CITY PLANNING BOARD

BOARD AGENDA

Planning Board Regular Meeting - Tuesday, March 8, 2016 - 6:00 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **CONSIDERATION OF ABSENCES**

5. **CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS**

6. **APPROVAL OF MINUTES**

   a. **Minutes from the February 9, 2016 meeting.**

7. **NEW BUSINESS**

   a. Zoning Text Amendment - Sec. 22-22 and 22-89 - Dwelling Rentals

   b. Conditional Use - St. Andrew's Early Learning Center - 317 S. 2nd Street

   c. Conditional Use - Indian River Biodiesel -1103 N. 2nd Street

   d. Conditional Use - Rico Farms Research & Wholesale Trade Facility - 5300 S. US Highway 1

   e. Minor Replat - RG Towers - 2551 Jenkins Road

8. **BOARD COMMENTS**

9. **ADJOURNMENT**

Any person seeking to appeal any decision by the Planning Board 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.
Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact (772) 467-3729, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

Planning Board **6. a.**

Meeting Date: 03/08/2016

Information

REQUESTED ACTION

Minutes from the February 9, 2016 meeting.

LOCATION

RESPONSIBLE STAFF

RECOMMENDATION

Attachments

Planning Board Minutes 2/9/16

Form Review

Form Started By: Alicia Rosenthal Started On: 02/24/2016 01:32 PM

Final Approval Date: 02/24/2016

D R A F T

CITY OF FORT PIERCE
PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, FEBRUARY 9, 2016, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: **Frank Creyaufmiller**; **John George**; **Brian Paul**; **Marcia Baker**; **Steve Weaver**; **Robert Poitier**; **Charles Hayek**; **Eloise Cumings**; **Tim O'Connell**; **Bob Burdge**, **Chairman**

Absent: **Mike Dahan**

Staff Present: **James Walker**, **Assistant City Attorney**
Rebecca Grohall, AICP, **Planning Director**
Kori Benton, **Senior Planner**
Clarissa Davis, **Planner**
Alicia Rosenthal, **Administrative Assistant**

4. CONSIDERATION OF ABSENCES

Motion was made by Steve Weaver, and seconded by John George to excuse the absence of Mr. Dayhan.

AYE: **Marcia Baker**, **Steve Weaver**, **Robert Poitier**, **Charles Hayek**, **Eloise Cumings**, **Tim O'Connell**, **Frank Creyaufmiller**, **John George**, **Brian Paul**, **Chairman Bob Burdge**

Passed

5. CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS

Mr. Creyaufmiller was made an active member for the meeting.

6. APPROVAL OF MINUTES

a. Minutes from the January 12, 2016 Meeting

Motion was made by John George, and seconded by Charles Hayek to approve the minutes from the January 12, 2016 meeting with the change to item 7A to read "Both Mr. Paul and Mr. Weaver recused themselves."

AYE: **Charles Hayek**, **Eloise Cumings**, **Tim O'Connell**, **Frank Creyaufmiller**, **John George**, **Brian Paul**, **Marcia Baker**, **Steve Weaver**, **Robert Poitier**, **Chairman Bob Burdge**

Passed

b. Minutes from the January 26, 2016 Special Meeting

Motion was made by John George, and seconded by Charles Hayek to approve the minutes from the January 26, 2016 Special Planning Board meeting.

AYE: **Eloise Cumings**, **Tim O'Connell**, **Frank Creyaufmiller**, **John George**, **Brian Paul**, **Marcia Baker**, **Steve Weaver**, **Robert Poitier**, **Charles Hayek**, **Chairman Bob Burdge**

Passed

7. NEW BUSINESS

a. **Annexation - 3255 S US Hwy 1**

Ms. Davis gave an overview of the Annexation application. David Cleveland, Applicant Representative, made himself available for questions.

Motion was made by Marcia Baker, and seconded by John George to forward a recommendation of approval to the City Commission to annex the parcels into Fort Pierce City Limits as it furthers the goals, objectives and policies of the Comprehensive Plan.

AYE: **John George**, **Brian Paul**, **Marcia Baker**, **Steve Weaver**, **Robert Poitier**, **Charles Hayek**, **Eloise Cumings**, **Tim O'Connell**, **Frank Creyaufmiller**, **Chairman Bob Burdge**

Passed

b. **Zoning Text Amendment - Sec. 22-22 and 22-89 - Dwelling Rentals**

Mr. Benton gave an overview of the proposal.

Ms. Baker expressed concerns about the law of unintended consequence and the right of preemption. She stated the new regulations include certain homeowner association restrictions, which are more onerous than what is in existence. Ms. Baker pointed out that dwelling rental Conditional Use applications that have been turned down in the past can legally come back because there property rights were violated and preferential treatment was given to another class of property owners. She stated this would cause the decision to be reversed and lots of litigation.

Mr. Walker stated the questions have not been expressed to the legal department and he thanked Ms. Baker for her astute observations. Mr. Walker mentioned it would not be out of order for the Board to table this matter so a report could be presented at the next meeting.

Mr. Benton stated the discussion points that Ms. Baker presented certainly garner the need for more information. He also stated the same parameters were presented at the December Conference Agenda meeting in which the City Attorney was present and he expressed no specific concerns.

Mr. Weaver stated that long before this item gets to the City Commission the City Attorney will have the ability to review the observations, therefore the ordinance can keep rolling.

Chairman Burdge asked Mr. Walker if a public meeting was needed. Mr. Walker stated if the Board feels it has insufficient information it may move to immediately table the item. If the Board wishes to proceed forward, it would be in order to call for comment from the floor.

After the motion was made, Mr. Weaver suggested staff consider incorporating C-5 as a Conditional Use for the dwelling rentals. Mr. Weaver stated Coral Apartments, Sea Tern and La Entrada Del Mar are currently dwelling rentals and are clearly a more suitable area then where shorter term rentals are being expanded.

Motion was made by Marcia Baker, and seconded by Frank Creyaufmiller to table the Dwelling Rentals proposed Zoning Text Amendment and get legal advice from the City of Fort Pierce and the Florida League of Cities.

AYE: **Steve Weaver**, **Robert Poitier**, **Charles Hayek**, **Eloise Cumings**, **Tim O'Connell**, **Frank Creyaufmiller**, **John George**, **Brian Paul**, **Marcia Baker**, **Chairman Bob Burdge**

Passed

c. **Zoning Atlas Amendment, Planned Development Plan and Preliminary Plat - Village at Midway - 9850 Midway Road**

Ms. Davis gave an overview of the application and answered Ms. Baker's question regarding mining on another piece of property.

Lee Dobbins, Applicant Representative from Dean Meade Law Firm, gave a presentation on the master plan project with multiple uses and answered questions from the Board. Susan O'Rourke, Traffic Engineer, answered questions from the Board.

Tammy Everly, resident located on the NW corner of the project at 9701 Muller Road, expressed privacy, safety, environmental and liability concerns. Ms. Everly explained there is no buffer zone surrounding the project and the walkway around the preserve area is going completely around her property.

Ms. Davis explained the industrial area is located on the south side of the property and industrial uses can provide 8 foot walls of buffer material. Ms. Davis also stated the landscape requirement for the PD document and the City of Ft. Pierce which will create a buffer. Ms Davis said the applicant is unclear on whether the walkway will be going around the preserve area and this can be changed at the time of development.

Mr. Dobbins explained part of Ms.Everly's property is next to the conservation area and depending on the use, buffering can be addressed for anything that gets built in the corner by her house.

Motion was made by John George, and seconded by Marcia Baker to forward a recommendation of approval to the City Commission to approve the Zoning Atlas Amendment and Planned Development Plan with the following conditions:

1. **Signed Proportionate Fair Share Agreement with SLC is provided; A right-of-way dedication of 42 ½ feet and 6 feet of sidewalk dedication or provide payment in-lieu of.**
2. **A traffic statement is submitted with each Site Plan application.**
3. **If Arterial A (also known as Access Tract A) is on the County's Thoroughfare**

Network Right-of-Way Protection Plan at the time of final plat approval of the first plat within the Villages at Midway which includes a segment of Arterial A, then the land owner shall dedicate to the County any additional right-of-way which is needed to make Arterial A the width required by the County's Thoroughfare Network Right-of-Way Protection Plan, but only if:
(a) the total right-of-way for Arterial A shall not exceed a width of 160 feet; and
(b) the County enters into an agreement with the land owner, that the land owner shall receive compensation from the County for the right-of-way dedication, which may be in the form of cash or impact fee credits, and that the County shall accept the dedication of Arterial A and shall maintain Arterial A as a County Road.

If Arterial A is not on the County's Thoroughfare Network Right-of-Way Protection Plan at the time of final plat approval of the first plat within the Villages at Midway which includes a segment of Arterial A, then the width of the Arterial A right-of-way shall remain as shown in this approval.

AYE: **Frank Creyaufmiller**, **John George**, **Brian Paul**, **Marcia Baker**, **Steve Weaver**, **Robert Poitier**, **Charles Hayek**, **Eloise Cumings**, **Tim O'Connell**, **Chairman Bob Burdge**

Passed

Motion was made by John George, and seconded by Marcia Baker to forward a recommendation of approval to the City Commission to approve the Preliminary Plat with the following conditions:

1. **If Arterial A (also known as Access Tract A) is on the County's Thoroughfare Network Right-of-Way Protection Plan at the time of final plat approval of the first plat within the Villages at Midway which includes a segment of Arterial A, then the land owner shall dedicate to the County any additional right-of-way which is needed to make Arterial A the width required by the County's Thoroughfare Network Right-of-Way Protection Plan, but only if:**
(a) the total right-of-way for Arterial A shall not exceed a width of 160 feet; and
(b) the County enters into an agreement with the land owner, that the land owner shall receive compensation from the County for the right-of-way dedication, which may be in the form of cash or impact fee credits, and that the County shall accept the dedication of Arterial A and shall maintain Arterial A as a County Road.

If Arterial A is not on the County's Thoroughfare Network Right-of-Way Protection Plan at the time of final plat approval of the first plat within the Villages at Midway which includes a segment of Arterial A, then the width of the Arterial A right-of-way shall remain as shown in this approval.

AYE: **Tim O'Connell**, **Eloise Cumings**, **Charles Hayek**, **Robert Poitier**, **Steve Weaver**, **Marcia Baker**, **Brian Paul**, **John George**, **Frank Creyaufmiller**, **Chairman Bob Burdge**

Passed

d. **Conditional Use - Dwelling Rental - 1144 S Ocean Drive**

Mr. Weaver recused himself from the item.

Mr. Benton gave an overview of the application and answered questions from the Board. Mr. Benton explained he received a letter from a property owner located two properties to the south who had buffering concerns. Mr. Benton stated city staff would encourage the Board to consider an additional condition of a 6 foot tall fence, wall or landscape buffer from this property to abutting residential uses based upon the limited commercial use.

Ms. Baker suggested in addition to the conditions that the turtle safe lighting regulations be included in the rental agreement or guidebook.

Bill Piant, Resident of Mariner Bay, commented on setting a precedence with weekly rentals at apartment complexes.

Carol Mushier, President of South Beach Association, feels the application for Conditional Use could be appropriate if the surrounding neighborhood agrees and that different neighborhoods in the R4 zone may have different rental periods, therefore, approval of this application does not set a precedence.

Mark Frederick, General Manager of Landmark Real Estate Solutions, provided additional information on the project and answered questions from the Board.

Motion was made by Marcia Baker, and seconded by John George to forward a recommendation of approval to the City Commission with the following conditions:

1. **Maximum occupancy of each unit by one (1) family, or four (4) guests based upon City Code Section 8.5-43. - Required space in dwelling units, and the size of each unit;**
2. **Limitation of two passenger vehicles per unit;**
3. **Registration of a property manager accessible at all times, to resolve complaints or violations of City Code;**
4. **Issuance of guide booklets for renters regarding local rules and public service resources to minimize conflicts;**
5. **Installation of a sidewalk connection from the building entrance to the S. Ocean Drive Sidewalk;**
6. **Installation of a bicycle rack for guests;**
7. **Implementation of 3 additional vehicular parking spaces, including a handicap parking space;**
8. **Infill of landscaping in compliance with City Code; and**
9. **The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within fourteen (14) days of Conditional Use approval.**
10. **Install a 6 foot tall fence, wall or landscape buffer from this property to abutting residential uses;**
11. **Integrate turtle nest lighting guidelines into the guide booklet.**

AYE: **Marcia Baker**, **Robert Poitier**, **Charles Hayek**, **Eloise Cumings**, **Tim O'Connell**, **Frank Creyaufmiller**, **John George**, **Brian Paul**, **Chairman Bob Burdge**

Other: **Steve Weaver** (RECUSE)

Passed

e. **Conditional Use - Dwelling Rental - 1156 S Ocean Drive**

Mr. Benton gave an overview of the application and answered questions from the Board. Mr. Walker pointed out the procedures for discussion.

Motion was made by Marcia Baker, and seconded by John George to forward a recommendation of approval to the City Commission with the following conditions:

1. **Maximum occupancy of each unit by one (1) family, or five (5) guests based upon City Code Section 8.5-43. - Required space in dwelling units, and the size of each unit;**
2. **Limitation of two passenger vehicles per unit;**
3. **Registration of a property manager accessible at all times, to resolve complaints or**

violations of City Code;

4. **Issuance of guide booklets for renters regarding local rules and public service resources to minimize conflicts;**
5. **Installation of a sidewalk connection from the building entrance to the S. Ocean Drive Sidewalk;**
6. **Installation of a bicycle rack for guests;**
7. **Implementation of 3 additional vehicular parking spaces, including a handicap parking space;**
8. **Infill of landscaping in compliance with City Code; and**
9. **The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within fourteen (14) days of Conditional Use approval.**
10. **Install a 6 foot tall fence, wall or landscape buffer from this property to abutting residential uses;**
11. **Integrate turtle nest lighting guidelines into the guide booklet.**

AYE: **Brian Paul**, **Marcia Baker**, **Robert Poitier**, **Charles Hayek**, **Eloise Cumings**, **Tim O'Connell**, **Frank Creyaufmiller**, **John George**, **Chairman Bob Burdge**

Other: **Steve Weaver** (RECUSE)

Passed

f. **Site Plan & Design Review - O'Reilly Auto Parts - 4760 S US Highway 1**

Mr. Benton gave an overview of the application and answered questions from the Board about parking, limited delivery access and the right hand turn lane.

Ryan Gibbons, Applicant Representative from Cardno, explained that O'Reilly likes to locate their stores near auto dealerships so their projects tend to be a bit challenging due to infill development. Mr. Gibbons spoke about adding a condition to the approval which will show a plan sheet with the truck turn around.

Motion was made by Frank Creyaufmiller, and seconded by Robert Poitier to forward a recommendation to the City Commission for approval of the Site Plan, and corresponding Design Review request, with the conditions that the applicant provides a 5 ft. walkway to the future FDOT sidewalk when completed and the applicant includes the truck turn around changes on the drawings.

AYE: **Robert Poitier**, **Charles Hayek**, **Eloise Cumings**, **Tim O'Connell**, **Frank Creyaufmiller**, **John George**, **Brian Paul**, **Marcia Baker**, **Steve Weaver**, **Chairman Bob Burdge**

Passed

8. BOARD COMMENTS

The Board discussed the February reappointments. Ms. Grohall explained that Board members will continue to serve until they are replaced. She stated the terms are through the end of February and the reappointments are on the agenda for the February 16, 2016 meeting and the final action will occur at the March 7 meeting.

9. ADJOURNMENT

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
WEAVER STEVEN M	FORT PIERCE PLANNING BOARD
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
607 MALABAR AVE	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY / COUNTY	NAME OF POLITICAL SUBDIVISION:
FORT PIERCE FL / ST LUCIE	FORT PIERCE
DATE ON WHICH VOTE OCCURRED	MY POSITION IS:
FEB 9, 2016	☐ 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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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, Stu Weiss, hereby disclose that on Feb 9, 20 16:

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

___ inured to my special private gain or loss;

X inured to the special gain or loss of my business associate, LANDMARK REAL ESTATE SOLUTIONS;

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

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling 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:

1156 SOUTH OCEAN CONDITIONAL USE – VACATION RENTALS.
MY CONSTRUCTION COMPANY REALTIME PROPERTY DEVELOPMENT, WAS/IS THE CONTRACTOR OF RECORD FOR THE RECENT BUILDING RENOVATIONS.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

FEB 10, 2016
Date Filed

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.

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
WEAVER STEVEN M.	FORT PIERCE PLANNING BOARD
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
607 MALABAR AVE	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY / COUNTY	NAME OF POLITICAL SUBDIVISION:
FORT PIERCE FL / ST. LUCIE	FORT PIERCE
DATE ON WHICH VOTE OCCURRED	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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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, Stan Weaver, hereby disclose that on Feb 9, 20 16:

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

___ inured to my special private gain or loss;

X inured to the special gain or loss of my business associate, LAND MARK REAL ESTATE SOLUTIONS;

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

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling 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:

1144 SOUTH OCEAN CONDITIONAL USE-VACATION RENTALS

MY CONSTRUCTION COMPANY, REALTIME PROPERTY DEVELOPMENT, WAS/IS THE CONTRACTOR OF RECORD FOR THE RECENT BUILDING RENOVATIONS.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

FEB 10, 2016
Date Filed

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.

Planning Board **7. a.**

Meeting Date: 03/08/2016

Information

REQUESTED ACTION

Zoning Text Amendment - Sec. 22-22 and 22-89 - Dwelling Rentals

LOCATION

Multifamily Districts (R-4, R-4A, & R-5) with Condominium or Homeowner Associations

RESPONSIBLE STAFF

Kori Benton, Senior Planner

RECOMMENDATION

Remove the item from the table for further consideration. Review and recommend approval of the proposed amendments with guidance that the City Attorney verify the legal capacity for the City Commission to adopt the proposed amendment.

Attachments

Staff Report

Multifamily Districts with Condo Associations Overlaid

Existing Regulations - Dwelling Rentals

Dwelling Rentals - Progression & Ordinance History

SLC Tourist Development Tax

Example Dwelling Rental Guideline Brochure

Proposal for SBA Recommendation Regarding Rental Properties in the R4A Zoning District

Form Review

Form Started By: Kori Benton Started On: 02/29/2016 04:16 PM

Final Approval Date: 03/01/2016

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Senior Planner

SUBJECT: Proposed Zoning Text Amendment
Dwelling Rentals
Multifamily Districts with Condominium or Homeowner Associations

DATE: February 2, 2016

STAFF REPORT

Requested Action:

Advancement of a recommendation to the City Commission regarding proposed amendments to Chapter 22-Zoning to provide exemptions to Conditional Use approval requirements for entire condominium developments, controlled access, and deed restricted communities located within multifamily zoning districts (R-4, R-4A, & R-5).

Staff Analysis

Local Regulation

The City of Fort Pierce Commission in 2001 and 2002 adopted Ordinance K-114 and K-148, respectively, based upon citizen concerns over the rental of single-family homes as transient lodging on a short term basis. The action further sought to provide clarity and parameters for dwelling units, while allowing the capacity for property owners of various zoning districts to pursue Conditional Use approval to rent dwelling units for less than six (6) months. The amendments, collectively, required application and approval of a Conditional Use to rent dwelling units for less than six (6) months in the E-3, R-1, R-2, R-3, R-4, R-4A, and R-5 zoning districts.

In reviewing meeting minutes from both the Planning Board and City Commission, it is suggested that the intent of the regulations was not to require Conditional Use for short term rental of condominium units or multi-family structures, but specifically limit the short term rental of single-family homes. The regulations adopted, and further amended by the enactment of South Beach Overlay and "Use Table", did not provide exceptions or exclusions for condominiums, or multifamily properties. In many instances, vacation rentals exist within condominium developments which feature internal restrictions, management, and enforcement to minimize conflicts between transient lodging and non-transient residences. The implementation of appropriate guidelines for short-term rentals, in controlled segments of multifamily districts, limit and in many instances eliminate, complaints garnered by the City related to the use.

Proposed Amendment

Staff presented analysis to the City Commission at their December 14th, 2015 Conference Agenda meeting, and garnered direction for the proposed amendments before the Planning Board. The proposed amendments seek to account for special conditions and unique circumstances of collectively controlled communities. The amendment proposes a complete exemption, from Conditional Use approval, for condominiums and controlled communities, within multifamily zoning districts, which maintain collective regulations, safeguards, and internal enforcement of vacation rentals. The minimum standards to receive the exemption encompass the following provisions: controlled access, gated, or deed restricted community with a homeowner's or condominium association which expressly regulates or manages dwelling rentals.

Eligible condominium or homeowner associations which expressly regulate and manage dwelling rentals would be required to provide legal documentation of established policies and provisions, along with association liaisons for filing with the City. Each owner or agent of individual dwelling rentals within a comprehensively approved community would provide written consent by the association, and obtain applicable state, county, and city licenses to operate and report necessary taxes.

A map displaying the eligible R-4, R-4A, & R-5 multifamily district, and established condominium associations within, is presented in the agenda packet in order to provide a snapshot of the eligible communities, if the associations choose to opt-in. An individual association has the capacity to restrict dwelling rentals if desired.

Prospective dwelling rentals located in a multifamily district, but not within a controlled access, gated, or deed restricted community with a homeowner's or condominium association will be requirement to apply for an individual conditional use application to seek authorization for the subject location(s). Any such proposal will be reviewed for compliance with the City's Land Development Code, Comprehensive Plan, potential impacts to the surrounding neighborhood, and will be guided to incorporate within their proposal: 24-hour management, parking restrictions, and the provision of guidelines to ensure compliance with City Code.

The Planning Department is seeking the coordination of the St. Lucie County Realtors Association, Chamber of Commerce, Tourist Development Council, and other pertinent community organizations to garner input regarding the proposed changes to the City's regulation of short term rentals. The garnered input has been positive towards the proposed amendments.

Recommendation

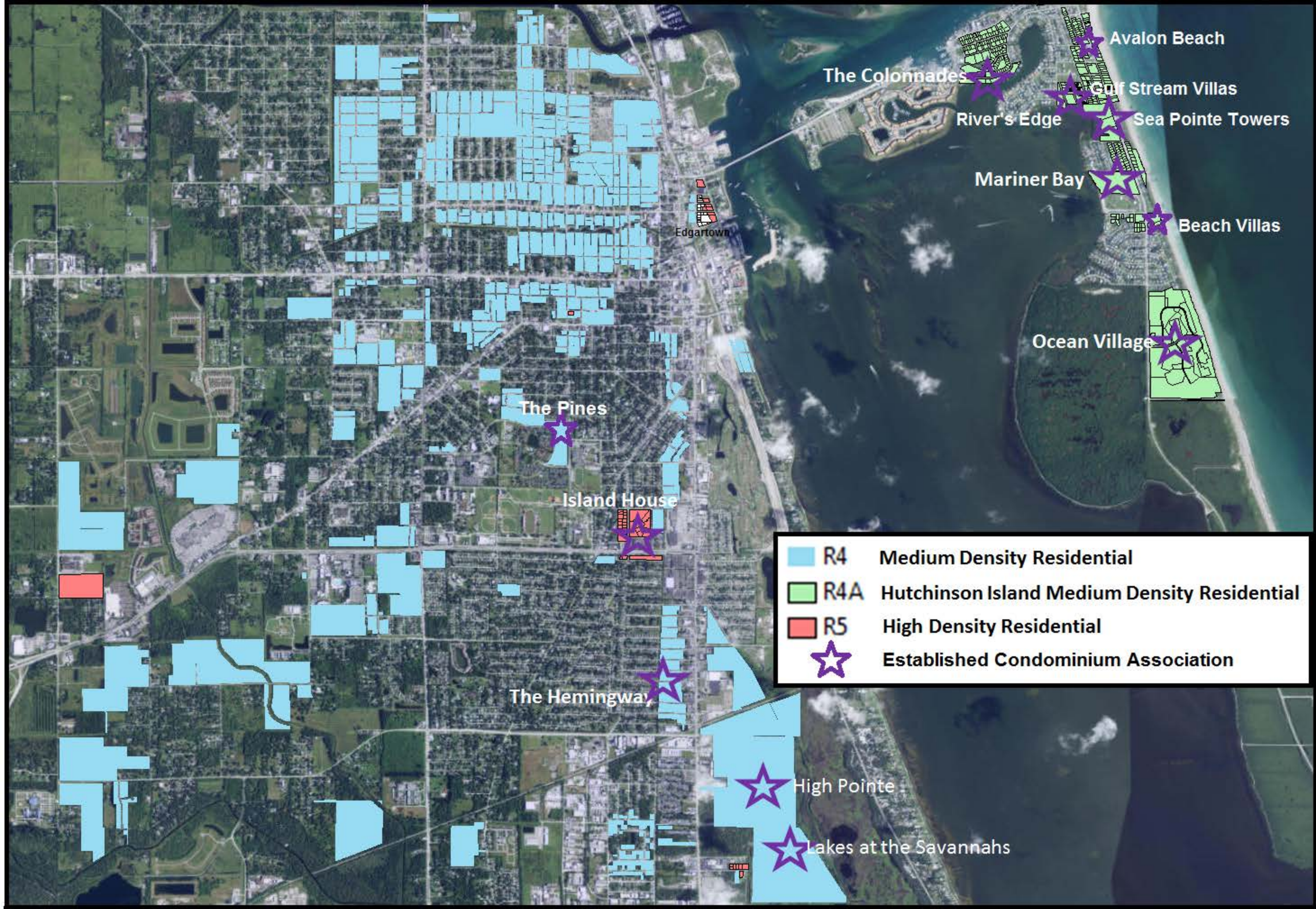
The proposed amendment to Chapter 22 provides exemption from Conditional Use approval and minimum standards for controlled access, gated, or deed restricted communities with a homeowner's or condominium association to permit dwelling rentals. The establishment of such limited commercial uses with management standards adopted and implemented by condominium associations promotes compatibility with the encompassing neighborhood and consistency with the City's Land Development Code and Comprehensive Plan restriction therefore; Staff recommends the Planning Board forward a recommendation to approve the amendment to complete the following:

1) Incorporate provisions into the Land Development Code which provide exemptions for an entire controlled access, gated, or deed restricted community with a homeowner's or condominium association, within a multifamily district (R-4, R-4A, & R-5), which expressly regulates or manages dwelling rentals.

2) Amend the Use Table codified to accurately reflect the classifications in place prior to the 2011 adoption of F.S.S. 509.032, which effectively limits the regulatory authority of municipalities with

regards to the subject use, providing acceptance of some longstanding restrictions in place, or adopted prior:

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP
Overnight Accommodations																
–Bed & Breakfast	-	-	-	-	-	-	C	C	C	-	P	P	P	P	-	-
–Dwelling Rental	-	-	C	C	C	C	C	C	C	-	-	-	-	-	-	-
–Hotel/Motel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C
–Recreational Vehicle Park	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-
–Resort Hotel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-



Multifamily Districts

Established Condominium Associations Overlaid

Dwelling Rentals—Existing Regulations

Definition: **Dwelling rental:** One or more rooms connected together in a building, constituting a separate, independent housekeeping establishment, other than a motel/hotel, for purposes of rental on a daily, weekly or longer basis, though less than what is otherwise provided for a dwelling, physically separated from any other rooms or dwelling units which may be in the building, and containing sleeping and sanitary facilities and one kitchen.

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP
Overnight Accommodations																
–Bed & Breakfast	-	-	-	-	-	-	C	C	C	-	P	P	P	P	-	-
–Dwelling Rental	-	-	-	C	C	C	C	C	C	-	-	-	-	-	-	-
–Hotel/Motel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C
–Recreational Vehicle Park	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-
–Resort Hotel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-

Conditional Use: The purpose of the conditional use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout the particular zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare.

Downtown Business & Entertainment and Edgartown Settlement Districts

Vacation Rentals are Permitted within these districts as follows:

Vacation rental: A detached dwelling or apartment within a building of residential building typology which is rented out for the purposes of providing accommodations for less than six (6) months to tourists.

Use standards.

1. A separate entrance shall be provided for each unit to the exterior or to an interior, secure common area.

2. A business license shall be required for each vacation rental unit.

3. Such units shall be managed by either 1) a Florida-licensed property management agent or 2) the owner-occupant residing in another unit, and shall collect and pay all applicable taxes.

4. Current contact information for the management agency or owner-occupant shall be displayed in an accessible location outside the vacation rental.

ORDINANCE NO. K-114

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE; AMENDING SECTION 22-3; AMENDING DEFINITION OF "DWELLING" SO AS TO EXCLUDE RENTALS FOR DESIGNATED PERIOD; PROVIDING DEFINITION FOR "**DWELLING RENTAL**"; AMENDING SECTION 22-24; PROVIDING FOR DWELLING RENTAL AS CONDITIONAL USE; AMENDING SECTION 22-25; PROVIDING FOR DWELLING RENTAL AS CONDITIONAL USE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Section 22-3 is hereby amended as follows:

Dwelling (Dwelling Unit): One or more rooms connected together in a building, constituting a separate, independent housekeeping establishment for a family, for owner occupancy or rental ~~on a weekly~~ for six months or longer in R-1 or R-2 residential zones, ~~or longer basis~~ physically separated from any other rooms or dwelling units which may be in the building, and containing sleeping and sanitary facilities and one kitchen.

Dwelling Rental (Dwelling Unit): One or more rooms connected together in a building, constituting a separate, independent housekeeping establishment, other than a motel/hotel, for purposes of rental on a daily, weekly or longer basis, though less than what is otherwise provided for a dwelling, physically separated from any other rooms or dwelling units which may be in the building, and containing sleeping and sanitary facilities and one kitchen.

SECTION 2. Section 22-24 [single-family low density zone (R-1)] is hereby amended with the creation of Section 22-24(c)(5) as follows:

(c) Conditional uses permitted. The following uses and their accessory uses are permitted in an R-1 zone if the City Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to subsections (b) and (e) of this section, additional zoning ordinance provisions and other City laws:

(5) Dwelling rentals.

SECTION 3. Section 22-25 [single-family intermediate density zone (R-2)] is hereby amended with the creation of Section 22-25(c)(7) as follows:

> (c) Conditional uses permitted. The following uses and their accessory uses are permitted in an R-2 zone if the City Commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section. Additional zoning ordinance provisions and other City laws:
>
> (7) Dwelling rentals.

SECTION 4. All ordinances and or parts thereof in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 5. This ordinance is and the same shall become effective immediately upon final passage hereof.

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. K-114 was duly advertised by title only in the Fort Pierce Tribune on September 17, 2001 and by display ad in the Fort Pierce Tribune on September 24, 2001 and on October 8, 2001; 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 October 1, 2001; and was duly introduced, read by title only, and passed on second and final reading on October 15, 2001, 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 16th day of October, 2001.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

MINUTES OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, MARCH 12, 2002 IN THE CITY HALL FIRST FLOOR CONFERENCE ROOM, 100 N. U.S. #1, FORT PIERCE, FLORIDA

Agenda Item #8 - Discussions/Reports

Ordinance K114 - "Dwelling Rentals"

Ms. Gates stated that this Ordinance came before the Board at the last meeting and that it was tabled. Mr. Walker then stated that the Board originally adopted an ordinance providing that as to low density residential areas, single family residences could be rented out for less than six months only where that was approved as a conditional use. That particular ordinance did not address higher density residential areas such as medium and high density. This ordinance is intended to supplement that so as to provide essentially across the board in residential areas from low to high that houses cannot be rented for short term periods for less than 6 months unless approved as a conditional use.

Ms. Gates stated that this was discussed at the last meeting and these were the requests made by the Board, for Mr. Walker to redraft this, which he has done.

Mr. Becht apologized to Mr. Walker for not being up to speed on this matter. He thought that when this was discussed originally, we had people coming in and they were talking about the abuse of a single family residence in a single family residential neighborhood. Mr. Becht stated that at that time he had a problem with it being applied to the condominiums on the beach which are multi family, and they are rented and we need them to be rented for less than six months without the headache of conditional uses. Does this amendment capture the condominiums? Mr. Walker then stated that no it does not. This applies basically to houses, single family residences. Mr. Becht then asked if it would capture a duplex? Mr. Walker's answer was no. It has to a single family residence.

Mr. Knott's question concerning the ordinance was concerning number before each number of dwelling units, is that the section that is being modified in the ordinance? Mr. Walker stated that is the twelfth use which is designated as a conditional use for example. Mr. Knott then stated that even though it says high density residential areas, it doesn't pertain to any sort of multi-family housing, or rentals of this nature correct? Mr. Walker stated that is correct it refers only to single family.

Ms. Brenner's remarks were directed at Mr. Walker. She said that Mr. Walker stated at the last meeting that we may have adopted an anomaly. Mr. Walker stated that is correct. Ms. Brenner wanted to know how this amendment answer this anomaly. Mr. Walker stated that where the Board left off with the original ordinance was that short term rentals of houses was permissible in a low density area on a conditional use basis. But it was inadvertently omitted as a conditional use in the other higher density areas so that ironically, the rental would be permissible in a low

density area as a conditional use but not in a higher density area. Ms. Brenner stated that is what she understood.

There was no further discussion on this item.

MOTION WAS MADE BY MR. KNOTT TO APPROVE THE ORDINANCE AS SUBMITTED. Seconded by Mr. Poitier. Unanimously approved by roll call vote.

MEMORANDUM

TO : Ramon Trias, Director of Planning

FROM : James T. Walker, Esquire, Assistant City Attorney

SUBJECT : **Amendments to Dwelling Rentals Ordinance**

DATE : February 14, 2002

At the Planning Board's request, a draft ordinance is prepared and is enclosed here so as to provide for dwelling rentals as an additional permitted conditional use in moderate, medium and high density residential areas as well as the Hutchinson Island medium density area. The purpose of this draft proposal is to finish work begun with Ordinance K-114. Please let me know of any staff comment. Otherwise, it is anticipated that this draft will be submitted to the Planning Board at its next meeting.

James T. Walker, Esquire
Assistant City Attorney

JTW/eml

cc: John T. Brennan, Esq., City Attorney
Robert V. Schwerer, Esq., Asst. City Attorney

ORDINANCE NO. K-148

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE; FLORIDA; CREATING SECTIONS 22-26(c)(10), 22-27(c)(12), 22-27.1(c)(6), AND 22-28(c)(12); PROVIDING FOR DWELLING RENTALS AS CONDITIONAL USES IN MODERATE DENSITY, MEDIUM DENSITY, HIGH DENSITY RESIDENTIAL AREAS AND HUTCHINSON ISLAND MEDIUM DENSITY RESIDENTIAL AREAS; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Section 22-26(c)(10) (Single family moderate density zone) is hereby created so as to provide for the following as an additional, permitted conditional use:

(10) Dwelling rentals.

SECTION 2. Section 22-27(c)(12) (medium density residential zone) is hereby created so as to provide for the following additional, permitted conditional use:

(12) Dwelling rentals.

SECTION 3. Section 22-27.1(c)(6) (Hutchinson Island medium density residential zone) is hereby created so as to provide for the following additional, permitted conditional use:

(6) Dwelling rentals.

SECTION 4. Section 22-28(c)(12) (high density residential zone) is hereby created so as to provide for the following additional, permitted conditional use:

(12) Dwelling rentals.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 6. This Ordinance is and the same shall become effective immediately upon final passage hereof.

Approved as to Form and Correctness:

James T. Walker, Esquire
Assistant City Attorney

Discussions/Reports

Ordinance K-114 - "Dwelling Rentals"

Mr. Walker stated that the we may have adopted an anomaly. He wanted to bring it to the Board's attention and get some guidance from the Board on how to proceed in terms of conforming the code with the intent. "If the Board will recall, we had a concern come up some few months back where a single family house on the beach was being used for weekly even daily rentals. That was permissible under the code because a dwelling unit could be rented out for any period of time. So upon motion of Tom Knott, it was moved that the definition of a dwelling be changed to allow for rentals of periods of 6 months or longer but not less than 6 months. We split out a separate definition for rentals for lesser periods of time as conditional uses. That meant that if you wanted a short term rental situation you had to come to the Board for a Conditional Use. All of the attention at that time was focused on the zone that was at issue and that was single family low density. The ordinance that was adopted did not address the other zones, moderate density, medium density and high density. The definition of dwelling applies to all residential zones. What that means that in no residential zone can you rent a single family residence for less than 6 months. But the Conditional Use for a rental was only put in R-2, the low density zone. What that means that in the low density zone you can ask for a short term rental on a Conditional Use but you can't do that in a high density residential area. The rules for rentals ironically, for single family dwellings are much more restrictive for the high density, because you can't even ask for a Conditional Use approval for a short term rental that you can in a lower density R2 area. I need to know how this is to be handled if at all", stated Mr. Walker. Mr. Bergman wanted to know what would be an easy fix for this problem. Mr. Walker stated that there are policy questions about where you want to go with this. If the idea of a short term rental is not offensive in a higher density area then we could limit the six month requirement to the same as the lower density. Or we can make the Conditional Use process uniform across the board for all residential areas including high density so that no one can rent a single family residence for a week or two weeks or a month in any residential area without Conditional Use approval. There are several ways to go with this." Mr. Bergman wanted to know if the Conditional Use would keep them from renting it out for the short term. There are still going to be people who are going to do it regardless of whether there is Conditional Use or not. Mr. Walker stated that there are enforcement concerns over every part of the code. That is an enforcement issue. We are addressing a legislative issue. Mr. Nunn stated that he thought that issue had been addressed and that everyone agreed that would be a possibility. But usually what happens when someone is concerned with this is that it's a neighbor who is concerned. They bring it to the City's attention. That's the main way of enforcing it. Then Code Enforcement gets involved. Where before they could bring it to their attention but there wasn't much that could be done about it. This ordinance was supposed to make it so that the City could actually enforce this. Mr. Nunn felt the thing to do would be just to open the Conditional Use up to all residential zones. Then you won't be limiting them. He felt that this was limited accidentally, they just weren't considered when we discussed this before. Mr. Walker stated that there were one of two things that he could do. He can either draft an ordinance bringing it back to the

Planning Board next month, which adds short term rentals as Conditional Uses to each of the other higher density residential zones. Or, the Board can simply recommend that an ordinance to such effect be submitted to the Commission without further review. It all depends on whether you want to review the actual draft or not. Mr. Bergman stated that he thought it wouldn't be necessary to review because Mr. Walker himself brought up the inconsistency that was in this ordinance. He didn't think anyone else would have picked up on it. I don't necessarily think we need to review it. Ms. Brenner stated that she had read the ordinance several times through and that she still doesn't understand it. Section 22-3 it talks about the dwelling, dwelling unit. Then the next paragraph it has some things struck through and underlined. Then it has dwelling unit in the next paragraph, everything is underlined and she wasn't sure whether it all ran together or if one thing change for the other. If she wanted to rent a room of her house to someone, would that be included in this ordinance, like a bed and breakfast, or like a rooming house such as a college student? Mr. Walker stated that he wasn't sure if it would apply in that situation. The acid test would be whether or not the code enforcement people brought a charge, and what the Code Enforcement Board thought of it. That would be the acid test and in looking at the definition, it says one or more rooms, but there is a second requirement, that it constitute an independent housekeeping establishment for a family. It seems to him that in your hypothetical, you are not describing a situation where you have an independent housekeeping establishment with that room. Mr. Walker stated that he thought this definition might not apply to that one room rental situation described by Ms. Brenner. Ms. Brenner stated that there would be trouble with the Code Enforcement Board because code states that two or more unrelated people living in a single family dwelling is in code violation. Will this mesh with the Code Enforcement Board or will there be problems with it? Ms. Brenner stated that suppose she had 5 rooms and she rented each of those rooms out to individuals, then what. Mr. Walker stated that then you would have a boarding house situation. That might be a problem. Ms. Brenner stated that she finds the Ordinance confusing. She is concerned that it might conflict with the Code Enforcement Board. Mr. Walker stated that if the Board wants to see a draft Ordinance at the next meeting he would provide one. If they do not then he would solicit a motion instructing Staff to submit an Ordinance directly to the Commission amending the Code by adding dwelling units as permitted Conditional Uses to Sections 22-26, 22-27, and 22-28 as the recommendation of the Board.

MOTION WAS MADE BY MS. BRENNER TO HAVE THE DRAFT BROUGHT BACK BEFORE THE BOARD FOR RECOMMENDATION TO THE COMMISSION. **Seconded by Mr. Poitier**. Motion was approved by unanimous voice vote.

Consideration of Absences: Mr. Bergman asked what the Board wished to do concerning the absences. Board decided to wait until the next meeting and have the absent members explain their absences.

Ms. Brenner stated that she at the last meeting she raised the concern about why Congressman Graham did not address the Port issue for security. She stated that she spoke with someone

earlier today who was in a news conference that he conducted in which he talked about the Port extensively. But it didn't make any of the newspapers. Mr. Nunn stated that they had actually been talking about all of the Ports. He stated that he thought he thought they were letting the States handle things individually.

At this point Site Plan Review checklists were passed around to all members present. Mr. Nunn stated that he wanted the Board members to look it over and maybe put it in with their materials that they bring to each meeting. He stated that it gives the Board something to work with as far as what to look for when Site Plans are submitted. This is something that has been talked about for two years, what we should and shouldn't have according to Mr. Nunn. He stated that he didn't know if everyone knew exactly what is supposed to be included. He stated that there were things that he thought should be included, but he had been corrected on that were not supposed to be included at this point. He felt it would be a good thing if the Board members were to bring this with them to all of the meetings and start to use it.

Meeting was adjourned at 8:32 p.m.

Mayor Enns declared a Public Hearing on Ordinance No. K-114 in session and asked if anyone in the audience wished to be heard.

Mr. Richard Bancroft, 1667 Thumb Point Drive, said he has been there for 24 years. What happened next to him is probably the reason this is before them tonight. In October the house next to him sold, a private residence, to a couple who turned it into weekly rentals. They also bought another second home in the neighborhood and turned that into weekly rentals. He is opposed to this for several reasons. Number one, it changes the character of a private residence. The neighborhood was all single family dwelling. Now they don't know who is going to be next to them from one week to the next. There are people walking around they don't know if they belong there or not. The second reason is there is no regulation for health or proper business practices. A couple of weeks ago a renter came to his house asking if they knew how to get in touch with the owners. There were two different groups that had rented the same house for the same week, so they didn't know how to resolve the problem. The phone numbers they had been given were unanswered. She told him the pool is green, they have dirty linens, and the houses haven't been cleaned.

Mayor Enns said let him interrupt. Mr. Bancroft has stated he is opposed to it. He thinks what this ordinance is trying to do is to prevent what is happening.

Mr. Bancroft said yes. He is opposed to the practice of what is going on, but he is for the ordinance. He wants to be very clear about that because it has been a long fight.

Mayor Enns said they are glad to have someone here for something they are doing right.

Mr. Bancroft said the third reason is there are already areas that are zoned for motel and hotels that are regulated by the proper authorities which are paying their dues and taxes and whatever it covers. They don't need competition from operations like what is going on here now. His passed a petition throughout the neighborhood and it went throughout South Beach. Without exception, everybody they asked to sign it was against that type of operation. They brought it before the Code Enforcement Board. They were very good in handling it but they were limited by the zoning as it is. So the South Beach Property Association would urge them to pass this zoning change as it is being proposed.

Mr. Clive Daem said he is a board member of the South Beach Property Association; and speaking for them, they would like to see this amendment passed. As the owner of the Dockside Harborlight Inn Resort and as an owner and operator of a hotel, he reiterates the gentleman preceding him, his feeling about this competition. They pay taxes according to the use of their property. There is a sales tax question here. Any properties under six months are considered transient rentals and are obliged to pay sales tax as well as the bed tax. And he is pretty sure these rentals are not doing that.

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

Motion was made by Commissioner Benton, seconded by Commissioner Bryan, that Ordinance No. K-114 be passed on first reading.

Ordinance No. K-114 entitled, "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE; AMENDING SECTION 22-3; AMENDING DEFINITION OF "DWELLING" SO AS TO EXCLUDE RENTALS FOR DESIGNATED PERIOD; PROVIDING DEFINITION FOR "**DWELLING RENTAL**"; AMENDING SECTION 22-24; PROVIDING FOR DWELLING RENTAL AS CONDITIONAL USE; AMENDING SECTION 22-25; PROVIDING FOR DWELLING RENTAL AS CONDITIONAL USE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE." was placed on second and final reading and read by title only.

Mayor Enns declared a Public Hearing on Ordinance No. K-114 in session and asked if anyone in the audience wished to be heard.

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

Motion was made by Commissioner Sessions, seconded by Commissioner Bryan, that Ordinance No. K-114 be passed on second and final reading.

Those voting in favor of the passage of Ordinance No. K-114 on second and final reading were: Commissioners Benton, Bryan, Nelson, Sessions, and Enns. Those opposed: None.

Ordinance No. K-115 entitled, "AN ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA, PROVIDING FOR AND CLARIFYING MINIMUM **FEES FOR BUILDING INSPECTIONS** INCIDENT TO THE ISSUANCE OF OCCUPATIONAL LICENSES; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE." was placed on second and final reading and read by title only.

Mayor Enns declared a Public Hearing on Ordinance No. K-115 in session and asked if anyone in the audience wished to be heard.

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

Motion was made by Commissioner Benton, seconded by Commissioner Bryan, that Ordinance No. K-115 be passed on second and final reading.

Those voting in favor of the passage of Ordinance No. K-115 on second and final reading were: Commissioners Benton, Bryan, Sessions, and Enns. Those opposed: Commissioner Nelson.

Ordinance No. K-116 entitled, "AN ORDINANCE AMENDING THE CITY CHARTER, SECTION 14(2) ENTITLED "**BORROW MONEY**", PROVIDING FOR AN INCREASED DEBT LIMIT NOT EXCEEDING TWENTY-TWO MILLION DOLLARS ($22,000,000); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE." was placed on second and final reading and read by title only.

Mayor Enns declared a Public Hearing on Ordinance No. K-116 in session and asked if anyone in the audience wished to be heard.

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

Commissioner Sessions asked someone mentioned it last meeting, but at any rate, what is the objective insofar as an increase? He thinks they had an objective in terms of acquiring bonds.

ORDINANCE NO. K-148

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE; FLORIDA; CREATING SECTIONS 22-26(c)(10), 22-27(c)(12), 22-27.1(c)(6), AND 22-28(c)(12); PROVIDING FOR **DWELLING RENTALS** AS CONDITIONAL USES IN MODERATE DENSITY, MEDIUM DENSITY, HIGH DENSITY RESIDENTIAL AREAS AND HUTCHINSON ISLAND MEDIUM DENSITY RESIDENTIAL AREAS; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Section 22-26(c)(10) (Single family moderate density zone) is hereby created so as to provide for the following as an additional, permitted conditional use:

(10) Dwelling rentals.

SECTION 2. Section 22-27(c)(12) (Medium density residential zone) is hereby created so as to provide for the following additional, permitted conditional use:

(12) Dwelling rentals.

SECTION 3. Section 22-27.1(c)(6) (Hutchinson Island medium density residential zone) is hereby created so as to provide for the following additional, permitted conditional use:

(6) Dwelling rentals.

SECTION 4. Section 22-28(c)(12) (High density residential zone) is hereby created so as to provide for the following additional, permitted conditional use:

(12) Dwelling rentals.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 6. This Ordinance is and the same shall become effective immediately upon final passage hereof.

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. K-148 was duly advertised in accordance with F.S. 166.041(3)(c)(2) in the Fort Pierce Tribune on March 22, 2002 and on April 6, 2002; 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 April 1, 2002; and was duly introduced, read by title only, and passed on second and final reading on April 15, 2002, 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 16th day of April, 2002.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

Those voting in favor of the passage of Ordinance No. K-147 on second and final reading were: Commissioners Alexander, Benton, Nelson, and Enns. Those opposed: Commissioner Coke.

Ordinance No. K-148 entitled, "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; CREATING SECTIONS 22-26(c)(10), 22-27(c)(12), 22-27.1(c)(6), and 22-28(c)(12); PROVIDING FOR **DWELLING RENTALS** AS CONDITIONAL USES IN MODERATE DENSITY, MEDIUM DENSITY, HIGH DENSITY RESIDENTIAL AREAS AND HUTCHINSON ISLAND MEDIUM DENSITY RESIDENTIAL AREAS; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE." was placed on first reading and read by title only.

Mayor Enns declared a Public Hearing on Ordinance No. K-148 in session and asked if anyone in the audience wished to be heard.

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

Motion was made by Commissioner Benton, seconded by Commissioner Coke, that Ordinance No. K-148 be passed on first reading.

Those voting in favor of the passage of Ordinance No. K-148 on first reading were: Commissioners Alexander, Benton, Coke, Nelson, and Enns. Those opposed: None.

Ordinance No. K-149 entitled, "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; CREATING SECTION 22-31(c)(16); PROVIDING FOR CERTAIN **INDUSTRIAL USES** AS PERMITTED CONDITIONAL USES IN **GENERAL COMMERCIAL ZONE** (C-3); REPEALING ORDINANCES AND PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE." was placed on first reading and read by title only.

Mayor Enns declared a Public Hearing on Ordinance No. K-149 in session and asked if anyone in the audience wished to be heard.

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

Mayor Enns asked do they have a staff recommendation on that?

Mr. Ramon Trias, Director of Development, said staff recommends approval and also the Planning Board recommended approval.

Commissioner Benton said he has some concerns in a couple of areas on this one. That would be Section 22-34(b)(6) allowing wholesale trade, warehouses and distribution establishments, including trucking and railroad terminals and also Section 22-34(b)(7) allowing bulk storage yards, including bulk storage of flammable liquids and other hazardous materials and so on. He would like to see those two left out. He doesn't feel it should be in a commercial area.

Mr. Trias said they can change and tailor the language as they choose. He thinks the intent of this amendment was to allow for some expanded use in C-3, but not for every possible industrial use. Clearly that was the intent. They thought the easiest way to address this was to say the uses allowed under light industrial could be a conditional use because the conditional use process allows the Commission to say "yes" or "no". However, if he feels it has to be more detail, they could definitely re-write it.

overall they will have at complete build out about 25,000 to 26,000 square feet.

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

Mayor Enns asked what was the recommendation of Planning Board and staff?

Ms. Clark said the recommendation from Staff and Planning Board was for approval.

Motion was made by Commissioner Benton, seconded by Commissioner Alexander, to approve Site Plan submitted for St. Lucie Habitat for Humanity retail building on the north side of Okeechobee Road, east of South 31st Street.

Those voting in favor of the motion were: Commissioners Alexander, Benton, Coke, Nelson, and Enns. Those opposed: None.

Ordinance No. K-148 entitled, "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; CREATING SECTIONS 22-26(c)(10), 22-27(c)(12), 22-27.1(c)(6), and 22-28(c)(12); PROVIDING FOR **DWELLING RENTALS** AS CONDITIONAL USES IN MODERATE DENSITY, MEDIUM DENSITY, HIGH DENSITY RESIDENTIAL AREAS AND HUTCHINSON ISLAND MEDIUM DENSITY RESIDENTIAL AREAS; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE." was placed on second and final reading and read by title only.

Mayor Enns declared a Public Hearing on Ordinance No. K-148 in session and asked if anyone in the audience wished to be heard.

Ms. Karen Bancroft said she just wanted a more thorough explanation on this. She thought this was already approved in October that if somebody did want to rent they could go before - she does not know who they go before exactly - but get a conditional approval.

Mayor Enns said the first reading was two weeks ago and was passed. They have to have two readings. When this one is completed tonight then the ordinance will be in effect and it will require conditional use for rental.

Ms. Bancroft asked this is put before somebody and are the neighbors notified? What happens with this?

Mayor Enns asked can Ms. Clark answer the question of notification and who the conditional use goes before?

Ms. Wendy Clark, Planning Coordinator, said the conditional use is an application that would be filed through the Planning Department and that would require notification of surrounding property owners within 500 feet. The actual ordinance, it is her understanding there is no public notification other than an ad in the newspaper. Is that correct?

City Clerk Steele said there is a legal ad in the newspaper.

Ms. Bancroft said if two neighbors say they don't want this, then what happens?

Mayor Enns declared a Public Hearing on Ordinance No. K-114 in session and asked if anyone in the audience wished to be heard.

Mr. Richard Bancroft, 1667 Thumb Point Drive, said he has been there for 24 years. What happened next to him is probably the reason this is before them tonight. In October the house next to him sold, a private residence, to a couple who turned it into weekly rentals. They also bought another second home in the neighborhood and turned that into weekly rentals. He is opposed to this for several reasons. Number one, it changes the character of a private residence. The neighborhood was all single family dwelling. Now they don't know who is going to be next to them from one week to the next. There are people walking around they don't know if they belong there or not. The second reason is there is no regulation for health or proper business practices. A couple of weeks ago a renter came to his house asking if they knew how to get in touch with the owners. There were two different groups that had rented the same house for the same week, so they didn't know how to resolve the problem. The phone numbers they had been given were unanswered. She told him the pool is green, they have dirty linens, and the houses haven't been cleaned.

Mayor Enns said let him interrupt. Mr. Bancroft has stated he is opposed to it. He thinks what this ordinance is trying to do is to prevent what is happening.

Mr. Bancroft said yes. He is opposed to the practice of what is going on, but he is for the ordinance. He wants to be very clear about that because it has been a long fight.

Mayor Enns said they are glad to have someone here for something they are doing right.

Mr. Bancroft said the third reason is there are already areas that are zoned for motel and hotels that are regulated by the proper authorities which are paying their dues and taxes and whatever it covers. They don't need competition from operations like what is going on here now. His passed a petition throughout the neighborhood and it went throughout South Beach. Without exception, everybody they asked to sign it was against that type of operation. They brought it before the Code Enforcement Board. They were very good in handling it but they were limited by the zoning as it is. So the South Beach Property Association would urge them to pass this zoning change as it is being proposed.

Mr. Clive Daem said he is a board member of the South Beach Property Association; and speaking for them, they would like to see this amendment passed. As the owner of the Dockside Harborlight Inn Resort and as an owner and operator of a hotel, he reiterates the gentleman preceding him, his feeling about this competition. They pay taxes according to the use of their property. There is a sales tax question here. Any properties under six months are considered transient rentals and are obliged to pay sales tax as well as the bed tax. And he is pretty sure these rentals are not doing that.

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

Motion was made by Commissioner Benton, seconded by Commissioner Bryan, that Ordinance No. K-114 be passed on first reading.

ORDINANCE NO. K – 441

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING ARTICLE I, CHAPTER 22, IN GENERAL, AND ARTICLE II, CHAPTER 22, ESTABLISHMENT OF ZONES, TO AMEND SECTION 22-3 BY UPDATING DEFINITIONS, AND AMEND SECTION 22-16 BY DESIGNATING THE SOUTH BEACH OVERLAY ZONING DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it has been some time since the Zoning chapter has been revised; and

WHEREAS, recent proposed development in the South Beach area of the City of Fort Pierce necessitates this revisions; and

WHEREAS, this revision is found to be in compliance with the Comprehensive Plan of the City of Fort Pierce; and

WHEREAS, the Planning Board of the City of Fort Pierce reviewed this matter on October 10, 2006:

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

Section 1. Chapter 22, Zoning, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 22-16. Designation of Overlay Districts.

