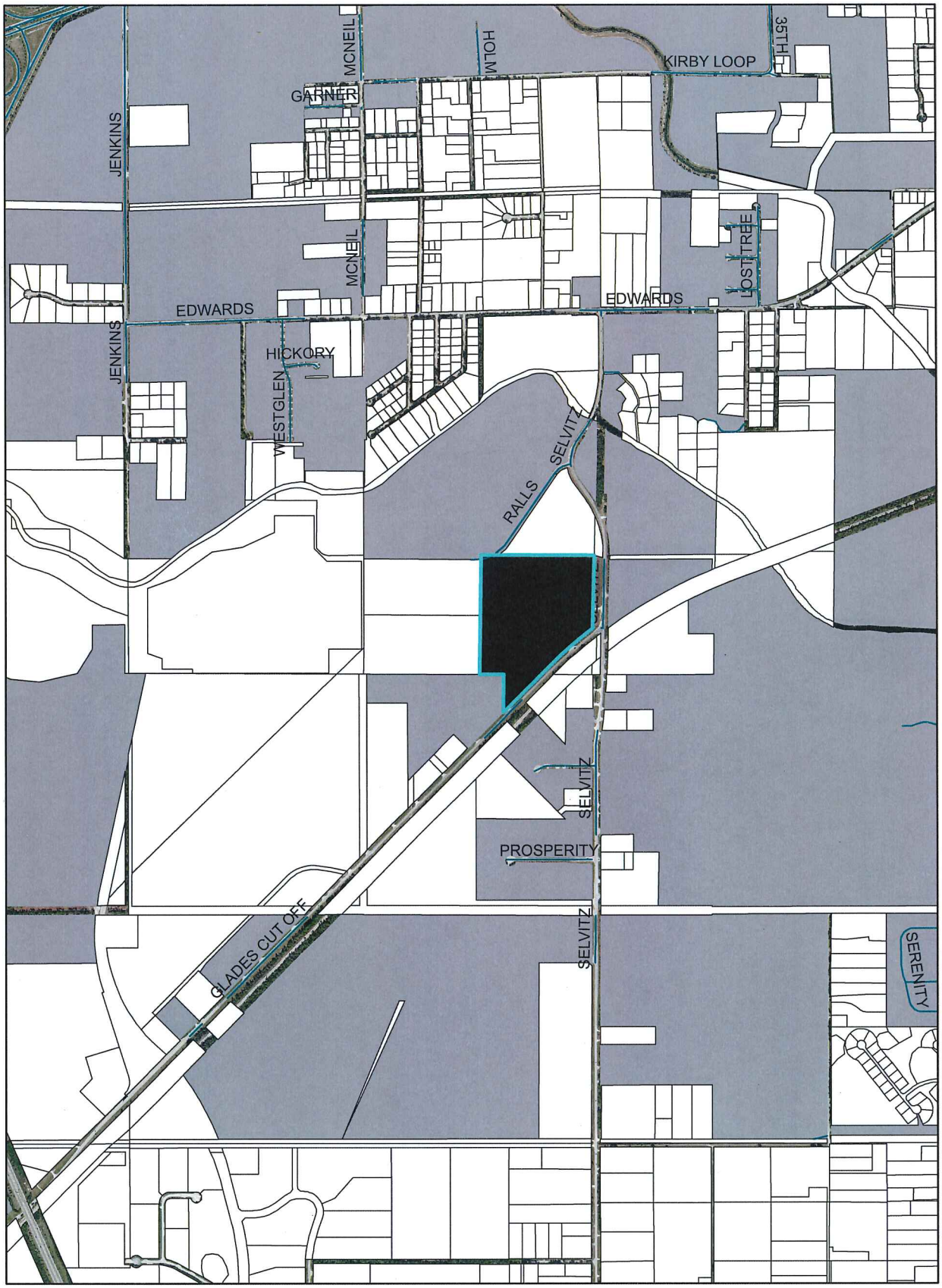
Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
CNC2 - CONCRETE LOW	Y	1	5000	AV	AV	1977
FEN7 - CHAINLINK 7'	Y	1	1970	AV	AV	1977
BARB - BARB WIRE	Y	1	1970	AV	AV	1977
ASP1 - ASP1 HIGH	Y	1	17830	AV	AV	1977
LLDK - LOADING DOCK	Y	1	3083	AV	AV	1975
FEN4 - CHAINLINK 4'	Y	1	292	AV	AV	2011

Land Information

No.	Use Type	Type	Measure	Depth
1	4700-MNRAL	580 -Acres	37.46	

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

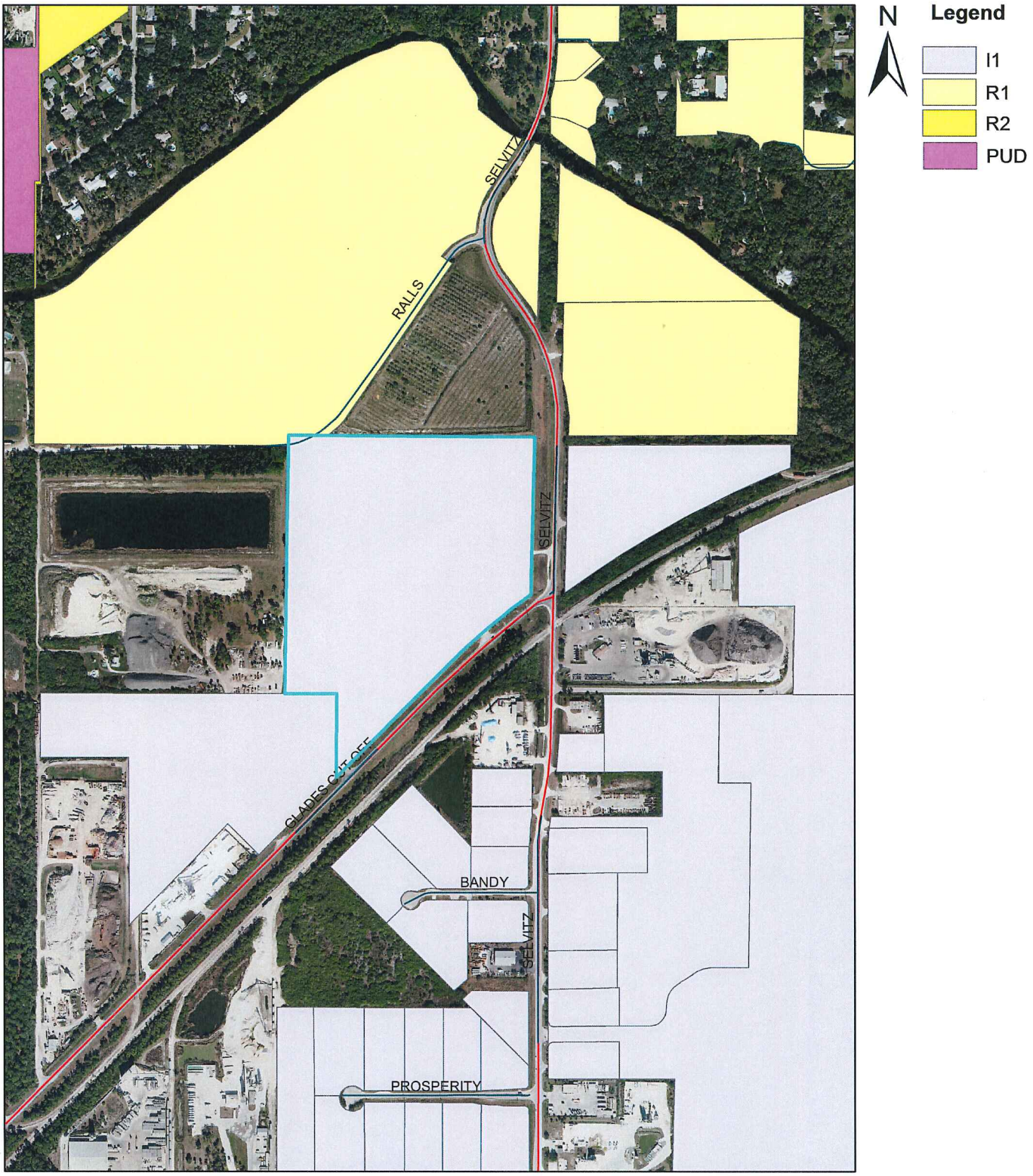
Location Map



Legend

- County Limits
- 4100 Glades Cut-Off Rd.
- Fort Pierce City Limits

Zoning Map


N
Legend
I1
R1
R2
PUD
SELVITZ
RALLS
SELVITZ
GLADES CUT-OFF
BANDY
SELVITZ
PROSPERITY

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
File Number: 2443371 OR BOOK 2021 PAGE 449
Recorded:07/20/04 14:36

* Doc Assump: $ 0.00
* Doc Tax : $ 0.70
* Int Tax : $ 0.00

Parcel ID Number:
Grantee TIN:

Warranty Deed

This Indenture, made this 19th, day of July A.D. 2004 **Between**

Pioneer Ag-Chem, Inc., A Florida Corporation

of the County of **St. Lucie,** State of **Florida,** **grantor**, and

Diamond R Fertilizer Co., Inc., A Florida Corporation

whose address is: P.O. Box 12489, Fort Pierce, Florida

of the County of **St. Lucie,** State of **Florida,** **grantee.**

Witnesseth that the GRANTOR, for and in consideration of the sum of

----------**TEN DOLLARS ($10)**---------- DOLLARS,

and other good an valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever the following described land, situate, lying and being in the County of **St. Lucie** State of **Florida** to wit:

See attached Exhibit A

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set hand and seal the day and year first above written.
Signed, sealed and delivered in our presence:

Tracy A Kay
Printed Name: Tracy A Kay
Witness

Barbara Conits
Printed Name: BARBARA CONITS

Witness

Pioneer Ag-Chem, Inc.

BY: _____ (Seal)
Wayne Carlton, President
Post Office Box 12489
Ft. Pierce, FL 34979

ATTEST: _____
Steve Cassens, Secretary
Post Office Box 12489
Ft. Pierce, FL 34979

State of Florida
County of St. Lucie

The foregoing instrument was acknowledged before me this 19th day of July, 2004 by Wayne Carlton, President Steve Cassens, Sec. who is personally known to me or who has produced _____ as identification.

Tracy A Kay
Printed Name: Tracy A Kay
Notary Public
My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
Tracy A. Kay
Commission #DD24[illegible]548
Expires: Sep 09, 2007
Bonded Thru
Atlantic Bonding Co, Inc.

OFFICE OF CITY CLERK
CITY OF FT. PIERCE
100 N. U.S. 1
P.O. BOX 1480
FT PIERCE, FL 34954

ORDINANCE NO. K-308

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **SIX PARCELS OF LAND GENERALLY LOCATED EAST AND WEST OF SELVITZ ROAD, NORTH OF GLADES CUT-OFF ROAD (KNOWN AS 3398 SELVITZ ROAD, 3548 SELVITZ ROAD, 3630 SELVITZ ROAD, 4100 GLADES CUT-OFF ROAD, 4510 GLADES CUT-OFF ROAD, AND OTHER PARCELS CONTIGUOUS THERETO)**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS JANUARY 1, 2005; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, be and they are hereby extended to annex to the said City six parcels of land generally located east and west of Selvitz Road, north of Glades Cut-off Road (known as 3398 Selvitz Road, 3548 Selvitz Road, 3630 Selvitz Road, 4100 Glades Cut-off Road, 4510 Glades Cut-off Road, and other parcels contiguous thereto); legally described as:

PARCEL 1 - THAT PART OF NW 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING SOUTH OF TEN MILE CREEK, SUBJECT TO CANAL RIGHT-OF-WAY OVER THE WEST 48 FEET THEREOF; AND ALSO THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING SOUTH OF TEN MILE CREEK, SUBJECT TO CANAL RIGHT-OF-WAY OVER THE WEST 48 FEET THEREOF; AND ALSO THAT PART OF SECTION 30, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE FOR SELVITZ ROAD AS IT PRESENTLY EXISTS, SUBJECT TO A CANAL RIGHT-OF-WAY OVER THE EAST 48 FEET THEREOF, ALL OF THE ABOVE BEING IN ST. LUCIE COUNTY, FLORIDA. (OR 455-1910) (PROPERTY I.D. 2429-321-0003-000-0)(PROPERTY I.D. 2430-411-0001-000-6) - 3398 SELVITZ ROAD

PARCEL 2 - 30 35 40 THAT PART OF S 1/2 OF NE 1/4 LYG SLY OF CANAL 71 (TEN MILE CREEK) AND WLY OF SELVITZ RD AND N 1/2 OF SE 1/4 LYG WLY OF SELVITZ AND RALLS RDS AND SLY OF CANAL 71 (TEN MILE CREEK) AND N 50FT OF N 1/2 OF SW 1/4 OF SE 1/4 (72.62 AC)(OR 495-2541)(PROPERTY I.D. 2430-134-0014-000-0) - ADDRESS TO BE DETERMINED

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 2527722 12/30/2004 at 08:58 AM
OR BOOK 2125 PAGE 2193 - 2196 Doc Type: ORDN
RECORDING: $35.50

PARCEL 3 - 29 35 40 S 1/2 OF NW 1/4 OF SW 1/4- LESS W 88 FT AND LESS THAT PART LYG WITHIN 54.08 FT ELY OF BASE LI OF SURVEY OF SELVITZ RD (SURVEY RECORDED IN PB 13-2)(19.00 AC)(PROPERTY I.D. 2429-323-0001-000-2)- 3548 SELVITZ ROAD

PARCEL 4 - 29 35 40 THAT PART OF SW 1/4 OF SW 1/4 LYG N OF FEC CUT-OFF BRANCH MPDAF: BEG SW COR OF SEC RUN N 1320 FT, TH E 1320 FT, TH S 1320 FT, TH W 1320 FT TO POB-LESS W 128 FT FOR RD AND CANAL RS/W- (33) (12.34 AC) (OR 1641-2079)(PROPERTY I.D. 2429-331-0002-000-4) - 3630 SELVITZ ROAD

PARCEL 5 - 0/31 35 40 THAT PART OF SE 1/4 OF SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE 1/4 OF SEC 31 LYG N AND W OF GLADES CUT-OFF RD-LESS W 272.18 FT AND LESS RD AND CANAL RS/W- (37.46 AC)(OR 232-1272,1273)(PROPERTY I.D. 2430-441-0005-000-7) - 4100 GLADES CUT-OFF ROAD

PARCEL 6 - 31 35 40 BEG AT NE COR OF NW 1/4 OF NE 1/4 TH ELY ALG N LI SD SEC31 272.18 FT, TH SLY 410 FT M/L TO N LY R/W GLADES CUTOFF RD, TH S44 DEG 34 MIN W ALG SD R/W 608.44 FT M/L, TH N 45 DEG 26 MIN W 219.21 FT, TH S 44 DEG 34 MIN W727.15 FT, TH N 882.03 FT, TH W LY ALG S LI OF N 1/2 OF N 1/2 OF NW 1/4 OF NE 1/4 457.88 FT M/L TO ELY R/W CANAL #99, TH N LY ALG SD ELY CANAL R/W 330 FT M/L TO N LI SD SEC 31, TH ELY ALG SD N LI 1277.50 FT M/L TO POB (23.57 AC)(OR 351-1336,1341:514-2288)(PROPERTY I.D. 2431-121-0002-000-6) - 4510 GLADES CUT-OFF ROAD

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Section 1 hereof as of January 1, 2005 and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That the City Clerk shall cause notice of this annexation to be published once each week for two consecutive weeks prior to final passage in The Tribune in Fort Pierce, Florida.

SECTION 4. That upon this ordinance becoming effective, the land hereinabove described and annexed to the territorial limits of

the City of Fort Pierce shall be and the same are zoned: Parcels 1-3 - R-1, Single Family Low Density Zone, and the Future Land Use Designation is RL, Low Density Residential Land Use; and Parcels 4-6 - I-1, Light Industrial Zone, and the Future Land Use Designation is I, Industrial Land Use, in accordance with the Zoning Ordinance of the City of Fort Pierce, Florida.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall be and become effective December 31, 2004.

STATE OF FLORIDA) ss
ST. LUCIE COUNTY)

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. K-308 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in The Tribune in Fort Pierce, Florida, on November 8, 2004, and on November 15, 2004; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on December 6, 2004; and was duly introduced, read by title only, and passed on second and final reading on December 20, 2004, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 21th day of December 2004.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

ORDINANCE NO. 14-007

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **REZONING** THE PROPERTY GENERALLY LOCATED AT **4100 GLADES CUT-OFF ROAD**, FROM I1, LIGHT INDUSTRIAL ZONE, TO I3, HEAVY INDUSTRIAL ZONE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida, a municipal corporation, as follows:

SECTION 1. From and after the effective date hereof, the following property legally described as:

30/31 35 40 THAT PART OF SE 1/4 OF SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE 1/4 OF SEC 31 LYG N AND W OF GLADES CUTOFF RD-LESS W 272.18 FT AND LESS RD AND CANAL RS/W- (37.46 AC) (OR 2021-449)

shall be and the same is hereby rezoned from I1, Light Industrial Zone, to I3, Heavy Industrial Zone; said property being generally located at 4100 Glades Cut-Off Road in Fort Pierce, Florida.

SECTION 2. All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance is and the same shall become effective immediately upon final passage thereof.

APPROVED AS TO FORM
AND CORRECTNESS:

_____
Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)SS

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-007 was duly advertised by title only in the St. Lucie News Tribune on February 28, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on March 17,

2014; and was duly introduced, read by title only, and passed on second and final reading on April 7, 2014 by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 7th day of April, 2014.

_____
Linda Hudson,
Mayor Commissioner

_____
Linda W. Cox,
City Clerk

(CITY SEAL)

City Commission Regular Meeting **Agenda Item # 10. b.**

Meeting Date: 03/17/2014

Re: Ordinance 14-009 - Abandonment of a Portion of an Existing 3 Foot Wide Utility Easement

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

---

SUBJECT:

Ordinance No. 14-009 - Easement Abandonment, Fort Pierce Shopping Center, 1167 S US Highway 1. SECOND READING

SUMMARY:

- Deed Book 83, Pages 442 -446 contain the provision of easements along the rear line of property in the Pinewood Subdivision.
- The applicants are requesting a portion of said easements be abandoned.
- Replacement easements are to be recorded for existing and proposed utility infrastructure at the site.

RECOMMENDATION:

Approve the abandonment request.

ALTERNATIVES:

Deny the abandonment request.

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

Karen Emerson, Esq., Assistant City Attorney

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

14-009

Staff Report
Aerial
Application
Survey
Easement Exhibit - Existing & Proposed
Sketch & Legals for Replacement Easements

ORDINANCE NO. 14-009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **ABANDONING A THREE FOOT WIDE EASEMENT ALONG THE REAR LINE OF THE PROPERTY IN THE PINEWOOD SUBDIVISION, PLAT BOOK 5, PAGE 24, SAID EASEMENT MORE PARTICULARLY DESCRIBED IN THE WARRANTY DEED RECORDED AT OR BOOK 83, PAGES 442 TO 446,** PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; ABANDONING **AN ADDITIONAL THREE FEET WIDE EASEMENT COMMENCING AT THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE** AND AS MORE PARTICULARLY DEPICTED AND DESCRIBED IN THE EXHIBITS HERETO; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Warranty Deed recorded in Deed Book 83, Pages 442 to 446 recites and reserves a three foot (3') wide easement "along the rear line of said property" for any utility, being more particularly described for purposes of this ordinance as follows:

A STRIP OF LAND LYING OVER AND ACROSS A PORTION OF THE PLAT OF PINEWOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 25, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 3.00 FEET OF LOTS 1 THROUGH 4 AND THE WEST 3.00 FEET OF LOTS 2A THROUGH 4A, BLOCK 29, TOGETHER WITH THE EAST 3.00 FEET OF LOTS 5 THROUGH 7, BLOCK 29, SAID PLAT OF PINEWOOD.

TOGETHER WITH:

THE WESTERLY 3.00 FEET OF LOTS 1 THROUGH 3 AND THE WESTERLY 3.00 FEET OF LOTS 1 A THROUGH 4A, BLOCK 28, SAID PLAT OF PINEWOOD.

TOGETHER WITH:

THE WESTERLY 3.00 FEET OF LOTS 22 THROUGH LOT 28, BLOCK 28, SAID PLAT OF PINEWOOD.

And as further depicted on Exhibit "A", attached hereto; and

WHEREAS, said Warranty Deed further recites a reference to another easement, being more particularly described for purposes of this ordinance as follows:

TOGETHER WITH:

A STRIP OF LAND LYING OVER AND ACROSS A PORTION OF LOT 28, BLOCK 28, SAID PLAT OF PINEWOOD, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE AND THE WESTERLY LOT LINE OF LOT 22, BLOCK 28, SAID PLAT OF PINEWOOD; THENCE NORTH 20'07'34" EAST, ALONG SAID

WESTERLY LOT LINE OF LOT 22 AND ALONG THE WESTERLY LOT LINE OF LOTS 23 & 24, BLOCK 28, A DISTANCE OF 215.62 FEET; THENCE NORTH 39'35" 47" EAST, ALONG THE WESTERLY LOT LINE OF LOTS 25 THROUGH 28, BLOCK 28, A DISTANCE OF 268.22 FEET TO THE POINT OF BEGINNING: THENCE CONTINUE NORTH 39'35" 47" EAST, ALONG SAID WESTERLY LINE OF LOT 28, A DISTANCE OF 46.27 FEET TO THE NORTHERLY MOST

CORNER OF SAID LOT 28; THENCE SOUTH 36'16'35" EAST, DEPARTING SAID WESTERLY LINE, ALONG THE EASTERLY LINE OF SAID LOT 28, A DISTANCE OF 3.09 FEET; THENCE SOUTH 39'35"47" WEST, DEPARTING SAID EASTERLY LINE, ALONG A LINE BEING PARALLEL WITH AND 3.00' SOUTHWESTERLY OF, AS MEASURED AT RIGHT

ANGLES TO, SAID WESTERLY LINE OF LOT 28, A DISTANCE OF 45.51 FEET; THENCE NORTH 50'24'13" WEST, A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING.

And as further depicted on Exhibit "B", attached hereto, and

WHEREAS, there currently exists some utility facilities within portions of the easements requested to be abandoned and said easement abandonments shall therefore be conditioned upon both relocation of said utilities and replacement easement(s) being granted and provided by the record property owner; and

WHEREAS upon such relocation and replacement there will exist no present of future need for the said current utility easements; and

WHEREAS, the record property owner of Parcel # 2415-601-0434-000-6, more particularly described as:

PINEWOOD S/D BLKS 28 AND 29 LOTS 1, 1A, 2, 2A, 3, 3A, 4, 4A, -LESS E 7 FTFOR US 1 R/W-AND LOT 22-LESS THAT PART OF LOT LYG S OF FOL DESC LI: BEG SW COR OF LOT RUN N 76 DEG 13 MIN E TO E LI OF LOT AND END OF SPEC DESC LI-AND ALL LOTS 23 TO 28 INCL AND SHERIDAN CIR-LESS E 7 FT FOR US 1 R/W AND LESS S 35 FT FOR OHIO AV- AND ALL BLK 29-LESS E 7 FT AND-LESS S 35 FT- (OR 479-1888)

has requested the abandonment of the above described three foot (3') wide utility easements and has agreed to the relocation and replacement of easements as required by the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA;

SECTION 1. From and after the effective date herein, and conditioned upon the relocation and replacement of said easements as provided above, the utility easements hereinafter described shall be and the same hereby abandoned, to wit:

A STRIP OF LAND LYING OVER AND ACROSS A PORTION OF THE PLAT OF PINEWOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 25, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 3.00 FEET OF LOTS 1 THROUGH 4 AND THE WEST 3.00 FEET OF LOTS 2A THROUGH 4A, BLOCK 29, TOGETHER WITH THE EAST 3.00 FEET OF LOTS 5 THROUGH 7, BLOCK 29, SAID PLAT OF PINEWOOD.

TOGETHER WITH:

THE WESTERLY 3.00 FEET OF LOTS 1 THROUGH 3 AND THE WESTERLY 3.00 FEET OF LOTS 1 A THROUGH 4A, BLOCK 28, SAID PLAT OF PINEWOOD.

TOGETHER WITH:

THE WESTERLY 3.00 FEET OF LOTS 22 THROUGH LOT 28, BLOCK 28, SAID PLAT OF PINEWOOD.

As depicted in the attached Exhibit “A”

TOGETHER WITH:

A STRIP OF LAND LYING OVER AND ACROSS A PORTION OF LOT 28, BLOCK 28, SAID PLAT OF PINEWOOD, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE AND THE WESTERLY LOT LINE OF LOT 22, BLOCK 28, SAID PLAT OF PINEWOOD; THENCE NORTH 20'07'34" EAST, ALONG SAID

WESTERLY LOT LINE OF LOT 22 AND ALONG THE WESTERLY LOT LINE OF LOTS 23 & 24, BLOCK 28, A DISTANCE OF 215.62 FEET; THENCE NORTH 39'35'47" EAST, ALONG THE WESTERLY LOT LINE OF LOTS 25 THROUGH 28, BLOCK 28, A DISTANCE OF 268.22 FEET TO THE POINT OF BEGINNING: THENCE CONTINUE NORTH 39'35” 47" EAST, ALONG SAID WESTERLY LINE OF LOT 28, A DISTANCE OF 46.27 FEET TO THE NORTHERLY MOST CORNER OF SAID LOT 28; THENCE SOUTH 36'16'35" EAST, DEPARTING SAID WESTERLY LINE, ALONG THE

EASTERLY LINE OF SAID LOT 28, A DISTANCE OF 3.09 FEET; THENCE SOUTH 39'35'47" WEST, DEPARTING SAID EASTERLY LINE, ALONG A LINE BEING PARALLEL WITH AND 3.00' SOUTHWESTERLY OF, AS MEASURED AT RIGHT

ANGLES TO, SAID WESTERLY LINE OF LOT 28, A DISTANCE OF 45.51 FEET; THENCE NORTH 50'24'13" WEST, A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING.

As depicted on Exhibit “B”, attached hereto and incorporated herein.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be and become effective upon final passage.

APPROVED AS TO FORM
AND CORRECTNESS:

_____
Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-009 was duly advertised by title only in the St. Lucie News Tribune on February 20, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on March 3, 2014; and was duly introduced, read by title only, and passed on second and final reading on March 17, 2014, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 17th day of March 2014.

_____
Linda Hudson, Mayor Commissioner

ATTEST:

_____
Linda W. Cox, City Clerk

(City Seal)

CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

TO: Robert Bradshaw, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Historic Preservation Officer

SUBJECT: **Fort Pierce Shopping Center - Easement Abandonment**
1167 S US Highway 1

DATE: February 21, 2014

STAFF REPORT

Owner

Fort Pierce Shopping Center
Arnold Weiss
630 Sentry Pkwy E Suite 200
Blue Bell PA 19422-2347

Applicant/Representative:

Todd Wickard
Itasca Construction Associates, Inc.
6420 Congress Avenue, Suite 1900
Boca Raton FL 33487

Requested Action: Abandonment of Easements

Location: 1167 S U.S. Highway 1

Parcel ID: 2415-601-0434-000-6

Zoning: C-3, General Commercial

Surrounding Zoning:

North	East	South	West
C-3 & R-4	C-3	C-3	R-4

Future Land Use: General Commercial (GC)

Parcel Size: 3.63 acres

Utilities: Located within the FPUA Retail Service Area

Background:

The Fort Pierce Shopping Center is a 44,798 sq. ft. commercial plaza constructed in 1955 upon the subject property which was originally designed as a single-family home subdivision. The applicant and representative have received approval to extensively redevelopment renovate the Fort Pierce Shopping Center including the reconfiguration of the existing parking lots, installation of additional landscaping, redesign of site entrances and exits, façade improvements as well as a 1,800 square foot addition to the rear of the structure.

The completion of a title search, necessary to complete the sale of the property, discovered the apparent existence of utility easements throughout the property based upon the originally platting of lots and the prospect of utility infrastructure for each platted lot. The subject easements are said to have been established on March 12th, 1931 via Deed Book 83, Page 442. The original plat of Pinewood Subdivision did not specifically dedicate the subject easements; however D.B. 83, PG. 442 provided authority for grantor or grantee of the property to into easement agreements for the establishment of public utilities.

The existence of the utility easements presents an obstacle to the completion of the real estate transaction, since portions of the existing structure reside within these easements; therefore the applicant is requesting to abandon said easements.

Staff Analysis:

Staff completed a technical review of request to abandon the subject easements in coordination with affected City departments and utility suppliers. All affected departments and utility suppliers are in support of the requested abandonment as the utility facilities which currently exist within portions of the easements requested to be abandoned with the condition that the facilities are relocated and/or replacement easements are granted and provided by the record property owner. Upon such relocation and replacement there will exist no present of future need for the said current utility easements.

The current plans for redevelopment necessitate dedication of utility easements to include all existing and proposed utility facilities (Electric, gas, water, wastewater and fiber optic). The applicant has coordinated with Staff and the Fort Pierce Utilities Authority (FPUA) to draft replacement easements to be recorded for the existing and proposed utility infrastructure at the site. The replacement easements will be recorded upon adoption of Ordinance 14-009.

Staff Recommendation:

The requested abandonment of the subject easements does not adversely impact the health, safety or welfare; therefore Staff recommends that the City Commission **approve** Ordinance 14-009, abandoning said easements, providing for replacement easements for existing utility infrastructure.

Fort Pierce Shopping Center

1167 S US Highway 1

CITY OF FORT PIERCE

PLANNING DEPARTMENT

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

Abandonment

Property address or Location 1143-1167 South US Highway #1, Ft. Pierce, FL 34950

Parcel ID#(s) 2415-601-0434-000-6

Project description Ft. Pierce Shopping Center, Easement Abandonment

Current: Mr. Arnold Weiss & Buzz Marcus/Future: Holland G&C F.P. LLC
Property Owner(s)
110 Gibraltar Rd. Ste 103 / 220 Congress Park Dr. Ste 103
Street Address
Horsham, PA 19044 / Delray Beach,, FL 33445
City State Zip
561-451-6680 / 561-271-9681
Phone Number
Bmarcus74@aol.com / akarrh@hollandretailadvisors.com
Email Address

Todd Wickard, Project Manager, Itasca Construction Associates, Inc.
Applicant/Representative, Title, Company
6420 Congress Avenue, Suite 1900
Street Address
Boca Raton FL 33487
City State Zip
561-241-4999 / 561-441-6342
Phone Number
toddw@itascaboca.com
Email Address

Property Owner(s) Acknowledgements: *- This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein.*

Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY Palm Bch

The foregoing instrument was acknowledged before me this 25 day of Sept, 2013, by Stuart E Marcus who is personally known to me or has produced FL DL as identification.

Signature of Notary (seal)

PATRICIA A. TOWNEND
Notary Public - State of Florida
My Comm. Expires May 6, 2017
Commission # FF 016397

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation
				Contributing Individual Non-Contributing None

Pre-Application Meeting Date_____ Fees_____ Control #_____ B. Permit #_____
Intake Planner_____
Planner Assigned_____
Approved By_____ Date _____
Comments_____

Intake Date Stamp

ABANDONMENT

Submit eight (8) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- ❑ Current survey, including property size
- ❑ Current Appraisal, Sketch, Size (in sq. ft.) & Legal Description of property for proposed abandonment
- ❑ Encumbrance Title Search
- ❑ Complete, notarized application

Application Type:

❑ Easement Abandonment ❑ Right-of-Way Abandonment

Reason for Abandonment Request: _____

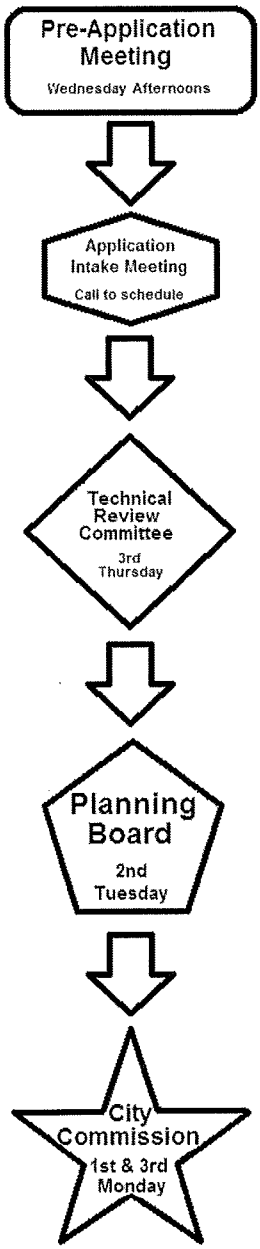
_____

List any utilities visible or known to exist in the right of way/easement: _____

_____

Is the right of way in use or unopened? ❑ In Use ❑ Unopened

Application Outlook



THE LAW FIRM OF
FRANK • WEINBERG • BLACK, P.L.

JILL B. BERKMAN
DAVID W. BLACK
EDWARD DEUTSCH+
STEVEN W. DEUTSCH
STEVEN C. ELKIN
NEIL G. FRANK
E.J. GENEROTTI
JACQUELINE A. GRADY***
LEORAH G. GREENMAN*
BRUCE HURWITZ
MICHAEL A. KAMMER
STEVEN B. KATZ
ANDREW LEVY
HOFITN. LOTTENBERG

** JOEL MARTIN MCTAGUE
CONSTANTINA ALEXANDROU MIRABILE
HARRY MIRABLE
*RANDY J. NATHAN
MARC A. SILVERMAN
ROBERT T. SLATOFF
*MARIA P. SPILIOPOULOS
ANASTASIOS TOM SPYREDES
DAVID NEAL STERN
LEANNE B. WAGNER
STEVEN A. WEINBERG

*Member of the New York Bar
** Member of the D.C. Bar
*** Member of the Pennsylvania Bar
+ Of Counsel

September 9, 2013

VIA EMAIL akarrh@hollandretailadvisors.com & U.S. MAIL
Alan Karrh, Manager
Holland G&C Ft. Pierce Management, LLC
220 Congress Park Drive, Suite 301
Delray Beach, FL 33445

RE: **HOLLAND G&C FT. PIERCE, LLC - OUR FILE NO. 14967.001**

Dear Alan:

I received an updated Title Commitment with a revised Effective Date of August 1, 2013, copy attached. In addition, we finally received a readable copy of Quit Claim Deed listed in Schedule B-II, Item 9 as recorded in Deed Book 83, Page 442 of the Public Records of St. Lucie County, Florida, copy attached. This Quit Claim Deed contains a three foot easement for utilities across the rear of the lots and has now been plotted on the survey. You will note on the enclosed Survey that the building, where it abuts the rear property line, encroaches on the easement. This may affect your ability to obtain a loan on the property.

Next, please review the exception in Schedule B-II, Item 12, the survey read, and let me know if you have any concerns or want to discuss the various encroachments or possible easements referenced in this exception.

In addition, there have been three Notices of Commencement recorded since June, 2013. There are two by Pizza Hut, Inc. for Tenant Build-out and provision of electronic security system and the third by Fort Pierce Shopping Center for fire suppression system, copies attached. These are referenced in Schedule B-I, Item 12, in the Title Commitment with a requirement for their termination. Again, this may affect your ability to obtain a loan on the property as well, as they will have to be terminated in order to insure a first position in favor of the Lender.

If you would like to discuss how these documents affect title to the property, please let me know and we can schedule a time to discuss.

Yours very truly,
FRANK, WEINBERG & BLACK, P.L.

STEVEN W. DEUTSCH, ESQ.
For the Firm
SWD/set
Karrh Ltr3

Frank, Weinberg & Black, P.L.
1875 NW Corporate Blvd., Suite 100
Boca Raton, FL 33431
Phone: 561-395-3350
Fax: 561-395-3339

Chicago Title Insurance Company

Revised: Septebmer 5, 2013

COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

Order No.: 4366708
Customer Reference: Holland G&C Ft. Pierce, LLC

1. Effective Date: August 01, 2013 at 8:00 AM

2. Policy or Policies to be issued: Premium: $TBD

   A. ALTA Owners 2006 with Florida Modifications
   Proposed Insured: Holland G&C Ft. Pierce, LLC, a Florida limited liability company
   Proposed Amount of Insurance: $1,700,000.00

3. The estate or interest in the land described or referred to in this Commitment is:

   Fee Simple

4. Title to the Fee Simple estate or interest in the land is at the Effective Date vested in:

   Fort Pierce Shopping Center, a Florida General Partnership

5. The land referred to in this Commitment is described in Exhibit "A" attached hereto and made part hereof.

Countersigned:

BY: _____
Authorized Officer or Agent

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ALTA Commitment (6/17/06) (with FL Modifications)

SCHEDULE B SECTION I
REQUIREMENTS

The following are requirements to be complied with:

1. Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

2. Instrument(s) creating the estate or interest to be insured must be properly executed, delivered and filed for record:

   A. Duly executed Warranty Deed from Fort Pierce Shopping Center, a Florida General Partnership, Grantor, to Holland G&C Ft. Pierce, LLC, a Florida limited liability company, Grantee, conveying the land described on Schedule A hereof.

      The Company will require, and attached thereto, an Affidavit in accordance with Florida Statutes Section 620.830 {3} establishing: (i) the names of all the partners; (ii) reflecting that the Partnership is currently in existence (and as of the date of being vested in title); (iii) the partner(s) executing the Deed are authorized to do so; (iv) that neither the partners nor the Partnership have been in bankruptcy during the existence of the Partnership, and (v) that corporate partners, if any, have not been dissolved. (Note: If the general partner is a business entity, proof of the good standing of said entity and proof as to the person(s) who are authorized to execute on behalf of said entity should be required)

3. Proof of payment of any outstanding assessments in favor of St. Lucie County, Florida, any special taxing district and any municipality. NOTE: If this requirement is not satisfied the following exception will appear on Schedule B:

   Any outstanding assessments in favor of St. Lucie County, Florida, any special taxing district and any municipality.

4. Proof of payment of service charges for water, sewer, waste and gas, if any, through the date of closing. NOTE: If this requirement is not met the following exception will appear on Schedule B:

   Any lien provided for by Florida Statutes in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer, waste or gas system supplying the insured land or service facilities.

5. Proof of the good standing of Holland G & C Ft. Pierce, LLC, in the State of Florida.

6. An Affidavit in form acceptable to Chicago Title Insurance Company ("Company") and executed by or on behalf of the current record owner(s) of the subject property stating that: (A) there are no parties in possession of the subject property other than said current record owner(s); (B) there are no encumbrances upon the subject property other than as may be set forth in this Commitment; (C) there are no unrecorded assessments which are due and payable and; (D) there have been no improvements made to or upon the subject property within the last ninety (90) day period for which there remain any outstanding and unpaid bills for labor, materials or supplies for which a lien or liens may be claimed must be furnished to the Company, or, in lieu thereof, an exception to those matters set forth in said Affidavit which are inconsistent with or deviate from the foregoing requirements will appear in the policy or policies to be issued pursuant to this Commitment.

7. INTENTIONALLY DELETED.

8. INTENTIONALLY DELETED.

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SCHEDULE B SECTION I
Requirements continued

9. This is a preliminary commitment that requires the review and approval by the state and/or national underwriting office for the company. Accordingly, this commitment is not effective to bind the company until the necessary approval is obtained from the state and/or national underwriting office for the company. The company reserves the right to add additional requirements and/or exceptions as deemed necessary upon said review.

10. Note: Because the contemplated transaction involves an all-cash closing, the Company has not performed searches on the names of the purchasers/proposed insured. If the Company is asked to insure a Mortgage from said purchasers, we will require notification of same and we reserve the right to make additional requirements and/or exceptions which we may deem necessary after conducting name searches on the purchasers.

11. Record in the public records a release of Lease Agreement by and between Fort Pierce Shopping Center, a Florida general partnership, Lessor and Walgreen Co., an Illinois corporation, Lessee, recorded June 7, 1983, in Official Records Book 402, Page 2465 and re-recorded July 11, 1983 in Official Records Book 405, Page 2029.

12. To terminate the notice(s) of commencement recorded on June 10, 2013 in Official Records Book 3527, Page 89; July 31, 2013 recorded in Official Records Book 3544, Page 639 and recorded August 5, 2013 in Official Records Book 3545, Page 1921, **it is recommended that the issuing agent contact the underwriting department at least 3-5 business days prior to closing to discuss requirements. Each situation is considered on a case-by-case basis. After the construction lien risk has been evaluated in accordance with the guidelines contained in Underwriting Bulletin 2011-04 and approved by the Company, for each notice of commencement referenced above, the issuing agent must:**

    a. Record notice of termination together with a contractor's final payment affidavit pursuant to Section 713.132, Florida Statutes. The notice of termination must be sworn and subscribed to by the appropriate party(ies) and be properly served upon the contractor, each person who gave notice to owner and each person who had a direct contract with the owner.

    b. Obtain final waivers and releases of lien from any lienors showing as unpaid in the contractor's final payment affidavit.

    c. Provide original, signed copy of the Company's indemnity agreement to the underwriting department.

    d. Comply with any additional requirements deemed necessary by the Company.

NOTE: 2012 Real Property Taxes in the gross amount of $6,166.79 are PAID, under Tax I.D. No. 2415-601-0434-070/7.

NOTE: 2012 Real Property Taxes in the gross amount of $35,264.35 are PAID, under Tax I.D. No. 2415-601-0434-000/6.

END OF SCHEDULE B SECTION I

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SCHEDULE B SECTION II
EXCEPTIONS

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

2. Taxes and assessments for the year 2013 and subsequent years, which are not yet due and payable.

3. Standard Exceptions:

   A. Easements, claims of easements, boundary line disputes, overlaps, encroachments or other matters not shown by the public records which would be disclosed by an accurate survey of the Land.

   B. Rights or claims of parties in possession not shown by the public records.

   C. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.

   D. Taxes or assessments which are not shown as existing liens in the public records.

4. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.

5. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.

6. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of PINEWOOD, recorded in Plat Book 5, Page 24, of the Public Records of St. Lucie County, Florida.

7. Any easements that may lie within the abandoned/vacated Sheridan Circle right of way.

8. Right of Way and Easement granted to City of Fort Pierce by Right-of-Way Deed recorded in Deed Book 203, Page 121 and Deed of Confirmation recorded in Deed Book 227, Page 431.

9. Utility easement over and across the rear 3 ft. of insured property, together with the right of entry, as set forth in Warranty Deed recorded in Deed Book 83, Page 442.

10. Rights of tenants occupying all or part of the insured land under unrecorded leases or rental agreements.

11. INTENTIONALLY DELETED.

12. Subject to matters on ALTA/ASCM Land Title Boundary Survey, under Job No. 13-148, dated July 30, 2013 and revised August 5, 2013; August 13, 2013 and September 3, 2013, prepared by Geomatics Services, Inc.:

    a.) Encroachment by 1.4' of 8' Privacy Wall in the NW corner.

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SCHEDULE B SECTION II
EXCEPTIONS

b.) Portion of concrete walk encroaching into 12' Utility easement on the east lot line.
c.) Concrete Sign encroaching within Utility easements.
d.) Asphalt Parking Lots encroaching within Utility easements.
e.) Covered concrete walk encroaching on 3' Utility easement.
f.) Possible encroachment of 8" concrete retaining wall.
g.) Possible easements as evidenced by wood power poles; sanitary manholes; overhead utilities; drainage manhole; water meter; water backflow preventor; water valves; valves; hand hole and light poles.
h) Encroachments of 8" concrete retaining wall, 1 story building, 5' chain link fence; covered concrete walk; asphalt parking lot and 8' high wall into 3' Utility Easement as reserved in Deed Book 83, Page 442.

NOTE: The Company reserves the right to make further requirements and/or exceptions upon its review of the proposed documents creating the estate or interest to be insured or otherwise ascertaining details of the transaction.

NOTE: If the proceeds of the loan to be secured by the insured mortgage are deposited with the Company or its authorized agent, Item 1 above shall be deemed deleted as of the time such funds are disbursed to or for the account of the borrower. Neither the Company nor its agent shall, however, be under any duty to disburse any sum except upon a determination that no such adverse intervening matters have appeared of record or occurred.

NOTES ON STANDARD EXCEPTIONS:

Item 3A will be deleted from the policy(ies) upon receipt of an accurate survey of the Land acceptable to the Company. Exception will be made for any encroachment, setback line violation, overlap, boundary line dispute or other adverse matter disclosed by the survey.

Items 3B, 3C, and 3D will be deleted from the policy(ies) upon receipt of an affidavit acceptable to the Company, affirming that, except as disclosed therein (i) no parties in possession of the Land exist other than the record owner(s); (ii) no improvements have been made to the Land within 90 days prior to closing which have not have been paid for in full; and (iii) no unpaid taxes or assessments are against the Land which are not shown as existing liens in the public records. Exception will be made for matters disclosed in the affidavit.

NOTE: All recording references in this commitment/policy shall refer to the public records of St. Lucie County, Florida, unless otherwise noted.

NOTE: In accordance with Florida Statutes section 627.4131, please be advised that the insured hereunder may present inquiries, obtain information about coverage, or receive assistance in resolving complaints, by contacting Chicago Title Insurance Company, 15951 SW 41st Street , Suite 800, Weston, FL 33331; Telephone 954-217-1744.

Searched By: Ellen Klempert

END OF SCHEDULE B SECTION II

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ALTA Commitment (6/17/06) (with FL Modifications)

EXHIBIT "A"

All of Block 29, less the South 35 feet thereof and less the East 7 feet thereof, of Pinewood Subdivision; Lots 1-A, 1, 2-A, 2, 3-A, 3, 4A, less the East 7 feet of each of said lots, and Lots 22 23, 24, 25, 26, 27 and 28, less that part of said Lot 22 lying South of a line beginning at the Southwest corner thereof and running Northerly 76 degrees 13 min. East to the West boundary line of Sheridan Circle, all lying and being in Block 28 of Pinewood Subdivision; All of that certain area known and designated as Sheridan Circle, less the East 7 feet thereof, and less the South 35 feet thereof, measured from Coconut Drive, all the above lands lying in Pinewood Subdivision according to plat thereof on file in Plat Book 5, at Page 24 of the Public Records of St. Lucie County, Florida.

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ALTA Commitment (6/17/06) (with FL Modifications)

Deed 83/442

TO HAVE AND TO HOLD all and singular the said premises, above mentioned and described, and hereby granted and conveyed, or intended so to be, with the appurtenances, unto the said party of the second part, her heirs and assigns, to the only proper use, benefit and behoof of the said party of the second part, her heirs and assigns forever.

IN WITNESS WHEREOF, the said Special Master in Chancery, as aforesaid, has hereunto set his hand and seal, the day and year first above written.

E. O. Denison (Seal)
As Special Master in Chancery, as aforesaid.

Signed, sealed and delivered in the presence of:

Rose Anne McManus

W. F. Maurer

STATE OF FLORIDA,
ST. LUCIE COUNTY.

I, an officer duly authorized to take acknowledgments, hereby certify that E. O. Denison is well known to me, and known to me to be the individual described in and who executed the foregoing deed of conveyance, and that he acknowledged before me that he executed the foregoing deed, as Special Master in Chancery, aforesaid, for the purposes therein expressed.

WITNESS my hand and official seal, the 19th day of March, A. D. 1931, in the State and County aforesaid.

(N. P. SEAL)

Rose Anne McManus
Notary Public, State of Florida at Large
My Commission Expires Jan. 31, 1932

Filed and recorded this 19th day of March, A. D. 1931, at 3:16 P.M.

P. O. ELDRED, Clerk of Circuit Court.

By W. C. Baggett Deputy Clerk.

