

ORDINANCE NO. 16-023

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **REZONING PROPERTIES** GENERALLY LOCATED AT **1801 NEBRASKA AVENUE**, FROM PD, PLANNED DEVELOPMENT, TO PD, PLANNED DEVELOPMENT (PD-MAYFAIR); FURTHER **APPROVING A DEVELOPMENT PLAN** PURSUANT TO SECTION 22-58, SUBJECT TO CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, original legal description and development order for PD, Planned Development (PD-MAYFAIR) has been rendered null and void pursuant to the Agreement for Development Order between Mayfair at Lawnwood REPH LLC (MAYFAIR) and Longwood of Ft. Pierce Homeowners Association, Inc. (Longwood) of January 18th, 2018; and

WHEREAS, there is a Shared Cost Agreement associated with the development order; and

WHEREAS, the City desires to retain the administrative record of the approval of the development order; and,

WHEREAS, the City desires to memorialize the Agreement for Development Order between Mayfair and Longwood, as well as the shared cost agreement as the development order for PD-MAYFAIR; THEREFORE

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

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

Parcel IDs 2416-504-0199-000-1, 2416-504-0199-050-6 & 2416-504-0199-200-3:

Being a parcels of land lying in St. Lucie County, Florida, being more particularly described as follows; LAWNWOOD ADDN THAT PART OF LAWNWOOD ADDN MPDAF: BEG AT INT NLI NEBRASKA AV AND E LI S 19 ST (CANAL), TH N 1 25 E ALG E LI OF SD S 19 ST 582.85 TO S R/W LI OF N LAWNWOOD CIR, TH ELY ALG SD S R/W ON A CURVE CONCAVE SLY, DELTA 20 21 26, R OF 1189.24, ARC DIST 422.54, TH S 01 25 01 W 375.70 FT, TH S 30 59 45 W 183.44 FT TO N R/W LI NEBRASKA AV, TH N 89 28 42 W 327.66 FT TO POB INCL VAC STS AND ALLEYS AS IN OR 265-675 (5.43 AC) (OR 3116-1904);

LAWNWOOD ADDN THAT PART OF LAWNWOOD ADDN MPDAF: BEG INT S R/W

NEBRASKA AV AND E R/W S 19 ST (CANAL), TH RUN S 01 25 00 W ALG SD E R/W 837.73 FT TO N R/W OF S LAWNWOOD CIR, TH ELY ALG SD N R/W ON A CURVE CONC NLY DELTA 19 25 59, R OF 95 FT, ARC DIST 32.22 FT, TH S 89 28 42 E 385.02 FT, TH N 01 25 00 E 180 FT, TH N 89 28 42 W 20.04 FT, TH N 01 25 00 E 663.12 FT TO S R/W NEBRASKA AV, TH N 89 28 42 W ALG SD S R/W 395.42 FT TO POB INCL VAC STS AND ALLEYS AS IN OR 265-675 (7.75 AC) (OR 3116-1904); and

LAWNWOOD ADDN THAT PART OF LAWNWOOD ADDN MPDAF: BEG AT PT OF INT OF E LI OF S 19 ST CANAL AND LI DESC IN OR 83-343, TH CONT ELY ALG SD LI DESC IN OR 83-343 350 FT, TH N 01 25 E 330.54 FT TO S LI S LAWNWOOD CIR, TH WLY ON S R/W 350.17 FT, TH SLY 334 FT TO POB (2.69 AC) (OR 3116-1904)

and further depicted on Exhibit "A", attached hereto and incorporated herein, and formerly proposed to be rezoned from PD, Planned Development, to PD, Planned Development (PD-Mayfair); said properties being generally located at 1801 Nebraska Avenue in Fort Pierce, Florida are hereby deleted and substituted therefor by the properties set forth in the Agreement for Development Order (Exhibit D); said properties also being generally located at 1801 Nebraska Avenue in Fort Pierce, Florida.

SECTION 2. The Agreement for Development Order between Mayfair at Lawnwood REPH LLC ("Mayfair") and Longwood of Ft. Pierce Homeowners Association, Inc. ("Longwood") of January 18, 2018 as depicted on Exhibits "D" and "E", subject to the conditions set forth in Exhibit C, all of which are attached hereto and incorporated herein by reference, be and the same are hereby approved, and shall serve as the Development Plan associated with the subject Planned Development.

SECTION 3. Any and all provisions of this Ordinance in conflict with Exhibits "C", "D" and "E" are hereby declared to be null and void and of no further force or effect.

SECTION 4. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

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

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

**APPROVED AS TO FORM
AND CORRECTNESS:**

James M. Messer, Esq.
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 16-023 was duly advertised by title only in the St. Lucie News Tribune on Monday, October 2nd, 2016; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on October 17th, 2016; Ordinance 16-023 was duly advertised by title only in the St. Lucie News Tribune on Sunday, July 22nd, 2018 and was read by title only, and passed on second and final reading on August 6, 2018, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 6th day of August, 2018.