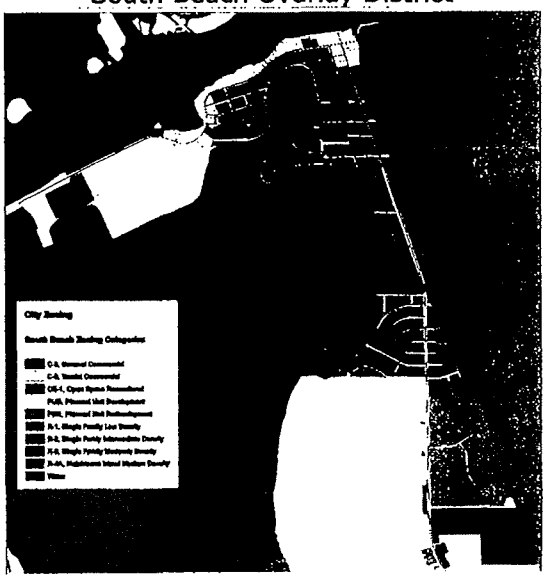
The City's overlay zoning districts stipulate special provisions that, along with the provisions of the basic zoning district and other ordinance regulations, govern the use of property within the City limits.

(a) South Beach Overlay District.

(1) Applicability and Purpose.

The purpose of the South Beach Overlay District is to promote good planning and site design that produces quality development that is functional, an asset to the community and in keeping with the general character of South Hutchinson Island. By way of this Overlay District, the City seeks to preserve, protect and enhance the unique barrier island environment through regulation of development and redevelopment of lots within the district.

South Beach Overlay District



The standards allow for and promote design integration of the man-made improvements to the land with the natural elements of the land. All new development and changes to existing development in the district that require site plan or building permit approval are subject to the overlay district requirements in addition to other applicable regulations in the City's Code of Ordinances.

Due to ever-accumulating knowledge about the dynamics of a barrier island community, and new and better information about site design, the City's land development regulations will be monitored and reviewed on an on-going basis in order to assess their reasonability and effectiveness in promoting these purposes.

APPROVED

(2) Delineation of the District.

The South Beach Overlay District includes all parcels designated in the shaded area as indicated in Figure 1. The boundary of the South Beach Overlay District shall be deemed to automatically adjust pursuant to any annexation approval on South Hutchinson Island.

(3) District Regulations.

a. Density.

1. Residential

Residential density shall be based on the requirements of the underlying zoning district except that in no instance shall residential density in the South Beach Overlay District exceed 8 units per acre.

2. Non- Residential

Non-residential density shall be based on the requirements of the underlying zoning district.

3. Mixed Use

The residential component of a Mixed Use development shall not exceed 8 units per acre. The non-residential component of a Mixed Use development shall be based on the requirements of the underlying zoning district while factoring the affect and impacts of the residential component on the site.

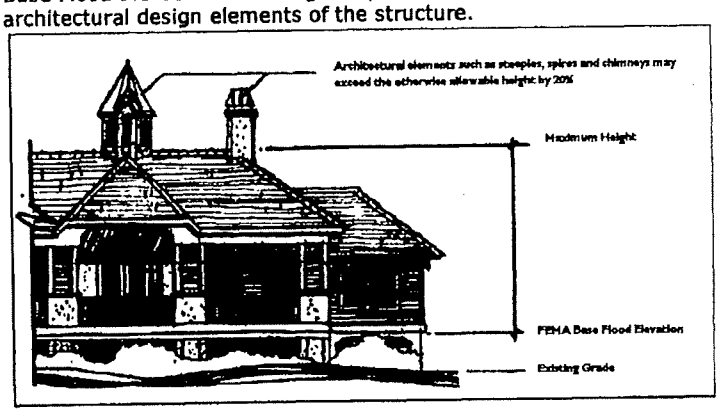
b. Height.

	OS-1	R-1	R-2	R-3	R-4A	C-3	C-5
Maximum Height							
- Single family	-	28′	28′	28′	45′	-	-
- Duplex	-	-	-	28′	45′	-	-
- Triplex	-	-	-	-	45′	-	-
- Quadraplex	-	-	-	-	45′	-	-
- Multifamily	-	-	-	-	45′	45′	45′
- Other	35′	28′	28′	28′	45′	45′	45′
Not to Exceed							
- Single family	-	-	-	-	-	-	-
- Duplex	-	-	-	-	-	-	-
- Triplex	-	-	-	-	-	-	-
- Quadraplex	-	-	-	-	-	-	-
- Multifamily	-	-	-	-	4 stories	4 stories	4 stories
- Other	-	-	-	-	4 stories	4 stories	4 stories

1. Maximum Height may be extended up to 35′ in the R-1, R-2 and R-3 zoning districts subject to Conditional Use approval.
2. No habitable space is permitted above the Maximum Height specified in the zoning district.

c. Calculation of Height.

1. Maximum structure height shall be calculated from the established FEMA Base Flood Elevation to the highest point of the roof excluding non-habitable architectural design elements of the structure.



APPROVED

2. The height of fences shall be measured from preconstruction grade.

d. Height in Excess of Maximum

1. Equipment including, but not limited to, satellite dishes and heating and air conditioning equipment may be installed on top of buildings provided that the equipment is screened from horizontal view.

2. Non-habitable architectural elements that contribute stylistically to the building including, but not limited to, bulkheads, parapet walls, false fronts, cupolas, steeples, spires, and chimneys may exceed the maximum height requirement by 20 percent.

e. Design Standards.

	Standards
1. Single-Family Residential	None.
2. Multifamily and Non-Residential	a) Architectural integrity and compatibility with nearby existing buildings both on- and off-site shall be demonstrated. Architectural considerations shall include building siting, massing, proportion, scale, materials, colors, details, façade treatments, fenestration, parapets, site features, lighting and signage. The openness of ground floor facades and view corridors which face pedestrian utilized roadways, circulation routes or waterways shall be maximized to promote pedestrian activity and increase visibility of activity from the interior of the buildings.
	b) The form of buildings and its architectural details should be designed to create visual interest at the street level using techniques such as incorporating porches, staggering the frontage of the buildings, recessing doors and windows, providing display windows, providing awnings and canopies for weather protection and scale, and visually extending interior spaces outside through paving and glazing.
	c) Site and architectural design features shall substantially advance design standards reflected in local precedents or regional buildings. These may include traditional Mediterranean, Key West, Mission, Prairie, Streamlined Art Deco or Mid-Century Modern architecture or other appropriate architectural design compatible with the Florida tropical climate. Materials and colors should be selected to unify the building appearance and fit into the pedestrian realm.
	d) Development along the City's waterfront shall maximize opportunities for public access to the water and facilitate connectivity with adjoining waterfront properties to establish an improved public promenade.

APPROVED

f. Nonconforming Situations.

Nonconforming uses and structures that have been damaged or destroyed by natural disaster or other catastrophic event, i.e., fire or other calamity, may be replaced or reconstructed provided that:

1. The significance of the property owner's hardship is more compelling than, and reasonably overbalances, the public benefit resulting from not allowing the use or structure to be reestablished.
2. Replacement or reconstruction of the use or structure is compatible with the character of the neighborhood and will not jeopardize future development of the area in compliance with the provisions and intent of the City's Land Development Regulations.
3. The value of properties in the vicinity of the replacement or reconstruction will not be adversely affected;
4. No expansion of gross floor area occurs;
5. The degree of nonconformity is not increased;
6. The replacement structure is in compliance with the City's adopted Building Code, Coastal Construction Control Line and FEMA regulations; and
7. A Building permit is issued within 24 months after the date of destruction and the construction is diligently pursued to completion.

g. Supplemental Use Regulations.

1. Condominium Hotels.

a. General Requirements.

i. Condo-hotel facilities shall be created, sold and maintained under documentation, including condominium declaration, bylaws, sales brochures, and pre-construction agreements, with form and content approved by the City Attorney, which adequately disclose and ensure that the condo-hotel facility will, in all respects, be permanently and exclusively operated as a transient accommodations facility and will not be occupied as a multi-family dwelling.

ii. Condo-hotel facilities must be permanently dedicated in their entirety to the complete control and management of a single hotel or resort hotel operator for operation as a transient accommodations facility.

iii. Condo-hotel facilities shall contain no dwelling units. Only individual sleeping units that are permanently dedicated for rental to the general public for transient occupancy for periods of less than 28 days on a fulltime basis by the hotel or resort hotel operator shall be permitted; provided, however, that an owner of an individual sleeping unit in a condo-hotel may be permitted to occupy the owned sleeping unit without rental charge for up to 28 days in any calendar year.

iv. Condo-hotel sleeping units shall not be used for homesteading purposes or home occupational licensing, time share or fractional interests.

v. Condo-hotel facilities shall be licensed by all applicable state and local agencies that license traditional motels, hotels and/or resort hotels prior to the issuance of any Certificate of Occupancy. All required licenses must be kept current.

vi. Rental of condo-hotel sleeping units shall be subject to all applicable state and local tourist tax collections.

vii. Condo-hotel facilities shall be served by singly metered utility services and with a central telephone system and central cable television system installed in all individual sleeping units.

viii. Individual sleeping units shall not contain any lockable storage closet or cabinet unless access to such closet or cabinet is automatically and uniformly provided to each member of the public who rents the sleeping unit.

ix. Condo-hotel facilities shall provide an internally-oriented lobby/front desk area.

APPROVED

x. Condo-hotel facilities shall utilize a uniform key entry system managed by the hotel or resort hotel operator to receive and disburse keys for each condo-hotel sleeping unit.

xi. All condo-hotel facilities shall offer daily maid service, concierge as well as other customary hospitality services.

xii. The City may require affidavits of compliance with the criteria from the developer, management entity, and/or each condo-hotel sleeping unit purchaser/owner concurrent with annual renewal of any required occupational license.

b. Conditions of Approval.

The City Commission may impose limitations on condo-hotel facilities, including but not limited to, the size and number of sleeping units and sleeping areas as well as the types of utility fixtures to ensure the viability of hospitality and transient accommodations and to limit impacts on local services including transportation, potable water, sanitary sewer and hurricane evacuation.

Section 2. Chapter 22, Zoning, of the Code of Ordinances, is further amended as follows:

Existing Definitions to be Deleted and Replaced by New Definitions

~~*Dwelling (dwelling unit)* – One or more rooms connected together in a building, constituting a separate, independent housekeeping establishment for a family, for owner occupancy or rental for 6 months or longer in R-1 or R-2 residential zones, physically separated from any other rooms or dwelling units which may be in the building, and containing sleeping and sanitary facilities and one kitchen.~~

~~*Motel/Hotel* – A building or group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental to transients with a daily charge, as distinguished from dwellings, where rentals are for a period of a week or longer and occupancy is generally by residents rather than transients. Where more than twenty-five (25) percent of the units have cooking facilities, such living quarters shall be considered as dwellings and shall be subject to the regulations governing dwellings. This definition shall not include adult motels or adult hotels.~~

~~*Resort Hotel* – A place of lodging providing sleeping accommodations that are offered to the public in conjunction with the operation of marine or marina facilities or other tourist-related recreational amenities, and that are intended primarily for rental to transients with a daily or weekly charge, but in any event in which the maximum stay per transient/tenant is limited to thirty (30) days in any twelve month period. Limited kitchen facilities may be provided in the suite. Guest recreational amenities, such as marina facilities, swimming pools, tennis or recreation courts or similar facilities, are to be provided and located on site.~~

New Definitions

Condo hotel – A building constructed, maintained, operated and managed as a hotel or resort hotel in which each sleeping unit in the facility is individually owned and in which all sleeping units are available for transient occupancy, i.e., daily, weekly or monthly rent and where the structure, common areas and facilities are owned by all owners on a proportional individual basis.

Sleeping unit – One or more rooms designed, occupied, or intended for occupancy as transient lodging accommodations with one or more sleeping areas, limited cooking, and sanitary facilities provided within the sleeping unit for the exclusive use as transient lodging accommodations.

Limited Cooking Facilities – A collection of customary appliances which may include sinks, wet bar areas, refrigerators and microwave ovens provided in transient lodging accommodations for the use, enjoyment and convenience of transient occupants but specifically excluding dish washers, stoves and ovens.

Dwelling unit – One or more rooms, designed, occupied, or intended for owner occupancy, or rental for six months or longer in R-1 and R-2 residential zoning districts, used as a separate living quarter, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

Hotel – A facility offering transient lodging accommodations to the general public and providing additional services, such as restaurants, meeting spaces, entertainment, and recreational facilities.

Motel – A facility offering transient lodging accommodations to the general public with a majority of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building.

Resort Hotel – A tourist-oriented destination resort facility offering transient lodging accommodations with sleeping units available to the general public in conjunction with marine, aquatic, golf or other recreational amenities including but not limited to organized programs, activities, camps and excursions for both adults and/or children, fitness and spa facilities, as well as other services and amenities including restaurants, meeting, conference and/or banquet facilities as well as entertainment where such sleeping units are intended for the exclusive use as transient lodging accommodations.

Section 3. Chapter 22, Zoning, of the Code of Ordinances, is further amended as follows:

Other Amendments to the Land Development Regulations

1) Add new parking standard for Motels, Hotels and Resort Hotels in Section 22-60(d)(2), Off-street Parking and Loading, to require 1.0 parking space for the first sleeping area within a sleeping unit plus .5 parking spaces for each additional sleeping area within a sleeping unit plus 1 parking space per 250 square feet of gross floor area for accessory uses open to the general public.

2) Add Motels, Hotels and Resort Hotels As Semi-restricted uses permitted in Section 22-33(b), C-5, Tourist Commercial, zoning district.

Section 4. Chapter 22, Zoning, of the Code of Ordinances, is hereby amended so that the following sections are renumbered as follows:

Section 22-~~16~~17. Location of Zoning Districts.

Section 22-~~17~~18. Zoning Atlas Generally.

Section 22-~~18~~19. Reserved

Section 22-~~19~~20. Comprehensive Plan.

Section 5. All Ordinances or parts of Ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

Section 6. This ordinance is and the same shall become effective immediately upon final passage hereof.

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. K-441 was duly advertised by Legal Advertising in the Fort Pierce Tribune on November 15, 2006 and on December 11, 2006; and was duly advertised by Display Advertising in the Fort Pierce Tribune on August 14 & August 30, 2006, and on September 11 & September 27, 2006, and on November 22 & December 11, 2006; copy of said ordinance was made available at the office of the City Clerk to the public upon request; Public Hearings were held on Ordinance No. K-441 on August 21, 2006, December 4, 2006, and December 18, 2006; 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 January 2, 2007; and was duly introduced, read by title only, and passed on second and final reading on January 16, 2007, 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 January, 2007.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

Tourist Development Tax

St. Lucie County, in 1991, authorized a Tourist Development Tax to be imposed on rentals or leases of accommodations in hotels, motels, apartments, rooming houses, mobile home parks, RV parks, condominiums, or timeshare resorts for terms of six months or less. The current tax rate is 5%, collected concurrently with the state sales tax of 6%, both of which are intended to be captured from any of the public accommodations noted.

St. Lucie County's Tourist Development Council (TDC) is represented by local elected officials, hospitality professionals and tourism-related community members. The tourist tax collected by St. Lucie County is presently allocated in the following manner:

- **First & Second Cents**- Operation and maintenance of Tradition Field
- **Third Cent**- Promote tourism
- **Fourth Cent**- Pay debt service on bonds used to finance the reconstruction and renovation of Tradition Field
- **Fifth Cent**- 67 percent of the 5th cent tax is allocated to pay debt service on bonds issued to finance the renovation and reconstruction of Tradition Field. The remaining 33 percent of the 5th cent tax is allocated for capital facilities that promote tourism located north of Midway Road.

DR-15TDT
R. 11/15

COUNTY LOCAL OPTION TRANSIENT RENTAL TAX RATES GROUPED BY ADMINISTRATION

(Tourist Development Tax Rates)

State sales and use tax, discretionary sales surtax, and local option transient rental taxes are all imposed on rentals or leases of accommodations in hotels, motels, apartments, rooming houses, mobile home parks, RV parks, condominiums, or timeshare resorts for a term of six months or less. Counties may levy a new local option transient rental tax or change the local option tax rate at any time throughout the year.

COUNTY	ADMINISTERED BY	TOURIST DEVELOPMENT	TOURIST IMPACT	CONVENTION DEVELOPMENT	TOTAL TRANSIENT RENTAL RATE*	KNOWN FUTURE CHANGES
CALHOUN	N/A	NONE	NONE	NONE	NONE	
HARDEE	N/A	NONE	NONE	NONE	NONE	
LAFAYETTE	N/A	NONE	NONE	NONE	NONE	
LIBERTY	N/A	NONE	NONE	NONE	NONE	
UNION	N/A	NONE	NONE	NONE	NONE	
BRADFORD	Fl Dept of Revenue	4.0%	0.0%	0.0%	4.0%	
CITRUS	Fl Dept of Revenue	3.0%	0.0%	0.0%	3.0%	
COLUMBIA	Fl Dept of Revenue	5.0%	0.0%	0.0%	5.0%	
DESOTO	Fl Dept of Revenue	3.0%	0.0%	0.0%	3.0%	
DIXIE	Fl Dept of Revenue	2.0%	0.0%	0.0%	2.0%	
FLAGLER	Fl Dept of Revenue	4.0%	0.0%	0.0%	4.0%	
FRANKLIN	Fl Dept of Revenue	2.0%	0.0%	0.0%	2.0%	
GADSDEN	Fl Dept of Revenue	2.0%	0.0%	0.0%	2.0%	
GILCHRIST	Fl Dept of Revenue	2.0%	0.0%	0.0%	2.0%	
GLADES	Fl Dept of Revenue	2.0%	0.0%	0.0%	2.0%	
HAMILTON	Fl Dept of Revenue	3.0%	0.0%	0.0%	3.0%	
HENDRY	Fl Dept of Revenue	3.0%	0.0%	0.0%	3.0%	
HOLMES	Fl Dept of Revenue	2.0%	0.0%	0.0%	2.0%	
JACKSON	Fl Dept of Revenue	4.0%	0.0%	0.0%	4.0%	
JEFFERSON	Fl Dept of Revenue	2.0%	0.0%	0.0%	2.0%	
LEVY	Fl Dept of Revenue	2.0%	0.0%	0.0%	2.0%	
MADISON	Fl Dept of Revenue	3.0%	0.0%	0.0%	3.0%	
OKEECHOBEE	Fl Dept of Revenue	3.0%	0.0%	0.0%	3.0%	
PASCO	Fl Dept of Revenue	2.0%	0.0%	0.0%	2.0%	
SUMTER	Fl Dept of Revenue	2.0%	0.0%	0.0%	2.0%	
WAKULLA	Fl Dept of Revenue	4.0%	0.0%	0.0%	4.0%	
WASHINGTON	Fl Dept of Revenue	3.0%	0.0%	0.0%	3.0%	
ALACHUA	County Since 7/01	5.0%	0.0%	0.0%	5.0%	
BAKER	County Since 5/00	3.0%	0.0%	0.0%	3.0%	
BAY (1)	County Since 1/94	5.0%	0.0%	0.0%	5.0%	
BREVARD	County Since 10/92	5.0%	0.0%	0.0%	5.0%	
BROWARD **	County Since 3/94	5.0%	0.0%	0.0%	5.0%	
CHARLOTTE	County Since 9/90	5.0%	0.0%	0.0%	5.0%	
CLAY	County Since 1/89	3.0%	0.0%	0.0%	3.0%	
COLLIER	County Since 1/93	4.0%	0.0%	0.0%	4.0%	
DUVAL	County Since 12/90	4.0%	0.0%	2.0%	6.0%	
ESCAMBIA	County Since 6/89	4.0%	0.0%	0.0%	4.0%	
GULF	County Since 6/01	5.0%	0.0%	0.0%	5.0%	Rate will return to 4% on 1/01/20
HERNANDO	County Since 1/93	5.0%	0.0%	0.0%	5.0%	
HIGHLANDS	County Since 1/14	2.0%	0.0%	0.0%	2.0%	
HILLSBOROUGH	County Since 1/92	5.0%	0.0%	0.0%	5.0%	
INDIAN RIVER	County Since 10/00	4.0%	0.0%	0.0%	4.0%	
LAKE	County Since 11/98	4.0%	0.0%	0.0%	4.0%	
LEE	County Since 5/88	5.0%	0.0%	0.0%	5.0%	
LEON	County Since 10/94	5.0%	0.0%	0.0%	5.0%	
MANATEE	County Since 10/89	5.0%	0.0%	0.0%	5.0%	
MARION	County Since 4/08	4.0%	0.0%	0.0%	4.0%	
MARTIN	County Since 11/02	5.0%	0.0%	0.0%	5.0%	
MIAMI-DADE ** (2)	County Since 4/88	3.0%	0.0%	3.0%	6.0%	
MONROE	County Since 1/91	4.0%	1.0%	0.0%	5.0%	
NASSAU (3)	County Since 5/89	4.0%	0.0%	0.0%	4.0%	
OKALOOSA (4)	County Since 7/92	5.0%	0.0%	0.0%	5.0%	
ORANGE	County Since 1/92	6.0%	0.0%	0.0%	6.0%	
OSCEOLA	County Since 5/92	6.0%	0.0%	0.0%	6.0%	
PALM BEACH	County Since 1/93	6.0%	0.0%	0.0%	6.0%	
PINELLAS	County Since 10/90	5.0%	0.0%	0.0%	5.0%	Rate will increase to 6% on 1/1/16
POLK	County Since 1/94	5.0%	0.0%	0.0%	5.0%	
PUTNAM	County Since 4/99	4.0%	0.0%	0.0%	4.0%	
ST JOHNS	County Since 8/88	4.0%	0.0%	0.0%	4.0%	
ST LUCIE	County Since 5/91	5.0%	0.0%	0.0%	5.0%	Rate will return to 3% on 2/01/18
SANTA ROSA	County Since 5/94	5.0%	0.0%	0.0%	5.0%	
SARASOTA	County Since 6/92	5.0%	0.0%	0.0%	5.0%	
SEMINOLE	County Since 9/93	5.0%	0.0%	0.0%	5.0%	
SUWANNEE	County Since 11/01	3.0%	0.0%	0.0%	3.0%	Rate will return to 2% on 7/01/21
TAYLOR	County Since 7/06	3.0%	0.0%	0.0%	3.0%	
VOLUSIA (5)	County Since 4/90	3.0%	0.0%	3.0%	6.0%	
WALTON (6)	County Since 10/91	4.0%	0.0%	0.0%	4.0%	

***The total transient rental rate includes the local option taxes levied on**: tourist development tax authorized by section (s.) 125.0104, Florida Statutes (F.S.), tourist impact tax authorized by s. 125.0108, F.S., and convention development tax authorized by s. 212.0305, F.S.

**In addition to county-wide transient rental tax rates listed in this table, Florida law authorizes certain cities in Broward and Miami-Dade counties to impose a local option municipal resort tax on transient rental transactions and on the sale of food and beverages consumed in restaurants and bars. For complete information and definitions, see Chapter 67-930, Laws of Florida, as amended by Chapters 82-142, 83-363, 93-286, and 94-344, Laws of Florida.

These counties currently do not levy a local option transient rental tax.

Call 800-352-3671 if you have questions about local option transient rental rates administered by the Department of Revenue.

Contact your local county taxing authority to verify tax rates and to find information about collecting and paying locally administered taxes. Counties who self-administer the transient rental rate are not required by law to notify the Department of local tax rate changes; therefore, the tax rates in this chart may not be current. The tax rates for certain jurisdictions within a county may vary. See the information following this chart. The date in the "administered by" column is the date that the county began to administer the local transient rental tax (not the date that the tax was imposed).

(1) Bay: 11.5% rate only applies to Zip Codes 32401 (Panama City), 32404 (Panama City), 32405 (Panama City), 32407, 32408, 32410 (Mexico Beach), and Bay's part of 32413.

(2) Miami-Dade: Surfside & Bal Harbour Tax Rate is 11%; Miami Beach is 14% and the rest of Miami-Dade County is 13%.

(3) Nassau: 11% rate applies to Amelia Island only (zip code 32034).

(4) Okaloosa: 11% rate only applies to Voting Precincts 19, 20, 21, 22, 24, 27, 30, 33, 35, 38, 41, 42 and 44.

(5) Volusia: Halifax and West Volusia Advertising Districts, and Southeast Volusia Advertising District is 12.5%. All areas outside these Districts is 9.5%.

(6) Walton: 11.5% rate only applies to zip codes 32459, 32550, 32454, 32461 and Walton's part of 32413.

Transient rentals are leases or rentals of living accommodations, such as hotels, motels, single-family dwellings, multi-unit dwellings, apartments, rooming houses, condominiums, timeshare resorts, vacation houses, beach houses, mobile homes, recreational vehicle parks, or any other living, sleeping, or housekeeping accommodations for a term of six months or less. See Rule 12A-1.061, Florida Administrative Code, for more information on what constitutes a “rental charge” and which rental charges are specifically exempt.

Counties may levy local option taxes on transient rentals by vote of the county’s governing body or by referendum. Local option taxes are collected in addition to the 6% state sales and use tax and any county discretionary sales surtax. Generally, the taxes paid on transient rentals may be used by the county for capital construction of tourist-related facilities, tourist promotion, and beach and shoreline maintenance; however, the authorized uses vary according to the particular levy.

Many counties self-administer their local option transient rental taxes. Contact your county taxing agency to determine if your county imposes one or more of these taxes and if you are required to report and pay the taxes directly to your county taxing agency or to the Department of Revenue.

- **If your county self-administers the local option transient rental taxes, you will need to file two tax returns and make two separate tax payments**: (1) the local option transient rental taxes will be remitted to the county; and (2) the state 6% sales and use tax and the applicable discretionary sales surtax will be remitted to the Department using Form DR-15, *Sales and Use Tax Return* .
- **If the Department of Revenue administers the local option transient rental taxes, you will file one tax return and make one payment** including the state 6% sales and use tax, the applicable discretionary sales surtax, and the local option transient rental taxes to the Department using Form DR-15, *Sales and Use Tax Return* .

The Local Government Financial Information Handbook, posted online at: http://edr.state.fl.us includes detailed information about all of Florida's local option taxes.



Monroe County – The Florida Keys

http://www.monroecounty-fl.gov/

Upper Keys 305.453.8806

Middle Keys 305.289.2810

Lower Keys 305.292.4495

Filing a Complaint?

Follow the link to our online complaint form

http://www.monroecounty-fl.gov/forms.aspx?fid=74

Information that we may need:

- **You may remain anonymous**
- **Physical Address or Parcel Number**
- **Owner Name of the Property**
- **When did renters arrive and/or depart?**
- **How often are renters seen at the property?**
- **Have you had any contact with the renters?**
- **Vehicle TAG#'s, Boat Registrations #'s for renters**

Code Compliance Department
Division of Growth Management

2798 Overseas Hwy
Suite 330
Marathon, FL 33050
Phone: 305.289.2810
Fax: 305.289.2858
www.monroecounty-fl.gov

County of Monroe

The Florida Keys

Vacation Rental Program

Vacation RENTAL



Responsibilities

The purpose of the Code Compliance Department is to promote, protect, and improve the health, safety, and welfare of the citizens of Monroe County and the environment by providing equitable, expeditious, and effective enforcement of all County Codes while establishing a working partnership with Monroe County neighborhoods.

Mission Statement

The mission of the Code Compliance Department is to enhance and sustain the quality of life of citizens and the environment through effective, expeditious, and equitable enforcement and compliance with building, zoning, land development, environmental, and other codes and ordinances that protect public health, life, safety, welfare, and natural resources.

Information to know before you open your doors as a Vacation Rental



Overview of Vacation Rental Codes

Does your zoning and/or land use district allow vacation rentals?
If your home is located in an Improved Subdivision (IS) or Urban Residential Mobile Home (URM) land use district:
It is unlawful to rent or use a home as a short term (less than 28 days) rental.

Does your advertising comply with the county codes?
All advertising should reflect 28 day minimum stay requirement and monthly rates for rental or lease. All rentals should be for 28+ consecutive days and to the same tenant.
** It is unlawful for any landlord, tenant, agent or other representative of a landowner to rent, lease, advertise or hold out (offer out) for rent any dwelling unit for vacation rental use in any district where a vacation rental use (less than 28 days) is prohibited.*

Do you have a business tax license?
All rentals (long-term and short-term, where allowed) require a business tax license. Call 305.295.5010 for more information or visit online at
http://www.monroetaxcollector.com/

Working Together to Improve Our Lives.

Vacation Rentals *may* be allowed in the following Land Use Districts and require a Special Vacation Rental Permit:

SR (Suburban Residential)
MU (Mixed Use)
UR (Urban Residential)
IS-V (Improved Subdivision Vacation Rental)
OS (Offshore Islands)

Vacation Rentals are not allowed in the following Land Use Districts:
IS (Improved Subdivision)
URM (Urban Residential Mobile Home)
IS-M (Improved Subdivision Masonry)

CALL BEFORE YOU RENT your home

Please call if you have any questions with regards to the allowable uses in your land use district/zoning district.

Upper Keys

Code Compliance	305.453.8806
Planning	305.453.8800

Middle Keys

Code Compliance	305.289.2810
Planning	305.289.2500

Lower Keys

Code Compliance	305.292.4495
Planning	305.289.2500

Noise/Disturbance Issues please contact the Sheriff's Office:

Upper Keys	305.853.3211
Middle Keys	305.289.2430
Lower Keys	305.745.3184

Special Vacation Rental Permit Information

You may obtain the information to apply for a Special Vacation Rental Permit by calling the Planning Department at 305.289.2500 or accessing the county website
http://www.monroecounty-fl.gov

Helpful Hints

An Owner or Agent is required to obtain an annual special vacation rental permit for each dwelling unit prior to renting unit as a vacation rental.

A vacation rental permit is not required if a vacation rental of a dwelling unit located within a controlled access, gated community with a homeowner's or property owner's association that expressly regulates or manages vacation rental use.

Please Note: If your dwelling is in a gated community, it does not mean that you are exempt from the county codes. For example: licensing, noise, vacation rentals, etc.

Multifamily vacation rentals located in a multifamily district must have 24 hour on-site supervision that has received an exemption from the planning director. Please contact the Planning Department for specific requirements.

SOUTH BEACH ASSOCIATION RECOMMENDATION REGARDING RENTAL PROPERTIES IN THE R4A ZONING DISTRICT

November 12, 2015

BASELINE

1, According to the City – A Shared Ownership/HOA/Condo Association can be more stringent than a City Ordinance but cannot supersede or bypass municipal codes *unless* specifically exempted by city ordinance.

2. According to State law – As of 6/1/2011, no new city ordinance can be more restrictive than a current ordinance.

3. **Per Ordinances K114 and K148 – All properties in all zones are currently minimum 6 month – to be less requires Conditional Use – per City Legal Interpretation July 2015.**

SBA RECOMMENDATIONS

1. **Shared Ownership properties to include HOAs and Condo Associations in R4A be exempted from 6 month minimum and any necessity for Conditional Use as an amendment to K148 Section 3 Section 22-27.1(c)(6).**
2. **Single Family Homes in R4A (total 121properties?) remain as is with 6-month restriction – less with conditional use. This was the original intent of K148.**
3. **Non HOA Multifamily properties in R4A (total 129 properties?) While a case can be made for a rental period of less than 6 months this is where the "real" purpose of conditional use can be used. Each "neighborhood" (not the SBA) could decide what they want and each could be different. Currently, there are less being advertised than we would have expected although that doesn't mean they are not occurring. However we doubt that the City will be flooded with 129 applications for conditional use. We simply recommend that these properties remain the same with a 6-month restriction with conditional use.**

Note: There is just one recommended change – item 1 above.

Planning Board **7. b.**

Meeting Date: 03/08/2016

Information

REQUESTED ACTION

Conditional Use - St. Andrew's Early Learning Center - 317 S. 2nd Street

LOCATION

317 S. 2nd Street

RESPONSIBLE STAFF

Kori Benton, Senior Planner

RECOMMENDATION

The proposed Conditional Use with new construction meets the requirements of the City Code and is found to be consistent with the City's Comprehensive Plan; therefore Staff recommends that the Planning Board forward a recommendation to the City Commission for approval of the request with consideration of an enrollment limit and designated staff parking plan.

Attachments

Staff Report
Site Aerial & Zoning Map
Application & Overview
Site Plan
Floor Plans
Traffic Statement
TRC Response Letter
TRC Review Comments

Form Review

Form Started By: Kori Benton Started On: 02/29/2016 04:16 PM

Final Approval Date: 03/02/2016

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Kori Benton, Senior Planner

SUBJECT: Application for Conditional Use
St. Andrew's Early Learning Center
317 S. 2nd Street

DATE: March 1, 2016

STAFF REPORT

Owner(s): St. Andrew's Episcopal Academy
320 S. Indian River Drive
Fort Pierce, FL 34950

Applicant: Trina Angelone, Head of School
210 S Indian River Dr
Fort Pierce FL 34950-4337

Representative(s):

Mike Menard
Cook & Menard Architecture
806 Delaware Avenue,
Ft. Pierce, Florida 34950

Abraham Chabab, PE
5428 NW Edgewater Ave.
Port St. Lucie, FL 34983

Requested Action: Approval of an application for Conditional Use, with new construction, to operate an early learning center for children ages 2-5 (Pre-K).

Location: 317 S. 2nd Street

Parcel ID: 2410-808-0005-000-0

Zoning: Office Commercial, C-1

Surrounding Zoning:

North	East	South	West
C-1	C-1	C-1	C-4

Future Land Use: CBD, Central Business District

Site Size: .76 acres

Utilities: Located within the FPUA Retail Service Area

Staff Analysis:

Request

In accordance with Sections 22-22 and 22-76 of the City Code, the applicant is requesting approval of a Conditional Use with new construction to operate an early learning center for St. Andrew's Academy children ages 2-5 (Pre-K). The subject property is zoned Office Commercial, C-1 and is located within the Downtown Business and Entertainment District. The subject site is approximately .76 acres.

The subject site is a historic structure which was converted from a single-family home to a professional office over a decade ago. St. Andrew's Early Learning Center seeks to repurpose the structure to offer an educational extension of St. Andrew's existing educational program in downtown Fort Pierce to children ages 2-5. The facility is presented to serve a maximum enrollment of forty-nine (49) children, centered on providing a curriculum of science, creative play, and reading preparation. The proposed hours of operations for the center are 7 AM to 6 PM.

The existing one and half story structure is approximately 2,645 sq. ft. in overall area. The upstairs will be designated for a private office, providing a foundation of 1,545 sq. ft. of functional space for the learning center. The addition of a 150 sq. ft. science classroom and 120 sq. ft. garden center are proposed at the rear of the structure. The renovated floor plan provides two (2) classrooms, a science room, craft area, reception area, restrooms, and covered porches.

In addition to traditional indoor reading, math, arts, and literacy instruction, the proposed encompasses a science-oriented sunroom, rear porch with garden planters, a butterfly garden, and an outdoor nature trail. The outdoor amenities and a semi-natural playground are secured via fencing and landscaping in the open space area at the rear of the structure, which overlooks Indian River Drive. The operational plan seeks to rotate students throughout the various learning centers, limiting the quantity of children in outdoor areas at one time.

Access & Parking

Vehicular access to the property is provided via two existing one-way driveways on 2nd Street. Pursuant to City Code Section 22-16 (b) (2) & (3) (c), the subject site is exempt from City of Fort Pierce requirements based upon its location within the Downtown Business and Entertainment District, however the conditional use improvement plan incorporates the provision of five (5) parking spaces, one of which is handicap accessible. The applicant is encouraged to install a bicycle rack on-site to augment the parking options provided with the redevelopment plan.

Several on-street parking spaces available to the east, along South Indian River Drive, offer rear access of the site. The build-out of the main campus will place additional parking facilities further to the east to support the master St. Andrew's campus operations.

Traffic & Loading

The proposed reuse of the property generates trips, which are concentrated during AM and PM peak hours. A functional total of approximately 72 PM & AM peak hour trips per day are projected based upon the level of classrooms and students. The preparing engineer of the traffic statement has deemed 50% of these trips to be recapture, of scheduled trips, from parents that work in the downtown area. Trips associated with the proposed development during these hours encompass staff, teachers, and parent drop-off and pick-up of students. It's suggested that the elevated traffic impacts from the proposed reuse will not have a significant impact to the current level of services, however the analysis does not appear to take into account the planned impacts from the expansion of St. Andrew's Episcopal Academy's main campus to the east, and the two proposed projects, Indian River Villas and Indian River Commerce, to the south east from this site. Further analysis of the collective impacts to the level of service for Citrus Avenue should be considered.

The proposed parking area expansion features a loading zone for student drop-off and pick-up. The designed stacking capacity is not presented, however the parking and loading configuration should accommodate 3-4 vehicles queuing on-site. The anticipated traffic impacts, and limited stacking capacity on-site present a need to consider functional solutions to ensure efficient and safe loading and unloading of students, and the exiting of vehicles from the site. A right-turn only departure from the site may assist in facilitating the timely departure of vehicles after drop-off. The utilization of the on-street parking to the east of the facility by teachers and staff may further improve capacity of the principal parking area to accommodate parent activities. Additionally, the consideration of an enrollment ceiling, at this location, may ensure that traffic impacts do not elevate due to demand pressure in the future.

Sidewalks & Landscaping

Pedestrian access will be enhanced with the implementation of sidewalk access from 2nd Street to the facility, and reconstruction of the rear access sidewalk.

Pursuant to City Code Section 22-16 (b) (2) & (3) (c)., the subject site is exempt from City of Fort Pierce landscaping requirements based upon its location within the Downtown Business and Entertainment District, however the improvement plan seeks to retain and supplement the landscaping on-site for enhancement of the parking area and rear outdoor areas. Additional landscaping to complement the building façade and entry are encouraged for overall enhancement of design.

Technical Review Committee

All affected departments have reviewed and conditionally approved the Conditional Use with new construction based on compliance with the requirements of the City Code.

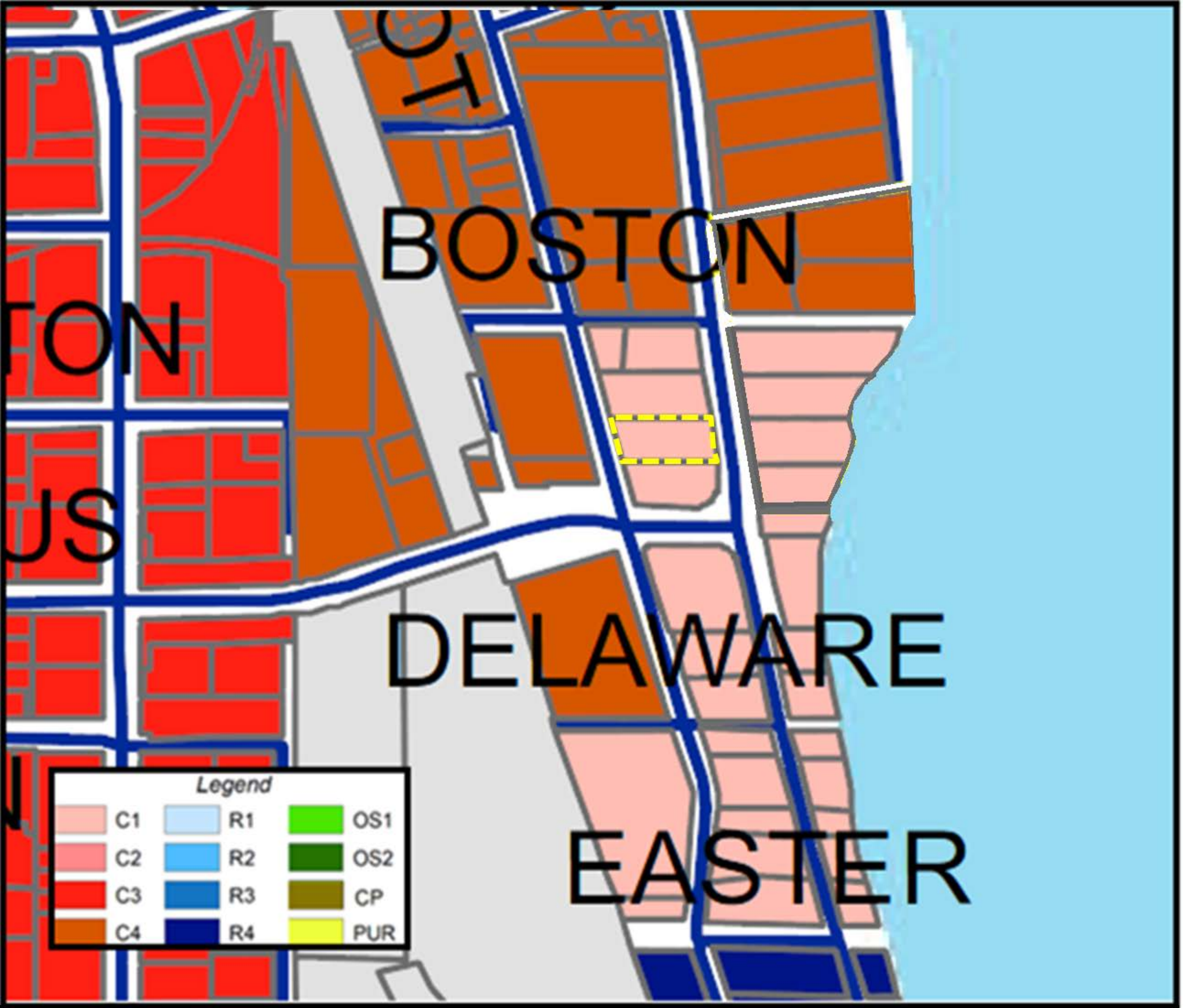
Staff Recommendation:

The proposed Conditional Use with new construction meets the requirements of the City Code and is found to be consistent with the City's Comprehensive Plan; therefore Staff recommends that the Planning Board forward a recommendation to the City Commission for approval of the request with consideration of an enrollment limit and designated staff parking plan.



317 S. 2nd Street

Site Aerial



317 S. 2nd Street

Zoning Map

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

DEVELOPMENT REVIEW

Property address or Location 317 2nd St

Parcel ID #(s) 2410808000500

Project description

St. Andrew Episcopal Academy	C. A. McGregor Board
Property Owner(s)	**Applicant/Representative, Title, Company**
317 2nd St	210 South Indian River Dr
Street Address	Street Address
Fort Pierce FL	FL
City State Zip	City State Zip
772-3322742	772-332-2742
Phone Number	Phone Number
alan@camgroupllc.com	alan@camgroupllc.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. The undersigned consents to inspection and photographing of the subject property by the Planning staff for purposes of consideration of this Application and/or presentation to the Planning Board and City Commission.*

C. A. M.

Property Owner(s) Signature(s)

STATE OF FLORIDA -- , COUNTY St Lucie

The foregoing instrument was acknowledged before me this 25 day of Jan., 2016, by Clarence McGregor who is personally known to me or has produced as identification.

Marcia Talbert

Signature of Notary

MARCIA TALBERT
Notary Public - State of Florida
Commission # FF 941785
My Comm. Expires Mar 30, 2020
Bonded through National Notary Assn.
(Seal)

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_____

Intake Planner_____

Planner Assigned_____

Approved By_____ Date_____

Comments_____

Fees_____ Control #_____ B. Permit #_____

Intake Date Stamp

❑ DEVELOPMENT REVIEW

General Information

- ❑ Incomplete application packets cannot be accepted.
- ❑ Site Plan approval is valid for one (1) year following City Commission approval. In order to maintain site plan approval, vertical improvements, permitted by the Building Department must commence prior to the 12-month expiration date, and building permits must be maintained until site plan is completed, per plans, or approval shall lapse.

Choose Application Type:

Application Type		
❑ Site Plan	☑ Conditional Use with New Const.	❑ Major Amendment
❑ Conceptual Development Plan		❑ Minor Amendment

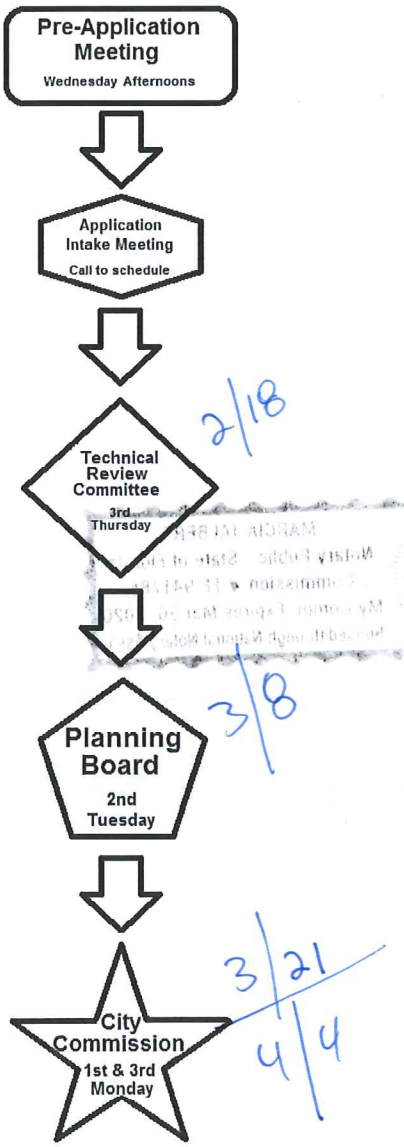
Site Information:

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

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

North	South	East	West

Application Outlook



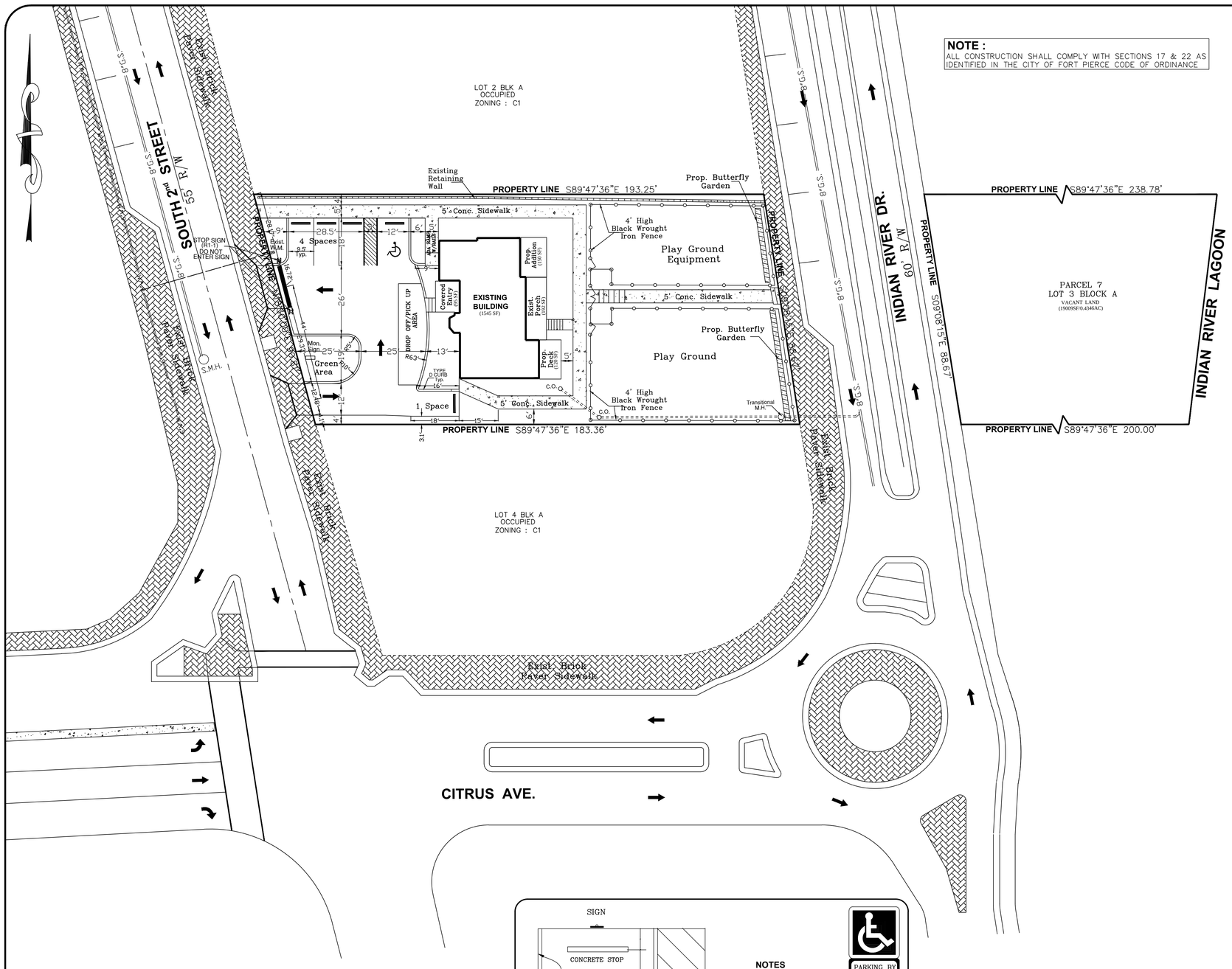
Site Plan submittal requirements:

Submit one (1) original & thirteen (13) hard copies and one (1) CD of the following. Additional copies will be required of subsequent submittals.

- ❑ Complete notarized application ✓
- ❑ Warranty Deed ✓
- ❑ SLC Property Record Card ✓
- ❑ Statements of ownership & control of proposed development. Statement describing in detail: character & intended use. ✓
- ❑ General location map (see Section 22-58.d.2) X
- ❑ Survey (see Section 22-58.d.3) – if available
- ❑ Site Plan (see Section 22-58.d.4) ✓ 9 combined
- ❑ Landscaping Plan (see Section 22-187) ✓
- ❑ Storm Drainage Plan (see Section 22-58.d.6) X
- ❑ Environmental Impact Report X
- ❑ Beach/Dune System protection plan, if applicable (see Section 22-58.d.7) X
- ❑ Lighting Plan (see Section 22-58.d.8) X
- ❑ Design Review submittals (see Design Review application)
- ❑ Traffic Impact Report – statement
- ❑ Concurrency Review submittals (see Concurrency Review application) X

St. Andrew's Early Learning Center with limited enrollment will be a high quality educational extension of our educational program in historical downtown Fort Pierce. A focus on science, creative play, and reading preparation, our current children already enjoy a model, accredited program. The children are those families who either already have older siblings at St. Andrew's or who work downtown in the courts, offices, or businesses. This means there will not be increased traffic in the down town area as these vehicles are already traveling to and from or impacting the parking so this center will not generate additional trips.

In addition to the traditional reading, math and literacy centers, the new center will have a science sun room, a porch with planters, an indoor arts and crafts wet room, a butterfly garden, and an outdoor nature trail with balance beams, etc., around the fence designed as a natural playground, eliminating the impact of large exterior play structures and in keeping with our theme. Students will be rotating throughout the facility centers, reducing the number of children in outdoor areas at any one time.



GENERAL NOTES

PROJECT NAME	:	**ST. ANDREW'S EARLY LEARNING CENTER**
OWNER	:	**ST. ANDREW'S EPISCOPAL ACADEMY INC.** **210 S. INDIAN RIVER DRIVE** **FORT PIERCE, FL 34950**
LOCATION	:	317 S. 2nd Street
LAND USE	:	C1
FUTURE LAND ZONING	:	C1
LEGAL DESCRIPTION	:	PARCEL 7 LOT 3, BLOCK A, OF W.F. RICHARDS AND JAMES ANDREWS RE-SUBDIVISION OF LOTS 3,4,5 AND 6 EAST OF RAILWAY OF TYLER'S SUBDIVISION OF LOT 4, SECTION 10 TOWNSHIP 35 SOUTH, RANGE 40 EAST, BEING ANDREWS AND RICHARDS ADDITION TO FOR PIERCE, ACCORDING TO THE PLAT IN PLAT BOOK 1 PAGE 191, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, & THAT PARCEL CONSISTING OF PROPERTY LYING EAST OF INDIAN RIVER DRIVE (STATE ROAD 707) TO THE INDIAN RIVER SITUATED BETWEEN STRAIGHT LINE EXTENSIONS OF THE ABOVE DESCRIBED PROPERTY TOGETHER WITH ALL RIPARIAN RIGHTS APPERTAINING THERETO, AS DESCRIBED IN OFFICIIAL RECORD BOOK 2931, PAGE 1323.
PIN	:	2410-808-0005-0000
BUILDING HEIGHT	:	26 FEET
NUMBER OF STORIES	:	TWO STORY

UTILITIES

ELECTRICAL	: FPUA
WATER & SEWER	: FPUA
TELEPHONE	: AT&T
SOLID WASTE	: AUTHORIZED SOLID WASTE CO.