Record Verified

(CIRCUIT COURT SEAL)

COLONIAL LAND COMPANY TO FEE & LIDDON COMPANY

WARRANTY DEED

THIS INDENTURE, Made this twelfth day of March, A. D., 1931, between COLONIAL LAND COMPANY, a New Jersey corporation, authorized to do business in the State of Florida, party of the first part, and FEE & LIDDON COMPANY, a Florida corporation, of the County of St. Lucie and State of Florida, party of the second part, WITNESSETH, that the said party of the first part, for and in consideration of the sum of One ($1.00) Dollar, to it in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm, unto the said party of the second part, its successors and assigns forever, all that certain parcel of land lying and being in the County of St. Lucie and State of Florida, more particularly described as follows: Lots Numbers One (1), Two (2), the southerly Forty (40) feet of Lot Number Three (3), the southerly Forty (40) feet of Lot Number Four (4) and all of Lots Numbers Five (5), Six (6), Seven (7), Eight (8) and Nine (9) in Block 8; Lots Numbers One (1), Two (2), Three (3), Four (4), Five (5), Six (6), the southerly Forty (40) feet of Lot Number Seven (7), the southerly Forty (40) feet of Lot Number Eight (8) and all of Lots

Numbers Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17) in Block 3; Lots Numbers One (1), Two (2), Four (4), Five (5), Six (6), Seven (7), Eight (8), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17) in Block 4; Lots Numbers Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19) Twenty (20), Twenty-one (21), Twenty-two (22) Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26) in Block 5; Lots Numbers Two (2), Three (3), Three A (3A), Four (4), Five (5), Seven (7), Nine (9), Eleven (11), Seventeen (17), Eighteen (18), Twenty (20) and Twenty-one (21) in Block 6; One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Ten (10), Eleven (11), Fifteen (15), Sixteen (16), Seventeen (17), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-five (25) and Twenty-six (26) in Block 8; Lots Numbers Fourteen (14), Fifteen (15), Sixteen (16) Seventeen (17) Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22) and Twenty-three (23) in Block 10; Lots Numbers One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16) in Block 12; Lots Numbers One (1), Two (2), Three (3), Four (4), Six (6), Seven (7), Eight (8), Twelve (12), Thirteen (13) and Fourteen (14) in Block 13; Lots Numbers One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18) and Nineteen (19) in Block 14; Lots Numbers One (1), Two (2), Three (3) Four (4), Seven (7), Fifteen (15), Sixteen (16), Twenty (20) and Twenty-one (21) in Block 15; Lots Numbers One (1), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Twelve (12), Fourteen (14), Fifteen (15), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), and Twenty-two (22) Block 16; One (1), Two (2), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty-three (23) and Twenty-four (24) in Block 17; Lots Numbers Seven (7), Eight (8), Ten (10), Thirteen (13), Fourteen (14), Fifteen (15), Twenty-three (23) and Twenty-four (24) in Block 18; Three (3), Four (4), Eight (8), Nine (9), Ten (10), Eleven (11), twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24) in Block 19; Lots Numbers Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-One (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28) and Twenty-nine (29) in Block 20; Lots Numbers One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17) in Block 22; Lots Numbers One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30) in Block 23; Lots Numbers One (1), One A (1A), Two (2), Two A (2A), Three (3), Three A (3A), Four (4), Five (5), Six (6), Nine (9), Eleven (11), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27),

Twenty-eight (28), Twenty-nine (29) Thirty (30), Thirty-one (31); Thirty-two (32,) Thirty-three (33), Thirty-four (34), Thirty-five (35), Thirty-six (36) and Thirty-seven (37) in Block 24; Lots Numbers One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Twelve (12), Thirteen (13), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (25), Twenty-seven (27) and Twenty-eight (28) in Block 25; Lots Numbers One (1), Two (2), Three (3), Four (4), Five (5), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21) and Twenty-two (22) in Block 26; Lots Numbers One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Ten (10), Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14) in Block 27; Lots Numbers One (1) One A (1A), Two (2), Two A (2A), Three (3), Three A (3A), Four (4), Four A (4A), Five (5), Five A (5A), Six (6), Six A (6A), Seven (7), Seven A (7A), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27) and Twenty-eight (28) in Block 28; Lots Numbers One (1), One A (1A), Two (2), Two A (2A), Three (3), Three A (3A), Four (4), Four A (4A), Five (5), Six (6) and Seven (7) in Block 29; Lots Numbers One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Twenty (20), Twenty A (20 A), Twenty-one (21), Twenty-one A (21 A), Twenty-two (22), Twenty-two A (22 A), Twenty-three (23), Twenty-three A (23 A), Twenty-four (24), Twenty-four A (24 A), Twenty-five (25) Twenty-five A (25 A), Twenty-six (26), Twenty-six A (26 A), Twenty-seven (27); Twenty-seven A (27 A), Twenty-eight A (28 A), Twenty-nine (29), Twenty-nine A (29 A), Thirty (30) and Thirty A (30 A) in Block 30, of Pinewood, an addition to the City of Fort Pierce, Florida, according to a plat thereof entitled "Pinewood" a subdivision of part of the N½ of Section 15, T. 35 S., R. 40 E., and filed in the office of the Clerk of the Circuit Court of St. Lucie County, Florida, on June 9, A. D., 1925, and recorded in Plat Book 5, page 24, in the public records of said County. This conveyance is made subject to an existing mortgage made by the Sunrise Fruit Company to Fred Fee, which the party of the second part assumes and agrees to pay as part of the consideration. This conveyance is also subject to all unpaid taxes and assessments.

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the same in fee simple forever.

The above described parcel of land being hereby conveyed upon the following express conditions and restrictions:

RESTRICTIONS- The above described tract of land is to be sold upon the following stated conditions and restrictions; First: That business buildings will be permitted only on S. 4th St., S. 3rd St., Pinewood Drive, east of S. 4th St., and Hibiscus Road, east of S. 4th St., provided plans for such buildings are submitted to and approved by the party of the first part if such building is constructed, moved or placed thereon prior to Jan. 1, 1932. Second: That all other lots in Pinewood not mentioned above are restricted to dwellings to cost not less than five thousand dollars. Third: No building or any part thereof shall be permitted at any point within 25 feet of the front property line, nor within three ft. of any side or rear

property line on lots restricted to dwellings, except corner lots restricted to dwellings on which the building shall not be less than ten ft. from side line on the street side. On all lots on which business is permitted no building or any part thereof shall be permitted within 3 ft. of rear lines. Fourth: All private garages shall be placed not less than 90 ft. from the front property line and on all corner lots restricted to dwellings, garages shall be placed in the corner farthest from both street lines. No private garage shall be built prior to a dwelling unless consent in writing is given by the party of the first part. Fifth: The foregoing premises are sold subject to any agreements made or to be made by the party of the first part with reference to any public utility or betterment and the party of the first part reserves to itself its successors and assigns, the right to enter upon the property for the purpose of installing and maintaining overhead electrical wires and also to enter upon the property for the purpose of constructing, erecting or maintaining along the rear line of said property over a strip of not more than 3 ft. in width, poles, wires, underground conduits or pipes necessary to transmit or furnish said lot or any other lot, any utility. The party of the first part also reserves the right to enter upon the property prior to the time building is erected thereon for the purpose of clearing weeds and undergrowth and debris. Sixth: No billboard, sign board or advertising display exceeding ten sq. ft. in area shall be erected or placed on any vacant lot in Pinewood excepting signs erected to advertise Pinewood. Seventh: The party of the second part agrees not to carry on or permit any matter or thing to be done, performed or conducted on said property which shall be noxious, a nuisance, unwholesome or offensive to the neighborhood, however a public garage or filling station shall not be considered as such in business district. Eighth: That said property or any portion thereof shall not be conveyed, leased or occupied by any person of any other than of Caucasian Race excepting quarters occupied by domestic servants working on the premises. Ninth: Restrictions as to building lines on Block one, Lot five Block 29, Lot nine Block 28, Lot eight Block 13 are to be established by party of the first part when said property is sold.

If the owner of two or more contiguous lots desires to improve said lots as one plot, then insofar as such contiguous plots are concerned, the foregoing covenants or restrictions may be construed as applying to the plot. The foregoing covenants, restrictions and conditions are to be construed as running with the land, except, however, it is mutually understood and agreed that any of said covenants, restrictions and conditions may be altered or modified at any time by written agreement by and between the party of the first part, its successors or assigns, and the owner for the time being of the premises upon which it is agreed to alter or modify said covenants and restrictions, and said agreement shall be effectual to alter or modify such covenants and restrictions as to such premises, without the consent of the owner or owners of any adjacent premises.

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.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed in its name by its Vice-President, and its corporate seal to be affixed, attested by its Secretary, the day and year above written.

COLONIAL LAND COMPANY

By George L. Atkins
Vice President

Signed, sealed and delivered in our presence:

M. A. Hittle

W. G. Haberer

Attest:

H. S. Kline
Secretary

(CORPORATE SEAL)

STATE OF NEW JERSEY }
COUNTY OF MERCER }

I hereby certify, that on this Twelfth day of March, A. D., 1931, before me, personally appeared GEORGE L. ATKINS AND H. S. KLINE, respectively Vice-President and Secretary of Colonial Land Company, a New Jersey corporation, authorized to do business in Florida to me known to be the persons described in and who executed the foregoing conveyance to the Fee & Liddon Company, and severally acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation.

Witness my signature and official seal at Trenton, in the County of Mercer and State of New Jersey, the day and year last aforesaid.

Mary A. Hittle
NOTARY PUBLIC OF N. J.

My Commission Expires Feb. 25, 1934.

(N. P. SEAL)

Filed and recorded this 19th day of March, A. D. 1931, at 4:35 P. M.

P. C. ELDRED, Clerk of Circuit Court.

BY W. C. Baggett
Deputy Clerk.

Record Verified

(CIRCUIT COURT SEAL)

LOAN NO. PSE-00076 (0941)
SCH., NO. 107
BOND NO. 34-58

F M E FLORIDA FORM

KNOW ALL MEN BY THESE PRESENTS: that whereas NEWS PRINTING COMPANY, a corporation organized and existing under the laws of the State of Florida, did execute and deliver to SECURITY BOND AND MORTGAGE COMPANY, a Florida Corporation, as mortgagee, a certain mortgage dated the 11th day of June 1927, filed for record in the office of the Clerk of the Circuit Court in and for St. Lucie County, Florida, recorded in Mortgage Book 33, at Page 342, which said mortgage secured a total indebtedness of SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS ($7,500.00) evidenced by one (1) note bearing date of June 11th, 1927, said indebtedness being payable: June 11, 1930 and bearing interest at the rate specified in said mortgage and/or note or notes, said interest payable monthly, quarterly, semi-annually, or otherwise as specified in said mortgage and/or note or notes, which said mortgage encumbers that certain property situate, lying and being in the County of St. Lucie and State of Florida, more particularly described as follows, to-wit:

Beginning at the South East Corner intersection of Pine Street and Main Avenue as now located, then run Eastward along the South Line of Main Avenue One Hundred Twenty-Five (125) feet and four (4) inches as the point of beginning; thence run Eastward Twenty-four (24) feet;

THIS IS NOT A SURVEY

DESCRIPTION

A STRIP OF LAND LYING OVER AND ACROSS A PORTION OF PLAT OF PINEWOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 24, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 3.00 FEET OF LOTS 1 THROUGH 4 AND THE WEST 3.00 FEET OF LOTS 2A THROUGH LOT 4A, BLOCK 29, TOGETHER WITH THE EAST 3.00 FEET OF LOTS 5 THROUGH LOT 7, BLOCK 29, SAID PLAT OF PINEWOOD.

TOGETHER WITH:

THE WESTERLY 3.00 FEET OF LOTS 1 THROUGH LOT 3 AND THE WESTERLY 3.00 FEET OF LOTS 1A THROUGH LOT 4A, BLOCK 28, SAID PLAT OF PINEWOOD.

TOGETHER WITH:

THE WESTERLY 3.00 FEET OF LOTS 22 THROUGH LOT 28, BLOCK 28, SAID PLAT OF PINEWOOD.

Michael T. Owen 2-12-24

MICHAEL T. OWEN, PROFESSIONAL SURVEYOR & MAPPER — DATE:
FLORIDA REGISTRATION No. 5556

SKETCH & DESCRIPTION
ABANDONMENT

PREPARED FOR:
FT. PIERCE SHOPPING CENTER

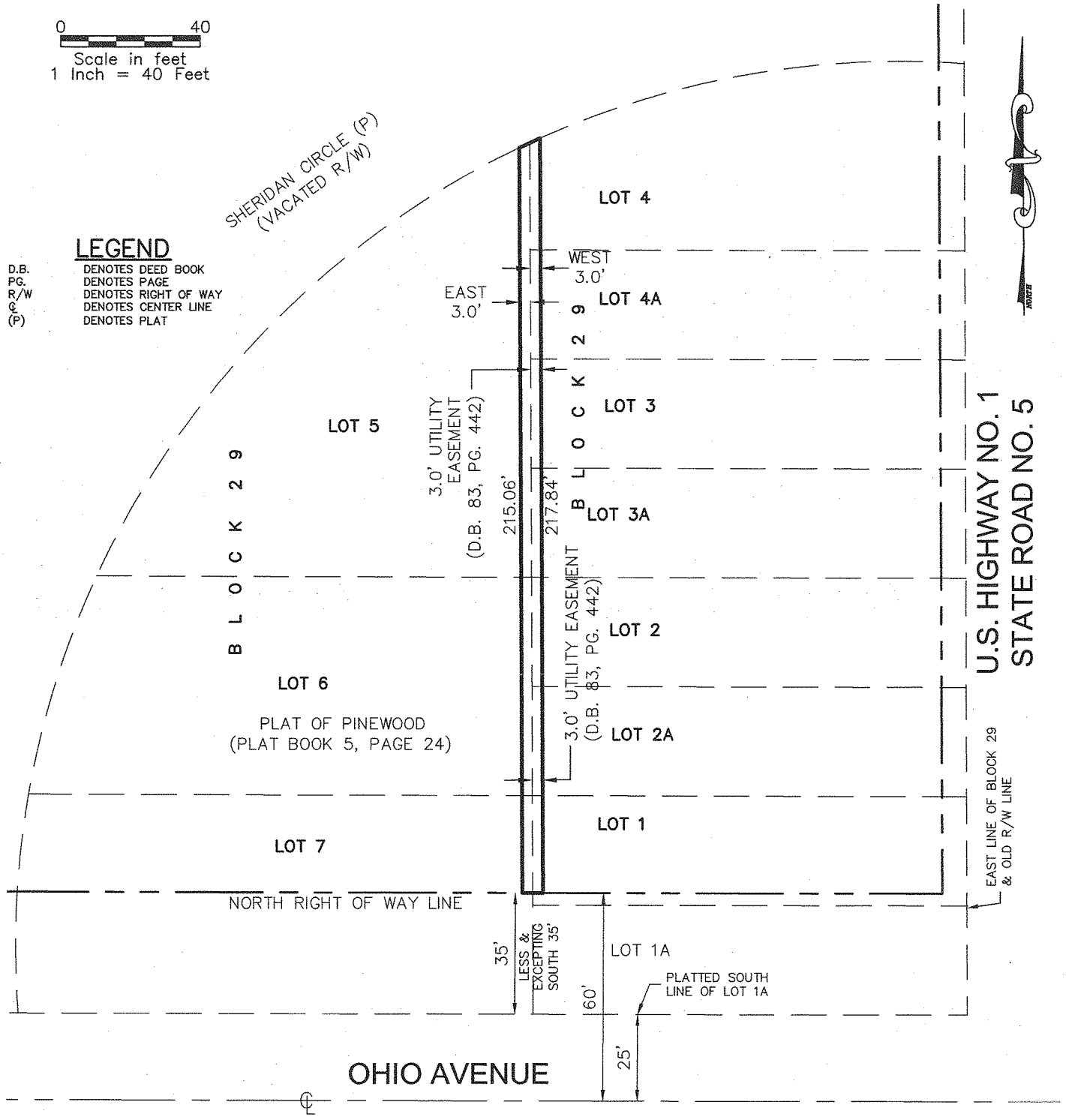
GEOMATICS SERVICES Inc.
PROFESSIONAL SURVEYORS & MAPPERS
1934 TUCKER COURT, FORT PIERCE, FLORIDA
(772) 419-8383 FAX (772) 408-4208
CERTIFICATE OF AUTHORIZATION LB# 7673

REVISIONS				

JOB No. : 13-148 | DATE: 02/10/2014 | FIELD BOOK: | CHECKED BY: MTO | CADD FILE : 13-148SKD-1_ABANDON
SCALE : NA | DRAWN BY: BCS | PAGE: | EFB FILE:

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THIS IS NOT A SURVEY



SKETCH & DESCRIPTION

ABANDONMENT

PREPARED FOR:

FT. PIERCE SHOPPING CENTER

GEOMATICS SERVICES Inc.

PROFESSIONAL SURVEYORS & MAPPERS

1934 TUCKER COURT, FORT PIERCE, FLORIDA

(772) 419-8383 FAX (772) 408-4208

CERTIFICATE OF AUTHORIZATION LB# 7673

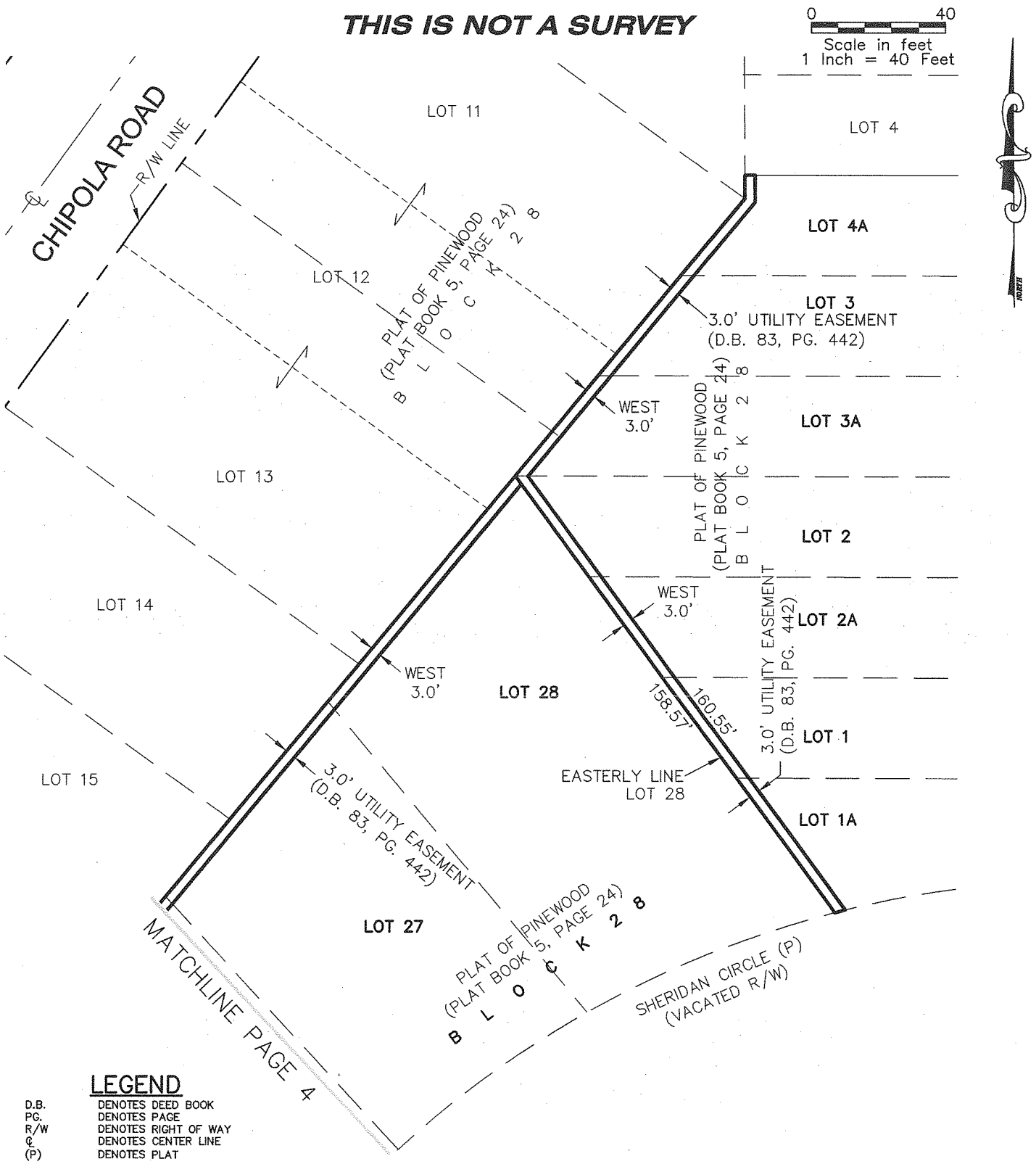
REVISIONS				

JOB No. : 13-148 DATE: 02/10/2014 FIELD BOOK: CHECKED BY: MTO CADD FILE: 13-148SKD-1_ABANDON

SCALE : 1"= 40' DRAWN BY: BCS PAGE: EFB FILE:

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THIS IS NOT A SURVEY



LEGEND

D.B.	DENOTES DEED BOOK
PG.	DENOTES PAGE
R/W	DENOTES RIGHT OF WAY
℄	DENOTES CENTER LINE
(P)	DENOTES PLAT

SKETCH & DESCRIPTION

ABANDONMENT

PREPARED FOR:

FT. PIERCE SHOPPING CENTER

GEOMATICS SERVICES Inc.

PROFESSIONAL SURVEYORS & MAPPERS

1934 TUCKER COURT, FORT PIERCE, FLORIDA

(772) 419-8383 FAX (772) 408-4208

CERTIFICATE OF AUTHORIZATION LB# 7673

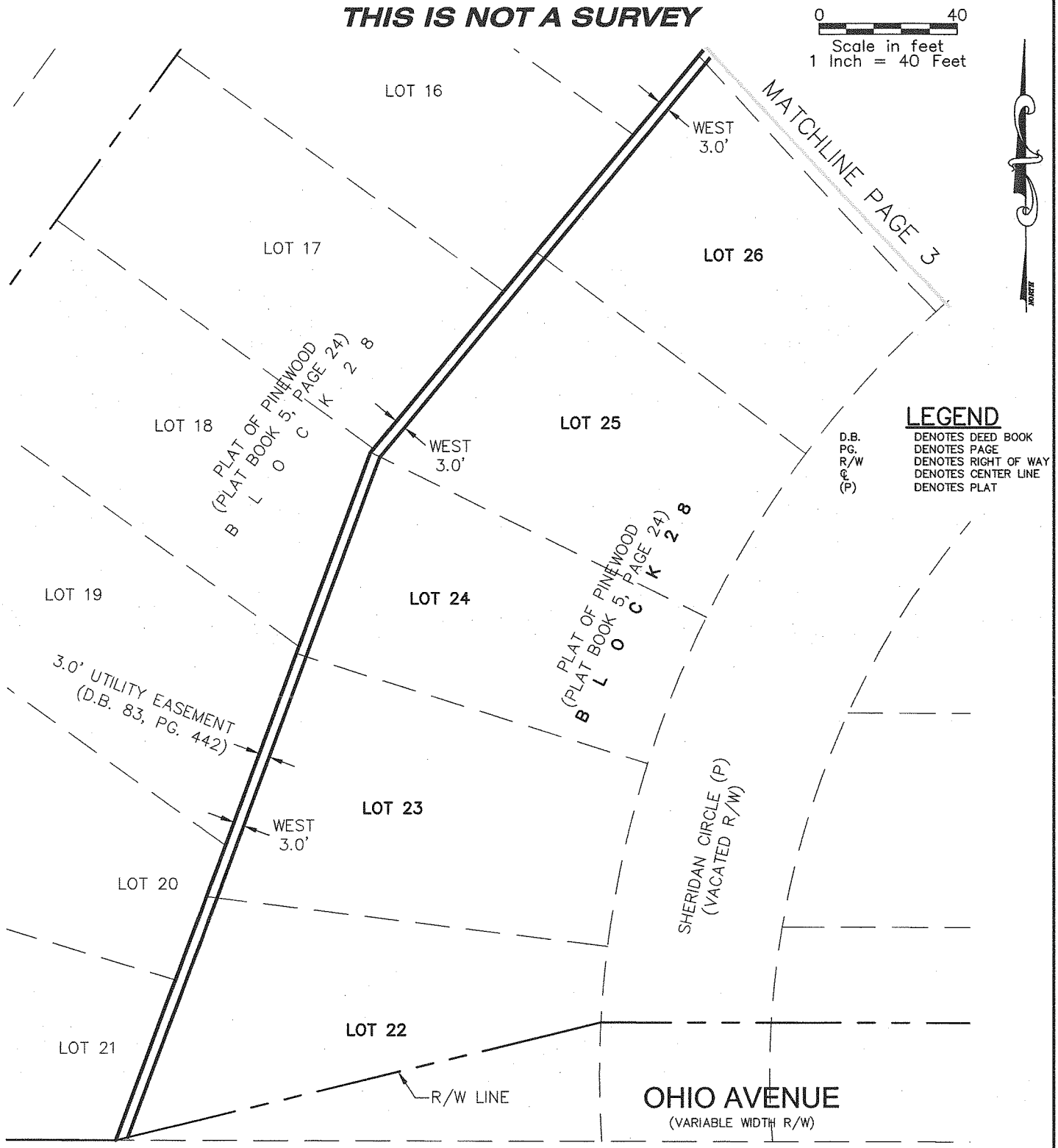
REVISIONS				

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SCALE : 1"= 40' DRAWN BY: BCS PAGE: EFB FILE:

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THIS IS NOT A SURVEY



SKETCH & DESCRIPTION

ABANDONMENT

PREPARED FOR:

FT. PIERCE SHOPPING CENTER

GEOMATICS SERVICES Inc.

PROFESSIONAL SURVEYORS & MAPPERS

1934 TUCKER COURT, FORT PIERCE, FLORIDA

(772) 419-8383 FAX (772) 408-4208

CERTIFICATE OF AUTHORIZATION LB# 7673

REVISIONS				

JOB No. : 13-148 | DATE: 02/10/2014 | FIELD BOOK: | CHECKED BY: MTO | CADD FILE: 13-148SKD-1_ABANDON

SCALE : 1"= 40' | DRAWN BY: BCS | PAGE: | EFB FILE:

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NORTH

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

ALTA/ASCM LAND TITLE BOUNDARY SURVEY

HOLLAND G & C FT. PIERCE, LLC

REVISIONS

BY:	DATE	DESCRIPTION
BCS	08/05/2013	ADD DESCRIPTION AND BOUNDARY LINES

GEOMATICS SERVICES Inc.
PROFESSIONAL SURVEYORS & MAPPERS
1934 TUCKER COURT, FORT PIERCE, FL
(772) 419-6383, FAX (772) 408-4208
MCWEN@USECGSI.COM
CERTIFICATE OF AUTHORIZATION LB# 7673

JOB No.: 13-148
SCALE: 1" = 40'
DATE: 07/30/2013
DRAWN BY: BCS
CHECKED BY: MTO

FIELD BOOK: 13-04
PAGE: 48

CADD FILE: 13-148TMap2

SHEET NO.: 2
OF : 2

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NORTH

0 30
Scale in feet
1 Inch = 30 Feet

LINE LEGEND

- PURPLE PROPERTY LINE
- WHITE RIGHT OF WAY LINE
- WHITE BUILDING
- CYAN EASEMENT D.B. 83, PG. 442
- RED EASEMENT ELECTRIC
- GREEN EASEMENT GAS
- BLUE EASEMENT D.B. 203. PG. 121/D.B. 227, PG. 431
- MAGENTA EASEMENT SANITARY

OHIO AVENUE
COCONUT DRIVE (P)

CHIPOLA ROAD (P)

LOT 19 OCCUPIED KARIS H. LIMA
LOT 18 OCCUPIED KARIS H. LIMA
LOT 17 OCCUPIED GHAZANFAR SAEED MOHAMMAD AFZAL
LOT 16 OCCUPIED MICHAEL A ROBSON
LOT 15 OCCUPIED MARJORIE S. WILLIAMS
LOT 14 OCCUPIED DAVID EBNER
LOT 13 OCCUPIED MAGDALEN PHILLIUS
LOT 12 OCCUPIED
LOT 11 OCCUPIED ZH GROUP INVESTMENT INC.
LOT 10 OCCUPIED FORT PIERCE SHOPPING CENTER
LOT 9

LOT 22
LOT 23
LOT 24
LOT 25
LOT 26
LOT 27
LOT 28

BLOCK 28 PLAT OF PINEWOOD (P.B. 5, PG. 24)

3.0' UTILITY EASEMENT (D.B. 83, PG. 442) PROPOSED ABANDONMENT

PROPOSED 10' ELECTRICAL EASEMENT

PROPOSED 6' GAS EASEMENT

SHERIDAN CIRCLE (P) (VACATED R/W)

1 STORY BUILDING

BLOCK 29

LOT 7 LOT 6 LOT 5 LOT 1A LOT 1 LOT 2A LOT 2 LOT 3A LOT 3 LOT 4A LOT 4

3.0' UTILITY EASEMENT (D.B. 83, PG. 442) PROPOSED ABANDONMENT

3.0' UTILITY EASEMENT (D.B. 83, PG. 442) PROPOSED ABANDONMENT

PROPOSED 10' SANITARY EASEMENT

12' R/W, SEWER UTILITY & CONSTRUCTION EASEMENT (D.B. 203, PG. 121) (D.B. 227, PG. 431)

3' R/W, CONSTRUCTION & WATER UTILITY EASEMENT (D.B. 203, PG. 121) (D.B. 227, PG. 431)

PROPOSED 10' ELECTRICAL EASEMENT

BLOCK 28

LOT 1A LOT 1 LOT 2A LOT 2 LOT 3A LOT 3 LOT 4A LOT 4 LOT 5A LOT 5 LOT 6A LOT 6 LOT 7A LOT 7 LOT 8

N00°14'06"W 7.00'

S89°49'30"E - 113.25'

U.S. HIGHWAY NO. 1
STATE ROAD NO. 5
SOUTH FORTH STREET (P)

EASEMENT EXHIBIT

HOLLAND G & C FT. PIERCE, LLC

REVISIONS

BY	DATE	DESCRIPTION

GEOMATICS SERVICES Inc.
PROFESSIONAL SURVEYORS & MAPPERS
1934 TUCKER COURT, FORT PIERCE, FL.
(772) 419-8383, FAX (772) 408-4208
MOWEN@USGSI.COM
CERTIFICATE OF AUTHORIZATION LB# 7673

JOB No. : 13-148
SCALE : 1"= 40'
DATE: 09/15/2014
DRAWN BY: BCS
CHECKED BY: MTD
FIELD BOOK :
PAGE :
CADD FILE : 13-148TCeae-Ex

SHEET NO.: 1
OF : 1

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CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

Replacement Easements for Existing Utility Infrastructure

- Electric
- Gas
- Sanitary

100 N. U.S. 1 ◊ P.O. BOX 1480 ◊ FORT PIERCE, FL 34954 -1480 ◊ 772-467-3000 ◊ FAX 772-466-5808
WWW.CITYOFFORTPIERCE.COM

Electric

THIS IS NOT A SURVEY

DESCRIPTION

A STRIP OF LAND BEING THE EAST 10.00 FEET, OF THE FOLLOWING DESCRIBED PROPERTY

ALL OF BLOCK 29, LESS THE SOUTH 35 FEET THEREOF AND LESS THE EAST 7 FEET THEREOF, OF PINEWOOD SUBDIVISION; LOTS 1-A, 1, 2-A, 2, 3-A, 3, 4-A, LESS THE EAST 7 FEET OF EACH OF SAID LOTS, AND LOTS 22, 23, 24, 25, 26, 27 AND 28, LESS THAT PART OF SAID LOT 22 LYING SOUTH OF A LINE BEGINNING AT THE SOUTHWEST CORNER THEREOF AND RUNNING NORTHERLY 76 DEGREES 13 MIN. EAST TO THE WEST BOUNDARY LINE OF SHERIDAN CIRCLE, ALL LYING AND BEING IN BLOCK 28 OF PINEWOOD SUBDIVISION; ALL OF THAT CERTAIN AREA KNOW AND DESIGNATED AS SHERIDAN CIRCLE, LESS THE EAST 7 FEET THEREOF, AND LESS THE SOUTH 35 FEET THEREOF, MEASURED FROM COCONUT DRIVE, ALL THE ABOVE LANDS LYING IN PINEWOOD SUBDIVISION ACCORDING TO PLAT THEREOF ON FILE IN PLAT BOOK 5, AT PAGE 24, OF PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

SAID PARCEL CONTAINS 0.115 ACRES, MORE OR LESS

TOGETHER WITH:

A PARCEL OF LAND LYING OVER AND ACROSS A PORTION OF PLAT OF PINEWOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 24, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE (A VARIABLE WIDTH RIGHT OF WAY) AND THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1, (AN 80 FOOT WIDE RIGHT OF WAY); THENCE NORTH 89°51'26" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE, A DISTANCE OF 316.20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°30'28" EAST, A DISTANCE OF 252.80 FEET TO THE WESTERLY PROPERTY LINE OF LOT 26, BLOCK 28, SAID PLAT OF PINEWOOD; THENCE NORTH 39°35'47" EAST, ALONG THE WESTERLY PROPERTY LINE OF LOTS 26, 27, AND 28, OF SAID PLAT OF PINEWOOD, A DISTANCE OF 157.92 FEET; THENCE SOUTH 50°24'13" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 39°35'47" WEST, A DISTANCE OF 151.36 FEET; THENCE SOUTH 45°09'25" EAST, A DISTANCE OF 23.19 FEET; THENCE NORTH 89°51'00" EAST, A DISTANCE OF 5.76 FEET; THENCE SOUTH 00°09'00" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 89°51'00" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 00°09'00" WEST, A DISTANCE OF 5.76 FEET; THENCE NORTH 45°09'25" WEST, A DISTANCE OF 19.99 FEET; THENCE SOUTH 00°30'28" WEST, A DISTANCE OF 245.00 FEET, TO THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE; THENCE NORTH 89°51'26" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.099 ACRES, MORE OR LESS.

Michael T. Owen 2-12-2014

MICHAEL T. OWEN, PROFESSIONAL SURVEYOR & MAPPER — DATE:
FLORIDA REGISTRATION No. 5556

SKETCH & DESCRIPTION
ELECTRIC

PREPARED FOR:
FT. PIERCE SHOPPING CENTER

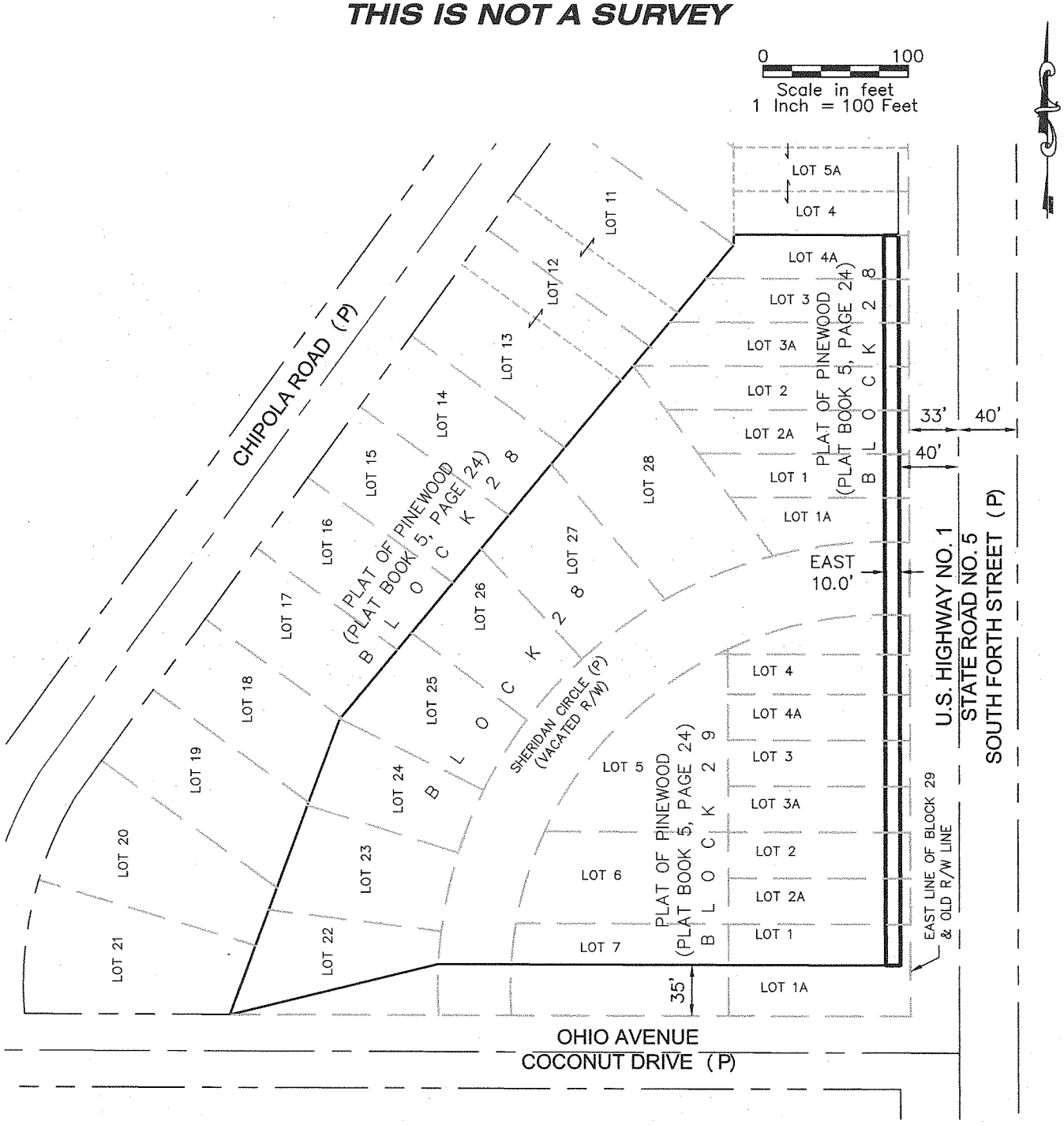
GEOMATICS SERVICES Inc.
PROFESSIONAL SURVEYORS & MAPPERS
1934 TUCKER COURT, FORT PIERCE, FLORIDA
(772) 419-8383 FAX (772) 408-4208
CERTIFICATE OF AUTHORIZATION LB# 7673

REVISIONS				

JOB No. : 13-148 DATE: 02/11/2014 FIELD BOOK: CHECKED BY: MTO CADD FILE: 13-148SKD-2_ELECTRIC
SCALE : N/A DRAWN BY: BCS PAGE: EFB FILE:

Z:\13 Projects\13-148 Ft Pierce Shopping Center\Drawings\13-148SKD-2_ELECTRIC.dwg, P1, 2/12/2014 10:02:49 AM

THIS IS NOT A SURVEY



LEGEND

(P)	DENOTES PLAT
P.O.C.	DENOTES POINT OF COMMENCEMENT
P.O.B.	DENOTES POINT OF BEGINNING
R/W	DENOTES RIGHT OF WAY
℄	DENOTES CENTER LINE

SKETCH & DESCRIPTION

ELECTRIC

PREPARED FOR:

FT. PIERCE SHOPPING CENTER

GEOMATICS SERVICES Inc.

PROFESSIONAL SURVEYORS & MAPPERS

1934 TUCKER COURT, FORT PIERCE, FLORIDA

(772) 419-8383 FAX (772) 408-4208

CERTIFICATE OF AUTHORIZATION LB# 7673

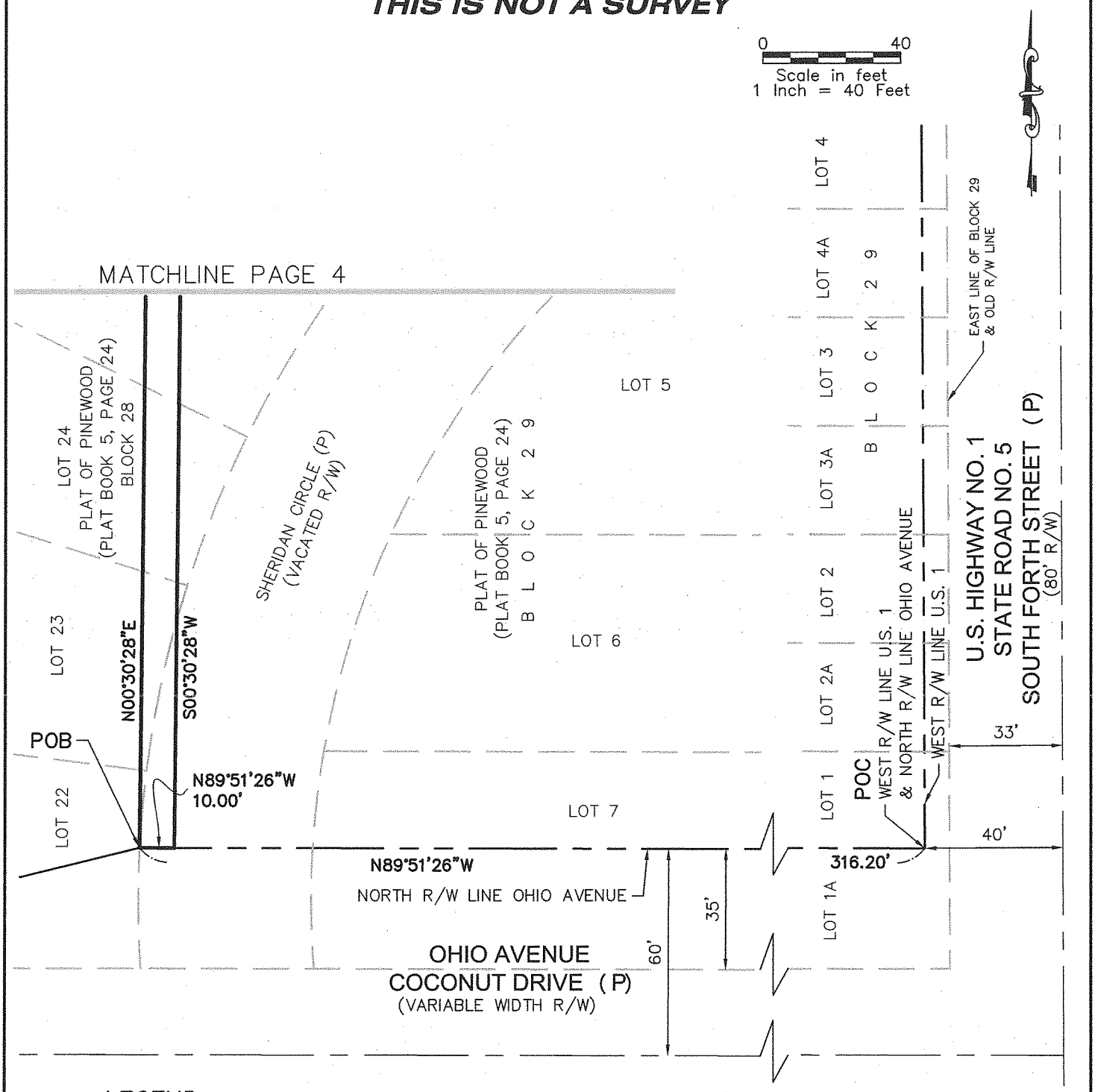
REVISIONS				

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THIS IS NOT A SURVEY



LEGEND

(P)	DENOTES PLAT
P.O.C.	DENOTES POINT OF COMMENCEMENT
P.O.B.	DENOTES POINT OF BEGINNING
R/W	DENOTES RIGHT OF WAY
℄	DENOTES CENTER LINE

SKETCH & DESCRIPTION

ELECTRIC

PREPARED FOR:

FT. PIERCE SHOPPING CENTER

GEOMATICS SERVICES Inc.

