

## **CITY PLANNING BOARD**

### **BOARD AGENDA**

Planning Board Regular Meeting - Tuesday, March 13, 2018 - 6:00 p.m.  
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CONSIDERATION OF ABSENCES**
5. **APPROVAL OF MINUTES**
  - a. Minutes from the February 13, 2018 meeting
6. **NEW BUSINESS**
  - a. Zoning Atlas Amendment - Second Street Station - 100 Avenue A (Marina Way)
  - b. Site Plan and Design Review - Second Street Station - 100 Avenue A (Marina Way)
  - c. Conditional Use - Arcade Amusement Center - 740 Orange Avenue
  - d. Conditional Use - Little Angels Learning Academy - 736 N. 7th Street
  - e. Conditional Use - Broderick Dwelling Rental - 1042 Windward Drive #3403
7. **BOARD COMMENTS**
8. **ADJOURNMENT**

Any person seeking to appeal any decision by the Planning Board with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

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

**Planning Board**

**5.a.**

Meeting Date: 03/13/2018

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Information

REQUESTED ACTION

Minutes from the February 13, 2018 meeting

LOCATION

RESPONSIBLE STAFF

RECOMMENDATION

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Attachments

Planning Board Minutes 2.13.18

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**Form Review**

Form Started By: Alicia Rosenthal

Started On: 02/21/2018 10:26 AM

Final Approval Date: 03/06/2018

# DRAFT



## CITY OF FORT PIERCE PLANNING BOARD

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### Planning Board Minutes

**OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, FEBRUARY 13, 2018, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Present: **Tim O'Connell; Michael Broderick; Gloria Johnson-Scott; Bob Burdge; John George; Brian Paul; Frank Creyaufmiller, Chairman**

Staff Present: **Iola Mosley, Senior Assistant City Attorney  
Rebecca Grohall, Planning Director  
Kori Benton, Senior Planner  
Alicia Rosenthal, Executive Assistant**

**4. CONSIDERATION OF ABSENCES**

**5. APPROVAL OF MINUTES**

- a. Minutes from the January 9, 2018 meeting

**Motion was made by John George, and seconded by Michael Broderick to approve the minutes from the January 9, 2018 meeting.**

**AYE: Bob Burdge, John George, Brian Paul, Tim O'Connell, Michael Broderick, Gloria Johnson-Scott, Chairman Frank Creyaufmiller**

Passed

- b. Minutes from the January 23, 2018 Special Planning Board meeting

**Motion was made by Michael Broderick, and seconded by John George to approve the minutes from the January 23, 2018 Special Planning Board meeting.**

AYE: **Michael Broderick, Gloria Johnson-Scott, Bob Burdge, John George, Brian Paul, Tim O'Connell, Chairman Frank Creyaufmiller**

Passed

## 6. NEW BUSINESS

### a. Conditional Use & Design Review - RG Towers - 2006 Orange Avenue

Ms. Grohall gave an overview of the application and answered questions from the Board regarding the irrigation system and landscaping. Holly Valdez, RG Towers Representative, provided additional information and answered questions from the Board regarding the length and width of the fence, health risk from cell towers, fall zone and antenna wattage.

Harlan Ginn, President, spoke about the FCC website and the cancer studies that have been done regarding cell towers.

**Motion was made by Gloria Johnson-Scott, and seconded by John George to forward a recommendation of approval to the City Commission to construct a One Hundred & Fifty (150) foot tall Slim Pole Telecommunication Tower to include a zero radius fall zone with the following condition:**

**Pursuant to City Code 22-178 (c), an irrigation plan that shows the installation of a permanent irrigation system must be submitted with the building permit.**

AYE: **Gloria Johnson-Scott, Bob Burdge, John George, Brian Paul, Tim O'Connell, Michael Broderick, Chairman Frank Creyaufmiller**

Passed

## 7. BOARD COMMENTS

Mr. Broderick provided a handout to the Board members to have follow up discussion to the consultant regarding Conditional Use issues with short term rentals in the R1 and R2 residential zoning districts. Mr. Broderick stated that the conversion of a R1 neighborhood into a commercial district for rental purposes is detrimental to the neighborhood. Mr. Broderick went on to say that homes coming up for resale are being purchased by investors with the sole intent of putting them into rental service.

Mr. Burdge agreed with Mr. Broderick and stated Florida State Statute 509.032(7)(b) says a local law ordinance or regulation may not restrict the use of vacation rentals, prohibit vacation rentals or regulate vacation rentals based solely on their classification, use or occupancy and it says this paragraph does not apply to any local law, ordinance or regulation adopted on or before June 1, 2011. Mr. Burdge stated the Conditional Use purpose was adopted on June 15, 1981 and it does state in the Conditional Use purpose "if controlled as to number".

Ms. Grohall explained that the issue can be brought back for a workshop once the Florida legislature has finished their business. She stated there are currently three different bills going through both the house and the senate that address short term rentals and preempt the ability of local government to regulate them in any way, shape or form. Ms. Grohall also urged Board members to contact the state legislature regarding their concerns on short term rentals.

Chairman Creyaufmiller stated the homeowners associations are watching the legislature closely and are working very diligently to protect their neighborhoods.

Mr. Benton told the Board he is transitioning to the St. Lucie County team. The Board members

wished Kori well and thanked him for his efforts, professionalism and always willingness to help.

Chairman Creyaufmiller asked that when changes are made to the staff report that the exact change be e-mailed to the Board members.

Mr. George inquired on the status of Celebration Pointe.

**8. ADJOURNMENT**

**Planning Board**

**6.a.**

Meeting Date: 03/13/2018

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Information

REQUESTED ACTION

Zoning Atlas Amendment - Second Street Station - 100 Avenue A (Marina Way)

LOCATION

100 Avenue A (Marina Way)

RESPONSIBLE STAFF

Vennis Gilmore, Planning Analyst  
Rebecca Grohall, Planning Director

RECOMMENDATION

The proposed amendment meets the criteria specified in Section 22-131 of the City Code and promotes and protects the public health, safety and general welfare; therefore Staff recommends that the Planning Board, **approve** the proposed amendment.

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Attachments

Staff Report  
Application  
Narrative  
Property Record Card  
Deed  
Location Map  
Zoning Map  
Survey  
Proposed Zoning Map  
Site Plan  
Elevations  
TRC Comments  
TRC Responses

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**Form Review**

Form Started By: Vennis Gilmore  
Final Approval Date: 03/08/2018

Started On: 03/06/2018 03:25 PM



**TO:** Members of the City of Fort Pierce Planning Board

**THROUGH:** Rebecca Grohall, AICP, Planning Director

**FROM:** Vennis Gilmore, Planning Analyst

**RE:** **Application for Zoning Map Amendment  
 Second Street Station  
 100 Avenue A (Marina Way)**

**DATE:** March 5, 2018

**STAFF REPORT**

**Owner(s):** Kraaz and Kraaz Finance LLC  
 201 S. 2<sup>nd</sup> Street, Suite 206  
 Fort Pierce, FL. 34950

**Applicant:** John H. Blum – Carter Associates, Inc.  
 1708 21<sup>st</sup> Street  
 Vero Beach, FL. 32960

**Applicant's Request:** Approval of a Zoning Atlas Amendment (Rezoning) from PUR, Planned Unit Redevelopment to C-4, Central Commercial Zone.

**Location:** 100 Avenue A (Marina Way)

**Parcel ID:** 2410-503-0042-000-5

**Current Zoning:** Planned Unit Redevelopment (PUR)

**Proposed Zoning:** Central Commercial Zone (C-4)

**Surrounding Zoning:**

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

**Site Size:** 1.02 acres

**Utilities:** FPUA

**Staff Analysis:**

**Request**

The applicant is requesting the approval of a Zoning Atlas Amendment (Rezoning) from PUR, Planned Unit Redevelopment to C-4, Central Commercial Zone. The current future land use designation is CBD, Central Business District.

The 0.138 acre lot of the subject 1.02 acres property is located on the north side of Avenue A; between the existing PP Cobb and Second Street Station buildings. The subject parcel is currently vacant and consists of an unimproved parking lot.

Table 1 demonstrates pertinent existing and proposed data for the subject site.

Table 1: Existing and Proposed Site Data

	<b>Existing</b>	<b>Proposed</b>
<b>Zoning</b>	<b>PUR</b>	<b>C-4</b>
<b>Zoning Objective</b>	<b>The Planned Unit Redevelopment (PUR) zone is intended to encourage comprehensive redevelopment within existing residential and commercial areas of the city. It is designed to achieve a desirable environment through application of flexible and diversified land development standards in an overall site plan. It is further intended to promote economics in land development, maintenance, street systems and utility networks, resulting in the provision of needed housing and the redevelopment of older, less economically viable areas.</b>	<b>This district is intended to serve as a primary center of commercial and institutional activity and as a readily identifiable focal point of the community and surrounding area. It is intended to be an intensively used area catering primarily to the pedestrian. The district is not suitable for low intensity uses requiring a large tract of land, most types of repair services, warehouses and other uses which would detract from the character of the area.</b>

The City Commission at their meeting on February 7, 2005; approved the Planned Unit Redevelopment Plan for the subject parcel. The proposed development "One Marina Place" consisted of a five-story building with approximately 7,200 square feet of retail space on the ground floor and a total of 41 units on the other four floors. The proposed density was 40 units per acre on a total of 1.04 acres. A total of 98 parking spaces were proposed in a basement, on the ground floor, and along Avenue B which was proposed to be realigned. In addition, a gym and an outdoor pool were proposed to be located on the 5th floor of the mixed-use building. Because the construction of the project had not started; as defined by the Building Department, nor an extension for the Plan had been requested within 12 months of the City Commission approval, the Plan expired. After discussion by the City Commission, Staff committed to place the Plan on the April 11th Planning Board agenda for re-approval. The Planning Board reapproved the Plan at their April 11, 2006 meeting. The Plan was submitted for re-approval and approved by the City Commission at their May 15, 2006 meeting.

The current applicant is proposing to build a building consisting of 3,000 sq. ft. of mercantile and 1,986 sq. ft. of business office. The site is located in the "Downtown Business and Entertainment Overlay District" and is exempt from off-street parking requirements. The subject property is also within the Downtown District; a City of Fort Pierce Historic District. This designation will require the applicant to go before the Historic Preservation Board for a Certificate of Appropriateness; for design review and if exterior renovations are needed for ADA Compliance.

Given the proposed use and the proposed zoning designation of the site, the site is considered to be conforming with regard to use. The (C-4) Central Commercial Zoning District is intended to serve as a primary center of commercial and institutional activity and as a readily identifiable focal point of the community and surrounding area.

## **Standards for Review**

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

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

The proposed amendment is consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan and is consistent with the concurrent request to amend the Zoning designation of the site. Furthermore, the amendment should not have adverse an 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 promotes and protects the public health, safety and general welfare through the increased variety and access to neighborhood goods and services while ensuring minimal impacts to neighboring residential districts.

## **Technical Review Committee**

All affected departments have reviewed the proposed Zoning Atlas (re-zoning) Amendment with regards requirements of the City Code. No significant impacts to public facilities are immediately expected by the proposed amendment. Findings from the review by corresponding departments and any associated responses by the applicant are provided for viewing by the Planning Board.

## **Staff Recommendation**

The proposed amendment meets the criteria specified in Section 22-131 of the City Code and promotes and protects the public health, safety and general welfare; therefore Staff recommends that the planning board, **approve** the proposed amendment.



## 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 (See Survey (S-1) and legal description for Parcel 'A' (C-2) included in Site Plan drawings)
- N/A Environmental Study
- N/A Traffic Impact Report
- \*\*\* Capacity Analysis-Separate Form
- Drainage Analysis (included with the development review application)
- N/A Historical Report
- 1 CD of all documents submitted in PDF
- Other \_\_\_\_\_

1. Property Address/Location: 100 Avenue A
2. Property Tax ID(s): 2410-503-0042-000-5
3. Total Acreage: 0.138 Acres (parcel 'A')
4. Existing Future Land Use Designation: CBD (Central Business District)
5. Existing Zoning Classification: PUR (Planned Unit Redevelopment)
6. Proposed Zoning Classification: C-4 (Central Commercial Zone)
7. Other applications being submitted concurrent with this application, if any: Development Review

- 8. Describe the existing uses, improvements and structures on the amendment lands: The site is vacant with unimproved parking.
- 9. Are there any identified or possible historical structures on the amendment lands? No.
- 10. The reason for making this request: Construction of a 4,986 sq. ft. mercantile and business building.

**11. CAPACITY ANALYSIS**

**I. Site Data:**

	Existing Use	Future Land Use	Zoning
North	Vacant	CBD	PUR
South	Restaurant	CBD	C-4
East	Retail/Restaurant	CBD	PUR
West	Restaurant	CBD	C-4

	Future Land Use	Zoning Classification	Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage	Total Acreage	Flood Zone
Current	CBD	PUR	-	0.138	N/A
Proposed	CBD	C-4	N/A	0.138	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 (0.125 gpd/sf x 6,001 sf)
Demand Analysis	Maximum
Current Zoning	Total gallons per day 750 gpd
Proposed Zoning	Total gallons per day 750 gpd
<b>Change in Demand</b>	<b>Total gallons per day 0</b>

<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 (0.10 gpd/sf x 6,001 sf)	
Demand Analysis	Maximum	
Current Zoning	Total gallons per day	600 gpd
Proposed Zoning	Total gallons per day	600 gpd
<b>Change in Demand</b>	<b>Total gallons per day</b>	0

<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
Regional	20 acres per 1,000 people	N/A	N/A	N/A
Urban District	5 acres per 1,000 people			
Community	2.5 acres per 1,000 people			
Neighborhood	1.36 acres per 1,000 people			

<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>
School Name	N/A	N/A
City		
Distance		
Current Zoning Enrollment Demand		
Proposed Zoning Enrollment Demand		
Change in Demand		

<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	N/A
Proposed Zoning	N/A
Change in Demand	

**F. Stormwater:**  
Potential increase in volume discharged due to increased impervious coverage, reduced groundwater seepage or loss of surface water storage impacting Adopted LOS of 25-year 3-day storm Pre vs. Post Runoff (Storm sewers to convey 5 year- 1 day storm event; Canals to convey 3 year – 1 day storm event)

<b>Impact</b>	Required retention of 676 cubic feet of volume of runoff between the pre- and post development 25-year, 3-day storm event for 0.138 acre site.
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**III. Transportation Analysis**

(Assume high-turnover restaurant - 127.15 AADT and 11.52 AM Peak per 1000 sf)

<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>	763	69
<b>Proposed Zoning</b>	763	69
<b>Change in Demand</b>	Trips	Trips
<b>Impact to Capacity</b>	No significant Impact	

12. Name of Owner(s): Kraaz and Kraaz Finance LLC  
 Mailing Address: 201 S. 2nd Street, Suite 206  
 City Fort Pierce State FL Zip 34950  
 Phone # (772) 370-4777  
 E-mail: bstone@boatloan.com

13. Name of Applicant: Same as Owner  
 Mailing Address: \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone # \_\_\_\_\_ Fax # \_\_\_\_\_  
 E-mail: \_\_\_\_\_

14. Name of Representative: Carter Associates, Inc.  
 Mailing Address: 1708 21st Street  
 City Vero Beach State FL Zip 32960  
 Phone # (772) 562-4191 Fax # \_\_\_\_\_  
 E-mail: \_\_\_\_\_

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

I certify that: (Check One)

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

\_\_\_\_\_ I (we) are not the owner of the above described property; however, the owners signature below authorizes the applicants the authority to act as agent for the owner(s) of record.

Applicant’s Signature

Date

201 S. 2nd Street, Suite 206	Fort Pierce	FL	34950
Address		State	Zip
(772) 370-4777		bstone@boatloan.com	
Phone	Fax	E-mail Address	

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

Kraaz and Kraaz Finance LLC	(772) 370-4777
Property Owner's Name (Please Print)	Phone
201 S. 2nd Street	Fort Pierce FL 34950
Address	State Zip

Property Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

STATE OF FLORIDA)  
ST LUCIE COUNTY)

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

Signature of Notary \_\_\_\_\_ (seal)

<b>OFFICE USE:</b>		
DATE RECEIVED: _____	Signed: _____	
File Number: _____	Check No: _____	Receipt No: _____
TRC Review: _____	Planning Board Review: _____	City Commission: _____
Ordinance No: _____	Date Approved: _____	

**RESOLUTION NO. 17-R16**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **ESTABLISHING QUASI-JUDICIAL PROCEDURES** FOR THE CITY COMMISSION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Commission recognizes the need for established legal procedures when quasi-judicial items are on the agenda; and

**WHEREAS**, the City Commission desires that this Resolution serve as the procedure for the City Commission to follow in conducting quasi-judicial proceedings; and

**WHEREAS**, the City Commission acknowledges that the procedures may be amended from time to time by resolution.

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

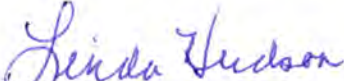
**SECTION 1.** When conducting quasi-judicial hearings, the City Commission shall follow the procedures as outlined in the attached Exhibit "A."

**SECTION 2.** The provisions of this Resolution are declared to be severable and if any section, sentence, clause, or phrase of this Resolution 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 Resolution but shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

**SECTION 3.** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**SECTION 4.** This Resolution shall take effect immediately upon its adoption.


**IN WITNESS HERewith**, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 5th day of June, 2017.

  
\_\_\_\_\_  
Linda Hudson, Mayor

ATTEST:

  
\_\_\_\_\_  
Linda Cox, City Clerk

Approved as to Form  
And Correctness:

  
\_\_\_\_\_  
James M. Messer, Esq.  
City Attorney

**Exhibit "A"**

**QUASI-JUDICIAL HEARING PROCEDURES  
AND RULES FOR EX PARTE COMMUNICATIONS**

**I. Scope and Applicability.** These procedures shall apply to all quasi-judicial hearings held by the City Commission.

**II. Proceedings.** The Mayor (hereafter, the "Presiding Officer") shall conduct the proceedings and maintain order. The City Attorney shall represent the City Commission, rule on all evidentiary and procedural issues and objections, and advise the City Commission as to the applicable law and necessary factual findings. Hearings shall be conducted informally, but with decorum. Formal rules of procedure shall not apply except as set forth herein; however, fundamental due process shall be accorded.

**III. Unauthorized Communications.** In all quasi-judicial hearings, all rulings must be based only upon the evidence presented at the hearing. Ex parte communications with City Commissioners in quasi-judicial matters are permissible and the adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with City Commissioners:

A. The substance of any ex parte communication with a City Commissioner which relates to a quasi-judicial action pending before the Commission is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.

B. A City Commissioner may read a written communication from any person. However, a written communication that relates to a quasi-judicial action pending before the Commission shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

C. City Commissioners may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

D. Disclosure made pursuant to subparagraphs A, B and C must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication.

**IV. Witnesses and Supporting Materials.** At least five calendar days before a quasi-judicial hearing:

A. Staff shall prepare a report, recommendation and supporting materials, a copy of which shall be available to the applicant and to the public at the City Clerk's Office. Included in the supporting materials will be copies of all exhibits and documents upon which staff's recommendation is based.

B. The Applicant shall submit a detailed outline of the argument in support of their application, copies of all exhibits which will be presented at hearing and the names and addresses of all witnesses who will be called to testify in support of the application (including resumes for any witness the party intends to qualify as an expert).

C. The five calendar days deadline is necessary to ensure the Commission is given sufficient opportunity to review the written submissions prior to the hearing, and shall be strictly observed. Should the 5 calendar day deadline be missed by either staff or the Applicant, the item may be continued at the discretion of the City Commission to the next available agenda.

**V. Party Intervenors.** The City Attorney may allow a person to intervene as a Party Intervenor if they meet the following requirements:

A. The person must have an interest in the application, which is different than the public at large.

B. At least three days prior to the hearing, the person shall submit a written request to intervene including: a detailed outline of his or her interest in the application and argument in favor or against it, copies of all exhibits which will be presented at the hearing and the names and addresses of all witnesses who will be called to testify on their behalf (including resumes for any witness the person intends to qualify as an expert).

**VI. Conduct of Hearing.**

A. The Presiding Officer shall call the proceeding to order and announce that the hearing has begun.

B. The Presiding Officer shall inquire whether all parties, members of the public and Commission agrees to waive the quasi-judicial hearing.

C. When the quasi-judicial hearing is not waived, the City Attorney or Presiding Officer shall explain the rules concerning procedure, testimony, and admission of evidence.

D. When the quasi-judicial hearing is not waived, the City Clerk shall swear in all witnesses who are to testify at the hearing.

E. The order of proof shall be as follows:

1. A representative of the City's staff shall briefly describe the Applicant's request, introduce and review all relevant exhibits and evidence, report staff's recommendation, and present any testimony in support of staff's recommendation. Staff shall have a maximum of 20 minutes to make their full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission.

2. Any Party Intervenor (or his/her representative or counsel) shall present evidence and testimony in support of or opposed to the application. A Party Intervenor shall have a maximum of 20 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission.

3. The Applicant (or his/her representative or counsel) shall present evidence and testimony in support of the application. Applicant shall have a maximum of 20 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission.

4. Any other persons present who wish to submit relevant information to the City Commission shall speak next for a maximum of three minutes each (excluding any cross-examination or questions from the Commission). Members of the public will be permitted to present their non-expert opinions, but the Commission will be expressly advised that public sentiment is not relevant to the decision, which must be based only upon competent and substantial evidence.

5. The Applicant will be permitted to make final comments.

6. The Party Intervenor will be permitted to make final comments.

7. The City's staff will make final comments.

8. At the discretion of the Presiding Officer, the Applicant may be permitted to respond to the final Party Intervenor and staff comments and recommendations.

F. The City Commission will conduct open deliberation of the application. The Presiding Officer shall have the discretion to reopen the proceeding for additional testimony or argument by the parties when an outcome substantially different than either the granting or denial of the application is being considered. After deliberations, a vote shall be taken to approve, approve with conditions or deny the application.

**VII. Examination by Commissioners and City Attorney or Legal Advisor.** Commissioners and the City Attorney may ask questions of persons presenting testimony or evidence at any time during the proceedings until commencement of deliberation.

**VIII. Cross-Examination of Witnesses.** After each witness testifies, the City staff representative, the Applicant's representative and/or the Party Intervenor's representative shall be permitted to question the witness, but such cross-examination shall be limited to matters about which the witness testified and shall be limited to five minutes per side. Members of the public will not be permitted to cross-examine witnesses. Cross-examination shall be permitted only as would be permitted in a Florida court of law.

**IX. Rules of Evidence.**

A. All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a court of law in Florida. Irrelevant, immaterial, harassing, defamatory or unduly repetitive evidence shall be excluded.

B. Hearsay evidence may be used for the purposes of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding unless it would be admissible over objection in a civil action.

C. Documentary evidence may be presented in the form of a copy or the original. Upon request, parties shall be given an opportunity to compare the copy with the original.

**X. Statements of Counsel.** Statements of counsel, or any non-attorney representative, shall only be considered as argument and not testimony unless counsel or the representative is sworn in and the testimony is based on actual personal knowledge of the matters which are the subject of the statements.

**XI. Standard of Proof.** The decision of the City Commission to approve, deny or modify an agenda item shall be based on competent substantial evidence. Competent substantial evidence is evidence which will establish a substantial basis from which the fact at issue can reasonably be inferred. It includes fact or opinion evidence offered by an expert on a matter that requires specialized knowledge and that is relevant to the issues to be decided. It is evidence a reasonable mind could accept as having probative weight and adequate to support a legal conclusion. Hypothetical, speculative, fear or emotion based generalized statements that do not address the relevant issues and that cannot be reasonably said to support the action advocated, are not competent substantial evidence.

**XII. Continuances and Deferrals.** The City Commission shall consider requests for continuances made by City staff, the Applicant or a Party Intervenor and may grant continuances in its sole discretion. If, in the opinion of the City Commission, any testimony or documentary evidence or information presented at the hearing justifies allowing additional research or review in order to properly determine the issue

presented, then the City Commission may continue the matter to a time certain to allow for such research or review.

**XIII. Transcription of hearing.**

A. The City Clerk or staff liaison shall preserve the official transcript of the hearing through tape recording and/or video recording.

B. The Applicant or Party Intervenor may arrange, at its own expense, for a court reporter to transcribe the hearing.

C. The Applicant or Party Intervenor may request that all or a part of the transcript of a hearing be transcribed into verbatim, written form. In such case, the Applicant or Party Intervenor requesting the transcript shall be responsible for the cost of production of the transcription and the transcription shall become the official transcript.

**XIV. Maintenance of Evidence and Other Documents.** The Office of the City Clerk shall retain all of the evidence and documents presented at the hearing unless any such evidence is too large to be stored by the City Clerk or staff liaison. In that event, such evidence will be stored in the Planning Department.

## **STATEMENT FOR ZONING MAP AMENDMENT**

On behalf of the owner/applicant, Kraaz and Kraaz Finance, LLC, please accept this statement as to why there is a need for the proposed zoning map amendment. The entire 1.04 acres is currently zoned PUR (Planned Unit Redevelopment) in the underlying land use of CBD (Central Business District). The property will be subdivided into two parcels (i.e. parcels 'A' and 'B'). Parcel 'B' will remain as currently zoned. However, a rezoning request is proposed for parcel 'A' (0.138 acres) to C-4 (Central Commercial Zone). Parcel 'A' is a fifty (50) feet wide parcel between two existing buildings. The PP Cobb building is on the east side and the Second Street Station building is on the west. Also, the property to the south across Avenue 'A' is zoned C-4. All of these adjacent buildings contain retail, business, and restaurant uses to be consistent with the site plan proposed by the owner/applicant. Because the City of Fort Pierce comprehensive plan for the PUR/CBD districts encourages a mixed use with residential, it is our opinion that the size restraints of the property prohibits residential. Furthermore, the adjacent buildings listed above are compatible with the proposed site plan and do not contain any residential use. Therefore, based on the above reasons, it is our opinion that the proposed rezoning to C-4 for parcel 'A' is justified.

**Property Identification**

Site Address: 100 Avenue A  
Map ID: 24/10N

Parcel ID: 2410-503-0042-000-5  
Zoning: PUR

Account #: 23052  
Use Type: 1000

Sec/Town/Range: 10/35S/40E  
Jurisdiction: Fort Pierce

**Ownership**

Kraaz and Kraaz Finance LLC  
201 S 2nd St Ste 206  
Fort Pierce, FL 34950

**Legal Description**

AARON LEE'S MAP OF FORT PIERCE BLK F-E 50 FT OF LOTS 4 AND 6 AND ALL OF LOTS 5, 7, 10 AND 11 AND N 50.5 FT OF VAC ALLEY ADJ ON E OF LOT 10 AND THAT PART OF VAC ALLEY LYG BTW E 50 FT OF LOT 6 AND 10 AND THAT PART OF A TRACT OF LAND OF AARON LEE'S MAP OF FORT PIERCE LYG W OF INDIAN RIVER DR MPDAF: FROM INT OF N RD R/W LI OF AVE A AND SW COR OF LOT 10 BLK F OF AARON LEE'S MAP OF FORT PIERCE, TH N 71 47 25 E ALG N R/W LI 189.47 FT TO WLY R/W LI OF INDIAN RIVER DR, TH N 12 28 30 E ALG WLY R/W LI 23.75 FT, TH N 07 12 19 W 83.89 FT, TH N 13 15 55 E 0.85 FT TO POB; TH CONT N 13 15 55 E 70.47 FT, TH N 28 22 25 E 52.66 FT, TH N 16 22 30 E 21.79 FT, TH N 58 17 09 W 28.55 FT, TH S 71 35 21 W 14.88 FT, TH N 18 13 53 W 14.47 FT, TH S 71 47 25 W 84.84 FT TO NE COR OF LOT 5 BLK F OR AARON LEE'S MAP OF FORT PIERCE, TH S 18 15 39 E 150.50 FT TO SE COR OF LOT 11, TH S 71 47 25 E 29.94 FT M/L TO POB- (1.03 AC) (MAP 24/10B) (OR 4003-2123)

**Current Values**

Just/Market:	\$773,100	Assessed:	\$708,620
Exemptions:	\$0	Taxable:	\$708,620

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2017	\$773,100	\$708,620	\$0	\$708,620
2016	\$644,200	\$644,200	\$0	\$644,200
2015	\$644,200	\$644,200	\$0	\$644,200

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
------	-----------	-----------	------	---------	-------

**Primary Building Information**

Finished Area of this building: 0 SF  
Gross Area of this building: 0 SF

**Exterior Data**

View:	Roof Cover:	Roof Structure:	Building Type:
Year Built: N/A	Frame:	Grade:	Effective Year: 2014
Primary Wall:	Story Height:	No. Units: 0	Secondary Wall:

**Interior Data**

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



Image or Sketch unavailable for display

**Total Areas**

Finished/Under Air (SF):	0
Gross Area (SF):	0
Land Size (acres):	1.02
Land Size (SF):	44,430.41
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
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Prepared by and return to:  
LINDSAY DEMMERY, Esq.  
120 Butler Street, Suite B  
West Palm Beach, FL 33407

Property Control: 2410-503-0042-000/5

**TRUSTEE'S DEED**

**THIS INDENTURE**, made this 31 day of May, 2017, between **FP-100, LLC, a Florida Limited Liability Company**, Grantor, whose mailing address is: 3777 West Fork Road, Cincinnati, OH 45247 and **Kraaz & Kraaz Finance, LLC, a Florida Limited Liability Company**, Grantee, whose mailing address is: 201 S. 2<sup>nd</sup> Street, Suite 206, Fort Pierce, FL 34950.

**W I T N E S S E T H:**

That said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable considerations to said Grantor in hand paid by Grantees, the receipt whereof is hereby acknowledged, has granted, bargained and quitclaimed to said Grantees and Grantees heirs, successors and assigns forever, the following described land, situate, lying and being in County of St. Lucie, State of Florida, to wit:

**SEE EXHIBIT "A"**

**TOGETHER** with all tenements, hereditaments and appurtenances thereto belonging or otherwise pertaining.

SUBJECT to taxes for 2017 and subsequent years; covenants, conditions, restrictions, zoning, easements, reservations, and limitations of record, if any, however this reference shall not operate to reimpose same.

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

The above referenced property is not Grantors' homestead.

**REPRESENTATION**

I represent to you that:


(a) I am duly appointed and qualified to act as authorized Agent identified in Paragraph 1;

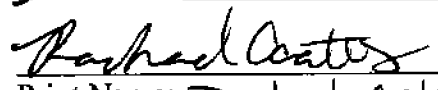
- (b) In all things preliminary to and in and about this conveyance of the Real Property, the terms and conditions of such have been met; and
- (c) I have the power and authority to execute this Deed.

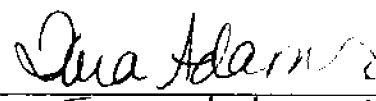
IN WITNESS WHEREOF, Grantor has hereunto set his hands and seals and date and year first above written.

Signed, sealed, delivered in the presence of:

FP-100, LLC, a Florida Limited Liability Company

  
 Print Name: Josh Basinger

  
 Print Name: Rachel Coates

By:  <sup>on behalf of</sup> Justin Trust Company  
 Print: Tara Adams  
 as Agent of FP-100, LLC

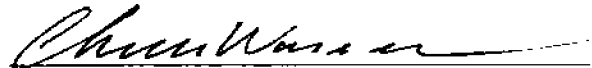
STATE OF Ohio

COUNTY OF Hamilton

The foregoing instrument was acknowledged before me, this 25<sup>th</sup> day of April, 2017 by Tara Adams as Agent for FP-100, LLC, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath and state: he/she is the individual described in and who executed the foregoing for the purposes therein expressed.



Jody Christine Warren, Attorney At Law  
 NOTARY PUBLIC - STATE OF OHIO  
 My commission has no expiration date  
 Sec. 147.03 R.C.

  
 Notary Public, State of  
 My Commission Expires:

**EXHIBIT "A"**

Page 1 of 2

**DESCRIPTION**

A PORTION OF LAND LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

PARCEL 4: THE EAST 50 FEET OF LOTS 4 AND 6, ALL OF LOTS 5, 7, 10, 11, 12 AND 13 OF BLOCK "F", AND THE ADJACENT 10 FOOT VACATED ALLEY, ACCORDING TO THE PLAT OF FORT PIERCE MADE BY AARON LEE AS RECORDED IN PLAT BOOK 1, AT PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA;

TOGETHER WITH: A TRACT OF LAND 158.8 FEET EAST AND WEST AND 254 FEET NORTH AND SOUTH, LYING EAST OF SAID LOTS 5, 7, 11, 12 AND 13 OF BLOCK "F" OF AARON LEE'S MAP OF FORT PIERCE, FLORIDA.

LESS AND EXCEPTING PARCEL 1, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 10, BLOCK F ACCORDING TO THE PLAT OF FORT PIERCE MADE BY AARON LEE AS RECORDED IN PLAT BOOK 1, AT PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE RUN N 71°47'25" E, ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE A, A DISTANCE OF 189.47 FEET TO THE POINT OF BEGINNING; THENCE RUN N 12°28'30" E, A DISTANCE OF 23.75 FEET; THENCE RUN N 07°12'19" W, A DISTANCE OF 83.89 FEET; THENCE RUN N 13°15'55" E, A DISTANCE OF 71.32 FEET; THENCE RUN N 28°22'25" E, A DISTANCE OF 52.66 FEET; THENCE RUN N 16°22'30" E, A DISTANCE OF 21.79 FEET; THENCE RUN N 58°17'09" W, A DISTANCE OF 28.55 FEET; THENCE RUN S 71°35'21" W, A DISTANCE OF 14.88 FEET; THENCE RUN N 18°13'53" W, A DISTANCE OF 14.47 FEET; THENCE RUN N 71°47'25" E, A DISTANCE OF 74.58 FEET; THENCE RUN S 18°15'39" E, A DISTANCE OF 254.00 FEET; THENCE RUN S 71°47'25" W, A DISTANCE OF 157.53 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

ALSO LESS AND EXCEPTING PARCEL 4a BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCE AT THE SOUTHWEST CORNER OF LOT 10, BLOCK F, ACCORDING TO THE "PLAT OF FORT PIERCE MADE BY AARON LEE" AS RECORDED IN PLAT BOOK 1, PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA;

THENCE RUN NORTH 71°47'25" EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE A, A DISTANCE OF 50.00 FEET TO THE EAST LINE OF LOT 10, BLOCK F, SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN NORTH 18°15'34" WEST, ALONG THE EAST LINE OF LOT 10, BLOCK F, A DISTANCE OF 103.50 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 12, BLOCK F; THENCE RUN NORTH 71°47'25" EAST, ALONG THE NORTH LINE OF LOT 12, A DISTANCE OF 168.14 FEET TO THE EAST LINE OF PARCEL 4, AS DESCRIBED IN O.R. BOOK 584, PAGE 1421, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 13°15'55" WEST, A DISTANCE OF 0.85 FEET ALONG SAID EAST LINE OF PARCEL 4; THENCE RUN SOUTH 07°12'19" EAST, A DISTANCE OF 83.89 FEET, ALONG THE AFOREMENTIONED EAST LINE OF PARCEL 4; THENCE RUN SOUTH 12°28'30" WEST, A DISTANCE OF 23.75 FEET, ALONG THE AFOREMENTIONED EAST LINE OF PARCEL 4, TO THE NORTH RIGHT-OF-WAY LINE OF AVENUE A; THENCE RUN SOUTH 71°47'25" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE A, A DISTANCE OF 139.47 FEET, TO THE POINT OF BEGINNING.

Sheet 1 of 2

**SKETCH OF DESCRIPTION**  
OF  
**Parcel 4b**  
Prepared For  
**BUD ADAMS**

File: 010BS&D.DWG  
Date: 1-17-2001

Tech: ER

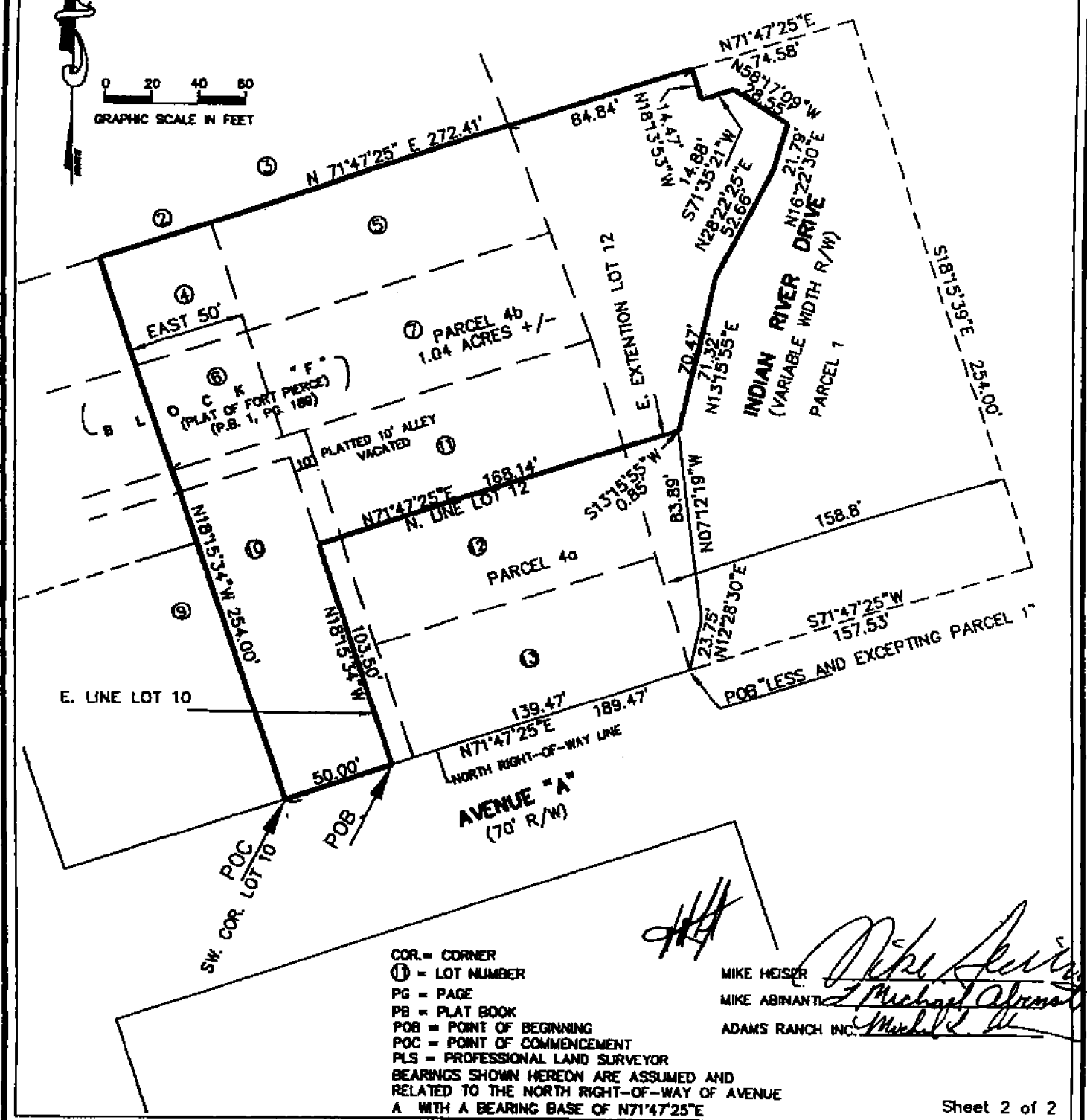
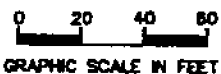


CONSULTING ENGINEERS  
&  
LAND SURVEYORS  
2800 SOUTH 25th STREET  
FORT PIERCE, FLORIDA 34982  
(407) 464-3537

EXHIBIT "A"

Page 2 of 2

THIS IS NOT A SURVEY



COR = CORNER  
 ① = LOT NUMBER  
 PG = PAGE  
 PB = PLAT BOOK  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT  
 PLS = PROFESSIONAL LAND SURVEYOR  
 BEARINGS SHOWN HEREON ARE ASSUMED AND  
 RELATED TO THE NORTH RIGHT-OF-WAY OF AVENUE  
 A WITH A BEARING BASE OF N71°47'25"E

*[Signature]*  
 MIKE HEISER  
 MIKE ABNANTI  
 ADAMS RANCH INC. *[Signature]*

Sheet 2 of 2

SKETCH OF DESCRIPTION

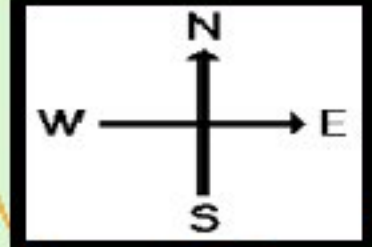
OF  
**PARCEL 4b**  
 Prepared For  
**BUD ADAMS**