ALL UTILITIES WILL BE INSTALLED UNDERGROUND

AREA TABULATION

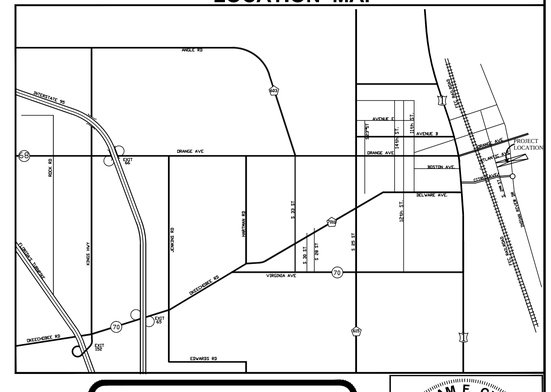
SITE COVERAGE	ACREAGE	SF	%OFSITE	
EXIST. BUILDING	0.0355	1545	4.36	
EXIST. FRONT ENTRY/PORCH	0.0066	287	0.81	
EXIST. ROCK WALKWAYS	0.0270	960	2.71	
EXIST. DWY./PKG. AREAS	0.0386	1683	4.75	
TOTAL EXIST. IMPERVIOUS	0.1027	4475	12.62	
PROPOSED BLDG. ADDITION	0.0062	270	0.76	PROPOSED IMPROVEMENT
PROPOSED PARKING AREA	0.0403	1758	4.96	
PROPOSED SIDEWALKS	0.0169	735	2.07	
TOTAL PROP. IMPERVIOUS	0.0634	2763	7.79	
TOTAL IMPERVIOUS	0.1661	7238	20.41	
VACANT LAND	0.4346	19009	53.63	
GREEN AREA/OPEN SPACE	0.2112	9199	25.96	
TOTAL	0.8119	35446	100.00	

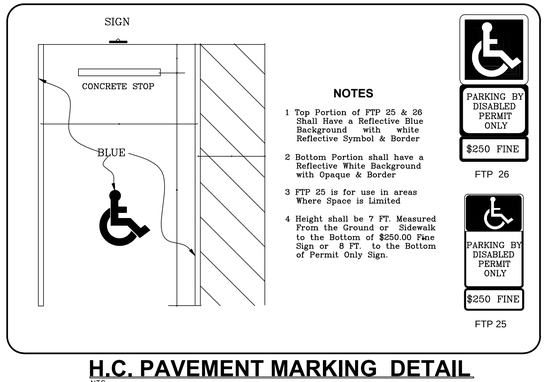
PARKING CALCULATIONS :

PARKING SPACES REQUIRED
DAYCARE AREA : 1600SFx1 PKG SPACE/300 SF= 5.33 PKG SPACES
TOTAL REQUIRED = 6.00 PKG SPACES

PARKING PROVIDED : 4 REGULAR PKG, 1 H.C. & 1 Off Site = 6.00 PKG SPACES

LOCATION MAP





H.C. PAVEMENT MARKING DETAIL

NTS

SCALE 1"=20'

48 HOURS BEFORE DIGGING
CALL TOLL-FREE
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC
UNDERGROUND UTILITIES NOTIFICATION CENTER

ABRAHAM F. CHABAB
LICENSE No 47165
STATE OF FLORIDA
PROFESSIONAL ENGINEER

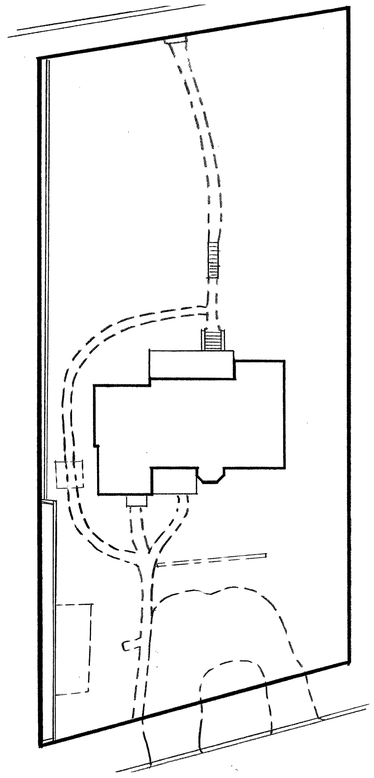
ABRAHAM CHABAB, Inc.
FL. BOARD OF PROF. ENG. AUTH.#26790
5428 NW EDGEWATER AVE
PORT ST. LUCIE FL. 34983
Email agchabab1@msn.com
772 878-5079/475-6630
Fax 772 785-8291

ST. ANDREW'S EARLY LEARNING CENTER

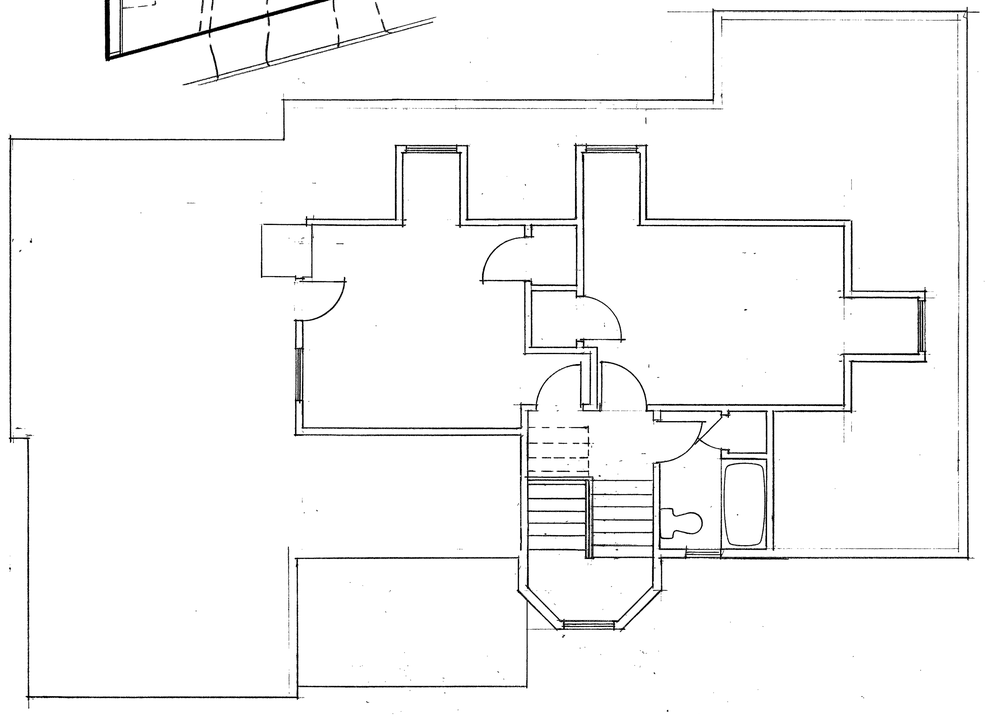
SITE PLAN

DESIGNED BY AC
DRAWN BY AC
DATE Feb. 22/2016
SHEET 1 OF 1

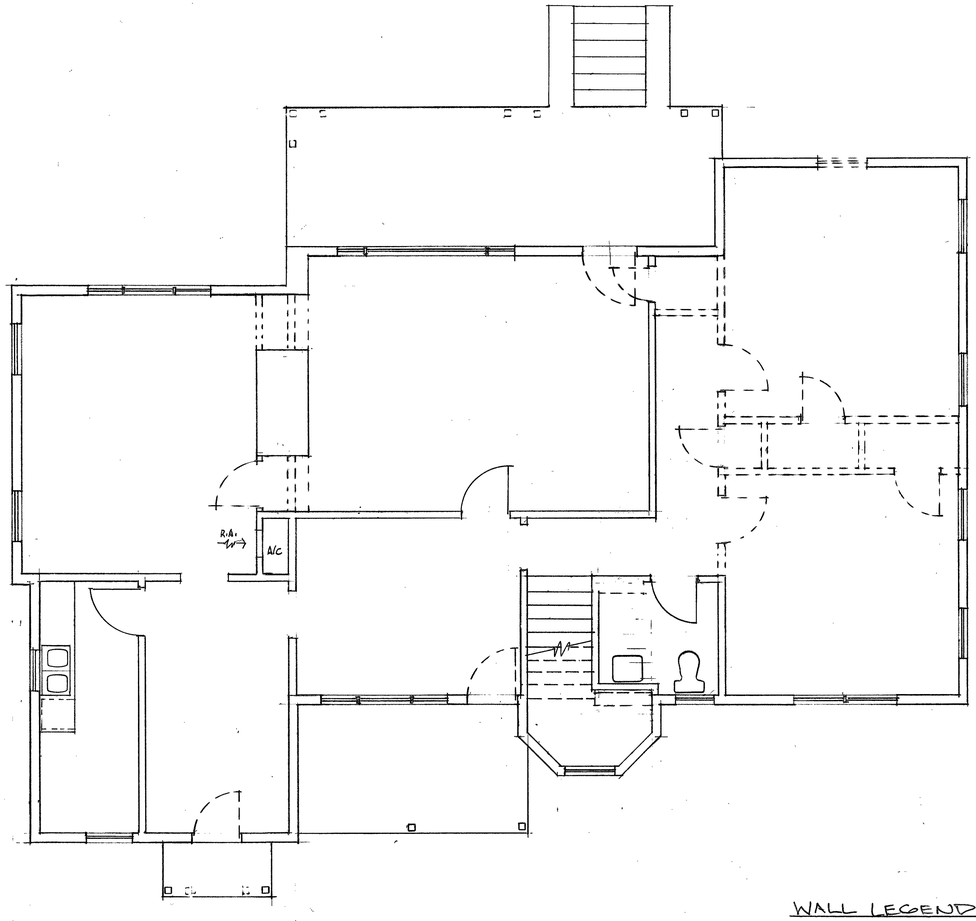
REVISIONS	DATE



SITE PLAN 1:20"
AS-BUILT / DEMOLITION



SECOND FLOOR PLAN 1/4"=1'-0"
AS-BUILT / DEMOLITION



FIRST FLOOR PLAN 1/4"=1'-0"
AS-BUILT / DEMOLITION

WALL LEGEND

EXISTING WALLS TO REMAIN

EXISTING WALLS TO BE REMOVED

1/22/16 HISTORICAL
2/29/16 PLANNING

ST. ANDREWS EPISCOPAL
EARLY LEARNING CENTER
FT. PIERCE, FLORIDA

PETER B. COOK

COOK & MENARD ARCHITECTURE INC.
STATE OF FLORIDA REGISTRATION NO. AA0003494
806 DELAWARE AVE. FT. PIERCE, FLORIDA 34950
PHONE: (772) 460-7751 FAX: (772) 460-4244

SHEET 1 OF ST. ANDREWS EARLY LEARNING

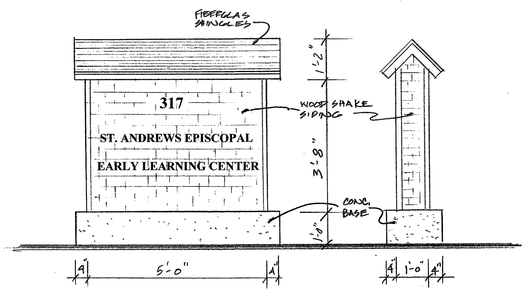
Model: With Roofs
Mount: In-Ground Mount

Model Number: FC12-712
Brand: PlayDesigns
Weight: 2,082.00 LBS
Age Range: 2-5 years
Safety Zone: 29' 5" x 36' 10"
Unit Size: 17' 5" x 24' 10"

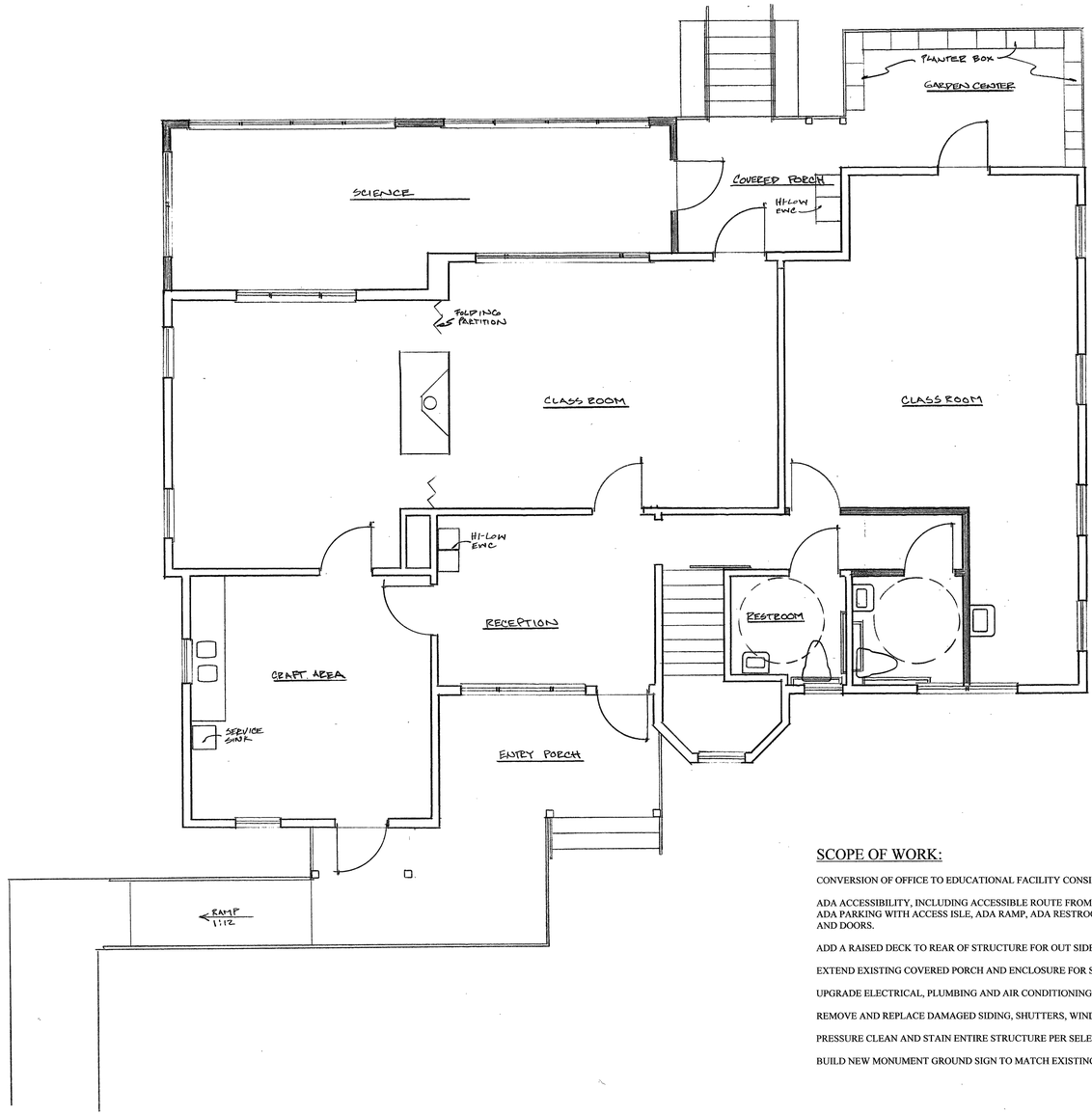


Product Description

This Fun Center Design # 7 Play System by PlayDesigns is designed with three large leaf roofs. It stands on 3-inch square upright posts. This playing equipment includes in-ground stakes or available as a surface mount. The in-ground model play system is constructed to accomodate 12 inches of safety surfacing such as wood fiber for safety. The Fun Center Design # 7 Play System comes with multiple decks to support elevated play. The roofs in this playing equipment are designed in unique shape and protect the kids from the sun and rain. This play system designed by PlayDesigns includes several panels like a fine motor panel and a peek a boo panel in different colors. This fun play system includes a curved slide and two straight slides. Request this Fun Center Design # 7 Play System now and enjoy!



SIGN ELEVATIONS
1/2"



RENOVATION FLOOR PLAN
1/4"

WALL LEGEND

- EXISTING WALLS TO REMAIN
- PROPOSED 2X4 FRAME WALLS

SCOPE OF WORK:

CONVERSION OF OFFICE TO EDUCATIONAL FACILITY CONSISTING OF THE FOLLOWING:

ADA ACCESSIBILITY, INCLUDING ACCESSIBLE ROUTE FROM THE PUBLIC RIGHT OF WAY, ADA PARKING WITH ACCESS ISLE, ADA RAMP, ADA RESTROOMS, DRINKING FOUNTAINS AND DOORS.

ADD A RAISED DECK TO REAR OF STRUCTURE FOR OUT SIDE GARDEN CENTER.

EXTEND EXISTING COVERED PORCH AND ENCLOSURE FOR SCIENCE CENTER.

UPGRADE ELECTRICAL, PLUMBING AND AIR CONDITIONING AS REQUIRED.

REMOVE AND REPLACE DAMAGED SIDING, SHUTTERS, WINDOWS AND DOORS.

PRESSURE CLEAN AND STAIN ENTIRE STRUCTURE PER SELECTED COLOR CHIPS.

BUILD NEW MONUMENT GROUND SIGN TO MATCH EXISTING STRUCTURE.

1/22/16 HISTORICAL
2/29/16 PLANNING

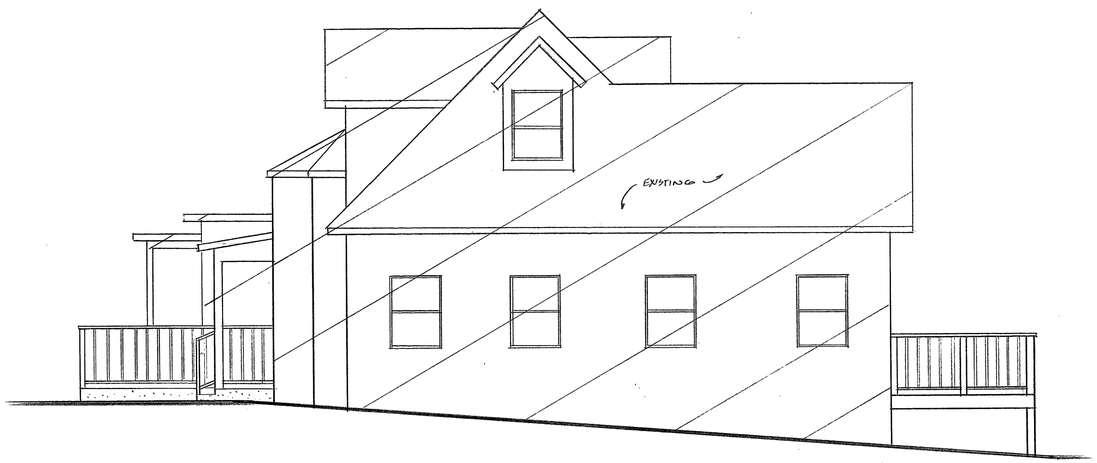
ST. ANDREWS EPISCOPAL
EARLY LEARNING CENTER
FT. PIERCE, FLORIDA

PETER B. COOK

COOK & MENARD ARCHITECTURE INC.
STATE OF FLORIDA REGISTRATION NO. AA0003494
806 DELAWARE AVE. FT. PIERCE, FLORIDA 34950
PHONE: (772) 460-7751 FAX: (772) 460-4244

SHEET 2 OF

ST. ANDREWS EARLY LEARNING

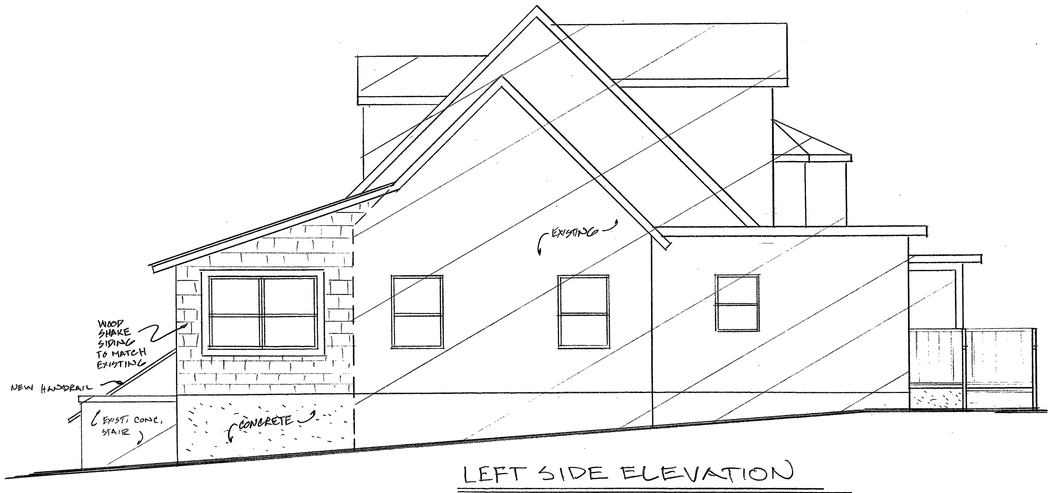


RIGHT SIDE ELEVATION



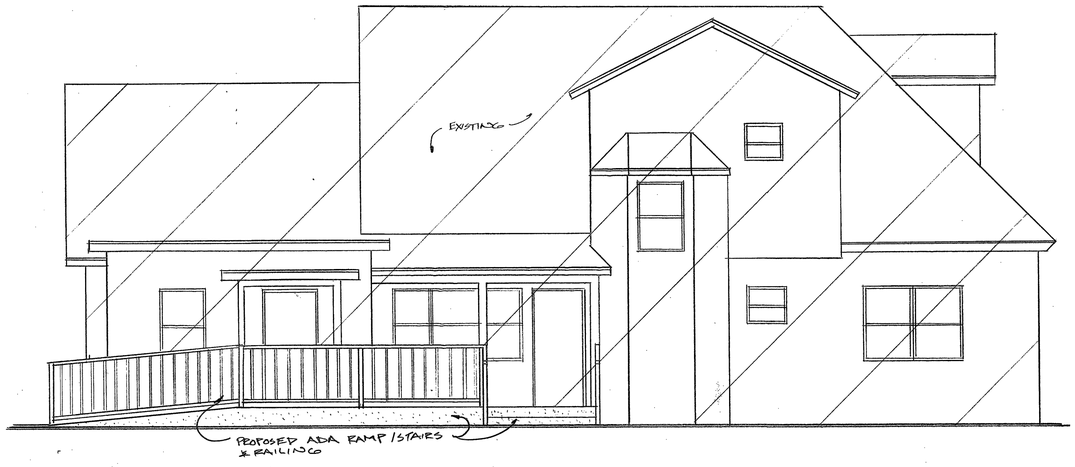
REAR ELEVATION

1/4"



LEFT SIDE ELEVATION

1/4"



FRONT ELEVATION

1/4"

1/22/16 HISTORICAL
2/29/16 PLANNING

ST. ANDREWS EPISCOPAL
EARLY LEARNING CENTER
FT. PIERCE, FLORIDA

PETER B. COOK

COOK & MENARD ARCHITECTURE INC.
STATE OF FLORIDA REGISTRATION NO. AA0003494
806 DELAWARE AVE. FT. PIERCE, FLORIDA 34950
PHONE: (772) 460-7751 FAX: (772) 460-4244

SHEET 3 OF 3

ST. ANDREWS EARLY LEARNING

Abraham Chabab, P.E.
5428 NW Edgewater Ave.
Port St. Lucie, FL 34983

Feb. 26, 2016

Kori Benton , Senior Planner
City of Fort Pierce, Planning Dept.
100 N. US#1
Fort Pierce, FL 34954

RE : Traffic Statement for St. Andrew's Early Learning Center
Located at 317 S. 2nd Street, Fort Pierce, FL.

Dear Mr. Benton :

Proposed project is an Early Learning Center for children from 2 to 5 years old. The center will have 1800 SF building, two playground areas, 5 parking spaces, drop off and pick up area. Maximum number that can be enrolled is 49 students and hours of operations are from 7AM to 6PM. In this letter we provided the following:

Existing Traffic Conditions :
Existing building has a circular drive and has been vacant for over 6 months, estimated number of trips is 5 trips per day. Current level of service is "C" or "B" for most streets; Orange Ave, South 2nd Street, Citrus Avenue and Indian River Drive.

Traffic Distribution From Proposed Development:
Based on Concurrency Management Chapter 22-217, Average peak traffic conditions are conducted during weekday hours from 6am-9am for AM counts and 4pm-7pm for PM counts. Trips associated with the proposed development during these hours are for teachers, drop-off and pick-up. It will generate less than 72 trips per day during the above mentioned hours with 50% of these trips are for parents that work in the downtown area thus adding only (72-36=36) 36 trips per day.
The total added trips per day is 36-5=31 trips per day.

Traffic Statement Summary:
This facility will generate less than 1% of current trip volume. Affected streets should experience little or no impact to traffic entering and exiting the learning center and will remain at its current LOS "C". This project has **de minimis impacts** on roadway links within 1 mile radius and is in compliance with concurrency plan of the city of Fort Pierce.



772-878-5079 772-475-6630 Fax 772-785-8291
Email: agchabab1@msn.com

Abraham Chabab, P.E.
5428 NW Edgewater Ave.
Port St. Lucie, FL 34983

Feb. 26, 2016

Kori Benton , Senior Planner
City of Fort Pierce, Planning Dept.
100 N. US#1
Fort Pierce, FL 34954

RE : Technical Review for St. Andrew's Early Learning Center
Located at 317 S. 2nd Street, Fort Pierce, FL.

Dear Mr. Benton:

This letter will provide you with the changes that have been recommended by city staff. Outstanding comments have been addressed in the following order:

A-Technical Review Comments, Planning Department:

-Comment 1
Maximum number of students that can be enrolled is 49 and hours of operations are from 7AM to 6PM.

-Comment 2
Hours of operations are as follows:
Students will arrive between 7AM and 8 AM.
Classes are from 8AM to 4PM
Students will leave between 4PM and 6 PM.

-Comment 3
Please see traffic statement.

-Comment 4
We have revised site plan to show 90-degree parking with drop-off and pick-up area. Existing driveway cuts will be utilized with minor changes to the driveway that is located at the south end.

-Comments 5, 6 &8
It is essential that we provide two driveways with one-way configuration. This is to facilitate drop-off and pick-up area for students on daily basis. Distance between two proposed driveways is 44 feet center to center.

-Comment 7
Pavement markings and signs will be provided for parking areas.

-Comment 9
We do not anticipate "internal capture" to be more than few students per day. This is in reference to students to be escorted by parents or teachers from adjacent campus.

772-878-5079 772-475-6630 Fax 772-785-8291
Email: agchabab1@msn.com

RE : Technical Review for St. Andrew's Early Learning Center
Located at 317 S. 2nd Street, Fort Pierce, FL.

B-Technical Review Comments, Engineering Department:

-Comment 1
Signed and sealed survey is enclosed.
-Comment 2
Location Map has been added to site plan.
-Comment 3
Property lines with required information have been added to site plan..
-Comment 4
Distance between two proposed driveways is 44 feet center to center.
-Comment 5
We have revised site plan to show 90-degree parking with drop-off and pick-up area. It is essential that we provide two driveways with one-way configuration. This is to facilitate drop-off and pick-up area for students on daily basis.
-Comment 6
Parking Stall has been revised to reflect 9.5'.
-Comment 7
Please see revised site plan.
-Comment 8
Pavement markings and signs have been added to site plan.
-Comment 9
Please see revised site plan.
-Comment 10
Site data that shows existing and proposed pervious /impervious has been added. We will comply and provide water quality/quantity for additional impervious area.
-Comment 11
Please see revised site plan.
-Comment 12
A note regarding City of Fort Pierce Ordinances Sections 17 and 22 has been added to site plan.

C-Technical Review Comments, FPUA:

-Comment 1
A Transitional Manhole has been added at the south east corner of the property.

We have enclosed the required copies to be distributed for next available staff meeting. Should you have any questions or require additional information, please contact me at your convenience.

Sincerely

Abraham Chabab , P.E.

cc: Mike Menard, Cook & Menard Architecture Inc.

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

February 17th, 2016

Alan McGregor
210 S Indian River Drive
Fort Pierce FL, 34950

Re: ***Technical Review – St. Andrew's Early Learning Center***
Conditional Use with New Construction
317 S 2nd Street

Dear Mr. McGregor

The following are technical review comments from the Planning Department's review of the application for ***Conditional Use with New Construction for St. Andrew's Early Learning Center:***

1) Please provide guidance on the maximum enrolment sought for operation of the proposed facility.
2) Please detail the proposed hours of operation for the learning center.
3) Please provide a formal traffic statement with regards to the previous office use, and the proposed early learning center, based upon ITE standards.
4) Please provide turn analysis for the proposed parking area to ensure safe and efficient flow for parent pick-up/drop-off., further indicating detail of the stacking area for this function of the site. It's noted that a "right turn" out scenario may improve the efficiency of the facility and minimize stacking on-site. Additionally, a limitation on use of the parallel parking spaces during the peak delivery hours may improve functionality of the constricted turnaround space on-site.
5) Pursuant to City Code Section 22-16. - Designation of overlay districts. b. (3). (c). 1. All parcels within the Downtown Business & Entertainment district are exempt from off-street parking requirements, as referenced in section 22-60 and from landscaping requirements, as referenced in section 22-187. It is requested however to identify any proposed landscaping sought for incorporation with the site and expanded parking area.
6) Pursuant to City Code Section 22-61. - Access control. (b)2. b. Distance between driveways (driveway spacing): Two way driveways on the same side of the street will conform to the minimum distance requirements for driveway spacing by roadway class as follows: Local – 50ft.* (reduced to 25ft. based upon the one-way configuration). A variance for the proposed driveway separation (~12ft.) should be considered by the Historic Preservation Board based upon the proposed reuse of the facility, expansion of the parking area, and intensification of the traffic demands related to the proposed use.
7) The parking area should be striped and accompanied with signs accordingly.
8) Please identify whether the existing driveway aprons in the right-of-way require amendment to accommodate an increase in traffic.
9) Please detail any potential "internal capture", of students from parents that may walk students to the facility from the adjacent campus.

CITY OF FORT PIERCE
DEPARTMENT OF ENGINEERING

Roadway Design, Engineering Reviews, Stormwater Utility Management, Project Management, Traffic Control and Maintenance

INTEROFFICE MEMORANDUM

TO: Kori Benton, Senior Planner

FROM: John R. Andrews, P.E., City Engineer

DATE: February 11, 2016

PROJECT: **St. Andrew's Episcopal Early Learning Center**
Conditional Use Application
TRC Project No. 16-0400003

RECEIVED
FEB 11 2016
CITY OF FORT PIERCE
PLANNING & ZONING

cc:

Attachment(s): None

This is to advise you that we have completed the review of the following documents as received by this office on February 5, 2016:

- ☑ Conditional Use Application
- ☐ P/D Drawings & Approved Site Plan
- ☐ Test Reports & Related Documents
- ☐ Certificate of Completion
- ☐ Record Drawings
- ☐ Permits from applicable Local, State & Federal Agencies
- ☐ Clearances from all applicable Local, State and Federal Agencies

Based on our reviews and appropriate site final inspection, we ☐ Recommend; ☑ Do Not Recommend

☑ Approval of Application ☐ Building Permit ☐ C/O

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

☑ See attached comments

P.O. BOX 1480 ◊ FORT PIERCE, FL 34954-1480 ◊ 772-467-3774

TRC

DKnupp to: Kori Benton 02/16/2016 11:00 AM

History: This message has been replied to.

Hey Kori,

I will be unable to attend the technical review committee on Thursday 2/18. I have no comments on the conditional use of Treasure Coast Bio Fuel. As for the conditional use w/New Construction at St. Andrew's Early Learning Center - it does need a monitored fire alarm if not already there.

Thanks

Captain Debbie Knupp
Fire Prevention Bureau
St. Lucie County Fire District
772-621-3380
dknupp@slcfd.org

Disclaimer: According to Florida Public Records Law, all emails to and from St. Lucie County Fire District are considered public records and must be made available to the public and media upon request, unless specifically exempted. The comments and opinions expressed herein are those of the author and may not reflect the policies of the St. Lucie County Fire District.

St. Andrews Early Learning Center
317 South 2nd Street
Conditional Use
February 9, 2016

St. Lucie County Public Works/Engineering Comments

1. No objections to the proposed conditional use.
2. Road right of ways abutting the subject parcel are under the jurisdiction of the City of Ft. Pierce and or St. Lucie County.

Ron Harris
County Surveyor
772 462-1721

Planning Board **7. c.**

Meeting Date: 03/08/2016

Information

REQUESTED ACTION

Conditional Use - Indian River Biodiesel -1103 N. 2nd Street

LOCATION

1103 N 2nd Street

RESPONSIBLE STAFF

Kori Benton, Senior Planner

RECOMMENDATION

The proposed Conditional Use and associated site improvement plan are consistent with the City's Land Development Code and Comprehensive Plan; therefore staff recommends the Planning Board forward a recommendation to approve the presented request with the following conditions: 1) The applicant provides a safe and efficient sidewalk linkage between the building entrance and the future 2nd Street sidewalk, when said sidewalk is completed, pursuant to City Code Section 22-62 (d) (2). 2) The property owner provides the necessary easement dedications to facility the planned 2nd Street roadway and utility improvements.

Attachments

Staff Report
Site Aerial & Zoning Map
Application
Project Narrative & Applicant Analysis
Site Plan
Landscape Plan
Floor Plan
TRC Comments - IR BD

Form Review

Form Started By: Kori Benton Started On: 02/29/2016 04:15 PM

Final Approval Date: 03/01/2016

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Senior Planner

SUBJECT: Application for Conditional Use
Indian River Biodiesel
1103 N. 2nd Street

DATE: February 29th, 2016

STAFF REPORT

Owner: Egan Packing LLC
1900 Old Dixie Hwy
Fort Pierce, FL 34946

Applicant: Indian River Biodiesel, LLC
Rip Pratt
1810 Old Okeechobee Road, Suite A
West Palm Beach, FL 33409

Representative: Stephan Matthes, P.E.
Dennis Murphy, AICP
Culpepper & Terpening, Inc.
2980 S. 25th Street
Fort Pierce, FL 34982

Requested Action: Approval of a Conditional Use to operate a Biodiesel fuel manufacturing facility within an existing industrial building

Location: 1103 N 2nd Street

Parcel ID: 2403-705-0006-000-9

Current Zoning: I-1, Light Industrial

Future Land Use: Industrial (I)

Surrounding Zoning:

North	East	South	West
I-1	I-2	I-1	FEC ROW/ US 1

Site Size: 3.46 acres

Utilities: FPUA

Staff Analysis:

Project Summary

In accordance with Sections 22-22, and 22-76 of the City Code, the applicant is requesting the review and approval of a Conditional Use to improve and reuse a portion of an industrial building to operate a commercial recycling facility. The proposed recycling facility is planned within an existing 52,173 square foot building, situated as the western wing of the building. The subject property is currently zoned I-1, Light Industrial.

The applicant, Tropical Recycling, currently operates two facilities located in Palm Beach County which service retail and commercial accounts. Tropical Recycling is seeking to expand operations to process an additional 1,500 tons per month in the near term, with the capacity to serve 4,000 tons per month. The facility anticipates 15 new employees on-site, with future expansion to 30 employees.

The subject site is a portion of the former "Tree Sweet'' packing plant, located on the north side of Bell Avenue between Sunrise Boulevard and Enterprise Road. The proposed tenant seeks to complete the proposed improvement plan to retrofit and enhance the planning area to begin operations on-site later this year. The petition is for a portion of the west side of the site, containing approximately 7. 73 acres.

Improvement & Operation Plan

Tropical Recycling is proposing to complete exterior improvements and interior upgrades to enhance the facility's appearance and accommodate the processing of the recyclable material and office areas. The presented landscape plan emphasizes a parameter buffer along the southern boundary, and entrance to the site. A total of 115 new trees are proposed for planting on-site, providing a balance between canopy trees and sabal palms. Landscape islands and shrubs are further integrated to screen the vehicular use areas, and accent the existing structure. The existing vegetative buffer to the west of the facility, screening the neighboring residences will be preserved.

The existing driveways and parking areas will be improved in order to define entry to the facility, and improve access to and from Bell Avenue. This entrance is the sole access for delivery vehicles, providing further access for secured employee parking areas. Ten (10) vehicular parking spaces (two of which are handicapped-accessible), and a bicycle rack are presented in front of the facility, along with thirty-five (35) additional spaces to the side and rear of the complex.

Deliveries will enter the site via an improved driveway at the western end of the facility, be weighed, and further received by one of two (2) receiving bays on the west side of the building. Receiving bay No. 1 is intended for 100 cubic yard, walking floor truck, deliveries. These transfers are facilitated via trucks equipped with a covered tarping and a "walking floor" apparatus that completes the transfer of recyclables. Receiving bay No. 2 will accept recyclable material from licensed commercial haulers such as Iron Mountain, ShredAssured and A-Shred-Ahead which contract with the applicant.

The delivered material will be sorted and stored inside of the building as it is processed through the conveyor separation system. Glass and non-recyclables will be separated and placed into one of two (2) 40-cyds dumpsters concealed on the east side of the building. The recyclables will be bailed inside of the building, stored, and loaded into trucks for shipping from the site. The facility will not have any outdoor storage related to the presented operation.

A 480 sq. ft. scale house and temporary office is proposed to be located adjacent to the vehicle scales to process deliveries to the facility, and provide functional space during the remodeling and activation of the site.

Right-of-way, Sidewalks, & Lighting

A dedication will be made to St. Lucie County as a fair share to assist the County's future right-of-way needs along Bell Avenue. A sidewalk connection is proposed for the visitor parking area and front entrance; however the applicant is proposing payment in-lieu of providing a sidewalk along Bell Avenue based upon the infrequent use and absence of direct connections within the vicinity. St. Lucie County has agreed to accept this proposal.

Site lighting will be provided for the parking, vehicular use areas, and perimeter of structure in accordance with City Code requirements. A photometric plan, meeting the requirements of City Code Section 22-60(j) is required prior to the issuance of permits for site improvements.

Traffic Impacts

The project will generate a total of approximately 91 new trips per day. The proposed trip generation for the project includes trips generated by the employees, operations, and the receiving & shipping of recyclable materials at full operating capacity of the facility.

The planned production rate of 4,000 tons per month would bring approximately 18 deliveries of recyclable products, 7 trucks and 30 employees. Delivery and shipping routes have been formulated in an effort to minimize the interference of truck traffic adjacent to designated residential roadways.

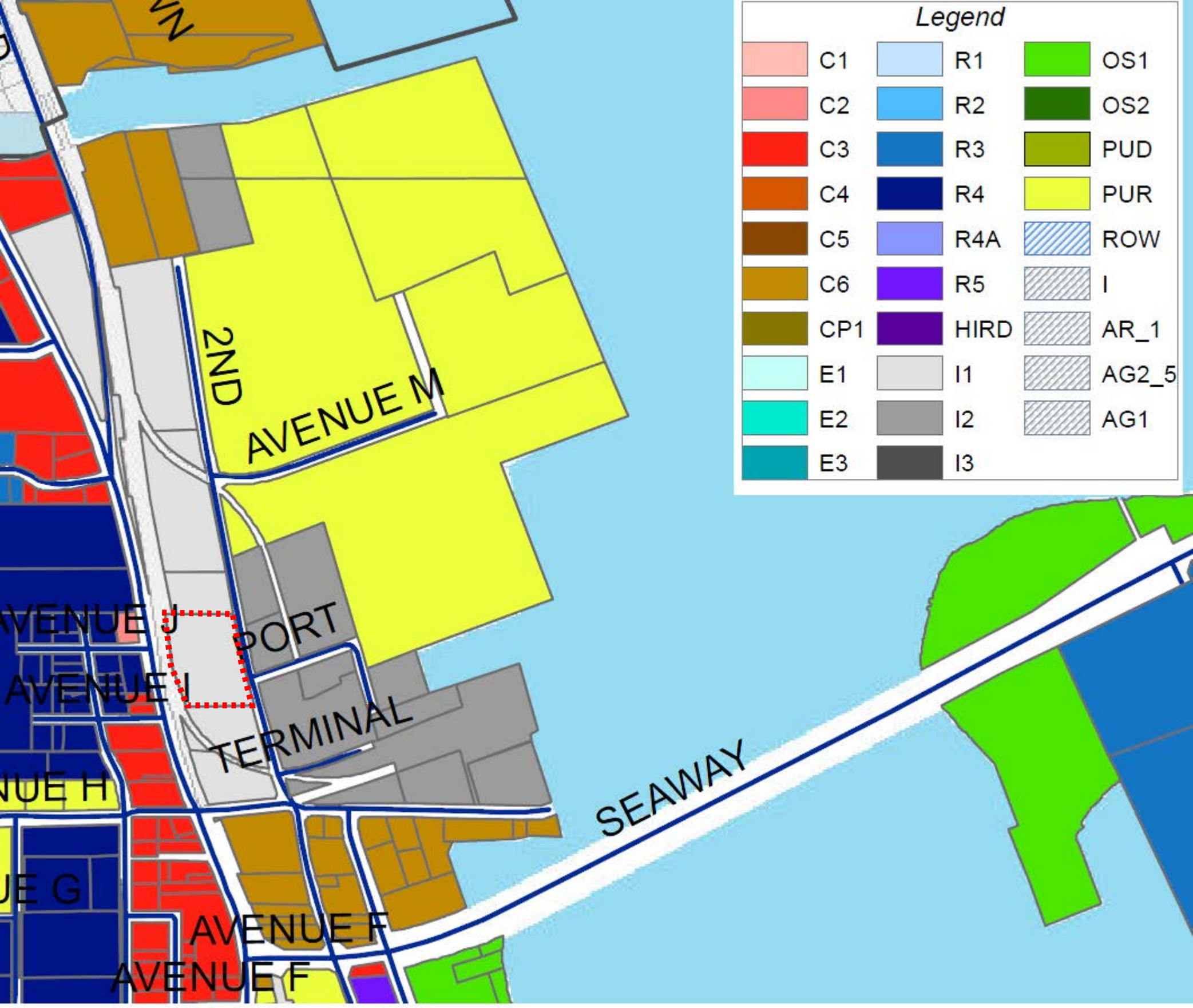
Technical Review Committee

All affected departments have reviewed the proposed Conditional Use with regards to consistency with established ordinances and requirements of the City Code. Findings from the review by the corresponding departments, and the associated responses and plan amendments by the applicant are provided for viewing by the Planning Board.

Staff Recommendation:

The proposed Conditional Use and associated site improvement plan are consistent with the City's Land Development Code and Comprehensive Plan; therefore staff recommends the Planning Board forward a recommendation to approve the presented request.

N
0
200'
400'
800'
Taylor Creek Marina
S.R. NO. 5
DIXIE HWY / U.S. HIGHWAY 1
FEC SPUR
60'
50'
AVENUE M
N. 2nd STREET
PROPOSED RIGHT-OF-WAY (TYP)
47.8'
PORT AVENUE
Palm Oil
Fort Pierce Oil
64'
63.4'
King Terminal
70.4'
64.5'
AVENUE H
TERMINAL DRIVE
FISHERMAN'S WHARF
68'
70.8'
Atlantic RV & Marine
48.8'
49.8'
67.2'
66.6'
AVENUE G
80'
N. INDIAN RIVER DRIVE
47.4'
SEAWAY DRIVE (S.R. A1A)


Legend
C1
C2
C3
C4
C5
C6
CP1
E1
E2
E3
R1
R2
R3
R4
R4A
R5
HIRD
I1
I2
I3
OS1
OS2
PUD
PUR
ROW
I
AR_1
AG2_5
AG1
2ND
AVENUE M
AVENUE J
AVENUE I
PORT
TERMINAL
SEAWAY
AVENUE F
AVENUE F

VALLEY

Marine Commercial

2ND

AVENUE M

I, Industrial

AVENUE J

PORT

AVENUE I

TERMINAL

AVENUE H

E G

Marine Commercial

AVENUE F

SEAWAY

FUTURE LAND USE 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

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

Conditional Use – No New Construction

Property address or Location	1103 North 2nd Street, Ft. Pierce.		
Parcel ID #(s)	2403-705-0006-000/9	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x
	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x
	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x
Project Description	To provide for the development of a Biodiesel Fuel manufacturing facility in an existing building, located in the western Port area of Ft. Pierce. This use is considered to be a Conditional Use under Section 22-22 in the I-1 Zoning District (processing of Food and Related Products (see attached supplemental project description))		

Applicant			Agent		
Indian River Biodiesel, LLC (attn.: Rip Pratt)			Culpepper & Terpening, Inc. (attn.: Stefan Matthes, PE)		
1810 Old Okeechobee Road, Ste A			2980 South 25th street		
Street Address			Street Address		
West Palm Beach	Florida	33409	Ft. Pierce	Florida	34981
City	State	Zip	City	State	Zip
Email Address	rippratt@yahoo.com		Phone Number	772-464-3537	
Phone Number			Email Address	smatthes@ct-eng.com	

Applicants Signature(s)

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. The undersigned consents to inspection and photographing of the subject property by the Planning staff for purposes of consideration of this Application and/or presentation to the Planning Board and City Commission.*

See attached authorization letter

Property Owner(s) Signature(s)

STATE OF: _____

COUNTY OF: _____

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

_____ _____

Signature of Notary Type or Print Name of Notary

_____

Commission Number (Seal)

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

❑ CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- [X] *If no site improvements are required:*
  - [X] As-built survey.
  - [X] Floor plan of existing building(s).
- [ ] *If parking &drainage improve. are req'd:*
  - [ ] *As-built survey.*
  - [ ] *Site Plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage.*
  - [ ] *Lighting Plan.*
- [X] *Complete, Notarized Application.*

Application Type:

- [X] Conditional Use: No new construction with no site improvements
- [ ] Conditional Use: No new construction with parking and drainage improvements

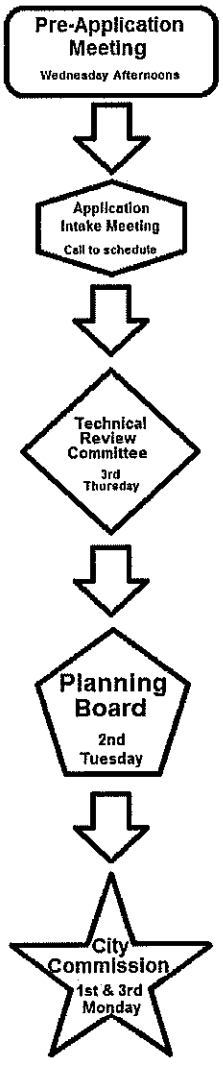
Site Information:

Building Size 39,500 (mol) **Parking Spaces:** 40 spaces provided

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

NORTH	SOUTH	EAST	WEST
Industrial	Industrial (Fuel Storage)	Industrial (Port of Ft. Pierce Development Area)	Railroad ROW/ US #1 (Highway)

Application Outlook



The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

(1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.

(2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.

(3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

EGAN PACKING LLC

1900 Old Dixie Highway, Fort Pierce, Florida 34946-1423
(772) 465-7555 FAX (772) 460-5012

February 1, 2016

Ms. Rebecca Grohall, Planning Manager
City of Ft. Pierce Planning Department
100 North US #1
Ft. Pierce, Florida 34950

RE: Egan Packing LLC – Indian River Biodiesel, LLC
Agent Authorization

Dear Ms. Grohall:

On behalf of the owner of record of the attached described property, please accept this letter as Egan Packing LLC's authorization for Genuine Bio-Fuel Inc. ("GBF"), through its subsidiary, Indian River Biodiesel, LLC ("IRB"), to file an application for Conditional Use for the operation of a food and related products manufacturing facility in the I-1 (Industrial Light) Zoning District in the City of Ft. Pierce. Along with authorizing GBF/IRB to apply for this Conditional Use Permit, we acknowledge that Culpepper and Terpening, Inc., will be the local representative/agent for the processing of this application through the City of Ft. Pierce.

If you should have any questions or need additional information concerning this letter authorization, please do not hesitate to contact me at 772-489-7275.

Thank you.

Sincerely,

Richard M. Carnell, Jr.
Vice President

RMC/tmw
Enclosures

Site Address: 1103 N 2nd ST
Map ID: 24/03S
Parcel ID: 2403-705-0006-000-9
Zoning: II
Account #: 15954
Use Type: 4400
Sec/Town/Range: 03/35S/40E
Jurisdiction: Fort Pierce

Ownership

Egan Packing LLC
1900 Old Dixie Hwy
Fort Pierce, FL 34946

Legal Description

ASSESSOR'S MAP OF N PART OF FORTPIERCE THAT PART OF LOT 6 LYG W OF 2 ST (OR 806-246; 3355-1379)

Current Values

Just/Market:	$1,164,100	Assessed:	$1,164,100
Exemptions:	$0	Taxable:	$1,164,100

Historical Values 3-year

Year	Just/Market	Assessed	Exemptions	Taxable
2015	$1,164,100	$1,164,100	$0	$1,164,100
2014	$1,168,900	$1,168,900	$0	$1,168,900
2013	$1,166,300	$1,166,300	$0	$1,166,300

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
12-30-2011	3355 / 1379	0111	SP	Bernard Egan and Co,	$100
09-01-1992	0806 / 0246	01	WD	TEN MILE CREEK GROVES INC	$878,300
03-01-1986	0495 / 0386	01	CV		$650,000

Primary Building Information

Finished Area of this building: 33,667 SF
Gross Area of this building: 41,301 SF

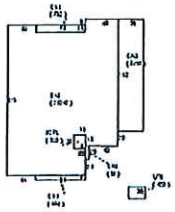
Exterior Data

View:	Roof Cover: Sheet Metal	Roof Structure: Steel Truss	Building Type: INDD
Year Built: 1945	Frame:	Grade: Y_D	Effective Year: 1945
Primary Wall: Corr Metal	Story Height: 10 Ft Ad Ht	No. Units: 1	Secondary Wall: Conc Block

Interior Data

Bedrooms: 0	A/C %: 0%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 0	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: 100%	Heat Fuel:	Primary Floors: CONC GRD





Total Areas

Finished/Under Air (SF):	40,167
Gross Area (SF):	47,801
Land Size (acres):	3.46
Land Size (SF):	150,750
Total Building Count:	2

Special Features and Yard Items

Type	Qty	Units	Year Blt
CHAINLINK 6'	1	1110	1945
ASP2 LOW	1	11731	1945
CONCRET RAMP	1	259	1945
LOADING DOCK	1	984	1945
MEZZANINE	1	10373	1945
CONCRET HIGH	1	11720	1945

This information is believed to be correct at this time but it is subject to change and is not warranted.
© Copyright 2016 Saint Lucie County Property Appraiser. All rights reserved.

PROJECT NARRATIVE

Genuine Bio-Fuel Inc., through is its subsidiary Indian River Biodiesel, LLC, proposes to construct and operate a biodiesel manufacturing facility in an existing building that is owned by Egan Packers, LLC. This existing facility is located at 1103 North 2nd Street (along the west side of North 2nd Street), in the City of Ft. Pierce. The prior use of this facility was as a citrus packing facility that ceased operations in recent years. The new proposed use of this building, the manufacturing of biodiesel fuel products, has been determined by the City Zoning Staff to require the petitioner to obtain a Conditional Use Permit under the provisions of the I-1 (Light Industrial) Zoning District, specifically, the processing of food and related products (see attached Zoning Use Table with determined use highlighted.)

Biodiesel is a renewable, sustainable source of clean energy that has proven to be an alternative fuel source to petroleum diesel. The finished Biodiesel product is a fuel product that can be used in any vehicle that currently uses diesel fuel.

Genuine Bio-Fuel, will make use of a proprietary manufacturing process that converts organic materials into diesel fuel. Traditional biodiesel producers use a production method called "batching," which yields unpredictable results, is time-consuming, expensive and creates unnecessary pollution known as "dirty water." Genuine Bio-Fuel uses a proven continuous production technology that does not result in "dirty water" by product and does not require extensive consumption of electrical energy. Genuine Bio-Fuel's facility in Indiantown, Florida, established in 2008, generally consumes less power than two typical single-family homes on a daily basis, helping to further the environmental benefit of this kind of production. Genuine Bio-Fuel Inc. products have been determined to be such a clean and reliable biodiesel product that we have been approved by the Environmental Protection Agency as an "RFS-2 Registered Renewable Fuel Producer."

Generally, the process for the manufacturing of the biodiesel product involves the following:

- The feedstock arrives at the production site by trailer and is pumped into atmospheric tanks located inside the production building.
- The feedstock is allowed to settle inside the tanks and any water or food contaminants are pumped out and sold as animal feed.
- The concentrated feedstock is then filtered and pumped into the processing portion of the building, where using a continuous flow process, the concentrated feedstock is heated to below 140oF, and after some small amounts of additives are made, the concentrated feedstock mixture undergoes an ultra-sonification process where sound energy is applied in order to break the chemical bonds within the mixture.
- The mixture is then subjected to additional treatment process that result the fully processed biodiesel mixture being stored in tanks to await final loading into fuel tankers for customer use. Retail fuel sales do not to take place on the site.

It should be noted that all production activities are done within the former Egan citrus packing house facility.

The proposed conditional use does not require any additions or structural modifications to the existing structure. Some minor internal building renovations will be required for processing needs and any such work will be permitted in accord with the City's local codes and standards.

The proposed biodiesel manufacturing facility will provide for up to forty employees, at full operation. Production shift(s) are generally from 7am to 6pm, with occasional later closing times as production cycles dictate.

The building square footage that is subject to the City's Parking Standards is approximately 39,500 sq. feet. The current 'generalized' City Parking Standard for a manufacturing facility of this type is, is 1 space per 600 square feet of building area. In the case of this particular facility that would be a minimum parking requirement of 66 spaces. The proposed site plan for this facility provides for 44 paved parking spaces and 22 spaces to be located south of the existing building in areas that were used formerly as part of the citrus packing operations for truck parking and trailer access into the building. These parking spaces are marked as 'Reserved', since they will not be required for the onsite employment needs of this facility. This area of reserved parking, while not constructed of concrete or standard asphalt materials, is sufficiently compacted (over 40 years of compaction and use) through its prior uses associated with the Egan Packing operations, that the parking area meets the objective of Section 22-60(c)(6)(b), of the City Code of Ordinances.

As part of the redevelopment of site, perimeter and interior landscaping will be enhanced to meet minimum City Codes for development activities in industrial areas. Review of the sites existing on-site lighting appears to have this site consistent with City Codes and no enhancements are proposed.

The re-establishment of this site as a manufacturing use, is not expected to have any impact upon local area roadway levels of service. The sites prior use as a citrus packing facility resulted in only seasonal impacts (peak season impacts) onto the local area roadway network. The elevation of the uses on this site to a more year round activity, will have a de-minimus effect on the local traffic volumes. By way of illustration, we have provided a generalized traffic impact summary map (see Figure F-1) with trip impact estimates on the local area network.

STANDARDS of REVIEW:

When reviewing a Conditional Use Permit, that review is often best done when there are specific standards to be measured against that can provide for definitive findings in support of the proposed Conditional Use, based on compliance/consistency with local codes and standards. Noting that Article V, Section 22-74 thru 22-81, of the Ft. Pierce Code of Ordinances, has no specific Standards of Review for a Conditional Use application, for the purpose of this particular application, the following generalized Standards of Review have been prepared by the applicant for consideration by the City Commission and are based on similar standards that would be applied to a Conditional Use Permit application submitted in the unincorporated areas of St. Lucie County. The use of these standards are intended to assist the City Commission in formally finding that the proposed development of a biodiesel manufacturing facility under the classification of a "food and related products processing facility," in the I-1 Zoning District is, in fact, an acceptable use of the petitioned property.

A. ***Consistency with Local Code and Comprehensive Plan.***
The proposed conditional use is in compliance with all requirements, and is consistent with the general purpose, goals, objectives, and standards of this Code, the Ft. Pierce Comprehensive Plan, and the Code of Ordinances of City of Ft. Pierce.

The proposed Conditional Use, the operation of a biodiesel manufacturing facility, is consistent with the intent of the Industrial (I) Future Land Use designation of the Ft. Pierce Comprehensive Plan and with the industrial development purpose statement of the I-1 zoning district. The manufacturing of biodiesel products has, at its roots, the use of previously processed and raw food stuffs/wastes that through a method of controlled chemical reaction are converted into an organic based fuel resource. The proposed use of this former food processing/manufacturing facility for the development of this new processing activity is not inconsistent with the Objectives and Policies of the City's Comprehensive Plan and is not inconsistent with the development and use philosophies outlined in the Port of Ft. Pierce Master Plan, as approved by the Board of County Commissioners for St. Lucie County.

B. ***Effect on Adjacent Properties.***

1. **The proposed conditional use will not have an undue adverse effect upon nearby property.**

The proposed Conditional Use, the operation of a biodiesel manufacturing facility, will not have an undue adverse effect upon any nearby property. The manufacturing processes will be taking place inside an existing industrial building that was formerly used as a citrus packing facility. All processing and material storage of the biodiesel products will take place inside of this existing structure.

The surrounding industrial uses to this site include; a.) a fuel storage (petroleum based) facility to the south; b.) the FEC railroad to the west; c.) the Port of Ft. Pierce and other industrial/marine related uses to the east; and, d.) undeveloped property to the north used for equipment storage (refer to figure D-2).

2. **The proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.**

The area in which the proposed Conditional Use is to be located is classified under both the City's Future Land Use and Zoning Maps for Industrial uses. The proposed Conditional Use, the operation of a biodiesel manufacturing facility in the I-1 Zoning District, is to take place inside an existing industrial building that was formerly used as a citrus packing facility. The proposed use of this former food processing/manufacturing facility for the development of this new processing activity is not inconsistent with the Objectives and Policies

of the City's Comprehensive Plan and is not inconsistent with the development and use philosophies outlined in the Port of Ft. Pierce Master Plan, as approved by the Board of County Commissioners for St. Lucie County.

3. **All reasonable steps have been taken to minimize any adverse effect of the proposed conditional use on the immediate vicinity through building design, site design, landscaping, and screening.**

All production activities are done within the former Egan citrus packing house facility. The proposed Conditional Use does not require any additions, or structural modifications, to the existing structure. Any internal building renovations that may be required for processing needs will be permitted in accord with the City's local codes and standards.

The proposed biodiesel manufacturing facility will provide for up to forty employees, at full operation. Production shift(s) are generally from 7am to 6pm, with occasional later closing times as production cycles dictate.