PROFESSIONAL SURVEYORS & MAPPERS

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CERTIFICATE OF AUTHORIZATION LB# 7673

REVISIONS				

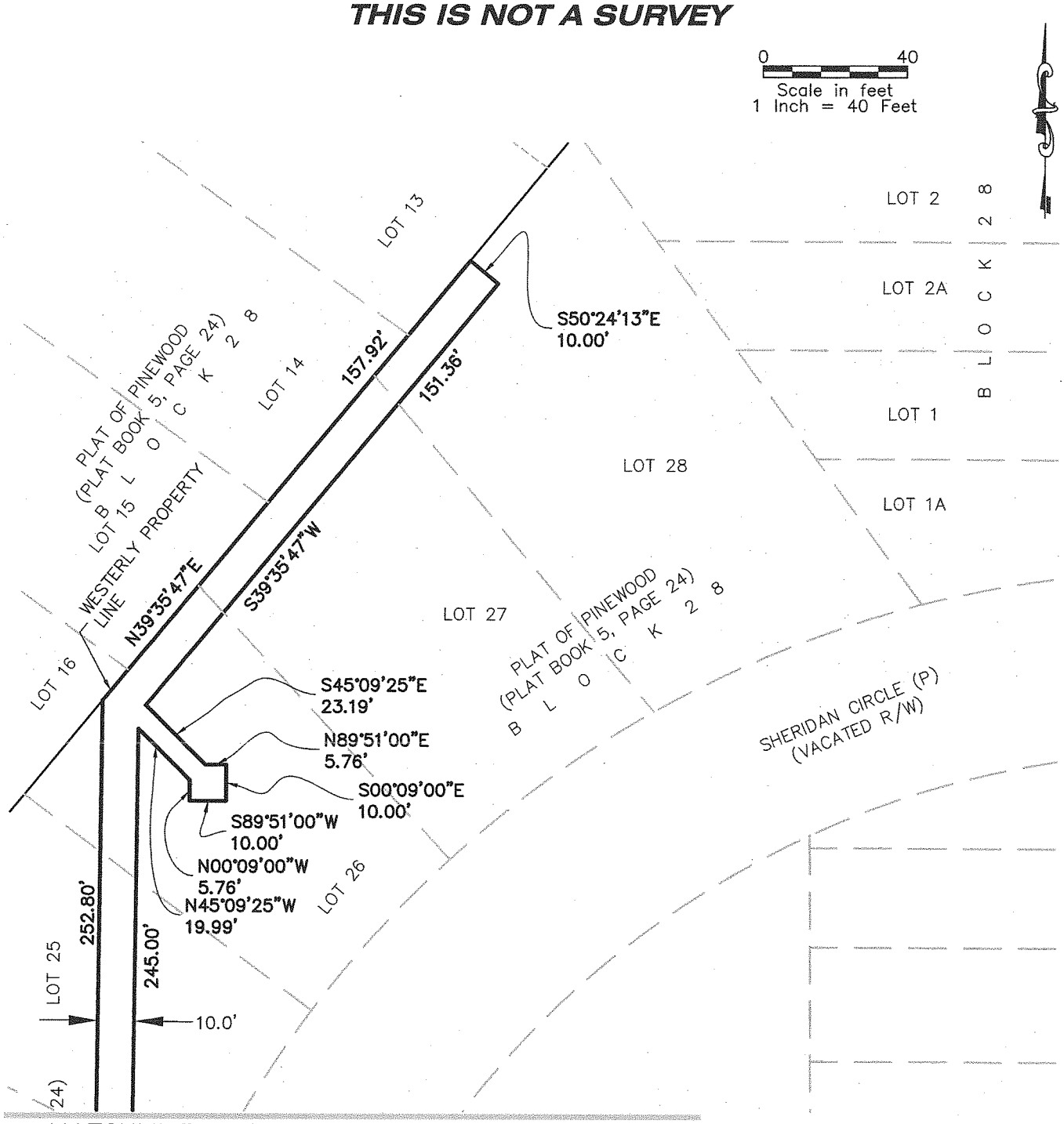
JOB No. : 13-148 | DATE: 02/11/2014 | FIELD BOOK: | CHECKED BY: MTO | CADD FILE: 13-148SKD-2_ELECTRIC

SCALE : 1"= 40' | DRAWN BY: BCS | PAGE: | EFB FILE:

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Gas

THIS IS NOT A SURVEY



LEGEND

(P)	DENOTES PLAT
P.O.C.	DENOTES POINT OF COMMENCEMENT
P.O.B.	DENOTES POINT OF BEGINNING
R/W	DENOTES RIGHT OF WAY
℄	DENOTES CENTER LINE

SKETCH & DESCRIPTION

ELECTRIC

PREPARED FOR:

FT. PIERCE SHOPPING CENTER

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REVISIONS				

JOB No. : 13-148 | DATE: 02/11/2014 | FIELD BOOK: | CHECKED BY: MTO | CADD FILE: 13-148SKD-2_ELECTRIC

SCALE : 1"= 40' | DRAWN BY: BCS | PAGE: | EFB FILE:

SHEET 4 OF 4

Z:\13 Projects\13-148 Ft Pierce Shopping Center\Drawings\13-148SKD-2_ELECTRIC.dwg, P4, 2/12/2014 9:53:16 AM

THIS IS NOT A SURVEY

DESCRIPTION

A PARCEL OF LAND LYING OVER AND ACROSS A PORTION OF PLAT OF PINEWOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 24, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE (A VARIABLE WIDTH RIGHT OF WAY) AND THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1, (AN 80 FOOT WIDE RIGHT OF WAY); THENCE NORTH 89°51'26" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE, A DISTANCE OF 305.20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°37'35" EAST, A DISTANCE OF 67.70 FEET; THENCE NORTH 05°02'53" WEST, A DISTANCE OF 56.24 FEET; THENCE NORTH 02°20'00" WEST, A DISTANCE OF 101.02 FEET; THENCE NORTH 09°04'49" EAST, A DISTANCE OF 27.89 FEET; THENCE NORTH 36°14'40" EAST, A DISTANCE OF 80.03 FEET; THENCE NORTH 41°27'31" EAST, A DISTANCE OF 60.83 FEET; THENCE NORTH 83°47'49" EAST, A DISTANCE OF 15.75 FEET; THENCE SOUTH 00°09'00" EAST, A DISTANCE OF 6.03 FEET; THENCE SOUTH 83°47'49" WEST, A DISTANCE OF 12.79 FEET; THENCE SOUTH 41°27'31" WEST, A DISTANCE OF 31.77 FEET; THENCE NORTH 88°37'56" EAST, A DISTANCE OF 33.82 FEET; THENCE SOUTH 00°09'00" EAST, A DISTANCE OF 6.00 FEET; THENCE SOUTH 88°37'56" WEST, A DISTANCE OF 33.42 FEET; THENCE SOUTH 67°23'28" EAST, A DISTANCE OF 27.29 FEET; THENCE SOUTH 89°51'00" WEST, A DISTANCE OF 15.51 FEET; THENCE NORTH 67°23'28" WEST, A DISTANCE OF 19.56 FEET; THENCE SOUTH 41°27'31" WEST, A DISTANCE OF 14.45 FEET; THENCE SOUTH 36°14'40" WEST, A DISTANCE OF 38.47 FEET; THENCE SOUTH 87°37'56" EAST, A DISTANCE OF 34.61 FEET; THENCE SOUTH 00°09'00" EAST, A DISTANCE OF 6.01 FEET; THENCE NORTH 87°37'56" WEST, A DISTANCE OF 38.91 FEET; THENCE SOUTH 36°14'40" WEST, A DISTANCE OF 32.60 FEET; THENCE SOUTH 09°04'49" WEST, A DISTANCE OF 25.84 FEET; THENCE SOUTH 02°20'00" EAST, A DISTANCE OF 100.28 FEET; THENCE SOUTH 05°02'53" EAST, A DISTANCE OF 56.45 FEET; THENCE SOUTH 01°37'35" WEST, A DISTANCE OF 67.90 FEET TO THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE; THENCE NORTH 89°51'26" WEST, ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 6.00 FEET, TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 0.069 ACRES, MORE OR LESS

Michael T. Owen 2-12-2014

MICHAEL T. OWEN, PROFESSIONAL SURVEYOR & MAPPER DATE:
FLORIDA REGISTRATION No. 5556

SKETCH & DESCRIPTION
GAS

PREPARED FOR:
FT. PIERCE SHOPPING CENTER

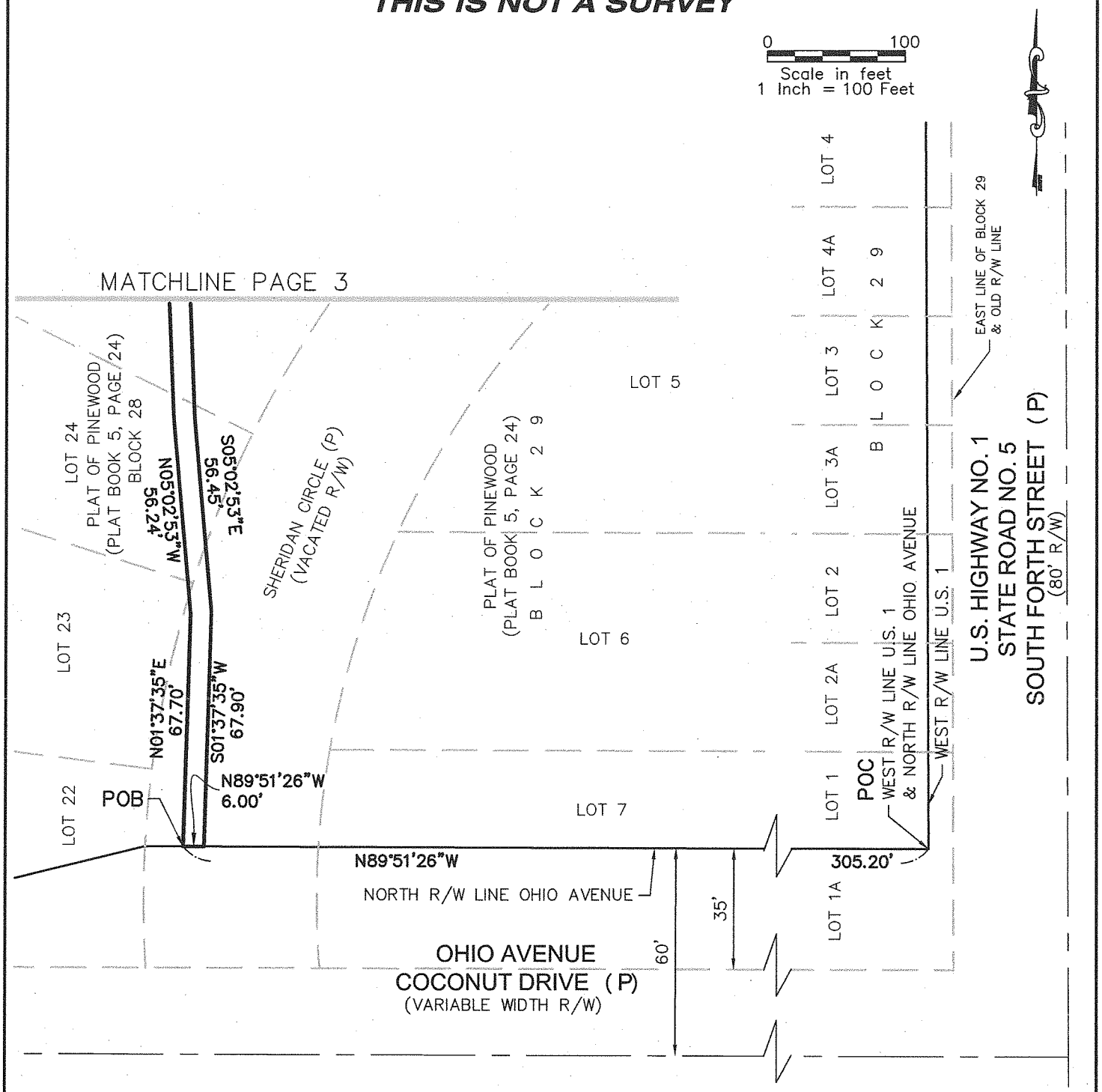
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(772) 419-8383 FAX (772) 408-4208
CERTIFICATE OF AUTHORIZATION LB# 7673

REVISIONS				

JOB No. : 13-148 DATE: 02/11/2014 FIELD BOOK: CHECKED BY: MTO CADD FILE: 13-148SKD-3_GAS
SCALE : N/A DRAWN BY: BCS PAGE: EFB FILE:

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THIS IS NOT A SURVEY



LEGEND

(P)	DENOTES PLAT
P.O.C.	DENOTES POINT OF COMMENCEMENT
P.O.B.	DENOTES POINT OF BEGINNING
R/W	DENOTES RIGHT OF WAY
℄	DENOTES CENTER LINE

SKETCH & DESCRIPTION

GAS

PREPARED FOR:

FT. PIERCE SHOPPING CENTER

GEOMATICS SERVICES Inc.

PROFESSIONAL SURVEYORS & MAPPERS

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CERTIFICATE OF AUTHORIZATION LB# 7673

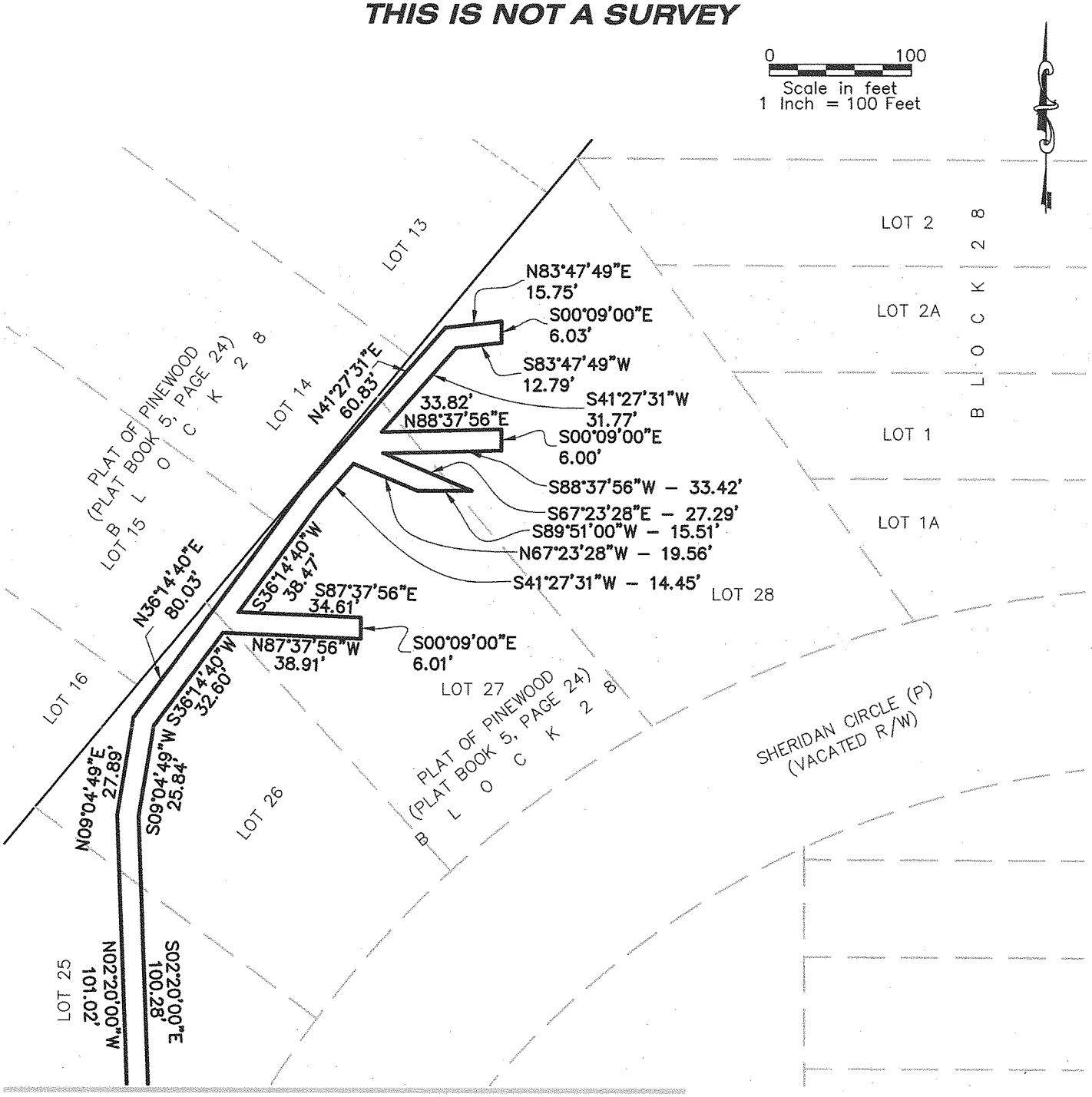
REVISIONS				

JOB No. : 13-148 | DATE: 02/11/2014 | FIELD BOOK: | CHECKED BY: MTO | CADD FILE: 13-148SKD-3_GAS

SCALE : 1"= 40' | DRAWN BY: BCS | PAGE: | EFB FILE:

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THIS IS NOT A SURVEY



LEGEND

(P)	DENOTES PLAT
P.O.C.	DENOTES POINT OF COMMENCEMENT
P.O.B.	DENOTES POINT OF BEGINNING
R/W	DENOTES RIGHT OF WAY
℄	DENOTES CENTER LINE

SKETCH & DESCRIPTION

GAS

PREPARED FOR:

FT. PIERCE SHOPPING CENTER

GEOMATICS SERVICES Inc.

PROFESSIONAL SURVEYORS & MAPPERS

1934 TUCKER COURT, FORT PIERCE, FLORIDA

(772) 419-8383 FAX (772) 408-4208

CERTIFICATE OF AUTHORIZATION LB# 7673

REVISIONS				

JOB No. : 13-148 DATE: 02/11/2014 FIELD BOOK: CHECKED BY: MTO CADD FILE: 13-148SKD-3_GAS

SCALE : 1"= 40' DRAWN BY: BCS PAGE: EFB FILE:

SHEET 3 OF 3

Z:\13 Projects\13-148 Ft Pierce Shopping Center\Drawings\13-148SKD-3_GAS.dwg, P3, 2/12/2014 10:06:49 AM

Sanitary

THIS IS NOT A SURVEY

DESCRIPTION

A PARCEL OF LAND BEING 10.00 FEET IN WIDTH, LYING OVER AND ACROSS A PORTION OF PLAT OF PINEWOOD, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 24, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1, (AN 80 FOOT WIDE RIGHT OF WAY) AND THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE (A VARIABLE WIDTH RIGHT OF WAY); THENCE NORTH 89°51'26" WEST, ALONG SAID NORTH RIGHT OF WAY LINE OF OHIO AVENUE, A DISTANCE OF 3.40 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 89°51'26" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.20 FEET; THENCE NORTH 11°09'07" WEST, DEPARTING SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 181.93 FEET; THENCE NORTH 28°59'26" EAST, A DISTANCE OF 59.93 FEET; THENCE NORTH 00°01'13" WEST, A DISTANCE OF 269.47 FEET TO THE NORTH LINE OF LOT 4A, BLOCK 28, SAID PLAT OF PINEWOOD; THENCE SOUTH 89°49'30" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°01'13" EAST, DEPARTING SAID NORTH LINE, A DISTANCE OF 272.02 FEET; THENCE SOUTH 28°59'26" WEST, A DISTANCE OF 58.87 FEET; THENCE SOUTH 11°09'07" EAST, A DISTANCE OF 180.27 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.117 ACRES, MORE OR LESS

Michael T. Owen 2.12.2014

MICHAEL T. OWEN, PROFESSIONAL SURVEYOR & MAPPER DATE:
FLORIDA REGISTRATION No. 5556

SKETCH & DESCRIPTION
SANITARY

PREPARED FOR:
FT. PIERCE SHOPPING CENTER

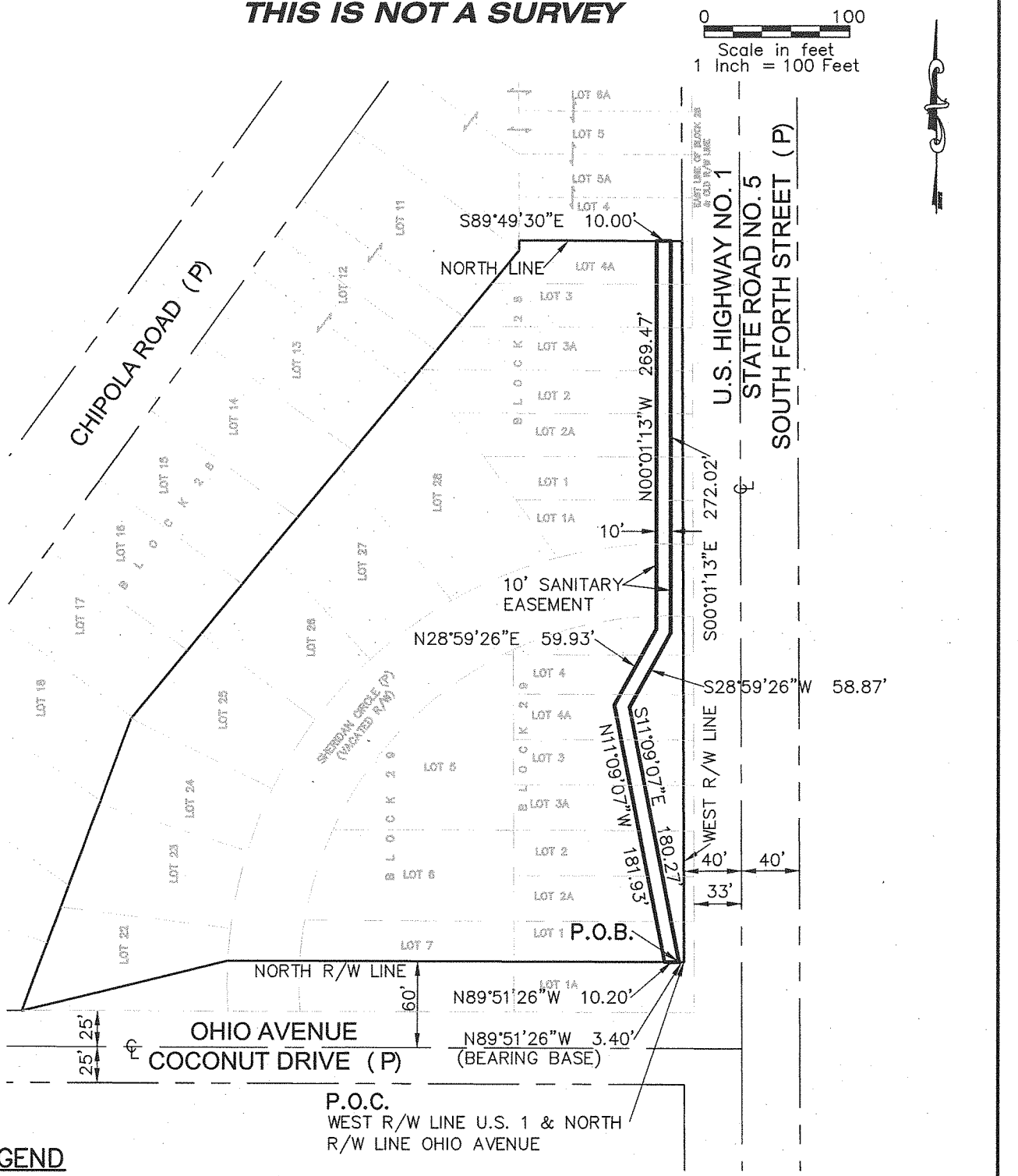
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CERTIFICATE OF AUTHORIZATION LB# 7673

REVISIONS				

JOB No. : 13-148 DATE: 02/11/2014 FIELD BOOK: CHECKED BY: MTO CADD FILE: 13-148SKD-4_SANITARY
SCALE : NA DRAWN BY: BK PAGE: EFB FILE:

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THIS IS NOT A SURVEY



LEGEND

(P)	DENOTES PLAT
P.O.C.	DENOTES POINT OF COMMENCEMENT
P.O.B.	DENOTES POINT OF BEGINNING
R/W	DENOTES RIGHT OF WAY
℄	DENOTES CENTER LINE

BEARING BASE IS THE NORTH RIGHT OF WAY LINE OF OHIO AVENUE ASSUMED TO BEAR NORTH 89°51'26" WEST AND ALL OTHER BEARINGS SHOWN HEREON ARE RELATIVE THERETO.

SKETCH & DESCRIPTION

SANITARY

PREPARED FOR:

FT. PIERCE SHOPPING CENTER

GEOMATICS SERVICES Inc.

PROFESSIONAL SURVEYORS & MAPPERS

1934 TUCKER COURT, FORT PIERCE, FLORIDA

(772) 419-8383 FAX (772) 408-4208

CERTIFICATE OF AUTHORIZATION LB# 7673

REVISIONS				

JOB No. : 13-148 DATE: 02/11/2014 FIELD BOOK: CHECKED BY: MTO CADD FILE: 13-148SKD-4_SANITARY

SCALE : 1"= 100' DRAWN BY: BK PAGE: EFB FILE:

SHEET 2 OF 2

Z:\W13 Projects\W13-148 Ft Pierce Shopping Center\W Drawings\W13-148SKD-4_SANITARY.dwg, P2, 2/12/2014 10:10:33 AM

City Commission Regular Meeting **Agenda Item # 10. c.**

Meeting Date: 03/17/2014

Re: Ordinances 14-010 - Amending the Future Land Use Designation of Properties Generally Located at 1210 S 25th Street from OP to NC

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

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SUBJECT:

Ordinance No. 14-010 - Amending the Future Land Use Designation of Properties Generally Located at 1210 S 25th Street from OP to NC - FIRST READING

SUMMARY:

- The applicant is requesting to amend the Future Land Use Map of the City's Comprehensive Plan, changing the designation of six (6) parcels of land totaling 1.68 acres from OP, Offices – Professional and Business Services to NC, Neighborhood Commercial.
- The application was filed concurrent to a request to amend the City's Zoning Atlas, to change the zoning designation of said parcels from C-1, Office Commercial to C-2, Neighborhood Commercial.
- The applicant has filed a Site Plan for the construction of an approximately 8,300 square foot discount retail (dollar) store at the site.
- The Planning Board, acting as the Local Planning Agency, voted unanimously to recommend approval at their January 14th, 2014 meeting.

RECOMMENDATION:

Approval of the requested Future Land Use Map Amendment

ALTERNATIVES:

Denial of the requested Future Land Use Map Amendment

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

None

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

14-010
Staff Report
Zoning & Future Land Use Maps
Application
Survey
Planning Board Minutes

ORDINANCE NO. 14-010

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **AMENDING THE FUTURE LAND USE MAP** OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF PROPERTY GENERALLY LOCATED AT **1210 SOUTH 25th STREET**, FROM OP, OFFICES – PROFESSIONAL AND BUSINESS SERVICES, TO NC, NEIGHBORHOOD COMMERCIAL; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Pierce has adopted a Comprehensive Plan known as the City of Fort Pierce Comprehensive Plan adopted by Ordinance No. L-136, as subsequently amended; and

WHEREAS, changing the future land use designation requires an amendment to the Comprehensive Plan, pursuant to Section 163.3184, Florida Statutes; and

WHEREAS, the Fort Pierce City Planning Board having been duly designated as the Local Planning Agency pursuant to section 163.3174 et seq., Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment to the Comprehensive Plan and submitted its recommendations thereon to the City Commission; and

WHEREAS, having considered the recommendations of the Planning Board, the City of Fort Pierce City Commission has prepared this amendment to the City's Comprehensive Plan and transmitted it to the Department of Economic Opportunity and other agencies as required by Section 163.3184; and

WHEREAS, two (2) public hearings with due notice have been held by the City Commission to inform the public and receive comments and objections; and

WHEREAS, the City of Fort Pierce desires to hereby formally adopt this amendment to the City's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. The preceding "whereas" clauses are ratified and incorporated as the legislative intent of this ordinance.

SECTION 2. The Comprehensive Plan of the City of Fort Pierce is hereby amended as follows:

From and after the effective date hereof, the following properties legally described as:

2416-602-0158-000-3: BILTMORE PARK BLK 51 LOT 1 AND LOT2-LESS S 15 FT AND LESS RD R/W- (OR 3506-137)

2416-602-0160-000-0: BILTMORE PARK S/D BLK 51 S 15 FTOF LOT 2 AND ALL LOT 3-LESS RD R/W- (OR 3506-137)

2416-602-0161-000-7: BILTMORE PARK BLK 51 LOTS 4, 5 AND 6-LESS W 14.7 FT- (OR 3506-137)

2416-602-0164-000-8: BILTMORE PARK BLK 51 LOTS 7 AND 8-LESS W 14.7 FT- (OR 3506-137)

2416-602-0166-000-2: BILTMORE PARK BLK 51 LOT 9-LESS W 14.7 FT- AND W 1/2 OF LOT 11 AND LOTS 22 AND 23-LESS NELY 150 FT- (OR 3506-137)

2416-602-0167-000-9: BILTMORE PARK BLK 51 LOT 10-LESSW 14.7 FT- (OR 3506-137)

shall be and the Future Land Use Designation is hereby changed from OP, Offices – Professional and Business Services, to NC, Neighborhood Commercial; said properties being generally located at 1210 South 25th Street in Fort Pierce, Florida.

SECTION 3. Severability. The Provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4. Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

SECTION 5. Effective Date. This Ordinance is and the same shall become effective immediately upon final passage hereof, or as otherwise provided for by law.

APPROVED AS TO FORM AND CORRECTNESS:

_____
Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)SS

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-010 was duly advertised in by title only in the St. Lucie News Tribune on March 2, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on March 17, 2014; and was duly introduced, read by title only, and passed on second and final reading on April 7, 2014, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 7th day of April 2014.

_____
MAYOR COMMISSIONER

_____
CITY CLERK

(CITY SEAL)

CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

TO: Robert J. Bradshaw, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Historic Preservation Officer

SUBJECT: **Family Dollar Properties: Future Land Use Map Amendment**
1210 South 25th Street

DATE: March 6, 2014

STAFF REPORT

Owner:
First Southern Bank
Mr. Lee D. Wedekind, Jr., Senior Vice President
1177 SE Third Avenue
Fort Lauderdale, Florida 33316

Applicant:
The Hutton Company
Mr. Chuck Borysiak
736 Cherry Street
Chattanooga, Tennessee 37402

Representative:
Bowman Consulting
Mr. Daimian Leslie, P.E.
4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934

Requested Action: Approval of a Future Land Use Map Amendment from OP, Offices – Professional and Business Services to NC, Neighborhood Commercial

Location: Generally located at 1210 S 25th Street, the east side of South 25th Street, between Ormond Avenue and Mississippi Avenue

Parcel IDs: 2416-602-0158-000/3; 2416-602-0160-000/0; 2416-602-0161-000/7; 2416-602-0164-000/8; 2416-602-0166-000/2; 2416-602-0167-000/9

Current Future Land Use: OP, Offices – Professional and Business Services

Proposed Future Land Use: NC, Neighborhood Commercial

Surrounding Future Land Use:

North	East	South	West
GC	RL	OP	GC

Parcel(s) Size: 1.68 acres

Utilities: Located within the FPUA Retail Service Area

Staff Analysis:

The applicant is requesting the approval of a Future Land Use Map Amendment to change the future land use designation of the subject properties from OP, Offices – Professional and Business Services to NC, Neighborhood Commercial.

The applicant is pursuing the proposed amendment with intentions to construct an approximately 8,300 square foot discount retail store. The applicant has concurrently filed an application for a zoning atlas amendment (rezone), as well as an application for Site Plan review for said project. The representative for the project has indicated that the Site Plan has been placed on hold, temporarily. The impending Site Plan will be reviewed by the Planning Board prior to being routed to the City Commission for final review. The applicant held a neighborhood meeting, as recommended by Planning Staff, to discuss the proposed project with surrounding property owners. Planning Staff did not attend the meeting; however, the applicant has indicated that the neighbors were generally accepting of the proposed project. Additional details of the meeting may be asked of the applicant or representative, if necessary.

The subject site is located in a transitional zone between the General Commercial segment surrounding the intersection of Okeechobee Road and South 25th Street and the predominant Office Commercial area present along 25th Street surrounding Lawnwood Regional Medical Center. In furthering a tiered transition, the recommendation was made to the applicant to pursue a Neighborhood Commercial Future Land Use designation, as opposed to a General Commercial designation, to further this transitional area.

Table 1 exhibits pertinent guidelines for the existing and proposed Future Land Use Designations of the subject site.

Table 1: Existing and Proposed Site Data

	Existing	**Proposed**
Future Land Use (FLU)	**Offices – Professional and Business Services (OP)**	**Neighborhood Commercial (NC)**
Land Use Objective	The Offices – Professional and Business Services designation provides for office and limited commercial developments or horizontal and vertical mixed-use developments. Commercial uses that do not directly sell, store, or display goods, and generate limited auto trips are allowed within this district. Permitted uses allowed within this designation include limited convenience commercial uses, restaurants, and hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. Multifamily residences also allowed.	The Neighborhood Commercial designation permits lower intensity commercial developments that are primarily intended to serve surrounding neighborhoods and residential areas. Uses allowed within this designation include limited retail and commercial services such as convenience/grocery stores, beauty salons, day care facilities; offices; and multifamily residential.
Residential Density (maximum dwelling units per gross acre)	10-18 dwelling units/acre	10 dwelling units/acre
Land Use Breakdown	Residential uses may comprise up to 20% of the total floor area of the Offices – Professional and Business Services future land use designation.	Residential uses may comprise up to 20% of the total floor area of the Neighborhood Commercial future land use designation.
Maximum Non-Residential Floor Area Ratio (FAR)	1.0	0.5

The maximum permitted floor area ratio (FAR) for the subject properties will be reduced from 1.0 to 0.5 under the proposed amendments, as demonstrated in Table 1. Additionally, the maximum residential density permitted will be reduced. The expanded land uses desired by the applicant, permitted in the NC, Neighborhood Commercial Zone, are limited retail and commercial services such as convenience/grocery stores.

Comprehensive Plan

The City Commission shall consider the proposed amendment in regards to the established Goals, Objectives and Policies of the City's Comprehensive Plan, more specifically the potential impacts to transportation and infrastructure.

Future Land Use Element Goals, Objectives, & Policies

Goal 1:
The City of Fort Pierce shall regulate land uses to maintain and protect its traditional Florida small-town character by embracing its rich heritage, diverse cultural and community assets, and natural resources.

1.1 Objective:
The City shall adopt and implement the Future Land Use Map to designate future land uses that regulate uses, densities and intensities that enhance its neighborhoods and districts, stimulate tourism and the local economy, and are compatible with its small-town character.

1.1.17 Policy:
Reduce vehicle miles traveled (VMT) and greenhouse gas emissions (GHG) by requiring developments to maximize internal trip capture, provide pedestrian connectivity to surrounding properties, and reduce the number of auto-oriented trips through Transportation Demand Management (TDM).

1.3 Objective:
As development and redevelopment occur within the City, the City shall encourage the elimination or reduction of existing land uses inconsistent with the City's character and future land use.

1.3.1 Policy:
The City shall evaluate land use amendment applications and development proposals for compatibility with the Comprehensive Plan, the City's character, future land use designation, and the adjacent properties.

Analysis: The appropriate expansion of neighborhood commercial land use along or adjacent to Principal Arterial or Minor Arterial roadways furthers the development and redevelopment of neighborhoods and districts, providing the stimulation of the local economy. The review of subsequent development application pursuant to our established land development regulations and design review guidelines seek to ensure compatibility our small-town character. Furthermore, the increased access to neighborhood commercial goods and services advances established goals, policies, and objectives by reducing vehicle miles traveled (VMT) and greenhouse gas emissions (GHG) by improving proximity to desired goods and services.

Transportation Element Goals, Objectives, & Policies

Goal 2:
The City shall provide a safe, convenient, effective, and energy efficient multimodal transportation system which is coordinated with the Future Land Use and provides mobility of people and goods.

2.2 Objective:
Maintain the adopted LOS standards for all City roadways. The City shall coordinate with St. Lucie County and the Florida Department of Transportation (FDOT) to maintain the adopted LOS standards on County and State roadways within the City.

2.2.7 Policy:
Proposed land use changes shall evaluate the net difference in traffic impacts between the current land use and the proposed land use. Any change in land use which exceeds the LOS standard for a roadway shall also be accompanied by a strategy to address the impact. The strategy may consist of a capacity or operational improvement or implementation of a mobility strategy. The LOS evaluation shall be completed using professionally accepted transportation engineering methodology including generalized roadway and detailed roadway analysis as needed.

2.3 Objective:
The City shall integrate the Future Land Use Map with the City's existing, programmed, and planned transportation system to maintain the adopted roadway LOS standards and support multimodal transportation to service the existing and projected population.

2.3.2 Policy:
Proposed Future Land Use Map amendments shall be supported by the Transportation Element. An evaluation of the net change in impacts to the roadways shall be determined. The proposed amendment shall maintain the adopted LOS standard. If the LOS standards are not maintained, the amendment shall be accompanied by strategies including capacity and operational improvements, and mobility strategies to achieve the adopted LOS standard.

2.3.3 Policy:
The City shall integrate transportation and land use to support multimodal transportation through site design and development standards that address building placement and orientation, pedestrian access, bicycle parking, and transit-oriented development principles.

Analysis: The proposed land use change has been evaluated for the net difference in traffic impacts. The change in land use does not surpass the LOS standard for the 25th Street corridor. Although the proposed change in land use presents a higher potential for additional trips necessary for the delivery of retail goods, these trips are allocated to a Principal Arterial, and offer the reduction of vehicular traffic on other roadways by reducing vehicle miles traveled (VMT) to other retail sources. Furthermore, the City's established design and development standards will address building placement and orientation, pedestrian access, bicycle parking, and transit-oriented development principles with any proposed potential development within the subject site.

Technical Review Committee (TRC) Recommendation:

All affected departments have reviewed and approved the application based upon the conclusion that no significant increase in traffic or other impacts to public facilities are expected to be generated by the proposed amendment.

Planning Board Recommendation:

The Planning Board, at their January 14th, 2014 Local Planning Agency hearing, voted unanimously to recommend approval of the request.

Property Owner Response Summary:

A total of 95 notifications of the proposed Future Land Use Map Amendment were mailed to property owners located within 500 feet of the subject property. As of March 6, 2014, zero (0) responses have been received. An update of responses will be provided at the City Commission Meeting.

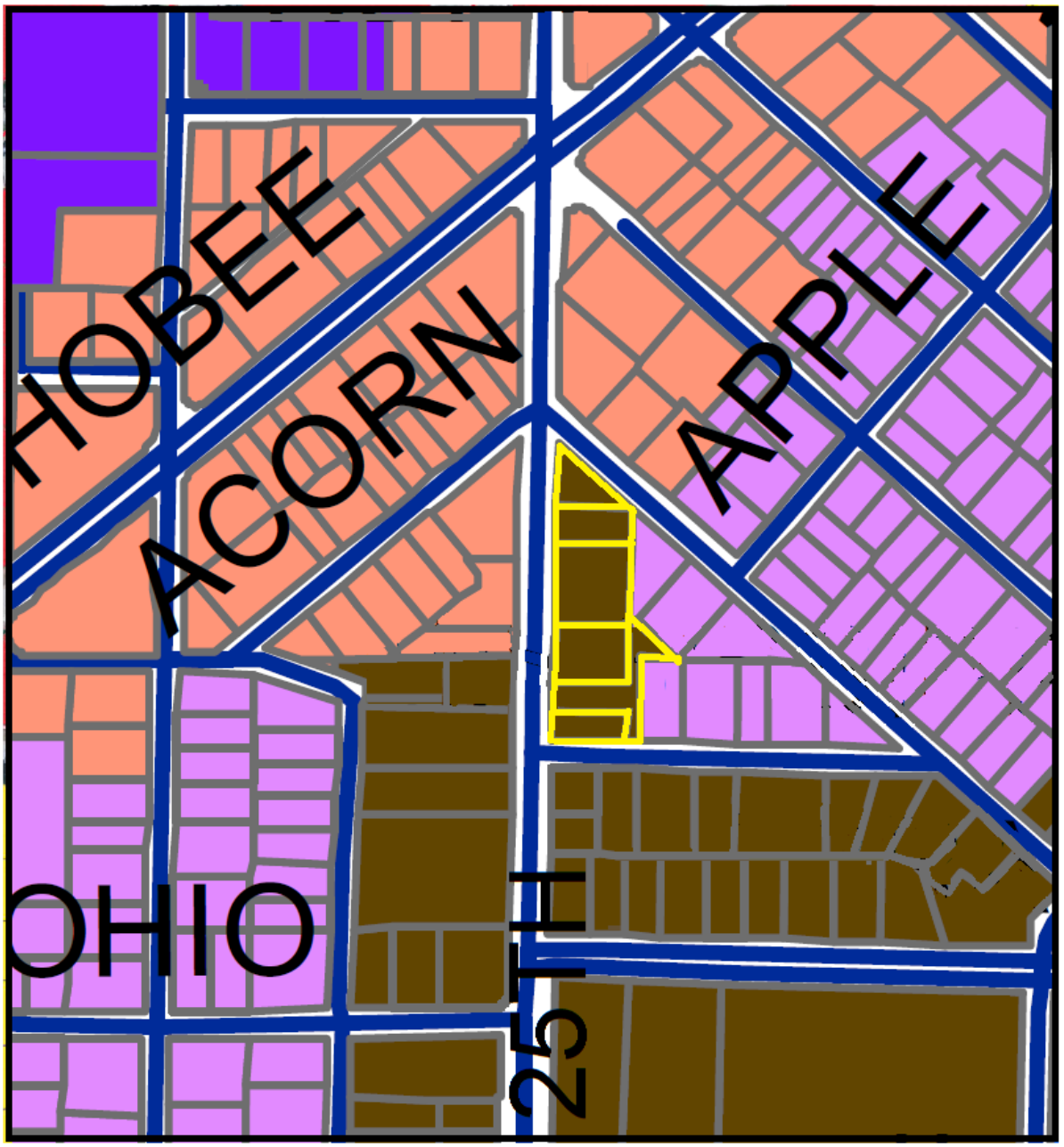
Staff Recommendation:

The proposed amendment furthers the Goals, Objectives, and Policies of the City's Comprehensive Plan and presents no adverse impacts on the health, safety, and welfare of the community; therefore Staff recommends that the City Commission **approve** the proposed amendment.

Zoning Map


OKEECHOBEE RD
N
Legend
CCCL
AG1
AG2.5
AR-1
C1
C2
C3
C4
C5
C6
CP1
E1
E2
E3
I1
I2
I3
OS1
OS2
PUD
PUR
R1
R2
R3
R4
R4A
R5

Future Land Use Map



N

Legend

- RH
- RM
- RL
- RS
- HIMU
- HIR
- OP
- BC
- MXD
- NC
- GC
- CBD
- MC
- COS
- BI
- I
- HI
- CI
- INST

CITY OF FORT PIERCE

PLANNING DEPARTMENT

DAVID CARLIN, MPA, PLANNING MANAGER
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

Application for Future Land Use Map Amendment

☐ Future Land Use Map Amendment – Large Scale (>10 acres)

☒ Future Land Use Map Amendment – Small Scale (<10 acres)

In accordance with Chapter 163.3187, Florida Statutes, The City of Fort Pierce will consider applications for land use changes on parcels in excess of 10 aces ("Large Scale Amendments") only twice each calendar year. The City Commission will consider applications for land use changes on parcels less than or equal to 10 acres with a maximum density of 10 units per acres or less at any time during the calendar year. You are encouraged to schedule a pre-application meeting with the planning staff and to submit your application up to three months in advance of the application deadline.

Application submission shall include the following:

●**TRC** (*Initial Submission): One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

●**Planning Board**: One (1) original and (13) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

●**City Commission**: One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- ■ Warranty Deed & Legal Description
- ■ St. Lucie County Property Record Card
- ■ Statement of why there is a need for the proposed future land use map amendment and how the amendment will result in an orderly and logical development pattern; statements how amendment(s) are consistent with Comprehensive Plan; how future land use designation is compatible with future land use designations and existing land uses surrounding the amended lands; identify future land use designations and existing land uses within a ½ mile of the subject property that have the same or greater type of proposed future land use designation; data and analysis to support conclusions.
- ■ Current Survey
- ■ Environmental Study
- ■ Traffic Impact Report
- ☐ *** Capacity Analysis-Separate Form
- ■ Drainage Analysis
- ☐ Historical Report
- ■ 1 CD of all documents submitted in PDF
- ☐ Other_____

1. Property Address/Location: East side of S 25th St. between Ormond Ave and Mississippi Ave
2. Property Tax ID(s): 2416-602-0158-000-3, 2416-602-0160-000-0, 2416-602-0161-000-7, 2416-602-0164-000-8, 2416-602-0166-000-2, 2416-602-0167-000-9
3. Total Acreage: 1.68 acres
4. Existing Future Land Use Designation: OP (Office Professional)
5. Existing Zoning Classification: C-1 (Office Commercial)
6. Proposed Zoning Classification: C-2 (Neighborhood Commercial)
7. Other applications being submitted concurrent with this application, if any: Zoning Atlas Amendment
8. Describe the existing uses, improvements and structures on the amendment lands: The existing site is vacant
9. Are there any identified or possible historical structures on the amendment lands? No
10. The reason for making this request: The proposed construction consists of a General Retail store which is not an approved us in the existing zoning

11. **Capacity Analysis:**

I. Site Data:

	Existing Use	Future Land Use	Zoning
North	U-Haul Store	GC	C-3
South	Residential	OP	R-3
East	Residential	INST	R-3
West	Medical Center	OP	C-1

	Future Land Use	Zoning Classification	Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage	Total Acreage	Flood Zone
Current	OP Office Professional	C-1 Office Commercial	73,200 sqft x 1.0 (FAR) = 73,200 sqft	1.68 ac	X
Proposed	NC Neighborhood Commercial	C-2 Neighborhood Commercial	73,200 sqft x 0.5 (FAR) = 36,600 sqft	1.68 ac	N/A

II. Public Facilities Information:

A. Potable Water:	
Average Use	Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.125 gallons per day per square foot
Demand Analysis	Maximum
Current Zoning	9150 Total gallons per day (0.125 gpd/sf X 73200 sf)
Proposed Zoning	4547 Total gallons per day (0.125 gpd/sf X 36600 sf)
Change in Demand	4547 **Total gallons per day**

B. Wastewater:	
Average Use	Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.1 gallons per day per square foot
Demand Analysis	Maximum
Current Zoning	7320 Total gallons per day (0.10 gpd/sf X 73200 sf)
Proposed Zoning	3660 Total gallons per day (0.10 gpd/sf X 36600 sf)
Change in Demand	3660 **Total gallons per day**

C. Parks and Recreation (Residential Classifications Only):
(Du x 2.6 = persons + 44,227 = population /LOS)

Park Type	LOS	Existing Population Park Demand	Proposed Population Park Demand	Change in Demand
Regional	20 acres per 1,000 people			
Urban District	5 acres per 1,000 people			
Community	2.5 acres per 1,000 people			
Neighborhood	1.36 acres per 1,000 people			

D. Public Schools (Residential Classifications Only):
Single Family: (du x 0.405 = students/70% K-8/30% High)
Multi-family: (du x 0.207 = students/70% K-8/30% High)

	K-8	High
School Name		
City		
Distance		
Current Zoning Enrollment Demand		
Proposed Zoning Enrollment Demand		
Change in Demand		

E. Solid Waste:
2 yard serves 15 units, 4 yard serves 30 units, 6 yard serves 45 units, 8 yard serves 60 units

Demand Analysis	Maximum
Current Zoning	
Proposed Zoning	
Change in Demand	

F. Stormwater: Potential increase in volume discharged due to increased impervious coverage, reduced groundwater seepage or loss of surface water storage impacting Adopted LOS of 25-year 3-day storm Pre vs. Post Runoff (Storm sewers to convey 5 year- 1 day storm event; Canals to convey 3 year – 1 day storm event)	
Impact	No impact proposed, the site will have a stormwater management system that will limit the discharge to less than or equal to the pre-development conditions.

G. Transportation Analysis: Most recent ITE Code for use; HCM Roadway Capacity		
	AADT	**AM/PM Peak Hour Trips**
Demand Analysis	Maximum	Maximum
Current Zoning		
Proposed Zoning		
Change in Demand	442 Trips	Trips 27 AM / 47 PM
Impact to Capacity		

12. Name of Owner(s): First Southern Bank
Mailing Address: 1177 SE Third Ave
City Fort Laurderdale State FL Zip 33316
Phone #
E-mail:

13. Name of Applicant: The Hutton Company - Chuck Borysiak
Mailing Address: 736 Cherry Street
City Chattanooga State TN Zip 37402
Phone # 423-643-9202 Fax # 423-664-7100
E-mail: cborysiak@thehuttoncompany.com

14. Name of Representative: Creech Engineers, Inc - Daimian Leslie
Mailing Address: 4450 W Eau Gallie Blvd. Suite 232
City Melbourne State FL Zip 32934
Phone # 321-255-5434 Fax # 321-255-7751
E-mail: dleslie@creechinc.com

15. Applicant Acknowledgements (Owner's signature must be notarized)

I certify that: (Check One)

_____ I (we) do hereby certify that I (we) own in fee simple the above referenced described property for which a change in Zoning Classification is requested.

_____ I (we) are not the owner of the above described property; however, the owners signature below authorizes the applicants the authority to act as agent for the owner(s) of record.

Applicant's Signature 11/27/13 Date

4450 W EAU GALLIE BLVD, SUITE 232, MELBOURNE FL 32934
Address State Zip

321-270-8986 321-255-7751 dleslie@creechinc.com
Phone Fax E-mail Address

16. Property Owners Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application for a change in zoning classification. The property owner's signature(s) below shall also authorize the Applicant (if other than the property owner) and/or Agent to act in his/her behalf for the purposes of seeking this change to the City' Land Development Regulations for the property described herein.

FIRST SOUTHERN BANK 904/296-7566
Property Owner's Name (Please Print) Phone

212 PONTE VEDRA PARK ROAD PONTE VEDRA BEACH FL 32082
Address (OR ADDRESS IN 12, ABOVE) State Zip

Property Owner's Signature SVP/ORED MANAGER 11/6/13 Date

STATE OF FLORIDA)
ST ~~LUCIE~~ JOHNS COUNTY)

The foregoing instrument was acknowledged before me this 6 day of NOVEMBER, 20 13, by LEE D WEDEKIND, JR who is personally known to me or has produced _____ as identification.

Signature of Notary (seal)

JUDY K. CALLAHAN
MY COMMISSION # DD 989177
EXPIRES: July 28, 2014
Bonded Thru Notary Public Underwriters

OFFICE USE:

DATE RECEIVED:_____ Signed:_____

File Number:_____ Check No: _____ Receipt No: _____

TRC Review:_____ Planning Board Review: _____ City Commission: _____

Ordinance No:_____ Date Approved: _____

Letter of Authorization

September 20, 2013

RE: Agent Authorization

On behalf of First Southern Bank, the owner of the referenced real property, hereby authorizes and empowers **The Hutton Company, Inc**. and **Creech Engineers, (A Bowman Company)**. to act as its agent(s) to apply for any and all site and building approvals and permits in connection with the development of the property, including but not limited to the South Florida Water Management District, Florida Department of Transportation, Florida Department of Environmental Protection, The City of Fort Pierce, Fort Pierce Utility Authority and to file such applications, papers, documents, variances and special exceptions, requests, and other matters as may be necessary to secure the same.