File: 010BS&D.DWG  
 Date: 1-17-2001

Tech: ER



CONSULTING ENGINEERS  
 &  
 LAND SURVEYORS  
 2980 SOUTH 25th STREET  
 FORT PIERCE, FLORIDA 34982  
 (561) 464-3537



2410-503-0042-000-5

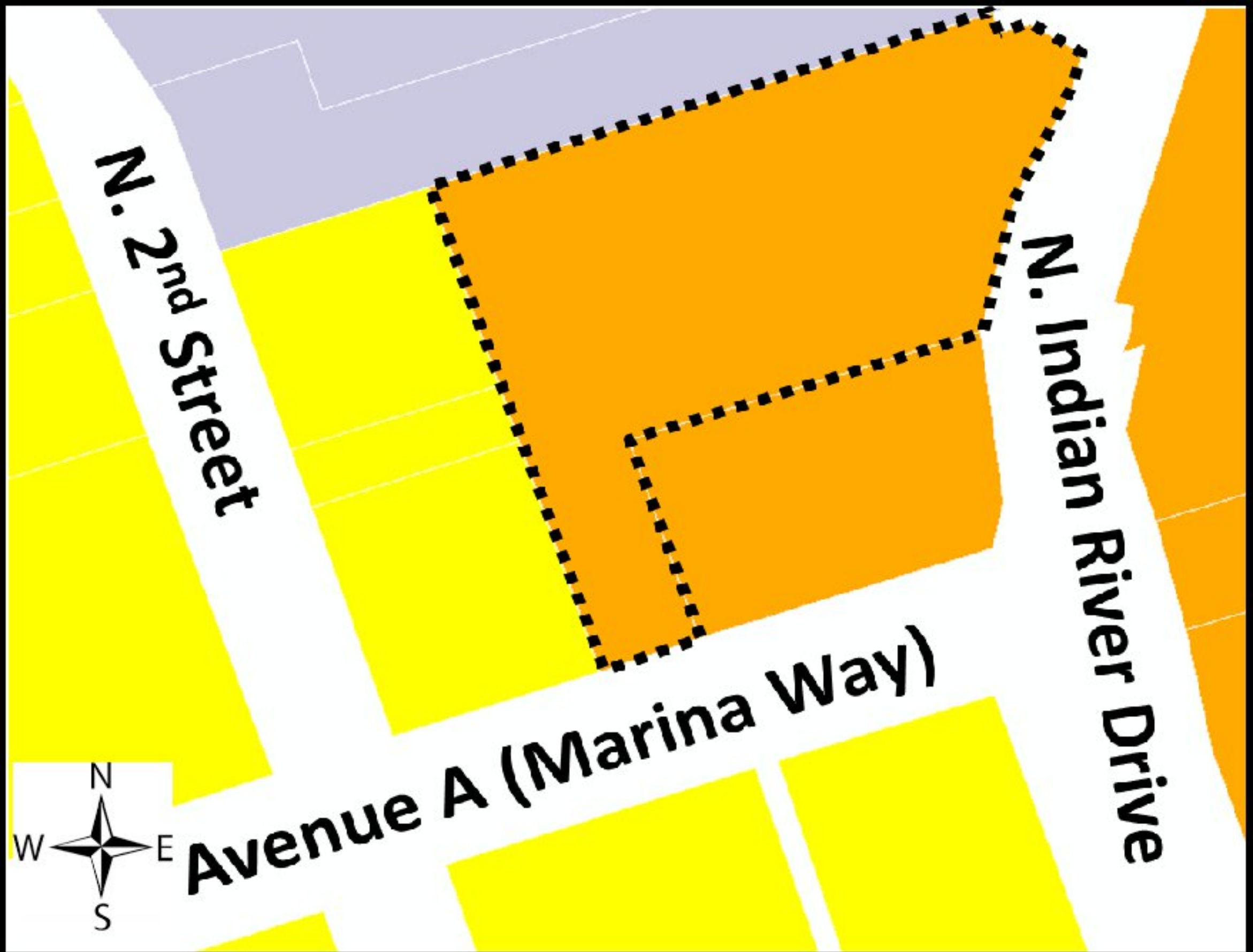


**Location Map**

**100 Avenue A (Marina Way) -  
Second Street Station**



THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*



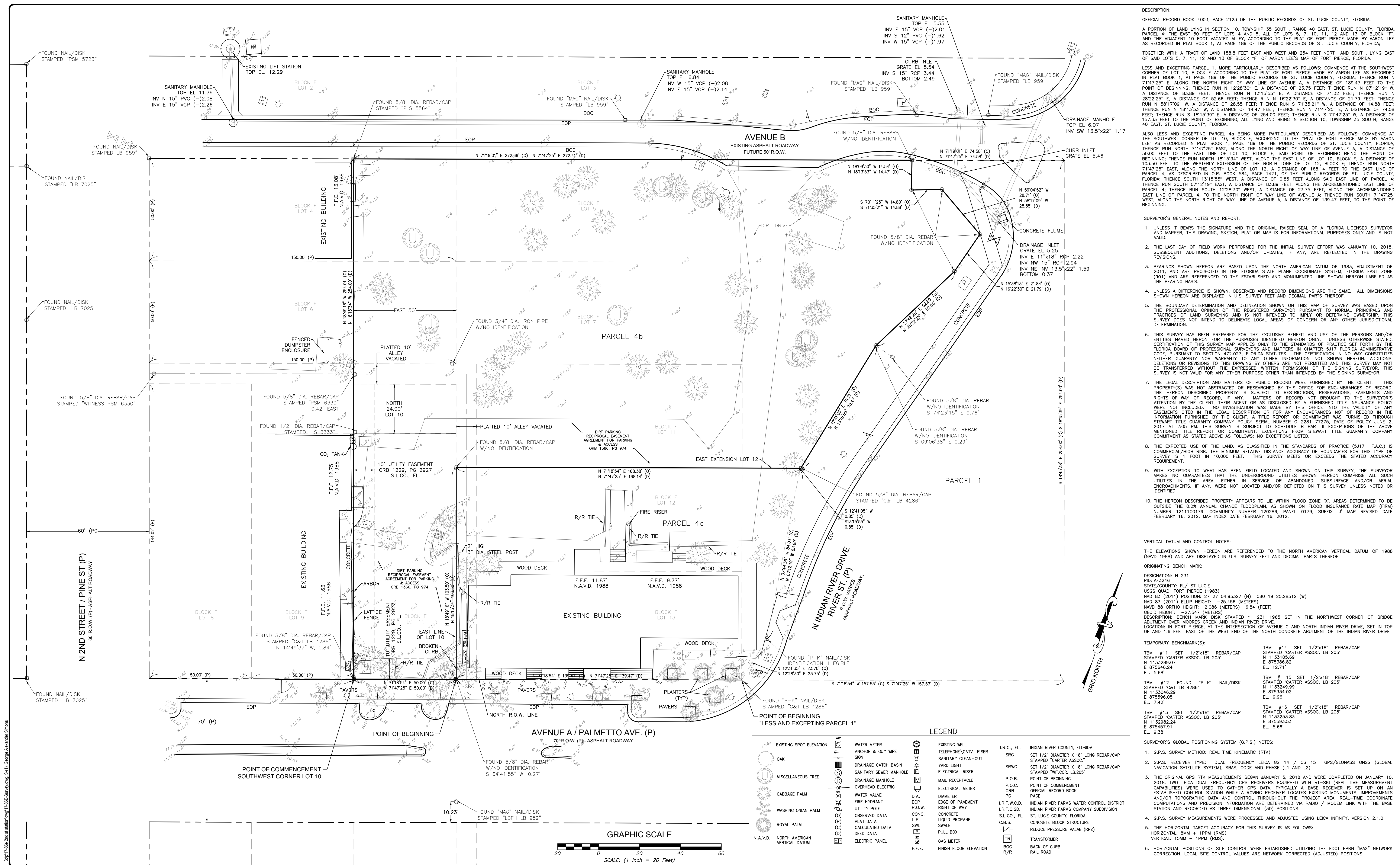
**Legend**

-  **Subject Site**
-  **C-4, Central Commercial Zone**
-  **I-1, Light Industrial Zone**
-  **PUR, Planned Unit Redevelopment**

**Zoning Map**

**Second Street Station -  
100 Avenue A (Marina Way)**





DESCRIPTION:  
 OFFICIAL RECORD BOOK 4003, PAGE 2123 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.  
 A PORTION OF LAND LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, PARCEL 4: THE EAST 50 FEET OF LOTS 4 AND 5, ALL OF LOTS 5, 7, 10, 11, 12 AND 13 OF BLOCK "F", AND THE ADJACENT 10 FOOT VACATED ALLEY, ACCORDING TO THE PLAT OF FORT PIERCE MADE BY AARON LEE AS RECORDED IN PLAT BOOK 1, AT PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.  
 TOGETHER WITH: A TRACT OF LAND 158.8 FEET EAST AND WEST AND 254 FEET NORTH AND SOUTH, LYING EAST OF SAID LOTS 5, 7, 11, 12 AND 13 OF BLOCK "F" OF AARON LEE'S MAP OF FORT PIERCE, FLORIDA.  
 LESS AND EXCEPTING PARCEL 1, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 10, BLOCK F ACCORDING TO THE PLAT OF FORT PIERCE MADE BY AARON LEE AS RECORDED IN PLAT BOOK 1, AT PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE RUN N 71°47'25" E, ALONG THE NORTH RIGHT OF WAY LINE OF AVENUE A, A DISTANCE OF 189.47 FEET TO THE POINT OF BEGINNING; THENCE RUN N 12°28'30" E, A DISTANCE OF 23.75 FEET; THENCE RUN N 07°12'19" W, A DISTANCE OF 83.89 FEET; THENCE RUN N 13°15'55" E, A DISTANCE OF 71.32 FEET; THENCE RUN N 28°22'25" E, A DISTANCE OF 52.66 FEET; THENCE RUN N 16°22'30" E, A DISTANCE OF 21.79 FEET; THENCE RUN N 58°17'09" W, A DISTANCE OF 28.55 FEET; THENCE RUN S 71°35'21" W, A DISTANCE OF 14.88 FEET; THENCE RUN N 18°13'53" W, A DISTANCE OF 14.47 FEET; THENCE RUN N 71°47'25" E, A DISTANCE OF 74.58 FEET; THENCE RUN S 18°15'59" E, A DISTANCE OF 254.00 FEET; THENCE RUN S 71°47'25" W, A DISTANCE OF 157.53 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.  
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- SURVEYOR'S GENERAL NOTES AND REPORT:
- UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
  - THE LAST DAY OF FIELD WORK PERFORMED FOR THE INITIAL SURVEY EFFORT WAS JANUARY 10, 2018. SUBSEQUENT ADDITIONS, DELETIONS AND/OR UPDATES, IF ANY, ARE REFLECTED IN THE DRAWING REVISIONS.
  - BEARINGS SHOWN HEREON ARE BASED UPON THE NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011, AND ARE PROJECTED IN THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE (901) AND ARE REFERENCED TO THE ESTABLISHED AND MONUMENTED LINE SHOWN HEREON LABELED AS THE BEARING BASIS.
  - UNLESS A DIFFERENCE IS SHOWN, OBSERVED AND RECORD DIMENSIONS ARE THE SAME. ALL DIMENSIONS SHOWN HEREON ARE DISPLAYED IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.
  - THE BOUNDARY DETERMINATION AND DELINEATION SHOWN ON THIS MAP OF SURVEY WAS BASED UPON THE PROFESSIONAL OPINION OF THE REGISTERED SURVEYOR PURSUANT TO NORMAL PRINCIPALS AND PRACTICES OF LAND SURVEYING AND IS NOT INTENDED TO IMPLY OR DETERMINE OWNERSHIP. THIS SURVEY DOES NOT INTEND TO DELINEATE LOCAL AREAS OF CONCERN OR ANY OTHER JURISDICTIONAL DETERMINATION.
  - THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE BENEFIT AND USE OF THE PERSONS AND/OR ENTITIES NAMED HEREON FOR THE PURPOSES IDENTIFIED HEREON ONLY. UNLESS OTHERWISE STATED, CERTIFICATION OF THIS SURVEY MAP APPLIES ONLY TO THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J17 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THE CERTIFICATION IN NO WAY CONSTITUTES NEITHER GUARANTEE NOR WARRANTY TO ANY OTHER INFORMATION NOT SHOWN HEREON, ADDITIONS, DELETIONS OR REVISIONS TO THIS DRAWING BY OTHERS ARE NOT PERMITTED AND THIS SURVEY MAY NOT BE TRANSFERRED WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE SIGNING SURVEYOR. THIS SURVEY IS NOT VALID FOR ANY OTHER PURPOSE OTHER THAN INTENDED BY THE SIGNING SURVEYOR.
  - THE LEGAL DESCRIPTION AND MATTERS OF PUBLIC RECORD WERE FURNISHED BY THE CLIENT. THIS PROPERTY(S) WAS NOT ABSTRACTED OR RESEARCHED BY THIS OFFICE FOR ENCUMBRANCES OF RECORD. THE HEREON DESCRIBED PROPERTY IS SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD. MATTERS OF RECORD NOT BROUGHT TO THE SURVEYOR'S ATTENTION BY THE CLIENT, THEIR AGENT OR AS DISCLOSED BY A FURNISHED TITLE INSURANCE POLICY WERE NOT INCLUDED. NO INVESTIGATION WAS MADE BY THIS OFFICE INTO THE VALIDITY OF ANY EASEMENTS CITED IN THE LEGAL DESCRIPTION OR FOR ANY ENCUMBRANCES NOT OF RECORD IN THE INFORMATION FURNISHED BY THE CLIENT. A TITLE REPORT OR COMMENTARY WAS FURNISHED THROUGH THE STUART TITLE GUARANTEE COMPANY POLICY SERIAL NUMBER 0-2281 77275, DATE OF POLICY JUNE 2, 2017, AT 2:05 PM. THIS SURVEY IS SUBJECT TO SCHEDULE B PART II EXCEPTIONS OF THE ABOVE MENTIONED TITLE REPORT OR COMMENTARY. EXCEPTIONS FROM STUART TITLE GUARANTEE COMPANY COMMITMENT AS STATED ABOVE AS FOLLOWS: NO EXCEPTIONS LISTED.
  - THE EXPECTED USE OF THE LAND, AS CLASSIFIED IN THE STANDARDS OF PRACTICE (5J17 F.A.C.) IS COMMERCIAL/HIGH RISK. THE MINIMUM RELATIVE DISTANCE ACCURACY OF BOUNDARIES FOR THIS TYPE OF SURVEY IS 1 FOOT IN 10,000 FEET. THIS SURVEY MEETS OR EXCEEDS THE STATED ACCURACY REQUIREMENT.
  - WITH EXCEPTION TO WHAT HAS BEEN FIELD LOCATED AND SHOWN ON THIS SURVEY, THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. SUBSURFACE AND/OR AERIAL ENCROACHMENTS, IF ANY, WERE NOT LOCATED AND/OR DEPICTED ON THIS SURVEY UNLESS NOTED OR IDENTIFIED.
  - THE HEREON DESCRIBED PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X", INSURANCE RATE TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON FLOOD INSURANCE RATE MAP (FRM) NUMBER 121110179, COMMUNITY NUMBER 120281, PANEL 0179, SUFFIX "J" MAP REVISED DATE FEBRUARY 16, 2012, MAP INDEX DATE FEBRUARY 16, 2012.

VERTICAL DATUM AND CONTROL NOTES:  
 THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988) AND ARE DISPLAYED IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.  
 ORIGINATING BENCH MARK:  
 DESIGNATION: H 231  
 PID: AF3246  
 STATE/COUNTY: FL/ ST LUCIE  
 USGS QUAD: FORT PIERCE (1983)  
 NAD 83 (2011) POSITION: 27 04.95327 (N) 080 19 25.28512 (W)  
 NAD 83 (2011) ELLIP HEIGHT: -25.456 (METERS)  
 NAD 83 ORTHO HEIGHT: 2.086 (METERS) 6.84 (FEET)  
 CEOD HEIGHT: -27.547 (METERS)  
 DESCRIPTION: BENCH MARK DISK STAMPED "H 231 1985 SET IN THE NORTHWEST CORNER OF BRIDGE ABUTMENT OVER MOORES CREEK AND INDIAN RIVER DRIVE. LOCATION IN FORT PIERCE, AT THE INTERSECTION OF AVENUE C AND NORTH INDIAN RIVER DRIVE, SET IN TOP OF AND 1.6 FEET EAST OF THE WEST END OF THE NORTH CONCRETE ABUTMENT OF THE INDIAN RIVER DRIVE.  
 TEMPORARY BENCHMARK(S):  
 TBM #11 SET 1/2"x18" REBAR/CAP STAMPED "CARTER ASSOC. LB 205" N 1133289.07 E 875546.24 EL. 5.68'  
 TBM #12 FOUND "P-K" NAIL/DISK STAMPED "C&T LB 4286" N 1133046.29 E 875596.05 EL. 7.42'  
 TBM #13 SET 1/2"x18" REBAR/CAP STAMPED "CARTER ASSOC. LB 205" N 1132992.24 E 874547.91 EL. 9.38'  
 TBM #14 SET 1/2"x18" REBAR/CAP STAMPED "CARTER ASSOC. LB 205" N 1133105.69 E 875386.82 EL. 12.71'  
 TBM #15 SET 1/2"x18" REBAR/CAP STAMPED "CARTER ASSOC. LB 205" N 1133249.99 E 875334.02 EL. 9.96'  
 TBM #16 SET 1/2"x18" REBAR/CAP STAMPED "CARTER ASSOC. LB 205" N 1133253.83 E 875593.53 EL. 5.66'

- SURVEYOR'S GLOBAL POSITIONING SYSTEM (G.P.S.) NOTES:
- G.P.S. SURVEY METHOD: REAL TIME KINEMATIC (RTK)
  - G.P.S. RECEIVER TYPE: DUAL FREQUENCY LEICA GS 14 / CS 15 GPS/GLONASS GNSS (GLOBAL NAVIGATION SATELLITE SYSTEM), SBAS, CODE AND PHASE (L1 AND L2)
  - THE ORIGINAL GPS RTK MEASUREMENTS BEGAN JANUARY 5, 2018 AND WERE COMPLETED ON JANUARY 10, 2018. TWO LEICA G.P.S. RECEIVERS EQUIPPED WITH RT-SK (REAL TIME MEASUREMENT CAPABILITIES) WERE USED TO GATHER GPS DATA. TYPICALLY A BASE RECEIVER IS SET UP ON AN ESTABLISHED CONTROL STATION WHILE A ROVING RECEIVER LOCATES ESTABLISHED MONUMENTS, IMPROVEMENTS AND/OR TOPOGRAPHIC DATA AND CONTROL THROUGHOUT THE PROJECT AREA. REAL-TIME COORDINATE COMPUTATIONS AND PRECISION INFORMATION ARE DETERMINED VIA RADIO / MODEM LINK WITH THE BASE STATION AND RECORDED AS THREE DIMENSIONAL (3D) POSITIONS.
  - G.P.S. SURVEY MEASUREMENTS WERE PROCESSED AND ADJUSTED USING LEICA INFINITY, VERSION 2.1.0
  - THE HORIZONTAL TARGET ACCURACY FOR THIS SURVEY IS AS FOLLOWS:  
 HORIZONTAL: 8MM + 1PPM (RMS)  
 VERTICAL: 15MM + 1PPM (RMS)
  - HORIZONTAL POSITIONS OF SITE CONTROL WERE ESTABLISHED UTILIZING THE FDOT FFRN "MAX" NETWORK CORRECTION. LOCAL SITE CONTROL VALUES ARE NETWORK CORRECTED (ADJUSTED) POSITIONS.

NO.	REVISION	BY	DATE

**KRAAZ AND KRAAZ FINANCE, LLC**  
 201 SOUTH 2nd STREET  
 SUITE 206  
 FORT PIERCE, FLORIDA 34950  
 TEL: 772-464-5885 FAX:  

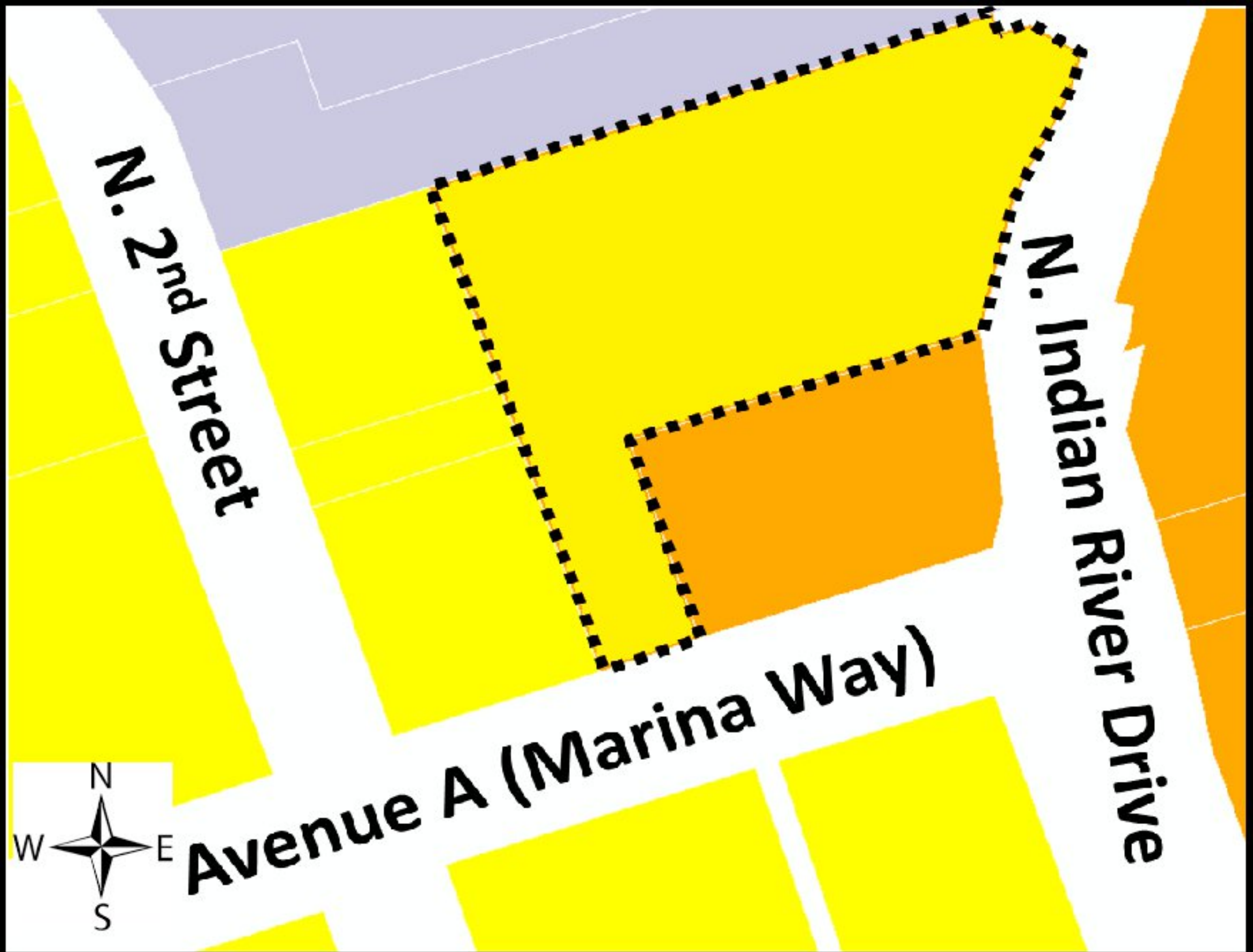
**CAI** Serving Florida  
 Since 1911  
**CARTER ASSOCIATES, INC.**  
 CONSULTING ENGINEERS AND LAND SURVEYORS  
 1708 21st STREET, VERO BEACH, FL 32960  
 TEL: (772) 562-4191 FAX: (772) 562-7180

DATE : JANUARY 2018  
 PROJ. # : 17-86E  
 DRAWN BY: DJM  
 APPD BY: DEL  
 PLOT BY: George Alexander Simons  
 FILE NAME: 17-86E-Survey.dwg  
 REF. # : -  
 F.B. & PG. : 859WB/42+

DAVID E. LUETHJE, P.S.M.  
 FLORIDA LICENSE No. 5728  
 CARTER ASSOCIATES, INC.  
 SIGNATURE DATE  
 COA 205 / LB 205

**BOUNDARY AND TOPOGRAPHIC SURVEY**  
 100 AVENUE A  
 FORT PIERCE, FLORIDA 34950  
 LYING IN PART OF SEC. 10, TWP. 35 SOUTH, RGE. 40 EAST  
 ST. LUCIE COUNTY, FLORIDA

**SHEET**  
**S-1**  
 Dwg. #: 20802-C



**Legend**

-  Subject Site
-  C-4, Central Commercial Zone
-  I-1, Light Industrial Zone
-  PUR, Planned Unit Redevelopment

**Proposed Zoning Map**

**Second Street Station -  
100 Avenue A (Marina Way)**



THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*

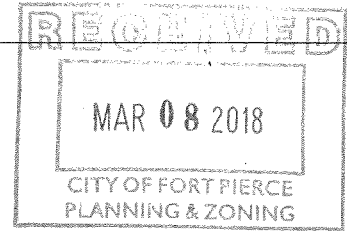






THE SUNRISE CITY  
**FORT PIERCE**  
 ENGINEERING  
 DEPARTMENT

*Florida*



**To : Vennis Gilmore, Planning Analyst**  
**FROM : John R. Andrews, P.E., City Engineer**  
**RE : Second Street Station II - 100 Marina Way - Site Plan**  
**TRC No. 18-07000001**  
**DATE : February 13, 2018 – REVISED March 6, 2018**

This is to advise you that we have completed the review of the following documents as received by this office on February 6, 2018:

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

Based on our reviews and appropriate site final inspection, we

- Recommend
- Do Not Recommend
- Approval of Site Plan
- Building Permit
- C/O

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

- See attached for engineering comments

ENGINEERING COMMENTS:

1. The City has begun the process of securing a public right-of-way from the city owned parcel located immediately north of the subject property. The existing Avenue B was improved by the city, but the right-of-way was never separated from the parent parcel.
2. The engineering department recognizes the fact that it is the desire of the applicant to construct a raised porch that encroaches into the city right-of-way. The applicant must secure a right-of-way construction permit and satisfy all ADA requirements necessary for pedestrian access. If the area is to be used as an outdoor dining area, a Sidewalk Café permit will also be required.
3. Provide a note on the Site Plan that all construction will comply with Sections 17 and 22 of the City of Fort Pierce Code of Ordinances.
4. The submitted Grading and Utility Plan was reviewed for conceptual compliance only and will be thoroughly reviewed at time of Building Permit submittal.
5. Please demonstrate that all construction activities will be confined to the limits of the property as this department has reservations that the building construction can be built without encroaching onto the adjacent properties located on the east and west sides of the development.
6. Provide the appropriate front building setback to allow for the building footer construction without encroachment into the City's right-of-way.
7. Provide a vertical dimension between the sidewalk and the lowest part of the proposed building awning.
8. Will a formal lot split be completed in order to separate parcel A from parcel B?
9. Advisory comment: Finished floor elevation shall be set at the peak stage for a 100 yr-3day storm event.

JRA/jra

**February 14, 2018**

**Project: SECOND STREET STATION**  
**Subject: SITE PLAN**  
To: Vennis Gilmore  
From: Grant Chambers  
SLC-Engineering Division

1. Indian River Drive is a County maintained road that is classified as an urban collector. The Right-of-Way width varies along this stretch of Indian River Drive and is substandard in some areas. A Right-of-Way dedication with a consistent Right-of-Way line will be required. The preferred Right-of-Way width in this location is 80 feet with a minimum width of 70 feet.

ST. LUCIE COUNTY FIRE DISTRICT  
FIRE PREVENTION BUREAU  
Office of the Fire Marshal



Telephone: (772) 621-3322  
Fax: (772) 621-3604

**BUREAU OF FIRE PREVENTION**

**SITE PLAN REVIEW**

**TO: Site Plan Applicant**

**SITE PLAN: Second Street Station**

**REVIEW DATE: 2/12/2018**

**PLANNER: VENNIS GILMORE**

**REVIEWED BY: Captain Paul Langel**

---

Site Plan Approved: \_\_\_\_\_

Site Plan Approved with conditions:   X  

Site Plan Approval withheld pending written acknowledgement of conditions: \_\_\_\_\_

Site Plan Rejected: \_\_\_\_\_

---

**The Following Revisions Are Necessary:**

- 1. Please submit a completed application for Development/Site Plan Review (St. Lucie County Fire District Development & Site Plan Review Application). This form is available on-line at <http://www.slcfcd.com/permits.htm>**
- 2. Fire District review fees are due at the time of submittal. An abbreviated fee schedule is included on the application form.**
- 3. ~~Please provide an electronic copy of the Site Plan (pdf format)~~ Received 2/12/2018**
- 4. A separate review and permit is required for Underground Fire Mains connected to standpipes or sprinkler systems.**

*"Our Family Serving Yours"*

5160 N.W. Milner Drive, Port St. Lucie, Florida 34983-3392

Telephone: (772) 621-3400 Fax: (772) 621-3500

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



Good morning,

Below are FPUA comments regarding the submissions for the TRC meeting on Feb. 15<sup>th</sup>.

c. Site Plan, Design Review, Zoning Map Amendment –Second Street Station –  
100 Avenue A (Marina Way) - Vennis Gilmore

- W/WW Engineering: Utility easement needs to be 12' from the outer edge around the grease trap as well as the easement shown  
Electric & Gas Engineering: We have no objection. However, we do ask that the standard process regarding easement abandonment and new easement is followed accordingly. Being that a new easement will be needed for FPUA Utilities (as shown on the consultant plans) and some existing easements will be abandon. City Planning can elaborate more on the process.

d. Conditional Use with No New Construction - Broderick Dwelling Rental - 1042  
Windward

Drive #3043 - Vennis Gilmore

- W/WW Engineering: No comment  
Electric & Gas Engineering: No comment

Thank you

Regards,  
*Martha Kerr*

*Staff Assistant  
W/WW Engineering Department  
Fort Pierce Utilities Authority  
1701 S. 37<sup>th</sup> Street  
Fort Pierce, FL 34947  
Telephone: (772) 466-1600, Ext. 3473  
Fax: (772) 468-2414  
[mkerr@fpua.com](mailto:mkerr@fpua.com)*



THE SUNRISE CITY

**FORT PIERCE**  
BUILDING DEPARTMENT  
*Florida*



**TECHNICAL REVIEW COMMITTEE (TRC) COMMENTS FORM**

**FROM :** Paul Thomas, CBO, CFM, Building Official 

**RE :** 100 Avenue A (Marina Way) Second St. Station SP, Design Review,  
Zoning Map Amendment (VG)

**DATE :** February 15, 2018

The proposed requires:

1. Build to satisfy the 2017, 6<sup>th</sup> Edition of the Florida Building Code.
2. Historic approval required
3. ADA parking and accessibility requirements shall be satisfied.

PT/km

**Project: SECOND STREET STATION**

Subject: Review Comments

To: Vennis Gilmore

From: Rod Reed, County Surveyor  
PW-Engineering Division

Date February 16, 2018

All comments are based on the Standards of Practice per 5J-17.050 thru 5J-17.052

**SURVEY:**

I have no comments

Please provide a written response to all comments

**Rod Reed, County Surveyor**

St. Lucie County, Fl.

2300 Virginia Avenue

Ft. Pierce, Fl. 34982-5652

[www.stlucieco.org](http://www.stlucieco.org)

Ph. (772) 462-1721

E-mail [reedr@stlucieco.org](mailto:reedr@stlucieco.org)

**CARTER ASSOCIATES, INC.**  
**CONSULTING ENGINEERS AND LAND SURVEYORS**

1708 21st STREET • VERO BEACH, FLORIDA 32960-3472 • 772-562-4191 • 772-562-7180 (FAX)

JOHN H. BLUM, P.E., PRINCIPAL  
DAVID E. LUETHJE, P.S.M., PRINCIPAL  
GEORGE A. SIMONS, P.E., PRINCIPAL  
PATRICK S. WALTHER, P.E., PRINCIPAL

MARVIN E. CARTER, P.S.M., Consultant to the Firm  
DEAN F. LUETHJE, P.E., (FL & NC) Consultant to the Firm

FRANK S. CUCCURESE, P.S.M.  
CLINTON J. RAHJES, P.E.

March 1, 2018

Mr. Vennis Gilmore, Planning Analyst  
City of Fort Pierce  
Planning Department  
100 N. US Highway 1  
Fort Pierce, Florida 34950

**RE: Second Street Station II  
Site Plan  
100 Avenue A  
TRC No. 18-07000001**

Dear Mr. Gilmore:

Please find attached seven (7) copies and one original of the revised site plan for the above referenced project. Also included is an electronic version of the submittal. In addition, the following comments are in response to Technical Review Committee meeting held on February 15, 2018:

Engineering Department

1. Based on the meetings between the applicant and City Manager (see attached letter), a 50-foot wide dedicated public right-of-way will be established for the existing Avenue 'B' roadway. The survey has been revised to reflect this future dedication.
2. Pursuant to meetings with the City Manager and City Engineer, the applicant requests approval from the City for the sidewalk and elevated patio area as currently configured on the site plan. The re-routed public sidewalk and patio area is located within the limits of the existing driveway planned for removal with no loss of existing street parking.
3. A note has been added to the site plan that all construction shall comply with Sections 17 and 22 of the City of Fort Pierce Code of Ordinances.
4. It is acknowledged that the submitted "Grading and Utility Plan" (sheet C-3) was reviewed for conceptual compliance only and will be thoroughly reviewed at the time of Building Permit submittal.

5. As allowed in the “Downtown Business and Entertainment Overlay District”, there is no minimum building setback. With that said, the proposed building will consist of a monolithic slab with footers in-line with the proposed exterior building walls. There will be no encroachment of the foundation onto the neighboring properties. The property to the west (i.e. Second Street Station) is also owned by the applicant and an internal agreement will be prepared to allow for the re-constructed paver sidewalk. A temporary construction easement will be obtained if necessary for any construction activities on the neighboring property to the east (i.e. PP Cobb).
6. See response #5 above.
7. The vertical dimension between the sidewalk and lowest part of the proposed building awning is eight (8) feet.
8. As stated in response #2 above, the applicant is requesting approval from the City for the elevated patio and associated steps/ramp to be located within the Avenue ‘A’ right-of-way. The proposed mixed-use building is designed to match the adjacent buildings on each side with “on-street” frontage (i.e. zero front setback). This configuration occurs predominantly throughout the downtown area. Due to the sloping sidewalk (drops approximately one-foot west to east along the property’s 50-foot frontage), the proposed finished floor elevation has been established to match the adjacent buildings and therefore cannot provide ADA accessibility to the public sidewalk without the ramp and elevated patio. The patio will lend itself to “sidewalk café seating” as encouraged by City planning staff. Furthermore, the development of this building will remove a long standing “eye-sore” that has existed for years with the unimproved parking area and bring a vibrant business addition to the downtown area that is long overdue.
9. A formal lot split is proposed with the creation of parcels ‘A’ and ‘B’ as shown.
10. It is acknowledged that the finished floor elevation shall be set above the peak stage for a 100-year, 3-day storm event.

#### SLC Engineering

1. It is acknowledged that a right-of-way dedication for Indian River Drive will be needed to create a width of 80-feet. This dedication can occur with the future site plan for parcel ‘B’.

#### Bureau of Fire Prevention

1. An application for Development/Site Plan Review (SLC Fire District Department) will be submitted under separate cover to the Fire District.
2. The Fire District review fees will be paid with submittal of the Site Plan Review.

3. Acknowledged.
4. The proposed building will not be sprinkled for fire protection.

FPUA

1. A 13-foot utility easement has been provided north of parcel 'A' as provided in documentation from FPUA electric.
2. It is acknowledged that existing utility easements will need to be abandoned and new easements created for this project.

SLC Survey

1. Acknowledged. No comments.

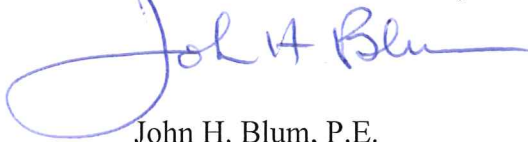
Building Department

1. It is acknowledged that the building plans will need to satisfy the 2017, 6<sup>th</sup> Edition of the Florida Building Code.
2. The architect has made the necessary submittal for Historic approval.
3. The plans submitted comply with ADA accessibility requirements.

Hopefully we have addressed all of your concerns, however, if you should have any questions or need additional information, please do not hesitate to contact me at our office.

Sincerely,

CARTER ASSOCIATES, INC.



John H. Blum, P.E.  
Principal

Cc: Brian Stone, Kraaz and Kraaz Finance LLC



THE SUNRISE CITY

**FORT PIERCE**  
CITY MANAGER'S OFFICE *Florida*

February 22, 2018

Frank H. Fee, III  
Fee, Yates & Fee, PLLC  
426 Avenue A  
Fort Pierce, FL 34950

Dear Mr. Fee:

Thank you for your letter dated February 21, 2018, which communicated the concerns of your client that are jointly shared with Hans Kraaz regarding the designation of Avenue B as a City street. Following the meeting of February 20, 2018, when Mr. Kraaz presented these concerns directly to the Fort Pierce City Commission, a meeting was scheduled with Mr. Kraaz for the next day. Pursuant to the meeting held February 21, 2018, which was attended by Hans Kraaz, Brian Stone, Jack Andrews and me, it was mutually agreed that it is in the best interest of the community to establish a 50ft wide dedicated public right-of-way. The right-of-way will provide conveyance for transportation and municipal utilities. This will be accomplished by performing a boundary survey, along with a legal map and description that will be recorded and held by the public in perpetuity.

I would like to personally thank you for bringing your concerns to me. Please do not hesitate to contact me directly if I can be of assistance.

We thank your client and Mr. Kraaz for their continued commitment toward the improvement of the beautiful City of Fort Pierce.

Sincerely,

Nicholas C. Mimms, P.E.  
City Manager

NCM:jdr

Attachment

c: Mayor and Commissioners  
Hans Kraaz

Information

REQUESTED ACTION

Site Plan and Design Review - Second Street Station - 100 Avenue A (Marina Way)

LOCATION

100 Avenue A (Marina Way)

RESPONSIBLE STAFF

Vennis Gilmore, Planning Analyst  
Rebecca Grohall, Planning Director

RECOMMENDATION

The proposed Site Plan meets the criteria specified in Section 22-32 and 22-59 of the City Code and promotes and protects the public health, safety and general welfare; therefore Staff recommends that the Planning Board forward a recommendation to, **approve** the proposed Site Plan with the following **conditions**:

- 1) The applicant obtains a Right of Way permit with the Engineering Department for re-construction of the adjacent sidewalk and construction of an elevated patio.
- 2) Please provide a color board (11"x17" maximum) containing actual color samples of all exterior finishes, keyed to the elevations, and indicating the manufacturer's name and color designation. Provide an accurate color rendering of proposed signs showing dimensions, type of lettering, materials and actual color samples that demonstrates cohesiveness with the project design.
- 3) Please provide a final landscape plan that meets the requirements of Article XII, Landscaping and Trees.
- 4) Per City Code Section 22-59 and Chapter 23; the design features must be reasonably consistent with the historic character of the predominant architectural style within the historic district (Downtown). Please seek approval by the Historic Preservation Board for compliance with terms and conditions of applicable certificates of appropriateness, prior to issuance of any building permit.

---

Attachments

Staff Report  
Application  
Property Record Card  
Deed  
Survey

Location Map  
Zoning Map  
Proposed Zoning Map  
Stormwater Report  
Traffic Report  
Site Plan  
Elevations  
TRC Comments  
TRC Responses

---

## **Form Review**

Form Started By: Vennis Gilmore  
Final Approval Date: 03/08/2018

Started On: 03/06/2018 03:27 PM



**TO:** Members of the City of Fort Pierce Planning Board

**THROUGH:** Rebecca Grohall, AICP, Planning Director

**FROM:** Vennis Gilmore, Planning Analyst

**RE:** **Application for Site Plan and Design Review  
 Second Street Station  
 100 Avenue A (Marina Way)**

**DATE:** March 5, 2018

**STAFF REPORT**

**Owner(s):** Kraaz and Kraaz Finance LLC  
 201 S. 2<sup>nd</sup> Street, Suite 206  
 Fort Pierce, FL. 34950

**Applicant:** John H. Blum – Carter Associates, Inc.  
 1708 21<sup>st</sup> Street  
 Vero Beach, FL. 32960

**Applicant’s Request:** Approval of a Zoning Atlas Amendment (Rezoning) from PUR, Planned Unit Redevelopment to C-4, Central Commercial Zone.

**Location:** 100 Avenue A (Marina Way)

**Parcel ID:** 2410-503-0042-000-5

**Current Zoning:** Planned Unit Redevelopment (PUR)

**Proposed Zoning:** Central Commercial Zone (C-4)

**Surrounding Zoning:**

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

**Site Size:** 1.02 acres

**Utilities:** FPUA

**Staff Analysis:**

**Request**

The applicant is seeking approval to build a building consisting of 3,000 sq. ft. of mercantile and 1,986 sq. ft. of business office. The project will consist of four (4) units; totaling 4, 896 sq. ft. The proposed development is an extension of an existing downtown commercial building – Second Street Station. The 0.138 acre lot of the subject 1.02 acres property is located on the north side of Avenue A; between the existing PP Cobb and Second Street Station buildings. The subject parcel is currently vacant and consists of an unimproved parking lot.

The applicant has requested the approval of a Zoning Atlas Amendment (Rezoning) from PUR, Planned Unit Redevelopment to C-4, Central Commercial Zone. The current future land use designation is CBD, Central Business District.

Table 1 demonstrates pertinent existing and proposed data for the subject site.

Table 1: Existing and Proposed Site Data

	<b>Existing</b>	<b>Proposed</b>
<b>Zoning</b>	<b>PUR</b>	<b>C-4</b>
<b>Zoning Objective</b>	<b>The Planned Unit Redevelopment (PUR) zone is intended to encourage comprehensive redevelopment within existing residential and commercial areas of the city. It is designed to achieve a desirable environment through application of flexible and diversified land development standards in an overall site plan. It is further intended to promote economics in land development, maintenance, street systems and utility networks, resulting in the provision of needed housing and the redevelopment of older, less economically viable areas.</b>	<b>This district is intended to serve as a primary center of commercial and institutional activity and as a readily identifiable focal point of the community and surrounding area. It is intended to be an intensively used area catering primarily to the pedestrian. The district is not suitable for low intensity uses requiring a large tract of land, most types of repair services, warehouses and other uses which would detract from the character of the area.</b>

## History

The City Commission at their meeting on February 7, 2005; approved the Planned Unit Redevelopment Plan for the subject parcel. The proposed development "One Marina Place" consisted of a five-story building with approximately 7,200 square feet of retail space on the ground floor and a total of 41 units on the other four floors. The proposed density was 40 units per acre on a total of 1.04 acres. A total of 98 parking spaces were proposed in a basement, on the ground floor, and along Avenue B which was proposed to be realigned. In addition, a gym and an outdoor pool were proposed to be located on the 5th floor of the mixed-use building. Because the construction of the project had not started; as defined by the Building Department, nor an extension for the Plan had been requested within 12 months of the City Commission approval, the Plan expired. After discussion by the City Commission, Staff committed to place the Plan on the April 11th Planning Board agenda for re-approval. The Planning Board reapproved the Plan at their April 11, 2006 meeting. The Plan was submitted for re-approval and approved by the City Commission at their May 15, 2006 meeting.