The building square footage that is subject to the City's Parking Standards is approximately 39,500 sq. feet. The current 'generalized' City Parking Standard for a manufacturing facility of this type is, is 1 space per 600 square feet of building area. In the case of this particular facility that would be a minimum parking requirement of 66 spaces. The proposed site plan for this facility provides for 44 paved parking spaces and 22 spaces to be located south of the existing building in areas that were used formerly as part of the citrus packing operations for truck parking and trailer access into the building. These parking spaces are marked as 'Reserved', since they will not be required for the onsite employment needs of this facility. This area of reserved parking, while not constructed of concrete or standard asphalt materials, is sufficiently compacted (over 40 years of compaction and use) through its prior uses associated with the Egan Packing operations, that the parking area meets the objective of Section 22-60(c)(6)(b), of the City Code of Ordinances.

As part of the redevelopment/reuse of site, perimeter and interior landscaping will be enhanced to meet minimum City Codes for development activities in industrial areas (refer to attached site plans to be approved through reference in this Conditional Use application.

C. ***Adequacy of Public Facilities.***
The proposed conditional use will be served by adequate public facilities and services, including roads, police protection, fire protection, solid waste disposal, water, sewer, drainage structures, parks and mass transit.

The proposed Conditional Use, the operation of a biodiesel manufacturing facility in the I-1 (Industrial Light) Zoning District, is to take place inside an existing industrial building that was formerly used as a citrus packing facility and will be served by adequate public facilities and services.

- Water and Sewer Services are presently at the site (refer to Figures G-1 and G-2)
- No changes are proposed (or required) to the existing on-site drainage/ stormwater management systems on the property.
- Additional law enforcement protection services will not be required beyond those presently provided to the project site.

- As a non-residential use, the proposed Conditional Use, the operation of a biodiesel manufacturing facility in the I-1 Zoning District, will have no impact upon the City's Park System.

- A fire protection plan will be supplied to the St. Lucie County Fire District prior to the start of production operations. The petitioner has current facilities preforming the same type of fuel processing in the Treasure Coast area and has developed detailed fire prevention/emergency management procedures that would address any potential conditions warranting such actions.

- The re-establishment of this site as a manufacturing use, is not expected to have any impact upon local area roadway levels of service. The sites prior use as a citrus packing facility resulted in only seasonal impacts (peak season impacts) onto the local area roadway network. The elevation of the uses on this site to a more year round activity, will have a de-minimus effect on the local traffic volumes. By way of illustration, we have provided a generalized traffic impact summary map (see Figure F-1) with trip impact estimates on the local area network.

Site Address: 1103 N 2nd ST
Map ID: 24/03S

Parcel ID: 2403-705-0006-000-9
Zoning: I1

Account #: 15954

Use Type: 4400

Sec/Town/Range: 03/35S/40E
Jurisdiction: Fort Pierce

Ownership

Egan Packing LLC
1900 Old Dixie Hwy
Fort Pierce, FL 34946

Legal Description

ASSESSOR`S MAP OF N PART OF FORTPIERCE THAT PART OF LOT 6 LYG W OF 2 ST (OR 806-246; 3355-1379)

Current Values

Just/Market:	$1,164,100	Assessed:	$1,164,100	Year	Just/Market	Assessed	Exemptions	Taxable
Exemptions:	$0	Taxable:	$1,164,100	2015	$1,164,100	$1,164,100	$0	$1,164,100
				2014	$1,168,900	$1,168,900	$0	$1,168,900
				2013	$1,166,300	$1,166,300	$0	$1,166,300

Historical Values 3-year

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
12-30-2011	3355 / 1379	0111	SP	Bernard Egan and Co,	$100
09-01-1992	0806 / 0246	01	WD	TEN MILE CREEK GROVES INC	$878,300
03-01-1986	0495 / 0386	01	CV		$650,000

Primary Building Information

Finished Area of this building: 33,667 SF
Gross Area of this building: 41,301 SF

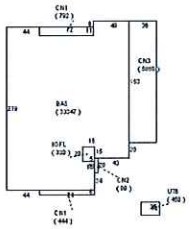
Exterior Data

View:	Roof Cover: Sheet Metal	Roof Structure: Steel Truss	Building Type: INDD
Year Built: 1945	Frame:	Grade: Y_D	Effective Year: 1945
Primary Wall: Corr Metal	Story Height: 10 Ft Ad Ht	No. Units: 1	Secondary Wall: Conc Block

Interior Data

Bedrooms: 0	A/C %: 0%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 0	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: 100%	Heat Fuel:	Primary Floors: CONC GRD





Total Areas

Finished/Under Air (SF):	40,167
Gross Area (SF):	47,801
Land Size (acres):	3.46
Land Size (SF):	150,750
Total Building Count:	2

Special Features and Yard Items

Type	Qty	Units	Year Blt
CHAINLINK 6'	1	1110	1945
CONCRET HIGH	1	11720	1945
CONCRET RAMP	1	259	1945
ASP2 LOW	1	11731	1945
LOADING DOCK	1	984	1945
MEZZANINE	1	10373	1945

This information is believed to be correct at this time but it is subject to change and is not warranted.
© Copyright 2016 Saint Lucie County Property Appraiser. All rights reserved.

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3665384 OR BOOK 3355 PAGE 1379, Recorded 01/17/2012 at 01:00 PM
Doc Tax: $0.70

PREPARED BY AND RETURN TO:
Richard M. Carnell
1900 Old Dixie Highway
Fort Pierce, Florida 34946

Parcel ID Number(s): 2403-705-0006-000-9

COPY

[Space Above this Line for Recording Data]

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, effective as of the 31st day of December, 2011, between BERNARD EGAN & COMPANY, a Florida corporation, f/k/a as Egan, Fickett & Company, a Florida corporation, whose post office address is 1900 Old Dixie Highway, Fort Pierce, Florida 34946 *("Grantor),* and EGAN PACKING LLC, a Florida limited liability company whose post office address 1900 Old Dixie Highway, Fort Pierce, Florida 34946 *("Grantee).*

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, partnerships, trusts, trustees and governmental and quasi-governmental entities.)

WITNESSETH, That said Grantor, for and in consideration of the sum of TEN DOLLARS ($10.00), and other valuable considerations, the receipt and sufficiency of which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain parcel of real property (the "Property") situate in St. Lucie County, Florida, and more particularly described as follows:

That part of Lot 6 of the Assessor's Map of the North part of Fort Pierce, Florida, which lies between North Second Street and the right-of-way of the Florida East Coast Railway and that part of the South 150 feet of the East 225 feet of Lot 6, Block A, Assessor's Map of North part of Fort Pierce, as per plat thereof recorded in Plat Book 1, at Page 164, of the Public Records of St. Lucie County, Florida, lying west of Second Street.

THIS DEED IS BEING RECORDED TO EFFECT A TRANSFER OF AN INTEREST IN REAL PROPERTY TO THE GRANTEE BY THE GRANTOR, WHICH GRANTOR IS THE SOLE MEMBER OF THE GRANTEE. AT THE TIME OF TRANSFER, THE INTEREST IN REAL PROPERTY BEING TRANSFERRED HEREBY WAS NOT ENCUMBERED BY A MORTGAGE OR OTHER SIMILAR LIEN. AS A RESULT, ONLY MINIMAL DOCUMENTARY STAMP TAXES IN THE AMOUNT OF $0.70 ARE BEING PAID HEREON. SEE CRESCENT MIAMI CENTER, LLC V. DEPARTMENT OF REVENUE, 903 SO.2D 913 (FLA.2005).

SUBJECT TO restrictions, reservations, special assessments and easements of record, if any, which are not reimposed hereby, and real estate taxes subsequent to December 31, 2011.

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

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

AND the Grantor warrants the title to said land and will defend the same against the lawful claims of all persons claiming by or through the Grantor.

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's hand and seal the date and year first above written.

Signed, sealed and delivered
In the presence of:

Allyson A Fiantz
Printed Name: Allyson A Fiantz

Terri A. Watkins
Printed Name: Terri A. Watkins

GRANTOR:
BERNARD EGAN & COMPANY, a Florida corporation

By: Gregory P. Nelson
GREGORY P. NELSON, PRESIDENT

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 30 day of December, 2011, by Gregory P. Nelson as President of Bernard Egan & Company, to me personally known who did not take an oath.

NOTARY PUBLIC STATE OF FLORIDA
Pennie B. Lee
Commission # EE006816
Expires: JULY 28, 2014
BONDED THRU ATLANTIC BONDING CO., INC.

(Notary Seal)

Pennie B Lee
Notary Public
My Commission Expires: 7-28-14

COPY
COPY
COPY

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Limited Liability Company

EGAN PACKING LLC

Filing Information

Document Number	L11000074527
FEI/EIN Number	45-2725340
Date Filed	06/27/2011
Effective Date	06/27/2011
State	FL
Status	ACTIVE

Principal Address

1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Mailing Address

1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Registered Agent Name & Address

CARNELL, RICHARD M, JR
1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Name Changed: 04/17/2013

Authorized Person(s) Detail

Name & Address

Title MGR

NELSON, GREGORY P
1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Title MGR

CARNELL, RICHARD M, JR
1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Title MGR

HURWITZ, JEFFREY A
1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Title MGR

MARTIN, JAMES A

1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Annual Reports

Report Year	Filed Date
2013	04/17/2013
2014	04/09/2014
2015	04/07/2015

Document Images

04/07/2015 -- ANNUAL REPORT	View image in PDF format
04/09/2014 -- ANNUAL REPORT	View image in PDF format
04/17/2013 -- ANNUAL REPORT	View image in PDF format
06/28/2012 -- ANNUAL REPORT	View image in PDF format
04/18/2012 -- ANNUAL REPORT	View image in PDF format
06/27/2011 -- Florida Limited Liability	View image in PDF format

Copyright © and Privacy Policies
State of Florida, Department of State

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS www.sunbiz.org

Detail by Entity Name

Florida Profit Corporation

GENUINE BIO-FUEL, INC.

Filing Information

Document Number	P08000039120
FEI/EIN Number	26-2509291
Date Filed	04/17/2008
State	FL
Status	ACTIVE

Principal Address

17250 S.W. RAILROAD AVENUE
INDIANTOWN, FL 34956

Mailing Address

P.O. BOX 3366
Hernando Beach, FL 34607

Changed: 03/02/2014

Registered Agent Name & Address

BURDETT, CHRISTOPHER
1810 OLD OKEECHOBEE RD
WEST PALM BEACH, FL 33409

Officer/Director Detail

Name & Address

Title PD

BURDETT, CHRISTOPHER
1810 OLD OKEECHOBEE RD
WEST PALM BEACH, FL 33409

Title VP

LACOURSE, GEORGE
1212 CHICKASAW ST
JUPITER, FL 33458

Title DST

LONGO, LINDA

12226 154TH RD N
JUPITER, FL 33478

Title VPD

LONGO, JEFFREY
12226 154TH ROAD N
JUPITER, FL 33478

Annual Reports

Report Year	Filed Date
2013	01/15/2013
2014	03/02/2014
2015	02/19/2015

Document Images

02/19/2015 -- ANNUAL REPORT	View image in PDF format
03/02/2014 -- ANNUAL REPORT	View image in PDF format
01/15/2013 -- ANNUAL REPORT	View image in PDF format
04/01/2012 -- ANNUAL REPORT	View image in PDF format
01/22/2011 -- ANNUAL REPORT	View image in PDF format
04/16/2010 -- ANNUAL REPORT	View image in PDF format
05/10/2009 -- ANNUAL REPORT	View image in PDF format
04/17/2008 -- Domestic Profit	View image in PDF format

Copyright © and Privacy Policies
State of Florida, Department of State

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS www.Sunbiz.org

Detail by Entity Name

Florida Limited Liability Company

INDIAN RIVER BIODIESEL, LLC

Filing Information

Document Number	L16000004381
FEI/EIN Number	NONE
Date Filed	01/06/2016
Effective Date	01/01/2016
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT AND NAME CHANGE
Event Date Filed	01/12/2016
Event Effective Date	NONE

Principal Address

1103 NORTH 2ND STREET
FT. PIERCE, FL 34946

Mailing Address

1810 OLD OKEECHOBEE ROAD
SUITE A
WEST PALM BEACH, FL 33409

Registered Agent Name & Address

HAYES, EDWARD
1810 OLD OKEECHOBEE RD - A
SUITE A
WEST PALM BEACH, FL 33409

Authorized Person(s) Detail

Name & Address

Title MGR

BURDETT, CHRISTOPHER C
1810 OLD OKEECHOBEE RD - A
WEST PALM BEACH, FL 33409

Annual Reports

No Annual Reports Filed

Document Images

01/12/2016 -- LC Amendment and Name Change	View image in PDF format
01/06/2016 -- Florida Limited Liability	View image in PDF format

Copyright © and Privacy Policies
State of Florida, Department of State

Culpepper & Terpening, Inc. (Form G810)

Transmittal Letter

2980 S. 25th Street
Fort Pierce, Florida 34981
Phone: (772) 464-3537
Fax: (772) 464-9497
www.ct-eng.com

PROJECT: Indian River Bio-Diesel Facility - 1103 North 2nd Street **PROJECT NO.:** 16-005
DATE: 02/01/16

TO: Ms. Rebecca Grohall, AICP
Planning Manager
City of Ft. Pierce
100 North US Highway 1, Ft. Pierce, Fl 34950

FROM: Stefan Matthes, P.E.
Culpepper & Terpening, Inc.
2980 South 25th Street, Ft. Pierce, Fl 34981

WE TRANSMIT: ☑ Attached ☐ Under Separate Cover

VIA: ☐ Federal Express ☐ Mail ☐ E-mail ☑ Hand Delivery ☐ Fax ☐ Other

FOR: ☑ Approval/Action ☐ Information ☐ Use as requested ☐ Comment ☐ Distribution ☐ Other

THE FOLLOWING: ☐ Change Order ☐ Computer Discs ☐ Copy of Letter ☐ Digital Files ☐ Drawings ☐ Payment Application ☐ Payment Certificate ☐ Prints ☐ Plans ☐ Shop Drawings ☐ Specifications ☐ Submittals ☐ Other

ITEM NO.	NO. OF COPIES	DOCUMENT DATE	FORMAT	DESCRIPTION
1	1	2/1/6	Letter	Indian River Bio-Diesel Conditional Use transmittal letter
2	1	2/1/16	Check	$100 Application Fee
3	8	2/1/16	Application	Signed Conditional Use "No New Construction" Ap
4	8	1/29/16	Survey	Signed Boundary Survey
5	8	2/1/16	Narrative	Project Narrative
6	8	2/1/16	Plan	Signed and Sealed Site plan
7	8	2/1/16	Plan	Preliminary Landscape Plan
8	8	2/1/16	Plan	Floor Plan
9	1	2/1/16	CD	CD of the submittal documents
10				
11				
12				
13				
14				
15				

REMARKS:

For review of the Conditional Use " No New Construction" application process

Cc: Richard Pratt

CULPEPPER & TERPENING, INC.
CONSULTING ENGINEERS | LAND SURVEYORS

C&T Project No.:16-005
File: CFtP Planning
Sender's Email: smatthes@ct-eng.com

February 1, 2016
VIA: ***Hand Delivery***

Ms. Rebecca Grohall, Planning Manager
City of Ft. Pierce Planning Division
100 North US Highway 1
Ft. Pierce, FL 34950

RE: Indian River BioDiesel – 1103 North 2nd Street
Conditional Use – No New Construction Application Submittal

Dear Ms. Grohall:

On behalf of the Indian River BioDiesel, LLC, we are pleased to present the following information which will constitute our submittal for a Conditional Use – No New Construction approval for the use of the existing packing house facility located at 1103 North 2nd Street, Ft. Pierce, Florida. As per discussions at the pre-application meeting, the applicant intends to utilize the existing facility to process Bio-Diesel fuel. This submittal includes the following materials:

1. One (1) Check in the amount of $100.00 for the total review fees;
2. One (1) Original and (7) copies of the executed & notarized Conditional Use – No New Construction application;
3. One (1) Original and (7) Copies of the Project Narrative;
4. One (1) Original and (7) Copies Boundary & Topographic Survey, prepared Masteller, Moler & Taylor, Inc;
5. One (1) Original and (7) Copies of the signed & sealed Site Plan, prepared by Culpepper & Terpening, Inc.;
6. One (1) Original and (7) Copies of the Preliminary Landscape Plan, prepared by Landscape Architect Consultants;
7. One (1) Original and (7) Copies of the Floor Plan, prepared by Donadio Associates Architects, P.A.; and
8. One (1) CD containing the submitted materials in pdf format.

We trust that this submittal is as required to allow the conditional use review process to commence. As always, should you have any questions, please do not hesitate to contact me at (772)464-3537 or via the Email address referenced above.

Sincerely,

CULPEPPER & TERPENING, INC.

Stefan K. Matthes, P.E.
Senior Vice President

Enclosures: as listed above

Cc: Richard Pratt

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

Conditional Use – No New Construction

Property address or Location	1103 North 2nd Street, Ft. Pierce.		
Parcel ID #(s)	2403-705-0006-000/9	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x
	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x
	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x
Project Description	To provide for the development of a Biodiesel Fuel manufacturing facility in an existing building, located in the western Port area of Ft. Pierce. This use is considered to be a Conditional Use under Section 22-22 in the I-1 Zoning District (processing of Food and Related Products (see attached supplemental project description))		

Applicant			Agent		
Indian River Biodiesel, LLC (attn.: Rip Pratt)			Culpepper & Terpening, Inc. (attn.: Stefan Matthes, PE)		
1810 Old Okeechobee Road, Ste A			2980 South 25th street		
Street Address			Street Address		
West Palm Beach	Florida	33409	Ft. Pierce	Florida	34981
City	State	Zip	City	State	Zip
Email Address	rippratt@yahoo.com		Phone Number	772-464-3537	
Phone Number			Email Address	smatthes@ct-eng.com	

Applicants Signature(s)

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. The undersigned consents to inspection and photographing of the subject property by the Planning staff for purposes of consideration of this Application and/or presentation to the Planning Board and City Commission.*

See attached authorization letter

Property Owner(s) Signature(s)

STATE OF: _____

COUNTY OF: _____

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

_____ _____

Signature of Notary Type or Print Name of Notary

_____

Commission Number (Seal)

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

❑ CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- [X] *If no site improvements are required:*
  - [X] As-built survey.
  - [X] Floor plan of existing building(s).
- [ ] *If parking &drainage improve. are req'd:*
  - [ ] *As-built survey.*
  - [ ] *Site Plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage.*
  - [ ] *Lighting Plan.*
- [X] *Complete, Notarized Application.*

Application Type:

- [X] Conditional Use: No new construction with no site improvements
- [ ] Conditional Use: No new construction with parking and drainage improvements

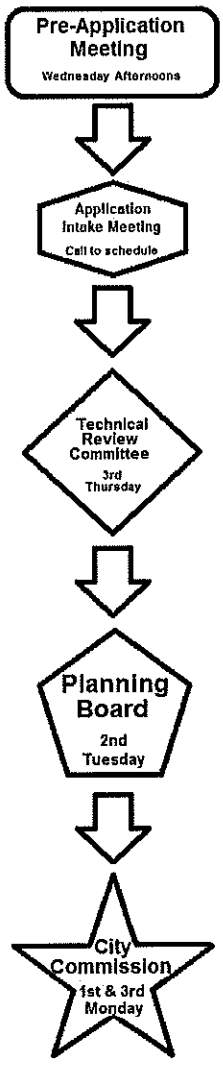
Site Information:

Building Size 39,500 (mol) **Parking Spaces:** 40 spaces provided

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

NORTH	SOUTH	EAST	WEST
Industrial	Industrial (Fuel Storage)	Industrial (Port of Ft. Pierce Development Area)	Railroad ROW/ US #1 (Highway)

Application Outlook



The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

(1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.

(2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.

(3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

EGAN PACKING LLC

1900 Old Dixie Highway, Fort Pierce, Florida 34946-1423
(772) 465-7555 FAX (772) 460-5012

February 1, 2016

Ms. Rebecca Grohall, Planning Manager
City of Ft. Pierce Planning Department
100 North US #1
Ft. Pierce, Florida 34950

RE: Egan Packing LLC – Indian River Biodiesel, LLC
Agent Authorization

Dear Ms. Grohall:

On behalf of the owner of record of the attached described property, please accept this letter as Egan Packing LLC's authorization for Genuine Bio-Fuel Inc. ("GBF"), through its subsidiary, Indian River Biodiesel, LLC ("IRB"), to file an application for Conditional Use for the operation of a food and related products manufacturing facility in the I-1 (Industrial Light) Zoning District in the City of Ft. Pierce. Along with authorizing GBF/IRB to apply for this Conditional Use Permit, we acknowledge that Culpepper and Terpening, Inc., will be the local representative/agent for the processing of this application through the City of Ft. Pierce.

If you should have any questions or need additional information concerning this letter authorization, please do not hesitate to contact me at 772-489-7275.

Thank you.

Sincerely,

Richard M. Carnell, Jr.
Vice President

RMC/tmw
Enclosures

Site Address: 1103 N 2nd ST
Map ID: 24/03S

Parcel ID: 2403-705-0006-000-9
Zoning: I1

Account #: 15954
Use Type: 4400

Sec/Town/Range: 03/35S/40E
Jurisdiction: Fort Pierce

Ownership

Egan Packing LLC
1900 Old Dixie Hwy
Fort Pierce, FL 34946

Legal Description

ASSESSOR'S MAP OF N PART OF FORTPIERCE THAT PART OF LOT 6 LYG W OF 2 ST (OR 806-246; 3355-1379)

Current Values

Just/Market:	$1,164,100	Assessed:	$1,164,100
Exemptions:	$0	Taxable:	$1,164,100

Historical Values 3-year

Year	Just/Market	Assessed	Exemptions	Taxable
2015	$1,164,100	$1,164,100	$0	$1,164,100
2014	$1,168,900	$1,168,900	$0	$1,168,900
2013	$1,166,300	$1,166,300	$0	$1,166,300

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
12-30-2011	3355 / 1379	0111	SP	Bernard Egan and Co,	$100
09-01-1992	0806 / 0246	01	WD	TEN MILE CREEK GROVES INC	$878,300
03-01-1986	0495 / 0386	01	CV		$650,000

Primary Building Information

Finished Area of this building: 33,667 SF
Gross Area of this building: 41,301 SF

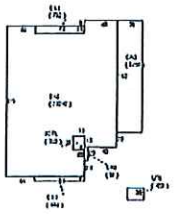
Exterior Data

View:	Roof Cover: Sheet Metal	Roof Structure: Steel Truss	Building Type: INDD
Year Built: 1945	Frame:	Grade: Y_D	Effective Year: 1945
Primary Wall: Corr Metal	Story Height: 10 Ft Ad Ht	No. Units: 1	Secondary Wall: Conc Block

Interior Data

Bedrooms: 0	A/C %: 0%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 0	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: 100%	Heat Fuel:	Primary Floors: CONC GRD





Total Areas

Finished/Under Air (SF):	40,167
Gross Area (SF):	47,801
Land Size (acres):	3.46
Land Size (SF):	150,750
Total Building Count:	2

Special Features and Yard Items

Type	Qty	Units	Year Blt
CHAINLINK 6'	1	1110	1945
ASP2 LOW	1	11731	1945
CONCRET RAMP	1	259	1945
LOADING DOCK	1	984	1945
MEZZANINE	1	10373	1945
CONCRET HIGH	1	11720	1945

This information is believed to be correct at this time but it is subject to change and is not warranted.
© Copyright 2016 Saint Lucie County Property Appraiser. All rights reserved.

PROJECT NARRATIVE

Genuine Bio-Fuel Inc., through is its subsidiary Indian River Biodiesel, LLC, proposes to construct and operate a biodiesel manufacturing facility in an existing building that is owned by Egan Packers, LLC. This existing facility is located at 1103 North 2nd Street (along the west side of North 2nd Street), in the City of Ft. Pierce. The prior use of this facility was as a citrus packing facility that ceased operations in recent years. The new proposed use of this building, the manufacturing of biodiesel fuel products, has been determined by the City Zoning Staff to require the petitioner to obtain a Conditional Use Permit under the provisions of the I-1 (Light Industrial) Zoning District, specifically, the processing of food and related products (see attached Zoning Use Table with determined use highlighted.)

Biodiesel is a renewable, sustainable source of clean energy that has proven to be an alternative fuel source to petroleum diesel. The finished Biodiesel product is a fuel product that can be used in any vehicle that currently uses diesel fuel.

Genuine Bio-Fuel, will make use of a proprietary manufacturing process that converts organic materials into diesel fuel. Traditional biodiesel producers use a production method called "batching," which yields unpredictable results, is time-consuming, expensive and creates unnecessary pollution known as "dirty water." Genuine Bio-Fuel uses a proven continuous production technology that does not result in "dirty water" by product and does not require extensive consumption of electrical energy. Genuine Bio-Fuel's facility in Indiantown, Florida, established in 2008, generally consumes less power than two typical single-family homes on a daily basis, helping to further the environmental benefit of this kind of production. Genuine Bio-Fuel Inc. products have been determined to be such a clean and reliable biodiesel product that we have been approved by the Environmental Protection Agency as an "RFS-2 Registered Renewable Fuel Producer."

Generally, the process for the manufacturing of the biodiesel product involves the following:

- The feedstock arrives at the production site by trailer and is pumped into atmospheric tanks located inside the production building.
- The feedstock is allowed to settle inside the tanks and any water or food contaminants are pumped out and sold as animal feed.
- The concentrated feedstock is then filtered and pumped into the processing portion of the building, where using a continuous flow process, the concentrated feedstock is heated to below 140oF, and after some small amounts of additives are made, the concentrated feedstock mixture undergoes an ultra-sonification process where sound energy is applied in order to break the chemical bonds within the mixture.
- The mixture is then subjected to additional treatment process that result the fully processed biodiesel mixture being stored in tanks to await final loading into fuel tankers for customer use. Retail fuel sales do not to take place on the site.

It should be noted that all production activities are done within the former Egan citrus packing house facility.

The proposed conditional use does not require any additions or structural modifications to the existing structure. Some minor internal building renovations will be required for processing needs and any such work will be permitted in accord with the City's local codes and standards.

The proposed biodiesel manufacturing facility will provide for up to forty employees, at full operation. Production shift(s) are generally from 7am to 6pm, with occasional later closing times as production cycles dictate.

The building square footage that is subject to the City's Parking Standards is approximately 39,500 sq. feet. The current 'generalized' City Parking Standard for a manufacturing facility of this type is, is 1 space per 600 square feet of building area. In the case of this particular facility that would be a minimum parking requirement of 66 spaces. The proposed site plan for this facility provides for 44 paved parking spaces and 22 spaces to be located south of the existing building in areas that were used formerly as part of the citrus packing operations for truck parking and trailer access into the building. These parking spaces are marked as 'Reserved', since they will not be required for the onsite employment needs of this facility. This area of reserved parking, while not constructed of concrete or standard asphalt materials, is sufficiently compacted (over 40 years of compaction and use) through its prior uses associated with the Egan Packing operations, that the parking area meets the objective of Section 22-60(c)(6)(b), of the City Code of Ordinances.

As part of the redevelopment of site, perimeter and interior landscaping will be enhanced to meet minimum City Codes for development activities in industrial areas. Review of the sites existing on-site lighting appears to have this site consistent with City Codes and no enhancements are proposed.

The re-establishment of this site as a manufacturing use, is not expected to have any impact upon local area roadway levels of service. The sites prior use as a citrus packing facility resulted in only seasonal impacts (peak season impacts) onto the local area roadway network. The elevation of the uses on this site to a more year round activity, will have a de-minimus effect on the local traffic volumes. By way of illustration, we have provided a generalized traffic impact summary map (see Figure F-1) with trip impact estimates on the local area network.

STANDARDS of REVIEW:

When reviewing a Conditional Use Permit, that review is often best done when there are specific standards to be measured against that can provide for definitive findings in support of the proposed Conditional Use, based on compliance/consistency with local codes and standards. Noting that Article V, Section 22-74 thru 22-81, of the Ft. Pierce Code of Ordinances, has no specific Standards of Review for a Conditional Use application, for the purpose of this particular application, the following generalized Standards of Review have been prepared by the applicant for consideration by the City Commission and are based on similar standards that would be applied to a Conditional Use Permit application submitted in the unincorporated areas of St. Lucie County. The use of these standards are intended to assist the City Commission in formally finding that the proposed development of a biodiesel manufacturing facility under the classification of a "food and related products processing facility," in the I-1 Zoning District is, in fact, an acceptable use of the petitioned property.

A. ***Consistency with Local Code and Comprehensive Plan.***
The proposed conditional use is in compliance with all requirements, and is consistent with the general purpose, goals, objectives, and standards of this Code, the Ft. Pierce Comprehensive Plan, and the Code of Ordinances of City of Ft. Pierce.

The proposed Conditional Use, the operation of a biodiesel manufacturing facility, is consistent with the intent of the Industrial (I) Future Land Use designation of the Ft. Pierce Comprehensive Plan and with the industrial development purpose statement of the I-1 zoning district. The manufacturing of biodiesel products has, at its roots, the use of previously processed and raw food stuffs/wastes that through a method of controlled chemical reaction are converted into an organic based fuel resource. The proposed use of this former food processing/manufacturing facility for the development of this new processing activity is not inconsistent with the Objectives and Policies of the City's Comprehensive Plan and is not inconsistent with the development and use philosophies outlined in the Port of Ft. Pierce Master Plan, as approved by the Board of County Commissioners for St. Lucie County.

B. ***Effect on Adjacent Properties.***

1. **The proposed conditional use will not have an undue adverse effect upon nearby property.**

The proposed Conditional Use, the operation of a biodiesel manufacturing facility, will not have an undue adverse effect upon any nearby property. The manufacturing processes will be taking place inside an existing industrial building that was formerly used as a citrus packing facility. All processing and material storage of the biodiesel products will take place inside of this existing structure.

The surrounding industrial uses to this site include; a.) a fuel storage (petroleum based) facility to the south; b.) the FEC railroad to the west; c.) the Port of Ft. Pierce and other industrial/marine related uses to the east; and, d.) undeveloped property to the north used for equipment storage (refer to figure D-2).

2. **The proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.**

The area in which the proposed Conditional Use is to be located is classified under both the City's Future Land Use and Zoning Maps for Industrial uses. The proposed Conditional Use, the operation of a biodiesel manufacturing facility in the I-1 Zoning District, is to take place inside an existing industrial building that was formerly used as a citrus packing facility. The proposed use of this former food processing/manufacturing facility for the development of this new processing activity is not inconsistent with the Objectives and Policies

of the City's Comprehensive Plan and is not inconsistent with the development and use philosophies outlined in the Port of Ft. Pierce Master Plan, as approved by the Board of County Commissioners for St. Lucie County.

3. **All reasonable steps have been taken to minimize any adverse effect of the proposed conditional use on the immediate vicinity through building design, site design, landscaping, and screening.**

All production activities are done within the former Egan citrus packing house facility. The proposed Conditional Use does not require any additions, or structural modifications, to the existing structure. Any internal building renovations that may be required for processing needs will be permitted in accord with the City's local codes and standards.

The proposed biodiesel manufacturing facility will provide for up to forty employees, at full operation. Production shift(s) are generally from 7am to 6pm, with occasional later closing times as production cycles dictate.

The building square footage that is subject to the City's Parking Standards is approximately 39,500 sq. feet. The current 'generalized' City Parking Standard for a manufacturing facility of this type is, is 1 space per 600 square feet of building area. In the case of this particular facility that would be a minimum parking requirement of 66 spaces. The proposed site plan for this facility provides for 44 paved parking spaces and 22 spaces to be located south of the existing building in areas that were used formerly as part of the citrus packing operations for truck parking and trailer access into the building. These parking spaces are marked as 'Reserved', since they will not be required for the onsite employment needs of this facility. This area of reserved parking, while not constructed of concrete or standard asphalt materials, is sufficiently compacted (over 40 years of compaction and use) through its prior uses associated with the Egan Packing operations, that the parking area meets the objective of Section 22-60(c)(6)(b), of the City Code of Ordinances.

As part of the redevelopment/reuse of site, perimeter and interior landscaping will be enhanced to meet minimum City Codes for development activities in industrial areas (refer to attached site plans to be approved through reference in this Conditional Use application.

C. ***Adequacy of Public Facilities.***
The proposed conditional use will be served by adequate public facilities and services, including roads, police protection, fire protection, solid waste disposal, water, sewer, drainage structures, parks and mass transit.

The proposed Conditional Use, the operation of a biodiesel manufacturing facility in the I-1 (Industrial Light) Zoning District, is to take place inside an existing industrial building that was formerly used as a citrus packing facility and will be served by adequate public facilities and services.

- Water and Sewer Services are presently at the site (refer to Figures G-1 and G-2)
- No changes are proposed (or required) to the existing on-site drainage/ stormwater management systems on the property.
- Additional law enforcement protection services will not be required beyond those presently provided to the project site.

- As a non-residential use, the proposed Conditional Use, the operation of a biodiesel manufacturing facility in the I-1 Zoning District, will have no impact upon the City's Park System.

- A fire protection plan will be supplied to the St. Lucie County Fire District prior to the start of production operations. The petitioner has current facilities preforming the same type of fuel processing in the Treasure Coast area and has developed detailed fire prevention/emergency management procedures that would address any potential conditions warranting such actions.

- The re-establishment of this site as a manufacturing use, is not expected to have any impact upon local area roadway levels of service. The sites prior use as a citrus packing facility resulted in only seasonal impacts (peak season impacts) onto the local area roadway network. The elevation of the uses on this site to a more year round activity, will have a de-minimus effect on the local traffic volumes. By way of illustration, we have provided a generalized traffic impact summary map (see Figure F-1) with trip impact estimates on the local area network.

Site Address: 1103 N 2nd ST
Map ID: 24/03S

Parcel ID: 2403-705-0006-000-9
Zoning: I1

Account #: 15954

Use Type: 4400

Sec/Town/Range: 03/35S/40E
Jurisdiction: Fort Pierce

Ownership

Egan Packing LLC
1900 Old Dixie Hwy
Fort Pierce, FL 34946

Legal Description

ASSESSOR`S MAP OF N PART OF FORTPIERCE THAT PART OF LOT 6 LYG W OF 2 ST (OR 806-246; 3355-1379)

Current Values

Just/Market:	$1,164,100	Assessed:	$1,164,100
Exemptions:	$0	Taxable:	$1,164,100

Historical Values 3-year

Year	Just/Market	Assessed	Exemptions	Taxable
2015	$1,164,100	$1,164,100	$0	$1,164,100
2014	$1,168,900	$1,168,900	$0	$1,168,900
2013	$1,166,300	$1,166,300	$0	$1,166,300

Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
12-30-2011	3355 / 1379	0111	SP	Bernard Egan and Co,	$100
09-01-1992	0806 / 0246	01	WD	TEN MILE CREEK GROVES INC	$878,300
03-01-1986	0495 / 0386	01	CV		$650,000

Primary Building Information

Finished Area of this building: 33,667 SF
Gross Area of this building: 41,301 SF

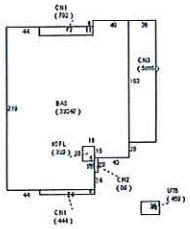
Exterior Data

View:	Roof Cover: Sheet Metal	Roof Structure: Steel Truss	Building Type: INDD
Year Built: 1945	Frame:	Grade: Y_D	Effective Year: 1945
Primary Wall: Corr Metal	Story Height: 10 Ft Ad Ht	No. Units: 1	Secondary Wall: Conc Block

Interior Data

Bedrooms: 0	A/C %: 0%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 0	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: 100%	Heat Fuel:	Primary Floors: CONC GRD





Total Areas

Finished/Under Air (SF):	40,167
Gross Area (SF):	47,801
Land Size (acres):	3.46
Land Size (SF):	150,750
Total Building Count:	2

Special Features and Yard Items

Type	Qty	Units	Year Blt
CHAINLINK 6'	1	1110	1945
CONCRET HIGH	1	11720	1945
CONCRET RAMP	1	259	1945
ASP2 LOW	1	11731	1945
LOADING DOCK	1	984	1945
MEZZANINE	1	10373	1945

This information is believed to be correct at this time but it is subject to change and is not warranted.
© Copyright 2016 Saint Lucie County Property Appraiser. All rights reserved.

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3665384 OR BOOK 3355 PAGE 1379, Recorded 01/17/2012 at 01:00 PM
Doc Tax: $0.70

PREPARED BY AND RETURN TO:
Richard M. Carnell
1900 Old Dixie Highway
Fort Pierce, Florida 34946

Parcel ID Number(s): 2403-705-0006-000-9

COPY

[Space Above this Line for Recording Data]

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, effective as of the 31st day of December, 2011, between BERNARD EGAN & COMPANY, a Florida corporation, f/k/a as Egan, Fickett & Company, a Florida corporation, whose post office address is 1900 Old Dixie Highway, Fort Pierce, Florida 34946 *("Grantor),* and EGAN PACKING LLC, a Florida limited liability company whose post office address 1900 Old Dixie Highway, Fort Pierce, Florida 34946 *("Grantee).*

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, partnerships, trusts, trustees and governmental and quasi-governmental entities.)

WITNESSETH That said Grantor, for and in consideration of the sum of TEN DOLLARS ($10.00), and other valuable considerations, the receipt and sufficiency of which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain parcel of real property (the "Property") situate in St. Lucie County, Florida, and more particularly described as follows:

That part of Lot 6 of the Assessor's Map of the North part of Fort Pierce, Florida, which lies between North Second Street and the right-of-way of the Florida East Coast Railway and that part of the South 150 feet of the East 225 feet of Lot 6, Block A, Assessor's Map of North part of Fort Pierce, as per plat thereof recorded in Plat Book 1, at Page 164, of the Public Records of St. Lucie County, Florida, lying west of Second Street.

THIS DEED IS BEING RECORDED TO EFFECT A TRANSFER OF AN INTEREST IN REAL PROPERTY TO THE GRANTEE BY THE GRANTOR, WHICH GRANTOR IS THE SOLE MEMBER OF THE GRANTEE. AT THE TIME OF TRANSFER, THE INTEREST IN REAL PROPERTY BEING TRANSFERRED HEREBY WAS NOT ENCUMBERED BY A MORTGAGE OR OTHER SIMILAR LIEN. AS A RESULT, ONLY MINIMAL DOCUMENTARY STAMP TAXES IN THE AMOUNT OF $0.70 ARE BEING PAID HEREON. SEE CRESCENT MIAMI CENTER, LLC V. DEPARTMENT OF REVENUE, 903 SO.2D 913 (FLA.2005).

SUBJECT TO restrictions, reservations, special assessments and easements of record, if any, which are not reimposed hereby, and real estate taxes subsequent to December 31, 2011.

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

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

AND the Grantor warrants the title to said land and will defend the same against the lawful claims of all persons claiming by or through the Grantor.

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's hand and seal the date and year first above written.

Signed, sealed and delivered
In the presence of:

Printed Name: Allyson A Hunt3

Printed Name: Terri A. Watkins

GRANTOR:
BERNARD EGAN & COMPANY, a Florida corporation

By: _____
GREGORY P. NELSON, PRESIDENT

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 30 day of December, 2011, by Gregory P. Nelson as President of Bernard Egan & Company, to me personally known who did not take an oath.

NOTARY PUBLIC STATE OF FLORIDA
Pennie B. Lee
Commission # EE006816
Expires: JULY 28, 2014
BONDED THRU ATLANTIC BONDING CO., INC.

(Notary Seal)

Notary Public
My Commission Expires: 7-28-14

COPY

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Detail by Entity Name

Florida Limited Liability Company

EGAN PACKING LLC

Filing Information

Document Number	L11000074527
FEI/EIN Number	45-2725340
Date Filed	06/27/2011
Effective Date	06/27/2011
State	FL
Status	ACTIVE

Principal Address

1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Mailing Address

1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Registered Agent Name & Address

CARNELL, RICHARD M, JR
1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Name Changed: 04/17/2013

Authorized Person(s) Detail

Name & Address

Title MGR

NELSON, GREGORY P
1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Title MGR

CARNELL, RICHARD M, JR
1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Title MGR

HURWITZ, JEFFREY A
1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Title MGR

MARTIN, JAMES A

1900 OLD DIXIE HIGHWAY
FORT PIERCE, FL 34946

Annual Reports

Report Year	Filed Date
2013	04/17/2013
2014	04/09/2014
2015	04/07/2015

Document Images

04/07/2015 -- ANNUAL REPORT	View image in PDF format
04/09/2014 -- ANNUAL REPORT	View image in PDF format
04/17/2013 -- ANNUAL REPORT	View image in PDF format
06/28/2012 -- ANNUAL REPORT	View image in PDF format
04/18/2012 -- ANNUAL REPORT	View image in PDF format
06/27/2011 -- Florida Limited Liability	View image in PDF format

Copyright © and Privacy Policies

State of Florida, Department of State

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS www.sunbiz.org

Detail by Entity Name

Florida Profit Corporation

GENUINE BIO-FUEL, INC.

Filing Information

Document Number	P08000039120
FEI/EIN Number	26-2509291
Date Filed	04/17/2008
State	FL
Status	ACTIVE

Principal Address

17250 S.W. RAILROAD AVENUE
INDIANTOWN, FL 34956

Mailing Address

P.O. BOX 3366
Hernando Beach, FL 34607

Changed: 03/02/2014

Registered Agent Name & Address

BURDETT, CHRISTOPHER
1810 OLD OKEECHOBEE RD
WEST PALM BEACH, FL 33409

Officer/Director Detail

Name & Address

Title PD

BURDETT, CHRISTOPHER
1810 OLD OKEECHOBEE RD
WEST PALM BEACH, FL 33409

Title VP

LACOURSE, GEORGE
1212 CHICKASAW ST
JUPITER, FL 33458

Title DST

LONGO, LINDA

12226 154TH RD N
JUPITER, FL 33478

Title VPD

LONGO, JEFFREY
12226 154TH ROAD N
JUPITER, FL 33478

Annual Reports

Report Year	Filed Date
2013	01/15/2013
2014	03/02/2014
2015	02/19/2015

Document Images

02/19/2015 -- ANNUAL REPORT	View image in PDF format
03/02/2014 -- ANNUAL REPORT	View image in PDF format
01/15/2013 -- ANNUAL REPORT	View image in PDF format
04/01/2012 -- ANNUAL REPORT	View image in PDF format
01/22/2011 -- ANNUAL REPORT	View image in PDF format
04/16/2010 -- ANNUAL REPORT	View image in PDF format
05/10/2009 -- ANNUAL REPORT	View image in PDF format
04/17/2008 -- Domestic Profit	View image in PDF format

Copyright © and Privacy Policies

State of Florida, Department of State

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS www.sunbiz.org

Detail by Entity Name

Florida Limited Liability Company

INDIAN RIVER BIODIESEL, LLC

Filing Information

Document Number	L16000004381
FEI/EIN Number	NONE
Date Filed	01/06/2016
Effective Date	01/01/2016
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT AND NAME CHANGE
Event Date Filed	01/12/2016
Event Effective Date	NONE

Principal Address

1103 NORTH 2ND STREET
FT. PIERCE, FL 34946

Mailing Address

1810 OLD OKEECHOBEE ROAD
SUITE A
WEST PALM BEACH, FL 33409

Registered Agent Name & Address

HAYES, EDWARD
1810 OLD OKEECHOBEE RD - A
SUITE A
WEST PALM BEACH, FL 33409

Authorized Person(s) Detail

Name & Address

Title MGR

BURDETT, CHRISTOPHER C
1810 OLD OKEECHOBEE RD - A
WEST PALM BEACH, FL 33409

Annual Reports

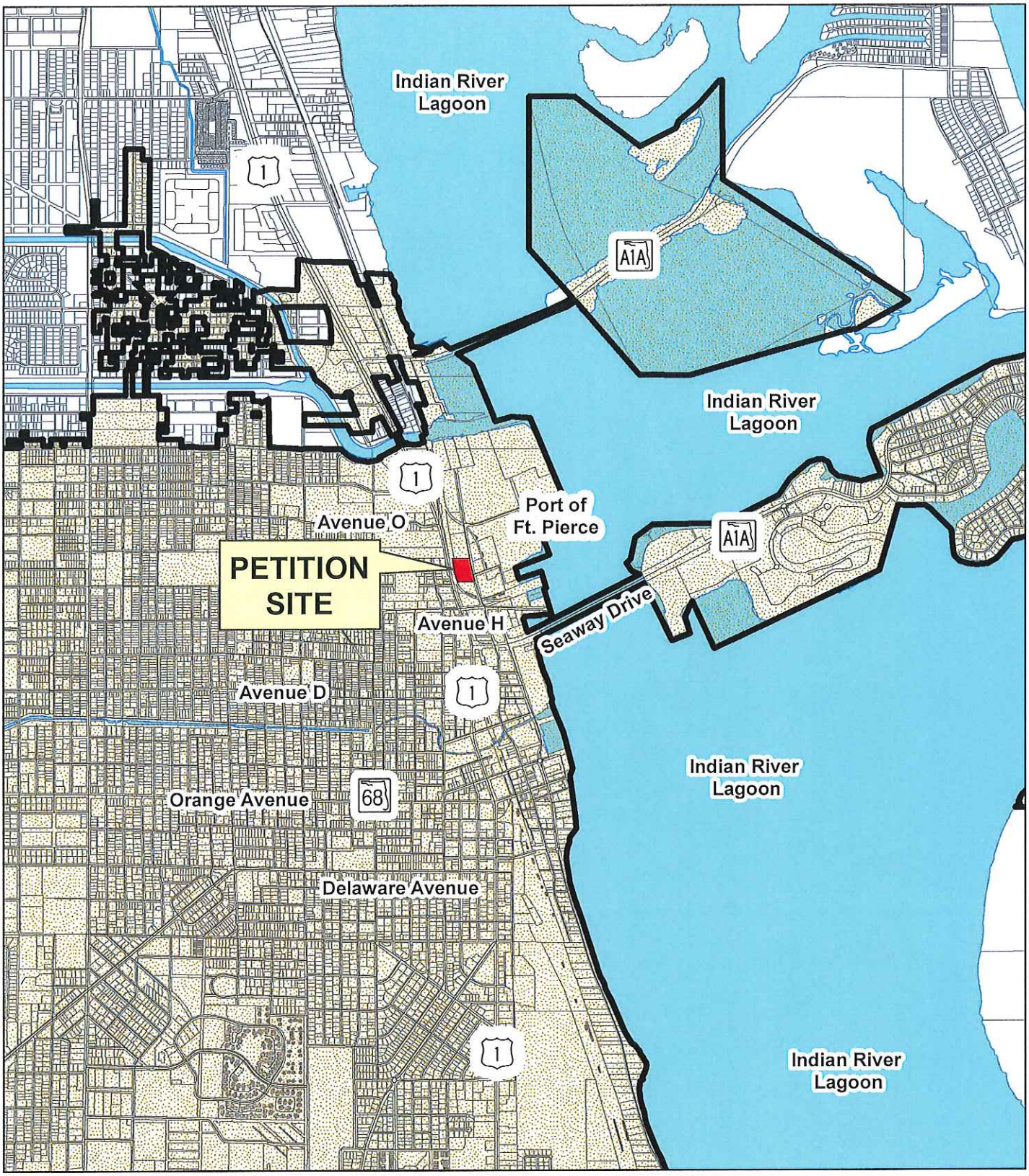
No Annual Reports Filed

Document Images

01/12/2016 -- LC Amendment and Name Change	View image in PDF format
01/06/2016 -- Florida Limited Liability	View image in PDF format

Copyright © and Privacy Policies

State of Florida, Department of State



Path: P:\Proj-2015\15-156 PSL - Design and permitting crosstown recreational parking lots\15-156 GIS Maps\crosstown - empire - land use\16-004 - fig d 1a - location map - wide view (.05 mile).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

Petition Parcel

City

Fort Pierce

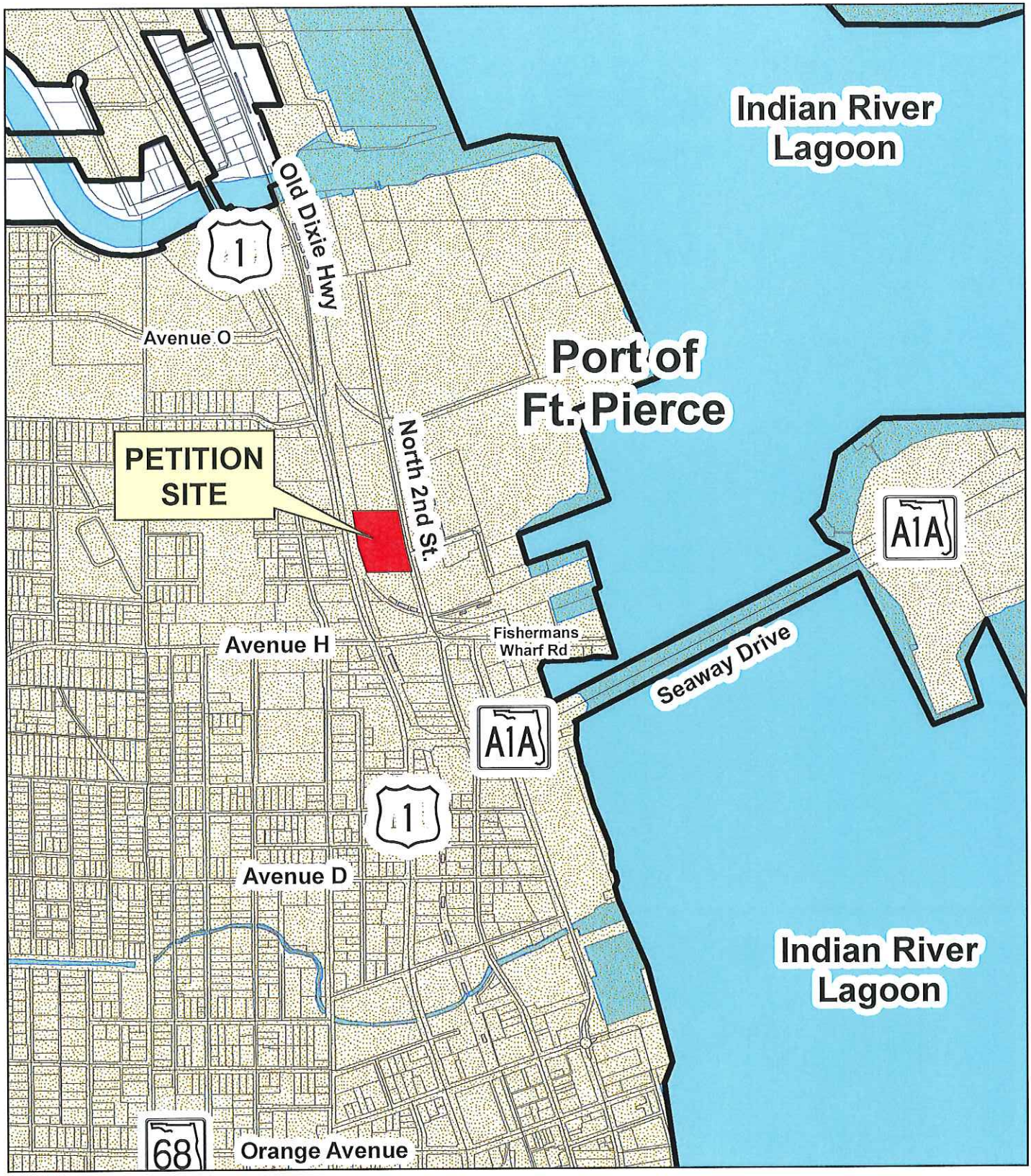
N
W E
S

1 inch:0.5 mi.

Exhibit - D-1a

Project Location Map
(very wide view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS



Path: P:\Proj-2015\15-156 PSL - Design and permitting crosstown recreational parking lots\15-156 GIS Maps\crosstown - empire - land use\16-004 - fig d1b - location map - wide view (1000 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

Petition Parcel

City

Fort Pierce

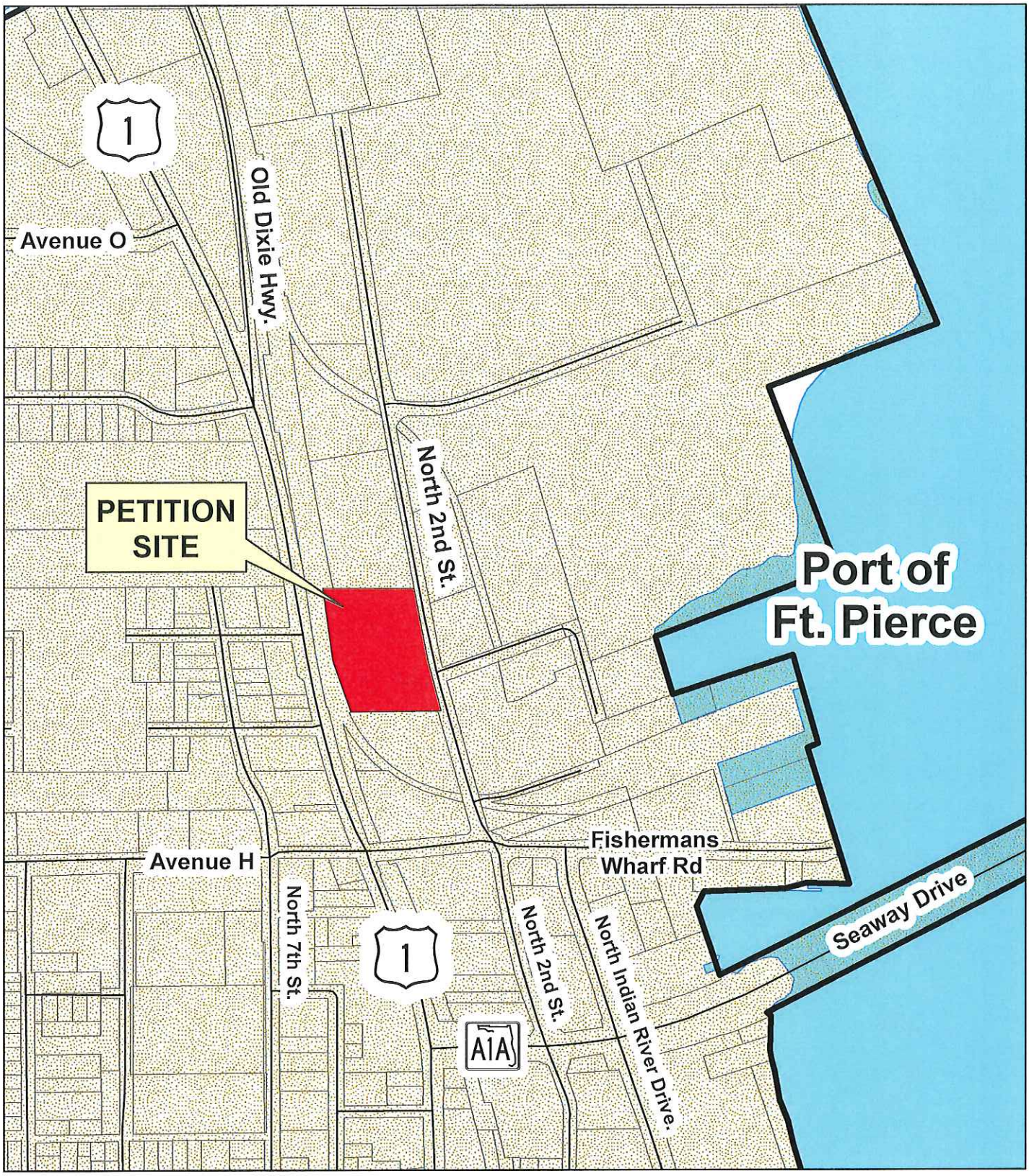
N
W E
S

1 inch:0.19 mi.

