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October 2, 2017

Via email

Mr. Kori Benton  
Senior Planner  
City of Fort Pierce Planning Department  
100 North U.S. 1  
Fort Pierce, Florida 34950

SUBJECT: Zoning Text Amendment  
Amending the South Beach Overlay Boundaries  
601 Seaway Drive

Dear Mr. Benton,

Thank you for your correspondence dated September 26, 2017. Please accept this as the applicant/owner's responses, which follow the points in your letter restated below.

***1) Please provide analysis presenting consistency of the requested amendment with the provisions of City Code, Section 22-131. - Basic amendment standards:***

***Before an amendment is approved, findings will be made that the following standards are satisfied:***

***(1) The amendment is consistent with the comprehensive plan;***

***(2) The amendment will not have an adverse effect on the ability of the city to:***

***a. Satisfy land and water use needs; and***

***b. Meet transportation demands and provide community facilities and services; and***

***(3) The amendment will promote and protect the public health, safety and general welfare.***

Because the removal of the South Beach Overlay will increase the maximum allowable density of the parcels, an amendment to the Comprehensive Plan may be required depending on the nature and design of any proposed future development. Also, depending on the specific design details of any proposed future development, there may be infrastructure improvements required to satisfy land and water use needs and meet the transportation and community facility demands and required services. However, each of those aspects of a future development can be adequately addressed if and when a development plan is submitted by the owner/applicant.

The proposed amendment will promote and protect the public health, safety and general welfare of the citizens of the City of Fort Pierce because it is in accord with the findings of the Western Peninsula Waste Water Treatment Charrette, which was adopted by the Fort Pierce City Commission and which is incorporated by reference herein in this response. The removal of the South Beach Overlay through the

text amendment proposed is a step in the implementation of the adopted charrette findings. Also attached hereto for ease of reference is the application of the owner/applicant from June, 2015, requesting the rezoning of the subject parcels to C-5 along with the Staff Report thereon (application subsequently approved by the Fort Pierce City Commission by way of Ordinance 15-051), wherein the analysis and reasoning for a Comprehensive Land Use Amendment from HIMU (Hutchinson Island Mixed Use) to MXD (Mixed Use Development) were provided to the Planning Department. This application outlines the reasons that a Comprehensive Plan Amendment would be consistent with the adopted findings of the Western Peninsula Waste Water Treatment Charrette. The owner/applicant embraces the process and results of the Western Peninsula Waste Water Treatment Charrette and believes that the proposed text amendment to remove the subject parcels from the South Beach Overlay is consistent with the stated goals and actions of the Fort Pierce City Commission when adopting the Western Peninsula Waste Water Treatment Charrette report. Additionally, the City Commission expressed its intent for the use of the subject parcels when in 2015 it amended the Zoning Designation of the uplands portions of the parcels from R-3 to C-5, which contemplates a use consistent with the Western Peninsula Waste Water Treatment Charrette under the unrestricted provisions of the C-5 Zoning Designation.

***2) City Code Section 22-33. - Tourist Commercial Zone (C-5). (b) Basic use standards, provides that Uses in a C-5 zone, except multifamily housing developments, 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:***

***(4) Building height. No building shall exceed a height of forty-five (45) feet above grade, except that multifamily housing developments in accordance with the requirements of the R-5 zone may be approved.***

***~ City Code Section 22-28 (b) (4) Building heights. No building shall exceed two hundred (200) feet above grade.***

***o The removal of the subject properties from the South Beach Overlay provides the capacity for a development application for a Conditional Use & Site Plan with a building height of up to 200 ft.***

***o This potential scenario may present conflict with City Code Section 22-59 - Design Review, as the purpose of the design review guidelines proposed in this section shall be considered as addenda to rather than replacement of existing code requirements of this chapter. The quality and compatibility of proposed development in the city is of critical public concern for all building and/or site improvements. The city's design review guidelines suggest approaches to design situations that will contribute to the existing and developing character of the city. The guidelines further serve to encourage quality site and architectural design and construction compatible with the scale and character of the city's mix of existing buildings and land uses.***

***o Adjacent "multifamily structures" feature a height of 45ft, whereas the construction of a 200 ft. tall structure, or structures, represents over a 400% increase in height, presenting concern of compatibility.***

In response, it is significant to note that a potential capacity of a 200 ft. high building is a conditional use and not a vested right per the Fort Pierce Code of Ordinances of an owner in this C-5 Zoning Designation. The owner/applicant assumes that sufficient policies and procedures are in place in the City of Fort Pierce to ensure that if an application for a conditional use to build a 200 ft. high building were to be submitted by any citizen, that no approval would be given if the proposed project did not meet the requirements of

the applicable code and, in addition, was of sufficient import to justify approval by the Fort Pierce City Commission.

The owner/applicant is cognizant of the adjacent “multifamily structures” at a height of 45 ft., but also notes that the subject parcels are currently adjacent to the Fort Pierce Utilities Authority Waste Water Treatment Plant and, more significantly from a height perspective, the Peter P. Cobb Bridge over the Intracoastal Waterway. The bridge dominates the view from the subject parcels and, even in the event that a building over 45’ was proposed, the impact of such a building (or buildings) would be reduced on adjacent parcels due to present impacts of the bridge. However, as set forth previously, the owner/applicant embraces the findings of the Western Peninsula Waste Water Treatment Charrette, which proposes a multi-function mixed use development complementing and/or coordinating with the parcel on which the Waste Water Treatment Plant currently is located. The charrette findings and recommendations do not propose any building of 200 feet in height. Summarizing, the owner/applicant does not believe that the comment set forth above presents a significant issue due to the conditional approval process of any proposal for a 200 ft. building and the design review process in place to assure consistency of any proposed development with both the city code and the vision of the citizens of Fort Pierce as set forth in the charrette.

***3) City Comprehensive Plan 1.1.10 Policy guides the City shall maintain the South Beach Overlay District in the Land Development Regulations for northern South Hutchinson Island to protect the existing neighborhoods and maintain a low-density, "Tropical Village by the Sea" character. The City will promote opportunities for tourism related development and require the developments to be consistent with the provisions of the overlay district and the neighborhood character.***

***-The Western Peninsula Charrette explored concepts to provide development incentives, within the South Beach Overlay, or a special area plan subject, which provides tiered density or intensity bonuses for eligible infrastructure or public investment benefits, including consideration of relocation of the WWTPlant.***

The removal of the South Beach Overlay from the subject parcels is consistent with the principals set forth in both the Comprehensive Plan and the Western Peninsula Charrette. Any additional density provided through the unrestricted C-5 classification will have no significant impact on the adjacent parcels and will enhance and promote tourism related development. An analysis of the adjacent parcels generally reflects a wastewater treatment plant to the west, a roadway to the north with recreational areas to the north of the roadway, the Indian River to the south, and the Smithsonian Marine Station providing somewhat of a buffer to the east before residential properties are impacted by any development on the subject parcels. Implementation of the vision contained in the Western Peninsula Charrette, including the use of development incentives, intensity bonuses, and tiered density will maintain the concepts contained in the Comprehensive Plan. Nothing in the applicant/owner’s proposal is inconsistent with these goals.

***4) The subject property is located within the Coastal High Hazard Area, as identified in the Comprehensive Plan. (image and specific policies omitted).***

As set forth in the Coastal High Hazard Memorandum attached hereto from Leo Giangrande, PE, all buildings and other aspects of any development will comply with and conform to the requirements of Comprehensive Plan Objective 5.6 through design, location, materials, and construction of any proposed improvements to be located on the subject parcels.

As additional responses to the comments included with your correspondence, please find attached the following:

- 1) Digital copies of surveys of the subject parcels showing elevations as requested by St. Lucie County;
- 2) Surveyor's rendition of the subject parcels showing the mean high water line, flood zones, and elevations;
- 3) Legal description with sketches of the uplands portions of the subject parcels.

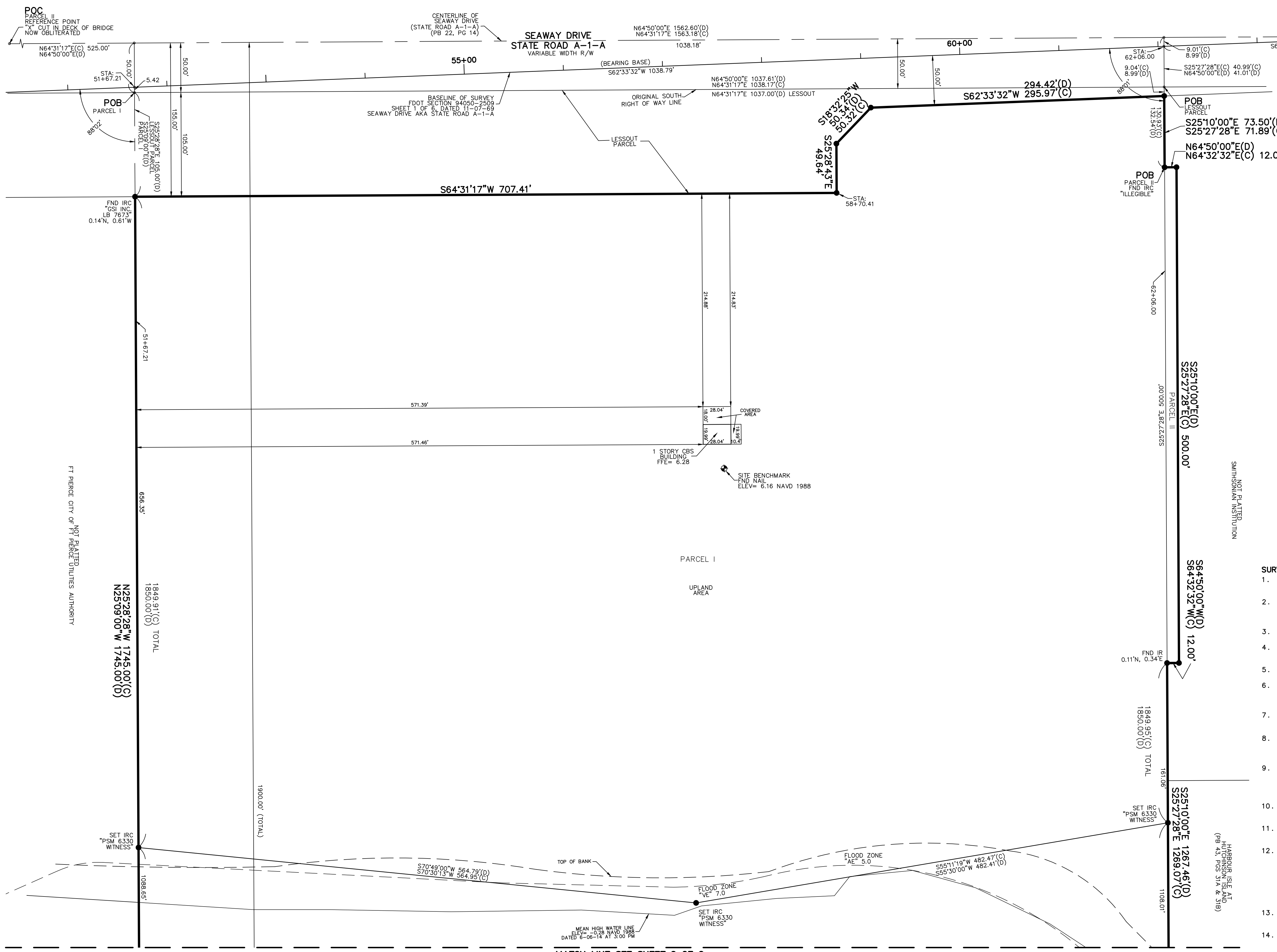
Thank you for your time and efforts reviewing this proposed text amendment. Please do not hesitate to contact me if you have any additional questions or concerns.

Sincerely,



James H. (Mac) McCarty, Jr., Esq.

Attachments: As described in the body of the letter



**LEGAL DESCRIPTION:**  
 PARCEL I:  
 BEING A PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING DESCRIBED AS:  
 COMMENCING AT THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 35 SOUTH, RANGE 40 EAST, THENCE EAST 2240 FEET; THENCE NORTH 70 DEGREES 58 1/2 MINUTES EAST, 1200 FEET; THENCE SOUTH 19 DEGREES 01 1/2 MINUTES EAST, 85 FEET; THENCE NORTH 70 DEGREES 16 MINUTES EAST, 2009.5 FEET TO A POINT OF REFERENCE ON THE EAST END OF EXISTING STATE HIGHWAY BRIDGE ACROSS THE INDIAN RIVER AT THE WEST SHORE OF CAUSEWAY ISLAND, SAID POINT BEING A CROSS ON THE DECK AT THE EAST END OF AFORESAID BRIDGE (NOW OBLITERATED).

FROM SAID POINT OF REFERENCE RUN NORTH 64 DEGREES 50 MINUTES EAST (REFERENCE BEARING), ALONG THE CENTERLINE OF SEAWAY DRIVE (STATE ROAD A-1-A), 525.00 FEET (SAID POINT BEING SOUTH 64°50' WEST A DISTANCE OF 3132.32 FEET FROM AN IRON PIPE FOUND AT THE POINT OF INTERSECTION OF A 8'00\"/>

FROM SAID POINT OF BEGINNING CONTINUE SOUTH 25 DEGREES 09 MINUTES EAST, ALONG THE EASTERLY LINE OF LANDS OF FORT PIERCE PORT AUTHORITY 1850 FEET TO A POINT IN THE INDIAN RIVER; THENCE NORTH 64 DEGREES 50 MINUTES EAST, ON A LINE PARALLEL TO AND 1900 FEET SOUTH OF THE CENTERLINE OF SEAWAY DRIVE (STATE ROAD A-1-A), RUN 1038.16 FEET TO A POINT; THENCE NORTH 25 DEGREES 10 MINUTES WEST, ALONG THE WESTERLY LINE OF LANDS OF FORT PIERCE PORT AND TERMINAL COMPANY, 1850 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SEAWAY DRIVE (STATE ROAD A-1-A); THENCE SOUTH 64 DEGREES 50 MINUTES WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SEAWAY DRIVE (STATE ROAD A-1-A), 1037.61 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM A PARCEL DESCRIBED AS FOLLOWS:  
 A PARCEL OF LAND IN SECTION 2, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A RAILROAD SPIKE IN THE CENTER OF STATE ROAD A-1-A, SAID SPIKE BEING 1,955 FEET MORE OR LESS EASTERLY OF THE WESTERLY BANK OF CAUSEWAY ISLAND; THENCE RUN ALONG THE BASELINE OF SURVEY OF SECTION 94050-2509 STATE ROAD A-1-A, SOUTH 62°32'32\"/>

\* BEARING BELIEVED TO BE A SCRIVENER'S ERROR, AS THE REFERENCED RIGHT-OF-WAY MAP SHOWS SOUTH 62°33'32\"/>

TOGETHER WITH:  
 PARCEL II:  
 A PARCEL OF LAND LOCATED IN SECTION 2, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

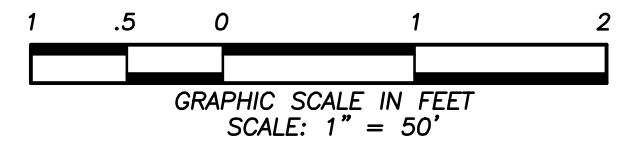
COMMENCING AT A REFERENCE POINT IN THE EAST END OF SOUTH BRIDGE, SAID POINT BEING A CROSS IN THE DECK OF AFORESAID BRIDGE (NOW OBLITERATED); THENCE RUN NORTH 64°50'00\"/>

**SURVEY REPORT:**

- THIS IS A BOUNDARY SURVEY AS DEFINED IN CHAPTER 5J-17.050(10)(a-k), FLORIDA ADMINISTRATIVE CODE.
- SURVEY BASED FOUND MONUMENTATION, FDOT SECTION 94050-2509, SHEET 1 OF 6, DATED 11-07-69, A SURVEY PREPARED BY GCY INCORPORATED FILE NUMBER 95-1057-01-01, DATED 6-06-95, A SURVEY PREPARED BY BLOOMSTER PROFESSIONAL LAND SURVEYORS, INC. JOB NUMBER 7957, DATED 11-11-04.
- LEGAL DESCRIPTION WAS FURNISHED BY CLIENT.
- BEARING BASIS: S62°33'32\"/>

- ABBREVIATIONS:**
- (C) = CALCULATED
  - CBS = CONCRETE BLOCK STRUCTURE
  - CONC = CONCRETE
  - DB = DEED BOOK
  - FND = FOUND
  - IRC = IRON ROD WITH PLASTIC CAP
  - LB = LICENSE BUSINESS
  - LS = LICENSE SURVEY
  - (M) = MEASURED
  - MHWL = MEAN HIGH WATER LINE
  - MON = MONUMENT
  - ORB = OFFICIAL RECORD BOOK
  - (P) = PLAT
  - PB = PLAT BOOK
  - PG = PAGE
  - PL = PROPERTY LINE
  - POB = POINT OF BEGINNING
  - POC = POINT OF COMMENCEMENT
  - R/W = RIGHT-OF-WAY
  - RGE = RANGE
  - SEC = SECTION
  - TWP = TOWNSHIP

**SYMBOLS:**  
 ● = SET 5/8\"/>



MATCH LINE SEE SHEET 2 OF 2

DATE:	REVISIONS:	BY:

**ALEXANDER J. PIAZZA PSM, INC.**  
 Surveying • Mapping • Consulting  
 619 SW Biltmore Street  
 Port St. Lucie, Florida 34983  
 Phone: (772) 340-7770  
 Fax: (772) 340-2250  
 LB#7280

**BOUNDARY SURVEY**  
**601 SEAWAY DRIVE**  
 SEC 2, TWP 35S, RGE 40E  
 AS PREPARED FOR  
**SMYTH BUILDERS, INC.**

CAD	K:\BUILDERS\DWG2014\DWG\14-1784.DWG		
REF	K:\		
FLD	CJM / AJP	FB.	PG.
JOB	14-1784		
OFF	CJM	DATE	6-12-14
CKD	AJP	SHEET	1 OF 2
DWG	D-590		

ALEXANDER J. PIAZZA PSM, INC.  
*Alexander J. Piazza*  
 ALEXANDER J. PIAZZA  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 6330

DATE OF FIELD SURVEY: 6-12-14  
 DATE OF SURVEY: 6-12-14

**DESCRIPTION & SKETCH**PREPARED FOR:  
SMYTH BUILDERS, INC.

UPLANDS PARCEL

**LEGAL DESCRIPTION:**

PARCEL 1:

BEING A PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE BASELINE OF SURVEY FOR SEAWAY DRIVE AT STATION: 51+67.21, AS SHOWN ON THE MAP PREPARED BY FLORIDA DEPARTMENT OF TRANSPORTATION, SECTION 94050-2509, SHEET 1 OF 6, DATED 11-07-69 AND THE NORTHERLY EXTENSION OF THE EAST LINE OF THE CITY OF FORT PIERCE UTILITIES AUTHORITY PROPERTY; THENCE SOUTH 25°28'28" EAST, ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF 766.77 FEET TO THE POINT OF BEGINNING; THENCE NORTH 70°30'13" EAST, DEPARTING SAID EAST LINE, A DISTANCE OF 564.95 FEET; THENCE NORTH 55°11'19" EAST, A DISTANCE OF 156.79 FEET TO A POINT, SAID POINT ALSO KNOWN AS REFERENCE PONT "A"; THENCE SOUTH 13°24'23" WEST, A DISTANCE OF 24.33 FEET; THENCE SOUTH 62°05'49" WEST, A DISTANCE OF 58.43 FEET; THENCE SOUTH 59°09'13" WEST, A DISTANCE OF 75.90 FEET; THENCE SOUTH 45°44'33" WEST, A DISTANCE OF 28.96 FEET; THENCE SOUTH 68°03'20" WEST, A DISTANCE OF 93.99 FEET; THENCE SOUTH 64°05'22" WEST, A DISTANCE OF 131.22 FEET; THENCE SOUTH 65°50'33" WEST, A DISTANCE OF 123.03 FEET; THENCE SOUTH 64°49'33" WEST, A DISTANCE OF 76.95 FEET; THENCE SOUTH 68°25'21" WEST, A DISTANCE OF 115.25 FEET TO THE SAID EAST LINE OF THE CITY OF FORT PIERCE UTILITIES AUTHORITY; THENCE NORTH 25°28'28" WEST, ALONG SAID EAST LINE, A DISTANCE OF 55.39 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 2:

BEING A PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE AFOREMENTIONED REFERENCE POINT "A"; THENCE NORTH 55°11'19" EAST, A DISTANCE OF 3.71 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 55°11'19" EAST, A DISTANCE OF 321.96 FEET TO THE WEST LINE OF HARBOUR ISLE AT HUTCHINSON ISLAND AS RECORDED IN PLAT BOOK 43, PAGES 31A AND 31B, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 25°27'28" EAST, ALONG SAID WEST LINE, A DISTANCE OF 196.21 FEET; THENCE NORTH 67°36'11" WEST, DEPARTING SAID WEST LINE, A DISTANCE OF 24.64 FEET; THENCE NORTH 75°

LEGAL DESCRIPTION CONTINUED ON SHEET 2 OF 5

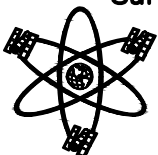
**ALEXANDER J. PIAZZA PSM, INC.**

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619 SW Biltmore Street  
Port St. Lucie, Florida 34983

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Fax: (772) 340-2250



LB#7280

CAD K:\SMYTHBUILD\601 SEAWAY\14-1784SK1.DWG

REF K:\SMYTHBUILD\601 SEAWAY\14-1784

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OFF	AJP			DATE	8-10-15
CKD	AJP	SHEET	1 OF 5	DWG	A-0127

**DESCRIPTION & SKETCH**  
 PREPARED FOR:  
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UPLANDS PARCEL

**LEGAL DESCRIPTION CONTINUED FROM SHEET 1 OF 5**

56'23" WEST, A DISTANCE OF 65.84 FEET; THENCE NORTH 81°49'27" WEST, A DISTANCE OF 62.56 FEET; THENCE NORTH 89°18'33" WEST, A DISTANCE OF 83.36 FEET; THENCE SOUTH 80°11'48" WEST, A DISTANCE OF 66.03 FEET; THENCE SOUTH 59°18'05" WEST. A DISTANCE OF 60.11 FEET TO THE POINT OF BEGINNING.

CONTAINING IN ALL 42,785 SQUARE FEET OR 0.9822 ACRES, MORE OF LESS.

**SURVEYOR'S NOTES:**

1. THIS DRAWING IS NOT A SURVEY.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.  
 THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY ALEXANDER J. PIAZZA PSM, INC.
5. DATE OF LEGAL DESCRIPTION: AUGUST 10, 2015

ALEXANDER J. PIAZZA PSM, INC.

\_\_\_\_\_  
 ALEXANDER J. PIAZZA  
 PROFESSIONAL SURVEYOR AND MAPPER FLORIDA  
 CERTIFICATE No. 6330

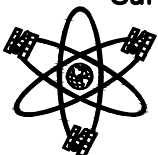
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**LB 7280**

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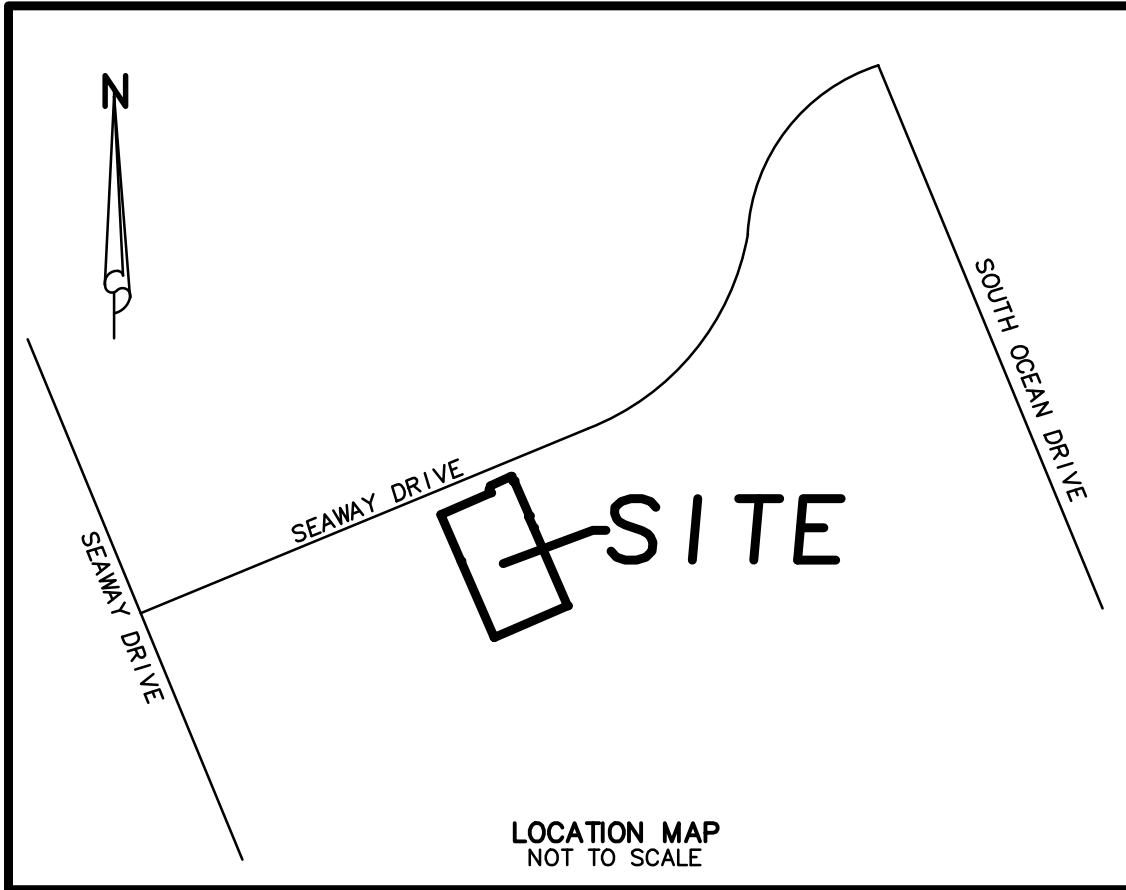
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**DESCRIPTION & SKETCH**

PREPARED FOR:  
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UPLANDS PARCEL



**LEGEND:**

- DE = DRAINAGE EASEMENT
- DB = DEED BOOK
- LB = LICENSE BUSINESS
- LS = LICENSE SURVEY
- (M) = MEASURED
- ORB = OFFICIAL RECORD BOOK
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- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- ROW = RIGHT-OF-WAY
- RPB = ROAD PLAT BOOK
- UE = UTILITY EASEMENT

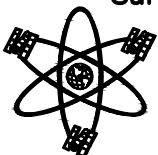
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**LB#7280**

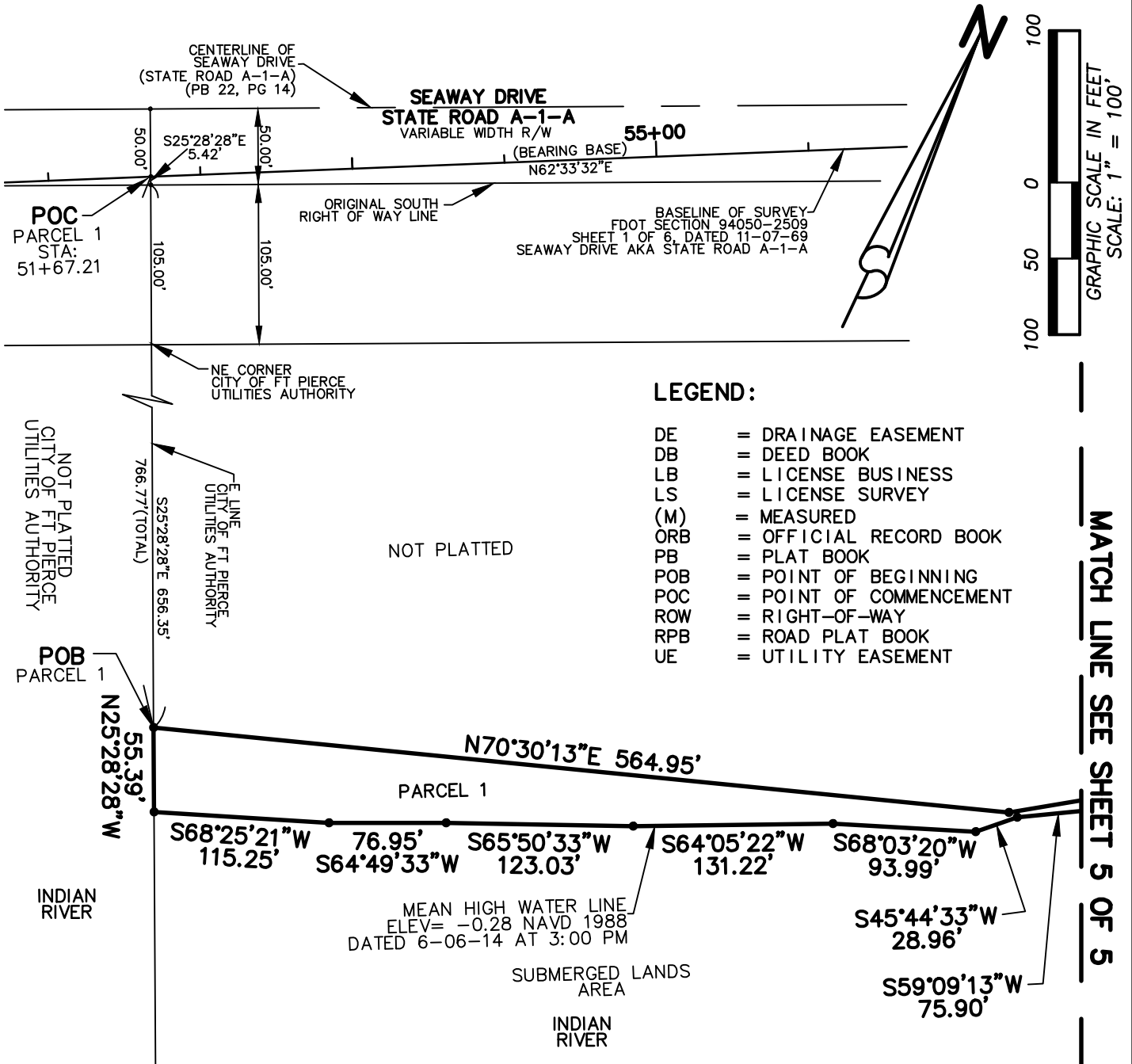
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**DESCRIPTION & SKETCH**  
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**UPLANDS PARCEL**



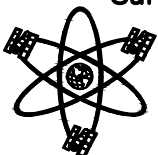
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LB#7280

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CKD	AJP	SHEET	4 OF 5	DWG	A-0127

**DESCRIPTION & SKETCH**

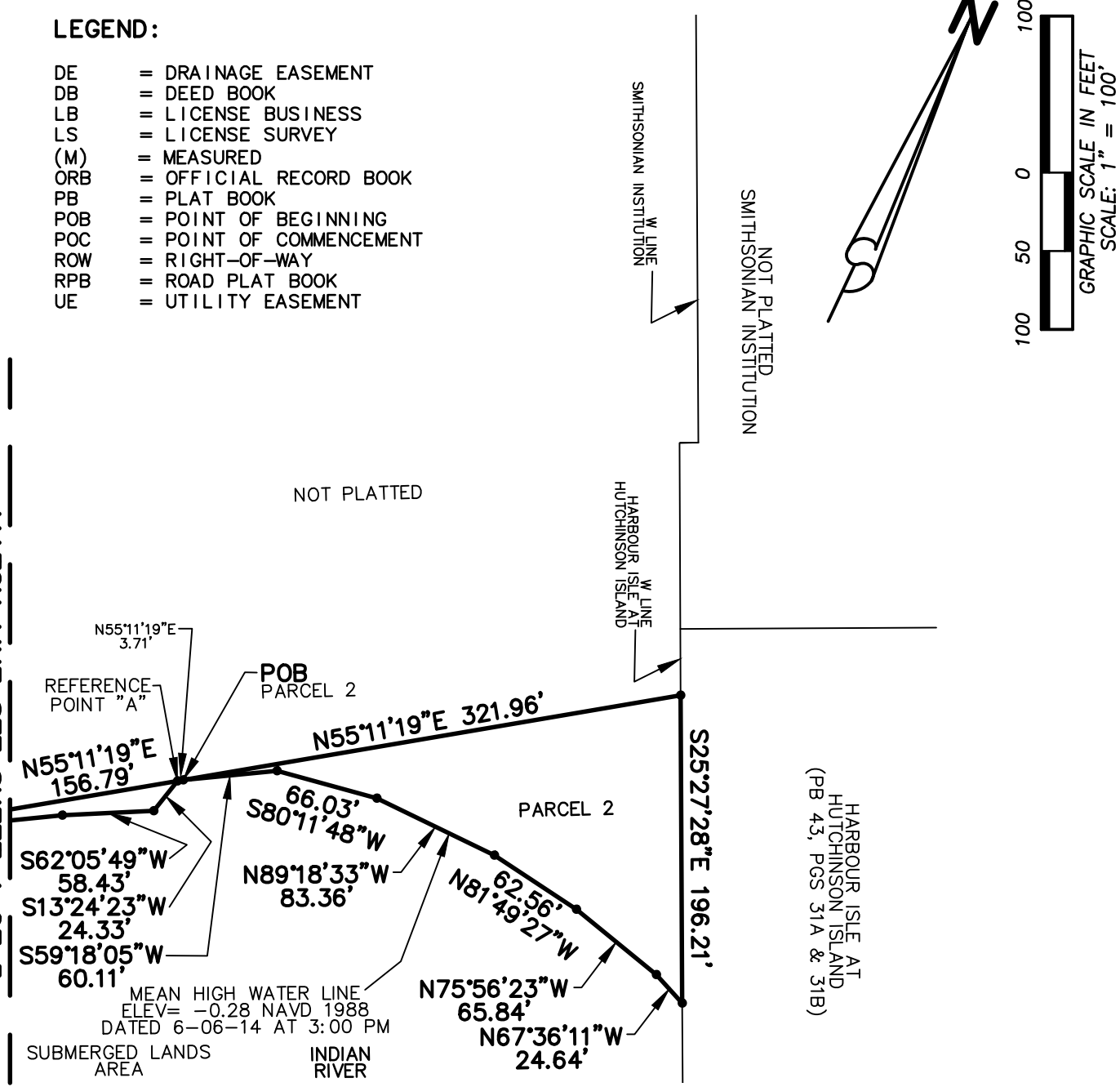
PREPARED FOR:  
SMYTH BUILDERS, INC.

UPLANDS PARCEL

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MATCH LINE SEE SHEET 4 OF 5



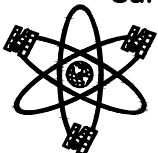
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CKD	AJP	SHEET	5 OF 5	DWG	A-0127

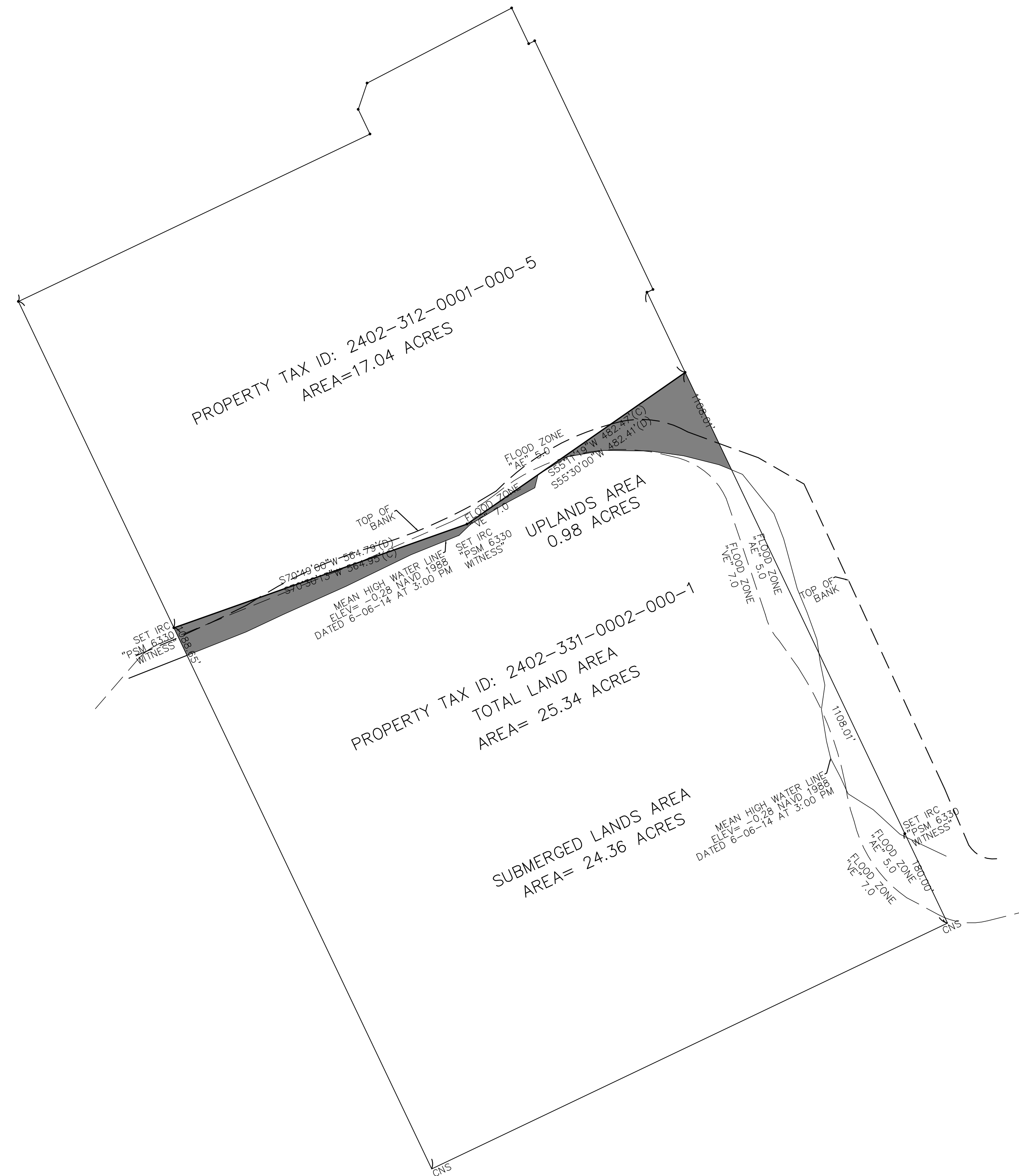
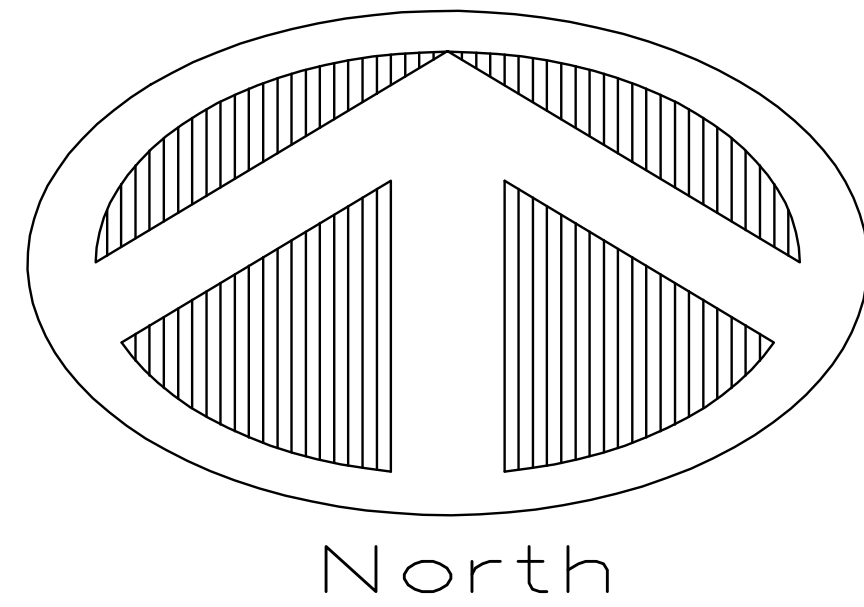


