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

CITY COMMISSION AGENDA

Regular Meeting - Monday, December 2, 2019 - 6:30 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **OPENING PRAYER** - Father Yves Geffrard, Notre Dame Catholic Mission

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

5. **APPROVAL OF MINUTES**

   a. Approval of Minutes from November 18, 2019 Regular Meeting.

6. **PROCLAMATIONS**

   a. National American Indian Heritage Month Proclamation being received by Linda Ford Gallup

7. **LETTERS TO COMMISSION**

   a. Email from Richard Laventure expressing his appreciation of Planner Brandon Creagan's diligence, effort and professionalism with the Premier plat and Home 2 Suites projects.

8. **COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS**

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

9. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

10. **MISCELLANEOUS REPORTS**

11. **CONSENT AGENDA**

a. Approve Request for Extension of Time to pay lien reductions on 2404 Oleander Avenue, Ft. Pierce, FL 34982, Property ID Number 2422-604-0002-000-0 owned by Joan R. Stevenson (Est) and Evone McArthur, 2404 Oleander Avenue, Ft. Pierce, FL 34982, for a period of 12 months to December 3, 2020..

b. Request for release of Bond Numbers CMS0333671 and 09164702 from Crown Castle currently held by the City as a requirement for the performance of utility work within the rights-of-way of the City of Fort Pierce.

c. Approval of the Agreement for Development of King's Landing with Audubon Development, Inc. which was approved by the FPRA on November 12, 2019, on requires City Commission approval as well.

d. Approve Development Agreement for with Premier Hospitality, Inc. for the sidewalk installation at 6505 Metal Drive in the amount of $5,106.00 which was a condition of approval.

12. **PUBLIC HEARINGS**

a. Legislative Hearing - Ordinance 19-045 extending the territorial limits of the City of Fort Pierce, Florida, to include 1810 Avenue Q in Fort Pierce, Florida. SECOND READING

b. Legislative Hearing - Ordinance 19-046 extending the territorial limits of the City of Fort Pierce, Florida, to include 1908 Avenue Q in Fort Pierce, Florida. SECOND READING

c. Legislative Hearing - Ordinance 19-047 extending the territorial limits of the City of Fort Pierce, Florida, to include 1910 Avenue Q in Fort Pierce, Florida. SECOND READING

d. Legislative Hearing - Ordinance 19-048 extending the territorial limits of the City of Fort Pierce, Florida, to include 1706 Juanita Avenue in Fort Pierce, Florida. SECOND READING

e. Legislative Hearing - Ordinance 19-049 extending the territorial limits of the City of Fort Pierce, Florida, to include 2000 North 19th Street in Fort Pierce, Florida. SECOND READING

f. Legislative Hearing - Ordinance 19-050 extending the territorial limits of the City of Fort Pierce, Florida, to include 2000 Rosarita Avenue in Fort Pierce, Florida. SECOND READING

g. Legislative Hearing - Ordinance 19-051 extending the territorial limits of the City of Fort Pierce, Florida, to include 2004 Avienda Avenue in Fort Pierce, Florida. SECOND READING

h. Legislative Hearing - Ordinance 19-052 extending the territorial limits of the City of Fort Pierce, Florida, to include 2005 Avienda Avenue in Fort Pierce, Florida. SECOND READING

i. Legislative Hearing - Ordinance 19-053 extending the territorial limits of the City of Fort Pierce, Florida, to include 2206 North 23rd Street in Fort Pierce, Florida. SECOND READING

j. Legislative Hearing - Ordinance 19-054 extending the territorial limits of the City of Fort Pierce, Florida, to include 2213 North 19th Street in Fort Pierce, Florida. SECOND READING

k. Legislative Hearing - Ordinance 19-055 extending the territorial limits of the City of Fort Pierce, Florida, to include 2305 North 19th Street in Fort Pierce, Florida. SECOND READING

l. Legislative Hearing - Ordinance 19-056 extending the territorial limits of the City of Fort Pierce, Florida, to include 2306 North 23rd Street in Fort Pierce, Florida. SECOND READING

m. Legislative Hearing - Ordinance 19-057 extending the territorial limits of the City of Fort Pierce, Florida, to include 3301 Avenue A. in Fort Pierce, Florida. SECOND READING

n. Legislative Hearing - Ordinance 19-058 extending the territorial limits of the City of Fort Pierce, Florida, to include 3240 South 25th Street in Fort Pierce, Florida. SECOND READING

o. Legislative Hearing - Ordinance 19-059 extending the territorial limits of the City of Fort Pierce, Florida, to include 2409 Elizabeth Avenue in Fort Pierce, Florida. SECOND READING

p. Legislative Hearing - Ordinance 19-060 extending the territorial limits of the City of Fort Pierce, Florida, to include 3306 South 25th Street in Fort Pierce, Florida. SECOND READING

q. Legislative Hearing - Ordinance 19-061 extending the territorial limits of the City of Fort Pierce, Florida, to include 3366 South 25th Street in Fort Pierce, Florida. SECOND READING

r. Legislative Hearing - Ordinance 19-062 extending the territorial limits of the City of Fort Pierce, Florida, to include 3540 South 25th Street in Fort Pierce, Florida. SECOND READING

s. Legislative Hearing - Ordinance 19-063 extending the territorial limits of the City of Fort Pierce, Florida, to include 3418 Sunrise Boulevard in Fort Pierce, Florida. SECOND READING

t. Legislative Hearing - Ordinance 19-064 extending the territorial limits of the City of Fort Pierce, Florida, to include 3335 Sunrise Boulevard in Fort Pierce, Florida. SECOND READING

u. Legislative Hearing - Ordinance 19-065 extending the territorial limits of the City of Fort Pierce, Florida, to include 3601 West Wilderness Drive in Fort Pierce, Florida. SECOND READING

v. Legislative Hearing - Ordinance 19-066 extending the territorial limits of the City of Fort Pierce, Florida, to include 1955 South Jenkins Road in Fort Pierce, Florida. SECOND READING

w. Legislative Hearing - Ordinance 19-067 extending the territorial limits of the City of Fort Pierce, Florida, to include 2250 South Jenkins Road in Fort Pierce, Florida. SECOND READING

x. Legislative Hearing - Ordinance 19-068 extending the territorial limits of the City of Fort Pierce, Florida, to include 2295 South Jenkins Road in Fort Pierce, Florida. SECOND READING

y. Legislative Hearing - Ordinance 19-069 extending the territorial limits of the City of Fort Pierce, Florida, to include 2675 McNeil Road in Fort Pierce, Florida. SECOND READING

z. Legislative Hearing - Ordinance 19-070 extending the territorial limits of the City of Fort Pierce, Florida, to include 4880 Edwards Road in Fort Pierce, Florida. SECOND READING

aa. Legislative Hearing - Ordinance 19-071 extending the territorial limits of the City of Fort Pierce, Florida, to include 2402 Valencia Avenue in Fort Pierce, Florida. SECOND READING

bb. Legislative Hearing - Ordinance 19-072 - Text amendment to Chapter 21, Designating a No Wake Zone at Jaycee Park. FIRST READING

13. **CITY COMMISSION**

a. Harbour Isle Planned Development Ordinance 19-037 – This item requires a motion to remove the item from the table, properly advertise, and set for a legislative public hearing on January 6, 2020 for the second reading of Ordinance 19-037, pursuant to the motion on September 23, 2019.

b. Resolution 19-R48 appointing Rebecca Shearer as the IRSC representative to the Sunrise Theatre Advisory Board Member

c. Submittal of applications for the Historic Preservation Board

d. Submission of applications for appointment to the Board of Adjustment.

e. Appointment of a Fort Pierce Commissioner to serve on the Treasure Coast Scenic Highway Committee as requested by Edward DeFini, Bicycle and Pedestrian Program Manager, St. Lucie Transportation Planning Organization. The committee meets four (4) times per year on Fridays at 10:00 am at the TPO offices in Port St. Lucie.

f. Establish the composition of the evaluation committee for RFP No. 2020-004 - Animal Shelter Services.

14. **COMMENTS FROM THE PUBLIC**

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

15. **COMMENTS FROM THE CITY MANAGER**

a. Reports

16. **COMMENTS FROM THE COMMISSION**

17. **ADJOURNMENT**

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises you that if you or another person decide to appeal any decision made by the City Commission with respect to any matter considered at its meeting or hearing, that you or said person will need a record of the proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

City Commission Regular Meeting **5. a.**

Meeting Date: 12/02/2019

Re:

SUBJECT:

Approval of Minutes from November 18, 2019 Regular Meeting.

Attachments

Minutes 11.18.2019

Form Review

Form Started By: Maura Stokes Started On: 11/22/2019 08:38 AM

Final Approval Date: 11/22/2019

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON MONDAY, **NOVEMBER 18, 2019**

1. CALL TO ORDER

Mayor Hudson called the November 18, 2019 Regular Meeting of the City Commission to order at 6:30 PM.

2. OPENING PRAYER - Pastor Eldrew Baldwin, First Bethel Missionary Baptist Church

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Mayor Linda Hudson; Commissioner Jeremiah Johnson; Commissioner Thomas Perona; Commissioner Reginald Sessions

Absent: Commissioner Rufus Alexander

Staff Present: City Clerk Linda Cox
City Manager Nicholas Mimms
City Attorney Peter Sweeney

Commissioner Alexander arrived at 6:35 PM.

5. APPROVAL OF MINUTES

a. Approval of Minutes from November 04, 2019 Regular Meeting.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve the minutes from the November 04, 2019 regular meeting.

AYE: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

6. **PROCLAMATIONS**

No Proclamations.

7. **LETTERS TO COMMISSION**

a. Letter from Robert Englmeier commending Ed Roseberry and Veronica Berrones of the Building Department for all of their assistance.

8. **COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS**

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

No comments from the public.

9. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to set the Agenda.

AYE: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

10. MISCELLANEOUS REPORTS

No miscellaneous reports.

11. CONSENT AGENDA

a. Approve grant award for Marcus Kelly, owner of All Points Protective Services, in the amount of $9596.99, as an eligible recipient under the Way to Grow Lincoln Park Historic Avenue D Business District Small Business Startup/Relocation Grant Program.

b. Approve grant award for Cynthia Ashley, owner of 1802 Avenue D, Fort Pierce, FL, in the amount of $5000.00, as an eligible recipient under the Way to Grow Lincoln Park Historic Avenue D Business District Commerical Facade Grant.

c. Approve grant award for Cynthia Ashley, owner of Cynthia's Alterations & More, in the amount of $10,000, as an eligible recipient under the Way to Grow Lincoln Park Historic Avenue D Business District Small Business Startup/Relocation Grant Program.

d. Approval of contract for FDOT lighting improvements located at the intersection of US1 (SR5) and Virginia Ave.

e. Approve waiver of fees in the amount of $1,969.89 associated with demolition lien against 1807 Orange Avenue, Ft. Pierce, FL - Parcel ID Number 2409-701-0021000-6 previously owned by CM Treasure Coast Property Inc., 729 S. Federal Highway, Suite 210, Stuart. FL 34994 and currently owned by JoHo Properties LLC c/o Hoyt C Murphy, 2400 S Ocean Drive #4200, Ft. Pierce, FL 34949, contingent upon payment of $1,531.67 payable in 30 days.

f. Approve waiver of fees in the amount of $430.25 associated with lot clearing lien against 1807 Orange Avenue, Ft. Pierce, FL - Parcel ID Number 2409-701-0021000-6 previously owned by Leo Cueto (TR), 3167 Bessey Creek Trail, Palm City, FL 34990 and currently owned by JoHo Properties LLC c/o Hoyt C Murphy, 2400 S Ocean Drive #4200, Ft. Pierce, FL 34949, contingent upon payment of $91.80 payable in 30 days.

g. Approval of contract between the City of Fort Pierce and the Teamsters Local Union Number 769, October 1, 2017 to September 30, 2020.

h. Request for consideration to waive the fees associated with lot clearing lien against 1111 N 16th Street, Ft. Pierce, FL 34946 - Parcel ID Number 2404-809-0006-000-1 previously owned by D.A.D, Inc., P. O. Box 673, Ft. Pierce, FL and currently owned by Virginia Stewart, Howard J. Lurry Sr., Lee Roy Lurry, 5103 San Diego Avenue, Ft. Pierce, FL 34946. The owner is requesting the total amount of fees including city incurred charges, administrative fees, interest, and penalties in the amount of $539.58 be waived.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve items 11a, 11b, 11c, 11d, 11e, 11f, 11g, and,11h.

AYE: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

12. PUBLIC HEARINGS

Brandon Creagan, Senior Planner provided an overview of the twenty-seven annexations before the Commission. The proposed annexations are grouped by future land use and future zoning, and are being initiated using the FPUA Voluntary Annexation Agreement with the exception of 12aa.

Annexations 1 - 2, 12a and 12b are located on the west side of South Jenkins Road north of Okeechobee Road. They will be zoned E-2, single family, two units per acre. The future land use will be RL, low density residential.

Annexations 3 - 5, 12c, 12d and 12e are located east of South 25th Street and north of Dade Road. They will be zoned R-4, medium density residential. The future land use will be RM, medium density residential.

Annexations 6 - 9, 12f, 12g, 12h, and 12i are located east of South 25th Street, north of Dade Road and south of Elizabeth Avenue. They will be zoned R-1, single family, low density residential. The future land use wil be RL, low density residential.

Annexations 10 - 13, 12j, 12k, 12l, and 12m are located north of the intersection of Avenue

Q and North 19th Street. They will be zoned R-3, single family, moderate density residential. The future land use will be RL, low density residential.

Annexations 14-21, 12n, 12o, 12p, 12q, 12r, 12s, 12t, and 12u are located in the Paradise Park area. They will be zoned R-1, single family, low density residential. The future land use will be RL, low density residential.

Annexation 22, 12v, is located on the west side of Angle Road, South of Avenue A and north of Orange Avenue. It will be zoned C-3, general commercial. The future land use will be GC, general commercial.

Annexation 23, 12w, is located east of South 25th Street, south of Bell Avenue and west of West Wilderness Drive. It will be zoned E-3, residential single family, three units per acre. The future land use will be RL, low density residential.

Annexation 24, 12x, is located west of McNeil Road, just north of Kirby Loop Road. It will be zoned C-2, neighborhood commercial. The future land use will be OP, office professional.

Annexation 25, 12y, is located east of McNeil Road and north of Edwards Road. It will be zoned R-1, single family, low density residential. The future land use will be RL, low density residential.

Annexation 26, 12z is located on the east side of South Jenkins Road, and north of Okeechobee Road. This parcel is the Samuel S.Gaines Academy. It will be zoned R-5, high density residential. The future land use will be RH, high density residential. This is consistent with what the County has for current zoning.

Annexation 27, 12aa is located in the Paradise Park area and is a voluntary annexation. It will be zoned R-1, residential single family, two units per acre. The future land use will be RL, low density residential.

All twenty-seven voluntary annexations are contiguous to the City of Fort Pierce municipal boundary; are reasonably compact; the petition bears the signature of all owners of record for the properties; and the ordinance adopted under this section follows due process and notice. St. Lucie County and all current property owners were sent certified notices prior to the first reading of these annexation ordinances. Notices were published for two consecutive weeks with maps; there will be two readings of each ordinance (11/18/2019 and 12/02/2019); the annexation ordinances will be filed with the Clerk of the Circuit Court, Chief Administrative Officer for St. Lucie County, and Department of State within seven days of final approval. Certified notices will be sent to all current property owners on 12/04/2019 by Planning Department. The Planning Board voted unanimously to approve and forward these twenty-seven annexations before you tonight for your review.

a. Legislative Hearing - Ordinance 19-045 extending the territorial limits of the City of Fort Pierce, Florida, to include 1810 Avenue Q in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-045 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 1810 AVENUE Q IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve Ordinance 19-045.

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

Passed

b. Legislative Hearing - Ordinance 19-046 extending the territorial limits of the City of Fort Pierce, Florida, to include 1908 Avenue Q in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-046 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 1908 AVENUE Q. IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTIES AND PLACE THEM ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTIES; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve Ordinance 19-046.

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

Passed

c. Legislative Hearing - Ordinance 19-047 extending the territorial limits of the City of Fort Pierce, Florida, to include 1910 Avenue Q in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-047 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 1910 AVENUE Q. IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance 19-047.

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

Passed

d. Legislative Hearing - Ordinance 19-048 extending the territorial limits of the City of Fort Pierce, Florida, to include 1706 Juanita Avenue in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-048 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 1706 JUANITA AVENUE IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve Ordinance 19-048.

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

Passed

e. Legislative Hearing - Ordinance 19-049 extending the territorial limits of the City of Fort Pierce, Florida, to include 2000 North 19th Street in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-049 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2000 NORTH 19TH STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve Ordinance 19-049.

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

Passed

f. Legislative Hearing - Ordinance 19-050 extending the territorial limits of the City of Fort Pierce, Florida, to include 2000 Rosarita Avenue in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-050 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2000 ROSARITA AVENUE IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE

CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Ordinance 19-050.

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

Passed

g. Legislative Hearing - Ordinance 19-051 extending the territorial limits of the City of Fort Pierce, Florida, to include 2004 Avienda Avenue in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-051 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2004 AVIENDA AVENUE IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve Ordinance 19-051.

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

Passed

h. Legislative Hearing - Ordinance 19-052 extending the territorial limits of the City of Fort Pierce, Florida, to include 2005 Avienda Avenue in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-052 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2005 AVIENDA AVENUE IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Ordinance 19-052.

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

Passed

i. Legislative Hearing - Ordinance 19-053 extending the territorial limits of the City of Fort Pierce, Florida, to include 2206 North 23rd Street in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-053 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2206 NORTH 23RD STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve Ordinance 19-053.

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

Passed

j. Legislative Hearing - Ordinance 19-054 extending the territorial limits of the City of Fort Pierce, Florida, to include 2213 North 19th Street in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-054 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2213 NORTH 19TH STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve Ordinance 19-054.

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

Passed

k. Legislative Hearing - Ordinance 19-055 extending the territorial limits of the City of Fort Pierce, Florida, to include 2305 North 19th Street in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-055 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2305 NORTH 19TH STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve Ordinance 19-055.

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

Passed

l. Legislative Hearing - Ordinance 19-056 extending the territorial limits of the City of Fort Pierce, Florida, to include 2306 North 23rd Street in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-056 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2306 NORTH 23RD STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Jeremiah Johnson to approve Ordinance 19-056.

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

Passed

m. Legislative Hearing - Ordinance 19-057 extending the territorial limits of the City of Fort Pierce, Florida, to include 3301 Avenue A. in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-057 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 3301 AVENUE A. IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance 19-057.

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

Passed

n. Legislative Hearing - Ordinance 19-058 extending the territorial limits of the City of Fort Pierce, Florida, to include 3240 South 25th Street in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-058 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 3240 SOUTH 25TH STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Ordinance 19-058.

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

Passed

o. Legislative Hearing - Ordinance 19-059 extending the territorial limits of the City of Fort Pierce, Florida, to include 2409 Elizabeth Avenue in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-059 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2409 ELIZABETH AVENUE IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE

CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Ordinance 19-059.

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

Passed

p. Legislative Hearing - Ordinance 19-060 extending the territorial limits of the City of Fort Pierce, Florida, to include 3306 South 25th Street in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-060 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 3306 SOUTH 25TH STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Ordinance 19-060.

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

Passed

q. Legislative Hearing - Ordinance 19-061 extending the territorial limits of the City of Fort Pierce, Florida, to include 3366 South 25th Street in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-061 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 3366 SOUTH 25TH STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance 19-061.

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

Passed

r. Legislative Hearing - Ordinance 19-062 extending the territorial limits of the City of Fort Pierce, Florida, to include 3540 South 25th Street in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-062 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 3540 SOUTH 25TH STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Reginald Sessions to approve Ordinance 19-062.

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

Passed

s. Legislative Hearing - Ordinance 19-063 extending the territorial limits of the City of Fort Pierce, Florida, to include 3418 Sunrise Boulevard in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-063 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 3418 SUNRISE BOULEVARD IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Thomas Perona to approve Ordinance 19-063.

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

Passed

t. Legislative Hearing - Ordinance 19-064 extending the territorial limits of the City of Fort Pierce, Florida, to include 3335 Sunrise Boulevard in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-064 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 3335 SUNRISE BOULEVARD IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Jeremiah Johnson to approve Ordinance 19-064.

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

Passed

u. Legislative Hearing - Ordinance 19-065 extending the territorial limits of the City of Fort Pierce, Florida, to include 3601 West Wilderness Drive in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-065 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 3601 WEST WILDERNESS DRIVE IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve Ordinance 19-065

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

Passed

v. Legislative Hearing - Ordinance 19-066 extending the territorial limits of the City of Fort Pierce, Florida, to include 1955 South Jenkins Road in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-066 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 1955 SOUTH JENKINS ROAD IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY;

ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve Ordinance 19-066.

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

Passed

w. Legislative Hearing - Ordinance 19-067 extending the territorial limits of the City of Fort Pierce, Florida, to include 2250 South Jenkins Road in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-067 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2250 SOUTH JENKINS ROAD IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve Ordinance 19-067.

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

Passed

x. Legislative Hearing - Ordinance 19-068 extending the territorial limits of the City of Fort Pierce, Florida, to include 2295 South Jenkins Road in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-068 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2295 SOUTH JENKINS ROAD IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance 19-068.

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

Passed

y. Legislative Hearing - Ordinance 19-069 extending the territorial limits of the City of Fort Pierce, Florida, to include 2675 McNeil Road in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-069 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2675 MCNEIL ROAD IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Jeremiah Johnson to approve Ordinance 19-069.

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

Passed

z. Legislative Hearing - Ordinance 19-070 extending the territorial limits of the City of Fort Pierce, Florida, to include 4880 Edwards Road in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-070 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 4880 EDWARDS ROAD IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Ordinance 19-070.

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

Passed

aa. Legislative Hearing - Ordinance 19-071 extending the territorial limits of the City of Fort Pierce, Florida, to include 2402 Valencia Avenue in Fort Pierce, Florida. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 19-071 - AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 2402 VALENCIA AVENUE IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve Ordinance 19-071.

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

Passed

Commissioner Alexander and Commissioner Sessions discussed the annexation process. Rebecca Guerra, Assistant Planning Director explained the legal requirements in obtaining parcels for voluntary annexation. Discussion continued regarding annexations moving forward.

13. CITY COMMISSION

No items.

14. COMMENTS FROM THE PUBLIC

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

No public comment.

15. COMMENTS FROM THE CITY MANAGER

City Manager and City Attorney had no comments.

16. COMMENTS FROM THE COMMISSION

Commissioner Perona discussed several complaints received from residents in the neighborhood of N. 29th Street north of Orange Avenue regarding dirt bikes and other off-road vehicles which are creating a noise nuisance and general danger to the public and themselves. They are riding at extreme speeds up and down the roads, with complete disregard for rules and regulations, as well as public and private properties. Chief Hobley-Burney acknowledged that she and her staff is aware of the situation and the Fort Pierce Police Department is working on identifying those riding these off-road vehicles and creating disturbances. Chief Hobley-Burney will prepare a request for additional surveillance equipment which will aid in the apprehension of the offenders.. Commissioner Sessions has also received the same complaints regarding this disturbance. Commissioner Alexander has also experienced this problem on his own property. Commissioner Sessions suggested the City look into a motocross park for these kids to have a place to ride.

Commissioner Alexander inquired as to the status of the Humane Society. City Attorney Peter Sweeney informed the Commission that our lawsuit has been closed. The Humane Society has relinquished occupancy and the keys to the property. City Manager, Mr. Mimms stated that since Saturday, much of the vegetation has been cleared and removed. The City of Fort Pierce will make sure that this building is in operable and functional condition. There is currently an RFP open and the City Commission will be able to review and determine the next operator of that facility. The proposals are due in December 2019. Animals are being brought to a temporary location in St. Lucie County, until the issues with the current Fort Pierce facility are satisfied.

Commissioner Johnson inquired about Okeechobee Road being closed in the evening for construction. City Engineer, Jack Andrews will look into the project. Commissioner Johnson also inquired about the efficiencies on recycling. City Manager, Mr. Mimms said he will request a report from Public Works Director, Mike Reals during the first part of 2020. Commissioner Johnson requested an update regarding the status of the volunteer van in the near future. Mr. Mimms said they are working on the graphics to conform to its intended use. Discussion continued regarding all the positive aspects of this volunteer van in our community to help rescue stray animals.

Mayor Hudson attended the groundbreaking for the solar energy project for FMPA. There will be three solar farms of which FMPA and the FPUA will be a part. Mayor wished all the members of the Commission as well as our community a Happy and Safe Thanksgiving.

17. ADJOURNMENT

Mayor Linda Hudson adjourned the meeting at 8:00 PM.

ATTEST:

_____ _____

CITY CLERK MAYOR COMMISSIONER

City Commission Regular Meeting **6. a.**

Meeting Date: 12/02/2019

Re: National American Indian Heritage Month

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

National American Indian Heritage Month Proclamation being received by Linda Ford Gallup

SUMMARY:

RECOMMENDATION:

ALTERNATIVES:

RESPONSIBLE STAFF:

COORDINATED WITH:

Attachments

National American Indian Heritage Month

Form Review

Form Started By: Miriam Garcia Started On: 11/25/2019 09:55 AM

Final Approval Date: 11/25/2019

WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians, Alaska Natives. and indigenous peoples. Many tribal citizens have served and defended our great Nation including the Indian Home Guard during the Civil War and the Code Talkers during World War II; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today. Their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned; and

WHEREAS, the National Society Daughters of the American Revolution, through its American Indians Committee, assists in the education of Indian youth through scholarships and support of colleges and schools across the country.

NOW, THEREFORE, I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby proclaim November 2019 as:

National American Indian Heritage Month

in Fort Pierce and urge all residents to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Fort Pierce, Florida, to be affixed this 2nd day of December 2019.

MAYOR/COMMISSIONER

City Commission Regular Meeting **7. a.**

Meeting Date: 12/02/2019

Re: Emai from Richard Laventure

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Email from Richard Laventure expressing his appreciation of Planner Brandon Creagan's diligence, effort and professionalism with the Premier plat and Home 2 Suites projects.

Attachments

Email from Richard Laventure

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/21/2019 03:26 PM
City Manager	Nick Mimms	11/21/2019 03:26 PM

Form Started By: Jennifer Robinson Started On: 11/20/2019 12:53 PM

Final Approval Date: 11/21/2019

From: Richard Laventure <GATORRR@msn.com>
Sent: Wednesday, November 20, 2019 9:46 AM
To: Brandon Creagan <bcreagan@cityoffortpierce.com>
Cc: Jennifer Hofmeister <jhofmeister@cityoffortpierce.com>
Subject: Home 2 Suites

11.20.19
2019-0117

Good morning Brandon,

I just wanted to say thank you for your help, and patience, with the Premier plat and Home 2 Suites projects. Your diligence, effort and professionalism did not go unnoticed and were genuinely appreciated. I look forward to our next project in the City.

Warm regards,

Rich

Laventure & Associates, Inc.
Professional Surveying & Mapping
2552 Peters Road, Ste D
Fort Pierce, FL. 34945
P: 772.398.6430
F: 772.398.6426

Atlantic Civil Engineering, Inc.
2552 Peters Road, Ste. D
Fort Pierce, FL 34945
P: 772.398.1520
F: 772.398.1521

City Commission Regular Meeting **11. a.**

Meeting Date: 12/02/2019

Re: 2404 Oleander Ave - Extension of Time - McArthur

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

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SUBJECT:

Approve Request for Extension of Time to pay lien reductions on 2404 Oleander Avenue, Ft. Pierce, FL 34982, Property ID Number 2422-604-0002-000-0 owned by Joan R. Stevenson (Est) and Evone McArthur, 2404 Oleander Avenue, Ft. Pierce, FL 34982, for a period of 12 months to December 3, 2020..

SUMMARY:

At their December 3, 2018 meeting the City Commission approved the reduction of fines in the amount of $358,550.00 (which consists of 3 liens) to $750.00 ($250.00 per lien) payable in 6 months. On June 3, 2019 Mrs. McArthur was granted an extension of 6 months to pay the fines. To date she has paid $450.00 leaving a balance of $300.00. Her income is approximately $769.00 per year. She is requesting an extension of 12 months to pay the balance.

RECOMMENDATION:

Staff's recommendation is to approve the extension of 12 months to pay the balance of $300.00.

ALTERNATIVES:

Deny the request.
Make alternative recommendations.

RESPONSIBLE STAFF:

Colleen Greer, Code Enforcement Clerk.

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager.

Fiscal Impact

Budgeted Y/N: 2020

Fiscal Year: 2020

Amount: 750.00

OTHER INFORMATION:

$750.00 to the general fund ($450.00 paid, $300.00 balance due)

Attachments

Request
Balance

Approval

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/18/2019 10:25 AM

Form Started By: Colleen Greer
Started On: 11/12/2019 11:38 AM
Final Approval Date: 11/18/2019

18. Dec or 2.

Request Extension
To pay Balance on Liens
Would Appreciate 12 Munch
Thank You.

Evone McARR
2404 OLEander Blvd.

772-672-1048

$750.00

Balance

$550.00

4/3/19 $200.00

PAID JUL 05 2019 $100.00

$450.00

THE SUNRISE CITY
FORT PIERCE
CITY CLERK'S OFFICE *Florida*

250 00
250 00
250 00
$750
200 4|3|19
$550

December 4, 2018

Evone D. McArthur
2404 Oleander Avenue
Ft. Pierce, FL 34982

Dear Ms. McArthur:

At their meeting on December 3, 2018, the City Commission of the City of Fort Pierce approved the following requests:

1. Reduce code enforcement lien in the amount of $52,690.00 against 2404 Oleander Avenue, Ft. Pierce, FL 34982 - Parcel ID Number 2422-604-0002-000-0 - previously owned by Joan R. Stevenson (Est), 2404 Oleander Avenue, Ft. Pierce, FL 34982 and currently owned by Evone D. McArthur (sister), 2404 Oleander Avenue, Ft. Pierce, FL 34982 to $250.00 to cover administrative fee and payable in six (6) months

2. Reduce code enforcement lien in the amount of $195,250.00 against 2404 Oleander Avenue, Ft. Pierce, FL 34982 - Parcel ID Number 2422-604-0002-000-0 - previously owned by Joan R. Stevenson (Est), 2404 Oleander Avenue, Ft. Pierce, FL 34982 and currently owned by Evone D. McArthur (sister), 2404 Oleander Avenue, Ft. Pierce, FL 34982 to $250.00 to cover administrative fee and payable in six (6) months.

3. Reduce code enforcement lien in the amount of $110,610.00 against 2404 Oleander Avenue, Ft. Pierce, FL 34982 - Parcel ID Number 2422-604-0002-000-0 - previously owned by Joan R. Stevenson (Est), 2404 Oleander Avenue, Ft. Pierce, FL 34982 and currently owned by Evone D. McArthur (sister), 2404 Oleander Avenue, Ft. Pierce, FL 34982 to $250.00 to cover administrative fee and payable in six (6) months.

If you have any questions, please contact the Code Enforcement Department at 772-467-3149.

Very truly yours, LHT | June 3 LHT

Linda W. Cox
City Clerk

cc: Peggy Arraiz, Code Enforcement
Kathy D'Arton, City Finance

City Commission Regular Meeting **11. b.**

Meeting Date: 12/02/2019

Re: Bond Release Request

Submitted For: Nick Mimms, City Manager, City Manager

SUBJECT:

Request for release of Bond Numbers CMS0333671 and 09164702 from Crown Castle currently held by the City as a requirement for the performance of utility work within the rights-of-way of the City of Fort Pierce.

SUMMARY:

The Florida Legislature recently passed SB1000, which amended Section 337.401(d)(12) Florida Statutes, prohibiting a municipality from requiring a performance bond for the deployment of small wireless facilities in the public rights-of-way.

RECOMMENDATION:

Staff has reviewed the request for the release of bonds from Crown Castle and recommends the release of these bonds.

ALTERNATIVES:

Staff will proceed as directed by the City Commission.

RESPONSIBLE STAFF:

Nicholas C. Mimms, City Manager

COORDINATED WITH:

John R. Andrews, City Engineer

Fiscal Impact

OTHER INFORMATION:

There is no fiscal impact.

Attachments

Crown Castle Request for Release of Bonds
Summary of SB1000
Memo from City Engineer
Bond CMS0333671
Bond 09164702

Form Review

Inbox	Reviewed By	Date

City Manager	Nick Mimms	11/21/2019 08:15 AM
Form Started By: Jennifer Robinson		Started On: 11/19/2019 12:41 PM
Final Approval Date: 11/21/2019		

Crown Castle
8517 Southpark Circle
Suite 150
Orlando, FL 32819

Received
NOV 0 1 2019
City of Fort Pierce
City Manager's Office

October 31, 2019
Nick Mimms, P. E.
City Manager
City of Fort Pierce
100 N. U.S. Highway 1
Fort Pierce, FL 34950

Via Electronic Submission and Expedited Delivery

Re: Request to sign and return attached Bond Release

Dear Mr. Mimms,

Crown Castle Fiber LLC ("Crown Castle") is currently registered with the City of Fort Pierce to place its small wireless facilities in the public rights-of-way. As you may be aware, the Florida Legislature recently passed SB1000, a bill addressing the deployment of small wireless facilities in the public rights-of-way that amends parts of Florida Statutes 337.401(7) cited as the **"Advanced Wireless Infrastructure Deployment Act"** ("Act"). SB 1000 was signed into law by Governor Ron DeSantis on June 25, 2019 and took effect on July 1, 2019. The Act, as amended by SB 1000, sets forth the scope and limits of local government authority over the deployment of small wireless facilities and utility poles used to support small wireless facilities.

The Act establishes a process by which Crown Castle may place small wireless facilities and utility poles within rights-of-way that are under the jurisdiction and control of an "authority" (i.e., a county or municipality). In addition, the Act establishes a process by which Crown Castle may place utility poles used to support small wireless facilities within an authority's rights-of-way.

Please note that SB1000 effectuated the following amendment to the first sentence of 337.401(d)(12): "An authority may adopt by ordinance provisions for insurance coverage, indemnification, ~~**performance bonds, security funds**~~, force majeure, abandonment, authority liability, or authority warranties." (emphasis added)

By removing "**performance bonds, security funds**" from 337.401(7)(d)(12), SB1000 effectively prohibits a municipality or county from requiring a performance bond or security fund in relation to applications for small wireless facilities. Furthermore, SB1000 added the following prohibition to 337.401(3)(a): "A municipality or county may not require a provider to pay any fee, cost, or other charge for registration or renewal thereof."

Crown Castle currently has two $100,000.00 bonds in effect to fulfill a requirement for registration in the City of Fort Pierce. Per the previously mentioned amendment to 337.401(d)(12), a municipality can no longer require performance bonds or security funds in relation to small wireless facilities, therefore, please sign and return the attached release letter to signify the City of Fort Pierce's acknowledgement that Crown Castle may cancel bonds 09164702 and CMS0333671 and that there will be no change to our registration status as a result.

The duplicate bonds are a result of an internal consolidation via merger. As we previously informed you, effective January 1, 2019, Crown Castle Fiber LLC became responsible for all obligations of Fibernet Direct Florida LLC. Bond 09164702 is in effect for the Fibernet Direct Florida LLC, therefore we will be canceling this bond in addition to bond CMS0333671.

Within the next **14 calendar days**, please return the completed release form via electronic copy to nflscnpermits@crowncastle.com or by mail to the attention of Vondia Wells:

Vondia Wells
Network Real Estate Specialist
Vondia.wells@crowncastle.com
Phone: (407) 964-3081
Crown Castle
8517 Southpark Cir
Unit 150
Orlando, FL 32819

Please feel free to call me at (980) 430-8573 or Vondia at (407) 964-3081 with any questions. Thank you for your time and assistance.

Sincerely,

Carly Lochmandy
Network Real Estate Specialist
Carly.lochmandy@crowncastle.com
Phone: (980) 430-8573

Crown Castle
8517 Southpark Circle
Suite 150
Orlando, FL 32819

October 31, 2019

Nick Mimms, P. E.
City Manager
City of Fort Pierce
100 N. U.S. Highway 1
Fort Pierce, FL 34950

MULTIPLE BOND RELEASE

Bond(s) Released for Cancelation			
Bond Number	**Surety**	**Principle**	**Amount**
CMS0333671	RLI Insurance Company	Crown Castle Fiber LLC	$100,000.00
09164702	Fidelity and Deposit Company of Maryland	Fibernet Direct Florida LLC	$100,000.00

The City of Fort Pierce (the "City") hereby fully and unconditionally discharges and releases the bonds listed above, and releases the sureties listed above, their parents, affiliates, and subsidiaries, from any and all past, present and future liability under said bonds. Contemporaneous with the execution of this Release, the bonds are discharged, the City hereby surrenders all rights associated with the bonds, and the City acknowledges that there will be no change to the rights-of-way registration status of Crown Castle Fiber LLC as a result. The undersigned warrants that he or she has the authority to execute this Release on behalf of the City and to bind the City hereunder.

By:_____ Date: _____

Signed by officer with requisite authority to sign on the City's behalf

Committee on Innovation, Industry, And Technology

CS/CS/CS/SB 1000 — Communications Services

by Appropriations Committee; Community Affairs Committee; Innovation, Industry, and Technology Committee; and Senator Hutson

The bill makes extensive changes to the statute governing the use of public rights-of-way by providers of communications services, including the Advanced Wireless Infrastructure Deployment Act relating to small and micro wireless facilities enacted two years ago. These changes include:

- Prohibiting a municipality or county from imposing permit fees for the use of public rights-of-way by communications services providers if it had not levied permit fees as of January 1, 2019, while allowing a municipality or county that was imposing permit fees as of that date to continue to do so or to elect to no longer impose permit fees;
- Creating a civil cause of action for any person aggrieved by a violation of the right-of-way statute;
- Prohibiting a local government from instituting, "either expressly or de facto, a moratorium or other mechanism that would prohibit or delay" permits for collocation of small wireless facilities or related poles;
- Deleting the authority for a local government to require performance bonds and security funds and allowing it to instead require a construction bond limited to no more than 18 months after the construction is completed;
- Requiring a local government to accept a letter of credit or similar instrument issued by any financial institution authorized to do business within the U.S.;
- Allowing a provider of communications services to add a local government to any existing bond, insurance policy, or other financial instrument, and requiring the local government to accept such coverage;
- Providing that a wireless provider shall comply with objective and reasonable requirements if the local government has required all public utility lines in the right-of-way to be placed underground, with certain exceptions;
- Prohibiting a local government from requiring a permit applicant to provide inventories, maps, or locations of communication facilities in the rights-of-way, unless it is necessary to avoid interference with existing facilities;
- Allowing a local government to require, annually, a notarized statement from a pass-through provider identifying information on the provider's pass-through facilities; and
- Providing additional requirements pertaining to a local government's permit registration and application process for communications services providers' use of public rights-of-way.

If approved by the Governor, these provisions take effect July 1, 2019.
Vote: Senate 34-3; House 96-16

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.

THE SUNRISE CITY
FORT PIERCE
Florida
ENGINEERING
DEPARTMENT

TO : Nicholas Mimms, P.E., City Manager

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

RE : Bond Release Request from Crown Castle

DATE : November 12, 2019

Received
NOV 13 2019
City of Fort Pierce
City Manager's Office

As requested, this department has reviewed the request by Crown Castle to release the bonds currently held by the City as a requirement for performing utility work within the city's right-of-way. A bond is required by the City of Fort Pierce Code of Ordinances Section 17-7 when utilities are placed in the right-of-way.

The Florida Legislature recently passed SB 1000, which eliminated a municipalities ability to request performance bonds or security funds for work performed in its own right-of-way. The bill also takes away numerous other rights municipalities have had to protect the safety of the public when it comes to their right-of-ways.

Based on this recently passed legislature, I feel the City is obligated to release these bonds.

JRA/jra

100 NORTH US 1, FORT PIERCE, FLORIDA 34950 • CITYOFFORTPIERCE.COM • TEL: 772.467.3782 • FAX: 772.460.6847

THE SUNRISE CITY
FORT PIERCE
CITY CLERK'S OFFICE
Florida

TO : Jack Andrews, City Engineer
Johnna Morris, Finance Director

FROM : Linda W. Cox, City Clerk

RE : Registration for Access of Public Right of Way for Telecommunication Services – Crown Castle.

DATE : January 3, 2019

Attached please find a registration submitted by Crown Castle pursuant to City Code Section 17-7. I have submitted the original Security Bond #CMS0333671 to the Finance Department. By copy of this memo, I am confirming for Crown Castle that their registration has been processed. If any additional information is required, please contact them or let me know and I will facilitate obtaining the required documentation.

Cc: Vondia Wells
Government Relations Specialist
Crown Castle
8517 Southpark Cirle, Suite 150
Orlando, FL 32819

PERFORMANCE BOND

Bond Number: CMS0333671

KNOW ALL BY THESE PRESENTS, That we Crown Castle Fiber LLC, as Principal, hereinafter called Principal, and RLI Insurance Company, a IL corporation, as Surety, hereinafter called Surety, are held and firmly bound unto City of Fort Pierce, as Obligee, hereinafter called Obligee, in the amount of One Hundred Thousand Dollars and 00/100 Dollars ($ 100,000.00) for the payment of which sum, well and truly to be made, the said Principal and Surety bind themselves, and their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, as a condition of said Registration requires Principal to provide a Bond Per Chapter 22, Section 17-7 b-7 of the City of Fort Pierce Ordinances.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if Principal shall promptly and faithfully perform said agreement, then this obligation is void, otherwise to remain in full force and effect.

PROVIDED, HOWEVER, That:

1. It shall be a condition precedent to any right of recovery hereunder, that in event of any default on the part of the Principal, a written statement of the particular facts of such default shall be forwarded to the Surety, within sixty (60) days of the occurrence of such default, delivered by registered mail to Surety at its Home Office in Peoria, IL

2. That no action, lawsuit or proceeding shall be had or maintained against the Surety on this Bond unless the same be filed and properly served upon the Surety within one year from the effective date of the cancellation of the Bond.

3. That no right of action shall accrue under this Bond to or for the use of a person or entity other than the Obligee, and its successors and assigns.

4. This Bond shall become effective December 19, 2018.

5. This Bond shall continue in full force and effect until canceled by the Surety by providing thirty (30) days written notice to the Obligee.

6. The liability of the Surety shall in no event exceed the aggregate penal sum of the Bond penalty.

7. If any conflict or inconsistency exists between the Surety's obligation or undertakings as described in the Bond and as described in the underlying document, then the terms of the Bond shall prevail.

IN WITNESS WHEREOF, The said Principal has signed and sealed this instrument on this 20 day of DECEMBER, 2018.

Crown Castle Fiber LLC

By: _____
Name/Title

IN WITNESS WHEREOF, The said Surety has signed and sealed this instrument on this 19th day of December, 2018.

RLI INSURANCE COMPANY CORPORATE SEAL ILLINOIS

RLI Insurance Company

By: _____
Joshua Sanford ,Attorney-in-Fact

POWER OF ATTORNEY

RLI Insurance Company
Contractors Bonding and Insurance Company

9025 N. Lindbergh Dr. Peoria, IL 61615
Phone: 800-645-2402

Bond No. CMS0333671

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes, but may be detached by the approving officer if desired.

That this Power of Attorney may be effective and given to either or both of **RLI Insurance Company** and **Contractors Bonding and Insurance Company**, required for the applicable bond.

That **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company**, each Illinois corporations (as applicable), each authorized and licensed to do business in all states and the District of Columbia do hereby make, constitute and appoint: Joshua Sanford in the City of Knoxville, State of TN, it's true and lawful Agent and Attorney in Fact, with full power and authority hereby conferred upon him/her to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds and undertakings in an amount not to exceed Twenty Five Million Dollars ($25,000,000) for any single obligation, and specifically for the following described bond.

Principal: Crown Castle Fiber LLC
Obligee: City of Fort Pierce

RLI Insurance Company and **Contractors Bonding and Insurance Company**, as applicable, have each further certified that the following is a true and exact copy of a Resolution adopted by the Board of Directors of each such corporation, and now in force, to-wit:

> **"All bonds, policies, undertakings, Powers of Attorney or other obligations of the Corporation shall be executed in the corporate name of the Corporation by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Corporation. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the Corporation. The signature of any such officer and the corporate seal may be printed by facsimile or other electronic image."**

IN WITNESS WHEREOF, **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company**, as applicable, have caused these presents to be executed by its respective Vice President with its corporate seal affixed this 19th day of December, 2018.

RLI INSURANCE COMPANY CORPORATE SEAL ILLINOIS

CONTRACTORS BONDING AND INSURANCE COMPANY CORPORATE SEAL ILLINOIS

RLI Insurance Company
Contractors Bonding and Insurance Company

B. W. D.

Barton W. Davis — Vice President

State of Illinois }
County of Peoria } SS

On this 19th day of December, 2018, before me, a Notary Public, personally appeared Barton W. Davis, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company**, and acknowledged said instrument to be the voluntary act and deed of said corporation.

By: Gretchen L Johnigk
Gretchen L. Johnigk — Notary Public

GRETCHEN L JOHNIGK
NOTARY PUBLIC STATE OF ILLINOIS
"OFFICIAL SEAL"
My Commission Expires May 26, 2020

CERTIFICATE

I, the undersigned officer of **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company**, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company** this 19th day of December, 2018.

RLI Insurance Company
Contractors Bonding and Insurance Company

By: Jean M. Stephenson
Jean M Stephenson — Corporate Secretary

A00AI817

Crown Castle
8517 Southpark Circle
Suite 150
Orlando, FL 32819

December 28, 2018

Received
DEC 31 2018
City of Fort Pierce
City Manager's Office

Via FedEx Delivery and Electronic Mail

Nick Mimms, P.E.
City Manager
City of Fort Pierce
100 N. U.S. Highway 1
Fort Pierce, Florida 34950

Re: Registration to Access Public Rights of Way for the Provision of Telecommunications Services.

Dear Mr. Mimms:

Please consider the enclosed documentation for the formal registration application by Crown Castle Fiber LLC (Crown Castle Fiber), to access the public rights-of-way to place or maintain communication facilities within the City of Fort Pierce, Florida for the provision of telecommunications services as a state-certified utility.

Crown Castle Fiber respectfully submits this application for registration with the City of Fort Pierce in accordance with city ordinance Chapter 17 "Streets and Sidewalks", Section 17-7 "Placement of utility facilities in the public rights-of-way" as required.

Pursuant to Section 17-7 "Placement of utility facilities in the public rights-of-way" the following documents are enclosed:

- Summary of general registration information
- A current certificate of liability insurance
- Name change document filed with the Florida Public Service Commission
- Certificate No. 8917 Florida Public Service Commission
- Security Bond # CMS0333671

Thank you for your prompt attention to this matter. Should you have any questions or need additional information, please do not hesitate to contact me. I look forward to receiving written confirmation of registration acceptance at your earliest convenience.

Sincerely,

Vondia Wells
Government Relations Specialist
Southeast Region – FL District
Vondia.wells@crowncastle.com
O: 407 964 3081

Crown Castle
8517 Southpark Circle
Suite 150
Orlando, FL 32819

City of Fort Pierce Florida, Registration Information

Pursuant to the City of Fort Pierce, Florida Code of Ordinances, Chapter 17 "Streets and Sidewalks", Section 17-7 "Placement of utility facilities in the public rights-of-way", Crown Castle Fiber LLC ("Crown Castle Fiber") respectfully submits the following information as the official statement for Registration:

1. Name of Applicant:
   Response: Crown Castle Fiber LLC Attention: DAS Real Estate Operations DAS.Administration@crowncastle.com
   2000 Corporate Drive, Canonsburg, PA 15317-8564
2. Name, address and telephone number of applicant's primary contact person in connection with the registration;

   Response: Vondia Wells, Governmental Relations Specialist; Vondia.Wells@crowncastle.com; 407-964-3081
   8517 Southpark Circle, Ste 150 Orlando, Florida 32819
   In case of emergency call: 1-888-632-0931 or email SCN.NOC@crowncastle.com

3. Provide proof that all federal and/or state permits or registration required, if any, have been obtained by the utility. Such proof shall include providing the number of the applicant's certificate of authorization or license, proof of authority to do business in the State of Florida, or any other documents as may be required by any state or federal authority, if applicable;

   Response: Enclosed you will find copies of the following documents:

   - Florida Public Service Commission Order Acknowledging Name Change
   - Consummating Order from the Florida Public Service Commission as authorization to provide telecommunications service, pursuant to Section 364.335, Florida Statutes. (Certificate No. 8917)

4. Provide documents or plans showing the location of the proposed facilities and the size of the proposed facilities and the equipment to be installed;

   Response: The enclosed registration application is proactive. All required documents and plans will be provided at the time of permitting.

5. Provide a security fund, in the amount specified herein, and establish a performance bond, as specified herein, in favor of the city, in the amount specified by the city engineer or his designee, to ensure the faithful performance of all requirements under this section and in accordance with any applicable portion of this Code and city administrative regulations;

   Response: Please see enclosed Surety Bond

6. Provide insurance and certificates of insurance as specified herein;

   Response: Please see enclosed Certificate of Insurance

Please contact Vondia Wells for any additional information which may be required concerning this registration application.

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/31/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Willis of Pennsylvania, Inc. c/o 26 Century Blvd P.O. Box 305191 Nashville, TN 372305191 USA	CONTACT NAME: PHONE (A/C, No, Ext): 1-877-945-7378 FAX (A/C, No): 1-888-467-2378 E-MAIL ADDRESS: certificates@willis.com
INSURED Crown Castle International See Attached Named Insured List 1220 Augusta Dr. Suite 600 Houston, TX 77057	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A: Federal Insurance Company — 20281 INSURER B: Travelers Property Casualty Company of Ame — 25674 INSURER C: Berkshire Hathaway Specialty Insurance Com — 22276 INSURER D: INSURER E: INSURER F:

COVERAGES **CERTIFICATE NUMBER:** W8725235 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC OTHER:	Y	Y	7021-02-28	04/01/2018	04/01/2019	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 1,000,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
B	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY HIRED AUTOS ONLY SCHEDULED AUTOS NON-OWNED AUTOS ONLY	Y	Y	TC2JCAP-474M9749TIL18	04/01/2018	04/01/2019	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
C	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 25,000	Y	Y	47-UMO-303445-02	04/01/2018	04/01/2019	EACH OCCURRENCE AGGREGATE	$ 5,000,000 $ 5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N: No If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	Y	TC2JUB-474M969-4-18	04/01/2018	04/01/2019	X PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is included as an Additional Insured under the General Liability, Automobile Liability and Umbrella/Excess Liability policies as their interest may appear and where required by written agreement and only with respect to the liability arising out of the operations performed by or on behalf of the Named Insured.

General Liability, Automobile Liability, Umbrella/Excess Liability and Workers' Compensation include a Waiver of Subrogation in favor of the Additional Insured when required by written contract but always subject to the policy

CERTIFICATE HOLDER

City of Fort Pierce
100 N. US
Fort Pierce, FL 34950

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Joseph Spina

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The ACORD name and logo are registered marks of ACORD

SR ID: 16988567 BATCH: 936126

AGENCY CUSTOMER ID: _____

LOC #: _____

ACORD®

ADDITIONAL REMARKS SCHEDULE

AGENCY Willis of Pennsylvania, Inc.	NAMED INSURED Crown Castle International See Attached Named Insured List 1220 Augusta Dr. Suite 600 Houston, TX 77057
POLICY NUMBER See Page 1	
CARRIER See Page 1 / NAIC CODE See Page 1	EFFECTIVE DATE: See Page 1

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

terms, conditions, exclusions and as permitted by law.