FIRST SOUTHERN BANK

By: _____

Print: LEE D WEDEKIND JR

Title: SVP / OREO MANAGER

STATE OF FLORIDA

COUNTY OF ST JOHNS

Sworn to and subscribed before me this 20 day of SEPTEMBER, 2013. He/She is personally known to me or who has produced _____ as identification.

JUDY K. CALLAHAN
MY COMMISSION # DD 989177
EXPIRES: July 28, 2014
Bonded Thru Notary Public Underwriters

_____

Notary Public State of _____

My Commission Expires _____

[Notary Seal]

Legal Description

Parcel 1:
Lots 1, 2 And 3, Less The West 15 Feet Thereof, Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.
Less And Excepting Street Right Of Ways Therefrom.
Parcel 2: 4, 5, 6, 7, 8, 9, 10, Less The West 15 Feet Thereof, The West One-Half Of Lot 11, All In Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.
And
Lots 22 And 23, Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.
Less The Northeasterly 150 Feet Thereof And Being Described As That Portion Of Lots 22 And 23 Lying North Nad East Of A Line Drawn Parallel To The Northeast Line Of Said Lots And 150 Feet Southwest Of Said Northeast Line.

Fidelity National Title Insurance Company

EXHIBIT "A"

Lots 4, 5, 6, 7, 8, 9 and 10, Less the West 14.7 feet thereof; the West one-half (1/2) of Lot 11; and Lots 22 and 23, Less the Northeasterly 150 feet thereof, all in Block 51, Biltmore Park, according to the map or plat thereof, recorded in Plat Book 4, Page 52, of the public records of St. Lucie County, Florida.

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ALTA Commitment (6/17/06) (with FL Modifications)

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3822357 OR BOOK 3506 PAGE 137, Recorded 04/11/2013 at 12:48 PM
Doc Tax: $0.70

St. Lucie County File Date: 04/09/2013

COPY

IN THE CIRCUIT COURT OF THE 19TH JUDICIAL CIRCUIT, IN AND FOR ST. LUCIE COUNTY, FLORIDA.

FIRST SOUTHERN BANK, a Florida banking corporation,

Plaintiff,

vs.

CASE NO. 562012CA 000881

TOCO TOUCAN, LLC; et al

Defendants.

CERTIFICATE OF TITLE

The undersigned clerk of the court certifies that he or she executed and filed a Certificate of Sale in this action on MARCH 20, 2013, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in St. Lucie County, Florida:

PARCEL 1:

LOTS 1, 2 AND 3, LESS THE WEST 15 FEET THEREOF, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. LESS AND EXCEPTING STREET RIGHT OF WAYS THEREFROM.

PARCEL 2:

LOTS 4, 5, 6, 7, 8, 9, 10, LESS THE WEST 15 FEET THEREOF; THE WEST ONE-HALF (1/2) OF LOT 11, ALL IN BLOCK 51 BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

AND

LOTS 22 AND 23, BLOCK 51 BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

St. Lucie County File Date: 04/09/2013

LESS THE NORTHEASTERLY 150 FEET THEREOF AND BEING DESCRIBED AS THAT PORTION OF LOTS 22 AND 23 LYING NORTH AND EAST OF A LINE DRAWN PARALLEL TO THE NORTHEAST LINE OF SAID LOTS AND 150 FEET SOUTHWEST OF SAID NORTHEAST LINE.

PARCEL 3:

THE NORTH HALF OF LOTS 1 AND 2, LESS ROAD RIGHT OF WAY CONVEYED IN OFFICIAL RECORDS BOOK 189, PAGE 2790, OF BLOCK 72, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

AND

THE SOUTH HALF OF LOTS 1 AND 2, LESS ROAD RIGHT OF WAY CONVEYED IN OFFICIAL RECORDS BOOK 189, PAGE 2792, OF BLOCK 72, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

was sold to First Southern Bank

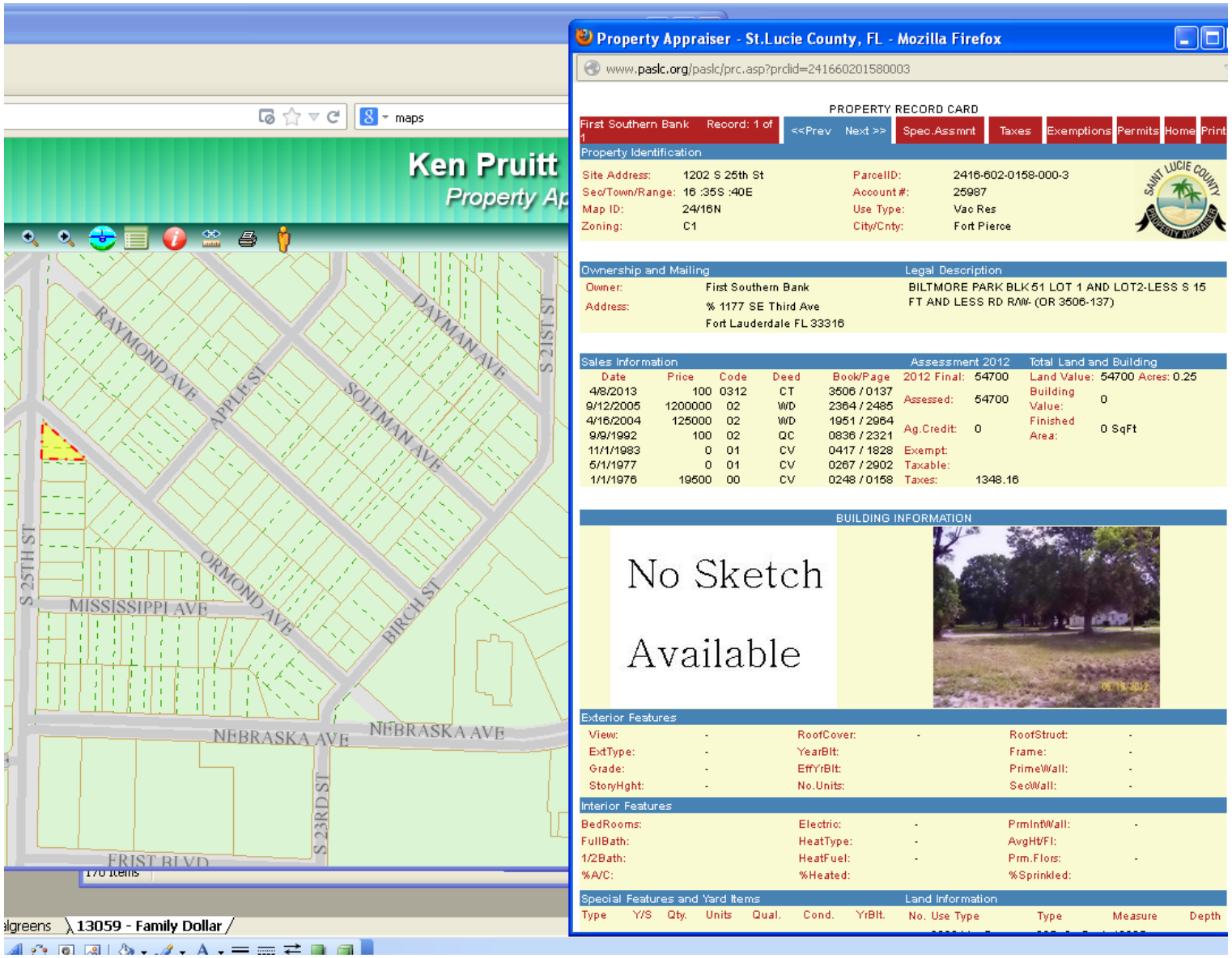
WITNESS my hand and seal of the Court on April 8th, 2013.

Clerk of Circuit Court

By: Jamaine Ellis
Deputy Clerk

COPY

$100.00/.70



Property Appraiser - St.Lucie County, FL - Mozilla Firefox

www.paslc.org/paslc/prc.asp?prclid=241660201580003

PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	1202 S 25th St	ParcelID:	2416-602-0158-000-3
Sec/Town/Range:	16 :35S :40E	Account #:	25987
Map ID:	24/16N	Use Type:	Vac Res
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOT 1 AND LOT2-LESS S 15 FT AND LESS RD R/W- (OR 3506-137)

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/16/2004	125000	02	WD	1951 / 2964
9/9/1992	100	02	QC	0836 / 2321
11/1/1983	0	01	CV	0417 / 1828
5/1/1977	0	01	CV	0267 / 2902
1/1/1976	19500	00	CV	0248 / 0158

Assessment 2012

2012 Final:	54700
Assessed:	54700
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	1348.16

Total Land and Building

Land Value:	54700 Acres: 0.25
Building Value:	0
Finished Area:	0 SqFt

BUILDING INFORMATION

No Sketch Available

Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

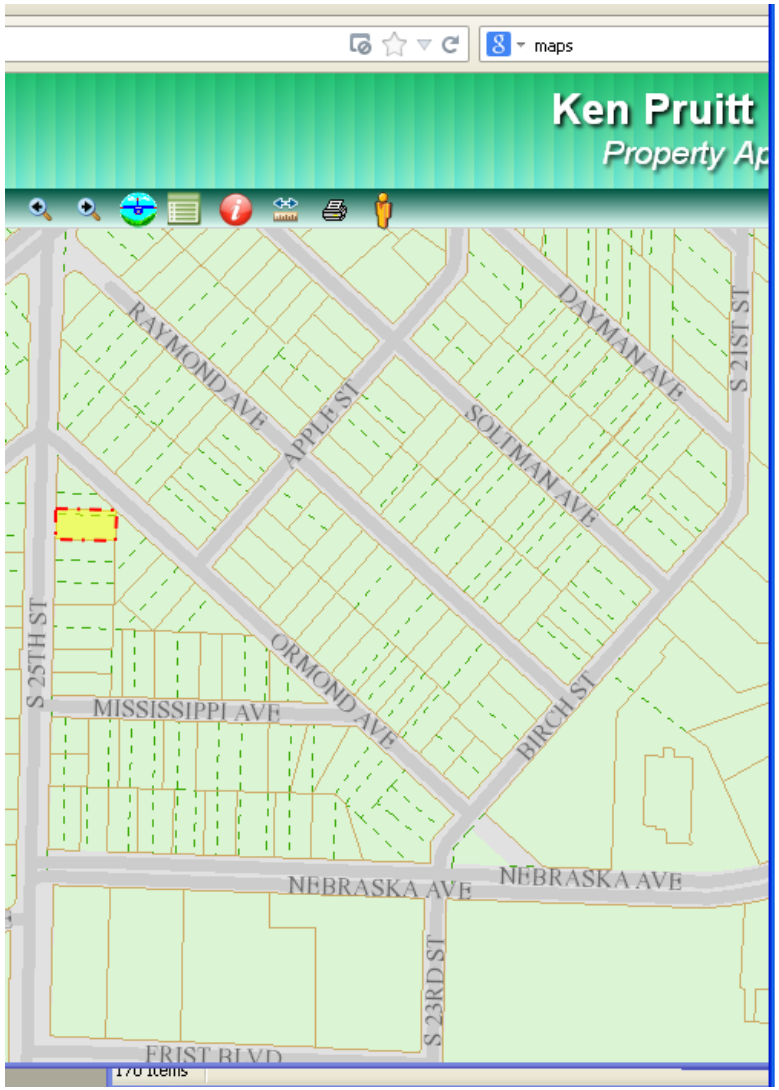
BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No. Use Type	Type	Measure	Depth



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	1206 S 25th St	ParcelID:	2416-602-0160-000-0
Sec/Town/Range:	16 :35S :40E	Account #:	25988
Map ID:	24/16N	Use Type:	Vac Res
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK S/D BLK 51 S 15 FTOF LOT 2 AND ALL LOT 3-LESS RD R/W- (OR 3506-137)

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/16/2004	125000	02	WD	1951 / 2964
9/9/1992	100	02	QC	0836 / 2321
11/1/1983	0	01	CV	0417 / 1828
5/1/1977	0	01	CV	0267 / 2902
12/1/1975	15300	00	CV	0247 / 0608

Assessment 2012

2012 Final:	67300
Assessed:	67300
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	1658.71

Total Land and Building

Land Value: 43900 Acres: 0.2
Building Value: 23400
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available

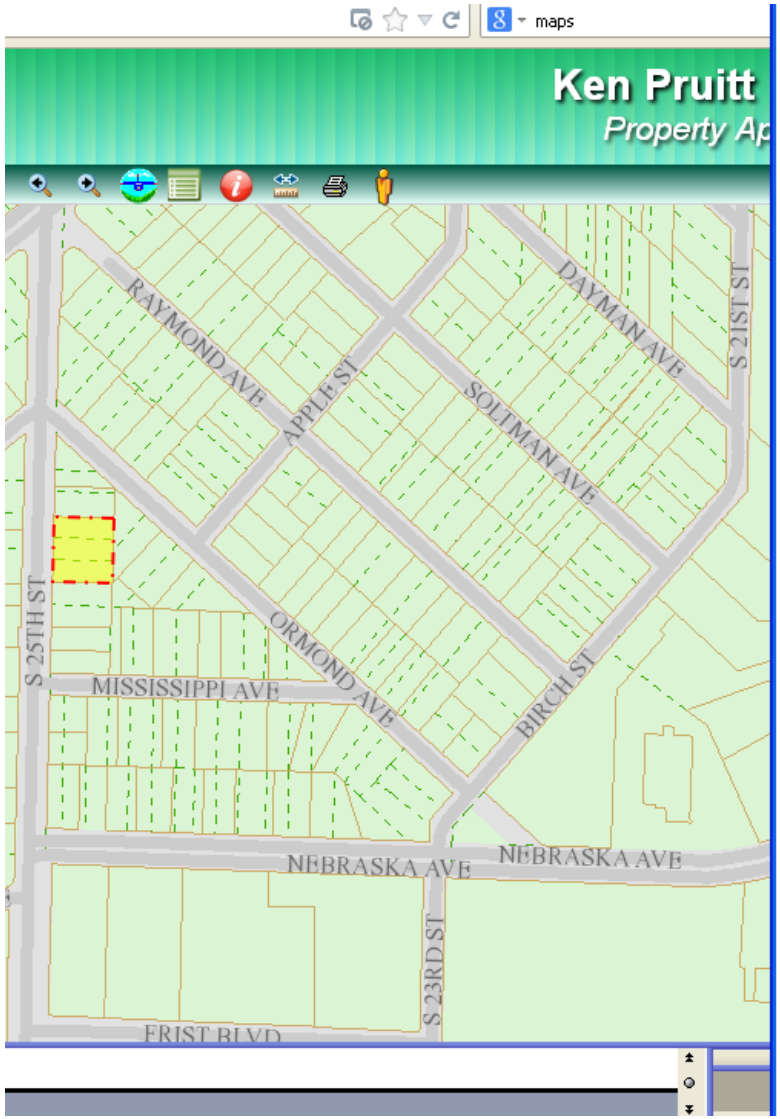


Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev | Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	1210 S 25th St	ParcelID:	2416-602-0161-000-7
Sec/Town/Range:	16 :35S :40E	Account #:	25989
Map ID:	24/16N	Use Type:	Vac Comm
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOTS 4, 5 AND 6-LESS W 14.7 FT- (OR 3506-137)

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/22/2004	255000	02	WD	1967 / 0490
7/2/2002	210000	02	WD	1550 / 2989
10/22/1994	100	02	QC	0934 / 2792
6/24/1994	162400	02	WD	0908 / 0435
5/1/1985	89000	00	CV	0463 / 2890

Assessment 2012

2012 Final:	101500
Assessed:	101500
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	2501.61

Total Land and Building

Land Value: 101500 Acres: 0.47
Building Value: 0
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

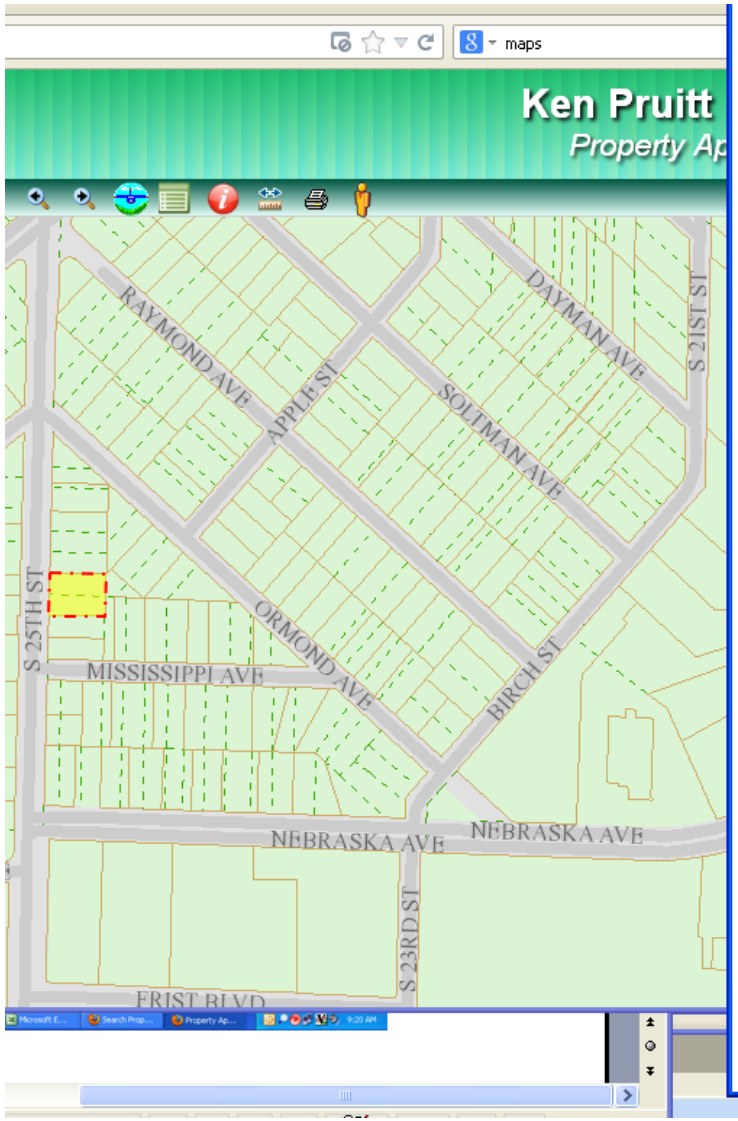
BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No.	Use Type	Type	Measure	Depth



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	1212 S 25th St	ParcelID:	2416-602-0164-000-8
Sec/Town/Range:	16 :35S :40E	Account #:	25990
Map ID:	24/16N	Use Type:	Vac Comm
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOTS 7 AND 8-LESS W 14.7 FT- (OR 3506-137)

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/22/2004	255000	02	WD	1967 / 0490
7/2/2002	210000	02	WD	1550 / 2989
12/22/1994	100	02	QC	0934 / 2792
6/24/1994	162400	02	WD	0908 / 0435
5/1/1985	125000	02	CV	0463 / 2889

Assessment 2012

2012 Final:	67700
Assessed:	67700
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	1668.55

Total Land and Building

Land Value: 67700 Acres: 0.31
Building Value: 0
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

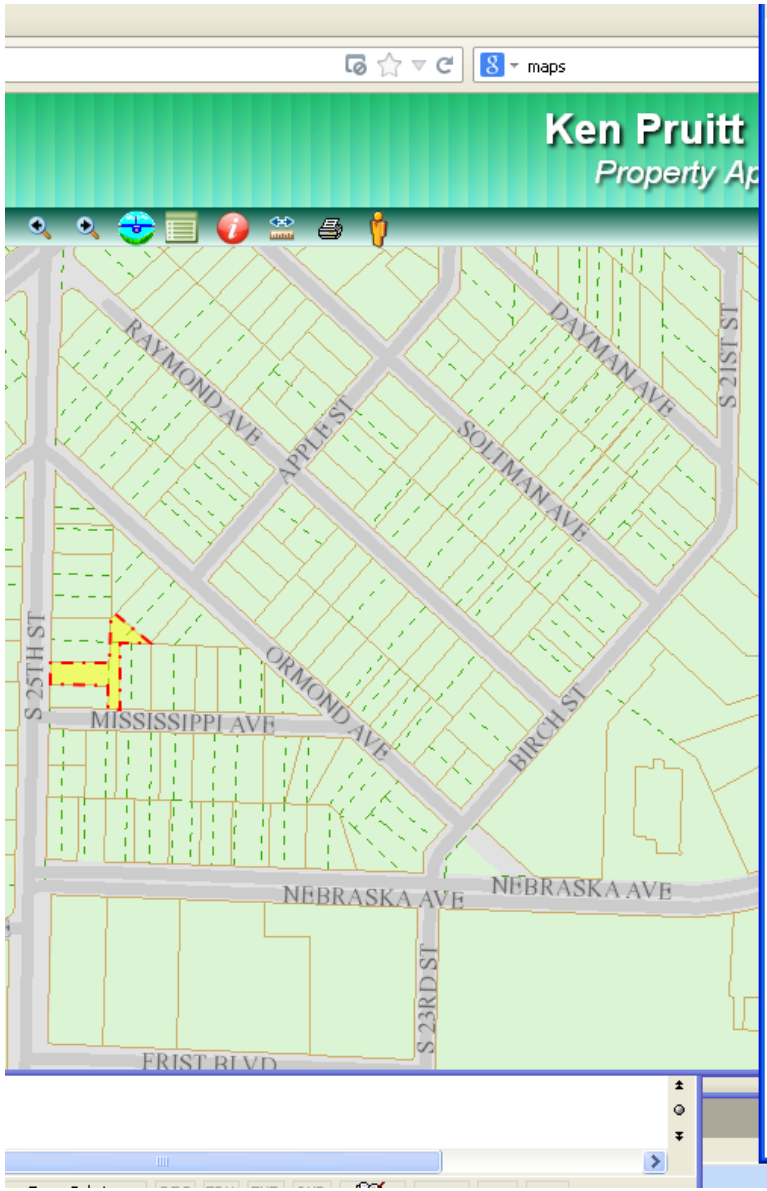
BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No.	Use Type	Type	Measure	Depth



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	25th St	ParcelID:	2416-602-0166-000-2
Sec/Town/Range:	16 :35S :40E	Account #:	25991
Map ID:	24/16N	Use Type:	Vac Comm
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOT 9-LESS W 14.7 FT- AND W 1/2 OF LOT 11 AND LOTS 22 AND 23-LESS NELY 150 FT-
More...

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/22/2004	255000	02	WD	1967 / 0490
7/2/2002	210000	02	WD	1550 / 2989
12/22/1994	100	02	QC	0934 / 2792
6/24/1994	162400	02	WD	0908 / 0435
5/1/1985	125000	02	CV	0463 / 2889

Assessment 2012

2012 Final:	64100
Assessed:	64100
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	1579.84

Total Land and Building

Land Value:	64100 Acres: 0.29
Building Value:	0
Finished Area:	0 SqFt

BUILDING INFORMATION

No Sketch Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

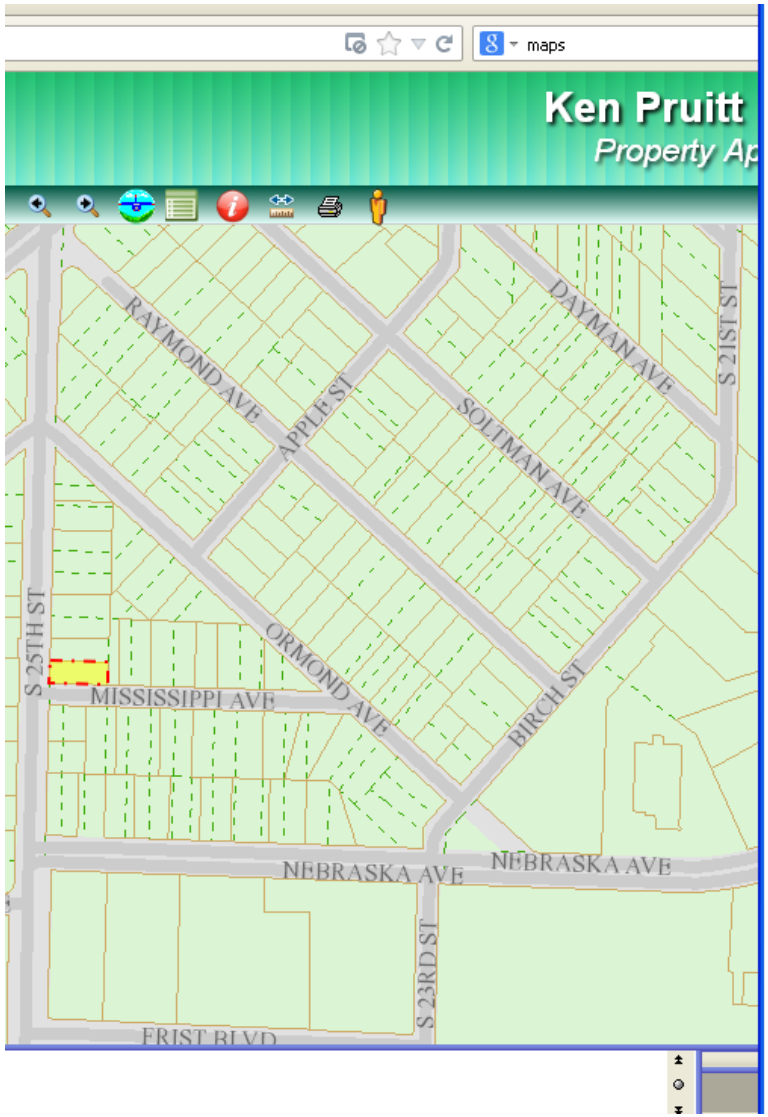
BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No.	Use Type	Type	Measure	Depth



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	S 25th St	ParcelID:	2416-602-0167-000-9
Sec/Town/Range:	16 :35S :40E	Account #:	25992
Map ID:	24/16N	Use Type:	Vac Comm
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOT 10-LESSW 14.7 FT- (OR 3506-137)

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/22/2004	255000	02	WD	1967 / 0490
7/2/2002	210000	02	WD	1550 / 2989
12/22/1994	100	02	QC	0934 / 2792
6/24/1994	162400	02	WD	0908 / 0435
5/1/1985	125000	02	CV	0463 / 2889

Assessment 2012

2012 Final:	33800
Assessed:	33800
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	833.06

Total Land and Building

Land Value: 33800 Acres: 0.16
Building Value: 0
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty	Units	Qual.	Cond.	YrBlt

Land Information

No.	Use Type	Type	Measure	Depth

CREECH ENGINEERS
a Bowman Company

4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934
Ph: (321) 255-5434 Fax: (321) 255-7751

November 27, 2013

Sent Via: Overnight Mail

Application for Zoning Atlas Map Amendment
JUSTIFICATION STATEMENT
CEC 13135.00

To Whom It May Concern,

The intent of this application is to rezone a parcel of land to make it eligible for development as a neighborhood retail store of approximately 8320 sq ft. The proposed store will supply the sale of convenience goods to meet some of the primary commercial needs of the residential neighborhood. The property is a part of a commercial corridor with varying degrees of intensities and lies within an existing C-1 (Office Commercial) zoning district. This zoning category, however, does not allow for the desired retail usage (pursuant to Sec. 22-29 [a]). In order to facilitate this development it will be necessary to amend the current zoning atlas. The proposed zoning category is C-2 (Neighborhood Commercial) classification, which is the least intensive zoning that will support the use.

Amending the zoning atlas from a C-1 to a C-2 description will be in keeping with an orderly and logical development pattern. The subject property lies along S 25th Street which currently facilitates a number of existing commercial uses (C-1and C-3) within a half mile radius. The property is adjacent to a number of C-1 zoned developments as well as being directly adjacent to a moderate density residential (R-3) community. The proposed C-2 classification is a logical zoning for the transition between commercial and residential zoning districts.

A Future Land Use Map Amendment is also being requested concurrently to support the requested Zoning Atlas Map Amendment. The existing future land use designation for the site is Office Professional (OP) which prohibits commercial uses from directly selling, storing, or displaying goods. In order to utilize the C-2 zoning classification the future land use designation would have to be changed to the Neighborhood Commercial (NC) description to support the uses under that zoning. As previously stated the change in zoning follows a logical pattern in the development of the area and likewise the amended future land use designation of NC, being adjacent to both commercial and residential developments, will continue with the same development pattern. Additionally, the NC designation will be consistent with the comprehensive plan as it is in keeping with both the order of development and the surrounding future land uses. Future land use designations within a half mile radius include RL (Low Residential), GC (General Commercial), and OP (Office Professional). The NC category will be an appropriate transition between the neighboring designations and will also provide compatibility with the existing surrounding land use designations.

It is with reference to the above statements, that these requests are being respectfully submitted to amend the Zoning Atlas Map and the Future Land Use Map for the subject property development.

CREECH ENGINEERS
a Bowman Company

4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934
Ph: (321) 255-5434 Fax: (321) 255-7751

If you need any additional information or would like to discuss this project in further detail, please contact us by phone at (321) 270-8986 or email me at dleslie@creechinc.com.

Sincerely,

Daimian Leslie, PE
Project Manager
CREECH ENGINEERS
a Bowman Company
4450 W. Eau Gallie Blvd., Suite 232
Melbourne, FL 32934
Tel : 321-255-5434
Direct: 321-270-8986

ATLANTIC
ENVIRONMENTALSOLUTIONS
ENVIRONMENTAL PERMITTING & MITIGATION

ENVIRONMENTAL ASSESSMENT

On the

±1.66 Acre Family Dollar – Ft. Pierce Project Site
Section 16, Township 35 South, Range 40 East
Ft. Pierce, St. Lucie County, Florida

Conducted for

Mr. Chuck Borysiak
Hutton Construction, Inc.
736 Cherry Street
Chattanooga, Tennessee 37402

Conducted by

Atlantic Environmental Solutions, Inc.
1301 W. Eau Gallie Boulevard, Suite 98
Melbourne, Florida 32935

September 6, 2013

ATLANTIC ENVIRONMENTAL SOLUTIONS
ENVIRONMENTAL PERMITTING & MITIGATION

1301 W. Eau Gallie Blvd., Ste. 98 Melbourne , FL 32935
ph 321.676.1505 fx 321.676.1730

September 6, 2013

Mr. Chuck Borysiak
Hutton Construction, Inc.
736 Cherry Street
Chattanooga, Tennessee 37402

Re: Environmental Assessment
±1.66 acre Family Dollar – Ft. Pierce Project Site
South 25th Street, Ft. Pierce
St. Lucie County, Florida
AES File No. 1399

Dear Mr. Borysiak:

Atlantic Environmental Solutions, Inc. (AES) has completed an environmental assessment and feasibility study of the above-referenced property, an approximately 1.66 acre parcel of land located on the east side of South 25th Street between Ormond Avenue and Mississippi Avenue, Ft. Pierce, in St. Lucie County, Florida (Figures 1 and 2). The field assessment of this parcel, hereinafter referred to as "the Property", occurred on September 5, 2013. This study is intended to assess any reasonably ascertainable environmental issues that might have an affect on the developability of the subject property. Following are the results of our study.

Topography and Soils

Figure 3 shows the USGS Topographical Map for the Property and surrounding areas. According to this map, the Property is relatively flat and used to contain several single-family homes which are no longer present.

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) maps for Brevard County (Figure 4) depict two soil types underlying the Property. Following is a description of the mapped soil types as they occur in a natural environment.

Tantile and Pomona sands (44)
Tantile and Pomona sands is a poorly drained, nearly level soil typically found in flatwoods. the water table is within a depth of 10 inches for 2 to 4 months and between depths of 10 to 40 inches for 6 months or more during most years.

Waveland – Urban land complex (52)
Nearly level Waveland soils make up 50 to 70 percent of the complex, and Urban land makes up 15 to 50 percent. In undrained areas, the soils in this complex have a water

table within a depth of 10 inches for 1 to 4 months of most years. However, drainage systems have been established in most areas and depth to the water table depends upon the efficiency of the drainage system.

Past development and human activity surrounding and within the Property appears to have altered some of the characteristics possessed by the underlying soils. However, for the most part, the soils underlying the Property appear consistent with the above descriptions.

Vegetation and Community Types

Different combinations of natural and human-influenced factors, such as surface elevation, hydrology, vegetative species and structure, soil characteristics, and degree and type of historical disturbance, will give rise to a variety of distinct ecological systems and functions, known as communities and land uses. The Florida Land Use, Cover, and Forms Classification System (FLUCFCS) organizes most of the major categories of communities and land uses into particular descriptions, each corresponding to a different code number. Using our field observations and the FLUCFCS system as a guideline, AES has identified the on-site community as it currently exists on the Property. Figure 5 depicts the code number of the on-site FLUCFCS category, specifically, Undeveloped Land Within Urban Areas (FLUCFCS Code Number 191).

Following is a description of this classification, as it exists on the Property, along with an assessment of the jurisdictional wetland status based on the rules and regulations of the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers (ACOE).

Undeveloped Land Within Urban Areas (191)
The entire site can be designated this land use classification. It appears single-family homes used to be present within the project site which is evident from historical photography as well as the presence of concrete pieces scattered around the site. The entire property appears to have been maintained (i.e. mowed) for many years and vegetation is dominated by a groundcover of bahiagrass, Mexican clover, and opportunistic weedy species. Also present around the perimeter of the Property are scattered live oak, laurel oak, and sea grape.

This community type consists of upland habitat and will require no wetland permitting.

Habitat Potential for Protected Wildlife Species

A preliminary survey for listed species and suitable listed species habitats was completed on the Property. This survey resulted in the determination that the Property does not support any listed species.

Summary & Conclusions

The results of our survey indicate that the ±1.66 acre Property is comprised solely of uplands and does not contain any state or federally listed species. No wetland or wildlife permitting will be necessary in the development of this site.

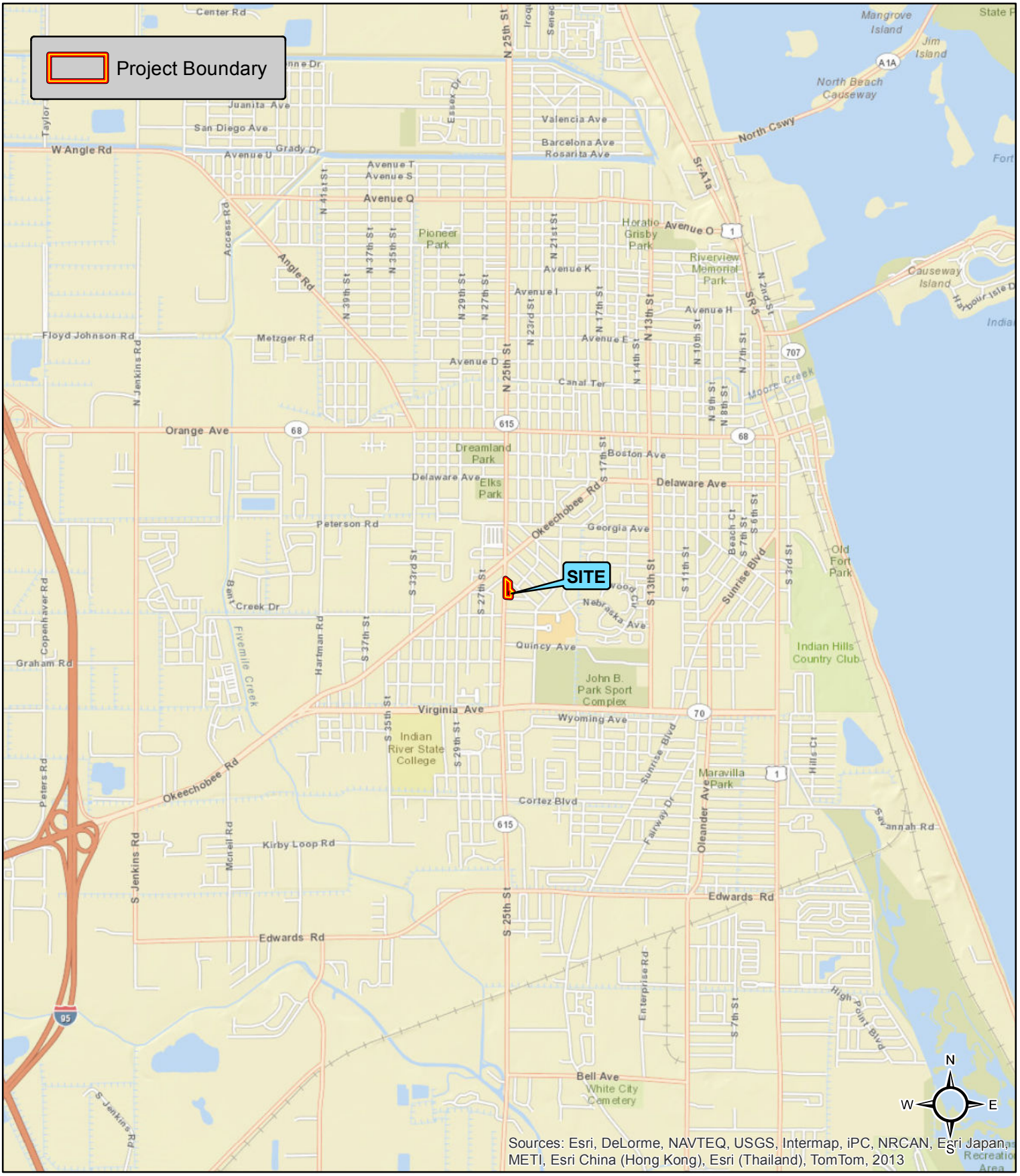
Should you have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,

David G. Purkerson, MS, PWS
Senior Ecologist

Jon H. Shepherd, MS, PWS
President/Ecologist

Dist: Mr. Damian Leslie – Creech Engineers, Inc.



Project: Family Dollar - Ft. Pierce

Figure 1: Location Map

0 0.5 1 2 Miles

St. Lucie County, Florida

ATLANTIC ENVIRONMENTAL SOLUTIONS
ENVIRONMENTAL PERMITTING & MITIGATION

AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

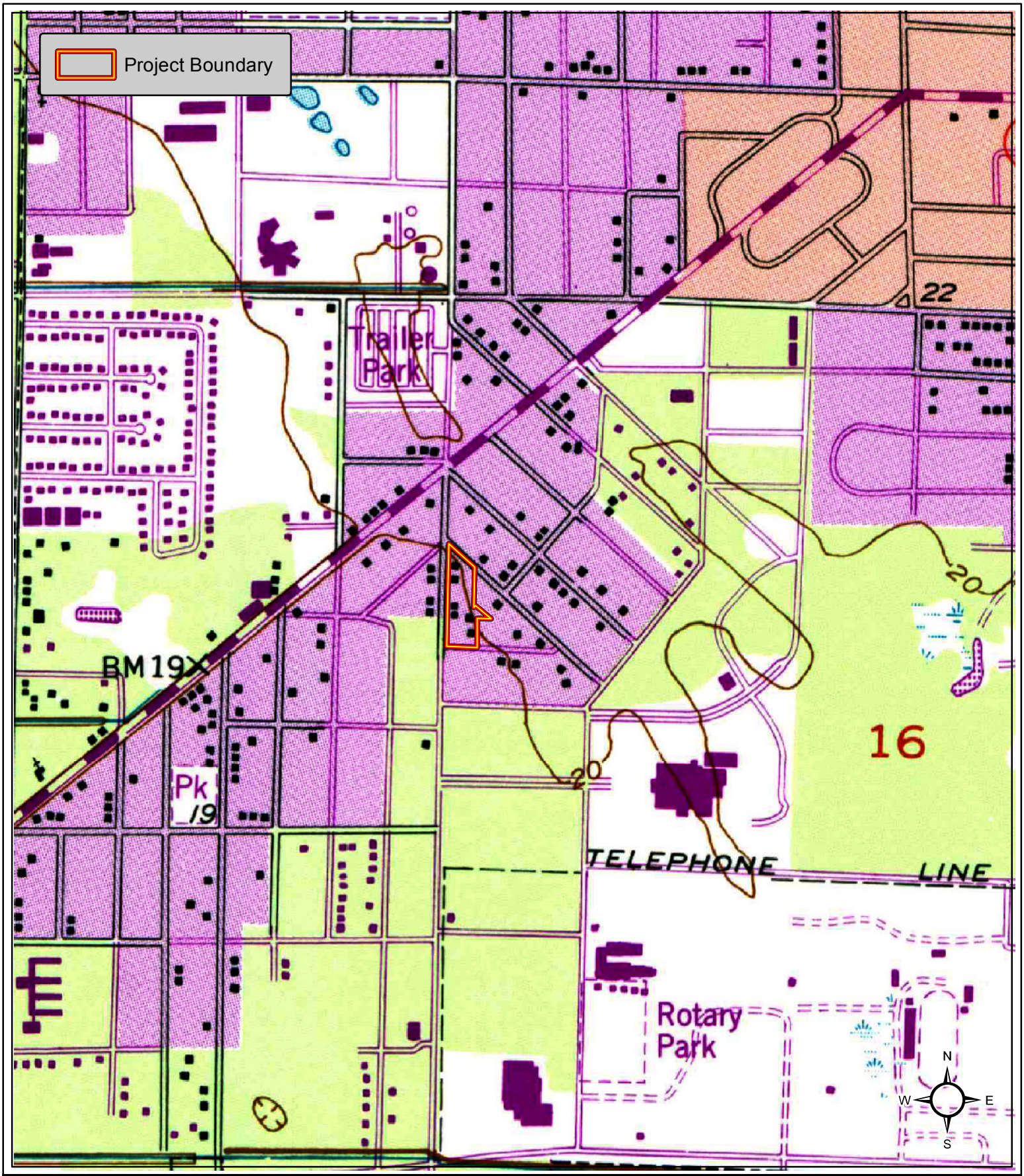
Figure 2: Property Map

0 50 100 200 Feet

2011 Aerial, St. Lucie County, Florida

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AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

Figure 3: USGS Topo Map

0 500 1,000 2,000 Feet

Ft. Pierce Quadrangle, St. Lucie County, Florida

ATLANTIC ENVIRONMENTAL SOLUTIONS
ENVIRONMENTAL PERMITTING & MITIGATION

AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

Figure 4: NRCS Soils Map

0 50 100 200 Feet

2011 Aerial, St. Lucie County, Florida

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Project: Family Dollar - Ft. Pierce

Figure 5: Land Use (FLUCFCS) Map

0 50 100 200 Feet

2011 Aerial, St. Lucie County, Florida

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AES Proj #: 1399

McMAHON ASSOCIATES, INC.
5500 Village Blvd | Suite 103 | West Palm Beach, FL 33407
p 561-840-8650 | f 561-840-8590
www.mcmtrans.com

PRINCIPALS
Joseph W. McMahon, P.E.
Joseph J. DeSantis, P.E., PTOE
John S. DePalma
William T. Steffens
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE

ASSOCIATES
John J. Mitchell, P.E.
Christopher J. Williams, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.

August 30, 2013

VIA E-MAIL

Mr. Chuck Borysiak, Development Manager
The Hutton Company
736 Cherry Street
Chattanooga, TN 37402

RE: Family Dollar Fort Pierce Traffic Analysis
McMahon Project No. N13565.01

Dear Mr. Borysiak:

McMahon Associates, Inc. (McMahon) has completed a traffic analysis for a parcel of land located at 1210 S. 25th Street, in Fort Pierce. The site is currently vacant. The proposed development, with an anticipated buildout year of 2014, will include an 8,320 square-foot Family Dollar.

Trip Generation Analysis
Using trip generation information obtained from the Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 9th Edition, trip generation estimates were developed for the proposed development. A pass-by rate was not available from ITE for Land Use 814 Variety Store. Therefore, the pass-by capture rate for the proposed land use was based on the pass-by rate for Land Use 815 Free Standing Discount Store. The trip generation analysis, summarized in **Table 1,** indicates that the proposed development is anticipated to result in 442 new daily trips, 27 new AM peak hour trips and 47 new PM peak hour trips. Excerpts from ITE are attached in **Appendix A**.

Site Access
Access to the site is proposed via one (1) full access driveway connection to each of the following roadways: S. 25th Street, Mississippi Avenue and Ormond Avenue.

Project Distribution and Assignment
The project trip distribution for the proposed development, graphically depicted on **Figure 1**, was based on a review of the surrounding roadway network volumes and land uses. Driveway volumes, shown on Figure 1, were assigned to the driveway connections based on the trip generation and trip distribution analyses.

TABLE 1
TRIP GENERATION ANALYSIS
FAMILY DOLLAR FORT PIERCE TRAFFIC ANALYSIS

DAILY

LAND USE	ITE CODE	INTENSITY		TRIP GENERATION RATE [1]	IN	OUT	TOTAL TRIPS			PASS-BY[2]		NEW TRIPS		
							IN	OUT	TOTAL			IN	OUT	TOTAL
PROPOSED USE														
Variety Store[3]	814	8,320	SF	T = 64.03 (X)	50%	50%	267	266	533	91	17.00%	221	221	442

AM PEAK HOUR

LAND USE	ITE CODE	INTENSITY		TRIP GENERATION RATE [1]	IN	OUT	TOTAL TRIPS			PASS-BY[2]		NEW TRIPS		
							IN	OUT	TOTAL			IN	OUT	TOTAL
PROPOSED USE														
Variety Store[3]	814	8,320	SF	T = 3.81 (X)	50%	50%	16	16	32	5	17.00%	14	13	27

PM PEAK HOUR

LAND USE	ITE CODE	INTENSITY		TRIP GENERATION RATE [1]	IN	OUT	TOTAL TRIPS			PASS-BY[2]		NEW TRIPS		
							IN	OUT	TOTAL			IN	OUT	TOTAL
PROPOSED USE														
Variety Store[3]	814	8,320	SF	T = 6.82 (X)	50%	50%	29	28	57	10	17.00%	24	23	47

(1) Source: Institute of Transportation Engineers, Trip Generation Manual, 9th Edition.

(2) Pass-by rate for LU 814 based on Pass-by rate for LU 815 since no information is provided for LU 814.

(3) IN/OUT split for AM and PM peak hours based on daily IN/OUT split since no information is provided for the peak hours.