EXHIBIT  
NTS

601 SEAWAY DRIVE  
FORT PIERCE, FL.

**SCHULKE, BITTLE & STODDARD, L.L.C.**

CIVIL & STRUCTURAL ENGINEERING · LAND PLANNING · ENVIRONMENTAL PERMITTING  
CERTIFICATION OF AUTHORIZATION NO.: 00008668

1717 INDIAN RIVER BLVD., SUITE 201 VERO BEACH, FLORIDA 32960  
TEL 772 / 770-9622 FAX 772 / 770-9496 EMAIL info@sbsengineers.com

## Coastal High Hazard Area Memorandum

---

Date: September 29, 2017  
To: City of Fort Pierce Planning Department  
From: Leo Giangrande, PE  
Subject: Causeway Cove; Text Amendment  
GEP # 15-003

---

Distribution: Buzz Smyth, Ashton DePeyster, File

---

The memorandum is being prepared to provide verification that structures can be built within the Coastal High Hazard area if designed properly. The structures that will be proposed are required to conform with the **Comprehensive Plan Objective 5.6**. The following policies will be complied with for the development of structures within the Coastal High Hazard Area:

- **Policy 5.6.1**
- **Policy 5.6.2**
- **Policy 5.6.3**
- **Policy 5.6.4**
- **Policy 5.11.1**

The above information is provided to support a text amendment application.

***Should you have any questions, please contact Leo Giangrande at (772) 888 9076 or e-mail at [Leo@GEP-LLC.com](mailto:Leo@GEP-LLC.com)***



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

TO: Robert Bradshaw, City Manager  
THROUGH: Rebecca Grohall, AICP, Planning Manager  
FROM: Kori Benton, Senior Planner  
SUBJECT: Ordinance 15-051 –Amending the Zoning Atlas  
Rezoning 18.04 acres +/- from R-3, Single-Family Moderate Density Residential to C-5,  
Tourist Commercial  
601 Seaway Drive - Causeway Cove  
DATE: August 27, 2015

### STAFF REPORT

Owner: G. Flash G.P., Inc. c/o Ashton de Peyster  
306 Worth Avenue, Suite 4  
Palm Beach, FL 33480

Applicant: Harold H. Smyth  
P.O. Box 13088  
Fort Pierce, FL 34979

Representative: William P. Stoddard, Ph. D., P.E.,  
Schulke, Bittle, & Stoddard, LLC.  
1717 Indian River Blvd. Suite 201  
Vero Beach, FL 32960

Requested Action: Approval of Ordinance 15-051, encompassing a Zoning Atlas Amendment to  
adjust the zoning designation of 18.02 +/- acres of property located at 601  
Seaway Drive from R-3, Single-Family Moderate Density Residential to C-5,  
Tourist Commercial.

Location: 601 Seaway Drive

Parcel ID: 2402-312-0001-000-5 & 2402-331-0002-000-1 (Uplands)

Zoning: R-3, Single-Family Moderate Density Residential

Surrounding Zoning

North	East	South	West
OS-1	C-6/PD	A-2	OS-1

Future Land Use: Hutchinson Island Mixed Use (HIMU)

Parcel Size: 17.04 +/- acres & .98 +/- acres

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## Staff Analysis:

### Request & Site History

The property owner and applicant are requesting approval of a Zoning Atlas Amendment (Rezoning) from R-3, Single-Family Moderate Density Residential to C-5, Tourist Commercial for 18.02 acres of property located 601 Seaway Drive, known as the Causeway Cove property, formerly the Causeway Mobile Home Park.

The subject property is the former home of the Causeway Mobile Home Park, which was shattered in during hurricanes Frances and Jeanne in 2004. The former mobile home park featured approximately 250 units prior to its completed removal in 2006. The property remains predominantly vacant, with decrepit driveways and a common area structure remaining on-site from the previous use.

The applicant has expressed interest in pursuing the construction of a marina and support marine recreational and commercial uses in the near term as the local economy develops, and further exploration commences for strategies to relocate the wastewater treatment plant. The existing R-3, Single-Family Moderate Density Residential zoning designation restricts most commercial uses, including a commercial marina.

The site is surrounded by South Causeway Park, Harbour Isle, the Smithsonian Marine Station, State Road A1A, and the FPUA Waste Water Treatment Plant. These adjacent uses present more intense activity than traditionally adjacent to a single-family residential development. The sites of Harbour Isle and the Smithsonian Marine Station were previously within the R-3 district until amendment to PD, Planned Development and C-6, Marine Commercial respectively, at the time of development.

### R-3, C-5, & South Beach Overlay Districts

The R-3, Single-Family Moderate Density Residential and C-5, Tourist Commercial zones present distinct differentiation in intended purposes for development and use. The amendment would shift focus from single-family residential development to tourist related commercial and residential uses. Furthermore, the amendment in designation to the upland property shifts the prospects of development within the aquatic area, as the prospective marine related uses also become tourist commercial centered, in contrast with limitations of accessory structures and uses associated with upland single-family development.

The property is located within the South Beach Overlay District which provides unique use, design, and dimensional regulations to promote improved 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. Collectively, the overlay district emphasizes the preservation, protection, and enhancement of the unique barrier island environment through regulation of development and redevelopment of lots within the district. The amendment is consistent with the overlay district, as the Future Land Use of the property limits density of development to eight (8) units per acre. The allowable height increases to a maximum of 45 feet, however further design standards for the form and architecture of buildings with future commercial development are prompted. Furthermore, the Overlay seeks to maximize opportunities for public access to the water, and facilitation of waterfront connectivity amongst commercial development.

A comparison of the current and proposed zoning designation for the property is explored in Table 1: Existing and Proposed Site Information, to present the variation of intended uses and dimensional standards for development within the different districts.

Table 1: Existing and Proposed Site Information

	<u>Existing</u>	<u>Proposed</u>
<b>Zoning</b>	<b>R-3</b>	<b>C-5</b>
<b>Purpose</b>	The major purpose of this zoning district is to provide for areas of single-family dwellings with an average net density in conventional developments of approximately six (6) units per acre or less. Innovative residential developments, however, may have higher densities. Duplexes and certain nonresidential uses are allowed when appropriate conditions and safeguards indicated in this section are fulfilled. This classification can be effectively applied to areas serving as a transition between lower density single-family zones and residential districts with medium or high densities.	The intent of this district is primarily to provide suitable locations for tourist facilities and certain tourist related establishments. In part, this means that areas in the zone should be in close proximity to an arterial or collector street. It also means that the uses allowed should be much more limited than those permitted in a C-3 or C-4 zone. Regulations for the district are designed to enhance the attractiveness and convenience of the facilities for tourist use.
<b>Permitted Uses Excerpts</b>	<ul style="list-style-type: none"> <li>➤ Detached House</li> <li>➤ Family Day Care</li> <li>➤ Park &amp; Open Space</li> </ul>	<ul style="list-style-type: none"> <li>➤ Eating &amp; Drinking Establishments</li> <li>➤ Retail Stores &amp; Professional Offices</li> <li>➤ Indoor &amp; Outdoor Entertainment</li> <li>➤ Overnight Accommodations</li> <li>➤ Vertical Mixed-use</li> <li>➤ Townhouses</li> </ul>
<b>Conditional Uses Excerpts</b>	<ul style="list-style-type: none"> <li>➤ Duplex</li> <li>➤ Townhouse</li> <li>➤ Mobile Home Park</li> <li>➤ School</li> <li>➤ Medical Facility</li> <li>➤ Neighborhood Commercial Sale</li> </ul>	<ul style="list-style-type: none"> <li>➤ Recreational Vehicle Park</li> <li>➤ Grocery or Liquor Store</li> <li>➤ Boat &amp; Auto Sales/Rental</li> <li>➤ Marine-Related Commercial</li> <li>➤ Commercial Parking</li> </ul>
<b>Maximum Lot Coverage</b>	35%	60%
<b>Maximum Building Height</b>	28 ft. – Permitted 35 ft. – Conditional Use	45 ft.

The location and established environment around the subject site present an opportunity to establish limited commercial and mixed-use development, eligible within the C-5, Tourist Commercial zone, with minimal impacts to and from neighboring uses.

The subject property features a Hutchinson Island Mixed Use (HIMU) future land use designation. This district is intended for parcels that are best suited for medium to high density and intensity mixed use developments on Hutchinson Island. The maximum residential density allowed within this category is 8 dwelling units per acre and a maximum, non-residential, floor area ratio (FAR) for construction of 1.0. The requested zoning

designation of C-5, Tourist Commercial, is consistent with this designation in providing opportunity for medium to high density and intensity residential, tourist commercial, and mixed use development to enhance and assimilate with South Hutchinson Island.

### Standards for Review

The following standards must be satisfied per Section 22-131 of the City Code prior to the approval of the requested amendment:

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

The proposed amendment is consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan, and is consistent with the current Future Land Use Designation of the site. Furthermore, the amendment will not have an adverse effect on the ability of the city to satisfy land and water use needs, meet transportation demands, and provide community facilities and services. The presented amendment will promote and protect the public health, safety and general welfare through an increase in variety of, and access to, tourist, marine, and recreational related activities.

City Code Section 22-58 maintains the capacity for Site Plan review of specific development proposals in order to review and determine compatibility with the surrounding area and suitability for on-site activities consistent with the natural features of the property for multifamily construction exceeding twenty (20) living units on one lot, group of lots or parcel of land; and commercial, or public development where the principal structure exceeds four thousand (4,000) square feet of gross floor area. Future development proposals will be reviewed for impacts more intimately to ensure proper public facilities are provided to accommodate transportation demands, and provide community facilities and services consistent with the scale of development.

### Technical Review Committee

All affected departments have reviewed and approved the Site Plan and Conditional Use based on compliance with the requirements of the City Code.

### Planning Board Recommendation:

The Planning Board, at their August 11<sup>th</sup>, 2015 meeting, voted unanimously to recommend approval of the requested Zoning Atlas Amendment.

### Property Owner Response Summary:

A total of 126 notifications of the proposed Zoning Atlas Amendment were mailed to the owners of property located within 500 feet of the subject property. As of August 27<sup>th</sup>, 2015, 0 responses have been received. An update will be provided to the City Commission at the public hearing.

**Staff Recommendation:**

The requested Zoning Atlas Amendment is consistent with the consistent with City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; therefore Staff recommends that the City Commission approve Ordinance 15-051, rezoning the subject property.



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

## Application for Zoning Atlas Map Amendment

### Application submission shall include the following:

- **TRC (\*Initial Submission):** One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board:** One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission:** One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

### In addition to a complete application, packets shall include:

- Warranty Deed & Legal Description
- St. Lucie County Property Record Card
- Statement of why there is a need for the proposed future land use map amendment and how the amendment will result in an orderly and logical development pattern; statements how amendment(s) are consistent with Comprehensive Plan; how future land use designation is compatible with future land use designations and existing land uses surrounding the amended lands; identify future land use designations and existing land uses within a ½ mile of the subject property that have the same or greater type of proposed future land use designation; data and analysis to support conclusions.
- Current Survey
- Environmental Study
- Traffic Impact Report
- \*\*\* Capacity Analysis-Separate Form
- Drainage Analysis
- Historical Report
- 1 CD of all documents submitted in PDF
- Other Additional supporting documents

1. Property Address/Location: 601 Seaway Drive, Fort Pierce, FL 34949
2. Property Tax ID(s): 2402-312-0001-000-5
3. Total Acreage: 17.43
4. Existing Future Land Use Designation: HIMU (Hutchinson Island Mixed Use)
5. Existing Zoning Classification: R3 (Single Family Moderate Density)

- 6. Proposed Zoning Classification: C-5
- 7. Other applications being submitted concurrent with this application, if any: Future Land Use Map Amendment
- 8. Describe the existing uses, improvements and structures on the amendment lands: Vacant, previously Mobile Home Park
- 9. Are there any identified or possible historical structures on the amendment lands? No
- 10. The reason for making this request: Entitle land for future development of the Fort pierce Western Peninsula as described in the Charette for development of the Western Peninsula and relocation of the wastewater treatment plant

**11. CAPACITY ANALYSIS**

**I. Site Data:**

	Existing Use	Future Land Use	Zoning
<b>North</b>	Government	COS	OS1
<b>South</b>	Indian River Lagoon		A-2
<b>East</b>	Institutional Residential	HIMU HIMU	C-6 PUD
<b>West</b>	Government	HIMU	OS1

	Future Land Use	Zoning Classification	Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage	Total Acreage	Flood Zone
<b>Current</b>	HIMU	R-3	8 du/ac FAR 1.0	17.43	AE 5.0 VE 7.0
<b>Proposed</b>	MXD	C-5	15 du/ac FAR 1.5		N/A

**II. Public Facilities Information:**

<b>A. Potable Water:</b>	
Average Use	Residential: 100 gallons per day per person (du x 2.6 = persons x 100 gpd = demand) Other: 0.125 gallons per day per square foot
Demand Analysis	Maximum
Current Zoning	Total gallons per day 55,121
Proposed Zoning	Total gallons per day 113,724

<b>Change in Demand</b>	<b>Total gallons per day</b> 58,603
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<b>B. Wastewater:</b>	
Average Use	Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.1 gallons per day per square foot
Demand Analysis	Maximum
Current Zoning	Total gallons per day 51,325
Proposed Zoning	Total gallons per day 104,500
<b>Change in Demand</b>	<b>Total gallons per day</b> 53,175

<b>C. Parks and Recreation (Residential Classifications Only):</b> (Du x 2.6 = persons + 44,227 = population /LOS)				
Park Type	LOS	Existing Population Park Demand	Proposed Population Park Demand	Change in Demand
<b>Regional</b>	20 acres per 1,000 people	2.23	2.25	+0.02
<b>Urban District</b>	5 acres per 1,000 people	8.92	8.98	+0.06
<b>Community</b>	2.5 acres per 1,000 people	17.84	17.96	+0.12
<b>Neighborhood</b>	1.36 acres per 1,000 people	32.79	33.02	+0.23

<b>D. Public Schools (Residential Classifications Only):</b> Single Family: (du x 0.405 = students/70% K-8/30% High) Multi-family: (du x 0.207 = students/70% K-8/30% High)		
	<b>K-8</b>	<b>High</b>
<b>School Name</b>	Lawnwood Elem./Dan McCarty Middle	Lincoln Park Academy
<b>City</b>	Fort Pierce	Fort Pierce
<b>Distance</b>		
<b>Current Zoning Enrollment Demand</b>	39.41	16.89
<b>Proposed Zoning Enrollment Demand</b>	73.71	31.59 (Maximum Single Family)
<b>Change in Demand</b>	+34.30	+14.70

<b>E. Solid Waste:</b> 2 yard serves 15 units, 4 yard serves 30 units, 6 yard serves 45 units, 8 yard serves 60 units	
Demand Analysis	Maximum
Current Zoning	20 yd
Proposed Zoning	36 yd
<b>Change in Demand</b>	+16 yd

<b>F. Stormwater:</b> Potential increase in volume discharged due to increased impervious coverage, reduced groundwater seepage or loss of surface water storage impacting Adopted LOS of 25-year 3-day storm Pre vs. Post Runoff (Storm sewers to convey 5 year- 1 day storm event; Canals to convey 3 year – 1 day storm event)	
<b>Impact</b>	No potential increase in stormwater volume discharge. See attached drainage analysis.

**III. Transportation Analysis**

<b>G. Traffic</b> Most recent ITE Code for use; HCM Roadway Capacity		
	<b>AADT</b>	<b>AM/PM Peak Hour Trips</b>
<b>Demand Analysis</b>	Maximum	Maximum
<b>Current Zoning</b>	1218	84
<b>Proposed Zoning</b>	20538	1806
<b>Change in Demand</b>	19320 Trips	1722 Trips
<b>Impact to Capacity</b>	Roadway network will likely require future improvements	

**12. Name of Owner(s):** G. Flash G.P., Inc. c/o Ashton de Peyster  
 Mailing Address: 306 Worth Ave, Suite 4  
 City Palm Beach State FL Zip 33480  
 Phone # 561-267-2636  
 E-mail: bizashton@gmail.com

**13. Name of Applicant:** Harold H. Smyth  
 Mailing Address: P.O. Box 13088  
 City Fort Pierce State FL Zip 34979  
 Phone # 772-489-0168 Fax # 772-489-0077  
 E-mail: smythbuild@aol.com

**14. Name of Representative:** William P. Stoddard, Ph.D., P.E., Schulke, Bittle & Stoddard, LLC  
 Mailing Address: 1717 Indian River Blvd, Suite 201  
 City Vero Beach State FL Zip 32960  
 Phone # 772-770-9622 Fax # 772-770-9496  
 E-mail: wstoddard@sbsengineers.com

**15. Applicant Acknowledgements (Owner’s signature must be notarized)**

I certify that: (Check One)

I (we) do hereby certify that I (we) own in fee simple the above referenced described property for which a change in Zoning Classification is requested.

Smyth Builders Inc.

Applicant's Signature

6-22-15

Date

P.O. Box 13088 Ft. Pierce FL 34979  
Address State Zip

772-201-8230 Fax Smythbuild@aol.com E-mail Address

16. Property Owners Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application for a change in zoning classification. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Agent to act in his/her behalf for the purposes of seeking this change to the City' Land Development Regulations for the property described herein.