MAYOR COMMISSIONER

CITY CLERK

(CITY SEAL)

EXHIBIT A-2

Legal Description of Subject Property

Parcel IDs: 2416-504-0199-000-1, 2416-504-0199-050-6 & 2416-504-0199-200-3:

Being a parcels of land lying in St. Lucie County, Florida, being more particularly described as follows; LAWNWOOD ADDN THAT PART OF LAWNWOOD ADDN MPDAF: BEG AT INT NLI NEBRASKA AV AND E LI S 19 ST (CANAL), TH N 1 25 E ALG E LI OF SD S 19 ST 582.85 TO S R/W LI OF N LAWNWOOD CIR, TH ELY ALG SD S R/W ON A CURVE CONCAVE SLY, DELTA 20 21 26, R OF 1189.24, ARC DIST 422.54, TH S 01 25 01 W 375.70 FT, TH S 30 59 45 W 183.44 FT TO N R/W LI NEBRASKA AV, TH N 89 28 42 W 327.66 FT TO POB INCL VAC STS AND ALLEYS AS IN OR 265-675 (5.43 AC) (OR 3116-1904);

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EXHIBIT B-1
Development Plan

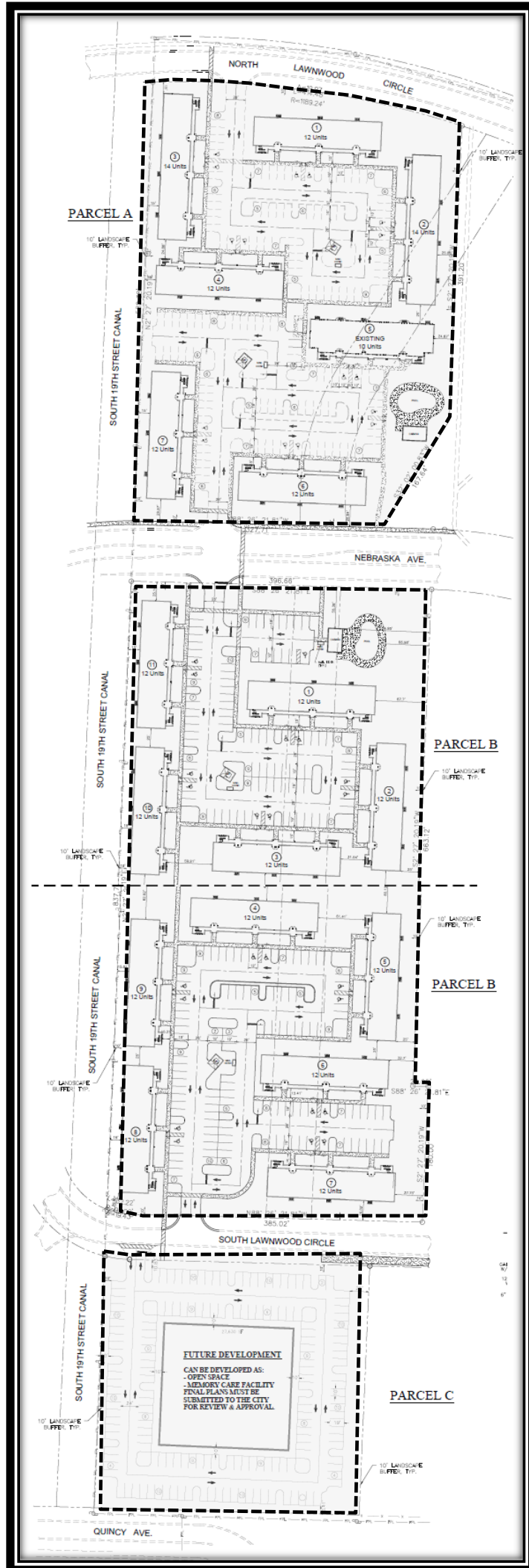


EXHIBIT B-2

Development Plan Overview



	Parcel A	Parcel B	Parcel C	Total
Gross Area	5.24	7.76	2.66	15.66
# of Buildings	7	11	0	18
1 BR	40	66	0	106
2 BR	42	66	0	108
3BR	4			4
	86	132	0	218
	16.41	17.01	0.00	13.92
Required Parking				
1.5 Spaces Per Unit	129	198	0	327
Provided	151	224	0	375
Parking Ratio	1.76	1.70	0.00	1.72

The property has a zoning of PUD and an overall density of 13.86. The underlying Land Use is Medium with a 6.5 to 12 DU/Acre. There is a bonus program for 5 additional units for a total of 17. The site should qualify for the total bonus.

Existing and Proposed Land Use Tables

The following is a Land Use Table of the existing and the proposed design criteria for the PD:

Land Use Table

Parcel ID	Acreage
2416-504-0199-000-1	5.35 acres
2416-504-0199-050-6	7.75 acres
2416-504-0199-200-3	2.69 acres
Total	15.8 acres <u>15.66 acres Surveyed</u>
Existing Land Use	RM – Residential Medium
Proposed Land Use	RM – Residential Medium
Existing Zoning	PUD /PD
Proposed Zoning	PUD /PD
Adjacent Zoning	
North	R-4
South	OS-1
East	PUD /PD
West	C-1
FEMA Firm	12111C0187J
Flood Zone	X

	Existing	Proposed
Maximum Building Height	3 Story (35 Feet)	Residential 2 Story (24 Ft.) Commercial 3 Story (35 Ft)* (Subject to Further Approval)
Property Set-back		
North		15 Feet
South		15 Feet
East		25 Feet
West		15 Feet
Building Separation	25 Feet	25 Feet
Open Space	20%	25% (Min.)
Parking		
Required	1.5 Spaces per unit (345)	1.5 Spaces per Unit (327)
Provided		1.71 Spaces per Unit (373)
HC Parking		
Required		2% (8)
Provided		11 % (44)

EXHIBIT C

Conditions of Approval

- 1) The property owner and/or applicant secure the necessary authorization and/or easements to complete the proposed off-site sidewalk connections;
- 2) The applicant adjusts the Site Plan to reflect the prospective enlargement of the central amenity structure.
- 3) The development of the southern parcel as a forty (40) unit ACLF/Memory Care facility is subject to the review and approval of a design review application pursuant to City Code Section 22-59. - Design subject to consideration by the Planning Board and City Commission.