Re: Row Registration in order to pull permits within the city limits.
Named Insured includes Crown Castle Fiber LLC f/k/a Lightower Fiber Networks II, LLC.

Additional Insureds: City of Fort Pierce, its officers, boards, members, agents and employees.

Coverages are Primary and Non-Contributory as required by written contract.

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Crown Castle International Corp. Consolidated Subsidiaries as Named Insureds

Entity Name — **5/16/2018 Edition**

24/7 Chesapeake Holdings, LLC
24/7 Mid-Atlantic Network of Virginia, LLC
24/7 Mid-Atlantic Network, LLC
Access Fiber Group Holdings LLC
Access Fiber Group, Inc.
AirComm of Avon, L.L.C.
Atlantic Coast Communications LLC
CA - CLEC LLC
CC Castle International LLC
CC Edge LLC
CC Edge Solutions LLC
CC Finance LLC
CC FN Holdings LLC
CC Holdings GS V LLC
CC Site Acquisitions II LLC
CC Sunesys Fiber Networks LLC
CC TM PA LLC
CC Towers Guarantor LLC
CC Towers Holding LLC
CC TS LLC
CCATT Holdings LLC
CCATT LCC
CCATT PR LLC
CCGS Holdings Corp.
CCPE Acquisitions LLC
CCPR VI Tower Newco LLC
CCS & E LLC
CCT2 Holdings LLC
CCTM Holdings LLC
CCTM1 LLC
CCTM2 LLC
CCTMO LLC
Chesapeake Fiber, LLC
Coastal Antennas LLC
ComSite Venture, Inc.
Coverage Plus Antenna Systems LLC
Cross Connect Solutions, Inc. (PA)
Crown Atlantic Company LLC
Crown Castle AS LLC
Crown Castle Atlantic LLC
Crown Castle Augusta LLC
Crown Castle BP ATT LLC
Crown Castle CA Corp.
Crown Castle Fiber LLC f/k/a Lightower Fiber Networks II, LLC
Crown Castle GS III Corp.
Crown Castle GT Company LLC
Crown Castle GT Corp.
Crown Castle GT Holding Sub LLC
Crown Castle International Corp.
Crown Castle International Corp. de Puerto Rico
Crown Castle International LLC
Crown Castle Investment Corp.
Crown Castle Investment II Corp.
Crown Castle MM Holding Corp.
Crown Castle MM Holding LLC
Crown Castle MU LLC
Crown Castle MUPA LLC
Crown Castle NG Atlantic LLC
Crown Castle NG Central LLC
Crown Castle NG East LLC
Crown Castle NG Networks LLC
Crown Castle NG West LLC
Crown Castle Operating Company
Crown Castle Operating LLC
Crown Castle Orlando Corp.
Crown Castle PR LLC
Crown Castle PR Solutions LLC
Crown Castle PT Inc.
Crown Castle Puerto Rico Corp.
Crown Castle Services LLC
Crown Castle Solutions LLC
Crown Castle South LLC
Crown Castle TDC LLC
Crown Castle TLA LLC
Crown Castle Towers 05 LLC
Crown Castle Towers 06-2 LLC
Crown Castle Towers 09 LLC
Crown Castle Towers LLC
Crown Castle USA Inc.
Crown Communication LLC
Crown Communication New York, Inc.
Crown Mobile Systems, Inc.
DAS Development Corporation
Fiber Technologies Networks, L.L.C.
Fibernet Direct Florida LLC
Fibernet Direct Holdings LLC
Fibernet Direct TEL LLC
Fibernet Direct Texas LLC
Fibertech Facilities Corp. (NY)
Fibertech Holdings Corp.
Fibertech Networks, LLC
Freedom Telecommunications, LLC
Global Signal Acquisitions II LLC
Global Signal Acquisitions III LLC
Global Signal Acquisitions IV LLC
Global Signal Acquisitions LLC
Global Signal GP LLC
Global Signal Holdings III LLC
Global Signal Holdings IV LLC
Global Signal Operating Partnership, L.P.
Global Signal Services LLC
GoldenState Towers, LLC
GS Savings Inc.
GSPN Intangibles LLC
High Point Management Co. LLC
ICB Towers, LLC
InfraSource FI, LLC
InSITE Fiber of Virginia LLC
InSITE Solutions LLC
Interstate Tower Communications LLC
Intracoastal City Towers LLC
IX2 Center, LLC
IX2 Wilshire, LLC
JBCM Towers LLC
Light Tower Clearinghouse LLC
Light Tower Fiber New York, Inc. (NY)
Light Tower Holdings LLC
Light Tower Management, Inc.
Light Tower Metro Fiber LLC
Lightower Fiber Infrastructure Corp.
Lightower Fiber Networks I, LLC
Lightower Fiber Networks II, LLC n/k/a Crown Castle Fiber LLC
LTS Buyer LLC
LTS Group Holdings LLC
LTS Intermediate Holdings A LLC
LTS Intermediate Holdings B LLC
LTS Intermediate Holdings C LLC
Md7 Capitol One, LLC
Mobile Media California LLC
Mobile Media National LLC
Modeo LLC
MW Cell REIT 1 LLC
MW Cell TRS 1 LLC
NEON Transcom, Inc.
NewPath Networks Holding LLC
NewPath Networks LLC
NY - CLEC LLC
OP 2 LLC
OP LLC
P3 CHB-1, LLC
P3 Holdings 2014 LLC
P3 OASA-1, LLC
P3 PBA-1, LLC
PA - CLEC LLC

Crown Castle International Corp. Consolidated Subsidiaries as Named Insureds

Entity Name — **5/16/2018 Edition**

Pinnacle San Antonio L.L.C.
Pinnacle St. Louis LLC
Pinnacle Towers Acquisition Holdings LLC
Pinnacle Towers Acquisition LLC
Pinnacle Towers Asset Holding LLC
Pinnacle Towers Canada, Inc.
Pinnacle Towers III LLC
Pinnacle Towers Limited
Pinnacle Towers LLC
Pinnacle Towers V Inc.
PR Site Development Corporation
PR TDC Corporation
Princeton Ancillary Services II LLC
Princeton Ancillary Services III LLC
Radio Station WGLD LLC
RGP Tower Group, LLC
Shaffer & Associates, Inc.
Sidera Networks UK Limited (UK)
Sidera Networks, Inc.
Sierra Towers, Inc.
Sunesys Enterprise LLC
Sunesys of Massachusetts, LLC
Sunesys of Virginia, Inc.
Sunesys, LLC
Thunder Towers LLC
Tower Development Corporation
Tower Systems LLC
Tower Technology Company of Jacksonville LLC
Tower Ventures III, LLC
TowerOne 2012, LLC
TowerOne Allentown 001, LLC
TowerOne Bethlehem 001, LLC
TowerOne Doylestown, LLC
TowerOne East Rockhill 001, LLC
TowerOne Marple, LLC
TowerOne Middletown 001, LLC
TowerOne Middletown 002, LLC
TowerOne Middletown 003, LLC
TowerOne North Coventry, LLC
TowerOne Partners, LLC
TowerOne Richland, LLC
TowerOne Upper Pottsgrove 002, LLC
TowerOne Upper Pottsgrove, LLC
TowerOne Warminster 001, LLC
TowerOne Warrington 002, LLC
Towers Finco II LLC
Towers Finco III LLC
Towers Finco LLC
TriStar Investors LLC
TVHT, LLC
WA - CLEC LLC
WCP Wireless Lease Subsidiary, LLC
WCP Wireless Site Funding LLC
WCP Wireless Site Holdco LLC
WCP Wireless Site Non-RE Funding LLC
WCP Wireless Site Non-RE Holdco LLC
WCP Wireless Site RE Funding LLC
WCP Wireless Site RE Holdco LLC
Wilcon Holdings LLC
Wilcon Operations LLC
Wilshire Connection, LLC
Wilshire Services, LLC
Wireless Funding, LLC
Wireless Realty Holdings II, LLC
Wireless Revenue Properties, LLC
Yankee Metro Parent, Inc.

INSURER CANCELLATION TERMS

NAMED INSURED	POLICY NO.
Crown Castle International	Various
	EFFECTIVE DATE SEE PAGE 1

Person or Organization:

Person(s) or organization(s) that you are obligated, pursuant to written contract or agreement between you and such person or organization, to provide with notice of cancellation for any reason other than non-payment of premium, provided that, within 10 days of the date the producer or the first named insured receives a copy of the notice of cancellation, the producer or the first named insured provides us with a spreadsheet containing the name, address and, if available, e-mail address of the person(s) or organization(s) to whom such notice of cancellation is to be sent.

All other terms and conditions remain unchanged.

Cancellation Terms:

When we cancel this policy as described in the Cancellation condition for any reason other than non-payment of premium, we will also send to the person or organization described in the Schedule a notice of at least 30 days in advance of the cancellation date.

Any failure on our part to deliver such notice will not:

- **impose liability of any kind upon us; or**
- **invalidate the cancellation.**

Cancellation Terms Apply to the Following Coverages:

General Liability, Automobile Liability and Workers Compensation

FILED 6/25/2018
DOCUMENT NO. 04368-2018
FPSC - COMMISSION CLERK

State of Florida

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: June 22, 2018

TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk

FROM: Brandon Wendel, Public Utility Analyst I, Office of Industry Development & Market Analysis
Rodney Trice, Research Assistant, Office of the General Counsel

RE: Docket No. 20180126 – Request for name change on Certificate of Authority No. 8917 to Crown Castle Fiber LLC, effective date 05/17/2018

Lightower Fiber Networks II, LLC, has requested approval of a name change on Certificate No. 8917 to Crown Castle Fiber, LLC. This name change has been filed with the Florida Department of State, Division of Corporations. Since this name change does not involve a transfer of certificate, the name change is acknowledged and the docket closed.

As required by Section 2.07.C.2.a., Administrative Procedures Manual, this is to inform you that staff concurs with the name change on Certificate No. 8917.

FILED 4/12/2018
DOCUMENT NO. 02901-2018
FPSC - COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide local telecommunications service by Lightower Fiber Networks II, LLC.	DOCKET NO. 20180017-TX ORDER NO. PSC-2018-0181-CO-TX ISSUED: April 12, 2018

CONSUMMATING ORDER

BY THE COMMISSION:

By Order No. PSC-2018-0143-PAA-TX, issued March 15, 2018, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code. No response has been filed to the order, in regard to the above mentioned docket. It is, therefore,

ORDERED by the Florida Public Service Commission that Order No. PSC-2018-0143-PAA-TX has become effective and final. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 12th day of April, 2018.

Carlotta S Stauffer

CARLOTTA S. STAUFFER
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

MAD

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any judicial review of Commission orders that is available pursuant to Section 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

FILED 3/15/2018
DOCUMENT NO. 02345-2018
FPSC - COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide local telecommunications service by Lightower Fiber Networks II, LLC.	DOCKET NO. 20180017-TX ORDER NO. PSC-2018-0143-PAA-TX ISSUED: March 15, 2018

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
JULIE I. BROWN
DONALD J. POLMANN
GARY F. CLARK
ANDREW GILES FAY

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATE OF AUTHORITY

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code (F.A.C.).

Lightower Fiber Networks II, LLC (Lightower) applied for a Certificate of Authority to provide telecommunications service, pursuant to Section 364.335, Florida Statutes (F.S.). Upon review of the application, it appears that Lightower has sufficient technical, financial, and managerial capability to provide such service. Accordingly, we hereby grant to Lightower Certificate of Authority No. 8917, which shall authorize Lightower to provide telecommunications service throughout the State of Florida.

Telecommunications service providers are required to comply with all applicable provisions of Chapter 364, F.S., and Chapter 25-4, F.A.C.

In addition, under Section 364.336, F.S., certificate holders must pay a minimum annual Regulatory Assessment Fee (RAF) if the certificate was active during any portion of the calendar year. A RAF Return notice will be mailed each December to Lightower for payment by January 30th. Neither the cancellation of its certificate nor the failure to receive a RAF Return notice shall relieve Lightower from its obligation to pay its RAF.

If this Order becomes final and effective, it will serve as Lightower's certificate. Lightower shall retain this Order as proof of its certification. We are vested with jurisdiction over this matter pursuant to Sections 364.335 and 364.336, F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Lightower Fiber Networks II, LLC's application for a Certificate of Authority is hereby granted. It is further

ORDERED that Lightower Fiber Networks II, LLC is awarded Certificate of Authority No. 8917, which authorizes Lightower Fiber Networks II, LLC, to provide telecommunications service throughout the State of Florida, subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as Lightower Fiber Networks II, LLC's certificate and shall be retained by Lightower Fiber Networks II, LLC, as proof of certification. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 15th day of March, 2018.

/Hong Wang

HONG WANG
Chief Deputy Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

MAD

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on April 5, 2018.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

State of Florida

Department of State

I certify the attached is a true and correct copy of the Amendment to the Application of a Foreign Limited Liability Company, filed on May 17, 2018, for LIGHTOWER FIBER NETWORKS II, LLC which changed its name to CROWN CASTLE FIBER LLC, a New York limited liability company authorized to transact business in Florida, as shown by the records of this office.

I further certify the document was electronically received under FAX audit number H18000153787, and this certificate issued in accordance with section 15.16, Florida Statutes, and authenticated by the code noted below

The document number of this limited liability company is M17000009395.

Authentication Code: 418A00010396-051818-M17000009395-1/1

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
Eighteenth day of May, 2018

Ken Detzner
Secretary of State

FLORIDA DEPARTMENT OF STATE
Division of Corporations

May 18, 2018

CROWN CASTLE FIBER LLC
1220 AUGUST DR, STE 600
HOUSTON, TX 77057US

Re: Document Number M17000009395

The Amendment to the Application of a Foreign Limited Liability Company for LIGHTOWER FIBER NETWORKS II, LLC which changed its name to CROWN CASTLE FIBER LLC, a New York limited liability company authorized to transact business in Florida, was filed on May 17, 2018.

The certification you requested is enclosed. To be official, the certification for a certified copy must be attached to the original document that was electronically submitted and filed under FAX audit number H18000153787.

Should you have any questions regarding this matter, please telephone (850) 245-6051, the Registration Section.

Dionne M Scott
Regulatory Specialist II
Division of Corporations

Letter Number: 418A00010396

VERIFICATION CERTIFICATE FOR INDEFINITE TERM SURETY BOND

THIS IS TO CERTIFY that Bond No. 09164702 issued by Fidelity and Deposit Company of Maryland dated this 15 day of February , 2017, in the amount of One Hundred Thousand Dollars and 00/100 Dollars ($100,000.00), on behalf of Fibernet Direct Florida LLC (as Principal), and in favor of CITY OF FORT PIERCE (as Obligee) , covers a term which began on the 18 day of August , 2014, and ends only with the cancellation of said bond or other legal termination thereof; and that the said bond remains in effect, subject to all its agreements, conditions and limitations.

Signed, sealed and dated* (enter below)

Fidelity and Deposit Company of Maryland

BY: Joshua Sanford
Joshua Sanford
Attorney-in-Fact



11/14/2019
***Use current or renewal date.**

ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray**, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint, **Donna M. PLANETA, Joshua SANFORD, Aimee R. PERONDINE, Danielle D. JOHNSON, Michelle Anne MCMAHON, Bethany STEVENSON, Bryan M. CANESCHI, Kristopher PISANO, Rebecca M. STEVENSON, Nicholas TURECAMO and Tanya NGUYEN, all of Hartford, Connecticut**, EACH, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings,** and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 4th day of October, A.D. 2019.

ATTEST:

ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: Robert D. Murray
Vice President

By: Dawn E. Brown
Secretary

State of Maryland
County of Baltimore

On this 4th day of October, A.D. 2019, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2023

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify of revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this _____ day of _____, _____.







Brian M. Hodges, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
www.reportsfclaims@zurichna.com
800-626-4577

City Commission Regular Meeting **11. c.**

Meeting Date: 12/02/2019

Re: Approval of the Agreement for Development of King's Landing with Audubon Development, Inc.

Submitted For: Shyanne Helms, Communications + Economic Development Manager, City Manager

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SUBJECT:

Approval of the Agreement for Development of King's Landing with Audubon Development, Inc. which was approved by the FPRA on November 12, 2019, on requires City Commission approval as well.

SUMMARY:

At the Special Fort Pierce Redevelopment Agency Meeting on June 13, 2019, the FPRA Board evaluated the two proposals received in response to RFP 2019-003 for the Redevelopment of the Former H.D. King Plant Site. The FPRA Board voted to enter into negotiations with the highest ranked proposer, Audubon Development, for a period of 90 days. The 90-day negotiation period was set to expire on September 11, 2019. At a Special FPRA Meeting on September 9, 2019, staff requested and was granted a 60-day extension for the negotiation period. The negotiation is concluded and the development agreement was approved by the FPRA Board on November 12, 2019. It is now being presented for the consideration of the City Commission.

RECOMMENDATION:

Staff recommends the approval of the Development Agreement of King's Landing with Audubon Development, Inc. for the redevelopment of the former H.D. King Plant site.

ALTERNATIVES:

Staff will proceed as directed by the City Commission.

RESPONSIBLE STAFF:

Nicholas C. Mimms, P.E., City Manager

COORDINATED WITH:

Shyanne Helms, Communications + Economic Development Manager
Peter J. Sweeney, City Attorney

Fiscal Impact

OTHER INFORMATION:

N/A

Attachments

Agreement for Development - Signed by Audubon

Presentation from Special FPRA Board Meeting on November 12, 2019

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/21/2019 03:25 PM
City Manager	Nick Mimms	11/21/2019 03:25 PM

Form Started By: Shyanne Helms Started On: 11/20/2019 10:08 AM

Final Approval Date: 11/21/2019

This Instrument Prepared By:
W. LEE DOBBINS, ESQ.
Dean, Mead, Minton & Zwemer
1903 South 25th Street, Suite 200
Fort Pierce, Florida 34947
(772) 464-7700

AGREEMENT FOR DEVELOPMENT OF KING'S LANDING

THIS AGREEMENT (the "Agreement") is made and entered into as of this 2nd day of December, 2019 (the "Effective Date"), by and between AUDUBON DEVELOPMENT, INC., a Florida corporation ("Audubon"), whose mailing address is P.O. Box 981, Palm Beach, FL 33480, the CITY OF FORT PIERCE, a Florida municipal corporation (hereafter referred to as the "City of Fort Pierce"), whose mailing address is City Hall, 100 North U.S. 1, Fort Pierce, FL 34950 and the FORT PIERCE REDEVELOPMENT AGENCY, a community redevelopment agency established pursuant to Florida Statutes Chapter 163 (the "FPRA") (collectively, the City of Fort Pierce and the FPRA shall be referred to herein as the "City").

W I T N E S S E T H:

WHEREAS, the City of Fort Pierce and the FPRA are the record owners, as their record interests may appear, of fee simple title to the unimproved real property described on **Exhibit "A"**, attached hereto and made a part hereof (the "Real Property"); and

WHEREAS, the City issued a request for proposals ("RFP") requesting that qualified developers submit proposals for the development of the Real Property; and

WHEREAS, after evaluating the responses submitted in the competitive procurement process in response to the City's RFP, the City found that Audubon has submitted the most advantageous proposal; and

WHEREAS, Audubon has proposed the development of a mixed use development on the Real Property referred to as King's Landing, including a hotel, condominiums, restaurants, retail, office, single family residences and apartments, as more generally set forth in the RFP (the "Project"); and

WHEREAS, the City and Audubon both desire to enter into an agreement, allowing Audubon to proceed with obtaining land development approvals more specifically setting forth the master plan and development standards for the Project, providing for the conveyance of the Real Property to Audubon subject to the terms and conditions hereof, and allowing for the construction of the Project on the Real Property in phases, as more specifically set forth herein; and

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and agreements contained herein, and the mutual benefits hereunder, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do covenant and agree as follows:

1. Agreement to Develop. The City agrees to convey the Real Property to Audubon and Audubon agrees to develop the Real Property in accordance with the terms and conditions set forth herein. The term "Property" shall include the Real Property described in **Exhibit "A"**, together with all right, title and interest, if any, of the City in and to (i) any improvements to the Real Property, (ii) any condemnation award relating to the Real Property, and (iii) all easements, rights-of-way and appurtenances benefitting or appurtenant to the Real Property.

2. Due Diligence Period. Audubon, its agents, employees and contractors shall have one-hundred and twenty (120) days from and after the Effective Date (which one-hundred and twenty (120) day period is hereinafter referred to as the "Due Diligence Period") within which to undertake engineering and other tests, borings, studies, investigations and assessments of and concerning the Property, at Audubon's sole cost and expense, as Audubon determines may be necessary or desirable in order to determine and evaluate (i) compliance of the Property with all zoning, environmental and other codes, ordinances, statutes, rules and regulations affecting the same, (ii) soil compaction, drainage and other physical characteristics of the Property, (iii) the feasibility of developing the Property for Audubon's intended use, including preparing draft site plans, drainage plans, utility plans and financial feasibility studies, and (iv) any other matters as shall be deemed by Audubon, in Audubon's sole and absolute discretion, to be necessary for Audubon to determine the feasibility of Audubon proceeding with the development of the Property. The City hereby grants to Audubon, its agents, employees, contractors and engineers, a right of entry upon the Property and any part thereof during the Due Diligence Period for the purposes of assisting such inspections and review, including environmental studies, soil compaction studies, soil borings and other physical inspections, and to show the Property to third parties (including, without limitation, architects, attorneys, insurers, financial institutions and other lenders or investors), and the City hereby agrees to cooperate with Audubon's studies and investigations, as reasonably required. Audubon shall be responsible for prompt payment for such inspections and for repair of damage to and restoration of the Property resulting from such studies and inspections. Audubon shall not subject the Property to any liens in connection with such studies and investigations and Audubon shall immediately discharge any liens which may be recorded against the Property resulting from such studies and investigations. Audubon agrees to indemnify and hold harmless the City from all losses, damages, penalties, attorney's fees and costs arising out of property damage, personal injury or wrongful death caused by Audubon, or Audubon's agents or contractors, in connection with any inspections of the Property. No later than five (5) days after the end of the Due Diligence Period, Audubon may, at Audubon's sole discretion and for any reason, terminate this Agreement by giving written notice thereof to the City, in which event this Agreement shall be terminated, and all rights and liabilities of the parties pursuant to the Agreement shall be terminated. No later than fifteen (15) days after such termination of this Agreement, Audubon shall deliver to the City copies of any reports of studies and investigations procured by Audubon relative to the Property during the Due Diligence Period.

3. Copies of Reports. The City agrees to deliver to Audubon, within five (5) days following the Effective Date of this Agreement, copies of (a) any leases, lease amendments, contracts, licenses, governmental or quasi-governmental permits or permit applications, (b) all reports, studies and investigations (including, without limitation, any environmental, engineering or water quality assessments or reports, title abstracts and policies, permits, surveys and soil tests) and (c) specifically, any information evidencing the removal of the title encumbrance that

provided a right of reverter in favor of the State of Florida, in the possession of the City relating to the Property or any part thereof. The City shall also, upon request by Audubon, provide any information in the possession of the City relating to the remediation of environmental contamination on the Property.

4. Land Development Approvals.

a. City Obligations. The City shall, at no cost or expense to Audubon, be responsible for completing the following tasks:

i. The City shall give its best efforts to support abandoning of the road right-of-way of the section of Avenue B, shown on **Exhibit "B"**, attached hereto and made a part hereof (the "Avenue B Parcel"), it being the intention of the parties hereto that the Avenue B Parcel shall be included in the Property conveyed to Audubon at Closing, for development by Audubon. The City shall be responsible for completing and filing any required applications, paying any filing fees and processing the approval of the foregoing abandonment. The foregoing abandonment of the public right-of-way of the Avenue B Parcel, so that it may be conveyed to Audubon at Closing, shall be a Condition to Closing which, if not completed, may result in the termination of this Agreement as more specifically set forth in Paragraph 4.c below.

ii. The City shall give its best efforts to support amending the Comprehensive Plan of the City of Fort Pierce to change the future land use designation of the Property to Mixed Use Development (MXD). The City shall be responsible for completing and filing any required applications and paying any filing fees associated with processing the approval of the foregoing future land use amendment, both at the City level and at the State level. The foregoing change in the Property's future land use designation to MXD shall be a Condition to Closing which, if not completed, may result in the termination of this Agreement as more specifically set forth in Paragraph 4.c below.

iii. The City shall give its best efforts to support changing the zoning of the Property to Planned Development (PD). (The term "Planned Development" as used in this Agreement shall refer to the Planned Development zoning category as defined in the City of Fort Pierce Zoning Code). The City shall be responsible for completing and filing any required applications and paying any filing fees associated with processing the approval of the foregoing zoning change. The foregoing change of the Property's zoning to Planned Development shall be a Condition to Closing which, if not completed, may result in the termination of this Agreement as more specifically set forth in Paragraph 4.c below.

iv. The Florida Department of Environmental Protection ("FDEP") issued a Conditional Site Rehabilitation Order ("SRCO") dated May 22, 2018 to the City setting forth various conditions relating to the existing environmental contamination on the Property. The SRCO is attached hereto and made a part hereof as **Exhibit "C"**. Paragraph (c) on page 5 of the SRCO states that additional site rehabilitation may be required if the "level of risk is increased" due to "substantial changes in exposure conditions, such as a change in land use from nonresidential to residential use". The City shall provide such information and documents to Audubon relative to the SRCO as Audubon may request in order for Audubon to notify FDEP of the proposed Project. Audubon shall notify FDEP of the proposed Project, and shall obtain

written confirmation from FDEP, in form reasonably satisfactory to Audubon, before the end of the Due Diligence Period, that development of the Project will not require that additional remediation be completed on the Property or that additional restrictions be placed upon the use or development of the Property. The City agrees to cooperate with Audubon's efforts to obtain such written confirmation from FDEP. In the event that FDEP does require additional remediation or additional restrictions not currently set forth in the SRCO, then Audubon and the City shall work in good faith to amend this Agreement to address such remediation and/or conditions. In the event that Audubon and the City do not reach agreement with respect to such amendment to this Agreement, either party shall have the right to terminate this Agreement by giving written notice to the other, in which event all rights and liabilities of the parties pursuant to this Agreement shall be terminated.

b. Audubon Obligations. Audubon shall, at Audubon's sole cost and expense, be responsible for completing the following tasks:

i. Apply to and obtain approval from the City of Fort Pierce of a Planned Development master site plan (the "Site Plan") and development standards for the Property, allowing for a mixed use development, including a hotel, condominiums, restaurants, retail, office and apartments, as more generally set forth in the RFP.

ii. Apply to and obtain approval from the City of Fort Pierce for a subdivision plat (the "Plat") sub-dividing the Property into parcels as may be required in order for Audubon to implement Audubon's development plan for the Project.

iii. Providing the City with financial information responding to the request for additional information set forth in the memo from WTL+a, attached hereto as **Exhibit "D"**.

c. Right to Terminate. If all of the foregoing tasks set forth in Paragraphs 4.a and 4.b above (collectively the "Conditions to Closing") have not been completed within two-hundred and seventy (270) days after the Effective Date, then either party to this Agreement may terminate this Agreement by giving written notice thereof to the other party, in which event this Agreement shall be terminated, and all rights and liabilities of the parties pursuant to the Agreement shall be terminated.

5. Evidence of Title. Within thirty (30) days after the Effective Date, Audubon shall obtain, at Audubon's expense, a Title Insurance Commitment (the "Commitment") for an Owner's Title Insurance Policy (the "Policy") issued by a Florida licensed title insurer (the "Title Company") evidencing that the City of Fort Pierce and/or FPRA are vested with fee simple title to all of the Real Property, free and clear of all liens, encumbrances, exceptions or qualifications whatsoever save and except for: (a) "Permitted Exceptions" as defined hereinbelow; and (b) those exceptions to title which are to be discharged by the City at or before the Closing. The Commitment shall also evidence that upon the execution, delivery and recordation of the Deed to be delivered pursuant to the provisions of this Agreement and the satisfaction of all requirements specified in Schedule B, Section 1 of the Commitment, Audubon shall acquire fee simple title to the Real Property, subject only to the Permitted Exceptions.

Audubon shall have a period of fifteen (15) days after receipt of the Commitment within which to cause the same to be examined and to notify the City in writing of any objections that would render title to the Real Property unmarketable or would prevent development of the Project on the Real Property; provided, however, that in the event of any such notice by Audubon, Audubon shall provide the City with a copy of the Commitment together with Audubon's written objections. The City, upon written notification thereof within such fifteen (15) day period, shall use reasonable diligence to remove, discharge or correct such objections, and shall have a period of sixty (60) days after receipt of notice in which to do so. If the City shall be unable to remove or discharge such objections within the foregoing sixty (60) day period, then Audubon may, within ten (10) days from the expiration of the sixty (60) day period, give notice to terminate this Agreement or agree to accept a conveyance of title at Closing in its then existing condition. If Audubon shall elect to terminate this Agreement, then neither the City nor Audubon shall have any further rights or obligations hereunder. Any items shown in the Commitment which Audubon does not timely object to, or which Audubon agrees to accept, in accordance with this paragraph, shall be deemed to be "Permitted Exceptions." The foregoing notwithstanding, if title defects are in the nature of liens or encumbrances arising by, through or under the City which can be discharged by the payment of money and are liquidated in amount (i.e., not contingent or unliquidated), then Audubon shall have the option to pay and discharge the same at or prior to Closing, in which event, a credit for the cost thereof shall be given to Audubon as part of the adjustments and prorations at the Closing.

Audubon may, prior to the date of Closing, obtain an update of the Commitment, and may reexamine title to the Real Property and deliver to the City written objection to any matter revealed by such title reexamination ("Subsequent Title Defect") other than the Permitted Exceptions. In the event that Audubon gives the City written objection to a Subsequent Title Defect, then the provisions set forth in the foregoing paragraph shall apply from and after the date of Audubon's notice thereof to City.

6. Survey. Within ninety (90) days after the Effective Date, Audubon may, at Audubon's sole cost and expense, have the Property surveyed by a registered Florida surveyor (the "Survey"). Audubon shall have a period of fifteen (15) days after receipt of the Survey within which to cause the same to be examined and to notify the City in writing of any encroachment or any matter which would prevent development of the Project on the Property; provided, however, that in the event of any such notice by Audubon, Audubon shall provide the City with a copy of the Survey together with Audubon's written objections. The Survey objections shall be treated in the same manner as title objections are treated in Paragraph 5 above. Audubon's failure to have the Property timely surveyed in accordance with this paragraph or deliver timely notice of survey objections shall be deemed a waiver of Audubon's rights to object to survey defects as provided in this paragraph.

7. Closing and Conveyance of Property. At Closing (as defined below), the City of Fort Pierce shall first convey its interest in the Property to FPRA, and then FPRA shall convey all of the Property to Audubon. The closing for the conveyance of the Property from FPRA to Audubon (the "Closing") shall be at a date, time and place mutually agreed to by the City and Audubon, but within the municipal limits of the City of Fort Pierce, no earlier than twenty (20) days after the Conditions to Closing, as defined in Paragraph 4 above, have all been satisfied and no later than sixty (60) days after the Conditions to Closing have all been satisfied. At the time

of the Closing hereunder, FPRA shall convey fee simple title to the Property to Audubon by Special Warranty Deed, in the form attached hereto as **Exhibit "E"** (the "Deed"). The consideration for such conveyance of the Property to Audubon is the obligations of Audubon as set forth in this Agreement, and no additional monetary consideration shall be paid from Audubon to the City for the Property. The conveyance of the Property shall be free and clear of all liens, encumbrances, exceptions or qualifications whatsoever, save and except only the following:

a. Ad valorem real property taxes and assessments for the year of closing and subsequent years.

b. Local zoning ordinances and regulations.

c. Permitted Exceptions as defined in Paragraph 5 above.

d. The Reverter as defined in Paragraph 10 below, and as set forth in the Deed.

8. Closing Costs. Audubon shall pay for the cost of: (a) all documentary stamp taxes required to be paid with respect to the Deed and other instruments of conveyance, if any, it being understood that documentary stamp taxes may be due on the market value of the Property as of the date of Closing, (b) the Title Policy, it being understood that the title premium may be based on the market value of the Property as of the date of Closing, (c) all recording fees with respect to those closing documents which are to be recorded (not including, however, the cost of curative title instruments which are to be paid exclusively by the City), (d) any closing costs associated with third party financing, and (e) the Survey. The City shall pay all costs to obtain and record any documents required to cure any title defects or survey defects objected to by Audubon in accordance with Paragraphs 5 and 6 above. Any real property taxes and assessments shall be prorated as of the date of the Closing.

9. Development Timeline. The Project shall be constructed in phases, as such phases are identified in the Phasing Plan attached hereto and made a part hereof as **Exhibit "F"** (the "Phasing Plan"). Audubon shall develop the Phases in accordance with the following (the deadlines set forth in Paragraphs 9.a through 9.e below shall be referred to as the "Development Deadlines"):

a. Phase 1. Audubon shall submit an application for building permit(s) for construction for Phase 1, as defined in the Phasing Plan, no later than one-hundred and twenty (120) days after the date of the Closing. Audubon shall Commence Construction of Phase 1 no later than ninety (90) days after the City issues the building permit(s) for construction of Phase 1. Construction of Phase 1 shall be completed no later than four hundred and twenty (420) days after Commencing Construction of Phase 1. Phase 1 shall include (i) infrastructure improvements serving Phases 1 through 7 of the Project, including street paving, water and sewer facilities and drainage facilities, and (ii) construction of a hotel. Upon completion of the construction of the infrastructure improvements for Phase 1, the streets and all infrastructure improvements within such streets, shall be conveyed to the City, as more specifically set forth in Paragraph 16 below.

b. Phase 2. Audubon shall submit an application for building permit(s) for construction of Phase 2, as defined in the Phasing Plan, no later than one-hundred and twenty (120) days after Commencing Construction of Phase 1. Audubon shall Commence Construction of Phase 2 no later than ninety (90) days after the City issues the building permit(s) for the construction of Phase 2. Construction of Phase 2 shall be completed no later than one (1) year after Commencing Construction of Phase 2.

c. Phase 3. Audubon shall submit an application for building permit(s) for the construction of Phase 3, as defined in the Phasing Plan, no later than one hundred twenty (120) days after Commencing Construction of Phase 2. Audubon shall Commence Construction of Phase 3 no later than ninety (90) days after the City issues the building permit(s) for the construction of Phase 3. Construction of Phase 3 shall be completed no later than one (1) year after Commencing Construction of Phase 3.

d. Phases 4 - 7. Audubon shall submit applications for building permit(s) for the construction of Phases 4, 5, 6, and 7, as defined in the Phasing Plan, no later than three (3) years after Commencing Construction of Phase 1. Audubon shall Commence Construction of Phases 4, 5, 6, and 7, no later than ninety (90) days after the City issues the respective building permit(s) for the construction of Phases 4, 5, 6, and 7. Construction of Phases 4, 5, 6, and 7 shall be completed no later than four (4) years after Commencing Construction of Phase 1.

e. Phase 8. Audubon shall submit an application for building permit(s) for the construction of Phase 8, as defined in the Phasing Plan, no later than five (5) years after Commencing Construction of Phase 1. Audubon shall Commence Construction of Phase 8 no later than ninety (90) days after the City issues the building permit(s) for the construction of Phase 8. Construction of Phase 8 shall be completed no later than six (6) years after Commencing Construction of Phase 1.

f. Commencement of Construction. For the purpose of determining the Development Deadlines set forth in this Paragraph 9, the terms "Commence Construction" or 'Commencing Construction" shall mean beginning substantial physical site work, such as clearing, excavating or grading the Property in preparation for pouring foundations and/or installing utilities, or the installation of best management practices such as silt fences and turbidity barriers.

10. Default.

a. Possibility of Reverter. When the Property is conveyed by the City to Audubon at Closing, the Deed will contain language stating that the City will retain a "possibility of reverter", as more specifically set forth in **Exhibit "E"**, giving the City the right to re-enter and retake the property if Audubon defaults on its obligations set forth in this Agreement (the "Reverter").

b. Release of Reverter from Hotel Parcel. Pursuant to the Site Plan and the Plat, as approved by the City, a separate lot (the "Hotel Parcel") will be created for the development of a hotel within Phase 1 of the Project (the "Hotel"). After the Property is conveyed by the City to Audubon at the Closing, Audubon will sell the Hotel Parcel to a third-

party purchaser (the "Hotel Developer"). Upon the closing of the forgoing sale of the Hotel Parcel to the Hotel Developer, the City will sign an instrument releasing the Hotel Parcel from the encumbrance of the Reverter, which instrument will be recorded in the public record at the time of the closing of the foregoing sale of the Hotel Parcel to the Hotel Developer, so that the Hotel Developer will acquire the Hotel Parcel free and clear of the City's Reverter.

c. Hotel Parcel Escrow. Audubon will deliver to the City One Million Dollars ($1,000,000.00) from the proceeds of the foregoing sale of the Hotel Parcel, which shall be held in escrow by the City and used by Audubon to pay for the cost of constructing infrastructure improvements for the Project on the Property. Such costs of constructing infrastructure improvements shall include Audubon's actual costs to design, construct and/or install utility lines and facilities (including electrical, water, sewer and telecommunications), drainage facilities, roads, sidewalks, street lights and parking, and related excavation, grading and other site work or infrastructure serving all or portions of Phases 1 through 7 of the Project, as set forth in a construction budget to be prepared by Audubon (the "Infrastructure Improvements"). As the Infrastructure Improvements are constructed, Audubon will request monthly draw payments from the City to pay for the cost of constructing the Infrastructure Improvements. With each draw request, Audubon will provide the City with copies of invoices or other documentation reasonably required to substantiate such draw requests. The City shall respond to each such draw request within ten (10) days of receipt, by either approving, denying or requesting additional information with respect to such draw request. Within ten (10) days of approval of the draw request, the City shall deliver such draw payment to Audubon. The parties hereto acknowledge that the foregoing One Million Dollar escrow will not be sufficient to pay the entire cost of the Infrastructure Improvements, and the balance of the cost of such Infrastructure Improvements will be financed with a construction loan obtained by Audubon. The City shall hold the foregoing escrowed funds in a separate interest-bearing account, with all interest to be applied to the foregoing cost of the Infrastructure Improvements. Such funds may not be co-mingled with any other City funds and shall not be diverted, drawn upon or spent by the City for any purpose, other than as set forth in this Agreement. The City shall have sole control over such funds, subject to the requirements of this Agreement. Audubon shall provide the City with an IRS form W-9 at the time of delivery of the escrowed funds to the City.

d. Construction Loan. Audubon will obtain a construction loan (the "Construction Loan") for the construction of (a) Infrastructure Improvements for the Project and (b) the construction of Phases 1 through 7 of the Project (excluding the Hotel). The foregoing Construction Loan will be structured as a single construction loan, with multiple advances for the construction of the Infrastructure Improvements and Phases 1 through 7 of the Project, but the lender will secure this loan with a single mortgage on the entire Property, excluding the Hotel Parcel and Phase 8.

e. Release of Reverter from Future Phases. Upon the closing of the foregoing Construction Loan, the City will (a) review the loan documents to confirm to the City's reasonable satisfaction that the loan is for the construction of the Infrastructure Improvements for the Project and for construction of Phases 1 through 7 of the Project (excluding the Hotel), in accordance with the approved Site Plan for the Project, (b) confirm issuance of the performance bonds for the Infrastructure Improvements and the first vertical Phase of construction (other than the Hotel), as described in Paragraph 10.f below, and (c) sign an instrument releasing all of the

Property from the encumbrance of the Reverter, which instrument will be recorded in the public record at the time of the closing of the Construction Loan, so that none of the Property is encumbered by the Reverter, and the construction lender will acquire a construction mortgage securing the Construction Loan free and clear of the City's Reverter.

f. Performance Bond. Audubon shall obtain a performance bond for the construction of the Infrastructure Improvements that equals or exceeds the estimated cost of such construction (currently estimated to be $2.5 million). Audubon shall also obtain a performance bond for the construction of the first Phase of vertical construction (other than the Hotel) that equals or exceeds the estimated cost of such construction (currently estimated to be $5 million). The City shall be named as an additional obligee on both bonds. As a condition of obtaining a building permit for each of the future Phases of the Project (Phases 2 through 8), Audubon shall obtain a performance bond for each such future Phase, in the amount of the estimated cost of the construction of such Phase, and naming the City as an additional obligee. Each bond shall be in substantially the form attached hereto as **Exhibit "G"**, unless Audubon and the City Attorney mutually agree to a different form. Each bond shall be released at the time that a certificate of occupancy or certificate of completion is issued for the bonded construction project.

g. Default by Audubon. In the event of a default or breach of this Agreement by Audubon the City may proceed at law or in equity to enforce its rights under this Agreement against Audubon, including but not limited to the right of specific performance. In addition, the City may exercise its rights pursuant to the Reverter, as defined above, or its rights pursuant to the performance bonds described in Paragraph 10.f above. In addition to the foregoing, in the event that the Infrastructure Improvements are not completed within four hundred and twenty (420) days after Commencing Construction of Phase 1, then any remaining funds held in escrow pursuant to Paragraph 10(c) ("Hotel Parcel Escrow") shall be forfeited by Audubon to the City as liquidated damages.

h. Default by City. In the event of a default or breach of this Agreement by the City, Audubon may proceed at law or in equity to enforce its rights under this Agreement against the City, including, but not limited to, the right of specific performance.

i. Right to Cure. The foregoing provisions of this Paragraph 10 notwithstanding, neither the City nor Audubon shall be deemed to be in default and/or breach under this Agreement, unless (i) the party alleging such default and/or breach shall have provided written notice of the alleged default and/or breach to the other party, (ii) the alleged defaulting and/or breaching party shall have failed within a period of thirty (30) days after receipt of such notice to cure said default and/or breach and (c) the alleging party is in compliance with the provisions of this Agreement.

11. Successors and Assigns. The terms herein contained shall bind and inure to the benefit of the City and its successors and assigns, and Audubon and its successors and assigns. No assignment of this Agreement by Audubon shall be effective unless and until such assignment shall be approved by the City in writing. The foregoing notwithstanding, Audubon may collaterally assign its rights under this Agreement to any lender providing financing for the development of the Project, and the City shall execute any acknowledgement of such collateral assignment as may be reasonably required by such lender, in a form reasonably acceptable to the

City Attorney.

12. Approval of Third Party Developers. Audubon intends to obtain approval from the City of a subdivision plat, subdividing the Property into several parcels, consistent with the approved Site Plan. Audubon may sell or ground lease some or all of the subdivided parcels to third party developers, or may enter into joint venture agreements with such third party developers, allowing such third party developers to develop such parcels; provided, however, that Audubon shall ensure that any such agreements for the sale, ground lease, or joint ventures with third party developers shall be in writing and be subject to applicable terms and conditions of this Agreement and the conditions of approval and development standards approved by the City pursuant to the Planned Development approval for the Project. If Audubon wishes to enter into an agreement for a sale, ground lease, or joint venture with third party developers, Audubon shall give the City written notice of any such sale, ground lease or joint venture agreement, and shall deliver a copy of such agreement or lease to the City, so that the City may review such agreement and confirm that it is consistent with the development of the Project in accordance with this Agreement and the Site Plan. The City shall have fifteen (15) days from receipt of the foregoing written notice to deliver to Audubon written approval or denial of Audubon's request, and such approval shall not be unreasonably withheld. If the City does not deliver written denial to Audubon within such fifteen (15) day period, the City shall be deemed to have approved such request. Any sale, ground lease or joint venture, to or with an unrelated third party, with respect to a portion of the Property pursuant to this paragraph shall not relieve Audubon of its obligations under this Agreement, and such unrelated third party shall be required to develop same in accordance with the Site Plan and this Agreement. Furthermore, with respect to any sale, ground lease or joint venture, to or with an unrelated third party, with respect to a portion of the Property (excluding the Hotel Parcel) pursuant to this paragraph, the bonding requirements set forth in Paragraph 10.f above shall be required to be satisfied, by the posting of a performance bond by either Audubon or the third-party purchaser, ground lessee or joint venturer. In accordance with Paragraph 10.f, no performance bond shall be required with respect to the construction on the Hotel Parcel.

13. Tax Increment Financing. The FPRA collects certain tax increment revenue ("TIR") from the ad valorem real property taxes paid with respect to property located within the City of Fort Pierce Community Redevelopment Area. Audubon, or the then-owner or owners of the Property as the case may be, shall pay all ad valorem real property taxes, non-ad valorem real property taxes, special assessments and any other taxes on the Property as they become due and within the year in which they are first due. After confirming that such taxes have been paid with respect a parcel of the Property, FPRA shall rebate to the then-owner of the respective parcel of the Property, fifty percent (50%) of all TIR received by FPRA with respect to such parcel of the Property, during each of the first five (5) calendar years (January 1 through December 31) beginning one (1) year after the construction of Phase 1 of the Project has been completed and such Phase 1 improvements have been added to the County tax rolls. (For example, if construction of Phase 1 is completed in 2020 and the value of the Phase 1 improvements has been added to the tax assessed value of the Property for the 2021 calendar year, then the rebate shall apply to years 2022 through 2026). Such rebate payments shall be delivered to each property owner no later than thirty (30) days after FPRA receives from the County Tax Collector the applicable tax increment revenue for such property owner's parcel of the Property. Such rebate payments shall not exceed two hundred thousand dollars ($200,000.00) per year for the

entire Property, and shall not exceed one million dollars ($1,000,000.00) cumulatively for all five (5) years for the entire Property. If calculation of the rebates in any given year would result in a total rebate for the entire Property in excess of either of the forgoing limitations, then any required reduction in the rebates shall be applied in an equal percentage to all affected parcels of the Property. (For example, if the rebates for the entire Property would exceed $200,000 in a given year, because one parcel would otherwise be entitled to a $100,000 rebate and another parcel would otherwise be entitled to a $200,000 rebate, then the rebates for both parcels shall be reduced by 33.33%, resulting in a rebate of $66,666.67 for one parcel and $133,333.33 for the other parcel). The rights and obligations set forth in this Paragraph 13 shall run with the Property and shall benefit and be enforceable by any successor-in-title to Audubon holding title to any portion of the Property.

14. Off Site Drainage. The SRCO (defined in Paragraph 4.a.iv above) and the Declaration of Restrictive Covenants recorded in Official Records Book 4111, Page 1502 of the Public Records of St. Lucie County, impose certain conditions and restrictions on the use and development of the Property. Such conditions and restrictions provide that construction of drainage swales or stormwater retention may only occur in the limited space outside of the groundwater restriction area identified therein. Therefore, the City will support Audubon's construction of off-site drainage and stormwater improvements on City land other than the Property, or within City rights of way, if Audubon determines that such off-site drainage and/or stormwater facilities would be beneficial to the Project, so that stormwater retention requirements for the Project may be met using such off site properties; provided, however, that the City retains sole and absolute discretion to designate such City land or City rights of way as well as the scheduling of Audubon's construction. This paragraph shall not require the City to purchase any land, and any such off site drainage or stormwater improvements shall be constructed at Audubon's sole cost and expense.

15. Moore's Creek/Street Trees. The City will support Audubon's efforts, at Audubon's sole cost and expense, to (a) construct a dock within Moore's Creek and/or a pedestrian bridge over Moore's Creek, and (b) install street trees along City streets adjacent to the Project, as Project amenities. The location of the dock, pedestrian bridge and/or street trees will be subject to review and approval by the City pursuant the process for approving the Planned Development master plan for the Project. Upon completion of construction, the dock within Moore's Creek and/or the pedestrian bridge over Moore's Creek shall become and remain property of the City in perpetuity and the City shall maintain such dock and/or pedestrian bridge. Audubon is expressly prohibited from installing any fencing or gates on such dock and/or pedestrian bridge which vary from such fencing/gates approved by the City, and Audubon is expressly prohibited from imposing any charges, costs, expenses, or similar fees to any member of the public to access or use such dock within Moore's Creek and/or the pedestrian bridge. Upon installation of the street trees, the trees shall become and remain property of the City in perpetuity and the City shall maintain such street trees.

16. Streets and Drainage. Upon completion of construction of the streets within the Property, Audubon shall convey the streets to the City. Such streets shall be public rights-of-way and all improvements within such rights-of-way, including without limitation, streets, sidewalks, street lights, etc., shall become and remain property of the City in perpetuity and the City shall maintain such streets and improvements, subject to any easements for utilities, drainage or

landscaping. Audubon may, at Audubon's option, reserve easements over such road rights-of-way for utilities, drainage facilities and/or landscaping serving or benefitting the Project. The foregoing conveyance of the improved streets to the City shall be subject to any applicable provisions of the City code governing the construction, inspection and conveyance of road improvements to the City. Audubon shall have the right to name the streets within the Property, subject to approval by the City.

17. Force Majure. Neither Audubon nor the City shall be considered in breach of this Agreement to the extent that performance of their respective obligations is prevented by a Force Majeure Event (defined below) that arises after the Effective Date. Deadlines set forth in this Agreement, including the Development Deadlines set forth in Paragraph 9 above, shall be extended by a period of time equal to the period of interruption caused by the Force Majeure Event as provided herein. As used herein, a "Force Majeure Event" shall mean a governmental moratorium, unavailability of utilities (e.g. power or water), fire (including wildfires), explosion or similar casualty, sabotage, theft, vandalism, riot or civil commotion, hurricane, tropical storm, tornado or flooding through no fault of the affected party. Any extension of any date or deadline set forth in this Agreement due to a Force Majeure Event shall be only for the delay in performance that is an actual and direct result of such Force Majeure Event. The party prevented from carrying out its obligations hereunder shall give notice to the other party of a Force Majeure Event as soon as practicable but in no event shall such notice exceed fifteen (15) business days after the Force Majeure Event for which such claim is being made (absent a catastrophic Force Majeure Event affecting both parties to this Agreement).

18. Covenants Running With the Land. The rights, agreements, duties and obligations set forth in this Agreement shall run with the Property and shall be binding upon and benefit the parties hereto as herein specified and their successors, assigns, legal representatives and successors-in-title. Any transferee of any portion of the Property shall automatically be deemed, by acceptance of the title to said property, to have assumed all obligations of this Agreement relating thereto to the extent of its interest in said property. The foregoing notwithstanding, no property owner shall have any liability for any breach of this Agreement by another property owner. A breach of this Agreement by one property owner shall not prevent another property owner from developing its property in compliance with this Agreement and the approved Site Plan. For example, if a property owner completes its construction in compliance with all time periods for the applicable phase of development as set forth in Paragraph 9 above, such property owner shall not be deemed in breach of this Agreement due to the failure of another property owner within the same phase to complete its construction within the applicable time periods for that phase. Furthermore, any successor-in-title shall only have the rights under this Agreement that specifically relate to such property owner's property, unless Audubon specifically assigns additional rights to such property owner.

19. Captions and Paragraph Headings. Captions and paragraph headings contained in this Agreement are for convenience of reference only and in no way define, describe, extend or limit the scope or content of this Agreement nor the intent of any provision hereof.

20. Notices. All notices to be given with respect to this Agreement shall be in writing. Each notice shall be sent by hand delivery, United States certified mail, postage prepaid, return receipt requested or by overnight courier service (e.g FedEx, UPS) to the party to be notified at

the addresses set forth hereinbelow or at such other addresses as the parties shall designate to each other in the manner prescribed for notice herein:

To Audubon:

Audubon Development, Inc.
P.O. Box 981
Palm Beach, FL 33480
Attn: Dale Matteson

With a copy to:

Dean, Mead, Minton & Zwemer
1903 South 25th Street, Suite 200
Ft. Pierce, FL 34947
Attention: W. Lee Dobbins, Esq.