## Site Plan

The current applicant is proposing to build a building consisting of 3,000 sq. ft. of mercantile and 1,986 sq. ft. of business office. The project will consist of four (4) units; totaling 4, 896 sq. ft. The proposed development is an extension of an existing downtown commercial building – Second Street Station. The site is located in the "Downtown Business and Entertainment Overlay District" and is exempt from off-street parking requirements. Also in the "Downtown Business and Entertainment Overlay District", there is no minimum setback. With that said, the proposed building will consist of a monolithic slab with footers in-line with the proposed exterior building walls. There will be no encroachment of the foundation on the neighboring properties. The proposed construction will include an elevated patio seating area and re-construction of the existing sidewalk pavers to the south and west of the proposed building. Due to the sloping sidewalk (drops approximately one-foot west to east along the property's 50-foot frontage), the proposed finished floor elevation has been established to match the adjacent buildings and therefore cannot provide ADA accessibility to the public sidewalk without the ramp and elevated patio. The patio will lend itself to "sidewalk café seating".

## Design Review

The proposed mixed-use building is designed to match the adjacent buildings on each side with "on-street" frontage (i.e. – zero front setback). This configuration occurs predominately throughout the downtown area. The property to the west (i.e. – Second Street Station) is also owned by the applicant. The subject property is also within the Downtown District; a City of Fort Pierce Historic District. This designation will require the applicant to go before the Historic Preservation Board for a Certificate of Appropriateness; for design review and if exterior renovations are needed for ADA Compliance. Given the proposed use and the proposed zoning designation of the site, the site is considered to be conforming with regard to use. The (C-4) Central Commercial Zoning District is intended to serve as a primary center of commercial and institutional activity and as a readily identifiable focal point of the community and surrounding area.

The proposed development's modern architectural design and construction are compatible with the scale and character of the city's mix of existing buildings and land uses. The design is architecturally compatible with surrounding structures. The property is located within a historic preservation district (Downtown Historic District), the design features are reasonably consistent with the historic character of the predominant architectural style within the district. The design features will enhance or preserve the quality of the surrounding area so as not to detract from existing property values or impact adversely on existing scenic,

natural, or historic beauty. The design avoids undue monotony in structural design features. Per City Code Section 22-59. – Design Review(d)(2); the following standards are considered for approval:

(i)

The design, including landscape features, is architecturally compatible with surrounding structures so as to be reasonably harmonious in landscaping, style, and color;

(ii)

If the property is located within a historic preservation district, the design features are reasonably consistent with the historic character of the predominant architectural style within the district;

(iii)

The design features will enhance or preserve the quality of the surrounding area so as not to detract from existing property values or impact adversely on existing scenic, natural, or historic beauty;

(iv)

The design avoids undue monotony in structural design features.

The board may condition recommendation for approval upon an applicant obtaining of a suitable variance pursuant to article VIII from the board of adjustment.

### **Traffic Impact Study**

An analysis of the traffic impacts associated with the proposed mixed use building was performed using data provided by the latest edition of the ITE Trip Generation Manual. The calculations demonstrate that the proposed mixed use building will cause a nominal increase in traffic volumes. Therefore, the results indicate that an acceptable level of service will be maintained on the roadways servicing this project. The study suggests an increase of 404 daily trips with an average morning total of 39 trips and average evening total of 37 trips.

### **Technical Review Committee**

All affected departments have reviewed the proposed Site Plan with regards requirements of the City Code. Findings from the review by corresponding departments and any associated responses by the applicant are provided for viewing by the Planning Board.

### **Staff Recommendation**

The proposed Site Plan meets the criteria specified in Section 22-32 and 22-59 of the City Code and promotes and protects the public health, safety and general welfare; therefore Staff recommends that the Planning Board forward a recommendation to, **approve** the proposed Site Plan with the following **conditions**:

- 1) The applicant obtains a Right of Way permit with the Engineering Department for re-construction of the adjacent sidewalk and construction of an elevated patio.
- 2) Please provide a color board (11"x17" maximum) containing actual color samples of all exterior finishes, keyed to the elevations, and indicating the manufacturer's name and color designation. Provide

an accurate color rendering of proposed signs showing dimensions, type of lettering, materials and actual color samples that demonstrates cohesiveness with the project design.

3) Please provide a final landscape plan that meets the requirements of Article XII, Landscaping and Trees.

4) Per City Code Section 22-59 and Chapter 23; the design features must be reasonably consistent with the historic character of the predominant architectural style within the historic district (Downtown). Please seek approval by the Historic Preservation Board for compliance with terms and conditions of applicable certificates of appropriateness, prior to issuance of any building permit.



## DEVELOPMENT REVIEW

Property address or Location \_\_\_\_\_

Parcel ID #(s) \_\_\_\_\_

Project description \_\_\_\_\_

**Property Owner(s)**

**Applicant/Representative, Title, Company**

Street Address \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone Number \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

Email Address \_\_\_\_\_

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

\_\_\_\_\_  
 Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY

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

\_\_\_\_\_  
 Signature of Notary

(seal)

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

**TO BE COMPLETED BY STAFF**

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

Pre-Application Meeting Date \_\_\_\_\_

Fees \_\_\_\_\_ Control # \_\_\_\_\_ B. Permit # \_\_\_\_\_

Intake Planner \_\_\_\_\_

Planner Assigned \_\_\_\_\_

Approved By \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Intake Date Stamp



# DEVELOPMENT REVIEW

## General Information

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

Choose Application Type:

Application Type			
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Conditional Use with New Const.	<input type="checkbox"/> Major Amendment	
<input type="checkbox"/> Conceptual Development Plan		<input type="checkbox"/> Minor Amendment	

Site Information:

Non-Residential: Proposed Sq. Ft.: \_\_\_\_\_ Residential: Proposed Units: \_\_\_\_\_

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

North	South	East	West

## Application Outlook



## Site Plan submittal requirements:

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

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

**RESOLUTION NO. 17-R16**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **ESTABLISHING QUASI-JUDICIAL PROCEDURES** FOR THE CITY COMMISSION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Commission recognizes the need for established legal procedures when quasi-judicial items are on the agenda; and

**WHEREAS**, the City Commission desires that this Resolution serve as the procedure for the City Commission to follow in conducting quasi-judicial proceedings; and

**WHEREAS**, the City Commission acknowledges that the procedures may be amended from time to time by resolution.

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

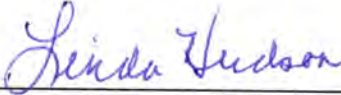
**SECTION 1.** When conducting quasi-judicial hearings, the City Commission shall follow the procedures as outlined in the attached Exhibit "A."

**SECTION 2.** The provisions of this Resolution are declared to be severable and if any section, sentence, clause, or phrase of this Resolution 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 Resolution but shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

**SECTION 3.** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**SECTION 4.** This Resolution shall take effect immediately upon its adoption.


**IN WITNESS HEREWITH**, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 5th day of June, 2017.

  
\_\_\_\_\_  
Linda Hudson, Mayor

ATTEST:

  
\_\_\_\_\_  
Linda Cox, City Clerk

Approved as to Form  
And Correctness:

  
\_\_\_\_\_  
James M. Messer, Esq.  
City Attorney

**Exhibit "A"**

**QUASI-JUDICIAL HEARING PROCEDURES  
AND RULES FOR EX PARTE COMMUNICATIONS**

**I. Scope and Applicability.** These procedures shall apply to all quasi-judicial hearings held by the City Commission.

**II. Proceedings.** The Mayor (hereafter, the "Presiding Officer") shall conduct the proceedings and maintain order. The City Attorney shall represent the City Commission, rule on all evidentiary and procedural issues and objections, and advise the City Commission as to the applicable law and necessary factual findings. Hearings shall be conducted informally, but with decorum. Formal rules of procedure shall not apply except as set forth herein; however, fundamental due process shall be accorded.

**III. Unauthorized Communications.** In all quasi-judicial hearings, all rulings must be based only upon the evidence presented at the hearing. Ex parte communications with City Commissioners in quasi-judicial matters are permissible and the adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with City Commissioners:

A. The substance of any ex parte communication with a City Commissioner which relates to a quasi-judicial action pending before the Commission is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.

B. A City Commissioner may read a written communication from any person. However, a written communication that relates to a quasi-judicial action pending before the Commission shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

C. City Commissioners may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

D. Disclosure made pursuant to subparagraphs A, B and C must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication.

**IV. Witnesses and Supporting Materials.** At least five calendar days before a quasi-judicial hearing:

A. Staff shall prepare a report, recommendation and supporting materials, a copy of which shall be available to the applicant and to the public at the City Clerk's Office. Included in the supporting materials will be copies of all exhibits and documents upon which staff's recommendation is based.

B. The Applicant shall submit a detailed outline of the argument in support of their application, copies of all exhibits which will be presented at hearing and the names and addresses of all witnesses who will be called to testify in support of the application (including resumes for any witness the party intends to qualify as an expert).

C. The five calendar days deadline is necessary to ensure the Commission is given sufficient opportunity to review the written submissions prior to the hearing, and shall be strictly observed. Should the 5 calendar day deadline be missed by either staff or the Applicant, the item may be continued at the discretion of the City Commission to the next available agenda.

**V. Party Intervenors.** The City Attorney may allow a person to intervene as a Party Intervenor if they meet the following requirements:

A. The person must have an interest in the application, which is different than the public at large.

B. At least three days prior to the hearing, the person shall submit a written request to intervene including: a detailed outline of his or her interest in the application and argument in favor or against it, copies of all exhibits which will be presented at the hearing and the names and addresses of all witnesses who will be called to testify on their behalf (including resumes for any witness the person intends to qualify as an expert).

**VI. Conduct of Hearing.**

A. The Presiding Officer shall call the proceeding to order and announce that the hearing has begun.

B. The Presiding Officer shall inquire whether all parties, members of the public and Commission agrees to waive the quasi-judicial hearing.

C. When the quasi-judicial hearing is not waived, the City Attorney or Presiding Officer shall explain the rules concerning procedure, testimony, and admission of evidence.

D. When the quasi-judicial hearing is not waived, the City Clerk shall swear in all witnesses who are to testify at the hearing.

E. The order of proof shall be as follows:

1. A representative of the City's staff shall briefly describe the Applicant's request, introduce and review all relevant exhibits and evidence, report staff's recommendation, and present any testimony in support of staff's recommendation. Staff shall have a maximum of 20 minutes to make their full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission.

2. Any Party Intervenor (or his/her representative or counsel) shall present evidence and testimony in support of or opposed to the application. A Party Intervenor shall have a maximum of 20 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission.

3. The Applicant (or his/her representative or counsel) shall present evidence and testimony in support of the application. Applicant shall have a maximum of 20 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission.

4. Any other persons present who wish to submit relevant information to the City Commission shall speak next for a maximum of three minutes each (excluding any cross-examination or questions from the Commission). Members of the public will be permitted to present their non-expert opinions, but the Commission will be expressly advised that public sentiment is not relevant to the decision, which must be based only upon competent and substantial evidence.

5. The Applicant will be permitted to make final comments.

6. The Party Intervenor will be permitted to make final comments.

7. The City's staff will make final comments.

8. At the discretion of the Presiding Officer, the Applicant may be permitted to respond to the final Party Intervenor and staff comments and recommendations.

F. The City Commission will conduct open deliberation of the application. The Presiding Officer shall have the discretion to reopen the proceeding for additional testimony or argument by the parties when an outcome substantially different than either the granting or denial of the application is being considered. After deliberations, a vote shall be taken to approve, approve with conditions or deny the application.

**VII. Examination by Commissioners and City Attorney or Legal Advisor.** Commissioners and the City Attorney may ask questions of persons presenting testimony or evidence at any time during the proceedings until commencement of deliberation.

**VIII. Cross-Examination of Witnesses.** After each witness testifies, the City staff representative, the Applicant's representative and/or the Party Intervenor's representative shall be permitted to question the witness, but such cross-examination shall be limited to matters about which the witness testified and shall be limited to five minutes per side. Members of the public will not be permitted to cross-examine witnesses. Cross-examination shall be permitted only as would be permitted in a Florida court of law.

**IX. Rules of Evidence.**

A. All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a court of law in Florida. Irrelevant, immaterial, harassing, defamatory or unduly repetitive evidence shall be excluded.

B. Hearsay evidence may be used for the purposes of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding unless it would be admissible over objection in a civil action.

C. Documentary evidence may be presented in the form of a copy or the original. Upon request, parties shall be given an opportunity to compare the copy with the original.

**X. Statements of Counsel.** Statements of counsel, or any non-attorney representative, shall only be considered as argument and not testimony unless counsel or the representative is sworn in and the testimony is based on actual personal knowledge of the matters which are the subject of the statements.

**XI. Standard of Proof.** The decision of the City Commission to approve, deny or modify an agenda item shall be based on competent substantial evidence. Competent substantial evidence is evidence which will establish a substantial basis from which the fact at issue can reasonably be inferred. It includes fact or opinion evidence offered by an expert on a matter that requires specialized knowledge and that is relevant to the issues to be decided. It is evidence a reasonable mind could accept as having probative weight and adequate to support a legal conclusion. Hypothetical, speculative, fear or emotion based generalized statements that do not address the relevant issues and that cannot be reasonably said to support the action advocated, are not competent substantial evidence.

**XII. Continuances and Deferrals.** The City Commission shall consider requests for continuances made by City staff, the Applicant or a Party Intervenor and may grant continuances in its sole discretion. If, in the opinion of the City Commission, any testimony or documentary evidence or information presented at the hearing justifies allowing additional research or review in order to properly determine the issue

presented, then the City Commission may continue the matter to a time certain to allow for such research or review.

**XIII. Transcription of hearing.**

A. The City Clerk or staff liaison shall preserve the official transcript of the hearing through tape recording and/or video recording.

B. The Applicant or Party Intervenor may arrange, at its own expense, for a court reporter to transcribe the hearing.

C. The Applicant or Party Intervenor may request that all or a part of the transcript of a hearing be transcribed into verbatim, written form. In such case, the Applicant or Party Intervenor requesting the transcript shall be responsible for the cost of production of the transcription and the transcription shall become the official transcript.

**XIV. Maintenance of Evidence and Other Documents.** The Office of the City Clerk shall retain all of the evidence and documents presented at the hearing unless any such evidence is too large to be stored by the City Clerk or staff liaison. In that event, such evidence will be stored in the Planning Department.

**Property Identification**

Site Address: 100 Avenue A  
Map ID: 24/10N

Parcel ID: 2410-503-0042-000-5  
Zoning: PUR

Account #: 23052  
Use Type: 1000

Sec/Town/Range: 10/35S/40E  
Jurisdiction: Fort Pierce

**Ownership**

Kraaz and Kraaz Finance LLC  
201 S 2nd St Ste 206  
Fort Pierce, FL 34950

**Legal Description**

AARON LEE'S MAP OF FORT PIERCE BLK F-E 50 FT OF LOTS 4 AND 6 AND ALL OF LOTS 5, 7, 10 AND 11 AND N 50.5 FT OF VAC ALLEY ADJ ON E OF LOT 10 AND THAT PART OF VAC ALLEY LYG BTW E 50 FT OF LOT 6 AND 10 AND THAT PART OF A TRACT OF LAND OF AARON LEE'S MAP OF FORT PIERCE LYG W OF INDIAN RIVER DR MPDAF: FROM INT OF N RD R/W LI OF AVE A AND SW COR OF LOT 10 BLK F OF AARON LEE'S MAP OF FORT PIERCE, TH N 71 47 25 E ALG N R/W LI 189.47 FT TO WLY R/W LI OF INDIAN RIVER DR, TH N 12 28 30 E ALG WLY R/W LI 23.75 FT, TH N 07 12 19 W 83.89 FT, TH N 13 15 55 E 0.85 FT TO POB: TH CONT N 13 15 55 E 70.47 FT, TH N 28 22 25 E 52.66 FT, TH N 16 22 30 E 21.79 FT, TH N 58 17 09 W 28.55 FT, TH S 71 35 21 W 14.88 FT, TH N 18 13 53 W 14.47 FT, TH S 71 47 25 W 84.84 FT TO NE COR OF LOT 5 BLK F OR AARON LEE'S MAP OF FORT PIERCE, TH S 18 15 39 E 150.50 FT TO SE COR OF LOT 11, TH S 71 47 25 E 29.94 FT M/L TO POB- (1.03 AC) (MAP 24/10B) (OR 4003-2123)

**Current Values**

Just/Market:	\$773,100	Assessed:	\$708,620
Exemptions:	\$0	Taxable:	\$708,620

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2017	\$773,100	\$708,620	\$0	\$708,620
2016	\$644,200	\$644,200	\$0	\$644,200
2015	\$644,200	\$644,200	\$0	\$644,200

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
------	-----------	-----------	------	---------	-------

**Primary Building Information**

Finished Area of this building: 0 SF  
Gross Area of this building: 0 SF

**Exterior Data**

View:	Roof Cover:	Roof Structure:	Building Type:
Year Built: N/A	Frame:	Grade:	Effective Year: 2014
Primary Wall:	Story Height:	No. Units: 0	Secondary Wall:

**Interior Data**

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



Image or Sketch unavailable for display

**Total Areas**

Finished/Under Air (SF):	0
Gross Area (SF):	0
Land Size (acres):	1.02
Land Size (SF):	44,430.41
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
------	-----	-------	----------

Prepared by and return to:  
LINDSAY DEMMERY, Esq.  
120 Butler Street, Suite B  
West Palm Beach, FL 33407

Property Control: 2410-503-0042-000/5

### **TRUSTEE'S DEED**

**THIS INDENTURE**, made this 31 day of May, 2017, between **FP-100, LLC, a Florida Limited Liability Company**, Grantor, whose mailing address is: 3777 West Fork Road, Cincinnati, OH 45247 and **Kraaz & Kraaz Finance, LLC, a Florida Limited Liability Company**, Grantee, whose mailing address is: 201 S. 2<sup>nd</sup> Street, Suite 206, Fort Pierce, FL 34950.

### **W I T N E S S E T H:**

That said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable considerations to said Grantor in hand paid by Grantees, the receipt whereof is hereby acknowledged, has granted, bargained and quitclaimed to said Grantees and Grantees heirs, successors and assigns forever, the following described land, situate, lying and being in County of St. Lucie, State of Florida, to wit:

### **SEE EXHIBIT "A"**

**TOGETHER** with all tenements, hereditaments and appurtenances thereto belonging or otherwise pertaining.

SUBJECT to taxes for 2017 and subsequent years; covenants, conditions, restrictions, zoning, easements, reservations, and limitations of record, if any, however this reference shall not operate to reimpose same.

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

The above referenced property is not Grantors' homestead.

### **REPRESENTATION**

I represent to you that:


(a) I am duly appointed and qualified to act as authorized Agent identified in Paragraph 1;

- (b) In all things preliminary to and in and about this conveyance of the Real Property, the terms and conditions of such have been met; and
- (c) I have the power and authority to execute this Deed.

IN WITNESS WHEREOF, Grantor has hereunto set his hands and seals and date and year first above written.

Signed, sealed, delivered  
in the presence of:

FP-100, LLC, a Florida Limited  
Liability Company

  
 Print Name: Josh Basinger

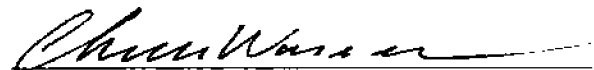
By: Tara Adams <sup>on behalf of</sup>  
 Print: Tara Adams <sup>Trust</sup>  
 as Agent <sup>Company</sup> of FP-100, LLC

  
 Print Name: Rachel Coates

STATE OF Ohio

COUNTY OF Hamilton

The foregoing instrument was acknowledged before me, this 25<sup>th</sup> day of April, 2017 by Tara Adams as Agent for FP-100, LLC, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath and state: he/she is the individual described in and who executed the foregoing for the purposes therein expressed.

  
 Notary Public, State of  
 My Commission Expires:



Jody Christine Warren, Attorney At Law  
 NOTARY PUBLIC - STATE OF OHIO  
 My commission has no expiration date  
 Sec. 147.03 R.C.

**EXHIBIT "A"**

Page 1 of 2

**DESCRIPTION**

A PORTION OF LAND LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

PARCEL 4: THE EAST 50 FEET OF LOTS 4 AND 6, ALL OF LOTS 5, 7, 10, 11, 12 AND 13 OF BLOCK "F", AND THE ADJACENT 10 FOOT VACATED ALLEY, ACCORDING TO THE PLAT OF FORT PIERCE MADE BY AARON LEE AS RECORDED IN PLAT BOOK 1, AT PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA;

TOGETHER WITH: A TRACT OF LAND 158.8 FEET EAST AND WEST AND 254 FEET NORTH AND SOUTH, LYING EAST OF SAID LOTS 5, 7, 11, 12 AND 13 OF BLOCK "F" OF AARON LEE'S MAP OF FORT PIERCE, FLORIDA.

LESS AND EXCEPTING PARCEL 1, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 10, BLOCK F ACCORDING TO THE PLAT OF FORT PIERCE MADE BY AARON LEE AS RECORDED IN PLAT BOOK 1, AT PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE RUN N 71°47'25" E, ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE A, A DISTANCE OF 189.47 FEET TO THE POINT OF BEGINNING; THENCE RUN N 12°28'30" E, A DISTANCE OF 23.75 FEET; THENCE RUN N 07°12'19" W, A DISTANCE OF 83.89 FEET; THENCE RUN N 13°15'55" E, A DISTANCE OF 71.32 FEET; THENCE RUN N 28°22'25" E, A DISTANCE OF 52.66 FEET; THENCE RUN N 16°22'30" E, A DISTANCE OF 21.79 FEET; THENCE RUN N 58°17'09" W, A DISTANCE OF 28.55 FEET; THENCE RUN S 71°35'21" W, A DISTANCE OF 14.88 FEET; THENCE RUN N 18°13'53" W, A DISTANCE OF 14.47 FEET; THENCE RUN N 71°47'25" E, A DISTANCE OF 74.58 FEET; THENCE RUN S 18°15'39" E, A DISTANCE OF 254.00 FEET; THENCE RUN S 71°47'25" W, A DISTANCE OF 157.53 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

ALSO LESS AND EXCEPTING PARCEL 4a BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCE AT THE SOUTHWEST CORNER OF LOT 10, BLOCK F, ACCORDING TO THE "PLAT OF FORT PIERCE MADE BY AARON LEE" AS RECORDED IN PLAT BOOK 1, PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA;

THENCE RUN NORTH 71°47'25" EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE A, A DISTANCE OF 50.00 FEET TO THE EAST LINE OF LOT 10, BLOCK F, SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN NORTH 18°15'34" WEST, ALONG THE EAST LINE OF LOT 10, BLOCK F, A DISTANCE OF 103.50 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 12, BLOCK F; THENCE RUN NORTH 71°47'25" EAST, ALONG THE NORTH LINE OF LOT 12, A DISTANCE OF 168.14 FEET TO THE EAST LINE OF PARCEL 4, AS DESCRIBED IN O.R. BOOK 584, PAGE 1421, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 13°15'55" WEST, A DISTANCE OF 0.85 FEET ALONG SAID EAST LINE OF PARCEL 4; THENCE RUN SOUTH 07°12'19" EAST, A DISTANCE OF 83.89 FEET, ALONG THE AFOREMENTIONED EAST LINE OF PARCEL 4; THENCE RUN SOUTH 12°28'30" WEST, A DISTANCE OF 23.75 FEET, ALONG THE AFOREMENTIONED EAST LINE OF PARCEL 4, TO THE NORTH RIGHT-OF-WAY LINE OF AVENUE A; THENCE RUN SOUTH 71°47'25" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF AVENUE A, A DISTANCE OF 139.47 FEET, TO THE POINT OF BEGINNING.

Sheet 1 of 2

**SKETCH OF DESCRIPTION**  
OF  
**Parcel 4b**  
Prepared For  
**BUD ADAMS**

File: 010BS&D.DWG  
Date: 1-17-2001

Tech: ER

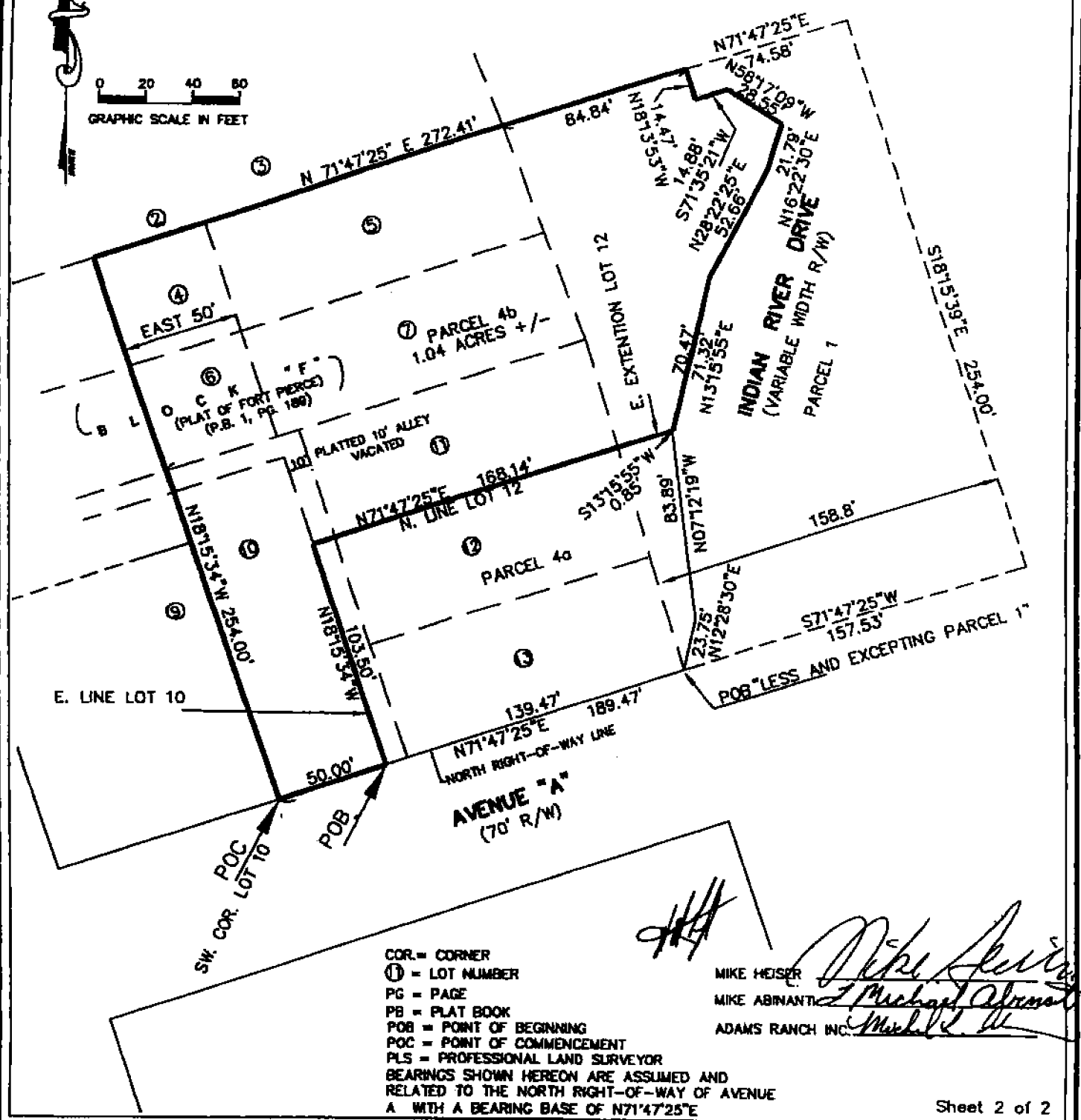
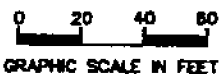


CONSULTING ENGINEERS  
&  
LAND SURVEYORS  
2800 SOUTH 25th STREET  
FORT PIERCE, FLORIDA 34982  
(407) 464-3537

EXHIBIT "A"

Page 2 of 2

THIS IS NOT A SURVEY



COR = CORNER  
 ① = LOT NUMBER  
 PG = PAGE  
 PB = PLAT BOOK  
 POB = POINT OF BEGINNING  
 POC = POINT OF COMMENCEMENT  
 PLS = PROFESSIONAL LAND SURVEYOR  
 BEARINGS SHOWN HEREON ARE ASSUMED AND RELATED TO THE NORTH RIGHT-OF-WAY OF AVENUE A WITH A BEARING BASE OF N71°47'25"E

*[Signature]*  
 MIKE HEISER  
 MIKE ABNANTI  
 ADAMS RANCH INC. *[Signature]*

Sheet 2 of 2

SKETCH OF DESCRIPTION

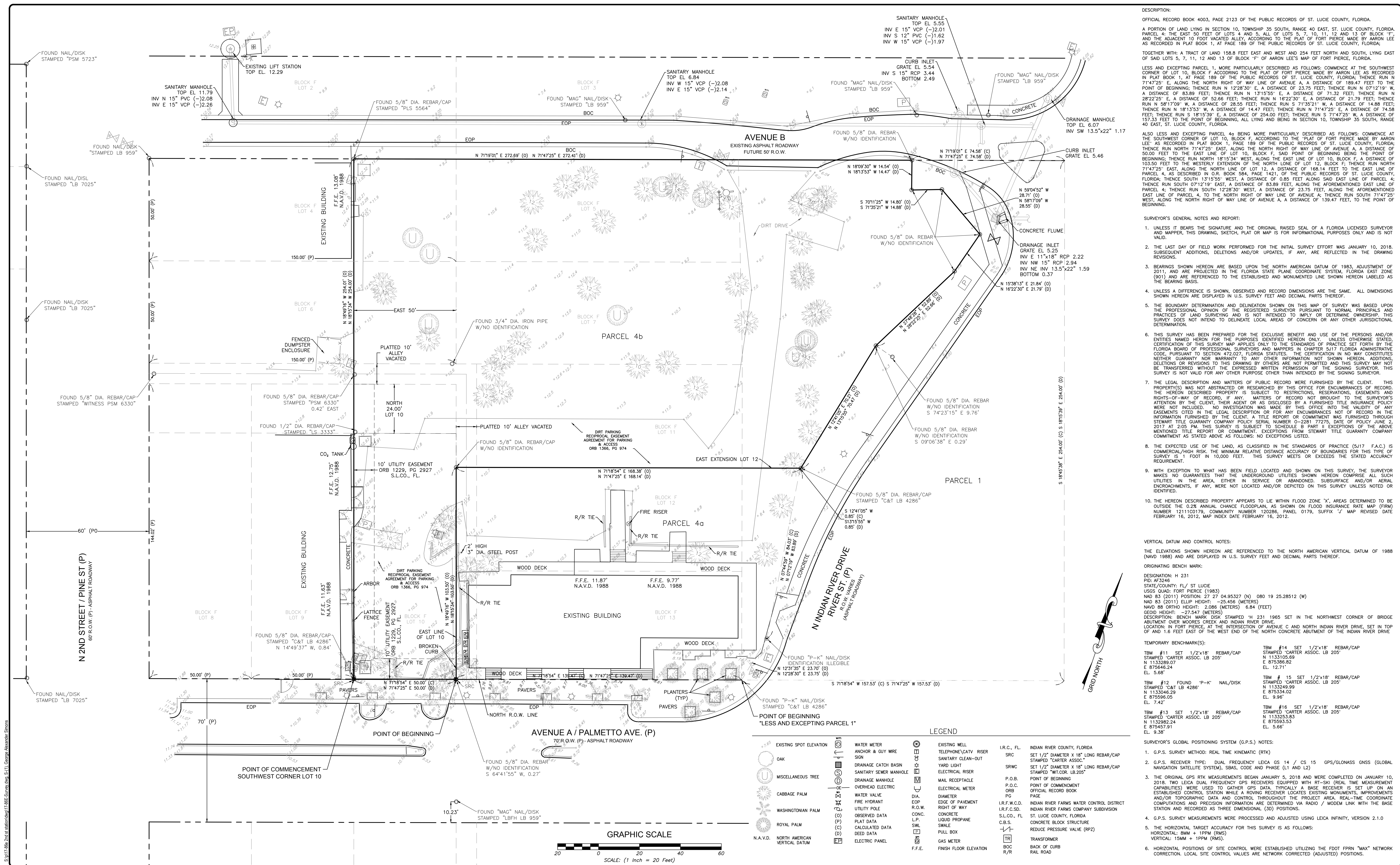
OF  
**PARCEL 4b**  
 Prepared For  
**BUD ADAMS**

File: 010BS&D.DWG  
 Date: 1-17-2001

Tech: ER



CONSULTING ENGINEERS  
 &  
 LAND SURVEYORS  
 2980 SOUTH 25th STREET  
 FORT PIERCE, FLORIDA 34982  
 (561) 464-3537



DESCRIPTION:  
 OFFICIAL RECORD BOOK 4003, PAGE 2123 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.  
 A PORTION OF LAND LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, PARCEL 4: THE EAST 50 FEET OF LOTS 4 AND 5, ALL OF LOTS 5, 7, 10, 11, 12 AND 13 OF BLOCK "F", AND THE ADJACENT 10 FOOT VACATED ALLEY, ACCORDING TO THE PLAT OF FORT PIERCE MADE BY AARON LEE AS RECORDED IN PLAT BOOK 1, AT PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.  
 TOGETHER WITH: A TRACT OF LAND 158.8 FEET EAST AND WEST AND 254 FEET NORTH AND SOUTH, LYING EAST OF SAID LOTS 5, 7, 11, 12 AND 13 OF BLOCK "F" OF AARON LEE'S MAP OF FORT PIERCE, FLORIDA.  
 LESS AND EXCEPTING PARCEL 1, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 10, BLOCK F ACCORDING TO THE PLAT OF FORT PIERCE MADE BY AARON LEE AS RECORDED IN PLAT BOOK 1, AT PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE RUN N 71°47'25" E, ALONG THE NORTH RIGHT OF WAY LINE OF AVENUE A, A DISTANCE OF 189.47 FEET TO THE POINT OF BEGINNING; THENCE RUN N 12°28'30" E, A DISTANCE OF 23.75 FEET; THENCE RUN N 07°12'19" W, A DISTANCE OF 83.89 FEET; THENCE RUN N 13°15'55" E, A DISTANCE OF 71.32 FEET; THENCE RUN N 28°22'25" E, A DISTANCE OF 52.66 FEET; THENCE RUN N 16°22'30" E, A DISTANCE OF 21.79 FEET; THENCE RUN N 58°17'09" W, A DISTANCE OF 28.55 FEET; THENCE RUN S 71°35'21" W, A DISTANCE OF 14.88 FEET; THENCE RUN N 18°13'53" W, A DISTANCE OF 14.47 FEET; THENCE RUN N 71°47'25" E, A DISTANCE OF 74.58 FEET; THENCE RUN S 18°15'59" E, A DISTANCE OF 254.00 FEET; THENCE RUN S 71°47'25" W, A DISTANCE OF 157.53 FEET TO THE POINT OF BEGINNING, ALL LYING AND BEING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.  
 ALSO LESS AND EXCEPTING PARCEL 4a BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 10, BLOCK F, ACCORDING TO THE PLAT OF FORT PIERCE MADE BY AARON LEE AS RECORDED IN PLAT BOOK 1, PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE RUN NORTH 71°47'25" EAST, ALONG THE NORTH RIGHT OF WAY LINE OF AVENUE A, A DISTANCE OF 50.00 FEET TO THE EAST LINE OF LOT 10, BLOCK F, SAID POINT OF BEGINNING BEING THE POINT OF BEGINNING; THENCE RUN NORTH 13°15'55" WEST, ALONG THE EAST LINE OF LOT 10, BLOCK F, A DISTANCE OF 103.50 FEET TO THE WESTERLY EXTENSION OF THE NORTH LANE OF LOT 12, BLOCK F; THENCE RUN NORTH 71°47'25" EAST, ALONG THE NORTH LINE OF LOT 12, A DISTANCE OF 168.14 FEET TO THE EAST LINE OF PARCEL 4, AS DESCRIBED IN O.R. BOOK 954, PAGE 1062 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 13°15'55" WEST, A DISTANCE OF 0.85 FEET ALONG SAID EAST LINE OF PARCEL 4; THENCE RUN SOUTH 07°12'19" EAST, A DISTANCE OF 83.89 FEET, ALONG THE AFORESAID EAST LINE OF PARCEL 4; THENCE RUN SOUTH 12°28'30" WEST, A DISTANCE OF 23.75 FEET, ALONG THE AFORESAID EAST LINE OF PARCEL 4, TO THE NORTH RIGHT OF WAY LINE OF AVENUE A; THENCE RUN SOUTH 71°47'25" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF AVENUE A, A DISTANCE OF 139.47 FEET, TO THE POINT OF BEGINNING.

LESS AND EXCEPTING PARCEL 4a BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF LOT 10, BLOCK F, ACCORDING TO THE PLAT OF FORT PIERCE MADE BY AARON LEE AS RECORDED IN PLAT BOOK 1, PAGE 189 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE RUN NORTH 71°47'25" EAST, ALONG THE NORTH RIGHT OF WAY LINE OF AVENUE A, A DISTANCE OF 103.50 FEET TO THE WESTERLY EXTENSION OF THE NORTH LANE OF LOT 12, BLOCK F; THENCE RUN NORTH 71°47'25" EAST, ALONG THE NORTH LINE OF LOT 12, A DISTANCE OF 168.14 FEET TO THE EAST LINE OF PARCEL 4, AS DESCRIBED IN O.R. BOOK 954, PAGE 1062 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 13°15'55" WEST, A DISTANCE OF 0.85 FEET ALONG SAID EAST LINE OF PARCEL 4; THENCE RUN SOUTH 07°12'19" EAST, A DISTANCE OF 83.89 FEET, ALONG THE AFORESAID EAST LINE OF PARCEL 4; THENCE RUN SOUTH 12°28'30" WEST, A DISTANCE OF 23.75 FEET, ALONG THE AFORESAID EAST LINE OF PARCEL 4, TO THE NORTH RIGHT OF WAY LINE OF AVENUE A; THENCE RUN SOUTH 71°47'25" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF AVENUE A, A DISTANCE OF 139.47 FEET, TO THE POINT OF BEGINNING.

- SURVEYOR'S GENERAL NOTES AND REPORT:
- UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
  - THE LAST DAY OF FIELD WORK PERFORMED FOR THE INITIAL SURVEY EFFORT WAS JANUARY 10, 2018. SUBSEQUENT ADDITIONS, DELETIONS AND/OR UPDATES, IF ANY, ARE REFLECTED IN THE DRAWING REVISIONS.
  - BEARINGS SHOWN HEREON ARE BASED UPON THE NORTH AMERICAN DATUM OF 1983, ADJUSTMENT OF 2011, AND ARE PROJECTED IN THE FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE (901) AND ARE REFERENCED TO THE ESTABLISHED AND MONUMENTED LINE SHOWN HEREON LABELED AS THE BEARING BASIS.
  - UNLESS A DIFFERENCE IS SHOWN, OBSERVED AND RECORD DIMENSIONS ARE THE SAME. ALL DIMENSIONS SHOWN HEREON ARE DISPLAYED IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.
  - THE BOUNDARY DETERMINATION AND DELINEATION SHOWN ON THIS MAP OF SURVEY WAS BASED UPON THE PROFESSIONAL OPINION OF THE REGISTERED SURVEYOR PURSUANT TO NORMAL PRINCIPALS AND PRACTICES OF LAND SURVEYING AND IS NOT INTENDED TO IMPLY OR DETERMINE OWNERSHIP. THIS SURVEY DOES NOT INTEND TO DELINEATE LOCAL AREAS OF CONCERN OR ANY OTHER JURISDICTIONAL DETERMINATION.
  - THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE BENEFIT AND USE OF THE PERSONS AND/OR ENTITIES NAMED HEREON FOR THE PURPOSES IDENTIFIED HEREON ONLY. UNLESS OTHERWISE STATED, CERTIFICATION OF THIS SURVEY MAP APPLIES ONLY TO THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J17 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THE CERTIFICATION IN NO WAY CONSTITUTES NEITHER GUARANTEE NOR WARRANTY TO ANY OTHER INFORMATION NOT SHOWN HEREON, ADDITIONS, DELETIONS OR REVISIONS TO THIS DRAWING BY OTHERS ARE NOT PERMITTED AND THIS SURVEY MAY NOT BE TRANSFERRED WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE SIGNING SURVEYOR. THIS SURVEY IS NOT VALID FOR ANY OTHER PURPOSE OTHER THAN INTENDED BY THE SIGNING SURVEYOR.
  - THE LEGAL DESCRIPTION AND MATTERS OF PUBLIC RECORD WERE FURNISHED BY THE CLIENT. THIS PROPERTY(S) WAS NOT ABSTRACTED OR RESEARCHED BY THIS OFFICE FOR ENCUMBRANCES OF RECORD. THE HEREON DESCRIBED PROPERTY IS SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD. MATTERS OF RECORD NOT BROUGHT TO THE SURVEYOR'S ATTENTION BY THE CLIENT, THEIR AGENT OR AS DISCLOSED BY A FURNISHED TITLE INSURANCE POLICY WERE NOT INCLUDED. NO INVESTIGATION WAS MADE BY THIS OFFICE INTO THE VALIDITY OF ANY EASEMENTS CITED IN THE LEGAL DESCRIPTION OR FOR ANY ENCUMBRANCES NOT OF RECORD IN THE INFORMATION FURNISHED BY THE CLIENT. A TITLE REPORT OR COMMENTARY WAS FURNISHED THROUGH THE STUART TITLE GUARANTEE COMPANY POLICY SERIAL NUMBER 0-2281 77275, DATE OF POLICY JUNE 2, 2017, AT 2:05 PM. THIS SURVEY IS SUBJECT TO SCHEDULE B PART II EXCEPTIONS OF THE ABOVE MENTIONED TITLE REPORT OR COMMENTARY. EXCEPTIONS FROM STUART TITLE GUARANTEE COMPANY COMMITMENT AS STATED ABOVE AS FOLLOWS: NO EXCEPTIONS LISTED.
  - THE EXPECTED USE OF THE LAND, AS CLASSIFIED IN THE STANDARDS OF PRACTICE (5J17 F.A.C.) IS COMMERCIAL/HIGH RISK. THE MINIMUM RELATIVE DISTANCE ACCURACY OF BOUNDARIES FOR THIS TYPE OF SURVEY IS 1 FOOT IN 10,000 FEET. THIS SURVEY MEETS OR EXCEEDS THE STATED ACCURACY REQUIREMENT.
  - WITH EXCEPTION TO WHAT HAS BEEN FIELD LOCATED AND SHOWN ON THIS SURVEY, THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. SUBSURFACE AND/OR AERIAL ENCROACHMENTS, IF ANY, WERE NOT LOCATED AND/OR DEPICTED ON THIS SURVEY UNLESS NOTED OR IDENTIFIED.
  - THE HEREON DESCRIBED PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X", INSURANCE RATE TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) NUMBER 1211100179, COMMUNITY NUMBER 120281, PANEL 0179, SUFFIX "V" MAP REVISED DATE FEBRUARY 16, 2012, MAP INDEX DATE FEBRUARY 16, 2012.