Exhibit - D-1b

Project Location Map
(wide view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS



Path: P:\Proj-2015\15-156 PSL - Design and permitting crosstown recreational parking lots\15-156 GIS Maps\crosstown - empire - land use\16-004 - fig d1c - location map - wide view (500 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

Petition Parcel

City

Fort Pierce

N
W E
S

1 in = 500 ft

Exhibit - D-1c

Project Location Map
(close view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS



Path: P:\Proj-2016\16-005 Indian River Bio-Diesel Facility @ Fort Pierce\16-005 FTP - indian river bio desiel site (pvt)\16-005 - GIS\a1 .mxd - 16-005 - map figures\16-004 - fig d-2a - site aerial map (1000 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

- Petition Parcel
- 500 ft Notice Ring

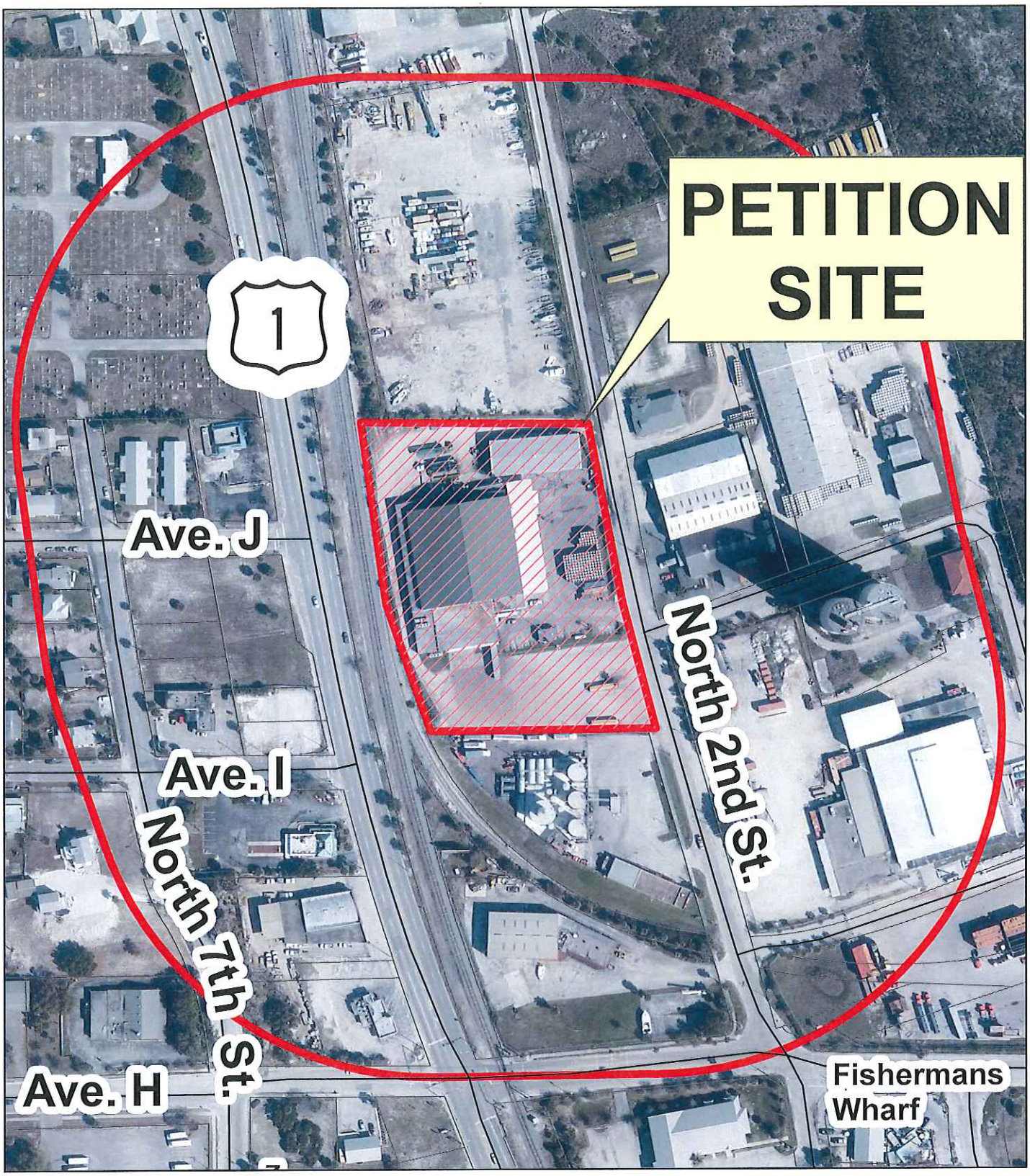
N
W E
S

1 in = 500 ft

Exhibit - D-2a

Site Aerial Map
(wide view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS



Path: P:\Proj-2016\16-005 Indian River Bio-Diesel Facility @ Fort Pierce\16-005 FTP - indian river bio desiel site (pvt)\16-005 - GIS\a1_mxd - 16-005 - map figures\16-004 - fig d-2b - site aerial map (200 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

- Petition Parcel
- 500 ft Notice Ring

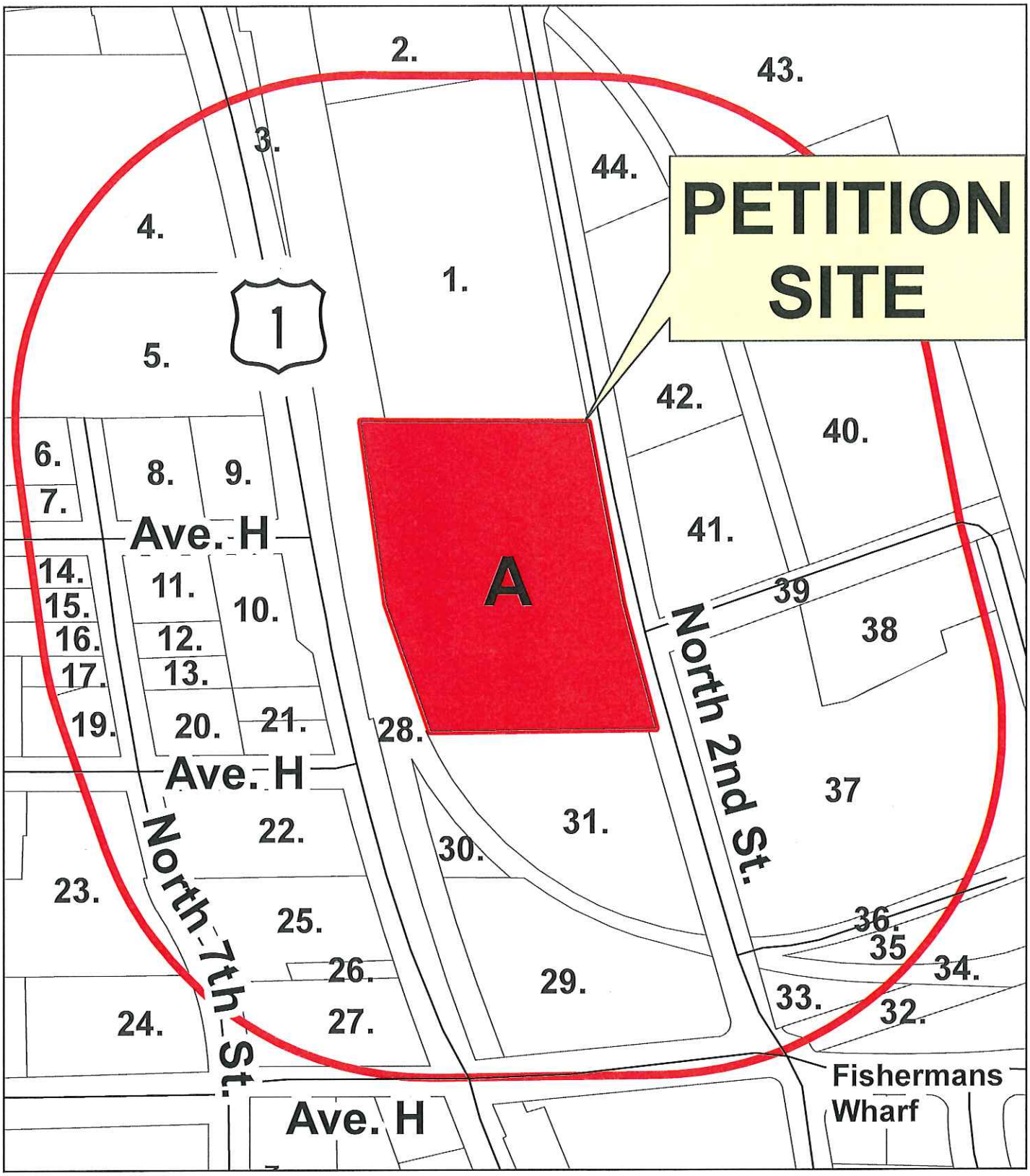
N
W E
S

1 in = 200 ft

Exhibit - D-2b

Site Aerial Map
(close view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS



Path: P:\Proj-2016\16-005 Indian River Bio-Diesel Facility @ Fort Pierce\16-005 FTP - indian river bio desiel site (pvt)\16-005 - GIS\a1 .mxd - 16-005 - map figures\16-004 - fig d-4 - parcel id map (200 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

- Petition Parcel
- 500 ft Notice Ring

N
W E
S

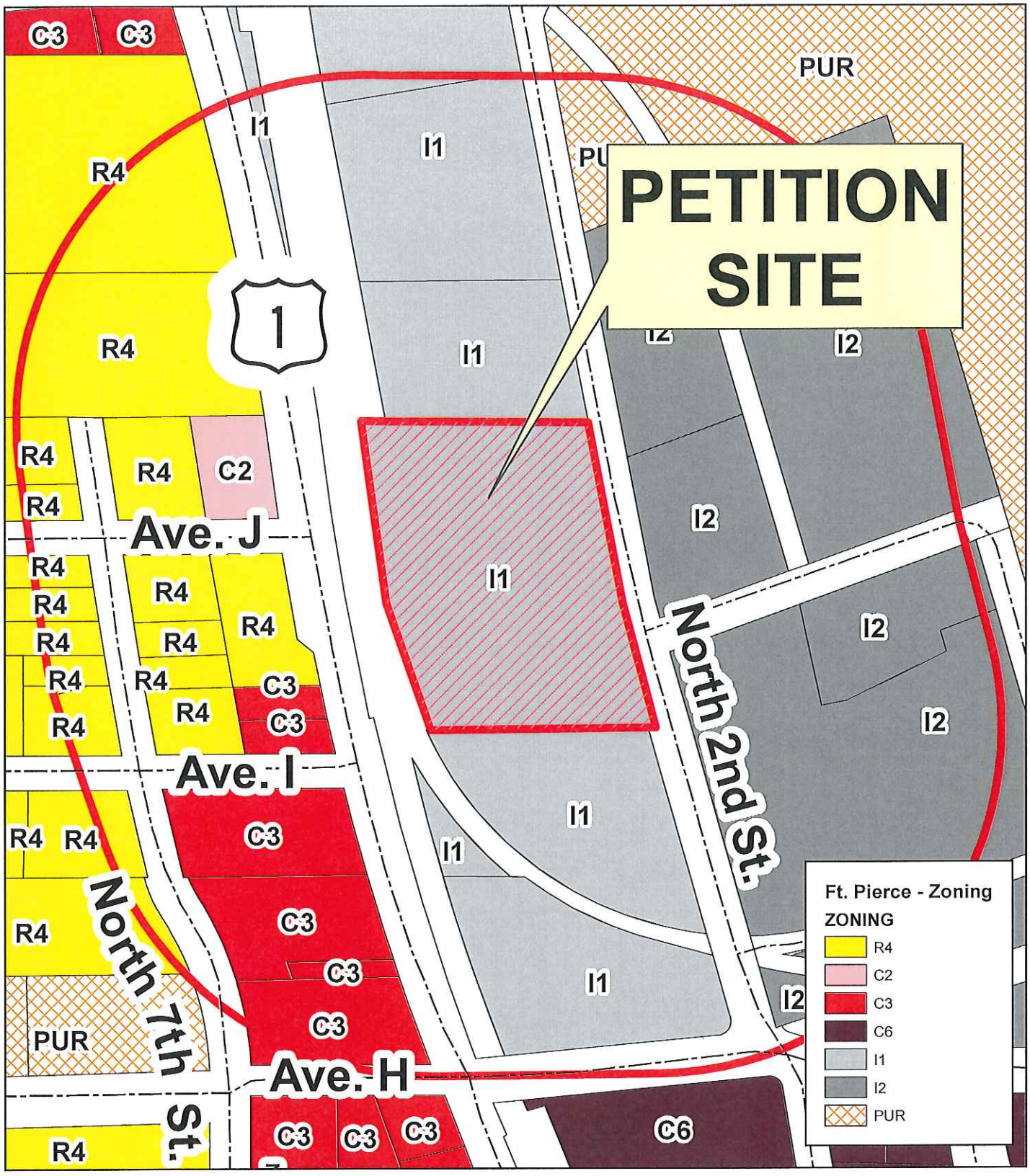
1 in = 200 ft

Exhibit - D-4

Parcel ID Map
(close view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS

Map ID	Parcel ID	Current Owner	Site Address	Acreage
A	2403-705-0006-000-9	Egan Packing LLC	1103 N 2nd ST	3.46
1	2403-705-0001-000-4	Jamco Inc	N 2nd ST	3.25
2	2403-243-0000-000-0	Rinker Materials Corp	1301 N 2nd ST	2.14
3	2403-312-0003-000-2	St Lucie County	TBD	0.5
4	2403-321-0001-000-6	Riverview Memorial Park Inc	1301 N US HWY 1	9.27
5	2403-705-0002-000-1	Riverview Memorial Park Inc	1201 US HWY 1	6.6
6	2403-706-0032-000-3	James E Hatfield	1111 N 7th ST	0.28
7	2403-706-0031-000-6	James E Hatfield	1101 N 7th ST	0.16
8	2403-706-0012-000-7	Joe and Gina Noelke LLC	1102 N 7th ST	0.44
9	2403-706-0009-000-3	Joseph R Wilson	1101 N US HWY 1	0.44
10	2403-706-0005-000-5	Vincent Molle (TR)	1011 N US HWY 1	0.55
11	2403-706-0015-000-8	Vincent Molle (TR)	N 7th ST	0.27
12	2403-706-0016-000-5	Vincent Molle (TR)	1008 N 7th ST	0.14
13	2403-706-0018-000-9	Vincent Molle (TR)	1009 N 7th ST	0.14
14	2403-706-0030-000-9	Orange Avenue Auto Sales Inc	1011 N 7th ST	0.16
15	2403-706-0029-000-9	James E Hatfield	1009 N 7th ST	0.17
16	2403-706-0028-000-2	James E Hatfield	1007 N 7th ST	0.17
17	2403-706-0027-000-5	James E Hatfield	1005 N 7th ST	0.13
18	2403-706-0025-010-4	James Hatfield	N 7th ST	0.01
19	2403-706-0025-000-1	James E Hatfield	1001 N 7th ST	0.28
20	2403-706-0019-000-6	Avenue I Investments LLC	614 Avenue I	0.27
21	2403-706-0003-000-1	Treasure Coast Achoo LLC	1001 N US HWY 1	0.29
22	2403-706-0001-000-7	Inlet Bait LLC	927 N US HWY 1	0.78
23	2403-706-0023-000-7	Charles R Jardine Jr	921 N 7th ST	1.38
24	2403-710-0001-000-0	Henrietta Realty Corp	901 N 7th ST	0.82
25	2403-708-0001-000-3	Lewis Brothers Properties Inc	919 N US HWY 1	0.73
26	2403-708-0004-000-4	Lewis Brothers Properties Inc	N US HWY 1	0.09
27	2403-714-0006-000-7	Lewis Brothers Properties Inc	901 N US HWY 1	0.76
28	2403-221-0000-010-5	FEC RR	TBD	0
29	2403-705-0009-000-0	Lloyd F Bell Jr Revocable Trust of 2011	9 FISHERMANS WHARF	1.62
30	2403-705-0008-000-3	Lloyd F Bell Jr Revocable Trust of 2011	US HWY 1	0.17
31	2403-705-0007-000-6	Palmdale Oil Co Fp Llc	911 N 2nd ST	1.62
32	2403-314-0005-000-2	King Maritime Group Llc	100 TERMINAL DR	0.68
33	2403-341-0002-000-5	Destin Beach Inc	TERMINAL DR	0.19
34	2403-221-0000-010-5	FEC RR	TBD	0
35	2403-314-0005-000-2	King Maritime Group Llc	100 TERMINAL DR	0.68
36	2403-221-0000-010-5	FEC RR	TBD	0
37	2403-313-0003-000-5	King Maritime Group LLC	1001 HARBOR ST	4.05
38	2403-313-0003-010-8	Lloyd F Bell Jr Revocable Trust of 2011	1101 HARBOR ST	0.87
40	2403-311-0001-000-5	Bernard A Egan Groves Inc	1110 N 2nd ST	3.83
41	2403-313-0001-000-1	Bernard Egan and Co	1000 N 2nd ST	1.04
42	2403-311-0002-000-2	Bernard A Egan Groves Inc	1110 N 2nd ST	1.22
43	2403-133-0001-000-9	Destin Beach Inc	10 Avenue M	28.47
44	2403-312-0001-000-8	Mollywog LLC	1302 N 2nd ST	0.55
45	2403-314-0001-000-4	Destin Beach Inc	1100 HARBOR ST	0.07



Path: P:\Proj-2016\16-005 Indian River Bio-Diesel Facility @ Fort Pierce\16-005 FTP - indian river bio desiel site (pvt)\16-005 - GIS\a1_mxd - 16-005 - map figures\16-004 - fig d-5 - zoning map (200 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

- Petition Parcel
- 500 ft Notice Ring

N
W E
S

1 in = 200 ft

Exhibit - D-5

Area Zoning Map
(close view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS

Sec. 22-34. - Light Industrial Zone (I-1).

(a) Purpose. The purpose of this district is to provide for industrial and related uses with limited objectionable external effects in areas that are suitable for such operations due to the desirability of site characteristics, adequacy of utilities, appropriateness of transportation facilities and other factors. Acceptable manufacturing, warehousing, heavy commercial and similar uses are encouraged. Uses in the district may perform a support role for uses in other industrial areas.

(b) Basic use standards. Uses in an I-1 zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.

(1) Lot size.

a. The minimum lot width shall be one hundred (100) feet.

b. The minimum lot depth shall be one hundred (100) feet.

(2) Yards. The minimum yard depth for portions of the property abutting a public right-of-way or nonindustrial district will be fifteen (15) feet.

(c) Other applicable use standards.

(1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.

(2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.

(3) Every lot shall abut a street other than an alley for at least fifty (50) feet.

(4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.

(5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61.

(6) Conditional uses will meet the requirements in sections 22-74 through 22-86.

(7) Signs will comply with standards referred to in section 22-55.

(8) All other applicable ordinance requirements will also be satisfied.

(Ord. No. H-186, § 30-36, 6-15-81; Ord. No. H-245, § 1, 12-20-82; Ord. No. I-26, § 4, 8-15-83; Ord. No. K-24, § 14, 8-21-00; Ord. No. L-04, § 1, 3-3-08; Ord. No. L-97, § 4, 11-16-09; Ord. No. L-267, § 2, 11-5-12; Ord. No. L-295, § 17, 11-4-13)

ARTICLE III. - BASIC ZONING DISTRICTS

Sec. 22-22. - Allowed uses.

(a) Uses listed. Uses listed are allowed in each zoning district in accordance with the Use Table.
(b) Permitted uses. Uses identified with a "P" in the Use Table are permitted in the subject zoning district provided that the uses will not violate basic use standards specified in each zoning district, other applicable use standards, additional zoning ordinance provisions and other city laws.
(c) Conditional uses. Uses identified with a "C" in the Use Table are permitted in the subject zoning district, if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards and will not violate basic use standards specified in each zoning district, other applicable use standards, additional zoning ordinance provisions and other city laws.
(d) Prohibited uses. Uses identified with a "-" in the Use Table are expressly prohibited.
(e) Use table.

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
RESIDENTIAL																							
-Detached House	P	P	P	P	P	P	P	P	C	C	C	-	-	C	-	-	-	-	-	-	C	-	-
-Duplex	-	-	-	-	-	C	P	P	C	C	C	-	-	C	-	-	-	-	-	-	-	-	-
-Townhouse	-	-	-	-	-	C	P	P	P	C	C	-	-	C	-	-	-	-	-	-	-	-	-
-Multi-Dwelling Building	-	-	-	-	-	C	P	P	-	C	C	C	-	C	C	-	-	-	-	-	-	-	-
-Mobile or Manufactured Home	-	-	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-Manufactured Home Park or Subdivision	-	-	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-Mobile Home Park	-	-	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-Vertical Mixed-Use Building	-	-	-	-	-	-	C	C	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-
Home Occupations (per requirements of Section 22-63)	P	P	P	P	P	P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-	-	-
Group Living (except as noted below)	-	-	-	-	C	C	C	C	C	C	-	C	C	C	-	-	-	-	-	-	-	-	-
-Community Residential Home, Type 1 (1-6 residents)	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-Community Residential Home, Type 2 (7-14 residents)	-	-	-	-	-	-	C	-	C	C	-	C	C	-	-	-	-	-	-	-	-	-	-
-Dormitories, Fraternity and Sorority Houses	-	-	-	-	-	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PUBLIC AND CIVIC																							
Community/Cultural (except as noted below)	-	-	-	-	C	C	C	C	C	C	C	P	P	C	C	C	-	-	-	C	-	-	-
-Community Center	-	-	-	-	C	C	C	C	C	-	C	P	P	C	-	C	-	-	-	C	-	-	-
-Fraternal Organization/Lodge	-	-	-	-	C	C	C	C	C	-	C	P	P	C	-	C	-	-	-	C	-	-	-

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
-Laundry and Dry Cleaners Pick-Up	-	-	-	-	-	-	C	C	C	C	P	P	P	P	-	C	-	-	-	-	-	-	-
-Laundromat	-	-	-	-	-	-	C	C	C	C	P	P	P	C	-	C	-	-	-	-	-	-	-
-Mortuaries or Funeral Homes	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	C	-	-	-	-	-	-	-
-Neighborhood Commercial Services	-	-	-	-	C	C	P	P	P	C	P	P	P	P	-	C	-	-	-	-	-	-	-
-Pawn Shop	-	-	-	-	-	-	-	-	-	-	-	P	P	C	-	C	-	-	-	-	-	-	-
-Personal Improvement Service	-	-	-	-	-	-	C	C	C	C	-	P	P	P	-	C	-	-	-	-	-	-	-
-Veterinary (Without Outdoor Runs)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
Retail Sales and Service, Repair-Oriented	-	-	-	-	-	-	-	P	-	C	-	P	P	P	-	P	-	-	-	-	-	-	-
Self-Service Storage	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	P	-	P	-	-	-	-
Vehicle Sales and Service																							
-Automobile Rentals	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	-
-Automobile Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	-
-Boat Rentals	-	-	-	-	-	-	-	-	-	-	-	P	C	P	C	C	P	-	P	-	-	C	P
-Boat Sales	-	-	-	-	-	-	-	-	-	-	-	P	C	C	C	C	P	-	P	-	-	-	P
-Fueling Station	-	-	-	-	-	-	-	-	-	C	C	P	C	C	-	C	-	P	-	-	-	-	-
-Travel Plaza	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-	-	-	-	-	-	-
-Truck Stop	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	-	-	-	-	-	-	-
-Vehicle Repair, General	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	-	-	-	-	-	-	-
-Vehicle Repair, Limited	-	-	-	-	-	-	-	-	-	-	-	P	C	-	-	P	-	-	-	-	-	-	-
-Vehicle Storage	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	P	C	P	-	-	-	-
INDUSTRIAL																							
Artisan	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	P	P	-	P	-	-	-	-
-Cabinet Shops, Woodworking	-	-	-	-	-	-	-	-	-	-	-	C	C	-	C	P	P	-	P	-	-	-	-
Light Industrial Service (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Catering Facility, Large-Scale	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Crematorium	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-
-Building Maintenance Facilities And Services	-	-	-	-	-	-	-	-	-	-	-	C	-	-	C	-	-	-	-	-	-	-	-

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
-Contractors/Others Performing Services Off-Site	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	-	P	-	-	-	-
-Microbrewery	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	-	-	-	-	-	-	-
-Research Service	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	P	P	-	P	-	-	-	-
Marine-Related Industrial	-	-	-	-	-	-	-	-	-	-	-	C	-	-	P	-	C	P	P	-	-	-	P
Warehouse and Freight (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	P	P	C	P	-	-	-	-
-Parcel Service	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	C	P	-	-	-	-
Waste-Related Use (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Solid Waste Separation, Transfer Station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
-Recycling Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-
-Wrecking or Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-
Wholesale Trade	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	P	C	P	-	-	-	-
Heavy Industrial (except as noted below)	-	-	-	-	-	-	-	-	-	-	-				-	-	-	-	P	-	-	-	-
-Heavy Equipment Sales & Rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		P	C	P	-	-		-
-Processing of Food and Related Products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	P	P	-	-	-	-
OTHER																							
Aquaculture Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	C	C
Community Gardens	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-
Dock/Moorage Facility (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C
-Docks for Single Family Homes	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
-Docks for Single Family Homes on canals within Surfside or Jennings Cove	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C
Navigational Aids	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Telecommunication Facility																							
-Antenna Support Structure	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
-Antenna (on existing structure)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P



Path: P:\Proj\2016\16-005 Indian River Bio-Diesel Facility @ Fort Pierce\16-005 FTP - indian river bio desiel site (pvt)\16-005 - GIS\a1 mxd - 16-005 - map figures\16-004 - fig d-6 - land use (200 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

- Petition Parcel
- 500 ft Notice Ring

N
W E
S

1 in = 200 ft

Exhibit - D-6

Future Land Use Map
(close view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS

The general description of each land use category in the area of the proposed conditional use is as follows:

A. Residential

Medium Density Residential (RM):
The Medium Density Residential (RM) designation is intended for parcels that are best suited for multifamily residential uses ranging in density from 6.5 to 12 dwelling units per acre. This category allows small-lot single family units and multifamily dwellings including duplexes, condominiums and townhomes. Limited commercial uses intended to serve the residential uses shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools and daycare facilities shall also be allowed. This category combines the previously allowed Medium Density Residential (Rme) and Moderate Density Residential (Rmo) categories.

B. Commercial

General Commercial (GC):
The General Commercial designation provides for higher intensity commercial developments or horizontal and vertical mixed-use developments. Uses allowed within this designation include multifamily residential, intensive and general commercial, retail, service, offices, tourist/entertainment facilities, hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. This land use designation allows for a maximum density of 15 dwelling units per acre and a maximum FAR of 1.0. Development shall include either commercial or mixed uses fronting major roadway corridors with higher intensity near major intersections. Residential uses may comprise up to 20% of the total floor area of the General Commercial future land use designation.

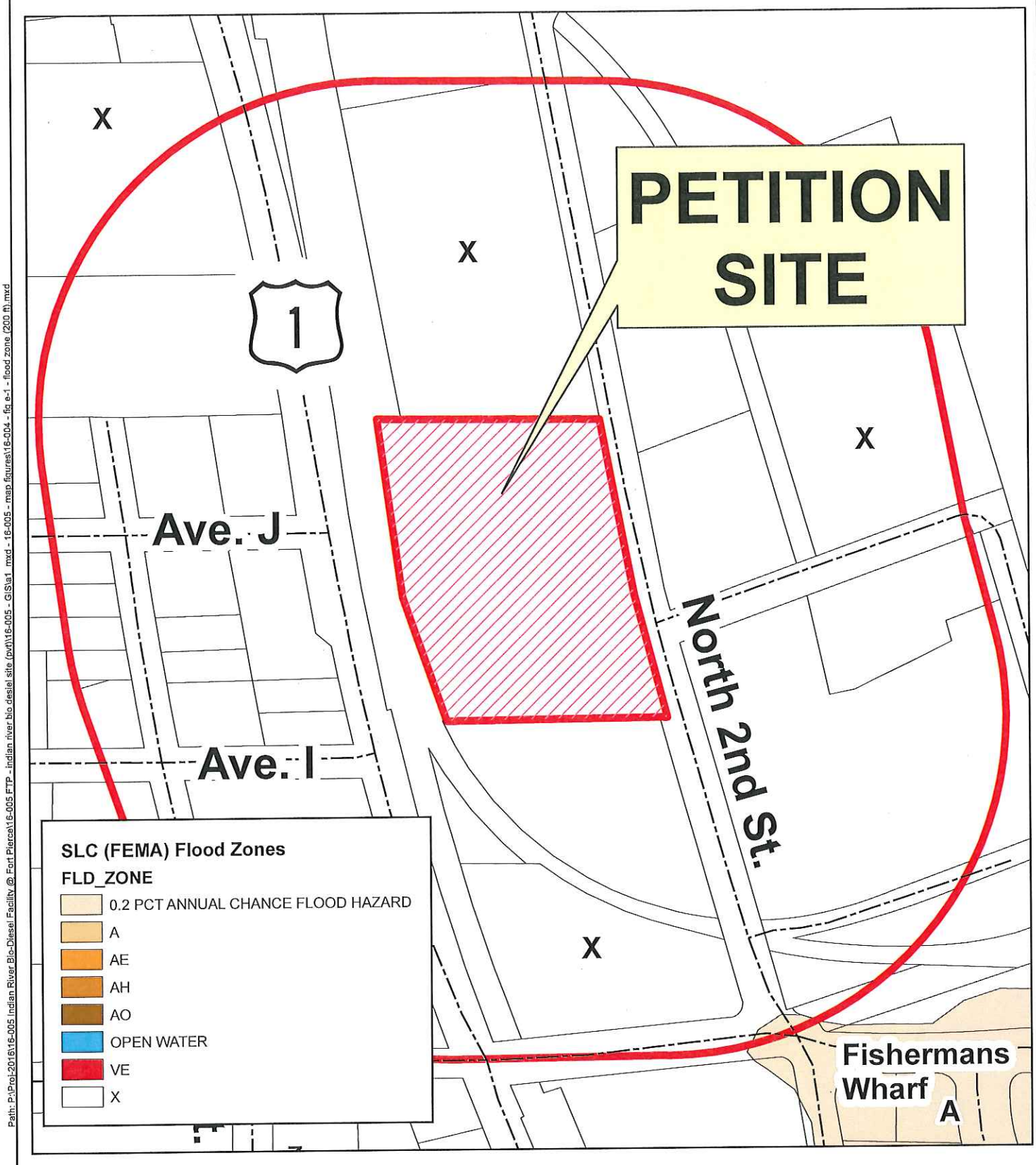
Marine Commercial (MC):
The Marine Commercial designation is intended to promote commercial and industrial uses with a focus on marine related establishments along the waterfront. Uses allowed within this designation include marine-related light industrial activities and tourist activities, marinas, boat stores/boat repair, restaurants, retail shops, hotels, and offices. Multifamily residences also allowed in this designation. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.0. Residential uses may comprise up to 20% of the total floor area of the Marine Commercial future land use designation.

D. Industrial

Industrial (I):
The Industrial designation is intended for parcels suitable for industrial development and to promote the City's position as a major employment center. The uses allowed under this designation include light manufacturing and processing facilities; storage and distribution facilities; warehousing; general and intensive commercial uses; research corporate parks, large business parks and mixed use office parks; office, retail, and service uses that provide support to employees; and compatible public, quasi-public, and special uses. This land use designation allows a maximum FAR of 1.5.

E. Conservation/Open Space

Conservation and Open Space (COS): The Conservation and Open Space designation is intended to provide for the preservation, continued growth, and enhancement of the City's rich resource of conservation areas, parklands, environmentally sensitive areas, recreational areas and open spaces. The designation provides for natural, managed and cultivated open space, including, natural parks, woodlands, habitat, floodplains, areas with permanent open space easements, greenways, and recreational facilities. This category combines the previously General Open Space (Os), Recreational Open Space (Osr), and Conservation Open Space (Osc) categories. This designation allows a maximum FAR of 0.25.



Path: P:\Proj-2016\16-005 Indian River Bio-Diesel Facility @ Fort Pierce\16-005 FTP - indian river bio desiel site (ovh)\16-005 - GIS\a1_mxd - 16-005 - map figures\16-004 - fig e-1 - flood zone (200 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

Petition Parcel

500 ft Notice Ring

Community ID: 120285/ 1202856
Flood Map ID: 12111 C 0179 J
Date: February 2012

N
W E
S

1 in = 200 ft

Exhibit - E-1

Flood Zone Map
(close view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS

FLOOD HAZARD ZONE DESCRIPTION/DEFINITIONS

- **Flood Zones**

Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).

- **SPECIAL FLOOD HAZARD AREA (SFHA)**

The land area covered by the floodwaters of the base flood is the Special Flood Hazard Area (SFHA) on NFIP maps. The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. The SFHA includes Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE, and V.

- **Zone A**

Areas subject to inundation by the 1-percent-annual-chance flood event, generally determined using approximate methodologies. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.

- **Zone AE and A1-30**

Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown (refer to local area flood map for BFE's designations). Mandatory flood insurance purchase requirements and floodplain management standards apply.

- **Zone AH**

Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone (refer to local area flood map for BFE's designations). Mandatory flood insurance purchase requirements and floodplain management standards apply.

- **Zone AO**

Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown in this zone (refer to local area flood map for BFE's designations). Mandatory flood insurance purchase requirements and floodplain management standards apply.

- **Zone A99**

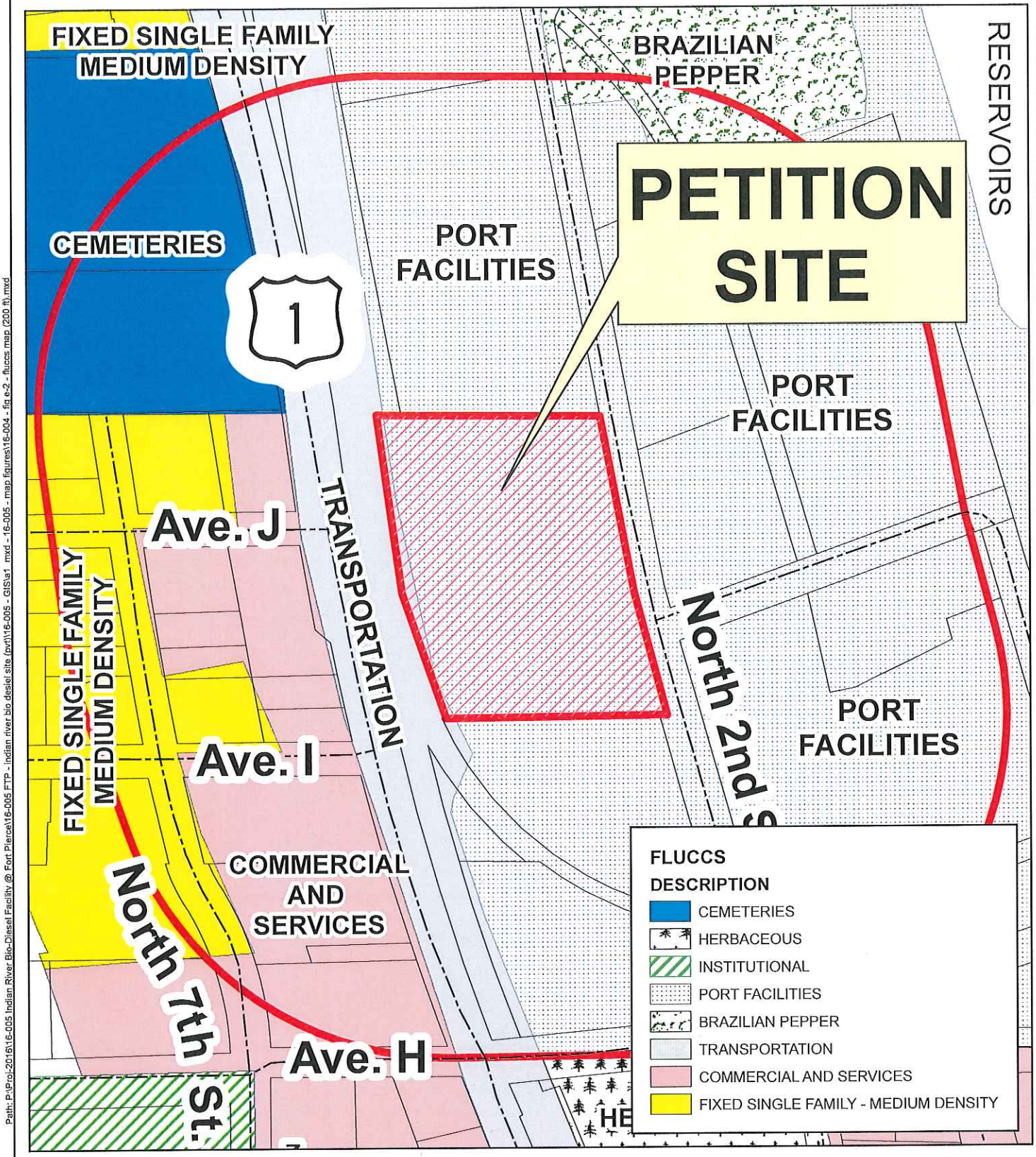
Areas subject to inundation by the 1-percent-annual-chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No Base Flood Elevations (BFEs) or depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.

- **Zone V**

Areas along coasts subject to inundation by the 1-percent-annual-chance flood event with additional hazards associated with storm-induced waves. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.

- **Zone VE and V1-30**

Areas subject to inundation by the 1-percent-annual-chance flood event with additional hazards due to storm-induced velocity wave action (refer to local area flood map for BFE's designations). Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.



Path: P:\Proj-2016\16-005 Indian River Bio-Diesel Facility @ Fort Pierce\16-005 FTP - indian river bio desiel site (pvt)\16-005 - GIS\a1 .mxd - 16-005 - map figures\16-004 - fig e-2 - flucss map (200 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

- Petition Parcel
- 500 ft Notice Ring

N
W E
S

1 in = 200 ft

Exhibit - E-2

FLUCCS Map
(close view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS

FLUCCS LAND USE CODE DESCRIPTIONS
(Source FDOT)

100 URBAN AND BUILT-UP

Urban and built-up land consists of areas of intensive use with much of the land occupied by man-made structures. Included in this category are cities, towns, villages, strip developments along highways such areas as those occupied by malls, shopping centers, industrial and commercial complexes and institutions that may, in some instances, are isolated from urban areas.

110 - 130 Residential

Residential land uses range from high-density urban housing developments to low-density rural areas characterized by a relatively small number of homes per acre. The variation extends from the multi-family apartment complexes generally located in larger urban centers to those single-family houses sometimes having lot sizes of more than one acre.

Other land use categories may embrace areas that meet the Residential category requirement. Often such residential sections are an integral component of the category with which they are associated and should be included within that category. For example, in the Institutional category residential units may be found on military bases in the form of barracks, apartments, dormitories or homes and on college and university campuses in the form of apartments and dormitories in close proximity to instructional buildings. Agricultural field operations and resort facilities commonly provide temporary lodging for their employees and these areas should be classified under Agriculture and Commercial and Services respectively.

110 Residential, Low Density (Less than two dwelling units per acre)
111 Fixed Single Family Units
112 Mobile Home Units
113 Mixed Units (Fixed and mobile home units) *Note
116 Low Density with Golf Courses and Small Bodies of Water
119 Low Density Under Construction
120 Residential, Medium Density (Two-five dwelling units per acre)
121 Fixed Single Family Units
122 Mobile Home Units
123 Mixed Units (Fixed and mobile home units
126 Medium Density with Golf Courses and Small Bodies of Water
129 Medium Density Under Construction
130 Residential, High Density
131 Fixed Single Family Units (Six or more dwelling units per acre)
132 Mobile Home Units (Six or more dwellings units per acre)
133 Multiple Dwelling Units, Low Rise (Two stories or less)
134 Multiple Dwelling Units, High Rise (Three stories or more)
135 Mixed Units (Fixed and mobile home units)
136 Multiple-High Density Units: One, Two, or Three Stories with Golf Courses and Small Bodies of Water
139 High Density Under Construction

140 Commercial and Services

Commercial areas are predominantly associated with the distribution of products and services. This category is composed of a large number of individual types of commercial land uses which often occur in complex mixtures. The Commercial and Services category includes all secondary structures associated with an enterprise in addition to the main building and integral areas assigned to support the base unit.

141 Retail Sales and Services
142 Wholesale Sales and Services (Excluding warehouses associated with industrial use)
143 Professional Services
144 Cultural and Entertainment
145 Tourist Services
146 Oil and Gas Storage <except those areas associated with industrial use or manufacturing>
147 Mixed Commercial and Services
148 Cemeteries
149 Commercial and Services Under Construction

150 Industrial

The Industrial category embraces those land uses where manufacturing, assembly or processing of materials and products are accomplished. Industrial areas include a wide array of industry types ranging from light manufacturing and industrial parks to heavy manufacturing plants. Also included are those facilities for administration and research, assembly, storage and warehousing, shipping and associated parking lots and grounds.

151	Food Processing
152	Timber Processing
153	Mineral Processing
154	Oil and Gas Processing
155	Other Light Industrial
156	Other Heavy Industrial
159	Industrial Under Construction

170 Institutional

Educational, religious, health and military facilities are typical components of this category. Included within a particular institutional unit are all buildings, grounds and parking lots that compose the facility. Those areas not specifically related to the purposes of the institution should be excluded.

171	Educational Facilities
172	Religious
173	Military
174	Medical and Health care
175	Governmental
176	Correctional
177	Other Institutional
178	Commercial Child Care
179	Institutional Under Construction

300 RANGELAND

Historically, rangeland has been defined as land where the potential natural vegetation is predominantly grasses, grass like plants, forbs or shrubs and is capable of being grazed. Management practices may include brush control, regulation of grazing intensity and season of use. If revegetated to improve the forage cover, it is managed like native vegetation. Generally, this land is not fertilized, cultivated or irrigated.

310	Herbaceous (Dry Prairie)
320	Shrub and Brushland
321	Palmetto Prairies
322	Coastal Scrub
329	Other Shrubs and Brush
330	Mixed Rangeland

400 UPLAND FORESTS

This category of land cover is reserved for those upland areas which support a tree canopy closure of ten (10) percent or more. The Upland Forests include both the xeric (drysite) and mesic (moderately moist site) forest communities. Wetland, or hydric, forest communities fall under the broad wetland category. Also included in the Upland Forest category are areas in which timber harvesting has occurred but which exhibit no evidence of being developed for other intended uses (clear-cuts in an area in which rotation forest management is practiced is a prime example of such a case).

410	Upland Coniferous Forests
411	Pine Flatwoods
412	Longleaf Pine - Xeric Oak
413	Sand Pine
414	Pine - Mesic Oak
415	Mixed Pine
419	Other Pines
420	Upland Hardwood Forests
421	Xeric Oak
422	Brazilian Pepper
423	Oak - Pine – Hickory
424	Melaleuca
425	Temperate Hardwood
426	Tropical Hardwoods
427	Live Oak
428	Cabbage Palm
429	Wax Myrtle - Willow
430	Upland Hardwood Forests Continued
431	Beech - Magnolia
432	Sand Live Oak

433 Western Everglades Hardwoods
434 Hardwood - Conifer Mixed
435 Dead Trees
436 Upland Scrub, Pine and Hardwoods
437 Australian Pine
438 Mixed Hardwoods
439 Other Hardwoods
440 Tree Plantations
441 Coniferous Plantations
4411 Sand Pine Plantations
4412 Christmas Tree Plantations
442 Hardwood Plantations
4421 Eucalyptus Plantations
443 Forest Regeneration Areas
444 Experimental Tree Plots
445 Seed Plantations

500 WATER

The delineation of water areas depends upon the scale and resolution characteristics of the remote sensor imagery used for interpretation. One definition of water bodies, provided by the Bureau of Census, includes all areas within the land mass of the United States that are predominantly or persistently water covered provided that, if linear, they are at least 1/8 mile (660 feet or 200 meters) wide or, if extended, cover at least 40 acres (16 hectares). When defining water bodies at Level III, linear water bodies less than 1/8 mile wide and extensive water bodies less than 40 acres in size are classified. In some instances, water bodies of one acre will be identified and plotted. Those portions of a water body having emergent vegetation or observable submerged vegetation are placed in the Wetlands category (600).

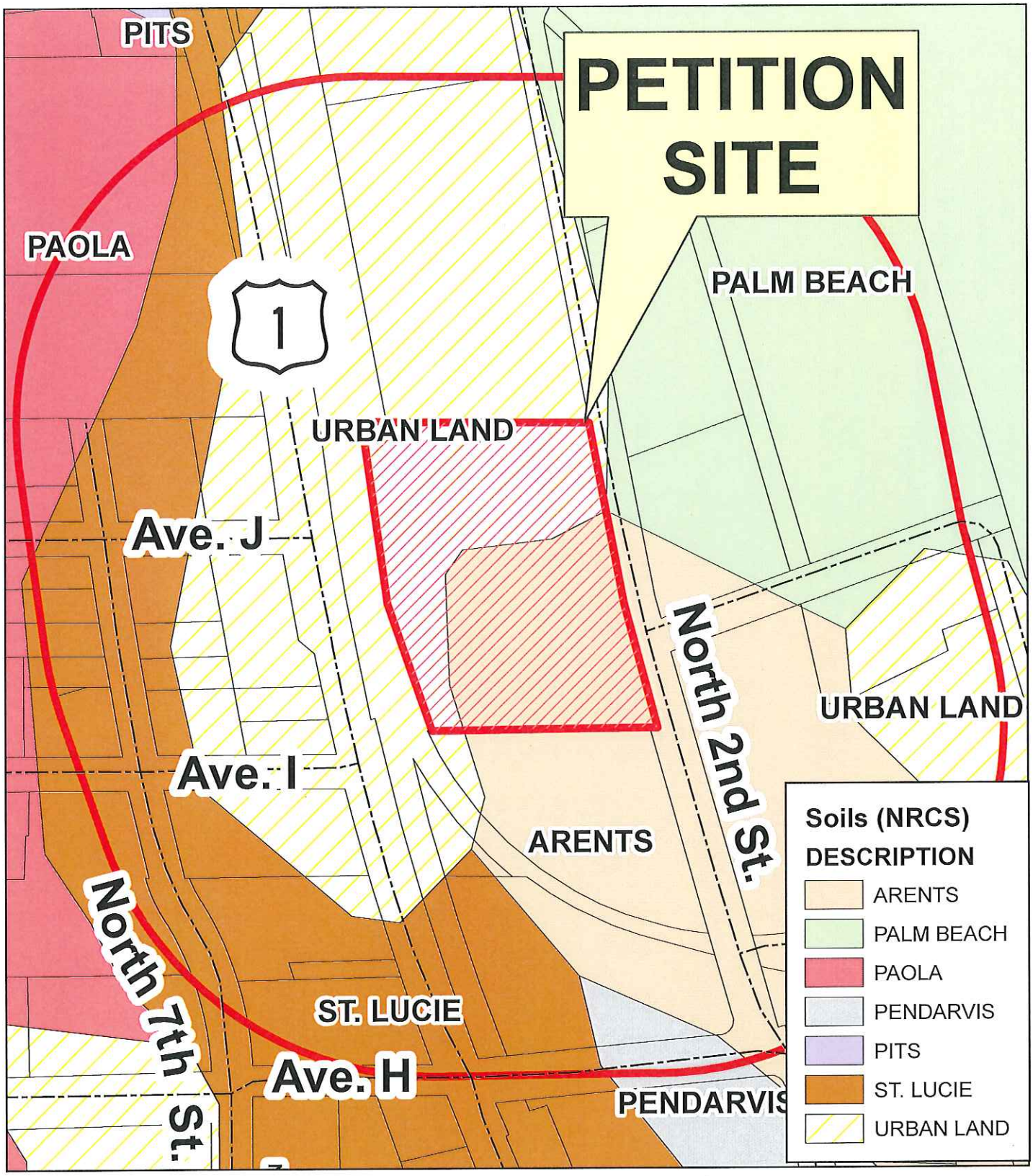
510 Streams and Waterways
520 Lakes
530 Reservoirs
540 Bays and Estuaries
550 Major Springs
560 Slough Waters
570 Major Bodies of Water
571 Atlantic Ocean
572 Gulf of Mexico

800 TRANSPORTATION, COMMUNICATION AND UTILITIES

Transportation facilities are used for the movement of people and goods; therefore, they are major influences on land and many land use boundaries are outlined by them.

Transportation areas also embrace ports, docks, shipyards, dry docks, locks and water course control structures designed for transportation purposes. The docks and ports include buildings, piers, parking lots and adjacent water utilized by ships in the loading and unloading of cargo or passengers. Locks, in addition to the actual structures, include the control buildings, power supply buildings, docks and surrounding supporting land use (i.e., parking lots and green areas).

810 Transportation
811 Airports
812 Railroads
813 Bus and Truck Terminals
814 Roads and Highways
815 Port Facilities
816 Canals and Locks
817 Oil, Water or Gas Long Distance Transmission Lines
818 Auto Parking Facilities (When not directly related to other land use)
819 Transportation Facilities Under Construction
820 Communications
821 Transmission Towers <Microwave towers are typical in this category>
822 Communication Facilities <Includes transmitter stations, telephone exchanges, antenna farms, etc.>
829 Communication Facilities Under Construction
830 Utilities
831 Electric Power Facilities
832 Electrical Power Transmission Lines
833 Water Supply Plants <Including pumping stations>
834 Sewage Treatment
835 Solid Waste Disposal
839 Utilities Under Construction



Path: P:\Proj-2016\16-005 Indian River Bio-Diesel Facility @ Fort Pierce\16-005 FTP - indian river bio desiel site (evr)\16-005 - GIS\a1 mxd - 16-005 - map figures\16-004 - fig e-3 - soils map (200 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

- Petition Parcel
- 500 ft Notice Ring

N
W E
S

1 in = 200 ft

Exhibit - E-3

Soils Map
(close view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS

PALM BEACH SERIES

The Palm Beach series consists of very deep, well to excessively drained, very rapidly permeable soils on dune-like ridges that are generally parallel to the coast. They formed in thick deposits of sand and shell fragments. Near the type location, the mean annual temperature is about 72 degrees F., and the mean annual precipitation is about 60 inches. Slopes range from 0 to 17 percent.

GEOGRAPHIC SETTING: P

alm Beach soils are on dune-like ridges generally parallel to the coast. They formed in regolith that is a marine deposit of thick beds of sand and shell fragments. The climate is humid semitropical. Slopes range from 0 to 17 percent. The average annual air temperature ranges from 72 to 73 degrees F., and the average annual precipitation ranges from 50 to 70 inches.

GEOGRAPHICALLY ASSOCIATED SOILS:

These include the competing St. Lucie series and the Anclote, Basinger, Canaveral, Immokalee, Myakka, Paola, Pomello, and Welaka series. All the associated soils except Canaveral and Welaka soils lack shells within depths of 80 inches. The very poorly drained Anclote soils are in lower adjacent depressions and drainageways and have mollic epipedons. Basinger, Paola, and Welaka have some development of spodic horizons. In addition, Basinger soils are on adjacent lower positions and are poorly and very poorly drained, the excessively drained Paola soils are on similar positions, and the well drained Welaka soils are on slightly lower positions. Canaveral and Pomello soils are on lower positions. In addition, Canaveral soils are moderately well to somewhat poorly drained and Pomello soils are somewhat poorly drained and have spodic horizons. The poorly and very poorly drained Immokalee and Myakka soils are on adjacent lower positions and have spodic horizons.

DRAINAGE AND PERMEABILITY:

Well to excessively drained; very rapid permeability.

USE AND VEGETATION:

Most areas are in native vegetation or is developed urban land. A few small areas are cleared and used for growing citrus. Native vegetation consists of cabbage palm, running oak, sawpalmetto, common seagrape, seaoats, bays, and oaks.

DISTRIBUTION AND EXTENT:

Atlantic and Gulf Coastal Plain, principally in peninsular Florida. The series is of small extent.

REMARKS:

Depth to seasonal water table is more than 120 inches.

****

PAOLA SERIES

The Paola series consists of very deep, excessively drained, very rapidly permeable soils on uplands. They formed in thick sandy marine deposits. Near the type location, the mean annual temperature is about 72 degrees F., and the mean annual precipitation is about 55 inches. Slopes range from 0 to 20 percent.

GEOGRAPHIC SETTING:

These soils are on uplands of the Coastal Plain. They formed sandy marine deposits more than 7 feet thick. The climate is humid subtropical. Slopes range from 0 to 20 percent. The average annual temperature is about 70 to 74 degrees F., and the average annual rainfall ranges from 50 to 60 inches.

GEOGRAPHICALLY ASSOCIATED SOILS:

In addition to the competing Orsino series, these include the Astatula, Candler, Immokalee, Myakka, Pomello, and St. Lucie series. Astatula, Candler, and St. Lucie soils lack spodic properties. Immokalee, Myakka, and Pomello soils are on lower positions and are Spodosols.

DRAINAGE AND PERMEABILITY:
Excessively drained; very rapid permeability.

USE AND VEGETATION:
Primarily in forest. Native vegetation consists of sand pine, slash pine, longleaf pine, scrub live oak, scattered turkey oak, and bluejack oak. The undergrowth consists of cacti, mosses, lichens, creeping dodder, rosemary, and scattered sawpalmetto.

DISTRIBUTION AND EXTENT:
Peninsular Florida. The series is of large extent.

REMARKS:
Water table is deeper than 72 inches.

****

ST. LUCIE SERIES

The St. Lucie series consists of very deep, excessively drained, very rapidly permeable soils on dune-like ridges and on isolated knolls. They formed in marine or eolian sand. Near the type location, the mean annual temperature is about 72 degrees F., and the mean annual precipitation is about 60 inches. Slopes range from 0 to 20 percent.

GEOGRAPHIC SETTING:
St. Lucie soils are on dune-like ridges and on isolated knolls. They formed in marine or eolian sand. The climate is humid semitropical. Slopes range from 0 to 20 percent. The average annual air temperature ranges from 72 to 74 degrees F., and the average annual precipitation ranges from 50 to 70 inches.

GEOGRAPHICALLY ASSOCIATED SOILS:
These include the competing Astatula and Palm Beach series, along with the Basinger, Immokalee, Myakka, Satellite, and Placid series. Basinger, Immokalee, Myakka, Satellite, and Placid soils are on lower adjacent positions. In addition, Basinger, Immokalee, and Myakka soils are poorly and very poorly drained and have spodic horizons, Satellite soils are somewhat poorly drained, and Placid soils are very poorly drained.

DRAINAGE AND PERMEABILITY:
Excessively drained; very rapid permeability.

USE AND VEGETATION:
Most areas of St. Lucie soil are in scrub forest. Some areas are used for building sites and as a source of sand for concrete. Vegetation is dominated by sand live oak, sand pine, dwarf willow, sawpalmetto, rosemary, pricklypear cactus, and lichens.