G. Flash A.P., Dnc. Trustee 561/835-8126  
Property Owner's Name (Please Print) Phone

306 Worth Ave. Palm Beach FL 33480  
Address State Zip

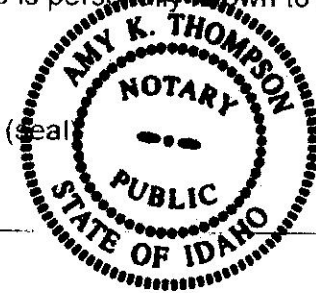
Ashten de Peypin, President 6/23/15  
Property Owner's Signature Date

Idaho  
STATE OF FLORIDA)  
ST LUCIE COUNTY) Blaine County

The foregoing instrument was acknowledged before me this 23 day of June, 2015,

by Ashten de Peypin who is personally known to me or has produced DL as identification.

Amy K Thompson  
Signature of Notary



OFFICE USE:  
DATE RECEIVED: \_\_\_\_\_ Signed: \_\_\_\_\_  
File Number: \_\_\_\_\_ Check No: \_\_\_\_\_ Receipt No: \_\_\_\_\_  
TRC Review: \_\_\_\_\_ Planning Board Review: \_\_\_\_\_ City Commission: \_\_\_\_\_  
Ordinance No: \_\_\_\_\_ Date Approved: \_\_\_\_\_

June 26, 2015

Rebecca Grohall  
City of Fort Pierce  
Planning Department  
100 N. US 1  
Fort Pierce, FL 34954

Re: Future Land Use Map Amendment and Map Amendment to the Zoning Atlas Map  
601 Seaway Drive, Ft. Pierce, FL  
Parcel ID 2402-312-0001-000-5  
**Statement of Need**

Dear Ms. Grohall:

On March 17, 2012, members of the City of Fort Pierce and the community met to discuss and plan the future of the Western Peninsula of Hutchinson Island. The property included in this study consisted of the existing waste water treatment plant facility (Parcel ID: 2402-323-0003-000-3) along with the adjacent privately owned 17.43 acres of uplands (Parcel ID: 2402-312-0001-000-5) and 25.39 acres of submerged lands (Parcel ID: 2402-331-0002-000-1). These properties offer an exceptional opportunity for development given the available contiguous parcel size, views of the intracoastal waterway and Ft. Pierce inlet, and the location at the entrance to Hutchinson Island.

The Master Plan that was developed during this charrette is predicated on the relocation of the existing waste water treatment facility. The City of Fort Pierce has made a commitment to pursue the relocation of the facility on December 2, 2013 through issuance of resolution 13-27. The community's vision includes a mixed use type development including resort hotels, multi-family residential buildings, a waterfront marketplace, community gathering areas, as well as public access to the waterfront through piers, docks, and marinas. One of the steps as outlined in the report to implementing this vision includes an agreement with the private property owner to develop all parcels jointly in accordance with the Master Plan.

The private property owner, G Flash GP Inc (TR), who owns the upland and submerged land is in full support of this vision and would like to move forward now with the preliminary steps necessary in order to allow for the future development of the Master Plan.

The first step in this process involves amending the future land use and zoning district to allow for the mixed use type development and density described in the Community's Vision report. The privately owned upland parcel has a current residential land use designation of HIMU (Hutchinson Island Mixed Use) and a zoning of R-3 (Single Family Moderate Density). This limits development to a maximum of 139 residential units and a maximum of 20% of the floor area as non-residential. The current land use and zoning is inconsistent with Community's Vision and would not allow for development of the Master Plan. Section 9 Financial Strategy of the Vision report, offers the recommendation to increase density and intensity to

- a) attract a use that was indicated as desirable by the community (i.e. a resort hotel) and;
- b) to encourage physical improvements that are important and valuable to the residents of Fort Pierce”

G Flash GP Inc (TR) has secured permits from the Florida Department of Environmental Protection for construction of a 198 slip marina including a 2 lane boat ramp and 29 boat moorings. However, under the current zoning designation R-3 (Section 22-22(e) City of Fort Pierce Land Development Regulations) marine related commercial activity is not a permitted use within this zoning district.

After many discussions and meetings with the City of Fort Pierce Planning Staff about the future development of the Western Peninsula, the recommendation was to submit applications to amend the future land use for Parcel ID: 2402-312-0001-000- to MXD (Mixed Use Development) and the zoning district to C-5 (Tourist Commercial Zone). This would be more compatible and consistent with the goals and desires described in the Community’s Vision report. The following Table is a comparison of the existing, proposed, and Community Vision development possibilities.

	Existing FLU: HIMU Zoning: R-3	Proposed FLU: MXD Zoning: C-5	Community Vision Report
FAR	1.0	1.5	1.0 to 7.5
Density	8 du/acre	15 du/acre	23 du/acre
Maximum Non-Residential	20%	60%	60%+

It is important that the future and use and zoning designations be amended to preserve the vision outlined for the Western Peninsula for the following reasons:

1. Currently the privately owned parcels are vacant and under single ownership. This offers a unique opportunity for future development of the Western Peninsula. However, as long as the waste water treatment plant is located adjacent to the site, mixed use type development as outlined in the vision report is highly unlikely. Under the current future land use and zoning designations the 17.43 acres of uplands could be subdivided and developed as single family residences. If this was to occur, it would create multiple property owners and improvements on the site. Future agreement among the property owners to redevelop the property as part of the Master Plan would be very difficult to achieve.
2. The current residential mixed land use HIMU allows non-residential uses to comprise no more that 20% of the total floor area. The Comprehensive Land Use plan for HIMU does not specify any required mixed use distribution. Under the proposed MXD commercial future Land use, development must contain a minimum of three different types of uses. This requirement of mixed uses is consistent with the Vision report and avoids the possibility of an exclusively residential development.
3. The existing R-3 zoning district does not allow for marine related commercial uses. As expressed by the community, marine related activities including marinas are desired in the future Development of the Western Peninsula. A change in the zoning designation to C-5 would allow for these marine related commercial activities. This would also grant the current property owner to generate income form the property through the

construction of a marina during the time required to relocate the waste water treatment plant.

This request for amending the future land use and zoning designation for Parcel ID: 2402-312-0001-000-5 is consistent with the community's and the property owner's long term vision of redevelopment of the Western Peninsula.

Sincerely,

Date: 6/22/15

A handwritten signature in black ink, appearing to read 'W. Stoddard', with a long horizontal flourish extending to the right.

William P. Stoddard, Ph.D., P.E.

## Property Identification

Site Address: 601 SEAWAY DR  
 Sec/Town/Range: 02/35S/40E  
 Map ID: 24/02S  
 Zoning: R3

Parcel ID: 2402-312-0001-000-5  
 Account #: 15792  
 Use Type: 1000  
 Jurisdiction: Fort Pierce

### Ownership

G Flash GP Inc (TR)  
 % Peter Harrison  
 23285 Orange Ave  
 Fort Pierce, FL 34945-4337

### Legal Description

2 35 40 FROM REF PT IN E END OF S BRIDGE, SD PT BEING A CROSS IN DECK OF AFORESAID BRIDGE RUN N 64 50 00 E ALG C/L SEAWAY DR 525 FT, TH S 25 09 E 154.91 FT TO S R/W SEAWAY DR AND POB, TH CONT S 656.44 FT TO HWM IND RIVER, TH MEANDER SHORE N 70 49 E 564.9 FT, TH N 55 30 00 E 482.41 FT, TH N 25 10 00 W 159.50 FT, TH N 64 50 00 E 12 FT, TH N 25 10 00 W 500 FT, TH S 64 50 00 W 12 FT, TH N 25 10 00 W 73.5 FT TO S R/W LI SEAWAY DR, TH S 62 52 16 W ALG S R/W LI 294.42 FT, TH SWLY ALG S R/W LI 50.34 FT, TH SLY ALG R/W LI 49.64 FT, TH SWLY ALG S R/W LI 708.38 FT TO POB (17.43 AC) (OR 1674-1067)



### Total Areas

Land Size (acres): 17.43  
 Land Size (SF): 759,036

### Current Values

Just/Market Value: \$4,009,100  
 Assessed Value: \$4,009,100  
 Exemptions: \$0  
 Taxable Value: \$4,009,100  
 Taxes for this parcel: SLC Tax Collector's Office

## Land Information

Total Area: 759,036 SF / 17.43 acres

Sequence Number	Number/Type of Units	Depth for Front Feet
1	17.43 Acres	0

## Special Features and Yard Items

Type	Qty	Units	Year Blt
CONCRETE LOW	1	1000	1900
ASP2 LOW	1	1000	1900
ASP2 LOW	1	1000	1900
CHAINLINK 6'	1	3360	2004

## Permits

Number	Date	Description	Amount	Fee
9900001219		Tie Down for Mobile Home	\$0	\$0
F00-0000102		Alterations/Remodeling	\$4,800	\$0
F00-0000109		Roof	\$5,192	\$0
F00-0000233		Enclosure	\$1,000	\$0
F00-0000085		Roof	\$5,332	\$0
F00-0001487		Roof	\$2,509	\$0
F00-0001526		Roof	\$2,289	\$0

F00-000214		Roof	\$2,130	\$0
F00-000222		Roof	\$1,926	\$0
F00-000233		Enclosure	\$1,000	\$0
F00-000288		Roof	\$2,635	\$0
F00-000289		Roof	\$2,090	\$0
F00-000354		Alterations/Remodeling	\$2,000	\$0
F00-000380		Alterations/Remodeling	\$3,149	\$0
F00-000396		Alterations/Remodeling	\$1,568	\$0
F00-000437		Alterations/Remodeling	\$4,092	\$0
F00-000686		Roof	\$5,061	\$0
F00-000822		Roof	\$1,804	\$0
F00-000828		Screen Porch	\$500	\$0
F00-001387		Additions to existing construction	\$2,400	\$0
F00-001432		Roof	\$2,204	\$0
F01-00001322		Carport	\$2,000	\$75
F01-0000210		Roof	\$3,874	\$0
F01-0000239		Roof	\$0	\$0
F01-0000240		Roof	\$2,347	\$0
F01-0000995		Roof	\$6,645	\$0
F01-000251		Carport	\$1,500	\$0
F01-000270		Roof	\$4,453	\$0
F01-000272		Alterations/Remodeling	\$1,825	\$0
F01-000329		Alterations/Remodeling	\$2,343	\$0
F01-000329		Alterations/Remodeling	\$2,343	\$0
F99-0000124		Alterations/Remodeling	\$4,032	\$0
F99-0000125		Alterations/Remodeling	\$3,110	\$0
F99-000126		Alterations/Remodeling	\$4,092	\$0
F89001024	Sep 1, 1989	Air Conditioning Only	\$2,000	\$2,000
F89001024M	Sep 1, 1989	Air Conditioning Only	\$2,000	\$2,000
F89001124E	Oct 1, 1989	Enclosure	\$2,000	\$2,000
F89001229E	Nov 1, 1989	Enclosure	\$150	\$150
F89001244M	Nov 1, 1989	Air Conditioning Only	\$1,421	\$1,421
9090000174	Oct 26, 1990	Shed	\$400	\$400
F93-001440	Oct 29, 1993	Trailer	\$22,423	\$22,423
F93-001460	Nov 10, 1993	Enclosure	\$1,350	\$1,350
F94-000095	Jan 13, 1994	Alterations/Remodeling	\$5,600	\$5,600
F94-000201	Feb 14, 1994	Shed	\$400	\$400
F94-000270	Feb 25, 1994	Roof	\$600	\$600
F94-000871	Jul 15, 1994	Enclosure	\$1,200	\$1,200
F95-000008	Jan 3, 1995	Roof	\$1,280	\$1,280
F95-000265	Mar 10, 1995	Alterations/Remodeling	\$1,860	\$1,860
F95-000291	Mar 20, 1995	Roof	\$4,300	\$4,300
F95-00413A	Apr 13, 1995	Enclosure	\$250	\$250
F95-000413	Apr 14, 1995	Enclosure	\$1,500	\$1,500
F95-000599	May 23, 1995	Air Conditioning Only	\$1,800	\$1,800
F95-000558	May 24, 1995	Air Conditioning Only	\$1,800	\$1,800
F95-001054	Sep 19, 1995	Roof	\$615	\$615
F95-001388	Dec 12, 1995	Roof	\$2,084	\$2,084
F95-000019	Jan 5, 1996	Roof	\$1,987	\$1,987
F95-000082	Jan 25, 1996	Shed	\$300	\$300
F95-000112	Jan 30, 1996	Slab	\$100	\$100
F96-000163	Feb 16, 1996	Slab	\$200	\$200
F96-000912	Jul 29, 1996	Roof	\$2,495	\$2,495
F97-000760	Jul 21, 1997	Roof	\$1,600	\$1,600
F97-000800	Jul 29, 1997	Heat and Air Conditioning	\$1,450	\$1,450
F97-000846	Aug 7, 1997	Roof	\$1,500	\$1,500
F97-001266	Nov 14, 1997	Alterations/Remodeling	\$950	\$950
F98-000061	Jan 15, 1998	Alterations/Remodeling	\$1,400	\$1,400
F98-000153	Feb 12, 1998	Alterations/Remodeling	\$1,500	\$1,500
F98-000155	Feb 12, 1998	Alterations/Remodeling	\$0	\$0
F98-000214	Feb 27, 1998	Tie Down for Mobile Home	\$0	\$0
F98-000267	Mar 10, 1998	Alterations/Remodeling	\$920	\$920
F98-001420	Nov 20, 1998	Shed	\$375	\$375
F98-001597	Dec 30, 1998	Shed	\$2,945	\$2,945
F99-000025	Jan 14, 1999	Slab	\$900	\$900
F99-000069	Jan 21, 1999	Alterations/Remodeling	\$80,000	\$80,000
F99-000114	Feb 1, 1999	Roof	\$2,527	\$2,527
F99-000115	Feb 1, 1999	Roof	\$1,192	\$1,192
F99-000216	Mar 11, 1999	Alterations/Remodeling	\$1,000	\$1,000
F95-000579	May 23, 1999	Air Conditioning Only	\$2,000	\$2,000

F99-001024	Aug 11, 1999	Roof	\$2,103	\$2,103
F01-00001417	Mar 5, 2002	Alterations/Remodeling	\$2,200	\$75
F01-1526	Mar 18, 2002	Exterior Siding	\$850	\$850
F01-1634	Mar 20, 2002	Additions to existing construction	\$2,000	\$75
F02-172	Jun 11, 2002	Carport	\$1,500	\$75
F02-234	Jun 12, 2002	Alterations/Remodeling	\$1,500	\$75
F02-0630	Sep 5, 2002	Roof	\$3,950	\$165
F02-0787	Sep 5, 2002	Heat and Air Conditioning	\$0	\$155
CRPT2002-1	Nov 25, 2002	Carport	\$0	\$100
CP2002-9	Dec 27, 2002	Concrete	\$100	\$50
RR2003-30	Mar 21, 2003	Alterations/Remodeling	\$500	\$75
MC2003-27	Mar 24, 2003	Air Conditioning Only	\$2,500	\$75
RF2003-83	Jul 24, 2003	Roof	\$1,975	\$75
CP2003-3	Jul 25, 2003	Concrete	\$100	\$50
CRPT2003-5	Aug 25, 2003	Carport	\$1,500	\$100
RR2003-66	Aug 25, 2003	Additions to existing construction	\$2,500	\$75
RFA20034	Aug 26, 2003	Roof	\$1,800	\$100
WD20041	Apr 12, 2004	Deck	\$300	\$75
MC200458	Jun 22, 2004	Air Conditioning Only	\$2,459	\$75
0700000955	Sep 17, 2007	Demolition	\$16,000	\$0
0700000956	Sep 17, 2007	Demolition	\$0	\$130
0800000678	Nov 10, 2008	Demolition	\$0	\$130
BP09-61	Aug 27, 2009	Additions to existing construction	\$100,000	\$1,300
BP09-208	Aug 31, 2009	Alterations/Remodeling	\$1,000	\$100

Notice: This does not necessarily represent all the permits for this property.  
Click the following link to check for additional permit data in Fort Pierce

### Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
Jan 31, 2003	1674 / 1067	02	DE	De Peyster III, Ashton	\$100
Jun 28, 1995	0963 / 2409	02	WD	FINANCIAL BENEFIT LIFE INS CO	\$3,590,000
Mar 25, 1993	0833 / 2523	01	WD	VAP/CAUSEWAY LTD	\$3,394,300
Jul 3, 1990	0698 / 1162	02	WD		\$3,330,000

### Current Year Values


#### Current Values Breakdown

Building:	\$200
Land:	\$4,008,900
Just/Market:	\$4,009,100
Ag Credit:	\$0
Mkt/Asmnt Differential:	\$0
Assessed:	\$4,009,100
Exemption(s):	\$0
Taxable:	\$4,009,100

#### Current Year Exemption Value Breakdown

#### Current Year Special Assessment Breakdown

Start Year	AssessCode	Units	Description	Amount
2009	0041	34.2	Fort Pierce Stormwater Charge	\$1,846.80

This does not necessarily represent the total Special Assessments that could be charged against this property. The total amount charged for special assessments is reflected on the most current tax statement and information is available with the SLC Tax Collector's Office .