VERTICAL DATUM AND CONTROL NOTES:  
 THE ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988) AND ARE DISPLAYED IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.  
 ORIGINATING BENCH MARK:  
 DESIGNATION: H 231  
 PID: AF3246  
 STATE/COUNTY: FL / ST LUCIE  
 USGS QUAD: FORT PIERCE (1983)  
 NAD 83 (2011) POSITION: 27 04.95327 (N) 080 19 25.28512 (W)  
 NAD 83 (2011) ELLIP HEIGHT: -25.456 (METERS)  
 NAD 83 ORTHO HEIGHT: 2.086 (METERS) 6.84 (FEET)  
 CEOD HEIGHT: -27.547 (METERS)  
 DESCRIPTION: BENCH MARK DISK STAMPED "H 231 1985 SET IN THE NORTHWEST CORNER OF BRIDGE ABUTMENT OVER MOORES CREEK AND INDIAN RIVER DRIVE. LOCATION IN FORT PIERCE, AT THE INTERSECTION OF AVENUE C AND NORTH INDIAN RIVER DRIVE, SET IN TOP OF AND 1.6 FEET EAST OF THE WEST END OF THE NORTH CONCRETE ABUTMENT OF THE INDIAN RIVER DRIVE.  
 TEMPORARY BENCHMARK(S):  
 TBM #11 SET 1/2"x18" REBAR/CAP STAMPED "CARTER ASSOC. LB 205" N 1133289.07 E 875546.24 EL. 5.68'  
 TBM #12 FOUND "P-K" NAIL/DISK STAMPED "C&T LB 4286" N 1133046.29 E 875596.05 EL. 7.42'  
 TBM #13 SET 1/2"x18" REBAR/CAP STAMPED "CARTER ASSOC. LB 205" N 1132992.24 E 874547.91 EL. 9.38'  
 TBM #14 SET 1/2"x18" REBAR/CAP STAMPED "CARTER ASSOC. LB 205" N 1133105.69 E 875386.82 EL. 12.71'  
 TBM #15 SET 1/2"x18" REBAR/CAP STAMPED "CARTER ASSOC. LB 205" N 1133249.99 E 875334.02 EL. 9.96'  
 TBM #16 SET 1/2"x18" REBAR/CAP STAMPED "CARTER ASSOC. LB 205" N 1133253.83 E 875593.53 EL. 5.66'

- SURVEYOR'S GLOBAL POSITIONING SYSTEM (G.P.S.) NOTES:
- G.P.S. SURVEY METHOD: REAL TIME KINEMATIC (RTK)
  - G.P.S. RECEIVER TYPE: DUAL FREQUENCY LEICA GS 14 / CS 15 GPS/GLONASS GNSS (GLOBAL NAVIGATION SATELLITE SYSTEM), SBAS, CODE AND PHASE (L1 AND L2)
  - THE ORIGINAL GPS RTK MEASUREMENTS BEGAN JANUARY 5, 2018 AND WERE COMPLETED ON JANUARY 10, 2018. TWO LEICA G.P.S. RECEIVERS EQUIPPED WITH RT-SK (REAL TIME MEASUREMENT CAPABILITIES) WERE USED TO GATHER GPS DATA. TYPICALLY A BASE RECEIVER IS SET UP ON AN ESTABLISHED CONTROL STATION WHILE A ROVING RECEIVER LOCATES ESTABLISHED MONUMENTS, IMPROVEMENTS AND/OR TOPOGRAPHIC DATA AND CONTROL THROUGHOUT THE PROJECT AREA. REAL-TIME COORDINATE COMPUTATIONS AND PRECISION INFORMATION ARE DETERMINED VIA RADIO / MODEM LINK WITH THE BASE STATION AND RECORDED AS THREE DIMENSIONAL (3D) POSITIONS.
  - G.P.S. SURVEY MEASUREMENTS WERE PROCESSED AND ADJUSTED USING LEICA INFINITY, VERSION 2.1.0
  - THE HORIZONTAL TARGET ACCURACY FOR THIS SURVEY IS AS FOLLOWS:  
 HORIZONTAL: 8MM + 1PPM (RMS)  
 VERTICAL: 15MM + 1PPM (RMS)
  - HORIZONTAL POSITIONS OF SITE CONTROL WERE ESTABLISHED UTILIZING THE FDOT FFRN "MAX" NETWORK CORRECTION. LOCAL SITE CONTROL VALUES ARE NETWORK CORRECTED (ADJUSTED) POSITIONS.

NO.	REVISION	BY	DATE

**KRAAZ AND KRAAZ FINANCE, LLC**  
 201 SOUTH 2nd STREET  
 SUITE 206  
 FORT PIERCE, FLORIDA 34950  
 TEL: 772-464-5885 FAX:  

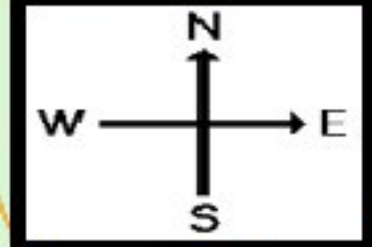
**CAI** Serving Florida Since 1911  
**CARTER ASSOCIATES, INC.**  
 CONSULTING ENGINEERS AND LAND SURVEYORS  
 1708 21st STREET, VERO BEACH, FL 32960  
 TEL: (772) 562-4191 FAX: (772) 562-7180

DATE : JANUARY 2018  
 PROJ. # : 17-86E  
 DRAWN BY: DJM  
 APPD BY: DEL  
 PLOT BY: George Alexander Simons  
 FILE NAME: 17-86E-Survey.dwg  
 REF. # : -  
 F.B. & PG. : 859WB/42+

DAVID E. LUETHJE, P.S.M.  
 FLORIDA LICENSE No. 5728  
 CARTER ASSOCIATES, INC.  
 SIGNATURE DATE  
 COA 205 / LB 205

**BOUNDARY AND TOPOGRAPHIC SURVEY**  
 100 AVENUE A  
 FORT PIERCE, FLORIDA 34950  
 LYING IN PART OF SEC. 10, TWP. 35 SOUTH, RGE. 40 EAST  
 ST. LUCIE COUNTY, FLORIDA

**SHEET**  
**S-1**  
 Dwg. #: 20802-C



2410-503-0042-000-5

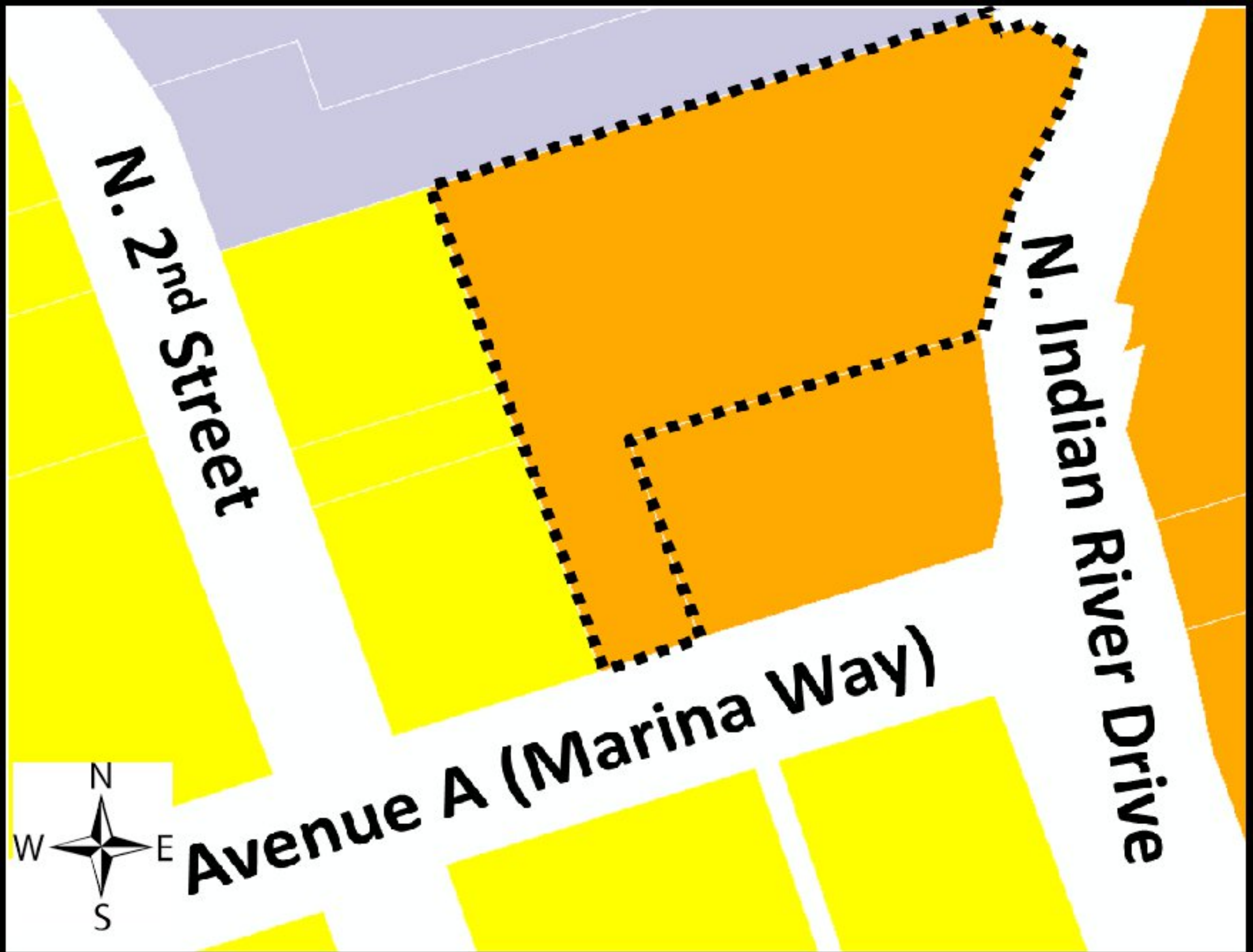


**Location Map**

**100 Avenue A (Marina Way) -  
Second Street Station**



THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*



**Legend**

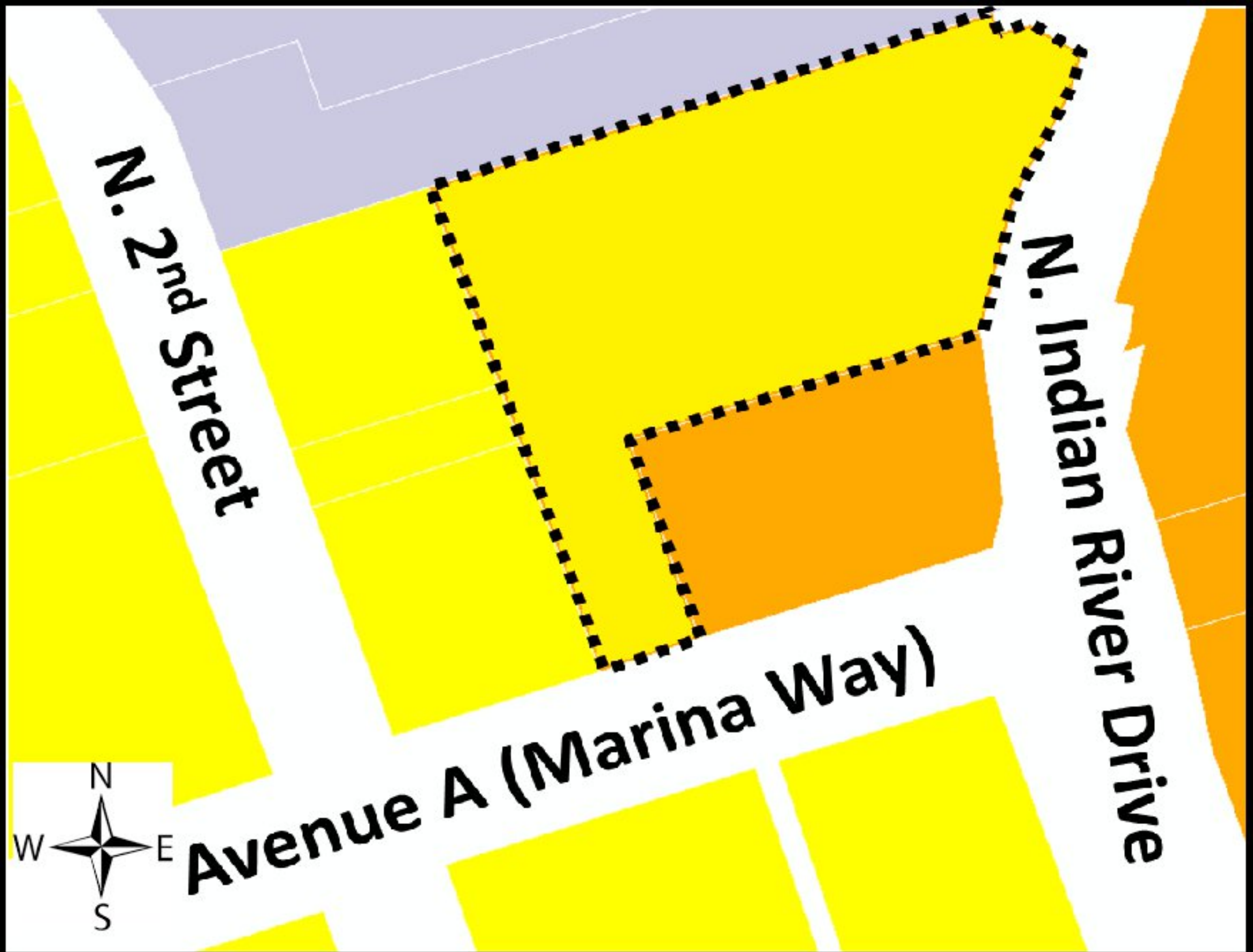
-  **Subject Site**
-  **C-4, Central Commercial Zone**
-  **I-1, Light Industrial Zone**
-  **PUR, Planned Unit Redevelopment**

**Zoning Map**

**Second Street Station -  
100 Avenue A (Marina Way)**



THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*



**Legend**

-  Subject Site
-  C-4, Central Commercial Zone
-  I-1, Light Industrial Zone
-  PUR, Planned Unit Redevelopment

**Proposed Zoning Map**

**Second Street Station -  
100 Avenue A (Marina Way)**



THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*

**STORMWATER MANAGEMENT  
PERMIT APPLICATION  
FOR  
Second Street Station II  
Fort Pierce, Florida  
January 2018**

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John H. Blum, P.E.  
Florida Reg. No. 45813

**PREPARED BY**  
**CARTER ASSOCIATES, INC.**  
**CONSULTING ENGINEERS AND LAND SURVEYORS**  
**C.O.A. #205**  
**1708 21<sup>st</sup> Street**  
**Vero Beach, FL 32960**  
**(772) 562-4191**

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**APPENDIX A – PRE & POST DATA INPUT**

**APPENDIX B – PRE & POST BASIN 25 YEAR 72 HOUR VOLUME RESULTS**

**APPENDIX C – EXFILTRATION TRENCH CALCULATIONS**

**APPENDIX D – ARDAMAN & ASSOCIATES, INC. (SOILS EXPLORATION)**

## I. INTRODUCTION

The proposed project location is 100 Avenue A Fort Pierce, Florida. Currently the site is a marl parking lot used as over flow parking for the adjacent properties. The existing topography of the site allows for runoff to flow to the southeast of the site.

## II. OBJECTIVE / METHODOLOGY

The proposed project, consists of the construction of a 4-unit business/mercantile building (4,896 sf). The construction will include a patio seating area and reconstruction of the existing sidewalk pavers to the south and west of the proposed building. The total proposed parcel will be 6,000.67 sf, of that area 5,308 sf (88.5%) will be impervious. In the City of Ft. Pierce Florida Ordinance No. J-216 Sec. 17-28. (e)(5) when using an exfiltration trench without overflow capabilities the volume must provide the runoff difference of the Pre and Post 25-year-3-day storm event.

## III. PROCEDURE

The stormwater system for the proposed construction will consist of roof gutters conveying the runoff that will tie into one Type 'C' inlet structure. The Type 'C' inlet will capture all of the runoff to the north of the building and tie into an underground exfiltration trench. The exfiltration trench has been sized to hold a volume greater than  $\pm 676$  cubic feet of storage, using the Pre and Post 25-year-3-day event volume difference.

## IV. CONCLUSION

As shown in the exfiltration trench calculations in Appendix C, the total storage volume meets the requirement stated in the City of Ft. Pierce Florida Ordinance No. J-216 Sec. 17-28. (e)(5). The volume in the proposed structure can hold  $\pm 697$  ft<sup>3</sup>, while the difference in volume of the Pre and Post 25-year-3-day event is  $\pm 676$  ft<sup>3</sup>. Thus, the exfiltration trench volume satisfies the required volume storage needed.

# **APPENDIX A**



2nd Street  
Max Volume  
1/22/18

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-----  
Name: Pre25-96                    Hydrology Sim: Pre25-96  
Filename: N:\JHB\P\17-76E JHL Partners\Model\Pre25-96.I32

Execute: No                    Restart: No                    Patch: No  
Alternative: No

Max Delta Z(ft): 1.00                    Delta Z Factor: 0.00500  
Time Step Optimizer: 10.000  
Start Time(hrs): 0.000                    End Time(hrs): 96.00  
Min Calc Time(sec): 0.5000                    Max Calc Time(sec): 60.0000  
Boundary Stages:                    Boundary Flows:

Time(hrs)	Print Inc(min)
96.000	15.000

Group	Run
2nd Street Pre	Yes

# **APPENDIX B**

2nd Street  
Max Volume  
1/22/18

Simulation	Basin	Group	Time Max hrs	Flow Max cfs	Volume in	Volume ft3
Post25-3	Site2nd Street	Post	59.99	0.657	9.006	4511.227
Pre25-3	Site 2nd Street	Pre	59.99	0.628	7.657	3835.906

# **APPENDIX C**

## EXFILTRATION TRENCH CALCULATION

Pipe		
	pi	3.14
	Radius	1 ft
	length	19 ft
Volume (For 2 Pipes)		119.38 ft <sup>3</sup>
Trench		
	width	13.5 ft
	depth	4.5 ft
	length	21 ft
Volume		578.18 ft <sup>3</sup>
Total		
Volume		697.57 ft <sup>3</sup>

### Volume Comparison

#### 25 Year 3 Day - Volume

Pre: 3835.906 ft<sup>3</sup>  
 Post: 4511.227 ft<sup>3</sup>  
 Difference: 675.321 ft<sup>3</sup>

Exfiltration Trench Volume	>	25 Year 3 Day Volume Difference
697.57 ft <sup>3</sup>		675.321 ft <sup>3</sup>

# **APPENDIX D**

**Subsurface Soil Exploration  
Historic Cobb Corner  
Property Improvements  
Indian River Drive  
Fort Pierce, Florida**



**Ardaman & Associates, Inc.**

**OFFICES**

- Orlando** – 8008 S. Orange Avenue, Orlando Florida 328098 – Phone (407) 855-3860
- Alexandria** – 3609 Mac Lee Drive, Alexandria, Louisiana 71302 – Phone (318) 443-2888
- Bartow** – 1525 Centennial Drive, Bartow, Florida 33830 – Phone (863) 533-0858
- Baton Rouge** – 316 Highlandia Drive, Baton Rouge, Louisiana 70884 – Phone (225) 752-4790
- Cocoa** – 1300 N. Cocoa Blvd., Cocoa, Florida 32922 – Phone (321) 632-2503
- Fort Myers** – 9970 Bavaria Road, Fort Myers, Florida 33913 – Phone (239) 768-6600
- Miami** – 2608 W. 84<sup>th</sup> Street, Hialeah, Florida 33016 – Phone (305) 825-2683
- Monroe** – 1122 Hayes Street, West Monroe, Louisiana 71292 – Phone (318) 387-4103
- New Orleans** – 1305 Distributors Row, Suite I, Jefferson, Louisiana 70123 – Phone (504) 835-2593
- Port St. Lucie** – 460 Concourse Place NW, Unit 1, Port St. Lucie, Florida 34986 – Phone (772) 878-0072
- Sarasota** – 78 Sarasota Center Blvd., Sarasota, Florida 34240 – Phone (941) 922-3526
- Shreveport** – 7222 Greenwood Road, Shreveport, Louisiana 71119 – Phone (318) 636-3673
- Tallahassee** – 3175 West Tharpe Street, Tallahassee, Florida 32303 – Phone (850) 576-6131
- Tampa** – 3925 Coconut Palm Drive, Suite 115, Tampa, Florida 33619 – Phone (813) 620-3389
- West Palm Beach** – 2200 North Florida Mango Road, Suite 101, West Palm Beach, Florida 33409 – Phone (561) 687-8200

**MEMBERS:**  
A.S.F.E.  
American Concrete Institute  
ASTM International  
Florida Institute of Consulting Engineers



## Ardaman & Associates, Inc.

Geotechnical, Environmental and  
Materials Consultants

September 27, 2017

File No. 17-5464

Kraaz and Kraaz Finance, Inc.  
201 South 2<sup>nd</sup> Street, Unit 206  
Fort Pierce, Florida 34950

Attention: Mr. Brian Stone

Subject: **Subsurface Soil Exploration  
Historic Cobb Corner Property Improvements  
Indian River Drive  
Fort Pierce, Florida**

Mr. Stone:

As requested and authorized, we have completed a shallow subsurface soil exploration and geotechnical engineering evaluation for the subject project. The purposes of performing this exploration were to evaluate the general subsurface conditions within the proposed two-story or three-story building and associated parking/driving areas, and to provide recommendations for site preparation and foundation support. This report documents our findings and presents our engineering recommendations.

### **SITE LOCATION AND SITE DESCRIPTION**

The Historic Cobb Corner Property is located at the northwest corner of the intersection on Indian River Drive and Avenue A in Fort Pierce, St. Lucie County, Florida (Section 10, Township 35 South, Range 40 East). The general site location is shown superimposed on the Fort Pierce, Florida USGS quadrangle map presented on Figure 1. The subject area for the proposed building is currently undeveloped, sparsely wooded and unimproved parking areas.

### **PROPOSED CONSTRUCTION AND GRADING**

Based on the information provided, it is our understanding that the project entails the design and construction of a two-story or three-story building and associated parking/dive areas to the north of the historical P.P. Cobb Building. For the purpose of our analysis, we assumed that the proposed building will consist of load bearing walls and interior columns with a slab-on-grade floor. Typical anticipated loading conditions for the two-story or three-story structure were not provided, but have been assumed to be on the order of 3 to 5 kips per linear foot for wall foundations and 50 to 70 kips for individual column foundations. We have assumed less than 4 feet of fill is anticipated to bring the building and parking areas to final elevation. If actual building loads or fill heights exceed our assumptions, then the recommendations in this report may not be valid.

### **REVIEW OF SOIL SURVEY MAPS**

The Soil Survey of St. Lucie County, Florida, which was issued by the U.S. Department of Agriculture, Soil Conservation Service in 1980, states that the predominant surficial soil type in the area where the site is located is *Urban land*. A brief description of this soil type, as taken from the Soil Survey, is presented below.

According to the USDA Soil Survey, *Urban land* consists of areas that are more than 70 percent covered by airports, shopping centers, parking lots, large buildings, streets, and sidewalks. Other areas, for example, lawns, parks, vacant lots, and playgrounds are made up mostly of Ankona, Lawnwood, Nettles, Pendarvis, Pepper, Tantile, St. Lucie, Paola, and Waveland soils. The surface of these soils, to a depth of about 12 inches, has been covered with fill material consisting of sandy and loamy materials which contain limestone and shell fragments in places. These areas of soils are too small to be mapped separately.

### FIELD EXPLORATION PROGRAM

The field exploration program included performing two (2) Standard Penetration Test (SPT) borings (B-1 and B-2 on Figure 2) in the vicinity of the proposed building area and two (2) auger borings (AB-1 and AB-2) within or in the vicinity of the surrounding parking/drive areas. The SPT borings were advanced to an approximate depth of 20 feet below the existing ground surface using the general methodology outlined in ASTM D-1586. The auger borings were conducted using a 4-inch diameter continuous flight auger to the depth of 10 feet below the existing ground surface. Descriptions of these field procedures are included in the Appendix.

Soil samples were recovered from the sampler or auger during performance of the borings. The samples were visually classified in the field and representative portions of the samples were transported to our laboratory in sealed sample jars. The groundwater level at each of the boring locations was measured during drilling. Upon completion, the borings were backfilled with soil cuttings. The approximate locations of the borings are shown on Figure 2. These locations were determined in the field by estimating distances from existing site features and should be considered accurate only to the degree implied by the method of measurement used.

In order to estimate the hydraulic conductivity of the shallow soils, two constant-head exfiltration tests (Exfil-1 and Exfil-2) were performed in the vicinity of the proposed stormwater treatment areas as shown on Figure 2. These tests were performed in general accordance with the methods described in the South Florida Water Management District (SFWMD) Permit Information Manual, Volume IV. In brief, the hydraulic conductivities obtained from exfiltration tests Exfil-1 and Exfil-2 are shown in the table below.

Test Number	Boring location	Hydraulic Conductivity (cfs/ft <sup>2</sup> - ft)
Exfil-1	Exfil-1	5.49 x 10 <sup>-4</sup>
Exfil-2	Exfil-2	5.92 x 10 <sup>-4</sup>

It is noted that a suitable factor of safety should be used with this value. In addition, for the type of soils tested, a transformation ratio of 1 horizontal to 1 vertical is appropriate (i.e; the estimated ratio of horizontal to vertical permeability).

### LABORATORY PROGRAM

Representative soil samples obtained during our field sampling operation were packaged and transferred to our laboratory for further visual examination and classification. The soil samples were visually classified in general accordance with the Unified Soil Classification System (ASTM D-2488). The resulting soil descriptions are shown on the soil boring profiles presented on Figures 3 and 4.

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## GENERAL SUBSURFACE CONDITIONS

### General Soil Profile

The results of the field exploration and laboratory programs are graphically summarized on the soil boring profiles presented on Figures 3 and 4. The stratification of the boring profiles represents our interpretation of the field boring logs and the results of laboratory examinations of the recovered samples. The stratification lines represent the approximate boundary between soil types. The actual transitions may be more gradual than implied.

As shown on the soil boring profiles on Figures 3, the SPT borings typically encountered loose to dense, light brown to brown and light gray to gray fine sand (Unified Soil Classification SP), fine sand with silt (SP-SM), and fine sand with clay (SP-SC) to the boring termination depths of 20 feet. As shown on Figure 4, the auger borings encountered similar soils to a depth of 10 feet below the existing ground surface. These soil profiles are outlined in general terms only. Please refer to Figures 3 and 4 for soil profile details.

### Groundwater Level

The groundwater level was measured in the boreholes on the day drilled. As shown on Figures 3 and 4, groundwater was encountered in the borings at approximate depths ranging from 7 to 9 feet below the existing ground surface on the date indicated. Fluctuations in groundwater levels should be anticipated throughout the year primarily due to seasonal variations in rainfall and other factors that may vary from the time the borings were conducted.

### NORMAL SEASONAL HIGH GROUNDWATER LEVEL

The normal seasonal high groundwater level each year is the level in the August-September period at the end of the rainy season during a year of normal (average) rainfall. The water table elevations associated with a higher than normal rainfall and in the extreme case, flood, would be higher to much higher than the normal seasonal high groundwater level. The normal high water levels would more approximate the normal seasonal high groundwater levels.

The seasonal high groundwater level is affected by a number of factors. The drainage characteristics of the soils, the land surface elevation, relief points such as drainage ditches, lakes, rivers, swamp areas, etc., and distance to relief points are some of the more important factors influencing the seasonal high groundwater level.

Based on our interpretation of the site conditions using the soil borings and the Soil Survey, we preliminarily estimate the normal seasonal high groundwater level at the boring locations to be approximately 1 to 2 feet above the groundwater level measured in the boreholes at the time of our field exploration.

## ENGINEERING EVALUATION AND RECOMMENDATIONS

### General

The results of our exploration and analysis indicate that, with proper site preparation as recommended in this report, the existing soils are suitable for supporting the proposed two-story or three-story building on a conventional shallow foundation system. Spread footings should

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provide an adequate support system for the structure. The soil borings typically encountered suitable sandy soils at the locations and depths explored.

The following are our recommendations for overall site preparation and foundation support which we feel are best suited for the proposed buildings and existing soil conditions. The recommendations are made as a guide for the design engineer and/or architect, parts of which should be incorporated into the project's specifications.

### **Stripping and Grubbing**

The "footprint" of the proposed building area, plus a minimum margin of five feet, should be stripped of all surface vegetation, stumps, debris, concrete, asphalt, organic topsoil or other deleterious materials, as encountered. Buried utilities should be removed or plugged to eliminate conduits into which surrounding soils could erode.

After stripping, the site should be grubbed or root-raked such that roots with a diameter greater than ½ inch, stumps, or small roots in a dense state, are completely removed. The actual depth(s) of stripping and grubbing must be determined by visual observation and judgment during the earthwork operation.

Special care should be taken to ascertain that all existing foundations, slabs, and any other underground structures are removed from the proposed construction area. If pipes or any collapsible or leak prone utilities are not removed or completely filled (with grout or concrete), they may serve as conduits for subsurface erosion resulting in excessive settlements. Over-excavated areas resulting from the removal of underground structures and unsuitable materials should be backfilled in accordance with the fill soils section of this report. This excavation must not undermine the existing facilities and/or building foundations. Provide shoring, bracing, and/or underpinning of existing footings as necessary to protect from failure.

It has been our experience that soils surrounding existing buildings sometimes contain pockets of construction debris or other deleterious materials requiring removal and replacement with compacted clean fine sands. Therefore, we strongly recommend that the stripped surface be inspected and approved by Ardaman & Associates, Inc. prior to filling the site.

### **Proof-rolling**

We recommend proof-rolling the cleared surface to locate any unforeseen soft areas or unsuitable surface or near-surface soils, to increase the density of the upper soils, and to prepare the existing surface for the addition of the fill soils (as required). Proof-rolling of the building areas should consist of at least 10 passes of a compactor capable of achieving the density requirements described in the next paragraph. Each pass should overlap the preceding pass by 30 percent to achieve complete coverage. If deemed necessary, in areas that continue to "yield", remove all deleterious material and replace with clean, compacted sand backfill. The proof-rolling should occur after cutting and before filling. The number of passes can be reduced to three within the parking/drive areas.

A density equivalent to or greater than 95 percent of the modified Proctor (ASTM D-1557) maximum dry density value for a depth of 1 foot must be achieved beneath the stripped and grubbed ground surface. Additional passes and/or over-excavation and recompaction may be

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required if these minimum density requirements are not achieved. The soil moisture should be adjusted as necessary during compaction.

We recommend that the existing surface be level and firm prior to the addition of fill soils. Proof-rolling with a front-end loader may help achieve the desired surface and compaction condition before adding the fill soils. The site should be dewatered as necessary.

Care should be exercised to avoid damaging any neighboring structures while the compaction operation is underway. Prior to commencing compaction, occupants of adjacent structures should be notified and the existing condition (i.e. cracks) of the structures documented with photographs and survey (if deemed necessary). Compaction should cease if deemed detrimental to adjacent structures, and Ardaman & Associates should be notified immediately.

### **Vibrations**

We recommend that the site preparation contractor closely monitor the vibrations produced during the compaction operations so that they do not adversely affect the adjacent structures. A seismograph with a suitable indicator range should be arranged on the site during the compaction operations to verify that ground vibrations are maintained within acceptable levels, and special attention given to limiting ground vibrations with acceptable levels adjacent to nearby existing structures. Additionally, the contractor and design engineer should determine if existing structures will be especially susceptible to vibrations caused during this phase of the project. A pre-condition survey should also be performed prior to construction to document pre-existing cracks or other signs of existing damage to the structures. Ardaman and Associates would be pleased to provide these services, if requested.

### **Suitable Fill Material and the Compaction of Fill Soils**

All fill soil should be free of organic materials, such as roots and vegetation. We recommend using fill with less than 12 percent by dry weight of material passing the U.S. Standard No. 200 sieve size. Soils with more than 12 percent passing the No. 200 sieve can be used in some applications, but will be more difficult to compact due to their inherent nature to retain soil moisture.

All structural fill should be placed in level lifts not to exceed 12 inches in uncompacted thickness. Each lift should be compacted to at least 95 percent of the modified Proctor (ASTM D-1557) maximum dry density value. The filling and compaction operations should continue in lifts until the desired elevation(s) is achieved. If hand-held compaction equipment is used, the lift thickness should be reduced to no more than 6 inches.

### **Foundation Support by Spread Footings and Foundation Compaction Criteria**

Excavate the foundations to the proposed bottom of footing elevations and, thereafter, verify the in-place compaction for a depth of 1 foot below the footing bottoms. If necessary, compact the soils at the bottom of the excavations to at least 95 percent of the modified Proctor maximum dry density (ASTM D-1557) for a depth of 1 foot below the footing bottoms. Based on the existing soil conditions and, assuming the above outlined proof-rolling and compaction criteria are implemented, an allowable soil bearing pressure of 2,500 pounds per square foot (psf) may be used in the foundation design. This bearing pressure should result in foundation settlement within tolerable limits (i.e., 1 inch or less).

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All bearing wall foundations should be a minimum of 18 inches wide and column foundations 24 inches wide. A minimum soil cover of 24 inches should be maintained from the bottom of the foundations to the adjacent finished grades.

### **Floor Slab Moisture Reducer and Slab Compaction Requirements**

Compaction beneath all floor slabs should be verified for a depth of 12 inches and meet the 95 percent criteria (modified Proctor, ASTM D-1557).

Precautions should be taken during the slab construction to reduce moisture entry from the underlying subgrade soils. Moisture entry can be reduced by installing a membrane between the subgrade soils and floor slab. Care should be exercised when placing the reinforcing steel (or mesh) and slab concrete such that the membrane is not punctured. We note that the membrane alone does not prevent moisture from occurring beneath or on top of the slab.

If interior columns are isolated from the floor slab, an expansion joint should be provided around the columns and sealed with a water-proof sealant. We note that the site has a relatively high groundwater table level which needs to be considered if any recessed slabs or sump pits (i.e., loading docks, etc.) are being planned for the site.

### **Typical Asphaltic Concrete Surface Pavement Section**

#### Site Preparation

All areas to be paved should be prepared as previously outlined. Prior to stabilized subgrade and pavement base installation, the subgrade soil compaction should be verified for a depth of 2 feet (i.e., compacted to at least 95 percent of the modified Proctor (ASTM D-1557, AASHTO T-180) maximum dry density value).

#### Limerock/Coquina Base

An 8-inch thick limerock or coquina base course having a minimum Limerock Bearing Ratio (LBR) value of 100, overlying a 12-inch thick stabilized subgrade can be used provided that grading and drainage plans preclude periodic saturation of the base material. The periodic saturation of a limerock/coquina base material could lead to premature pavement distress. A minimum clearance of 18 inches must be maintained between the bottom of the limerock/coquina base and the seasonal high groundwater table.

The limerock or coquina should be compacted to at least 98 percent of the modified Proctor (ASTM D-1557, AASHTO T-180) maximum density value. For bus and/or truck parking and drive areas, the base thickness should be increased to a minimum of 10 inches.

A minimum 12-inch thick stabilized subgrade having a minimum Limerock Bearing Ratio (LBR) value of 40 must be achieved beneath the base. The natural soils will have to be stabilized with suitable clayey soil or another approved stabilization material in order to achieve the required LBR value. The stabilized subgrade must be compacted to at least 98 percent of the modified Proctor maximum dry density (ASTM D-1557, AASHTO T-180). The stabilized subgrade must be firm and unyielding immediately prior to placement of the base material.

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### Wearing Surface

A minimum 1½ inch layer of Type SP-9.5 or SP-12.5 asphaltic concrete should be used for a wearing surface in automobile parking/drive areas. For bus and/or truck parking/drive areas, at least 2½ inches of Type SP-9.5 or SP-12.5 asphaltic concrete should be used. The asphalt wearing surface must be placed on an adequately compacted and unyielding base course. Specific requirements for the Type-SP asphaltic concrete wearing surface are outlined in Section 334 in the Florida Department of Transportation, Standard Specifications for Road and Bridge Construction, Latest Edition.

The latest specifications of Florida Department of Transportation shall govern the design and placement of the base and asphaltic concrete wearing surface. The above minimum requirements will satisfactorily support Traffic Level A\*. If a heavier traffic pattern is anticipated, the design section should be increased accordingly.

### **Retention Ponds**

We understand that dry bottom retention ponds or exfiltration trenches are planned for the site. For this study, soil conditions were explored in the proposed stormwater treatment areas with two auger boring to a depth of 5 feet in conjunction with field exfiltration tests (Exfil – 1 and Exfil – 2). The fine sand, fine sand with silt and fine sand with clay soils (Strata Nos. 1, 2 and 3 on Figure 3) encountered in the borings are considered to be relatively permeable.

For dry bottom retention ponds, pond performance will be significantly influenced by the soil permeability and the vertical separation between the pond bottom and the seasonal high groundwater level. Ardaman & Associates, Inc. would be pleased to assist in evaluating the design exfiltration rates, underdrains and/or groundwater baseflow as pond geometry and stormwater volume requirements become available.

### **QUALITY ASSURANCE**

We recommend establishing a comprehensive quality assurance program to verify that all site preparation and foundation and pavement construction is conducted in accordance with the appropriate plans and specifications. Materials testing and inspection services should be provided by Ardaman & Associates, Inc.

As a minimum, an on-site engineering technician should monitor all stripping and grubbing to verify that all deleterious materials have been removed and should observe the proof-rolling operation to verify that the appropriate numbers of passes are applied to the subgrade. In-situ density tests should be conducted during filling activities and below all footings, floor slabs and pavement areas to verify that the required densities have been achieved. In-situ density values should be compared to laboratory Proctor moisture-density results for each of the different natural and fill soils encountered.

Additionally for the pavements, Limerock Bearing Ratio tests should be performed. The base course(s) should be tested for density and thickness. Samples of the asphaltic concrete should

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\* Reference: "Flexible Pavement Design Manual", Florida Department of Transportation. (Latest Edition)

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be obtained and tested in the laboratory for Marshall stability, flow, asphalt content, and aggregate gradation. Also, the asphaltic concrete thickness should be verified in the field.

Finally, we recommend inspecting and testing the construction materials for the foundations and other structural components.

### **IN-PLACE DENSITY TESTING FREQUENCY**

In Southeast Florida, earthwork testing is typically performed on an on-call basis when the contractor has completed a portion of the work. The test result from a specific location is only representative of a larger area if the contractor has used consistent means and methods and the soils are practically uniform throughout. The frequency of testing can be increased and full-time construction inspection can be provided to account for variations. We recommend that the following minimum testing frequencies be utilized.

In proposed structural areas, the minimum frequency of in-place density testing should be one test for each 2,500 square feet of structural area (minimum of five test locations per building). In-place density testing should be performed at this minimum frequency for a depth of 1 foot below natural ground and for every 1-foot lift of fill placed in the structural areas. In addition, density tests should be performed in each column footing for a depth of 1 foot below the bearing surface. For continuous or wall footings, density tests should be performed at a minimum frequency of one test for every 50 lineal feet of footing, and for a depth of 1 foot below the bearing surface.

In proposed parking areas, a minimum frequency of one In-place density test for each 5,000 square feet of area should be used. The existing, natural ground should be tested to a depth of 12 inches at the prescribed frequency. Each 12-inch lift of fill, as well as the stabilized subgrade (where applicable) and base should be tested at this frequency. Utility backfill should be tested at a minimum frequency of one In-place density test for each 12-inch lift for each 200 lineal feet of pipe. Additional tests should be performed in backfill for manholes, inlets, etc.

Representative samples of the various natural ground and fill soils should be obtained and transported to our laboratory for Proctor compaction tests. These tests will determine the maximum dry density and optimum moisture content for the materials tested and will be used in conjunction with the results of the in-place density tests to determine the degree of compaction achieved.

### **CLOSURE**

The analyses and recommendations submitted herein are based on the data obtained from the soil borings presented on Figures 3 and 4, and on the assumed loading conditions. This report does not reflect any variations which may occur adjacent to or between the borings. The nature and extent of the variations between the borings may not become evident until during construction. If variations then appear evident, it will be necessary to re-evaluate the recommendations presented in this report after performing on-site observations during the construction period and noting the characteristics of the variations. This study does not include an evaluation of the environmental (ecological or hazardous/toxic material related) condition of the site and subsurface.