To City of Fort Pierce:

City of Fort Pierce
City Hall
100 North U.S. 1
Fort Pierce, FL 34950
Attn: City Manager

With a copy to:

City of Fort Pierce
City Hall
100 North U.S. 1
Fort Pierce, FL 34950
Attn: City Attorney

Any notice shall be deemed received on the date of actual receipt or refusal. Changes of address shall be effective when provided in writing to the other party in the manner described herein.

21. Governing Law and Binding Effect. The interpretation and enforcement of this Agreement shall be governed by and construed in accordance with the laws of the State of Florida and shall bind, and the benefits and advantages shall inure to and be enforceable by, Audubon and the City as well as their respective successors and assigns. Whenever used, the singular name shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders. EACH PARTY IRREVOCABLY AND UNCONDITIONALLY WAIVES, TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY IN ANY LEGAL ACTION, PROCEEDING, CAUSE OF ACTION OR COUNTERCLAIM ARISING OUT OF OR RELATING TO THIS AGREEMENT,

INCLUDING ANY EXHIBITS ATTACHED TO THIS AGREEMENT OR THE TRANSACTIONS CONTEMPLATED HEREBY.

22. Survival of Obligations. This Agreement shall survive said Closing and shall not merge with the delivery of the Deed and other closing documents.

23. Integrated Agreement, Waiver and Modifications. This Agreement represents the complete and entire understanding and agreement between and among the parties hereto with regard to all matters involved in this Agreement and supersedes any and all prior or contemporaneous agreements, representations, covenants, or memoranda, whether written or oral, made by any party hereto. This Agreement may not be modified or amended, nor may any provision contained herein be waived, except in writing signed by all parties hereto.

24. Interpretation. The parties hereto acknowledge and agree that this Agreement has been negotiated at arm's length and between parties equally sophisticated and knowledgeable in the matters dealt with in this Agreement, and that each party has been advised by counsel of its choosing with respect hereto. Accordingly, any rule of law or legal decision that would require interpretation of any ambiguities in this Agreement against the party that has drafted it is not applicable and is hereby waived. The terms of this Agreement shall be interpreted in a reasonable manner in order to effect the intent of the parties as set forth herein.

25. Computation of Time. Calendar days will be used when computing time periods, except time periods of 5 days or less. Time periods of 5 days or less will be computed without including Saturday, Sunday, or national legal holidays specified in 5 U.S.C. 6103(a). Any time period ending on a Saturday, Sunday, or national legal holiday will extend until 5:00 p.m. (where the Property is located) of the next business day. Time shall be of the essence as to all dates and times of performance under this Agreement.

26. Counterparts. This Agreement may be executed in any number of identical counterparts each of which shall be deemed to be an original for all purposes but all of which shall constitute one and the same instrument, and a copy of such signature received through telefax or electronic transmission shall bind the party whose signature is so received as if such signature were an original. In making proof of this Agreement, it shall not be necessary to produce or account for more of such counterparts than are required to show that each party hereto executed at least one such counterpart.

IN WITNESS WHEREOF, the parties have caused these presents to be executed as of the day and year first above written.

[SIGNATURES ON FOLLOWING PAGES]

WITNESSES:

Print Name: SUSAN ISREAL

Print Name: PATTY BOOKMAN

"Audubon"

AUDUBON DEVELOPMENT, INC., a Florida corporation

By: _____
Print Name: Dale MATTESON
Title: PRESIDENT/CEO

STATE OF FLORIDA
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 14 day of Nov, 2019, by Dale Matteson as CEO of AUDUBON DEVELOPMENT, INC., a Florida corporation. Said person did not take an oath and (check one) ☐ is personally known to me, ☑ produced a driver's license issued by a state of the United States within the last five (5) years as identification, to wit:

PATTY A. BOOKMAN
Notary Public - State of Florida
Commission # GG 085032
My Comm. Expires Apr 23, 2021
Bonded through National Notary Assn.

Notary Public, State of Florida
Print Name: Patty A. Bookman
Commission #: GG 085032
My Commission Expires: 4/23/21

[SIGNATURES CONTINUE ON FOLLOWING PAGES]

WITNESSES:

"City of Fort Pierce":

CITY OF FORT PIERCE, FLORIDA, a Florida municipal corporation

_____

Print Name: _____

By: _____
Linda Hudson, Mayor

_____

Print Name: _____

APPROVED AS TO FORM AND CORRECTNESS:

By: _____
Peter Sweeney, City Attorney

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____day of _____, 2019, by LINDA HUDSON, as MAYOR, of CITY OF FORT PIERCE, a Florida municipal corporation. Said person did not take an oath and (check one) ☐ is personally known to me, ☐ produced a driver's license issued by a state of the United States within the last five (5) years as identification, to wit:

_____
Notary Public, State of Florida
Print Name: _____
Commission #: _____
My Commission Expires: _____

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

WITNESSES:

"FPRA"

FORT PIERCE REDEVELOPMENT AGENCY, a community redevelopment agency established pursuant to Florida Statutes Chapter 163

_____
Print Name: _____

By: _____
Print Name: _____
Title: _____

_____
Print Name: _____

STATE OF FLORIDA
COUNTY OF _____

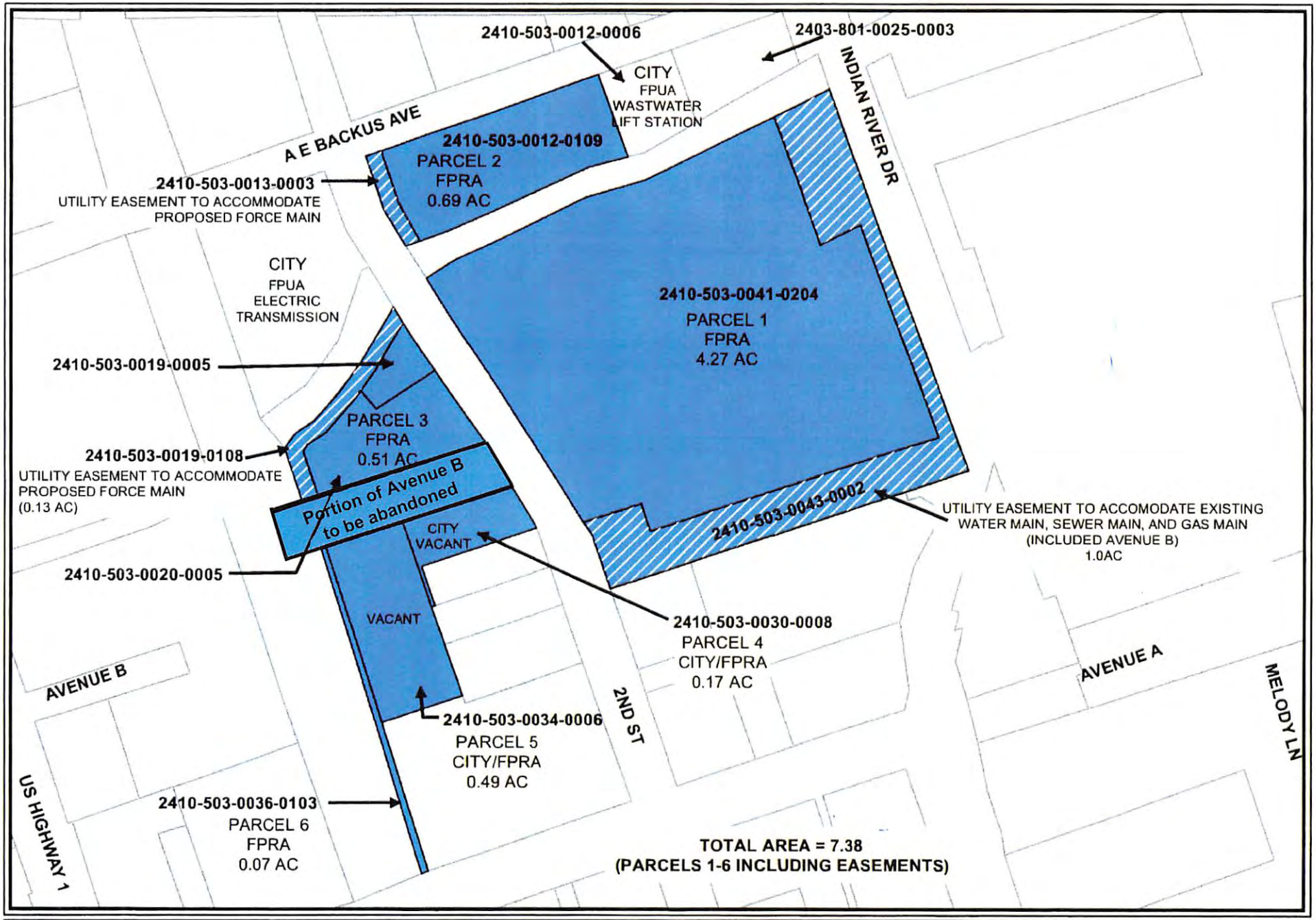
The foregoing instrument was acknowledged before me this _____day of _____, 2019, by _____ as _____ of FORT PIERCE REDEVELOPMENT AGENCY, a community redevelopment agency established pursuant to Florida Statutes Chapter 163. Said person did not take an oath and (check one) ☐ is personally known to me, ☐ produced a driver's license issued by a state of the United States within the last five (5) years as identification, to wit:

_____
Notary Public, State of Florida
Print Name: _____
Commission #: _____
My Commission Expires: _____

EXHIBIT "A"
The "Property"
Parcels to be Conveyed by the City to Audubon

Parcel 1	2410-503-0041-0204
Parcel 1	2410-503-0043-0002
Parcel 2	2410-503-0012-0109
Parcel 2	2410-503-0013-0003
Parcel 3	2410-503-0020-0005
Parcel 3	2410-503-0019-0005
Parcel 3	2410-503-0019-0108
Parcel 4	2410-503-0030-0008
Parcel 5	2410-503-0034-0006
Parcel 6	2410-503-0036-0103
Abandoned Portion of Avenue B	

EXHIBIT "A" - Page 2 of 2



THE SUNRISE CITY FORT PIERCE Florida ENGINEERING DEPARTMENT	DATE: OCT 11, 18 SCALE: 1 " = 150 '	**PROPOSED DEVELOPMENT AREA SITE 1** APPROXIMATELY 7.38 ACRES	KING PLANT REDEVELOPMENT

EXHIBIT "B"

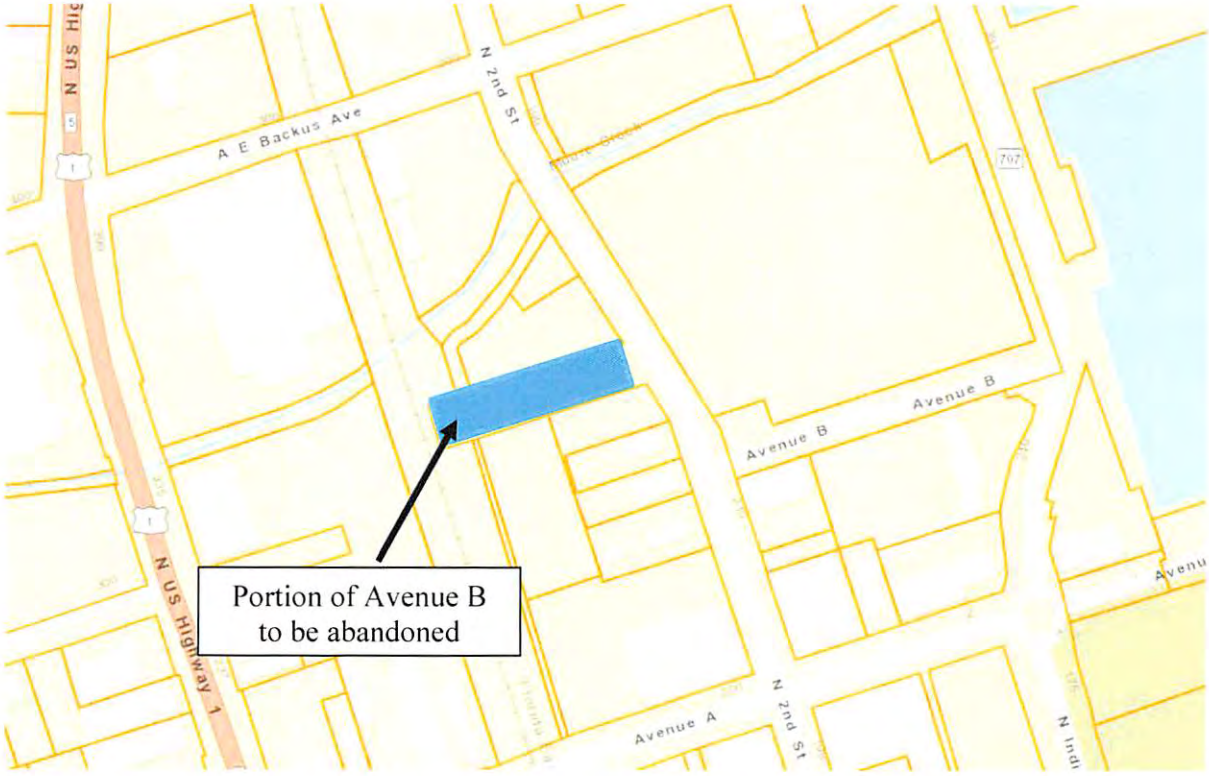

A E Backus Ave
N 2nd St
Avenue B
Avenue B
Portion of Avenue B
to be abandoned
N US Highway 1
Avenue A
N 2nd St

EXHIBIT "C"

Florida Department of Environmental Protection

Southeast District Office
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406-3007
561-681-6600

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

May 22, 2018

Via Email: lhudson@city-ftpierce.com

Mayor Linda Hudson, Chairwoman of the Fort Pierce Redevelopment Agency
A Dependent Special District of the City of Fort Pierce
100 North US Highway 1
Fort Pierce, FL 33494

Subject: Conditional Site Rehabilitation Completion Order (SRCO)
Former H.D. King Power Plant Site - Parcel 1
Former Address: 311 North Indian River Dr., & 322 North Second Street, Fort Pierce, St. Lucie County, FL 34950
Site Identification Numbers: COM_82363, BF561101001
Parcel Identification Number(s): 2410-503-0041-020-4

Dear Mayor Hudson:

The Southeast District has reviewed the Combined Document – Site Assessment Addendum and Source Removal Completion Report, dated November 20, 2016, prepared by Cardno, the Combined Document Addendum, dated January 9, 2018, and the Declaration of Restrictive Covenant (DRC), recorded by the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, on March 22, 2018, in Official Record Book File 4415196, Book 4111, Pages 1502 - 1509, Public Records of Saint Lucie County, Florida, for the Former H.D. King Power Plant Site – Parcel 1, former address 311 North Indian River Dr. & 322 North Second Street, Fort Pierce, St. Lucie County, FL 34950. Maps showing the location of the Former H.D. King Power Plant Site – Parcel 1 and the location of the "contaminated site" for which this Order is being issued are attached as Exhibits 1 and 2 and are incorporated by reference herein. Failure to comply with the provisions of this order is a violation of section 376.302, Florida Statutes (F.S.). The contaminated site includes the following parcel or parts of parcel 410-503-0041-020-4 (collectively referred to as the property).

The contamination, which resulted from a discharge that was discovered in December 2007, consisted of Volatile Organic Compounds, Semi-Volatile Organic Compounds, Polychlorinated Biphenyls, Total Recoverable Petroleum Hydrocarbons, Aluminum, Arsenic, Barium, Cadmium, Chromium, Cobalt, Copper, Iron, Lead, Manganese, Mercury, Nickel, Thallium, Silver, Vanadium and Zinc. The discharge resulted from former operations of an electric power generation plant at the property since 1912, when a wood fired power plant began operation. That plant was removed from the site in the early 1930s after which the H.D. King Power Plant

(KP) was built. The KP was a 131-Megawatt electric generating plant that used a mix of petroleum and natural gas fuels to power the electricity generating units. Due to the age of the plant and external and business reasons, the Ft. Pierce Utilities Authority (FPUA) closed and decommissioned the KP. As part of the decommissioning process for the former power plant, the plant operator, FPUA had a Phase I Environmental Site Assessment (ESA) prepared (Beck, December 2007) to document potential areas of interest/concern prior to commencing demolition of the plant.

Demolition activities began in May 2008 and were completed in October 2009. A Brownfields Site Rehabilitation Agreement (BSRA) under the Florida Brownfields Redevelopment Act (Chapter 376.77 - 376.85, Florida Statutes) was executed by the Department on November 29, 2012, to address the contamination. The Combined Document – Site Assessment Addendum and Source Removal Completion Report is supported by earlier submittals, prepared pursuant to the requirements of Chapter 62-780, Florida Administrative Code (F.A.C.)., which can be found in the Department's document repository at: http://depedms.dep.state.fl.us/Oculus/servlet/login.

Based on the documentation submitted with the Combined Document – Site Assessment Addendum and Source Removal Completion Report and other submitted documents, the Department has reasonable assurance that the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, the Person Responsible for Brownfields Site Rehabilitation, "PRFBSR"), has met the criteria in Chapter 62-780, F.A.C. and has met the terms of the BSRA, including the commitments set forth in the technical submittals with respect to the establishment, use and recordation of institutional controls. The technical submittals indicate that acceptable Soil Cleanup Target Levels (SCTL's) have been met and groundwater contaminants remaining at the contaminated site are managed with appropriate institutional controls. Therefore, you have satisfied the site rehabilitation requirements for the contaminated site and are released from any further obligation to conduct site rehabilitation at the contaminated site, except as set forth below. See attached tables (Exhibit 3), incorporated by reference herein, which includes information regarding the contaminants, affected media, applicable cleanup target levels for the contaminated site that is the subject of this Order.

Based upon the information provided concerning the property located at 311 North Indian River Dr. & 322 North Second Street, Fort Pierce, St. Lucie County, FL 34950, it is the opinion of the Florida Department of Environmental Protection that the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, has successfully and satisfactorily implemented the approved brownfield site rehabilitation agreement schedule and, accordingly, no further action is required to assure that any land use identified in the brownfield site rehabilitation agreement is consistent with existing and proposed uses.
The following, including this Order, establish the institutional controls for the contaminated site and any change to the risk of exposure to any contamination or destabilization of any groundwater contamination that results from either failing to comply with the institutional controls or any change, amendment, revocation, or repeal of the institutional controls will result in the revocation of this Order.

Declaration of Restrictive Covenant (DRC).

A DRC was recorded by the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, on March 22, 2018, in Official Record Book File 4415196, Book 4111, Pages 1502 - 1509, Public Records of Saint Lucie County, Florida, and is attached and incorporated by reference as Exhibit 4. The DRC applies to the portion of the property identified in said document as the Groundwater Restricted Area. Any current or future real property owner of the contaminated site must comply with the provisions contained within the DRC, (attached) recorded or otherwise established prior to the execution of this Order.

Groundwater Use Institutional Controls.

A permit is required by the South Florida Water Management District to do certain dewatering activities or install certain water production groundwater wells pursuant to Chapter 373, F.S. and the rules promulgated thereunder. The Department will rely upon these, to be collectively referred to as groundwater use institutional controls, to ensure that no contaminant exposure from using the groundwater as a potable drinking water source or using for irrigation or other non-potable water uses resulting in risk to human health, public safety or the environment will occur due to this contaminated site. As such, the PRFBSR must notify the Department if the PRFBSR becomes aware of the repeal or amendment of these groundwater use institutional controls, or if a violation occurs at the subject property of such groundwater use institutional controls such that the potential for exposure to contaminants resulting in risk to human health, public safety, and/or the environment is increased. Repeal, amendment, or violation of these groundwater use institutional controls or failure to notify the Department of such violation, amendment, or repeal may, in addition to other remedies available at law, result in proceedings to revoke this Order and require the immediate resumption of active cleanup or require that other approved institutional controls be implemented, unless demonstrated that the cleanup criteria under Subsection 62-780.680(1), F.A.C., have been achieved.

Dewatering.

The Department will rely on Rule 62-621.300, F.A.C., and the guidance incorporated therein, and prior Department Division of Waste Management review of any dewatering plan as the institutional control to ensure that no exposure to contaminated groundwater resulting in risk to human health, public safety or the environment will occur due to dewatering activities on the contaminated site. Department Rule 62-621.300, F.A.C., requires a permit when conducting dewatering in the area of a contaminated site. The Department Division of Waste Management can only approve a dewatering plan that ensures the appropriate handling, treatment, and disposal of any extracted groundwater that may be contaminated to avoid adversely impacting or increasing the potential for exposure to contaminants resulting in risk to human health, public safety or the environment. Unless it is demonstrated that the cleanup criteria under Subsection 62-780.680(1), F.A.C., have been achieved, the Department, in addition to other remedies available at law, may institute proceedings to revoke this Order and require the resumption of site rehabilitation activities if any dewatering activities are commenced without the Department's

Division of Waste Management's prior approval. See attached and incorporated by reference Exhibit 4.

Stormwater facilities.

The Department will rely on Department and / or South Florida Water Management District review of any plan to construct new, or modify existing, stormwater facilities to ensure that there is no exposure to contaminated groundwater entering in to new or expanded stormwater facilities resulting in risk to human health, public safety or the environment due to the contaminated site. Construction of stormwater swales, stormwater detention or retention facilities, or ditches on the property could destabilize the groundwater plume or increase potential for exposure to contaminants resulting in risk to human health, public safety, or the environment. For this reason, parties seeking to construct stormwater facilities on the property, should first consult with and receive approval from the Department's Division of Waste Management in addition to obtaining any authorizations that may be required by the Department's Division of Water Resource Management, the Water Management District, or other applicable law. Unless it is demonstrated that the cleanup criteria under Subsection 62-780.680(1), F.A.C., have been achieved, the Department, in addition to other remedies available at law, may institute proceedings to revoke this Order and require the resumption of site rehabilitation activities if any such stormwater facilities are constructed are commenced without the Department's Division of Waste Management's prior approval. See attached and incorporated by reference Exhibit 4.

Removal of controls.

Where the institutional control is a restrictive covenant, if the current or future real property owner of the contaminated site proposes to remove it, the real property owner shall obtain prior written approval from the Department. For all types of institutional controls, the removal of the controls shall be accompanied by the immediate resumption of site rehabilitation or implementation of other approved controls, unless it is demonstrated to the Department that the criteria of Subsection 62-780.680(1), F.A.C., are met.

Well abandonment.

Based on the documentation previously submitted, all monitoring wells have been removed. Accordingly, the submittal of a Well Plugging Report is not required.

Future owners and users of the property should be made aware of the existence and contents of this Order. Additionally, information about the contaminated site will be maintained on the Department's Search Portal at: http://prodenv.dep.state.fl.us/DepNexus/public/searchPortal and on the Institutional Controls Registry website at: https://floridadep.gov/waste/waste/content/institutional-controls-registry.

Further, in accordance with Section 376.30701(4), F.S., upon completion of site rehabilitation, additional site rehabilitation is not required unless it is demonstrated that:

(a) Fraud was committed in demonstrating site conditions or completion of site rehabilitation;
(b) New information confirms the existence of an area of previously unknown contamination which exceeds the site-specific rehabilitation levels established in accordance with Section 376.30701(2), F.S., or which otherwise poses the threat of real and substantial harm to public health, safety, or the environment;

(c) The level of risk is increased beyond the acceptable risk established under Section 376.30701(2), F.S., due to substantial changes in exposure conditions, such as a change in land use from nonresidential to residential use. Any person who changes the land use of the site, thereby causing the level of risk to increase beyond the acceptable risk level, may be required by the Department to undertake additional remediation measures to ensure that human health, public safety, and the environment are protected consistent with Section 376.30701, F.S.; or

(d) A new discharge of pollutants or hazardous substances occurs at the site subsequent to the issuance of this Order.

Legal Issues

The Department's Order shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, F.S., within 21 days of receipt of this Order. The procedures for petitioning for a hearing are set forth below.

Persons affected by this Order have the following options:

A. If you choose to accept the Department's decision regarding this Conditional SRCO, you do not have to do anything. This Order is final and effective on the date filed with the Clerk of the Department, which is indicated on the last page of this Order.

B. If you choose to challenge the decision, you may do the following:

1. File a request for an extension of time to file a petition for hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order. Such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing; or

2. File a petition for administrative hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order.

Please be advised that mediation of this decision pursuant to section 120.573, F.S., is not available.

How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to Rule 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, shall mail a copy of the request to the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, 100 North US Highway 1, Fort Pierce, FL 33494 at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative hearing under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from the Fort Pierce Redevelopment Agency, A Dependent Special District of the City of Fort Pierce, 100 North US Highway 1, Fort Pierce, FL 33494, shall mail a copy of the petition to the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, 100 North US Highway 1, Fort Pierce, FL 33494, at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under sections 120.569 and 120.57, F.S.

Pursuant to subsection 120.569(2), F.S., and Rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the site owner's name and address, if different from the petitioner; the DEP facility number; and the name and address of the facility;
b) A statement of when and how each petitioner received notice of the Department's action or proposed action;
c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
d) A statement of the disputed issues of material fact, or a statement that there are no disputed facts;
e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This Order is final and effective on the date filed with the Clerk of the Department, which is indicated on the last page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or an Order Responding to Supplemental Information provided to the Department pursuant to meetings with the Department.

Judicial Review

Any party to this Order has the right to seek judicial review of it under section 120.68, F.S., by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Agency Clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the Department (see below).

Questions

Any questions regarding this Conditional Site Rehabilitation Completion Order, should be directed to Paul Alan Wierzbicki at the Department of Environmental Protection, Southeast District Office, 3301 Gun Club Road, MSC 7210-1, West Palm Beach, FL 33406-3007, telephone (561) 681-6677, e-mail: paul.wierzbicki@floridadep.gov. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2242. Contact with any of the above does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.

Sincerely,

Jennifer K. Smith

Jennifer K. Smith
District Director
Southeast District

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

Mandatini Patel — May 22, 2018
Clerk — Date

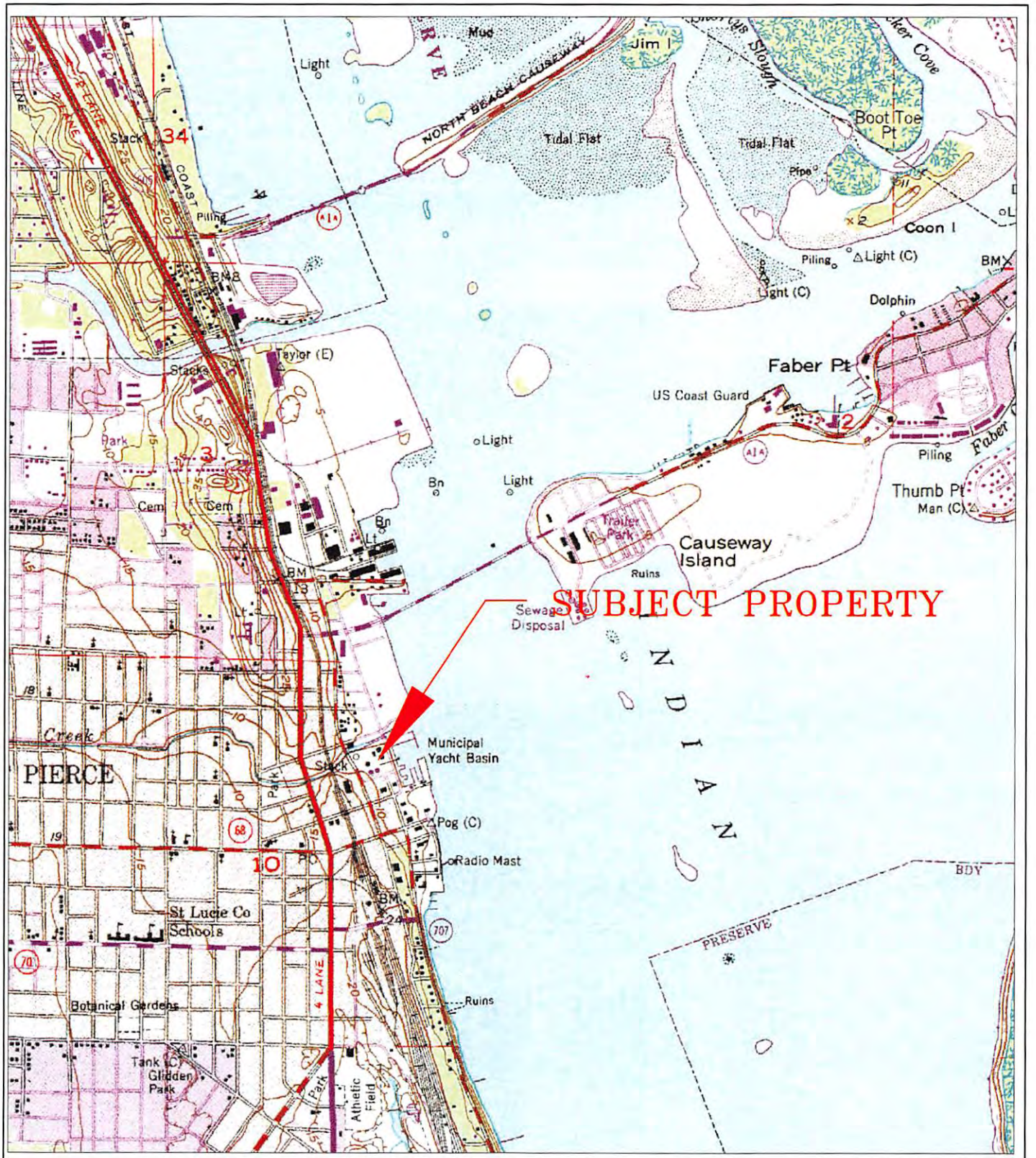
Exhibit 1: Figure 1, Site Vicinity Map.

Exhibit 2: Parcel / Site Boundary Map, dated 11-1-2016

Exhibit 3 – Collective Maps and Tables, (12 pages).

Exhibit 4: Declaration of Restrictive Covenant, File 4415196, Book 4111, Pages 1502 – 1509, Recorded 03/22/2018.

cc: Michael O. Sznapstajler, Esq., Cobb Cole, Michael.Sznapstajler@Cobbcole.com
Laurie LaFavor, Laurie.Lafavor@cobbcole.com
Greg Schultz, Greg.Schultz@cardno.com
Barbara Alfano, US EPA, Region IV, Alfano.Barbara@epa.gov
David Koerner, Florida Health, St Lucie, david.koerner@flhealth.gov
Alberto Naya, South Florida Water Management District, anaya@sfwmd.gov
Carlos Derojas, P.E., South Florida Water Management District, cderojas@sfwmd.gov
Chad Brcka, P.G., South Florida Water Management District, cbrcka@sfwmd.gov
Stephanie Heidt, AICP, Treasure Coast Regional Planning Council, sheidt@tcrpc.org
FDEP- Diane Pupa, Carrie L. Kruchell, Justin L. Cross, Lisa Duchene, Lea Crandall (Agency Clerk), Jordan Bennett, Brian Dougherty, Kent Edwards, Paul Wierzbicki



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FORMER HD KING POWER PLANT SITE
311 NORTH INDIAN RIVER DRIVE
FT. PIERCE, FL

FIGURE 1
SITE VICINITY MAP

EXHIBIT 1 FDEP Site ID No.: COM_82363, BF561101001



1" = 80'

LEGEND

SUBJECT SITE LOCATION

PARCEL 1: BF SITE ID #: BF561101001
322 N 2nd St., FORT PIERCE, FL

PARCEL ID #: 241050300410204

LEGAL DESCRIPTION:
AARON LEE'S MAP OF FORT PIERCE 10 35 40 BEG AT SW COR OF LOT 2 BLK F RUN NWLY ALG E RD R/W LI OF N 2 ST TO S BANK OF MOORE'S CREEK,TH ELY ALG S BANK OF MOORE'S CREEK TO E RD R/W LI OF IND RIV DR,TH SLY ALG IND RIV DR TO SE COR OF BULKHEAD OF RECREATION PIER,TH WLY TO INT OF ELY RD R/W LI OF N 2 ST AND SW COR OF LOT 2 AND POB-LESS E 20 FT AND LESS S 50 FT AND LESS N 165 FT OF E 75 FT AND LESS S 87 FT OF W 67 FT-(MAP 24/10B) (4.272 AC) (OR 3136-2650)

NO.	DESCRIPTION	BY	DATE

CITY OF FORT PIERCE AND TCRPC

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XXX
XXX XXX
LIC NO. DATE

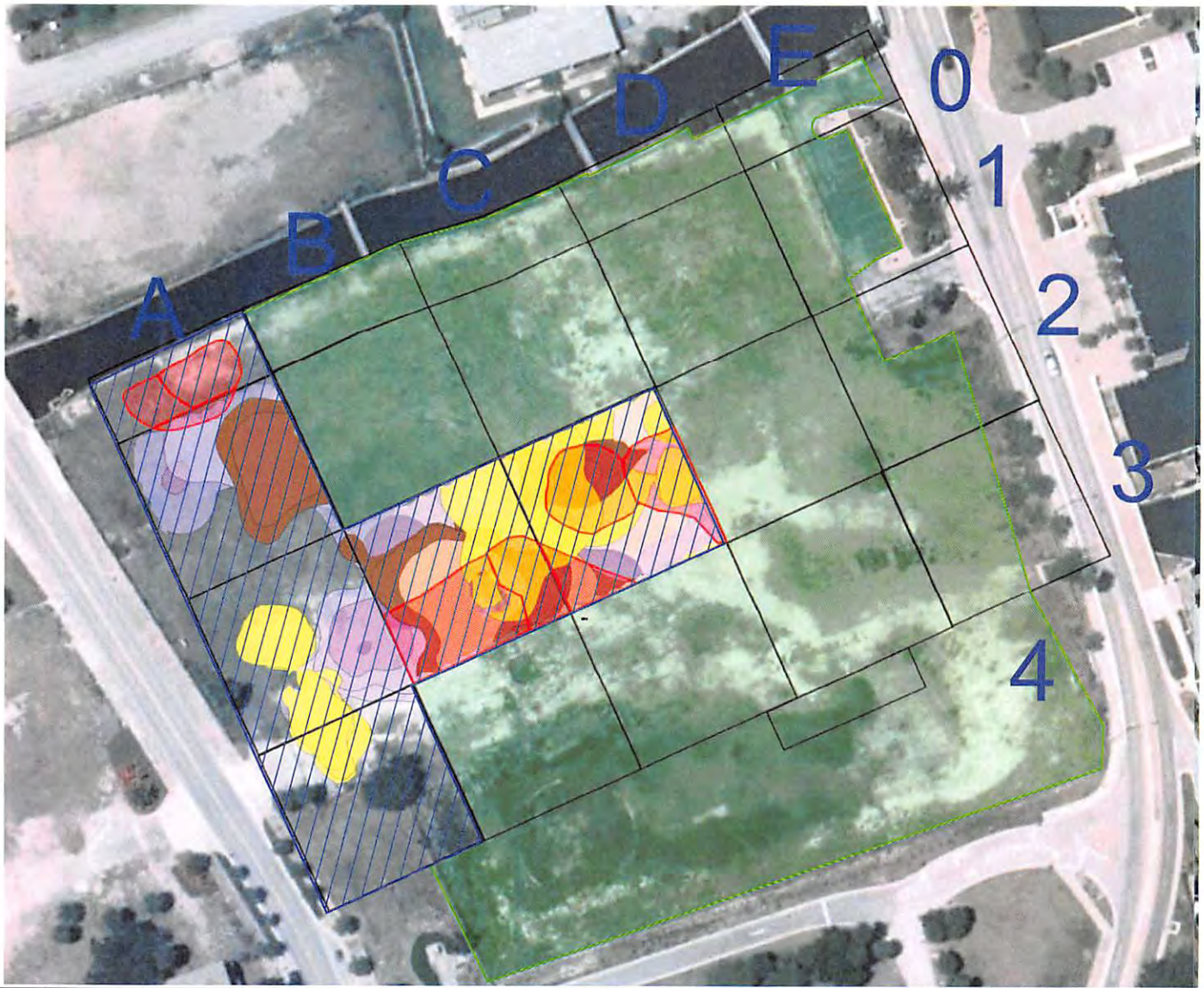
DESIGNED XXX
DRAWN MTP
Q.C.
APPROVED

FIGURE 2
PARCEL/SITE BOUNDARY MAP

PROJECT NO: 00022-926-13
DATE: 11-1-16
SHEET NO: 2 OF 9

FILE: J:\00022\00022926.11\ACAD\dwg\parcel 1.dwg LAST SAVED: Tue, 08/11/15-1:22p PLOTTED: Fri, 11/11/16-8:51p BY: Greg Schultz

EXHIBIT 2 FDEP Site ID No.: COM_82363, BF561101001



1" = 60'

LEGEND

- PCB IMPACTED SOIL ABOVE SCTLs (YELLOW PLUMES)
- PAH IMPACTED SOIL ABOVE SCTLs (PURPLE PLUMES)
- TRPH IMPACTED SOIL ABOVE SCTLs (BROWN PLUMES)
- HEAVY PETROLEUM IMPACTED SOIL BELOW THE WATER TABLE
- 2016 ISR REMOVAL GRID SQUARES (CONTAMINATED PORTIONS OF BLUE HATCHED BOXES)
- PREVIOUSLY ASSESSED/ REMEDIATED AREAS

NO.	DESCRIPTION	BY	DATE

CITY OF FORT PIERCE AND TCRPC

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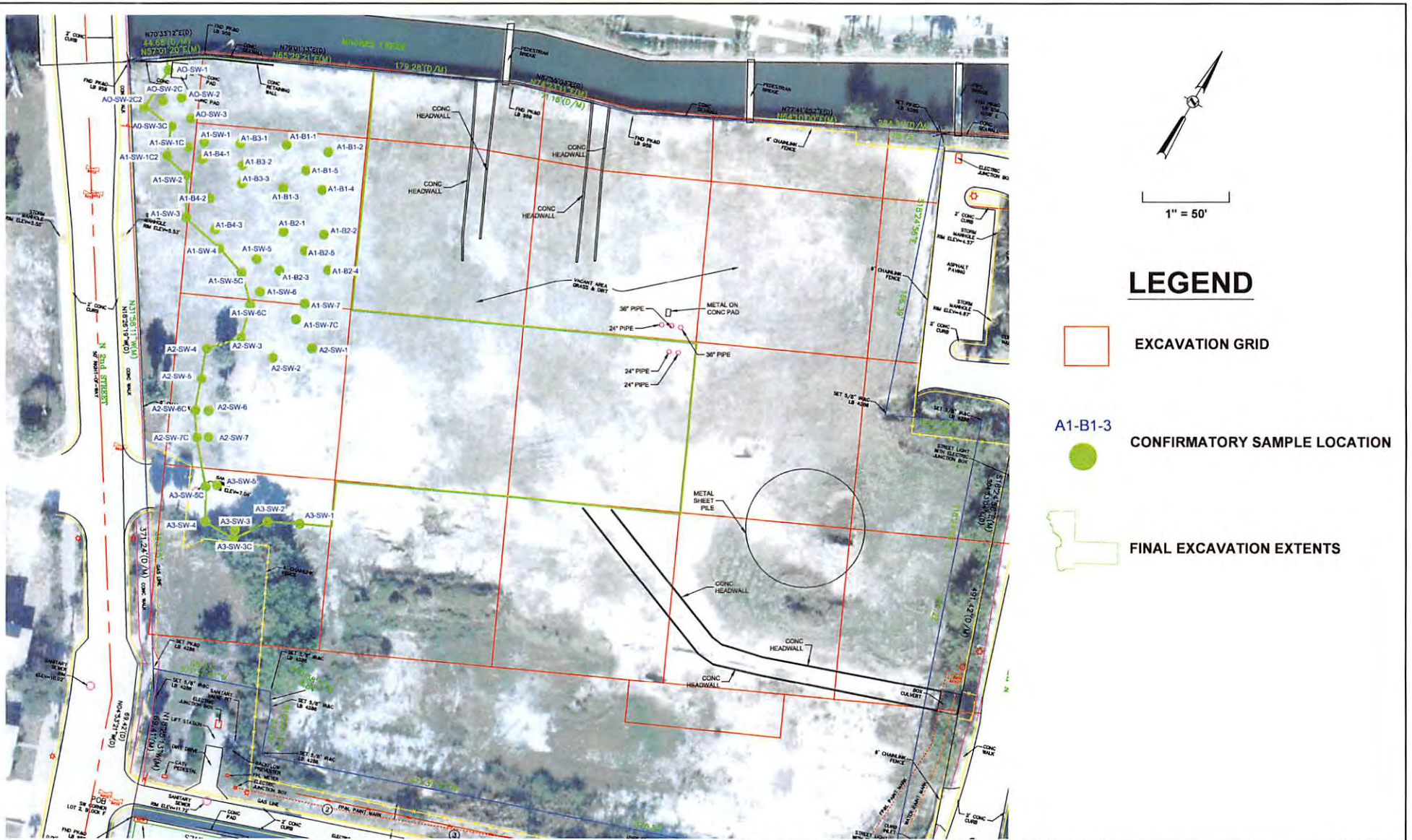
XXX
XXX XXX
LIC. NO. DATE

DESIGNED XXX
DRAWN MTP
D.C.
APPROVED

FIGURE 3
FINAL SOURCE REMOVAL AREAS – 2016

PROJECT NO: 00022-926-13
DATE: 11-07-16
SHEET NO: 3 OF 9

FILE: J:\00022\00022926 13\acad\dwg\Source Removal\SitePlan2016_Env_Recover.dwg LAST SAVED: Fri, 11/18/16-8:22p PLOTTED: Fri, 11/18/16-8:54p BY: Greg.Schultz



NO.	DESCRIPTION	BY	DATE

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XXX
XXX XXX
LIC NO DATE

DESIGNED XXX
DRAWN GS
Q.C.
APPROVED

FIGURE 8
CONFIRMATORY SAMPLE LOCATIONS

PROJECT NO: 00022-926-13
DATE: 11-05-16
SHEET NO: 8 OF 8

FILE: J:\00022\00022926.13\acad\dwg\Source Removal\SitePlan2016_Env_GS.dwg LAST SAVED: Sun, 11/20/16-2:44p PLOTTED: Sun, 11/20/16-2:46p BY: Greg.Schultz

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H.D. King: 311 North Indian River Drive, Ft. Pierce, FL
Table 23: Overburden Stockpile - Sample Analytical Results - March 2016

Sample Location							A1 Overburden	
Collect Date							3/3/2016	
Method	Parameter	CAS No	Units	DE-Residential	DE-Comm./ Indust.	Leach. -GC	Result	Qualifier
FLPRO	Petroleum Range Organics		mg/kg	460	2700	340	**77**	
EPA 8270C Low Level PAH	1-Methylnaphthalene	90-12-0	mg/Kg dw	200	1800	3.1	0.115	U
EPA 8270C Low Level PAH	2-Methylnaphthalene	91-57-6	mg/Kg dw	210	2100	8.5	0.115	U
EPA 8270C Low Level PAH	Acenaphthene	83-32-9	mg/Kg dw	2400	20000	2.1	0.057	U
EPA 8270C Low Level PAH	Acenaphthylene	208-96-8	mg/Kg dw	1800	20000	27	0.057	U
EPA 8270C Low Level PAH	Anthracene	120-12-7	mg/Kg dw	21000	300000	2500	0.057	U
EPA 8270C Low Level PAH	Benz(a)Anthracene	56-55-3	mg/Kg dw	#	#	0.8	**0.081**	
EPA 8270C Low Level PAH	Benzo(a)pyrene	50-32-8	mg/Kg dw	0.1	0.7	8	**0.055**	
EPA 8270C Low Level PAH	Benzo(b)fluoranthene	205-99-2	mg/Kg dw	#	#	2.4	**0.08**	
EPA 8270C Low Level PAH	Benzo(g,h,i)perylene	191-24-2	mg/Kg dw	2500	52000	32000	**0.046**	
EPA 8270C Low Level PAH	Benzo(k)fluoranthene	207-08-9	mg/Kg dw	#	#	24	0.034	U
Calculation	BaP Equivalent	--	mg/Kg dw	0.1	0.7	8	**0.08**	
EPA 8270C Low Level PAH	Chrysene	218-01-9	mg/Kg dw	#	#	77	**0.07**	
EPA 8270C Low Level PAH	Dibenz(a,h)Anthracene	53-70-3	mg/Kg dw	#	#	0.7	0.0082	U
EPA 8270C Low Level PAH	Fluoranthene	206-44-0	mg/Kg dw	3200	59000	1200	**0.164**	
EPA 8270C Low Level PAH	Fluorene	86-73-7	mg/Kg dw	2600	33000	160	0.057	U
EPA 8270C Low Level PAH	Indeno(1,2,3-cd)pyrene	193-39-5	mg/Kg dw	#	#	6.6	**0.054**	
EPA 8270C Low Level PAH	Naphthalene	91-20-3	mg/Kg dw	55	300	1.2	0.115	U
EPA 8270C Low Level PAH	Phenanthrene	85-01-8	mg/Kg dw	2200	36000	250	0.057	U
EPA 8270C Low Level PAH	Pyrene	129-00-0	mg/Kg dw	2400	45000	880	**0.114**	
EPA 8082 PCB	Aroclor-1016	12674-11-2	mg/Kg dw				0.000554	U
EPA 8082 PCB	Aroclor-1221	11104-28-2	mg/Kg dw				0.000554	U
EPA 8082 PCB	Aroclor-1232	11141-16-5	mg/Kg dw				0.000554	U
EPA 8082 PCB	Aroclor-1242	53469-21-9	mg/Kg dw	0.5	2.6	17	0.000554	U
EPA 8082 PCB	Aroclor-1248	12672-29-6	mg/Kg dw				0.000554	U
EPA 8082 PCB	Aroclor-1254	11097-69-1	mg/Kg dw				0.000554	U
EPA 8082 PCB	Aroclor-1260	11096-82-5	mg/Kg dw				**0.12**	

Notes:

I = The reported value is between the laboratory limit of detection (MDL) and the laboratory limit of quantitation (PQL).

U = Indicates that a specific compound was analyzed for but not detected. The reported value shall be the MDL.

= Site concentrations for carcinogenic polycyclic aromatic hydrocarbons must be converted to Benzo(a)pyrene equivalents before comparison with the appropriate direct exposure SCTL

NA = Not Analyzed

NC = Not Calculated

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H.D. King: 311 North Indian River Drive, Ft. Pierce, FL
Table 24: Confirmatory Soil Analytical Results

Sample Location							A0-SW-1		A0-SW-2		A0-SW-2C		A0-SW-2C2		A0-SW-3		A0-SW-3C		A1-B1-C		A1-B2-C		A1-B3-C		A1-B4-C		A1-SW-1		A1-SW-1C		A1-SW-1C2	
Collect Date							3/15/2016		3/15/2016		6/15/2016		6/22/2016		3/15/2016		6/15/2016		3/14/2016		3/14/2016		3/14/2016		3/14/2016		3/15/2016		6/15/2016		6/22/2016	
Method	Parameter	CAS No	Units	DE-Residential	DE-Comm./ Indust.	Leach. -GC	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier
FLPRO	Petroleum Range Organics		mg/kg	460	2700	340	**45**		**254**		NA		NA		**120**		NA		**68**		**77**		**56**		**88**		**105**		NA		NA	
EPA 8270C Low Level PAH	Naphthalene	91-20-3	mg/Kg dw	55	300	1.2	0.112	U	0.105	U	0.102	U	0.108	U	0.105	U	0.104	U	0.113	U	0.112	U	0.142	U	0.11	U	0.104	U	0.102	U	0.105	U
EPA 8270C Low Level PAH	1-Methylnaphthalene	90-12-0	mg/Kg dw	200	1800	3.1	0.112	U	0.105	U	0.102	U	0.108	U	0.105	U	0.104	U	0.113	U	0.112	U	0.142	U	0.11	U	0.104	U	0.102	U	0.105	U
EPA 8270C Low Level PAH	2-Methylnaphthalene	91-57-6	mg/Kg dw	210	2100	8.5	0.112	U	0.105	U	0.102	U	0.108	U	0.105	U	0.104	U	0.113	U	0.112	U	0.142	U	0.11	U	0.104	U	0.102	U	0.105	U
EPA 8270C Low Level PAH	Acenaphthene	83-32-9	mg/Kg dw	2400	20000	2.1	0.056	U	0.052	U	0.051	U	0.054	U	0.053	U	0.052	U	0.057	U	0.056	U	0.071	U	0.055	U	0.052	U	0.051	U	0.052	U
EPA 8270C Low Level PAH	Acenaphthylene	208-96-8	mg/Kg dw	1800	20000	27	0.056	U	0.052	U	0.051	U	0.054	U	0.053	U	0.052	U	0.057	U	0.056	U	0.071	U	0.055	U	0.052	U	0.051	U	0.052	U
EPA 8270C Low Level PAH	Anthracene	120-12-7	mg/Kg dw	21000	300000	2500	0.056	U	0.052	U	0.051	U	0.054	U	0.053	U	0.052	U	0.057	U	0.061	U	0.071	U	**0.059**		**0.086**		0.051	U	0.052	U
EPA 8270C Low Level PAH	Benz(a)Anthracene	56-55-3	mg/Kg dw	#	#	0.8	0.034	U	**0.162**		**0.158**		0.032	U	**0.134**		0.031	U	**0.084**		**0.26**		0.043	U	**0.224**		**0.377**		**0.088**		0.031	U
EPA 8270C Low Level PAH	Benzo(a)pyrene	50-32-8	mg/Kg dw	0.1	0.7	8	0.021	U	**0.146**		**0.189**		**0.037**		**0.119**		**0.02**		0.021	U	**0.157**		0.026	U	**0.156**		**0.239**		**0.098**		**0.039**	
EPA 8270C Low Level PAH	Benzo(b)fluoranthene	205-99-2	mg/Kg dw	#	#	2.4	0.029	U	**0.156**		**0.305**		**0.04**		**0.158**		0.027	U	0.029	U	**0.198**		0.037	U	**0.195**		**0.336**		**0.173**		**0.033**	
EPA 8270C Low Level PAH	Benzo(g,h,i)perylene	191-24-2	mg/Kg dw	2500	52000	32000	0.034	U	**0.154**		**0.213**		0.032	U	**0.121**		0.031	U	**0.043**		**0.126**		0.043	U	**0.129**		**0.2**		**0.1**		0.031	U
EPA 8270C Low Level PAH	Benzo(k)fluoranthene	207-08-9	mg/Kg dw	#	#	24	0.034	U	**0.079**		**0.092**		0.032	U	0.032	U	0.031	U	0.034	U	**0.107**		0.043	U	**0.109**		**0.187**		**0.051**		0.031	U
EPA 8270C Low Level PAH	Chrysene	218-01-9	mg/Kg dw	#	#	77	0.034	U	**0.151**		**0.215**		**0.054**		**0.159**		0.031	U	**0.087**		**0.251**		**0.044**		**0.242**		**0.383**		**0.116**		0.031	U
EPA 8270C Low Level PAH	Dibenz(a,h)Anthracene	53-70-3	mg/Kg dw	#	#	0.7	0.0081	U	**0.039**		**0.032**		**0.017**		0.0076	U	0.0075	U	0.0082	U	0.0081	U	0.01	U	**0.04**		**0.068**		**0.019**		0.0075	U
EPA 8270C Low Level PAH	Fluoranthene	206-44-0	mg/Kg dw	3200	59000	1200	0.056	U	**0.253**		**0.321**		0.054	U	**0.295**		0.052	U	**0.208**		**0.566**		**0.095**		**0.586**		**0.902**		**0.16**		0.052	U
EPA 8270C Low Level PAH	Fluorene	86-73-7	mg/Kg dw	2600	33000	160	0.056	U	0.052	U	0.051	U	0.054	U	0.053	U	0.052	U	0.057	U	0.056	U	0.071	U	0.055	U	0.052	U	0.051 U		0.052	U
EPA 8270C Low Level PAH	Indeno(1,2,3-cd)pyrene	193-39-5	mg/Kg dw	#	#	6.6	0.034	U	**0.112**		**0.171**		0.032	U	**0.111**		0.031	U	**0.037**		**0.132**		0.043	U	**0.126**		**0.196**		**0.099**		**0.031**	
EPA 8270C Low Level PAH	Phenanthrene	85-01-8	mg/Kg dw	2200	36000	250	0.056	U	**0.079**		**0.113**		0.054	U	**0.14**		0.052	U	**0.079**		**0.319**		0.071	U	**0.311**		**0.449**		**0.072**		0.052	U
EPA 8270C Low Level PAH	Pyrene	129-00-0	mg/Kg dw	2400	45000	880	0.056	U	**0.182**		**0.333**		0.054	U	**0.235**		0.052	U	**0.166**		**0.424**		**0.074**		**0.435**		**0.663**		**0.185**		0.052	U
Calculation	BaP Equivalent	–	mg/Kg dw	0.1	0.7	8	NC		**0.23**		**0.29**		**0.06**		**0.16**		**0.03**		**0.028**		0.22		**0.02**		**0.3**		**0.4**		**0.15**		**0.05**	
EPA 8082 PCB	Aroclor-1016	12674-11-2	mg/Kg dw				0.000528	U	0.0564	U	0.0102	U	0.00054	U	0.0259	U	NA		0.000553	U	0.000538	U	0.000666	U	0.00055	U	0.0107	U	NA		NA	
EPA 8082 PCB	Aroclor-1221	11104-28-2	mg/Kg dw				0.00052	U	0.0564	U	0.0102	U	0.00054	U	0.0259	U	NA		0.000553	U	0.000538	U	0.000666	U	0.00055	U	0.0107	U	NA		NA	
EPA 8082 PCB	Aroclor-1232	11141-16-5	mg/Kg dw				0.000528	U	0.0564	U	0.0102	U	0.00054	U	0.0259	U	NA		0.000553	U	0.000538	U	0.000666	U	0.00055	U	0.0107	U	NA		NA	
EPA 8082 PCB	Aroclor-1242	53469-21-9	mg/Kg dw	0.5	2.6	17	0.000528	U	0.0564	U	0.0102	U	0.00054	U	0.0259	U	NA		0.000553	U	0.000538	U	0.000666	U	0.00055	U	0.0107	U	NA		NA	
EPA 8082 PCB	Aroclor-1248	12672-29-6	mg/Kg dw				0.000528	U	0.0564	U	0.0102	U	0.00054	U	0.0259	U	NA		0.000553	U	0.000538	U	0.000666	U	0.00055	U	0.0107	U	NA		NA	
EPA 8082 PCB	Aroclor-1254	11097-69-1	mg/Kg dw				0.000528	U	0.0564	U	0.0102	U	0.00054	U	0.0259	U	NA		0.000553	U	0.000538	U	0.000666	U	0.00055	U	0.0107	U	NA		NA	
EPA 8082 PCB	Aroclor-1260	11096-82-5	mg/Kg dw				**0.027**		**1.9**		**0.62**		**0.061**		**0.47**		NA		**0.1**		**0.093**		**0.059**		**0.064**		**0.18**		NA		NA	

Notes:

I = The reported value is between the laboratory limit of detection (MDL) and the laboratory limit of quantitation (PQL).