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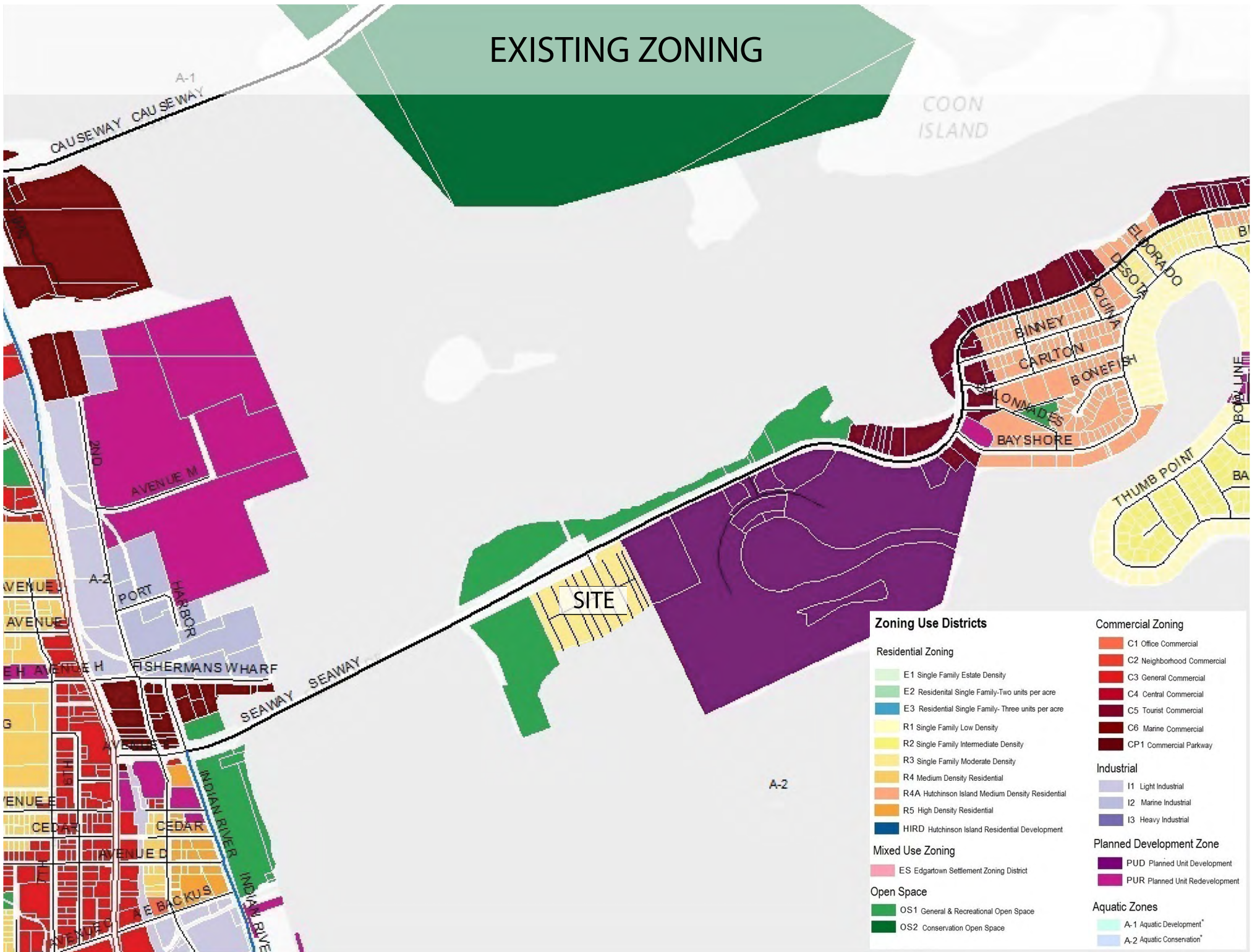
### Historical Values

Year	Just/Market	Assessed	Exemptions	Taxable
2014	\$4,009,100	\$4,009,100	\$0	\$4,009,100
2013	\$4,009,100	\$4,009,100	\$0	\$4,009,100
2012	\$4,009,100	\$4,009,100	\$0	\$4,009,100

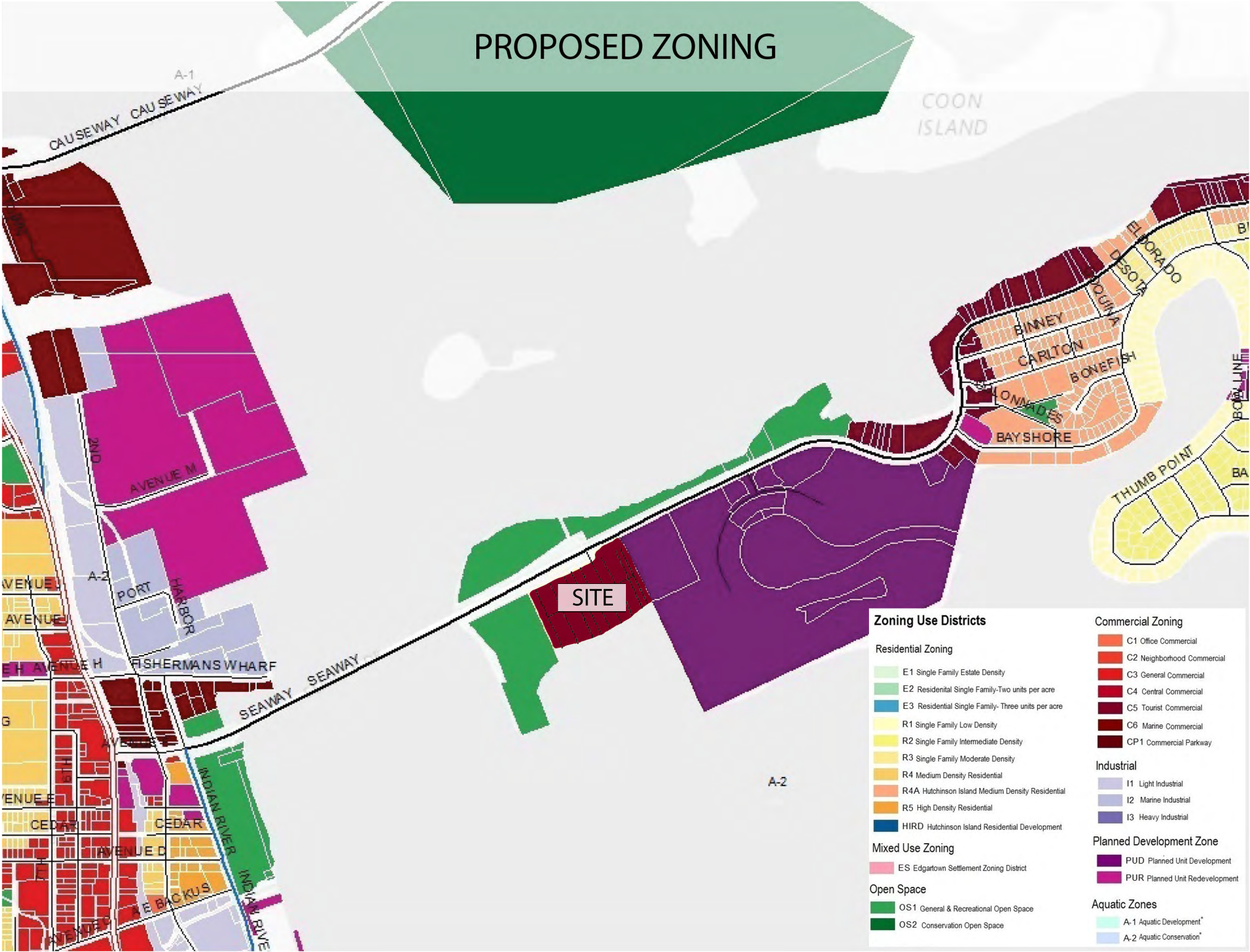
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This information is believed to be correct at this time but it is subject to change and is not warranted.  
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# EXISTING ZONING



# PROPOSED ZONING



## Zoning Use Districts

### Residential Zoning

- E1 Single Family Estate Density
- E2 Residential Single Family-Two units per acre
- E3 Residential Single Family- Three units per acre
- R1 Single Family Low Density
- R2 Single Family Intermediate Density
- R3 Single Family Moderate Density
- R4 Medium Density Residential
- R4A Hutchinson Island Medium Density Residential
- R5 High Density Residential
- HIRD Hutchinson Island Residential Development

### Mixed Use Zoning

- ES Edgartown Settlement Zoning District

### Open Space

- OS1 General & Recreational Open Space
- OS2 Conservation Open Space

### Commercial Zoning

- C1 Office Commercial
- C2 Neighborhood Commercial
- C3 General Commercial
- C4 Central Commercial
- C5 Tourist Commercial
- C6 Marine Commercial
- CP1 Commercial Parkway

### Industrial

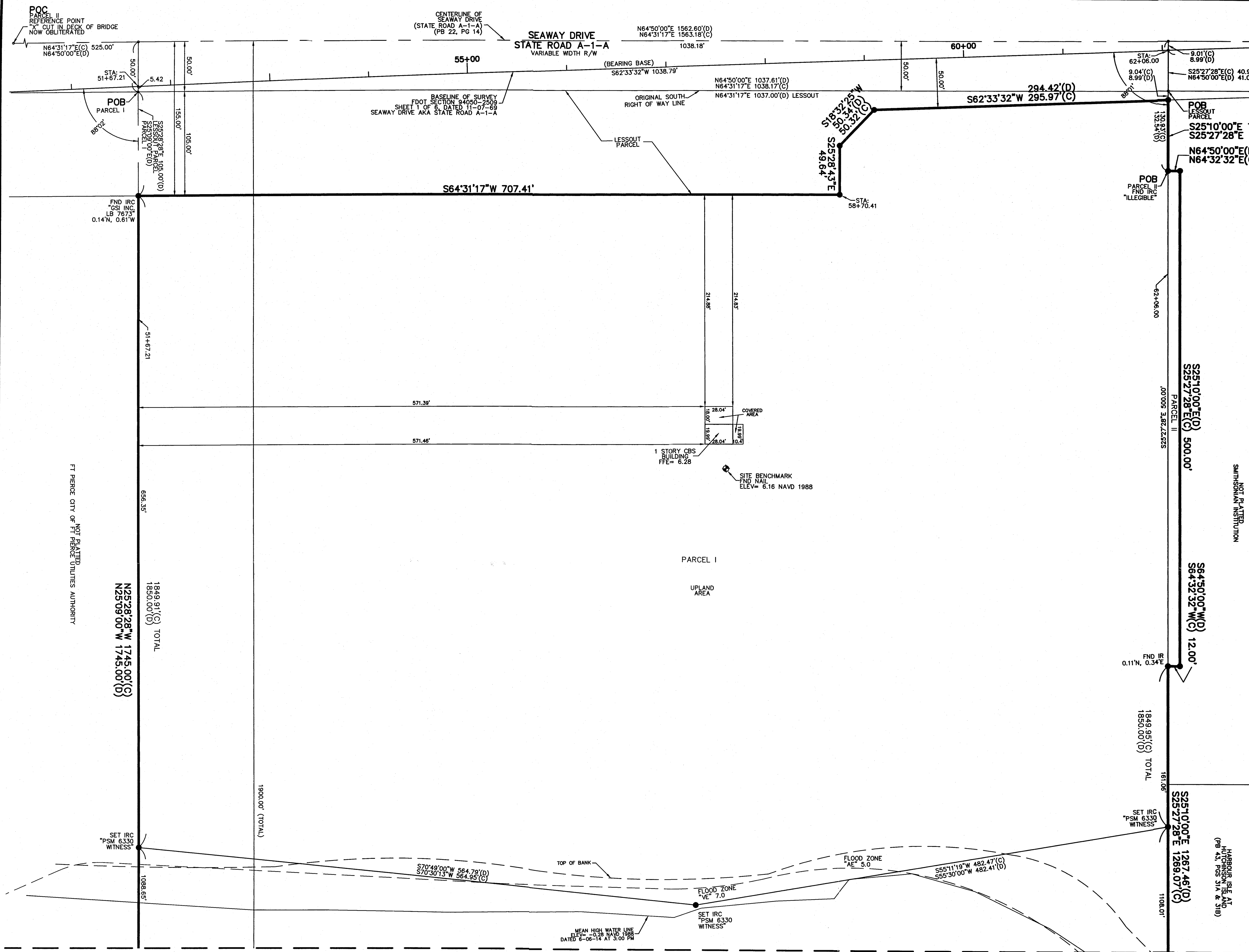
- I1 Light Industrial
- I2 Marine Industrial
- I3 Heavy Industrial

### Planned Development Zone

- PUD Planned Unit Development
- PUR Planned Unit Redevelopment

### Aquatic Zones

- A-1 Aquatic Development\*
- A-2 Aquatic Conservation\*

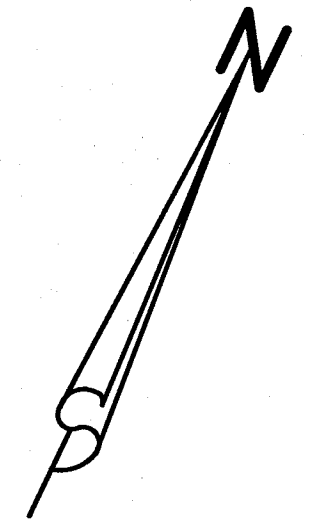
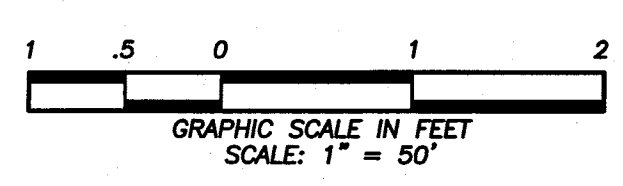


**LEGAL DESCRIPTION:**  
 PARCEL I:  
 BEING A PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING DESCRIBED AS:  
 COMMENCING AT THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 35 SOUTH, RANGE 40 EAST, THENCE EAST 2240 FEET; THENCE NORTH 720 FEET; THENCE NORTH 70 DEGREES 58 1/2 MINUTES EAST, 1200 FEET; THENCE SOUTH 19 DEGREES 01 1/2 MINUTES EAST, 85 FEET; THENCE NORTH 70 DEGREES 18 MINUTES EAST, 2009.5 FEET TO A POINT OF REFERENCE ON THE EAST END OF EXISTING STATE HIGHWAY BRIDGE ACROSS THE INDIAN RIVER AT THE WEST SHORE OF CAUSEWAY ISLAND, SAID POINT BEING A CROSS ON THE DECK AT THE EAST END OF AFORESAID BRIDGE (NOW OBLITERATED).  
 FROM SAID POINT OF REFERENCE RUN NORTH 64 DEGREES 50 MINUTES EAST (REFERENCE BEARING), ALONG THE CENTERLINE OF SEAWAY DRIVE (STATE ROAD A-1-A), 525.0 FEET (SAID POINT BEING SOUTH 64°50' WEST A DISTANCE OF 3132.32 FEET FROM AN IRON PIPE FOUND AT THE POINT OF INTERSECTION OF A 8'00\"/>

**SURVEY REPORT:**  
 1. THIS IS A BOUNDARY SURVEY AS DEFINED IN CHAPTER 5J-17.050(10)(a-k), FLORIDA ADMINISTRATIVE CODE.  
 2. SURVEY BASED FOUND MONUMENTATION, FDOT SECTION 94050-2509, SHEET 1 OF 6, DATED 11-07-69, A SURVEY PREPARED BY GUY INCORPORATED FILE NUMBER 95-1057-01-01, DATED 6-06-95, A SURVEY PREPARED BY BLOOMSTER PROFESSIONAL LAND SURVEYORS, INC. JOB NUMBER 7957, DATED 11-11-04.  
 3. LEGAL DESCRIPTION WAS FURNISHED BY CLIENT.  
 4. BEARING BASIS: S62°33'32\"/>

**ABBREVIATIONS:**  
 (C) = CALCULATED  
 CBS = CONCRETE BLOCK STRUCTURE  
 CONC = CONCRETE  
 DB = DEED BOOK  
 FND = FOUND  
 IRC = IRON ROD WITH PLASTIC CAP  
 LB = LICENSE BUSINESS  
 LS = LICENSE SURVEY  
 (M) = MEASURED  
 MHWL = MEAN HIGH WATER LINE  
 MON = MONUMENT  
 ORB = OFFICIAL RECORD BOOK  
 (P) = PLAT  
 PG = PLAT BOOK  
 PL = PROPERTY LINE  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT  
 R/W = RIGHT-OF-WAY  
 RGE = RANGE  
 SEC = SECTION  
 TWP = TOWNSHIP

**SYMBOLS:**  
 ● = SET 5/8\"/>



MATCH LINE SEE SHEET 2 OF 2

DATE:	REVISIONS:	BY:

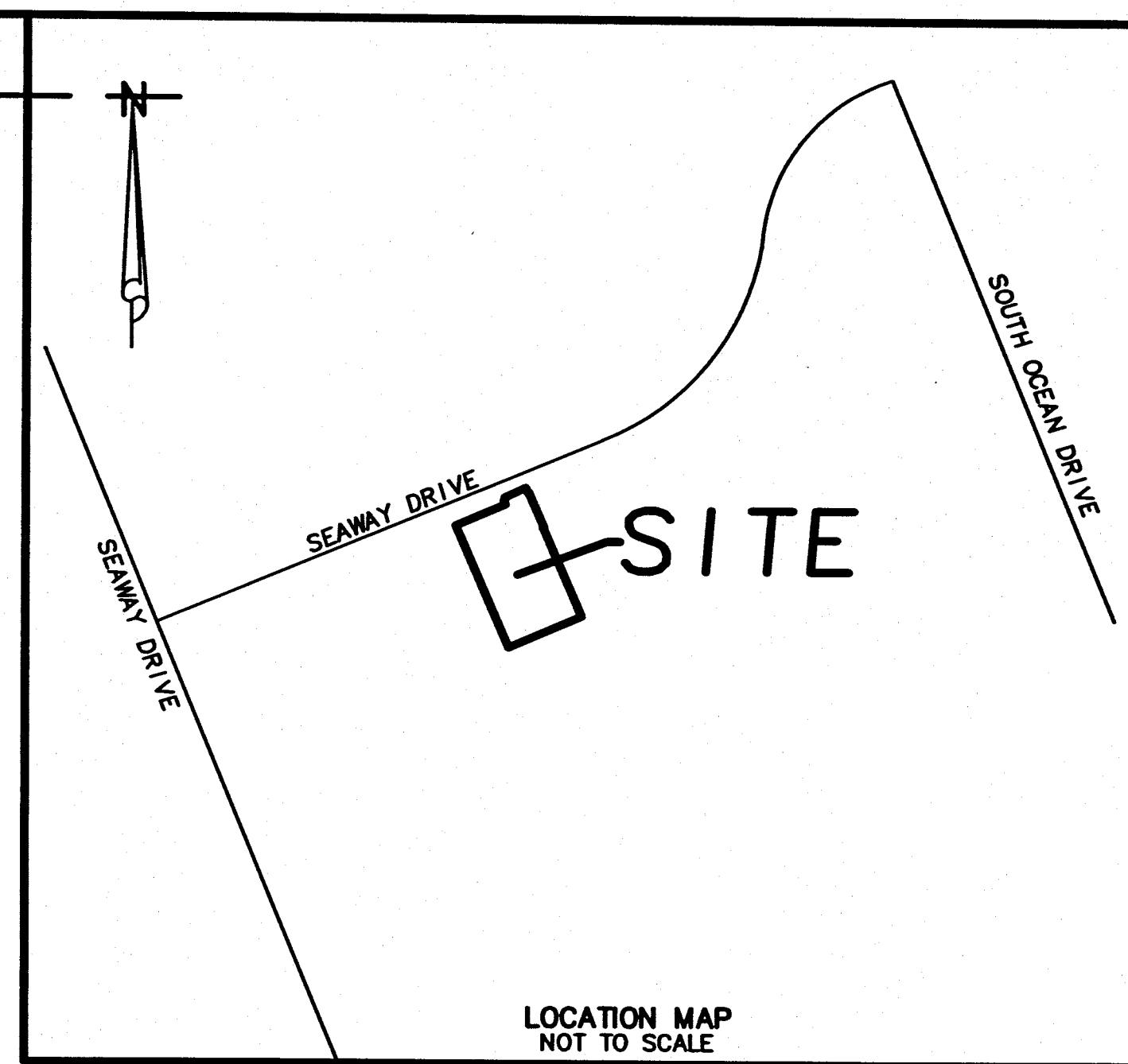
**ALEXANDER J. PIAZZA PSM, INC.**  
 Surveying • Mapping • Consulting  
 619 SW Biltmore Street  
 Port St. Lucie, Florida 34983  
 Phone: (772) 340-7770  
 Fax: (772) 340-2250  
 LB#7280

**BOUNDARY SURVEY**  
 601 SEAWAY DRIVE  
 SEC 2, TWP 35S, RGE 40E  
 AS PREPARED FOR  
**SMYTH BUILDERS, INC.**

CAD	K:\BUILDERS\DWG2014\DWG\14-1784.DWG		
REF	K:\		
FLD	CJM / AJP	FB.	PG.
OFF	CJM		JOB 14-1784
CKD	AJP	SHEET 1 OF 2	DATE 6-12-14
			DWG D-590

ALEXANDER J. PIAZZA PSM, INC.  
*Alexander J. Piazza*  
 ALEXANDER J. PIAZZA  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE No. 8330

DATE OF FIELD SURVEY: 6-12-14  
 DATE OF SURVEY: 6-12-14



N25°28'28"W 1745.00'(C)  
N25°09'00"W 1745.00'(D)

10888.65'

1800.00' (TOTAL)