McMAHON TRANSPORTATION ENGINEERS & PLANNERS

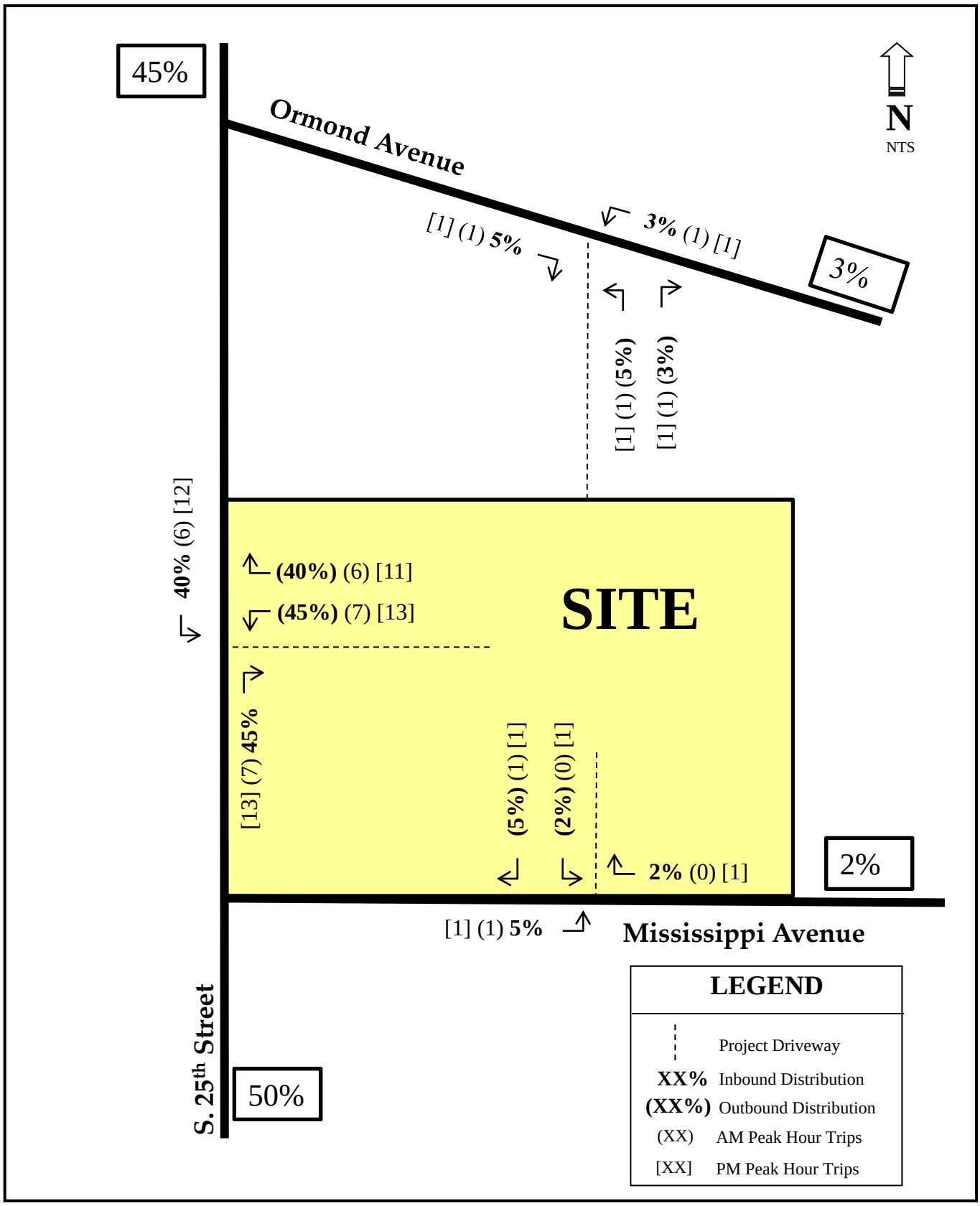


Figure 1
Project Distribution and Driveway Traffic Volumes
Family Dollar Fort Pierce Traffic Analysis
Fort Pierce, Florida

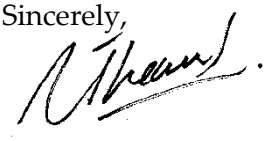
Roadway Capacity Analysis

S. 25th Street is a four-lane, undivided roadway with a center two-way, left-turn lane. S. 25th Street near the project site currently operates at Level of Service B during both the AM and PM peak hours based on the latest traffic counts provided by the St. Lucie County Transportation Planning Organization. With the minor increase in traffic anticipated from the proposed development, S. 25th Street is expected to continue to operate at an acceptable level of service.

Conclusion

Based on the analysis contained herein, the proposed development is expected to result in minimal impact to the surrounding roadway network. S. 25th Street is anticipated to operate at an acceptable level of service at the buildout of the project.

Sincerely,



Natalia T. Lercari, P.E.
Project Manager

NTL/hsv
Attachments

APPENDIX A

TRIP GENERATION INFORMATION

Variety Store
(814)

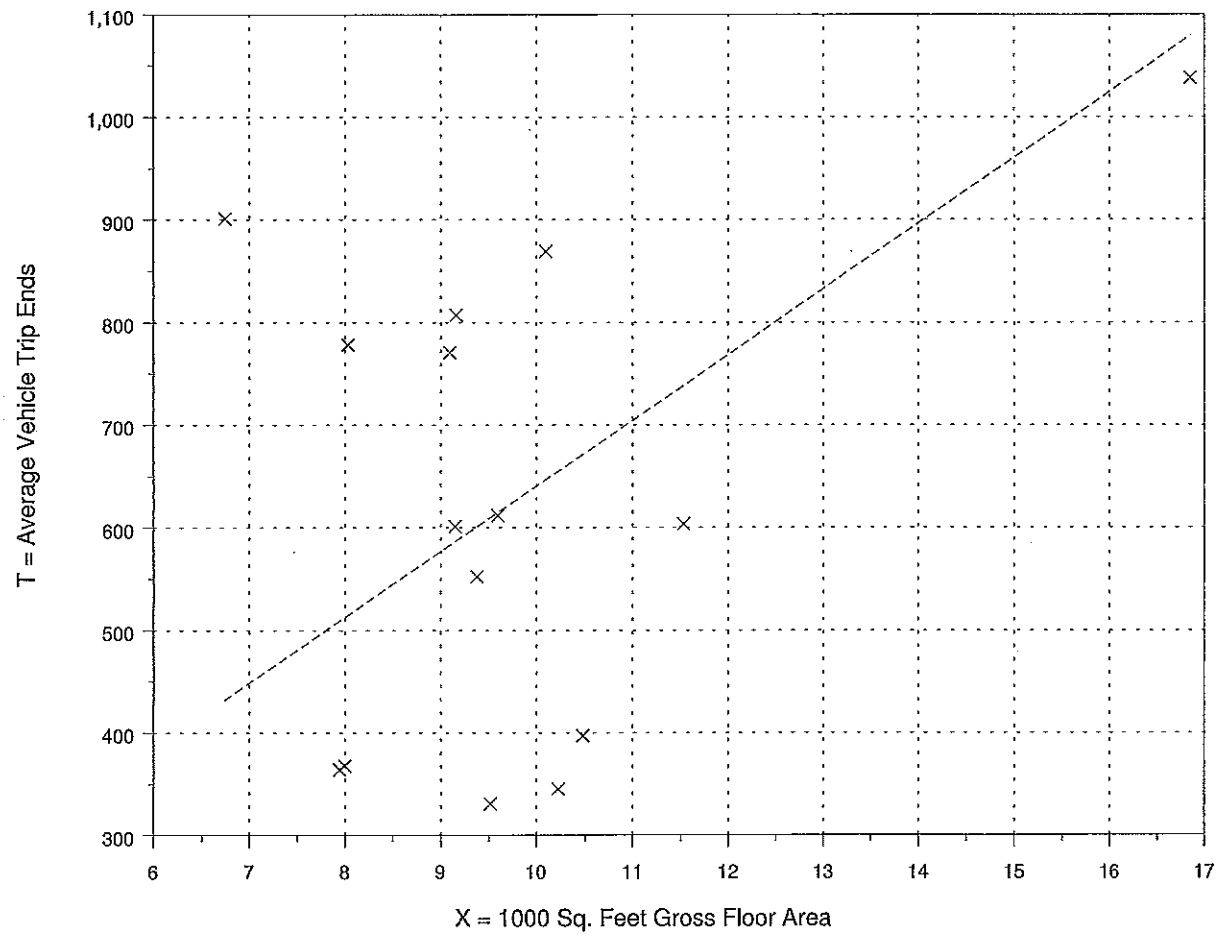
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday

Number of Studies: 15
Average 1000 Sq. Feet GFA: 10
Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
64.03	33.73 - 133.60	25.69

Data Plot and Equation



Fitted Curve Equation: Not given

R^2 = ****

Variety Store
(814)

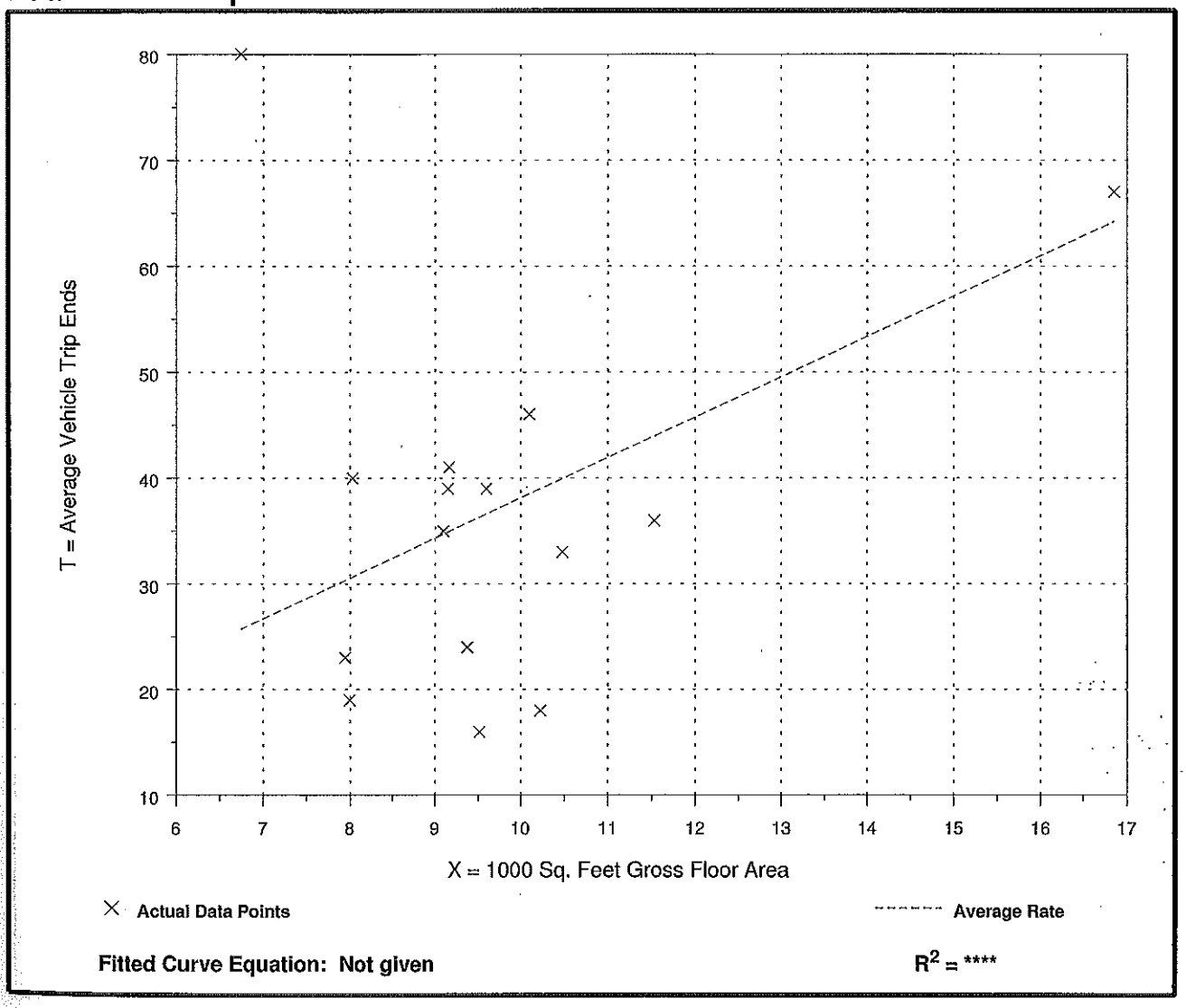
Average Vehicle Trip Ends vs: **1000 Sq. Feet Gross Floor Area**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 15
Average 1000 Sq. Feet GFA: 10
Directional Distribution: Not available

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
3.81	1.68 - 11.86	2.74

Data Plot and Equation



Fitted Curve Equation: Not given

R^2 = ****

Variety Store
(814)

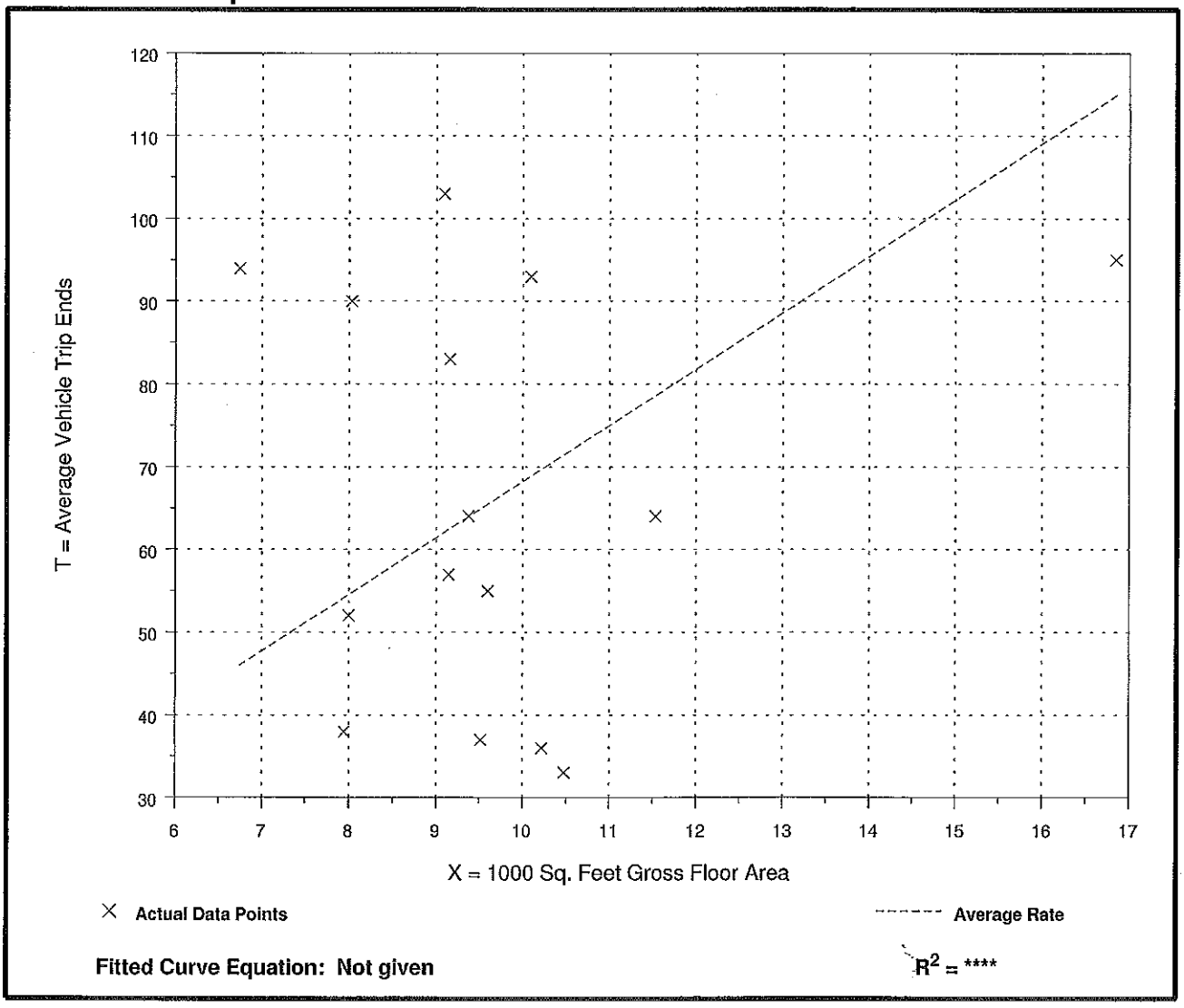
Average Vehicle Trip Ends vs: **1000 Sq. Feet Gross Floor Area**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 15
Average 1000 Sq. Feet GFA: 10
Directional Distribution: Not available

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
6.82	3.15 - 13.94	3.80

Data Plot and Equation



Fitted Curve Equation: Not given

R^2 = ****

Table 5.3
Pass-By Trips and Diverted Linked Trips
Weekday, p.m. Peak Period
Land Use 815—Free-Standing Discount Store

SIZE (1,000 SQ. FT. GFA)	LOCATION	WEEKDAY SURVEY DATE	NO. OF INTERVIEWS	TIME PERIOD	PRIMARY TRIP (%)	NON-PASS-BY TRIP (%)	DIVERTED LINKED TRIP (%)	PASS-BY TRIP (%)	ADJ. STREET PEAK HOUR VOLUME	SOURCE
116	Auburn, NY	Nov. 1994	80	4:00–6:00 p.m.	33.8	—	37.4	28.8	1,490	Bergmann Associates
116	Fredonia, NY	Nov. 1994	80	4:00–6:00 p.m.	46.3	—	30.0	23.7	1,620	Bergmann Associates
122	Marlton, NJ	Nov. 1994	73	4:15–5:15 p.m.	50.7	—	27.4	21.9	1,360	Raymond Keyes Assoc.
127	Marlton, NJ	Nov. 1994	23	4:00–5:00 p.m.	21.8	—	39.1	39.1	1,410	Raymond Keyes Assoc.
127	Toms River, NJ	Nov. 1994	137	4:00–5:00 p.m.	46.0	—	40.9	13.1	1,430	Raymond Keyes Assoc.
128	Toms River, NJ	Nov. 1994	89	4:00–5:00 p.m.	60.7	—	32.6	6.7	1,290	Raymond Keyes Assoc.
128	Brick, NJ	Nov. 1994	48	4:15–5:15 p.m.	41.7	—	50.0	8.3	2,560	Raymond Keyes Assoc.
128	Brick, NJ	Nov. 1994	56	4:00–5:00 p.m.	46.4	—	39.3	14.3	2,550	Raymond Keyes Assoc.
126	Berlin, NJ	Feb. 1994	45	4:30–5:30 p.m.	75.5	—	17.8	6.7	1,230	Raymond Keyes Assoc.
126	Berlin, NJ	Feb. 1994	95	4:00–5:00 p.m.	61.0	—	37.9	1.1	1,430	Raymond Keyes Assoc.
133	Mays Landing, NJ	Feb. 1994	22	4:00–5:00 p.m.	81.8	—	9.1	9.1	3,640	Raymond Keyes Assoc.
133	Mays Landing, NJ	Feb. 1994	40	4:00–5:00 p.m.	55.0	—	42.5	2.5	3,700	Raymond Keyes Assoc.
127	Toms River, NJ	Sept. 1994	58	4:00–5:00 p.m.	65.5	—	20.7	13.8	1,380	Raymond Keyes Assoc.
127	Toms River, NJ	Sept. 1994	83	4:15–5:15 p.m.	57.8	—	28.9	13.3	1,390	Raymond Keyes Assoc.
128	Brick, NJ	Sept. 1994	117	4:30–5:30 p.m.	47.0	—	26.5	26.5	2,640	Raymond Keyes Assoc.
128	Brick, NJ	Sept. 1994	98	4:00–5:00 p.m.	49.0	—	21.4	29.6	2,640	Raymond Keyes Assoc.
127	Berlin, NJ	Sept. 1994	35	4:00–5:00 p.m.	71.4	—	20.0	8.6	1,240	Raymond Keyes Assoc.
88	Omaha, NE	n/a	n/a	4:00–6:00 p.m.	26.0	—	51.0	23.0	n/a	University of Nebraska—Lincoln
100	Omaha, NE	n/a	n/a	4:00–6:00 p.m.	32.0	—	46.0	22.0	n/a	University of Nebraska—Lincoln
100	Omaha, NE	n/a	n/a	4:00–6:00 p.m.	22.0	—	49.0	29.0	n/a	University of Nebraska—Lincoln
88	Omaha, NE	n/a	n/a	4:00–6:00 p.m.	33.0	—	48.0	19.0	n/a	University of Nebraska—Lincoln
66	Omaha, NE	n/a	n/a	4:00–6:00 p.m.	21.0	—	60.0	19.0	n/a	University of Nebraska—Lincoln

Average Pass-By Trip Percentage: 17

SUNSHINE STATE ONE CALL TICKET 219307961

SERVICE AREA:	RESPONSE:	CONTACT:	TELEPHONE:	UTILITY TYPE:
FT. PIERCE UTILITIES AUTHORITY	MARKED	CENTRAL LOCATING SERVICE	800-778-9140	CATV & FIBER
AT&T / DISTRIBUTION	MARKED	TYDRA WILLIAMS	772-460-3200 X 420	TRAFFIC SIGNALS/STORM DRAIN
COMCAST CABLE	MARKED	ANYONE EXT 6209	772-465-9500	WATER/SEWER/GAS/ELECTRIC
CITY OF FORT PIERCE	MARKED	USIC DISPATCH	800-778-9140	TELEPHONE

SUNSHINE STATE ONE CALL TICKET 219308003

SERVICE AREA:	RESPONSE:	CONTACT:	TELEPHONE:	UTILITY TYPE:
FT. PIERCE UTILITIES AUTHORITY	MARKED	CENTRAL LOCATING SERVICE	800-778-9140	CATV & FIBER
AT&T / DISTRIBUTION	MARKED	TYDRA WILLIAMS	772-460-3200 X 420	TRAFFIC SIGNALS/STORM DRAIN
COMCAST CABLE	MARKED	ANYONE EXT 6209	772-465-9500	WATER/SEWER/GAS/ELECTRIC
CITY OF FORT PIERCE	MARKED	USIC DISPATCH	800-778-9140	TELEPHONE

SUNSHINE STATE ONE CALL TICKET 219308037

SERVICE AREA:	RESPONSE:	CONTACT:	TELEPHONE:	UTILITY TYPE:
FT. PIERCE UTILITIES AUTHORITY	MARKED	CENTRAL LOCATING SERVICE	800-778-9140	CATV & FIBER
AT&T / DISTRIBUTION	MARKED	TYDRA WILLIAMS	772-460-3200 X 420	TRAFFIC SIGNALS/STORM DRAIN
COMCAST CABLE	MARKED	ANYONE EXT 6209	772-465-9500	WATER/SEWER/GAS/ELECTRIC
CITY OF FORT PIERCE	MARKED	USIC DISPATCH	800-778-9140	TELEPHONE

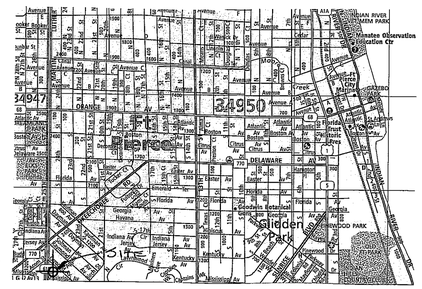
HANON

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)

1 inch = 30 ft.



LOCATION MAP: NOT TO SCALE

ALTA/ACSM LAND TITLE SURVEY

LEGAL DESCRIPTION:

PARCEL 1:
LOTS 1, 2 AND 3, LESS THE WEST 15 FEET THEREOF, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
LESS AND EXCEPTING STREET RIGHT OF WAYS THEREFROM.
PARCEL 2: 4, 5, 6, 7, 8, 9, 10, LESS THE WEST 15 FEET THEREOF, THE WEST ONE-HALF OF LOT 11, ALL IN BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
AND
LOTS 22 AND 23, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
LESS THE NORTHEASTERLY 150 FEET THEREOF AND BEING DESCRIBED AS THAT PORTION OF LOTS 22 AND 23 LYING NORTH NAD EAST OF A LINE DRAWN PARALLEL TO THE NORTHEAST LINE OF SAID LOTS AND 150 FEET SOUTHWEST OF SAID NORTHEAST LINE.

SURVEYOR'S NOTES:

1. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND UTILITIES ON/OR ADJACENT TO THIS SITE; THE APPROXIMATE LOCATION OF ALL UTILITIES SHOWN HEREON WERE TAKEN FROM AS-BUILT DRAWINGS AND/OR ON-SITE LOCATION AND SHOULD BE VERIFIED BEFORE CONSTRUCTION
2. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND FOOTINGS OF BUILDINGS OR FENCES ON OR ADJACENT TO THIS SITE.
3. LANDS SHOWN HEREON WERE SURVEYED IN ACCORDANCE WITH FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NO. 4090974, EFFECTIVE DATE: JANUARY 14, 2013 @ 8:00 AM
SCHEDULE B -- SECTION II
EXCEPTION #6: DEED BOOK 96, PG 457 - SEE NOTE BELOW EXCEPTIONS
EXCEPTION #7: DEED BOOK 125, PG 252 - SEE NOTE BELOW EXCEPTIONS
EXCEPTION #8: DEED BOOK 125, PG 252 - SEE NOTE BELOW EXCEPTIONS
NOTE: EXCEPTIONS 6, 7, 8 ARE UNDETERMINED BY THIS OFFICE. WE WERE TOLD BY DOT (DISTRICT 4) THAT THE STATE ROAD 615 WAS TRANSFERRED FROM ST. LUCIE COUNTY TO THE STATE OF FLORIDA IN 1975. DETERMINATION WILL HAVE TO BE MADE BY OTHERS.
EXCEPTION #9: PLAT BOOK 4, PAGE 52 - AFFECTS PROPERTY, NO PLOTTABLE EXCEPTIONS
4. BEARINGS SHOWN HEREON REFER TO AN ASSUMED MERIDIAN OF N.01°10'39"E. ALONG THE EAST RIGHT OF WAY LINE OF SOUTH 25th STREET.
5. ALL ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988. ST. LUCIE COUNTY BENCHMARK, REFERENCE NO. VIR 3-04 (ELEVATION 16.81')
6. LEGAL DESCRIPTION FURNISHED BY CLIENT.
7. SITE AREA: 71804.58 SQUARE FEET OR 1.65 ACRES MORE OR LESS.
8. THIS SITE LIES IN FLOOD ZONE 'X' AS SCALED AND INTERPOLATED FROM FEMA MAP PANEL NO. 120286-0186-J, DATED: FEBRUARY 16, 2012.
9. LIMITS OF JURISDICTIONAL WETLANDS, DITCHES, DRAINAGE WAYS, WATER FLOWS, AND/OR BODIES OF WATER, IF ANY, ARE NOT DETERMINED BY THIS SURVEY. CLIENT IS ADVISED TO CONTACT APPROPRIATE GOVERNING AGENCIES FOR POSSIBLE LIMITS OF JURISDICTION.
10. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
11. THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
12. THERE WAS NO OBSERVABLE EVIDENCE OF THIS SITE BEING USED AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.

SURVEYOR'S CERTIFICATION:

TO: HUTTON PARTNERS, LLC, A TENNESSEE LIMITED LIABILITY COMPANY; PRESTON O. COCKEY, JR., P.A.; AND FIDELITY NATIONAL TITLE INSURANCE COMPANY,
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(a), 7(b), 7(c), 8, 9, 10(a), 10(b), 11(a), 11(b) 12, 13, 14, 16, 17, 18, 19, 20 AND 21 OF TABLE 'A' THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 9, 2013.

ROBERT BLOOMSTER JR.
PROFESSIONAL LAND SURVEYOR
NO. 4134 STATE OF FLORIDA

LEGEND

- CLEAN OUT
- (WPP) WOOD POWER POLE
- MANHOLE
- WATER VALVE
- FIRE HYDRANT
- SPOT ELEVATIONS
- INV. INVERT
- EL. ELEVATION
- PSM PROFESSIONAL SURVEYOR AND MAPPER
- CPP CONCRETE POWER POLE
- OE OVERHEAD ELECTRIC
- FFE FINISH FLOOR ELEVATION
- UC UNDERGROUND CABLE
- LB LICENSED BUSINESS
- ID IDENTIFICATION
- P PLAT
- D DEED

BLOOMSTER
PROFESSIONAL LAND SURVEYORS, INC.
L.B. #6018

641 NORTHEAST SPENCER STREET
JENSEN BEACH, FLORIDA 34957
PHONE 772-334-0868

SHEET 1 OF 1		
DRAWN BY: DPK		
SCALE: 1" = 30'		
FIELD WORK COMPLETED: 8/12/13		
FIELD BOOK: SKETCH		
JOB NO. 12343		
REVISIONS		
DATE:	DESCRIPTION:	BY:

THE HUTTON COMPANY
1210 SOUTH 25th STREET
FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

The next item considered – **Item # 6 6. Future Land Use Map Amendment (LPA Hearing) - East Side of South 25th Street between Ormond Avenue and Mississippi Avenue – Family Dollar Properties:** A request for approval to change the Future Land Use designation from OP – Offices - Professional and Business Services to NC, Neighborhood Commercial. The owner is First Southern Bank, represented by Daimian Leslie, P.E. of Creech Engineers, Inc. The Planning Board, as the Local Planning Agency, to review and provide a recommendation.

Ryan Sweeney: Both items 6 and 7 will be presented together as a singular staff report and then we will have two separate hearings. The applicant is requesting the approval of a Future Land Use Map Amendment from OP, Offices and Professional Business Services to NC, Neighborhood Commercial and a Zoning Atlas Amendment from C-1, Office Commercial to C-2, Neighborhood Commercial for 6 parcels totaling 1.68 acres. The subject parcels are located on the east side of S 25th street, just south of the intersection of Okeechobee Road and 25th Street, between Orman Avenue and Mississippi Avenue. The subject parcels are zoned C-1, Office Commercial and are located within a transitional zone between the General Commercial at the intersection of Okeechobee Road and 25th Street and the predominant Office Commercial area that surrounds the Lawnwood Regional Medical Center. It was recommended to the applicant that they pursue a Neighborhood Commercial Future Land Use and zoning designation as opposed to a General Commercial designation to further facilitate this transitional area. The applicant obliged and is requesting Neighborhood Commercial Future Land Use and zoning designations. Before an amendment may be approved, the following standards must be satisfied per Section 22-131 of the City Code: The amendment must be consistent with the Comprehensive Plan, the amendment will not have an adverse effect on the ability of the City to satisfy land and water use needs and meet transportation demands and provide community facilities and services, the amendment will also promote and protect the public health, safety and general welfare. As the proposed amendments meet the standards outlined in Section 22-131, staff recommends that the Planning Board forward a recommendation of approval to the City Commission.

Ms. Baker states that one of the requirements was a traffic study and the only reference that is seen regarding a traffic study was that it was at its maximum, stating change in demand would be 442 trips.

Mr. Sweeney states that it is supplemented by the traffic report that's further in the packet. Those trips are based on the store that they are proposing. The traffic study for a rezone and future land use is tricky because they're not really basing it on anything in particular, but for this particular application, as noted in the staff report, they are doing the analysis based on a roughly 8,320 sq. ft. store.

Ms. Baker asks what the difference between the traffic requirements for the existing zoning and the proposed zoning.

Mr. Sweeney states for the zoning change itself, it's difficult. There really is no change in that the permitted intensity that the site can be developed at under C-1 is 60% lot coverage and a certain building height. Changing the zoning to C-2 will present the same parameters. There isn't a change there. They provided the numbers from the proposed project they are pursuing. The change in zoning is not really resulting in any additional capacity being consumed.

Irene Settlemyer (713 Easter Avenue): What kind of uses are allowed in the proposed zoning versus the existing zoning.

Mr. Sweeney states that generally the C-1, Office Commercial zone allows for office type uses such as medical, professional and businesses. C-2 is more restricted in some cases, but it does allow for a number of additional commercial uses that are intended to service the surrounding residential areas. Ultimately, that is the reason for tonight's request.

Ms. Ganzi states that the staff report included states that the applicant held a neighborhood meeting. What took place in that meeting?

Damien Leslie (Bowen Consultants/Representative): The meeting was held in October and three representatives from the community attended the meeting. We described the kind of project that we are doing. They were really encouraging of the new use. The property owner adjacent to the site wanted to make sure there was some type of screening which has been facilitated within our site plan.

Ms. Ganzi asks what the hours are going to be for the store.

Mr. Leslie states he would have to give that answer at a later time.

Ms. Baker asks if the store will contemplate having a beer and wine license.

Mr. Leslie states that it was discussed with the applicant. It is still under debate.

Chairman Weaver asks if secondary streets will be used as points of access as well and were the neighbors aware of that.

Mr. Leslie answers yes.

Mr. Sweeney states that there is a notice requirement for all neighbors within a 500 ft. radius of the site, so if they didn't get to attend the neighborhood meeting they will be aware of the project via those notices from the Planning Department.

Mr. George makes a motion and is seconded by Ms. Ganzi - to approve the Future Land Use map amendment with staff's recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

The next item considered – **Item # 7 Zoning Atlas Amendment (Rezoning) – East Side of South 25th Street between Ormond Avenue and Mississippi Avenue – Family Dollar Properties:** A request for approval to change the zoning designation from C-1, Office Commercial to C-2, Neighborhood Commercial. The owner is First Southern Bank, represented by Daimian Leslie, P.E. of Creech Engineers, Inc.

Mr. Sweeney states that the staff report is the same. The request is for a rezoning from C-1, Office Commercial to C-2 Neighborhood Commercial.

Ms. Baker makes a motion and is seconded by Mr. George - to approve the Zoning Atlas Amendment with staff's recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

The next item considered – **Item #8 Annexation - 3700 Okeechobee Road - Indian River Oil:** A request for annexation into the City of Fort Pierce.

Kori Benton: The request before you is a voluntary annexation application by the property owners of Indian River Oil Company and the applicant Robert Fender. The location is 3700 Okeechobee Road. The location map shows that there are properties to the east, west and south that are within existing Fort Pierce City Limits. The property itself is 1.73 acres in size and has a St. Lucie County zoning of CG, Commercial General and a Future Land Use of COM, Commercial. The annexation of the property would render it as zoning in the City of Fort Pierce as C-3, General Commercial as seen in the neighboring properties. The Future Land Use to be assigned to this property in the event of the annexation would be GC, General Commercial. City staff has reviewed the site as well as the application and found it to be consistent with the City's Comprehensive Plan, therefore City staff is recommending that the Planning Board forward a recommendation of approval to the City Commission.

Mr. Burdge states that in the staff report is does not show the zoning that it will be placed under once it is annexed. Is it being proposed that it be annexed as C-3, General Commercial?

Mr. Benton states that the annexation protocols for the City of Fort Pierce pursuant to Florida State statutes would assign an equivalent zoning. Since St. Lucie County and the

City Commission Regular Meeting **Agenda Item # 10. d.**

Meeting Date: 03/17/2014

Re: Ordinance No. 14-011 - Amending the Zoning Designation of Properties Generally Located at 1210 S 25th Street from C-1 to C-2

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

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SUBJECT:

Ordinance No. 14-011 - Rezoning Properties Generally Located at 1210 S 25th Street from C-1, Office Commercial to C-2, Neighborhood Commercial. FIRST READING

SUMMARY:

- The applicant is requesting to amend the City of Fort Pierce Zoning Atlas, changing the designation of six (6) parcels of land totaling 1.68 acres from C-1, Office Commercial to C-2, Neighborhood Commercial.
- The application was filed concurrent to a request to amend the Future Land Use (FLU) Map of the City's Comprehensive Plan, to change the FLU of said parcels from OP, Office – Professional & Business Services, to NC, Neighborhood Commercial.
- The applicant has filed a Site Plan for the construction of an approximately 8,300 square foot discount retail store at the site.
- The Planning Board, acting as the Local Planning Agency, voted unanimously to recommend approval at their January 14th, 2014 meeting.

RECOMMENDATION:

Approval of the requested Zoning Atlas Amendment

ALTERNATIVES:

Denial of the requested Zoning Atlas Amendment

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

None.

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

14-011
Staff Report
Planning Board Minutes
Zoning & Future Land Use Maps
Application
Survey

ORDINANCE NO. 14-011

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **REZONING** PROPERTIES GENERALLY LOCATED AT **1210 SOUTH 25TH STREET**, FROM C-1, OFFICE COMMERCIAL ZONE, TO C-2, NEIGHBORHOOD COMMERCIAL ZONE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida, a municipal corporation, as follows:

SECTION 1. From and after the effective date hereof, the following properties legally described as:

2416-602-0158-000-3: BILTMORE PARK BLK 51 LOT 1 AND LOT2-LESS S 15 FT AND LESS RD R/W- (OR 3506-137)

2416-602-0160-000-0: BILTMORE PARK S/D BLK 51 S 15 FTOF LOT 2 AND ALL LOT 3-LESS RD R/W- (OR 3506-137)

2416-602-0161-000-7: BILTMORE PARK BLK 51 LOTS 4, 5 AND 6-LESS W 14.7 FT- (OR 3506-137)

2416-602-0164-000-8: BILTMORE PARK BLK 51 LOTS 7 AND 8-LESS W 14.7 FT- (OR 3506-137)

2416-602-0166-000-2: BILTMORE PARK BLK 51 LOT 9-LESS W 14.7 FT- AND W 1/2 OF LOT 11 AND LOTS 22 AND 23-LESS NELY 150 FT- (OR 3506-137)

2416-602-0167-000-9: BILTMORE PARK BLK 51 LOT 10-LESSW 14.7 FT- (OR 3506-137)

shall be and the same is hereby rezoned from C-1, Office Commercial Zone, to C-2, Neighborhood Commercial Zone; said properties being generally located at 1210 South 25th Street in Fort Pierce, Florida.

SECTION 2. All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance is and the same shall become effective immediately upon final passage thereof.

APPROVED AS TO FORM
AND CORRECTNESS:

_____
Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)SS

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-011 was duly advertised by title only in the St. Lucie News Tribune on March 2, 2014; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on March 17, 2014; and was duly introduced, read by title only, and passed on second and final reading on April 7, 2014, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 7th day of April, 2014.

_____
MAYOR COMMISSIONER

_____
CITY CLERK

(CITY SEAL)

CITY OF FORT PIERCE

PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

TO: Robert J. Bradshaw, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Historic Preservation Officer

SUBJECT: **Family Dollar Properties: Zoning Map Amendment**
1210 South 25th Street

DATE: March 6, 2014

STAFF REPORT

Owner:
First Southern Bank
Mr. Lee D. Wedekind, Jr., Senior Vice President
1177 SE Third Avenue
Fort Lauderdale, Florida 33316

Applicant:
The Hutton Company
Mr. Chuck Borysiak
736 Cherry Street
Chattanooga, Tennessee 37402

Representative:
Bowman Consulting
Mr. Daimian Leslie, P.E.
4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934

Requested Action: Approval of Zoning Atlas Amendment (Rezoning) from C-1, Office Commercial to C-2, Neighborhood Commercial.

Location: Generally located at 1210 S 25th Street, the east side of South 25th Street, between Ormond Avenue and Mississippi Avenue

Parcel IDs: 2416-602-0158-000/3; 2416-602-0160-000/0; 2416-602-0161-000/7; 2416-602-0164-000/8; 2416-602-0166-000/2; 2416-602-0167-000/9

Current Zoning: C-1, Office Commercial

Proposed Zoning: C-2, Neighborhood Commercial

Surrounding Zoning:

North	East	South	West
C-3	R-3	C-1	C-3

Parcel(s) Size: 1.68 acres

Utilities: Located within the FPUA Retail Service Area

Staff Analysis:

The applicant is requesting the approval of a Zoning Atlas Amendment (Rezoning) from C-1, Office Commercial to C-2, Neighborhood Commercial, concurrent with the previously presented Future Land Use Map Amendment.

As noted, the subject site is located in a transitional zone between the C-3, General Commercial segment surrounding the Okeechobee Road and South 25th Street intersection and the predominant C-1, Office Commercial area along 25th Street surrounding Lawnwood Regional Medical Center. In furthering a tiered transition, the recommendation was made to the applicant to pursue a C-2, Neighborhood Commercial zoning designation, as opposed to a C-3, General Commercial designation, to further this transitional area.

Table 1 demonstrates pertinent data regarding the existing and proposed for the subject site.

Table 1: Existing and Proposed Site Data

	Existing	**Proposed**
Zoning	C-1	C-2
Purpose	This commercial classification is intended primarily for uses involving business and institutional uses which do not involve the direct sale or display of goods, the production of goods or the storage or shipment of bulk or large volume materials. Convenience commercial facilities, restaurants and certain other uses are allowed when appropriate conditions and safeguards indicated in this section are fulfilled. Uses in this district should have good access to arterial or collector streets. This district is sometimes suitable for use as a buffer separating other commercial zones from residential districts.	This district is intended to be a restricted commercial zone which is designed to meet some of the commercial needs of the immediate residential neighborhood. Uses allowed are primarily those which provide convenience goods or frequently used services. Large business operations and extensions of strip commercial areas are not desired. Areas zoned C-2 should be located near the intersections of major streets and generally close to an R-4 zone.
Permitted Uses Exclusive to District	• Brew Pub • Day Labor Employment Agency • Medical and Dental Clinic	• Coffee Shop • Bed & Breakfast • Grocery or Liquor Stores • Neighborhood Commercial Sale • Laundry & Dry Cleaners • Laundromat • Neighborhood Commercial Services
Maximum Lot Coverage Permitted	60%	60%
Maximum Building Height	65 ft.	45 ft.

The C-1, Office Commercial and C-2, Neighborhood Commercial zone present distinct differentiation in intended purposes for commercial activity, specifically the allowance of retail sale of goods within the C-2 zone. Both districts are intended to have good access to arterial roadways, minimizing impacts on surrounding residential uses. The subject site is consistent with the prerequisite that areas zoned C-2 should be located near the intersections of major streets and generally close to an R-4 zone, based upon the close proximity to the

intersection of Okeechobee Road and 25th Street, as well as R-4 zoned properties surrounding Lawnwood Regional Medical Center. The proposed zoning designation maintains the same maximum permitted lot coverage (area covered by buildings) at 60%, and further limits building height to 45 ft., as opposed to 65 ft. within the current C-1 designation. The expanded uses desired by the applicant, permitted in the C-2, Neighborhood Commercial Zone, are Grocery Stores & Neighborhood Commercial Sales Establishments.

The applicant is pursuing the proposed amendments in order to construct an approximately 8,300 square foot discount retail store. The applicant has recently filed an application for Site Plan review for said project. The representative for the project has indicated that the Site Plan has been placed on hold, temporarily. The Site Plan will be reviewed by the Planning Board prior to being routed to the City Commission for final review. The applicant held a neighborhood meeting, as recommended by Planning Staff, to discuss the proposed project with surrounding property owners. Planning Staff did not attend the meeting; however, the applicant has indicated that the neighbors were generally accepting of the proposed project. Additional details of the meeting may be asked of the applicant or representative, if necessary.

Standards for Review

The following standards must be satisfied per Section 22-131 of the City Code prior to the approval of the requested amendment:

(1) The amendment is consistent with the comprehensive plan;
(2) The amendment will not have an adverse effect on the ability of the city to:
    a. Satisfy land and water use needs; and
    b. Meet transportation demands and provide community facilities and services; and
(3) The amendment will promote and protect the public health, safety and general welfare.

The proposed amendment is consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan and is consistent with the concurrent request to amend the Future Land Use Designation of the site. Furthermore, the amendment will not have an adverse effect on the ability of the city to satisfy land and water use needs, meet transportation demands, and provide community facilities and services. The presented amendment will promote and protect the public health, safety and general welfare through the increased variety and access to neighborhood goods services, ensuring minimal impacts to neighboring residential districts.

TRC Recommendation:

All affected departments have reviewed and approved the applications. No significant increase in traffic or other impacts to public facilities are expected to be generated by the proposed amendments.

Planning Board Recommendation:

The Planning Board, at their January 14th, 2014 Local Planning Agency hearing, voted unanimously to recommend approval of the requests.

Property Owner Response Summary:

A total of 95 notifications of the proposed Zoning Atlas Amendment were mailed to property owners located within 500 feet of the subject property. As of March 6, 2014, zero (0) responses have been received. An update of responses will be provided at the City Commission Meeting.

Staff Recommendation:
The proposed amendment meets the criteria specified in Section 22-131 of the City Code and promotes and protects the public health, safety and general welfare; therefore Staff recommends that the City Commission **approve** the proposed amendment.

The next item considered – **Item # 6 6. Future Land Use Map Amendment (LPA Hearing) - East Side of South 25th Street between Ormond Avenue and Mississippi Avenue – Family Dollar Properties:** A request for approval to change the Future Land Use designation from OP – Offices - Professional and Business Services to NC, Neighborhood Commercial. The owner is First Southern Bank, represented by Daimian Leslie, P.E. of Creech Engineers, Inc. The Planning Board, as the Local Planning Agency, to review and provide a recommendation.

Ryan Sweeney: Both items 6 and 7 will be presented together as a singular staff report and then we will have two separate hearings. The applicant is requesting the approval of a Future Land Use Map Amendment from OP, Offices and Professional Business Services to NC, Neighborhood Commercial and a Zoning Atlas Amendment from C-1, Office Commercial to C-2, Neighborhood Commercial for 6 parcels totaling 1.68 acres. The subject parcels are located on the east side of S 25th street, just south of the intersection of Okeechobee Road and 25th Street, between Orman Avenue and Mississippi Avenue. The subject parcels are zoned C-1, Office Commercial and are located within a transitional zone between the General Commercial at the intersection of Okeechobee Road and 25th Street and the predominant Office Commercial area that surrounds the Lawnwood Regional Medical Center. It was recommended to the applicant that they pursue a Neighborhood Commercial Future Land Use and zoning designation as opposed to a General Commercial designation to further facilitate this transitional area. The applicant obliged and is requesting Neighborhood Commercial Future Land Use and zoning designations. Before an amendment may be approved, the following standards must be satisfied per Section 22-131 of the City Code: The amendment must be consistent with the Comprehensive Plan, the amendment will not have an adverse effect on the ability of the City to satisfy land and water use needs and meet transportation demands and provide community facilities and services, the amendment will also promote and protect the public health, safety and general welfare. As the proposed amendments meet the standards outlined in Section 22-131, staff recommends that the Planning Board forward a recommendation of approval to the City Commission.

Ms. Baker states that one of the requirements was a traffic study and the only reference that is seen regarding a traffic study was that it was at its maximum, stating change in demand would be 442 trips.

Mr. Sweeney states that it is supplemented by the traffic report that's further in the packet. Those trips are based on the store that they are proposing. The traffic study for a rezone and future land use is tricky because they're not really basing it on anything in particular, but for this particular application, as noted in the staff report, they are doing the analysis based on a roughly 8,320 sq. ft. store.

Ms. Baker asks what the difference between the traffic requirements for the existing zoning and the proposed zoning.

Mr. Sweeney states for the zoning change itself, it's difficult. There really is no change in that the permitted intensity that the site can be developed at under C-1 is 60% lot coverage and a certain building height. Changing the zoning to C-2 will present the same parameters. There isn't a change there. They provided the numbers from the proposed project they are pursuing. The change in zoning is not really resulting in any additional capacity being consumed.

Irene Settlemyer (713 Easter Avenue): What kind of uses are allowed in the proposed zoning versus the existing zoning.

Mr. Sweeney states that generally the C-1, Office Commercial zone allows for office type uses such as medical, professional and businesses. C-2 is more restricted in some cases, but it does allow for a number of additional commercial uses that are intended to service the surrounding residential areas. Ultimately, that is the reason for tonight's request.

Ms. Ganzi states that the staff report included states that the applicant held a neighborhood meeting. What took place in that meeting?

Damien Leslie (Bowen Consultants/Representative): The meeting was held in October and three representatives from the community attended the meeting. We described the kind of project that we are doing. They were really encouraging of the new use. The property owner adjacent to the site wanted to make sure there was some type of screening which has been facilitated within our site plan.

Ms. Ganzi asks what the hours are going to be for the store.

Mr. Leslie states he would have to give that answer at a later time.

Ms. Baker asks if the store will contemplate having a beer and wine license.

Mr. Leslie states that it was discussed with the applicant. It is still under debate.

Chairman Weaver asks if secondary streets will be used as points of access as well and were the neighbors aware of that.

Mr. Leslie answers yes.

Mr. Sweeney states that there is a notice requirement for all neighbors within a 500 ft. radius of the site, so if they didn't get to attend the neighborhood meeting they will be aware of the project via those notices from the Planning Department.