This report has been prepared for the exclusive use of Kraaz and Kraaz Finance, Inc. in accordance with generally accepted geotechnical engineering practices. In the event any changes

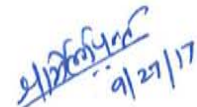
occur in the design, nature, or location of the proposed facility, we should review the applicability of conclusions and recommendations in this report. We recommend a general review of final design and specifications by our office to verify that earthwork and foundation recommendations are properly interpreted and implemented in the design specifications. Ardaman and Associates should attend the pre-bid and preconstruction meetings to verify that the bidders/contractor understand the recommendations contained in this report.

We are pleased to be of assistance to you on this phase of the project. When we may be of further service to you or should you have any questions, please contact us.

Best regards,

**ARDAMAN & ASSOCIATES, INC.**  
Certificate of Authorization No. 5950

  
Dan J. Zrallack, P.E.  
Branch Manager  
Florida License No. 63911

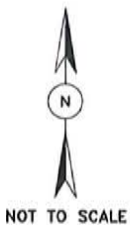
  
Sharmila Pant  
Assistant Project Engineer





SECTION 10  
TOWNSHIP 35 SOUTH  
RANGE 40 EAST

OBTAINED FROM U.S.G.S. QUAD MAPS: FORT PIERCE, FLORIDA 1949  
(PHOTOREVISED 1970)



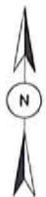
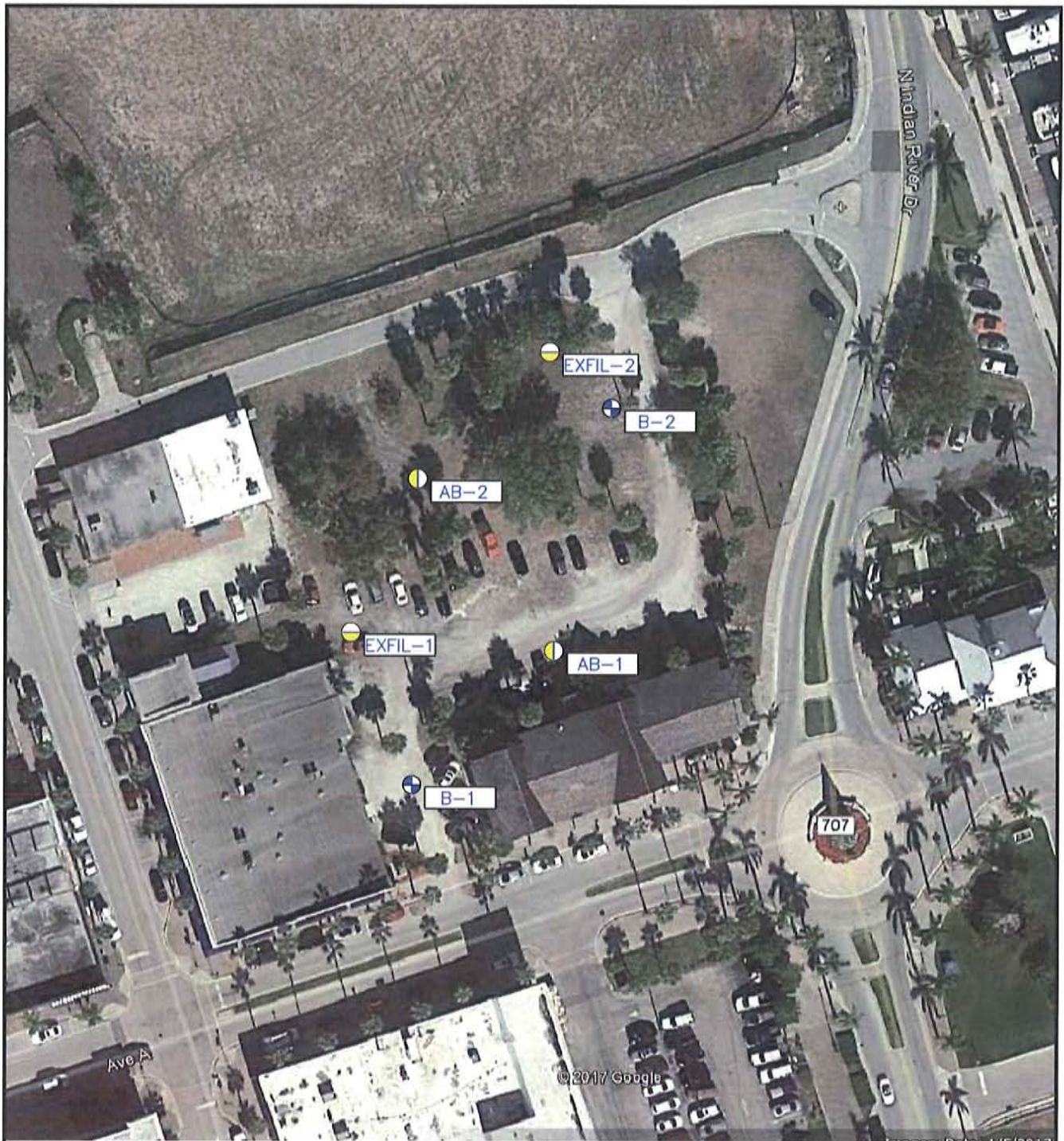
QUADRANGLE LOCATION

### SITE LOCATION MAP




**Ardaman & Associates, Inc.**  
Geotechnical, Environmental and  
Materials Consultants

Subsurface Soil Exploration  
Historic Cobb Corner Property Improvements  
Indian River Drive  
Fort Pierce, Florida


DRAWN BY: SP	CHECKED BY:	DATE: 09/25/17
FILE NO. 17-5464	APPROVED BY:	FIGURE: 1



NOT TO SCALE

-  AB AUGER BORING LOCATION
-  B STANDARD PENETRATION TEST (SPT) BORING LOCATION
-  EXFIL EXFILTRATION TEST LOCATION

## SOIL BORING LOCATIONS

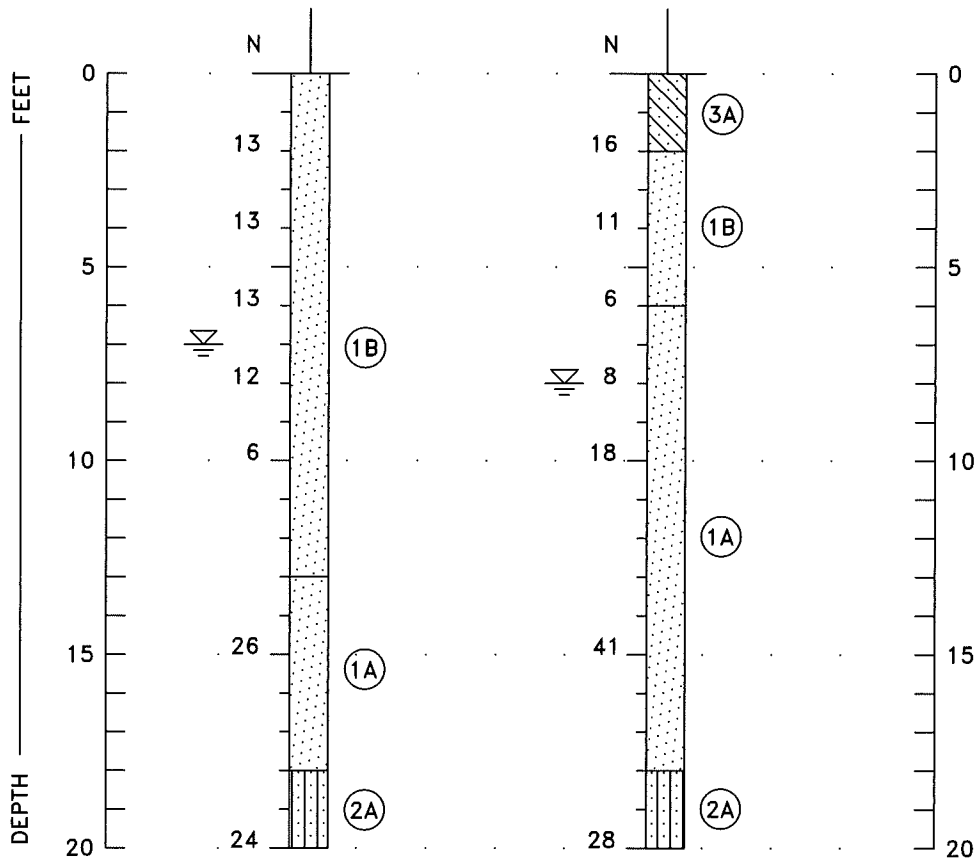
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Geotechnical, Environmental and  
Materials Consultants

Subsurface Soil Exploration  
Historic Cobb Corner Property Improvements  
Indian River Drive  
Fort Pierce, Florida

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FILE NO. 17-5464	APPROVED BY:	FIGURE: 2

BORING: B-1  
DATE DRILLED: 09/21/17

BORING: B-2  
DATE DRILLED: 09/21/17



**LEGEND**

SOIL DESCRIPTIONS

COLORS

ENGINEERING CLASSIFICATION

- ① FINE SAND (SP)
- ② FINE SAND WITH SILT (SP-SM)
- ③ FINE SAND WITH CLAY (SP-SC)

- Ⓐ LIGHT BROWN TO BROWN
- Ⓑ LIGHT GRAY TO GRAY

I COHESIONLESS SOILS

DESCRIPTION	BLOW COUNT "N"
VERY LOOSE	<4
LOOSE	4 TO 10
MEDIUM DENSE	10 TO 30
DENSE	30 TO 50
VERY DENSE	>50

N STANDARD PENETRATION RESISTANCE IN BLOWS PER FOOT

GROUNDWATER LEVEL MEASURED ON DATE DRILLED

SP,SP-SM UNIFIED SOIL CLASSIFICATION SYSTEM (ASTM D-2487)  
SM,SC,CH

NOTE: ALL SPT BORINGS WERE PERFORMED USING A HAND AUGER IN THE UPPER 4 FEET AND AN AUTOMATIC HAMMER BELOW 4 FEET TO THE BORING TERMINATION DEPTH. AUTOMATIC HAMMER N-VALUES MAY BE CONVERTED TO EQUIVALENT SAFETY HAMMER N-VALUES BY MULTIPLYING BY 1.24.

WHILE THE BORINGS ARE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT THEIR RESPECTIVE LOCATIONS AND FOR THEIR RESPECTIVE VERTICAL REACHES, LOCAL VARIATIONS CHARACTERISTIC OF THE SUBSURFACE MATERIALS OF THE REGION ARE ANTICIPATED AND MAY BE ENCOUNTERED. THE BORING LOGS AND RELATED INFORMATION ARE BASED ON THE DRILLER'S LOGS AND VISUAL EXAMINATION OF SELECTED SAMPLES IN THE LABORATORY. THE DELINEATION BETWEEN SOIL TYPES SHOWN ON THE LOGS IS APPROXIMATE AND THE DESCRIPTION REPRESENTS OUR INTERPRETATION OF SUBSURFACE CONDITIONS AT THE DESIGNATED BORING LOCATIONS ON THE PARTICULAR DATE DRILLED.

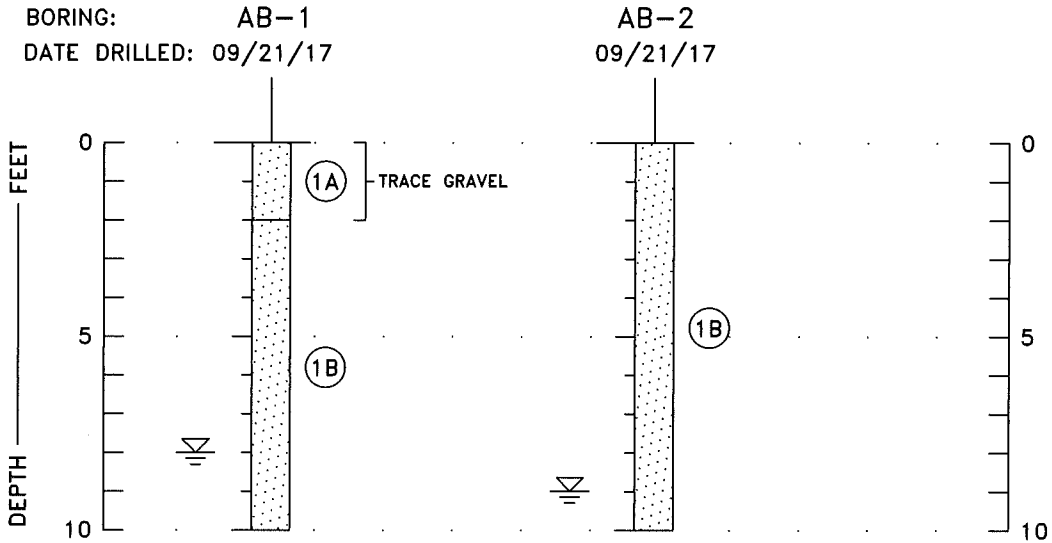
GROUNDWATER ELEVATIONS SHOWN ON THE BORING LOGS REPRESENT GROUNDWATER SURFACES ENCOUNTERED ON THE DATES SHOWN. FLUCTUATIONS IN WATER TABLE LEVELS SHOULD BE ANTICIPATED THROUGHOUT THE YEAR.

**SOIL BORING PROFILES**

**Ardaman & Associates, Inc.**  
Geotechnical, Environmental and  
Materials Consultants

Subsurface Soil Exploration  
Historic Cobb Corner Property Improvements  
Indian River Drive  
Fort Pierce, Florida

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FILE NO. 17-5464	APPROVED BY:	FIGURE: 3



### LEGEND

#### SOIL DESCRIPTIONS

#### COLORS

- |  |                               |  |                          |
|--|-------------------------------|--|--------------------------|
|  | ① FINE SAND (SP)              |  | (A) LIGHT BROWN TO BROWN |
|  | ② FINE SAND WITH SILT (SP-SM) |  | (B) LIGHT GRAY TO GRAY   |
|  | ③ FINE SAND WITH CLAY (SP-SC) |  |                          |

GROUNDWATER LEVEL MEASURED ON DATE DRILLED

SP,SP-SM  
UNIFIED SOIL CLASSIFICATION SYSTEM (ASTM D-2487)  
SM,SC,CH

#### NOTE:

WHILE THE BORINGS ARE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT THEIR RESPECTIVE LOCATIONS AND FOR THEIR RESPECTIVE VERTICAL REACHES, LOCAL VARIATIONS CHARACTERISTIC OF THE SUBSURFACE MATERIALS OF THE REGION ARE ANTICIPATED AND MAY BE ENCOUNTERED. THE BORING LOGS AND RELATED INFORMATION ARE BASED ON THE DRILLER'S LOGS AND VISUAL EXAMINATION OF SELECTED SAMPLES IN THE LABORATORY. THE DELINEATION BETWEEN SOIL TYPES SHOWN ON THE LOGS IS APPROXIMATE AND THE DESCRIPTION REPRESENTS OUR INTERPRETATION OF SUBSURFACE CONDITIONS AT THE DESIGNATED BORING LOCATIONS ON THE PARTICULAR DATE DRILLED.

GROUNDWATER ELEVATIONS SHOWN ON THE BORING LOGS REPRESENT GROUNDWATER SURFACES ENCOUNTERED ON THE DATES SHOWN. FLUCTUATIONS IN WATER TABLE LEVELS SHOULD BE ANTICIPATED THROUGHOUT THE YEAR.

### SOIL BORING PROFILES

Ardaman & Associates, Inc.  
Geotechnical, Environmental and  
Materials Consultants

Subsurface Soil Exploration  
Historic Cobb Corner Property Improvements  
Indian River Drive  
Fort Pierce, Florida

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FILE NO. 17-5464	APPROVED BY:	FIGURE: 4



**HYDRAULIC CONDUCTIVITY TEST LOG  
SFWMD USUAL OPEN-HOLE TEST**

**Exfil-1**

PROJECT: Historic Cobb Corner Property Improvements

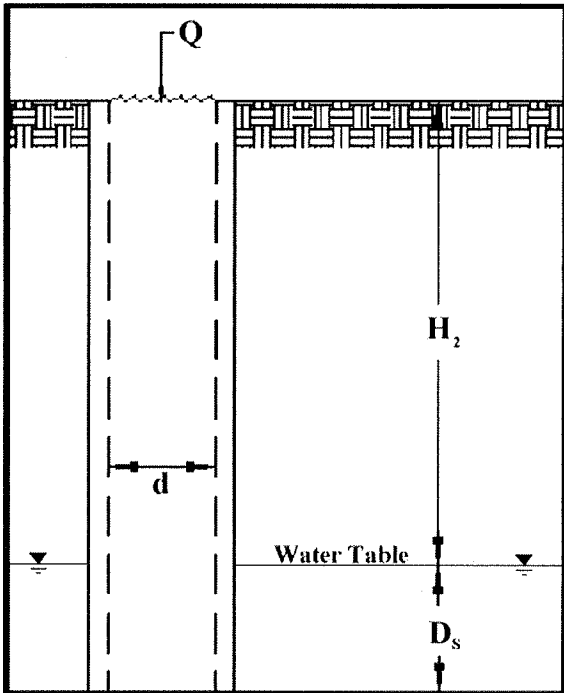
FILE No.: 17-5464

TEST LOCATION: Exfil-1

DRILL CREW: AR

GROUNDWATER OBSERVED AT DEPTH 7 ft.

TEST DATE: 08/29/2017



$$K = \frac{4Q}{\pi d(2H_2^2 + 4H_2 D_s + H_2 d)}$$

Q ["Stabilized" Flow Rate (cfs)] =  $9.80 \times 10^{-3}$

K [Hydraulic Conductivity (cfs/sqft - ft head)] =  $5.49 \times 10^{-4}$

d [Diameter of Test Hole (ft)] = 0.5

H<sub>2</sub> [Depth to Water Table (ft)] = 7

\* D<sub>s</sub> [Saturated Hole Depth (ft)] = -2

\* By Groundwater

DEPTH	SYMBOLS	SOIL DESCRIPTION	SAMPLE No.
0		Brown fine sand (SP)	1
1		Light gray fine sand (SP)	2
5		End of Boring	
6			

NOTES:



**HYDRAULIC CONDUCTIVITY TEST LOG  
SFWMD USUAL OPEN-HOLE TEST**

**Exfil-2**

PROJECT: Historic Cobb Corner Property Improvements

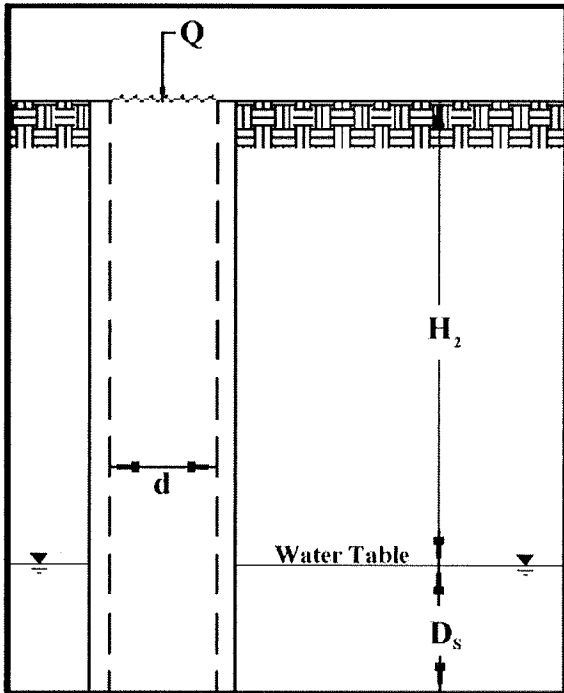
FILE No.: 17-5464

TEST LOCATION: Exfil-2

DRILL CREW: AR

GROUNDWATER OBSERVED AT DEPTH 7 ft.

TEST DATE: 08/29/2017



$$K = \frac{4Q}{\pi d(2H_2^2 + 4H_2 D_s + H_2 d)}$$

Q ["Stabilized" Flow Rate (cfs)] =  $1.06 \times 10^{-2}$

K [Hydraulic Conductivity (cfs/sqft - ft head)] =  $5.92 \times 10^{-4}$

d [Diameter of Test Hole (ft)] = 0.5

H<sub>2</sub> [Depth to Water Table (ft)] = 7

\* D<sub>s</sub> [Saturated Hole Depth (ft)] = -2

\* By Groundwater

DEPTH	SYMBOLS	SOIL DESCRIPTION	SAMPLE No.
0		Brown fine sand (SP)	1
1		Light gray fine sand (SP)	2
2			
3			
4			
5		End of boring	
6			

NOTES:

## **APPENDIX**

### **Drilling Procedures**

## **STANDARD PENETRATION TEST**

The standard penetration test is a widely accepted test method of *in situ* testing of foundation soils (ASTM D 1586). A 2-foot long, 2-inch O.D. split-barrel sampler attached to the end of a string of drilling rods is driven 18 inches into the ground by successive blows of a 140-pound hammer freely dropping 30 inches. The number of blows needed for each 6 inches of penetration is recorded. The sum of the blows required for penetration of the second and third 6-inch increments of penetration constitutes the test result or N-value. After the test, the sampler is extracted from the ground and opened to allow visual examination and classification of the retained soil sample. The N-value has been empirically correlated with various soil properties allowing a conservative estimate of the behavior of soils under load.

The tests are usually performed at 5-foot intervals. However, more frequent or continuous testing is done by our firm through depths where a more accurate definition of the soils is required. The test holes are advanced to the test elevations by rotary drilling with a cutting bit, using circulating fluid to remove the cuttings and hold the fine grains in suspension. The circulating fluid, which is a bentonitic drilling mud, is also used to keep the hole open below the water table by maintaining an excess hydrostatic pressure inside the hole. In some soil deposits, particularly highly pervious ones, NX-size flush-coupled casing must be driven to just above the testing depth to keep the hole open and/or prevent the loss of circulating fluid.

Representative split-spoon samples from the soils at every 5 feet of drilled depth and from every different stratum are brought to our laboratory in air-tight jars for further evaluation and testing, if necessary. Samples not used in testing are stored for 30 days prior to being discarded. After completion of a test boring, the hole is kept open until a steady state groundwater level is recorded. The hole is then sealed, if necessary, and backfilled.

**CARTER ASSOCIATES, INC.**  
**CONSULTING ENGINEERS AND LAND SURVEYORS**  
1708 21st STREET • VERO BEACH, FLORIDA 32960-3472 • 772-562-4191 • 772-562-7180 (FAX)

JOHN H. BLUM, P.E., PRINCIPAL  
DAVID E. LUETHJE, P.S.M., PRINCIPAL  
GEORGE A. SIMONS, P.E., PRINCIPAL  
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FRANK S. CUCCURESE, P.S.M.  
CLINTON J. RAHJES, P.E.

**SECOND STREET STATION II  
CITY OF FORT PIERCE**

**TRAFFIC IMPACT STATEMENT  
January 29, 2018**

**Prepared by:  
CARTER ASSOCIATES, INC.**

INTRODUCTION

This is a Traffic Impact Statement prepared for a proposed 4,986 sq. ft. mixed use building. This statement is being supplied to City of Fort Pierce in conjunction with a development review application.

EXISTING CONDITIONS

The 0.138 acre site is located on the north side of Avenue 'A' between the existing PP Cobb and Second Street Station buildings. The subject parcel is currently vacant and consists of an unimproved parking lot.

PROPOSED CONDITIONS

The proposed building will consist of 3,000 sq. ft. of mercantile and 1,986 sq. ft. of business office. The site is located in the "Downtown Business and Entertainment Overlay District" and is exempt from off-street parking requirements.

TRIP GENERATION

Using the latest Edition of the ITE Trip Generation Report, the following average daily trips and peak hour trip volumes for the proposed building uses were determined:

<u>Land Use</u>	<u>ITE Code</u>	<u>Intensity</u>	<u>Daily Trips</u>	<u>AM Total</u>	<u>AM in</u>	<u>AM out</u>	<u>PM Total</u>	<u>PM in</u>	<u>PM out</u>
Mercantile (Assume High Turnover Sit-Down Restaurant)	932	3,000	381	35	18	17	33	20	13
Business Office (Assume Single Tenant Office Building)	715	1,986	23	4	3	1	4	1	3
Totals		4,986	404	39	21	18	37	21	16

Trip generation was computed using the following data from the latest edition of the ITE Trip Generation Manual.

**Daily Trip Generation**

Mercantile (High-Turnover (Sit-Down) Restaurant) ITE #932 127.15 Average Vehicle Trip Ends per 1,000 Sq. Ft. of Gross Floor Area

Business Office (Single Tenant Office Building) ITE #715 11.57 Average Vehicle Trip Ends per 1,000 Sq. Ft. of Gross Floor Area

**AM Peak Hour**  
 Mercantile (High-Turnover (Sit-Down) Restaurant) ITE #932 11.52 Average Vehicle Trip Ends per 1,000 Sq. Ft. of Gross Floor Area (52% entering, 48% exiting)

Business Office (Single Tenant Office Building) ITE #715 1.80 Average Vehicle Trip Ends per 1,000 Sq. Ft. of Gross Floor Area (89% entering, 11% exiting)

**PM Peak Hour**  
 Mercantile (High-Turnover (Sit-Down) Restaurant) ITE #932 11.15 Average Vehicle Trip Ends per 1,000 Sq. Ft. of Gross Floor Area (59% entering, 41% exiting)

Business Office (Single Tenant Office Building) ITE #715 1.73 Average Vehicle Trip Ends per 1,000 Sq. Ft. of Gross Floor Area (15% entering, 85% exiting)

## CONCLUSION

As seen above, an analysis of the traffic impacts associated with the proposed mixed use building was performed using data provided by the latest edition of the ITE Trip Generation Manual. The calculations demonstrate that the proposed mixed use building will cause a nominal increase in traffic volumes. Therefore, the results indicate that an acceptable level of service will be maintained on the roadways servicing this project.

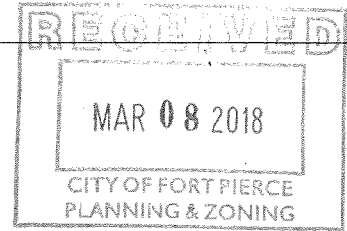






THE SUNRISE CITY  
**FORT PIERCE**  
 ENGINEERING  
 DEPARTMENT

*Florida*



**To : Vennis Gilmore, Planning Analyst**

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

*JRA*

**RE : Second Street Station II - 100 Marina Way - Site Plan  
 TRC No. 18-07000001**

**DATE : February 13, 2018 – REVISED March 6, 2018**

This is to advise you that we have completed the review of the following documents as received by this office on February 6, 2018:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Site Plan   | <input type="checkbox"/> P/D Drawings  |
| <input type="checkbox"/> Test Reports & Related Documents                                 | <input type="checkbox"/> Certificate of Completion                               |
| <input type="checkbox"/> Record Drawings  | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies |  |

Based on our reviews and appropriate site final inspection, we

- |   |  |                              |
|---|--|------------------------------|
| <input type="checkbox"/> Recommend                        | <input checked="" type="checkbox"/> Do Not Recommend |                              |
| <input checked="" type="checkbox"/> Approval of Site Plan | <input type="checkbox"/> Building Permit             | <input type="checkbox"/> C/O |

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

- See attached for engineering comments

ENGINEERING COMMENTS:

1. The City has begun the process of securing a public right-of-way from the city owned parcel located immediately north of the subject property. The existing Avenue B was improved by the city, but the right-of-way was never separated from the parent parcel.
2. The engineering department recognizes the fact that it is the desire of the applicant to construct a raised porch that encroaches into the city right-of-way. The applicant must secure a right-of-way construction permit and satisfy all ADA requirements necessary for pedestrian access. If the area is to be used as an outdoor dining area, a Sidewalk Café permit will also be required.
3. Provide a note on the Site Plan that all construction will comply with Sections 17 and 22 of the City of Fort Pierce Code of Ordinances.
4. The submitted Grading and Utility Plan was reviewed for conceptual compliance only and will be thoroughly reviewed at time of Building Permit submittal.
5. Please demonstrate that all construction activities will be confined to the limits of the property as this department has reservations that the building construction can be built without encroaching onto the adjacent properties located on the east and west sides of the development.
6. Provide the appropriate front building setback to allow for the building footer construction without encroachment into the City's right-of-way.
7. Provide a vertical dimension between the sidewalk and the lowest part of the proposed building awning.
8. Will a formal lot split be completed in order to separate parcel A from parcel B?
9. Advisory comment: Finished floor elevation shall be set at the peak stage for a 100 yr-3day storm event.

JRA/jra

**February 14, 2018**

**Project: SECOND STREET STATION**  
**Subject: SITE PLAN**  
To: Vennis Gilmore  
From: Grant Chambers  
SLC-Engineering Division

1. Indian River Drive is a County maintained road that is classified as an urban collector. The Right-of-Way width varies along this stretch of Indian River Drive and is substandard in some areas. A Right-of-Way dedication with a consistent Right-of-Way line will be required. The preferred Right-of-Way width in this location is 80 feet with a minimum width of 70 feet.

ST. LUCIE COUNTY FIRE DISTRICT  
FIRE PREVENTION BUREAU  
Office of the Fire Marshal



Telephone: (772) 621-3322  
Fax: (772) 621-3604

**BUREAU OF FIRE PREVENTION**

**SITE PLAN REVIEW**

**TO: Site Plan Applicant**

**SITE PLAN: Second Street Station**

**REVIEW DATE: 2/12/2018**

**PLANNER: VENNIS GILMORE**

**REVIEWED BY: Captain Paul Langel**

---

Site Plan Approved: \_\_\_\_\_

Site Plan Approved with conditions:   X  

Site Plan Approval withheld pending written acknowledgement of conditions: \_\_\_\_\_

Site Plan Rejected: \_\_\_\_\_

---

**The Following Revisions Are Necessary:**

- 1. Please submit a completed application for Development/Site Plan Review (St. Lucie County Fire District Development & Site Plan Review Application). This form is available on-line at <http://www.slcfcd.com/permits.htm>**
- 2. Fire District review fees are due at the time of submittal. An abbreviated fee schedule is included on the application form.**
- 3. ~~Please provide an electronic copy of the Site Plan (pdf format)~~ Received 2/12/2018**
- 4. A separate review and permit is required for Underground Fire Mains connected to standpipes or sprinkler systems.**

*"Our Family Serving Yours"*

5160 N.W. Milner Drive, Port St. Lucie, Florida 34983-3392

Telephone: (772) 621-3400 Fax: (772) 621-3500

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



Good morning,

Below are FPUA comments regarding the submissions for the TRC meeting on Feb. 15<sup>th</sup>.

c. Site Plan, Design Review, Zoning Map Amendment –Second Street Station –  
100 Avenue A (Marina Way) - Vennis Gilmore

- W/WW Engineering: Utility easement needs to be 12' from the outer edge around the grease trap as well as the easement shown  
Electric & Gas Engineering: We have no objection. However, we do ask that the standard process regarding easement abandonment and new easement is followed accordingly. Being that a new easement will be needed for FPUA Utilities (as shown on the consultant plans) and some existing easements will be abandon. City Planning can elaborate more on the process.

d. Conditional Use with No New Construction - Broderick Dwelling Rental - 1042  
Windward

Drive #3043 - Vennis Gilmore

- W/WW Engineering: No comment  
Electric & Gas Engineering: No comment

Thank you

Regards,  
*Martha Kerr*

*Staff Assistant  
W/WW Engineering Department  
Fort Pierce Utilities Authority  
1701 S. 37<sup>th</sup> Street  
Fort Pierce, FL 34947  
Telephone: (772) 466-1600, Ext. 3473  
Fax: (772) 468-2414  
[mkerr@fpua.com](mailto:mkerr@fpua.com)*



THE SUNRISE CITY

**FORT PIERCE**  
BUILDING DEPARTMENT  
*Florida*



**TECHNICAL REVIEW COMMITTEE (TRC) COMMENTS FORM**

**FROM :** Paul Thomas, CBO, CFM, Building Official 

**RE :** 100 Avenue A (Marina Way) Second St. Station SP, Design Review,  
Zoning Map Amendment (VG)

**DATE :** February 15, 2018

The proposed requires:

1. Build to satisfy the 2017, 6<sup>th</sup> Edition of the Florida Building Code.
2. Historic approval required
3. ADA parking and accessibility requirements shall be satisfied.

PT/km

**Project: SECOND STREET STATION**

Subject: Review Comments

To: Vennis Gilmore

From: Rod Reed, County Surveyor  
PW-Engineering Division

Date February 16, 2018

All comments are based on the Standards of Practice per 5J-17.050 thru 5J-17.052

**SURVEY:**

I have no comments

Please provide a written response to all comments

**Rod Reed, County Surveyor**

St. Lucie County, Fl.

2300 Virginia Avenue

Ft. Pierce, Fl. 34982-5652

[www.stlucieco.org](http://www.stlucieco.org)

Ph. (772) 462-1721

E-mail [reedr@stlucieco.org](mailto:reedr@stlucieco.org)

**CARTER ASSOCIATES, INC.**  
**CONSULTING ENGINEERS AND LAND SURVEYORS**

1708 21st STREET • VERO BEACH, FLORIDA 32960-3472 • 772-562-4191 • 772-562-7180 (FAX)

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FRANK S. CUCCURESE, P.S.M.  
CLINTON J. RAHJES, P.E.

March 1, 2018

Mr. Vennis Gilmore, Planning Analyst  
City of Fort Pierce  
Planning Department  
100 N. US Highway 1  
Fort Pierce, Florida 34950

**RE: Second Street Station II  
Site Plan  
100 Avenue A  
TRC No. 18-07000001**

Dear Mr. Gilmore:

Please find attached seven (7) copies and one original of the revised site plan for the above referenced project. Also included is an electronic version of the submittal. In addition, the following comments are in response to Technical Review Committee meeting held on February 15, 2018:

Engineering Department

1. Based on the meetings between the applicant and City Manager (see attached letter), a 50-foot wide dedicated public right-of-way will be established for the existing Avenue 'B' roadway. The survey has been revised to reflect this future dedication.
2. Pursuant to meetings with the City Manager and City Engineer, the applicant requests approval from the City for the sidewalk and elevated patio area as currently configured on the site plan. The re-routed public sidewalk and patio area is located within the limits of the existing driveway planned for removal with no loss of existing street parking.
3. A note has been added to the site plan that all construction shall comply with Sections 17 and 22 of the City of Fort Pierce Code of Ordinances.
4. It is acknowledged that the submitted "Grading and Utility Plan" (sheet C-3) was reviewed for conceptual compliance only and will be thoroughly reviewed at the time of Building Permit submittal.

5. As allowed in the “Downtown Business and Entertainment Overlay District”, there is no minimum building setback. With that said, the proposed building will consist of a monolithic slab with footers in-line with the proposed exterior building walls. There will be no encroachment of the foundation onto the neighboring properties. The property to the west (i.e. Second Street Station) is also owned by the applicant and an internal agreement will be prepared to allow for the re-constructed paver sidewalk. A temporary construction easement will be obtained if necessary for any construction activities on the neighboring property to the east (i.e. PP Cobb).
6. See response #5 above.
7. The vertical dimension between the sidewalk and lowest part of the proposed building awning is eight (8) feet.
8. As stated in response #2 above, the applicant is requesting approval from the City for the elevated patio and associated steps/ramp to be located within the Avenue ‘A’ right-of-way. The proposed mixed-use building is designed to match the adjacent buildings on each side with “on-street” frontage (i.e. zero front setback). This configuration occurs predominantly throughout the downtown area. Due to the sloping sidewalk (drops approximately one-foot west to east along the property’s 50-foot frontage), the proposed finished floor elevation has been established to match the adjacent buildings and therefore cannot provide ADA accessibility to the public sidewalk without the ramp and elevated patio. The patio will lend itself to “sidewalk café seating” as encouraged by City planning staff. Furthermore, the development of this building will remove a long standing “eye-sore” that has existed for years with the unimproved parking area and bring a vibrant business addition to the downtown area that is long overdue.
9. A formal lot split is proposed with the creation of parcels ‘A’ and ‘B’ as shown.
10. It is acknowledged that the finished floor elevation shall be set above the peak stage for a 100-year, 3-day storm event.

#### SLC Engineering

1. It is acknowledged that a right-of-way dedication for Indian River Drive will be needed to create a width of 80-feet. This dedication can occur with the future site plan for parcel ‘B’.

#### Bureau of Fire Prevention

1. An application for Development/Site Plan Review (SLC Fire District Department) will be submitted under separate cover to the Fire District.
2. The Fire District review fees will be paid with submittal of the Site Plan Review.

3. Acknowledged.
4. The proposed building will not be sprinkled for fire protection.

FPUA

1. A 13-foot utility easement has been provided north of parcel 'A' as provided in documentation from FPUA electric.
2. It is acknowledged that existing utility easements will need to be abandoned and new easements created for this project.

SLC Survey

1. Acknowledged. No comments.

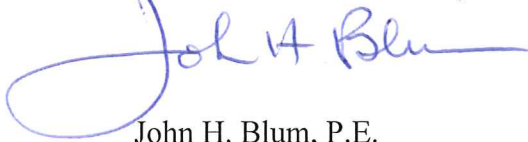
Building Department

1. It is acknowledged that the building plans will need to satisfy the 2017, 6<sup>th</sup> Edition of the Florida Building Code.
2. The architect has made the necessary submittal for Historic approval.
3. The plans submitted comply with ADA accessibility requirements.

Hopefully we have addressed all of your concerns, however, if you should have any questions or need additional information, please do not hesitate to contact me at our office.

Sincerely,

CARTER ASSOCIATES, INC.



John H. Blum, P.E.  
Principal

Cc: Brian Stone, Kraaz and Kraaz Finance LLC



THE SUNRISE CITY

**FORT PIERCE**  
CITY MANAGER'S OFFICE *Florida*

February 22, 2018

Frank H. Fee, III  
Fee, Yates & Fee, PLLC  
426 Avenue A  
Fort Pierce, FL 34950

Dear Mr. Fee:

Thank you for your letter dated February 21, 2018, which communicated the concerns of your client that are jointly shared with Hans Kraaz regarding the designation of Avenue B as a City street. Following the meeting of February 20, 2018, when Mr. Kraaz presented these concerns directly to the Fort Pierce City Commission, a meeting was scheduled with Mr. Kraaz for the next day. Pursuant to the meeting held February 21, 2018, which was attended by Hans Kraaz, Brian Stone, Jack Andrews and me, it was mutually agreed that it is in the best interest of the community to establish a 50ft wide dedicated public right-of-way. The right-of-way will provide conveyance for transportation and municipal utilities. This will be accomplished by performing a boundary survey, along with a legal map and description that will be recorded and held by the public in perpetuity.

I would like to personally thank you for bringing your concerns to me. Please do not hesitate to contact me directly if I can be of assistance.

We thank your client and Mr. Kraaz for their continued commitment toward the improvement of the beautiful City of Fort Pierce.

Sincerely,

Nicholas C. Mimms, P.E.  
City Manager

NCM:jdr

Attachment

c: Mayor and Commissioners  
Hans Kraaz

**Planning Board**

**6.c.**

Meeting Date: 03/13/2018

---

Information

REQUESTED ACTION

Conditional Use - Arcade Amusement Center - 740 Orange Avenue

LOCATION

740 Orange Avenue

RESPONSIBLE STAFF

Brandon Creagan, LEED Green Associate, Planner

RECOMMENDATION

Staff recommends that the Planning Board forward a recommendation of approval for the Conditional Use with No New Construction to the City Commission with the following condition:

1. Pursuant to City Code 22-60(a)(5), a payment in-lieu may be provided to supplement the final parking space needed to be in compliance with City Code 22-60, Off Street Parking and Loading. This fee must be paid ten (10) days after final City Commission Approval pursuant to City Code 22-60(a)(5)(d).

---

Attachments

Planning Staff Report

Application Packet

Aerial Map

Zoning Map

TRC Comments

City Code Section 22-71

---

**Form Review**

Form Started By: Brandon Creagan

Started On: 03/06/2018 02:26 PM

Final Approval Date: 03/08/2018



**TO:** Members of the City of Fort Pierce Planning Board

**THROUGH:** Rebecca Grohall, AICP, Planning Director

**FROM:** Brandon Creagan, LEED Green Associate, Planner

**SUBJECT:** **Conditional Use No New Construction  
 Arcade Amusement Center (50 Machines)  
 740 Orange Avenue**

**DATE:** March 6, 2018

**STAFF REPORT**

**Applicant(s):** Yousef Qasem  
 250 N. College Park Drive Apt. P16  
 Upland, CA 91786

**Property Owner:** Anthony Mannino  
 3210 S. Ocean Blvd  
 Highland Beach, FL 33487

**Representative** Architectonic Inc. - Mike Menard  
 806 Delaware Avenue  
 Fort Pierce, FL 34950

**Requested Action:** Recommendation of Approval of a Conditional Use for the  
 Operation of an Amusement Arcade Center

**Location:** 740 Orange Avenue

**Parcel IDs:** 2410-604-0078-000-6

**Parcel Size:** 0.34 acres

**Zoning:** C-3, General Commercial

**Future Land Use:** GC, General Commercial

**Surrounding Zoning:**

North	East	South	West
C-3	C-3	C-3	C-3

## **Staff Analysis:**

### *Request*

In accordance with Sections 22-22, 22-31, 22-71, and 22-76 of the City Code, the applicant Yousef Qasem, Property Owner Anthony Mannino, and representative Mike Menard are seeking a Conditional Use with No New Construction approval to operate an arcade amusement center at 740 Orange Avenue. The property is .34 acres in size and the building is a multi-tenant building with 5 units. The property is zoned C-3, General Commercial with a Future Land-Use of GC, General Commercial.

### *Project Summary*

The subject site was constructed in 1951 and is approximately 5,859 Square Feet in Size. As noted above the building is a multi-tenant building with 5 units. Currently Unit 1 is vacant, units 2 & 3 are being used as a tax office, unit 4 is a barber shop, and unit 5 will be where the arcade amusement center will be located at. Due to the limited parking on site the arcade amusement center will operate at staggered times. This is because the other businesses in the building also need to use the parking as well. The parking lot only has 18 spaces available for 4 or 5 possible tenants.