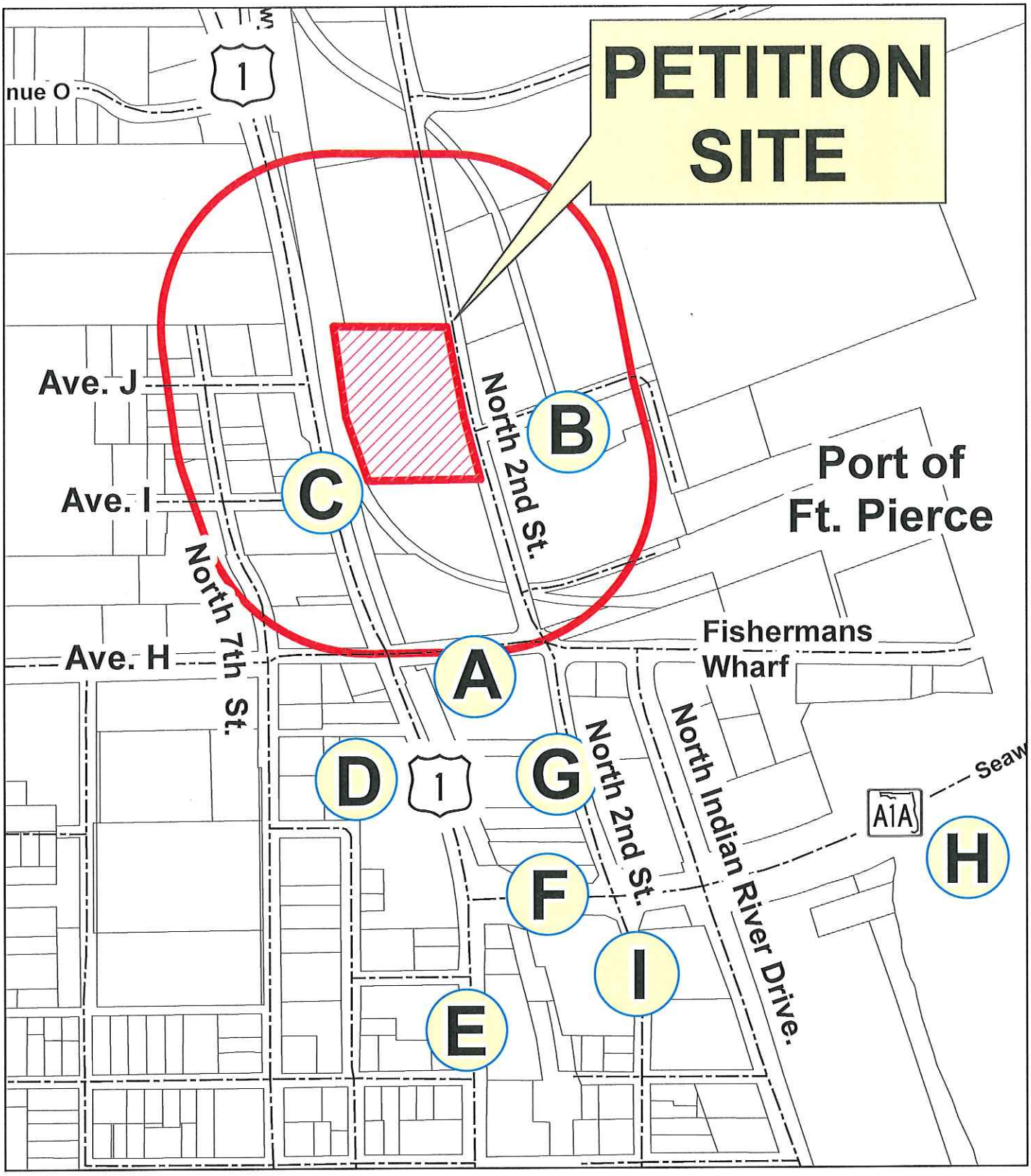
DISTRIBUTION AND EXTENT:
Peninsular Florida. The series is of moderate extent.

REMARKS:
Genesis of the St. Lucie soils is not clearly understood. No subsurface diagnostic horizons are within depths of 7 feet, but the uncoated sand grains suggest an albic horizon similar to, but thicker than those of the Pomello and Leon soils. Low chroma colors are not indicative of wetness, and the seasonal water table is more than 72 inches deep.

****

ARENTS SERIES

No Description Available



Path: P:\Proj-2016\16-005 Indian River Bio-Diesel Facility @ Fort Pierce\16-005 FTP - indian river bio desiel site (pvt)\16-005 - GIS\a1 .mxd - 16-005 - map figures\16-004 - fig f-1a - transportation (200 ft).mxd

Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

- Petition Parcel
- 500 ft Notice Ring

N
W E
S

1 in = 400 ft

Exhibit - F-1

Traffic Impacts Map
(close view)

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS

Indian River Bio-Fuel - Ft. Pierce
Traffic Impact Summary

A	aadt
existing	750
project	43
total	793
LOS	B

B	aadt
existing	n/a
project	85
total	n/a
LOS	B

C	aadt
existing	28,000
project	36
total	28,036
LOS	B

D	aadt
existing	28,000
project	19
total	28,019
LOS	B

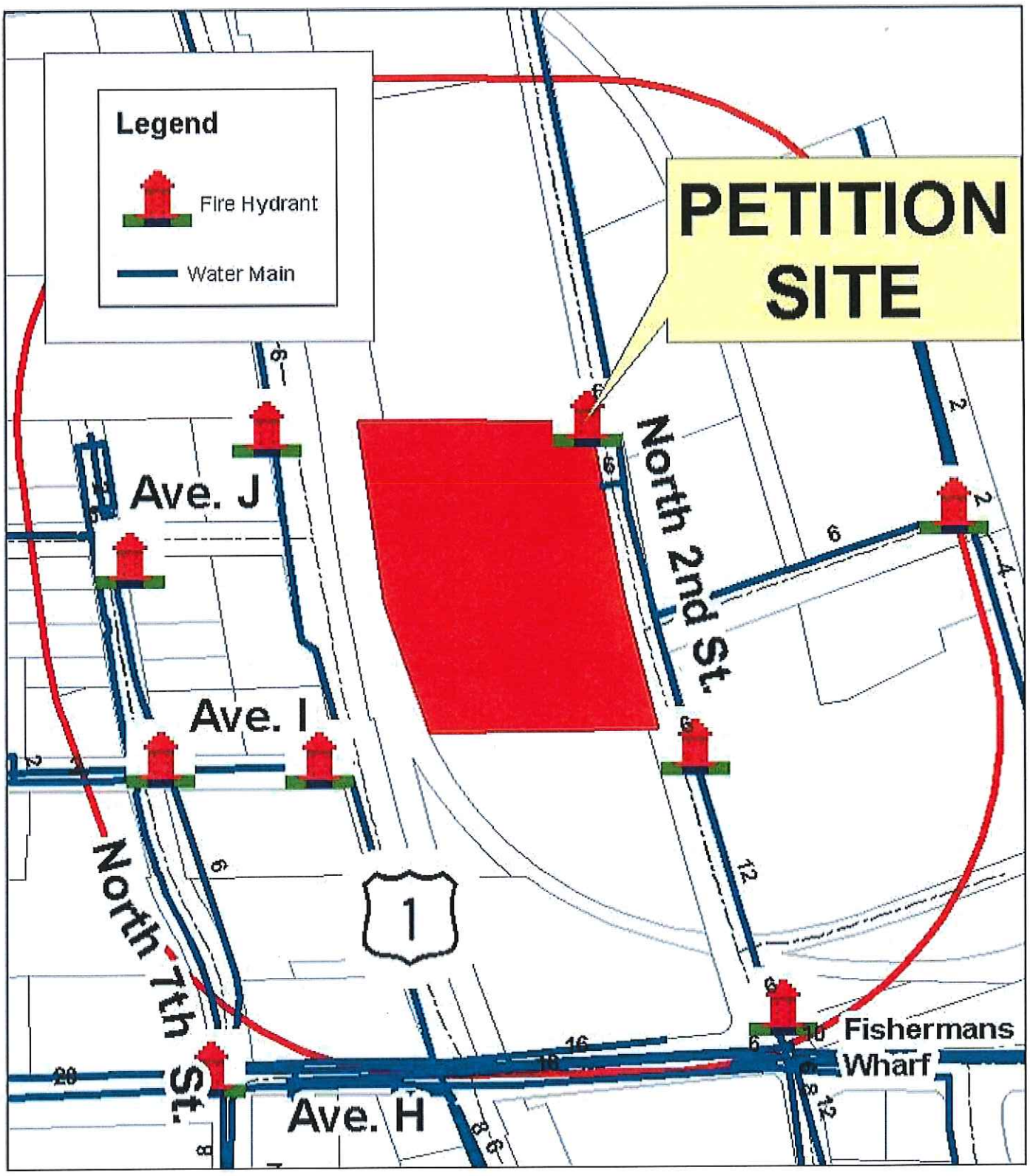
E	aadt
existing	26,675
project	46
total	26,721
LOS	B

F	aadt
existing	9,799
project	39
total	9,838
LOS	B

G	aadt
existing	N/A
project	42
total	N/A
LOS	B

H	aadt
existing	9,799
project	2
total	9,801
LOS	B

I	aadt
existing	N/A
project	1
total	N/A
LOS	B



Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

- Petition Parcel
- 500 ft Notice Ring

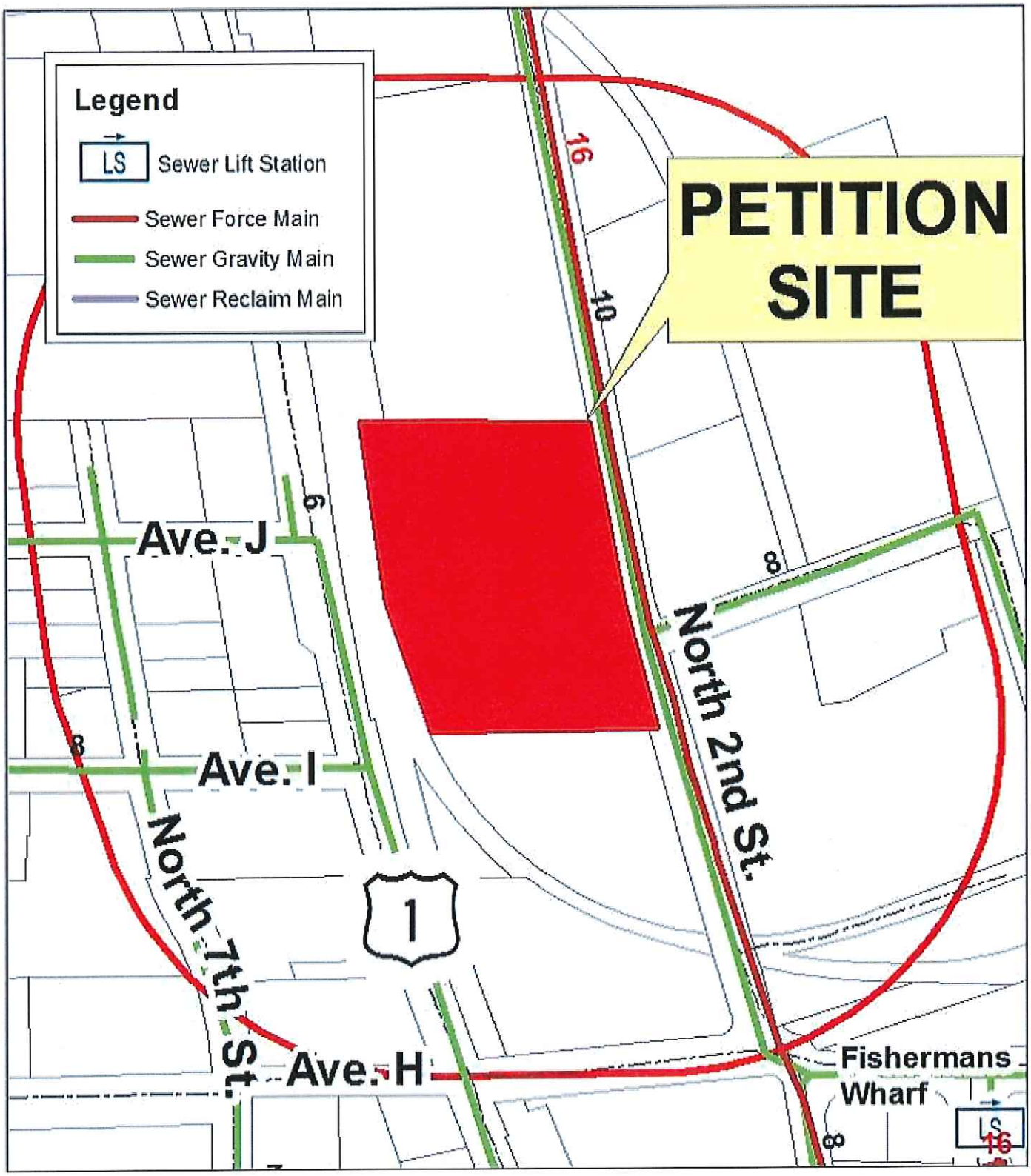
N
W E
S

1 In = 200 ft

Exhibit - G-1

Utilities (Water) Map
(close view)

GILBERT & TERRENING, INC.



Indian River Bio-Fuel - Ft. Pierce Facility
Conditional Use Application

LEGEND

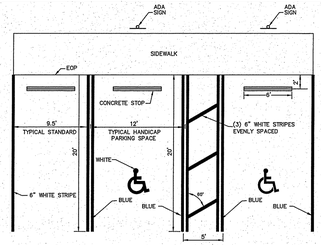
- Petition Parcel
- 500 ft Notice Ring

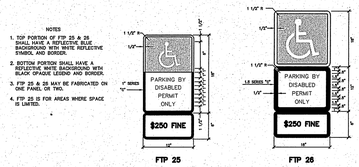
N
W E
S

1 In = 200 ft

Exhibit - G-2

Utilities (Sewer) Map
(close view)



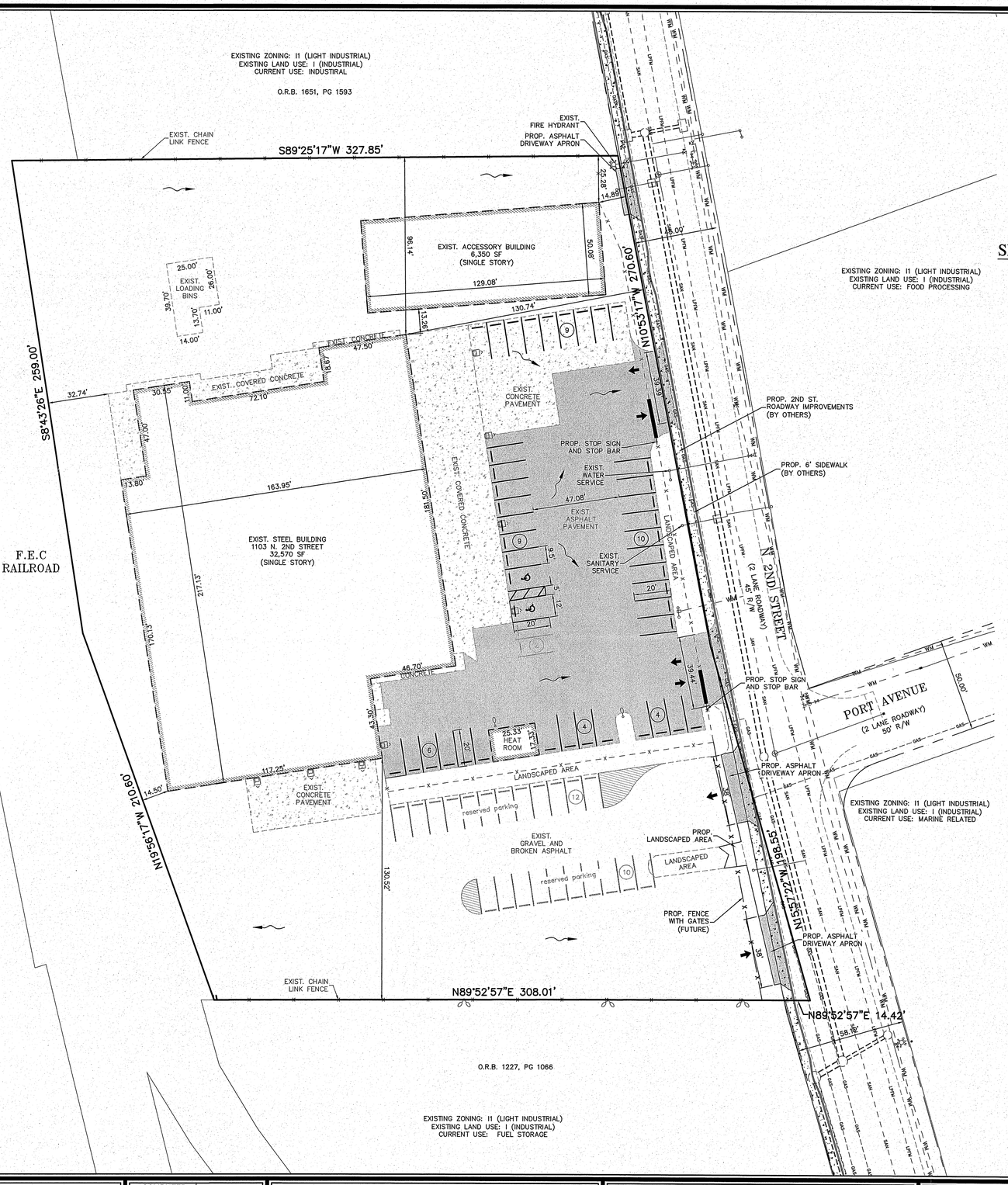


HANDICAP & STANDARD PARKING DETAIL

N.T.S.

LEGAL DESCRIPTION:

THAT PART OF LOT 6, OF THE ASSESSOR'S MAP OF THE NORTH PART OF FORT PIERCE, FLORIDA WHICH LIES BETWEEN NORTH SECOND STREET AND THE RIGHT OF WAY OF THE FLORIDA EAST COAST RAILWAY AND THAT PART OF THE SOUTH 150 FEET OF THE EAST 225 FEET OF LOT 6, BLOCK A, ASSESSOR'S MAP OF FORT PIERCE, AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 1, AT PAGE 164, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LYING WEST OF SECOND STREET.



LEGEND

- EXIST. CONCRETE PAVEMENT
- EXIST. ASPHALT PAVEMENT
- OVERLAND FLOW DIRECTION
- EXIST. FENCE
- PROP. FENCE
- EXIST. FIRE HYDRANT
- PROPOSED WHEELSTOP
- EXIST. WALL MOUNTED LIGHT
- EXIST. SINGLE LIGHT POLE
- EXIST. DOUBLE LIGHT POLE
- PROPERTY LINE
- EXIST. EXISTING
- PROP. PROPOSED
- TYP. TYPICAL

GRAPHIC SCALE
30 0 15 30
(IN FEET)
1 inch = 30 ft.

SITE DATA

1. PROJECT NAME:
INDIAN RIVER BIODIESEL FORT PIERCE FACILITY

2. LOCATION:
1103 N. 2ND STREET
FORT PIERCE, FL

3. PROJECT DESCRIPTION:
BIODIESEL PRODUCTION FACILITY

4. PARCEL ID NUMBER:
2403-705-0006-000-9

5. PLANNING AREA:
3.47 ACRES
151,179 SQ FT

6. ZONING:
I1 (LIGHT INDUSTRIAL)

7. LAND USE:
I (INDUSTRIAL)

8. DEVELOPMENT SCHEDULE:
START APRIL 1, 2016
COMPLETE: AUGUST 1, 2016

9. FLOOD ZONE:
THE PROJECT IS LOCATED IN FLOOD ZONE X
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP NUMBER 12111C0179J, PANEL 179 OF 420, DATED FEBRUARY 16, 2012.

10. SITE COVERAGE (PLANNING AREA)

	ACREAGE	SQ FEET	% OF SITE
EX. BLDG	0.90	39,359	26%
EX. PAVEMENT	0.83	36,345	24%
TOTAL IMPERVIOUS	1.74	75,704	50%
TOTAL PERVIOUS	1.73	75,475	50%
TOTAL	3.47	151,179	100%

11. BUILDING HEIGHT:
MAXIMUM BUILDING HEIGHT: NA

12. BUILDING SETBACK

SETBACKS (FEET)	REQUIRED	PROVIDED
FRONT	15'	130'
REAR	15'	14.5'
SIDE	15'	86'

13. UTILITY SERVICES:

WATER SERVICE:	FPUA	ELECTRIC SERVICE:	FPUA
SEWAGE SERVICE:	FPUA	SOLID WASTE:	FPUA
CABLE SERVICE:	COMCAST		

14. REFUSE COLLECTION:
TRASH AND SOLID WASTE IS COLLECTED AT CENTRAL PICK-UP LOCATION, TO BE LOCATED ON SITE BASED ON PRODUCTION FLOW/PROCESS.

15. PARKING REQUIRED:

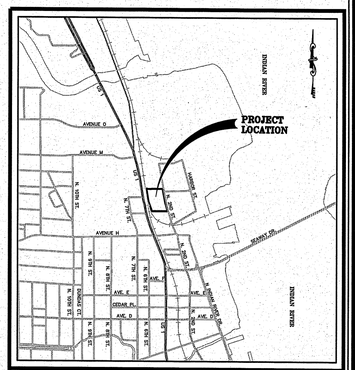
	REQUIRED	PROVIDED
1 SPACE / 600 SF OF ENCLOSED BUILDING : INCLUDED 2 HANDICAP SPACES	66 SPACES	42 SPACES (MARKED) 24 SPACES (RESERVED) (SEE SITE PLAN)

16. SITE DRAINAGE:
THE EXISTING SITE DRAINS VIA SHEET FLOW TO N. 2ND ST.
NO MODIFICATIONS TO THE EXISTING SITE DRAINAGE ARE PROPOSED.

17. WATER AND WASTEWATER STATEMENT:
THE EXISTING WATER AND WASTEWATER SERVICE IS PROVIDED BY FORT PIERCE UTILITY AUTHORITY (FPUA).

18. TRAFFIC STATEMENT:
ITE CODE: 140 (MANUFACTURING) 9TH EDITION
DAILY TRIPS: 2.13 / EMPLOYEE (2.13 X 40) = 85 VPD
AM PEAK HR: 0.39 / EMPLOYEE (0.39 X 40) = 16 VPH
PM PEAK HR: 0.40 / EMPLOYEE (0.40 X 40) = 16 VPH

19. GENERAL NOTE:
THE SITE LIGHTING IS EXISTING AS SHOWN ON THE SITE PLAN AND NO NEW LIGHTING IS PROPOSED.



PROJECT LOCATION MAP

NTS

SECTION 03, TOWNSHIP 35S, RANGE 40E

DEVELOPMENT TEAM

1. OWNER:
EGAN PACKING, LLC
1900 OLD DIXIE HWY
FORT PIERCE, FL 34946

2. PETITIONER:
INDIAN RIVER BIODIESEL, INC.
1810 OLD OKEECHOBEE ROAD, SUITE A
WEST PALM BEACH, FL 33409
PHONE: (772) 532-4258
EMAIL: RIPPRATT@YAHOO.COM

3. OWNER'S REPRESENTATIVES / ENGINEER
CULPEPPER & TERPENING, INC.
2980 SOUTH 25TH STREET
FORT PIERCE, FL 34981
PHONE: (772) 464-3537
FAX: (772) 464-9497
EMAIL: SMATTHES@CT-ENG.COM

4. ARCHITECT:
DONADIO & ASSOCIATES, ARCHITECTS, P.A.
609 17TH STREET
VERO BEACH, FL 34960
PHONE: (772) 794-2929
FAX: (772) 562-8600
EMAIL: ANTHONY@DONADIO-ARCH.COM

5. LANDSCAPE ARCHITECT:
LANDSCAPE ARCHITECT CONSULTANTS, INC.
5215 W. BROWARD BOULEVARD
PLANTATION, FL 33317
PHONE: (954) 581-1110
EMAIL: TOM@LACFL.COM

7. PROJECT SURVEYOR
MASTELLER, MOLER & TAYLOR, INC.
1655 27TH STREET, SUITE 2
VERO BEACH, FL 32960
PHONE: (772) 564-8050
FAX: (772) 794-0647
EMAIL: DT5243@BELLSOUTH.NET

STEFAN KARL MATTHES LICENSE No 38723 STATE OF FLORIDA PROFESSIONAL ENGINEER

STEFAN K. MATTHES P.E. #38723

811 Know what's below. Call before you dig.

COMPUTER FILE REF.	FIELD BK./PG.
16-005 BASE.dwg	

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981
151 SW FLAGLER AVENUE • STUART, FLORIDA 34994
PHONE 772-464-3537 • FAX 772-464-9497 • www.ct-eng.com
STATE OF FLORIDA CERTIFICATION No. LB 4286

- REVISIONS -	BY	DATE
.	.	.
.	.	.
.	.	.
.	.	.
.	.	.

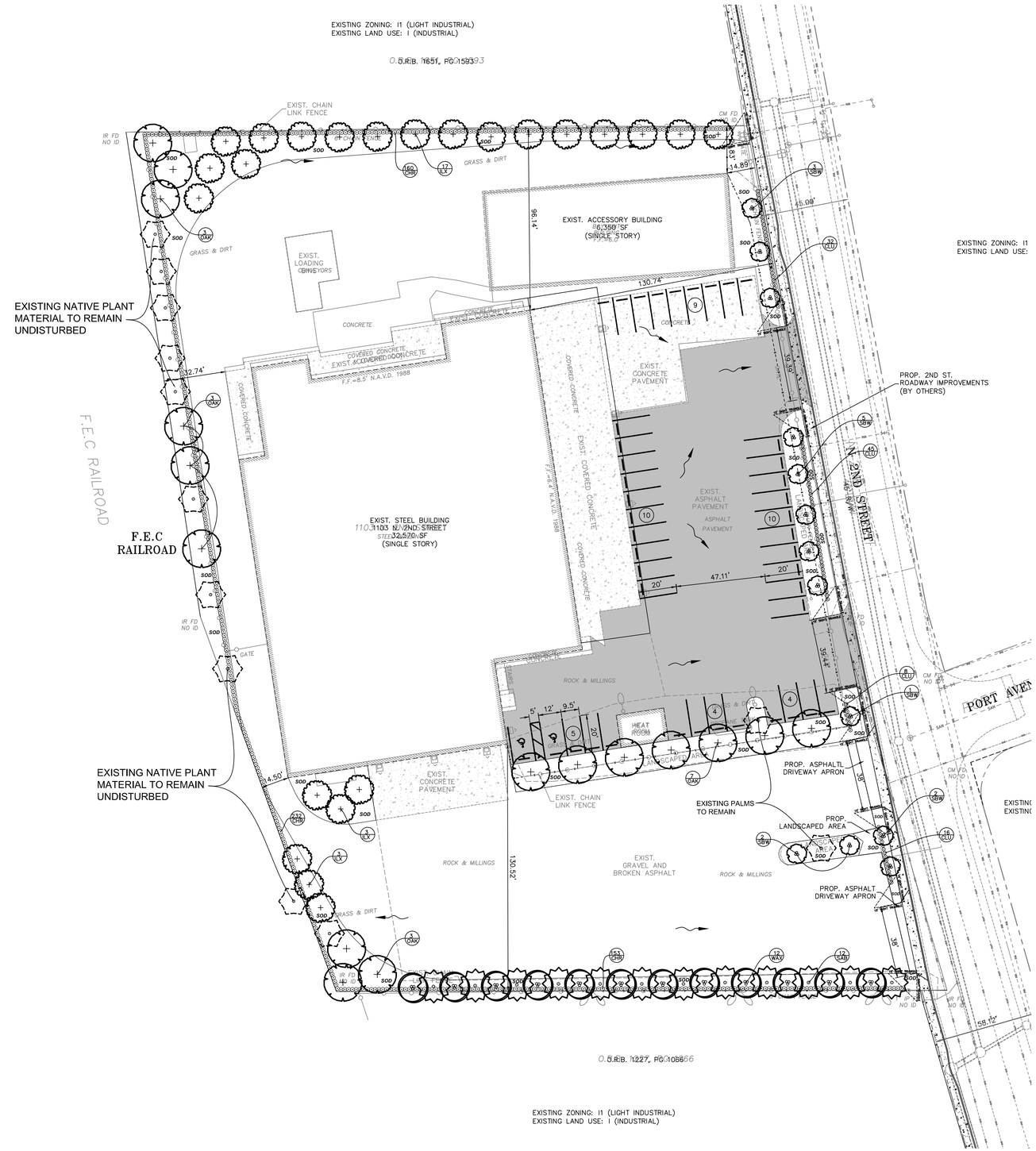
	BY	DATE
DESIGNED	SKM	01/27/16
CALCS.	DM	01/29/16
DRAWN	JK	01/27/16
DETAILED	JK	01/27/16
CHECKED	.	.
APPROVED	SKM	02/01/16

INDIAN RIVER BIODIESEL FORT PIERCE FACILITY

SITE PLAN

DATE: 02/01/16
HORIZ. SCALE: 1"=30'
VERT. SCALE: N/A
JOB No. 16-005
SHEET 1 of 1

P:\Proj\2015\16-005 Indian River Bio-Diesel Facility @ Fort Pierce\Dgn\16-005 BASE.dwg, 2/1/2016 9:25:05 AM, DWG To PDF.pc3



CITY OF FORT PIERCE
LAND DEVELOPMENT CODE - Industrial Zone (I-1)

	REQUIRED	PROVIDED
SECTION 22-187 GENERAL LANDSCAPING REQUIREMENTS		
Buffering the site from N. 2nd Street, adjacent properties, N. US Highway 1 & Interior Landscaping to enhance site.	yes	yes
SECTION 22-187 LANDSCAPING IMPROVEMENTS		
(4) Landscape Strips. Between street rights-of-way and vehicular use, building and retention/detention areas, there shall be a landscaped strip of land, except where driveways are located, meeting these requirements:	yes	yes
a). Landscape strip area min. 10' wide for lots 10,000 sf or larger	yes	yes
b). ave. 1 Tree / 300' SF of required landscape area		
WEST = 469.60 LF x 10' wide = 4696.0 / 300 SF = 15.6 TREES	16 TREES	16 TREES
EAST = 288.15 LF x 10' wide = 2881.5 / 300 SF = 9.6 TREES	10 TREES	10 TREES
SCREEN = min 36" continuous hedge within 1 year after planting	yes	yes
(5) Other property. All property, other than the required landscape strip, located between street right-of-way and buildings, shall be completely covered with grass or other ground cover except to the extent there are permitted, impervious surface structure such as sidewalk, plazas, and driveways.	yes	yes
(6) Vehicular use, building, retention/detention areas adj. to other property. Landscape standards for these areas are as follows:	yes	yes
a). Landscape strip area min. 10' wide	yes	yes
b). ave. 1 Tree / 200 SF of required landscape area		
NORTH = 327.85 LF x 10' wide = 3278.5 / 200 SF = 16.3 TREES	17 TREES	17 TREES
SOUTH = 308.01 LF x 10' wide = 3080.1 / 200 SF = 15.4 TREES	16 TREES	16 TREES
SCREEN = min 30" continuous hedge within 1 year after planting	yes	yes
(7) Interior vehicular use areas. The following are standards relating to landscaping of interior vehicular use areas:	yes	yes
a). Lots with VUA areas that are 4,000 SF or greater shall have min. 1 SF of interior landscaping for each 30 SF of VUA		
33,725 SF VUA / 30 SF = 1124.16 SF	1125 SF	+1125 SF
b). ave. 1 Tree / 100 SF of required landscape area		
1125 SF VUA / 100 SF = 11.25 TREES	12 TREES	12 TREES
Total Trees Required	**71 TREES REQUIRED**	**71 TREES PROVIDED**

PLANT LIST

	KEY	PLANT DESCRIPTION	SPECIFICATIONS	QTY
native	CHR	Chrysobalanus icaco "Red Tip" Red Tip Cocoplum	24" Ht X 24" Spr. 24" O.C. sp.	545
native	CLU	Clusia gutiffera Small Leaf Clusia	24" Ht X 24" Spr. 24" O.C. sp.	101
native	ILX	Ilex cassine Dahoon Holly	12' ht.x 6' Spr. . 5' CT, 1.5" caliper	23
native	OAK	Quercus virginiana Live Oak	14' ht.x 8' Spr. 6' CT, 3" caliper (ROOT GROWERS PLUS)	16
native	SAB	Sabal palmetto Cabbage Palm	S= 12' HT M= 18' HT T= 24' HT — 12'-24' OA height, Booted, Staggered Heights see plan for heights (S-M-T)	12
native	SBW	Conocarpus erectus sericeus Silver Buttonwood	12' ht.x 6' Spr. . 5' CT, 2" caliper, Multi- 5 trunks min.	13
native	WAX	Myrica cerifera Wax Myrtle	10' Ht X 5' Spr. 5 trunks min. 2" caliper	12
	SOD	Stenotaphrum secundatum "Palmetto" St. Augustine Grass	Solid sod tight joints, weed free	as needed

*PLANS TAKE PRECEDENCE OVER PLANT LIST

OWNER/CONTRACTOR SHALL BE RESPONSIBLE TO HAND-WATER ALL NEWLY INSTALLED LANDSCAPE MATERIAL UNTIL THEY ARE ESTABLISHED. THIS INCLUDES NEW TREES/PALMS, SHRUBS, AND SOD.

GRAPHIC KEY

EXISTING TREE TO REMAIN

COPYRIGHT 2011
LANDSCAPE ARCHITECT CONSULTANTS, INC.
ALL RIGHTS RESERVED. THIS DOCUMENT OR ANY PORTION THEREOF MAY NOT BE REPRODUCED OR USED IN ANY FORM WITHOUT PERMISSION

LANDSCAPE ARCHITECT CONSULTANTS
5215 W. Broward Boulevard
Plantation, Florida 33317
P (954) 581-1110 F (9) 581-7118
LC-26000422
Thomas J. Laubenthal, RLA
TOM@LACFL.COM
LA-0000563
Katy M. Adler, RLA
KATY@LACFL.COM
LA-6667175

DATE	REVISIONS:

DATE: 01-25-16
SCALE: 1" = 30'
DRAWING BY: L.V.
DESIGNED BY: L.V.

PROJECT: INDIAN RIVER BIODIESEL
1103 N 2ND ST. FORT PIERCE, FLORIDA 34950
BROWARD COUNTY

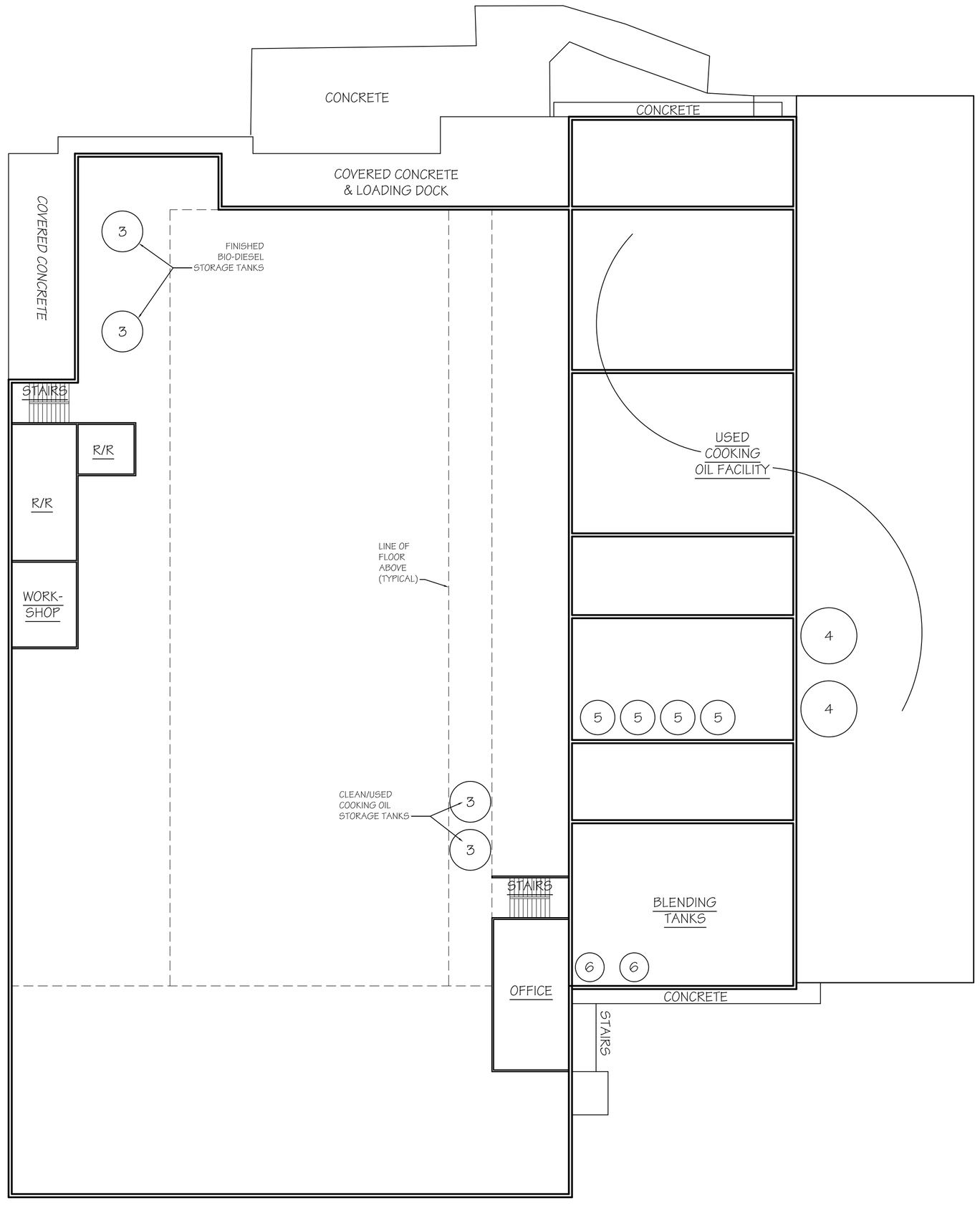
LANDSCAPE PLAN:

PROJECT NO. 16-010

SHEET: LP-1 of 2

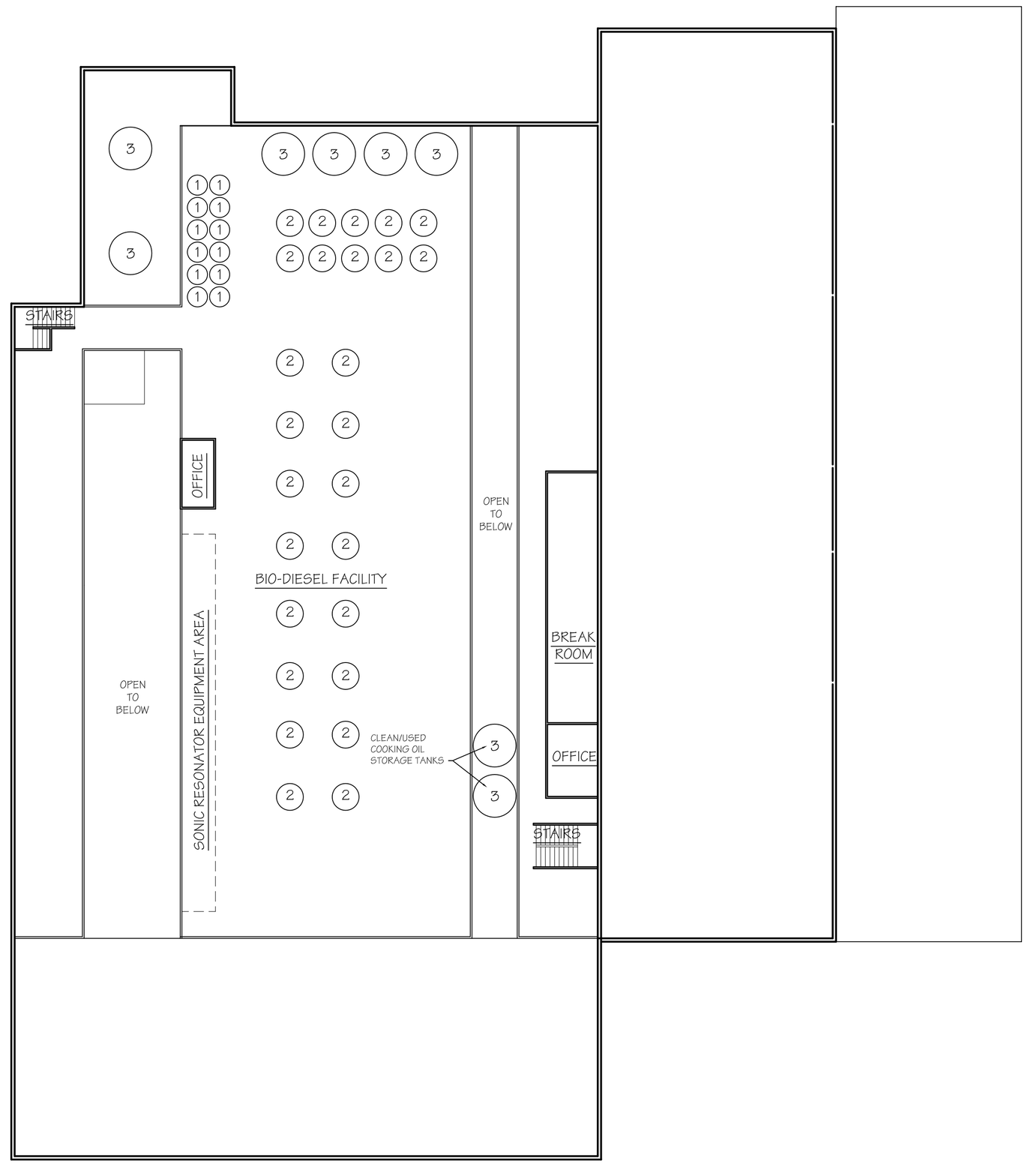
Call 48 hours before you dig in Florida
It's the Law!
1-800-432-4770
FP&L (305) 347-3900
Sunshine State One Call of Florida, Inc.

DATE:
THOMAS J. LAUBENTHAL
#LA-0000563 #LC-26000422



01 SCHEMATIC FIRST FLOOR PLAN

Scale: 1/16" - 1'-0"



02 SCHEMATIC SECOND FLOOR PLAN

Scale: 1/16" - 1'-0"

Project:

INDIAN RIVER BIO-DIESEL PLANT

FT. PIERCE, FLORIDA

Key Plan:

Issues:

No.:	Date:	Description:
A.	02/01/16	CONDITIONAL USE

Architect:

DONADIO
& Associates, Architects P.A.
609 17th Street
Vero Beach, FL 32960
Tel.772.794.2929
Fax.772.562.8600
License No. AA0002256
www.donadio-arch.com

Consultant:

Drawing Title:

FLOOR PLAN

Reference North

Drn: MT
Chd: AJD
Project No.: 2016-03
Sheet No.: A2.10
Dwg. File:
XREF File:
Plot File:

Cert. No.: 12,456
Date Signed:

STATE OF FLORIDA
ANTHONY J. DONADIO
AR0012456
REGISTERED ARCHITECT

Copyright © 2015, Donadio & Associates, Architects, P.A.

CITY OF FORT PIERCE
PLANNING DEPARTMENT

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

February 17, 2016

Dennis Murphy, AICP, Senior Planner
Culpepper and Terpening, Inc.
Consulting Engineers and Land Surveyors
2980 South 25th Street
Ft. Pierce, FL 34981
Telephone 772-464-3537
dmurphy@ct-eng.com

Re: Technical Review – Indian River Biodiesel
1103N 2nd Street

Dear Mr. Murphy, AICP,

The following are comments from the Planning Department's review of the application for Conditional Use:

1) Pursuant to City Code Section 22-187 (11) *Screening of refuse collection areas. Please continue the landscape shrubs around the southern wall of the enclosure.*

2) Pursuant to City Code Section 22-62 (d) (2) Safe and efficient sidewalk linkages shall be provided between **building entrances** and parking areas, and adjacent portions of the development, **and adjacent rights-of-way.** Please incorporate a plan to provide a safe and efficient linkage between the building entrance and the future 2nd Street sidewalk, when said sidewalk is completed.

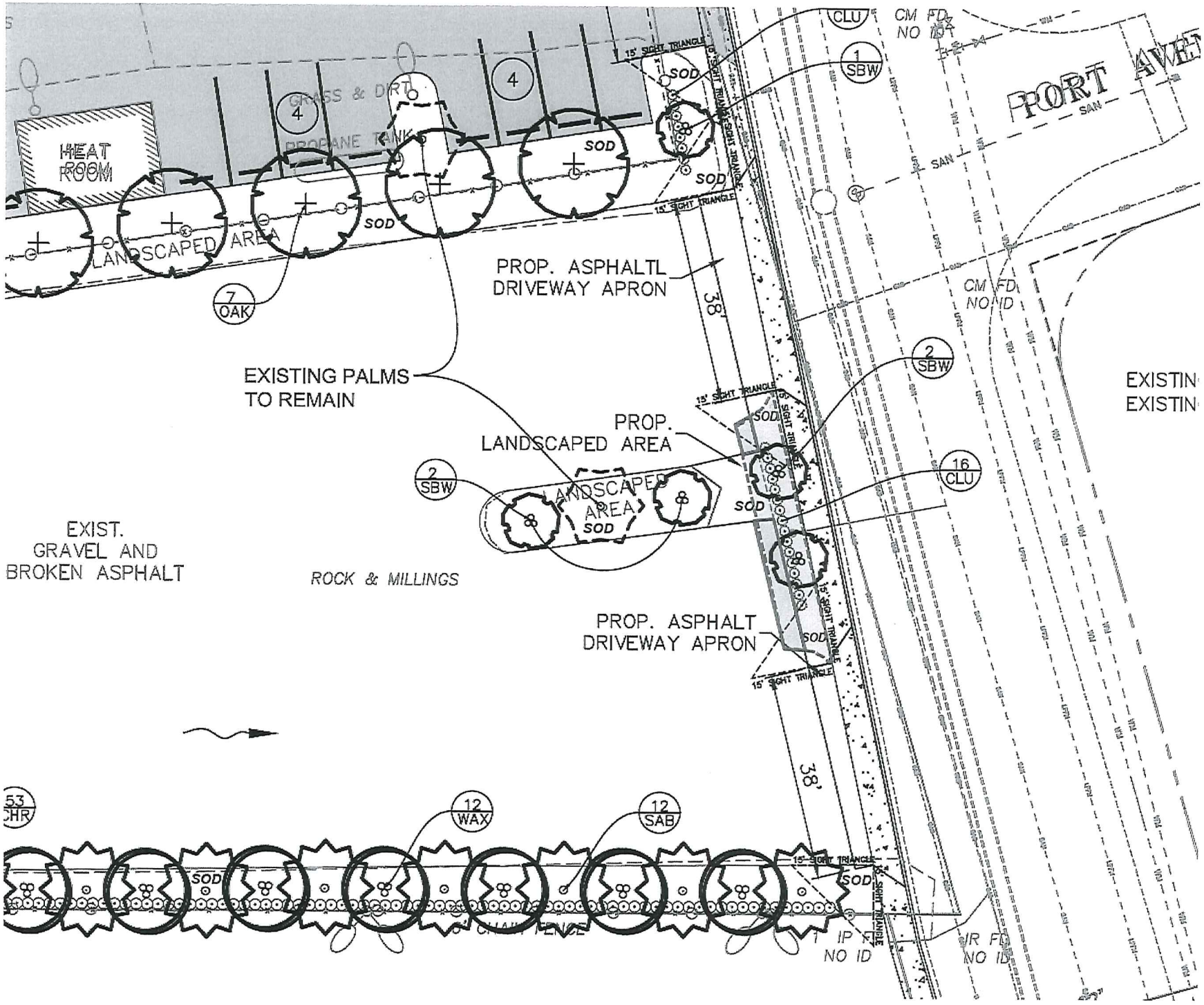
Advisory notes:

- The Site Plan & Landscape Plan present different locations for the proposed Handicap spaces. Please verify the intended placement.

-General traffic calculations are presented, however it's requested that general or estimated figure are presented specific to daily truck deliveries of feedstock, and collection of finished product.

-Pursuant to City Code Sec. 7-20. - Storage of flammable liquids—Aboveground. Aboveground storage tanks shall not be located, placed or constructed in the city for use in storing flammable liquids, unless expressly permitted by the city commission. Detail of the above ground storage will be considered concurrent with the Conditional Use application.

-The future fence and gates proposed are encouraged to be an appropriate composition of metal, or coated if chain-link is selected.


HEAT ROOM
PROPANE TANK
GRASS & DIRT
LANDSCAPED AREA
SOD
7 OAK
EXISTING PALMS TO REMAIN
PROP. ASPHALTL DRIVEWAY APRON
PROP. LANDSCAPED AREA
LANDSCAPED AREA
EXIST. GRAVEL AND BROKEN ASPHALT
ROCK & MILLINGS
PROP. ASPHALT DRIVEWAY APRON
15' SIGHT TRIANGLE
6' SIGHT TRIANGLE
38'
1 SBW
2 SBW
16 CLU
CLU
CM FD NO ID
PORT AVE
SAN
EXISTIN
EXISTIN
53 CHR
12 WAX
12 SAB
CHAIN FENCE
IP FD NO ID
IR FD NO ID

CITY OF FORT PIERCE
DEPARTMENT OF ENGINEERING

Roadway Design, Engineering Reviews, Stormwater Utility Management, Project Management, Traffic Control and Maintenance

INTEROFFICE MEMORANDUM

TO: Kori Benton, Senior Planner

FROM: John R. Andrews, P.E., City Engineer

DATE: February 11, 2016

PROJECT: **Treasure Coast Biofuel – 1103 North 2nd Street**
Conditional Use Application
TRC Project No. 16-0400004

RECEIVED
FEB 11 2016
CITY OF FORT PIERCE
PLANNING & ZONING

cc:

Attachment(s): None

This is to advise you that we have completed the review of the following documents as received by this office on February 5, 2016:

- ☑ Conditional Use Application
- ☐ Test Reports & Related Documents
- ☐ Record Drawings
- ☐ Clearances from all applicable Local, State and Federal Agencies
- ☑ Site Plan
- ☐ Certificate of Completion
- ☐ Permits from applicable Local, State & Federal Agencies

Based on our reviews and appropriate site final inspection, we ☑ Recommend; ☐ Do Not Recommend

☑ Approval with conditions ☐ Building Permit ☐ C/O

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

☑ See attached condition of approval

P.O. BOX 1480 ◊ FORT PIERCE, FL 34954-1480 ◊ 772-467-3774

ENGINEERING COMMENTS:

1. North 2ND Street Right-of-Way currently has a width of 45 feet in this area. In accordance with the City of Fort Pierce Code of Ordinances the minimum right-of-way width for a local road shall be 60 feet. The applicant will be required to provide one half of the required 15' for a total right-of-way easement donation of 7.5'. A sketch and description along with a recent owners and encumbrances search will be required. Specific information may be obtained from the Planning and Zoning Department. This recorded right-of-way donation shall be submitted prior to issuance of a building permit.

JRA/tst

TRC
DKnupp to: Kori Benton 02/16/2016 11:00 AM

History: This message has been replied to.

Hey Kori,

I will be unable to attend the technical review committee on Thursday 2/18. I have no comments on the conditional use of Treasure Coast Bio Fuel. As for the conditional use w/New Construction at St. Andrew's Early Learning Center - it does need a monitored fire alarm if not already there.

Thanks

Captain Debbie Knupp
Fire Prevention Bureau
St. Lucie County Fire District
772-621-3380
dknupp@slcfd.org

Disclaimer: According to Florida Public Records Law, all emails to and from St. Lucie County Fire District are considered public records and must be made available to the public and media upon request, unless specifically exempted. The comments and opinions expressed herein are those of the author and may not reflect the policies of the St. Lucie County Fire District.

Treasure Coast Biofuel
Conditional Use
1103 North 2nd Street
February 17, 2016
St. Lucie County Public Works/Engineering Comments

1. The applicant is advised that North 2nd Street is owned and maintained by the City of Ft. Pierce.
2. The applicant is advised that North 2nd Street is currently under construction and the anticipated completion date is December 2017.
3. What safety measures will be taken in the event of accidental spillage of the proposed product?
4. How long will the final product be stored on-site?
5. Will the storage tanks be above ground?
6. How will the waste by products be removed from the property and where will they be disposed?
7. What is the anticipated number of daily deliveries of the feedstock?
8. Will this proposed manufacturing facility be in operation seven days a week?
9. The applicant is advised that additional right of way as identified on the construction plans (prepared by Taylor Engineering) for the North 2nd Street improvements shall be required.

Ron Harris, PLS
County Surveyor
772 462-1721

TRC - Treasure Coast Biofuel - 1103 N 2nd Street <Watchdog: Virus checked>

Martha Kerr to: 'Kori Benton' 02/11/2016 09:48 AM

Kori,

Below are FPUA comments and attached is an Application for Wastewater Discharge Permit that must be filled out by the owners.

A. **Conditional Use** –Treasure Coast Bio Fuel - 1103 N. 2nd Street- (Kori B enton)

- **W/WW Engineering:** The site has an existing 8" fire protection meter and 2" domestic meter. If water use inside the building is mainly for restrooms, a smaller meter could be installed that would reduce the monthly base charge for water and sewer. A separate irrigation meter is recommended with a water only account. More details are needed on the potential for washdown into the sewer system. If floor drains are proposed, a grease interceptor will be required.
  The facility will require a pretreatment permit due to the potential to discharge. Please contact Harry Sherva at 466-1600 ext. 5511.
- **Electric and Gas Engineering:** A prior meeting took place with the intended occupant. Both FPUA electric and gas facilities is available. We have no objection. Approved as noted.

Regards,
Martha Kerr

FPUA
Staff Assistant
W/WW Engineering Department
1701 S. 37th Street
Fort Pierce, FL 34947
Telephone: (772) 466-1600, Ext. 3473
Fax: (772) 468-2414
mkerr@fpua.com

Please note: Florida has a very broad public records law. Most written communications to or from Fort Pierce Utilities Authority employees regarding government business are public records, available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

(For additional information, go to http://www.fpua.com/important_information/privacy.php)

Planning Board **7. d.**

Meeting Date: 03/08/2016

Information

REQUESTED ACTION

Conditional Use - Rico Farms Research & Wholesale Trade Facility - 5300 S. US Highway 1

LOCATION

5300 S. US HWY 1

RESPONSIBLE STAFF

Vennis Gilmore, Planning Analyst

RECOMMENDATION

The proposed Conditional Use and associated site improvement plan are consistent with the City's Land Development Code and Comprehensive Plan; therefore staff recommends the Planning Board forward a recommendation to approve the presented request with the condition that the applicant installs a bike rack on-site.