Mr. George makes a motion and is seconded by Ms. Ganzi - to approve the Future Land Use map amendment with staff's recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

The next item considered – **Item # 7 Zoning Atlas Amendment (Rezoning) – East Side of South 25th Street between Ormond Avenue and Mississippi Avenue – Family Dollar Properties:** A request for approval to change the zoning designation from C-1, Office Commercial to C-2, Neighborhood Commercial. The owner is First Southern Bank, represented by Daimian Leslie, P.E. of Creech Engineers, Inc.

Mr. Sweeney states that the staff report is the same. The request is for a rezoning from C-1, Office Commercial to C-2 Neighborhood Commercial.

Ms. Baker makes a motion and is seconded by Mr. George - to approve the Zoning Atlas Amendment with staff's recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

The next item considered – **Item #8 Annexation - 3700 Okeechobee Road - Indian River Oil:** A request for annexation into the City of Fort Pierce.

Kori Benton: The request before you is a voluntary annexation application by the property owners of Indian River Oil Company and the applicant Robert Fender. The location is 3700 Okeechobee Road. The location map shows that there are properties to the east, west and south that are within existing Fort Pierce City Limits. The property itself is 1.73 acres in size and has a St. Lucie County zoning of CG, Commercial General and a Future Land Use of COM, Commercial. The annexation of the property would render it as zoning in the City of Fort Pierce as C-3, General Commercial as seen in the neighboring properties. The Future Land Use to be assigned to this property in the event of the annexation would be GC, General Commercial. City staff has reviewed the site as well as the application and found it to be consistent with the City's Comprehensive Plan, therefore City staff is recommending that the Planning Board forward a recommendation of approval to the City Commission.

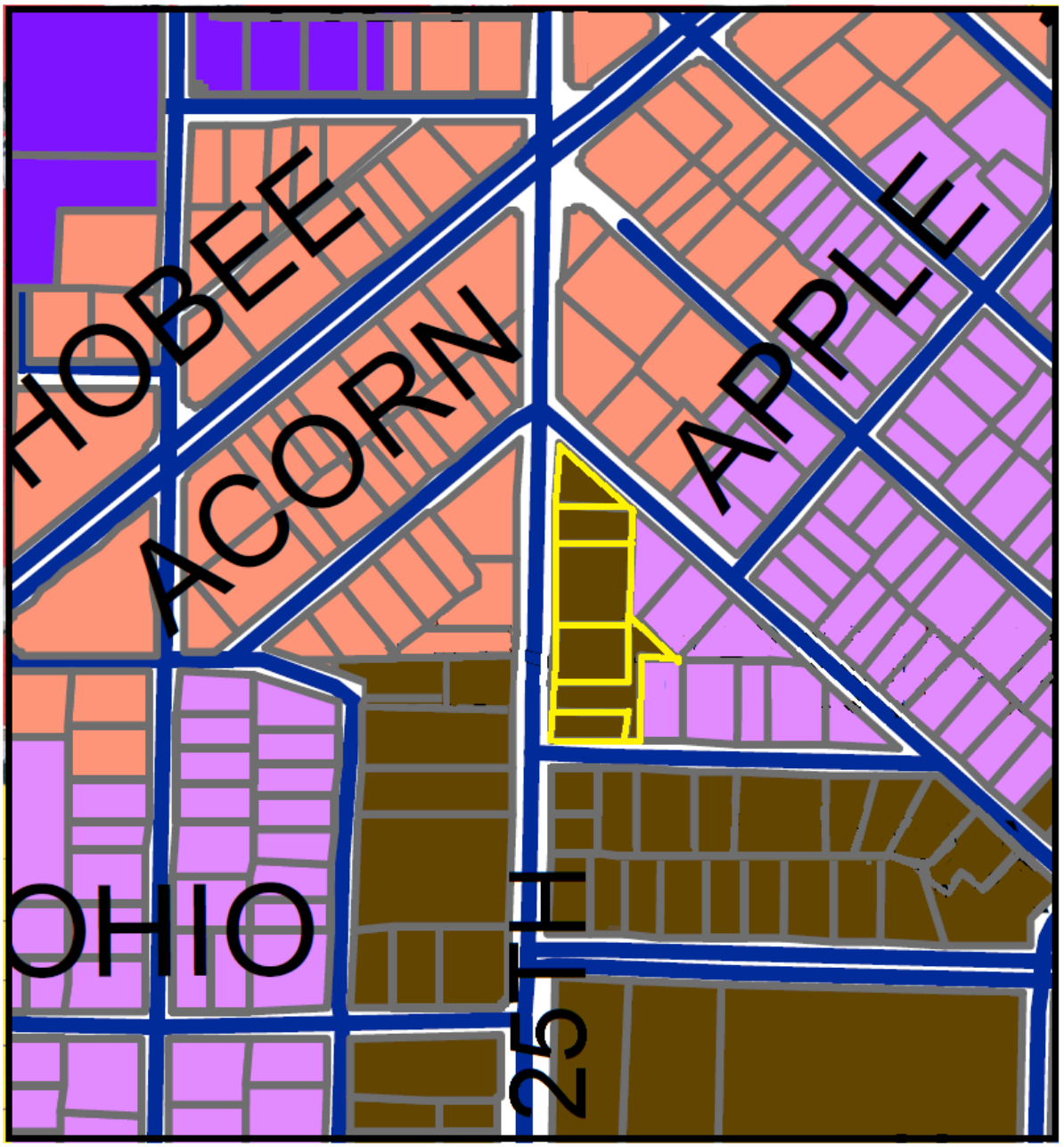
Mr. Burdge states that in the staff report is does not show the zoning that it will be placed under once it is annexed. Is it being proposed that it be annexed as C-3, General Commercial?

Mr. Benton states that the annexation protocols for the City of Fort Pierce pursuant to Florida State statutes would assign an equivalent zoning. Since St. Lucie County and the

Zoning Map


OKEECHOBEE RD
N
Legend
CCCL
AG1
AG2.5
AR-1
C1
C2
C3
C4
C5
C6
CP1
E1
E2
E3
I1
I2
I3
OS1
OS2
PUD
PUR
R1
R2
R3
R4
R4A
R5

Future Land Use Map



N

Legend

- RH
- RM
- RL
- RS
- HIMU
- HIR
- OP
- BC
- MXD
- NC
- GC
- CBD
- MC
- COS
- BI
- I
- HI
- CI
- INST

Application for Zoning Atlas Map Amendment

Application submission shall include the following:

●**TRC** (*****Initial Submission): One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

●**Planning Board**: One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

●**City Commission**: One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- ■ Warranty Deed & Legal Description
- ■ St. Lucie County Property Record Card
- ■ Statement of why there is a need for the proposed future land use map amendment and how the amendment will result in an orderly and logical development pattern; statements how amendment(s) are consistent with Comprehensive Plan; how future land use designation is compatible with future land use designations and existing land uses surrounding the amended lands; identify future land use designations and existing land uses within a ½ mile of the subject property that have the same or greater type of proposed future land use designation; data and analysis to support conclusions.
- ■ Current Survey
- ■ Environmental Study
- ■ Traffic Impact Report
- ☐ *** Capacity Analysis-Separate Form
- ■ Drainage Analysis
- ☐ Historical Report
- ■ 1 CD of all documents submitted in PDF
- ☐ Other_____

1. Property Address/Location: East side of S 25th St. between Ormond Ave and Mississippi Ave

2. Property Tax ID(s): 2416-602-0158-000-3, 2416-602-0160-000-0, 2416-602-0161-000-7, 2416-602-0164-000-8, 2416-602-0166-000-2, 2416-602-0167-000-9

3. Total Acreage: 1.68 acres

4. Existing Future Land Use Designation: OP (Office Professional)

5. Existing Zoning Classification: C-1 (Office Commercial)

6. Proposed Zoning Classification: C-2 (Neighborhood Commercial)

7. Other applications being submitted concurrent with this application, if any:

Small Scale Land Use Amendment

8. Describe the existing uses, improvements and structures on the amendment lands:

The existing site is vacant

9. Are there any identified or possible historical structures on the amendment lands? No

10. The reason for making this request: The proposed construction consists of a General Retail store which is not an approved us in the existing zoning

11. CAPACITY ANALYSIS

I. Site Data:

	Existing Use	Future Land Use	Zoning
North	U-Haul Store	GC	C-3
South	Residential	OP	R-3
East	Residential	INST	R-3
West	Medical Center	OP	C-1

	Future Land Use	Zoning Classification	Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage	Total Acreage	Flood Zone
Current	OP Office Professional	C-1 Office Commercial	73,200 sqft x 60% bldg coverage = 43,920 sqft	1.68 ac	X
Proposed	NC Neighborhood Commercial	C-2 Neighborhood Commercial	73,200 sqft x 60% bldg coverage = 43,920 sqft	1.68 ac	N/A

II. Public Facilities Information:

A. Potable Water:	
Average Use	Residential: 100 gallons per day per person (du x 2.6 = persons x 100 gpd = demand) Other: 0.125 gallons per day per square foot
Demand Analysis	Maximum
Current Zoning	5490 Total gallons per day (0.125 gpd/sf X 43920 sf)
Proposed Zoning	5490 Total gallons per day (0.125 gpd/sf X 43920 sf)
Change in Demand	0 **Total gallons per day**

B. Wastewater:	
Average Use	Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.1 gallons per day per square foot
Demand Analysis	Maximum
Current Zoning	4392 Total gallons per day (0.10 gpd/sf X 43920 sf)
Proposed Zoning	4392 Total gallons per day (0.10 gpd/sf X 43920 sf)
Change in Demand	0 **Total gallons per day**

C. Parks and Recreation (Residential Classifications Only):
(Du x 2.6 = persons + 44,227 = population /LOS)

Park Type	LOS	Existing Population Park Demand	Proposed Population Park Demand	Change in Demand
Regional	20 acres per 1,000 people			
Urban District	5 acres per 1,000 people			
Community	2.5 acres per 1,000 people			
Neighborhood	1.36 acres per 1,000 people			

D. Public Schools (Residential Classifications Only):
Single Family: (du x 0.405 = students/70% K-8/30% High)
Multi-family: (du x 0.207 = students/70% K-8/30% High)

	K-8	High
School Name		
City		
Distance		
Current Zoning Enrollment Demand		
Proposed Zoning Enrollment Demand		
Change in Demand		

E. Solid Waste: 2 yard serves 15 units, 4 yard serves 30 units, 6 yard serves 45 units, 8 yard serves 60 units	
Demand Analysis	Maximum
Current Zoning	
Proposed Zoning	
Change in Demand	

F. Stormwater:
Potential increase in volume discharged due to increased impervious coverage, reduced

groundwater seepage or loss of surface water storage impacting Adopted LOS of 25-year 3-day storm Pre vs. Post Runoff (Storm sewers to convey 5 year- 1 day storm event; Canals to convey 3 year – 1 day storm event)	
Impact	No impact proposed, the site will have a stormwater management system that will limit the discharge to less than or equal to the pre-development conditions.

III. Transportation Analysis

G. Traffic
Most recent ITE Code for use; HCM Roadway Capacity

	AADT	AM/PM Peak Hour Trips
Demand Analysis	Maximum	Maximum
Current Zoning		
Proposed Zoning		
Change in Demand	442 Trips	Trips 27 AM / 47 PM
Impact to Capacity		

12. Name of Owner(s): First Southern Bank
Mailing Address: 1177 SE Third Ave
City Fort Laurderdale State FL Zip 33316
Phone #
E-mail:

13. Name of Applicant: The Hutton Company - Chuck Borysiak
Mailing Address: 736 Cherry Street
City Chattanooga State TN Zip 37402
Phone # 423-643-9202 Fax # 423-664-7100
E-mail: cborysiak@thehuttoncompany.com

14. Name of Representative: Creech Engineers, Inc - Daimian Leslie
Mailing Address: 4450 W Eau Gallie Blvd. Suite 232
City Melbourne State FL Zip 32934
Phone # 321-255-5434 Fax # 321-255-7751
E-mail: dleslie@creechinc.com

15. Applicant Acknowledgements (Owner's signature must be notarized)

I certify that: (Check One)

_____ I (we) do hereby certify that I (we) own in fee simple the above referenced described property for which a change in Zoning Classification is requested.

_____ I (we) are not the owner of the above described property; however, the owners signature below authorizes the applicants the authority to act as agent for the owner(s) of record.

Applicant's Signature — 11/27/13 Date

4450 EAU GALLIE BLVD, SUITE 232 — MELBOURNE — 32934
Address — State — Zip

321-270-8986 — 321-255-7751 — dleslie@creechinc.com
Phone — Fax — E-mail Address

16. Property Owners Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application for a change in zoning classification. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Agent to act in his/her behalf for the purposes of seeking this change to the City' Land Development Regulations for the property described herein.

FIRST SOUTHERN BANK — 904/296-7586
Property Owner's Name (Please Print) — Phone

212 PONTE VEDRA PARK ROAD — PONTE VEDRA BEACH FL — 32082
Address (OR ADDRESS IN 12. ABOVE) — State — Zip

Property Owner's Signature SVP / ORED MANAGER — 11/6/13 Date

STATE OF FLORIDA)
ST ~~LUCIE~~ JOHNS COUNTY)

The foregoing instrument was acknowledged before me this 6 day of NOVEMBER, 20 13,
by
LEE D. WEDERKIND, JR. who is personally known to me or has produced
as identification.

Signature of Notary (seal)

JUDY K. CALLAHAN
MY COMMISSION # DD 989177
EXPIRES: July 28, 2014
Bonded Thru Notary Public Underwriters

OFFICE USE:		
DATE RECEIVED:_____	Signed:_____	
File Number:_____	Check No: _____	Receipt No: _____
TRC Review:_____	Planning Board Review: _____	City Commission: _____
Ordinance No:_____	Date Approved: _____	

Letter of Authorization

September 20, 2013

RE: Agent Authorization

On behalf of First Southern Bank, the owner of the referenced real property, hereby authorizes and empowers **The Hutton Company, Inc**. and **Creech Engineers, (A Bowman Company)**. to act as its agent(s) to apply for any and all site and building approvals and permits in connection with the development of the property, including but not limited to the South Florida Water Management District, Florida Department of Transportation, Florida Department of Environmental Protection, The City of Fort Pierce, Fort Pierce Utility Authority and to file such applications, papers, documents, variances and special exceptions, requests, and other matters as may be necessary to secure the same.

FIRST SOUTHERN BANK

By: _____

Print: LEE D WEDEKIND JR

Title: SVP / OREO MANAGER

STATE OF FLORIDA

COUNTY OF ST JOHNS

Sworn to and subscribed before me this 20 day of SEPTEMBER, 2013. He/She is personally known to me or who has produced _____ as identification.

JUDY K. CALLAHAN
MY COMMISSION # DD 989177
EXPIRES: July 28, 2014
Bonded Thru Notary Public Underwriters

_____

Notary Public State of _____

My Commission Expires _____

[Notary Seal]

Legal Description

Parcel 1:
Lots 1, 2 And 3, Less The West 15 Feet Thereof, Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.
Less And Excepting Street Right Of Ways Therefrom.
Parcel 2: 4, 5, 6, 7, 8, 9, 10, Less The West 15 Feet Thereof, The West One-Half Of Lot 11, All In Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.
And
Lots 22 And 23, Block 51, Biltmore Park, According To The Plat Recorded In Plat Book 4, Page 52, Public Records Of St. Lucie County, Florida.
Less The Northeasterly 150 Feet Thereof And Being Described As That Portion Of Lots 22 And 23 Lying North Nad East Of A Line Drawn Parallel To The Northeast Line Of Said Lots And 150 Feet Southwest Of Said Northeast Line.

Fidelity National Title Insurance Company

EXHIBIT "A"

Lots 4, 5, 6, 7, 8, 9 and 10, Less the West 14.7 feet thereof; the West one-half (1/2) of Lot 11; and Lots 22 and 23, Less the Northeasterly 150 feet thereof, all in Block 51, Biltmore Park, according to the map or plat thereof, recorded in Plat Book 4, Page 52, of the public records of St. Lucie County, Florida.

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ALTA Commitment (6/17/06) (with FL Modifications)

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3822357 OR BOOK 3506 PAGE 137, Recorded 04/11/2013 at 12:48 PM
Doc Tax: $0.70

St. Lucie County File Date: 04/09/2013

COPY

IN THE CIRCUIT COURT OF THE 19TH JUDICIAL CIRCUIT, IN AND FOR ST. LUCIE COUNTY, FLORIDA.

FIRST SOUTHERN BANK, a Florida banking corporation,

Plaintiff,

vs.

CASE NO. 562012CA 000881

TOCO TOUCAN, LLC; et al

Defendants.

CERTIFICATE OF TITLE

The undersigned clerk of the court certifies that he or she executed and filed a Certificate of Sale in this action on MARCH 20, 2013, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in St. Lucie County, Florida:

PARCEL 1:

LOTS 1, 2 AND 3, LESS THE WEST 15 FEET THEREOF, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. LESS AND EXCEPTING STREET RIGHT OF WAYS THEREFROM.

PARCEL 2:

LOTS 4, 5, 6, 7, 8, 9, 10, LESS THE WEST 15 FEET THEREOF; THE WEST ONE-HALF (1/2) OF LOT 11, ALL IN BLOCK 51 BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

AND

LOTS 22 AND 23, BLOCK 51 BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

St. Lucie County File Date: 04/09/2013

LESS THE NORTHEASTERLY 150 FEET THEREOF AND BEING DESCRIBED AS THAT PORTION OF LOTS 22 AND 23 LYING NORTH AND EAST OF A LINE DRAWN PARALLEL TO THE NORTHEAST LINE OF SAID LOTS AND 150 FEET SOUTHWEST OF SAID NORTHEAST LINE.

PARCEL 3:

THE NORTH HALF OF LOTS 1 AND 2, LESS ROAD RIGHT OF WAY CONVEYED IN OFFICIAL RECORDS BOOK 189, PAGE 2790, OF BLOCK 72, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

AND

THE SOUTH HALF OF LOTS 1 AND 2, LESS ROAD RIGHT OF WAY CONVEYED IN OFFICIAL RECORDS BOOK 189, PAGE 2792, OF BLOCK 72, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

was sold to First Southern Bank

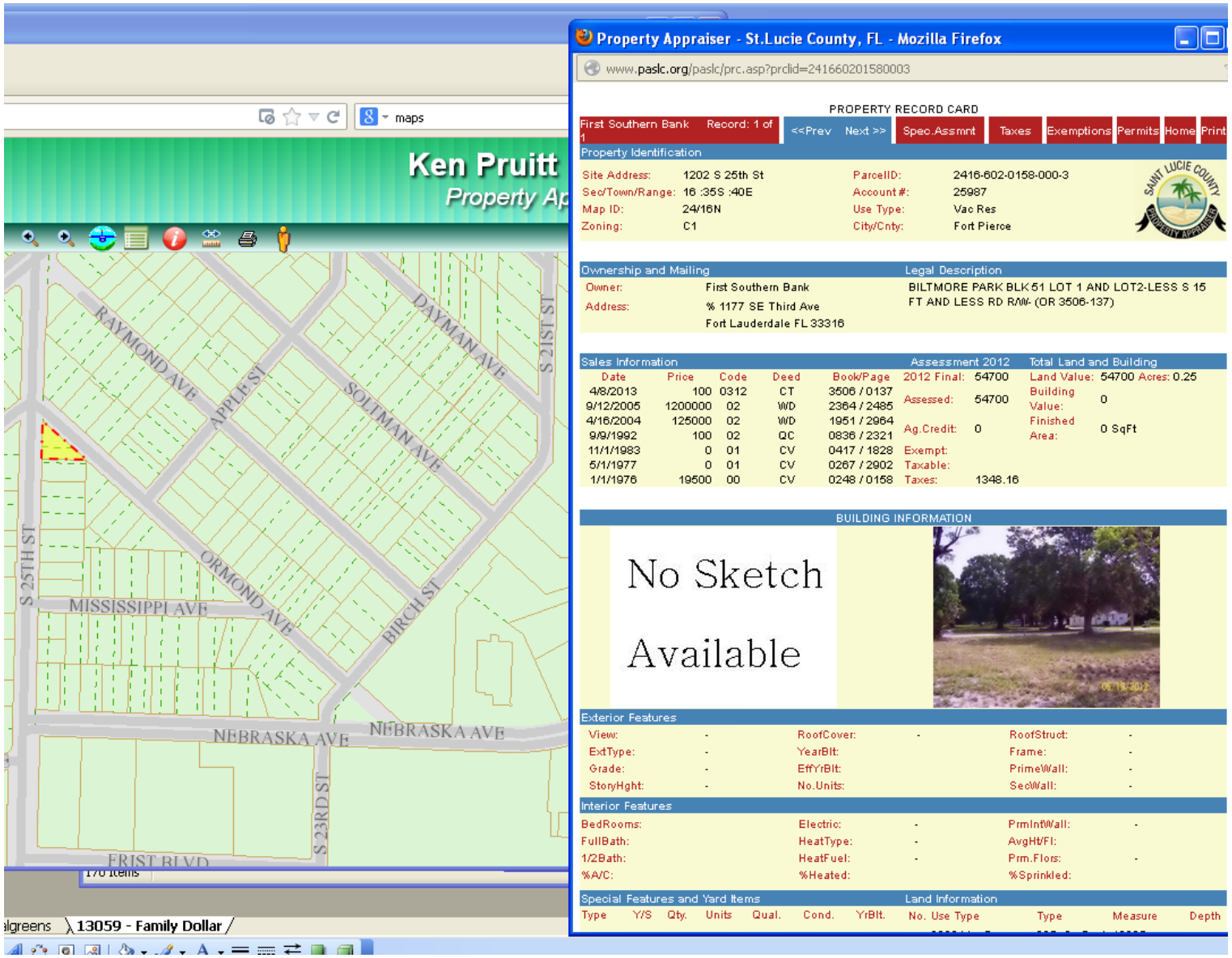
WITNESS my hand and seal of the Court on April 8th, 2013.

Clerk of Circuit Court

By: Jamaine Ellis
Deputy Clerk

COPY

$100.00/.70



Property Appraiser - St.Lucie County, FL - Mozilla Firefox

www.paslc.org/paslc/prc.asp?prclid=241660201580003

PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	1202 S 25th St	ParcelID:	2416-602-0158-000-3
Sec/Town/Range:	16 :35S :40E	Account #:	25987
Map ID:	24/16N	Use Type:	Vac Res
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOT 1 AND LOT2-LESS S 15 FT AND LESS RD R/W- (OR 3506-137)

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/16/2004	125000	02	WD	1951 / 2964
9/9/1992	100	02	QC	0836 / 2321
11/1/1983	0	01	CV	0417 / 1828
5/1/1977	0	01	CV	0267 / 2902
1/1/1976	19500	00	CV	0248 / 0158

Assessment 2012

2012 Final:	54700
Assessed:	54700
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	1348.16

Total Land and Building

Land Value:	54700 Acres: 0.25
Building Value:	0
Finished Area:	0 SqFt

BUILDING INFORMATION

No Sketch Available

Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

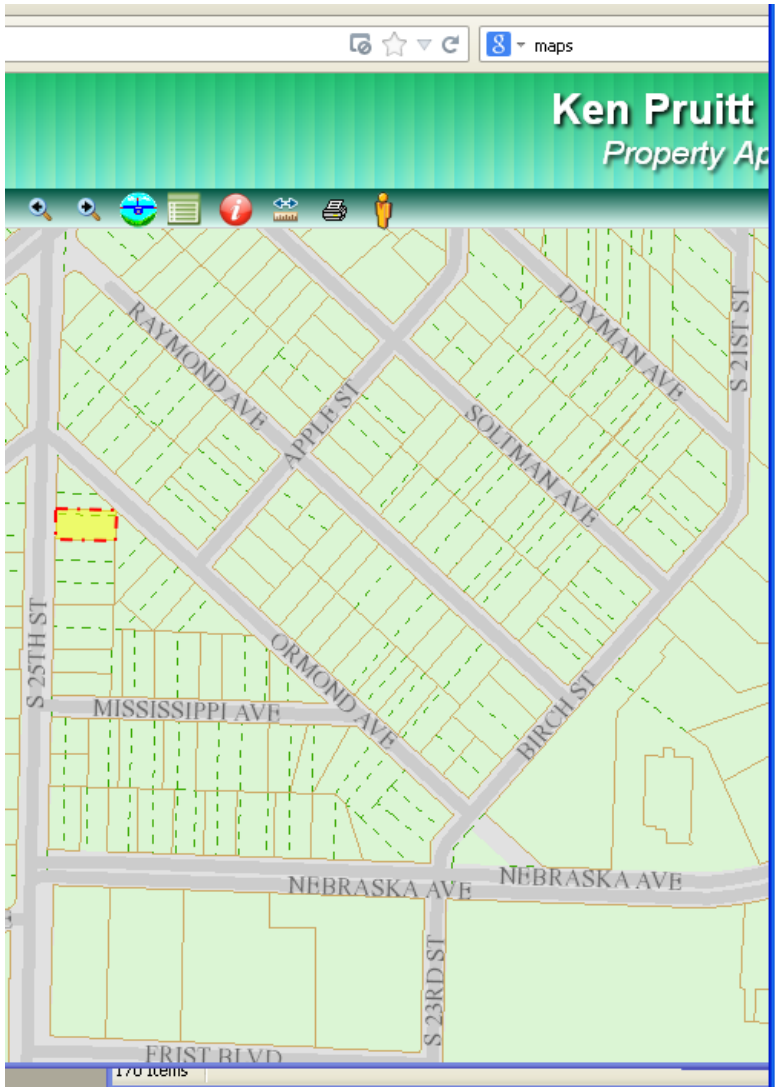
BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No. Use Type	Type	Measure	Depth



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	1206 S 25th St	ParcelID:	2416-602-0160-000-0
Sec/Town/Range:	16 :35S :40E	Account #:	25988
Map ID:	24/16N	Use Type:	Vac Res
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK S/D BLK 51 S 15 FTOF LOT 2 AND ALL LOT 3-LESS RD R/W- (OR 3506-137)

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/16/2004	125000	02	WD	1951 / 2964
9/9/1992	100	02	QC	0836 / 2321
11/1/1983	0	01	CV	0417 / 1828
5/1/1977	0	01	CV	0267 / 2902
12/1/1975	15300	00	CV	0247 / 0608

Assessment 2012

2012 Final:	67300
Assessed:	67300
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	1658.71

Total Land and Building

Land Value: 43900 Acres: 0.2
Building Value: 23400
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available

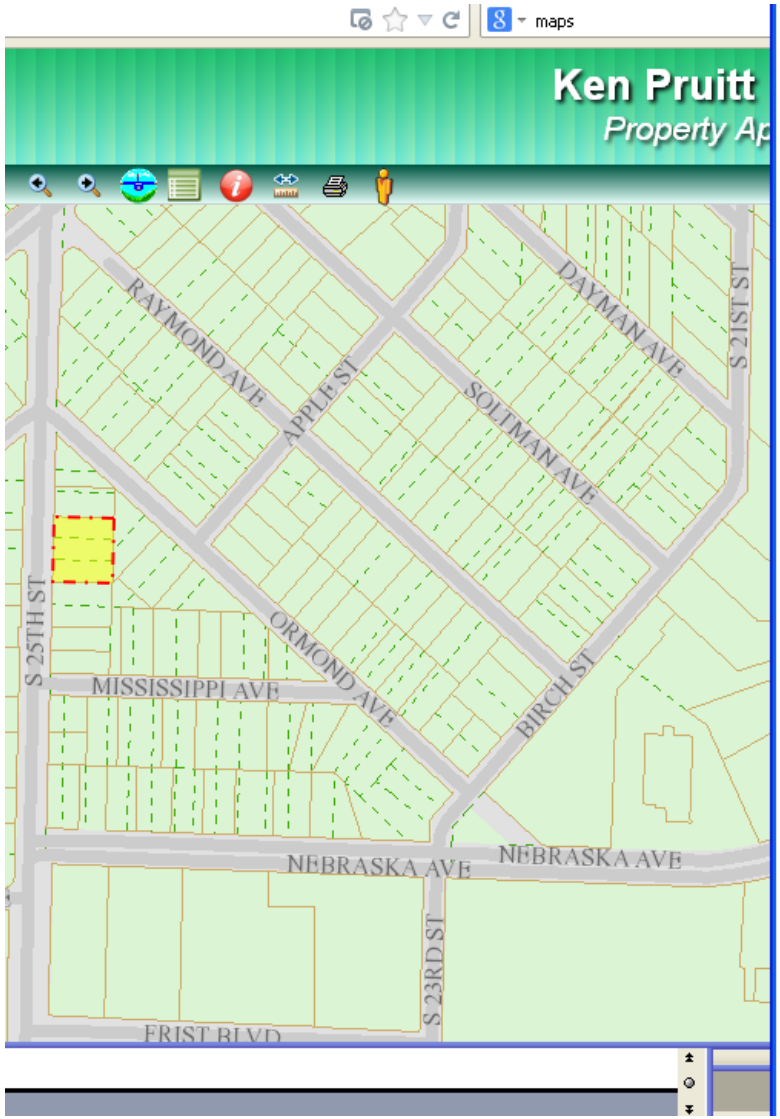


Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev | Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	1210 S 25th St	ParcelID:	2416-602-0161-000-7
Sec/Town/Range:	16 :35S :40E	Account #:	25989
Map ID:	24/16N	Use Type:	Vac Comm
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOTS 4, 5 AND 6-LESS W 14.7 FT- (OR 3506-137)

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/22/2004	255000	02	WD	1967 / 0490
7/2/2002	210000	02	WD	1550 / 2989
10/22/1994	100	02	QC	0934 / 2792
6/24/1994	162400	02	WD	0908 / 0435
5/1/1985	89000	00	CV	0463 / 2890

Assessment 2012

2012 Final:	101500
Assessed:	101500
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	2501.61

Total Land and Building

Land Value: 101500 Acres: 0.47
Building Value: 0
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

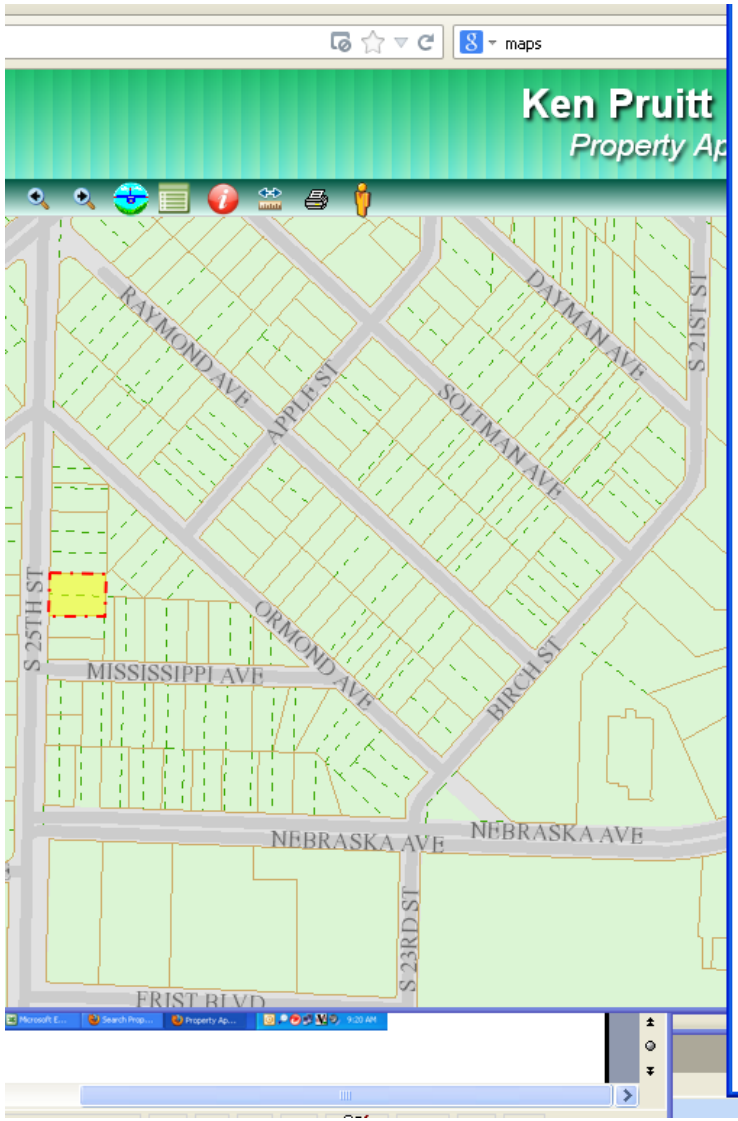
BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No.	Use Type	Type	Measure	Depth



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	1212 S 25th St	ParcelID:	2416-602-0164-000-8
Sec/Town/Range:	16 :35S :40E	Account #:	25990
Map ID:	24/16N	Use Type:	Vac Comm
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOTS 7 AND 8-LESS W 14.7 FT- (OR 3506-137)

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/22/2004	255000	02	WD	1967 / 0490
7/2/2002	210000	02	WD	1550 / 2989
12/22/1994	100	02	QC	0934 / 2792
6/24/1994	162400	02	WD	0908 / 0435
5/1/1985	125000	02	CV	0463 / 2889

Assessment 2012

2012 Final:	67700
Assessed:	67700
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	1668.55

Total Land and Building

Land Value: 67700 Acres: 0.31
Building Value: 0
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

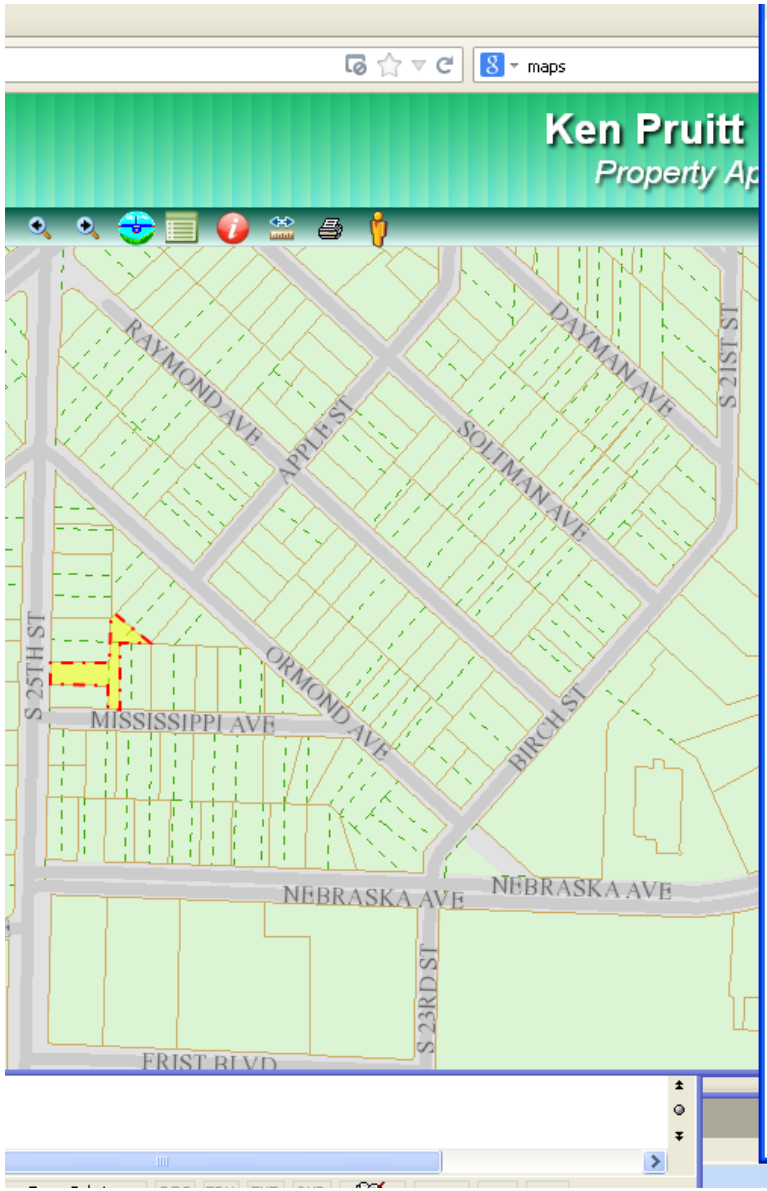
BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No.	Use Type	Type	Measure	Depth



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	25th St	ParcelID:	2416-602-0166-000-2
Sec/Town/Range:	16 :35S :40E	Account #:	25991
Map ID:	24/16N	Use Type:	Vac Comm
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOT 9-LESS W 14.7 FT- AND W 1/2 OF LOT 11 AND LOTS 22 AND 23-LESS NELY 150 FT-
More...

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/22/2004	255000	02	WD	1967 / 0490
7/2/2002	210000	02	WD	1550 / 2989
12/22/1994	100	02	QC	0934 / 2792
6/24/1994	162400	02	WD	0908 / 0435
5/1/1985	125000	02	CV	0463 / 2889

Assessment 2012

2012 Final:	64100
Assessed:	64100
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	1579.84

Total Land and Building

Land Value:	64100 Acres: 0.29
Building Value:	0
Finished Area:	0 SqFt

BUILDING INFORMATION

No Sketch Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

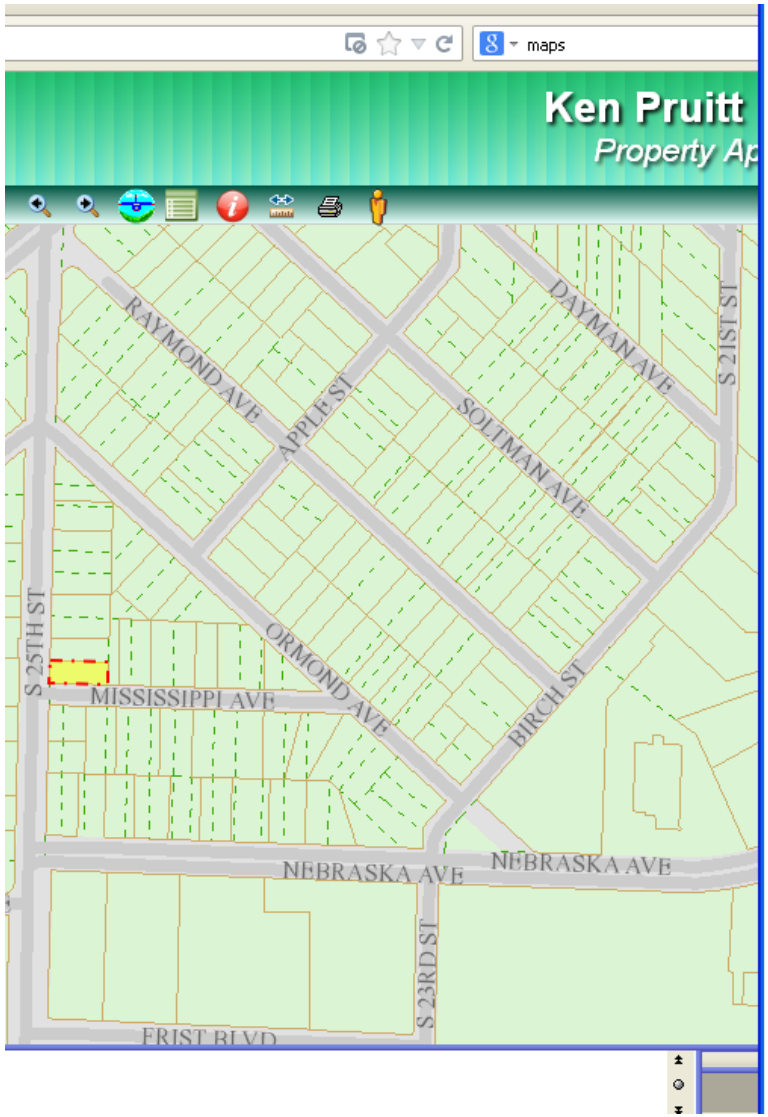
BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.

Land Information

No.	Use Type	Type	Measure	Depth



PROPERTY RECORD CARD

First Southern Bank Record: 1 of 1 | <<Prev Next >> | Spec.Assmnt | Taxes | Exemptions | Permits | Home | Print

Property Identification

Site Address:	S 25th St	ParcelID:	2416-602-0167-000-9
Sec/Town/Range:	16 :35S :40E	Account #:	25992
Map ID:	24/16N	Use Type:	Vac Comm
Zoning:	C1	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: First Southern Bank

Address: % 1177 SE Third Ave
Fort Lauderdale FL 33316

Legal Description

BILTMORE PARK BLK 51 LOT 10-LESSW 14.7 FT- (OR 3506-137)

Sales Information

Date	Price	Code	Deed	Book/Page
4/8/2013	100	0312	CT	3506 / 0137
9/12/2005	1200000	02	WD	2364 / 2485
4/22/2004	255000	02	WD	1967 / 0490
7/2/2002	210000	02	WD	1550 / 2989
12/22/1994	100	02	QC	0934 / 2792
6/24/1994	162400	02	WD	0908 / 0435
5/1/1985	125000	02	CV	0463 / 2889

Assessment 2012

2012 Final:	33800
Assessed:	33800
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	833.06

Total Land and Building

Land Value: 33800 Acres: 0.16
Building Value: 0
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

BedRooms:		Electric:	-	PrmIntWall:	-
FullBath:		HeatType:	-	AvgHt/Fl:	
1/2Bath:		HeatFuel:	-	Prm.Flors:	-
%A/C:		%Heated:		%Sprinkled:	

Special Features and Yard Items

Type	Y/S	Qty	Units	Qual.	Cond.	YrBlt

Land Information

No.	Use Type	Type	Measure	Depth

CREECH ENGINEERS
a Bowman Company

4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934
Ph: (321) 255-5434 Fax: (321) 255-7751

November 27, 2013

Sent Via: Overnight Mail

Application for Zoning Atlas Map Amendment
JUSTIFICATION STATEMENT
CEC 13135.00

To Whom It May Concern,

The intent of this application is to rezone a parcel of land to make it eligible for development as a neighborhood retail store of approximately 8320 sq ft. The proposed store will supply the sale of convenience goods to meet some of the primary commercial needs of the residential neighborhood. The property is a part of a commercial corridor with varying degrees of intensities and lies within an existing C-1 (Office Commercial) zoning district. This zoning category, however, does not allow for the desired retail usage (pursuant to Sec. 22-29 [a]). In order to facilitate this development it will be necessary to amend the current zoning atlas. The proposed zoning category is C-2 (Neighborhood Commercial) classification, which is the least intensive zoning that will support the use.

Amending the zoning atlas from a C-1 to a C-2 description will be in keeping with an orderly and logical development pattern. The subject property lies along S 25th Street which currently facilitates a number of existing commercial uses (C-1and C-3) within a half mile radius. The property is adjacent to a number of C-1 zoned developments as well as being directly adjacent to a moderate density residential (R-3) community. The proposed C-2 classification is a logical zoning for the transition between commercial and residential zoning districts.

A Future Land Use Map Amendment is also being requested concurrently to support the requested Zoning Atlas Map Amendment. The existing future land use designation for the site is Office Professional (OP) which prohibits commercial uses from directly selling, storing, or displaying goods. In order to utilize the C-2 zoning classification the future land use designation would have to be changed to the Neighborhood Commercial (NC) description to support the uses under that zoning. As previously stated the change in zoning follows a logical pattern in the development of the area and likewise the amended future land use designation of NC, being adjacent to both commercial and residential developments, will continue with the same development pattern. Additionally, the NC designation will be consistent with the comprehensive plan as it is in keeping with both the order of development and the surrounding future land uses. Future land use designations within a half mile radius include RL (Low Residential), GC (General Commercial), and OP (Office Professional). The NC category will be an appropriate transition between the neighboring designations and will also provide compatibility with the existing surrounding land use designations.

It is with reference to the above statements, that these requests are being respectfully submitted to amend the Zoning Atlas Map and the Future Land Use Map for the subject property development.

CREECH ENGINEERS
a Bowman Company

4450 W Eau Gallie Boulevard, Suite 232
Melbourne, Florida 32934
Ph: (321) 255-5434 Fax: (321) 255-7751

If you need any additional information or would like to discuss this project in further detail, please contact us by phone at (321) 270-8986 or email me at dleslie@creechinc.com.

Sincerely,

Daimian Leslie, PE
Project Manager
CREECH ENGINEERS
a Bowman Company
4450 W. Eau Gallie Blvd., Suite 232
Melbourne, FL 32934
Tel : 321-255-5434
Direct: 321-270-8986

ATLANTIC
ENVIRONMENTALSOLUTIONS
ENVIRONMENTAL PERMITTING & MITIGATION

ENVIRONMENTAL ASSESSMENT

On the

±1.66 Acre Family Dollar – Ft. Pierce Project Site
Section 16, Township 35 South, Range 40 East
Ft. Pierce, St. Lucie County, Florida

Conducted for

Mr. Chuck Borysiak
Hutton Construction, Inc.
736 Cherry Street
Chattanooga, Tennessee 37402

Conducted by

Atlantic Environmental Solutions, Inc.
1301 W. Eau Gallie Boulevard, Suite 98
Melbourne, Florida 32935

September 6, 2013

ATLANTIC ENVIRONMENTAL SOLUTIONS
ENVIRONMENTAL PERMITTING & MITIGATION

1301 W. Eau Gallie Blvd., Ste. 98 Melbourne , FL 32935
ph 321.676.1505 fx 321.676.1730

September 6, 2013

Mr. Chuck Borysiak
Hutton Construction, Inc.
736 Cherry Street
Chattanooga, Tennessee 37402

Re: Environmental Assessment
±1.66 acre Family Dollar – Ft. Pierce Project Site
South 25th Street, Ft. Pierce
St. Lucie County, Florida
AES File No. 1399

Dear Mr. Borysiak:

Atlantic Environmental Solutions, Inc. (AES) has completed an environmental assessment and feasibility study of the above-referenced property, an approximately 1.66 acre parcel of land located on the east side of South 25th Street between Ormond Avenue and Mississippi Avenue, Ft. Pierce, in St. Lucie County, Florida (Figures 1 and 2). The field assessment of this parcel, hereinafter referred to as "the Property", occurred on September 5, 2013. This study is intended to assess any reasonably ascertainable environmental issues that might have an affect on the developability of the subject property. Following are the results of our study.

Topography and Soils

Figure 3 shows the USGS Topographical Map for the Property and surrounding areas. According to this map, the Property is relatively flat and used to contain several single-family homes which are no longer present.

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) maps for Brevard County (Figure 4) depict two soil types underlying the Property. Following is a description of the mapped soil types as they occur in a natural environment.

Tantile and Pomona sands (44)
Tantile and Pomona sands is a poorly drained, nearly level soil typically found in flatwoods. the water table is within a depth of 10 inches for 2 to 4 months and between depths of 10 to 40 inches for 6 months or more during most years.

Waveland – Urban land complex (52)
Nearly level Waveland soils make up 50 to 70 percent of the complex, and Urban land makes up 15 to 50 percent. In undrained areas, the soils in this complex have a water

table within a depth of 10 inches for 1 to 4 months of most years. However, drainage systems have been established in most areas and depth to the water table depends upon the efficiency of the drainage system.

Past development and human activity surrounding and within the Property appears to have altered some of the characteristics possessed by the underlying soils. However, for the most part, the soils underlying the Property appear consistent with the above descriptions.

Vegetation and Community Types

Different combinations of natural and human-influenced factors, such as surface elevation, hydrology, vegetative species and structure, soil characteristics, and degree and type of historical disturbance, will give rise to a variety of distinct ecological systems and functions, known as communities and land uses. The Florida Land Use, Cover, and Forms Classification System (FLUCFCS) organizes most of the major categories of communities and land uses into particular descriptions, each corresponding to a different code number. Using our field observations and the FLUCFCS system as a guideline, AES has identified the on-site community as it currently exists on the Property. Figure 5 depicts the code number of the on-site FLUCFCS category, specifically, Undeveloped Land Within Urban Areas (FLUCFCS Code Number 191).