The arcade amusement center will run at a 50% capacity (25 machines) during normal business hours which are 8am-7pm Monday through Friday. After normal business hours the arcade amusement center will run at a 70% - 100% capacity depending on the closure time of the two businesses in the building. As it stands now the business will run at 100% capacity (50 machines) on Friday from 7pm-2am, Saturday from 2pm-2am, and Sunday from 8am-12am. The business will run at 70% capacity (35 machines) on Saturday from 8am-2pm.

As stated the property currently provides 18 parking spaces and the requirement to have a 50 machine arcade amusement center is 19 parking spaces. The parking calculation pursuant to City Code 22-71 (b)(12) is .75 parking spaces per each machine. Normally a 50 machine arcade amusement center would require 38 spaces, however this parcel is in the Peacock Arts District which grants a 50% reduction in parking for all uses. With the Peacock Arts District reduction the final required number of spaces is 19 spaces. Because the parking lot only provides 18 spaces and no other area for one more additional space can be found the applicant will need to pay a payment-in-lieu for the last remaining required space pursuant to City Code 22-60(a)(5).

Staff has worked with the applicant's representative to address City Code Section 22-71, Amusement Arcades and Arcade Amusement Centers. A floor plan for the arcade and a site improvement plan are provided in the application packet. The applicant is proposing enhancements to site landscaping with the addition on an oak tree on the northern section of the property and a hedge on the western side of the building. The parking lot already exists so lighting is existing, but according to the plans provided the applicant will provide one additional light pole in the parking lot to bring the site into compliance with City Code 22-60(j)(a). The applicant or property owner will provide the addition of bicycle racks as required by City Code Section 22-71 (b)(6). The required number of bicycle stalls for a fifty (50) machine arcade amusement center is 10 bicycle stalls. The site plan shows two existing racks and one proposed rack for 10 bicycles.

### *Zoning & Compatibility of Surrounding Uses*

The site is located within the General Commercial Zone (C-3) district, which is intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities.

The use presents an indoor entertainment facility, restricted to adult occupancy with further exclusions of alcohol consumption or smoking on the premises. In addition to the standard City regulations that any business must comply with, an Arcade establishment has a whole section of the City Code, Section 22-71, devoted just to the regulation of this type of business to ensure the safety, comfort, and general welfare of the business' patrons as well as neighboring businesses and residents. A complete copy of Section 22-71 will be attached to the submittal packet.

The uses in the area are mostly commercial in nature with the exception of residential as you move farther away from Orange Avenue. This site is situated in the Peacock Arts District. There are at least 5 churches close to the site as well as a three markets. There are large patches of vacant land near the site as well. The closest arcade amusement center is Spin Win Arcade, which is .70 miles away located at 513 Georgia Avenue.

#### **Technical Review Committee:**

All affected City Departments have reviewed the proposed Conditional Use with No New Construction and have provided conditional approval based on compliance with requirements of the City Code. The comments generated from the technical review are provided for review. The applicant has addressed each reviewers comment and has made the proper corrections.

#### **Staff Recommendation:**

Staff recommends that the Planning Board forward a recommendation of approval for the Conditional Use with No New Construction to the City Commission with the following condition:

1. Pursuant to City Code 22-60(a)(5), a payment in-lieu may be provided to supplement the final parking space needed to be in compliance with City Code 22-60, Off Street Parking and Loading. This fee must be paid ten (10) days after final City Commission Approval pursuant to City Code 22-60(a)(5)(d).



THE SUNRISE CITY  
**FORT PIERCE**  
PLANNING DEPARTMENT  
*Florida*

**Conditional Use - No New Construction**

Property address or Location 740 ORANGE AVE  
Parcel ID #(s) 77X10# 2410-604-0073-00016  
Project description \_\_\_\_\_

ANTHONY MANNING  
Property Owner(s)  
Street Address 3210 S. OCEAN BLVD  
APT 204  
City HIGHLAND BEACH FL State FL Zip 33487  
Phone Number 561-213-0000  
Email Address \_\_\_\_\_

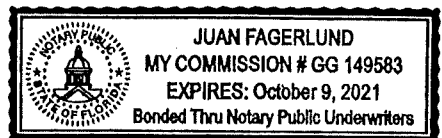
Yousef Basem  
Applicant/Representative, Title, Company  
250 N. College Park Dr APT 116  
Street Address  
Upland CA 91786  
City State Zip  
909-490-6640  
Phone Number  
yousefbasem78@hotmail.com  
Email Address

*A.H. Yuses*

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

[Signature]  
Property Owner(s) Signature(s)

STATE OF FLORIDA - COUNTY Palm Beach  
The foregoing instrument was acknowledged before me this 2 day of NOV, 2017, by Anthony Manning who is personally known to me or has produced \_\_\_\_\_ as identification.



[Signature]  
Signature of Notary

(seal)

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

**TO BE COMPLETED BY STAFF**

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

Pre-Application Meeting Date \_\_\_\_\_ Fees \_\_\_\_\_ Control # \_\_\_\_\_ B. Permit # \_\_\_\_\_

Intake Planner \_\_\_\_\_  
Planner Assigned \_\_\_\_\_  
Approved By \_\_\_\_\_ Date \_\_\_\_\_  
Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Intake Date Stamp

**CONDITIONAL USE: NO NEW CONSTRUCTION**

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

- If no site improvements are required:
  - As-built survey
  - Floor plan of existing building(s)
- If parking and drainage improvements are required:
  - As-built survey;
  - Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
  - Lighting plan
- Complete, notarized application

Application Type:

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

Site Information:

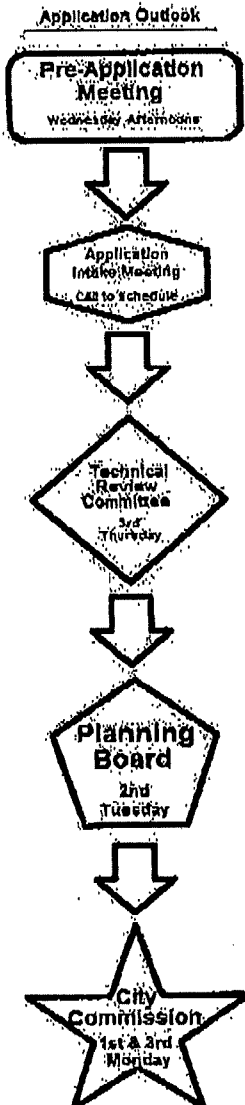
Building Size \_\_\_\_\_ Parking Spaces: \_\_\_\_\_

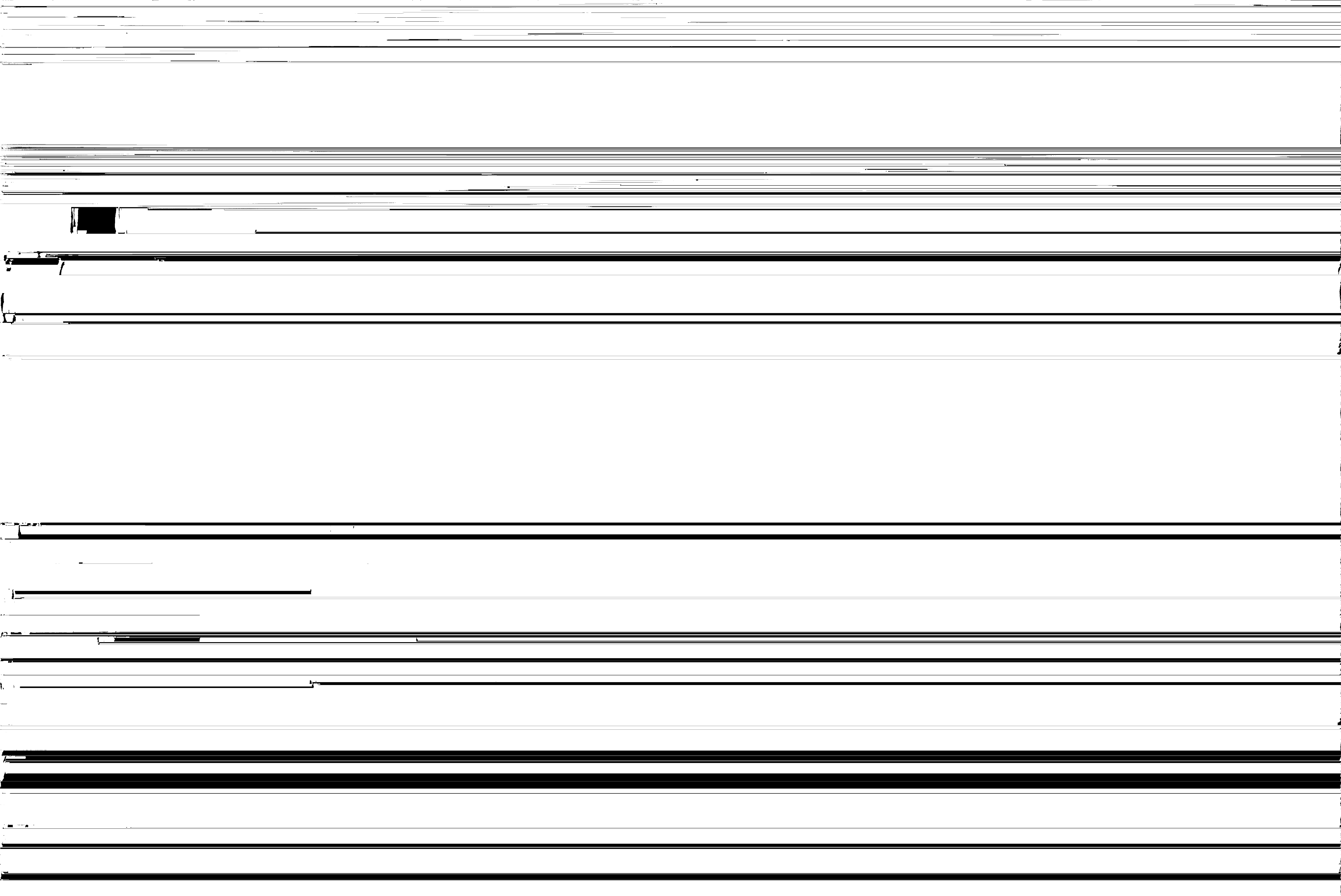
Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

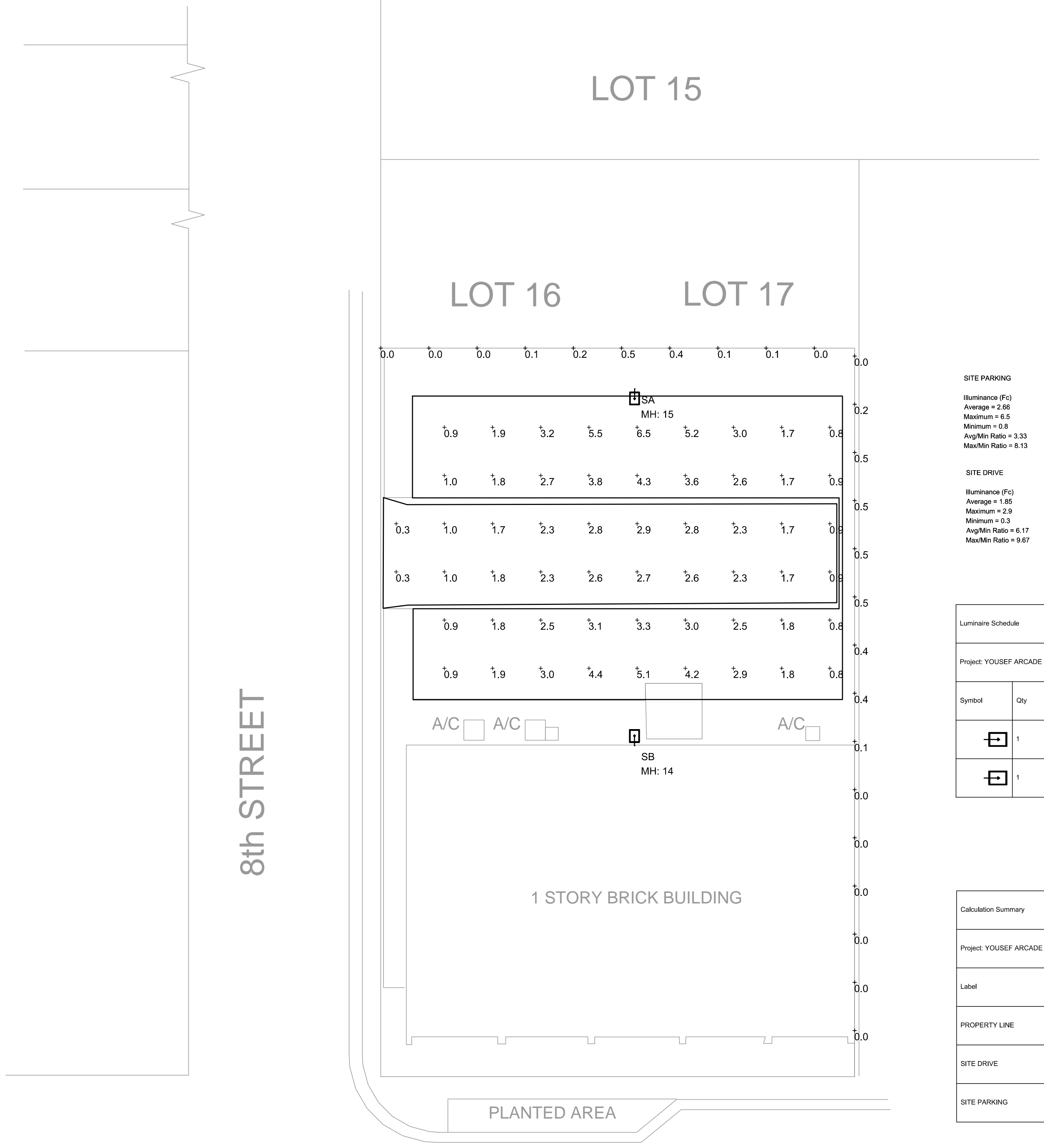
North	South	East	West

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

- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.







**PHILIPS GARDCO**

**Site & Area**

**EcoForm**

ECF-S-small

The Philips Gardco EcoForm Gen-2 combines economy with performance in an LED area luminaire. Capable of delivering up to 22,900 lumens or more in a compact, low profile LED luminaire, EcoForm offers a new level of customer value. EcoForm features an innovative retrofit arm kit, simplifying site conversions to LED by eliminating the need to drill additional holes in most existing poles. Integral control systems available for further energy savings.

**Ordering guide**

example: ECF-S-64L-900-NW-G2-AR-5-120-HIS-MGY

Photo	Number (LED)	Size (mm)	LED Color-Temperature	Mounting	Distribution	Voltage	Control	Electrical	Luminaire	Finish
ECF-S-4	100	150x150	3000K	AR	Type 2	120V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	208V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	277V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	480V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	575V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	600V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	720V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	840V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	960V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	1080V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	1200V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	1320V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	1440V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	1560V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	1680V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	1800V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	1920V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	2040V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	2160V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	2280V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	2400V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	2520V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	2640V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	2760V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
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ECF-S-4	100	150x150	3000K	AR	Type 2	3000V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	3120V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
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ECF-S-4	100	150x150	3000K	AR	Type 2	3360V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	3480V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	3600V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	3720V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	3840V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	3960V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	4080V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	4200V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	4320V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	4440V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	4560V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	4680V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	4800V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
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ECF-S-4	100	150x150	3000K	AR	Type 2	5040V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	5160V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	5280V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	5400V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	5520V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	5640V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	5760V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	5880V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	6000V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	6120V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	6240V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	6360V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	6480V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	6600V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	6720V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	6840V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	6960V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	7080V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	7200V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	7320V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	7440V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	7560V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	7680V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	7800V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
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ECF-S-4	100	150x150	3000K	AR	Type 2	8040V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	8160V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	8280V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	8400V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	8520V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	8640V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	8760V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	8880V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	9000V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	9120V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	9240V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	9360V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	9480V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	9600V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	9720V	0-10V Dimming/0-10V <sup>1</sup>	18 Terminal Block <sup>10</sup>	800 Round Pole	Black
ECF-S-4	100	150x150	3000K	AR	Type 2	9840V	0-10V Dimming/0-10V			



 Subject Site

Orange Avenue

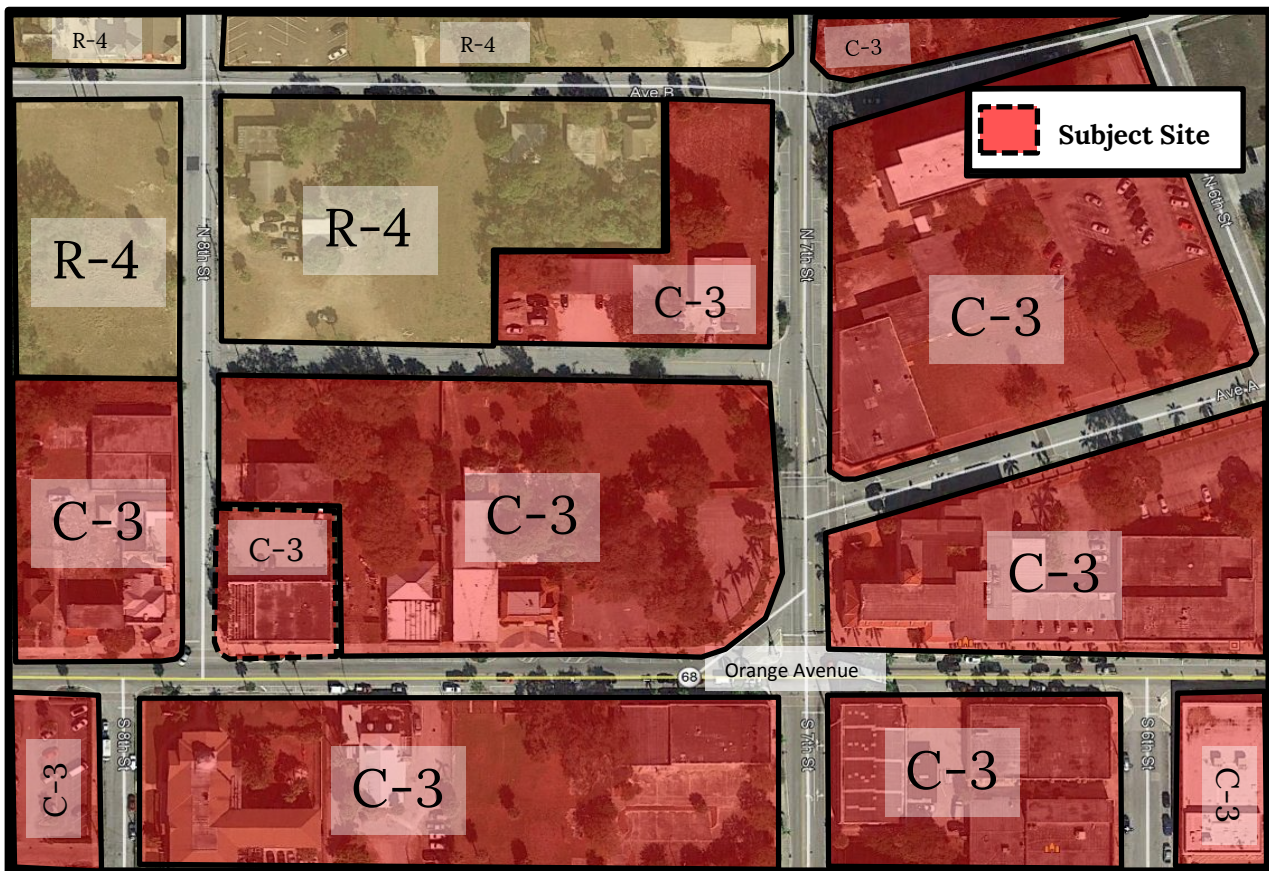
68



THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*

**Conditional Use**  
**Arcade Amusement Center – 740 Orange Avenue**  
**Site Map**





**Conditional Use**  
**Arcade Amusement Center - 740 Orange Avenue**  
**Zoning Map**





February 14, 2018

Mike Menard (Representative)  
806 Delaware Avenue  
Fort Pierce, FL 34950

**SUBJECT: Adult Amusement Arcade: 740 Orange Avenue**  
**TECHNICAL REVIEW PROJECT: # 18-04000004**

**Comments:**

1. The required number of parking spaces is 19 for this use with the 50% Peacocks Arts District reduction. There are 18 parking spaces shown on the plan with one area for long term bicycle parking which would bring the site up to 19 spaces. Please provide clarification on the long term bicycle parking area. For it to count towards the required parking it will need to be covered. The area chosen may not meet setback requirements for a covered bicycle parking area. An uncovered bicycle rack could remain at this location to satisfy the bicycle requirement as set forth in City Code 22-71 (b)(6). If no other area on the premise can be found to satisfy the covered bicycle parking then a parking space, Fee-in-Lieu could be required as a condition of approval.
2. Provide clarification on what time the businesses that are located in the building will open and close for the day. Currently the plan denotes that the Arcade will operate at 50% capacity from 8am to 5pm and 100% capacity from 5pm to 12pm on the weekdays, with Friday having a full capacity operating time of 5pm to 2am. It will also operate from 8am to 2am at 100% capacity on Saturdays and 8am to 12am on Sundays at 100% capacity as well. If any of the other businesses are open during the time the arcade is operating at full capacity there could be a parking conflict with the other businesses in the building. The operating schedule for the arcade may need to be adjusted to accommodate the closing time of the other businesses. This would mean that the Arcade may not be able to operate at 100% capacity if there is a business open in the building on the weekdays after 5pm or on Saturdays or Sundays until all businesses in the building have closed for the day.

The presented review is specific to the proposed facility. Please contact me should you have any questions regarding the project at (772) 467-3742 or by e-mail: [bcreagan@city-ftpierce.com](mailto:bcreagan@city-ftpierce.com).

Sincerely,

Brandon Creagan, LEED Green Associate  
Planner



THE SUNRISE CITY  
**FORT PIERCE**  
ENGINEERING  
DEPARTMENT

**FORT PIERCE**  
*Florida*

**To : Brandon Creagan, Planner**

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

**RE : Arcade Amusement Center – 740 Orange Avenue  
TRC No. 18-04000004**

**DATE : March 7, 2018**



This is to advise you that we have completed the review of the following documents as received by this office on March 7, 2018:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Conditional Use                                       | <input type="checkbox"/> P/D Drawings  |
| <input type="checkbox"/> Test Reports & Related Documents                                 | <input type="checkbox"/> Certificate of Completion                               |
| <input type="checkbox"/> Record Drawings  | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies |  |

Based on our reviews and appropriate site final inspection, we

- |   |   |                             |
|---|---|-----------------------------|
| <input checked="" type="checkbox"/> Recommend                   | <input type="checkbox"/> Do Not Recommend |                             |
| <input checked="" type="checkbox"/> Approval of Conditional Use | <input type="checkbox"/> Building Permit  | <input type="checkbox"/> /O |

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

- See attached for advisory comment

ENGINEERING ADVISORY COMMENT:

1. Advisory Comment: The proposed "long term" bike rack shall not be situated so as to allow bikes to encroach onto the 8<sup>th</sup> street sidewalk.

JRA/TST/tst 

**Project: ARCADE AMUSEMENT CENTER**

Subject: Review Comments  
To: Brandon Creagan  
From: Rod Reed, County Surveyor  
PW-Engineering Division  
Date February 5, 2018

**AS BUILT SURVEY:**

- 1) As required per the submittal package got Conditional Use – No New Construction.  
Please submit an as-built survey of the subject site.

Please provide a written response to all comments

**Rod Reed, County Surveyor**  
St. Lucie County, Fl.  
2300 Virginia Avenue  
Ft. Pierce, Fl. 34982-5652  
[www.stlucieco.org](http://www.stlucieco.org)  
Ph. (772) 462-1721  
[E-mail reedr@stlucieco.org](mailto:reedr@stlucieco.org)



THE SUNRISE CITY

**FORT PIERCE**  
BUILDING DEPARTMENT  
*Florida*



**TECHNICAL REVIEW COMMITTEE (TRC) COMMENTS FORM**

**FROM :** Paul Thomas, CBO, CFM, Building Official 

**RE :** 740 Orange Avenue – Arcade Amusement Ctr. – CU with No New Construction (BC)

**DATE :** February 15, 2018

The proposed may trigger the following Code requirements:

1. The applicant shall submit a Change of Use, to include A-3
  - Life-safety plan
  - ADA accessibility, parking and restrooms.

PT/km

# FPUA Comments

Conditional Use with No New Construction – Arcade Amusement Center – 740 Orange Avenue - Brandon Creagan

- W/WW Engineering: Water and wastewater are available for this address  
Electric & Gas Engineering: No comment

ST. LUCIE COUNTY FIRE DISTRICT  
FIRE PREVENTION BUREAU  
Office of the Fire Marshal



Telephone: (772) 621-3322  
Fax: (772) 621-3604

## BUREAU OF FIRE PREVENTION

### SITE PLAN REVIEW

**TO: Site Plan Applicant**

**SITE PLAN: Arcade Amusement Center**

**REVIEW DATE: 2/12/2018**

**PLANNER: BRANDON CREAGAN**

**REVIEWED BY: Captain Paul Langel**

---

**Site Plan Approved: \_\_\_\_\_**

**Site Plan Approved with conditions: \_\_\_\_\_  \_\_\_\_\_**

**Site Plan Approval withheld pending written acknowledgement of conditions: \_\_\_\_\_**

**Site Plan Rejected: \_\_\_\_\_**

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#### **The Following Revisions Are Necessary:**

- 1. Please submit a completed application for Development/Site Plan Review (St. Lucie County Fire District Development & Site Plan Review Application). This form is available on-line at <http://www.slcfcd.com/permits.htm>**
- 2. Fire District review fees are due at the time of submittal. An abbreviated fee schedule is included on the application form.**
- 3. ~~Please provide an electronic copy of the Site Plan (pdf format)~~ **Received 2/12/2018****
- 4. A separate review and permit is required for Underground Fire Mains connected to standpipes or sprinkler systems.**

*"Our Family Serving Yours"*  
5160 N.W. Milner Drive, Port St. Lucie, Florida 34983-3392  
Telephone: (772) 621-3400 Fax: (772) 621-3500  
[www.slcfcd.com](http://www.slcfcd.com)

Sec. 22-71. - Amusement arcades and arcade amusement centers.

Amusement arcades and arcade amusement centers shall comply with the following regulations:

(a) *General operating standards.*

- (1) No amusement arcade or arcade amusement centers shall operate after the hour of 12:00 a.m. and before the hour of 8:00 a.m. on weekdays, and between 2:00 a.m. and 8:00 a.m. on weekends.
- (2) No game shall be played by persons who are under eighteen (18) years of age.
- (3) No arcade amusement center shall be located within one thousand two hundred fifty (1,250) feet of another arcade amusement center. Such distance shall be measured from closest property line to closest property line.
- (4) No amusement arcade or arcade amusement centers shall be permitted within the Downtown Business and Entertainment Overlay District.
- (5) No amusement arcade or arcade amusement centers shall be located within two hundred fifty (250) feet of the Downtown Business and Entertainment Overlay District boundaries.
- (6) Alcohol sales or consumption shall be prohibited in amusement arcades and arcade amusement centers.
- (7) Amusement arcades or arcade amusement centers shall not exceed nine thousand (9,000) square feet.
- (8) Amusement arcades or arcade amusement centers shall operate in full compliance with all state and federal law.

(b) *Design standards.*

- (1) No sign, display, or merchandise, shall be placed on or adjacent to any window if such placement would interfere with the clear and unobstructed view of the entire interior of the establishment from ground level through exterior windows.
- (2) Placement of game machines along front windows are prohibited.
- (3) Window tinting, mirrored windows, or other obscuring elements are prohibited.
- (4) All entrances shall be adequately lighted.
- (5) All amusement arcades or arcade amusement centers must post at least two conspicuous signs within the premises, and one conspicuous sign at the entrance, stating the following:
  - a. Minimum age requirements as described above.
  - b. School hours use restrictions as described above.
  - c. No smoking.
  - d. No drugs.
  - e. No alcohol.
- (6) Amusement arcades or arcade amusement centers shall provide bicycle racks within enough stalls to accommodate one bicycle for each five (5) game machines located within the premises. Bicycle racks shall be located as close as practical to the entrance of the facility and shall not be located in a manner that obstructs any entrances, exits, sidewalks, driveways, or parking areas.
- (7) All amusement arcades or arcade amusement centers must provide public restrooms in accordance with applicable country health department requirements.
- (8) Lighting for parking lots must satisfy lighting requirements of Section 22-60(g)(1) of the City Code prior to the issuance of a business tax receipt.

- (9) Landscaping must comply with requirements of the city's landscaping ordinance prior to the issuance of a business tax receipt.
  - (10) Sidewalks shall be installed along all public rights-of-way for properties that have arcade uses and shall be installed prior to the issuance of a business tax receipt. No location shall be exempt from sidewalk provisions contained in Section 22-62.
  - (11) Any proposed exterior change to a building used for arcade uses will be subject to city design review guidelines pursuant to Section 22-59. This shall not apply to buildings located in historic districts or buildings that are individually designated.
  - (12) Parking shall be provided at a rate of three-fourths (0.75) parking spaces per machine (or three (3) spaces for every four (4) machines).
- (c) *Permitting requirements.*
- (1) All amusement arcades or arcade amusement centers shall pay a fee per machine annually in conjunction with the business tax receipt. The fee shall be established by resolution by the city commission. The fee shall apply to all operating and nonoperating machines located on premises.
  - (2) All amusement arcades or arcade amusement centers shall pay a fee per machine annually in connection with the business tax receipt. The fee shall be established by resolution by the city commission. The fee shall apply to all operating and nonoperating machines located on premises.
  - (3) An applicant for a permit to operate an amusement arcade or arcade amusement center shall submit the following information to the police department:
    - a. All applications shall include a list of all current owners and employees of the arcade.
    - b. If the city determines that any applicant lacks good moral character, it shall deny the license application. For purposes of this section, an applicant will be deemed to have good moral character if the applicant, its owners, and its employees meet the level two standards of screening set forth in F.S. § 435.04.
    - c. The applicant shall pay a fee established by resolution by the city commission to cover the cost of police department background checks.
    - d. Whenever an amusement arcade or arcade amusement center hires a new employee or changes its ownership composition, the police department shall inspect the new employee's or owner's background to ensure that the employee or owner has not been convicted of any of the crimes described in Section (b)(2). Any failure by an amusement arcade to provide the police department with the information necessary for the officer to conduct such an inspection shall constitute a willful violation of this chapter.
    - e. The city may deny an application for a permit to operate an amusement arcade or arcade amusement center or may revoke a permit issued pursuant to this chapter if the applicant fails to meet any of the requirements of this section. If the city denies an application, the city shall provide reasons for the denial in writing within five (5) days of receipt of the completed application. If the city revokes a permit issued pursuant to this chapter, the city shall provide reasons for the revocation in writing.
  - (4) Provide an operating plan consisting of an interior layout plan drawn to scale showing the location of all machines, devices, equipment and access ways, and such other information as may be reasonably requested.
  - (5) Amusement arcades or arcade amusement centers that serve food or provide catering services on premises must be licensed by the Department of Health, Department of Business Professional Regulation, or Department of Agriculture and Consumer Services.
- (d) *Machine registration requirements.*

- (1) The permittee is required to maintain its premises a complete inventory, along with serial numbers or equivalent identification, as set forth in Sections (d) and (e) below, the amusement devices in operation on the premises of the amusement arcade at all times. The initial application for permit shall include a certificate of inspection by the planning department of the inventory, along with serial numbers or equivalent of identification, as set forth in Sections (d) and (e) below, of the machines that the permittee intends to put into operation when the amusement arcade begins its business activities.
  - (2) Each renewal permit application shall contain a certificate of inspection of updated inventory, along with serial numbers or equivalent identification, as set forth in Sections (d) and (e) below, of the amusement device that the permittee intends to put into operation when the amusement arcade begins its business activities under the renewal license.
  - (3) Before a new amusement device is put into operation at the amusement arcade or arcade amusement center, the permittee shall notify the planning department of the addition of the device to the inventory and update its inventory accordingly.
  - (4) Upon review of the inventory of devices under Sections (1), (2) and (3) above, the planning department shall enter each amusement device into a registry that the license administrator shall create. For each amusement device registered, the permit administrator shall cause to be issued and delivered to permittee for each amusement device within seven days of the notification required under Section (c) a numbered metal or plastic decal. The registration decal of each amusement device shall be affixed to the upper left front of the game in a prominent position where easily viewed by zoning inspectors, code enforcement inspectors and police. Registration decals are not transferable. The failure of any amusement device to display a current registration decal shall be a violation of this section and subject to enforcement action by the city.
  - (5) The inventory of devices under Sections (1), (2) and (3) above shall provide the following information: the manufacturer(s) serial number(s); common name, type or description of the game played on the machine. The registration decal shall contain the inventory number of the amusement device.
  - (6) Each inventory of amusement devices submitted under Sections (a), (b), and (c) above shall be accompanied by a certificate issued by an independent testing laboratory licensed by the state pursuant to F.S. Ch. 551, certifying that the game played by the skill-based amusement devices identified in the inventory meet the application of skill requirement contained in F.S. §§ 551.104(d), 551.105 and 551.107.
- (e) *Waiver of distance.*
- (1) The city commission shall determine if the health, safety, or general welfare have been provided for with any waiver request and may impose any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.
  - (2) The city commission may not waive distance restrictions imposed by Sections (a)(4) and (a)(5).
  - (3) The city commission shall consider the following for any waiver request:
    - a. The actual location and distance of the proposed establishment with respect to other places of business licensed to sell intoxicating beverages, whether on or off the premises;
    - b. The type and size of the establishment, including the number of machines, seating capacity, and whether, in view of such type or size, the proposed establishment is likely to create a public nuisance or traffic impediment by drawing crowds or persons milling about outside the building;
    - c. Whether adequate parking and landscaping for the facility is provided so as to meet the requirements set forth in sections 22-187 and 22-61;

- d. Whether the facility is physically separated or well-buffered from all adjacent residentially zoned areas;
  - e. Whether traffic generated by patrons or pickup/delivery vehicles will pass through low or moderate density residentially zoned neighborhood;
  - f. The number of police calls to the proposed location and/or adjacent properties within the past year.
- (f) *Preexisting amusement arcades or arcade amusement centers.*
- (1) Preexisting amusement arcades or arcade amusement centers will be required to immediately comply with all procedural requirements such as permitting, licensing, general operating standards, fees, and nonhardscape design standards. Hardscape design standards such as parking lots, exterior lighting, landscaping, sidewalks, etc. will be subject to a twenty-four-month time for compliance.
- (g) *Florida law compliance.* It is not the intent of this section to allow amusement arcades or arcade amusement centers that:
- (1) Mimic the look and feel of gambling venues which are prohibited by law.
  - (2) Include any game, machine or device that violates any provision of state and federal law, including, but not limited to F.S. Ch. 849.
  - (3) All amusement arcades or arcade amusement centers shall operate in full compliance with all Florida Statute requirements and other applicable laws.

(Ord. No. L-217, § 4, 12-5-11)

Information

REQUESTED ACTION

Conditional Use - Little Angels Learning Academy - 736 N. 7th Street

LOCATION

736 N. 7th Street

RESPONSIBLE STAFF

Vennis Gilmore, Planning Analyst

RECOMMENDATION

The requested Conditional Use with No New Construction is consistent with City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends that the Planning Board forward a recommendation to the City Commission for **approval** with the following **conditions**:

- 1) Comply with City Code Section 22-60. Off-street Parking and Loading (c) Design Standards, d) Commercial Uses & (j) Lighting. **Please provide the lighting plan with a minimum average of two (2) footcandles.**
- 2) The applicant integrates landscaping around the perimeter of the recreational area pursuant to City Code Section 22-67 (d)(1).
- 3) The applicant re-stripes the parking spaces to fulfill the required spaces per City Code Section 22-60. Off-street Parking and Loading -- (d) *Number of required off-street parking spaces*.
- 4) Per City Code Section 22-60. Off-street Parking and Loading – (c)(4) *Access*; all off-street parking and loading facilities shall be so arranged that no automobile shall have to back into any street. **Please consider parking located in the rear of the building or payment in-lieu to the city's multimodal fund for spaces that are not in accordance with Sec 22-60.**

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Attachments

- Staff Report
- Application
- Narrative
- Property Record Card
- Location Map
- Zoning Map

Site Plan  
Floor Plan  
TRC Comments

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## Form Review

Form Started By: Vennis Gilmore  
Final Approval Date: 03/08/2018

Started On: 03/07/2018 11:20 AM



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**TO:** Members of the City of Fort Pierce Planning Board

**THROUGH:** Rebecca Grohall, AICP, Planning Director

**FROM:** Vennis Gilmore, Planning Analyst

**RE:** **Application for Conditional Use with No New Construction**  
**Little Angels Learning Academy**  
**436 N. 7<sup>th</sup> Street**

**DATE:** March 4, 2018

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**STAFF REPORT**

**Owner(s):** NuView IRA – Timothy J. O’Connell  
280 S. Ronald Reagan Boulevard, Suite 200  
Longwood, FL. 32750

**Applicant:** Little Angels Learning Academy – Cynthia O’Connell  
420 N. 2<sup>nd</sup> Street  
Fort Pierce, FL. 34950

**Applicant’s Request:** Approval of a Conditional Use with No New Construction for the operation of a Daycare Facility

**Location:** 436 N. 7<sup>th</sup> Street

**Parcel ID:** 2410-603-0028-000-8

**Current Zoning:** General Commercial Zone (C-3)

**Future Land Use:** General Commercial (GC)

**Surrounding Zoning:**

North	East	South	West
C-3	C-3	C-3	C-3

**Site Size:** .38 acres

**Utilities:** FPUA

## **Staff Analysis:**

### ***Request***

In accordance with Sections 22-22, and 22-76 of the City Code, the applicant is requesting the review and approval of a Conditional Use with No New Construction to allow for a Daycare Facility. The applicant is seeking to operate a Daycare Facility in an existing four (4) unit commercial plaza. The property is zone C-3, General Commercial with a future land use of General Commercial.

The City Commission adopted Ordinance No. L-11 in 2008, amending Section 22-31(c) of the City Code to permit Day Care Centers and Schools other than education service establishments as a conditional use in the C-3, General Commercial, Zoning District.

The property is located at the southeast corner of Avenue D and N. 7<sup>th</sup> Street. The subject property is surrounded by a duplex and single-family residence to the north, commercial businesses to the south, a St. Lucie County service building to the west and a duplex residence to the east. The site currently has eight (8) existing parking spaces that will need to be re-striped. Per City Code Section 22-60 Off-Street Parking and Loading; elementary schools, junior high schools and day-care centers are required 2 parking spaces for each classroom.

The present facility is approximately 3,040 square-feet, consisting of three (3) commercial units. The applicant has submitted a new floor plan that will consist of three (3) connected classrooms, one (1) infant room, three (3) children's restrooms, one (1) employee restroom, one (1) infant changing room, one (1) child drop-off reception area, and a catered food preparation area without a commercial kitchen. Meals for the students and employees are catered. The facility will include a 600 sq. ft. playground area in the rear of the building; based on the Department of Children and Family Services' requirements. The proposed facility will be adequately parked, featuring the addition of short-term bicycle parking for students and faculty. The facility can only be accessed from the development entrance located on N. 7<sup>th</sup> Street. The applicant will be replacing the current 4 foot tall fence in the rear with a 6 foot tall fence for security.

The applicant currently has two (2) daycare facilities and would like to combine both schools at the proposed subject site. Operation of the proposed facility will be from 6:30am to 10:00pm; monday through friday. There will be a total of eight (8) employees with split shifts to accommodate parents with late working hours. The new location will accommodate between 60-70 kids on average. The Occupancy calculation on the architectural documents is for life safety and fixture calculations perscribed by the building code. The building code limit for the structure is 92 people. The 92 occupant figure is required to be used for the construction documents by the building and fire departments. The facility will host 2 month to 5 year olds in the day program and 6 to 12 year olds in the before and after school programs. In the 2 month to 5 year old group; thirty (30) of those students will be provided transportation by the daycare program. In the 6 to 12 year old group; all students will be provided transportation by the daycare program.

The subject property is also within the Avenue D District; a City of Fort Pierce Historic District. This designation may require the applicant to go before the Historic Preservation Board for a Certificate of Appropriateness; if exterior renovations are needed for ADA Compliance or other exterior improvements.

## **Zoning & Land Use**

The subject site is located within the General Commercial Zone (C-3) district which is primarily intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities. Many public and semi-public uses are also appropriate. Compared to the C-4 zone, this district is more suitable for uses requiring a high degree of accessibility to vehicular traffic, low intensity uses on large tracts of land, most repair services and small warehousing and wholesaling operations. Although this zone should be located along or near arterial or collector streets, it is not the intent of this district to encourage the extension of strip commercial areas. Instead it should promote concentrations of commercial activities. The site has a land use designation of General Commercial (GC).

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

## **Conditional Use**

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

The authorization of a Conditional Use with No New Construction for a Daycare Facility at 736 N. 7<sup>th</sup> Street will provide an opportunity for consistency with current surrounding property uses as the use does not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare of the surrounding residential neighborhood. The Planning Board is encouraged to consider City Code Section 22-22. – Allowed Uses. City Code Section 22-22 *Allowed Uses subsections (c) and (e)* states that the use of Daycare Centers and Childcare Facilities may be permitted as a conditional use if approved in a public hearing by the city commission.

## **Technical Review Committee**

All affected departments have reviewed the proposed Conditional Use with No New Construction with regards requirements of the City Code. Findings from the review by corresponding departments and any associated responses by the applicant are provided for viewing by the Planning Board.