INDIAN RIVER

SUBMERGED LANDS  
AREA

MEAN HIGH WATER LINE  
ELEV. = -0.28 NAVD, 1988  
DATED 6-06-14 AT 3:00 PM

S25°10'00"E 1267.48'(D)  
S25°27'28"E 1289.07'(C)

1108.01'

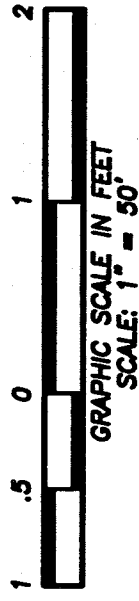
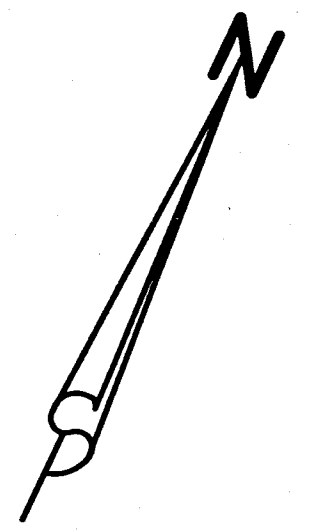
SET IRC  
PSM 6330  
WITNESS

180.00'

FLOOD ZONE  
FEET 5.00  
FLOOD ZONE  
FEET 7.50

TOP OF BANK

HARBOR PIERS AND  
(PB 4.1, POS 31A & 31B)



- ABBREVIATIONS:**
- (C) = CALCULATED
  - CBS = CONCRETE BLOCK STRUCTURE
  - CONC = CONCRETE
  - DB = DEED BOOK
  - FND = FOUND
  - IRC = IRON ROD WITH PLASTIC CAP
  - LB = LICENSE BUSINESS
  - LS = LICENSE SURVEY
  - (M) = MEASURED
  - MHL = MEAN HIGH WATER LINE
  - MON = MONUMENT
  - ORB = OFFICIAL RECORD BOOK
  - (P) = PLAT
  - PB = PLAT BOOK
  - PC = PAGE
  - PL = PROPERTY LINE
  - POB = POINT OF BEGINNING
  - POC = POINT OF COMMENCEMENT
  - R/W = RIGHT-OF-WAY
  - RGE = RANGE
  - SEC = SECTION
  - TWP = TOWNSHIP

**SYMBOLS:**  
● = SET 5/8" IRON ROD WITH PLASTIC CAP PSM#6330

S64°31'17"W 1037.63'(C)  
S64°50'00"W 1038.16'(D)

INDIAN RIVER

DATE:	REVISIONS:	BY:

**ALEXANDER J. PIAZZA PSM, INC.**  
 Surveying • Mapping • Consulting  
 619 SW Biltmore Street  
 Port St. Lucie, Florida 34983  
 Phone: (772) 340-7770  
 Fax: (772) 340-2250

LB#7280

**BOUNDARY SURVEY**  
**601 SEAWAY DRIVE**  
 SEC 2, TWP 35S, RGE 40E  
 AS PREPARED FOR  
**SMYTH BUILDERS, INC.**

CAD K:\BUILDERS\DWG2014\DWG\14-1784.DWG			
REF K:\			
FLD	CJM / AJP	FB.	PG.
OFF	CJM		JOB 14-1784
CKD	AJP	SHEET 2 OF 2	DATE 6-12-14
			DWG D-590

COPY

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY  
File Number: 2171786 OR BOOK 1674 PAGE 1067  
Recorded: 03/14/03 15:17

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

This instrument prepared without examination  
of title at the request of the parties  
by (and return to):  
Richard S. Webb, IV, Esq.  
Lutz, Webb & Bobo, P.A.  
2 North Tamiami Trail, #500  
Sarasota, Florida 34236  
877-951-1800

REL

COPY

**DEED TO TRUSTEE**

THIS INDENTURE, made this 31<sup>st</sup> day of January, 2003, by and between ASHTON DePEYSTER (hereinafter referred to as "Grantor") and G. FLASH G.P., INC., a Florida corporation, Trustee, under unrecorded Land Trust Agreement dated December 13, 2002 (hereinafter referred to as "Trustee"), whose post office address is c/o DePeyster, 306 Worth Avenue, Palm Beach, Florida 33480.

WITNESSETH:

Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations to it in hand paid by Trustee, receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to Trustee, his successors and assigns, forever that certain real property situated in St. Lucie County, Florida, and more particularly described as follows, to wit:

Exhibit "A" attached hereto and made a part hereof

This conveyance is subject to taxes for 2003 and subsequent years, existing mortgages and all valid and existing easements, restrictions and reservations of record, none of which shall be reimposed hereby.

This conveyance is made for no consideration and is exempt from documentary stamp tax pursuant to the provisions of Rule 12B.4.013(32)(a), Florida Administrative Code, as the Grantor is the sole beneficiary under the Land Trust Agreement referenced above.

COPY

OR BOOK 1674 PAGE 1068

TOGETHER WITH, all appurtenances, privileges, rights, interests, reversions, remainders and easements thereunto appertaining (all of the foregoing being hereinafter alternatively referred to as the "real estate" or the "property").

TO HAVE AND TO HOLD the above described real estate with the following powers and for the following uses and purposes:

1. The Trustee is vested with full rights of ownership over the above described real estate and any part of it and the Trustee is specifically granted and given the full power and authority (without limiting the foregoing):

(a) To protect and conserve said real estate or any part of it and improvements located thereon and to pay the taxes assessed thereon;

(b) To sell and convey said real estate, or any part of it for cash or on credit, at public or private sale, to exchange said real estate or any part of it, for other property and grant options to sell said real estate or any part of it, and to determine the price and terms of such sales, exchanges and options;

- (c) To execute leases and subleases of said real estate or any part of it for terms as long as 200 years, to subdivide or improve said real estate or any part of it and tear down or alter improvements thereon, to grant easements, licences, charges and other use rights, give consents and make contracts relating to said real estate or any part of it or its use, to release or dedicate any interest in said real estate and to submit said real estate or any part of it to condominium ownership;

- (d) To borrow money and to mortgage, pledge or otherwise encumber any part or all of said real estate to secure payment thereof;

(e) To otherwise manage, control, develop, operate and dispose of said real estate or any part thereof, to collect the rents, issues and profits, to pay all expenses thereby incurred, and in addition, to manage and operate any business that may now or hereafter be operated and maintained on said real estate, or any part thereof, and in general, to exercise any powers authorized by the provisions of Chapter 737, Florida Statutes;

- (f) To convey to a successor or successors in trust and to grant to such successor or successors all of the title, estate, powers, privileges and authorities vested in the Trustee.

2. The Trustee shall hold said real estate and make distributions of said real estate or the proceeds derived therefrom in accordance with the terms, conditions and provisions of that certain aforementioned unrecorded Land Trust Agreement, collateral hereto, dated December 13, 2002.

COPY

OR BOOK 1674 PAGE 1069

3. In no case shall any party dealing with the Trustee in relation to said real estate, or any part of it, or to whom the real estate, any part of it, or any interests therein shall be conveyed, transferred, assigned, contracted to be sold, leased, mortgaged, or otherwise encumbered by said Trustee, be obligated to see to the application or disposition of any purchase money, rent, or money borrowed or advanced on the premises, or be obliged to see that the terms of said trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of the Trustee, [or be obliged to inquire into the identification or status of any beneficiary under this Deed, or their heirs or assigns, or any collateral instrument,] [or be obliged to inquire into or ascertain the authority of the Trustee to act within and exercise the powers granted by this Deed,] or said Trust, [or be obliged to inquire into the adequacy or disposition of any consideration, if any, paid to the Trustee,] [or be obliged to inquire into any of the provisions of said unrecorded Trust Agreement, collateral hereto, and any amendments thereto,] and every deed, trust deed, mortgage, lease, easement, license, condominium declaration, or any other instrument executed by said Trustee in relation of said real estate, shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, mortgage, lease, easement, license, condominium declaration or other instrument (a) That at the time of its execution and delivery the trust created by this indenture and by the Trust Agreement was in full force and effect; (b) That such conveyance, mortgage, lease, easement, license, condominium declaration or other instrument was executed in accordance with the trust conditions and limitation contained in this Deed and in the Trust Agreement and is binding upon any and all beneficiaries under such instrument; (c) The said Trustee was duly authorized and empowered to execute and deliver every such conveyance, lease, mortgage, easement, license, condominium declaration, or other instrument; and (d) That if a conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the right, title, estates, powers, authorities, duties and privileges of the predecessor in trust and the trust.
4. The Grantor does hereby define and declare that the interests of any beneficiary hereunder or under the said Trust Agreement and any amendment thereto, collateral hereto, shall be personal property only.
5. The Grantor recites that this conveyance is made pursuant to and in conformance with the provisions of Section 689.071 of the Florida Statutes.
6. By its acceptance of this conveyance, the Trustee covenants and agrees to do and perform the duties, acts and requirements upon him binding.
7. Any Trustee named hereunder shall serve without bond.
8. The Trustee hereunder may resign. In the event of the dissolution, resignation or insolvency of the Trustee, the beneficiaries of the Trust may designate a successor trustee by a majority vote of the beneficiaries of the Trust at the time of such resignation, dissolution or insolvency. Upon the resignation, dissolution or insolvency of the Trustee, the recording of an affidavit in the Public Records of St. Lucie County, Florida, by the successor or substitute

COPY

OR BOOK 1674 PAGE 1070

Trustee joined by a majority of the beneficiaries of the Trust reciting that the predecessor Trustee has either resigned, has been dissolved or is insolvent and that the successor trustee has been appointed by a majority vote of the Trust beneficiaries, shall be conclusive evidence in favor of every person dealing with such successor or substitute Trustee in relation to said real estate of such fact, and that such successor or substitute Trustee is fully vested with all the right, title, estates, powers, authorities, duties and privilege of the predecessor Trustee and of the trust.

- 9. Grantor, does hereby convey all right, title and interest of Grantor.
- 10. Grantor does hereby warrant the title to said real property and will defend the title against lawful claims of all persons whomsoever; and further warrants that the said real property is free of all encumbrances except taxes for 2003 and subsequent years, existing mortgages, and all valid and existing easements and restrictions and reservations of record.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals the date first above written.

In the presence of:

*[Signature]*  
print name: JENNIFER DELBY

*[Signature]*  
Ashton DePeyster

*[Signature]*  
print name: LISA Tobin

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 31 day of January, 2003, by Ashton DePeyster,

who is personally known to me,  
 who has produced \_\_\_\_\_ as identification

and who did take an oath, and who acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

*[Signature]*  
NOTARY PUBLIC

Print \_\_\_\_\_  
State of Florida, Large (Seal) Richardson  
My Commission # CC904533 EXPIRES  
May 6, 2004  
BONDED THRU TROY FAIR INSURANCE, INC.

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL I:

(Being a parcel of land lying in Section 2, Township 35 South, Range 40 East, St. Lucie County, Florida, and being described as:)

Commencing at the Southwest corner of Section 3, Township 35 South, Range 40 East, thence East 2240 feet; thence North 720 feet; thence North 70 degrees 58 1/2 minutes East, 1200 feet; thence South 19 degrees 01 1/2 minutes East, 85 feet; thence North 70 degrees 16 minutes East, 2009.5 feet to a Point of Reference on the East end of existing State highway bridge across the Indian River at the West shore of Causeway Island, said point being a cross on the deck at the East end of aforesaid bridge (now obliterated).

From said Point of Reference run North 64 degrees 50 minutes East (reference bearing), along the centerline of Seaway Drive (State Road A-1-A), 525.0 feet (said point being South 64 50' West a distance of 3132.32 feet from an iron pipe found at the point of intersection of a 8 00' curve concave to the southeast, as shown on the right-of-way Map for State Road A-1-A as recorded in plat book 22, page 14, of the public records of St. Lucie County, Florida); thence South 25 degrees 09 minutes East, 50 feet to the south right-of-way line of Seaway Drive (State Road A-1-A), and the POINT OF BEGINNING;

From said POINT OF BEGINNING continue South 25 degrees 09 minutes East, along the Easterly line of lands of Fort Pierce Port Authority 1850 feet to a point in the Indian River; thence North 64 degrees 50 minutes East, on a line parallel to and 1900 feet South of the centerline of Seaway Drive (State Road A-1-A), run 1038.16 feet to a point; thence North 25 degrees 10 minutes West, along the westerly line of lands of Fort Pierce Port and Terminal Company, 1850 feet to the South right-of-way line of Seaway Drive (State Road A-1-A); thence South 64 degrees 50 minutes West, along the South right-of-way line of Seaway Drive (State Road A-1-A), 1037.61 feet to the POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM A PARCEL DESCRIBED AS FOLLOWS.

A parcel of land in Section 2, Township 35 South, Range 40 East, St. Lucie County, Florida, more particularly described as follows:

Commence at a railroad spike in the center of State Road A-1-A, said spike being 1,955 feet more or less easterly of the westerly bank of Causeway Island; thence run along the baseline of survey of Section 94050-2509 State Road A-1-A, South 62 32' 32" West a distance of 262.59 feet; thence South 25 27' 28" East a distance of 41.01 feet to the POINT OF BEGINNING; thence continue South 25 27' 28" East a distance of 8.99 feet; thence South 62 33' 32" West a distance of 294.42 feet; thence South 18 32' 25" West a distance of 50.34 feet; thence South 25 28' 43" East a distance of 49.64 feet; thence South 64 31' 17" West a distance of 707.41 feet; thence North 25 28' 28" West a distance of 104.91 feet to the existing right-of-way line of State Road A-1-A; thence North 64 31' 17" East a distance of 1037 (feet) to the POINT OF BEGINNING. All according to right-of-way map of Section 94050-2509, State Road A-1-A.

Containing 42.25 acres more or less.

\* Bearing believed to be a scrivener's error, as the referenced right-of-way map shows South 62 33' 32" West.

[Legal description continued on next page]

DR BOOK 1674 PAGE 1071

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EXHIBIT "A" - Continued  
Legal Description

PARCEL II:

A parcel of land located in section 2, Township 35 South, Range 40 East, St. Lucie County, Florida and being more particularly described as follows:

Commencing at a reference point in the east end of south bridge, said point being a cross in the deck of aforesaid bridge (now obliterated); thence run north  $64^{\circ}50'00''$  east, along the centerline of seaway drive (State Road A-1-A), a distance of 1552.60 feet; the centerline of seaway drive (State Road A-1-A) is assumed to bear north  $64^{\circ}50'00''$  east and all other bearings referenced herein are relative thereto; said point being south  $64^{\circ}50'00''$  west, a distance of 2094.72 feet from an iron pipe found at the point of intersection of an 8'00' curve concave to the southeast as shown on the right-of-way map for State Road A-1-A, as recorded in plat book 22, page 14, of the public records of St. Lucie County, Florida; thence south  $25^{\circ}10'00''$  east, departing said centerline, a distance of 132.54 feet to the point of beginning of the herein described parcel of land; thence north  $64^{\circ}50'00''$  east, a distance of 12.00 feet; thence south  $25^{\circ}10'00''$  east, a distance of 500.00 feet; thence south  $64^{\circ}50'00''$  west, a distance of 12.00 feet; thence north  $25^{\circ}10'00''$  west, a distance of 500.00 feet to the point of beginning.

Said parcel containing 0.14 acres, more or less.

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		Maximum residential	100%	Minimum residential	80%							
		Maximum non-residential	20%	Minimum non-residential	0%							
	Site Area	FAR	Maximum Density	Percent Residential	Percent Commercial	Maximum Building Area	Maximum Dwelling Units	Residential Area	Average Area Dwelling Unit	Dwelling Units	Commercial Area	
ac	17.43	759,251	1	8	80.00%	20.00%	759,251	139	607400.64	1500	139	151,850

Potable Water Demand (gpd) 55,121

Wastewater Demand (gpd) 51,325

Parks and Recreation  
 Regional 2.23  
 Urban District 8.92  
 Community 17.84  
 Neighborhood 32.79

Public Schools (Residential Classification Only)

	Students	K-8	High
Single Family	56.30	39.41	16.89
Multifamily	28.77	20.14	8.63

Solid Waste 20

		Maximum residential Maximum non-residential	100% 60%	Percent Residential	Percent Commercial	Maximum Building Area	Maximum Dwelling Units	Residential Area	Average Area Dwelling Unit	Dwelling Units	Commercial Area	
ac	Site Area	FAR	Maximum Density	15	51.40%	48.60%	1,138,876	261	390254.9112	1500	260	368,996
	Potable Water Demand (gpd)	113,724										
	Wastewater Demand (gpd)	104,500										
	Parks and Recreation											
	Regional	2.25										
	Urban District	8.98										
	Community	17.96										
	Neighborhood	33.02										
	Public Schools (Residential Classification Only)											
	Students	K-8	High									
	Single Family	105.30	73.71	31.59								
	Multifamily	53.82	37.67	16.15								
	Solid Waste											

**A Traffic Impact Analysis of:**  
**Causeway Cove**

Located in:

**City of Ft. Pierce**  
**St. Lucie County, Florida**

Prepared for:

Ashton de Peyster  
306 Worth Ave, Suite 4  
Palm Beach, FL 33480

Prepared by:



**Prepared:**  
June 2015

Prepared by:

Leo D. Giangrande, PE  
PE Reg #06387  
Date: 6-24-15



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**TABLE OF CONTENTS**

Introduction..... 1  
Trip Generation..... 2-3  
Trip Distribution..... 4  
Background & Build-out Conditions..... 5  
Long-Range 2035 Build-out Conditions..... 5  
Project Access..... 6  
Conclusion..... 6

**LIST OF FIGURES**

Figure 1 – Site Location..... 1  
Figure 2 – Trip Distribution..... 4

**LIST OF TABLES**

Table 1 – Existing Trip Generation..... 2  
Table 2 – Proposed Trip Generation..... 2  
Table 3 – Existing Verses Proposed Trip Generation..... 2  
Table 4 – Build-out Calculation..... 5  
Table 5 – LOS Build Out Link Data..... 5  
Table 6 – 2035 Analysis..... 5