Following is a description of this classification, as it exists on the Property, along with an assessment of the jurisdictional wetland status based on the rules and regulations of the South Florida Water Management District (SFWMD) and the U.S. Army Corps of Engineers (ACOE).

Undeveloped Land Within Urban Areas (191)
The entire site can be designated this land use classification. It appears single-family homes used to be present within the project site which is evident from historical photography as well as the presence of concrete pieces scattered around the site. The entire property appears to have been maintained (i.e. mowed) for many years and vegetation is dominated by a groundcover of bahiagrass, Mexican clover, and opportunistic weedy species. Also present around the perimeter of the Property are scattered live oak, laurel oak, and sea grape.

This community type consists of upland habitat and will require no wetland permitting.

Habitat Potential for Protected Wildlife Species

A preliminary survey for listed species and suitable listed species habitats was completed on the Property. This survey resulted in the determination that the Property does not support any listed species.

Summary & Conclusions

The results of our survey indicate that the ±1.66 acre Property is comprised solely of uplands and does not contain any state or federally listed species. No wetland or wildlife permitting will be necessary in the development of this site.

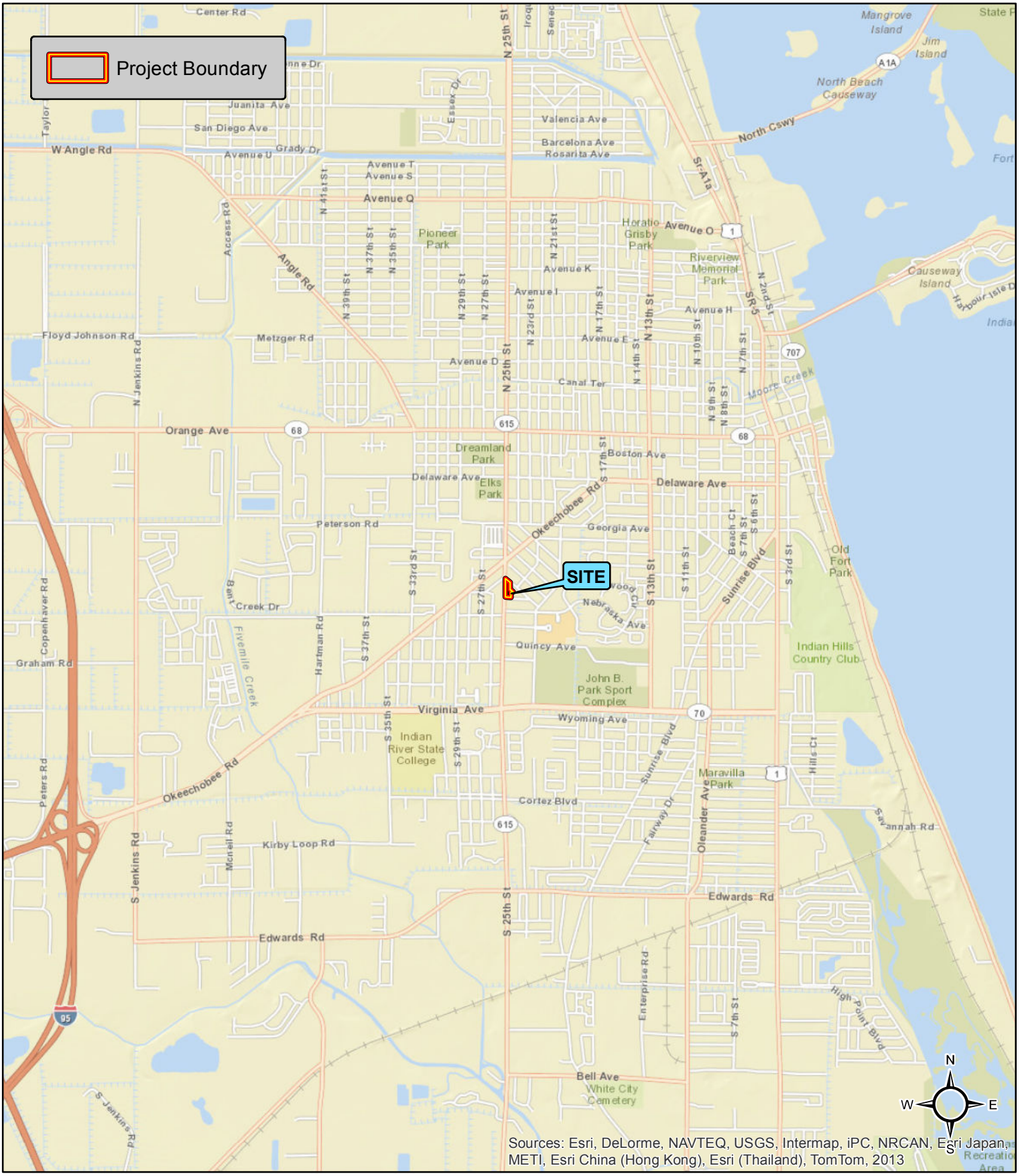
Should you have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,

David G. Purkerson, MS, PWS
Senior Ecologist

Jon H. Shepherd, MS, PWS
President/Ecologist

Dist: Mr. Damian Leslie – Creech Engineers, Inc.



Project: Family Dollar - Ft. Pierce

Figure 1: Location Map

0 0.5 1 2 Miles

St. Lucie County, Florida

ATLANTIC ENVIRONMENTAL SOLUTIONS
ENVIRONMENTAL PERMITTING & MITIGATION

AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

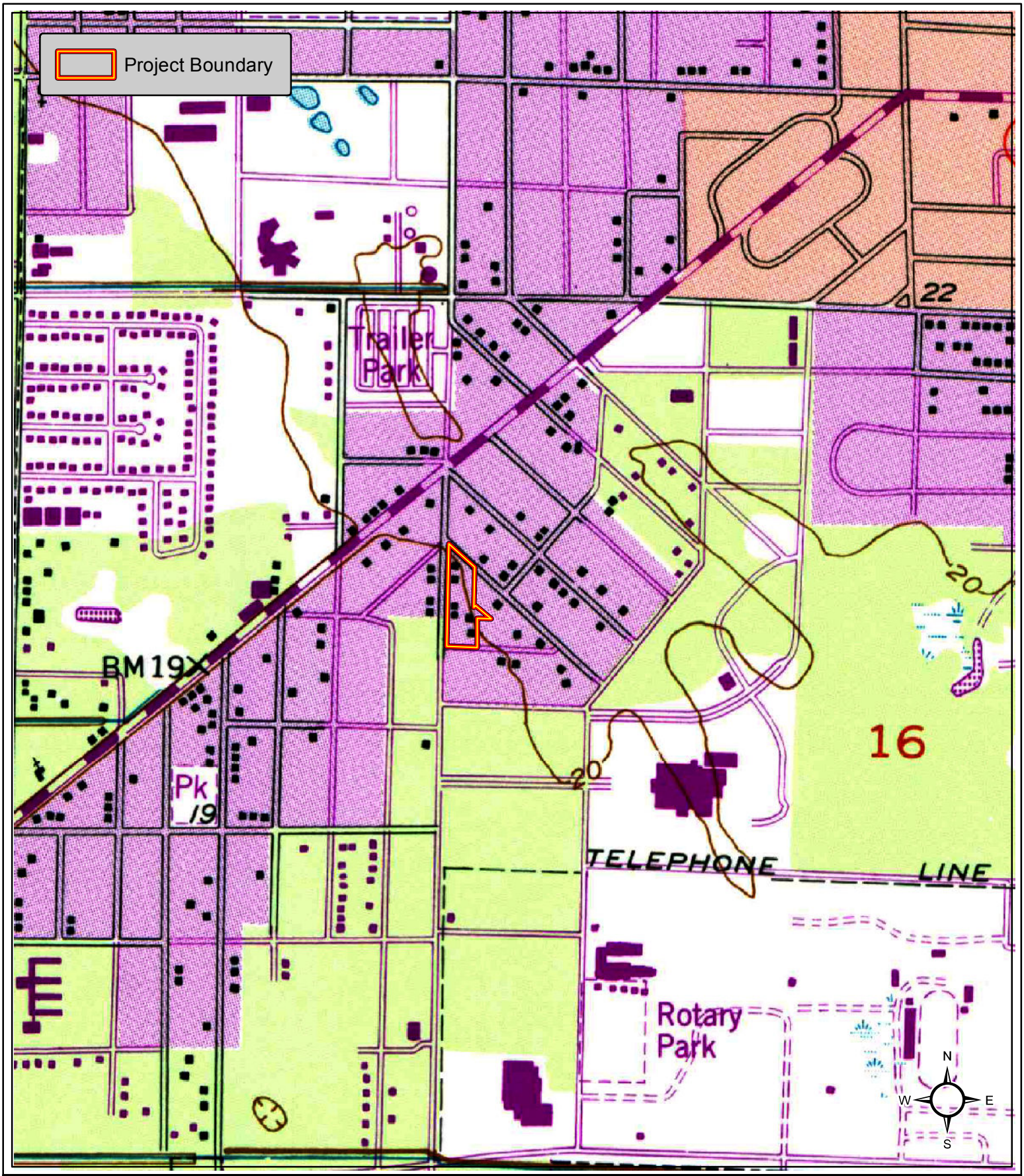
Figure 2: Property Map

0 50 100 200 Feet

2011 Aerial, St. Lucie County, Florida

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Project: Family Dollar - Ft. Pierce

Figure 3: USGS Topo Map

0 500 1,000 2,000 Feet

Ft. Pierce Quadrangle, St. Lucie County, Florida

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ENVIRONMENTAL PERMITTING & MITIGATION

AES Proj #: 1399



Project: Family Dollar - Ft. Pierce

Figure 4: NRCS Soils Map

0 50 100 200 Feet

2011 Aerial, St. Lucie County, Florida

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Project: Family Dollar - Ft. Pierce

Figure 5: Land Use (FLUCFCS) Map

0 50 100 200 Feet

2011 Aerial, St. Lucie County, Florida

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AES Proj #: 1399

McMAHON ASSOCIATES, INC.
5500 Village Blvd | Suite 103 | West Palm Beach, FL 33407
p 561-840-8650 | f 561-840-8590
www.mcmtrans.com

PRINCIPALS
Joseph W. McMahon, P.E.
Joseph J. DeSantis, P.E., PTOE
John S. DePalma
William T. Steffens
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE

ASSOCIATES
John J. Mitchell, P.E.
Christopher J. Williams, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.

August 30, 2013

VIA E-MAIL

Mr. Chuck Borysiak, Development Manager
The Hutton Company
736 Cherry Street
Chattanooga, TN 37402

RE: Family Dollar Fort Pierce Traffic Analysis
McMahon Project No. N13565.01

Dear Mr. Borysiak:

McMahon Associates, Inc. (McMahon) has completed a traffic analysis for a parcel of land located at 1210 S. 25th Street, in Fort Pierce. The site is currently vacant. The proposed development, with an anticipated buildout year of 2014, will include an 8,320 square-foot Family Dollar.

Trip Generation Analysis
Using trip generation information obtained from the Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 9th Edition, trip generation estimates were developed for the proposed development. A pass-by rate was not available from ITE for Land Use 814 Variety Store. Therefore, the pass-by capture rate for the proposed land use was based on the pass-by rate for Land Use 815 Free Standing Discount Store. The trip generation analysis, summarized in **Table 1,** indicates that the proposed development is anticipated to result in 442 new daily trips, 27 new AM peak hour trips and 47 new PM peak hour trips. Excerpts from ITE are attached in **Appendix A**.

Site Access
Access to the site is proposed via one (1) full access driveway connection to each of the following roadways: S. 25th Street, Mississippi Avenue and Ormond Avenue.

Project Distribution and Assignment
The project trip distribution for the proposed development, graphically depicted on **Figure 1**, was based on a review of the surrounding roadway network volumes and land uses. Driveway volumes, shown on Figure 1, were assigned to the driveway connections based on the trip generation and trip distribution analyses.

TABLE 1
TRIP GENERATION ANALYSIS
FAMILY DOLLAR FORT PIERCE TRAFFIC ANALYSIS

DAILY

LAND USE	ITE CODE	INTENSITY		TRIP GENERATION RATE [1]	IN	OUT	TOTAL TRIPS			PASS-BY[2]		NEW TRIPS		
							IN	OUT	TOTAL			IN	OUT	TOTAL
PROPOSED USE														
Variety Store[3]	814	8,320	SF	T = 64.03 (X)	50%	50%	267	266	533	91	17.00%	221	221	442

AM PEAK HOUR

LAND USE	ITE CODE	INTENSITY		TRIP GENERATION RATE [1]	IN	OUT	TOTAL TRIPS			PASS-BY[2]		NEW TRIPS		
							IN	OUT	TOTAL			IN	OUT	TOTAL
PROPOSED USE														
Variety Store[3]	814	8,320	SF	T = 3.81 (X)	50%	50%	16	16	32	5	17.00%	14	13	27

PM PEAK HOUR

LAND USE	ITE CODE	INTENSITY		TRIP GENERATION RATE [1]	IN	OUT	TOTAL TRIPS			PASS-BY[2]		NEW TRIPS		
							IN	OUT	TOTAL			IN	OUT	TOTAL
PROPOSED USE														
Variety Store[3]	814	8,320	SF	T = 6.82 (X)	50%	50%	29	28	57	10	17.00%	24	23	47

(1) Source: Institute of Transportation Engineers, Trip Generation Manual, 9th Edition.

(2) Pass-by rate for LU 814 based on Pass-by rate for LU 815 since no information is provided for LU 814.

(3) IN/OUT split for AM and PM peak hours based on daily IN/OUT split since no information is provided for the peak hours.

McMAHON TRANSPORTATION ENGINEERS & PLANNERS

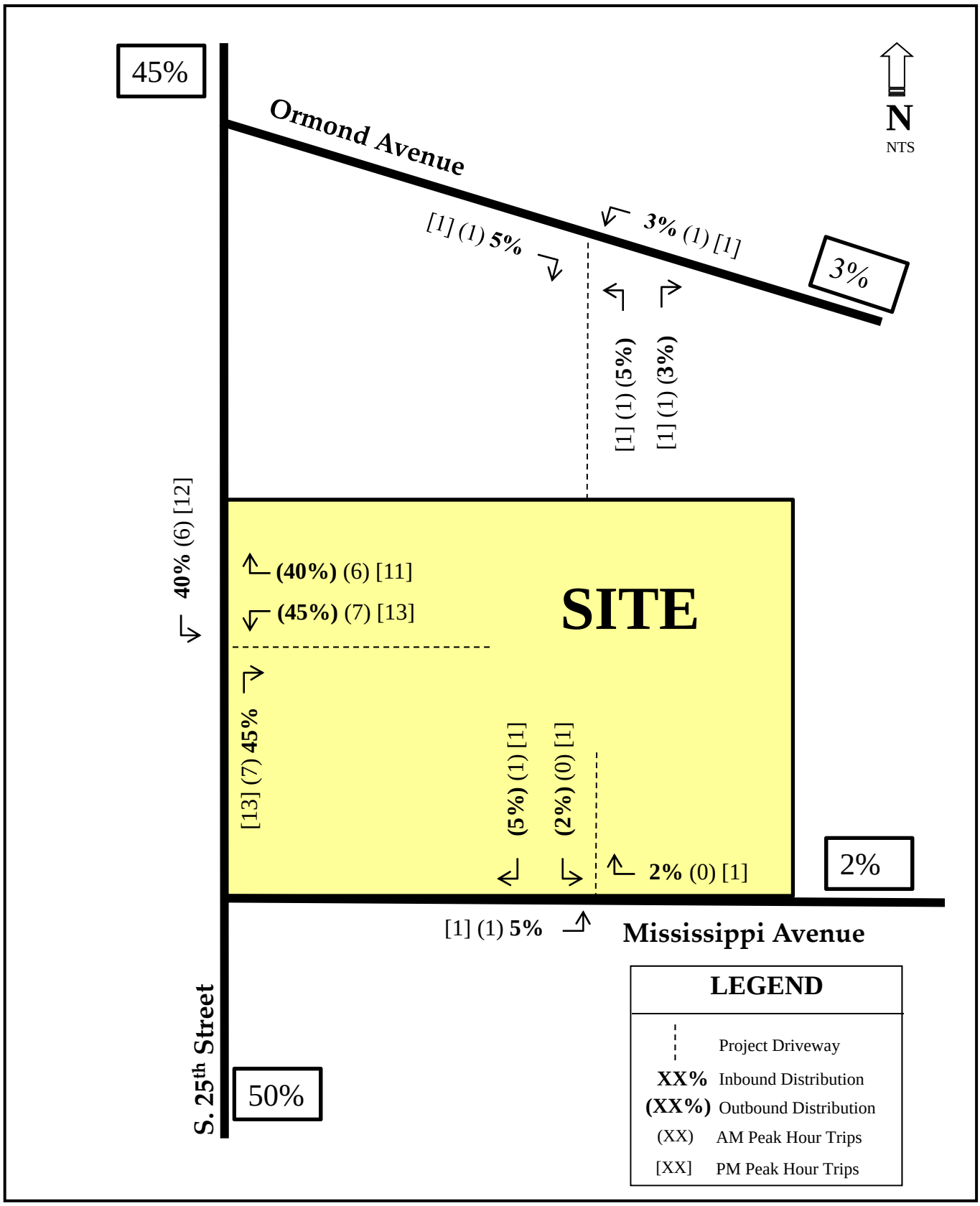


Figure 1
Project Distribution and Driveway Traffic Volumes
Family Dollar Fort Pierce Traffic Analysis
Fort Pierce, Florida

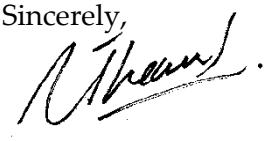
Roadway Capacity Analysis

S. 25th Street is a four-lane, undivided roadway with a center two-way, left-turn lane. S. 25th Street near the project site currently operates at Level of Service B during both the AM and PM peak hours based on the latest traffic counts provided by the St. Lucie County Transportation Planning Organization. With the minor increase in traffic anticipated from the proposed development, S. 25th Street is expected to continue to operate at an acceptable level of service.

Conclusion

Based on the analysis contained herein, the proposed development is expected to result in minimal impact to the surrounding roadway network. S. 25th Street is anticipated to operate at an acceptable level of service at the buildout of the project.

Sincerely,



Natalia T. Lercari, P.E.
Project Manager

NTL/hsv
Attachments

APPENDIX A

TRIP GENERATION INFORMATION

Variety Store
(814)

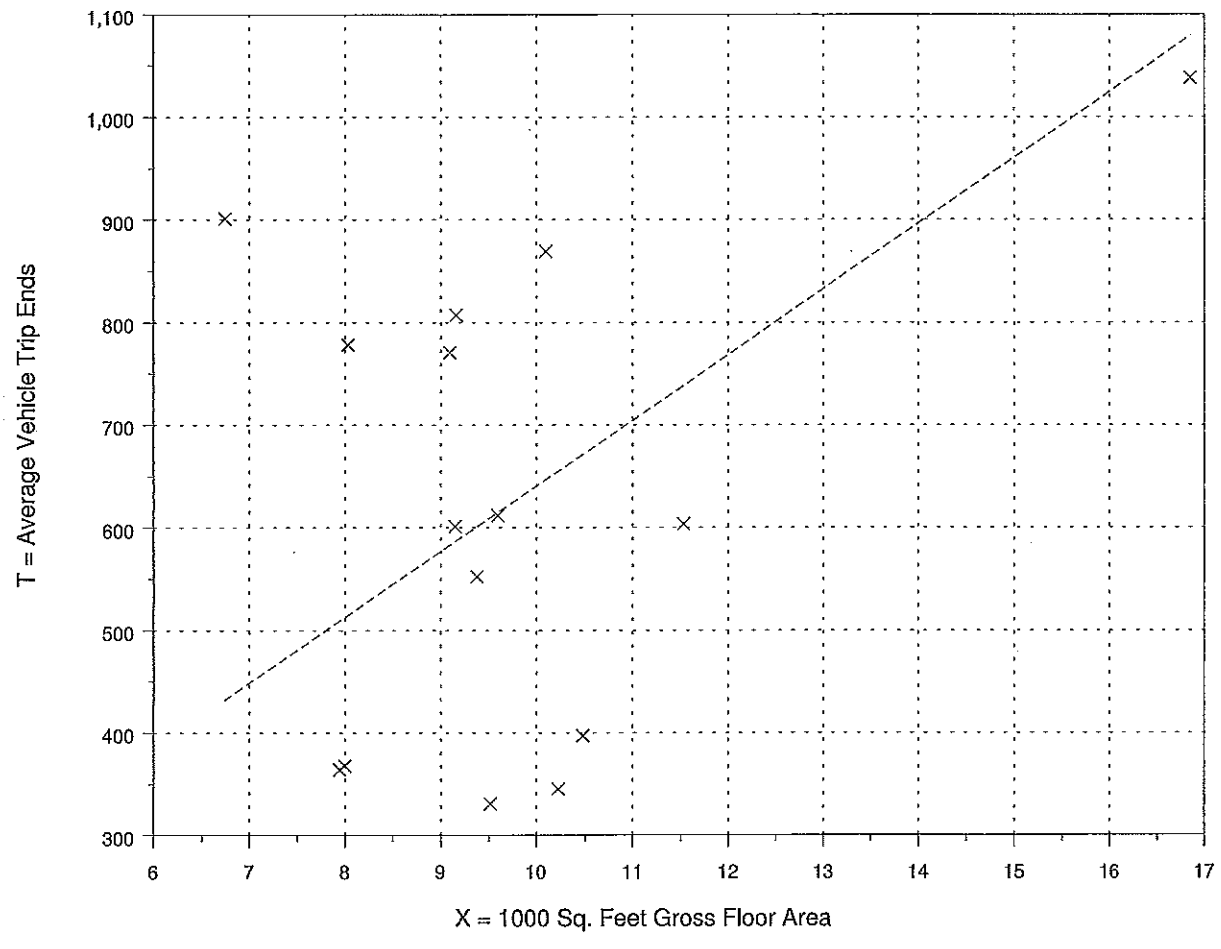
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday

Number of Studies: 15
Average 1000 Sq. Feet GFA: 10
Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
64.03	33.73 - 133.60	25.69

Data Plot and Equation



Fitted Curve Equation: Not given

R^2 = ****

Variety Store
(814)

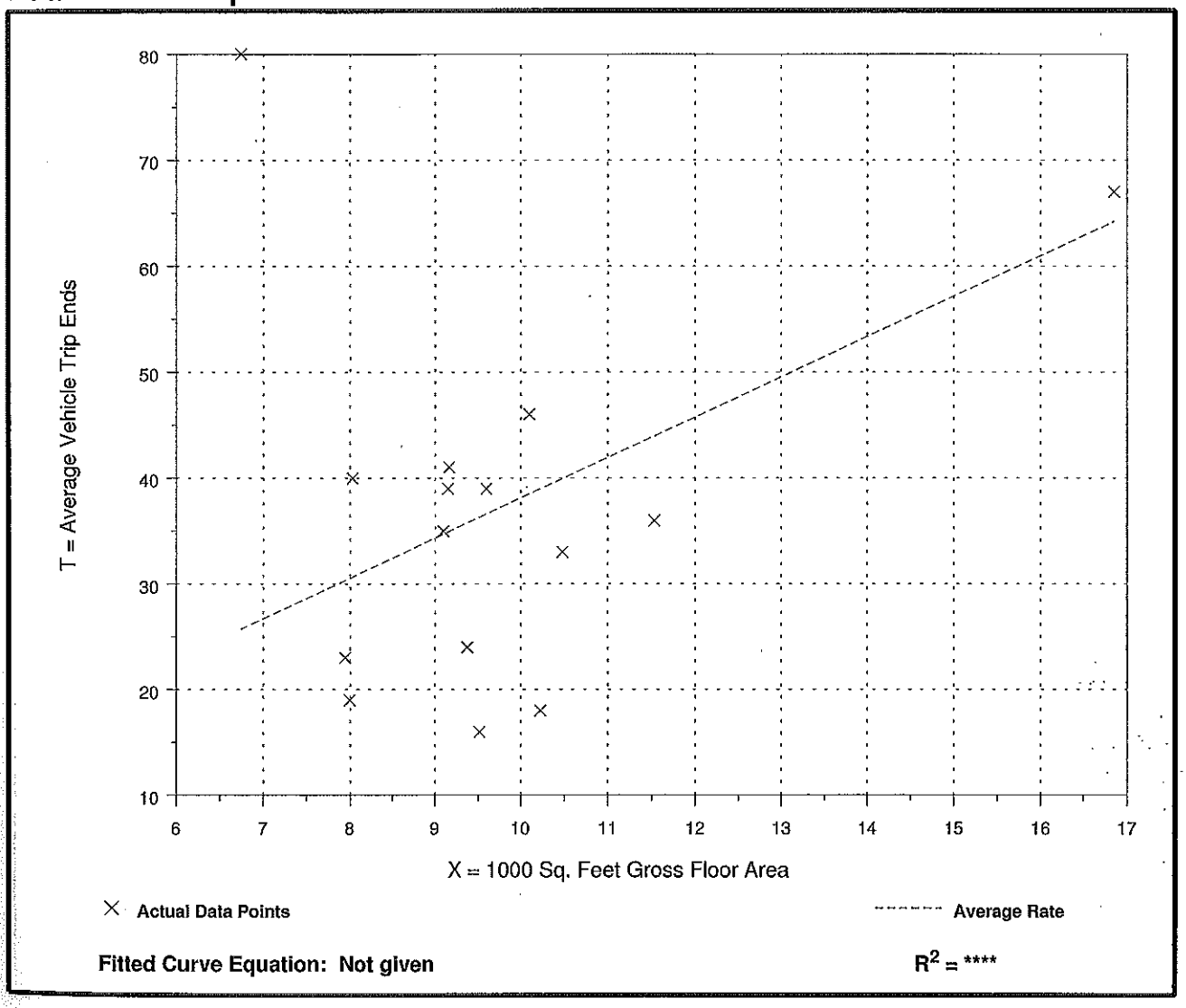
Average Vehicle Trip Ends vs: **1000 Sq. Feet Gross Floor Area**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Number of Studies: 15
Average 1000 Sq. Feet GFA: 10
Directional Distribution: Not available

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
3.81	1.68 - 11.86	2.74

Data Plot and Equation



Fitted Curve Equation: Not given

R^2 = ****

Variety Store
(814)

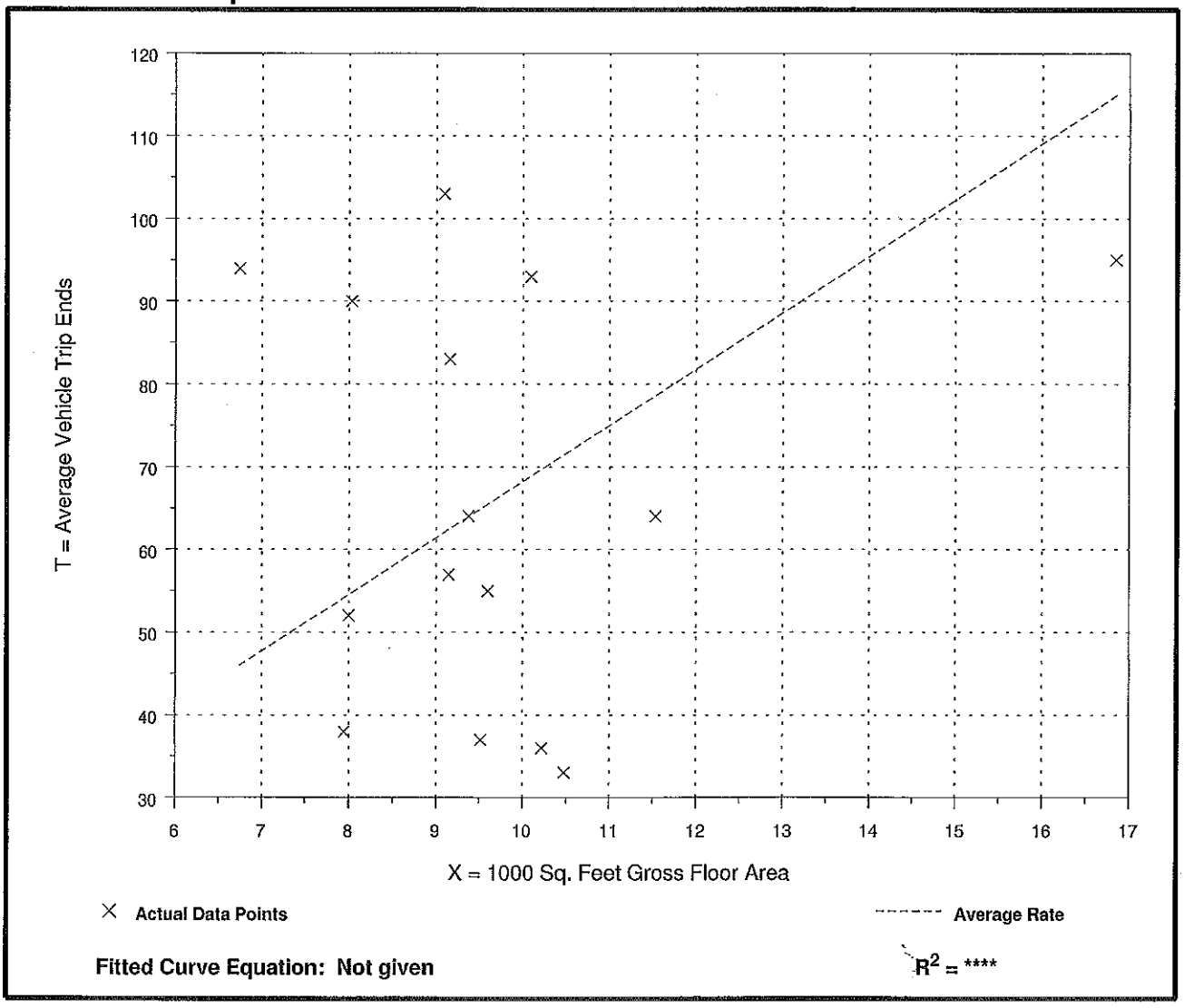
Average Vehicle Trip Ends vs: **1000 Sq. Feet Gross Floor Area**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 15
Average 1000 Sq. Feet GFA: 10
Directional Distribution: Not available

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
6.82	3.15 - 13.94	3.80

Data Plot and Equation



Fitted Curve Equation: Not given

R^2 = ****

Table 5.3
Pass-By Trips and Diverted Linked Trips
Weekday, p.m. Peak Period
Land Use 815—Free-Standing Discount Store

SIZE (1,000 SQ. FT. GFA)	LOCATION	WEEKDAY SURVEY DATE	NO. OF INTERVIEWS	TIME PERIOD	PRIMARY TRIP (%)	NON-PASS-BY TRIP (%)	DIVERTED LINKED TRIP (%)	PASS-BY TRIP (%)	ADJ. STREET PEAK HOUR VOLUME	SOURCE
116	Auburn, NY	Nov. 1994	80	4:00–6:00 p.m.	33.8	—	37.4	28.8	1,490	Bergmann Associates
116	Fredonia, NY	Nov. 1994	80	4:00–6:00 p.m.	46.3	—	30.0	23.7	1,620	Bergmann Associates
122	Marlton, NJ	Nov. 1994	73	4:15–5:15 p.m.	50.7	—	27.4	21.9	1,360	Raymond Keyes Assoc.
127	Marlton, NJ	Nov. 1994	23	4:00–5:00 p.m.	21.8	—	39.1	39.1	1,410	Raymond Keyes Assoc.
127	Toms River, NJ	Nov. 1994	137	4:00–5:00 p.m.	46.0	—	40.9	13.1	1,430	Raymond Keyes Assoc.
128	Toms River, NJ	Nov. 1994	89	4:00–5:00 p.m.	60.7	—	32.6	6.7	1,290	Raymond Keyes Assoc.
128	Brick, NJ	Nov. 1994	48	4:15–5:15 p.m.	41.7	—	50.0	8.3	2,560	Raymond Keyes Assoc.
128	Brick, NJ	Nov. 1994	56	4:00–5:00 p.m.	46.4	—	39.3	14.3	2,550	Raymond Keyes Assoc.
126	Berlin, NJ	Feb. 1994	45	4:30–5:30 p.m.	75.5	—	17.8	6.7	1,230	Raymond Keyes Assoc.
126	Berlin, NJ	Feb. 1994	95	4:00–5:00 p.m.	61.0	—	37.9	1.1	1,430	Raymond Keyes Assoc.
133	Mays Landing, NJ	Feb. 1994	22	4:00–5:00 p.m.	81.8	—	9.1	9.1	3,640	Raymond Keyes Assoc.
133	Mays Landing, NJ	Feb. 1994	40	4:00–5:00 p.m.	55.0	—	42.5	2.5	3,700	Raymond Keyes Assoc.
127	Toms River, NJ	Sept. 1994	58	4:00–5:00 p.m.	65.5	—	20.7	13.8	1,380	Raymond Keyes Assoc.
127	Toms River, NJ	Sept. 1994	83	4:15–5:15 p.m.	57.8	—	28.9	13.3	1,390	Raymond Keyes Assoc.
128	Brick, NJ	Sept. 1994	117	4:30–5:30 p.m.	47.0	—	26.5	26.5	2,640	Raymond Keyes Assoc.
128	Brick, NJ	Sept. 1994	98	4:00–5:00 p.m.	49.0	—	21.4	29.6	2,640	Raymond Keyes Assoc.
127	Berlin, NJ	Sept. 1994	35	4:00–5:00 p.m.	71.4	—	20.0	8.6	1,240	Raymond Keyes Assoc.
88	Omaha, NE	n/a	n/a	4:00–6:00 p.m.	26.0	—	51.0	23.0	n/a	University of Nebraska—Lincoln
100	Omaha, NE	n/a	n/a	4:00–6:00 p.m.	32.0	—	46.0	22.0	n/a	University of Nebraska—Lincoln
100	Omaha, NE	n/a	n/a	4:00–6:00 p.m.	22.0	—	49.0	29.0	n/a	University of Nebraska—Lincoln
88	Omaha, NE	n/a	n/a	4:00–6:00 p.m.	33.0	—	48.0	19.0	n/a	University of Nebraska—Lincoln
66	Omaha, NE	n/a	n/a	4:00–6:00 p.m.	21.0	—	60.0	19.0	n/a	University of Nebraska—Lincoln

Average Pass-By Trip Percentage: 17

SUNSHINE STATE ONE CALL TICKET 219307961

SERVICE AREA:	RESPONSE:	CONTACT:	TELEPHONE:	UTILITY TYPE:
FT. PIERCE UTILITIES AUTHORITY	MARKED	CENTRAL LOCATING SERVICE	800-778-9140	CATV & FIBER
AT&T / DISTRIBUTION	MARKED	TYDRA WILLIAMS	772-460-3200 X 420	TRAFFIC SIGNALS/STORM DRAIN
COMCAST CABLE	MARKED	ANYONE EXT 6209	772-465-9500	WATER/SEWER/GAS/ELECTRIC
CITY OF FORT PIERCE	MARKED	USIC DISPATCH	800-778-9140	TELEPHONE

SUNSHINE STATE ONE CALL TICKET 219308003

SERVICE AREA:	RESPONSE:	CONTACT:	TELEPHONE:	UTILITY TYPE:
FT. PIERCE UTILITIES AUTHORITY	MARKED	CENTRAL LOCATING SERVICE	800-778-9140	CATV & FIBER
AT&T / DISTRIBUTION	MARKED	TYDRA WILLIAMS	772-460-3200 X 420	TRAFFIC SIGNALS/STORM DRAIN
COMCAST CABLE	MARKED	ANYONE EXT 6209	772-465-9500	WATER/SEWER/GAS/ELECTRIC
CITY OF FORT PIERCE	MARKED	USIC DISPATCH	800-778-9140	TELEPHONE

SUNSHINE STATE ONE CALL TICKET 219308037

SERVICE AREA:	RESPONSE:	CONTACT:	TELEPHONE:	UTILITY TYPE:
FT. PIERCE UTILITIES AUTHORITY	MARKED	CENTRAL LOCATING SERVICE	800-778-9140	CATV & FIBER
AT&T / DISTRIBUTION	MARKED	TYDRA WILLIAMS	772-460-3200 X 420	TRAFFIC SIGNALS/STORM DRAIN
COMCAST CABLE	MARKED	ANYONE EXT 6209	772-465-9500	WATER/SEWER/GAS/ELECTRIC
CITY OF FORT PIERCE	MARKED	USIC DISPATCH	800-778-9140	TELEPHONE

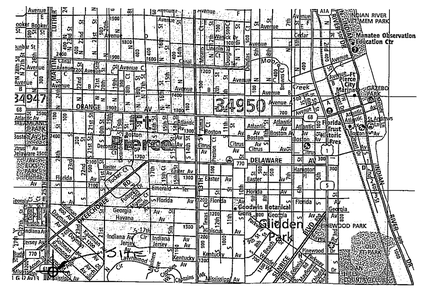
HANON

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)

1 inch = 30 ft.



LOCATION MAP: NOT TO SCALE

ALTA/ACSM LAND TITLE SURVEY

LEGAL DESCRIPTION:

PARCEL 1:
LOTS 1, 2 AND 3, LESS THE WEST 15 FEET THEREOF, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
LESS AND EXCEPTING STREET RIGHT OF WAYS THEREFROM.
PARCEL 2: 4, 5, 6, 7, 8, 9, 10, LESS THE WEST 15 FEET THEREOF, THE WEST ONE-HALF OF LOT 11, ALL IN BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
AND
LOTS 22 AND 23, BLOCK 51, BILTMORE PARK, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 4, PAGE 52, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
LESS THE NORTHEASTERLY 150 FEET THEREOF AND BEING DESCRIBED AS THAT PORTION OF LOTS 22 AND 23 LYING NORTH NAD EAST OF A LINE DRAWN PARALLEL TO THE NORTHEAST LINE OF SAID LOTS AND 150 FEET SOUTHWEST OF SAID NORTHEAST LINE.

SURVEYOR'S NOTES:

1. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND UTILITIES ON/OR ADJACENT TO THIS SITE; THE APPROXIMATE LOCATION OF ALL UTILITIES SHOWN HEREON WERE TAKEN FROM AS-BUILT DRAWINGS AND/OR ON-SITE LOCATION AND SHOULD BE VERIFIED BEFORE CONSTRUCTION
2. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND FOOTINGS OF BUILDINGS OR FENCES ON OR ADJACENT TO THIS SITE.
3. LANDS SHOWN HEREON WERE SURVEYED IN ACCORDANCE WITH FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NO. 4090974, EFFECTIVE DATE: JANUARY 14, 2013 @ 8:00 AM
SCHEDULE B -- SECTION II
EXCEPTION #6: DEED BOOK 96, PG 457 - SEE NOTE BELOW EXCEPTIONS
EXCEPTION #7: DEED BOOK 125, PG 252 - SEE NOTE BELOW EXCEPTIONS
EXCEPTION #8: DEED BOOK 125, PG 252 - SEE NOTE BELOW EXCEPTIONS
NOTE: EXCEPTIONS 6, 7, 8 ARE UNDETERMINED BY THIS OFFICE. WE WERE TOLD BY DOT (DISTRICT 4) THAT THE STATE ROAD 615 WAS TRANSFERRED FROM ST. LUCIE COUNTY TO THE STATE OF FLORIDA IN 1975. DETERMINATION WILL HAVE TO BE MADE BY OTHERS.
EXCEPTION #9: PLAT BOOK 4, PAGE 52 - AFFECTS PROPERTY, NO PLOTTABLE EXCEPTIONS
4. BEARINGS SHOWN HEREON REFER TO AN ASSUMED MERIDIAN OF N.01°10'39"E. ALONG THE EAST RIGHT OF WAY LINE OF SOUTH 25th STREET.
5. ALL ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988. ST. LUCIE COUNTY BENCHMARK, REFERENCE NO. VIR 3-04 (ELEVATION 16.81')
6. LEGAL DESCRIPTION FURNISHED BY CLIENT.
7. SITE AREA: 71804.58 SQUARE FEET OR 1.65 ACRES MORE OR LESS.
8. THIS SITE LIES IN FLOOD ZONE 'X' AS SCALED AND INTERPOLATED FROM FEMA MAP PANEL NO. 120286-0186-J, DATED: FEBRUARY 16, 2012.
9. LIMITS OF JURISDICTIONAL WETLANDS, DITCHES, DRAINAGE WAYS, WATER FLOWS, AND/OR BODIES OF WATER, IF ANY, ARE NOT DETERMINED BY THIS SURVEY. CLIENT IS ADVISED TO CONTACT APPROPRIATE GOVERNING AGENCIES FOR POSSIBLE LIMITS OF JURISDICTION.
10. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
11. THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
12. THERE WAS NO OBSERVABLE EVIDENCE OF THIS SITE BEING USED AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.

SURVEYOR'S CERTIFICATION:

TO: HUTTON PARTNERS, LLC, A TENNESSEE LIMITED LIABILITY COMPANY; PRESTON O. COCKEY, JR., P.A.; AND FIDELITY NATIONAL TITLE INSURANCE COMPANY,
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7(a), 7(b), 7(c), 8, 9, 10(a), 10(b), 11(a), 11(b) 12, 13, 14, 16, 17, 18, 19, 20 AND 21 OF TABLE 'A' THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 9, 2013.

ROBERT BLOOMSTER JR.
PROFESSIONAL LAND SURVEYOR
NO. 4134 STATE OF FLORIDA

LEGEND

- CLEAN OUT
- (WPP) WOOD POWER POLE
- MANHOLE
- WATER VALVE
- FIRE HYDRANT
- SPOT ELEVATIONS
- INV. INVERT
- EL. ELEVATION
- PSM PROFESSIONAL SURVEYOR AND MAPPER
- CPP CONCRETE POWER POLE
- OE OVERHEAD ELECTRIC
- FFE FINISH FLOOR ELEVATION
- UC UNDERGROUND CABLE
- LB LICENSED BUSINESS
- ID IDENTIFICATION
- P PLAT
- D DEED

BLOOMSTER
PROFESSIONAL LAND SURVEYORS, INC.
L.B. #6018

641 NORTHEAST SPENCER STREET
JENSEN BEACH, FLORIDA 34957
PHONE 772-334-0868

SHEET 1 OF 1		
DRAWN BY: DPK		
SCALE: 1" = 30'		
FIELD WORK COMPLETED: 8/12/13		
FIELD BOOK: SKETCH		
JOB NO. 12343		
REVISIONS		
DATE:	DESCRIPTION:	BY:

THE HUTTON COMPANY
1210 SOUTH 25th STREET
FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

City Commission Regular Meeting **Agenda Item # 11. a.**

Meeting Date: 03/17/2014

Re: City Marina Reconstruction Update

Submitted For: John Andrews, City Engineer, Engineering

SUBJECT:

City Marina Reconstruction Update

SUMMARY:

Lucas Marine (LMAC) has reached substantial completion for Phase I. Staff is compiling and reviewing closeout documentation.

LMAC has started restoration efforts at the Moore's Creek staging area. This includes landscaping, curb replacement, seawall repairs and resurfacing. They hope to complete all restoration by March 28, 2014.

RECOMMENDATION:

N/A

ALTERNATIVES:

N/A

RESPONSIBLE STAFF:

Edward Seissiger, Project Coordinator

COORDINATED WITH:

Tetra Tech and LMAC

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

City Commission Regular Meeting **Agenda Item # 11. b.**

Meeting Date: 03/17/2014

Re: Update on All Aboard Florida

Submitted For: John Andrews, City Engineer, Engineering

SUBJECT:

Report on railway grade crossing diagnostic inspection for All Aboard Florida project

SUMMARY:

Representatives from All Aboard Florida, Florida East Coast Railway, Florida Department of Transportation, and Federal Railroad Administration conducted a field inspection of each of the City of Fort Pierce's at grade crossings on March 6, 2014. The Engineering Department and the Department of Public Works accompanied these inspections. A brief report will be given to the City Commission on the items discussed.