Attachments

Staff Report
Site Aerial
Application & Project Overview
Site Improvement Plan
TRC Comments
Zoning Map
Applicant Responses to TRC Comments

Form Review

Form Started By: Vennis Gilmore Started On: 02/29/2016 12:51 PM

Final Approval Date: 03/01/2016

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Vennis Gilmore, Planning Analyst

SUBJECT: Application for Conditional Use
Rico Farms Research & Wholesale Trade Facility
5300 S. US Highway 1

DATE: February 29, 2016

STAFF REPORT

Applicant: Rico Farms USA, LLC
5300 S. US Highway 1
Fort Pierce, FL. 34982

Applicant's Request: Approval of a Conditional Use to operate a Research & Wholesale Trade facility in the C-3 General Commercial District

Location: 5300 S. US Highway 1

Parcel ID: 3403-433-0007-000-5

Current Zoning: General Commercial Zone (C-3)

Future Land Use: General Commercial (GC)

Surrounding Zoning:

North	East	South	West
C-3	CG	C-3	C-3

Site Size: 0.71 acre

Utilities: FPUA

Staff Analysis:

Request

In accordance with Sections 22-22, and 22-76 of the City Code, the applicant is requesting the review and approval of a Conditional Use to operate a Research & Wholesale Trade Facility at 5300 S. US Highway 1. The applicant seeks to conduct research and innovative indoor farming of mushrooms for distribution to various consumer outlets. The property is located at the southeast corner of US Highway 1 and Smallwood Avenue, and is zoned General Commercial Zone (C-3).

The subject building requested for use has a finished floor area of approximately 2,500 square feet; proposed to contain a lab, an office, two growing areas, a cold room, and a preparation kitchen. The subject parcel contains three detached buildings with separate uses; however the applicant is only seeking use of the structure fronting US Highway 1. The selected building features a primary driveway entrance from US Highway 1.

The site is surrounded by businesses to the north and west, and a single family home to the east. The property to the south remains undeveloped.

Precision farming is presented as a multi-faceted agriculture and educational venture centered on the cultivation of a broad range of contamination-free and healthy produce and mushrooms. The applicant's goal is to build upon a commitment to develop and manage small urban farms using organic and sustainable practices. They have structured their "Rico Farms" precision farming plan to implement new and expanded ideas in a flexible and sequential manner that builds upon innovation and repurpose of materials to build new and affordable technologies and techniques.

Rico Farms will be using coffee grounds and sawdust as their main growing medium. These materials will be supplemented with various raw materials for production. The material is pasteurized and filled into plastic bags together with spawn (seeds). The spawn will occupy the raw materials for approximately 4 weeks until the growing medium transforms into mushrooms. A cycle of 3 harvests are the norm, before the growing medium is exhausted and used up. The total process takes roughly 3 to 4 months. Once the medium is no longer producing, it will be repurposed for soil amendment.

The finished product will then be distributed at wholesale to various organic food markets, stores, etc. The and research data collected from observation with be studied further and provided to coordinating agricultural organizations for promotion of hydroponic growth solutions.

Zoning & Land Use

The subject site is located within the General Commercial Zone (C-3) district which is intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities. Many public and semi-public uses are also appropriate. Compared to the C-4 zone, this district is more suitable for uses requiring a high degree of accessibility to vehicular traffic, low intensity uses on large tracts of land, most repair services and small warehousing and wholesaling operations. Although this zone should be located along or near arterial or collector streets, it is not the intent of this district to encourage the extension of strip commercial areas. Instead it should promote concentrations of commercial activities.

The General Commercial (GC) future land use designation provides for higher intensity commercial developments or horizontal and vertical mixed-use developments. Uses allowed within this designation include multifamily residential, intensive and general commercial, retail, service, offices, tourist/entertainment facilities, hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. This land use designation allows for a maximum density of 15 dwelling units per acre and a maximum FAR of 1.0. Development shall include either commercial or mixed uses fronting major roadway corridors with higher intensity near major intersections.

Traffic & Parking

The traffic generation from the proposed use is projected to be very minimal. Review of similar uses of this scale, in comparison to impacts of an indoor farm laboratory with wholesale distribution; suggests an insignificant effect overall evaluation; however the pick-up and drop-off of supplies and delivery of mushrooms are variables that may concentrate trips during operational hours. Delivery will be conducted via smaller trucks (i.e. small box truck).

The site improvement plan proposed the integration of a handicap parking stall, pursuant to City Code Section 22-60 (c), 3, to supplement four (4) regular spaces. Pursuant to City Code Section 22-62 (d) (2), Safe and efficient sidewalk linkages shall be provided between building entrances and parking areas, and adjacent portions of the development, and adjacent rights-of-way. An accessible route is proposed to connect the subject structure to the adjacent US Highway 1 right-of-way.

Conditional Use

The purpose of the conditional use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout the particular zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare. The use as presented features wholesale distribution aspects that are not generally appropriate for general commercial environments. The authorization of a Conditional Use to establish a research & wholesale trade facility, of the presented scope and scale, in the General Commercial Zone District should not impact the existing, and predominate-commercial operations in the area.

Technical Review Committee

All affected departments have reviewed the proposed Conditional Use with regards requirements of the City Code. Findings from the review by corresponding departments and the associated responses by the applicant are provided for viewing by the Planning Board.

Staff Recommendation:

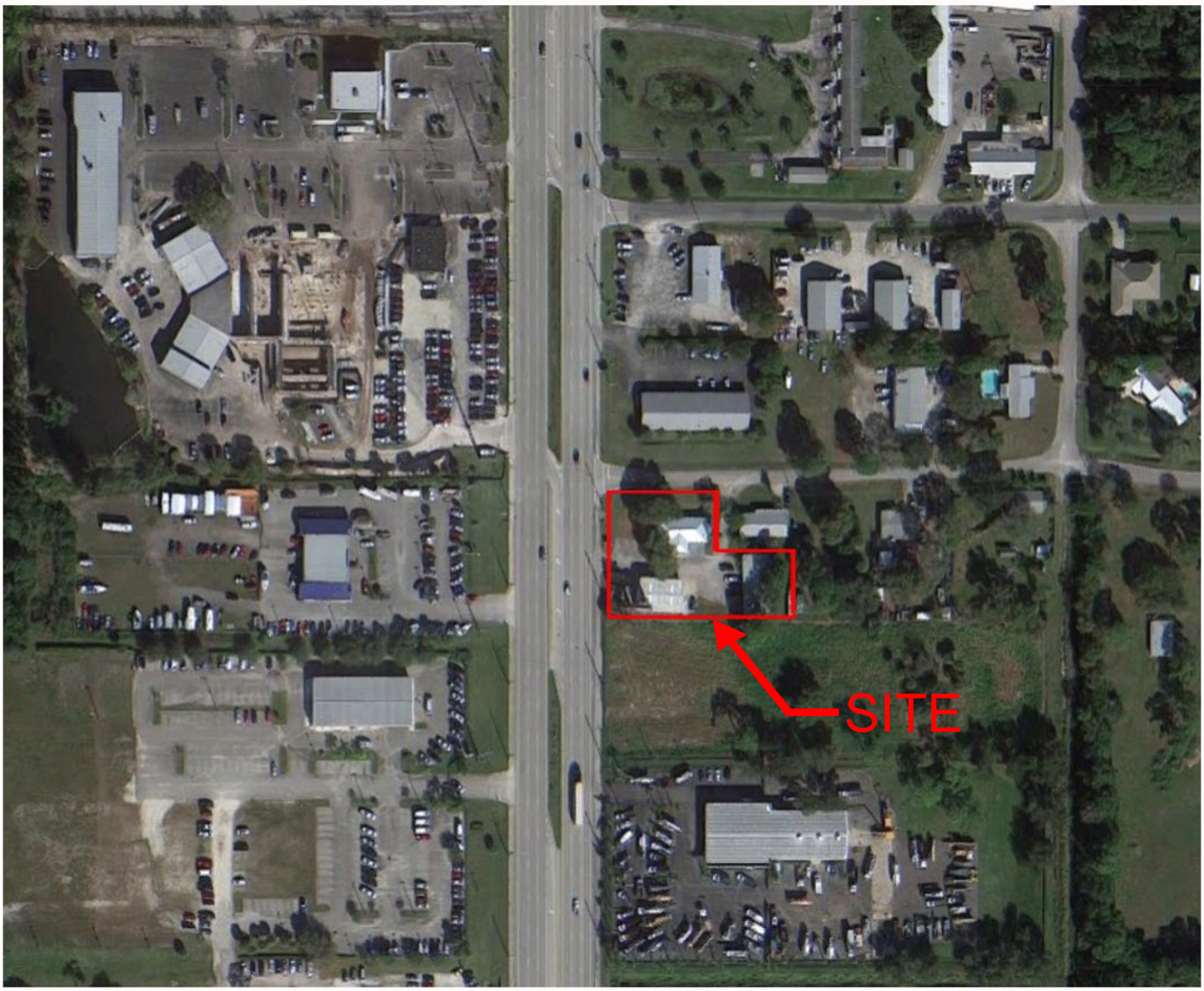
The proposed Conditional Use and associated site improvement plan are consistent with the City's Land Development Code and Comprehensive Plan; therefore staff recommends the Planning Board forward a recommendation to approve the presented request with the condition that the applicant installs a bike rack on-site.

Rico Farms

5300 S US :Hwy 1
Fort Pierce, Florida
3403-433-0007-000-5

McCarty & Associates
LAND PLANNING
AND DESIGN
STUART • FT. PIERCE
772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Aerial Photograph



2/25/2016

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

Conditional Use – No New Construction

Property address or Location 5300 S. US. Hwy 1

Parcel ID #(s) 3403-433-0007-000-5

Project description Request for conditional use to allow Rico Farms to conduct an operation consisting of indoor cultivation research of mushrooms and wholesale distribution within the existing 2000 sqft. metal building located on the southwest corner of the property.

Property Owner(s)	Applicant/Representative, Title, Company
Emil and Delayne Francisco Jr.	Mike McCarty- McCarty & Associates Land Planning and Design LLC
222 Smallwood Ave	73 SW Flagler Ave
Street Address	Street Address
Fort Pierce FL 34982	Stuart FL 34994
City State Zip	City State Zip
772-466-0245	772-341-9322
Phone Number	Phone Number
CRGF93@aol.com	mike@mccartylandplanning.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.*

Emil Francisco Jr Delayne Francisco

Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY St. Lucie

The foregoing instrument was acknowledged before me this 29 day of Feb., 2016, by Emil Francisco Jr + Delayne Francisco, who is personally known to me or has produced Personally Known as identification.

William Anthony Dolan

Signature of Notary

(seal)

Notary Public State of Florida
William Anthony Dolan
My Commission FF 949042
Expires 02/04/2020

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 January 17, 2016

Intake Planner_____

Planner Assigned_____

Approved By_____ Date _____

Comments_____

Fees_____ Control #_____ B. Permit #_____

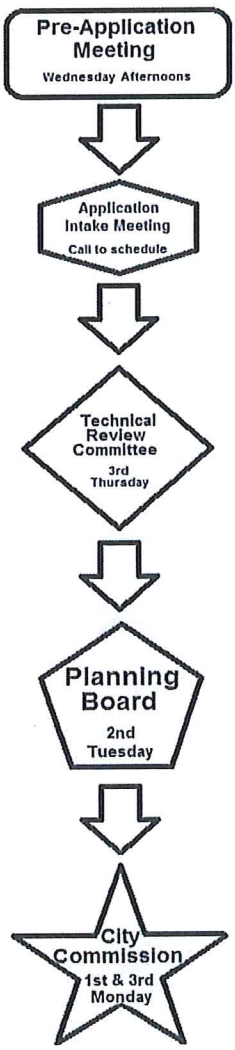
Intake Date Stamp

☐ CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- ☐ *If no site improvements are required:*
  - ☐ As-built survey
  - ☐ Floor plan of existing building(s)
- ☐ *If parking and drainage improvements are required:*
  - ☐ As-built survey;
  - ☐ Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
  - ☐ Lighting plan
- ☐ Complete, notarized application

Application Outlook



Application Type:

- ☒ Conditional Use: No new construction with no site improvements
- ☐ Conditional Use: No new construction with parking and drainage improvements

Site Information:

Building Size 2000 sqft Parking Spaces: 5

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

North	South	East	West
Sales office	Vacant commercial	Apartment rentals	Car dealership

The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

(1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.

(2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.

(3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Att to: the City of Fort Pierce, Fl

RICOFARM

Precision Farming Project

RICOFARM'S. Precision Farming is a vibrant, accessible and multi-faceted agriculture and learning project involving a broad range of contamination free healthy, fresh produce and mushrooms production. Our goal is to built upon a commitment to develop and manage the Urban Farms using organic and sustainable practices throughout, and where possible, to incorporate a social enterprise business model, in order to operate successful programs that benefits the community.

Central to our vision is our commitment to foster effective partnerships with customers and the community to establish a spirit of openness, inclusion and participation. We have structured our "RICOFARM'S. Precision Farming plan" to implement new and expanded ideas in a flexible and sequential manner that builds upon innovation and repurpose of materials to build new and affordable technologies and techniques.

The production farm is planned as an indoor facility/farm that generates several tons of contamination free produce mushroom a year, which will be sold wholesale. Our plan for the production farm includes a potential expansion program, thereby providing an employment and life skills training program for teens and young adults in our community.

Mushrooms.

Mushroom is a nutritious vegetarian delicacy and has many varieties. Most of them are edible. It contains many vitamins and minerals but very low on sugar and fat. Fresh mushrooms can be sold in bulk, in farmers markets and the internet. There is also growing market for processed – dried and packed – mushrooms as their shelf life is longer. There are two main varieties of mushroom we intend on growing. button type and oyster.

Mushroom is a vegetarian delicacy and a suitable substitute for meat and eggs. It is easily digestible as well. It is very popular in the USA, Canada and Japan. Market for mushrooms is growing rapidly because of their medicinal and culinary characteristics, the nice aroma, subtle flavor, nutritious values and special taste. Many gourmet recipes are made from them.

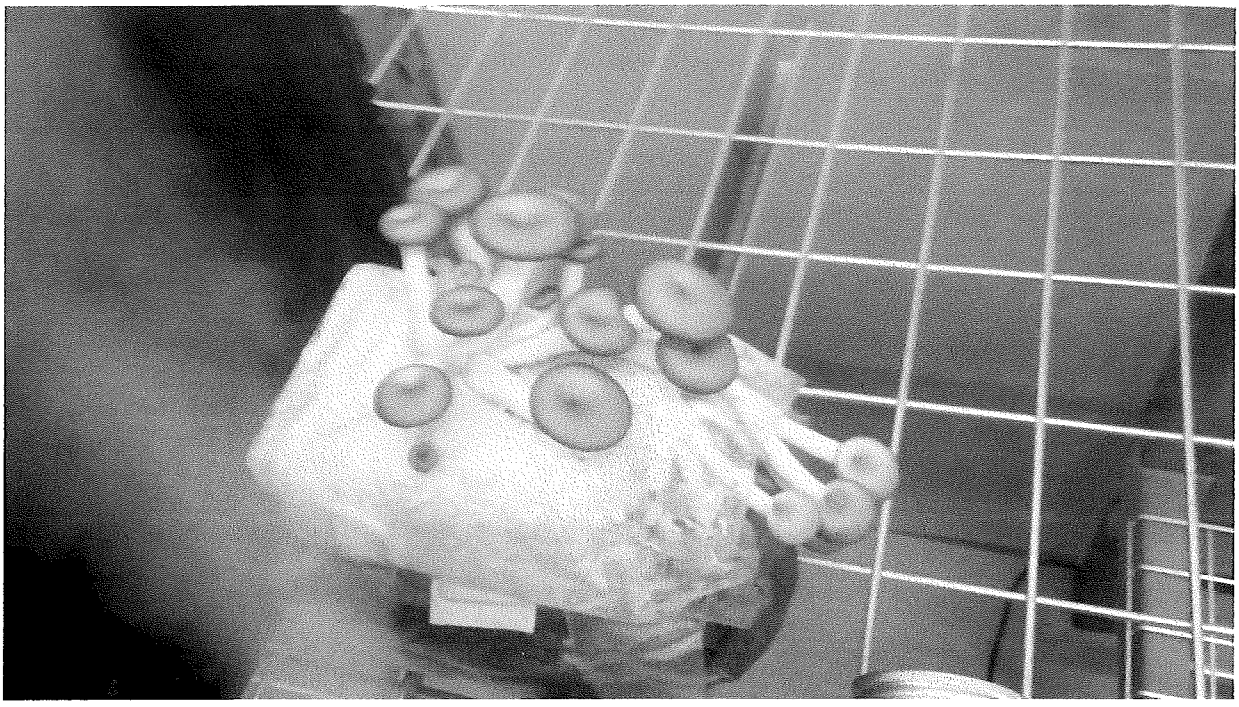


Our immediate goals are:
a. Annual crop yields of at least thirty times that of normal agriculture and six times that of a normal greenhouse.
b. Tomatoes of quality and taste, equivalent to or above normal organic agriculture.
c. Produce which contains the maximum amount of organic nutrients and no chemical fertilizer residues nor any soil contamination.
d. Crops all year round. There are no growing seasons at The Health Factory Farm, Inc.
e. Substantial annual operating profits.

Company Goals, Longer-term:

- Advance Urban and Community Agriculture throughout the world
- Produce & deliver the best quality vegetables efficiently/friendly to the environment/
- To teach hydroponic farming and provide food for children in Africa/ For-profit business that pursues non-profit projects to facilitate progressive charity.
- To build a business that uses a capitalistic mechanism to operate with a potentially enormous ***scope of impact.***
- Combine the best most foundational elements of a growing market to rebuild our food system.

Incubator



Ou goal is to Grow gourmet mushrooms in a mechanically controlled and automated environment, utilizing as bulk substrates locally produced agricultural and commercial waste products (coffee grounds).

Our target market for fresh mushrooms and dried shiitake mushrooms is the Northeast of the United States, Canada, Europe, Japan and Korea. The market is not dominated by large branded companies, rather by many wholesalers, distributors and agents selling to speciality shops, chains stores and to the catering industry. A large portion is sold via the internet.

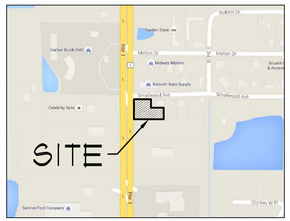
It is estimated that about 200.000 tons of dried shiitake are imported annually into the United States. We are confident, that the market demands will be greater than the Mushroom our company will be able to produce.

We are using coffee grounds and sawdust as our main growing medium. This together with supplements is the raw materials for our production.
The material is pasteurized and filled into plastic bags together with spawn.
The spawn will invade all of the raw materials and after about 4 weeks
will convert the growing medium into mushrooms. A total of 3 harvests are the norm, before the growing medium is exhausted and used up. That total process takes about 3 to 4 months. Once the medium is no longer producing, it will be used as soil amendment.



Inoculation lab.

Location Map



Parcel Data

PCN	3403-433-0007-000-5
TOTAL SITE AREA	30,928 SF / 0.71 AC
SEC/TOWN/RANGE	03 / 36S / 40E
EXISTING ZONING	C-3
ADDRESS	5300 US HWY 1

Parking Data

PARKING SPACES REQUIRED	4
Wholesale Trade (1 / 600 sf)	4
PARKING SPACES PROVIDED	5

Notes

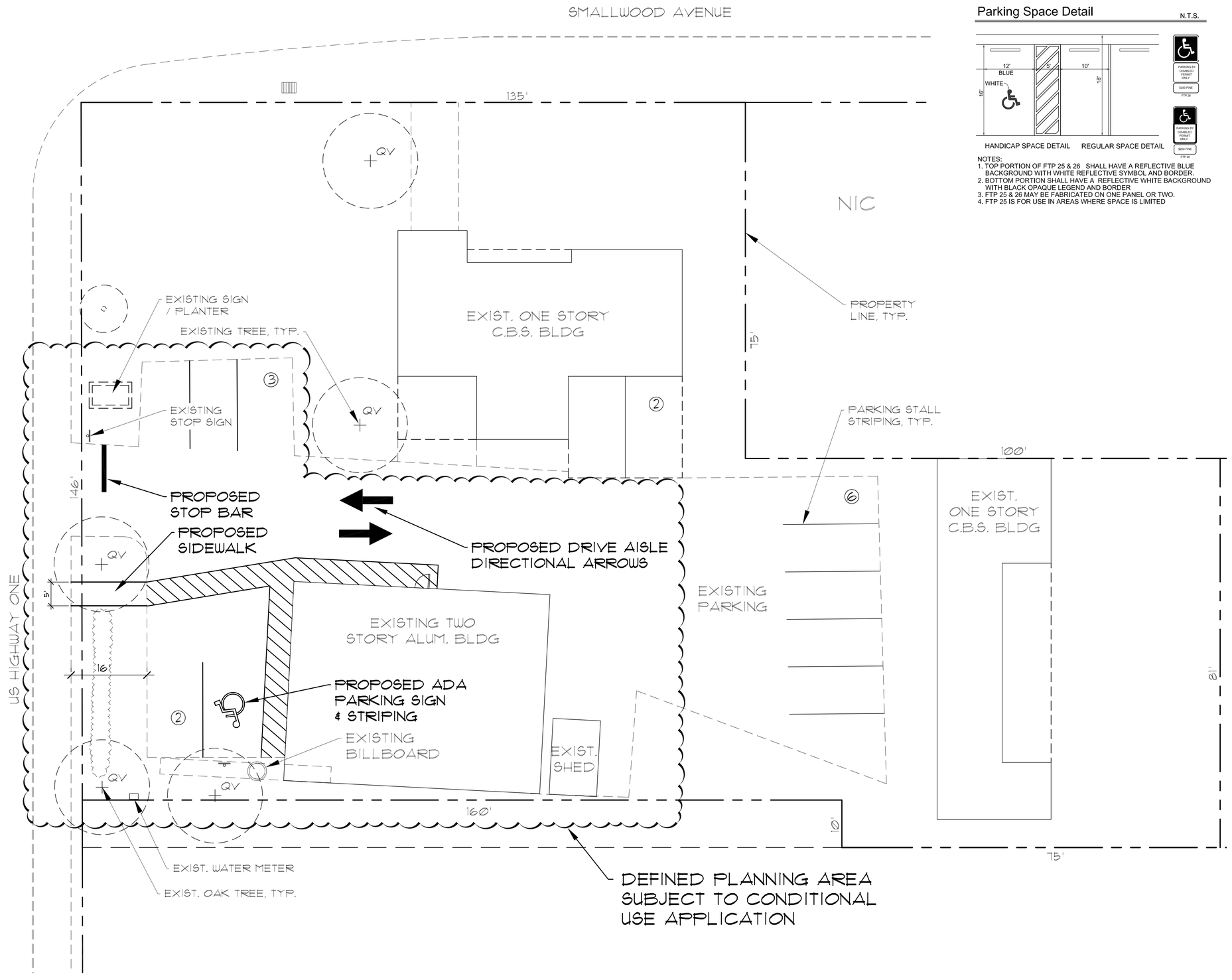
1. THE PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A SURVEY AND SHOULD BE CONSIDERED AN EXHIBIT TO PRESENT SITE IMPROVEMENTS ONLY.

2. ALL CONSTRUCTION SHALL COMPLY WITH THE CONDITIONS SPECIFIED IN THE CITY OF FORT PIERCE CODE OF ORDINANCES SECTIONS 17 AND 22.

3. A BIKE RACK SHALL BE INSTALLED PER CITY OF FORT PIERCE ORDINANCES.

Legal Description

BEGINNING AT A POINT IN THE SW CORNER OF SMALLWOOD AVENUE AND THE INTERSECTION OF U.S. HIGHWAY NO. 1, WHICH INTERSECTION IS LOCATED IN THE NORTHWEST CORNER OF THE SW 1/4 OF THE SW 1/4 OF THE SE 1/4 OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 40 EAST, ST LUCIE COUNTY, FLORIDA, FOR POINT OF BEGINNING; THENCE RUN SOUTH ALONG THE EAST RIGHT-OF-WAY OF U.S.
HIGHWAY NO. 1 A DISTANCE OF 146 FEET, MORE OR LESS, TO THE INTERSECTION OF THE NORTH BOUNDARY OF A CERTAIN 10 FOOT EASEMENT FOR INGRESS AND EGRES AND THE EAST RIGHT-OF-WAY BOUNDARY OF U.S. HIGHWAY NO. 1; THENCE RUN EAST 160 FEET ALONG THE NORTHERN BOUNDARY OF THE AFORESAID EASEMENT TO A POINT; THENCE SOUTH 10 FET; THENCE EAST 175 FEET; THENCE NORTH 81 FEET; THENCE WEST 200 FEET; THENCE NORTH 75 FEET TO THE SOUTH RIGHT-OF-WAY BOUNDARY OF SMALLWOOD AVENUE; THENCE WEST ALONG THE SOUTH BOUNDARY OF SMALLWOOD AVENUE 135, MORE OR LESS, TO THE POINT OF BEGINNING.



Parking Space Detail

N.T.S.

NOTES:
1. TOP PORTION OF FTP 25 & 26 SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER.
2. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH BLACK OPAQUE LEGEND AND BORDER
3. FTP 25 & 26 MAY BE FABRICATED ON ONE PANEL OR TWO.
4. FTP 25 IS FOR USE IN AREAS WHERE SPACE IS LIMITED

Copyright
All ideas, designs, arrangements, and plans indicated or represented by this drawing are owned by and the property of the designer, and were created, evolved, and developed for use on and in connection with the specified project. None of such ideas, designs, arrangements, or plans shall be used by or disclosed to any person, firm, or corporation for any purpose whatsoever without the written permission of the designer.

McCarty & Associates
LAND PLANNING AND DESIGN
STUART • FT. PIERCE
772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Rico Farms
5300 S US HWY 1
City of Fort Pierce, Florida

Site Improvement Exhibit

Scale: 1" = 10'
0' 10' 20'

Drawn By	SL
Checked By	MM
Scale	1" = 10'
Drawing Date	2/26/2016
	staff comments 2/29/2016

Sheet 1 of 1

CITY OF FORT PIERCE
DEPARTMENT OF ENGINEERING

Roadway Design, Engineering Reviews, Stormwater Utility Management, Project Management, Traffic Control and Maintenance

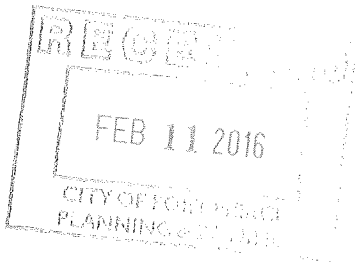
INTEROFFICE MEMORANDUM

TO: Vennis Gilmore, Planning Analyst

FROM: John R. Andrews, P.E., City Engineer

DATE: February 11, 2016

PROJECT: **Rico Farms**
Conditional Use Application
TRC Project No. 16-41800002



cc:

Attachment(s): None

This is to advise you that we have completed the review of the following documents as received by this office on February 5, 2016:

- ☑ Conditional Use Application
- ☐ Test Reports & Related Documents
- ☐ Record Drawings
- ☐ Clearances from all applicable Local, State and Federal Agencies
- ☐ P/D Drawings & Approved Site Plan
- ☐ Certificate of Completion
- ☐ Permits from applicable Local, State & Federal Agencies

Based on our reviews and appropriate site final inspection, we ☐ Recommend; ☑ Do Not Recommend

☑ Approval of Application ☐ Building Permit ☐ C/O

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

☑ See attached comments

P.O. BOX 1480 ◊ FORT PIERCE, FL 34954-1480 ◊ 772-467-3774

ENGINEERING COMMENTS:

1. A survey was not submitted; please provide a certified boundary and topographic survey in accordance with the City of Fort Pierce Code of Ordinances Section 17-27(7).
2. The plans shall include a location map identifying the parcel location along with adjacent roadway names.
3. The site plan shall include project boundary information for all property lines (length, bearing, etc.) along with existing and/or proposed site improvements as the application failed to note whether new parking was proposed.
4. The site plan shall identify all proposed signing and pavement striping.
5. Provide site data which shall include existing and proposed pervious/impervious coverage. Please be aware the applicant shall provide water quality/quantity for additional impervious area.
6. Identify the all vehicular access points for the site and be aware that the Smallwood Avenue access will not be permitted without upgrades and the execution of a cross-access agreement with the applicable property owner.
7. Add a note on the plan stating that all construction shall comply with the conditions specified in the City of Fort Pierce Code of Ordinances Sections 17 and 22.

JRA/tst

Rico Farms
Smallwood Avenue
Conditional Use
February 17, 2016

St. Lucie County Public Works/Engineering Comments

1. No objections to the proposed conditional use.
2. Roadways abutting the subject parcel are under the jurisdiction of St. Lucie County and FDOT.
3. The applicant is advised that Smallwood Avenue is considered a sub-standard right of way. The applicant may be required to donate their proportionate share of the deficient right of way (2.5').
4. The applicant is advised that the City may require the applicant to construct a concrete sidewalk along the subject parcel road frontage.

Ron Harris
County Surveyor
772 462-1721

From the Desk of

Marc Meyers, C.B.O.
Building Official
City of Fort Pierce
100 North U.S. 1
Post Office Box 1480
Fort Pierce, Florida 34954
T: 772-467-3187
F: 772-467-3849
mmeyers@city-ftpierce.com

TO: Kori Benton, Senior Planner

DATE: February 16, 2016

RE: TRC Comments for 2-18-16 Meeting

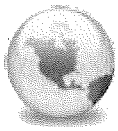
---

1. Rico Farms, 5300 S US Hwy 1
   - Permits shall be obtained for any construction work that has or will take place

2. Treasure Coast Bio Fuel, 1103 N 2nd Street
   - Met with applicant/applicants design professional
   - Design professional understands what documentation will be required for submittal of building permit

3. St. Andrew's Early Learning Center, 317 S. 2nd Street
   - No comments at this time

4. RG Towers, 2551 Jenkins Road
   - No comments at this time



TRC submittal - Conditional Use - Rico Farms
Martha Kerr
to:
Vennis Gilmore
02/16/2016 11:16 AM
Hide Details
From: Martha Kerr <mkerr@fpua.com>
To: Vennis Gilmore <VGilmore@city-ftpierce.com>

Good Morning,

Below are FPUA comments regarding the TRC submittal for Rico Farms.

A. **Conditional Use** – Rico Farms - 5300 S. US Hwy 1 - (Vennis Gilmore)
   - **W/WW Engineering:** Approved
   - **Electric and Gas Engineering:** No comment

Thank you

Regards,
Martha Kerr

FPUA
Staff Assistant
W/WW Engineering Department
1701 S. 37th Street
Fort Pierce, FL 34947
Telephone: (772) 466-1600, Ext. 3473
Fax: (772) 468-2414
mkerr@fpua.com

Please note: Florida has a very broad public records law. Most written communications to or from Fort Pierce Utilities Authority employees regarding government business are public records, available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

(For additional information, go to http://www.fpua.com/important_information/privacy.php)

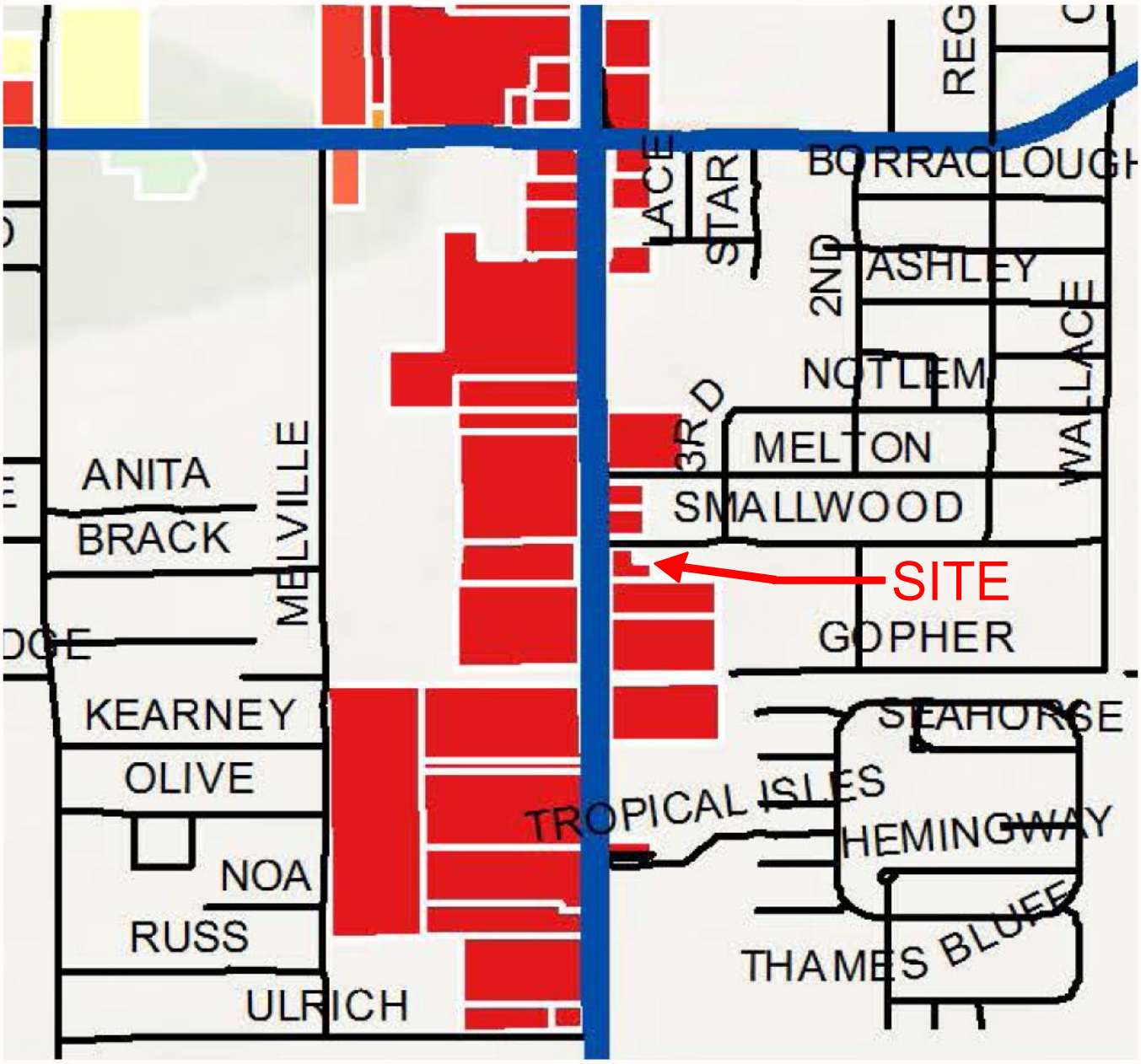
Rico Farms

5300 S US :Hwy 1
Fort Pierce, Florida
3403-433-0007-000-5

McCarty & Associates
LAND PLANNING
AND DESIGN
STUART • FT. PIERCE
772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Zoning Map

C3 - General Commercial



2/25/2016

McCarty & Associates
Land Planning and Design LLC
www.McCartyLandPlanning.com
73 SW Flagler Ave
Stuart FL 34994
772/341-9322

February 26, 2016

VIA E-MAIL DELIVERY
City of Fort Pierce Planning Department
Attn: Vennis Gilmore
100 North U.S. Hwy. 1
PO Box 1480
Fort Pierce, FL 34954-1480

RE: Rico Farms Conditional Use Application - Response to staff comments

Dear Mr. Gilmore:

The applicant received the staff comments from City of Fort Pierce February 18, 2016 for the above referenced project. Please except this letter as our formal response to the staff comments. The responses will be in **bold** text following the comments for each section.

City of Fort Pierce Planning Department- Vennis Gilmore
The following are comments from the Planning Department's review of the application for Conditional Use of a Wholesale Distribution Facility in a C-1 Office Commercial Zone for Rico Farms:

1. Install the required sidewalk improvements persuant to City Code Section 22-62(b) (4) and 22-62(d) (2) (safe and efficient sidwalk linkages from building entrance to right-of-way). This item should be completed prior to issuance of certificate of completion or certificate of occupancy.
Response: Acknowledged. Please refer to the attached Site Improvement Exhibit showing the added sidewalk and pedestian connection to US Hwy 1. The portion of property subject to the application is not adjacent to Smallwood Avenue nor does the conditional use propose access to this ROW. We are only requesting a conditional use approval for the building located on the southwest corner of the property. Please refer to the attached Site Improvement Exhibit defining the planning area subject to the application. The request for sidewalk to be constructed along Smallwood Avenue would create an unreasonable hardship on the property owner and cause withdrawal of the application thereby a loss in a small business for the City of Fort Pierce. The applicant has conducted a site assessment and determined the sidewalk is "not practical" as per section 22-62.(g). The sidewalk would conflict with existing conditions such as: drainage structure improvements within the ROW, the existing drainage swale, FPL power pole/guy wires, and existing driveway connections with culverts. We respectfully request the planning director deem the request for sidewalks "not practical" and therefor not applicable.

2. Please re-stripe one parking space closest to the entrance of the building for handicap accessibility facing US Highway 1. Thsese improvements are pursuant to City Code Section 22-60(c)(3) (Amount of required spaces for the handicapped). This item should be completed prior to issuance of certifcate of occupancy.

Response: Acknowledged. Please refer to the attached Site Improvement Exhibit indicating the location of the handicap parking stall.

City of Fort Pierce Planning Department- Tracy Telle

1. A survey was not submitted; please provide a certified boundary and topographic survey in accordance with the City of Fort Pierce Code of Ordinances Section 1-27-(7).

Response: The applicant is not proposing any significant site improvements for the subject site such as additional buildings or parking areas. The application is only requesting conditional use approval for one of the existing buildings located on the southwest corner of the parcel. We are only proposing to add a sidewalk connection and parking lot striping with handicap parking stall striping. We respectfully request reconcideration of the request for a survey as it would be an unnecessary expense. Please refer to the attached Site Improvement Exhibit for further details.

2. The plans shall include a location map identifying the parcel location along with adjacent roadway names.

Response: Acknowledged. Please find attached the Site Improvement Exhibit and location map for additional information.

3. The site plan shall include project boundary information for all property lines (length, bearing, etc.) along with existing and/or proposed site improvements as the application failed to note whether new parking was proposed.

Response: Acknowledged. Please refer to the attached Site Improvement Exhibit showing all the existing site improvements. The applicant is not proposing any additional buildings or increase in parking areas or site improvements other than a sidewalk connection and parking lot striping.

4. The site plan shall identify all proposed signing and pavement striping.

Response: Acknowledged. Please refer to the attached Site Improvement Exhibit with the proposed parking lot striping improvements.

5. Provide site data which shall include existing and proposed pervious/impervious coverage. Please be aware the applicant shall provide water quality/quanity for additional impervious area.

Response: The applicant is not proposing any additional buildings or increase in parking areas or site improvements other than a sidewalk connection and parking lot striping. The requested calculations are not applicable given all improvements are existing. The applicant is however proposing a small section of sidewalk connecting to the sidewalk along US Hwy 1. The increase in impervious area is negligible. Please refer to the attahed Site Improvement Exhibit.

6. Identify the all vehicular access points for the site and be aware that the Smallwood Avenue access will not be permitted without upgrades and the execution of a cross-access agreement with the applicable property owner.

Response: Acknowledged. Please refer to the attached Site Improvement Exhibit. The only vehicular access point for the site is located on US Hwy 1. The owner of the subject property lives on Smallwood Avenue and was driving across the grass as a short cut to access his

property. The dirt driveway connecting to Smallwood Avenue will be closed/baracaded and no longer utilized for vehicular access.

7.Add a note on the plan stating that all construction shall comply with the conditions specified in the City of Fort Pierce Code of Ordinances Section 17 and 22.
Response: Acknowledged. Please refer to the attached Site Improvement Exhibit.

St. Lucie County Public Works/Engineering -Ron Harris

1. No objection to the proposed conditional use.
Response: Acknowledged.

2. Roadways abutting the subject parcel are under the jurisdiction of St. Lucie County and FDOT.
Response: Acknowledged.

3. The applicant is advised that Smallwood Avenue is considered a sub-standard right of way. The applicant may be required to donate their proportionate share of the deficient right of way (2.5').
Response: The portion of property subject to the application is not adjacent to Smallwood Avenue nor does it propose access to this ROW. We are only requesting a Conditional Use approval for the building located on the southwest corner of the property which utilizes the driveway access to US Hwy 1. Please refer to the attached Site Improvement Exhibit defining the planning area subject to the application. St. Lucie County surveyor has mentioned they have no intentions to improving this ROW and would rather not have to purchase the ROW from the property owner for a dead end street. The request for additional ROW would create an unreasonable hardship on the property owner and cause withdrawal of the application thereby a loss in a small business for the City of Fort Pierce.

4. The applicant is advised that the City may require the applicant to construct a concrete sidwalk along the subject parcel road frontage.
Response: A sidewalk exists along US Hwy 1, however the portion of property subject to the application is not adjacent to Smallwood Avenue nor does conditional use propose access to this ROW. We are only requesting a conditional use approval for the building located on the southwest corner of the property. Please refer to the attached Site Improvement Exhibit defining the planning area subject to the application. The request for sidewalk to be constructed along Smallwood Avenue would create an unreasonable hardship on the property owner and cause withdrawal of the application thereby a loss in a small business in Fort Pierce. The applicant has conducted a site assessment and determined the sidewalk is "not practical" as per section 22-62.(g). The sidewalk would conflict with existing conditions such as: drainage structure improvements within the ROW, the existing drainage swale, FPL power pole/guy wires, and existing driveway connections with culverts. We respectfully request the planning director deem the request for sidewalks "not practical" and therefor not applicable.

Fort Pierce Utility Authority-Martha Kerr

W/WW Engineering: Approved
Electric and Gas Engineering: No Comment
Response: Acknowledged.

Building Official City of Fort Pierce-Marc Meyers

Permits shall be obtained for any construction work that has or will take place.
Response: Acknowledged.

If you have any questions or require any additional materials please do not hesitate to call. We thank you for your review on this project and look forward to working with you.

Very truly yours,

McCarty & Associates

Michael T. McCarty
Principal
Mike@McCartyLandPlanning.com

Planning Board **7. e.**

Meeting Date: 03/08/2016

Information

REQUESTED ACTION

Minor Replat - RG Towers - 2551 Jenkins Road

LOCATION

2551 Jenkins Road

RESPONSIBLE STAFF

Clarissa Davis, Planner

RECOMMENDATION

Staff recommends that the Planning Board forward a recommendation to the City Commission to approve the Minor Replat application with the following conditions:

1. The way the property is to be split will render it landlocked. An access agreement with the neighboring property from the newly made parcel must be provided before the Minor Plat application is approved. If agreement has been made please provide documentation.

Attachments

Staff Report
Application
Warranty Deed
Survey
Replat
TRC Comments

Form Review

Form Started By: Clarissa Davis Started On: 02/29/2016 04:16 PM

Final Approval Date: 03/01/2016

CITY OF FORT PIERCE
PLANNING DEPARTMENT

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

TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Clarissa Davis, Planner

SUBJECT: Minor Replat – RG Towers – 2551 Jenkins Road

DATE: February 29th, 2016

STAFF REPORT

Owner: SRI Real Estate Properties LLC
PO Box 2438, Oklahoma City, OK 73101

Applicant/Representative: RG Towers, LLC; Scott Richards, CEO, RG Towers
2414 Alternate A1A S, Suite 400, Jupiter, FL 33477

Requested Action: Approval of a Minor Replat application to divide a platted lot.

Location: 2551 Jenkins Road

Parcel IDs: 2324-500-0004-000-4

Current Zoning: C3, General Commercial

Current Future Land Use: GC, General Commercial

Surrounding Zoning:

North	East	South	West
C-3	C-3	C-3	C-3

Parcel(s) Size: 1.92 acres

Risidual Parcel Size: .468 acres

Staff Analysis:

The applicant, RG Towers, is seeking approval to replat land part of the Fort Pierce Plaza plat. The applicant recently applied for a Conditional Use to construct a 150' monopole on the property. The proposed effort to replat the lot allows the applicant to take ownership of the land the pole will be constructed on.

The Fort Pierce Plaza plat was recorded in February of 1997. Currently a Home Depot, Waffle House, Race Trac as well as a Sonic Drive-in Restaurant reside in this plat. The portion to be replatted is the parcel used for the Sonic-Drive-in Restaurant. The establishment shares its land with a large open space area. This area is the approved site for the monopole. The land size for the existing parcel is 1.48 acres. Once replatted, the residual land RG Towers will occupy totals .468 acres. Per Florida State Statute Chapter 177, a governing body must approve replats prior to being recorded.

TRC Comments:

This project was transmitted to all reviewing departments of the Technical Review Committee. The generated comments are submitted along with application materials.

Staff Comments:

Staff recommends that the Planning Board forward a recommendation to the City Commission to approve the Minor Replat application with the following conditions:

1. The way the property is to be split will render it landlocked. An access agreement with the neighboring property from the newly made parcel must be provided before the Minor Plat application is approved. If agreement has been made please provide documentation.
2. Adhere to any comments that may be rendered by NorthStar Geomatics, the City third-party surveyor.

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

Subdivision

Property address or Location 2551 JENKINS RD

Parcel ID #(s) 2324-500-0004-000-4

Project description Construction of new communication tower with fenced compound

SRI Real Estate Properties LLC % Sonic Restaurants Inc	RG Towers, LLC/Scott Richards, CEO, RG Towers, LLC
Property Owner(s)	**Applicant/Representative, Title, Company**
300 Johnny Bench Drive	2141 Alternate A1a South, Suite 440
Street Address	Street Address
Oklahoma City, OK 73104	Jupiter FL 33477
City State Zip	City State Zip
(405) 225-5000	561-748-0302
Phone Number	Phone Number
chris.graves@sonicdrivein.com	hvaldez@rgpartners.com; srichards@rgpartners.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.*

By: SRI Real Estate Properties LLC
Paige S Bass
Property Owner(s) Signature(s) Vice President

STATE OF ~~Florida~~ OKLAHOMA -- COUNTY OF OKLAHOMA

The foregoing instrument was acknowledged before me this 21st day of October, 20 15, by Paige S. Bass, VP of SRI Real Estate Properties LLC who is personally known to me or has produced _____ as identification.

Nicky Calhoun
Signature of Notary

NICKY CALHOUN NOTARY # 12000222 EXP. 01/10/16 PUBLIC STATE OF OKLAHOMA (seal)

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 _____
Intake Planner _____
Planner Assigned _____
Approved By _____ Date _____
Comments _____

Fees _____ Control # _____ B. Permit # _____

Intake Date Stamp _____

☐ SUBDIVISION: PRELIMINARY PLAT

Please submit one (1) original and thirteen (13) hard copies and one (1) CD of the following:

- ☐ Preliminary Plat prepared by a surveyor registered in the State of Florida meeting the requirements of Sections 18-5, & 18-10 (a) (1-3) & (c)
- ☐ A copy of the deed
- ☐ Concurrency application, complete
- ☐ Complete, notarized application

☐ SUBDIVISION: INFRASTRUCTURE PLAN REVIEW

Please submit one (1) original and four (4) hard copies and one (1) CD of the following, stamped by a state of Florida registered engineer meeting the requirements of 18-10 (a) (4) :

- ☐ Street construction plans
- ☐ Water & Sewer system construction plans
- ☐ Stormwater Retention plans
- ☐ Electric Infrastructure plans
- ☐ Gas Infrastructure plans
- ☐ Complete, notarized application

☐ SUBDIVISION: FINAL PLAT

Please submit one (1) original and thirteen (13) hard copies and one (1) CD of the following:

- ☐ A copy of the deed
- ☐ Final Plat stamped by a state of Florida registered surveyor meeting the requirements of 18-5, & 18-10 (b & c):
- ☐ Complete, notarized application

☑ SUBDIVISION: MINOR REPLAT

Please submit one (1) original and thirteen (13) hard copies and one (1) CD of the following:

- ☑ A copy of the deed
- ☑ As-built survey of original parcel stamped by a registered surveyor in the State of Florida
- ☑ Scaled drawing, stamped by a registered surveyor in the State of Florida, of surveyed parcel indicating
  - proposed lots, including acreage, square footage, & dimensions.
  - any & all easements, rights-of-way, or similar instruments found on or adjacent to the subject property
- ☑ Complete, notarized application

RG Towers' Developmental Review Application- Sonic

Developmental review application

Warranty Deed

2141 Alternate A1A South, Suite 440
Jupiter, FL 33477
Phone: 561-748-0302 Fax: 561-748-0303 Web: www.rgtowers.com

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 2998356 OR BOOK 2746 PAGE 121, Recorded 01/22/2007 at 03:12 PM

Prepared by:

Joe C. Lewallen, Jr., Esq.
Fellers, Snider, Blankenship,
Bailey & Tippens
100 N. Broadway, Suite 1700
Oklahoma City, OK 73102-8820

Mail to
MacFarlane Ferguson & McMullen
Post Office Box 1669
Clearwater, FL 33757-1669

COPY

GENERAL WARRANTY DEED

Sonic Restaurants, Inc., an Oklahoma corporation ("Grantor"), whose mailing address is 300 Johnny Bench Drive, Oklahoma City, OK 73104, for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other good and valuable consideration paid by SRI Real Estate Properties LLC, a Delaware limited liability company ("Grantee"), whose mailing address is 300 Johnny Bench Drive, Oklahoma City, OK 73104, the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, BARGAINED, SOLD, and CONVEYED and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY unto Grantee all of that certain real property located in St. Lucie County, Florida, and being more particularly described in Exhibit "A" which is attached hereto and by this reference made a part hereof for all purposes (the "Land"), LESS AND EXCEPT all oil, gas and other minerals, not limited solely to hydrocarbons, previously reserved or conveyed of record, and all rights pertaining thereto, but together with all improvements thereon and all and singular the rights, benefits, privileges, easements, tenements, hereditaments, and appurtenances thereon or in anywise appertaining thereto (said real property, together with such improvements and such rights, benefits, privileges, easements, tenements, hereditaments and appurtenances are hereinafter collectively referred to as the "Property").

TO HAVE AND TO HOLD the Property, subject to any and all easements, rights-of-way, encumbrances, conditions, covenants, restrictions, reservations and other matters of record, all applicable building and zoning ordinances, laws, regulations and restrictions by governmental authorities and all matters as would be disclosed by an accurate on-the-ground survey of the Property (the "Permitted Exceptions") as aforesaid, unto Grantee, its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Land, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

THIS IS A CONVEYANCE OF UNENCUMBERED PROPERTY FROM A PARENT ENTITY TO ITS WHOLLY OWNED SUBSIDIARY FOR NO ADDITIONAL CONSIDERATION.

COPY

IN WITNESS WHEREOF, this General Warranty Deed has been executed and delivered by Michael A. Perry, its President, who is authorized to execute this conveyance, to be effective for all purposes as of the 20th day of December, 2006.

GRANTOR: Sonic Restaurants, Inc.,
an Oklahoma corporation

By:
Name: Michael A. Perry
Title: President

Affix Corporate Seal:

COPY

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)

This instrument was acknowledged before me on the 15th day of December, 2006, by Michael A. Perry, President of Sonic Restaurants, Inc., an Oklahoma corporation.

Notary Public, State of Oklahoma

My Commission Expires: 6-28-09

(Seal)

COPY

COPY

EXHIBIT "A"
Legal Description

COPY

PARCEL 1:

A parcel of land lying in Section 24, Township 35 South, Range 39 East, St. Lucie County, Florida, described as follows:

Parcel B-2, FORT PIERCE PLAZA, according to the plat thereof recorded in Plat Book 35, pages 21, 21A and 21B, of the Public Records of St. Lucie County, Florida.

LESS AND EXCEPTING that portion of Parcel B-2, as conveyed to Racetrac Petroleum, Inc., dated March 11, 1999, and recorded March 18, 1999, in Official Records Book 1210, page 903, of the public records of St. Lucie County, Florida.

PARCEL 2:

Non-exclusive Easement for ingress and egress as created and described in that certain Reciprocal Easement and Operation Agreement, recorded in Official Records Book 1065, page 1910, and amended under the First Amendment to Reciprocal Easement and Operation Agreement recorded in Official Records Book 1210, page 918, of the public records of St. Lucie County, Florida.

COPY

COPY

TO: Clerk of Court of St. Lucie County
ATTN: Recording

Please record the enclosed documents and return them to this office:

Deed	$27.00
Doc. Stamps	$none due
TOTAL	$27.00

NOTE: Per F.S. 692.01 – two witnesses are not required.

Thank you!

Macfarlane, Ferguson & McMullen
ATTN: Linda Morris
P.O. Box 1699
Clearwater, FL 33757
727-441-8966 x 2232

COPY

COPY

SKETCH OF OVERALL SONIC TRACT BOUNDARY

2551 JENKINS ROAD, FORT PIERCE, FL 34947

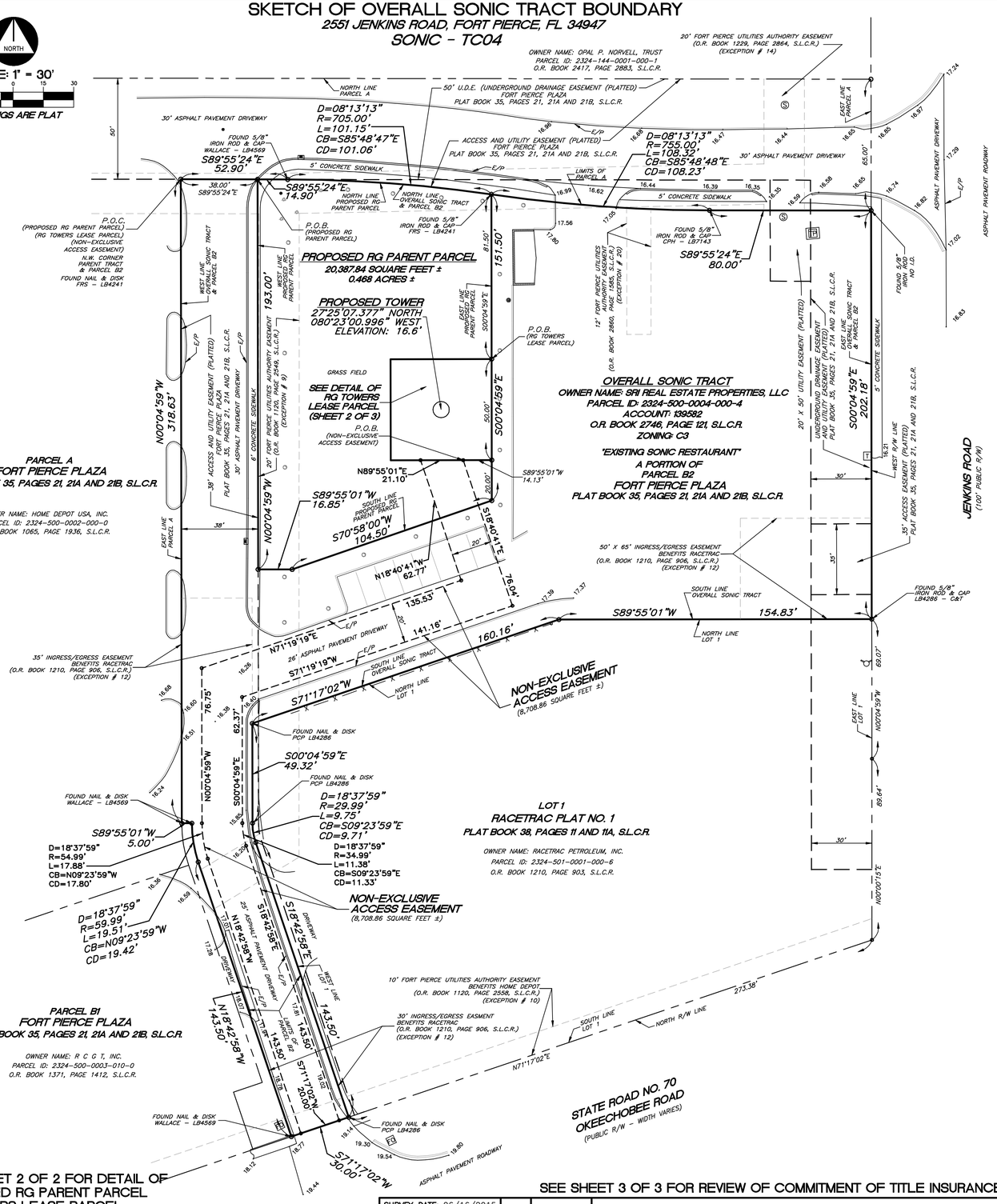
SONIC - TC04

NORTH

SCALE: 1" = 30'

30 0 15 30

BEARINGS ARE PLAT



SEE SHEET 2 OF 2 FOR DETAIL OF PROPOSED RG PARENT PARCEL RG TOWERS LEASE PARCEL NON-EXCLUSIVE ACCESS EASEMENT

SEE SHEET 3 OF 3 FOR REVIEW OF COMMITMENT OF TITLE INSURANCE

DESCRIPTION OF OVERALL SONIC TRACT

(PER OFFICIAL RECORD BOOK 2746, PAGE 121 OF THE PUBLIC RECORDS OF SAINT LUCIE COUNTY, FLORIDA)

A PARCEL OF LAND LYING IN SECTION 24, TOWNSHIP 35 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

PARCEL 1:
PARCEL B-2, FORT PIERCE PLAZA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 35, PAGES 21, 21A AND 21B, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LESS AND EXCEPTING THAT PORTION OF PARCEL B-2, AS CONVEYED TO RACETRAC PETROLEUM, INC., DATED MARCH 11, 1999 AND RECORDED MARCH 18, 1999, IN OFFICIAL RECORDS BOOK 1210, PAGE 903 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

PARCEL 2:
NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS CREATED AND DESCRIBED IN THAT CERTAIN RECIPROCAL EASEMENT AND OPERATION AGREEMENT, RECORDED IN OFFICIAL RECORDS BOOK 1065, PAGE 1910, AND AMENDED UNDER THE FIRST AMENDMENT TO RECIPROCAL EASEMENT AND OPERATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1210, PAGE 918, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

DESCRIPTION OF PROPOSED RG PARENT PARCEL

A PARCEL OF LAND BEING A PORTION OF PARCEL B2, FORT PIERCE PLAZA, AS RECORDED IN PLAT BOOK 35, PAGES 21, 21A AND 21B OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID PARCEL B2:

THENCE ON A PLAT BEARING OF S89°55'24"E ALONG THE NORTH LINE OF SAID PARCEL B2, A DISTANCE OF 38.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE S89°55'24"E CONTINUING ALONG THE NORTH LINE OF SAID PARCEL B2, A DISTANCE OF 14.90 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTH;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT AND CONTINUING ALONG THE NORTH LINE OF SAID PARCEL B2, HAVING A CENTRAL ANGLE OF 08°13'13" AND A RADIUS OF 705.00 FEET FOR AN ARC DISTANCE OF 101.15 FEET (CHORD BEARING = S85°48'47"E AND CHORD DISTANCE = 101.06 FEET) TO A POINT ON A NON-TANGENT LINE;

THENCE S00°04'59"E A DISTANCE OF 151.50 FEET;

THENCE S70°58'00"W A DISTANCE OF 104.50 FEET;

THENCE S89°55'01"W A DISTANCE OF 16.85 FEET TO A POINT ON A LINE 38.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID PARCEL B2

THENCE N00°04'59"W ALONG SAID PARALLEL LINE, A DISTANCE OF 193.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND SITUATE WITHIN ST. LUCIE COUNTY, FLORIDA CONTAINING 20,387.84 SQUARE FEET (0.468 ACRES), MORE OR LESS.