**APPENDICES**

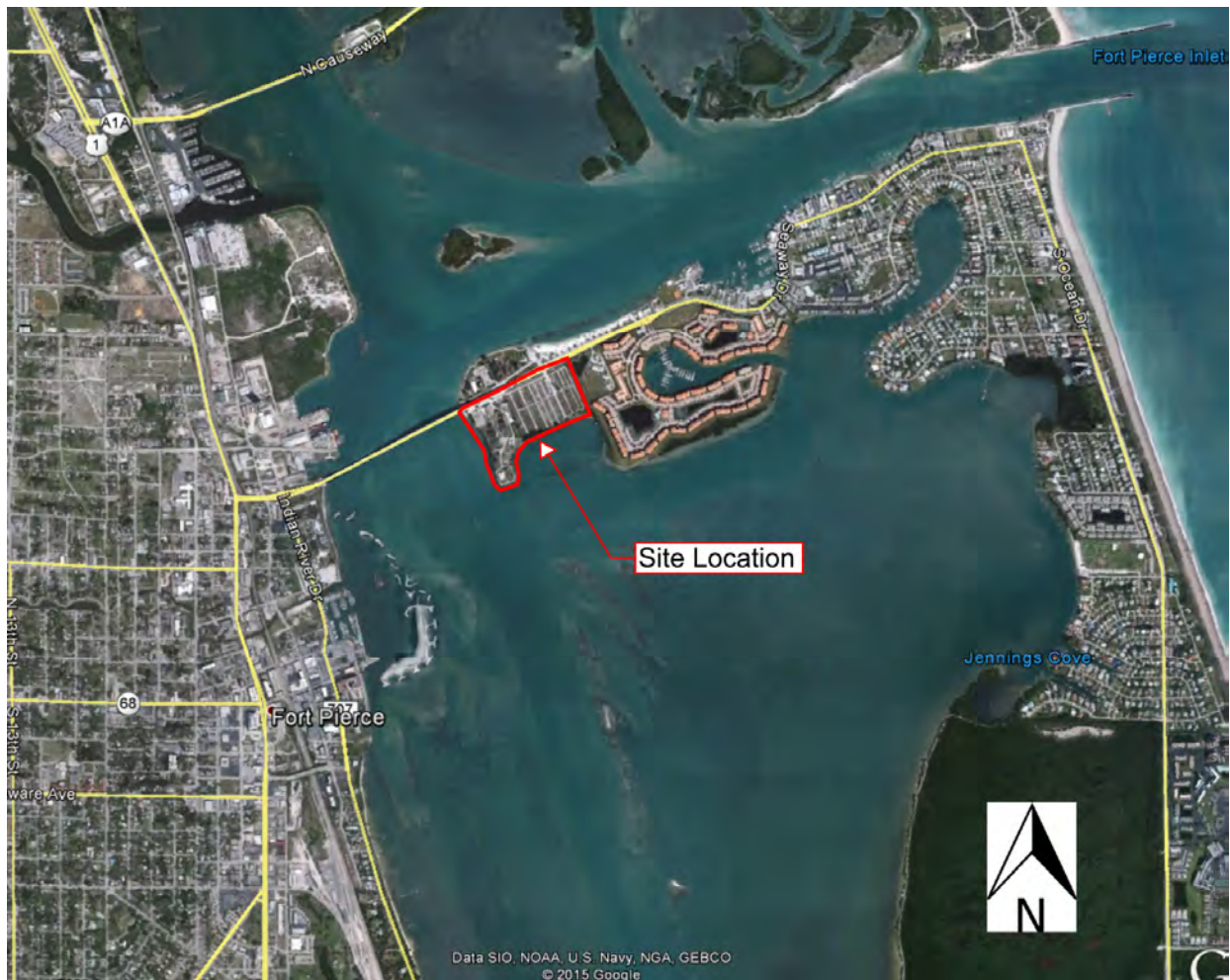
St. Lucie County Traffic Counts

## INTRODUCTION

Giangrande Engineering and Planning has been requested to provide traffic impact analysis in support of a rezoning application for the proposed land use of Mixed Use Development (MXD) on an existing site located at 601 Seaway Drive. The rezoning is for approximately 17.43 acres of R-3 (Single-Family Moderate Density) designation which is being proposed to be rezoned to Tourist Commercial (C-5) zoning to match the proposed future development of the Fort Pierce Western Peninsula as described in the Charrette for development of the Western Peninsula and relocation of the wastewater treatment plant.

The analysis performed in this report provides the potential impacts to the County's transportation system brought about by the proposed land use change. The analysis includes existing, background, committed trips, and the projected traffic volumes and the level of service for all affected roadways. Projected traffic volumes are based on the highest density/intensity allowed under the requested future land use designation.

The project development proposes the maximum residential building space of 455,550 sf (square feet) and the maximum commercial building space of 683,326 sf allowed per the Land Development Code, which is 40% residential building coverage. **Figure 1** below shows the location of the parcel in relation to the surrounding roadways.



**Figure 1 – Site Location**

## TRIP GENERATION

Trip generation has been based on the maximum allowable building space per the C-5 zoning. This proposed zoning change includes 105 units for the use of single family attached (SFA) luxury townhomes, a 421,966 sf building for the use of a shopping center, and a 174,240 sf building for the use of a hotel. For the analysis, a comparison was performed showing the calculated trips based on the existing zoning compared to the proposed land use change. **Tables 1 & 2** below depict an analysis of the calculated trips for the existing and proposed zoning, respectively. **Table 3** is provided below to illustrate a comparison of the existing land use verses the proposed commercial use. The site is currently zoned for residential development at 8 dwelling units per acre. Therefore a maximum of 8 residential units could be constructed under the current zoning and land use. The peak hour traffic generation for the site was available from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9<sup>th</sup> Edition.

**Table 1 – Existing Zoning Trip Generation**

Causeway Cove Rezone									
Existing Zoning									
9th Edition ITE Generation Rates									
			AM			PM			ADT
ITE Code	Type	Amount	In	Out	Total	In	Out	Total	Total
233	Luxury Townhome SFA	140 units	17	57	73	53	31	84	1,218
<b>Total</b>			<b>17</b>	<b>57</b>	<b>73</b>	<b>53</b>	<b>31</b>	<b>84</b>	<b>1,218</b>

**Table 2 – Proposed Trip Generation**

Causeway Cove Rezone									
Proposed Zoning									
9th Edition ITE Generation Rates									
			AM			PM			ADT
ITE Code	Type	Amount	In	Out	Total	In	Out	Total	Total
233	Luxury Townhome SFA	105 units	14	45	59	36	21	57	914
820	Shopping Center	421,966 SF	229	146	375	755	817	1,572	17,313
310	Hotel	300 rooms	97	62	160	94	83	177	2,312
<b>Total</b>			<b>340</b>	<b>254</b>	<b>594</b>	<b>884</b>	<b>922</b>	<b>1,806</b>	<b>20,538</b>

**Table 3 – Existing Verses Proposed Trip Generation**

Causeway Cove Rezone									
Existing Verses Proposed Trip Comparison									
9th Edition ITE Generation Rates									
			AM			PM			ADT
	Type	Amount	In	Out	Total	In	Out	Total	Total
1	Existing Use Trips	N/A	17	57	73	53	31	84	1,218
2	Proposed Use Trips	N/A	340	254	594	884	922	1,806	20,538
<b>Total Increase in Trips</b>			<b>323</b>	<b>197</b>	<b>520</b>	<b>831</b>	<b>891</b>	<b>1,722</b>	<b>19,320</b>

The equations utilized in the trip generation shown in **Tables 1 thru 3** are summarized as follows where T is equal to vehicle trips and X is the independent variable:

- **Single-Family Attached Housing – ITE Code 233 (X = # of dwelling units)**
  - AM Peak Hour:  $\ln T = 0.76 \ln X + 54$ 
    - Entrance Split: 0.23
    - Exit Split: 0.77
  - PM Peak Hour:  $T = 0.78X - 25.38$ 
    - Entrance Split: 0.63
    - Exit Split: 0.37
  
- **Shopping Center – ITE Code 820 (X = 1,000 sq. ft. gross floor area)**
  - AM Peak Hour:  $\ln T = 0.61 \ln X + 2.24$ 
    - Entrance Split: 0.61
    - Exit Split: 0.39
  - PM Peak Hour:  $\ln T = 0.67 \ln X + 3.31$ 
    - Entrance Split: 0.48
    - Exit Split: 0.52
  
- **Hotel – ITE Code 310 (X = # of rooms)**
  - AM Peak Hour:  $\ln T = 1.24 \ln X - 2$ 
    - Entrance Split: 0.61
    - Exit Split: 0.39
  - PM Peak Hour:  $T = 0.59X$ 
    - Entrance Split: 0.53
    - Exit Split: 0.47

## TRIP DISTRIBUTION

A trip distribution was performed to show the traffic impact based on the total trips generated from the proposed project. The trip distribution has 100% of the project trips utilizing the project access from the west (mainland side) and 0% from the east (island side).

The project trips generated as shown in **Table 3** are distributed to the surrounding roadway system based on anticipated vehicular routes used to access and exit the site. Distribution is based on the potential population growth, demographics of the potential clients in the vicinity of the site and other similar uses of the surrounding area. **Figure 2** is provided as a graphical representation of the trip distribution percentages to roadway links and intersections within the project vicinity. Project trip distribution can also be viewed in **Table 4**.



**Figure 2 – Trip Distribution**

## BACKGROUND & BUILD-OUT CONDITIONS

Background conditions for the completion year, 2018, have been calculated using the annual growth percentages shown in **Table 4**. Due to the population and economic trends of the Treasure Coast area, many of the roadway links have experienced a negative growth rate recently. Based on this information it has been estimated that an average of a 1.5% growth rate is a conservative approach for the surrounding roadway links.

**Table 5** tabulates the expected traffic volumes for the roadway links in the vicinity of the project for the design year compared to the LOS service volume. Based on the build-out traffic for the proposed project, all the links that are expected to be utilized are below the LOS service volume established for that segment.

**Table 4 – Build-Out Calculation**

Road Name	From	To	Ex. LOS	2014 AADT	AM Peak HR Ex. Volume	Pm Peak HR Ex. Volume	Annual Growth	Project Assign.	AM Project Trips	PM Project Trips	2018 Peak Am Growth	2018 Peak PM Growth	2018 Peak AM Build-out	2018 Peak PM Build-Out
SR A1A South	Binney Dr	S Causeway Park	D	11,338	564	590	1.50%	0%	0	0	599	626	599	626
SR A1A South	S Causeway Park	Indian River Dr	C	9,799	539	487	1.50%	100%	340	922	572	517	912	1,438
SR A1A South	Indian River Dr	US 1	C	9,799	539	487	1.50%	100%	340	922	572	517	912	1,438

**Table 5 – LOS Build-Out Link Data**

Road Name	From	To	Type	AM Project Trips	PM Project Trips	2016 AM Buildout	2016 PM Buildout	LOS Service Volume	Below LOS Service Volume
SR A1A South	Binney Dr	S Causeway Park	4-In	0	0	599	626	790	YES
SR A1A South	S Causeway Park	Indian River Dr	4-In	340	922	912	1,438	1,550	YES
SR A1A South	Indian River Dr	US 1	4-In	340	922	912	1,438	1,710	YES

## LONG RANGE 2035 BUILD-OUT CONDITIONS

A long range traffic analysis was performed to verify that the surrounding roadway network will have the available capacity. The most conservative future analysis was performed utilizing the trip generation rates in **Table 4**. **Table 6** provided below shows that the capacity is available, in the year 2035.

**Table 6 – 2035 Analysis**

Road Name	From	To	Type	AM Project Trips	PM Project Trips	2035 AM Buildout	2035 PM Buildout	Service Volume	Below LOS Service Volume
SR A1A South	Binney Dr	S Causeway Park	4-In	0	0	626	655	790	YES
SR A1A South	S Causeway Park	Indian River Dr	4-In	204	553	802	1,094	1550	YES
SR A1A South	Indian River Dr	US 1	4-In	340	922	938	1,462	1710	YES

## **PROJECT ACCESS**

The site is located on the south side of State Road A1A, southwest of the Ft. Pierce Inlet, and within the northwest area of Hutchinson Island. Access to the site will be via an existing asphalt drive that intersects the southside of State Road A1A, entering the north portion of the property.

## **CONCLUSION**

Based on this traffic analysis, the proposed zoning change is not anticipated to have detrimental adverse impacts to the surrounding roadway network based on build-out and long range conditions. The projected volumes generated by the anticipated use indicates that the adjacent roadway links will operate at an acceptable Level of Service with no mitigation improvements. The existing roadway network is capable of accommodating the additional new vehicle trips the development is anticipated to generate.

# **APPENDIX**



Coco Vista Centre  
 466 SW Port St. Lucie Blvd, Suite 111  
 Port St. Lucie, FL 34953  
 772-462-1593 www.stlucietpo.org

**Traffic Counts and Level of Service Report  
 Fall 2014**

Roadway Name	Location	AADT	Pk Hr Service Capacity	AM Pk Hr Pk Dir			PM Pk Hr Pk Dir		
				Volume	LOS	V/C	Volume	LOS	V/C
SHINN RD	OKEECHOBEE RD to ORANGE AVE	824	1,030	57	B	0.150	66	B	0.174
SNEED RD	OKEECHOBEE RD to ORANGE AVE	1,592	500	116	B	0.725	111	B	0.694
SOUTHBEND BLVD	BECKER RD to FLORESTA DR	12,000	710	726	E	0.955	651	D	0.917
SR A1A NORTH	US 1 to OLD DIXIE HWY	5,607	920	378	C	0.434	379	C	0.436
SR A1A NORTH	OLD DIXIE HWY to N HWY A1A	6,400	0	355	C	0.408	333	C	0.383
SR A1A NORTH	SHOREWINDS DR to INDIAN RIVER C.L.	6,876	920	370	C	0.425	406	C	0.467
SR A1A SOUTH	NETTLES ISLAND to FPL PLANT	7,055	920	432	C	0.497	387	C	0.445
SR A1A SOUTH	FPL PLANT to BLUE HERON BLVD	3,413	660	408	C	0.658	327	C	0.527
SR A1A SOUTH	BLUE HERON BLVD to SEAWAY DR	6,926	560	374	D	0.668	447	D	0.798
SR A1A SOUTH	OCEAN DR to BINNEY DR	11,338	560	564	E	0.940	590	E	0.983
<b>SR A1A SOUTH</b>	<b>BINNEY DR to S CAUSEWAY PARK</b>	<b>11,338</b>	<b>790</b>	<b>564</b>	<b>D</b>	<b>0.714</b>	<b>590</b>	<b>D</b>	<b>0.747</b>
<b>SR A1A SOUTH</b>	<b>S CAUSEWAY PARK to INDIAN RIVER DR</b>	<b>9,799</b>	<b>1,550</b>	<b>539</b>	<b>C</b>	<b>0.781</b>	<b>487</b>	<b>C</b>	<b>0.706</b>
<b>SR A1A SOUTH</b>	<b>INDIAN RIVER DR to US 1</b>	<b>9,799</b>	<b>1,710</b>	<b>539</b>	<b>C</b>	<b>0.700</b>	<b>487</b>	<b>C</b>	<b>0.632</b>
ST JAMES DR	AIROSO BLVD to ST JAMES BLVD	17,000	1,890	1,254	C	0.697	1,216	C	0.676
ST JAMES DR	ST JAMES BLVD to PEACHTREE BLVD	19,000	1,890	1,518	C	0.843	1,208	C	0.671
ST JAMES DR	PEACHTREE BLVD to TELFORD AVE	17,000	1,800	1,254	C	0.729	1,216	C	0.707
ST JAMES DR	TELFORD AVE to MIDWAY RD	21,000	1,890	1,163	C	0.646	1,414	C	0.786
ST JAMES BLVD	SELVITZ RD to ST JAMES DR	4,300	680	318	C	0.964	243	C	0.736
ST LUCIE BLVD	KINGS HWY to KEEN RD	4,821	750	384	C	0.541	364	C	0.513
ST LUCIE BLVD	KEEN RD to 25TH ST	4,821	750	384	C	0.541	364	C	0.513
ST LUCIE BLVD	25TH ST to SENECA AVE	3,784	710	194	C	0.554	197	C	0.563
ST LUCIE BLVD	SENECA AVE to US 1	3,784	790	194	C	0.497	197	C	0.505
ST LUCIE WEST BLVD	COMMERCE CENTER DR to W OF I-95	10,500	590	492	C	0.879	506	C	0.904
ST LUCIE WEST BLVD	I-95 to CALIFORNIA BLVD	35,000	1,890	1,679	C	0.933	1,542	C	0.857
ST LUCIE WEST BLVD	CALIFORNIA BLVD to COUNTRY CLUB DR	35,000	1,890	1,679	C	0.933	1,542	C	0.857
ST LUCIE WEST BLVD	COUNTRY CLUB DR to CASHMERE BLVD	35,000	1,890	1,679	C	0.933	1,542	C	0.857
ST LUCIE WEST BLVD	CASHMERE BLVD to BAYSHORE BLVD	44,000	2,850	2,285	C	0.822	2,125	C	0.764
SUNRISE BLVD	MIDWAY RD to BELL AVE	3,709	510	283	D	0.555	237	C	0.948
SUNRISE BLVD	BELL AVE to EDWARDS RD	4,016	640	254	C	0.794	265	C	0.828

\* Volumes shown were adjusted using FDOT Seasonal Factors  
 \* AADT = Annual Average Daily Traffic



## ENVIRONMENTAL SITE ASSESSMENT

Prepared For:

Causeway Cove  
601 Seaway Drive  
Fort Pierce, Florida

Property Tax ID Number:  
2402-312-0001-000-5

Prepared by:

DLS Environmental Services, Inc.  
1901 SW Yellowtail Avenue  
Port St. Lucie, Florida 34953  
(772)215-3997  
Fax: (772)879-4520  
Email: [danna@dlsenvironmentalservices.com](mailto:danna@dlsenvironmentalservices.com)

**TABLE OF CONTENTS**

**1.0 LOCATION..... 1**  
**2.0 SOILS..... 1**  
**3.0 HABITATS..... 1**  
    3.1 GOPHER TORTOISE AND OTHER BURROW COMMENSALS ..... 1  
    3.2 PROTECTED SPECIES/WILDLIFE SURVEYS ..... 2  
    3.3 VEGETATION SURVEY (FLUCFCS) ..... 4  
    3.4 JURISDICTIONAL WETLANDS ..... 5  
**4.0 PREVIOUS IMPACTS ..... 5**  
**5.0 OTHER INFORMATION ..... 5**  
**6.0 SUMMARY ..... 6**

**FIGURES**

Figure 1	Location Map
Figure 2	USDA Soils Map
Figure 3	FLUCFCS Map

**APPENDICES**

Appendix A	Site Photographs
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## ENVIRONMENTAL SITE ASSESSMENT

### 1.0 LOCATION

An environmental assessment of the 601 Seaway Drive was conducted by DLS Environmental Services, Inc. The project area associated with this parcel totals 17.43 acres which are located on the south side of Seaway Drive in Fort Pierce in Section 2, Township 35 South, Range 40 East (**Figure 1 – Location Map**). Field data was collected on May 21, 2015. The following are the methodologies and results of the environmental assessment conducted at the project site.

### 2.0 SOILS

Project soils were mapped according to the *Soil Survey of St. Lucie County Area, Florida*, March 1981, United States Department of Agriculture, Soil Conservation Service. A copy of the Soil Survey Map depicting the project boundaries and soil type(s) is included as **Figure 2**. The project site contained two soil mapping units. A general description of the soil types are as follows:

#### **Arents, 0 to 5 percent slopes (4)**

This soil consists of soil material dug from several areas that have different kinds of soil. It is used to fill such areas as low sloughs, marshes, shallow depressions, and swamps above their natural ground levels. Depth of fill material ranges from about 20 to 50 inches. Several kinds of mineral soils underlie the fill material. The water table in this Arents soil is between depths of 20 and 50 inches most of the year.

#### **Palm Beach Fine Sand, 0 to 5 percent slopes (27)**

This nearly level to gently sloping soil is excessively drained. It is on high dune-like ridges that are generally parallel to the coast. Slopes are smooth to convex. Included in this mapping layer are small areas of Canaveral soil. This soil does not have a water table within a depth of 80 inches annually and permeability is very rapid. Typical natural vegetative associations include cabbage palms, running oak, saw palmetto, and scrub oak.

### 3.0 HABITATS

#### 3.1 GOPHER TORTOISE AND OTHER BURROW COMMENSALS

The property does not contain any gopher tortoise habitat. The soils throughout the property consisted of a hard-packed sand/rock/shell mix which does not support burrowing species.