RECOMMENDATION:

Not Applicable

ALTERNATIVES:

Not Applicable

RESPONSIBLE STAFF:

Engineering, Public Works

COORDINATED WITH:

All Aboard Florida

Fiscal Impact

Budgeted Y/N:	N/A
Fiscal Year:	N/A
Account:	N/A
Amount:	N/A

OTHER INFORMATION:

No fiscal impact

Attachments

Highway-Rail Grade Crossings Diagnostic Meeting

REPORT ON THE "HIGHWAY-RAIL GRADE CROSSING DIAGNOSTICS" MEETING - MARCH 6, 2014

Review of the six at grade crossings in the City of Fort Pierce

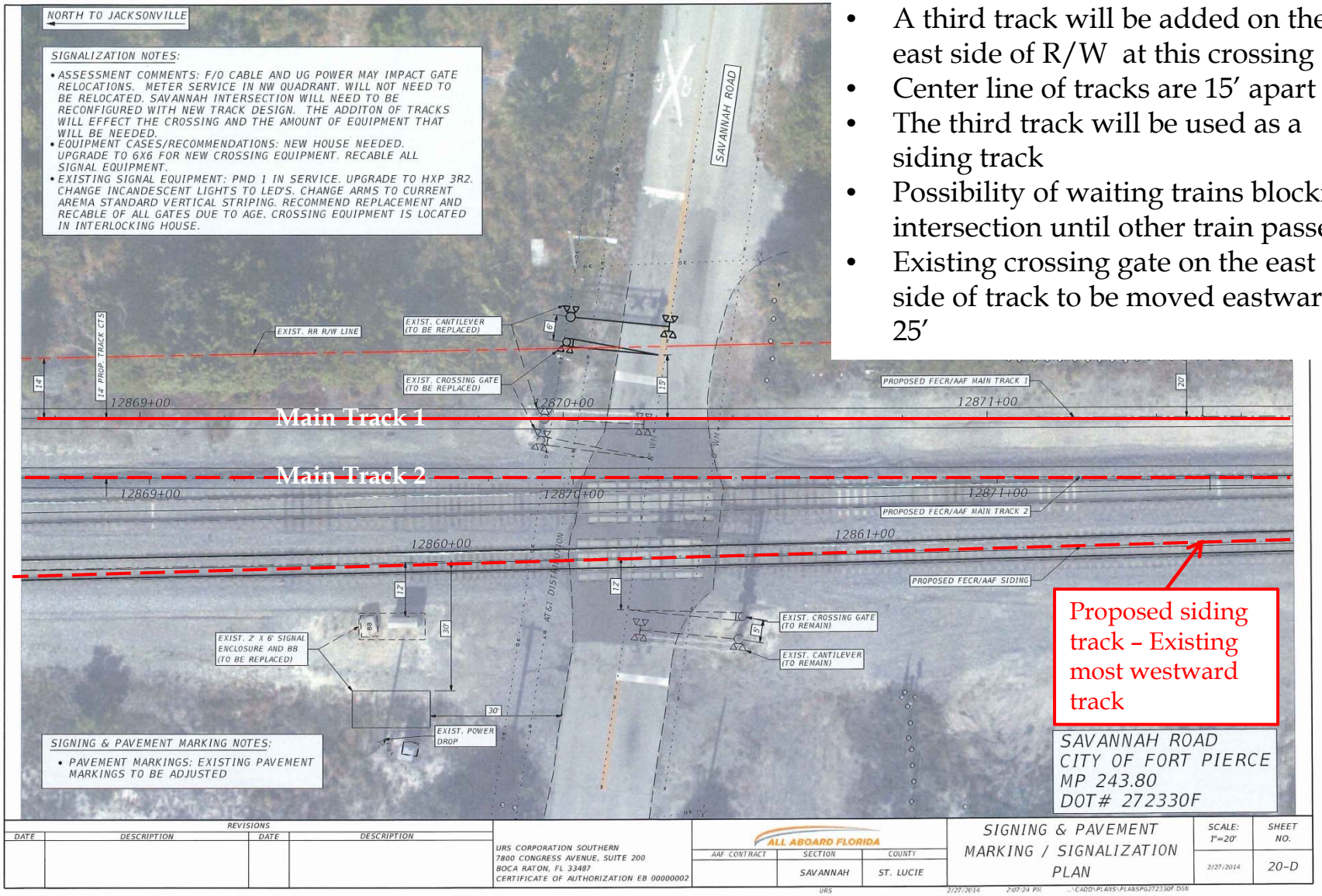
Prepared By:
Fort Pierce Engineering Department

March 10, 2014

Crossing Diagnostics Meeting Summary

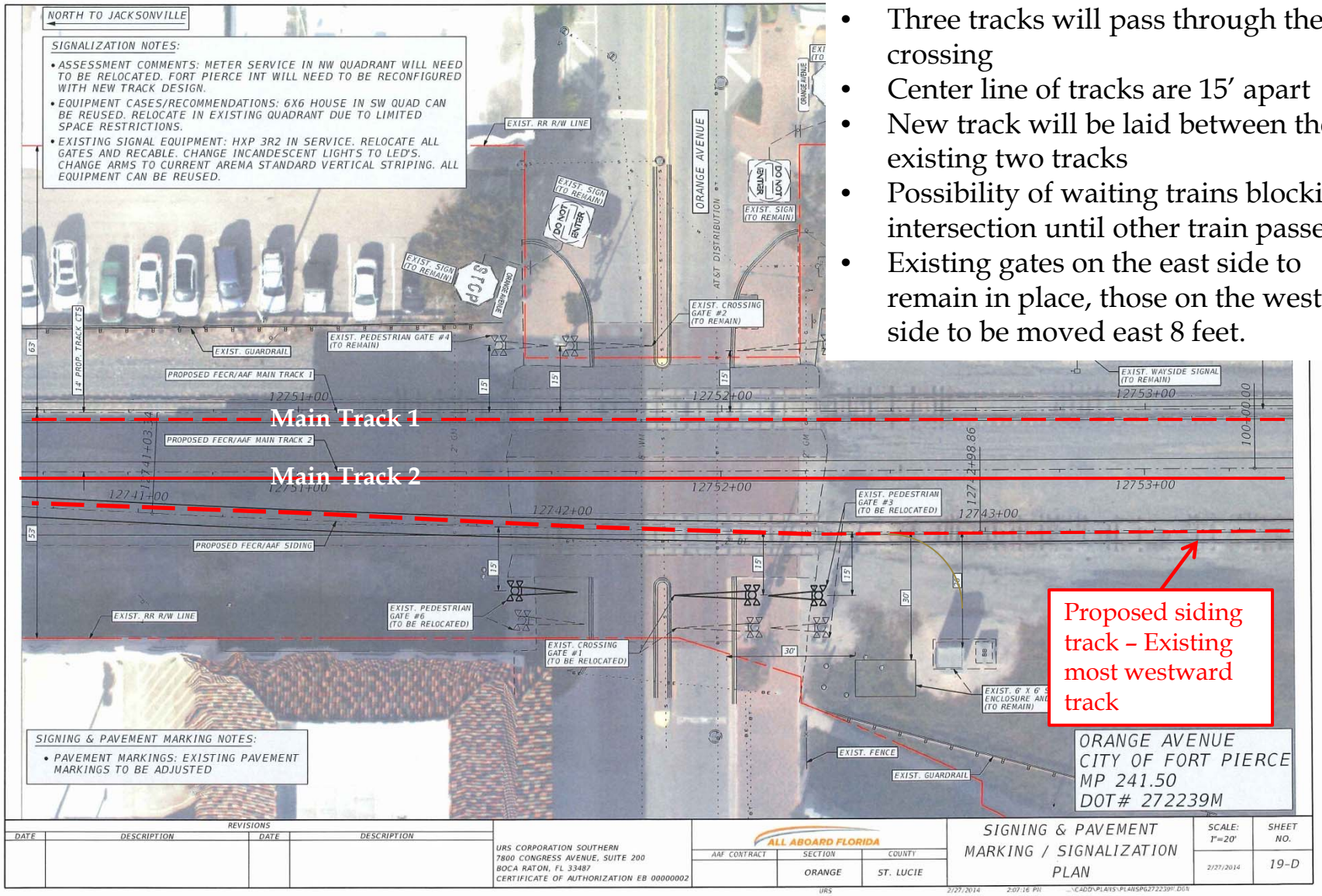
- The Engineering and Public Works Departments met with representatives from:
  - All Aboard Florida
  - Florida East Coast Railway
  - Florida Department of Transportation
  - Federal Railroad Administration
- Each crossing was field inspected and notations made to the 30% design plans
- Following is a brief summary of each crossing.

Savannah Road Crossing – (110 mph)



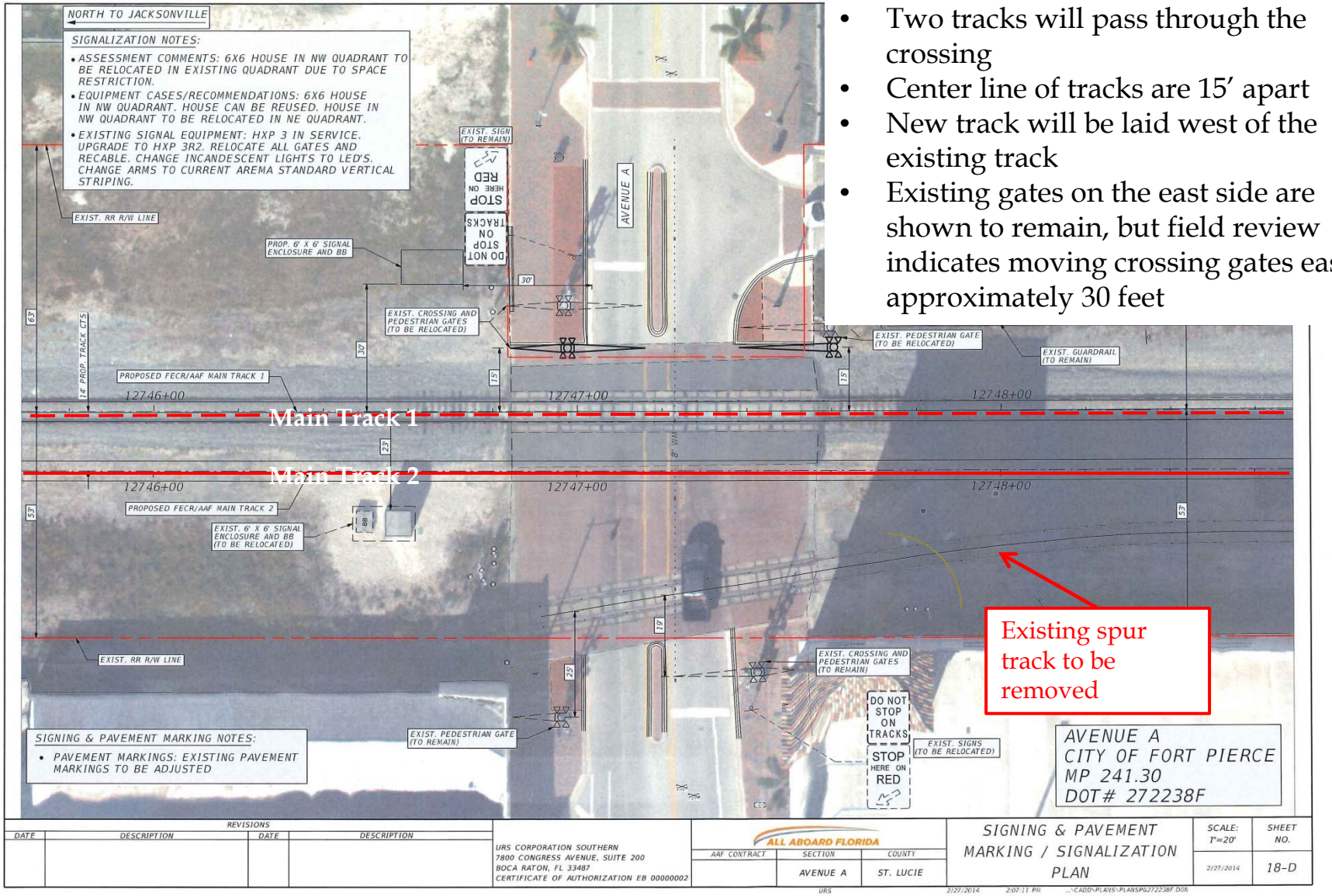
- A third track will be added on the east side of R/W at this crossing
- Center line of tracks are 15′ apart
- The third track will be used as a siding track
- Possibility of waiting trains blocking intersection until other train passes
- Existing crossing gate on the east side of track to be moved eastward 25′

Orange Avenue Crossing – (40 to 50 mph)



- Three tracks will pass through the crossing
- Center line of tracks are 15’ apart
- New track will be laid between the existing two tracks
- Possibility of waiting trains blocking intersection until other train passes
- Existing gates on the east side to remain in place, those on the west side to be moved east 8 feet.

Avenue A Crossing– (40 to 50 mph)

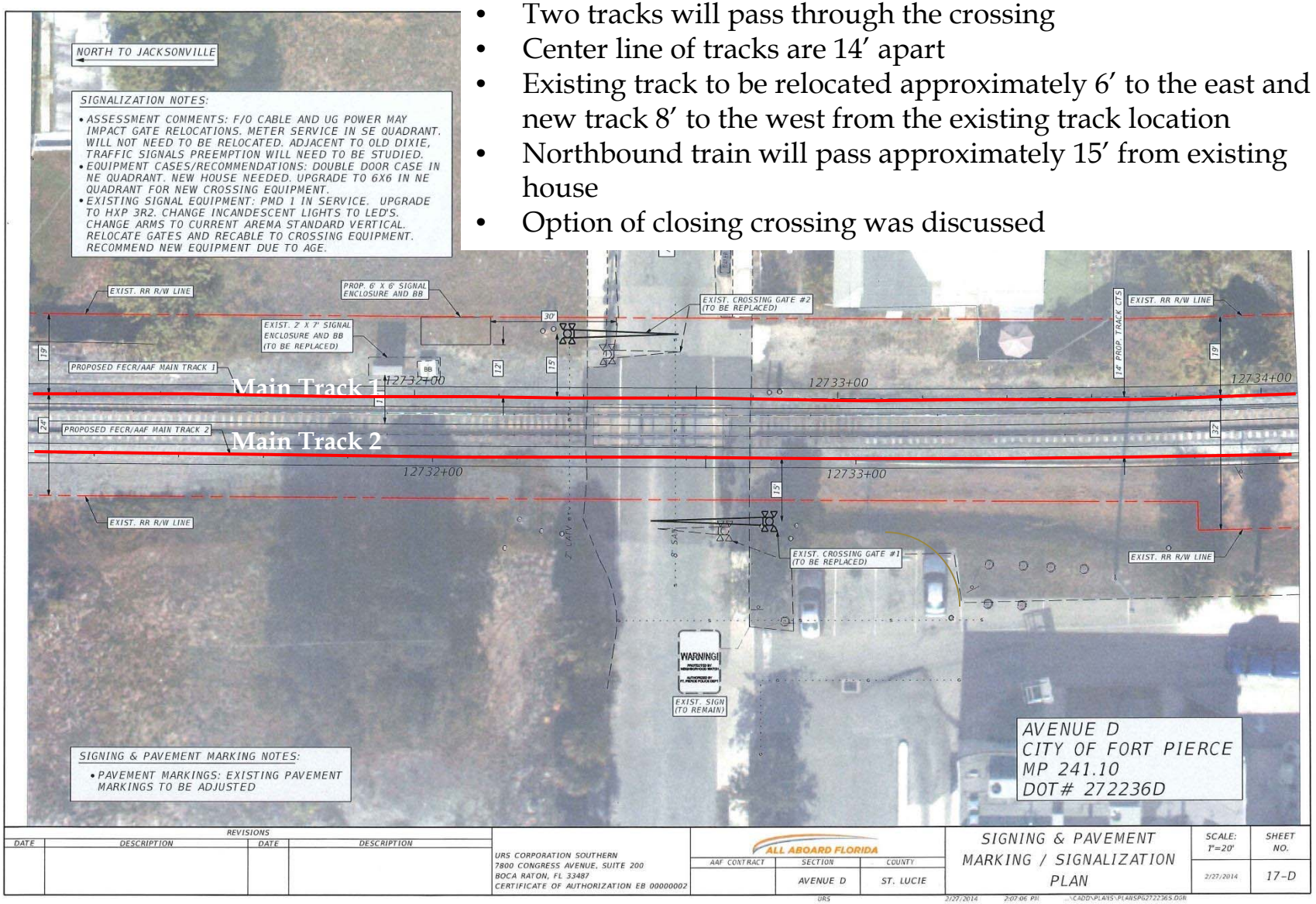


Existing spur track to be removed

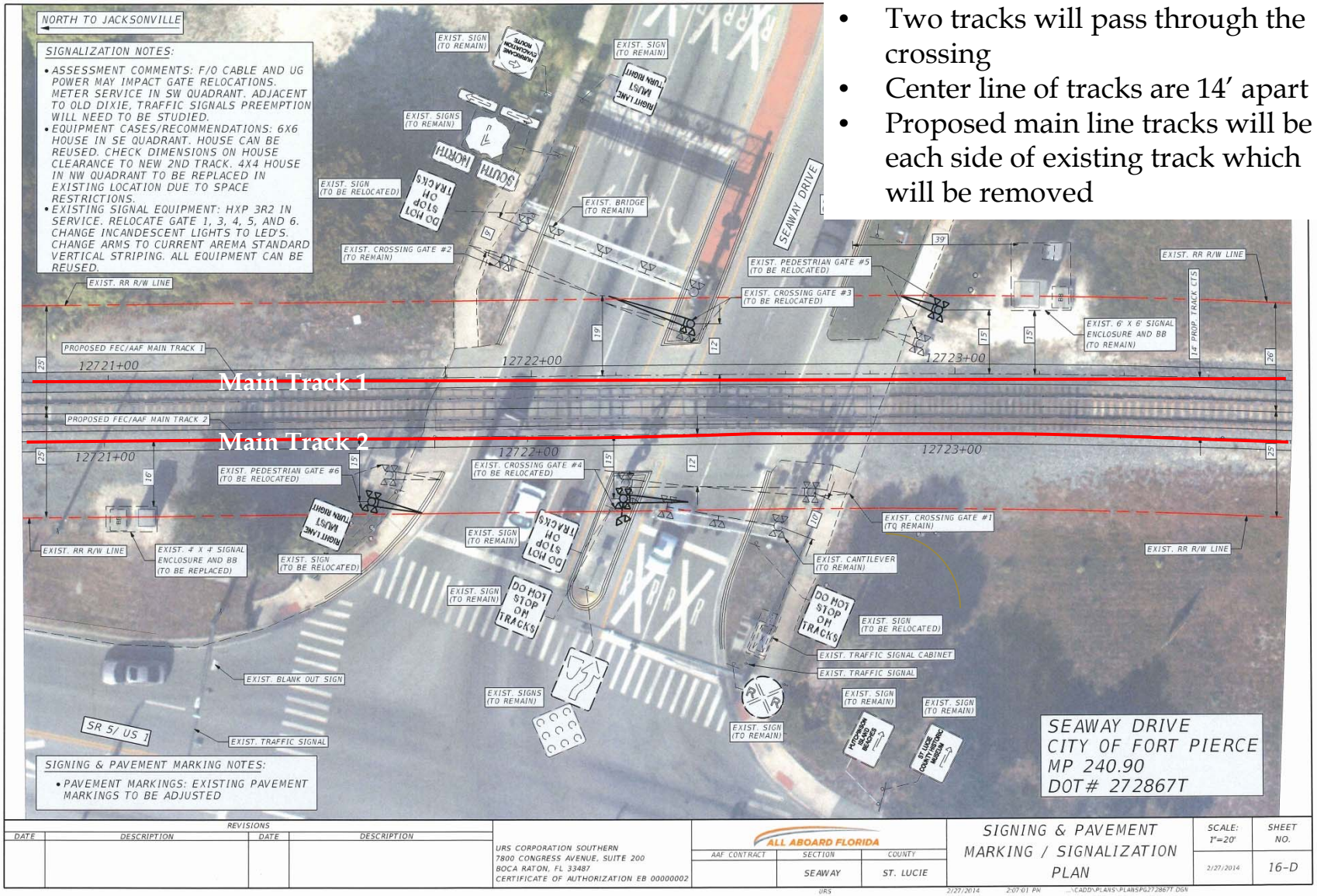
- Two tracks will pass through the crossing
- Center line of tracks are 15’ apart
- New track will be laid west of the existing track
- Existing gates on the east side are shown to remain, but field review indicates moving crossing gates east approximately 30 feet

Avenue D – (Begin acceleration)

- Two tracks will pass through the crossing
- Center line of tracks are 14′ apart
- Existing track to be relocated approximately 6′ to the east and the new track 8′ to the west from the existing track location
- Northbound train will pass approximately 15′ from existing house
- Option of closing crossing was discussed

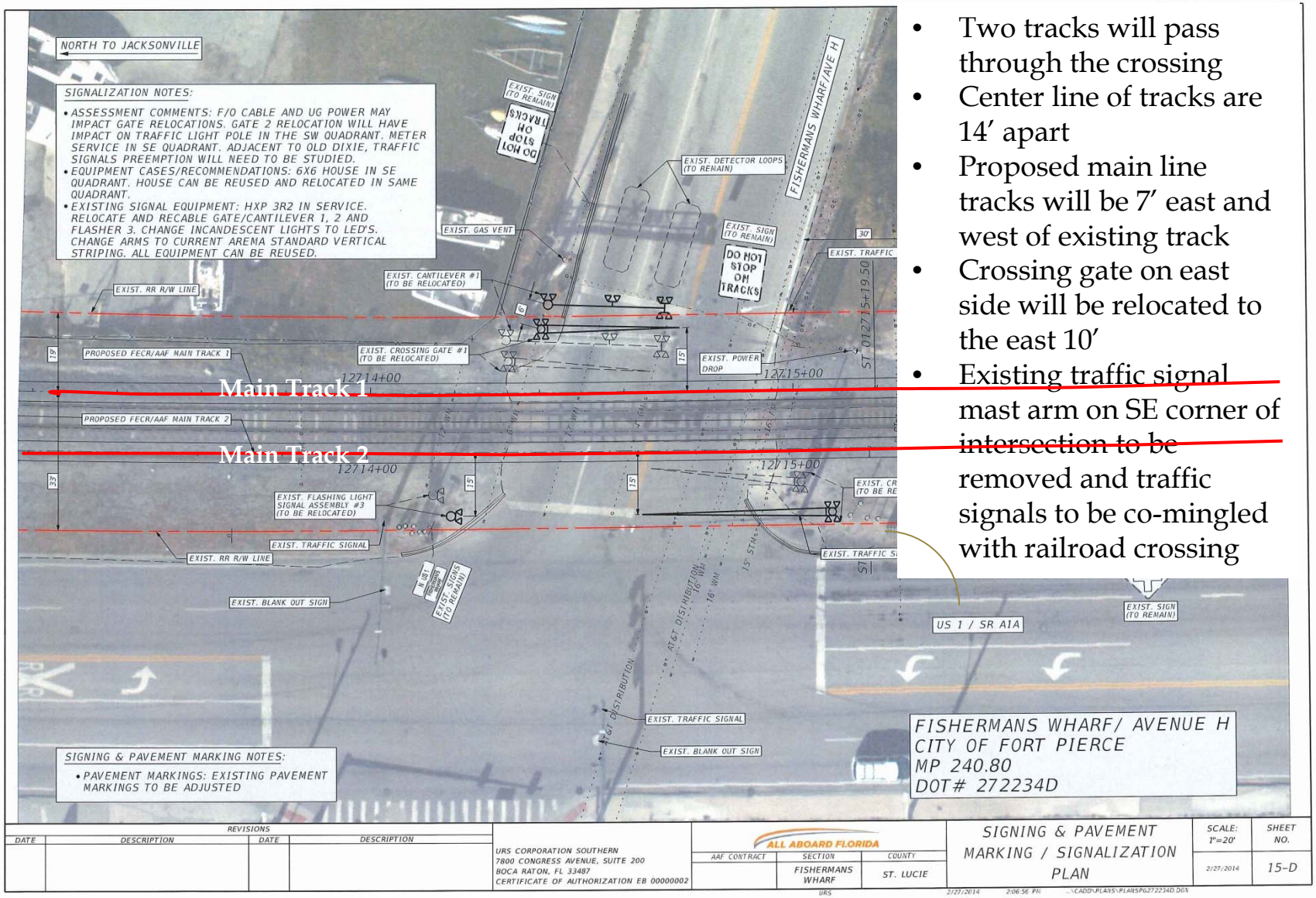


Seaway Drive – (50 to 60 mph)



- Two tracks will pass through the crossing
- Center line of tracks are 14’ apart
- Proposed main line tracks will be on each side of existing track which will be removed

Fisherman's Wharf– (50 to 60 mph)



- Two tracks will pass through the crossing
- Center line of tracks are 14′ apart
- Proposed main line tracks will be 7′ east and west of existing track
- Crossing gate on east side will be relocated to the east 10′
- Existing traffic signal mast arm on SE corner of ~~intersection to be~~ removed and traffic signals to be co-mingled with railroad crossing

Crossing Diagnostics Meeting Summary

- "Quiet Zones" were discussed with representatives from the Federal Railroad Administration
  - Criteria for crossings in "Quiet Zones"
    - All four quadrants will have crossing gates
    - Non-mountable median must extend 100' from tracks
  - "Quiet Zone" Costs:
    - Estimated design and construction cost per crossing is $300,000 to $500,000
    - Annual maintenance cost per intersection (responsibility of municipality) is $4,000 to $10,000
  - "Quiet Zones" at intersections such as Orange Avenue and Avenue A would result in blocking entrances to the parking garage, Depot Drive and private parking lots
  - No funding has been appropriated by the project for the construction of "Quiet Zones"

City Commission Regular Meeting **Agenda Item # 13. a.**

Meeting Date: 03/17/2014

Re: Department Activity Report

Submitted For: Robert Bradshaw, City Manager

SUBJECT:

Department Activity Report

Attachments

City Manager's Activity Report

Interoffice Memorandum

FROM THE OFFICE OF THE

CITY MANAGER

TO: The Honorable Mayor and Members of the City Commission
FROM: Robert J. Bradshaw, City Manager
RE: Department Activity Report
DATE: March 7, 2014

The information that follows is intended to keep the Commission abreast of the on-going activities, issues, programs and services within the City.

City Manager's Office

City Manager

- The City Manager and Deputy City Manager met with the Executive Director of the Fort Pierce Housing Authority regarding Orange Avenue apartments.
- The Economic Development Team met with a potential developer on February 24, 2014.
- The City Manager and Deputy City Manager attended the groundbreaking event for Indian Hills Recreation Area on February 25, 2014.
- The City Manager and Deputy City Manager met with the Code Compliance Manager to discuss animal control issues.
- The City Manager and Deputy City Manager met with Peter Buchwald to discuss the proposed resolution for funding in preparation of the All Aboard Florida passenger rail systems.
- The Deputy City Manager attended a meeting with representatives from the County and FDOT regarding 2nd Street/Port of Fort Pierce.
- The Deputy City Manager attended a CRA Advisory Committee meeting on February 26, 2014.
- The Deputy City Manager and Executive Assistant participated in the City Hall Fitness Challenge.
- The City Manager and Deputy City Manager met with the Mayor weekly to discuss current City issues.
- The Deputy City Manager participated in a Florida DEO teleconference regarding the NSP Program.
- The City Manager and Deputy City Manager met with Commissioner Alexander regarding current City issues.
- The Deputy City Manager met with the Administrative Services Director regarding Administrative Services issues.

City Manager's Office contd.

- The Economic Development Team met with Representative Lee regarding legislative priorities.
- The Deputy City Manager met with representatives from ALPI to discuss the lease for 505 N. 7th Street.
- The City Manager and Deputy City Manager met with the City's auditor regarding the annual financial report.
- The Deputy City Manager participated in an interview regarding the maritime training facility.
- The City Manager met with Commissioner Perona regarding the agenda for the March 3, 2014 City Commission meeting.
- The Deputy City Manager attended a meeting regarding the Central Basketball League's utilization of the Percy Peek Gymnasium.
- The Deputy City Manager participated in a conference call with FDOT, St. Lucie County and Florida Ports Council regarding the Port of Fort Pierce.
- The Deputy City Manager met with the Grants Administrator regarding Lincoln Park improvement project.
- The City Manager, Deputy City Manager and Planning Manager met with Ben DeVries regarding TCERDA.
- The Deputy City Manager attended the Keep Fort Pierce Beautiful Board meeting on March 4, 2014.
- The City Manager attended the FPUA Board meeting on March 4, 2014.
- The City Manager and Deputy City Manager met with the Golf Course Manager regarding golf course issues.
- The City Manager and City Attorney met with representatives of the Teamsters bargaining unit regarding negotiations.
- The Deputy City Manager met with representatives from St. Lucie County regarding a potential partnership to manage property.
- The Deputy City Manager attended a meeting with the Executive Director of St. Lucie Habitat for Humanity regarding neighborhood development.
- The City Manager and Deputy City Manager met with the Finance Director and Chief Accountant regarding a pension workshop.
- The Deputy City Manager attended a meeting with representatives from the County and FPUA regarding North 2nd Street pre-construction coordination.

City Clerk's Office

- Gave assistance and answered questions to the walk-in public on various aspects of Business Tax Receipts which included but not limited to:

  New Applications: 10 Renewals: 13 Transfers: 0

- Gave assistance and answered questions to the walk-in contractors on various aspects of Contractor's Licensing which included but not limited to:

  New Applications: 11 Renewals: 9

- Gave assistance and answered questions from the public who have contacted office by telephone.
- Gave assistance and answered questions received by the public via e-mail through the City's web-page.
- Assisted the public by researching and providing copies of various requested public records.
- Assisted the public, various departments, newspaper and other government entities by providing DVD copies of various commission meetings.
- Assisted public by processing and providing receipt for animal registrations payment.
- Assisted Code Compliance Manager by processing payment and providing receipt for check received from United For Animals for animal registrations from Dr. Dan's Animal Hospital.
- On-going updating of contractors' records for current Liability Insurance, Workman Compensation Insurance, and State License information.
- Checked for accuracy and completeness all necessary paperwork submitted by contractors to be presented to the Board of Examiners of Contractors at the March 11, 2014 meeting.
- Prepared packets of all required paperwork received from contractors to be placed on the March 11, 2014 agenda of the Board of Examiners of Contractors meeting.
- Preparation of legal advertisements, letters, resolutions, & ordinances for various departments for upcoming City Commission agenda items.
- Preparation of several Proclamations.
- Attended, recorded and transcribed minutes of the Fort Pierce City Commission Meeting held on March 3, 2014.
- License/Permit Clerks contacting businesses who did not renew Business Tax by September 30, 2013 to inquire if still in business and notify that Business Tax has expired and must be renewed.
- Revenue Recovery working with Code Enforcement personnel on new businesses within the city limits that have not applied for a Business Tax Receipt.
- Licensing/Permit Clerk working with Building Department Permit Specialist to contact business tax applicants to set up appointments for building inspections and other issues associated with a business tax application.
- Daily balancing process of cash receipts and submittal to Finance Department for bank deposit.
- On-going implementation of computerization of annexation records.

City Clerk's Office contd.

- On-going implementation of scanning City Commission Agenda Packets onto DVD's.
- On-going implementation of scanning City Commission Meeting minutes, ordinances, resolutions, and the Fort Pierce Redevelopment Meeting minutes into the Optiview system.
- Assisting MIS Department in correcting and adding unit numbers to existing address data base.
- Preparation and delivering to St Lucie County Courthouse recording division various paperwork to be recorded.
- Assisting Finance Department by signing and affixing the City Seal to necessary paperwork associated with release of liens.
- Assisting Planning Department personnel answering questions pertaining to business tax applications.
- Assisted Planning Department personnel by researching and providing copies of various ordinances, rezoning, conditional uses and annexations.
- Assisted Planning Department personnel by researching and providing the cost for legal advertising of various projects they are processing.
- Assisted City Attorney Office by doing research on various city issues.
- License Permit Specialist/Deputy City Clerk working on an on-going record retention projects.
- On-going implementation of updating various forms and having them accessible through the City of Fort Pierce website.
- License Permit Specialist/Deputy City Clerk assisted City Attorney Office by providing certified copies of records for court.
- License Permit Specialist/Deputy City Clerk assisted Purchasing Department by researching and providing copy of Commission Meeting minutes.
- License/Permit Clerk Joyce Kobbe attended lecture presented on February 13, 2014 titled "Learning The Basics: Portion Size and Control.
- City Clerk attended Indian Hills Recreation Area ground-breaking.
- City Clerk attended two (2) Economic Development Team meetings.
- City Clerk attended Economic Development Council lunch meeting.
- City Clerk attended Lawnwood Group Breakfast Meeting.
- City Clerk served as a judge for 211 Helplines Non-Profit Awards.

Administrative Services Department

- Procurement –
  1. Processed Bid 2014-013 - 31st Street Sidewalk Improvements-Okeechobee to Tennessee. Advertisement dates- 3 weeks as per FDOT requirements: 3/6, 3/13 and 3/20/14; Mandatory Pre-Bid Meeting will be held on Friday March 21, 2014; Bid opening April 2, 2014.
  2. Processed Bid 2014-014 Elevator Maintenance; Advertisement dates: 3/4 and 3/11; Bid opening March 20, 2014.
  3. Opened RFQ NO. 2014-010 for the HD King Power Plant Redevelopment on Wednesday March 5, 2014. Received two responses.
  4. Renewal of Annual Contracts
  5. Processed purchase orders and fiscal year blanket purchase orders.
  6. Processing and/or completion of awards to vendors/contractors approved by Commission.
  7. Meetings:
     a) Director of Administrative Services coordinated as well as conducted Arbitration meetings with the Manager of Public Works, Deputy City Manager and City Attorney.
     b) Director of Administrative Services along with the H.R Manager attended a conference on updated Employment Laws presented by the EEOC (Equal Employment Opportunity Commission).
     c) Purchasing Manager and Network Specialist conducted a conference call with Bill Frankel, Director of Sales, Civic Plus regarding RFP No. 2014-011 Website Redesign.

- Human Resources –
  1. Coordinated Pre-employment physicals and background checks.
  2. Conducted New Employee Orientations
  3. Completed several Public Records requests.
  4. Advertised Promotional/Employment Opportunities.
  5. Created several Personnel Action forms for employees.
  6. Distributed monthly Reports to each department such as Accrual Register, Time Sheets and payroll register to Police Department.
  7. Processed Purchase Orders and requisitions.
  8. Verified payroll.
  9. Processed February and March, 2014 employee annual evaluations.
  10. Completed Verification of Employment/Loss of Income forms.

Finance Department

- Attended Retirement Board Workshop
- Completing Financials for Audit
- Day to Day Operations

MIS Department

- Lost batteries in the mainframe due to the continuous hot climate in the main computer room. Working with IBM to make sure mainframe is stable.
- QRepWeb installed and ironing out different problems with SunGard.
- Transferring data to new file servers for several departments.
- Upgrading out of lease copiers for several departments.
- Submitted work orders to State of Florida to enhance the router speed at City Hall and all remote sites. Completed the router speed for Indian Hills.
- Deploying AppAssure Imaging, Backup, and de-duplication Citywide.
- Working with Facility Maintenance crew on room upgrades.
- Working on the installation of new equipment for Commission Broadcasting Room.
- Working on new servers, racks and Intune software citywide.
- Working on citywide installation of AirWatch mobile device management (MDM) application.
- Working with Comcast and SLCTV Manager for moving to the new room in the Commission Chambers to house the Broadcasting equipment.
- Exploring cloud based options for different applications.
- Processing new computer equipment for various departments.
- Working on a WorkOptiFlow pilot program with the Police Department.
- Upgrading Pervasive application for Marina Program.
- Working with vendor Group Business Software and the migration is seventy percent complete to move Lotus Notes to the cloud.
- Working on Rights issue with NAS (on-going).
- Processing VOIP spread sheets for remaining remote sites (Marina and Sunrise Theatre) and gathering all information required including old numbers to be ported.
- Marina data room is currently being upgraded to handle a new data rack, servers. Transferring data to the new NAS device (on-going).
- Shelter Pro software roll out for Animal Control Officers to be loaded on City's application server.
- Major problems with email due to virus attacks to our system (on-going).
- Servers for Sunrise Theatre are being processed for distribution.
- Software integrations citywide (on-going).
- Working with AT&T and State of Florida on the fiber optic installation preparation for Public Works/Solid Waste (ongoing).
- Lotus Notes IQsuite e-mail spam, and archiving (ongoing).
- Updating MIS documentation and procedural policies (on-going).
- Received fifty nine (59) new work orders and completed ninety three (93) work orders.

Planning Department

- Administrative/Meetings –
  1. All Staff members conducted 'Planner of the Day' duties on a rotating basis.
  2. Walk-ins/Call-ins.

- Comprehensive Planning, Long Range Planning –
  1. S 25th Street - Dollar General - ZAA/FLUMA - City Commission Report
  2. 1110 N 29th Street - Pine Creek Village Apartments - Zoning Atlas & Future Land Use Amendment - City Commission
  3. 4100 Glades Cut-Off Rd. - Diamond R Fertilizer - Zoning Atlas Amendment - Planning Board

- Development Review –
  1. 1167 S US HWY 1 - Easement Abandonment - City Commission Presentation
  2. 4150 S 25th Street - Mount Bethel Baptist Church - Building Permit & Environmental Report Review
  3. 1998 N US Hwy 1 - Variance Application for Dunkin Donuts

- GIS/Mapping –
  1. Coordination with IT regarding ESRI software
  2. GIS migration of Q drive data
  3. GIS backup of local data
  4. Web edits, backups, updates

- Historic Preservation –
  1. 903 Delaware Ave & 102 N 2nd Street, Exterior Alterations - Historic Preservation Board Meeting
  2. Old Fort Park - Lion's Club Donation & Improvements Plan - Interdepartmental Plan Preparation

Building Division

- 7131 Okeechobee Rd (West Star) – There has been no change in the status of this permit; we will continue to keep you informed of the progress of this project.

- 4400 S. US Hwy 1 (Acura Dealership) – This permit is ready to be issued. We will keep you informed of the progress of this project.

- Community Garden Pavilion – The application for the building permit has been submitted and is under review.

- 6120 Glades Cut off SLC Recycling Center – This project is waiting for revisions.

- 4000 S US HWY 1 Muslim Friends of Florida – This project is waiting for revisions.

Code Enforcement Division

- Hearings – Special Magistrate Blandino
  1. 9 violation hearings
     a) 2 continued to next hearing
     b) 4 complied prior to hearing
     c) 3 found in violation
  2. 2 penalty reduction requests
     a) 1 Massey Hearing – request denied due to non-compliance. Fines continue and lien to be filed.
     b) 1 Lien Reduction – requestor failed to show – continued to next hearing

- Code Enforcement –
  1. Received 24 complaints
  2. Issued 1 written warnings
  3. Issued 1 citations
  4. Initiated 175 new cases: 35 general violations and 140 lot clearing violations
  5. Conducted 217 follow-up inspections
  6. Closed 89 cases

- Animal Control –
  1. Responded to 92 dispatched calls
  2. Conducted 142 self-initiated calls
  3. Conducted 37 follow-up investigations
  4. Issued 1 citations and 0 written warnings
  5. Completed 7 bite reports

- Income & Expenses –
  1. 83 lien searches for the Month of February
  2. All lien & fine case folders are being manually reviewed and updated to address past due accounts (on-going).

- Miscellaneous –
  1. All Code Officers continue to work with the City Clerk's office to follow up on businesses that did not renew their Business Tax Receipts.
  2. Code Officers Isaac Saucedo and Terry Denmark are now working on the weekends.
  3. Met Mr. Bradshaw, Mr. Mimms and Libby Woodruff to discuss the Florida Animal Friend grant and the Animal Control update presentation.
  4. Met with Mr. Duke Nelson and Mr. Rick Reed to discuss a violation issued to Mr. Nelson. Also conducted a brief drive through of the surrounding neighborhood identifying code violations.
  5. Met with management and owner representatives of Ocean Village regarding an aggressive dog in one of their clusters. We initiated the dangerous dog paperwork. Issue was resolved as the dog and its owner have relocated to Pennsylvania.
  6. Initiating a 2nd dangerous dog investigation due to an aggressive dog with its 2nd human bite (both children). I expect this to go for a hearing within the next two weeks.
  7. I have again been selected to act as a judge for the Chamber of Commerce's Young Floridian Scholarships and attended the annual Judge's breakfast at the Cobra Café.

Engineering Department

- Development Reviews – Intake of nine (9) Building Permit, Site Plan, or Certificate of Occupancy reviews.
- Stormwater Division – Annual individual SMU billings currently being prepared for Federal, State and local agencies, schools and churches. These property owners are billed individually as opposed to being included on the tax bill.
- Traffic Control – City continues maintenance of all signals. Staff has started a refurbishment program on City maintained signals to rewiring the existing signal mast arms; the existing wiring is degrading rapidly due to heat and age causing significant issues with traffic signal reliability.
- City Marina Reconstruction - Phase I – Islands- Staff continues working with LMAC to resolve potential contractual issues and perceived monetary claims. LMAC has started parking lot and landscape restoration, LMAC hopes to complete the restoration by March 28, 2014. Staff has started to work on Phase I project closeout documentation.
- City Marina Reconstruction – Phase II – Docks – Construction contract approved. Staff has completed the pre-project kick off meeting and is awaiting the issuance of the Purchase order to start the project.
- S. 21st Street / Havana Ave. Sidewalk Project – Project currently under design. Funding has been approved by FDOT for FY 2015. 90% plan review comments have been submitted to the consultant.
- 31st Street Sidewalks from Okeechobee Road to Tennessee Avenue – Project is currently being advertised for RFB.
- 5th Street Reconstruction from Orange Avenue to Boston Avenue – Construction underway. Final completion is scheduled for April 2014.
- Heathcote Stormwater Improvements – Pre-construction meeting scheduled for March 19, 2014. Gofer tortoise relocation scheduled to start in next two weeks. City and County coordinating connectivity of the proposed fitness trail with other existing and future amenities.
- Veterans Memorial Park – Phase I of the construction is being funded with SLC Grant CDBG Disaster funds and is currently being advertised for bids. Bid opening is scheduled for March 19th at SLC. Proposed improvements for this phase include ADA upgrades such as bathroom expansion and a rear patio expansion with sliding doors. Phase II is currently in the design and permitting phase and is expected to go out to bid once we are in receipt of the FDEP 319 Grant.
- Melody Lane Fishing Pier – Under design.
- H.D. King Power Plant Clean-up – Proposal for 2014 remediation project by Cardno, TBE, to be presented to the FPRA on March 17, 2014. Treasure Coast Regional Planning Council preparing loan documents in the amount of $300,000 for the payment of these services. FPUA at their board meeting of March 4, 2014 approved funding for the 2014 clean-up work.
- Park Trail Subdivision – Drainage improvements are underway.

Public Works Department

- Energy Efficiency & Conservation – Financing has been secured and the contract has been sign. PWD staff is anxious the meet when ConEd representatives to create a work schedule. Look for frequent updates on this exciting project.

- Single Stream Recycling – Staff has begun placing the Big Belly Solar Powered Compactors at Marina Square, Dreamland, Rotary and Jetty Parks. With the ability to compact the items these receptacles will hold the equivalent of 150 gallons of recyclable material.

- Phase II Window Retrofit Project – The River Walk windows and doors are complete and look fantastic. Installation is complete at the PWD compound and work has begun at the Police Department.

- Get Fit Challenge II – Round II of our PWD fitness challenge has begun! To date the PWD has lost 110lbs.

Police Department

- National Gang Center Training – Chief Baldwin attended the National Gang Center's Comprehensive Gang Model training, which was hosted by the Office of Juvenile Justice and Delinquency Prevention in Dallas, Texas. He attended with a team from St. Lucie County including Christine Epps, Executive Director of the Roundtable of St. Lucie County; Wydee'a Wilson, Chief Probation Officer for the Department of Juvenile Justice - Circuit 19; George Karavetsos, Assistant U.S. Attorney; Shaniek Maynard, Assistant U.S. Attorney; Genelle Yost, Superintendent of St. Lucie Schools; Clint Sperber, Deputy Director of the St. Lucie Department of Health.

- Industrial/Hazmat Incident – On March 6, at 2:58 p.m. officers and firefighters responded to an ammonia release at Atlantic Coast Recycling Center on Avenue D. Several businesses and residence in the area were evacuated. The spill was eventually contained and resolved.

- Staffing – Officer Carol Johnson resigned and has accepted a law enforcement position in Palm Beach County. Crime Scene Investigator Amanda Wise has resigned and will be relocating out of state. The department currently has 10 vacancies for police officers and 2 vacancies for civilian positions.

- Upcoming Events – March 26, at 11:30 a.m.: Chief Baldwin will be meeting with local pastors and ministers. At this meeting, Chief Baldwin would like to bring everyone up to date on our recent efforts to address violence in Fort Pierce. This meeting will be held at the Riverwalk Center.

Urban Redevelopment Department

- Grants Administrator –
  1. Completed and prepared to submit FIND grant application for final phase of Melody Lane Fishing Pier and Fish Cleaning Station (due April 1)
  2. Created and distributed flyer (U.S. mail, email, pickup from City Hall) for Lincoln Park Improvement Project community meeting
  3. Transcribed and distributed CWC February meeting minutes
  4. Created advertisements, agendas and other pre-meeting tasks for FPAT and CWC March meetings
  5. Provided project implementation oversight for 1st phase Highwaymen Trail project
  6. Received grant award and created Commission agenda item for acceptance from Florida Humanities Council for Final Phase - Highwaymen Heritage Trail project
  7. Created spreadsheet to track IDIS drawdowns and balances
  8. Created reporting form for recipients of PSA and Commercial Facade grants
  9. Wrote press release for Commercial Facade grant awards
  10. Conducted PowerPoint presentation on Florida Sunshine Laws for FPRA Advisory Board
  11. Attended 3/3 City Commission Meeting
  12. Provided oversight at 3/6 FPAT Advisory Board meeting
  13. Met with Neighborhood Stabilization Program Representatives through conference calls, emails, etc. to determine steps to take to create and upload required reports; then met with Linda Whalen and provided training/direction to achieve task
  14. Researched grant possibilities for Old Post Office Museum
  15. Provided grant award management and tracking for FPAT grant recipients
  16. Collaborated extensively with issues regarding spay-neuter program
  17. Created grant award contractual agreement for Commercial Facade grants
  18. Researched and began draft of the following grant applications (all due by April 1):
      a) Children's Services Council of SLC - Summer Camp Program
      b) Children's Services Council of SLC - Youth Fishing Clinic
      c) Florida Animal Friend - Spay and Neuter Funding for City's Animal Control Dept.
  19. Attended the following meetings:
      a) Cheryl Hardy (citizen) - nonprofit vision and interests
      b) Camie Sellin, Walt Hines - FPAT billboard design
      c) Pastor Barron - Lincoln Park Improvement Project
      d) Jim Creighton (QCEC) - Fish Cleaning Station for Melody Lane Fishing Pier
      e) Bob Calhoun - Habitat for Humanity - Lincoln Park Improvement Project
      f) Tetra Tech - Architectural Design - Melody Lane Fishing Pier
      g) Pat Alton - Hometown News
      h) Buzzy Smith - Commercial Facade Grants
      i) Mike Reals, Paul Bertram - Summer Camp program
      j) Future Generations of SLC - Public Service grant award
      k) Commissioner Perona - United for Animals

Urban Redevelopment Department contd.

- Program Analyst –
  1. FEMA
     a) Marina Project
        - Monitoring time extension
        - Monitoring funding requests
        - Communications with State to answer questions regarding time extension
  2. Windows Expansion Project
     a) Modification # 2 approved by City Commission, signed and forwarded to Florida Division of Emergency Management (FDEM)
     b) Preparing pay application
     c) Received revision of modification # 3 from FDEM and forwarded to legal for review
  3. Enterprise Zone: Answering emails and phone calls pertaining to tax credits
  4. SHIP
     a) Received draft of work write ups from Building Department to prepare RFPs
     b) Reviewing rehab specifications and SHIP policies
  5. NSP: Attended two meetings with St. Lucie County regarding Orange Avenue Property
  6. FPRA: Working on annual report

Marina

- Oversee daily operations for City Marina and Fisherman's Wharf Marina.
- Working with seasonal dockage and events (see weekly email "Marina Happenings" newsletter for updates).
- Marina Island Construction estimated completion unknown.
- Consulting on Marina Project.
- Commission approved the rights to negotiate with Bellingham Marine for the new dock system at the City Marina. City Attorney and Engineering Dept. working out contract language.
- Attended third meeting of Waterway Steering committee for Martin and St. Lucie Counties.
- Working with marina staff and MIS department relating to the new marina operating program.
- Dredging time frame of Moore's Creek is undetermined. Awaiting Engineering Dept. for date certain.
- Upgrading camera security system throughout marina facility.
- Working with St. Lucie County Tourism Department on the contract for 3 web cams. Contract in City Attorney's office.
- Working with City staff on installing a Seacoast National Bank ATM machine at City Marina. Contract in City Attorney's office.

Golf Course

- Met with City Manager and Deputy City Manager to discuss new golf car lease.
- Finished final preparations for the City Championship on March 8th & 9th.
- Recorded new radio commercial for March.

River Walk Center

Park Permits	750.00
Garden Center	400.00
Programming	692.86
River Walk Center	1,860.68
Maravilla Center	256.34
Special Events	3,400.00
Total	$7,359.88

Sunrise Theatre

- Over the past weeks, the following performances and activities were presented in the Sunrise & Black Box Theatre: Fort Pierce Jazz and Blues Society and the Sunrise Theatre co-presented Tuesday Night Jazz Jam evenings on February 18 and 25; Comedy Corner Improv on Saturday, February 22; Sister's Summer School Catechism February 28 – March2. Performances on the Sunrise Theatre main stage included a sold-out performance of the Broadway musical Man Of LaMancha on February 21; Teatro Lirico D'Europa's production of Carmen on February 22; The Red Hot Chilli Pipers on February 23; Moscow Festival Ballet's Swan Lake on February 26; Ed Kowalcyzk and Collective Soul on February 28.

- The Sunrise Theatre and Missoula Children's Theatre have announced the summer camp dates and show titles. They are: King Arthur's Quest, June 9 – 14; Hansel & Gretel, July 7 – 11; Aladdin, July 14 – 18; Treasure Island, August 11 – 15.

- Assistance continues with future rental events and co-presentations with various community groups including, but not limited to: Kyman Entertainment's The Ultimate Oldies Concert on March 7; Plastered Touring's Ron White on the main stage and Margo Rey Band in the Black Box on March 15-16; BlueBird Educational Productions Robert Navarro on March 21; Family Meals, Inc. McCartney Mania on March 28; Richard Nader's Doo Wop & Rock n Roll on March 29.

- Marketing and show sponsorship negotiations for the 2013/14 Season are ongoing. Booking negotiations and event commitments for the 2013/14 Season continue.

- Budget projections and adjustments for this and next year's fiscal year continue to be reviewed and implemented.