## **Staff Recommendation**

The requested Conditional Use with No New Construction is consistent with City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends that the Planning Board forward a recommendation to the City Commission for ***approval*** with the following **conditions**:

- 1) Comply with City Code Section 22-60. Off-street Parking and Loading (c) Design Standards, d) Commercial Uses & (j) Lighting. **Please provide the lighting plan with a minimum average of two (2) footcandles.**
- 2) The applicant integrates landscaping around the perimeter of the recreational area pursuant to City Code Section 22-67 (d)(1).
- 3) The applicant re-stripes the parking spaces to fulfill the required spaces per City Code Section 22 -60. Off-street Parking and Loading -- (d) *Number of required off-street parking spaces.*
- 4) Per City Code Section 22-60. Off-street Parking and Loading – (c)(4) *Access*; all off-street parking and loading facilities shall be so arranged that no automobile shall have to back into any street. **Please consider parking located in the rear of the building or payment in-lieu to the city’s multimodal fund for spaces that are not in accordance.**



THE SUNRISE CITY  
**FORT PIERCE**  
PLANNING DEPARTMENT *Florida*

**Conditional Use - No New Construction**

Property address or Location 436 N 7th St, Ft Pierce FL 34950  
 Parcel ID #(s) 2410-603-0028-000-8  
 Project description Relocating day care to this location

IR# # 1422078  
 NuView IPA Fbo Timothy J. O'Connell  
 Property Owner(s)  
280 S. Ronald Reagan Blvd #200  
 Street Address  
Longwood FL 32750  
 City State Zip  
772 924-2911  
 Phone Number  
Cindi@OCRealtyTeam.com  
 Email Address

Little Angels Learning Academy  
 Cynthia O'Connell, OC Realty  
 Applicant/Representative, Title, Company  
420 N 2nd St  
 Street Address  
Ft. Pierce FL 34950  
 City State Zip  
772 924-2911  
 Phone Number  
Cindi@OCRealtyTeam.com  
 Email Address

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

Tommy Brewer  
 Property Owner(s) Signature(s) Tommy Brewer, AUTHORIZED SIGNER

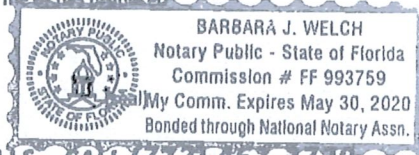
STATE OF FLORIDA - COUNTY

The foregoing Instrument was acknowledged before me this 9th day of November, 2017, by

Tommy Brewer, Authorized Signer who is personally known to me or has produced

as identification.

Barbara J. Welch  
 Signature of Notary



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

**TO BE COMPLETED BY STAFF**

Project Name	Conditional Use	Tabletop	4-DIGIT PERMIT	NUMBER OF PERMITS
				Contributing Individual Non-Contributing None

Pre-Application Meeting Date \_\_\_\_\_ Fees \_\_\_\_\_ Control # \_\_\_\_\_ B. Permit # \_\_\_\_\_

Intake Planner \_\_\_\_\_

Planner Assigned \_\_\_\_\_

Approved By \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



Intake Date Stamp



## CONDITIONAL USE: NO NEW CONSTRUCTION

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

- If no site improvements are required:
  - As-built survey
  - Floor plan of existing building(s)
- If parking and drainage improvements are required:
  - As-built survey;
  - Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
  - Lighting plan
- Complete, notarized application

### Application Type:

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

### Site Information:

Building Size 3000 Parking Spaces: 7

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

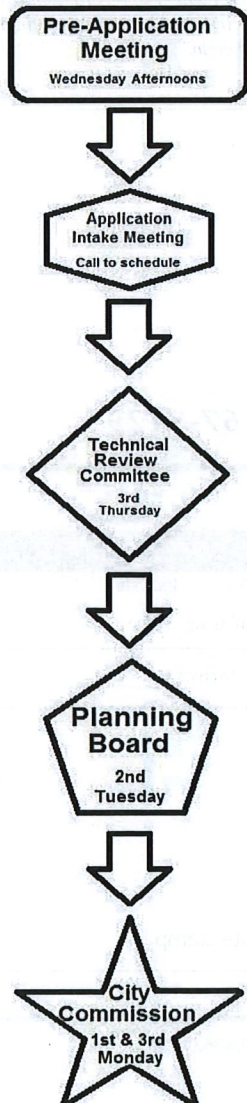
North	South	East	West

*I have 2 location (Daycare)  
 Little Angel's 2007 Orange Ave (30 children)  
 Little Angel's TU 1918 Okeechobee Rd (28 children)*

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

- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

### Application Outlook



Myrtle Peterson  
2007 Orange Avenue  
Ft Pierce, FL 34950  
(772) 672-1181 Cell  
Email: [PetersonMyrtle7@gmail.com](mailto:PetersonMyrtle7@gmail.com)

Jan 30, 2018

Mr. Kori Benton- Historic Preservation Officer  
City of Ft Pierce Planning Dept.  
100 N US Highway 1  
Ft Pierce, FL 34954-1480

Subject:  
Little Angels Learning Academy  
436 N 7<sup>th</sup> St, Ft Pierce, FL 34950

Dear Mr. Benton,

The proposed project is for a conditional use of a Day Care facility. We are combining two (2) separate day care facilities.

Operation of the facility will be from 6:30 am until 10 pm, five days a week (Monday through Friday). Closed on Saturday and Sunday.

There will be 8 employees with split shifts to accommodate parents working late.

#### **TRAFFIC STATEMENT**

- We will have about (50) Fifty children, 2 months old up to 5 years old, in the day care program. Little Angles will provide transportation for (30) Thirty of those children in our company van. The other (20) twenty children will be picked up/dropped off by their parents.
- We will have (20) Twenty children, 6 years old to 12 years old, in the before and after school programs. NONE of these children will be dropped off or picked up by their parents. We provide all transportation to and from the

facility for this group of children. Note: These children arrive after 3:00 in the afternoon.

- Only about (20) Twenty of the total 70 children (2 months to 5 years old) will actually be picked up/dropped off by parents since we provide transportation. Those pick up and drop off times are all different.
- Based on ITE, Trip Generation 8th Edition, 20 students x 4.48 trips/student = 90.6 trips. (This day care picks up all after school kids and 30 kids for the day care so only 20 children are actually dropped off/picked up)
- Note: This is a total of (70) seventy children and (8) eight adults for a total of (78) Seventy eight. the 78 person occupant load is the expected load for the building which is less than the maximum allotted by the building code. The Occupancy calculation on the architectural documents is for life safety and fixture calculations prescribed by the building code. The building code limit for the structure is 92 people. The 92 occupant figure is required to be used for the construction documents by the building and fire departments.
- The drop off will be right out front ON OUR PROPERTY. This is in addition to the actual parking spaces. Please see attached plan. We will have a designated employee outside during peak times to sign the children in and out. The drop off aisle will be 83 feet long and 10 feet 6 inches wide located between the parking spaces and the street.
- This facility is closer to the Ave D bus station and the homes of many of the families I serve. Therefore, they will be able to walk to the new facility decreasing traffic.

The building is approximately 3,040 sf. There will be (8) Eight parking spaces. (1) of the parking spaces will be an accessible parking space with access aisle leading to a walk to the front door. There will be a bike rack for at least (2) bikes on the south side of the building. There is existing site lighting in the form of lights over the front walk and a pole light on the SW corner of the property. The existing site plan also shows flood lights being installed. A photometric study will be done during the construction documents phase to ensure minimum 2 foot candle jurisdictional and code required light levels are maintained. Building code light level requirements are noted on the architectural drawing life safety noted Sheet A0.7, 453.10.3.5 There will be garbage cans located on the South side of the building as well noted on the site plan. The back of the currently has a 6' chain link fence (the north side being a 4' chain link fence which will be replaced.). The gate within this fence will be locked at all times.

There will be a separate fenced playground the size and requirements to be determined by DCF (600 sf approximately). The playground will be located in the NW side of the property closest to the building and the residential neighbor. Please note that the portion of the rear site being allowed as a playground is being given as a concession to the tenant. The owner had originally meant for this to be building use only.

Please refer to the architectural drawing for any questions.

Founder and director of Little Angels Learning Academy is Myrtle Peterson a lifelong Fort Pierce resident. Little Angles has been in business for 3 years and continues to show community acceptance through growth. A larger facility that is centrally located is the primary reason for the

Sincerely,

Myrtle Peterson, Director  
Little Angels Learning Academy

**Property Identification**

Site Address:	436 N 7th ST
Parcel ID:	2410-603-0028-000-8
Account #:	23309
Map ID:	24/10N
Use Type:	1100
Zoning:	C3
City/County:	Fort Pierce

**Ownership**

NuView IRA  
 Timothy J O'Connell IRA Acct 1422078  
 1064 Greenwood BLVD Ste 312  
 Lake Mary, FL 32746

**Legal Description**

PLAT OF A C DITTMAR'S RE-S/D BLK19 S 85 FT OF LOTS 1, 2, 3 AND 4-LESS ST- (MAP 24/10C) (OR 3697-2003)

**Current Values**

Just/Market Value:	\$137,700
Assessed Value:	\$79,760
Exemptions:	\$0
Taxable Value:	\$79,760

Taxes for this parcel: [SLC Tax Collector's Office](#)   
 Download TRIM for this parcel: [Download PDF](#)



**Total Areas**

Finished/Under Air (SF):	3,040
Gross Area (SF):	3,344
Land Size (acres):	0.38
Land Size (SF):	16,575

**Sale History**

Date:	Dec 5, 2014
Book/Page:	3697 / 2003
Sale Code:	0205
Deed:	WD
Grantor:	Beaucejour Pegue
Price:	\$65,000
Date:	Jan 30, 2009
Book/Page:	3056 / 0343
Sale Code:	0311
Deed:	QC
Grantor:	Jour,Eugene B
Price:	\$100
Date:	Nov 1, 2000
Book/Page:	1340 / 1903
Sale Code:	XX02
Deed:	WD
Grantor:	Price,W Robert
Price:	\$105,000
Date:	Jan 3, 1990
Book/Page:	0671 / 2455
Sale Code:	XX01
Deed:	QC
Grantor:	W Robert Price
Price:	\$100
Date:	Jan 3, 1990
Book/Page:	0671 / 2454
Sale Code:	XX01
Deed:	QC
Grantor:	
Price:	\$100

**Building Information (1 of 1)**

Finished Area: 3,040 SF  
 Gross Total Area: 3,344 SF

Exterior Data

View:	Roof Cover: Roll Comp	Roof Structure: BarJst/Rigid
Building Type: STRL	Year Built: 1963	Frame:
Grade: Y_D+	Effective Year: 1963	Primary Wall: Conc Block

Story Height: 1 Story

No. Units: 4

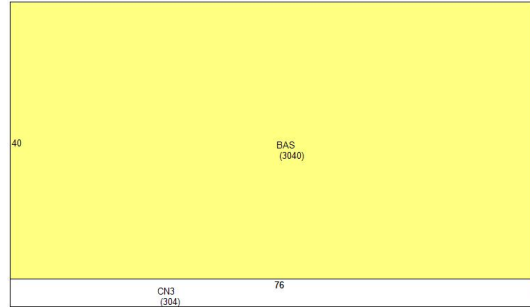
Secondary Wall:

Bedrooms: 0  
Full Baths: 0  
Half Baths: 0  
A/C %: 100%

Electric: MAXIMUM  
Heat Type: FredHotAir  
Heat Fuel: ELEC  
Heated %: 100%

Interior Data

Primary Int Wall:  
Avg Hgt/Floor: 0  
Primary Floors: CONC GRD  
Sprinkled %: 0%



Special Features and Yard Items

Type:	ASP2 LOW
Quantity:	1
Units:	1000
Year Built:	1970
Type:	CHAINLINK 6'
Quantity:	1
Units:	185
Year Built:	1976

Current Year Values

Current Values Breakdown

Building:	\$121,100
Land:	\$16,600
Just/Market:	\$137,700
Ag Credit:	\$0
Save Our Homes or 10% Cap:	\$57,940
Assessed:	\$79,760
Exemption(s):	\$0
Taxable:	\$79,760

Current Year Exemption Value Breakdown

Current Year Special Assessment Breakdown

Start Year	AssessCode	Units	Description	Amount
1999	0041	2.6	Fort Pierce Stormwater Charge	\$140.40

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.

Historical Values

Permits

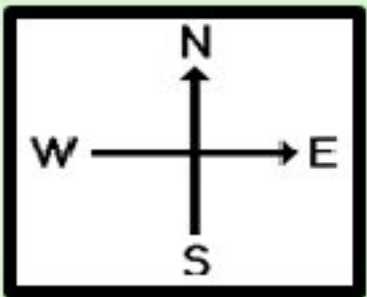
Number:	F99-000019
Issue Date:	Jan 7, 2000
Description:	Roof
Amount:	\$6,000
Fee:	\$0
Number:	F900001049
Issue Date:	Aug 13, 1990
Description:	Demolition
Amount:	\$3,700
Fee:	\$3,700
Number:	F92-001260
Issue Date:	Oct 20, 1992
Description:	Roof

AVENUE D

N 7TH ST

N 6TH ST

2410-603-0028-000-8



### Location Map

**736 N. 7th Street** -

**Little Angels Learning Academy**



THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*

# AVENUE D

N. 7th Street

N. 6th Street



## Zoning Map

Little Angels Learning Academy

736 N. 7th Street

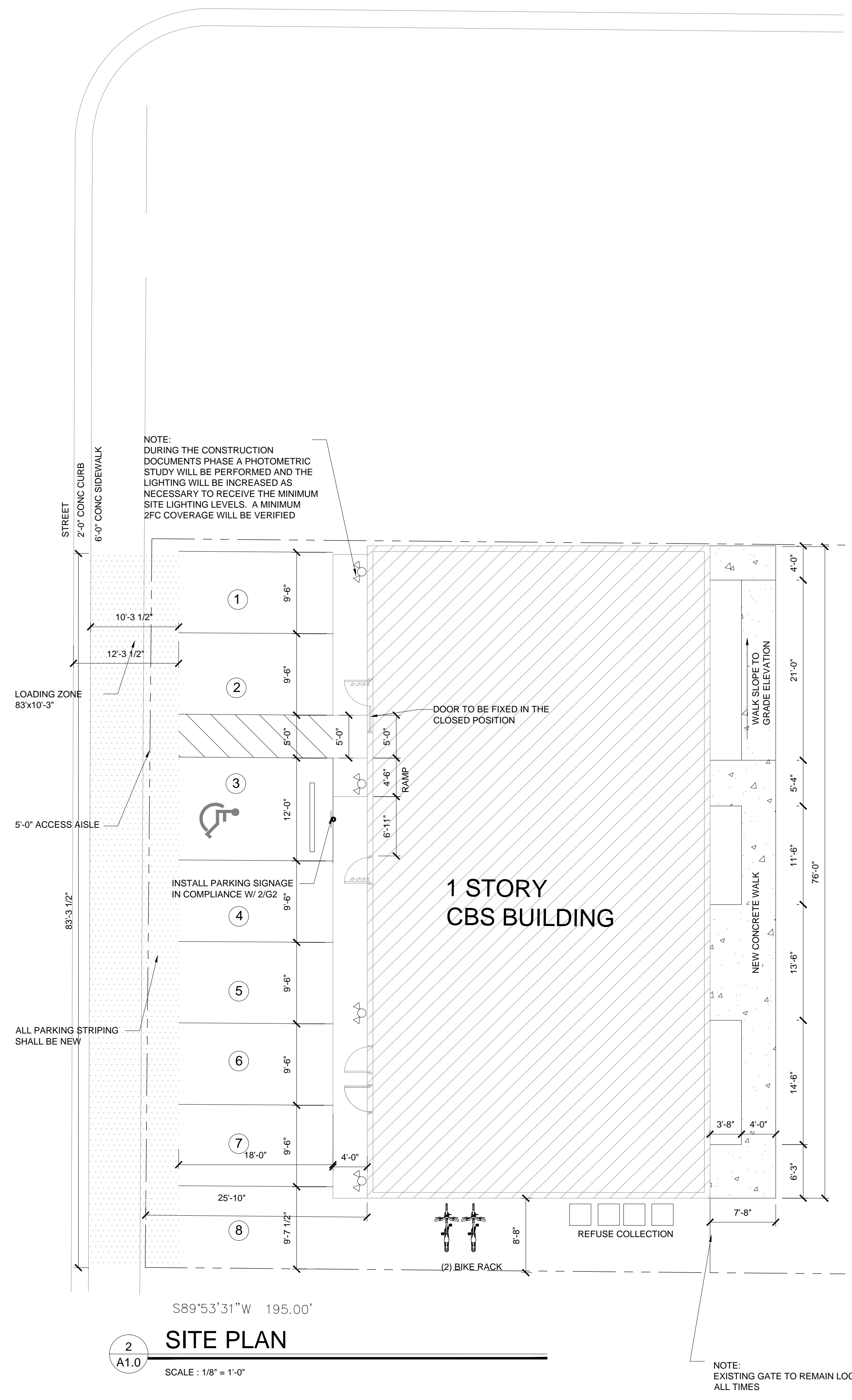
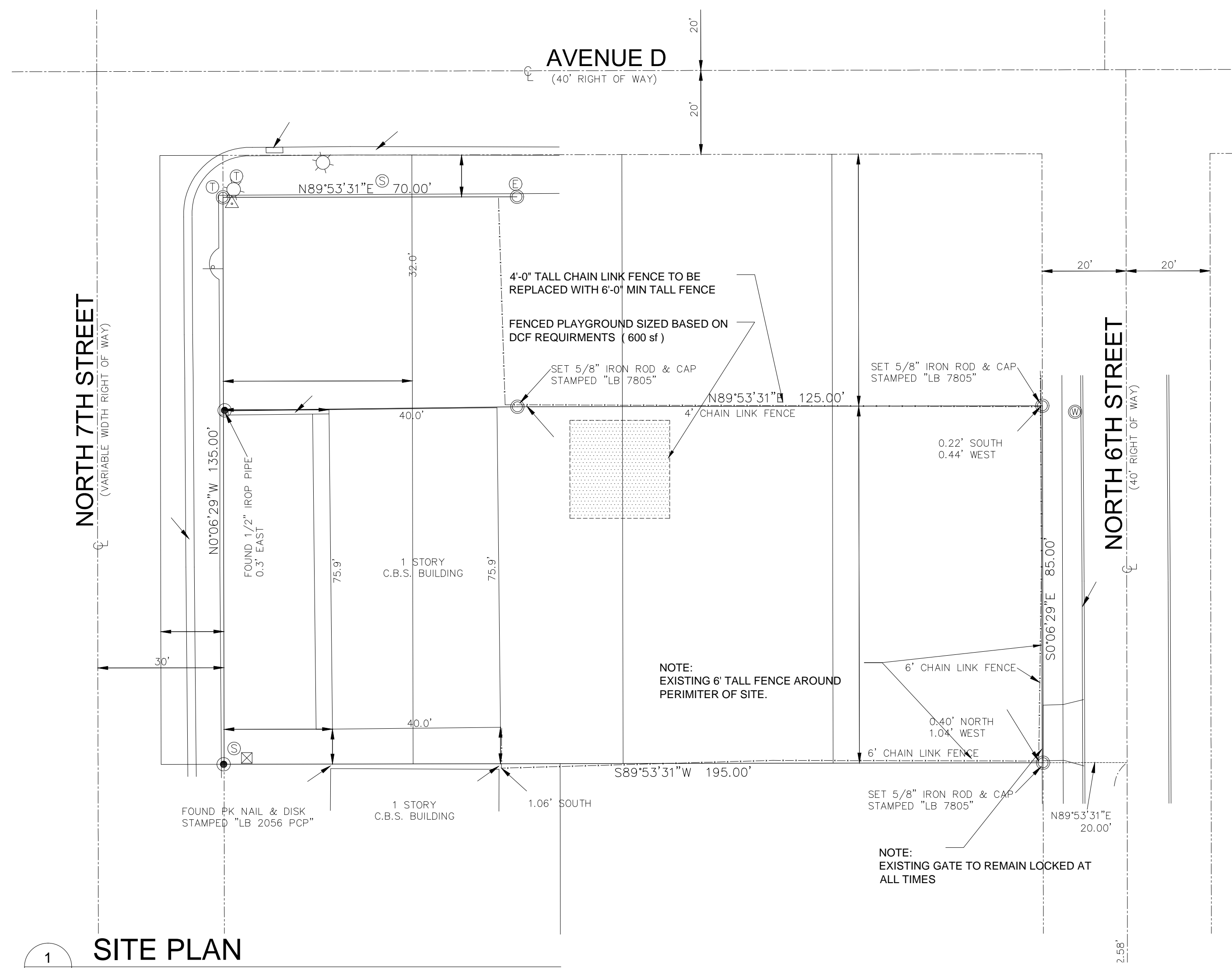
### Legend

..... Subject Site

■ C-3, General Commercial



THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*



DATE: **PRELIMINARY - NOT FOR CONSTRUCTION**

ROBERT S. LEWIS REG # : AR91402

**CONSULTANTS :**

**OFFICE INFORMATION**

DRAWN BY : RSL  
CHECKED BY : RSL  
ISSUE DATE : 03-01-2018  
FILE NAME : C:\PROJ\0300\A1

**REVISIONS :**

REV #	DATE	DESCRIPTION
1		

**PROJECT TITLE :**  
DAYCARE CHANGE OF USE

LIFE SAFETY PLAN - REVIEW

COMMISSION # : 1755

**SHEET TITLE :**  
SITE PLAN

M:\BuildingPlans\HistoricalBuildingPlans\17001155\Phase 2\Daycare Change of Use\DWG\A1.0.dwg, 3/2/2018 7:51:56 AM, Robert S Lewis, P.A., 4891602, 05/11/18 10:12:56 AM, Robert S Lewis, P.A., 4891602

**ARCHITECTURE**  
**BUILDING IDEAS**  
 TRANSFORMING IDEAS INTO REALITY

PH : 1.772.408.6963      22062 CONCHA AVE.  
 FAX : Ancient tech email it.      BOCA RATON, FL.      33428  
 No one faxes anymore  
 EMAIL: rlewis@biarch.com  
 AA26001089

DATE: **PRELIMINARY - NOT FOR CONSTRUCTION**

ROBERT S. LEWIS      REG #: AR91402

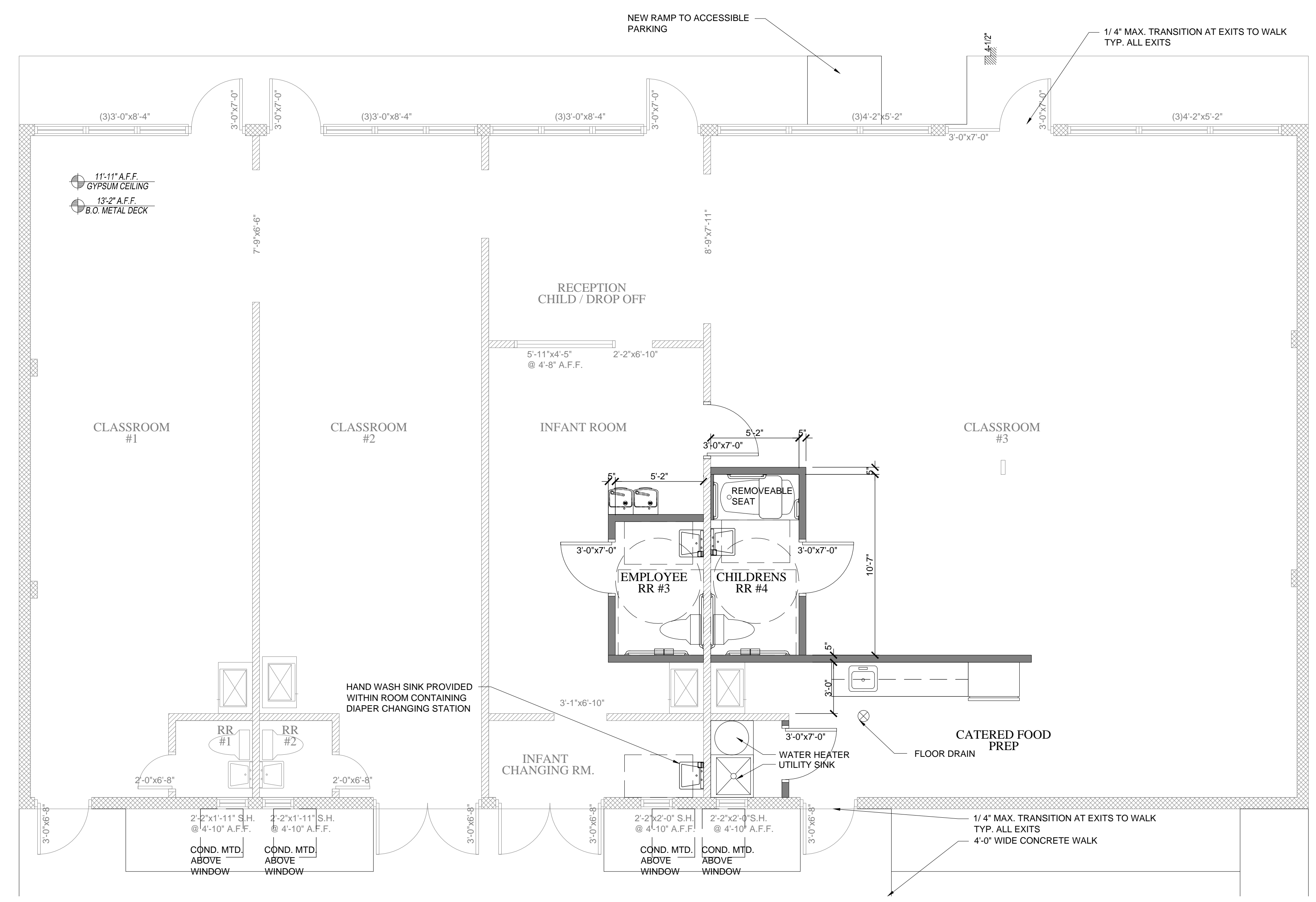
CONSULTANTS :

**OFFICE INFORMATION**

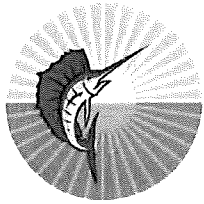
DRAWN BY : RSL  
 CHECKED BY : RSL  
 ISSUE DATE : 03-01-2018  
 FILE NAME : C:\PROJ\0300A1

**REVISIONS :**

REV #	DATE	DESCRIPTION



M:\BuildingIdeas\Historical\BuildingIdeas\1700\1715\Plan\03-Daycare-Childcare\Plan\03-DAYCARE-180215.dwg, 3/2/2018 7:52:00 AM, Robert S. Lewis, P.A., 4891602, 6511 441 8128 rlewis@biarch.com



February 13, 2018

Little Angels Learning Academy  
Cynthia O'Connell  
420 N 2<sup>nd</sup> Street  
Fort Pierce, FL 34950

**SUBJECT: Technical Review  
Little Angels Learning Academy – 436 N 7<sup>th</sup> Street  
Conditional Use with No New Construction**

Dear Mrs. O'Connell,

The following are technical review comments from the Planning Department's review of the application for **Conditional Use with No New Construction**:

1. The Survey includes property seemingly outside of the conditional use request scope. Please provide clarification whether any academy activities are considered outside of Parcel 2410-603-0028-000-8.
2. Please clarify, with specificity, the maximum quantity of children proposed for enrollment at the academy, and the maximum quantity of children anticipated on-site, simultaneously, during normal business hours. Notes of 58, 50, and 70 are referenced. Is the request, a maximum of 70 children between 2 months & 12 year olds?
3. The Conditional Use application references outdoor play space, to be determined with DCF, however please denote the anticipated, or conceptual, area intended for outdoor activities. What is the projected maximum quantity of children to be engaged in outdoor activities at one time.
4. Pursuant to City Code Section 22-60 (d) (3) e. Two vehicular parking spaces shall be provided, per classroom. In reviewing the presented floor plan, it appears that four (4) classrooms are present inclusive of the Infant/Toddler room. Six (6) parking spaces are denoted on the plan submitted, however it appears that 7 spaces are accounted for. Pursuant to City Code Section 22-60, "typical" parking spaces only require a stall width of 9.5ft., which may provide opportunity for additional parking.
5. Pursuant to City Code Section 22-60 (c)(4) Access. Each parking or loading space shall be directly accessible from a street or alley or other public right-of-way or from an adequate access aisle or drive leading to or from a street or alley. Except for single-family dwellings and duplexes, all off-street parking and loading facilities shall be so arranged that no automobile shall have to back into any street. The orientation of parking appears to be consistent with longstanding function of the site, however the proposed conditional use is projected to increase the intensity and traffic to and from the site. Please ensure dimensions and configuration are provided in overlay upon a scales site plan/survey to verify compliance.
6. The presented Conditional Use plan indicate parent pick-up and drop-off activities will be provided on-property. Please overlay the intended loading area, traffic pattern, and queuing area for this component of the operation. As use of a van/bus is presented for collection and drop-off of children, please identify the intended loading area, or reserved space for access by this vehicle.
7. The site layout plan and support documents do not present any reference or improvements to site landscaping, or identify site lighting meeting the City Code requirement of a 2 Footcandle average. Please work to integrate such improvements, or existing features, into the site improvement plan to ensure compliance with City Code.

8. Pursuant to City Code Section 22-60 (f), please integrate a bicycle rack on-site, capable of serving 2 bicycles.
9. Please identify a refuse collection area for the proposed business.

-It's noted that the subject site is located within the Lincoln Park Historic District. If dimensional requirements or standards are deemed required, but are considered by the applicable to be infeasible, consideration of a variance application to the Historic Preservation Board may be discussed with our Historic Preservation Planner, Maria Lewicka.

The presented review is specific to Planning Department's review of the proposed **Conditional Use with No New Construction**. **The comments of the Planning Department, and corresponding departments within the TRC, will provide their review comments at the TRC Meeting. At which time, you're provided an opportunity to present inquiry, clarification, or acknowledgement of any identified comment. A follow-up meeting may be scheduled to explore any concepts or potential resolutions further.** Please contact me should you have any questions regarding the project at (772) 467-3729 or by e-mail: kbenton@city-ftpierce.com.

Sincerely,



Kori Benton  
Senior Planner

ST. LUCIE COUNTY FIRE DISTRICT  
FIRE PREVENTION BUREAU  
Office of the Fire Marshal



Telephone: (772) 621-3322  
Fax: (772) 621-3604

**BUREAU OF FIRE PREVENTION**

**SITE PLAN REVIEW**

**TO: Site Plan Applicant**

**SITE PLAN: Little Angels Learning Academy**

**REVIEW DATE: 2/12/2018**

**PLANNER: KORI BENTON**

**REVIEWED BY: Captain Paul Langel**

---

Site Plan Approved: \_\_\_\_\_

Site Plan Approved with conditions:   X  

Site Plan Approval withheld pending written acknowledgement of conditions: \_\_\_\_\_

Site Plan Rejected: \_\_\_\_\_

---

**The Following Revisions Are Necessary:**

- 1. Please submit a completed application for Development/Site Plan Review (St. Lucie County Fire District Development & Site Plan Review Application). This form is available on-line at <http://www.slcfcd.com/permits.htm>**
- 2. Fire District review fees are due at the time of submittal. An abbreviated fee schedule is included on the application form.**
- 3. ~~Please provide an electronic copy of the Site Plan (pdf format)~~-Received 2/12/2018**
- 4. A separate review and permit is required for Underground Fire Mains connected to standpipes or sprinkler systems.**

*"Our Family Serving Yours"*

5160 N.W. Milner Drive, Port St. Lucie, Florida 34983-3392

Telephone: (772) 621-3400 Fax: (772) 621-3500

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



THE SUNRISE CITY

**FORT PIERCE**  
BUILDING DEPARTMENT *Florida*

**TECHNICAL REVIEW COMMITTEE (TRC) COMMENTS FORM**

**FROM :** Paul Thomas, CBO, CFM, Building Official 

**RE :** 436 N. 7<sup>th</sup> St. – Little Angels Learning Academy –CU with No New Construction (KB)

**DATE :** February 15, 2018

The proposed may trigger the following Code requirements:

- I. Change of Use I-4
  - Life-safety plan
  - ADA parking, accessibility and restrooms

PT/km



**TRC comments for the 2/15/18 TRC meeting**  
Damian Spotts to: [kbernton@city-fpierce.com](mailto:kbernton@city-fpierce.com), [arosenlhal@city-fpierce.com](mailto:arosenlhal@city-fpierce.com)  
Cc: John Schramm

02/20/2018 12:56 PM  
[Show Detail](#)

History: This message has been forwarded.

Kori,

As discussed, here are the comments regarding the 2/15/18 TRC meeting that the PD was unable to attend.

Case 1712-000003, Smith Residence, variance: NO COMMENT

Case 1804-000004, Arcade amusement center, con'd use: NO COMMENT

Case 2430-503-0139-0004, Carriage Point, Major amendment: Please try to design the walking trail's route so that the people who may be at the picnic area / covered rec area / dog park have maximum opportunity to see the users of the trail, allowing for maximum natural surveillance for users of the trail. Incorporate proper lighting means to illuminate the trail after dark to protect the users and to discourage undesired activities.

Case 18-428-00003, Costa Seafood, con'd use: Please provide proper and adequate lighting for the parking area.


Case 1804-000002, Broderick Dwelling rental, con'd use: NO COMMENT.

Case 1807-000002, Fresh Wind-Fresh Fire church, Abandonment / Rezoning: NO COMMENT for both.

Case 1804-000003, Little Angels, Con'd use: Please ensure there is sufficient exterior lighting for the property. Consider the use of a CPTED style transparent type fence to define the perimeter of your property.

Case 1807-000001, Second Street Station, Design review: NO COMMENT



Re: TRC Comments Needed before you go, please   
 Kori Benton to: Alicia Rosenthal

02/22/2018 08:39 A  
 Show Detail

▼ 2 attachments



Little Angels - TRC Comments.docx FWFF TRC Comments.docx

**Site Plan, Rezoning, Future Land Use Map Amendment - Fresh Wind Fresh Fire Church -**

411 N. 25th Street - Kori Benton

- W/WW Engineering: Water and Wastewater are available for this property.
  - Electric & Gas Engineering: Electric is approved please contact Sal Scimeca for details about electrical service (772)466-1600x6957
- Gas is approved with comments. FPUA has a 2' steel gas main that is within the Ave C ROW it appears that it will be toward the bottom of the proposed drainage pond and may be in conflict. FPUA requests that an elevation be given for the bottom of the pond to ensure the gas main maintains a min of 36" cover. If the gas main is found to be in conflict it will be the responsibility of the owner to cover the cost for the gas main adjustment. This conditional approval is based on the understanding of granting a 10' utility easement requested in the approval of the Ave C ROW abandonment if you have any questions please feel free to contact Jason Mittler (772)466-1600x6306.

b. Abandonment - Fresh Wind Fresh Fire Church - 400 N. 26th Street - Kori Benton

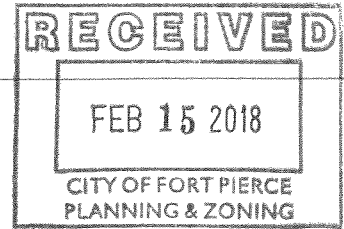
- W/WW Engineering: No comment
  - Electric & Gas Engineering: Electric approved with no comments
- Gas approved with comments. FPUA has a 2' steel gas main that is located within the section of Avenue C that is proposed to be abandoned. FPUA will approved the request if a 10' utility easement centered on the 2" gas main is given. Please feel free to contact Jason Mittler to discuss in more details (772)466-1600x6306.

f. Conditional Use with No New Construction - Little Angels Learning Academy - 436 N. 7th Street - Kori Benton

- W/WW Engineering: Water and wastewater service is available. If fire protection is needed plans will be required. If a three compartment sink is required, a grease trap will need to be installed.
- Electric & Gas Engineering: No comment



THE SUNRISE CITY  
**FORT PIERCE**  
 ENGINEERING  
 DEPARTMENT  
*Florida*



**To : Kori Benton, Senior Planner**

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

**RE : Little Angels Learning Academy – 436 N 7<sup>th</sup> Street**  
**TRC No. 18-0400003**

**DATE : February 13, 2018**

This is to advise you that we have completed the review of the following documents as received by this office on February 6, 2018:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Conditional Use                                       | <input type="checkbox"/> P/D Drawings  |
| <input type="checkbox"/> Test Reports & Related Documents                                 | <input type="checkbox"/> Certificate of Completion                               |
| <input type="checkbox"/> Record Drawings  | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies |  |

Based on our reviews and appropriate site final inspection, we

- Recommend                       Do Not Recommend
- Approval of Conditional Use    Building Permit                       c/o

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

See attached for engineering comments

JRA/tst/dhr

*TST*

Q:\ENGINEERING\Site Development Projects\Little Angels\Conditional Use\Submittal No. 1 - 020218\CU Approval 021318.docx

Information

REQUESTED ACTION

Conditional Use - Broderick Dwelling Rental - 1042 Windward Drive #3403

LOCATION

1042 Windward Drive #3403

RESPONSIBLE STAFF

Vennis Gilmore, Planning Analyst

RECOMMENDATION

The proposed use presents the provision of limited transient lodging accommodations to the general public, representing a limited commercial use that is compatible with the surrounding neighborhood of this location, and is generally consistent with the City's Land Development Code and Comprehensive Plan with appropriate restriction therefore; Staff recommends the Planning Board forward a recommendation to **approve** the request with the following conditions:

- 1) The maximum occupancy ensures compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit;
- 2) Registration of the property manager accessible at all times, to resolve complaints or violations of City Code;
- 3) Issuance of guide booklets (available from Code Enforcement) for renters regarding local rules and public service resources to minimize conflicts; and
- 4) The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval.
- 5) Limit no more than 2 vehicles.

---

Attachments

Staff Report  
Application  
Location Map  
Zoning Map  
Floor Plan  
Rules & Regulations  
TRC Comments  
TRC Responses

---

## Form Review

Form Started By: Vennis Gilmore  
Final Approval Date: 03/08/2018

Started On: 03/06/2018 03:35 PM



**TO:** Members of the City of Fort Pierce Planning Board

**THROUGH:** Rebecca Grohall, AICP, Planning Director

**FROM:** Vennis Gilmore, Planning Analyst

**RE:** **Application for Conditional Use**  
**Broderick Dwelling Rental**  
**1042 Windward Drive #3403**

**DATE:** March 3, 2018

**STAFF REPORT**

**Applicant:** Trident Property Management – Michael Broderick  
 1221 Delaware Avenue  
 Fort Pierce, FL. 34950

**Applicant's Request:** Approval of a Conditional Use to operate a Dwelling Rental, offering lodging for less than six months. The identified minimum rental period is identified as one (1) month.

**Location(s):** 1042 Windward Drive #3403

**Parcel ID:** 2507-888-0069-000-1

**Current Zoning:** Hutchinson Island Medium Density Residential Zone (R4-A)

**Future Land Use:** Hutchinson Island Residential Residential (HIR)

**Surrounding Zoning:**

North	East	South	West
R-4A	Atlantic Ocean	R4-A	R-1, HIRD (SLC)

**Utilities:** FPUA

## **Staff Analysis:**

### ***Request***

In accordance with Sections 22-22, and 22-76 of the City Code, the applicant is requesting the review and approval of a Conditional Use to operate a Dwelling Rental at 1042 Windward Drive #3403, to offer lodging of less than six (6) months and a minimum of one (1) to guests. The subject property consists of a condominium. The condo structure contains two (2) bedrooms, two (2) bathrooms and traditional support rooms. Ocean House Condominiums have one (1) designated parking spot per home along with designated guest parking. The property is located within the Ocean Village Community. Ocean Village is a gated planned-community that is nestled on approximately 120 acres with approximately 3,500 feet of beach frontage. Ocean Village offers 24 hour security; a Par-3 9-Hole Executive Golf Course; Tennis Courts; Heated Swimming Pools; Jacuzzi; Sauna; Fitness Center; Card Room; Library with wi-fi; and clubhouses. The property is zoned Hutchinson Island Medium Density Residential Zone (R4-A).

The property is located near the northeast corner of S. Ocean Drive and Blue Heron Blvd.; south of Coconut Drive. The site is surrounded by single family residences to the north, vacant property to the south and west, and the Atlantic Ocean to the east.

### ***Dwelling Rentals***

Pursuant to City Code Section 22-3. - Definitions—Generally, the rental of any dwelling unit for less than six (6) months, is classified as a “Dwelling rental (dwelling unit)”, and defined as follows: One or more rooms connected together in a building, constituting a separate, independent housekeeping establishment, other than a motel/hotel, for purposes of rental on a daily, weekly, or longer basis, though less than what is otherwise provided for a dwelling, physically separated from any other rooms or dwelling units which may be in the building, and containing sleeping and sanitary facilities and one kitchen.

The State of Florida provides further classification of a dwelling is rented for periods of less than one (1) month, declaring the use a “Vacation rental”, and defined such use as any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project, which is rented to guests more than three times in a calendar year for periods of less than 31 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

A dwelling rental, as locally defined, is also a Vacation Rental if the duration of stays are less than one (1) month. The rental of a dwelling for periods at a minimum of one (1) month, but less than six (6) months is a dwelling rental, but not a Vacation Rental.

Table 1, below, presents general characteristics to clarify Dwelling Rentals, and the transitioning threshold for Vacation Rentals.

**Table 1 – Dwelling & Vacation Rental Definitions**

	<b>Dwelling Rental</b>	<b>Vacation Rental</b>
<b><i>Length of Stay</i></b>	Less than 6 months	30 days or less
<b><i>Lodging Type(s)</i></b>	Non-Transient (more than 30 days)	Transient Lodging
<b><i>State License Requirement</i></b>	If rented 30 days or less (Vacation Rental)	Division of Hotels & Restaurants – Vacation Rental License
<b><i>Public lodging establishment (ADA &amp; Misc. Regulations)</i></b>	If rented 30 days or less (Vacation Rental)	Public lodging establishment

***Zoning & Land Use***

The subject site is located within the Hutchinson Island Medium Density Residential Zone (R4-A) district which is designed to establish height and density regulations for lands located within the city which are situated east of the Indian River. The R-4A zone is compatible with the Medium Density Residential Hutchinson Island designation in the comprehensive plan. Permitted gross residential densities in this district may not generally exceed eight (8) units per acre. Bonus density of up to one additional unit per acre is available as provided for in this section. This district is established because Hutchinson Island is a sensitive barrier island which presents development considerations which are either unique to the area or are of added concern, such as environmental fragility, beach erosion, and hurricane evacuation.