U = Indicates that a specific compound was analyzed for but not detected. The reported value shall be the MDL.

= Site concentrations for carcinogenic polycyclic aromatic hydrocarbons must be converted to Benzo(a)pyrene equivalents before comparison with the appropriate direct exposure SCTL

NA = Not Analyzed

NC= Not calculated due to lack of carcinogenic PAHs

Cardno

H.D. King: 311 North Indian River Drive, Ft. Pierce, FL
Table 24: Confirmatory Soil Analytical Results

Sample Location							A1-SW-2		A1-SW-3		A1-SW-4		A1-SW-4C		A1-SW-5		A1-SW-5C		A1-SW-6		A1-SW-6C		A1-SW-7		A1-SW-7C		A1-SW-7C2		A2-SW-1	
Collect Date							3/15/2016		3/15/2016		3/15/2016		6/15/2016		3/15/2016		6/15/2016		3/15/2016		6/15/2016		3/15/2016		6/15/2016		6/22/2016		6/22/2016	
Method	Parameter	CAS No	Units	DE-Residential	DE-Comm./ Indust.	Leach. -GC	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier
FLPRO	Petroleum Range Organics		mg/kg	460	2700	340	**93.7**		**104**		**98.5**		NA		**463**		**37.8**		**196**		NA		**211**		NA		NA		**124**	
EPA 8270C Low Level PAH	Naphthalene	91-20-3	mg/Kg dw	55	300	1.2	0.113	U	0.104	U	0.107	U	0.104	U	0.116	U	0.107	U	0.107	U	0.106	U	0.108	U	0.107	U	0.108	U	0.108	U
EPA 8270C Low Level PAH	1-Methylnaphthalene	90-12-0	mg/Kg dw	200	1800	3.1	0.113	U	0.104	U	0.107	U	0.104	U	0.116	U	0.107	U	0.107	U	0.106	U	0.108	U	0.107	U	0.108	U	0.108	U
EPA 8270C Low Level PAH	2-Methylnaphthalene	91-57-6	mg/Kg dw	210	2100	8.5	0.113	U	0.104	U	0.107	U	0.104	U	0.116	U	0.107	U	0.107	U	0.106	U	0.108	U	0.107	U	0.108	U	0.108	U
EPA 8270C Low Level PAH	Acenaphthene	83-32-9	mg/Kg dw	2400	20000	2.1	0.057	U	0.052	U	0.053	U	0.052	U	**0.207**		0.054	U	**0.061**		0.053	U	0.054	U	**0.062**		0.054	U	**0.097**	
EPA 8270C Low Level PAH	Acenaphthylene	208-96-8	mg/Kg dw	1800	20000	27	0.057	U	0.052	U	0.053	U	0.052	U	0.058	U	0.054	U	0.053	U	0.053	U	0.054	U	0.053	U	0.054	U	0.054	U
EPA 8270C Low Level PAH	Anthracene	120-12-7	mg/Kg dw	21000	300000	2500	0.057	U	0.052	U	0.053	U	0.052	U	**0.447**		0.054	U	**0.112**		0.053	U	**0.078**		0.168	U	0.187		0.054	U
EPA 8270C Low Level PAH	Benz(a)Anthracene	56-55-3	mg/Kg dw	#	#	0.8	**0.083**		0.031	U	**0.209**		0.031	U	**1.82**		0.032	U	**0.347**		**0.095**		**0.3**		**0.589**		**0.517**		**0.676**	
EPA 8270C Low Level PAH	Benzo(a)pyrene	50-32-8	mg/Kg dw	0.1	0.7	8	**0.1**		0.02	U	**0.153**		0.019	U	**0.98**		0.02	U	**0.206**		**0.102**		**0.164**		**0.421**		**0.436**		**0.697**	
EPA 8270C Low Level PAH	Benzo(b)fluoranthene	205-99-2	mg/Kg dw	#	#	2.4	**0.1**		0.027	U	**0.2**		0.0	U	**1.2**		0.0	U	**0.283**		**0.165**		**0.26**		**0.657**		**0.701**		**1.04**	
EPA 8270C Low Level PAH	Benzo(g,h,i)perylene	191-24-2	mg/Kg dw	2500	52000	32000	**0.099**		0.031	U	**0.158**		0.031	U	**0.597**		0.032	U	**0.153**		**0.119**		**0.17**		**0.413**		**0.359**		**0.629**	
EPA 8270C Low Level PAH	Benzo(k)fluoranthene	207-08-9	mg/Kg dw	#	#	24	0.034	U	0.031	U	**0.101**		0.031	U	**0.542**		0.032	U	0.032	U	**0.052**		**0.134**		**0.227**		**0.335**		**0.524**	
EPA 8270C Low Level PAH	Chrysene	218-01-9	mg/Kg dw	#	#	77	**0.125**		0.031	U	**0.212**		0.031	U	**1.47**		0.032	U	**0.32**		**0.106**		**0.305**		**0.634**		**0.558**		**0.788**	
EPA 8270C Low Level PAH	Dibenz(a,h)Anthracene	53-70-3	mg/Kg dw	#	#	0.7	0.0081	U	0.0075	U	**0.038**		0.0075	U	**0.188**		0.0077	U	**0.011**		0.0077	U	**0.047**		0.057	U	0.05	U	**0.123**	
EPA 8270C Low Level PAH	Fluoranthene	206-44-0	mg/Kg dw	3200	59000	1200	**0.2**		0.052	U	**0.436**		0.052	U	**4.28**		0.054	U	**0.858**		**0.166**		**0.74**		**1.7**		**1.32**		**1.85**	
EPA 8270C Low Level PAH	Fluorene	86-73-7	mg/Kg dw	2600	33000	160	0.057	U	0.052	U	0.053	U	0.052	U	**0.126**		0.054	U	0.053	U	0.053	U	0.054	U	0.053	U	0.054 U	U	**0.062**	
EPA 8270C Low Level PAH	Indeno(1,2,3-cd)pyrene	193-39-5	mg/Kg dw	#	#	6.6	**0.086**		0.031	U	**0.128**		0.031	U	**0.696**		0.032	U	**0.178**		**0.099**		**0.151**		**0.347**		**0.343**		**0.554**	
EPA 8270C Low Level PAH	Phenanthrene	85-01-8	mg/Kg dw	2200	36000	250	**0.063**		0.052	U	**0.204**		0.052	U	**2.39**		0.054	U	**0.537**		**0.069**		**0.379**		**0.917**		**0.607**		**0.78**	
EPA 8270C Low Level PAH	Pyrene	129-00-0	mg/Kg dw	2400	45000	880	**0.167**		0.052	U	**0.324**		0.052	U	**2.63**		0.054	U	**0.573**		**0.175**		**0.527**		**1.29**		**1.1**		**1.55**	
Calculation	BaP Equivalent	--	mg/Kg dw	0.1	0.7	8	**0.1**		NC		**0.2**		NC		**1.5**		NC		**0.3**		**0.1**		**0.3**		**0.6**		**0.6**		**1.1**	
EPA 8082 PCB	Aroclor-1016	12674-11-2	mg/Kg dw				0.000538	U	0.00051	U	0.0264	U	NA		0.000567	U	NA		**0.039**		NA		0.0053	U	NA		NA		0.027	U
EPA 8082 PCB	Aroclor-1221	11104-28-2	mg/Kg dw				0.000538	U	0.00051	U	0.0264	U	NA		0.000567	U	NA		0.000533	U	NA		0.0053	U	NA		NA		0.027	U
EPA 8082 PCB	Aroclor-1232	11141-16-5	mg/Kg dw				0.000538	U	0.00051	U	0.0264	U	NA		0.000567	U	NA		0.000533	U	NA		0.0053	U	NA		NA		0.027	U
EPA 8082 PCB	Aroclor-1242	53469-21-9	mg/Kg dw	0.5	2.6	17	0.000538	U	0.00051	U	0.0264	U	NA		0.000567	U	NA		0.000533	U	NA		0.0053	U	NA		NA		0.027	U
EPA 8082 PCB	Aroclor-1248	12672-29-6	mg/Kg dw				0.000538	U	0.00051	U	0.0264	U	NA		0.000567	U	NA		0.000533	U	NA		0.0053	U	NA		NA		0.027	U
EPA 8082 PCB	Aroclor-1254	11097-69-1	mg/Kg dw				0.000538	U	0.00051	U	0.0264	U	NA		0.000567	U	NA		0.000533	U	NA		0.0053	U	NA		NA		0.027	U
EPA 8082 PCB	Aroclor-1260	11096-82-5	mg/Kg dw				**0.054**		**0.028**		**0.36**		NA		**0.028**		NA		**0.018**		NA		**0.17**		NA		NA		**0.41**	

Notes:

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= Site concentrations for carcinogenic polycyclic aromatic hydrocarbons must be converted to Benzo(a)pyrene equivalents before comparison with the appropriate direct exposure SCTL.

NA = Not Analyzed

NC= Not calculated due to lack of carcinogenic PAHs

Cardno

H.D. King: 311 North Indian River Drive, Ft. Pierce, FL
Table 24: Confirmatory Soil Analytical Results

Sample Location							A2-SW-2		A2-SW-3		A2-SW-4		A2-SW-5		A2-SW-6		A2-SW-6C		A2-SW-7		A2-SW-7C		A3-SW-1		A3-SW-2		A3-SW-3		A3-SW-3C	
Collect Date							6/22/2016		6/22/2016		6/22/2016		6/22/2016		6/22/2016		6/28/2016		6/22/2016		6/28/2016		6/22/2016		6/22/2016		6/22/2016		6/28/2016	
Method	Parameter	CAS No	Units	DE-Residential	DE-Comm./ Indust.	Leach. -GC	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier
FLPRO	Petroleum Range Organics		mg/kg	460	2700	340	**135**		**177**		**200**		**13**		**16.4**		NA		**42.3**		NA		10.5	U	10.6	U	**479**		**36.9**	
EPA 8270C Low Level PAH	Naphthalene	91-20-3	mg/Kg dw	55	300	1.2	0.107	U	0.107	U	0.103	U	0.105	U	0.108	U	0.103	U	0.108	U	0.104	U	0.105	U	0.106	U	0.105	U	NA	
EPA 8270C Low Level PAH	1-Methylnaphthalene	90-12-0	mg/Kg dw	200	1800	3.1	0.107	U	0.107	U	0.103	U	0.105	U	0.108	U	0.103	U	0.108	U	0.104	U	0.105	U	0.106	U	0.105	U	NA	
EPA 8270C Low Level PAH	2-Methylnaphthalene	91-57-6	mg/Kg dw	210	2100	8.5	0.107	U	0.107	U	0.103	U	0.105	U	0.108	U	0.103	U	0.108	U	0.104	U	0.105	U	0.106	U	0.105	U	NA	
EPA 8270C Low Level PAH	Acenaphthene	83-32-9	mg/Kg dw	2400	20000	2.1	**0.076**		0.054	U	0.051	U	0.052	U	0.054	U	0.052	U	0.054	U	0.052	U	0.052	U	0.053	U	0.052	U	NA	
EPA 8270C Low Level PAH	Acenaphthylene	208-96-8	mg/Kg dw	1800	20000	27	**0.065**		0.054	U	0.051	U	0.052	U	0.054	U	0.052	U	0.054	U	0.052	U	0.052	U	0.053	U	0.052	U	NA	
EPA 8270C Low Level PAH	Anthracene	120-12-7	mg/Kg dw	21000	300000	2500	0.053	U	0.054	U	0.051	U	0.052	U	0.054	U	0.052	U	0.054	U	0.052	U	0.052	U	0.053	U	0.052	U	NA	
EPA 8270C Low Level PAH	Benz(a)Anthracene	56-55-3	mg/Kg dw	#	#	0.8	**0.568**		0.032	U	0.031	U	**0.065**		**0.16**		**0.04**		**0.159**		0.031	U	0.031	U	0.032	U	0.031	U	NA	
EPA 8270C Low Level PAH	Benzo(a)pyrene	50-32-8	mg/Kg dw	0.1	0.7	8	**0.642**		**0.028**		0.019	U	**0.072**		**0.23**		**0.08**		**0.13**		**0.035**		0.019	U	**0.025**		0.019	U	NA	
EPA 8270C Low Level PAH	Benzo(b)fluoranthene	205-99-2	mg/Kg dw	#	#	2.4	**0.752**		**0.042**		0.027	U	**0.062**		**0.21**		**0.10**		**0.154**		**0.045**		0.027	U	0.027	U	0.027	U	NA	
EPA 8270C Low Level PAH	Benzo(g,h,i)perylene	191-24-2	mg/Kg dw	2500	52000	32000	**0.55**		0.032	U	0.031	U	**0.049**		**0.17**		**0.17**		**0.114**		**0.036**		0.031	U	**0.033**		**0.047**		NA	
EPA 8270C Low Level PAH	Benzo(k)fluoranthene	207-08-9	mg/Kg dw	#	#	24	**0.489**		0.032	U	0.031	U	**0.066**		**0.18**		**0.05**		**0.085**		0.031	U	0.031	U	0.032	U	0.031	U	NA	
EPA 8270C Low Level PAH	Chrysene	218-01-9	mg/Kg dw	#	#	77	**0.683**		0.032	U	0.031	U	**0.088**		**0.29**		**0.05**		**0.134**		0.031	U	0.031	U	0.032	U	0.031	U	NA	
EPA 8270C Low Level PAH	Dibenz(a,h)Anthracene	53-70-3	mg/Kg dw	#	#	0.7	**0.104**		0.0077	U	0.0074	U	0.0075	U	**0.05**		**0.03**		**0.026**		0.0075	U	0.0075	U	0.0076	U	0.0075	U	NA	
EPA 8270C Low Level PAH	Fluoranthene	206-44-0	mg/Kg dw	3200	59000	1200	**1.65**		0.054	U	0.051	U	**0.14**		**0.36**		**0.07**		**0.133**		0.052	U	0.052	U	0.053	U	0.052	U	NA	
EPA 8270C Low Level PAH	Fluorene	86-73-7	mg/Kg dw	2600	33000	160	0.053	U	0.054	U	0.051	U	0.052	U	0.054	U	0.052	U	0.054	U	0.052	U	0.052	U	0.053	U	0.052	U	NA	
EPA 8270C Low Level PAH	Indeno(1,2,3-cd)pyrene	193-39-5	mg/Kg dw	#	#	6.6	**0.513**		0.032	U	0.031	U	**0.051**		**0.16**		**0.087**		**0.1**		**0.035**		0.031	U	0.032	U	0.031	U	NA	
EPA 8270C Low Level PAH	Phenanthrene	85-01-8	mg/Kg dw	2200	36000	250	**0.722**		0.054	U	0.051	U	**0.083**		**0.25**		0.052	U	**0.07**		0.052	U	0.052	U	0.053	U	0.052	U	NA	
EPA 8270C Low Level PAH	Pyrene	129-00-0	mg/Kg dw	2400	45000	880	**1.4**		0.054	U	0.051	U	**0.239**		**0.51**		**0.11**		**0.18**		0.052	U	0.052	U	0.053	U	0.052	U	NA	
Calculation	BaP Equivalent	--	mg/Kg dw	0.1	0.7	8	**0.9**		**0.04**		NC		**0.1**		**0.3**		**0.1**		**0.2**		**0.05**		NC		**0.03**		**0.02**		NA	
EPA 8082 PCB	Aroclor-1016	12674-11-2	mg/Kg dw				0.000533	U	0.000537	U	0.000514	U	0.000524	U	0.000542	U	NA		0.000541	U	NA		0.000524	U	0.000528	U	0.000523	U	NA	
EPA 8082 PCB	Aroclor-1221	11104-28-2	mg/Kg dw				0.000533	U	0.000537	U	0.000514	U	0.000524	U	0.000542	U	NA		0.000541	U	NA		0.000524	U	0.000528	U	0.000523	U	NA	
EPA 8082 PCB	Aroclor-1232	11141-16-5	mg/Kg dw				0.000533	U	0.000537	U	0.000514	U	0.000524	U	0.000542	U	NA		0.000541	U	NA		0.000524	U	0.000528	U	0.000523	U	NA	
EPA 8082 PCB	Aroclor-1242	53469-21-9	mg/Kg dw	0.5	2.6	17	0.000533	U	0.000537	U	0.000514	U	0.000524	U	0.000542	U	NA		0.000541	U	NA		0.000524	U	0.000528	U	0.000523	U	NA	
EPA 8082 PCB	Aroclor-1248	12672-29-6	mg/Kg dw				0.000533	U	0.000537	U	0.000514	U	0.000524	U	0.000542	U	NA		0.000541	U	NA		0.000524	U	0.000528	U	0.000523	U	NA	
EPA 8082 PCB	Aroclor-1254	11097-69-1	mg/Kg dw				0.000533	U	0.000537	U	0.000514	U	0.000524	U	0.000542	U	NA		0.000541	U	NA		0.000524	U	0.000528	U	0.000523	U	NA	
EPA 8082 PCB	Aroclor-1260	11096-82-5	mg/Kg dw				**0.095**		**0.0076**		0.000514	U	**0.0029**		**0.007**		NA		**0.007**		NA		0.0027		0.005		0.000523	U	NA	

Notes:

I = The reported value is between the laboratory limit of detection (MDL) and the laboratory limit of quantitation (PQL).

U = Indicates that a specific compound was analyzed for but not detected. The reported value shall be the MDL.

= Site concentrations for carcinogenic polycyclic aromatic hydrocarbons must be converted to Benzo(a)pyrene equivalents before comparison with the appropriate direct exposure SCTL

NA = Not Analyzed

NC= Not calculated due to lack of carcinogenic PAHs

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H.D. King: 311 North Indian River Drive, Ft. Pierce, FL
Table 24: Confirmatory Soil Analytical Results

Sample Location							A3-SW-4		A3-SW-5		A3-SW-5C	
Collect Date							6/22/2016		6/22/2016		6/28/2016	
Method	Parameter	CAS No	Units	DE-Residential	DE-Comm./ Indust.	Leach. -GC	Result	Qualifier	Result	Qualifier	Result	Qualifier
FLPRO	Petroleum Range Organics		mg/kg	460	2700	340	136		**394**		**30.1**	
EPA 8270C Low Level PAH	Naphthalene	91-20-3	mg/Kg dw	55	300	1.2	0.105	U	0.106	U	NA	
EPA 8270C Low Level PAH	1-Methylnaphthalene	90-12-0	mg/Kg dw	200	1800	3.1	0.105	U	0.106	U	NA	
EPA 8270C Low Level PAH	2-Methylnaphthalene	91-57-6	mg/Kg dw	210	2100	8.5	0.105	U	0.106	U	NA	
EPA 8270C Low Level PAH	Acenaphthene	83-32-9	mg/Kg dw	2400	20000	2.1	0.053	U	0.053	U	NA	
EPA 8270C Low Level PAH	Acenaphthylene	208-96-8	mg/Kg dw	1800	20000	27	0.053	U	0.053	U	NA	
EPA 8270C Low Level PAH	Anthracene	120-12-7	mg/Kg dw	21000	300000	2500	0.053	U	0.053	U	NA	
EPA 8270C Low Level PAH	Benz(a)Anthracene	56-55-3	mg/Kg dw	#	#	0.8	**0.031**		0.032	U	NA	
EPA 8270C Low Level PAH	Benzo(a)pyrene	50-32-8	mg/Kg dw	0.1	0.7	8	**0.049**		**0.064**		NA	
EPA 8270C Low Level PAH	Benzo(b)fluoranthene	205-99-2	mg/Kg dw	#	#	2.4	**0.055**		**0.081**		NA	
EPA 8270C Low Level PAH	Benzo(g,h,i)perylene	191-24-2	mg/Kg dw	2500	52000	32000	**0.057**		**0.08**		NA	
EPA 8270C Low Level PAH	Benzo(k)fluoranthene	207-08-9	mg/Kg dw	#	#	24	**0.032**		**0.051**		NA	
EPA 8270C Low Level PAH	Chrysene	218-01-9	mg/Kg dw	#	#	77	**0.045**		**0.088**		NA	
EPA 8270C Low Level PAH	Dibenz(a,h)Anthracene	53-70-3	mg/Kg dw	#	#	0.7	**0.022**		0.0076	U	NA	
EPA 8270C Low Level PAH	Fluoranthene	206-44-0	mg/Kg dw	3200	59000	1200	**0.054**		**0.084**		NA	
EPA 8270C Low Level PAH	Fluorene	86-73-7	mg/Kg dw	2600	33000	160	0.053	U	0.053	U	NA	
EPA 8270C Low Level PAH	Indeno(1,2,3-cd)pyrene	193-39-5	mg/Kg dw	#	#	6.6	**0.046**		**0.059**		NA	
EPA 8270C Low Level PAH	Phenanthrene	85-01-8	mg/Kg dw	2200	36000	250	0.053	U	0.053	U	NA	
EPA 8270C Low Level PAH	Pyrene	129-00-0	mg/Kg dw	2400	45000	880	**0.055**		**0.091**		NA	
Calculation	BaP Equivalent	--	mg/Kg dw	0.1	0.7	8	**0.09**		**0.08**		NA	
EPA 8082 PCB	Aroclor-1016	12674-11-2	mg/Kg dw				0.000526	U	0.000531	U	NA	
EPA 8082 PCB	Aroclor-1221	11104-28-2	mg/Kg dw				0.000526	U	0.000531	U	NA	
EPA 8082 PCB	Aroclor-1232	11141-16-5	mg/Kg dw				0.000526	U	0.000531	U	NA	
EPA 8082 PCB	Aroclor-1242	53469-21-9	mg/Kg dw	0.5	2.6	17	0.000526	U	0.000531	U	NA	
EPA 8082 PCB	Aroclor-1248	12672-29-6	mg/Kg dw				0.000526	U	0.000531	U	NA	
EPA 8082 PCB	Aroclor-1254	11097-69-1	mg/Kg dw				0.000526	U	0.000531	U	NA	
EPA 8082 PCB	Aroclor-1260	11096-82-5	mg/Kg dw				0.0018		0.0052		NA	

Notes:

I = The reported value is between the laboratory limit of detection (MDL) and the laboratory limit of quantitation (PQL).

U = Indicates that a specific compound was analyzed for but not detected. The reported value shall be the MDL.

= Site concentrations for carcinogenic polycyclic aromatic hydrocarbons must be converted to Benzo(a)pyrene equivalents before comparison with the appropriate direct exposure SCTL

NA = Not Analyzed

NC= Not calculated due to lack of carcinogenic PAHs



1" = 70'

LEGEND

MW-6 — MONITOR WELL LOCATION

EXCAVATION GRID

EXHIBIT 3 Page 8

Fort Pierce Redevelopment Agency,
FDEP Site ID NO.: COM_82363,
BF561101001

NO.	DESCRIPTION	BY	DATE

CITY OF FORT PIERCE AND TCRPC

H.D. KING POWER PLANT

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300 PARK PLACE BLVD, STE 300, CLEARWATER, FL 33759
TEL: (727) 531 3505 (800) 881 8314
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XXX
XXX XXX
LIC. NO.: DATE

DESIGNED XXX
DRAWN MTP
Q.C.
APPROVED

FIGURE 8
MONITOR WELL LOCATIONS

PROJECT NO: 00022-926-11
DATE: 8-10-15
SHEET NO: 8 OF 9

FILE: J:\00022\00022926.11\ACAD\dwg\SitePlan2014_recover_recover_recover.dwg LAST SAVED: Tue, 08/11/15-11:48a PLOTTED: Tue, 08/11/15-12:03p BY: FrankJeans

Table 20: Groundwater Analytical Results June 2014, September 2014, & June 2015

H.D. King: 311 North Indian River Drive, Ft. Pierce, FL

Sample Location						MW-5						MW-6						MW-7						MW-8					
Collect Date						6/20/2014		9/17/2014		6/2/2015		6/19/2014		9/17/2014		6/2/2015		6/18/2014		9/17/2014		6/2/2015		6/18/2014		9/17/2014		6/2/2015	
Method	Parameter	CAS No	Units	GCTLs	NADC	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier
EPA 8260B	1,1,1,2-Tetrachloroethane	630-20-6	ug/L	1.3	130	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U
EPA 8260B	1,1,1-Trichloroethane	71-55-6	ug/L	200	2000	0.24	U	0.24	U	0.24	U	0.24	U	0.24	U	0.24	U	0.24	U	0.24	U	0.24	U	0.24	U	0.24	U	0.24	U
EPA 8260B	1,1,2,2-Tetrachloroethane	79-34-5	ug/L	0.2	20	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U
EPA 8260B	1,1,2-Trichloroethane	79-00-5	ug/L	5	500	0.35	U	0.35	U	0.35	U	0.35	U	0.35	U	0.35	U	0.35	U	0.35	U	0.35	U	0.35	U	0.35	U	0.35	U
EPA 8260B	1,1-Dichloroethane	75-34-3	ug/L	70	700	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U
EPA 8260B	1,1-Dichloroethene	75-35-4	ug/L	7	70	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U
EPA 8260B	1,1-Dichloropropene	563-58-6	ug/L	No CTL	NE	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U
EPA 8260B	1,2,3-Trichlorobenzene	87-61-6	ug/L	70	700	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U
EPA 8260B	1,2,3-Trichloropropane	96-18-4	ug/L	0.02	2	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U
EPA 8260B	1,2,4-Trichlorobenzene	120-82-1	ug/L	70	700	0.42	U	0.42	U	0.42	U	0.42	U	0.42	U	0.42	U	0.42	U	0.42	U	0.42	U	0.42	U	0.42	U	0.42	U
EPA 8260B	1,2,4-Trimethylbenzene	95-63-6	ug/L	10	100	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	**1.4**		**2.1**	
EPA 8260B	1,2-Dibromo-3-Chloropropane	96-12-8	ug/L	0.2	20	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U
EPA 8260B	1,2-Dibromoethane	106-93-4	ug/L	0.02	2	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U
EPA 8260B	1,2-Dichlorobenzene	95-50-1	ug/L	600	6000	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U
EPA 8260B	1,2-Dichloroethane	107-06-2	ug/L	3	300	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U
EPA 8260B	1,2-Dichloropropane	78-87-5	ug/L	5	500	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U
EPA 8260B	1,3,5-Trimethylbenzene	108-67-8	ug/L	10	100	0.25	U	0.25	U	0.25	U	0.25	U	0.25	U	0.25	U	0.25	U	0.25	U	0.25	U	0.25	U	0.25	U	**0.81**	I
EPA 8260B	1,3-Dichlorobenzene	541-73-1	ug/L	210	2100	0.48	U	0.48	U	0.48	U	0.48	U	0.48	U	0.48	U	0.48	U	0.48	U	0.48	U	0.48	U	0.48	U	0.48	U
EPA 8260B	1,3-Dichloropropane	142-28-9	ug/L	No CTL	NE	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U
EPA 8260B	1,4-Dichlorobenzene	106-46-7	ug/L	75	7500	0.46	U	0.46	U	0.46	U	0.46	U	0.46	U	0.46	U	0.46	U	0.46	U	0.46	U	0.46	U	0.46	U	0.46	U
EPA 8260B	2,2-Dichloropropane	594-20-7	ug/L	No CTL	NE	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U	0.4	U
EPA 8260B	2-Butanone	78-93-3	ug/L	4200	42000	9.5	U	9.5	U	9.5	U	9.5	U	9.5	U	9.5	U	9.5	U	9.5	U	9.5	U	9.5	U	9.5	U	9.5	U
EPA 8260B	2-Chloroethyl vinyl ether	110-75-8	ug/L	No CTL	NE	2.9	U	2.9	U	2.9	U	2.9	U	2.9	U	2.9	U	2.9	U	2.9	U	2.9	U	2.9	U	2.9	U	2.9	U
EPA 8260B	2-Chlorotoluene	95-49-8	ug/L	140	1400	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U
EPA 8260B	2-Hexanone	591-78-6	ug/L	280	2800	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U
EPA 8260B	4-Chlorotoluene	106-43-4	ug/L	140	1400	0.26	U	0.26	U	0.26	U	0.26	U	0.26	U	0.26	U	0.26	U	0.26	U	0.26	U	0.26	U	0.26	U	0.26	U
EPA 8260B	4-Isopropyltoluene	99-87-6	ug/L	No CTL	NE	0.33	U	0.33	U	0.33	U	0.33	U	0.33	U	0.33	U	**16**		**0.33**	U	0.33	U	**1.4**		**2.9**		**4.1**	
EPA 8260B	4-Methyl-2-Pentanone	108-10-1	ug/L	560	5600	3.8	U	3.8	U	3.8	U	3.8	U	3.8	U	3.8	U	3.8	U	3.8	U	3.8	U	3.8	U	3.8	U	3.8	U
EPA 8260B	Acetone	67-64-1	ug/L	6300	63000	20	U	20	U	20	U	20	U	20	U	20	U	20	U	20	U	20	U	**290**		**32**	I	**37**	I
EPA 8260B	Acetonitrile	75-05-8	ug/L	42	420	20	U	20	U	20	U	20	U	20	U	20	U	20	U	20	U	20	U	20	U	20	U	20	U
EPA 8260B	Benzene	71-43-2	ug/L	1	100	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	**0.62**	I	**1.1**		**1.5**	
EPA 8260B	Bromobenzene	108-86-1	ug/L	No CTL	NE	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U
EPA 8260B	Bromochloromethane	74-97-5	ug/L	91	910	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U	0.29	U
EPA 8260B	Bromodichloromethane	75-27-4	ug/L	0.6	60	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U
EPA 8260B	Bromoform	75-25-2	ug/L	4.4	440	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U
EPA 8260B	Bromomethane	74-83-9	ug/L	9.8	98	0.53	U	0.53	U	0.53	U	0.53	U	0.53	U	0.53	U	0.53	U	0.53	U	0.53	U	0.53	U	0.53	U	0.53	U
EPA 8260B	Carbon Disulfide	75-15-0	ug/L	700	7000	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U
EPA 8260B	Carbon Tetrachloride	56-23-5	ug/L	3	300	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U
EPA 8260B	Chlorobenzene	108-90-7	ug/L	100	1000	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	**0.62**	I	**1.1**		**1.5**	
EPA 8260B	Chloroethane	75-00-3	ug/L	12	1200	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U
EPA 8260B	Chloroform	67-66-3	ug/L	70	700	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U

Table 20: Groundwater Analytical Results June 2014, September 2014, & June 2015

H.D. King: 311 North Indian River Drive, Ft. Pierce, FL

Sample Location						MW-5						MW-6						MW-7						MW-8					
Collect Date						6/20/2014		9/17/2014		6/2/2015		6/19/2014		9/17/2014		6/2/2015		6/18/2014		9/17/2014		6/2/2015		6/18/2014		9/17/2014		6/2/2015	
Method	Parameter	CAS No	Units	GCTLs	NADC	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier
EPA 8260B	Chloromethane	74-87-3	ug/L	2.7	270	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U
EPA 8260B	cis-1,2-Dichloroethene	156-59-2	ug/L	70	700	0.34	U	0.34	U	0.34	U	**3**		**3.5**		**2.4**		0.34	U	0.34	U	0.34	U	0.34	U	0.34	U	0.34	U
EPA 8260B	cis-1,3-Dichloropropene	10061-01-5	ug/L	No CTL	NE	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U
EPA 8260B	Dibromochloromethane	124-48-1	ug/L	0.4	40	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U	0.32	U
EPA 8260B	Dibromomethane	74-95-3	ug/L	70	700	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U
EPA 8260B	Dichlorodifluoromethane	75-71-8	ug/L	1400	14000	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
EPA 8260B	Ethyl methacrylate	97-63-2	ug/L	630	6300	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U
EPA 8260B	Ethylbenzene	100-41-4	ug/L	30	300	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	**0.46**	I	**1.2**		**1.5**	
EPA 8260B	Hexachlorobutadiene	87-68-3	ug/L	0.4	40	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U
EPA 8260B	Iodomethane	74-88-4	ug/L	No CTL	NE	1.7	U	1.7	U	1.7	U	1.7	U	1.7	U	1.7	U	1.7	U	1.7	U	1.7	U	1.7	U	1.7	U	1.7	U
EPA 8260B	Isobutanol	78-83-1	ug/L	2100	21000	26	U	26	U	26	U	26	U	26	U	26	U	26	U	26	U	26	U	26	U	26	U	26	U
EPA 8260B	Isopropylbenzene	98-82-8	ug/L	0.8	8	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U
EPA 8260B	Methyl methacrylate	80-62-6	ug/L	25	250	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U
EPA 8260B	Methyl tert-Butyl Ether	1634-04-4	ug/L	20	200	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U
EPA 8260B	Methylene Chloride	75-09-2	ug/L	5	500	3.6	U	3.6	U	3.6	U	3.6	U	3.6	U	3.6	U	3.6	U	3.6	U	3.6	U	3.6	U	3.6	U	3.6	U
EPA 8260B	n-Butylbenzene	104-51-8	ug/L	No CTL	NE	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	0.28	U	**1.6**		0.28	U
EPA 8260B	N-Propylbenzene	103-65-1	ug/L	No CTL	NE	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U
EPA 8260B	Naphthalene	91-20-3	ug/L	14	140	1	U	1	U	1	U	1	U	1	U	1	U	1	U	1	U	1	U	**32**		**74**		**62**	
EPA 8260B	Pentachloroethane	76-01-7	ug/L	No CTL	NE	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U
EPA 8260B	Propionitrile	107-12-0	ug/L	No CTL	NE	13	U	13	U	13	U	13	U	13	U	13	U	13	U	13	U	13	U	13	U	13	U	13	U
EPA 8260B	sec-Butylbenzene	135-98-8	ug/L	No CTL	2800	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U	0.31	U
EPA 8260B	Styrene	100-42-5	ug/L	100	1000	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U
EPA 8260B	tert-Butylbenzene	98-06-6	ug/L	No CTL	NE	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U	0.36	U
EPA 8260B	Tetrachloroethene	127-18-4	ug/L	3	300	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U
EPA 8260B	Toluene	108-88-3	ug/L	40	400	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	**1.5**		**1.9**	
EPA 8260B	trans-1,2-Dichloroethene	156-60-5	ug/L	100	1000	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U	0.23	U
EPA 8260B	trans-1,3-Dichloropropene	10061-02-6	ug/L	No CTL	NE	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U
EPA 8260B	trans-1,4-Dichloro-2-butene	110-57-6	ug/L	No CTL	NE	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U	1.2	U
EPA 8260B	Trichloroethene	79-01-6	ug/L	3	300	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U
EPA 8260B	Vinyl Acetate	108-05-4	ug/L	88	880	2.1	U	2.1	U	2.1	U	2.1	U	2.1	U	2.1	U	2.1	U	2.1	U	2.1	U	2.1	U	2.1	U	2.1	U
EPA 8260B	Vinyl Chloride	75-01-4	ug/L	1	100	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U	0.5	U
EPA 8260B	Xylenes, Total	1330-20-7	ug/L	20	200	0.83	U	0.83	U	0.9	U	0.83	U	0.83	U	0.9	U	0.83	U	0.83	U	0.9	U	**2.4**		**4.2**		**5.2**	
EPA 8270C Low Level PAH	1-Methylnaphthalene	90-12-0	ug/L	28	280	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	0.17	U	**3.2**		**2**		**4.3**	
EPA 8270C Low Level PAH	2-Methylnaphthalene	91-57-6	ug/L	28	280	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	**3.4**		**1.8**		**5.5**	
EPA 8270C Low Level PAH	Acenaphthene	83-32-9	ug/L	20	200	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	**11**		**5.9**		**6.7**	
EPA 8270C Low Level PAH	Acenaphthylene	208-96-8	ug/L	210	2100	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U
EPA 8270C Low Level PAH	Anthracene	120-12-7	ug/L	2100	21000	0.11	U	0.11	U	0.11	U	0.11	U	0.11	U	0.11	U	0.11	U	0.11	U	0.11	U	**1.1**		0.11	U	0.11	U
EPA 8270C Low Level PAH	Benz(a)Anthracene	56-55-3	ug/L	0.05	5	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U
EPA 8270C Low Level PAH	Benzo(a)pyrene	50-32-8	ug/L	0.2	20	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U
EPA 8270C Low Level PAH	Benzo(b)fluoranthene	205-99-2	ug/L	0.05	5	0.08	U	0.08	U	0.08	U	0.08	U	0.08	U	0.08	U	0.08	U	0.08	U	0.08	U	0.08	U	0.08	U	0.08	U

Table 20: Groundwater Analytical Results June 2014, September 2014, & June 2015

H.D. King: 311 North Indian River Drive, Ft. Pierce, FL

Sample Location						MW-5						MW-6						MW-7						MW-8					
Collect Date						6/20/2014		9/17/2014		6/2/2015		6/19/2014		9/17/2014		6/2/2015		6/18/2014		9/17/2014		6/2/2015		6/18/2014		9/17/2014		6/2/2015	
Method	Parameter	CAS No	Units	GCTLs	NADC	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier
EPA 8270C Low Level PAH	Benzo(g,h,i)perylene	191-24-2	ug/L	210	2100	0.05	U	0.05	U	0.05	U	0.05	U	0.05	U	0.05	U	0.05	U	0.05	U	0.05	U	0.05	U	0.05	U	0.05	U
EPA 8270C Low Level PAH	Benzo(k)fluoranthene	207-08-9	ug/L	0.5	50	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U	0.18	U
EPA 8270C Low Level PAH	Chrysene	218-01-9	ug/L	4.8	480	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U	0.1	U
EPA 8270C Low Level PAH	Dibenz(a,h)Anthracene	53-70-3	ug/L	0.005	0.5	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U	0.15	U
EPA 8270C Low Level PAH	Fluoranthene	206-44-0	ug/L	280	2800	0.11	U	0.11	U	0.11	U	0.11	U	0.11	U	0.11	U	0.11	U	0.11	U	0.11	U	**1.6**		**1.6**		**3.4**	
EPA 8270C Low Level PAH	Fluorene	86-73-7	ug/L	280	2800	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	**3.8**		**1.6**		**3.1**	
EPA 8270C Low Level PAH	Indeno(1,2,3-cd)pyrene	193-39-5	ug/L	0.05	5	0.06	U	0.06	U	0.06	U	0.06	U	0.06	U	0.06	U	0.06	U	0.06	U	0.06	U	0.06	U	0.06	U	0.06	U
EPA 8270C Low Level PAH	Naphthalene	91-20-3	ug/L	14	140	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	0.16	U	**19**		**12**		**31**	
EPA 8270C Low Level PAH	Phenanthrene	85-01-8	ug/L	210	2100	0.14	U	0.14	U	0.14	U	0.14	U	0.14	U	0.14	U	0.14	U	0.14	U	0.14	U	**1.9**		**0.87**		**1.6**	
EPA 8270C Low Level PAH	Pyrene	129-00-0	ug/L	210	2100	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	0.19	U	**0.76**		**1**		**2**	
FLPRO TRPH	FL-PRO	No CAS #	mg/L	5	50	**0.55**		**0.37**		**0.31**		**0.82**		**0.46**		**0.37**		**0.72**		**0.66**		**0.45**		**1.9**		**1.8**		**1.2**	
8270C	1,2,4-Trichlorobenzene	120-82-1	ug/l	70	700	1	U	1	U	1	U	1	U	1	U	1	U	1	U	1	U	1	U	1	U	1	U	1	U
8270C	1,2-Dichlorobenzene	95-50-1	ug/l	600	6000	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U
8270C	1,3-Dichlorobenzene	541-73-1	ug/l	210	2100	0.98	U	0.98	U	0.98	U	0.98	U	0.98	U	0.98	U	0.98	U	0.98	U	0.98	U	0.98	U	0.98	U	0.98	U
8270C	1,4-Dichlorobenzene	106-46-7	ug/l	75	7500	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U	1.1	U
8270C	2,4,5-Trichlorophenol	95-95-4	ug/l	1	10	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	UJ	0.7	U	0.7	U
8270C	2,4,6-Trichlorophenol	88-06-2	ug/l	3.2	320	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	U	0.81	UJ	0.81	U	0.81	U
8270C	2,4-Dichlorophenol	120-83-2	ug/l	0.3	3	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	UJ	0.58	U	0.58	U
8270C	2,4-Dimethylphenol	105-67-9	ug/l	140	1400	0.59	U	0.59	U	0.59	U	0.59	U	0.59	U	0.59	U	0.59	U	0.59	U	0.59	U	0.59	UJ	0.59	U	0.59	U
8270C	2,4-Dinitrophenol	51-28-5	ug/l	14	140	1	U	1	U	1	U	1	U	1	U	1	U	1	U	1	U	1	U	1	UJ	1	U	1	U
8270C	2,4-Dinitrotoluene	121-14-2	ug/l	0.05	5	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U
8270C	2,6-Dinitrotoluene	606-20-2	ug/l	0.05	5	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U
8270C	2-Chloronaphthalene	91-58-7	ug/l	560	5600	0.62	U	0.62	U	0.62	U	0.62	U	0.62	U	0.62	U	0.62	U	0.62	U	0.62	U	0.62	U	0.62	U	0.62	U
8270C	2-Chlorophenol	95-57-8	ug/l	35	350	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	UJ	0.51	U	0.51	U
8270C	2-Nitroaniline	88-74-4	ug/l	21	210	1.8	U	1.8	U	1.8	U	1.8	U	1.8	U	1.8	U	1.8	U	1.8	U	1.8	U	1.8	U	1.8	U	1.8	U
8270C	2-Nitrophenol	88-75-5	ug/l	No CTL	560	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	UJ	1.4	U	1.4	U
8270C	3,3-Dichlorobenzidine	91-94-1	ug/l	0.08	8	1.9	U	1.9	U	1.9	U	1.9	U	1.9	U	1.9	U	1.9	U	1.9	U	1.9	U	1.9	U	1.9	U	1.9	U
8270C	3-Nitroaniline	99-09-2	ug/l	1.7	170	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U	1.3	U
8270C	4,6-Dinitro-2-Methylphenol	534-52-1	ug/l	No CTL	NE	2.8	U	2.8	U	2.8	U	2.8	U	2.8	U	2.8	U	2.8	U	2.8	U	2.8	U	2.8	U	2.8	U	2.8	U
8270C	4-Bromophenyl-phenylether	101-55-3	ug/l	No CTL	700	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U
8270C	4-Chloro-3-methylphenol	59-50-7	ug/l	63	630	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U
8270C	4-Chloroaniline	106-47-8	ug/l	28	280	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U	0.45	U
8270C	4-Chlorophenyl Phenyl ether	7005-72-3	ug/l	No CTL	NE	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U
8270C	4-Nitroaniline	100-01-6	ug/l	1.7	170	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U	1.5	U
8270C	4-Nitrophenol	100-02-7	ug/l	56	560	0.88	U	0.88	U	0.88	U	0.88	U	0.88	U	0.88	U	0.88	U	0.88	U	0.88	U	0.88	U	0.88	U	0.88	U
8270C	Azobenzene/ 1,2-DPH	103-33-3	ug/l	0.3	30	0.56	U	0.56	U	0.56	U	0.56	U	0.56	U	0.56	U	0.56	U	0.56	U	0.56	U	0.56	U	0.56	U	0.56	U
8270C	Benzoic acid	65-85-0	ug/l	28000	280000	6.2	U	6.2	U	6.2	U	6.2	U	6.2	U	6.2	U	6.2	U	6.2	U	6.2	U	6.2	U	6.2	U	6.2	U
8270C	Benzyl alcohol	100-51-6	ug/l	2100	21000	0.61	U	0.61	U	0.61	U	0.61	U	0.61	U	0.61	U	0.61	U	0.61	U	0.61	U	0.61	U	0.61	U	0.61	U
8270C	Bis(2-Chloroethoxy) Methane	111-91-1	ug/l	No CTL	NE	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U	0.41	U

Table 20: Groundwater Analytical Results June 2014, September 2014, & June 2015

H.D. King: 311 North Indian River Drive, Ft. Pierce, FL

Sample Location						MW-5						MW-6						MW-7						MW-8					
Collect Date						6/20/2014		9/17/2014		6/2/2015		6/19/2014		9/17/2014		6/2/2015		6/18/2014		9/17/2014		6/2/2015		6/18/2014		9/17/2014		6/2/2015	
Method	Parameter	CAS No	Units	GCTLs	NADC	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier	Result	Qualifier
8270C	Bis(2-chloroethyl)ether	111-44-4	ug/l	0.03	3	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U	0.39	U
8270C	Bis(2-chloroisopropyl)ether	39638-32-9	ug/l	0.5	50	0.66	U	0.66	U	0.66	U	0.66	U	0.66	U	0.66	U	0.66	U	0.66	U	0.66	U	0.66	U	0.66	U	0.66	U
8270C	Bis(2-ethylhexyl)phthalate	117-81-7	ug/l	6	600	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U	2.5	U
8270C	Butyl Benzyl Phthalate	85-68-7	ug/l	140	1400	0.73	U	0.73	U	0.73	U	0.73	U	0.73	U	0.73	U	0.73	U	0.73	U	0.73	U	0.73	U	0.73	U	0.73	U
8270C	Di-n-butyl phthalate	84-74-2	ug/l	700	7000	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U	0.82	U
8270C	Di-n-octyl phthalate	117-84-0	ug/l	140	1400	3	U	3	U	3	U	3	U	3	U	3	U	3	U	3	U	3	U	3	U	3	U	3	U
8270C	Dibenzofuran	132-64-9	ug/l	28	280	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	0.3	U	**3.7**	I	0.3	U	**4.6**	I
8270C	Diethyl phthalate	84-66-2	ug/l	5600	56000	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U	0.51	U
8270C	Dimethyl phthalate	131-11-3	ug/l	70000	700000	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U	0.58	U
8270C	Hexachlorobenzene	118-74-1	ug/l	1	100	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U	0.64	U
8270C	Hexachlorobutadiene	87-68-3	ug/l	0.4	40	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U	0.27	U
8270C	Hexachlorocyclopentadiene	77-47-4	ug/l	50	500	0.63	U	0.63	U	0.63	U	0.63	U	0.63	U	0.63	U	0.63	U	0.63	U	0.63	U	0.63	U	0.63	U	0.63	U
8270C	Hexachloroethane	67-72-1	ug/l	2.5	250	0.69	U	0.69	U	0.69	U	0.69	U	0.69	U	0.69	U	0.69	U	0.69	U	0.69	U	0.69	U	0.69	U	0.69	U
8270C	Isophorone	78-59-1	ug/l	37	3700	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U	0.6	U
8270C	m-Cresol (3-methylphenol)	108-39-4	ug/l	35	350	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	UJ	1.4	U	1.4	U
8270C	n-Nitrosodimethylamine	621-64-7	ug/l	0.005	0.5	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U	0.7	U
8270C	n-Nitrosodi-n-propylamine	62-75-9	ug/l	0.0007	0.07	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U	0.22	U
8270C	n-Nitrosodiphenylamine	86-30-6	ug/l	7.1	710	0.78	U	0.78	U	0.78	U	0.78	U	0.78	U	0.78	U	0.78	U	0.78	U	0.78	U	0.78	U	0.78	U	0.78	U
8270C	Nitrobenzene	98-95-3	ug/l	3.5	35	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U	0.38	U
8270C	2-Methylphenol (o-cresol)	95-48-7	ug/l	35	350	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	U	0.52	UJ	0.52	U	0.52	U
8270C	4-Methylphenol (p-cresol)	106-44-5	ug/l	3.5	35	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	U	1.4	UJ	1.4	U	1.4	U
8270C	Pentachlorophenol	87-86-5	ug/l	1	100	2.3	U	2.3	U	2.3	U	2.3	U	2.3	U	2.3	U	2.3	U	2.3	U	2.3	U	2.3	UJ	2.3	U	2.3	U
8270C	Phenol	108-95-2	ug/l	10	100	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	U	0.37	UJ	0.37	U	0.37	U
EPA 6010B	Lead	7439-92-1	mg/L	0.015	0.15	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U
EPA 6010B	Arsenic	No Cas #	mg/L	0.01	0.1	**0.0075**	I	**0.0042**	I	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.004	U	0.0083		0.004	U
EPA 6010B	Vanadium	7440-62-2	mg/L	0.049	0.49	0.005	U	0.005	U	0.005	U	**0.0053**	I	**0.1**		**0.06**		**0.0051**	I	0.005	U	0.005	U	**0.082**		**0.028**		**0.041**	
8082	PCB 1016	1336-36-3	ug/l	0.5	50	0.13	U	0.13	U	NA		0.13	U	0.13	U	NA		0.13	U	0.13	U	NA		0.13	U	0.13	U	NA	
8082	PCB 1221	1336-36-3	ug/l	0.5	50	0.1	U	0.1	U	NA		0.1	U	0.1	U	NA		0.1	U	0.1	U	NA		0.1	U	0.1	U	NA	
8082	PCB 1232	1336-36-3	ug/l	0.5	50	0.054	U	0.054	U	NA		0.054	U	0.054	U	NA		0.054	U	0.054	U	NA		0.054	U	0.054	U	NA	
8082	PCB 1242	1336-36-3	ug/l	0.5	50	0.098	U	0.098	U	NA		0.098	U	0.098	U	NA		0.098	U	0.098	U	NA		0.098	U	0.098	U	NA	
8082	PCB 1248	1336-36-3	ug/l	0.5	50	0.12	U	0.12	U	NA		0.12	U	0.12	U	NA		0.12	U	0.12	U	NA		0.12	U	0.12	U	NA	
8082	PCB 1254	1336-36-3	ug/l	0.5	50	0.12	U	0.12	U	NA		0.12	U	0.12	U	NA		0.12	U	0.12	U	NA		0.12	U	0.12	U	NA	
8082	PCB 1260	1336-36-3	ug/l	0.5	50	0.1	U	0.1	U	NA		0.1	U	0.1	U	NA		0.1	U	0.1	U	NA		0.1	U	0.1	U	NA	

Notes:

NE = Not Established

I = The reported value is between the laboratory limit of detection (MDL) and the laboratory limit of quantitation (PQL).