DESCRIPTION OF RG TOWERS LEASE PARCEL

A PARCEL OF LAND BEING A PORTION OF PARCEL B2, FORT PIERCE PLAZA, AS RECORDED IN PLAT BOOK 35, PAGES 21, 21A AND 21B OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID PARCEL B2:

THENCE ON A PLAT BEARING OF S89°55'24"E ALONG THE NORTH LINE OF SAID PARCEL B2, A DISTANCE OF 38.00 FEET;

THENCE CONTINUE S89°55'24"E CONTINUING ALONG THE NORTH LINE OF SAID PARCEL B2, A DISTANCE OF 14.90 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTH;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT AND CONTINUING ALONG THE NORTH LINE OF SAID PARCEL B2, HAVING A CENTRAL ANGLE OF 08°13'13" AND A RADIUS OF 705.00 FEET FOR AN ARC DISTANCE OF 101.15 FEET (CHORD BEARING = S85°48'47"E AND CHORD DISTANCE = 101.06 FEET) TO A POINT ON A NON-TANGENT LINE;

THENCE S00°04'59"E A DISTANCE OF 81.50 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE S00°04'59"E A DISTANCE OF 50.00 FEET;

THENCE S89°55'01"W A DISTANCE OF 50.00 FEET;

THENCE N00°04'59"W A DISTANCE OF 50.00 FEET;

THENCE N89°55'01"E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND SITUATE WITHIN ST. LUCIE COUNTY, FLORIDA CONTAINING 2,500.00 SQUARE FEET, MORE OR LESS.

DESCRIPTION OF NON-EXCLUSIVE ACCESS EASEMENT

A PARCEL OF LAND BEING A PORTION OF PARCEL B2, FORT PIERCE PLAZA, AS RECORDED IN PLAT BOOK 35, PAGES 21, 21A AND 21B OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID PARCEL B2:

THENCE ON A PLAT BEARING OF S89°55'24"E ALONG THE NORTH LINE OF SAID PARCEL B2, A DISTANCE OF 38.00 FEET;

THENCE CONTINUE S89°55'24"E CONTINUING ALONG THE NORTH LINE OF SAID PARCEL B2, A DISTANCE OF 14.90 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTH;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT AND CONTINUING ALONG THE NORTH LINE OF SAID PARCEL B2, HAVING A CENTRAL ANGLE OF 08°13'13" AND A RADIUS OF 705.00 FEET FOR AN ARC DISTANCE OF 101.15 FEET (CHORD BEARING = S85°48'47"E AND CHORD DISTANCE = 101.06 FEET) TO A POINT ON A NON-TANGENT LINE;

THENCE S00°04'59"E A DISTANCE OF 81.50 FEET;

THENCE CONTINUE S00°04'59"E A DISTANCE OF 50.00 FEET;

THENCE S89°55'01"W A DISTANCE OF 14.13 FEET TO THE POINT OF BEGINNING;

THENCE S18°40'41"E A DISTANCE OF 76.04 FEET;

THENCE S71°19'19"W A DISTANCE OF 141.16 FEET;

THENCE S00°04'59"E A DISTANCE OF 62.37 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE EAST;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 18°37'59" AND A RADIUS OF 34.99 FEET FOR AN ARC DISTANCE OF 11.38 FEET (CHORD BEARING = S09°23'59"E AND CHORD DISTANCE = 11..33 FEET) TO A POINT OF TANGENCY;

THENCE S18°42'58"E A DISTANCE OF 143.50 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL B2 AND THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 70 (PUBLIC RIGHT-OF-WAY);

THENCE S71°17'02"W ALONG SAID SOUTH LINE AND SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 20.00 FEET;

THENCE N18°42'58"W A DISTANCE OF 143.50 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE EAST;

THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 18°37'59" AND A RADIUS OF 54.99 FEET FOR AN ARC DISTANCE OF 17.88 FEET (CHORD BEARING = N09°23'59"W AND CHORD DISTANCE = 17.80 FEET) TO A POINT OF TANGENCY;

THENCE N00°04'59"W A DISTANCE OF 76.75 FEET;

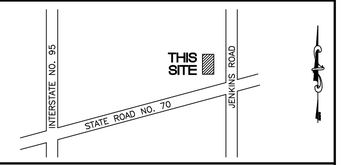
THENCE N71°19'19"E A DISTANCE OF 135.53 FEET;

THENCE N18°40'41"W A DISTANCE OF 62.77 FEET;

THENCE N89°55'01"E A DISTANCE OF 21.10 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND SITUATE WITHIN ST. LUCIE COUNTY, FLORIDA CONTAINING 8,708.86 SQUARE FEET, MORE OR LESS.

SONIC - TC 04



LOCATION SKETCH

SECTION 24-T35S-R39E
NOT TO SCALE

LEGEND

P.O.C.	POINT OF COMMENCEMENT	T	TELCO SERVICE
P.O.B.	POINT OF BEGINNING	D	STORM MANHOLE
S.L.C.R.	ST. LUCIE COUNTY RECORDS	FO	FIBER SERVICE
R/W	RIGHT-OF-WAY		LAMP POLE
E/P	EDGE OF PAVEMENT	TF	ELECTRIC TRANSFORMER
O.R.	OFFICIAL RECORD		CATCH BASIN
D	DELTA (CENTRAL ANGLE)	S	SANITARY MANHOLE
R	RADIUS		FIRE HYDRANT
L	ARC LENGTH		OAK TREE
CB	CHORD BEARING		CABBAGE PALM TREE
CD	CHORD DISTANCE		
16.25	SPOT ELEVATION		

PROPOSED TOWER INFORMATION 150' FLAGPOLE

LATITUDE = 27°25'07.377" NORTH
LONGITUDE = 080°23'00.996" WEST
NORTH AMERICAN DATUM OF 1983/2011 (NAD 83/2011)

EXISTING AVERAGE GROUND ELEVATION AT TOWER = 16.6 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)

REPORT OF BOUNDARY AND TOPOGRAPHIC SURVEY

1. THE PARENT TRACT SHOWN HEREON IS BASED ON A SEARCH CONDUCTED BY WSP CONSULTANTS, INC. OF THE PUBLIC RECORDS OF SAINT LUCIE COUNTY, FLORIDA AND THE COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE INSURANCE COMPANY, DATED APRIL 29, 2015, FILE NO. 5309576.

2. UNLESS OTHERWISE NOTED HEREON RECORD AND MEASURED VALUES (SHOWN) ARE IN SUBSTANTIAL AGREEMENT.

3. THE PURPOSE OF THIS SURVEY IS TO LOCATE THE EXISTING FEATURES WITHIN THE PARENT TRACT FOR THE FUTURE INSTALLATION OF A COMMUNICATIONS FACILITY.

4. THIS SURVEY IS CLASSIFIED AS COMMERCIAL/HIGH RISK AND EXCEEDS THE MINIMUM RELATIVE DISTANCE ACCURACY OF 1 FOOT IN 10,000 FEET AS REQUIRED BY THE FLORIDA STANDARDS OF PRACTICE (5J-17.051 THROUGH 5J-17.053 F.A.C.). THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.

5. THE HORIZONTAL FEATURES SHOWN HEREON ARE PLOTTED TO WITHIN 1/20 OF THE MAP SCALE.

6. HORIZONTAL AND VERTICAL DATA SHOWN HEREON WAS OBTAINED UTILIZING A "LEICA TCRP1205+" TOTAL STATION AND "ALLEGRO CE CARLSON" DATA COLLECTION SYSTEM.

7. ELEVATIONS OF WELL-IDENTIFIED FEATURES CONTAINED IN THIS SURVEY AND MAP HAVE BEEN MEASURED TO AN ESTIMATED VERTICAL ACCURACY OF 0.1'.

8. HORIZONTAL FEATURE LOCATION IS TO THE CENTER OF THE SYMBOL AND MAY BE ENLARGED FOR CLARITY.

9. UNDERGROUND FOUNDATIONS AND/OR UTILITIES HAVE NOT BEEN LOCATED.

10. FLOOD ZONE INFORMATION SHOWN HEREON WAS OBTAINED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM).

11. THE ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AND ARE REFERENCED TO N.G.S. SURVEY CONTROL POINT: "Z 525", PID# AJ5675, ELEVATION 17.78 FEET.

12. THE VALUES FOR THE LATITUDE, LONGITUDE AND ELEVATIONS SHOWN HEREON ARE WITHIN THE ALLOWABLE TOLERANCES FOR THE FEDERAL AVIATION ADMINISTRATION 1-A LETTER.

13. THE LATITUDE AND LONGITUDE SHOWN HEREON WERE OBTAINED UTILIZING THE FOLLOWING N.G.S. SURVEY CONTROL POINT: "Z 525", PID# AJ5675. THIS SURVEY CONTROL POINT HAS A PUBLISHED VALUE RELATIVE TO THE NORTH AMERICAN DATUM OF 1983/2011 (NAD83/2011), AS PROJECTED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM (EAST ZONE). THE MEASUREMENTS WERE OBTAINED UTILIZING "SOKKIA STRATUS" GPS RECEIVERS AND POST-PROCESSED WITH SOKKIA SPECTRUM SOFTWARE.

"Z 525"	
1,121,838.54	N
857,318.88	E

14. THE RG TOWERS LEASE PARCEL SHOWN IN THIS SURVEY LIES ENTIRELY WITHIN THE DESCRIBED PROPOSED RG PARENT PARCEL.

15. THE SURVEYOR HAS REVIEWED THE COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE INSURANCE COMPANY, DATED APRIL 29, 2015, FILE NO. 5309576. ALL PLOTTABLE MATTERS OF RECORD IDENTIFIED IN THE COMMITMENT FOR TITLE INSURANCE THAT ARE PERTINENT TO THE RG TOWERS LEASE PARCEL AND ITS ACCESS EASEMENT, IF APPLICABLE, HAVE BEEN SHOWN OR NOTED ON THIS SURVEY. THE SURVEYOR RELIED SOLELY UPON THAT COMMITMENT FOR TITLE INSURANCE WITH RESPECT TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES AGREEMENTS, RESERVATIONS AND OTHER SIMILAR MATTERS.

16. BASED UPON THE COMMITMENT FOR TITLE INSURANCE, THE RG TOWERS LEASE PARCEL HAS ACCESS TO STATE ROAD NO. 70, A PUBLIC RIGHT-OF-WAY, BY MEANS OF THE ACCESS EASEMENT DEPICTED HEREON. THE EASEMENT LIES ENTIRELY WITHIN THE LANDS OF THE OWNER(S) OF THE PARCEL DESCRIBED IN SAID COMMITMENT FOR TITLE INSURANCE AND NO EASEMENTS OR RIGHTS OF OTHER THIRD PARTIES DISCLOSED BY THAT COMMITMENT FOR TITLE INSURANCE WOULD PRECLUDE ACCESS OVER THE OVERALL SONIC TRACT FROM THE RG TOWERS LEASE PARCEL TO THAT PUBLIC RIGHT-OF-WAY.

CERTIFIED TO: RG TOWERS, LLC

CERTIFICATE

I, WILLIAM S. PAYNE, DO HEREBY STATE THAT THIS MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER STATE THAT THIS MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY WAS COMPLETED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING STATED IN RULES 5J-17.051 THROUGH 5J-17.053 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

WILLIAM S. PAYNE
PROFESSIONAL SURVEYOR AND MAPPER #LS 5685
WSP CONSULTANTS, INC. #LB 7188
STATE OF FLORIDA

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
WILLIAM S. PAYNE #LS5685

FLOOD ZONE INFORMATION

COMMUNITY NUMBER	PANEL NUMBER	SUFFIX	DATE OF FIRM	FIRM ZONE	BASE FLOOD ELEVATION
120286	0167	J	02/16/2012	X	N/A

SURVEY DATE: 06/16/2015					
DRAWN: WSP					
CHECKED: WSP					
MANAGER: WSP	2	11/30/2015	UPDATE SURVEY PER COUNTY COMMENTS	WSP	
DWG FILE: 15-1405.DWG	1	10/01/2015	UPDATE SURVEY PER COUNSEL COMMENTS	WSP	
JOB FILE:	No.	DATE	REVISION	BY	

WSP Consultants, Inc.
SURVEYORS & MAPPERS
19006 1ST STREET S.W., LUTZ, FL 33548
PHONE (813) 909-2420
PROFESSIONAL SURVEYING & MAPPING CERTIFICATE OF AUTHORIZATION: LB 7188, STATE OF FLORIDA

MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY
SONIC - TC 04
PREPARED FOR:
RG Towers, LLC
LOCATED IN:
ST. LUCIE COUNTY, FLORIDA

PROJECT NO: 15-1405

SHEET NO: 1 OF 3

DETAIL OF PROPOSED RG PARENT PARCEL, RG TOWERS LEASE PARCEL
NON-EXCLUSIVE ACCESS EASEMENT

2551 JENKINS ROAD, FORT PIERCE, FL 34947

SONIC - TC04

PARCEL A
FORT PIERCE PLAZA

PARKING ISLAND

N00°04'59"W 318.63'

EAST LINE PARCEL A

WEST LINE OVERALL SONIC TRACT & PARCEL B2

NORTH

SCALE: 1" = 10'

BEARINGS ARE PLAT

P.O.C. (PROPOSED RG PARENT PARCEL) (RG TOWERS LEASE PARCEL) (NON-EXCLUSIVE ACCESS EASEMENT) N.W. CORNER PARENT TRACT & PARCEL B2 FOUND NAIL & DISK FRS - LB4241

38.00'

52.90'

S89°55'24"E

35' INGRESS/EGRESS EASEMENT BENEFITING PARCEL (O.R. BOOK 1210, PAGE 1816, (EXCEPTION # 12)

30' ASPHALT PAVEMENT DRIVEWAY

38' ACCESS AND UTILITY EASEMENT (PLATTED) FORT PIERCE PLAZA PLAT BOOK 35, PAGES 21, 21A AND 21B, S.L.C.R.

38'

8" CONCRETE CURB

6' CONCRETE SIDEWALK

N00°04'59"W 193.00'

WEST LINE PROPOSED RG PARENT PARCEL

20' FORT PIERCE UTILITIES AUTHORITY EASEMENT (O.R. BOOK 1120, PAGE 2549, S.L.C.R.) (EXCEPTION # 9)

P.O.B. (PROPOSED RG PARENT PARCEL)

S89°55'01"W 16.85' PROPOSED NE CORNER PARENT PARCEL

S89°55'24"E 14.90'

FOUND 5/8" IRON ROD & CAP WALLACE - LB4569

GRASS

50' U.D.E. (UNDERGROUND DRAINAGE EASEMENT (PLATTED) FORT PIERCE PLAZA PLAT BOOK 35, PAGES 21, 21A AND 21B, S.L.C.R.

30' ASPHALT PAVEMENT DRIVEWAY

OVERALL SONIC TRACT

OWNER NAME: SRI REAL ESTATE PROPERTIES, LLC
PARCEL ID: 2324-500-0004-000-4
ACCOUNT: 139582
O.R. BOOK 2746, PAGE 121, S.L.C.R.
ZONING: C3

PROPOSED RG PARENT PARCEL

20,387.84 SQUARE FEET ±
0.468 ACRES ±

A PORTION OF
PARCEL B2
FORT PIERCE PLAZA
PLAT BOOK 35, PAGES 21, 21A AND 21B, S.L.C.R.

S71°19'16"W 135.53'

NON-EXCLUSIVE ACCESS EASEMENT (8,708.88 SQUARE FEET ±)

S18°40'41"E 141.16'

N18°40'41"W 62.77'

S70°58'00"W 104.50'

26' ASPHALT PAVEMENT DRIVEWAY

8" CONCRETE CURB

CONCRETE PARKING

GRASS FIELD

CONTOUR LINE

SOUTH LINE PROPOSED RG PARENT PARCEL

SOUTH LINE PARENT TRACT

N00°04'59"W 50.00'

50.00'

RG TOWERS LEASE PARCEL (2,500.00 SQUARE FEET ±)

PROPOSED TOWER
27°25'07.377" NORTH
080°23'00.996" WEST
ELEVATION: 16.6'

N89°55'01"E 21.10'

S89°55'01"W 14.13'

P.O.B. (NON-EXCLUSIVE ACCESS EASEMENT)

P.O.B. (RG TOWERS LEASE PARCEL)

EAST LINE PROPOSED RG PARENT PARCEL

S00°04'59"E 50.00'

S00°04'59"E 151.50'

20.0'

76.04'

81.50'

FOUND 5/8" IRON ROD & CAP FRS - LB4241

CONCRETE PARKING SONIC RESTAURANT

8" CONCRETE WALL

DUMPSTER PAD

D=08°13'13"
R=705.00'
L=101.15'
CB=S85°48'47"E
CD=101.06'

NORTH LINE PROPOSED RG PARENT PARCEL

LIMITS OF PARCEL A

5' CONCRETE SIDEWALK

8" CONCRETE CURB

NORTH LINE OVERALL SONIC TRACT & PARCEL B2

20' FORT PIERCE UTILITIES AUTHORITY EASEMENT (O.R. BOOK 1120, PAGE 2549, S.L.C.R.) (EXCEPTION # 9)

ACCESS AND UTILITY EASEMENT (PLATTED) FORT PIERCE PLAZA PLAT BOOK 35, PAGES 21, 21A AND 21B, S.L.C.R.

NORTH LINE PARCEL A

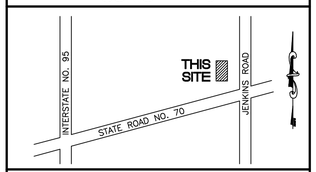
PARCEL A
FORT PIERCE PLAZA
PLAT BOOK 35, PAGES 21, 21A AND 21B, S.L.C.R.

50'

D=08°13'13"
R=755.00'
L=108.32'
CB=S85°48'48"E
CD=108.23'

30' ASPHALT PAVEMENT DRIVEWAY

SONIC - TC 04



LOCATION SKETCH

SECTION 24-T35S-R39E
NOT TO SCALE

PROPOSED TOWER INFORMATION
150' FLAGPOLE

LATITUDE = 27°25'07.377" NORTH
LONGITUDE = 080°23'00.996" WEST
NORTH AMERICAN DATUM OF 1983/2011 (NAD 83/2011)

EXISTING AVERAGE GROUND ELEVATION AT TOWER = 16.6 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)

LEGEND

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
S.L.C.R.	ST. LUCIE COUNTY RECORDS
R/W	RIGHT-OF-WAY
E/P	EDGE OF PAVEMENT
O.R.	OFFICIAL RECORD
D	DELTA (CENTRAL ANGLE)
R	RADIUS
L	ARC LENGTH
CB	CHORD BEARING
CD	CHORD DISTANCE
16.25	SPOT ELEVATION
T	TELCO SERVICE
D	STORM MANHOLE
FO	FIBER SERVICE
	LAMP POLE
TR	ELECTRIC TRANSFORMER
	CATCH BASIN
S	SANITARY MANHOLE
	FIRE HYDRANT
	OAK TREE
	CABBAGE PALM TREE

SEE SHEET 1 OF 2 FOR DESCRIPTION OF PROPOSED RG PARENT PARCEL
RG TOWERS LEASE PARCEL
NON-EXCLUSIVE ACCESS EASEMENT

FLOOD ZONE INFORMATION					
COMMUNITY NUMBER	PANEL NUMBER	SUFFIX	DATE OF FIRM	FIRM ZONE	BASE FLOOD ELEVATION
120286	0167	J	02/16/2012	X	N/A

SURVEY DATE: 06/16/2015					
DRAWN: WSP					
CHECKED: WSP					
MANAGER: WSP	2	11/30/2015	UPDATE SURVEY PER COUNTY COMMENTS	WSP
DWG FILE: 15-1405.DWG	1	10/01/2015	UPDATE SURVEY PER COUNSEL COMMENTS	WSP
JOB FILE:	No.	DATE	REVISION	BY

WSP Consultants, Inc.
SURVEYORS & MAPPERS
19006 1ST STREET S.W., LUTZ, FL 33548
PHONE (813) 909-2420
PROFESSIONAL SURVEYING & MAPPING CERTIFICATE OF AUTHORIZATION: LB 7188, STATE OF FLORIDA

MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY
SONIC - TC 04
PREPARED FOR:
RG Towers, LLC
LOCATED IN:
ST. LUCIE COUNTY, FLORIDA

PROJECT NO: 15-1405

SHEET NO: 2 OF 3

REPORT OF COMMITMENT FOR TITLE INSURANCE

I HAVE REVIEWED THE REPORT OF COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE INSURANCE COMPANY, DATED APRIL 29, 2015, FILE NO. 5309576, AND FIND AS FOLLOWS WITH RESPECT TO MATTERS OF RECORDS LISTED IN SAID REPORT.

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.

– STANDARD EXCEPTION – NOT THE TYPE TO BE DEPICTED HEREON.

2. TAXES AND ASSESSMENTS FOR THE YEAR 2015 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE.

– PROPERTY TAX STATEMENT – NOT THE TYPE TO BE DEPICTED HEREON.

3. STANDARD EXCEPTIONS:
A. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND 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 LIEN PROVIDED BY COUNTY ORDINANCE OR BY CHAPTER 159, FLORIDA STATUTES, IN FAVOR OF ANY CITY, TOWN, VILLAGE OR PORT AUTHORITY FOR UNPAID

– STANDARD EXCEPTION – NOT THE TYPE TO BE DEPICTED HEREON.

5. RESTRICTIONS, CONDITIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS CONTAINED ON THE PLAT OF FORT PIERCE PLAZA, AS RECORDED IN PLAT BOOK 35, PAGE 21, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– BLANKET IN NATURE – OVERALL SONIC TRACT, PROPOSED RG PARENT PARCEL, RG TOWERS LEASE PARCEL, NON–EXCLUSIVE ACCESS EASEMENT ALL LIE WITHIN SAID PLAT. ALL MATTERS DEPICTED ON PLAT PLOTTED HEREON.

6. EASEMENT(S) GRANTED TO ONSITE AMERICAN HOLDINGS, INC., A FLORIDA CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 513, PAGE 636 AND MODIFIED BY MODIFICATION OF GRANT OF EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1066, PAGE 481, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– BLANKET IN NATURE – OVERALL SONIC TRACT LIES WITHIN LANDS DESCRIBED HEREIN.

7. RESERVATIONS AS CONTAINED IN QUIT CLAIM DEED RECORDED IN OFFICIAL RECORDS BOOK 1065, PAGE 1908, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– NOT PLOTTED – DOES NOT AFFECT – REFERS TO VACATED CANAL RIGHT–OF–WAY AS DEPICTED ON PLAT OF FORT PIERCE PLAZA.

8. TERMS, COVENANTS, CONDITIONS AND OTHER MATTERS CONTAINED IN THE RECIPROCAL EASEMENT AND OPERATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1065, PAGE 1910, AND FIRST AMENDMENT TO RECIPROCAL EASEMENT AND OPERATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1210, PAGE 918, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– BLANKET IN NATURE – DESCRIBES OVERALL SONIC TRACT.

9. EASEMENT(S) GRANTED TO THE CITY OF FORT PIERCE, RECORDED IN OFFICIAL RECORDS BOOK 1120, PAGE 2549, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– PLOTTED HEREON – DOES AFFECT THE OVERALL SONIC TRACT, DOES AFFECT PROPOSED RG PARENT PARCEL, DOES NOT AFFECT THE RG TOWERS LEASE PARCEL, DOES AFFECT THE NON–EXCLUSIVE ACCESS EASEMENT.

10. EASEMENT(S) GRANTED TO CITY OF FORT PIERCE, FLORIDA, RECORDED IN OFFICIAL RECORDS BOOK 1120, PAGE 2558, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. (AFFECTS PARCEL 2)

– PLOTTED HEREON – DOES AFFECT THE OVERALL SONIC TRACT, DOES NOT AFFECT PROPOSED RG PARENT PARCEL, DOES NOT AFFECT THE RG TOWERS LEASE PARCEL, DOES AFFECT THE NON–EXCLUSIVE ACCESS EASEMENT.

11. THE EFFECT OF THE ORDINANCE NO. 99–001 RECORDED IN OFFICIAL RECORDS BOOK 1203, PAGE 1026, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– BLANKET IN NATURE – OVERALL SONIC TRACT LIES WITHIN LANDS DESCRIBED HEREIN.

12. TERMS, COVENANTS, CONDITIONS AND OTHER MATTERS CONTAINED IN THE INGRESS/EGRESS EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1210, PAGE 906, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– PLOTTED HEREON – DOES AFFECT THE OVERALL SONIC TRACT, DOES NOT AFFECT PROPOSED RG PARENT PARCEL, DOES NOT AFFECT THE RG TOWERS LEASE PARCEL, DOES NOT AFFECT THE NON–EXCLUSIVE ACCESS EASEMENT.

13. DECLARATION OF RESTRICTIVE COVENANTS RECORDED IN OFFICIAL RECORDS BOOK 1210, PAGE 914, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– BLANKET IN NATURE – OVERALL SONIC TRACT LIES WITHIN LANDS DESCRIBED HEREIN.

14. EASEMENT(S) GRANTED TO THE CITY OF FORT PIERCE, RECORDED IN OFFICIAL RECORDS BOOK 1229, PAGE 2864, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. N

– PLOTTED HEREON – DOES AFFECT THE OVERALL SONIC TRACT, DOES AFFECT PROPOSED RG PARENT PARCEL, DOES NOT AFFECT THE RG TOWERS LEASE PARCEL, DOES NOT AFFECT THE NON–EXCLUSIVE ACCESS EASEMENT.

15. EASEMENT(S) GRANTED TO CITY OF FORT PIERCE, FLORIDA, RECORDED IN OFFICIAL RECORDS BOOK 1229, PAGE 2870, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. (AFFECTS PARCEL 2)

– NOT PLOTTED HEREON – DOES NOT AFFECT THE OVERALL SONIC TRACT, DOES NOT AFFECT PROPOSED RG PARENT PARCEL, DOES NOT AFFECT THE RG TOWERS LEASE PARCEL, DOES NOT AFFECT THE NON–EXCLUSIVE ACCESS EASEMENT.

16. THE EFFECT OF THE ORDINANCE NO. 00–002 RECORDED IN OFFICIAL RECORDS BOOK 1301, PAGE 2302, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– BLANKET IN NATURE – OVERALL SONIC TRACT LIES WITHIN LANDS DESCRIBED HEREIN.

17. TERMS AND CONDITIONS AS SET FORTH IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1371, PAGE 1412, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– NOT PLOTTED HEREON – DOES NOT AFFECT THE OVERALL SONIC TRACT, DOES NOT AFFECT PROPOSED RG PARENT PARCEL, DOES NOT AFFECT THE RG TOWERS LEASE PARCEL, DOES NOT AFFECT THE NON–EXCLUSIVE ACCESS EASEMENT.

18. EASEMENT(S) GRANTED TO CITY OF FORT PIERCE, FLORIDA, RECORDED IN OFFICIAL RECORDS BOOK 1445, PAGE 82, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. (AFFECTS PARCEL 2)

– NOT PLOTTED HEREON – DOES NOT AFFECT THE OVERALL SONIC TRACT, DOES NOT AFFECT PROPOSED RG PARENT PARCEL, DOES NOT AFFECT THE RG TOWERS LEASE PARCEL, DOES NOT AFFECT THE NON–EXCLUSIVE ACCESS EASEMENT.

19. ENVIRONMENTAL RESOURCE PERMIT NOTICE RECORDED IN OFFICIAL RECORDS BOOK 2680, PAGE 1657, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– BLANKET IN NATURE – OVERALL SONIC TRACT LIES WITHIN LANDS DESCRIBED HEREIN.

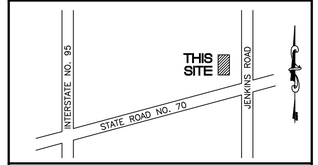
20. EASEMENT(S) GRANTED TO THE CITY OF FORT PIERCE, FLORIDA IN OFFICIAL RECORDS BOOK 2860, PAGE 1585, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

– PLOTTED HEREON – DOES AFFECT THE OVERALL SONIC TRACT, DOES NOT AFFECT PROPOSED RG PARENT PARCEL, DOES NOT AFFECT THE RG TOWERS LEASE PARCEL, DOES NOT AFFECT THE NON–EXCLUSIVE ACCESS EASEMENT.

21. TERMS, COVENANTS, CONDITIONS AND OTHER MATTERS CONTAINED IN ANY UNRECORDED LEASE(S) AND ALL RIGHTS THEREUNDER OF THE LESSEE(S) AND OF ANY PERSON CLAIMING BY, THROUGH OR UNDER THE LESSEE(S).

– STANDARD EXCEPTION – NOT THE TYPE TO BE DEPICTED HEREON.

SONIC – TC 04



LOCATION SKETCH

SECTION 24–T35S–R39E
NOT TO SCALE

PROPOSED TOWER INFORMATION
150' FLAGPOLE

LATITUDE = 27°25'07.389" NORTH
LONGITUDE = 080°23'00.927" WEST
NORTH AMERICAN DATUM OF 1983/2011 (NAD 83/2011)

EXISTING AVERAGE GROUND ELEVATION AT TOWER = 16.7 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)

FLOOD ZONE INFORMATION

COMMUNITY NUMBER	PANEL NUMBER	SUFFIX	DATE OF FIRM	FIRM ZONE	BASE FLOOD ELEVATION
120286	0167	J	02/16/2012	X	N/A

SURVEY DATE: 06/16/2015				
DRAWN: WSP				
CHECKED: WSP				
MANAGER: WSP	2	11/30/2015	UPDATE SURVEY PER COUNTY COMMENTS	WSP
DWG FILE: 15–1405.DWG	1	10/01/2015	UPDATE SURVEY PER COUNSEL COMMENTS	WSP
JOB FILE:	No.	DATE	REVISION	BY

WSP Consultants, Inc.
SURVEYORS & MAPPERS
19006 1ST STREET S.W., LUTZ, FL 33548
PHONE (813) 909-2420
PROFESSIONAL SURVEYING & MAPPING CERTIFICATE OF AUTHORIZATION:
LB 7188, STATE OF FLORIDA

MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY
SONIC – TC 04
PREPARED FOR:
RG Towers, LLC
LOCATED IN:
ST. LUCIE COUNTY, FLORIDA

PROJECT NO: 15–1405

SHEET NO: 3 OF 3

RG TOWERS FORT PIERCE

BEING A REPLAT OF A PORTION OF PARCEL B2, FORT PIERCE PLAZA, AS RECORDED IN PLAT BOOK 35, PAGES 21, 21A AND 21B OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA LYING IN SECTION 24, TOWNSHIP 35 SOUTH, RANGE 39 EAST, CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

PLAT BOOK:_____

PAGE:_____

DOCKET NO._____

CERTIFICATE OF DEDICATION AND DESCRIPTION

STATE OF DELAWARE
COUNTY OF NEW CASTLE

KNOW ALL MEN BY THESE PRESENTS, THAT SRI REAL ESTATE PROPERTIES LLC, A DELAWARE LIMITED LIABILITY COMPANY, FEE SIMPLE OWNER OF THE LANDS SHOWN HEREON, BEING A REPLAT OF A PORTION OF PARCEL B2, FORT PIERCE PLAZA, AS RECORDED IN PLAT BOOK 35, PAGES 21, 21A AND 21B, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, DESCRIBED AND PLATTED HEREIN, AS RG TOWERS FORT PIERCE, BEING IN CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA, HAVE CAUSED SAID LANDS TO BE SURVEYED AND PLATTED AS SHOWN HERON AND DOES HEREBY DEDICATE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF PARCEL B2, FORT PIERCE PLAZA, AS RECORDED IN PLAT BOOK 35, PAGES 21, 21A AND 21B OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID PARCEL B2:

THENCE ON AN ASSUMED BEARING OF S89°55'24"E ALONG THE NORTH LINE OF SAID PARCEL B2, A DISTANCE OF 38.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE S89°55'24"E CONTINUING ALONG THE NORTH LINE OF SAID PARCEL B2, A DISTANCE OF 14.90 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTH;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT AND CONTINUING ALONG THE NORTH LINE OF SAID PARCEL B2, HAVING A CENTRAL ANGLE OF 08°13'13" AND A RADIUS OF 705.00 FEET FOR AN ARC DISTANCE OF 101.15 FEET (CHORD BEARING = S85°48'47"E AND CHORD DISTANCE = 101.06 FEET) TO A POINT ON A NON–TANGENT LINE;

THENCE S00°04'59"E A DISTANCE OF 151.50 FEET;

THENCE S70°58'00"W A DISTANCE OF 104.50 FEET;

THENCE S89°55'01"W A DISTANCE OF 16.85 FEET TO A POINT ON A LINE 38.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID PARCEL B2

THENCE N00°04'59"W ALONG SAID PARALLEL LINE, A DISTANCE OF 193.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL OF LAND SITUATE WITHIN THE CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA CONTAINING 20,387.84 SQUARE FEET (0.468 ACRES), MORE OR LESS.

IN WITNESS WHEREOF, SRI REAL ESTATE PROPERTIES, LLC, A DELAWARE LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____, MANAGER MEMBER OF SRI REAL ESTATE PROPERTIES LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND ITS CORPORATE SEAL AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS BOARD OF DIRECTORS THIS _____ DAY OF _____, 2016.

SRI REAL ESTATE PROPERTIES LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY:_____

_____
MANAGING MEMBER

WITNESS _____
_____
PRINTED NAME

WITNESS _____
_____
PRINTED NAME

ACKNOWLEDGMENT AS TO CERTIFICATION OF DEDICATION

STATE OF DELAWARE
COUNTY OF NEW CASTLE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____DAY OF _____, 2016. BY, _____, MANAGING MEMBER OF SRI REAL ESTATE PROPERTIES, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED A DRIVER'S LICENSE AS IDENTIFICATION.

NOTARY PUBLIC:_____COMMISSION #_____

PRINTED NAME: _____MY COMMISSION EXPIRES:_____

CITY ATTORNEY

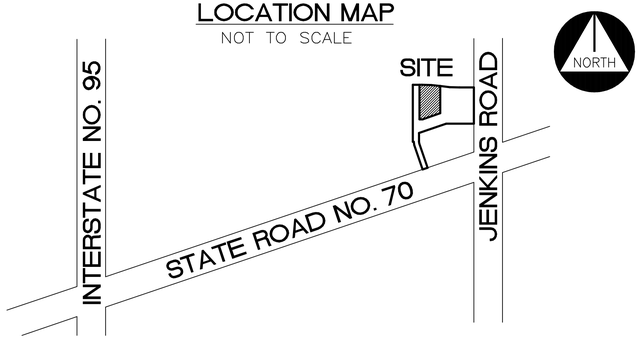
IT IS HEREBY CERTIFIED THAT THE FOREGOING PLAT IS APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY:_____
ROBERT V. SCHWERER
CITY ATTORNEY
CITY OF FORT PIERCE, FLORIDA.

SEAL	SEAL	SEAL	SEAL	SEAL
SRI REAL ESTATE PROPERTIES, LLC	CLERK TO THE BOARD OF CITY COMMISSIONERS	CITY SURVEYOR AND MAPPER	WILLIAM S. PAYNE, PSM	CLERK OF THE CIRCUIT COURT

LOCATION MAP

NOT TO SCALE



TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I, JESSICA M. SHAPIRO, MEMBER OF THE FLORIDA BAR, IN RELIANCE UPON THAT CERTAIN TITLE SEARCH REPORTED DATED APRIL 29, 2015, ISSUED BY CHICAGO TITLE INSURANCE COMPANY HEREBY CERTIFY THAT AS OF _____, 2015, AT _____(M):

1) APPARENT RECORD TITLE TO THE LAND DESCRIBED AND SHOWN ON THIS PLAT OF RG TOWERS FORT PIERCE IS IN THE NAME OF THE ENTITIES AND/OR PERSONS EXECUTING THE DEDICATION HEREON.

2) ALL RECORDED MORTGAGES, NOT SATISFIED OR RELEASED OF RECORD, ENCUMBERING THE LAND DESCRIBED HEREON ARE LISTED AS FOLLOWS:
NONE.

PURSUANT TO FLORIDA STATUE 197.192, ALL TAXES HAVE BEEN PAID THROUGH THE YEAR 2015.

DATED THIS _____DAY OF _____, 2015.

JESSICA M. SHAPIRO

BY:_____
GUNSTER, YOAKLEY & STEWART, P.A.
777 SOUTH FLAGLER DRIVE, SUITE 500
WEST PALM BEACH, FL 33401

CERTIFICATION OF FINAL APPROVAL BY CITY COMMISSION

STATE OF FLORIDA
COUNTY OF ST. LUCIE

PURSUANT TO THE PROVISIONS OF THE FORT PIERCE COMMISSION THIS PLAT WAS GIVEN FINAL APPROVAL BY THE CITY COMMISSION AT A MEETING HELD ON THIS _____DAY OF _____2016. THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER 177 FLORIDA STATUTES BY A PROFESSIONAL SURVEYOR AND MAPPER EMPLOYED BY OR UNDER CONTRACT WITH THE CITY OF FORT PIERCE, FLORIDA,

THIS_____DAY OF _____, 2016

FORT PIERCE CITY COMMISSION

BY:_____
LINDA COX, CITY CLERK

CLERK'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF ST. LUCIE
I, JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT OF RG TOWERS FORT PIERCE, AND THAT IT COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177 OF THE LAWS OF FLORIDA. THIS PLAT FILED FOR RECORD THIS _____DAY OF _____, 2016 AND RECORDED ON PAGE _____OF PLAT BOOK_____ IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA

JOSEPH E. SMITH, CLERK OF CIRCUIT COURT

BY:_____
CLERK OF THE CIRCUIT COURT
ST. LUCIE COUNTY, FLORIDA

NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

SURVEYOR'S NOTES

1. THE BEARINGS SHOWN HEREON ARE ASSUMED AND RELATIVE TO THE WEST LINE OF PARCEL B2, FORT PIERCE PLAZA, AS RECORDED IN PLAT BOOK 35, PAGES 21, 21A AND 21B OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, HAVING A BEARING OF N00°04'59"W.

2. PLAT CONTAINS ONE LOT WITH AN AREA OF 0.468 ACRES.

3. RESTRICTIONS ARE IN EFFECT PER THE RECIPROCAL EASEMENT AND OPERATING AGREEMENT AS RECORDED IN OFFICIAL RECORD BOOK 1065, PAGE 1910 AND AMENDED PER OFFICIAL RECORD BOOK 1210, PAGE 918 BOTH OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

4. PERMANENT REFERENCE MONUMENTS SET ARE 4" X 4" CONCRETE MONUMENTS WITH MAG NAIL AND ALUMINUM DISK STAMPED "P.R.M. LB 7188", UNLESS OTHERWISE NOTED.

PLANNING AND DEVELOPMENT SERVICES APPROVAL

IT IS HEREBY CERTIFIED THAT THIS PLAT MEETS THE MINIMUM LOT DIMENSION REQUIREMENT OF THE C3 ZONING DISTRICT, AS SET FORTH IN SECTION 7.01.00 OF THE ST. LUCIE COUNTY LAND DEVELOPMENT CODE

THIS _____ DAY OF _____, 2016

BY:_____
REBECCA GROHALL
DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES
FORT PIERCE, FLORIDA

SURVEYOR'S REVIEW CERTIFICATE

STATE OF FLORIDA
COUNTY OF ST. LUCIE

IT IS HEREBY CERTIFIED THAT THE UNDERSIGNED SURVEYOR AND MAPPER DULY LICENSED IN THE STATE OF FLORIDA HAS REVIEWED THIS PLAT FOR CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 177, PART 1, FLORIDA STATUES.

_____DATE_____
GREGORY S. FLEMING, PROFESSIONAL SURVEYOR AND MAPPER,
FLORIDA REGISTRATION NO. 4350
CITY SURVEYOR
FORT PIERCE, FLORIDA

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING A LICENSED AND REGISTERED SURVEYOR AND MAPPER, DOES HEREBY CERTIFY THAT ON JUNE 16, 2015, HE COMPLETED THE SURVEY OF THE LANDS AS SHOWN IN THE FORGOING PLAT; THAT SAID PLAT IS A CORRECT REPRESENTATION OF THE LANDS THEREIN DESCRIBED AND PLATTED OR SUBDIVIDED; THAT PERMANENT REFERENCE MONUMENTS AND ALL LOT CORNERS WILL BE PLACED AS SHOWN THEREON AS REQUIRED BY CHAPTER 177, FLORIDA STATUTES, PART 1, AS AMENDED, AND THAT SAID LAND IS LOCATED IN ST. LUCIE COUNTY, FLORIDA.

_____DATE_____
WILLIAM S. PAYNE, P.S.M. FLORIDA CERTIFICATE NO. 5685
WSP CONSULTANTS, INC.
18815 ANNELIS DRIVE, LUTZ, FLORIDA 33548
STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION NO. LB. 7188

PREPARED BY:
WILLIAM S. PAYNE, PSM, LS 5685
FOR WSP CONSULTANTS, INC., LB 7188
PREPARATION DATE: 01/28/2016

WSP Consultants, Inc.
SURVEYORS & MAPPERS
18815 ANNELIS DRIVE, LUTZ, FL 33548
PHONE (813) 909-2420
CERTIFICATE OF AUTHORIZATION NO.: LB 7188

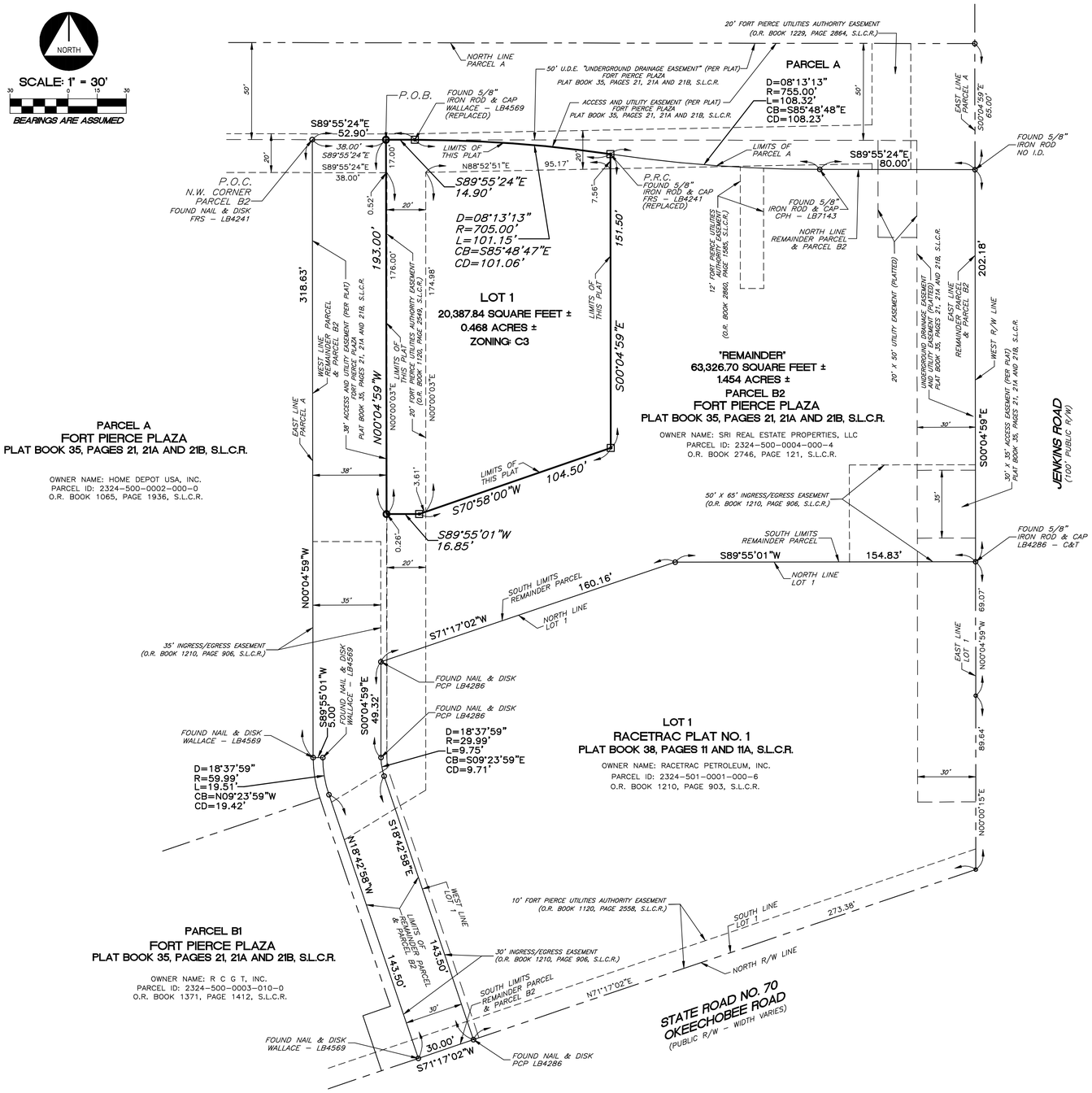
RG TOWERS FORT PIERCE

BEING A REPLAT OF A PORTION OF PARCEL B2, FORT PIERCE PLAZA,
AS RECORDED IN PLAT BOOK 35, PAGES 21, 21A AND 21B
OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA
LYING IN SECTION 24, TOWNSHIP 35 SOUTH, RANGE 39 EAST,
CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

PLAT BOOK:_____

PAGE:_____

DOCKET NO._____



AREA TABLE

DESCRIPTION	SQUARE FEET	ACREAGE
ORIGINAL PARCEL	83,714.54	1.922 ACRES
NEW PARCEL (LOT 1)	20,387.84	0.468 ACRES
REMAINDER PARCEL	63,326.70	1.454 ACRES

ABBREVIATIONS AND SYMBOLS

P.O.C. – POINT OF COMMENCEMENT
P.O.B. – POINT OF BEGINNING
P.R.C. – POINT OF REVERSE CURVATURE (TANGENT)
S.L.C.R. – ST. LUCIE COUNTY RECORDS
R/W – RIGHT–OF–WAY
D – DELTA (CENTRAL ANGLE)
R – RADIUS
L – ARC LENGTH
CB – CHORD BEARING
CD – CHORD DISTANCE
LB – LICENSED BUSINESS

◎ – SET P.R.M. MAG NAIL WITH 1.5" DIAMETER ALUMINUM DISK STAMPED "P.R.M." L.B. # 7188

⊡ – SET P.R.M. 4" X 4" CONCRETE MONUMENT WITH MAG NAIL WITH 1.5" DIAMETER ALUMINUM DISK STAMPED "P.R.M." L.B. # 7188

SURVEYOR'S NOTES

1. THE BEARINGS SHOWN HEREON ARE ASSUMED AND RELATIVE TO THE WEST LINE OF PARCEL B2, FORT PIERCE PLAZA, AS RECORDED IN PLAT BOOK 35, PAGES 21, 21A AND 21B OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, HAVING A BEARING OF N00°04'59"W.

2. PLAT CONTAINS ONE LOT WITH AN AREA OF 0.468 ACRES.

3. RESTRICTIONS ARE IN EFFECT PER THE RECIPROCAL EASEMENT AND OPERATING AGREEMENT AS RECORDED IN OFFICIAL RECORD BOOK 1065, PAGE 1910 AND AMENDED PER OFFICIAL RECORD BOOK 1210, PAGE 918 BOTH OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

4. PERMANENT REFERENCE MONUMENTS SET ARE 4" X 4" CONCRETE MONUMENTS WITH MAG NAIL AND ALUMINUM DISK STAMPED "P.R.M. LB 7188", UNLESS OTHERWISE NOTED.

NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

PREPARED BY:
WILLIAM S. PAYNE, PSM, LS 5685
FOR WSP CONSULTANTS, INC., LB 7188
PREPARATION DATE: 01/28/2016

WSP Consultants, Inc.
SURVEYORS & MAPPERS
18815 ANNELIS DRIVE, LUTZ, FL 33548
PHONE (813) 909-2420
CERTIFICATE OF AUTHORIZATION NO.: LB 7188

CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: Holly Valdez, V.P. Operations

FROM: Clarissa Davis, Planner

RE: RG Towers - & Minor Plat

DATE: February 17, 2016

Ms. Valdez,

I have reviewed the proposed minor replat application for the RG Towers project located at 2551 Jenkins Road and have produced the following comments:

1. The way the property is to be split will render it landlocked. An access agreement with the neighboring property from the newly made parcel must be provided before the Minor Plat application is approved. If agreement has been made please provide documentation.

2. Minor Plat could possibly reduce the green space required for the Sonic Drive-in Restaurant. Please provide calculations showing green space calculations before and after the replat.

This review is merely preliminary. Official comments will be rendered at the time of building permit. If you have any questions about the review above please feel free to contact me.

Sincerely,

Clarissa Davis, Planner
(772) 467-3742
CDavis@City-FortPerice.com

CITY OF FORT PIERCE
DEPARTMENT OF ENGINEERING

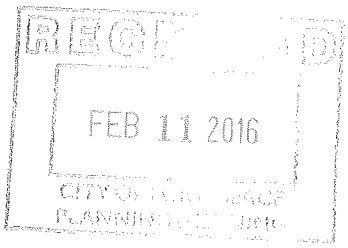
Roadway Design, Engineering Reviews, Stormwater Utility Management, Project Management, Traffic Control and Maintenance

INTEROFFICE MEMORANDUM

TO: Clarissa Davis, Planner

FROM: John R. Andrews, P.E., City Engineer

SUBJECT: **RG Towers Minor Plat Review**
2551 Jenkins Road
TRC Project No. 15-04000015



DATE: February 11, 2016

cc:

Attachment(s):

This is to advise you that we have completed the review of the following documents as received February 5, 2016

- ☑ Plat and Survey
- ☐ Test Reports & Related Documents
- ☐ Record Drawings
- ☐ Clearances from all applicable Local, State and Federal Agencies
- ☐ P/D Drawings & Approved Site Plan
- ☐ Certificate of Completion
- ☐ Permits from applicable Local, State & Federal Agencies

Based on our reviews and appropriate site final inspection, we ☐ Recommend; ☑ Do Not Recommend

☑ Approval ☐ Building Permit ☐ C/O

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

☑ See attached for comments

P.O. BOX 1480 ◊ FORT PIERCE, FL 34954-1480 ◊ 772-467-3774

ENGINEERING COMMENTS:

1. The revised plat has been forwarded to our reviewing surveyor and is currently under review. Once comments are received they will be forwarded to your department for transmittal to the applicant.
2. As previously noted, the development plan reflects a proposed 20' wide access easement that traverses over two existing parking stalls and Type F curb and gutter; please provide information on how access for service vehicles requiring entrance to the tower site will maneuver across the "F" curb.
3. Advisory Comment: The Landscape Plan indicates that there is an existing Live Oak located in the middle of the proposed 20' wide access easement. The applicant shall be made aware that impacts to this tree will require permitting through the City.

JRA/tst

TRC - RG Towers - 2551 Jenkins Rd <Watchdog: Virus checked>
Martha Kerr
to:
'Clarissa Davis'
02/11/2016 11:22 AM
Hide Details
From: Martha Kerr <mkerr@fpua.com>
To: 'Clarissa Davis' <CDavis@City-FtPierce.Com>

Clarissa,

Below are FPUA comments regarding the TRC submission for RG Towers.

D. **Minor Replat** – RG Towers – 2551 Jenkins Road - (Clarissa Davis)
- **W/WW Engineering:** Approved
- **Electric and Gas Engineering:** No comment

Thank you

Regards,
Martha Kerr

FPUA
Staff Assistant
W/WW Engineering Department
1701 S. 37th Street
Fort Pierce, FL 34947
Telephone: (772) 466-1600, Ext. 3473
Fax: (772) 468-2414
mkerr@fpua.com

Please note: Florida has a very broad public records law. Most written communications to or from Fort Pierce Utilities Authority employees regarding government business are public records, available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

(For additional information, go to http://www.fpua.com/important_information/privacy.php)