The Hutchinson Island Residential (HIR) designation is intended for parcels that are best suited for residential development on Hutchinson Island. This future land use category allows single-family detached and attached units, duplexes and multifamily residences at densities ranging up to 8 dwelling units per acre. Limited public uses and commercial uses that are compatible with the surrounding development shall also be allowed. The previous “Medium Density Residential Hutchinson Island (Rmhi)” has been renamed.

**Traffic & Parking**

The traffic generation from the proposed use is undetermined based upon numerous variables present, and the absence of complete data by the Institute of Transportation Engineers (ITE) Trip Generation Manuel. Review of similar uses of this scale, in comparison to impacts of a multifamily housing development, suggest an insignificant effect overall evaluation; however the absence of maximum occupancy, occurrence of short lengths of stay, and frequency of cleaning services are variables that may concentrate trips during seasonal months and weekends, causing elevated traffic impacts during such times.

Pursuant to City Code Section 22-60 (d), b. Motels, hotels and resort hotels shall provide 1.6 spaces for each unit 500 square feet or larger. The subject site features a one (1) parking space per unit plus additional guest parking.

### **Conditional Use**

The purpose of the conditional use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout the particular zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare. The use as presented features commercial aspects that are not generally appropriate for single-family, low-density environments.

The authorization of a Conditional Use to establish a dwelling rental for periods of less than six (6) months, but greater than one (1) month would provide an opportunity for consistency with zoning district and land use designation as the use becomes non-transient, minimizing the commercial nature of the use and potential impacts to the surrounding residential neighborhood. The further limitation of other leading effects of the use may provide greater assimilation of the short-term rental within a single-family district.

### **Technical Review Committee**

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

### **Staff Recommendation:**

The proposed use presents the provision of limited transient lodging accommodations to the general public, representing a limited commercial use that is compatible with the surrounding neighborhood of this location, and is generally consistent with the City's Land Development Code and Comprehensive Plan with appropriate restriction therefore; Staff recommends the Planning Board forward a recommendation to **approve** the request with the following conditions:

- 1) The maximum occupancy ensures compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit;
- 2) Registration of the property manager accessible at all times, to resolve complaints or violations of City Code;
- 3) Issuance of guide booklets (available from Code Enforcement) for renters regarding local rules and public service resources to minimize conflicts; and
- 4) The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval.
- 5) Limit no more than 2 vehicles.





## Conditional Use – No New Construction

Property address or Location 1042 Windward Dr 3403, Fort Pierce, FL 34949

Parcel ID #(s) 2507-888-0069-000-1

Project description Request for approval to do short term rentals

Treasure Coast Realty Investment 2 LLC

**Property Owner(s)**

1221 Delaware Ave

Street Address

Fort Pierce FL 34950

City State Zip

561-719-3356

Phone Number

tridentproperty@bellsouth.net

Email Address

Trident Property Management, Michael Broderick

**Applicant/Representative, Title, Company**

1221 Delaware Ave

Street Address

Fort Pierce FL 34950

City State Zip

561-719-3356

Phone Number

tridentproperty@bellsouth.net

Email Address

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

Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY St. Lucie

The foregoing instrument was acknowledged before me this 16 day of January, 2018, by

Michael Broderick who is personally known to me or has produced

known to me as identification.

Cathy J Roberts

Signature of Notary



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

**TO BE COMPLETED BY STAFF**

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

Pre-Application Meeting Date \_\_\_\_\_

Fees \_\_\_\_\_ Control # \_\_\_\_\_ B. Permit # \_\_\_\_\_

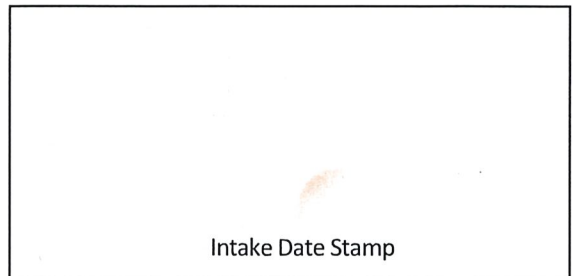
Intake Planner \_\_\_\_\_

Planner Assigned \_\_\_\_\_

Approved By \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





# CONDITIONAL USE: NO NEW CONSTRUCTION

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

- If no site improvements are required:
  - As-built survey
  - Floor plan of existing building(s)
- If parking and drainage improvements are required:
  - As-built survey;
  - Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
  - Lighting plan
- Complete, notarized application

### Application Type:

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

### Site Information:

Building Size \_\_\_\_\_ Parking Spaces: \_\_\_\_\_

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

North	South	East	West

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

- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

### Application Outlook



# Ocean Village



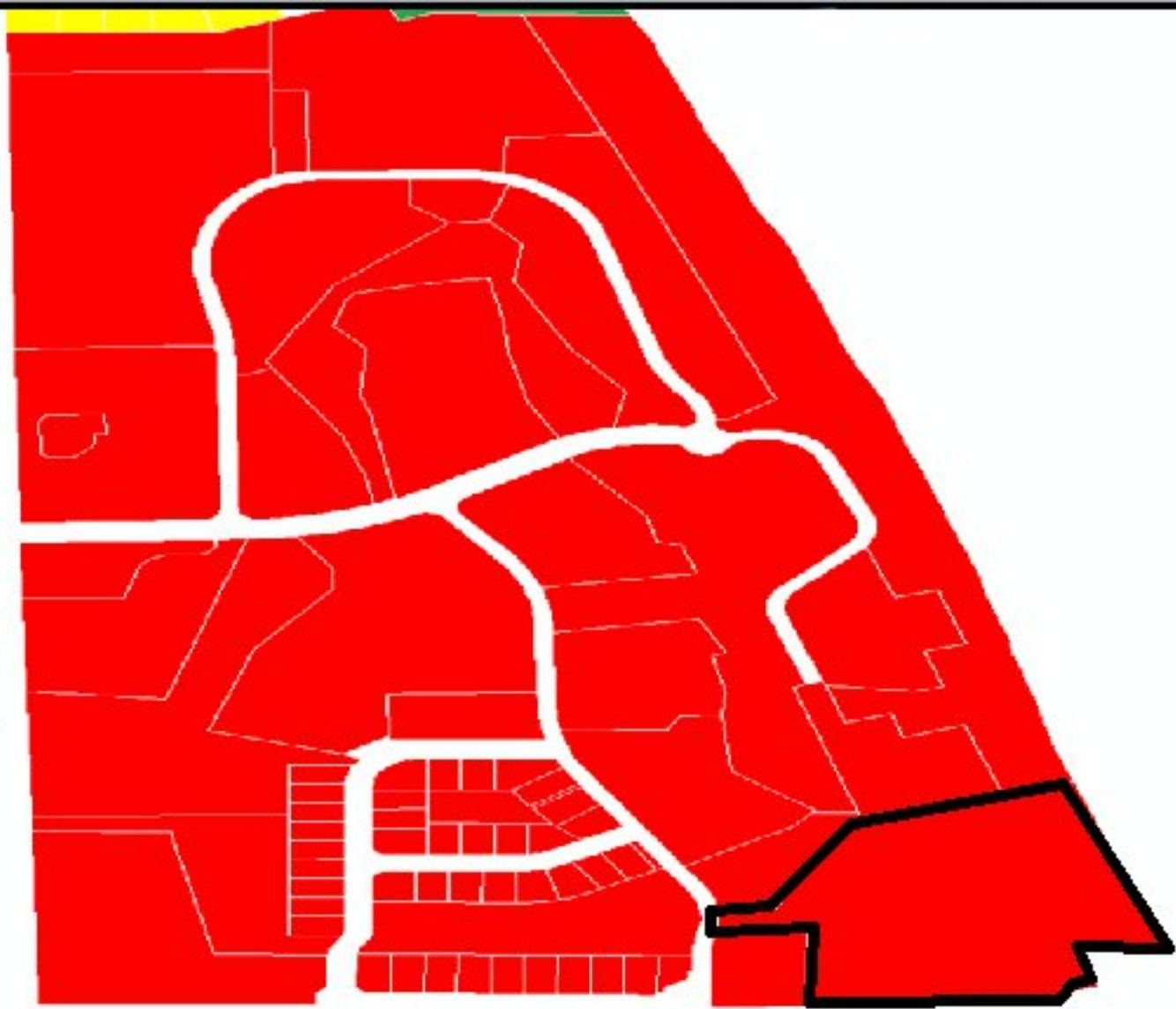
## Northern Legend

- |                  |                          |                         |
|------------------|--------------------------|-------------------------|
| A. Capstan       | D. Beachtree I           | G. Catamaran I          |
| B. Golf Villas   | E. Beachtree II          | H. Cayman Center & Pool |
| C. Coral Cluster | F. Bermuda Center & Pool | I. Seascape I           |

## Southern Legend

- |                    |                        |                      |                |
|--------------------|------------------------|----------------------|----------------|
| J. Office          | K. Tennis Courts       | L. Tennis Pro Shop   | M. Golf Shack  |
| N. Restaurant      | O. Club House          | P. Tiki Bar          | Q. Seascape II |
| R. Ocean House     | S. Aruba Center & Pool | T. Ocean Villas I    |                |
| U. Ocean Villas II | V. Ocean Villas III    | W. Southpoint Homes  |                |
| X. Catamaran II    | Y. Golf Lodges South   | Z. Golf Lodges North |                |

**S. Ocean Drive**



**Blue Heron Blvd.**



**Broderick Dwelling Rental**  
**Conditional Use w/ No New Construction**  
**1042 Windward Dr. #3403**

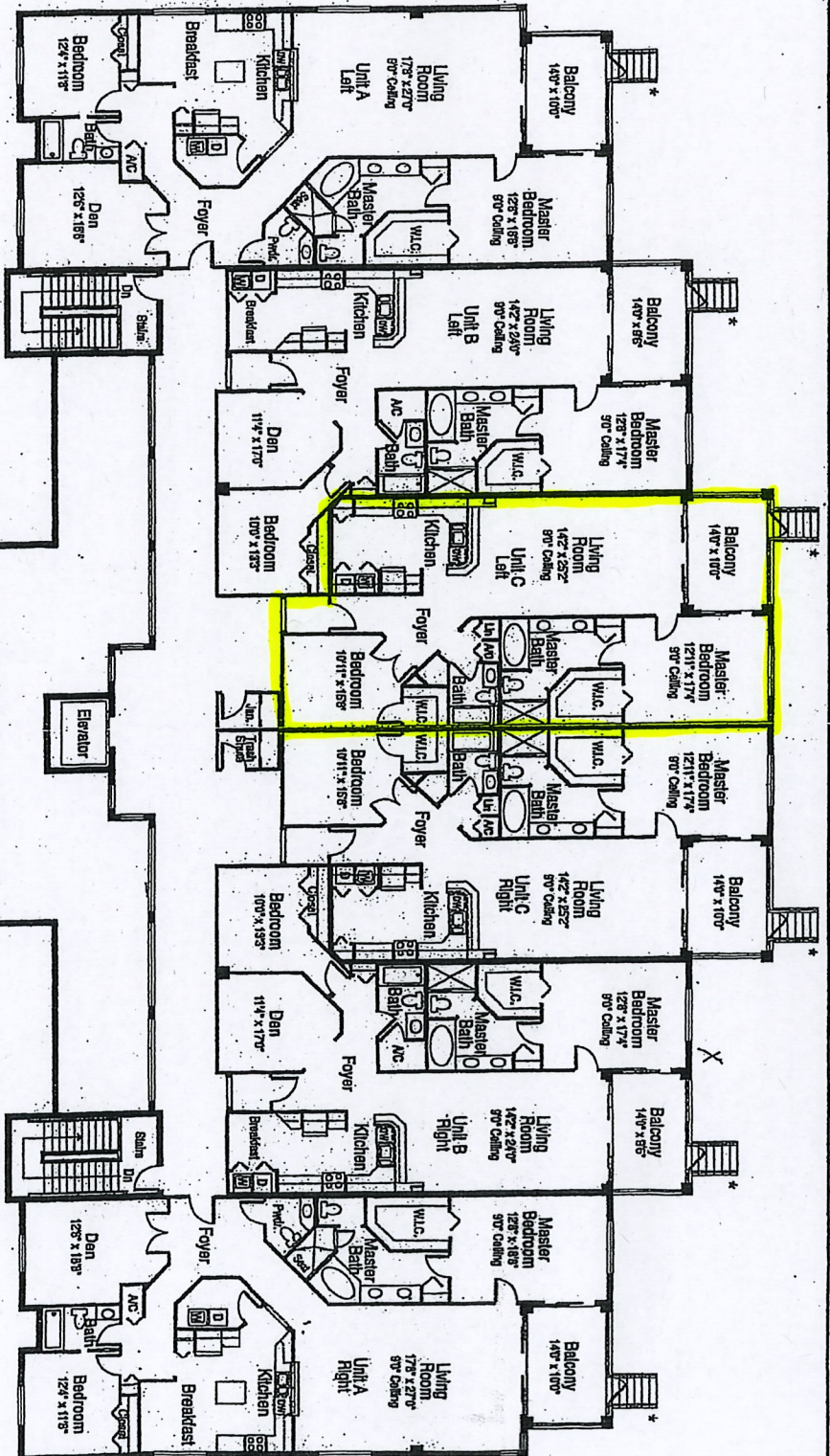


THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*

**R4-A =**  **R-2 =** 

**Zoning Map**

Ocean House



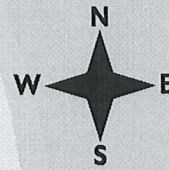
Unit	MC	Balcony & Entry Area	Total
Unit A	2072 Sq. Ft.	152 Sq. Ft.	2224 Sq. Ft.
Unit B	1693 Sq. Ft.	142 Sq. Ft.	1736 Sq. Ft.
Unit C	1426 Sq. Ft.	152 Sq. Ft.	1578 Sq. Ft.

All dimensions are approximate. The developer reserves the right to change and/or alter materials, specifications, features, designs and pricing without notice.

\* Stair Access - first floor only

**Southpointe**  
 41 Ocean Village  
 South Henderson Island

# OCEAN VILLAGE



## NORTHERN LEGEND

- A. Capstan
- B. Golf Villas
- C. Coral Cluster
- D. Beachtree I
- E. Beachtree II
- F. Bermuda Center & Pool
- G. Catamaran I
- H. Cayman Center & Pool
- I. Seascape I

## SOUTHERN LEGEND

- J. Office
- K. Tennis Courts
- L. Tennis Pro Shop
- M. Golf Shack
- N. Restaurant
- O. Club House
- P. Tiki Bar
- Q. Seascape II
- S. Aruba Center & Pool
- T. Ocean Villas I
- U. Ocean Villas II
- V. Ocean Villas III
- W. Southpoint Homes
- X. Golf Lodges South
- Y. Catamaran II
- Z. Golf Lodges North





**ocean village**  
**property owners association, inc.**

2400 S. Ocean Drive, Hutchinson Island, Florida 34949-8098

Administrative Offices  
(772) 489-0300

Facsimile  
(772) 468-1037

Rentals & Resales Office  
(772) 489-6100



**RULES & REGULATIONS**



**MISSION STATEMENT**

**OF THE OCEAN VILLAGE PROPERTY OWNERS' ASSOCIATION**

The Ocean Village Property Owners' association (OVPOA) is a Florida not-for-profit corporation chartered to operate, maintain and improve the common areas in our community. Effective operation of these common areas is integral to preserving the quality of life that the 1228 owners of the OVPOA have reason to expect.

**HOW DO WE FULFILL THE MISSION?**

- By operating a legal and ethical homeowners' association according to the provisions of FL statute 720, applicable national, state and local ordinances, and the OVPOA governing documents.
- By raising sufficient funds to operate, maintain and improve common amenities – pool, tennis courts, golf course and restaurant – so as to meet the diverse needs of our ownership.
- By strategically improving common amenities and infrastructure (roads and buildings) to ensure continuing market competitiveness.

**NO OTHER INTERPRETATION OF THESE RULES WILL BE ACCEPTED!**

***GENERAL PROVISIONS***

ALL PERSONS USING THE RECREATIONAL FACILITIES AT OCEAN VILLAGE DO SO AT THEIR OWN RISK!

- a) All owners, renters and guests must display a valid ID wristband while using the recreational facilities. SEE ATTACHED WRISTBAND POLICY. Wristbands must be worn at all times when using the recreational facilities and Tiki Bar. The recreation and security staffs will restrict facility privileges unless ID wristbands are displayed and worn in plain sight.
- b) The number of guests from any one unit using the recreational facilities in a given day is limited to four. If a larger number of guests are expected, contact the Recreation Office for temporary wristbands. (772-429-7415).
- c) All persons under 13 years of age must be accompanied by a responsible adult while using any of the recreational facilities. (NOTE: See sauna, Fitness Center and spa rules for age restrictions).
- d) Persons must wear cover ups in the Beach Club while wearing wet clothing, especially going to and from the restroom and sauna. Outside restrooms are available adjacent to the Beach Club pool.
- e) If any injury occurs while using a recreational facility, a staff member of the Recreation Department should be notified immediately (772-429-7415) between the hours of 8 a.m. and 6 p.m.; at all other times, notify the Security Department at 772-467-2901.
- f) No nuisances or disturbances will be permitted which interfere with the peaceful pursuit of leisure activities at Ocean Village.
- g) Trash cans in the recreation areas, including golf course, must **not** be used for the disposal of raw garbage, dead fish, unwrapped food, diapers, or animal waste.
- h) Owners and renters are responsible for damage to, or the defacing of, any property at Ocean Village which they or their guests have caused.
- i) Recreational equipment, including bocce balls, tennis racquets, golf clubs, shuffleboard equipment, beach volleyball, etc., may be rented at the Recreation Office. Persons under 13 must have adult supervision. All equipment must be returned in satisfactory condition to the office at the conclusion of play.
- j) When wearing bathing suits, cover-ups are to be worn (both genders) at all times when not in the areas of the pool or the beach.

## 2015 APPROVED RULES AND REGULATIONS

- h) The deposit of towels or other possessions may **not** be used to reserve pool furniture. The Recreation Staff shall remove any such items if they have been on the furniture for over ½ hour.
- i) Pool furniture must be covered with a towel for protection from persons using suntan lotions, oils, etc.
- j) Pool furniture is for use at poolside only and may not be moved to the beach or other areas.
- k) Food may not be brought onto or consumed on any pool deck. No glass of any type (bottles, containers, cups, glasses etc.) is allowed within the fenced pool area. Only food and beverages purchased at the Tiki Bar may be consumed on the Tiki deck.
- l) Bicycles, skateboards, scooters, skates, etc., are not permitted in **any recreational areas**.
- m) No drinking, smoking, or eating will be permitted in any pool.
- n) Tar and sand must be removed before entering the pools or using any of the recreational facilities. State law requires that all persons shower before entering the pool.
- o) No diving is allowed in any pool.
- p) No pets allowed in pool areas.
- q) No disturbances will be permitted which interfere with the peaceful pursuit of this facility.
- r) Proper swimming wear is required...No cut offs.
- s) Persons under 13 must have adult supervision.
- t) Persons with infections are not allowed in pools.
- u) Should an injury occur, please contact a member of the Recreation Staff at 772-429-7415.

### **SPA**

- a) Persons under 13 years of age are not allowed in the spa.
- b) Anyone using the spa must shower before entering.
- c) No eating, drinking, or smoking is permitted in the spa.

### **SAUNA**

## 2015 APPROVED RULES AND REGULATIONS

13. Do not move any equipment. Do not drop weights. Do not take any equipment from the Fitness Center. Leave TV remotes in the storage spaces provided on the cardio equipment.
14. Gym bags, jackets, and personal items must be kept in lockers in the foyer and removed when you leave. Any items left in lockers will be removed at end of day. Do not place personal items on the floor or on the equipment.
15. Exercise and use equipment at your own risk. It is recommended that you have a physical exam and/or consult with a physician and a personal trainer before exercising. Learn proper operation of the equipment prior to use. Ocean Village assumes no responsibility for injury to persons or property or for lost, stolen or damaged property. By your use of this Fitness Center and/or equipment, you agree to indemnify and hold harmless Ocean Village, the POA, its officers, directors, and employees, from any and all claims of injury or damage of any nature, whether to person or property, arising out of or in any way related thereto.
16. Report all equipment malfunctions, personal injuries, and specific concerns immediately to the Recreation Office.
17. NOTE: The use of the Fitness Center is a privilege, not a right. The Fitness Center is monitored by closed circuit TV and Recreation and Security staff members will make periodic inspections. Everyone must comply with these Rules and with any directives from Staff or Management. Failure to do so may result in actions as specified in the Covenants and Rules Enforcement policy.

### **HOURS ARE POSTED**

## **CLUBHOUSES**

**(Smoking is prohibited in all OV buildings) – NOTE! Wi-Fi is currently available at the Aruba Center, the Cayman Center and the Ocean Village Library however when a meeting or scheduled event is underway, please be courteous and use another facility. Your neighbors thank you!**

The recreation areas (Ocean Village Beach Club, the Ocean Village Clubhouse, the Aruba Center, Cayman Center and the Bermuda Recreation Center) hours of operation are from 7:00 AM to 10:00 PM, unless there are preplanned activities which must be approved and scheduled in advance.

BEACH CLUB facilities include: swimming pool, toddler pool, spa, sauna, Fitness Room (hours for Fitness Room are 5:00 a.m. until 10:00 p.m.), Card Room, Library, Bocce courts, shuffleboard courts, basketball courts, beach volleyball, pickleball courts, horseshoe and corn hole.

ARUBA CENTER facilities include: swimming pool, kitchen, and two meeting rooms.

BERMUDA RECREATION CENTER facilities include: swimming pool, two (2) pickle ball tennis courts, and the screened Bermuda Center, which may be reserved for small gatherings.

CAYMAN CENTER facilities include: swimming pool, Arts & Craft room, kitchen, and shuffleboard

## 2015 APPROVED RULES AND REGULATIONS

- n) Fishing for, or retrieval of, balls from golf course ponds is prohibited, except for the right of a player to recover his own ball during play, without unduly delaying play on the golf course.
- o) Any golfer may retrieve an errant golf ball from any planted area as long as destruction of landscaping or property does not occur.
- p) The starters and rangers have the authority to enforce Golf Course Rules and Regulations.
- q) All players must observe the Annual Golf Program Regulations, which are established by Management.

### ***GOLF COURSE – SEASONAL RULES***

- a) The season is normally from December 15th to April 15th. Exact dates will be posted prior to the opening of each season.
- b) During the season, play is by reservation. Reservations may be made anytime online at [www.oceanvillage.com](http://www.oceanvillage.com) or after 7:30 a.m. by telephone 772-467-0102. NOTE: Only **same day** reservations may be made by telephone or in person at the Golf and Tennis Shop. Information on the procedures for making reservations, limitations on such reservations and the amount of registration or other fees will be publicized and posted prior to each season.
- c) Foursomes are encouraged. Threesomes or less may be matched with other golfers.
- d) After six (6) strokes per hole, the ball must be picked up and the player must proceed to the next hole. This is required to speed up play.
- e) All players must start at the first tee.

### ***OCEAN VILLAGE TENNIS RULES***

Seasonal Tennis Rules & Reservation Policy – December 15 through April 30

**Prime Time** – for hard courts 8:00 AM to 12:30 PM daily. **Prime Time** – for soft courts is 7:30 AM to 5:30 PM. Soft courts must be swept by players after each reservation period. Courts will be closed from 12:30 PM to 1:30 PM for maintenance.

**Non Prime Time** – applies to ONLY hard courts from 12:30 PM – 10:00 PM daily.

**Court Times** – are 1.5 hours per period.

**Tennis Wristbands** – Ocean Village owners and renters may purchase wristbands in the Golf and Tennis Shop from December 1 and are valid until November 30 of the following year. During non-Prime Time, wristbands are not required for anyone desiring to use the courts. A list of persons purchasing wristbands will be kept in the Golf and Tennis Shop.

**Reservation System** – An individual may reserve one (1) court for one time period, per day, during Prime Time. No more than two (2) reservations per unit, per day during Prime Time. All players are limited to no more than 3 hours of play per day during Prime Time. Court reservations are the preferred method of guaranteeing a court

2015 APPROVED RULES AND REGULATIONS  
and/or playing privileges.

Rule Amendments – Rules will be reviewed annually by the Tennis Committee and desired changes will be submitted in writing to the OVPOA. Rules may be amended, in writing by the OVPOA, at other times as necessary to accommodate unforeseen circumstances. These amendments will be published in the Golf and Tennis Shop.

Violations of rules should be reported to the Golf and Tennis Shop when open, or secondly to the Recreation Department, and thirdly to the OV Security if it is warranted and/or damage to any OV amenities is involved.

Non-Seasonal Rules & Reservation Policy – May 1 through December 14

Prime Time – is not applicable during this period.

Tennis wristbands – are not required during this period.

Court Usage - is on a first come/first served basis for owners/renters.

Reservations System – is not operational during this period.

Rules – all other applicable rules apply during this period.

***OWNER/RESIDENT RESPONSIBILITIES***

If you wish to make an alteration or structural modification to the exterior of your unit, you must first obtain cluster approval and then submit your written request (forms available) to the OV Architectural Board of Review (ABR). Should a violation occur, procedures are in place.

Excessive or loud noise prohibited before 7:30 AM or after 10:00 PM (except for golf and tennis maintenance) not only at pools, but also in cluster areas.

Personal and commercial notices are permitted only on bulletin boards at the Aruba, Cayman, and Bermuda Centers.

Nothing is to be hung over railings on buildings at any time (i.e. rugs, towels, swimsuits, etc.)

No fishing or swimming in ponds/lagoons is permitted.

All unit owners must leave current addresses and telephone numbers with Administration.

***COVENANTS AND RULES ENFORCEMENT COMMITTEE***

Covenants and Restriction compliance actions may result from complaints by association members or as the result of reviews by the Property Manager. All complaints by association members must be submitted in writing to the Property Manager.

Complaints are reviewed by the Committee which has the power to dismiss the complaint or to penalize violators through monetary penalties (Rules infractions) or through temporary or permanent suspension of the violator's privileges to use some or all of Ocean Village amenities (90+ day delinquencies in maintenance fees

2015 APPROVED RULES AND REGULATIONS  
incident report which will be given to Management.

**RENTAL WRISTBANDS-COLORS DETERMINED ANNUALLY**

- Renters are required to wear the wristbands IN PLAIN SIGHT while using any amenity.
- Unit owners are required to provide wristbands for their renters (all owners will receive 2 rental wristbands at no charge upon request).
- Rental agencies (Realtors) are required to provide wristbands for their renters.
- RENTERS who for whatever reason do not have wristbands provided (i.e. absentee owners who forgot) may utilize the "Temporary Wristband" procedure.
- If the renter does not have a wristband, he/she will be asked to leave the amenity and return with a wristband, which must be worn in PLAIN SIGHT.
- If the renter refuses to leave the amenity, Security will ask the renter to leave the amenity and will then file an incident report which will be given to Management.

**FAILURE TO COMPLY WITH THIS POLICY COULD RESULT IN A TEMPORARY OR PERMANENT REVOCATION OF THE RIGHT OF AN OWNER, GUEST OR RENTER TO USE AMENITIES.**

**RESOLUTION NO. 17-R16**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **ESTABLISHING QUASI-JUDICIAL PROCEDURES** FOR THE CITY COMMISSION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Commission recognizes the need for established legal procedures when quasi-judicial items are on the agenda; and

**WHEREAS**, the City Commission desires that this Resolution serve as the procedure for the City Commission to follow in conducting quasi-judicial proceedings; and

**WHEREAS**, the City Commission acknowledges that the procedures may be amended from time to time by resolution.

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

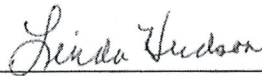
**SECTION 1.** When conducting quasi-judicial hearings, the City Commission shall follow the procedures as outlined in the attached Exhibit "A."

**SECTION 2.** The provisions of this Resolution are declared to be severable and if any section, sentence, clause, or phrase of this Resolution 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 Resolution but shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

**SECTION 3.** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**SECTION 4.** This Resolution shall take effect immediately upon its adoption.


**IN WITNESS HEREWITH**, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 5th day of June, 2017.

  
\_\_\_\_\_  
Linda Hudson, Mayor

ATTEST:

  
\_\_\_\_\_  
Linda Cox, City Clerk

Approved as to Form  
And Correctness:

  
\_\_\_\_\_  
James M. Messer, Esq.  
City Attorney

**Exhibit "A"**

**QUASI-JUDICIAL HEARING PROCEDURES  
AND RULES FOR EX PARTE COMMUNICATIONS**

**I. Scope and Applicability.** These procedures shall apply to all quasi-judicial hearings held by the City Commission.

**II. Proceedings.** The Mayor (hereafter, the "Presiding Officer") shall conduct the proceedings and maintain order. The City Attorney shall represent the City Commission, rule on all evidentiary and procedural issues and objections, and advise the City Commission as to the applicable law and necessary factual findings. Hearings shall be conducted informally, but with decorum. Formal rules of procedure shall not apply except as set forth herein; however, fundamental due process shall be accorded.

**III. Unauthorized Communications.** In all quasi-judicial hearings, all rulings must be based only upon the evidence presented at the hearing. Ex parte communications with City Commissioners in quasi-judicial matters are permissible and the adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with City Commissioners:

A. The substance of any ex parte communication with a City Commissioner which relates to a quasi-judicial action pending before the Commission is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.

B. A City Commissioner may read a written communication from any person. However, a written communication that relates to a quasi-judicial action pending before the Commission shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

C. City Commissioners may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

D. Disclosure made pursuant to subparagraphs A, B and C must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication.

**IV. Witnesses and Supporting Materials.** At least five calendar days before a quasi-judicial hearing:

A. Staff shall prepare a report, recommendation and supporting materials, a copy of which shall be available to the applicant and to the public at the City Clerk's Office. Included in the supporting materials will be copies of all exhibits and documents upon which staff's recommendation is based.

B. The Applicant shall submit a detailed outline of the argument in support of their application, copies of all exhibits which will be presented at hearing and the names and addresses of all witnesses who will be called to testify in support of the application (including resumes for any witness the party intends to qualify as an expert).

C. The five calendar days deadline is necessary to ensure the Commission is given sufficient opportunity to review the written submissions prior to the hearing, and shall be strictly observed. Should the 5 calendar day deadline be missed by either staff or the Applicant, the item may be continued at the discretion of the City Commission to the next available agenda.

**V. Party Intervenors.** The City Attorney may allow a person to intervene as a Party Intervenor if they meet the following requirements:

A. The person must have an interest in the application, which is different than the public at large.

B. At least three days prior to the hearing, the person shall submit a written request to intervene including: a detailed outline of his or her interest in the application and argument in favor or against it, copies of all exhibits which will be presented at the hearing and the names and addresses of all witnesses who will be called to testify on their behalf (including resumes for any witness the person intends to qualify as an expert).

**VI. Conduct of Hearing.**

A. The Presiding Officer shall call the proceeding to order and announce that the hearing has begun.

B. The Presiding Officer shall inquire whether all parties, members of the public and Commission agrees to waive the quasi-judicial hearing.

C. When the quasi-judicial hearing is not waived, the City Attorney or Presiding Officer shall explain the rules concerning procedure, testimony, and admission of evidence.

D. When the quasi-judicial hearing is not waived, the City Clerk shall swear in all witnesses who are to testify at the hearing.

E. The order of proof shall be as follows:

1. A representative of the City's staff shall briefly describe the Applicant's request, introduce and review all relevant exhibits and evidence, report staff's recommendation, and present any testimony in support of staff's recommendation. Staff shall have a maximum of 20 minutes to make their full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission.

2. Any Party Intervenor (or his/her representative or counsel) shall present evidence and testimony in support of or opposed to the application. A Party Intervenor shall have a maximum of 20 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission.

3. The Applicant (or his/her representative or counsel) shall present evidence and testimony in support of the application. Applicant shall have a maximum of 20 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission.

4. Any other persons present who wish to submit relevant information to the City Commission shall speak next for a maximum of three minutes each (excluding any cross-examination or questions from the Commission). Members of the public will be permitted to present their non-expert opinions, but the Commission will be expressly advised that public sentiment is not relevant to the decision, which must be based only upon competent and substantial evidence.

5. The Applicant will be permitted to make final comments.

6. The Party Intervenor will be permitted to make final comments.

7. The City's staff will make final comments.

8. At the discretion of the Presiding Officer, the Applicant may be permitted to respond to the final Party Intervenor and staff comments and recommendations.

F. The City Commission will conduct open deliberation of the application. The Presiding Officer shall have the discretion to reopen the proceeding for additional testimony or argument by the parties when an outcome substantially different than either the granting or denial of the application is being considered. After deliberations, a vote shall be taken to approve, approve with conditions or deny the application.

**VII. Examination by Commissioners and City Attorney or Legal Advisor.** Commissioners and the City Attorney may ask questions of persons presenting testimony or evidence at any time during the proceedings until commencement of deliberation.

**VIII. Cross-Examination of Witnesses.** After each witness testifies, the City staff representative, the Applicant's representative and/or the Party Intervenor's representative shall be permitted to question the witness, but such cross-examination shall be limited to matters about which the witness testified and shall be limited to five minutes per side. Members of the public will not be permitted to cross-examine witnesses. Cross-examination shall be permitted only as would be permitted in a Florida court of law.

**IX. Rules of Evidence.**

A. All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a court of law in Florida. Irrelevant, immaterial, harassing, defamatory or unduly repetitive evidence shall be excluded.

B. Hearsay evidence may be used for the purposes of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding unless it would be admissible over objection in a civil action.

C. Documentary evidence may be presented in the form of a copy or the original. Upon request, parties shall be given an opportunity to compare the copy with the original.

**X. Statements of Counsel.** Statements of counsel, or any non-attorney representative, shall only be considered as argument and not testimony unless counsel or the representative is sworn in and the testimony is based on actual personal knowledge of the matters which are the subject of the statements.

**XI. Standard of Proof.** The decision of the City Commission to approve, deny or modify an agenda item shall be based on competent substantial evidence. Competent substantial evidence is evidence which will establish a substantial basis from which the fact at issue can reasonably be inferred. It includes fact or opinion evidence offered by an expert on a matter that requires specialized knowledge and that is relevant to the issues to be decided. It is evidence a reasonable mind could accept as having probative weight and adequate to support a legal conclusion. Hypothetical, speculative, fear or emotion based generalized statements that do not address the relevant issues and that cannot be reasonably said to support the action advocated, are not competent substantial evidence.

**XII. Continuances and Deferrals.** The City Commission shall consider requests for continuances made by City staff, the Applicant or a Party Intervenor and may grant continuances in its sole discretion. If, in the opinion of the City Commission, any testimony or documentary evidence or information presented at the hearing justifies allowing additional research or review in order to properly determine the issue

presented, then the City Commission may continue the matter to a time certain to allow for such research or review.

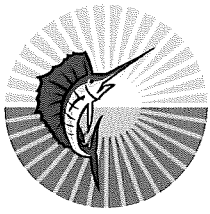
**XIII. Transcription of hearing.**

A. The City Clerk or staff liaison shall preserve the official transcript of the hearing through tape recording and/or video recording.

B. The Applicant or Party Intervenor may arrange, at its own expense, for a court reporter to transcribe the hearing.

C. The Applicant or Party Intervenor may request that all or a part of the transcript of a hearing be transcribed into verbatim, written form. In such case, the Applicant or Party Intervenor requesting the transcript shall be responsible for the cost of production of the transcription and the transcription shall become the official transcript.

**XIV. Maintenance of Evidence and Other Documents.** The Office of the City Clerk shall retain all of the evidence and documents presented at the hearing unless any such evidence is too large to be stored by the City Clerk or staff liaison. In that event, such evidence will be stored in the Planning Department.



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Trident Property Management, Michael Broderick  
1221 Delaware Avenue  
Fort Pierce, FL. 34949

Re: **Conditional Use – Broderick Dwelling Rental -- 1042 Windward Dr. #3403**

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Dear Mr. Broderick,

The following are comments from the Planning Department's review of the application for a Dwelling Rental in the R-4A, Hutchinson Island Medium Density Zone (Please Provide a Written Response to all responsible Departments):

- 1) The maximum occupancy of the home ensures compliance with City Code Section 8.5-43.  
- Required space in dwelling units, based upon the size of each unit;**
  
- 2) Registration of the property manager accessible at all times, to resolve complaints or violations of City Code;**
  
- 3) Issuance of guide booklets (available from Code Enforcement) for renters regarding local rules and public service resources to minimize conflicts; and**
  
- 4) The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval.**
  
- 5) Limit no more than 2 vehicles.**

If deemed necessary, please provide a written response to each comment in order to expedite the review of any subsequent submittals. Please contact me should you have any questions regarding the project at (772) 467-3741 or by e-mail: [vgilmore@city-ftpierce.com](mailto:vgilmore@city-ftpierce.com).

Sincerely,

Vennis Gilmore  
Planning Analyst

**Project: BRODERICK DWELLING RENTAL**

**Subject: Review Comments**

**To: Vennis Gilmore**

**From: Rod Reed, County Surveyor  
PW-Engineering Division**

**Date February 5, 2018**

**SURVEY:**

- 1) This building is part of the Oceanhouses at Southpointe, a condominium. Please provide the condominium documents for review.

Please provide a written response to all comments

**Rod Reed, County Surveyor**

St. Lucie County, Fl.

2300 Virginia Avenue

Ft. Pierce, Fl. 34982-5652

[www.stlucieco.org](http://www.stlucieco.org)

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THE SUNRISE CITY

**FORT PIERCE**  
CODE ENFORCEMENT  
*Florida*

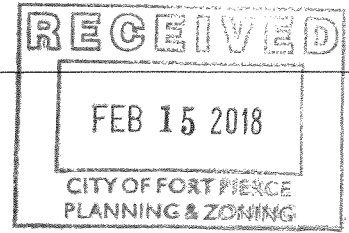
**TO** : Vennis Gilmore, Planning Analyst  
**FROM** : Peggy Arraiz, Code Compliance Manager  
**SUBJECT** : TRC # 18-04000002 – Broderick Vacation Rental  
**DATE** : February 8, 2018

Code Enforcement has the following comments:

1. Mr. Broderick failed to provide any information regarding how the short term / vacation rental unit will be managed or advertised. It is recommended that his packet be updated to include a narrative explaining these items.
2. It is recommended that Mr. Broderick consider including the following information in their rental application packet:
  - a. Although the application lists Mr. Broderick as Trident Property Management, the packet should clearly identify who will be responsible for enforcement of the conditions imposed by the Conditional Use and who will be able to respond to any complaints or issues within a reasonable time.
  - b. Compliance with all local ordinances, including noise violations.
  - c. Advise if pets are permitted and if so, compliance with our local pet ordinances.
  - d. The number of people permitted to stay at one time.
  - e. The number of vehicles permitted and where they are required to be parked.
3. The owner is advised that short term rentals of 31 days require the following:
  - a. A City Business Tax Receipt
  - b. An account with the Florida Department of Revenue – collection of 6.5% sales tax
  - c. An account with St. Lucie County – 5% Tourism Development Tax



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 ENGINEERING  
 DEPARTMENT  
*Florida*



**To : Vennis Gilmore, Planning Analyst**

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

**RE : Broderick Dwelling Rental – 1042 Windward Dr. #3403  
 TRC No. 18-0400002**

**DATE : February 13, 2018**

This is to advise you that we have completed the review of the following documents as received by this office on February 12, 2018:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Conditional Use                                       | <input type="checkbox"/> P/D Drawings  |
| <input type="checkbox"/> Test Reports & Related Documents                                 | <input type="checkbox"/> Certificate of Completion                               |
| <input type="checkbox"/> Record Drawings  | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies |  |

Based on our reviews and appropriate site final inspection, we

- Recommend                       Do Not Recommend
- Approval of Conditional Use    Building Permit                       c/o

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

See attached for engineering comments

JRA/tst/dhr

Q:\ENGINEERING\Site Development Projects\B\Broderick Dwelling Unit\Conditional Use\CU Comments 021318.docx



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**FORT PIERCE**  
BUILDING DEPARTMENT

*Florida*

**TECHNICAL REVIEW COMMITTEE (TRC) COMMENTS FORM**

**FROM :** Paul Thomas, CBO, CFM, Building Official 

**RE :** 1042 Windward Dr. #3043 – Broderick Dwelling Rental – CU with no new Construction (VG)

**DATE :** February 15, 2018

The Building Official has no comment.

PT/km



# TRIDENT PROPERTIES MANAGEMENT

1221 Delaware Avenue • Fort Pierce, Florida 34950

(772) 293-0185

## MEMO

**To:** Vennis Gilmore, Planning Analyst

**From:** Michael Broderick RPA, FMA, CAM Director of Property Management Trident Properties Management

**Date:** 2/9/18

**Subject:** TRC # 1804000002 - Broderick Vacation Rental

In regards to the attached memo I have the following responses:

1. As outlined the unit is managed by Trident Properties Management located at 1221 Delaware Ave. Ft. Pierce Fl. 34950. I, Michael Broderick, am the licensed agent for the property. The unit will be advertised on VRBO/Homeaway.
2. We will adopt all recommendations outlined in section 2 of the memo.
3. Upon issuance of the conditional use approval we will secure a City Of Ft. Pierce tax receipt. We currently collect and pay State of Florida sales tax and have an account setup with the Florida Department Of Revenue. In addition we currently have an account setup with St. Lucie County and collect and pay the Tourism Development Tax.
4. The Association governing documents are on file with the Planning Department. Please advise if additional copies are needed.