J = Estimated value - may not be accurate.

U = Indicates that a specific compound was analyzed for but not detected. The reported value shall be the MDL.

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4415196 OR BOOK 4111 PAGE 1502, Recorded 03/22/2018 01:25:52 PM

This instrument prepared by:
Michael Sznapstajler, Esquire
Cobb Cole
149 S. Ridgewood Avenue, Suite 700
Daytona Beach, FL 32114

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (hereinafter "Declaration") is made this 22 day of March, 2018, by Fort Pierce Redevelopment Agency, a dependent special district of the City of Fort Pierce (hereinafter "GRANTOR") and the Florida Department of Environmental Protection (hereinafter "FDEP").

RECITALS

A. GRANTOR is the fee simple owner of that certain real property situated in the County of St. Lucie, State of Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof (hereinafter the "Groundwater Restricted Area");

B. The FDEP Facility Identification Number for the Groundwater Restricted Area is COM_82363 and BF561101001. The facility name at the time of this Declaration is Former H.D. King Power Plant Site – Parcel #1. This Declaration addresses contamination that was addressed by GRANTOR pursuant to the terms of a Brownfield Site Rehabilitation Agreement entered into between the GRANTOR and FDEP on November 29, 2012 (hereinafter the "BSRA");

C. The presence of vanadium and naphthalene in the Groundwater Restricted Area is documented in the following reports that are incorporated by reference:

1. *Interim Source Removal Report - 2014*, prepared by Cardno, dated October 31, 2014;

2. *Interim Source Removal Report - 2015*, prepared by Cardno, dated August 31, 2015; and

3. *Combined Document – Site Assessment Addendum and Source Removal Completion Report*, prepared by Cardno, dated November 20, 2016.

D. The reports noted in Recital C set forth the nature and extent of the contamination described in Recital C that is located in the Groundwater Restricted Area. These reports confirm that contaminated groundwater as defined by Chapter 62-780, Florida Administrative Code (F.A.C.), exists on the Groundwater Restricted Area. Also, these reports document that the groundwater contamination does not extend beyond the Groundwater Restricted Area boundary, that the extent of the groundwater contamination does not exceed 1/4 acres, and the groundwater contamination is not migrating.

E. It is the intent of the restrictions in this Declaration to reduce or eliminate the risk of exposure of users or occupants of the Groundwater Restricted Area and the environment to the contaminants and to reduce or eliminate the threat of migration of the contaminants.

F. FDEP has agreed to issue a Site Rehabilitation Completion Order with Conditions (hereinafter "Order") upon recordation of this Declaration. FDEP can unilaterally revoke the Order if the conditions of this Declaration or of the Order are not met. Additionally, if concentrations of naphthalene and vanadium increase above the levels approved in the Order, or if a subsequent discharge occurs at the Groundwater Restricted Area, FDEP may require site rehabilitation to reduce concentrations of contamination to the levels allowed by the applicable FDEP rules. The Order relating to FDEP Facility No. COM_82363 and BF561101001, can be obtained by contacting the appropriate FDEP district office or Tallahassee program area; and

G. GRANTOR deems it desirable and in the best interest of all present and future owners of the Groundwater Restricted Area that an Order be obtained and that the Groundwater Restricted Area be held subject to certain restrictions, all of which are more particularly hereinafter set forth.

NOW, THEREFORE, to induce FDEP to issue the Order and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the undersigned parties, GRANTOR agrees as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.

2. GRANTOR hereby imposes on the Groundwater Restricted Area the following restriction:

a. There shall be no use of groundwater under the Groundwater Restricted Area. There shall be no drilling for water conducted on the Groundwater Restricted Area, nor shall any wells be installed on the Groundwater Restricted Area, other than monitoring wells pre-approved in writing by FDEP's Division of Waste Management (DWM), in addition to any authorizations required by the Division of Water Resource Management and the Water Management Districts. Additionally, there shall be no stormwater swales, stormwater detention or retention facilities, or ditches on the Groundwater Restricted Area. For any dewatering activities, a plan approved by FDEP DWM must be in place to address and ensure the appropriate handling, treatment, and disposal of any extracted groundwater that may be contaminated.

3. In the remaining paragraphs, all references to "GRANTOR" and "FDEP" shall also mean and refer to their respective successors and assigns.

4. For the purpose of monitoring the restrictions contained herein, FDEP is hereby granted a right of entry upon, over and through and access to the Groundwater Restricted Area at reasonable times and with reasonable notice to GRANTOR. Access to the Groundwater Restricted Area is granted by North Indian River Drive.

5. It is the intention of GRANTOR that this Declaration shall touch and concern the Groundwater Restricted Area, run with the land and with the title to the Groundwater Restricted Area, and shall apply to and be binding upon and inure to the benefit of GRANTOR and FDEP, and to any and all parties hereafter having any right, title or interest in the Groundwater Restricted Area or any part thereof. FDEP may enforce the terms and conditions of this Declaration by injunctive relief and other appropriate available legal remedies. Any forbearance on behalf of FDEP to exercise its right in the event of the failure of GRANTOR to comply with the provisions of this Declaration shall not be deemed or construed to be a waiver of FDEP's rights hereunder. This Declaration shall continue in perpetuity, unless otherwise modified in writing by GRANTOR and FDEP as provided in paragraph 7 hereof. These restrictions may also be enforced in a court of competent jurisdiction by any other person, firm, corporation, or governmental agency that is substantially benefited by these restrictions. If GRANTOR does not or will not be able to comply with any or all of the provisions of this Declaration, GRANTOR shall notify FDEP in writing within three (3) calendar days. Additionally, GRANTOR shall notify FDEP thirty (30) days prior to any conveyance or sale, granting or transferring the Groundwater Restricted Area or portion thereof, to any heirs, successors, assigns or grantees, including, without limitation, the conveyance of any security interest in said Groundwater Restricted Area.

6. In order to ensure the perpetual nature of this Declaration, GRANTOR shall record this Declaration, and reference these restrictions in any subsequent lease or deed of conveyance, including the recording book and page of record of this Declaration. Furthermore, prior to the entry into a landlord-tenant relationship with respect to the Groundwater Restricted Area, GRANTOR agrees to notify in writing all proposed tenants of the Groundwater Restricted Area of the existence and contents of this Declaration of Restrictive Covenant.

7. This Declaration is binding until a release of covenant is executed by FDEP Secretary (or designee) and is recorded in the public records of the county in which the land is located. To receive prior approval from the FDEP to remove any requirement herein, cleanup target levels established pursuant to Florida Statutes and FDEP rules must be achieved. This Declaration may be modified in writing only. Any subsequent amendments must be executed by both GRANTOR and FDEP and be recorded by GRANTOR as an amendment hereto.

8. If any provision of this Declaration is held to be invalid by any court of competent jurisdiction, the invalidity of that provision shall not affect the validity of any other provisions of the Declaration. All such other provisions shall continue unimpaired in full force and effect.

9. GRANTOR covenants and represents that on the date of execution of this Declaration that GRANTOR is seized of the Groundwater Restricted Area in fee simple and has good right to create, establish, and impose this restrictive covenant on the use of the Groundwater Restricted Area. GRANTOR also covenants and warrants that the Groundwater Restricted Area is free and clear of any and all liens, mortgages, or encumbrances that could impair GRANTOR'S rights to impose the restrictive covenant described in this Declaration.

[Remainder of Page Intentionally Blank - Signature Pages Begin on Next Page]

IN WITNESS WHEREOF, Fort Pierce Redevelopment Agency, has executed this instrument, this 21st day of February, 2018.

GRANTOR
Fort Pierce Redevelopment Agency, a dependent special district of the City of Fort Pierce
100 North US 1
Fort Pierce, FL 34954

By: Linda Hudson
Name: Linda Hudson
Chairwoman of the Fort Pierce Redevelopment Agency

Signed, sealed and delivered in the presence of:

Witness: _____ Date: 2/21/18
Print Name: _____

Witness: _____ Date: 2/21/18
Print Name: _____

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this 21 day of February, 2018, by Linda Hudson as Chairwoman of the Fort Pierce Redevelopment Agency, a dependent special district of the City of Fort Pierce.

Personally Known ✓ OR Produced Identification _____.
Type of Identification Produced _____.

_____
Signature of Notary Public

APPROVED AS TO FORM AND CORRECTNESS
BY: _____ City Attorney

_____
Print Name of Notary Public

Linda W Cox
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG121327
Expires 9/9/2021

Commission No. _____

Commission Expires: _____

[Remainder of Page Intentionally Blank]

Approved as to form by the Florida Department of Environmental Protection, Office of General Counsel. 3-21-18.

IN WITNESS WHEREOF, the Florida Department of Environmental Protection has executed this instrument, this 22 day of MARCH, 2018.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: Jennifer K Smith
Name: Jennifer K. Smith
Title: District Director
FDEP Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406

Signed, sealed and delivered in the presence of:
Witness: _____ Date: _____
Print Name: _____

Witness: _____ Date: 3/22/2018
Print Name: _____

STATE OF Florida)
COUNTY OF Palm Beach)

The foregoing instrument was acknowledged before me this 22nd day of March 2018, by Jennifer K. Smith as representative for the Florida Department of Environmental Protection.

Personally Known ✓ OR Produced Identification _____.
Type of Identification Produced _____.

Signature of Notary Public
Rose Blackwood
Print Name of Notary Public

Commission No. GG105296
Commission Expires: 6/10/2021

APPROVED AS TO FORM AND CORRECTNESS
BY: _____
City Attorney

Notary Public State of Florida
Rose Blackwood
My Commission GG 105296
Expires 06/10/2021

(045227-001 : KSKIN/KPKIN : 02109308.DOCX; 10)

EXHIBIT A
Legal Description and Sketch of the Groundwater Restricted Area

Exhibit A

LEGAL DESCRIPTION

BEING A PARCEL OF LAND LYING IN SECTION 10, TOWNSHIP 35 SOUTH, RANGE 40 EAST, CITY OF FT. PIERCE, SAINT LUCIE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 8, BLOCK F, ARRON LEE'S MAP OF FORT PIERCE; PROCEED NORTH 18°25'13" WEST, ALONG THE EAST RIGHT-OF-WAY OF NORTH 2ND STREET (FORMERLY KNOWN AS PINE STREET AS SHOWN ON ARRON LEE'S MAP OF FORT PIERCE) (A 60 FOOT WIDE RIGHT-OF-WAY) AND THE WEST LINE OF BLOCK F, A DISTANCE OF 323.41 FEET TO AN ANGLE POINT IN THE EAST RIGHT-OF--WAY LINE OF THE REALIGNED PORTION OF NORTH 2ND AVENUE; THENCE NORTH 31°58'11" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE OF NORTH 2ND AVENUE (A 50 FOOT WIDE RIGHT-OF-WAY) A DISTANCE OF 371.24 FEET TO A POINT ON THE CENTERLINE OF A 2.6 FOOT CONCRETE BULKHEAD ON THE SOUTH TOP OF BANK OF MOORES CREEK (THE FOLLOWING 2 COURSES ARE ALONG THE CENTERLINE OF SAID CONCRETE BULKHEAD AND THE SOUTH TOP OF BANK OF MOORES CREEK) THENCE NORTH 57°01'20" EAST, DEPARTING SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 44.68 FEET; THENCE NORTH 65°32'35" EAST, A DISTANCE OF 93.33 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL;

THENCE SOUTH 68°48'59" EAST, A DISTANCE OF 503.79 FEET; THENCE NORTH 18°24'56" WEST, A DISTANCE OF 190.54 FEET; THENCE SOUTH 64°10'00" WEST, A DISTANCE OF 55.46 FEET; THENCE NORTH 18°24'56" WEST, A DISTANCE OF 166.39 FEET TO A POINT ON THE CENTERLINE OF A 2.6 FOOT CONCRETE BULKHEAD ON THE SOUTH TOP OF BANK OF MOORES CREEK (THE FOLLOWING 3 COURSES ARE ALONG THE CENTERLINE OF SAID CONCRETE BULKHEAD AND THE SOUTH TOP OF BANK OF MOORES CREEK); THENCE SOUTH 64°10'00" WEST, A DISTANCE OF 178.13 FEET; THENCE SOUTH 74°23'11" WEST, A DISTANCE OF 71.16 FEET; THENCE SOUTH 65°29'21" WEST, A DISTANCE OF 85.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.352 ACRES, MORE OR LESS.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK,VIEWING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.

THOMAS P. KIERNAN DATE
Professional Surveyor & Mapper
Florida Certificate No. 5199

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981
151 SW FLAGLER AVENUE • STUART, FLORIDA 34994
PHONE 772-464-3537 • FAX 772-464-9497 • www.ct-eng.com
STATE OF FLORIDA CERTIFICATION No. LB 4316

GROUNDWATER RESTRICTED AREA
DESCRIPTION

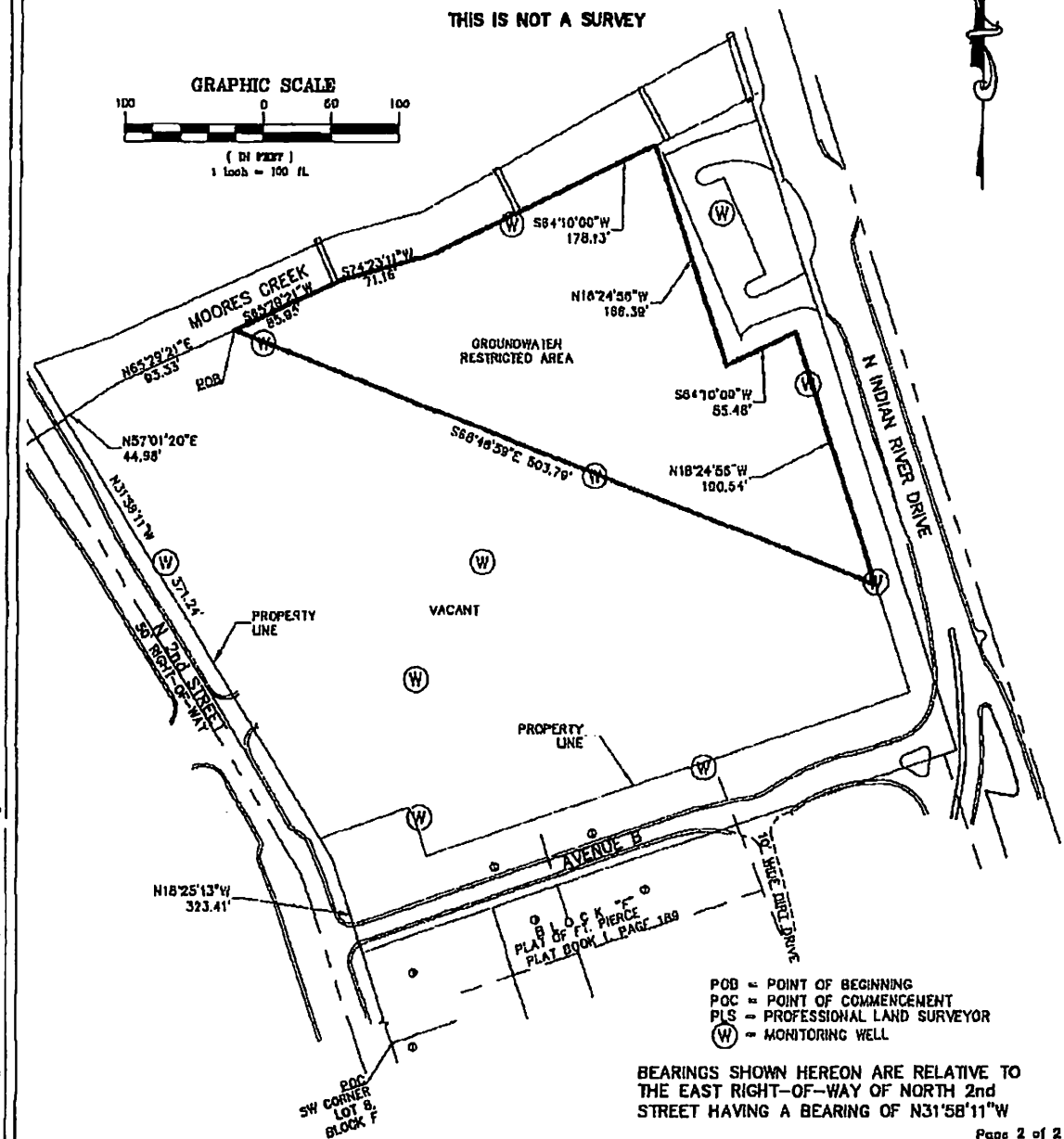
JOB NO: 13-071 e&d.dwg	SCALE: N/A
DRAWN BY: CLW	DATE: 3-17-2017

P:\Proj-2013\13-071 HD King Power Plant\Survey\13-071 e&d.dwg, 3/21/2017 3:45:20 PM

Exhibit A

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

THIS IS NOT A SURVEY



POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PLS = PROFESSIONAL LAND SURVEYOR
(W) = MONITORING WELL

BEARINGS SHOWN HEREON ARE RELATIVE TO THE EAST RIGHT-OF-WAY OF NORTH 2nd STREET HAVING A BEARING OF N31°58'11"W

Page 2 of 2

CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981
151 SW FLAGLER AVENUE • STUART, FLORIDA 34994
PHONE 772-464-3537 • FAX 772-464-9497 • www.cc-eng.com
STATE OF FLORIDA CERTIFICATION No. LB 426

GROUNDWATER RESTRICTED AREA	
SKETCH OF DESCRIPTION	
JOB NO: 13-071 s&d.dwg	SCALE: 1"=100'
DRAWN BY: GLM	DATE: 3-17-2017

P:\Proj-2013\13-071 HD King Power Plant\Survey\13-071 s&d.dwg, 3/21/2017 3:45:57 PM

WTL+a

VIA E-MAIL: kdelaney@tcrpc.org

TO: Kim Delaney, Ph.D.
Director, Strategic Development & Policy
Treasure Coast Regional Planning Council

FROM: WTL+a

DATE: August 9, 2019

RE: Summary Comments—Audubon Development Pro Forma Review
H.D. King Site

WTL+a has conducted a review of the draft pro forma prepared by Audubon Development for its proposed redevelopment of the H.D. King site in downtown Fort Pierce. This review has been prepared as part of our scope of services for Treasure Coast Regional Planning Council (TCRPC) on behalf of the Fort Pierce Redevelopment Authority (FPRA).

Based on this review, it is our recommendation that the pro forma be restructured to allow a more accurate analysis of project performance as well as possible financial ramifications to the City. For example, it is industry-standard in any real estate cash flow analysis to prepare a forecast for a 10-year period with "reversion" (or sale) of the asset in year 10 in order to calculate investment rate-of-return (IRR). The Audubon pro forma forecast was for five (5) years only, with sale of the asset identified in year five of the analysis. We urge the City to understand why Audubon would seek such an exit strategy, with disposition of the asset in year five.

Development Program

- As we understand, Audubon Development will not develop the 120-room hotel, but intends to sell a 1.34-acre site to a third-party developer to construct a 107,159 sq. ft. property. The pro forma carries gross revenues of $1.5 million for disposition of this site to a third-party developer. However, the only revenue stream illustrated in the pro forma for the hotel is an annual reimbursement for common area maintenance

(CAM). As a result, WTL+a is unable to evaluate any financial aspect of the project's hotel component;

- As it is not known whether Audubon Development is in negotiations with a third-party developer for the hotel, the validity of the potential revenues generated by sale of the pad site cannot be determined; and
- **WTL+a previously requested information to verify/document potential deal terms associated with this transaction, such as a Letter of Intent (LOI) and/or a draft operating pro forma.** To date, nothing has been provided.

Sources & Uses of Funds

- Many of the inputs in Sources & Uses of Funds have been entered manually and not linked to specific inputs/assumptions. As a result, there is no way to verify how these inputs, such as hard and soft costs, were calculated or to be able to link these inputs to actual values/estimates;
- The pro forma identifies a contingency of $2,978,751. Based on hard and soft costs of $60,826,093, this would reflect a contingency of 4.9%. However, the pro forma notes the contingency is 8%. If the 8% factor is applied to the $60.8 million in hard and soft costs, this would be $4,866,000, not $2.97 million;
- In our experience, it is customary to estimate a 10% contingency. This is particularly critical today in light of rapidly-increasing construction costs for materials, significant uncertainties created by the administration's tariff policies, and increasing costs of construction labor due to labor shortages; and
- On the Sources & Uses of Funds tab, financing costs of $5,917,899 are illustrated and reflect the sum of mortgage broker fees and loan interest reserves. However, in the "Dev Budget Info" tab, total financing costs are actually $7,927,752. This reflects a difference of $2,009,752, which comprises the lender origination fee, the lender exit fee and other costs (survey, appraisal, title, recording fees, stamps, etc.). **We cannot determine how these additional costs are accounted for in the pro forma. These additional financing costs are likely to impact project results.**

Pro Forma

- WTL+a notes that there is no lease-up period illustrated in the pro forma, which results in the full rental revenues being reflected in year one. In mixed-use projects, full rental revenues generated by a project's multi-family units, office space and retail tenancies are typically not achieved until a "stabilized year" (typically defined as year three). It is unknown whether or not Audubon is accounting for "pent-up demand" as identified in the market study as well as the project's small size to justify full lease-up in year one. Nonetheless, we suggest using a lease-up period over a two- to three-year period to reflect the project's "untested" market location, particularly if the project's other (commercial) uses are not pre-leased;
- The pro forma assumes a standard vacancy allowance of 10% over the five-year cash flow. Typically, the industry-standard is 5%, so this would be considered a conservative metric; and
- **WTL+a notes that the pro forma assumes an annual TIF of $333,333 over the first three years of the cash flow.** As we understand, the development agreement calls for an annual TIF amount not to exceed $200,000 per year to a maximum of $1.0 million. By reducing the annual TIF payment to $200,000 per year and extending it over an additional two years, it reduces the project's stabilized year value (year three) by $2.2 million—from $48,651,100 to $46,449,000.

Profit Analysis

- We note that the pro forma assumes sell-out sales costs for the project's condominium component of 4%. At 4%, these costs are extremely underestimated. While a 4% sell-out cost may cover a blended broker commission rate, there are additional costs associated with marketing, property taxes, HOA, insurance, utilities, management fees, legal fees, and a warranty reserve. A 5% to 6% sell-out sales cost would be customary. This same issue is also applicable to the project's proposed single-family detached units;
- The pro forma also does not consider an annual absorption/sell-off of the condominium units. Similar to the multi-family rental units, the small number of

condominium units (60) may yield a more rapid sell-off. However, in an untested location such as the H.D. King site, we would recommend a longer absorption (sell-off) period to more conservatively reflect local market characteristics;

- The Profit Analysis also estimates the asset's proceeds upon sale. Interestingly, it uses the net operating income (NOI) in year 3 instead of the NOI in the last year of the pro forma (in this case, year five). As we discovered throughout the pro forma, this calculation was entered as a hard number ($3,600,000), instead of being linked to the actual NOI in year three;
- Moreover, by reducing the annual TIF payment—from $333,333 (in years 1—3) to $200,000 per year (in years 1—5) as identified in the draft development agreement, it reduces the project's reversion/sale value by approximately $1.7 million, but only $1.2 million in year five;
- The Profit Analysis also illustrates a return on the developer's initial equity investment (30%, or $19.1 million) of 10%. It is unclear whether this 10% Return-of-Equity factor is realized only upon reversion/sale of the asset in year five. Typically, there would be a guaranteed annual return payment but it is not clear from the pro forma; and
- Other performance metrics (e.g., capitalization/cap rates, commercial retail and office rents, multi-family rents and condominium unit pricing, etc.) are assumed to be indicative of local market conditions.

Given the concerns noted above, WTL+a is unable to provide a recommendation to the FPRA to proceed with negotiations until these outstanding issues are resolved and/or relevant data is provided.

EXHIBIT "E"

This Instrument Prepared By:
W. LEE DOBBINS, ESQ.
Dean, Mead, Minton & Zwemer
1903 South 25th Street, Suite 200
Fort Pierce, Florida 34947
(772) 464-7700

For Official Use Only
Tax Parcel Identification No.:_____

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of the ____ day of _____, 20___, by the FORT PIERCE REDEVELOPMENT AGENCY, a community redevelopment agency established pursuant to Florida Statutes Chapter 163 ("**Grantor**"), to AUDUBON DEVELOPMENT, INC., a Florida corporation, whose address is P.O. Box 981, Palm Beach, FL 33480 ("**Grantee**").

(Whenever used herein, the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, personal representatives and assigns of individuals and the successors and assigns of corporations, limited liability companies, partnerships, governmental and quasi-governmental entities.)

W I T N E S S E T H:

THAT GRANTOR, for and in consideration of the sum of Ten Dollars ($10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, all that certain parcel of real property (the "**Land**") situate in St. Lucie County, Florida and more particularly described in **Exhibit "A"**, attached hereto and made a part hereof.

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

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

AND GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Land in fee simple; that Grantor has good right and lawful authority to sell and convey Grantor's interest in and to the Land and hereby warrants the title to the Land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise. This conveyance is subject to taxes accruing subsequent to December 31, 20___, and to easements, restrictions, agreements, conditions, limitations, reservations and other matters of record, if any, but this reference to the foregoing shall not operate to reimpose the same.

PROVIDED THAT in the event that Grantee defaults on its obligations set forth in that certain Agreement for Development of King's Landing, by and between The City of Fort Pierce, the Fort Pierce Redevelopment Agency and Grantee, dated _____, 2019, and recorded in Official Records Book _____, Page _____, of the Public Records of St. Lucie County, Florida, then Grantor shall have the right to re-enter and retake possession of the Land, and fee simple title to such land shall revert to the Grantor.

IN WITNESS WHEREOF, the party referred to above as Grantor has caused this instrument to be executed and delivered in its name and has intended the same to be and become effective as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

FORT PIERCE REDEVELOPMENT AGENCY, a community redevelopment agency established pursuant to Florida Statutes Chapter 163

_____
Print Name: _____

By: _____
Print Name: _____
Title: _____

_____
Print Name: _____

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this _____day of _____, 20____, by _____ as _____ of FORT PIERCE REDEVELOPMENT AGENCY, a community redevelopment agency established pursuant to Florida Statutes Chapter 163. Said person did not take an oath and (check one) ☐ is personally known to me, ☐ produced a driver's license issued by a state of the United States within the last five (5) years as identification, to wit:

_____
Notary Public, State of Florida
Print Name: _____
Commission #: _____
My Commission Expires: _____

EXHIBIT "F"
PHASING PLAN



LEGEND

PHASE 1
PHASE 2
PHASE 3
PHASE 4
PHASE 5
PHASE 6
PHASE 7
PHASE 8

EXHIBIT "G"
Performance Bond Form

BOND NUMBER _____

AIA DOCUMENT A312-2010

Performance Bond

CONTRACTOR:
(Name, legal status and address)

SURETY:

OWNER:
(Name, legal status and address)

CONSTRUCTION CONTRACT
Date:

Amount:

Description: *(Name and Location)*

BOND
Date:

Amount:

Modifications to this Bond: ☐ None ☐ See Section 16

CONTRACTOR AS PRINCIPAL
Company: *(Corporate Seal)*

X:_____
Name and Title:

SURETY
Company: *(Corporate Seal)*

X: _____
Name and Title:

(Any additional signatures appear on the last page of this Performance Bond.)

(FOR INFORMATION ONLY—Name, Address and telephone
AGENT or BROKER:

OWNER'S REPRESENTATIVE:
(Architect, Engineer or Other Party)

SAMPLE

§ 1 The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Owner for the performance of the Construction Contract, which is incorporated herein by reference.

§ 2 If the Contractor performs the Construction Contract, the Surety and the Contractor shall have no obligation under this Bond, except when applicable to participate in a conference as provided in Section 3.

§ 3 If there is no Owner Default under the Construction Contract, the Surety's obligation under this Bond shall arise after

.1 the Owner first provides notice to the Contractor and the Surety that the Owner is considering declaring a Contractor Default. Such notice shall indicate whether the Owner is requesting a conference among the Owner, Contractor and Surety to discuss the Contractor's performance. If the Owner does not request a conference, the Surety may, within five (5) business days after receipt of the Owner's notice, request such a conference. If the Surety timely requests a conference, the Owner shall attend. Unless the Owner agrees otherwise, any conference requested under this Section 3.1 shall be held within ten (10) business days of the Surety's receipt of the Owner's notice. If the Owner, the Contractor and the Surety agree, the Contractor shall be allowed a reasonable time to perform the Construction Contract, but such an agreement shall not waive the Owner's right, if any, subsequently to declare a Contractor Default;

.2 the Owner declares a Contractor Default, terminates the Construction Contract and notifies the Surety; and

.3 the Owner has agreed to pay the Balance of the Contract Price in accordance with the terms of the Construction Contract to the Surety or to a contractor selected to perform the Construction Contract:

§ 4 Failure on the part of the Owner to comply with the notice requirement in Section 3.1 shall not constitute a failure to comply with a condition precedent to the Surety's obligations, or release the Surety from its obligations, except to the extent the Surety demonstrates actual prejudice.

§ 5 When the Owner has satisfied the conditions of Section 3, the Surety shall promptly and at the Surety's expense take one of the following actions:

§ 5.1 Arrange for the Contractor, with the consent of the Owner, to perform and complete the Construction Contract;

§ 5.2 Undertake to perform and complete the Construction Contract itself, through its agents or independent contractors;

§ 5.3 Obtain bids or negotiated proposals from qualified contractors acceptable to the Owner for a contract for performance and completion of the Construction Contract, arrange for a contract to be prepared for execution by the Owner and a contractor selected with the Owner's concurrence, to be secured with performance and payment bonds executed by a qualified surety equivalent to the bonds issued on the Construction Contract, and pay to the Owner the amount of damages as described in Section 7 in excess of the Balance of the Contract Price incurred by the Owner as a result of the Contractor Default; or

§ 5.4 Waive its right to perform and complete, arrange for completion, or obtain a new contractor and with reasonable promptness under the circumstances:

.1 After investigation, determine the amount for which it may be liable to the Owner and, as soon as practicable after the amount is determined, make payment to the Owner; or

.2 Deny liability in whole or in part and notify the Owner, citing the reasons for denial.

§ 6 If the Surety does not proceed as provided in Section 5 with reasonable promptness, the Surety shall be deemed to be in default on this Bond seven days after receipt of an additional written notice from the Owner to the Surety demanding that the Surety perform its obligations under this Bond, and the Owner shall be entitled to enforce any remedy available to the Owner. If the Surety proceeds as provided in Section 5.4, and the Owner refuses the payment or the Surety has denied liability, in whole or in part, without further notice the Owner shall be entitled to enforce any remedy available to the Owner.

SAMPLE

§ 7 If the Surety elects to act under Section 5.1, 5.2 or 5.3, then the responsibilities of the Surety to the Owner shall not be greater than those of the Contractor under the Construction Contract, and the responsibilities of the Owner to the Surety shall not be greater than those of the Owner under the Construction Contract. Subject to the commitment by the Owner to pay the Balance of the Contract Price, the Surety is obligated, without duplication, for

.1 the responsibilities of the Contractor for correction of defective work and completion of the Construction Contract;

.2 additional legal, design professional and delay costs resulting from the Contractor's Default, and resulting from the actions or failure to act of the Surety under Section 5; and

.3 liquidated damages, or if no liquidated damages are specified in the Construction Contract, actual damages caused by delayed performance or non-performance of the Contractor.

§ 8 If the Surety elects to act under Section 5.1, 5.3 or 5.4, the Surety's liability is limited to the amount of this Bond.

§ 9 The Surety shall not be liable to the Owner or others for obligations of the Contractor that are unrelated to the Construction Contract, and the Balance of the Contract Price shall not be reduced or set off on account of any such unrelated obligations. No right of action shall accrue on this Bond to any person or entity other than the Owner or its heirs, executors, administrators, successors and assigns.

§ 10 The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders and other obligations.

§ 11 Any proceeding, legal or equitable, under this Bond may be instituted in any court of competent jurisdiction in the location in which the work or part of the work is located and shall be instituted within two years after a declaration of Contractor Default or within two years after the Contractor ceased working or within two years after the Surety refuses or fails to perform its obligations under this Bond, whichever occurs first. If the provisions of this Paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.

§ 12 Notice to the Surety, the Owner or the Contractor shall be mailed or delivered to the address shown on the page on which their signature appears.

§ 13 When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted here from and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

§ 14 Definitions

§ 14.1 Balance of the Contract Price. The total amount payable by the Owner to the Contractor under the Construction Contract after all proper adjustments have been made, including allowance to the Contractor of any amounts received or to be received by the Owner in settlement of insurance or other claims for damages to which the Contractor is entitled, reduced by all valid and proper payments made to or on behalf of the Contractor under the Construction Contract.

§ 14.2 Construction Contract. The agreement between the Owner and Contractor identified on the cover page, including all Contract Documents and changes made to the agreement and the Contract Documents.

§ 14.3 Contractor Default. Failure of the Contractor, which has not been remedied or waived, to perform or otherwise to comply with a material term of the Construction Contract.

§ 14.4 Owner Default. Failure of the Owner, which has not been remedied or waived, to pay the Contractor as required under the Construction Contract or to perform and complete or comply with the other material terms of the Construction Contract.

§ 14.5 Contract Documents. All the documents that comprise the agreement between the Owner and Contractor.

§ 15 If this Bond is issued for an agreement between a Contractor and subcontractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

SAMPLE

§ 16 Modifications to this bond are as follows:

SAMPLE

(Space is provided for additional signatures of added parties, other than those appearing on the cover page.)

CONTRACTOR AS PRINCIPAL		**SURETY**	
Company:	*(Corporate Seal)*	Company:	*(Corporate Seal)*
X:_____		X:_____	
Name and Title:		Name and Title:	

PROPOSED AGREEMENT WITH AUDUBON DEVELOPMENT FOR

KING'S LANDING

Special FPRA Board Meeting
November 12, 2019



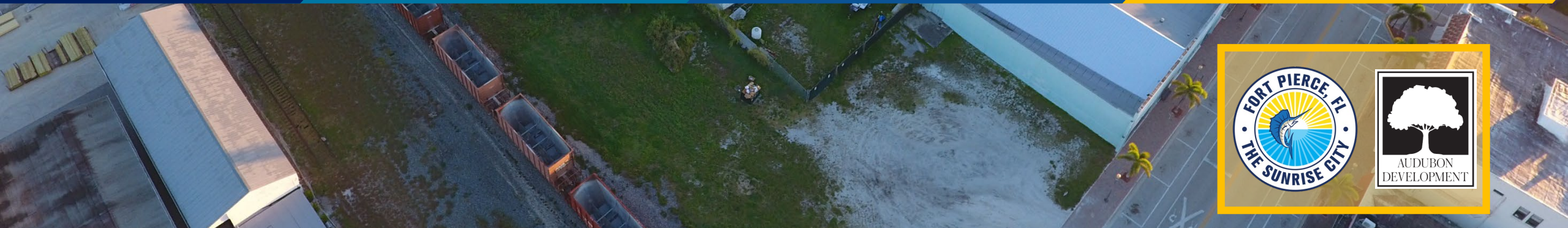
NEGOTIATION PROCESS

June 13, 2019
FPRA Board Evaluation & Selection of Developer

July 16, 2019
First Negotiation Meeting

September 9, 2019
Approval to Extend Negotiation Period

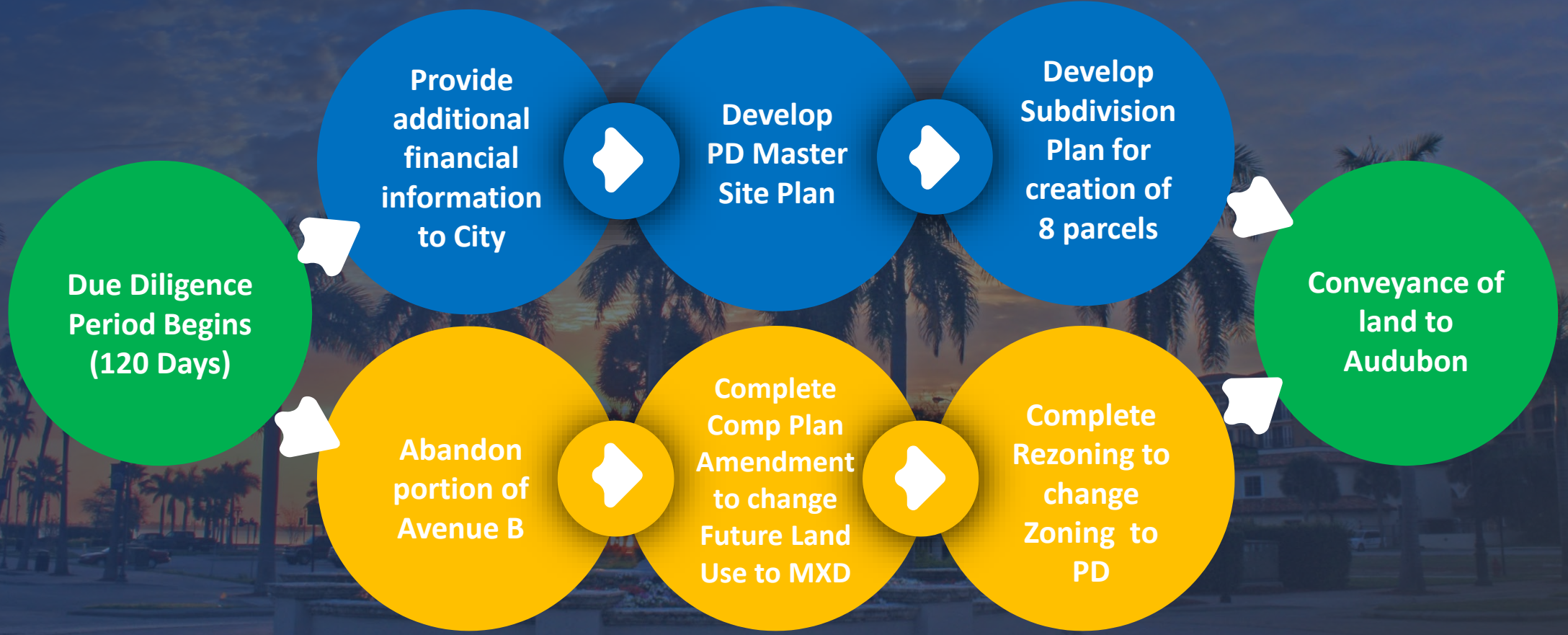
November 12, 2019
Presentation of Development Agreement



FORT PIERCE, FL · THE SUNRISE CITY ·

AUDUBON DEVELOPMENT

LAND DEVELOPMENT APPROVAL PROCESS





CLOSING AND CONVEYANCE OF PROPERTY

- Land becomes taxable
- Infrastructure improvements increase value & marketability of land
- Impetus to increase the likelihood of development as FPRA desires

FORT PIERCE, FL · THE SUNRISE CITY ·

AUDUBON DEVELOPMENT

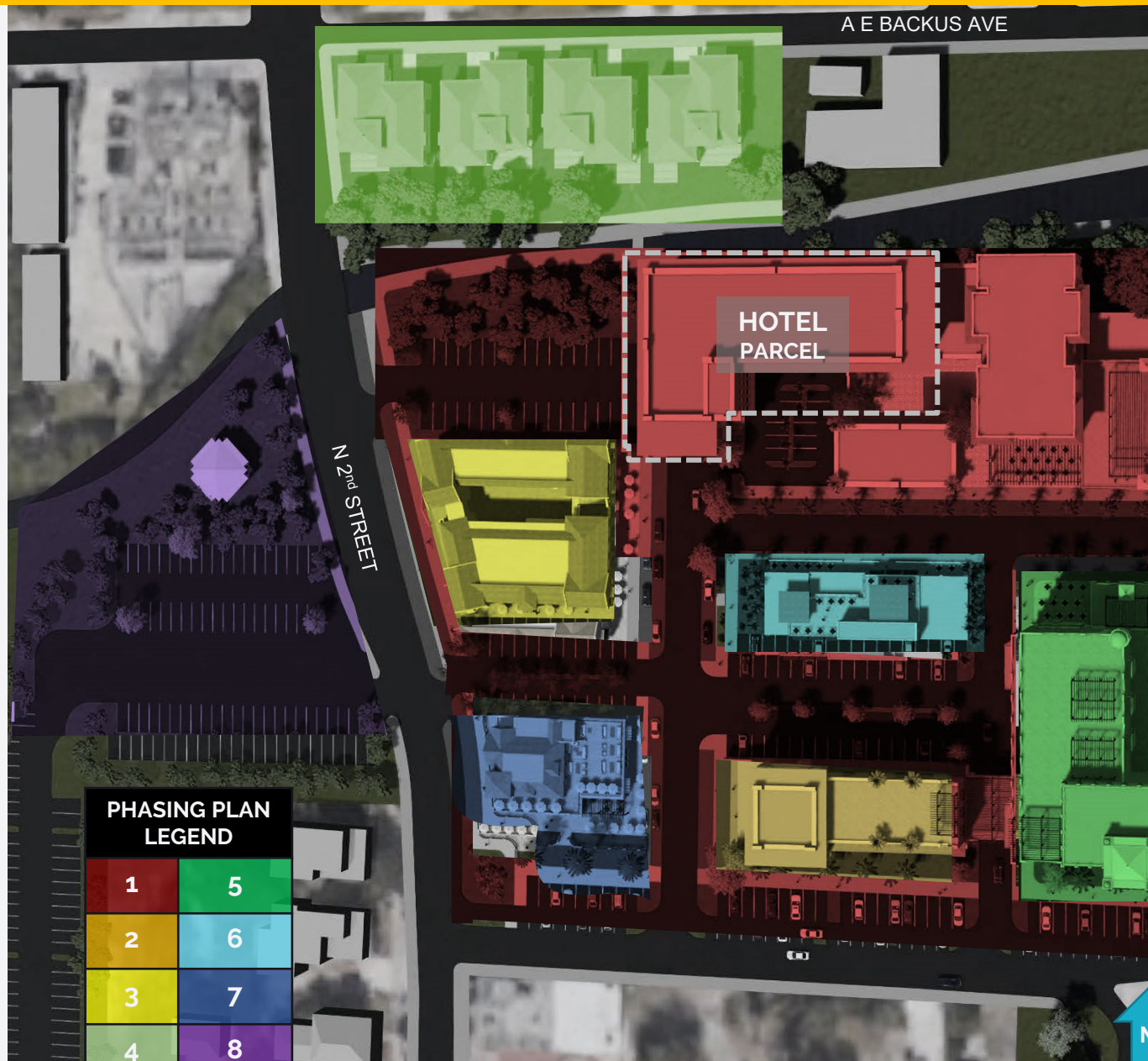
DEFAULT PROVISIONS – HOTEL PARCEL

- **POSSIBILITY OF REVERTER -**
  When property is conveyed to Audubon, deed will contain reverter language giving the City the right to retake property if Audubon defaults on its obligations.
- **RELEASE OF REVERTER FROM HOTEL** –
  Hotel to be developed by third-party purchaser (as separate lot) . Once sold to hotel developer, City will release reverter.
- **HOTEL PARCEL ESCROW** –
  Audubon to deliver $1M to the City (to be held in escrow). Audubon to pay for construction of infrastructure; receive reimbursements from escrow $ with City approval. Infrastructure will increase value and marketability of property.
- **CONSTRUCTION LOAN -**
  To be reviewed for conformance with site plan & approved by City.



DEFAULT PROVISIONS - BALANCE OF SITE

- **POSSIBILITY OF REVERTER -**
  When property is conveyed to Audubon, the deed will contain reverter language giving City right to retake property if Audubon defaults on its obligations.
- **RELEASE OF REVERTER FROM FUTURE PHASES –**
  Upon closing of construction loan, City will review loan documents for infrastructure improvements & confirm issuance of performance bonds
- **PERFORMANCE BOND –**
  Audubon to provide performance bonds for each subsequent phase as permits are submitted with valuation indicated; through completion of Phase 8.



TAX INCREMENT REVENUE SHARING

- Begins in first year following completion of Phase 1 construction (hotel, mixed use residential, retail, office) and infrastructure

- FPRA rebates up to half the TIF, not to exceed $200,000 per year for a cumulative **maximum total of $1,000,000 or five years** following completion of Phase 1 construction



PUBLIC REALM
IMPROVEMENTS + AMENITIES

- PUBLIC STREET NETWORK
- DRAINAGE (ON-SITE AND OFF-SITE)
- MOORE'S CREEK PROMENADE & PEDESTRIAN BRIDGE
- STREET TREES



STAFF RECOMMENDATION:

APPROVAL OF KING'S LANDING DEVELOPMENT AGREEMENT BY FPRA BOARD







City Commission Regular Meeting **11. d.**

Meeting Date: 12/02/2019

Re: Development Agreement for Sidewalk Installation - 6505 Metal Drive

SUBJECT:

Approve Development Agreement for with Premier Hospitality, Inc. for the sidewalk installation at 6505 Metal Drive in the amount of $5,106.00 which was a condition of approval.

SUMMARY:

- A Development Agreement has been submitted for the installation of a sidewalk as part of the Premier Plat that was approved by City Commission in October.
- The Development Agreement was a Condition of Approval for the Premier Plat and this agreement satisfies that condition.
- The amount for the construction of the sidewalk is $5,106.00.
- The surety for the Development Agreement has been provided to staff.

RECOMMENDATION:

Approve

ALTERNATIVES:

Disapprove

RESPONSIBLE STAFF:

Brandon C. Creagan, MCRP, LEED Green Associate, Planner

COORDINATED WITH:

Pete Sweeney, City Attorney

Fiscal Impact

OTHER INFORMATION:

N/A

Attachments

Development Agreement

City Attorney Approval as to Form & Correctness

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/21/2019 08:23 AM
City Manager	Nick Mimms	11/21/2019 03:25 PM

Form Started By: Brandon Creagan Started On: 11/20/2019 10:08 AM

Final Approval Date: 11/21/2019

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT, is entered into this _____ day of _____, 2019, by and between **PREMIER HOSPITALITY, LLC** (the "Developer"), and the **CITY OF FORT PIERCE, FLORIDA,** a political subdivision of the State of Florida, (the "City").

WITNESETH:

WHEREAS, the Developer is commencing the development of land in the City of Fort Pierce, more particularly described in EXHIBIT "A" attached hereto, and

WHEREAS, the Developer proposes to construct certain sidewalk improvements to the satisfaction of the City; and

NOW THEREFORE, in consideration of the mutual promises contained herein, the Developer and City agree as follows:

1. **COMPLETION OF REQUIRED SIDEWALK IMPROVEMENTS/OWNERSHIP.** The Developer agrees to satisfactorily complete the required improvements (the "Improvements") for the above referenced development within sixty (60) months from and after the signing of this Agreement according to the Certified Engineer's Cost Estimate approved by the City Engineer (please see EXHIBIT "B"). The Improvements are more particularly defined as 222 linear feet of 5-feet wide, 4-inch thick concrete sidewalk to be constructed on the west side of Metal Drive and immediately north of 6505 Metal Drive.

2. **SECURITY.** The Developer agrees to provide the City with security in a form acceptable to the City Attorney in the amount of Five Thousand and One Hundred and six dollars and zero cents ($5,106.00), representing 115% of the estimated cost of the Improvements as submitted by the Developer's engineer and approved by the City Engineer (please see EXHIBIT "B" attached hereto).

3. **SUPERVISION OF CONSTRUCTION.** The Improvements shall be constructed under the supervision of the Developer's engineer in full compliance with the specifications and requirements of the City of Fort Pierce, and when complete, Developer's engineer shall furnish the City Engineer with a certificate of satisfactory completion for approval.

4. **FAILURE TO COMPLETE IMPROVEMENTS.** It is further understood and agreed by and between the parties to this Agreement that, in the event Improvements are not constructed within sixty (60) months from the date of the signing of this Agreement, the City shall have and is hereby granted the right to cause the Improvements to be made and to use the security provided herewith for payment of all costs and expenses incurred in the construction thereof, including but not limited to, engineering, surveying, construction, legal and contingent costs. Furthermore, it is agreed by the parties hereto that City shall be reimbursed from the security provided for any damages, either direct or consequential, which the City may sustain as a result of the failure of Developer to carry out and execute all of the provisions of this Agreement. In the event of Developer's failure or refusal to construct and install the Improvements in accordance with the terms of this Agreement, the City shall have the option to do so, with City employees and equipment, or pursuant to public advertisement and receipt of bids. In addition, the Developer shall forfeit the 15% contigency amount and the City shall be entitled to keep that portion of the security. In the event that the total costs incurred in construction and full completion of the improvements shall exceed the amount of security provided, such additional costs shall be paid by Developer on written demand by the City Engineer.

5. **RELEASE OF SECURITY.** Upon completion of construction of all Improvements, the Developer's engineer shall certify that the improvements have been constructed in accordance with the approved plans. When the improvements have been certified by the Developer's engineer, the City Engineer shall inspect the improvements and review the construction and supporting test/control data furnished by the Developer's engineer. If all Improvements are completed to the satisfaction of the City Engineer, the City Engineer shall confirm this in writing to the City Attorney. The Developer's security shall then be released to Developer.

6. **INTERPRETATION; VENUE** This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior verbal or written agreements between the parties with respect thereto. This Agreement may only be amended by written document, properly authorized, executed and delivered by both parties hereto. This Agreement shall be interpreted as a whole unit and section headings are for convenience only. All interpretations shall be governed by the laws of the State of Florida. In the event it is necessary for either party to initiate legal action regarding this Agreement, venue shall be in the Nineteenth Judicial Circuit for St. Lucie County, Florida, for claims under state law and the Southern District of Florida for any claims which are justiciable in federal court.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed by their respective authorized representatives on the day and year set forth above.