## 3.2 PROTECTED SPECIES/WILDLIFE SURVEYS

### 3.2.1 Objective

Conduct a systematic survey for flora and fauna that may occur on-site and note the presence of any endangered, threatened and species of special concern as identified by Florida Fish and Wildlife Conservation Commission and the Florida Department of Agriculture and Consumer Services.

### 3.2.2 Methodology

Biologist used the following methodology to conduct wildlife/protected species surveys.

- Biologist conducted a survey on May 21, 2015;
- The survey meandered through the property however none of the property appeared to be suitable habitat for most protected species;
- Biologist recorded and noted sightings, tracks, scat, tree markings, nests, cavities, and burrows;

### 3.2.3 Conclusion

During the pedestrian survey, biologist did not observe any endangered, threatened, or species of special concern as identified by Florida Fish and Wildlife Conservation Commission and the Florida Department of Agriculture and Consumer Services. No tree markings, nests, cavities, or burrows (active or inactive) were observed. No scrub jays or red-cockaded woodpeckers were observed or called on-site since the site did not contain any habitat for these species. See **Table 1** for wildlife observed during the pedestrian transects. In addition, the habitat on-site was reviewed to determine the likelihood of occurrence for the following federal/state listed species:

#### Amphibians

Gopher frog (*Rana capito*) not likely

#### Reptiles

American alligator (*Alligator mississippiensis*) not likely

Eastern indigo snake (*Drymarchon corais couperi*) not likely

Gopher tortoise (*Gopherus polyphemus*) not likely

#### Birds

Roseate spoonbill (*Ajaia ajaia*) not likely

Florida scrub jay (*Aphelocoma coerulescens*) not likely

Limpkin (*Aramus guarauna*) not likely

Piping plover (*Charadrius melodus*) likely

Least tern (*Sterna antillarum*) not likely

Little blue heron ( <i>Egretta caerulea</i> )	likely
Snowy egret ( <i>Egretta thula</i> )	likely
Snowy plover ( <i>Charadrius nivosus</i> )	not likely
Tri-colored heron ( <i>Egretta tricolor</i> )	likely
White ibis ( <i>Eudocimus albus</i> )	not likely
Peregrine falcon ( <i>Falco peregrines</i> )	not likely
Southeastern American kestrel ( <i>Falco sparverius paulus</i> )	not likely
Florida sandhill crane ( <i>Grus Canadensis protensis</i> )	not likely
Bald eagle ( <i>Haliaeetus leucocephalus</i> )	not likely
Wood stork ( <i>Mycteria Americana</i> )	not likely
Osprey ( <i>Pandion haliaetus</i> )	likely
Roseate tern ( <i>Sterna dougallii dougallii</i> )	not likely
Snail kite ( <i>Rostrhamus sociabilis plumbeus</i> )	not likely
Florida burrowing owl ( <i>Athene cunicularia floridana</i> )	not likely

### **Mammals**

Florida panther ( <i>Felis concolor coryt</i> )	not likely
Florida mouse ( <i>Podomys floridana</i> )	not likely
Sherman's fox squirrel ( <i>Sciurus niger shermani</i> )	not likely

### **Vascular plants**

Sea lavender ( <i>Argusia gnaphalodes</i> )	not likely
Curtiss' milkweed ( <i>Asclepias curtissii</i> )	not likely
Four-petal pawpaw ( <i>Asimina tetramera</i> )	not likely
Sand-dune spurge ( <i>Chamaesyce cumulicola</i> )	not likely
Hand fern ( <i>Cheiroglossa palmata</i> )	not likely
Large-flowered rosemary ( <i>Conradina grandiflora</i> )	not likely
Florida tree fern ( <i>Ctenitis sloanei</i> )	not likely
Dollar orchid ( <i>Encyclia boothiana var. erthonioides</i> )	not likely
Night-scented orchid ( <i>Epidendrum nocturnum</i> )	not likely
Tropical ironwood ( <i>Eugenia confusa</i> )	not likely
Coastal vervain ( <i>Glandularia maritime</i> )	not likely
Beach jacquermontia ( <i>Jacquemontia reclinata</i> )	not likely
Atlantic Coast Florida lantana ( <i>Lantana depressa var floridana</i> )	not likely
Nodding pinweed ( <i>Lechea cernua</i> )	not likely
Pine pinweed ( <i>Lechea divaricata</i> )	not likely
Carter's large-flowered flax ( <i>Linum carteri var sinallii</i> )	not likely
Burrowing four o'clock ( <i>Okenia hypogaea</i> )	not likely
Dancing-lady orchid ( <i>Oncidium bahamense</i> )	not likely
Terrestrial peperomia ( <i>Peperomia humilis</i> )	not likely
Blunt-leaved peperomia ( <i>Peperomia obtusifolia</i> )	not likely
Scrub bay ( <i>Persea humilis</i> )	not likely
Tiny polygala ( <i>Polygala smallii</i> )	not likely
Wild coco ( <i>Pteroglossaspis ecristata</i> )	not likely
Green ladies'-tresses ( <i>Spiranthes polyantha</i> )	not likely
Banded wild-pine ( <i>Tillandsia flexuosa</i> )	not likely
Scentless vanilla ( <i>Vanilla mexicana</i> )	not likely

Rain lily ( <i>Zephyranthes simpsonii</i> )	not likely
Johnson's seagrass ( <i>Halophila johnsonii</i> )	likely
<b><u>Non-Vascular Plants</u></b>	
Perforate reindeer lichen ( <i>Cladonia perforata</i> )	not likely

**Table 1. Wildlife Observed on the Property During the Pedestrian Surveys**

**A. Birds – none observed**

**B. Mammals – none observed**

**C. Reptiles – none observed**

### **3.3 VEGETATION SURVEY (FLUCFCS)**

#### **3.3.1 Objective**

To map vegetation on-site according to the Florida Land Use, Cover, and Forms Classification System.

#### **3.3.2 Methodology**

Biologist used the following methodology to conduct the vegetation survey.

- Biologist used the *Florida Land Use, Cover, and Forms Classification System: A Technical Report (FLUCFCS)*, January 1999, State of Florida, Department of Transportation, Survey and Mapping, Geographic Mapping Section;
- Biologist based vegetative community descriptions on field surveys and Soil Conservation Service soil maps.
- Numerical community designations were carried to Level III, according to FLUCFCS.

#### **3.3.3 Conclusion**

The FLUCFCS map is depicted as **Figure 3** and contained the following community designations:

- **193 – Urban land in transition**  
The property is vacant with asphalt roads and hard-packed soils throughout. It was previously a mobile home park but all mobile homes have been removed however, there is still one building near the center of the property.

- **540 – Bays and estuaries**  
This property contains privately owned submerged bottoms which are vegetated with various seagrass species. *Halodule wrightii* and *Syringodium filiforme* were noted in the nearshore area and were visible from the shoreline.

### **3.4 JURISDICTIONAL WETLANDS**

The project site was reviewed for potential wetlands based upon the methodologies identified in Chapter 62-340, Florida Administrative Code which consists of reviewing the area for vegetation, soils, and hydrologic indicators. Based upon this review, an intermittent strip of area along the shoreline varying in width from 10-foot to 15-foot landward of mean high water did contain wetland vegetation (red mangroves, white mangroves, black mangroves, buttonwood, sea oxeye, and salt grass) however it did not appear to have soils due to the fact that there were extensive areas of concrete rubble along the majority of the shoreline. This area of wetland vegetation was wider on the eastern end of the property but in that location, the soils consisted of the hard-packed sand/gravel/shell mix found throughout the rest of the property which would not be considered a hydric soil.

The state and federal agencies may be inclined to claim this area as wetlands based solely upon the presence of mangroves however based upon a preliminary review, the presence of mangroves and other wetland vegetation would not be sufficient justification for the agencies to claim this area as wetlands. In order to claim an area as wetlands, the state permitting agency (Florida Department of Environmental Protection) needs at least two of the three indicators (vegetation, soils, hydrologic indicators) to be present.

### **4.0 PREVIOUS IMPACTS**

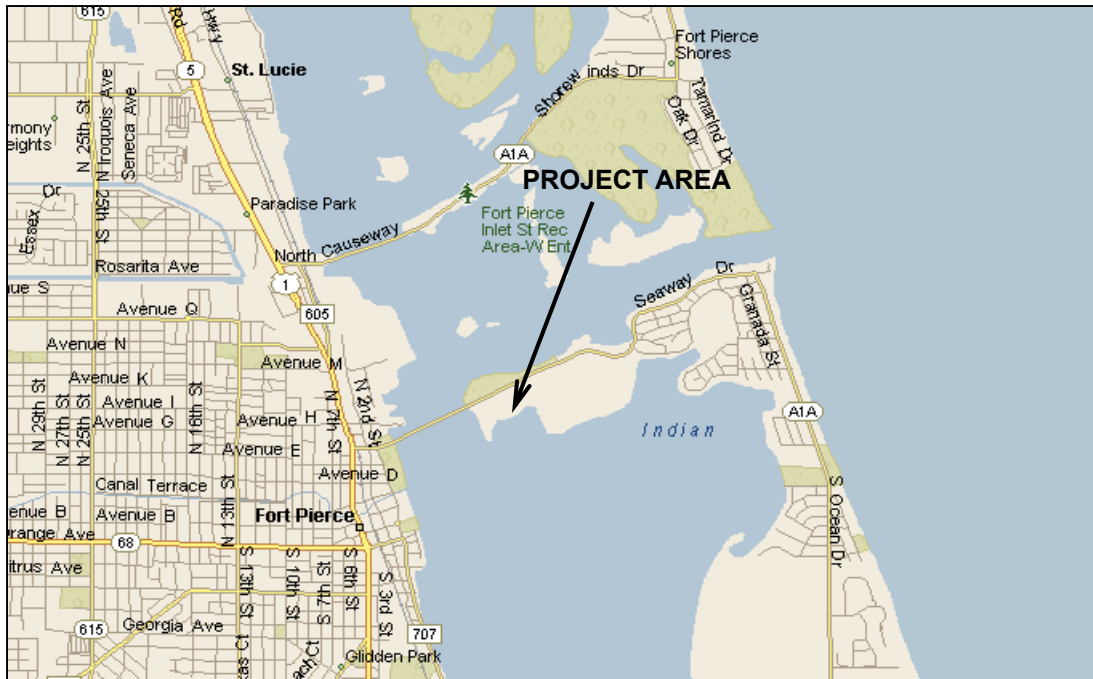
Based upon a review of aerials from 1994 to present, this location was previously a mobile home park. During the hurricanes of 2004, many of the mobile homes were damaged and it appears that all of them were eventually removed by 2009. The property still contains the asphalt roads, a single building, and concrete rubble along the shoreline which were part of the mobile home park.

### **5.0 OTHER INFORMATION**

On September 6, 2012, a permit was issued by the Florida Department of Environmental Protection for a 198-slip docking facility with a wave attenuator and a boat ramp. It is assumed that there is also a U.S. Army Corps permit for this activity. According to the information in this permit, there are spotty areas of seagrass in this location and most of the seagrass is located in the nearshore area. The facility was designed to avoid impacts to the seagrass beds that were identified during the permitting process.

## **6.0 SUMMARY**

Based upon the current conditions of the upland property and the documentation on file for the proposed marina, the proposed zoning change from R-3 (Single-Family Moderate Density) to C-5 (Tourist Commercial Zone) would not result in additional environmental impacts. The upland property contains no native habitat. Areas which contained wetland vegetation would not be considered native habitat due to the concrete rubble and hard-packed soils. There was also an extensive amount of exotic and nuisance vegetation (Australian pines, coin vine, half-flower, scavolea) in that same location. In order to verify if this narrow disturbed strip along the shoreline would meet the criteria of wetlands, the owner could request an informal determination from Florida Department of Environmental Protection. In addition, the marina facility has been designed (and permitted) to avoid impacts to seagrass beds.



**ST. LUCIE COUNTY**



SECTION 2, TOWNSHIP 35 SOUTH, RANGE 40 EAST

**DS Environmental Services, Inc.**

1901 SW Yellowtail Avenue  
Port Saint Lucie, FL 34953

Phone: 772-215-3997 Fax: 772-879-4520  
www.dsenvironmentalservices.com

**Location Map**

**Causeway Cove  
601 Seaway Drive  
Fort Pierce, Florida  
PIN# 2402-312-0001-000-5**

SCALE: **N.T.S.**

MAY 2015

**FIGURE 1**



Source: <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx> Viewed on May 27, 2015

**SOILS:**  
 ARENTS, 0 TO 5 PERCENT SLOPES (4)  
 PALM BEACH FINE SAND (27)

**DS Environmental Services, Inc.**

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 Port Saint Lucie, FL 34953

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**Soils Map**

Causeway Cove  
 601 Seaway Drive  
 Fort Pierce, Florida  
 PIN# 2402-312-0001-000-5

SCALE: N.T.S.

MAY 2015

FIGURE 2



**FLUCFCS CODES:**

URBAN LAND IN TRANSITION (193)  
 BAYS AND ESTUARIES (540)



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 Port Saint Lucie, FL 34953

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[www.dlsevenvironmentalservices.com](http://www.dlsevenvironmentalservices.com)

**FLUCFCS Map**

Causeway Cove  
 601 Seaway Drive  
 Fort Pierce, Florida  
 PIN# 2402-312-0001-000-5

SCALE: N.T.S.

MAY 2015

FIGURE 3

**APPENDIX A**  
**SITE PHOTOGRAPHS**



Photo looking at upland area of property.



Photo looking west along south side of property showing area of exotic vegetation adjacent to shoreline.

**DLS Environmental Services, Inc.**  
 1901 SW Yellowtail Avenue  
 Port Saint Lucie, FL 34953

Phone: 772-215-3997 Fax: 772-879-4520  
[www.dlsevenvironmentalservices.com](http://www.dlsevenvironmentalservices.com)

**Photos of Site**

**Causeway Cove  
 601 Seaway Drive  
 Fort Pierce, Florida  
 PIN# 2402-312-0001-000-5**

SCALE:

MAY 2015



Photo looking west along shoreline showing concrete rubble, coin vine, Australian pine and some mangroves.



Photo looking east along shoreline showing salt grass, exotics and white mangroves.

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 1901 SW Yellowtail Avenue  
 Port Saint Lucie, FL 34953

Phone: 772-215-3997 Fax: 772-879-4520  
[www.dlsevenvironmentalservices.com](http://www.dlsevenvironmentalservices.com)

**Photos of Site**

**Causeway Cove  
 601 Seaway Drive  
 Fort Pierce, Florida  
 PIN# 2402-312-0001-000-5**

SCALE:

MAY 2015



Photo looking at concrete rubble in shoreline area.



Photo looking south into east area of wetland vegetation (salt grass, sea oxeye, dollar weed, etc.). Solis are hard packed sand/shell/gravel and are not considered hydric soils.

**DLS Environmental Services, Inc.**  
 1901 SW Yellowtail Avenue  
 Port Saint Lucie, FL 34953

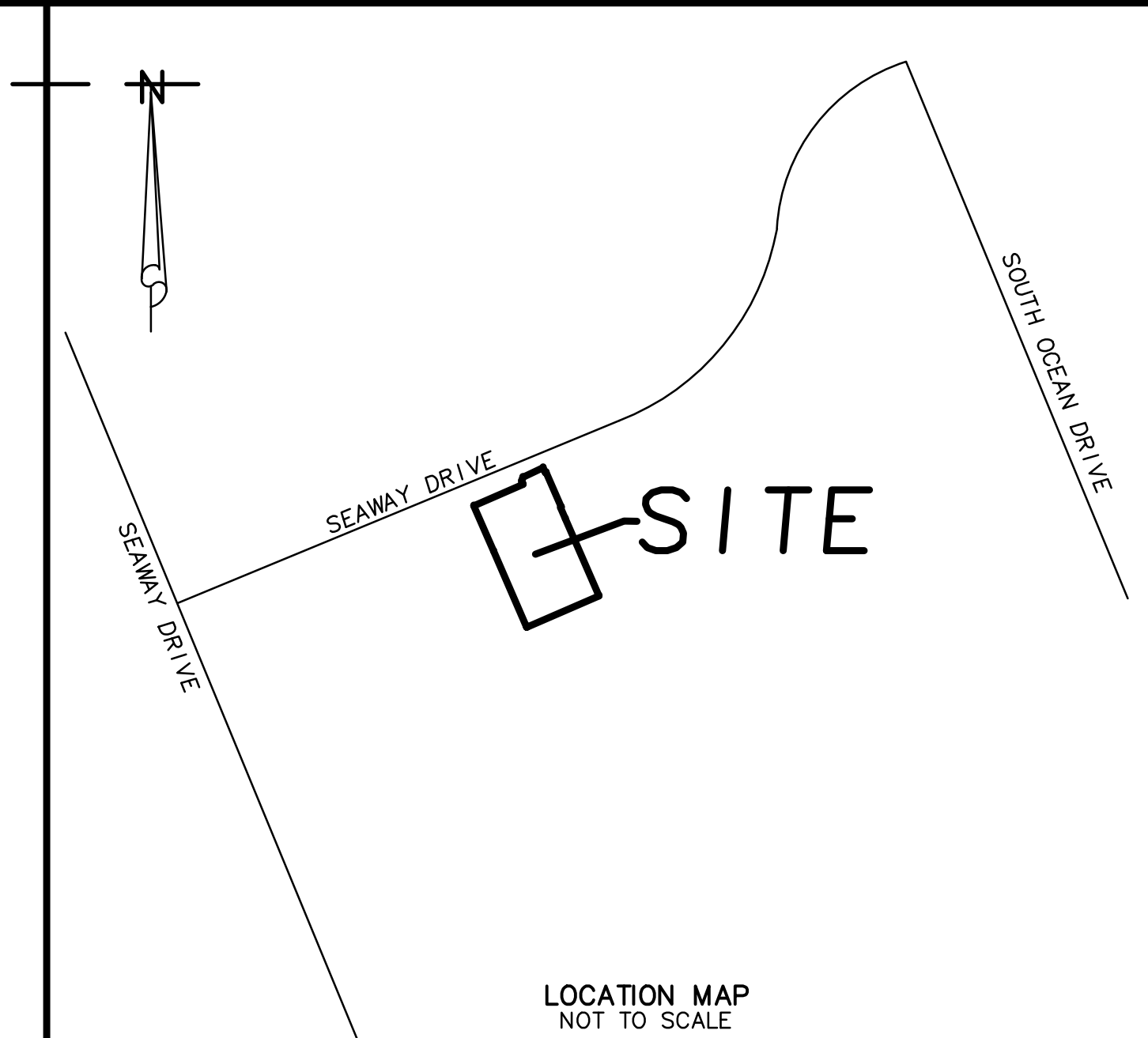
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**Photos of Site**

**Causeway Cove  
 601 Seaway Drive  
 Fort Pierce, Florida  
 PIN# 2402-312-0001-000-5**

SCALE:

MAY 2015



1088.65'  
N25°28'28"W 1745.00'(C)  
N25°09'00"W 1745.00'(D)

1900.00' (TOTAL)

SUBMERGED LANDS AREA

INDIAN RIVER

MEAN HIGH WATER LINE  
FIELD - 0.28 NAVD 1988  
DATED 6-06-14 AT 3:00 PM

S25°10'09"E 1267.46'(D)  
S25°17'29"E 1265.07'(C)

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