ATTEST:

BY:_____
Linda W. Cox, City Clerk

CITY OF FORT PIERCE, FLORIDA

BY: _____
LINDA HUDSON, MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

_____
PETER J. SWEENEY, ESQUIRE
CITY ATTORNEY

DEVELOPER:
PREMIER HOSPITALITY, INC.

_____
DILIP PATEL, PRESIDENT

EXHIBIT "A"

DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 24, TOWNSHIP 35 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE NORTH 00°05'12" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 381.21 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUE NORTH 00°05'12" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 498.29 FEET;
THENCE NORTH 88°56'21" WEST, A DISTANCE OF 273.73 FEET;
THENCE SOUTH 00°12'28" EAST, A DISTANCE OF 64.74 FEET;
THENCE SOUTH 49°13'32" WEST, A DISTANCE OF 16.63 FEET;
THENCE SOUTH 00°05'12" EAST, A DISTANCE OF 135.00 FEET;
THENCE SOUTH 89°54'18" WEST, A DISTANCE OF 377.00 FEET;
THENCE SOUTH 00°05'42" EAST, A DISTANCE OF 292.75 FEET;
THENCE SOUTH 89°49'22" EAST, A DISTANCE OF 663.65 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER AND THE POINT OF BEGINNING.

SAID LAND CONTAINS 5.79 ACRES, MORE OR LESS.

EXHIBIT "B"

ATLANTIC
CIVIL ENGINEERING

2552 PETERS RD, SUITE D,
FORT PIERCE, FL 34945
P: 772.398.1520 F: 772.398.1521
E: GATORRR@MSN.COM
CONSULTING ENGINEERS

PREMIER SUBDIVISION PLAT
6505 METAL DRIVE
CITY OF FORT PIERCE PROJECT # 17-41000002

Sidewalk Construction

ITEM	Quantity	Unit	Unit Price	Total
Design, permit & construct sidewalk *	222	L.F.	$ 20.00	$ 4,440.00

Subtotal	$ 4,440.00
15% Contingency	$ 666.00
Total Cost of Construction	**$ 5,106.00**

Notes:
* 4" thick, 5 foot wide concrete sidewalk

Respectfully Submitted

Richard M. Ladyko, P.E.
Fla. Registration #34288

1-22-2019

THE SUNRISE CITY
FORT PIERCE
CITY ATTORNEY'S OFFICE Florida

TO: BRANDON C. CREAGAN, LEED GREEN ASSOCIATE, PLANNER

FROM: Pete Sweeney, City Attorney

RE: -Review of Developers Agreement for Form & Correctness

RLS File: 19-244

DATE: September 11, 2019

I have reviewed the Request for Legal Services related to a proposed Development Agreement with Premier Hospitality for a required sidewalk improvement adjacent to 6505 Metal Drive, Fort Pierce, Florida. It is approved as to Form and Correctness and I have signed in the appropriate signature spaces. **Be advised that the requesting Department must ensure that the funds are received and deposited with the City prior to final execution of this agreement.**

Should you have any questions, please don't hesitate to contact the City Attorney's Office via phone or email.

Thank you,

PS/mm

cc: Nicholas C. Mimms, P.E., City Manager
Rebeca Guerra, Interim Planning Director
Linda Cox, City Clerk

THE SUNRISE CITY
FORT PIERCE
CITY ATTORNEY'S OFFICE Florida

Received
AUG 2 6 2019
City of Fort Pierce
City Manager's Office

RECEIVED
AUG 26 2019
City Attorney

CITY ATTORNEY USE ONLY	
Date Received:	
Assigned To:	
File:	19-244
Due Date:	
Hours:	

REQUEST FOR LEGAL SERVICES

TO: PETER SWEENY, CITY ATTORNEY

SUBMITTED BY: BRANDON C. CREAGAN, LEED GREEN ASSOCIATE, PLANNER BCC

THROUGH: REBECA GUERRA, AICP, LEED AP, CPD, INTERIM PLANNING DIRECTOR

CITY MANAGER AUTHORIZATION: NICHOLAS C. MIMMS, P.E., CITY MANAGER NCM

RE: – REVIEW OF DEVELOPERS AGREEMENT FOR FORM & CORRECTNESS

DATE: AUGUST 23, 2019

Service Required: (please circle or underline)

Review Documents **Draft Document** **Written Opinion Requested**

Attend Meetings **Advise** **Other:** _____

Upon review and/or "Approval as to Form and Correctness," the Department submitting the RLS is responsible for placement of any related item on a Commission or Board Agenda.

1. **Brief statement of the nature of the request or problem:** This Development Agreement is for the installation a sidewalk in conjunction with a Final Plat that it currently going through the Planning process. The installation of the sidewalk is required. The applicant has elected to pay for the sidewalk by check in lieu of a bond or other surety. Review the document for form and correctness and provide any comments if the document needs to change at all.

2. **Discussion of the implications and the possible impact if not apparent from preceding information:** Not Applicable

3. **Time considerations and their significance:** There are no specific time considerations for this item, however the Final Plat is preliminarily scheduled to be heard by the City Commission on September 16, 2019.

4. **Are City funds required?** City funds are not required with this action.

5. **Factual background:** The Sidewalk must be secured via a finding source as part of the Final Plat before it is Recorded with the County Clerk of Courts. The sidewalk will be tied to a future hotel development side on the west side of Metal Drive immediately north of 6505 Metal Drive. The sidewalk itself will be 222 linear feet at 5 feet wide and 4 inches thick. It will up to the developer to build the sidewalk and if they do not the city will be able to draw from the money provided to construct the sidewalk.

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT, is entered into this ____ day of _____, 2019, by and between **PREMIER HOSPITALITY, LLC** (the "Developer"), and the **CITY OF FORT PIERCE, FLORIDA,** a political subdivision of the State of Florida, (the "City").

WITNESETH:

WHEREAS, the Developer is commencing the development of land in the City of Fort Pierce, more particularly described in EXHIBIT "A" attached hereto, and

WHEREAS, the Developer proposes to construct certain sidewalk improvements to the satisfaction of the City; and

NOW THEREFORE, in consideration of the mutual promises contained herein, the Developer and City agree as follows:

1. **COMPLETION OF REQUIRED SIDEWALK IMPROVEMENTS/OWNERSHIP.** The Developer agrees to satisfactorily complete the required improvements (the "Improvements") for the above referenced development within sixty (60) months from and after the signing of this Agreement according to the Certified Engineer's Cost Estimate approved by the City Engineer (please see EXHIBIT "B"). The Improvements are more particularly defined as 222 linear feet of 5-feet wide, 4-inch thick concrete sidewalk to be constructed on the west side of Metal Drive and immediately north of 6505 Metal Drive.

2. **SECURITY.** The Developer agrees to provide the City with security in a form acceptable to the City Attorney in the amount of Five Thousand and One Hundred and six dollars and zero cents ($5,106.00), representing 115% of the estimated cost of the Improvements as submitted by the Developer's engineer and approved by the City Engineer (please see EXHIBIT "B" attached hereto).

3. **SUPERVISION OF CONSTRUCTION.** The Improvements shall be constructed under the supervision of the Developer's engineer in full compliance with the specifications and requirements of the City of Fort Pierce, and when complete, Developer's engineer shall furnish the City Engineer with a certificate of satisfactory completion for approval.

4. **FAILURE TO COMPLETE IMPROVEMENTS.** It is further understood and agreed by and between the parties to this Agreement that, in the event Improvements are not constructed within sixty (60) months from the date of the signing of this Agreement, the City shall have and is hereby granted the right to cause the Improvements to be made and to use the security provided herewith for payment of all costs and expenses incurred in the construction thereof, including but not limited to, engineering, surveying, construction, legal and contingent costs. Furthermore, it is agreed by the parties hereto that City shall be reimbursed from the security provided for any damages, either direct or consequential, which the City may sustain as a result of the failure of Developer to carry out and execute all of the provisions of this Agreement. In the event of Developer's failure or refusal to construct and install the Improvements in accordance with the terms of this Agreement, the City shall have the option to do so, with City employees and equipment, or pursuant to public advertisement and receipt of bids. In addition, the Developer shall forfeit the 15% contigency amount and the City shall be entitled to keep that portion of the security. In the event that the total costs incurred in construction and full completion of the improvements shall exceed the amount of security provided, such additional costs shall be paid by Developer on written demand by the City Engineer.

EXHIBIT "A"

DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 24, TOWNSHIP 35 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE NORTH 00°05'12" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 381.21 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUE NORTH 00°05'12" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 498.29 FEET;
THENCE NORTH 88°56'21" WEST, A DISTANCE OF 273.73 FEET;
THENCE SOUTH 00°12'28" EAST, A DISTANCE OF 64.74 FEET;
THENCE SOUTH 49°13'32" WEST, A DISTANCE OF 16.63 FEET;
THENCE SOUTH 00°05'12" EAST, A DISTANCE OF 135.00 FEET;
THENCE SOUTH 89°54'18" WEST, A DISTANCE OF 377.00 FEET;
THENCE SOUTH 00°05'42" EAST, A DISTANCE OF 292.75 FEET;
THENCE SOUTH 89°49'22" EAST, A DISTANCE OF 663.65 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER AND THE POINT OF BEGINNING.

SAID LAND CONTAINS 5.79 ACRES, MORE OR LESS.

City Commission Regular Meeting **12. a.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 1810 Avenue Q. (2404-213-0001-000-7)

SUBJECT:

Legislative Hearing - Ordinance 19-045 extending the territorial limits of the City of Fort Pierce, Florida, to include 1810 Avenue Q in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with the Future Land Use designation of Low Density Residential (RL) and Zoning classification of Single-Family Moderate Density (R-3).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $74,353 and the 2018 tax bill was $2,037.16.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/08/2019 05:06 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 11:47 AM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO:	Nicholas C. Mimms, PE, City Manager
THROUGH:	Jennifer Hofmeister, AICP, LCAM, Planning Director
FROM:	Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director
RE:	**Applications for Annexation of Four (4) Parcels 1810 & 1910 Avenue Q. and two parcels addressed 1908 Avenue Q.**
HEARING DATES:	November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:	Cherry Saylor Christine Tucker (EST) 1810 Avenue Q Fort Pierce, FL 34950 Leroy and Cynthia Matthews 1910 Avenue Q Fort Pierce, FL 34950 Gwendolyn Matthews PO Box 3274 Fort Pierce, FL 34948 Cheryl M. Handy 8650 Pine Martin Lane Fort Pierce, FL 34947
Requested Action:	Approval of Voluntary Applications for Annexation of four (4) parcels of land along with the Future Land Use Designations of Low Density Residential (RL) and the Zoning classification of Single Family Moderate Density (R-3) for each parcel.
Site Location:	1810 & 1910 Avenue Q. and two parcels addressed 1908 Avenue Q., all in Fort Pierce, Florida.
Parcel ID's:	2404-213-0001-000-7, 2404-213-0001-010-0, 2404-213-0001-050-2, and 2404-213-0001-030-6
Parcel Size:	1.58, 0.37 acres, 0.26, and 0.61 acres
Current Future Land Use:	Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)
Current Zoning:	Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

Proposed Future Land Use: Low Density Residential (RL)

Proposed Zoning: Single Family Moderate Density (R-3)

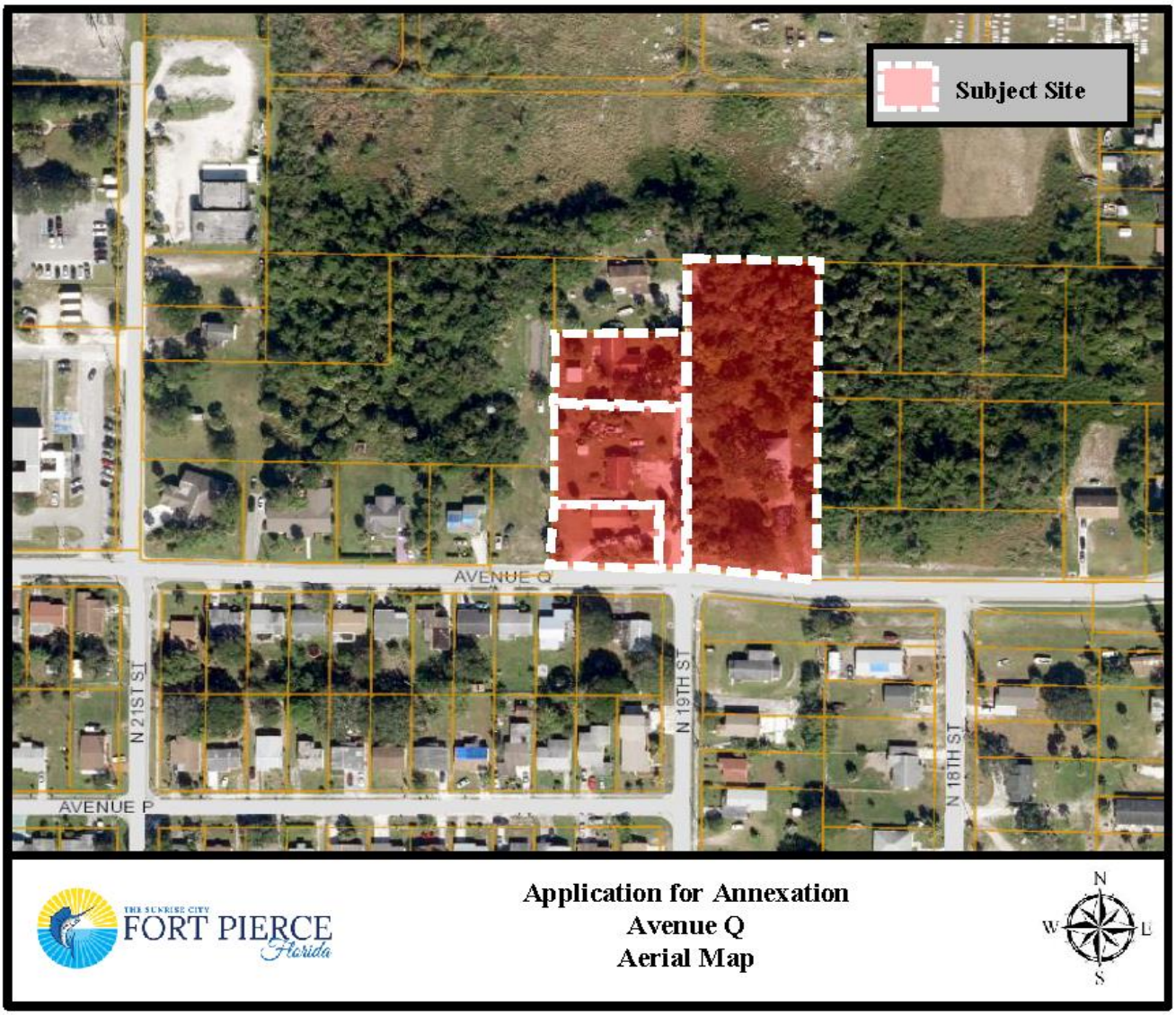
Surrounding FLU:

Surrounding Zoning:

North	East	South	West
P/F (SLC)	RU (SLC)	RL	RU (SLC)
I (SLC)	RS-4 (SLC)	R-3	RS-4 (SLC)

Staff Analysis

This is a request for a voluntary annexation of four (4) properties (Parcel ID's 2404-213-0001-000-7, 2404-213-0001-010-0, 2404-213-0001-050-2, and 2404-213-0001-030-6) generally located on the north side of Avenue Q, between North 21st Street and North 17th Street in Fort Pierce, Florida.



The current St. Lucie County Future Land Use for all of these parcels on Avenue Q is of Residential Urban 5 Dwelling Units/Acre (RU) with a compatible St. Lucie County Zoning of Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for all parcels will be Low Density Residential (RL) and the proposed Zoning classification will be Single Family Moderate Density (R-3).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce.

These proposed annexations are also consistent with F.S 171.044, whereas the properties will be contiguous to a municipality and reasonably compact and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties are approximately $74,353, $25,000, $45,859, and $51,810. If the Applications for Annexation are approved, it would create four (4) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the four (4) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The surrounding area has an even mix of properties with-in St. Lucie County jurisdiction and within City of Fort Pierce jurisdiction. The annexation of these properties would help to continue eliminating irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City also helps to provide efficient public services.

The City of Fort Pierce Zoning designation and Future Land Use designations will remain consistent with the current County and City Comprehensive Plans. The Future Land Use designation of Low Density Residential (RL) and Zoning classification of Single-Family Moderate Density (R-3) is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed four (4) annexations along with the Future Land Use and Zoning designations of RL and R-3, respectively for each of the parcels.

ORDINANCE NO. 19-045

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **1810 AVENUE Q IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2404-213-0001-000-7

A 1.58-ACRE PORTION OF LAND BEGINNING 500 FEET EAST OF THE SW CORNER OF THE NE ¼ OF THE NW ¼ OF SECTION 4, TOWNSHIP 35 SOUTH, RANGE 40 EAST, RUN FROM THENCE NORTH 436 FEET; THENCE EAST 320 FEET; MORE OR LESS, TO LAND FORMERLY OWNED BY JAKE SIKES; THENCE SOUTH 436 FEET; THENCE WEST 320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 3 ARES, MORE OR LESS.

Said property containing 1.58 acres, more or less, and being generally located at 1810 Avenue Q. in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-3, Single Family Moderate Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-045 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019 and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

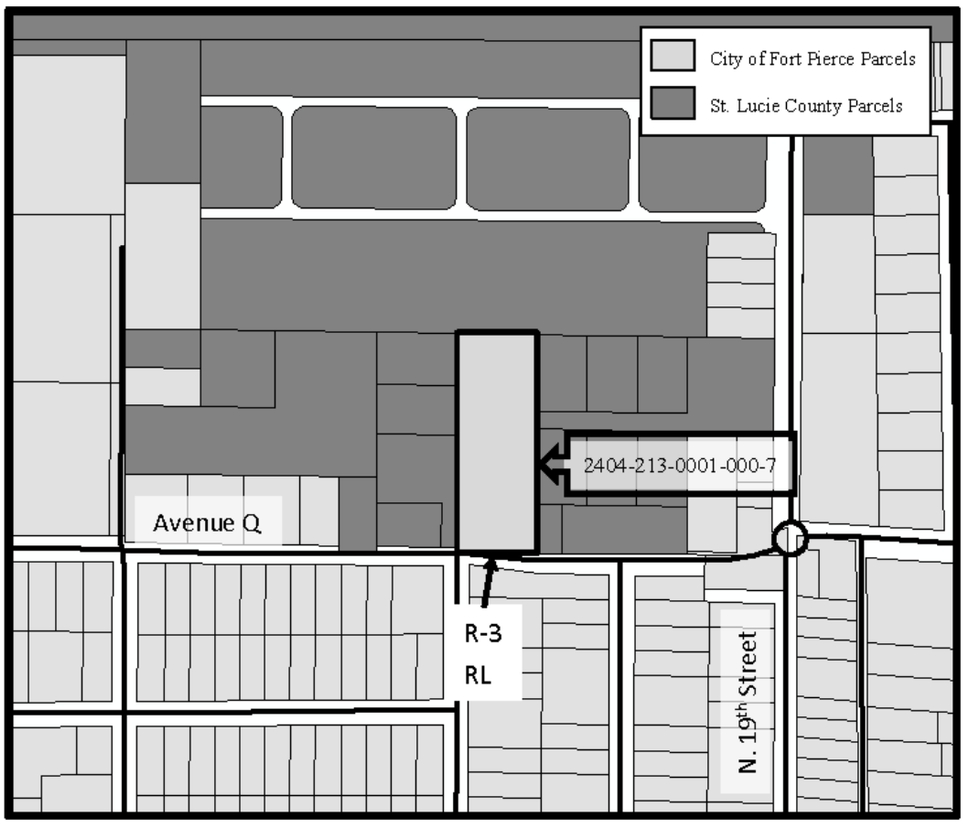
EXHIBIT A
Annexed Area & Legal Description



A 1.58-ACRE PORTION OF LAND BEGINNING 500 FEET EAST OF THE SW CORNER OF THE NE ¼ OF THE NW ¼ OF SECTION 4, TOWNSHIP 35 SOUTH, RANGE 40 EAST, RUN FROM THENCE NORTH 436 FEET; THENCE EAST 320 FEET; MORE OR LESS, TO LAND FORMERLY OWNED BY JAKE SIKES; THENCE SOUTH 436 FEET; THENCE WEST 320 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 3 ARES, MORE OR LESS

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban. Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-3, Single Family Moderate Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4048914 OR BOOK 3725 PAGE 247, Recorded 03/16/2015 at 10:40 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2404-213-0001-000-7	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	1810 AVENUE Q, FORT PIERCE, FLORIDA 34950 Location Address 1810 AVENUE Q, FORT PIERCE, FLORIDA 34950 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

Beginning 500 feet East of the SW corner of the NE ¼ of the NW ¼ of Section 4, Township 35 South, Range 40 East, run from thence North 436 feet; thence East 320 feet; more or less, to land formerly owned by Jake Sikes; thence South 436 feet; thence West 320 feet, more or less, to the point of beginning, containing 3 acres, more or less.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 2 day of 17, 2015.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

Printed Witness Signature

Witness Signature

Printed Witness Signature

Signature
Willie Mae Tucker, a/k/a Willa Mae Tucker, a single adult
Printed Signature
1810 Avenue Q
Address
Fort Pierce, Florida 34950
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Willie Mae Tucker, a/k/a Willa Mae Tucker, a single adult**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he/she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL Notary Public State of Florida Willy J Williams Sr My Commission EE 101279 Expires 06/09/2016	Witness my hand and official Seal in the County and State last aforesaid this 17TH day of FEBRUARY, A.D. 2015. Notary Signature WILLY J. WILLIAMS, SR. Notary Printed Signature

C:\Users\Welcome\Desktop\Forms\Tucker, Willie Mae AA.docx

Revised 7/9/04 per atty.

City Commission Regular Meeting **12. b.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 1908 Avenue Q. (2404-213-0001-050-2)

SUBJECT:

Legislative Hearing - Ordinance 19-046 extending the territorial limits of the City of Fort Pierce, Florida, to include 1908 Avenue Q in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land with an amendment to the Future Land Use and Zoning Maps to Low Density Residential (RL) and Single-Family Moderate Density (R-3), respectively,

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $45,859 and the 2018 tax bill was $1,169.55.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:00 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 04:34 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Four (4) Parcels**
1810 & 1910 Avenue Q. and two parcels addressed 1908 Avenue Q.

HEARING DATES: November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owners:

Cherry Saylor
Christine Tucker (EST)
1810 Avenue Q.
Fort Pierce, FL 34950

Leroy and Cynthia Matthews
1910 Avenue Q
Fort Pierce, FL 34950

Gwendolyn Matthews
PO Box 3274
Fort Pierce, FL 34948

Cheryl M Handy
8650 Pine Martin Lane
Fort Pierce, FL 34947

Requested Action: Approval of Voluntary Applications for Annexation of four (4) parcels of land with an amendment to the Future Land Use and Zoning Maps to Low Density Residential (RL) and Single-Family Moderate Density (R-3) designations, respectively, for each parcel.

Site Location: 1810 and 1910 Avenue Q and two (2) parcels addressed 1908 Avenue Q, in Fort Pierce, Florida.

Parcel ID's: 2404-213-0001-000-7, 2404-213-0001-010-0, 2404-213-0001-050-2, and 2404-213-0001-030-6

Parcel Size: 1.58, 0.37 acres, 0.26, and 0.61 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

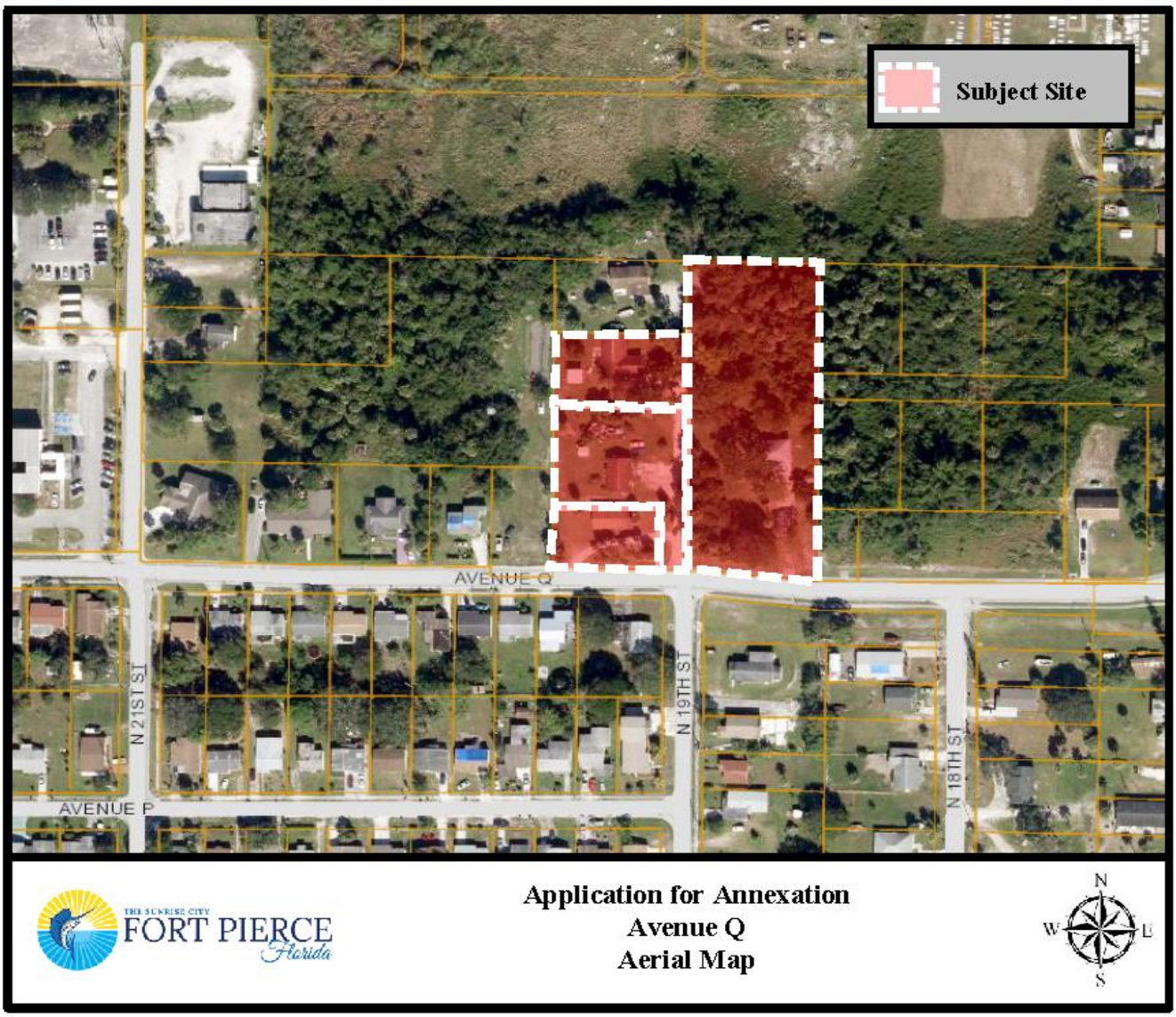
Proposed Future Land Use: Low Density Residential (RL)

Proposed Zoning: Single Family Moderate Density (R-3)

	North	East	South	West
Surrounding FLU:	P/F (SLC)	RU (SLC)	RL	RU (SLC)
Surrounding Zoning:	I (SLC)	RS-4 (SLC)	R-3	RS-4 (SLC)

Staff Analysis

This is a request for a voluntary annexation of four (4) properties (Parcel ID's 2404-213-0001-000-7, 2404-213-0001-010-0, 2404-213-0001-050-2, and 2404-213-0001-030-6) generally located on the north side of Avenue Q, between North 21st Street and North 17th Street in Fort Pierce, Florida.



The current St. Lucie County Future Land Use for all of these parcels on Avenue Q is Residential Urban 5 Dwelling Units/Acre (RU) and the Zoning is Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use and Zoning designations for all parcels is Low Density Residential (RL) and Single-Family Moderate Density (R-3), respectively.

Staff confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce.

These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (Parcel ID's 2404-213-0001-000-7, 2404-213-0001-010-0, 2404-213-0001-050-2, and 2404-213-0001-030-6) are approximately $74,353, $25,000, $45,859, and $51,810, respectively. If the Applications for Annexation are approved, it would create four (4) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the four (4) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." As the property is within the FPUA service boundary, pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services.

The City of Fort Pierce Future Land Use and Zoning designations remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use and Zoning Designations of RL and R-3, respectively are consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed four (4) annexations along with the Future Land Use and Zoning designations of RL and R-3, respectively for each of the parcels.

ORDINANCE NO. 19-046

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **1908 AVENUE Q. IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTIES AND PLACE THEM ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTIES; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the properties to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of properties in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject properties and also waives any and all objection to annexation of the properties; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the

St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID's: 2404-213-0001-050-2 & 2404-213-0001-030-6

0.87 acres of land in Section 4, Township 35 South, Range 40 East, beginning 500 feet East of the SW corner of the NE ¼ of NW ¼, then run North 12.5 feet to the Point of Beginning, then North 223.5 feet, then East 160 feet, then South 223.5 feet, then West 160 feet to the Point of Beginning.

Said properties containing 0.26 and 0.61 acres, more or less, and being generally located at 1908 Avenue Q. in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the lands described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the lands herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-3, Single Family Moderate Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-046 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019 and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

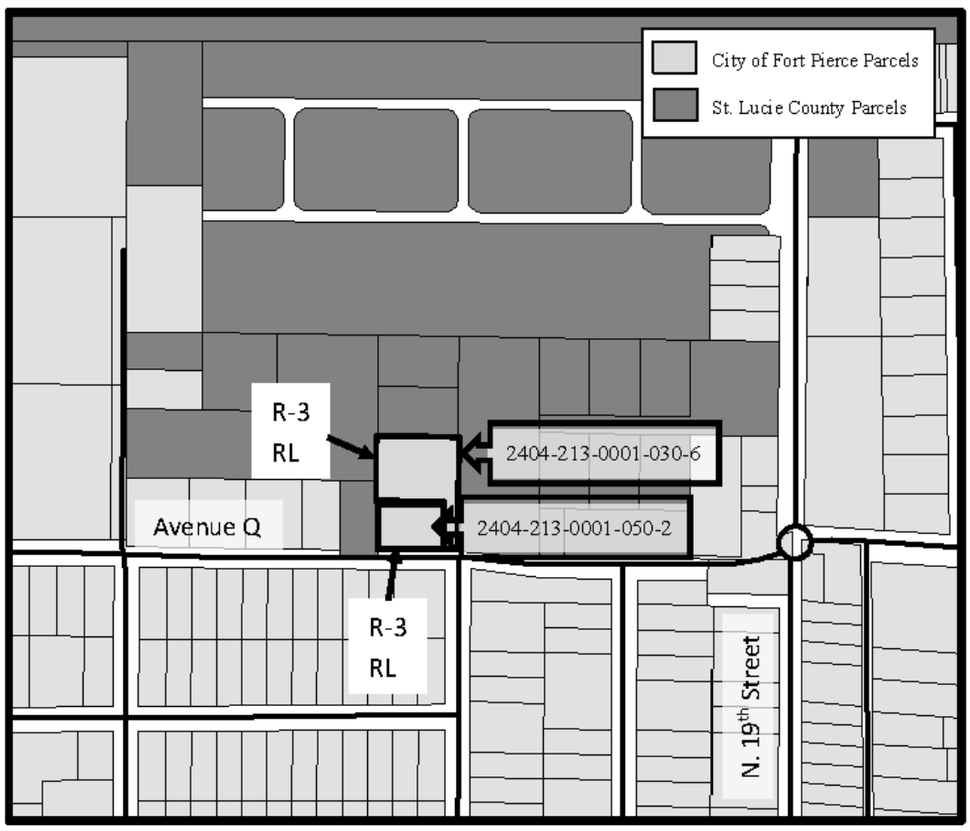
EXHIBIT A
Annexed Area & Legal Description



0.87 acres of land in Section 4, Township 35 South, Range 40 East, beginning 500 feet East of the SW corner of the NE ¼ of NW ¼, then run North 12.5 feet to the Point of Beginning, then North 223.5 feet, then East 160 feet, then South 223.5 feet, then West 160 feet to the Point of Beginning.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-3, Single Family Moderate Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4134424 OR BOOK 3810 PAGE 2843, Recorded 11/23/2015 at 09:29 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2404-213-0001-010-0	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	1908 AVENUE Q, FORT PIERCE, FLORIDA 34950 Location Address 1910 AVENUE Q, FORT PIERCE, FLORIDA 34950 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

See "Exhibit A" appended hereto and by this reference incorporated herein.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 6TH day of OCT., 2015.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Rosalie Lavertu
Printed Witness Signature

Witness Signature
Amy Stoutli
Printed Witness Signature

Signature
Cheryl M. Handy
Printed Signature
1809 SW Drive
Address
Fort Pierce, FL 34947
City, State, Zip

Signature
Leroy Matthews
Printed Signature
1908 Avenue Q
Address
Fort Pierce, FL 34950
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Leroy Matthews** and **Cynthia Ann Matthews, his wife**, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed same, that I relied upon the following form of identification of the above-named person: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 6TH day of OCT., A.D. 2015. Notary Signature Rosalie Lavertu Notary Printed Signature

OR BOOK 3810 PAGE 2844

EXHIBIT "A" - LEGAL DESCRIPTION

party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of St. Lucie, State of Florida, to-wit:

Real Property located at 1908 Avenue Q, Fort Pierce, Florida 34950 A/K/A Parcel ID#2404-213-0001-030-6, with legal description of Section 04, Township 35 S, Range 40E beginning 500ft. E & SW corner of NE 1/4 & NW 1/4, Then Run N 12.5ft to POB, Then N 223.5ft., then E 160ft, Then S 223.5ft., then W 160ft. TO POB (OR 2751-2429)

City Commission Regular Meeting **12. c.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 1910 Avenue Q. (2404-213-0001-010-0)

SUBJECT:

Legislative Hearing - Ordinance 19-047 extending the territorial limits of the City of Fort Pierce, Florida, to include 1910 Avenue Q in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with the a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single Family Moderate Density (R-3).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $25,000 and the 2018 tax bill was $812.02.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:01 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 04:43 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas C. Mimms, PE, City Manager
THROUGH:	Jennifer Hofmeister, AICP, LCAM, Planning Director
FROM:	Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director
RE:	**Applications for Annexation of Four (4) Parcels 1810 and 1910 Avenue Q and two (2) parcels addressed 1908 Avenue Q**
HEARING DATES:	November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:

Cherry Saylor
Christine Tucker (EST)
1810 Avenue Q
Fort Pierce, FL 34950

Leroy and Cynthia Matthews
1910 Avenue Q
Fort Pierce, FL 34950

Gwendolyn Matthews
PO Box 3274
Fort Pierce, FL 34948

Cheryl M Handy
8650 Pine Martin Lane
Fort Pierce, FL 34947

Requested Action: Approval of Voluntary Applications for Annexation of four (4) parcels of land along with the Future Land Use Designations of Low Density Residential (RL) and a Zoning designation of Single-Family Moderate Density (R-3) for each parcel.

Site Location: 1810 & 1910 Avenue Q. and two (2) parcels addressed 1908 Avenue Q, all in Fort Pierce, Florida.

Parcel ID's: 2404-213-0001-000-7, 2404-213-0001-010-0, 2404-213-0001-050-2, and 2404-213-0001-030-6

Parcel Size: 1.58, 0.37 acres, 0.26, and 0.61 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

Proposed Future Land Use: Low Density Residential (RL)

Proposed Zoning: Single Family Moderate Density (R-3)

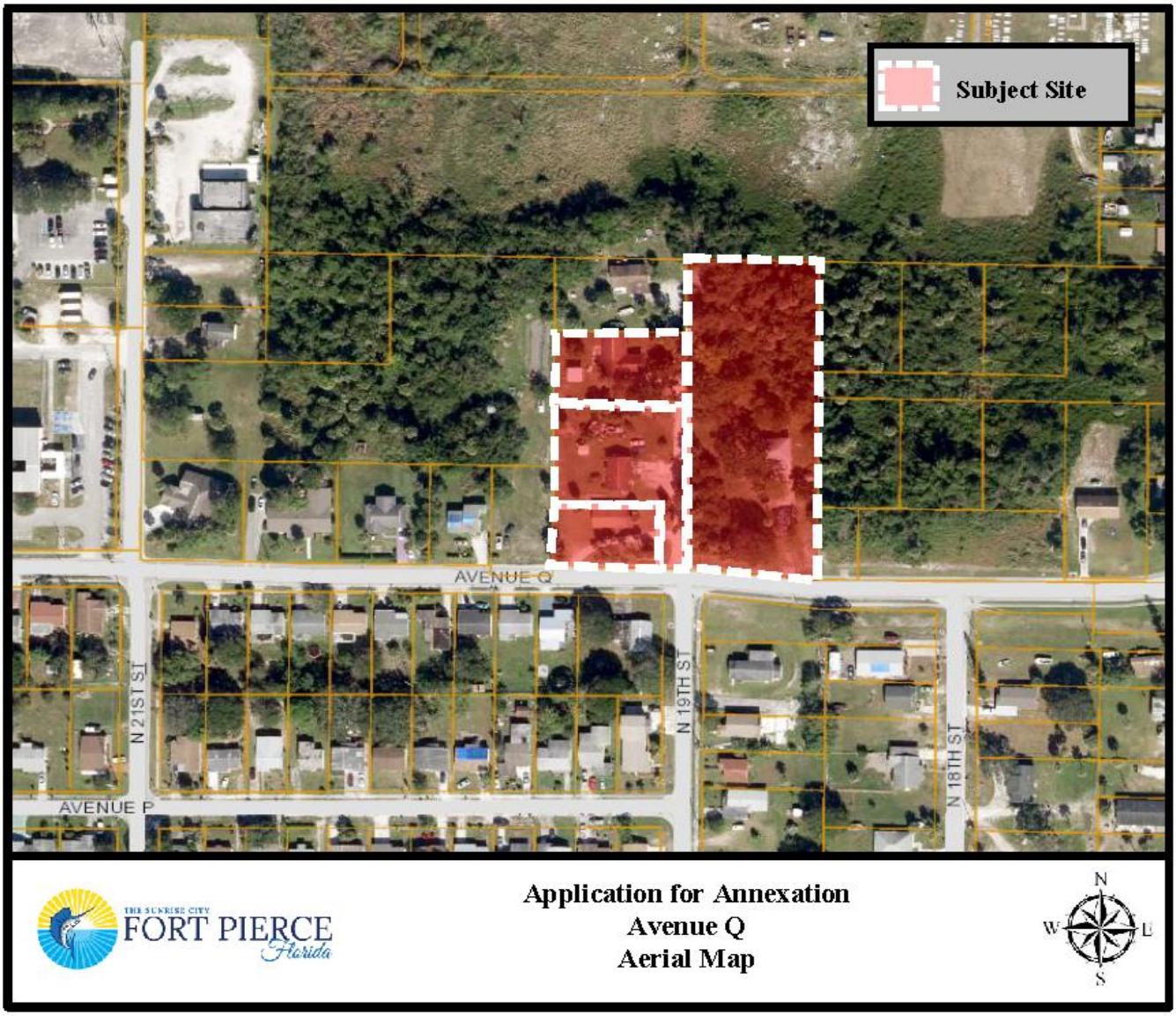
Surrounding FLU:

Surrounding Zoning:

North	East	South	West
P/F (SLC)	RU (SLC)	RL	RU (SLC)
I (SLC)	RS-4 (SLC)	R-3	RS-4 (SLC)

Staff Analysis

This is a request for a voluntary annexation of four (4) properties (Parcel ID's 2404-213-0001-000-7, 2404-213-0001-010-0, 2404-213-0001-050-2, and 2404-213-0001-030-6) generally located on the north side of Avenue Q., between North 21st Street and North 17th Street in Fort Pierce, Florida.



The current St. Lucie County Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU) and St. Lucie County Zoning is Single Family, 4 Dwelling Units/Acre (RS-4) for all of these parcels on Avenue Q. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use and Zoning designation for all parcels is Low Density Residential (RL) and Single Family Moderate Density (R-3, respectively.

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (2404-213-0001-000-7, 2404-213-0001-010-0, 2404-213-0001-050-2, and 2404-213-0001-030-6) are approximately $74,353, $25,000, $45,859, and $51,810, respectively. If the Applications for Annexation are approved, it would create four (4) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the four (4) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery."

The surrounding area has an even mix of properties with-in St. Lucie County jurisdiction and with-in City of Fort Pierce jurisdiction. The annexation of these properties would help to continue eliminating irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City also helps to provide efficient public services.

The City of Fort Pierce Zoning designation and Future Land Use designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Zoning Designation of Single-Family Moderate Density (R-3), and the Future Land Use designation of Low Density Residential (RL) would be consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed four (4) annexations with the associated Future Land Use and Zoning designations of RL and R-3, respectively, for each of the parcels.

ORDINANCE NO. 19-047

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **1910 AVENUE Q. IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2404-213-0001-010-0

Begin 500 feet East of the SW corner of the NE ¼ of the NW ¼ of Section 4, Township 35 South, Range 40 East, thence run North 336 feet; thence run East 160 feet; thence run South 336 feet; thence run West 160 feet to the Point of Beginning.

Said property containing 0.37 acres, more or less, and being generally located at 1910 Avenue Q. in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-3, Single Family Moderate Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-047 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019 and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

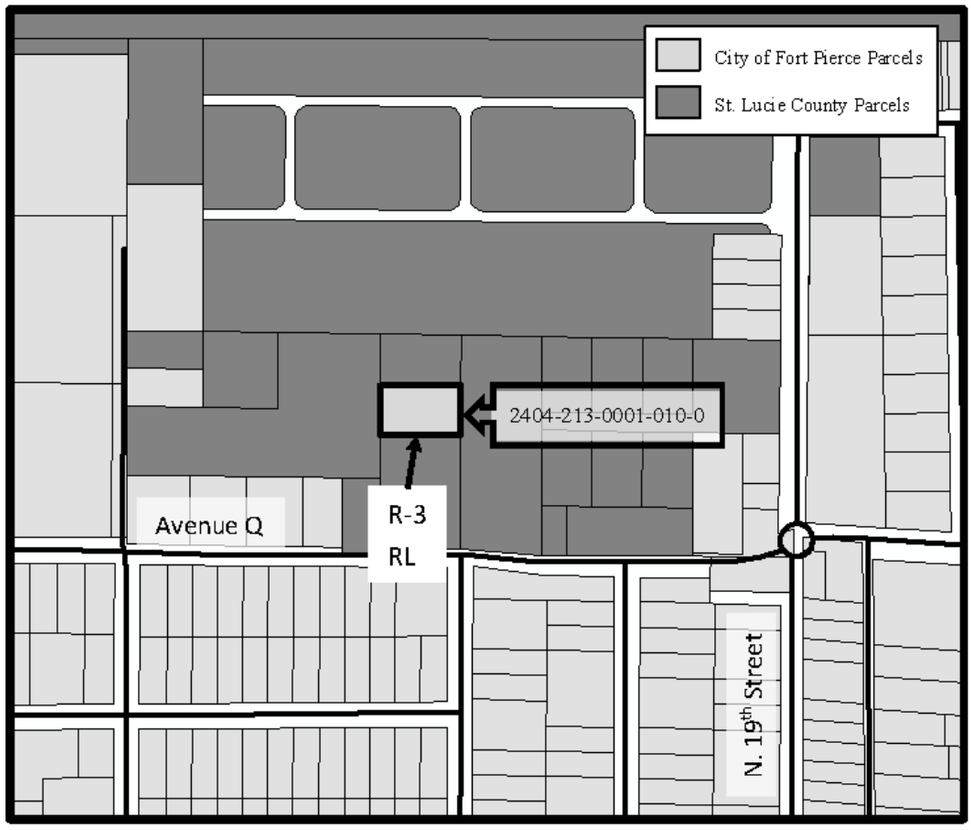
EXHIBIT A
Annexed Area & Legal Description



Begin 500 feet East of the SW corner of the NE ¼ of the NW ¼ of Section 4, Township 35 South, Range 40 East, thence run North 336 feet; thence run East 160 feet; thence run South 336 feet; thence run West 160 feet to the Point of Beginning

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 dwelling units per acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-3, Single Family Moderate Density and have a Future Land Use Designation of RL, Low Density Residential.

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4134419 OR BOOK 3810 PAGE 2837, Recorded 11/23/2015 at 09:28 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2404-213-0001-010-0	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	1910 AVENUE Q, FORT PIERCE, FLORIDA 34950 Location Address 1910 AVENUE Q, FORT PIERCE, FLORIDA 34950 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

That part of Parcel A, per unrecorded sketch of survey described as follows:

Begin 500 feet East of the SW corner of the NE ¼ of the NW ¼ of Section 4, Township 35 South, Range 40 East, thence run North 336 feet; thence run East 160 feet; thence run South 336 feet; thence run West 160 feet to the Point of Beginning.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 1ST day of OCTOBER, 2015.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Rosalie Lavertu
Printed Witness Signature

Witness Signature
Amy Shevlin
Printed Witness Signature

Signature
Leroy Matthews
Printed Signature
1908 Avenue Q
Address
Fort Pierce, Florida 34950
City, State, Zip

Signature
Cynthia Ann Matthews, his wife
Printed Signature
1908 Avenue Q
Address
Fort Pierce, Florida 34950
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Leroy Matthews** and **Cynthia Ann Matthews, his wife**, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed same, that I relied upon the following form of identification of the above-named person: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 1ST day of OCTOBER, A.D. 2015. Notary Signature Rosalie Lavertu Notary Printed Signature

City Commission Regular Meeting **12. d.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 1706 Juanita Avenue (1433-701-0515-000-8)

SUBJECT:

Legislative Hearing - Ordinance 19-048 extending the territorial limits of the City of Fort Pierce, Florida, to include 1706 Juanita Avenue in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with the Zoning designation of Single-Family Low Density (R-1) and a Future Land Use Designation of Low Density Residential (RL).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $25,000 and the 2018 tax bill was $838.69.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Jennifer Hofmeister	11/13/2019 08:33 AM
City Manager	Nick Mimms	11/13/2019 03:01 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 04:48 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Nine (9) Parcels**
1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 and 2306 North 23rd Street

HEARING DATES: November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owners:

Sandra L. Jenkins
1706 Juanita Avenue
Fort Pierce, FL 34946

Christine Gagnon
Pierre LaLiberte
121 112 E Avenue
Saint-Jerome, QC J7Y 4J7
CANADA

Gwendolyn Bennett
2000 North 19th Street
Fort Pierce, FL 34946

Leroy Lewis
Gerald A. Lewis
Clarence Zackery Jr.
2213 North 19th Street
Fort Pierce, FL 34946

Meinardo Galarza
Rosa Elena Reyes Galarza
2305 North 19th Street
Fort Pierce, FL 34946-5504

Courtney Gallimore
Crystal Gallimore
2004 Avienda Avenue
Fort Pierce, FL 34946

Usani E. Phillips
8130 Mountain View Drive #D
Pleasanton, CA 94588

Sandra Sessom-Penny
109 Fielding Lewis Drive
Yorktown, VA 23692

Vinson T. McCarty Sr.
PO Box 1213
Fort Pierce, FL 34954

Requested Action: Approval of Voluntary Applications for Annexation of nine (9) parcels of land along with the Zoning designations of R-1, Single-Family Low Density, and Future Land Use Designations of RL, Residential Low Density for each parcel.

Site Location: 1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 and 2306 North 23rd Street, all in Fort Pierce, Florida.

Parcel ID's: 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4

Parcel Size: 0.37, 0.37, 0.22, 0.40, 0.26, 0.28, 0.19, 0.93, and 0.22 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

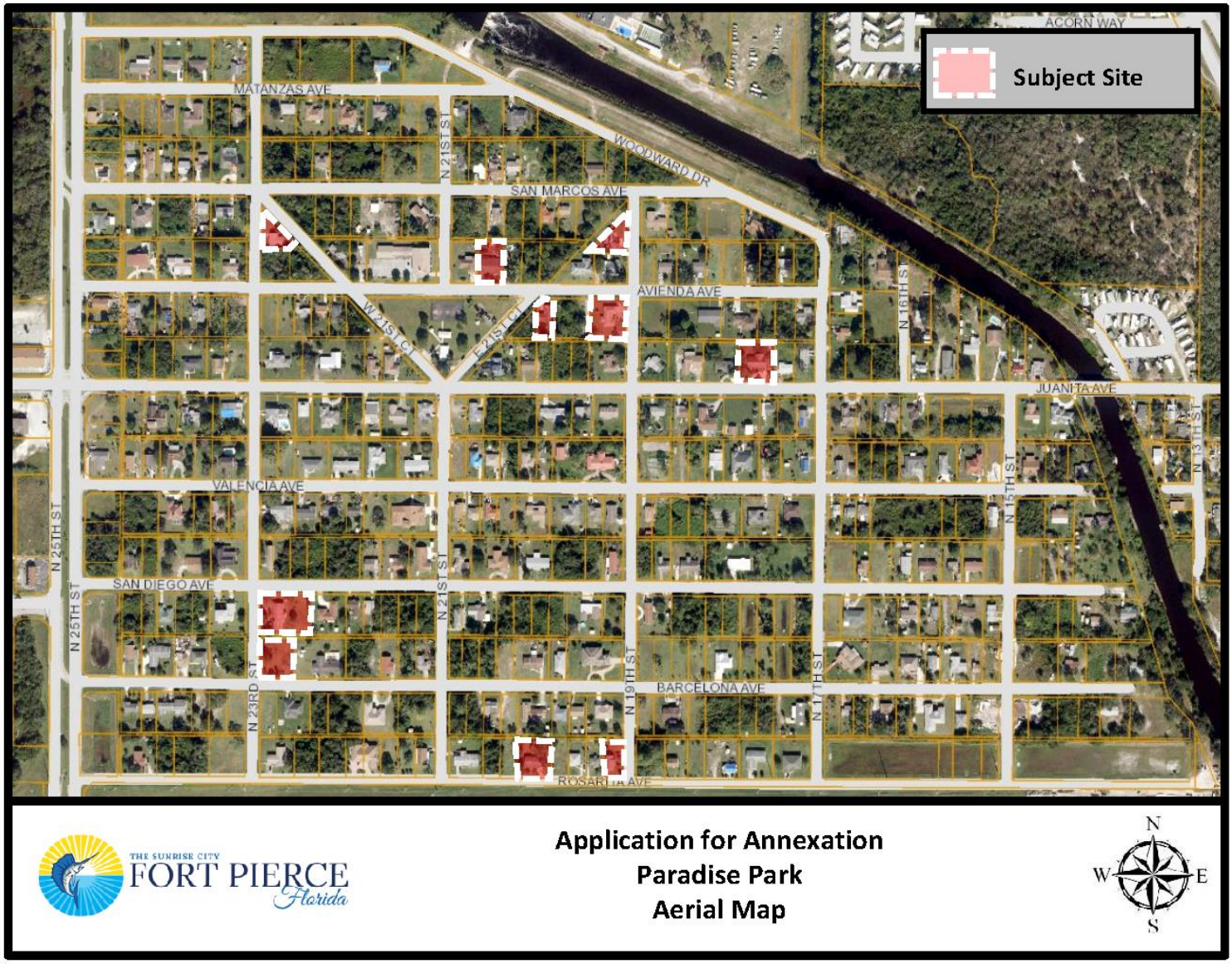
Proposed Future Land Use: Residential Low Density (RL)

Proposed Zoning: Single-Family Low-Density (R-1)

	North	East	South	West
Surrounding FLU:	ROW, RL, RU (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU (SLC)
Surrounding Zoning:	ROW, R-1, RS-4 (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 (SLC)

Staff Analysis

This is a request for a voluntary annexation of nine (9) properties (Parcel ID's 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) generally located northeast of the intersection of Rosarita Avenue and South 25th Street in Fort Pierce, Florida.



The subject parcels are currently designated St. Lucie County Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU) with the compatible St. Lucie County Zoning of Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use and Zoning designation for all parcels are proposed as Residential Low Density (RL) and Single-Family Low Density (R-1), respectively.

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) are approximately $25,000, $64,300, $13,593, $54,278, $102,300, $48,037, $33,700, $82,122, and $40,656, respectively. If the Applications for Annexation are approved, it would create nine (9) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-048

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **1706 JUANITA AVENUE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0515-000-8

LOTS 17 & 18, BLOCK 30, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.37 acres, more or less, and being generally located at 1706 Juanita Avenue in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Residential Low Density (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-048 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019 and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

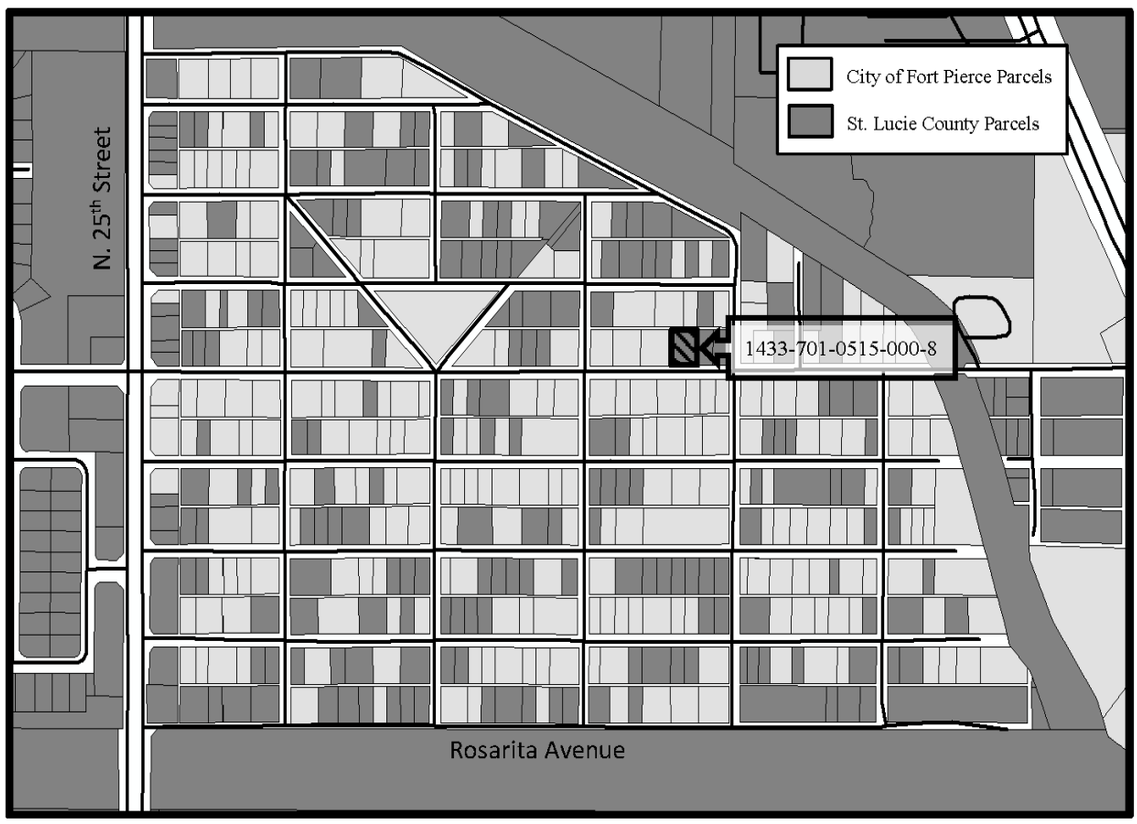
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

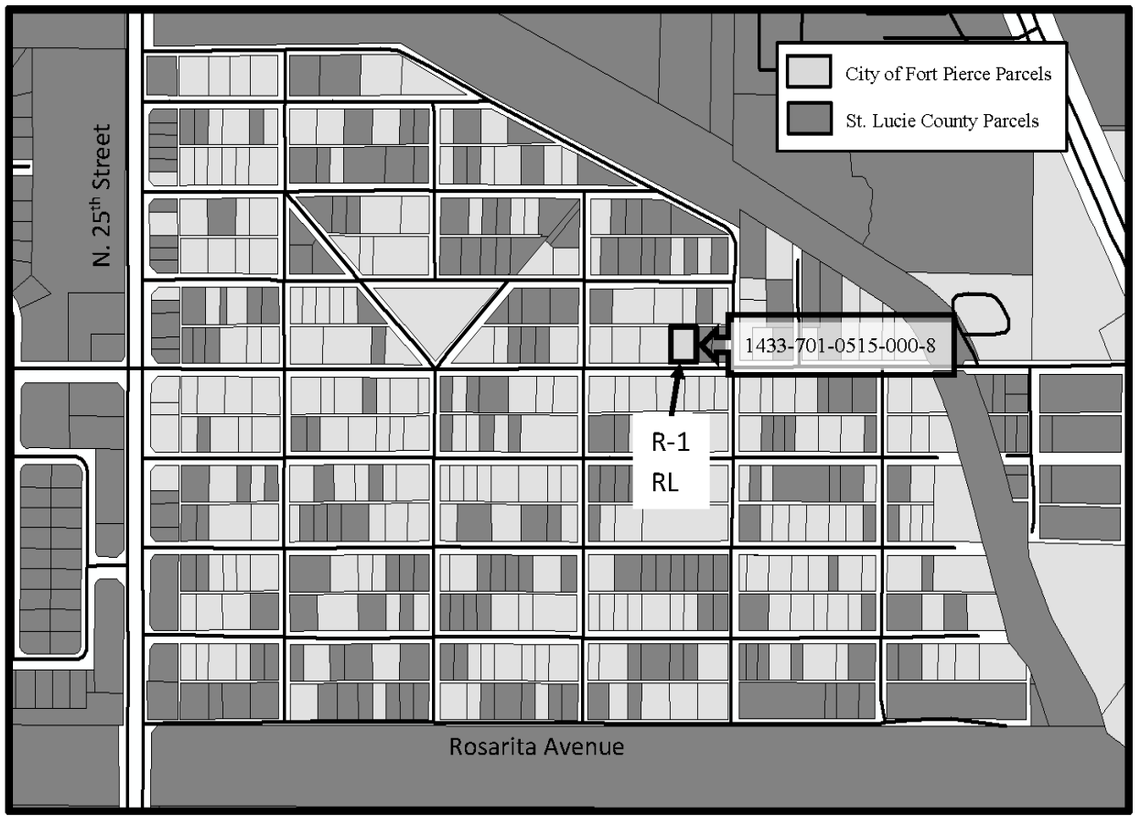
EXHIBIT A
Annexed Area & Legal Description



LOTS 17 & 18, BLOCK 30, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 Dwelling Units/Acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Residential Low Density (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3706485 OR BOOK 3392 PAGE 52, Recorded 05/23/2012 at 07:43 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 1433-701-0515-000-8	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	1706 JUANITA AVENUE, FORT PIERCE, FLORIDA 34946 Location Address 1706 JUANITA AVENUE, FORT PIERCE, FLORIDA 34946 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOTS 17 AND 18, BLOCK 30, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 7th day of MAY, 2012.

Signed, sealed and delivered in our presence as witnesses:

Susan M. Burban
Witness Signature

Susan M. Burban
Printed Witness Signature

Witness Signature

Rosalie Lavertu
Printed Witness Signature

Sandra L. Jenkins
Signature
Sandra L. Jenkins, a single adult
Printed Signature
1706 Juanita Avenue
Address
Fort Pierce, Florida 34946
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Sandra L. Jenskis, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL SUSAN M. BURBAN Commission # EE 141093 Expires December 12, 2015 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 7th day of MAY, A.D. 2012. Susan M. Burban Notary Signature Susan M. Burban Notary Printed Signature

City Commission Regular Meeting **12. e.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2000 North 19th Street (1433-701-0418-000-8)

SUBJECT:

Legislative Hearing - Ordinance 19-049 extending the territorial limits of the City of Fort Pierce, Florida, to include 2000 North 19th Street in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $13,593 and the 2018 tax bill was $528.48.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Jennifer Hofmeister	11/13/2019 08:33 AM
City Manager	Nick Mimms	11/13/2019 03:02 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 04:52 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Nicholas C. Mimms, PE, City Manager

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

RE: **Applications for Annexation of Nine (9) Parcels**
1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 & 2005 Avienda Avenue, and 2206 & 2306 North 23rd Street

HEARING DATES: November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owners:

Sandra L. Jenkins
1706 Juanita Avenue
Fort Pierce, FL 34946

Christine Gagnon
Pierre LaLiberte
121 112E Avenue
Saint-Jerome, QC J7Y 4J7
CANADA

Gwendolyn Bennett
2000 North 19th Street
Fort Pierce, FL 34946

Leroy Lewis
Gerald A. Lewis
Clarence Zackery Jr.
2213 North 19th Street
Fort Pierce, FL 34946

Meinardo Galarza
Rosa Elena Reyes Galarza
2305 North 19th Street
Fort Pierce, FL 34946-5504

Courtney Gallimore
Crystal Gallimore
2004 Avienda Avenue
Fort Pierce, FL 34946

Usani E. Phillips
8130 Mountain View Drive #D
Pleasanton, CA 94588

Sandra Sessom-Penny
109 Fielding Lewis Drive
Yorktown, VA 23692

Vinson T. McCarty Sr.
PO Box 1213
Fort Pierce, FL 34954

Requested Action: Approval of Voluntary Applications for Annexation of nine (9) parcels of land along with the Future Land Use Designation of Residential Low Density (RL) and Zoning Designation of Single-Family Low Density (R-1) for each parcel.

Site Location: 1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 and 2306 North 23rd Street, all in Fort Pierce, Florida.

Parcel ID's: 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4

Parcel Size: 0.37, 0.37, 0.22, 0.40, 0.26, 0.28, 0.19, 0.93, and 0.22 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

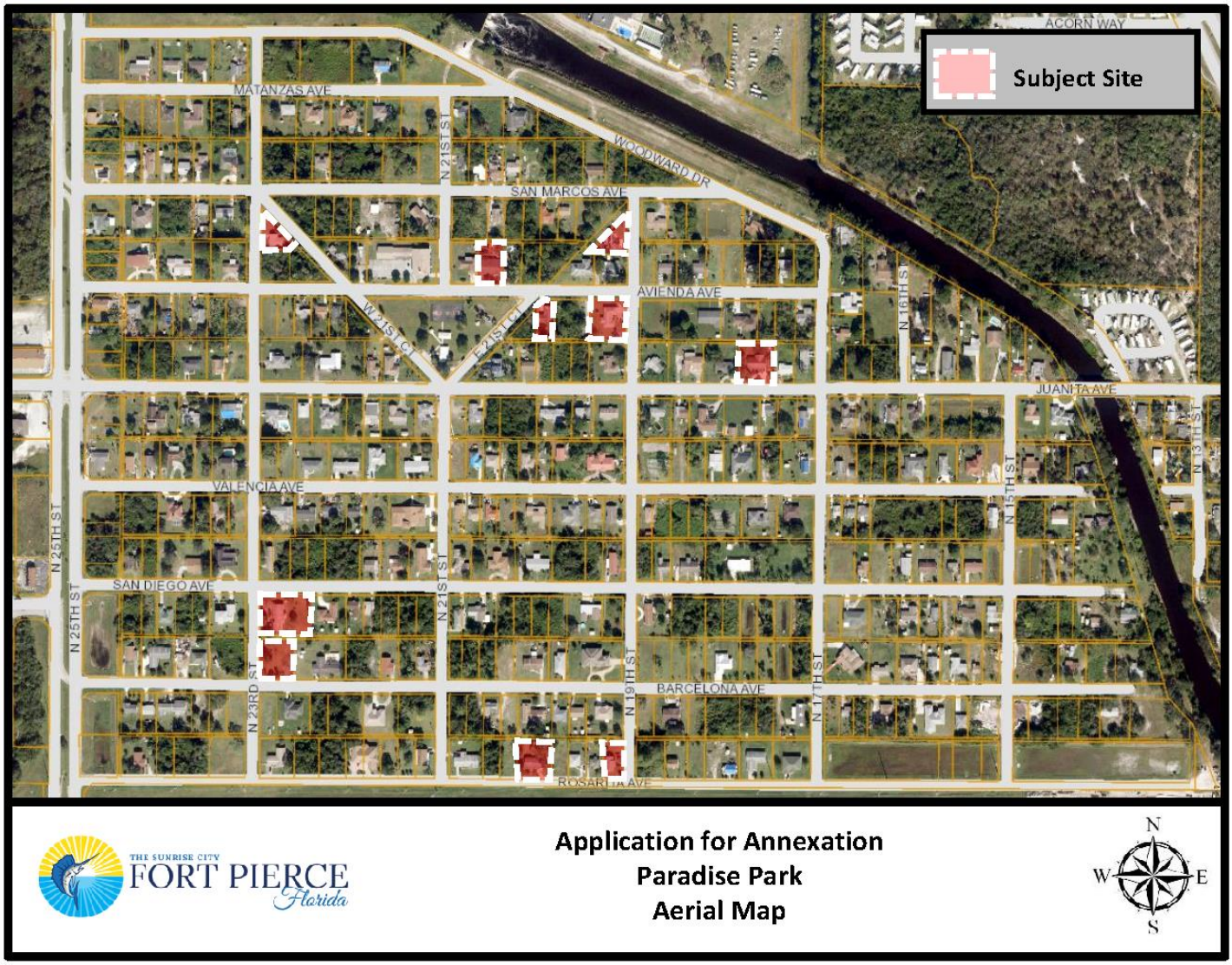
Proposed Future Land Use: Residential Low Density (RL)

Proposed Zoning: Single-Family Low Density (R-1)

	North	East	South	West
Surrounding FLU:	ROW, RL, RU (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU (SLC)
Surrounding Zoning:	ROW, R-1, RS-4 (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 (SLC)

Staff Analysis

This is a request for a voluntary annexation of nine (9) properties (Parcel ID's 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) generally located northeast of the intersection of Rosarita Avenue and South 25th Street in Fort Pierce, Florida.



The current St. Lucie County Future Land Use and Zoning for 2402 Valencia Avenue is Residential Urban 5 Dwelling Units/Acre (RU) and Single Family, 4 Dwelling Units/Acre (RS-4), respectively. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use and Zoning designation for all parcels will be Residential Low Density (RL) and Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce.

These proposed annexations are also consistent with Chapter 171.044, F.S, whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) respectively, are approximately $25,000, $64,300, $13,593, $54,278, $102,300, $48,037, $33,700, $82,122, and $40,656. If the Applications for Annexation are approved, it would create nine (9) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties with-in St. Lucie County jurisdiction and with-in City of Fort Pierce jurisdiction. The annexation of these properties would help to continue eliminating irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City also helps to provide efficient public services. The City of Fort Pierce Future Land Use and Zoning designations will remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of Residential Low Density (RL) and compatible Zoning Designation of Single-Family Low Density (R-1), are consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use designation of RL and Zoning designation of R-1 for each of the parcels.

ORDINANCE NO. 19-049

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2000 NORTH 19TH STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit "C;" and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0418-000-8

LOT 20, BLOCK 25, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.22 acres, more or less, and being generally located at 2000 North 19th Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Residential Low Density (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-049 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

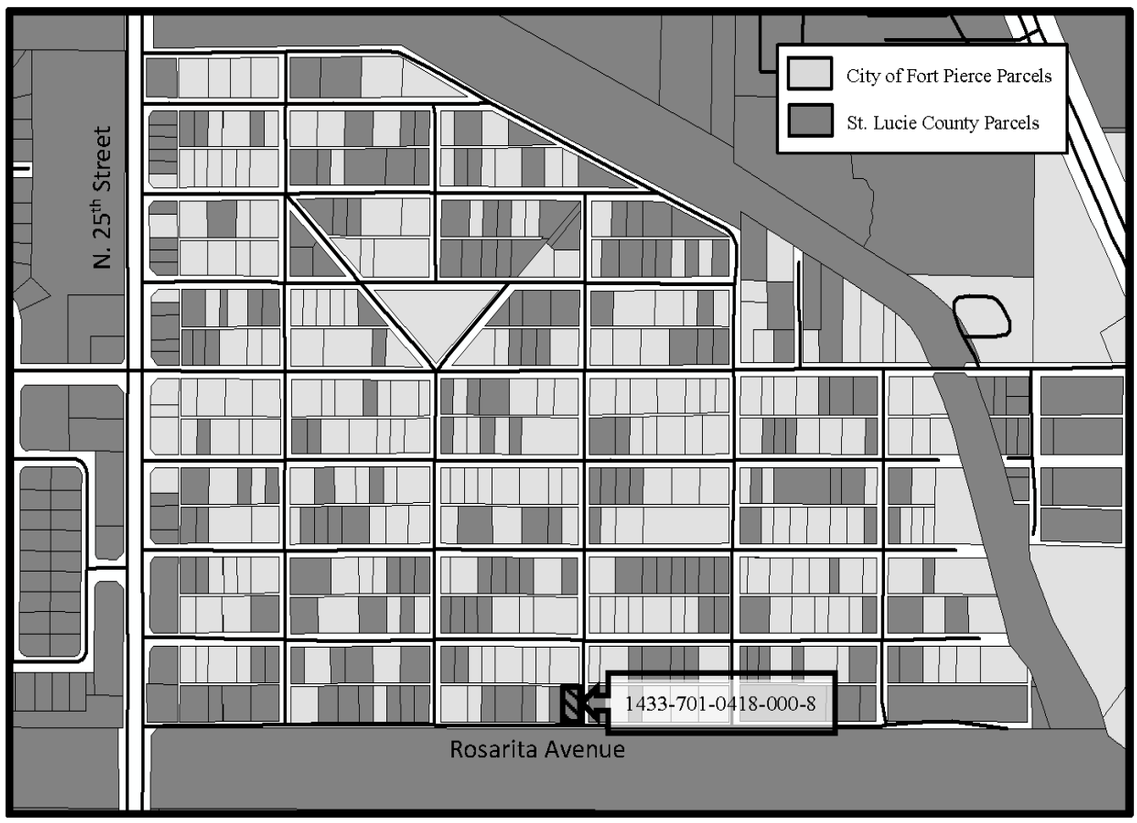
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

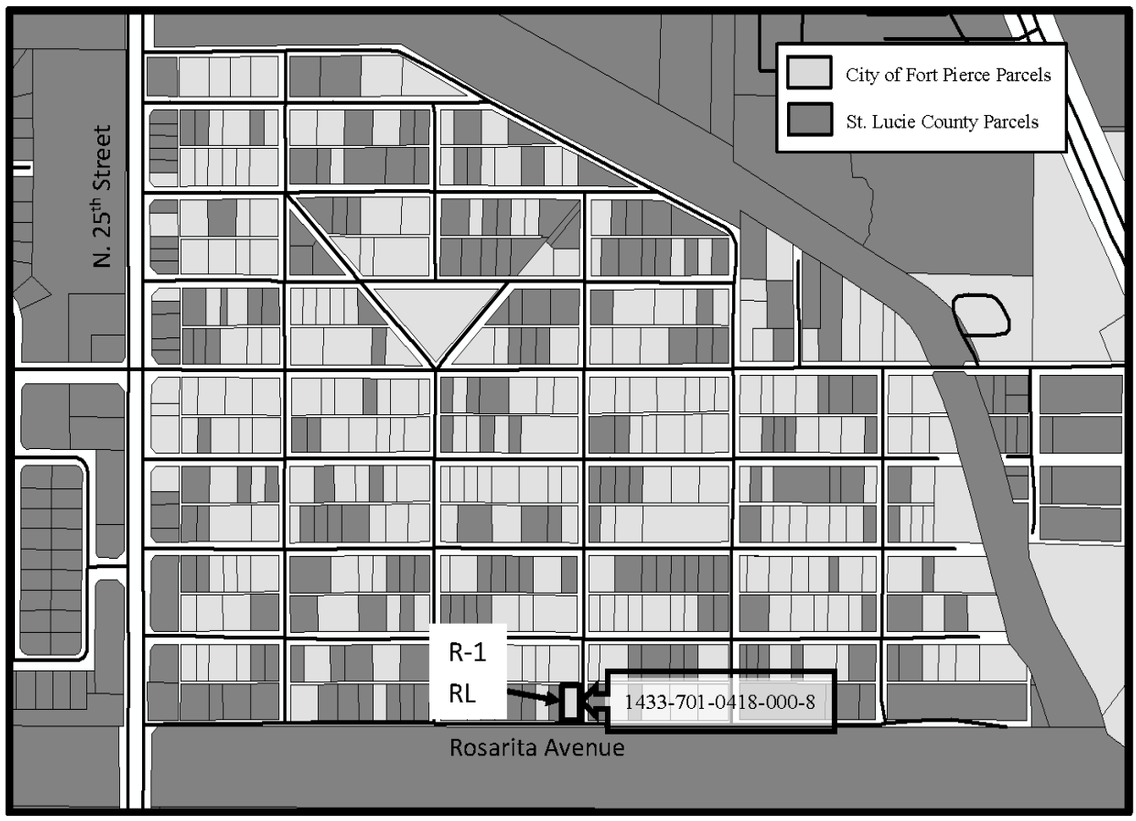
EXHIBIT A
Annexed Area & Legal Description



LOT 20, BLOCK 25, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 Dwelling Units/Acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Residential Low Density (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3570411 OR BOOK 3275 PAGE 2676, Recorded 03/14/2011 at 10:09 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 1433-701-0418-000-8	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2000 N. 19TH STREET, FORT PIERCE, FL 34946 Location Address 2000 N. 19TH STREET, FORT PIERCE, FL 34946 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOT 20, BLOCK 25, PARADISE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand and seal this 16th day of February 2011.

Signed, sealed and delivered in our presence as witnesses:

Susan M. Burban
Witness Signature

Susan M. Burban
Printed Witness Signature

Witness Signature

Rosalie Lavertu
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Gwendolyn Bennett
Signature
Gwendolyn Bennett
Printed Signature
2000 N. 19th Street
Address
Fort Pierce, FL 34946
City, State, Zip

Leonard Washington
Signature
Leonard Washington, her husband
Printed Signature
2000 N. 19th Street
Address
Fort Pierce, FL 34946
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Gwendolyn Bennett and Leonard Washington, her husband,, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL ROSALIE LAVERTU MY COMMISSION # DD643930 EXPIRES May 21 2011 (407) 398-0153 FloridaNotaryService.com	Witness my hand and official Seal in the County and State last aforesaid this 16th day of February, A.D. 2011. Notary Signature Rosalie Lavertu Notary Printed Signature

City Commission Regular Meeting **12. f.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2000 Rosarita Avenue (1433-701-0413-000-3)

SUBJECT:

Legislative Hearing - Ordinance 19-050 extending the territorial limits of the City of Fort Pierce, Florida, to include 2000 Rosarita Avenue in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with the Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $64,300 and the 2018 tax bill was $1,502.53.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Jennifer Hofmeister	11/13/2019 08:33 AM
City Manager	Nick Mimms	11/13/2019 03:02 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 04:55 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Nine (9) Parcels**
1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 & 2306 North 23rd Street

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:

Sandra L. Jenkins
1706 Juanita Avenue
Fort Pierce, FL 34946

Christine Gagnon
Pierre LaLiberte
121 112E Avenue
Saint-Jerome, QC J7Y 4J7
CANADA

Gwendolyn Bennett
2000 North 19th Street
Fort Pierce, FL 34946

Leroy Lewis
Gerald A. Lewis
Clarence Zackery Jr.
2213 North 19th Street
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Vinson T. McCarty Sr.
PO Box 1213
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Requested Action: Approval of Voluntary Applications for Annexation of nine (9) parcels of land along with the Future Land Use Designation of Residential Low (RL) and a Zoning classification of Single-Family Low Density (R-1) for each parcel.

Site Location: 1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 and 2306 North 23rd Street, all in Fort Pierce, Florida.

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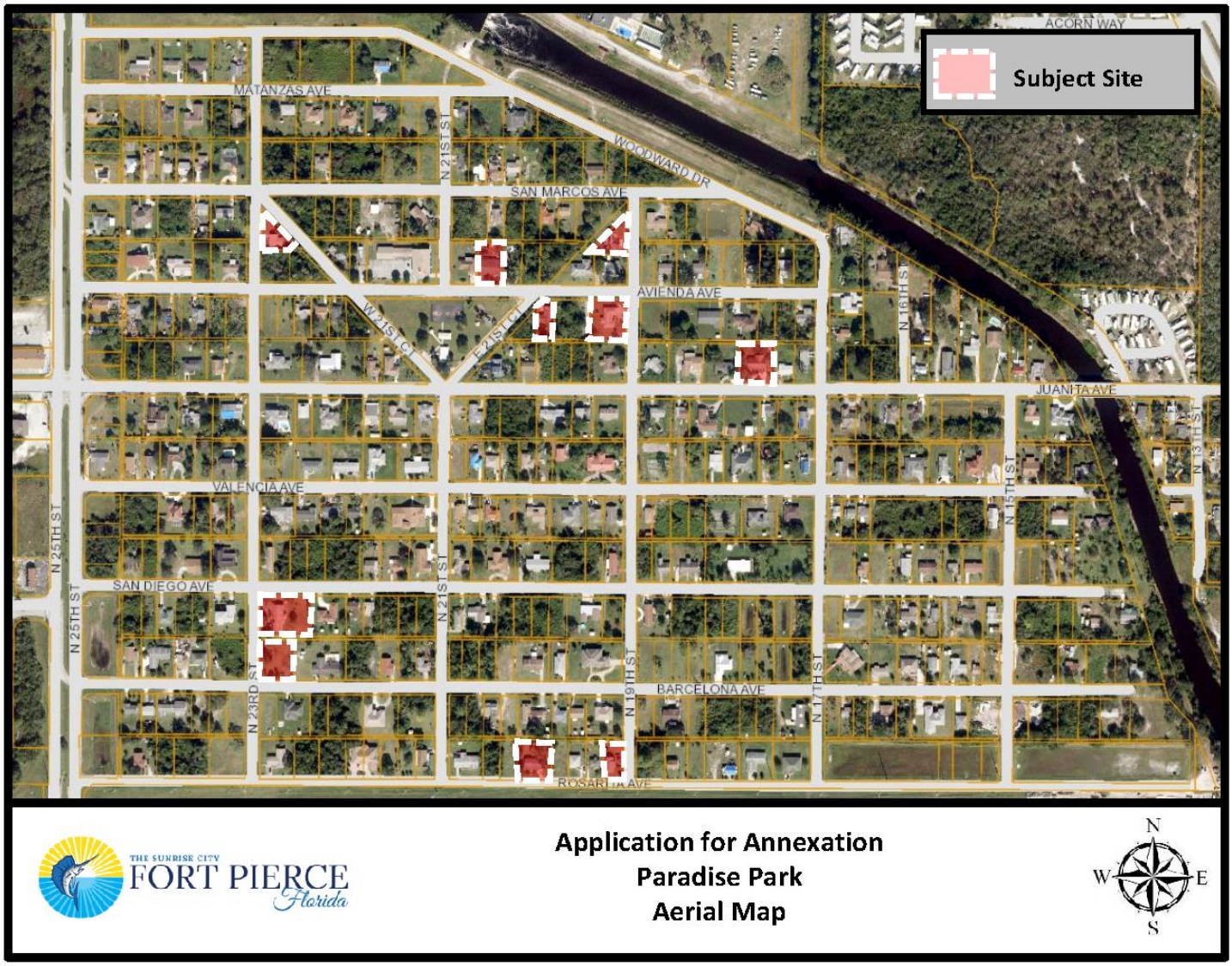
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Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

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Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-050

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2000 ROSARITA AVENUE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0413-000-3

LOTS 15 & 16, BLOCK 25, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.37 acres, more or less, and being generally located at 2000 Rosarita Avenue in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Residential Low Density (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-050 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

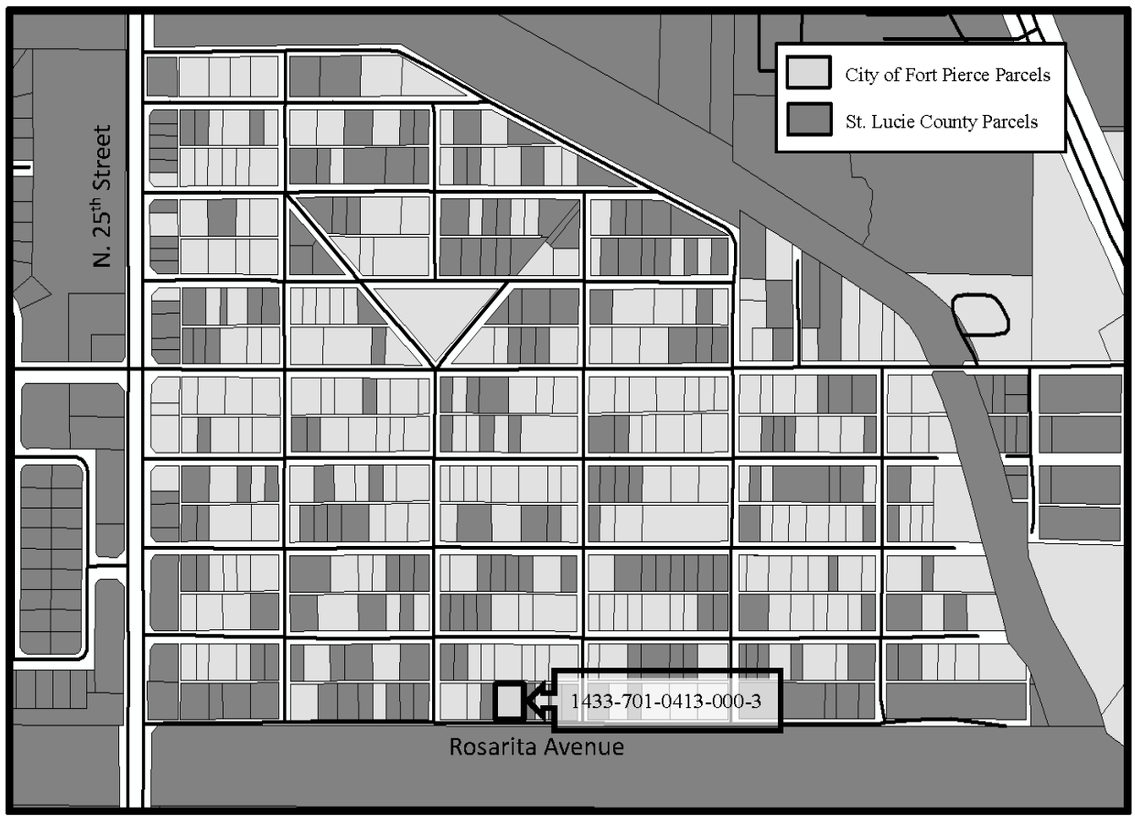
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

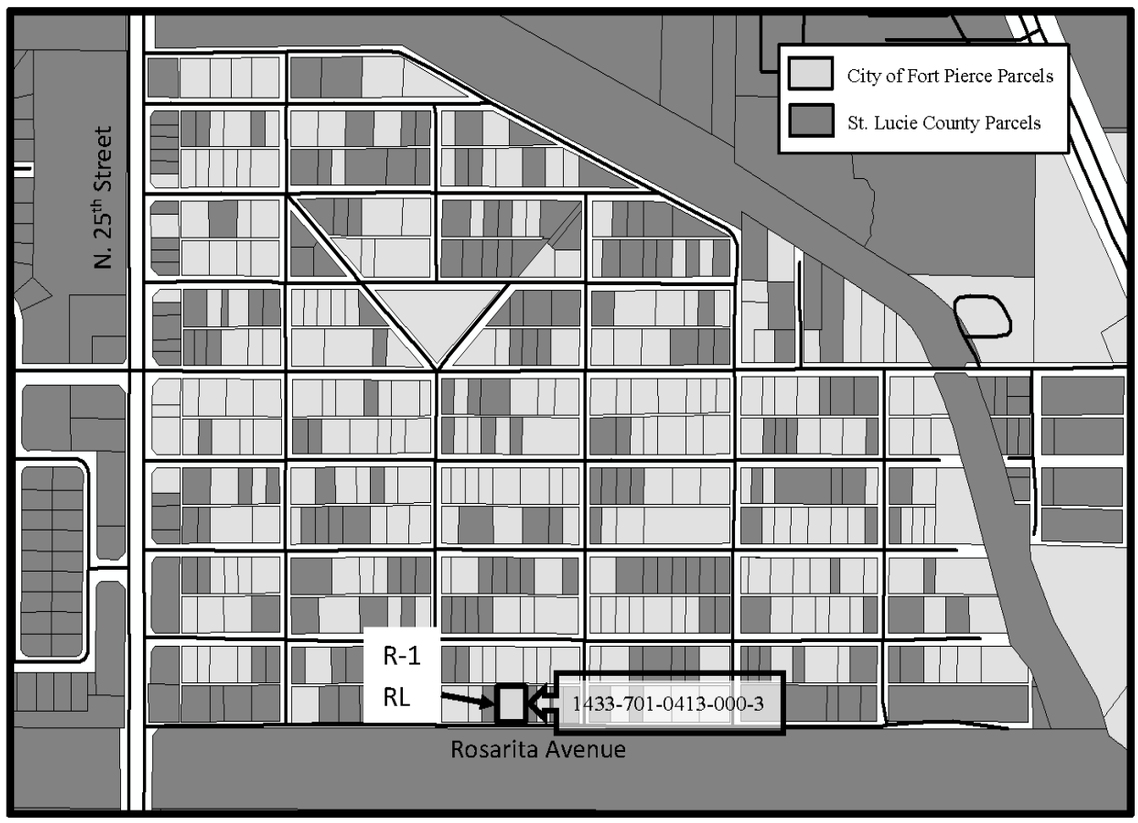
EXHIBIT A
Annexed Area & Legal Description



LOTS 15 & 16, BLOCK 25, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 Dwelling Units/Acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Residential Low Density (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4048916 OR BOOK 3725 PAGE 249, Recorded 03/16/2015 at 10:40 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 1433-701-0413-000-3	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2000 ROSARITA AVENUE, FORT PIERCE, FLORIDA 34946 Location Address 1020 RUE BELANGER, ST. JEROME, PQ CANADA G7Y 4Y1 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

Lots 15 and 16, Block 25, of Paradise Park, according to the Plat thereof, as recorded in Plat Book 8, at Page 17, of the Public Records of St. Lucie County, Florida.

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR. THE GRANTOR RESIDES AT 1020 RUE BELANGER, ST. JEROME, PQ, CANADA G7Y 4Y1

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 13TH day of FEBRUARY, 2015.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

AMY SHEULIN
Printed Witness Signature

Witness Signature

ROSALIE LAVERTU
Printed Witness Signature

Signature
Christine Gagnon
Printed Signature
1020 Rue Belanger
Address
St. Jerome, PQ, Canada G7Y 4Y1
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Christine Gagnon**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 13TH day of FEBRUARY, A.D. 2015. Notary Signature ROSALIE LAVERTU Notary Printed Signature

City Commission Regular Meeting **12. g.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2004 Avienda Avenue (1433-701-0318-000-7)

SUBJECT:

Legislative Hearing - Ordinance 19-051 extending the territorial limits of the City of Fort Pierce, Florida, to include 2004 Avienda Avenue in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $48,037 and the 2018 tax bill was $1529.80.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:02 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:09 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Nine (9) Parcels**
1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 & 2306 North 23rd Street

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:

Sandra L. Jenkins
1706 Juanita Avenue
Fort Pierce, FL 34946

Christine Gagnon
Pierre LaLiberte
121 112E Avenue
Saint-Jerome, QC J7Y 4J7
CANADA

Gwendolyn Bennett
2000 North 19th Street
Fort Pierce, FL 34946

Leroy Lewis
Gerald A. Lewis
Clarence Zackery Jr.
2213 North 19th Street
Fort Pierce, FL 34946

Meinardo Galarza
Rosa Elena Reyes Galarza
2305 North 19th Street
Fort Pierce, FL 34946-5504

Courtney Gallimore
Crystal Gallimore
2004 Avienda Avenue
Fort Pierce, FL 34946

Usani E. Phillips
8130 Mountain View Drive #D
Pleasanton, CA 94588

Sandra Sessom-Penny
109 Fielding Lewis Drive
Yorktown, VA 23692

Vinson T. McCarty Sr.
PO Box 1213
Fort Pierce, FL 34954

Requested Action: Approval of Voluntary Applications for Annexation of nine (9) parcels of land along with the Future Land Use Designation of Residential Low (RL) and a Zoning classification of Single-Family Low Density (R-1) for each parcel.

Site Location: 1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 and 2306 North 23rd Street, all in Fort Pierce, Florida.

Parcel ID's: 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4

Parcel Size: 0.37, 0.37, 0.22, 0.40, 0.26, 0.28, 0.19, 0.93, and 0.22 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

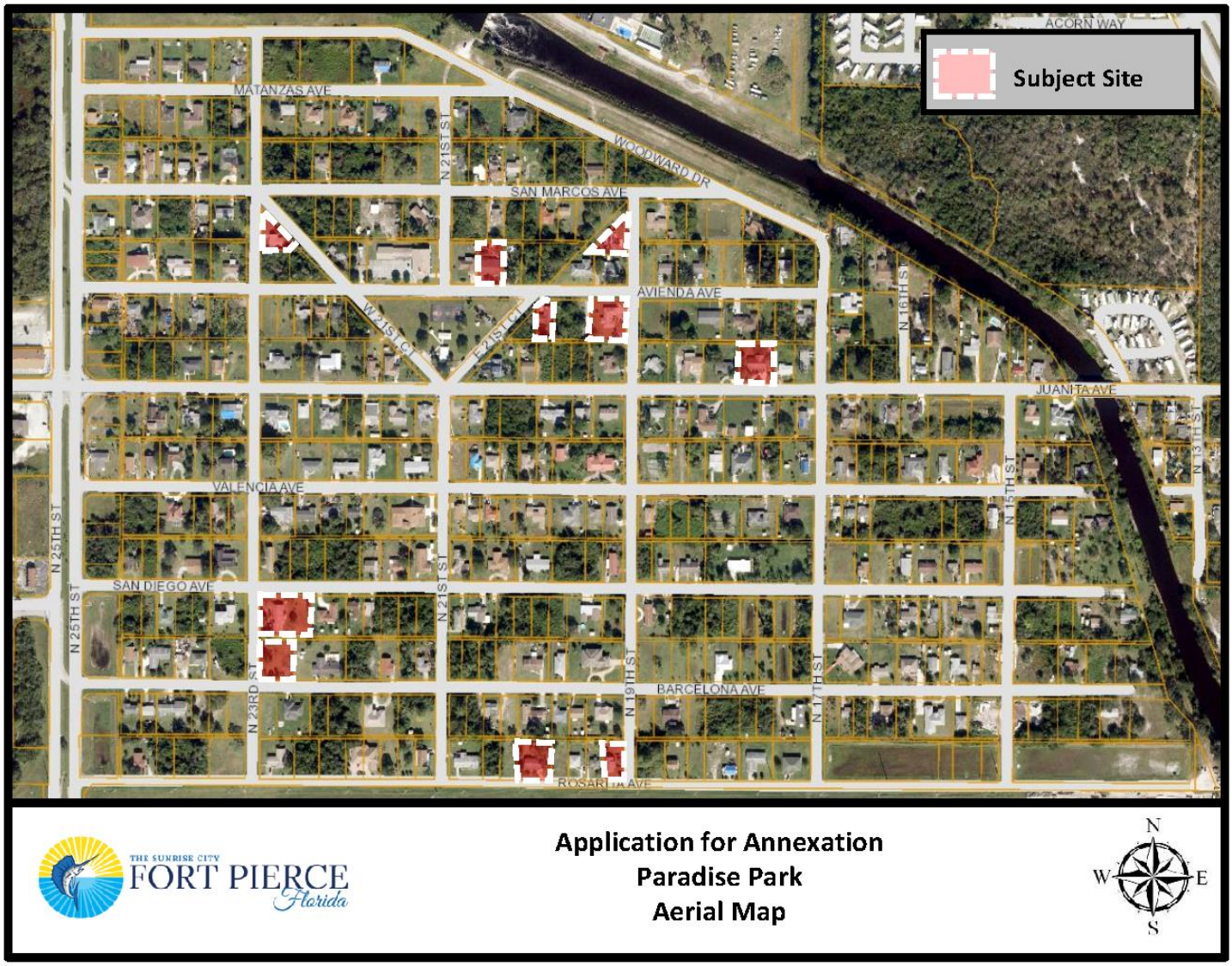
Proposed Future Land Use: Residential Low Density (RL)

Proposed Zoning: Single-Family Low Density (R-1)

	North	East	South	West
Surrounding FLU:	ROW, RL, RU (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU (SLC)
Surrounding Zoning:	ROW, R-1, RS-4 (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 (SLC)

Staff Analysis

This is a request for a voluntary annexation of nine (9) properties (Parcel ID's 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) generally located northeast of the intersection of Rosarita Avenue and South 25th Street in Fort Pierce, Florida.



The current St. Lucie County Future Land Use is Residential Urban 5 Dwelling Units/Acre (RU) and the St. Lucie County is Zoning Single Family, 4 Dwelling Units/Acre (RS-4) for 2402 Valencia Avenue. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation is Residential Low Density (RL) and the Zoning designation for all parcels is be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) are approximately $25,000, $64,300, $13,593, $54,278, $102,300, $48,037, $33,700, $82,122, and $40,656, respectively. If the Applications for Annexation are approved, it would create nine (9) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation:

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-051

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2004 AVIENDA AVENUE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0318-000-7

THE EAST ONE-HALF OF LOT 10, AND ALL OF LOT 11, BLOCK 19, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.28 acres, more or less, and being generally located at 2004 Avienda Avenue in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Residential Low Density (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-051 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

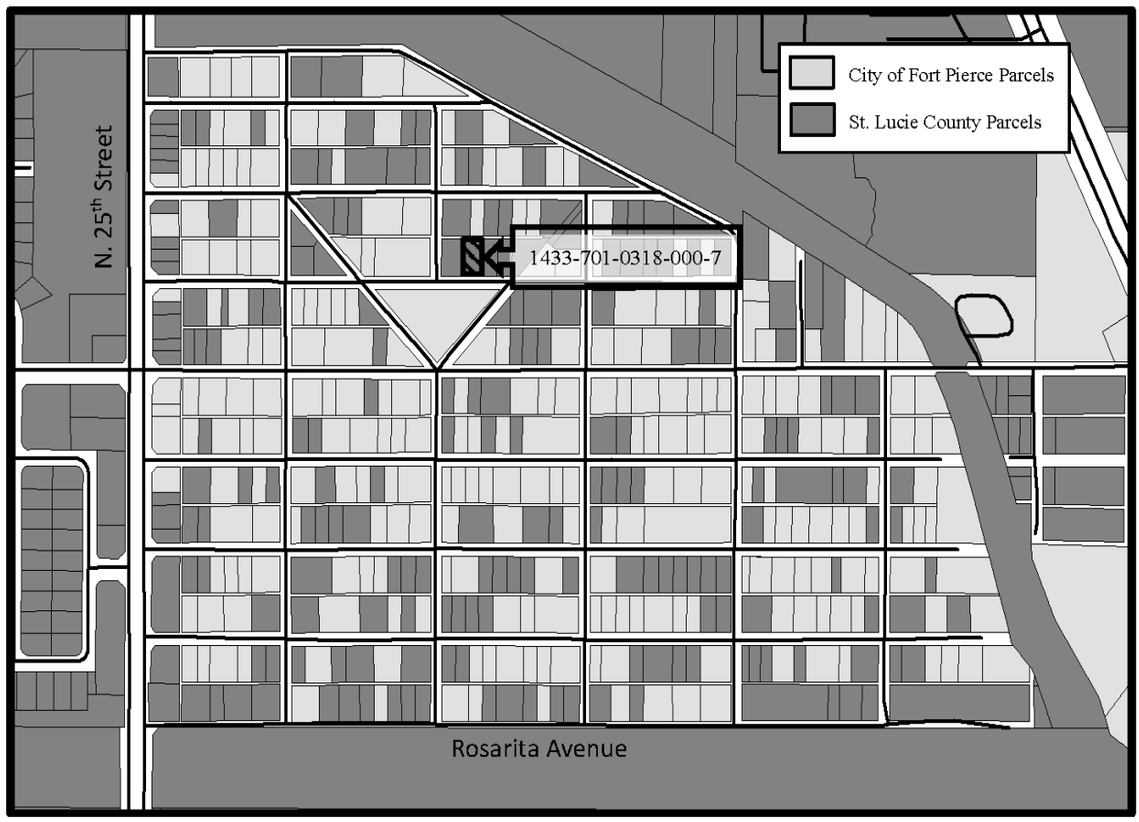
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

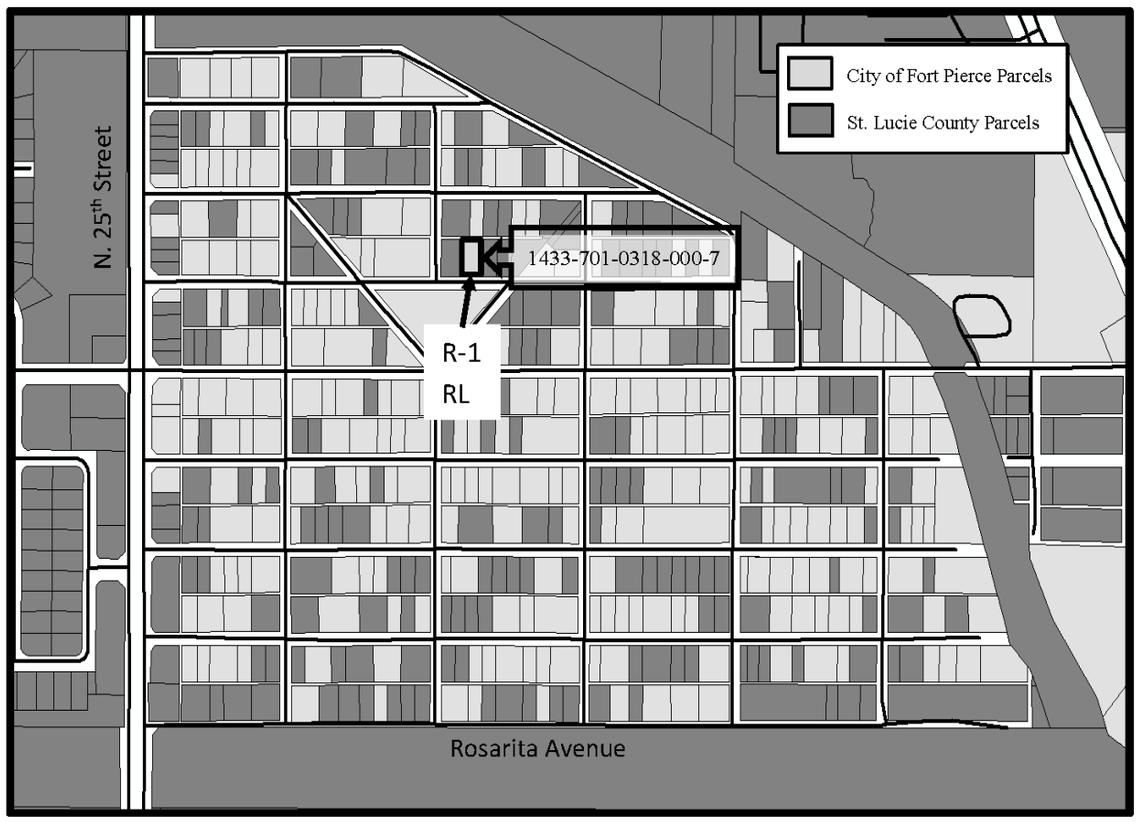
EXHIBIT A
Annexed Area & Legal Description



THE EAST ONE-HALF OF LOT 10, AND ALL OF LOT 11, BLOCK 19, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 Dwelling Units/Acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Residential Low Density (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4071905 OR BOOK 3748 PAGE 629, Recorded 05/20/2015 at 09:46 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 1433-701-0318-000-7	**ANNEXATION AGREEMENT** **INDIVIDUALS**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2004 AVIENDA AVENUE, FORT PIERCE, FLORIDA 34946 Location Address 2004 AVIENDA AVENUE, FORT PIERCE, FLORIDA 34946 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

THE EAST ONE-HALF OF LOT 10, AND ALL OF LOT 11, BLOCK 19, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 24TH day of APRIL, 2015.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

Rosalie Lavertu
Printed Witness Signature

Witness Signature

Collette Boyer
Printed Witness Signature

C. Gallimore
Signature
Courtney Gallimore
Printed Signature
2004 Avienda Avenue
Address
Fort Pierce, Florida 34946

Crystal Gallimore
Signature
Crystal Gallimore, his wife
Printed Signature
2004 Avienda Avenue
Address
Fort Pierce, Florida 34946
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Courtney Gallimore and Crystal Gallimore, his wife**, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed same, that I relied upon the following form of identification of the above-named person: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019 ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 24TH day of APRIL, A.D. 2015. Notary Signature Rosalie Lavertu Notary Printed Signature

City Commission Regular Meeting **12. h.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2005 Avienda Avenue (1433-701-0328-000-0)

SUBJECT:

Legislative Hearing - Ordinance 19-052 extending the territorial limits of the City of Fort Pierce, Florida, to include 2005 Avienda Avenue in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with the Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $33,700 and the 2018 tax bill was $924.25.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:03 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:12 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Nine (9) Parcels**
1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 & 2306 North 23rd Street

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:

Sandra L. Jenkins
1706 Juanita Avenue
Fort Pierce, FL 34946

Christine Gagnon
Pierre LaLiberte
121 112E Avenue
Saint-Jerome, QC J7Y 4J7
CANADA

Gwendolyn Bennett
2000 North 19th Street
Fort Pierce, FL 34946

Leroy Lewis
Gerald A. Lewis
Clarence Zackery Jr.
2213 North 19th Street
Fort Pierce, FL 34946

Meinardo Galarza
Rosa Elena Reyes Galarza
2305 North 19th Street
Fort Pierce, FL 34946-5504

Courtney Gallimore
Crystal Gallimore
2004 Avienda Avenue
Fort Pierce, FL 34946

Usani E. Phillips
8130 Mountain View Drive #D
Pleasanton, CA 94588

Sandra Sessom-Penny
109 Fielding Lewis Drive
Yorktown, VA 23692

Vinson T. McCarty Sr.
PO Box 1213
Fort Pierce, FL 34954

Requested Action: Approval of Voluntary Applications for Annexation of nine (9) parcels of land along with the Future Land Use Designation of Residential Low (RL) and a Zoning classification of Single-Family Low Density (R-1) for each parcel.

Site Location: 1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 and 2306 North 23rd Street, all in Fort Pierce, Florida.

Parcel ID's: 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4

Parcel Size: 0.37, 0.37, 0.22, 0.40, 0.26, 0.28, 0.19, 0.93, and 0.22 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

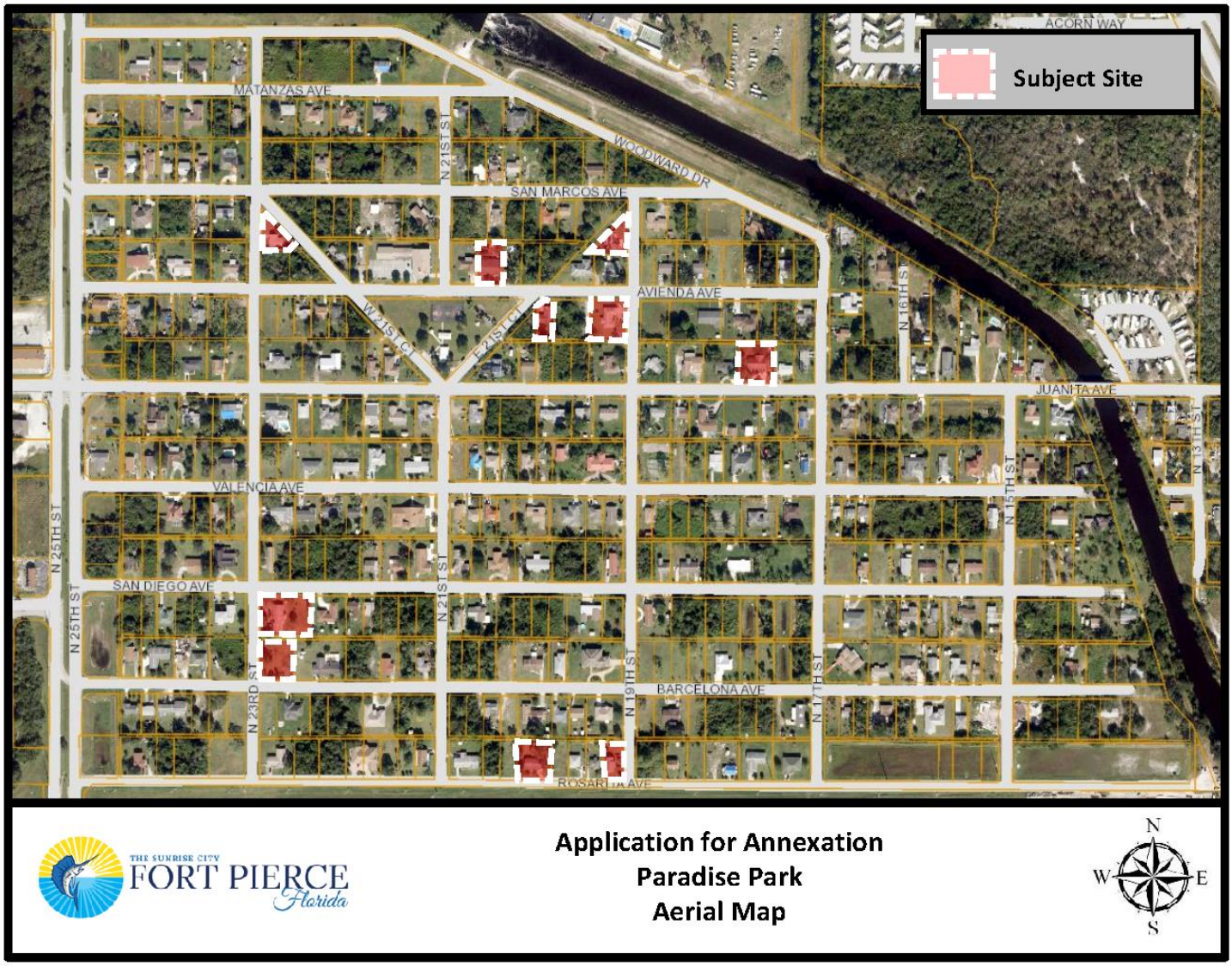
Proposed Future Land Use: Residential Low Density (RL)

Proposed Zoning: Single-Family Low Density (R-1)

	North	East	South	West
Surrounding FLU:	ROW, RL, RU (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU (SLC)
Surrounding Zoning:	ROW, R-1, RS-4 (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 (SLC)

Staff Analysis

This is a request for a voluntary annexation of nine (9) properties (Parcel ID's 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) generally located northeast of the intersection of Rosarita Avenue and South 25th Street in Fort Pierce, Florida.



The current St. Lucie County Future Land Use is Residential Urban 5 Dwelling Units/Acre (RU) and the St. Lucie County is Zoning Single Family, 4 Dwelling Units/Acre (RS-4) for 2402 Valencia Avenue. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation is Residential Low Density (RL) and the Zoning designation for all parcels is be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) are approximately $25,000, $64,300, $13,593, $54,278, $102,300, $48,037, $33,700, $82,122, and $40,656, respectively. If the Applications for Annexation are approved, it would create nine (9) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation:

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-052

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2005 AVIENDA AVENUE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0328-000-0

LOT 5, BLOCK 21, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.19 acres, more or less, and being generally located at 2005 Avienda Avenue in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Residential Low Density (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-052 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

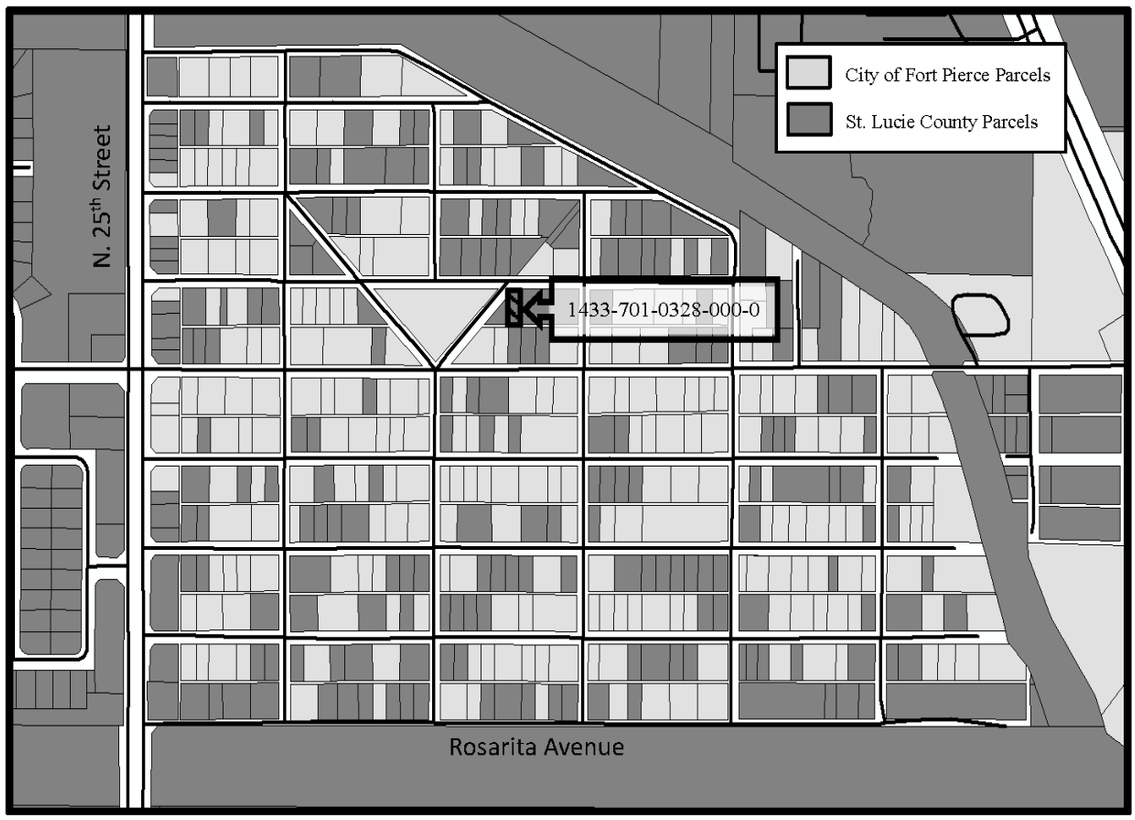
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

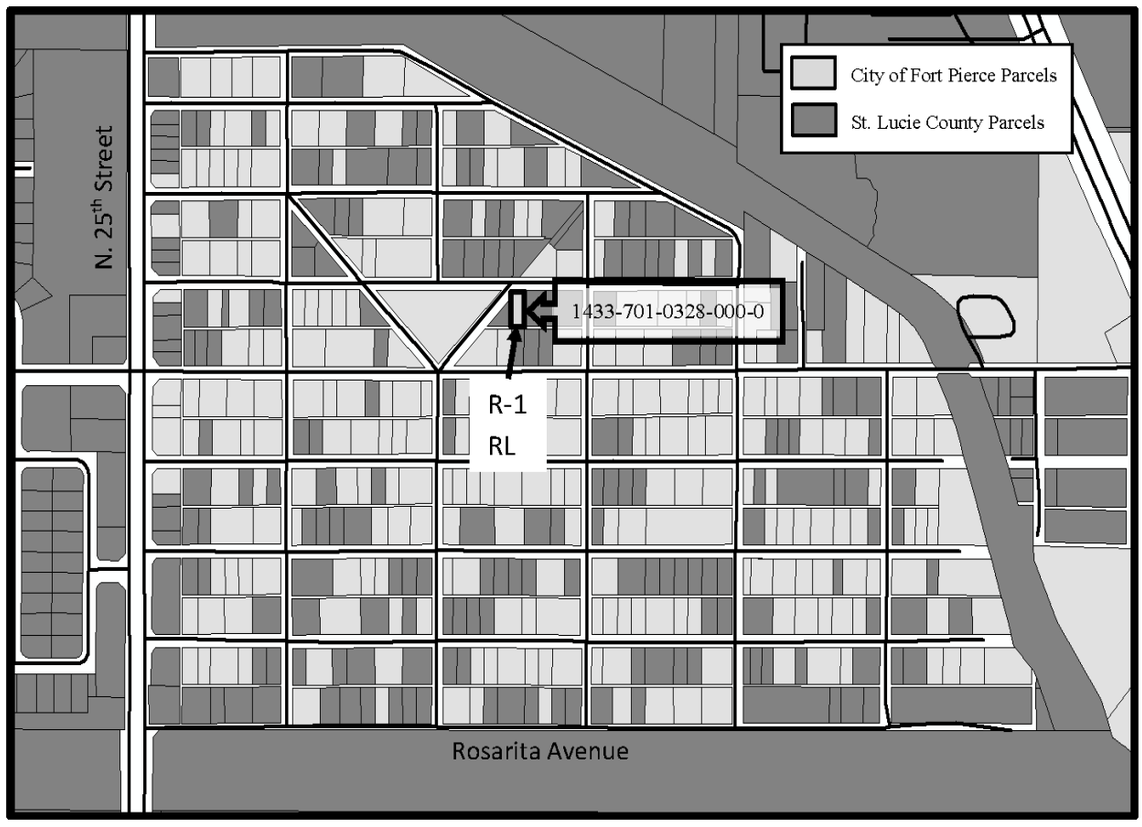
EXHIBIT A
Annexed Area & Legal Description



LOT 5, BLOCK 21, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 Dwelling Units/Acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Residential Low Density (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3953187 OR BOOK 3630 PAGE 1148, Recorded 05/09/2014 at 10:02

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 1433-701-0328-0000-0	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2005 AVIENDA AVENUE, FORT PIERCE, FLORIDA 34946 Location Address 2002 AVIENDA AVENUE, FORT PIERCE, FLORIDA 34946 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

Lot 5, Block 21, PLAT OF PARADISE PARK, according to the plat thereof recorded at Plat Book 8, Page 17, in the Public Records of St. Lucie County, Florida.

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR. THE GRANTOR RESIDES AT 2002 AVIENDA AVENUE, FORT PIERCE, FLORIDA 34946.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 16TH day of APRIL, 2014.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

Rosalie Lavertu
Printed Witness Signature

Witness Signature

AMY SHEVLIN
Printed Witness Signature

Signature

Alvin Phillips
Printed Signature

2002 Avienda Avenue
Address

Fort Pierce, Florida 34946
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Alvin Phillips**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he/she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 16TH day of APRIL, A.D. 2014. Notary Signature Rosalie Lavertu Notary Printed Signature

City Commission Regular Meeting **12. i.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2206 North 23rd Street (1433-701-0178-000-3)

SUBJECT:

Legislative Hearing - Ordinance 19-053 extending the territorial limits of the City of Fort Pierce, Florida, to include 2206 North 23rd Street in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $82,122 and the 2018 tax bill was $1,953.61.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:03 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:15 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Nine (9) Parcels**
1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 & 2306 North 23rd Street

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:

Sandra L. Jenkins
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Vinson T. McCarty Sr.
PO Box 1213
Fort Pierce, FL 34954

Requested Action: Approval of Voluntary Applications for Annexation of nine (9) parcels of land along with the Future Land Use Designation of Residential Low (RL) and a Zoning classification of Single-Family Low Density (R-1) for each parcel.

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Parcel ID's: 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4

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Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

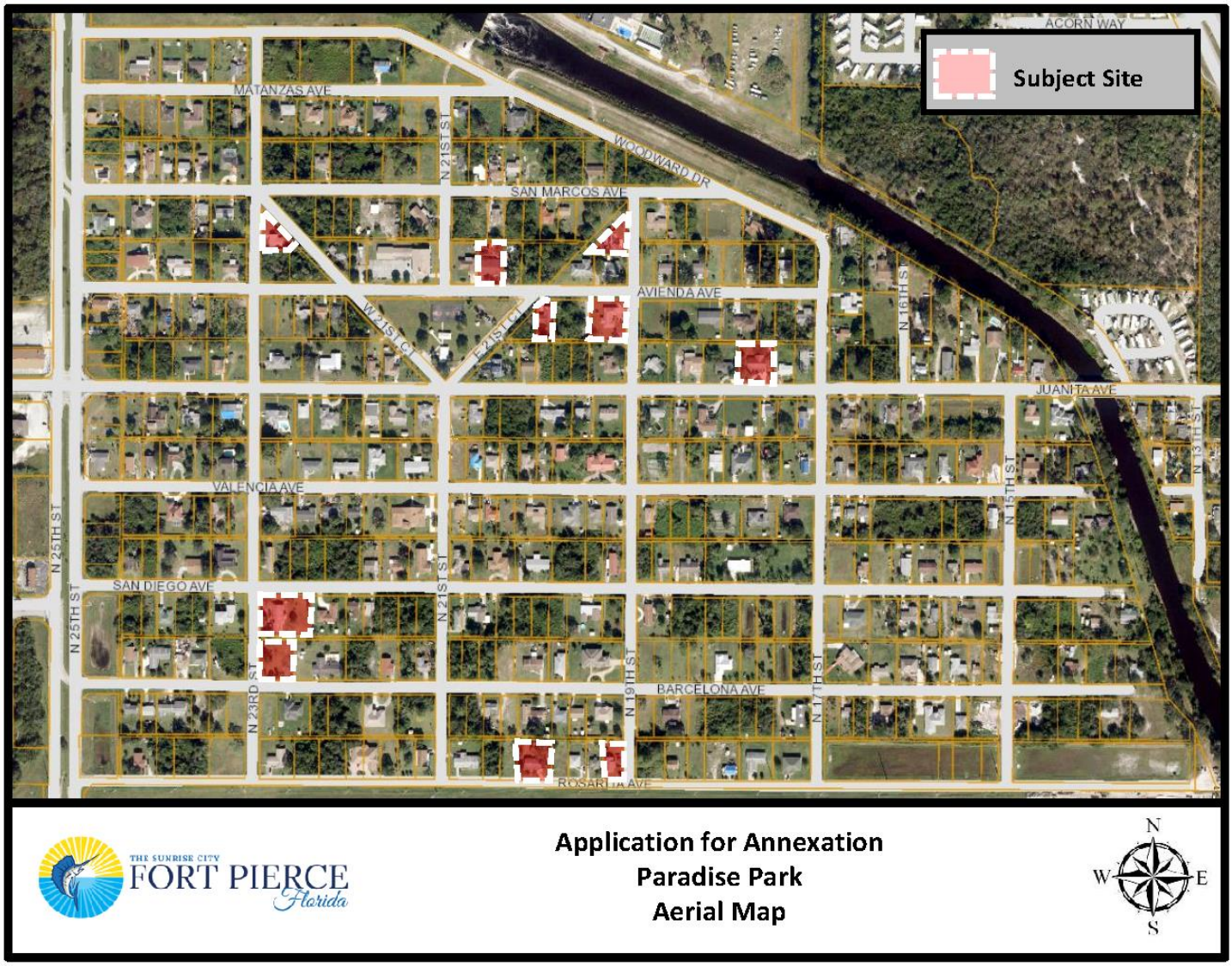
Proposed Future Land Use: Residential Low Density (RL)

Proposed Zoning: Single-Family Low Density (R-1)

	North	East	South	West
Surrounding FLU:	ROW, RL, RU (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU (SLC)
Surrounding Zoning:	ROW, R-1, RS-4 (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 (SLC)

Staff Analysis

This is a request for a voluntary annexation of nine (9) properties (Parcel ID's 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) generally located northeast of the intersection of Rosarita Avenue and South 25th Street in Fort Pierce, Florida.



The current St. Lucie County Future Land Use is Residential Urban 5 Dwelling Units/Acre (RU) and the St. Lucie County is Zoning Single Family, 4 Dwelling Units/Acre (RS-4) for 2402 Valencia Avenue. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation is Residential Low Density (RL) and the Zoning designation for all parcels is be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) are approximately $25,000, $64,300, $13,593, $54,278, $102,300, $48,037, $33,700, $82,122, and $40,656, respectively. If the Applications for Annexation are approved, it would create nine (9) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation:

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-053

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2206 NORTH 23RD STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0178-000-3

LOTS 8, 9, 10, 11 AND 12, BLOCK 10, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.93 acres, more or less, and being generally located at 2206 North 23rd Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Residential Low Density (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-053 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

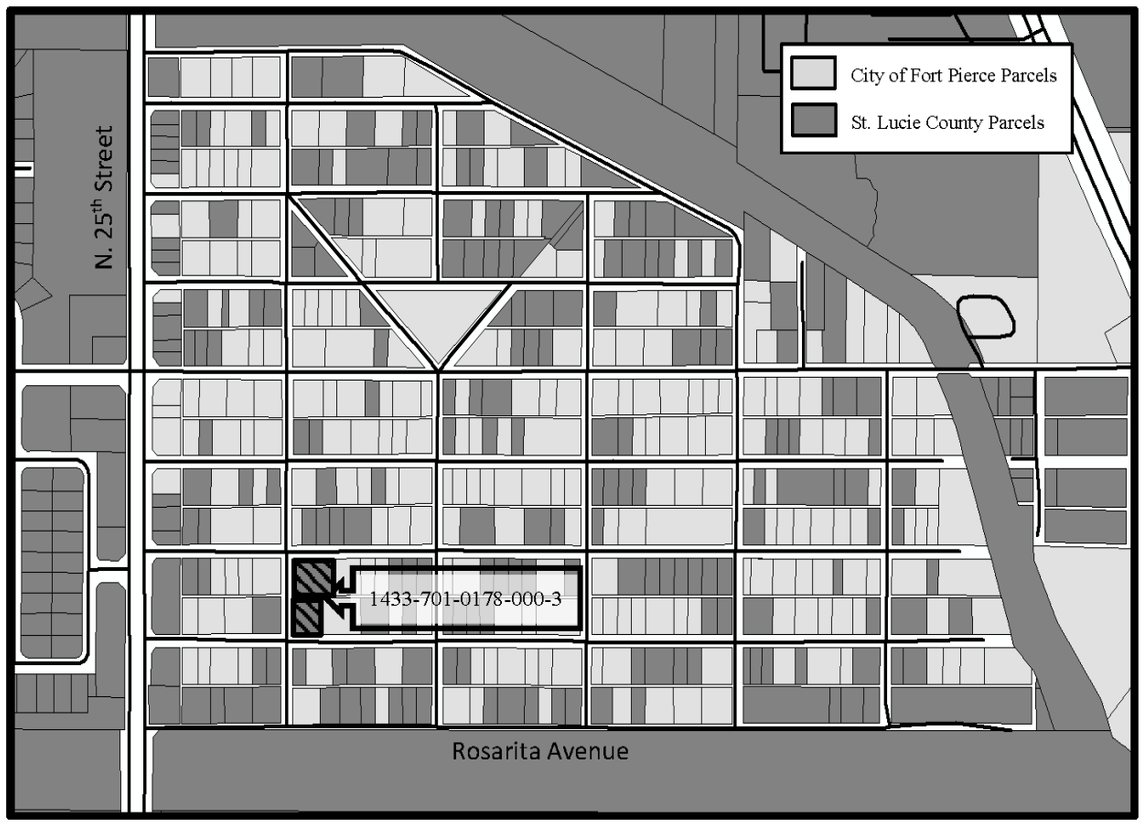
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

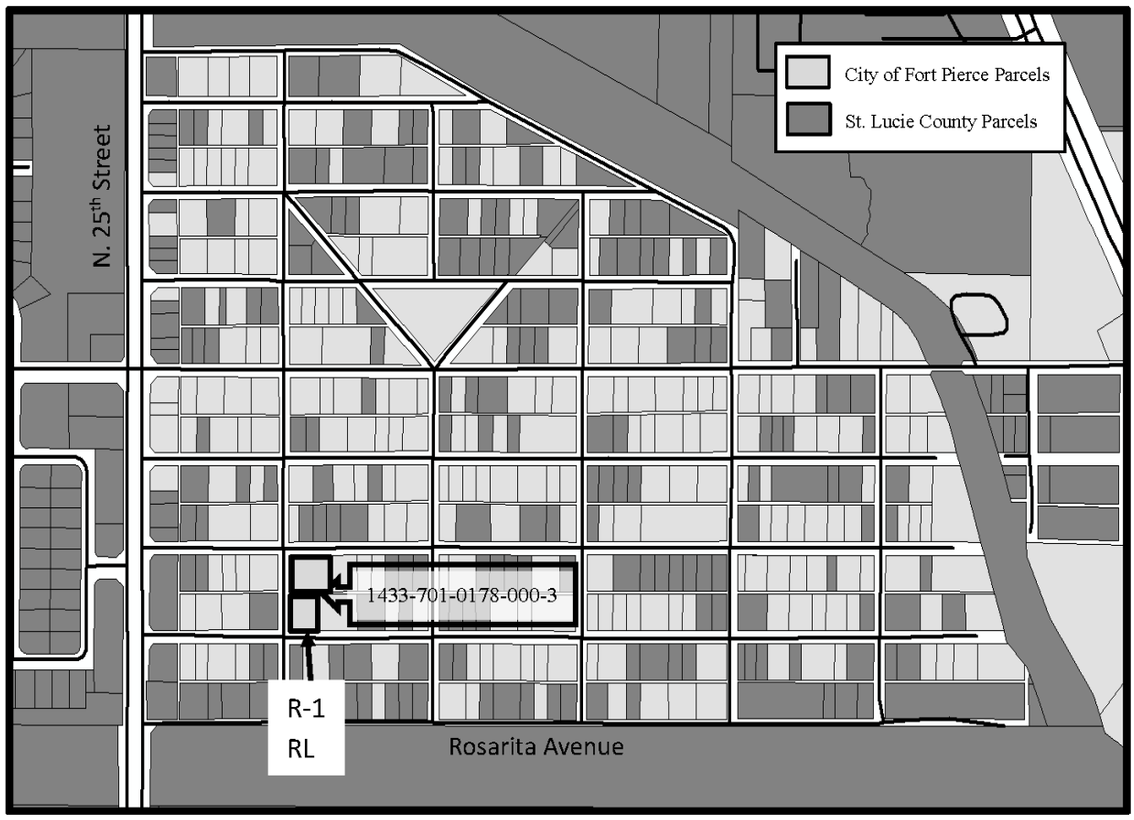
EXHIBIT A
Annexed Area & Legal Description



LOTS 8, 9, 10, 11 AND 12, BLOCK 10, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 Dwelling Units/Acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Residential Low Density (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3627989 OR BOOK 3323 PAGE 2914, Recorded 09/13/2011 at 03:33 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 1433-701-0178-000-3	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2206 N. 23RD STREET, FORT PIERCE, FL 34946 Location Address 109 FIELDING LEWIS DRIVE, YORKTOWN, VA 23692 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOTS 8, 9, 10, 11 AND 12, BLOCK 10, PARADISE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR. THE GRANTOR RESIDES AT 109 FIELDING LEWIS DRIVE, YORKTOWN, VA 23692.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 1ST day of SEPT., 2011.

Signed, sealed and delivered in our presence as witnesses:

Susan M. Burban *Witness Signature* Susan M. Burban Printed Witness Signature	Sandra Sessoms-Penny *Signature* Sandra Sessoms-Penny, a married adult Printed Signature 109 Fielding Lewis Drive Address Yorktown, VA 23692 City, State, Zip
Witness Signature Rosalie Lavertu Printed Witness Signature	*Signature* Printed Signature Address City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Sandra Sessoms-Perry, a married adult, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL SUSAN M. BURBAN Commission DD 736083 Expires December 12, 2011 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 1ST day of September, A.D. 2011. Susan M. Burban Notary Signature Susan M. Burban Notary Printed Signature

City Commission Regular Meeting **12. j.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2213 North 19th Street (1433-701-0324-000-2)

SUBJECT:

Legislative Hearing - Ordinance 19-054 extending the territorial limits of the City of Fort Pierce, Florida, to include 2213 North 19th Street in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $54,278 and the 2018 tax bill was $1,611.37.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:04 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:17 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Nine (9) Parcels**
1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 & 2306 North 23rd Street

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:

Sandra L. Jenkins
1706 Juanita Avenue
Fort Pierce, FL 34946

Christine Gagnon
Pierre LaLiberte
121 112E Avenue
Saint-Jerome, QC J7Y 4J7
CANADA

Gwendolyn Bennett
2000 North 19th Street
Fort Pierce, FL 34946

Leroy Lewis
Gerald A. Lewis
Clarence Zackery Jr.
2213 North 19th Street
Fort Pierce, FL 34946

Meinardo Galarza
Rosa Elena Reyes Galarza
2305 North 19th Street
Fort Pierce, FL 34946-5504

Courtney Gallimore
Crystal Gallimore
2004 Avienda Avenue
Fort Pierce, FL 34946

Usani E. Phillips
8130 Mountain View Drive #D
Pleasanton, CA 94588

Sandra Sessom-Penny
109 Fielding Lewis Drive
Yorktown, VA 23692

Vinson T. McCarty Sr.
PO Box 1213
Fort Pierce, FL 34954

Requested Action: Approval of Voluntary Applications for Annexation of nine (9) parcels of land along with the Future Land Use Designation of Residential Low (RL) and a Zoning classification of Single-Family Low Density (R-1) for each parcel.

Site Location: 1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 and 2306 North 23rd Street, all in Fort Pierce, Florida.

Parcel ID's: 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4

Parcel Size: 0.37, 0.37, 0.22, 0.40, 0.26, 0.28, 0.19, 0.93, and 0.22 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

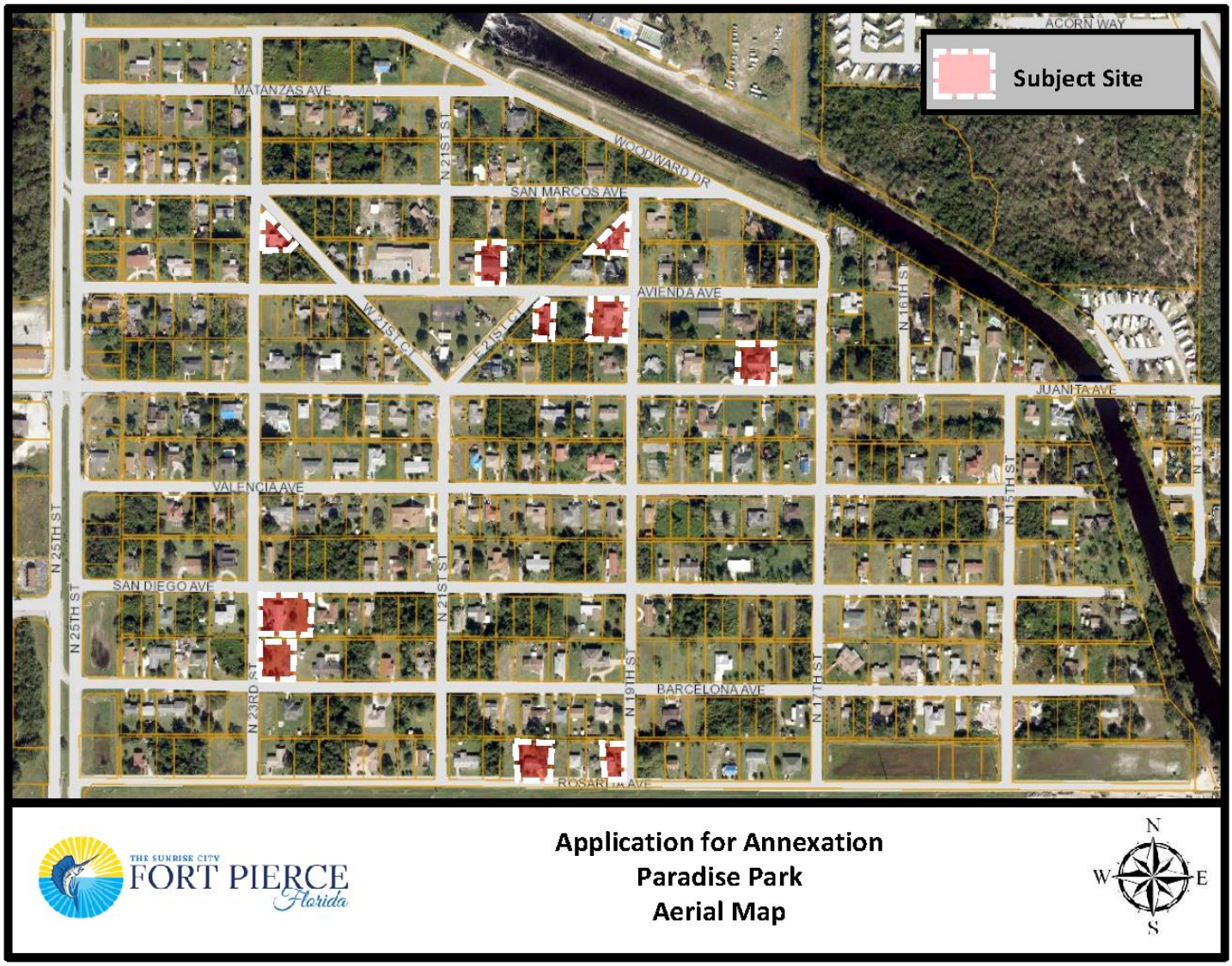
Proposed Future Land Use: Residential Low Density (RL)

Proposed Zoning: Single-Family Low Density (R-1)

	North	East	South	West
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The current St. Lucie County Future Land Use is Residential Urban 5 Dwelling Units/Acre (RU) and the St. Lucie County is Zoning Single Family, 4 Dwelling Units/Acre (RS-4) for 2402 Valencia Avenue. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation is Residential Low Density (RL) and the Zoning designation for all parcels is be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

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1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
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Technical Review Committee

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Staff Recommendation:

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ORDINANCE NO. 19-054

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2213 NORTH 19TH STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

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WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0324-000-2

LOT 1 & 2, BLOCK 21, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.40 acres, more or less, and being generally located at 2213 North 19th Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Residential Low Density (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-054 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

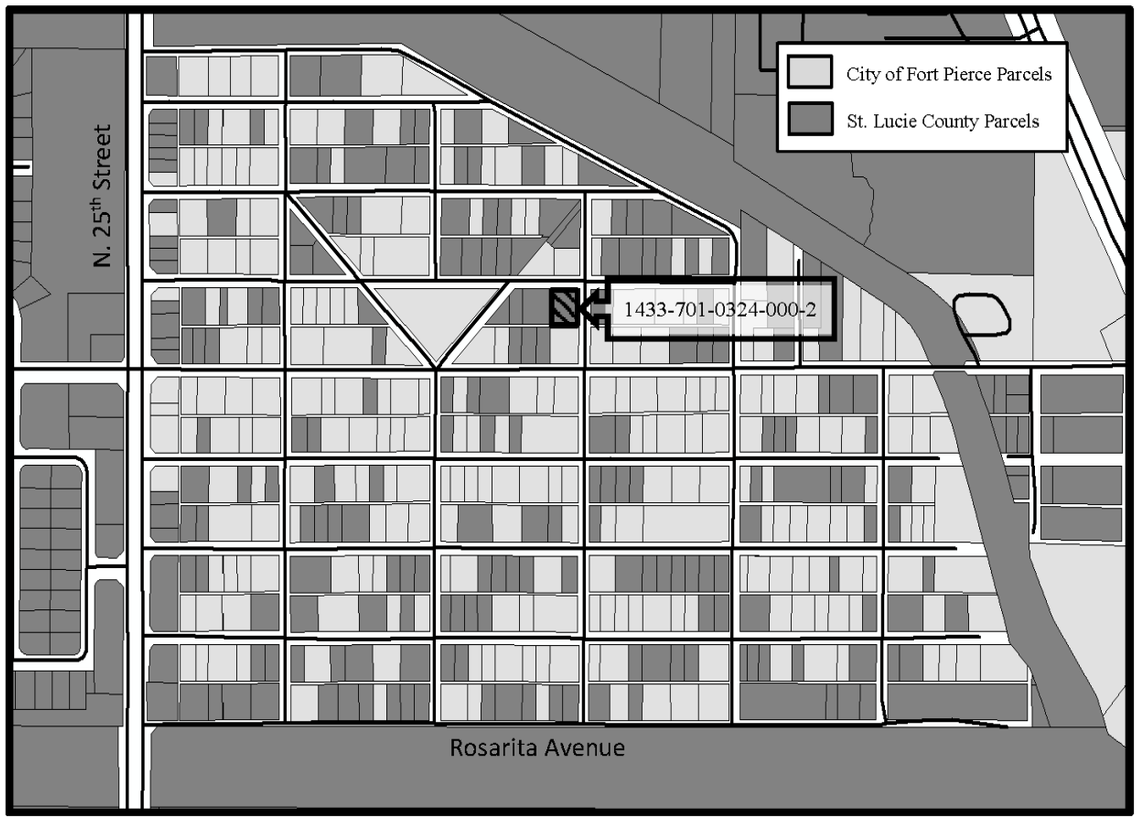
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

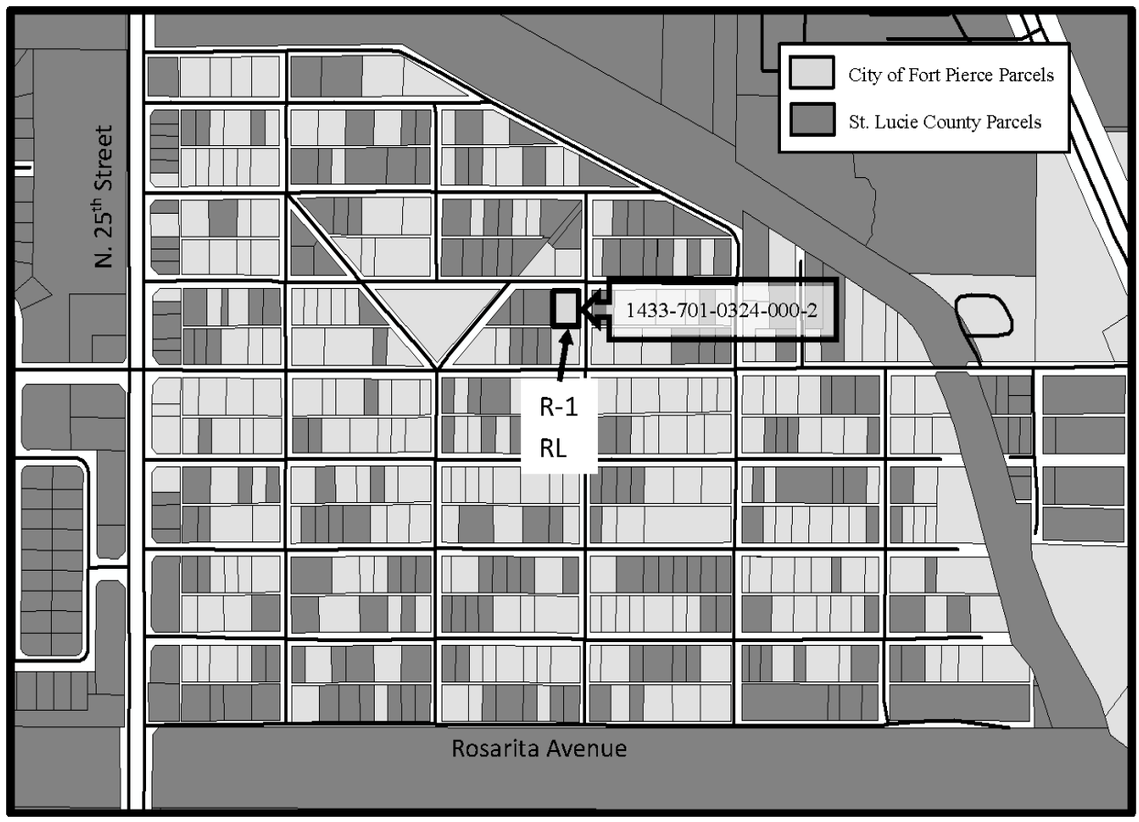
EXHIBIT A
Annexed Area & Legal Description



LOT 1 & 2, BLOCK 21, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 Dwelling Units/Acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Residential Low Density (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4260233 OR BOOK 3945 PAGE 500, Recorded 12/21/2016 11:21:42 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): **1433-701-0324-000-2**	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2213 N. 19TH STREET, FORT PIERCE, FL 34946 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOT 1 AND 2, BLOCK 21, PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 17 day of Nov., 2016.

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature
RUFUS ALEXANDER
Printed Witness Signature

Witness Signature
RUFUS ALEXANDER
Printed Witness Signature

Witness Signature
RUFUS ALEXANDER
Printed Witness Signature

Signature
Leroy Lewis, a single adult
Printed Signature
2213 N. 19th Street
Address
Fort Pierce, Florida 34946
City, State, Zip

Signature
Gerald A. Lewis, a single adult
Printed Signature
2213 N. 19th Street
Address
Fort Pierce, FL 34946
City, State, Zip

Signature
Clarence Zackery, Jr., a single adult
Printed Signature
2213 N. 19th Street
Address
Fort Pierce, FL 34946
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Leroy Lewis, a single adult, Gerald A. Lewis, a single adult and Clarence Zackery, Jr., a single adult** in whose names the foregoing instrument was executed, and that they severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named persons: Driver's Licenses, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this ____ day of ____ A.D. 2016. Notary Signature RUFUS ALEXANDER III MY COMMISSION # FF 054161 EXPIRES: December 20, 2017 Bonded Thru Notary Public Underwriters Notary Printed Signature

City Commission Regular Meeting **12. k.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2305 North 19th Street (1433-701-0321-000-1)

SUBJECT:

Legislative Hearing - Ordinance 19-055 extending the territorial limits of the City of Fort Pierce, Florida, to include 2305 North 19th Street in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $102,300 and the 2018 tax bill was $610.45.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:04 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:20 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Nine (9) Parcels**
1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 & 2306 North 23rd Street

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:

Sandra L. Jenkins
1706 Juanita Avenue
Fort Pierce, FL 34946

Christine Gagnon
Pierre LaLiberte
121 112E Avenue
Saint-Jerome, QC J7Y 4J7
CANADA

Gwendolyn Bennett
2000 North 19th Street
Fort Pierce, FL 34946

Leroy Lewis
Gerald A. Lewis
Clarence Zackery Jr.
2213 North 19th Street
Fort Pierce, FL 34946

Meinardo Galarza
Rosa Elena Reyes Galarza
2305 North 19th Street
Fort Pierce, FL 34946-5504

Courtney Gallimore
Crystal Gallimore
2004 Avienda Avenue
Fort Pierce, FL 34946

Usani E. Phillips
8130 Mountain View Drive #D
Pleasanton, CA 94588

Sandra Sessom-Penny
109 Fielding Lewis Drive
Yorktown, VA 23692

Vinson T. McCarty Sr.
PO Box 1213
Fort Pierce, FL 34954

Requested Action: Approval of Voluntary Applications for Annexation of nine (9) parcels of land along with the Future Land Use Designation of Residential Low (RL) and a Zoning classification of Single-Family Low Density (R-1) for each parcel.

Site Location: 1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 and 2306 North 23rd Street, all in Fort Pierce, Florida.

Parcel ID's: 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4

Parcel Size: 0.37, 0.37, 0.22, 0.40, 0.26, 0.28, 0.19, 0.93, and 0.22 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

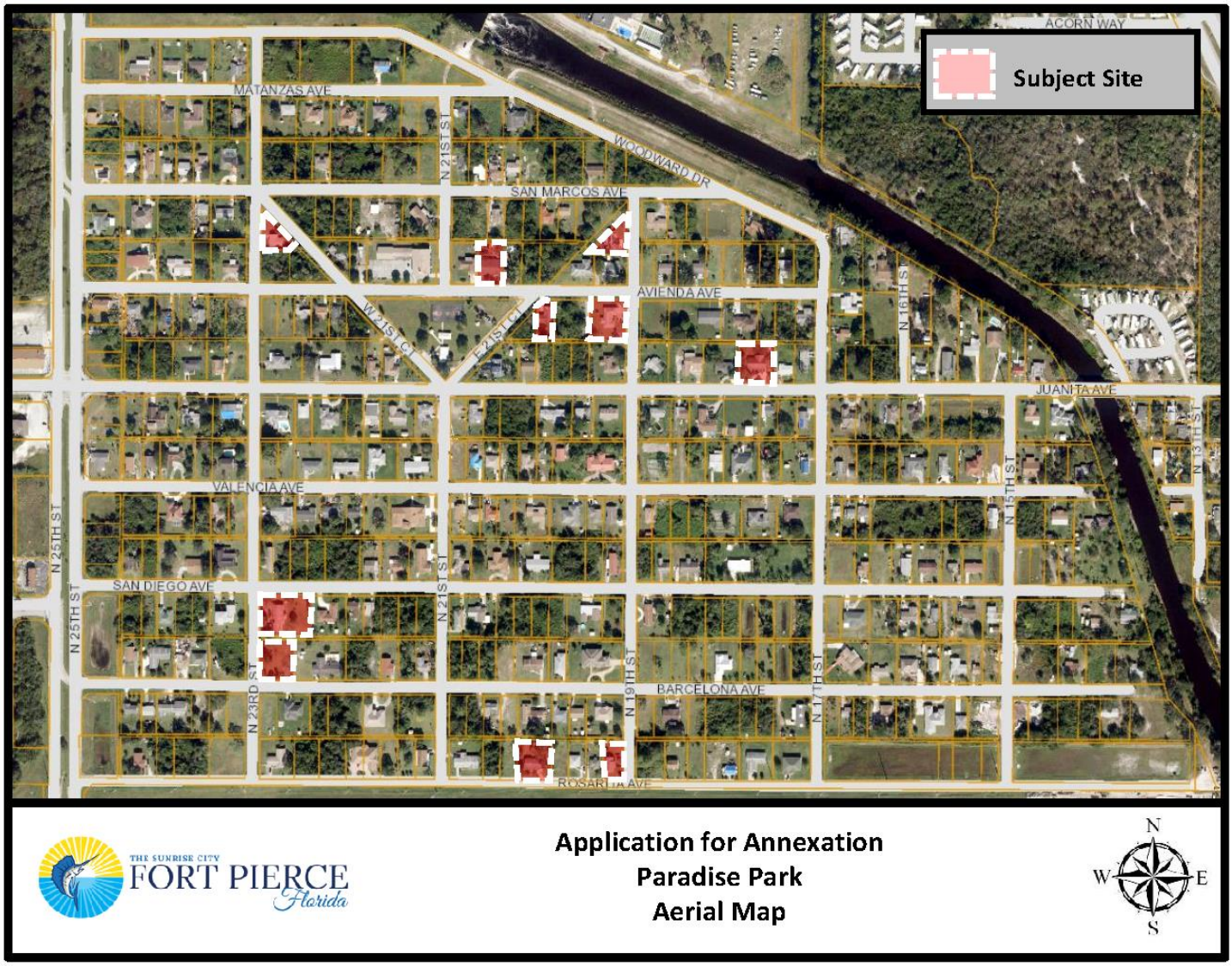
Proposed Future Land Use: Residential Low Density (RL)

Proposed Zoning: Single-Family Low Density (R-1)

	North	East	South	West
Surrounding FLU:	ROW, RL, RU (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU (SLC)
Surrounding Zoning:	ROW, R-1, RS-4 (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 (SLC)

Staff Analysis

This is a request for a voluntary annexation of nine (9) properties (Parcel ID's 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) generally located northeast of the intersection of Rosarita Avenue and South 25th Street in Fort Pierce, Florida.



The current St. Lucie County Future Land Use is Residential Urban 5 Dwelling Units/Acre (RU) and the St. Lucie County is Zoning Single Family, 4 Dwelling Units/Acre (RS-4) for 2402 Valencia Avenue. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation is Residential Low Density (RL) and the Zoning designation for all parcels is be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) are approximately $25,000, $64,300, $13,593, $54,278, $102,300, $48,037, $33,700, $82,122, and $40,656, respectively. If the Applications for Annexation are approved, it would create nine (9) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation:

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-055

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2305 NORTH 19TH STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit "C;" and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0321-000-1

LOT 1, BLOCK 20, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.26 acres, more or less, and being generally located at 2305 North 19th Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Residential Low Density (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-055 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

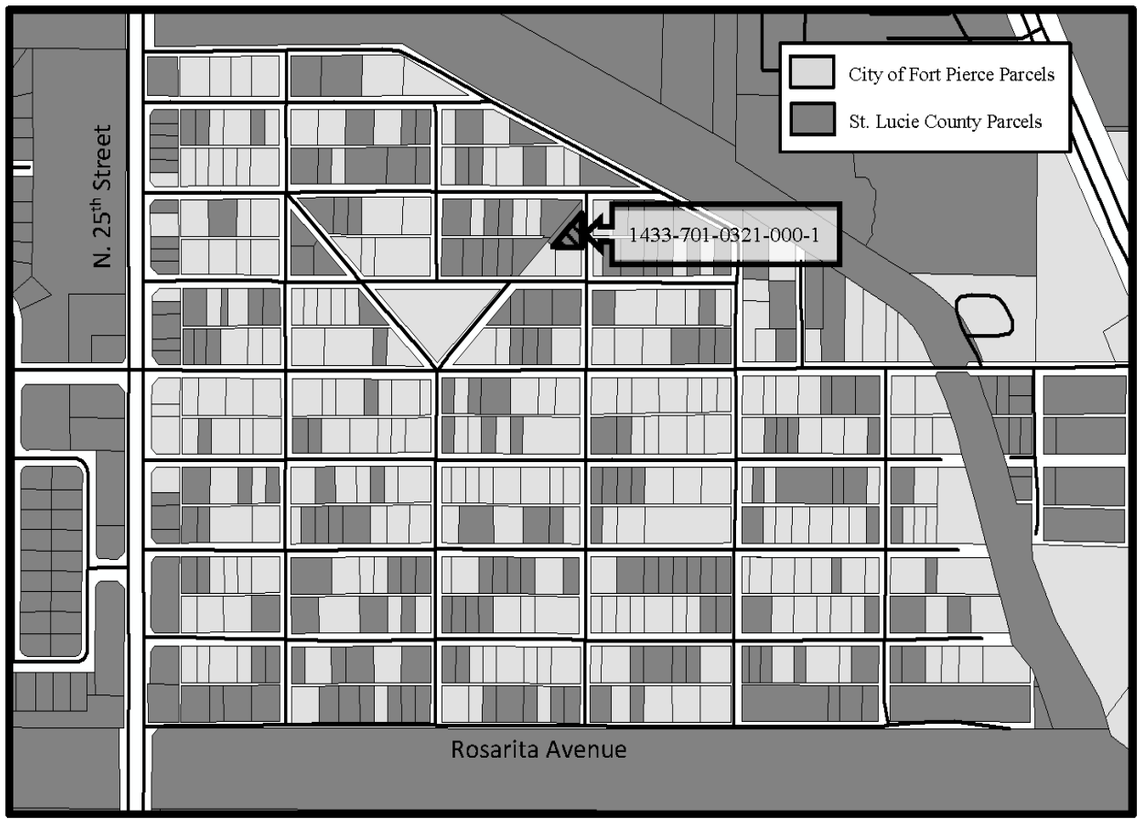
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

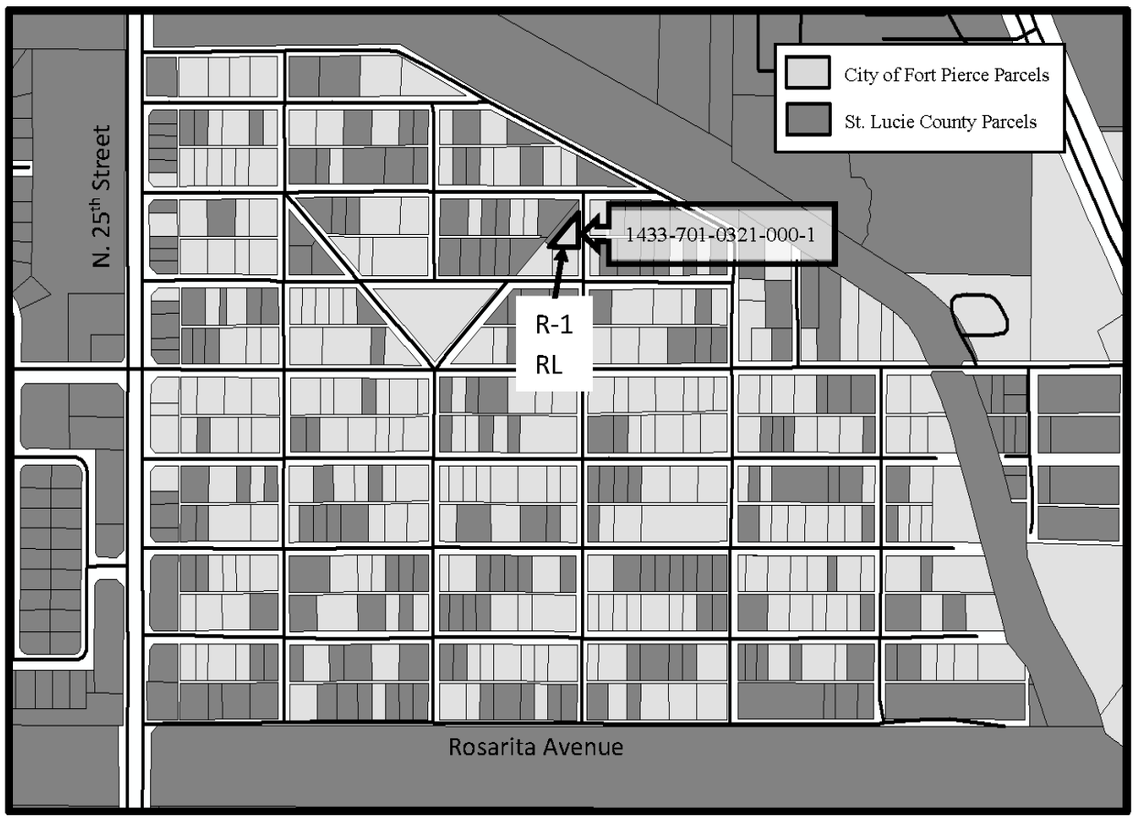
EXHIBIT A
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The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 Dwelling Units/Acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Residential Low Density (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4202195 OR BOOK 3882 PAGE 571, Recorded 06/17/2016 at 04:29 PM

RETURN TO: R.N. KOBLEGARD VIA COURTHOUSE BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): **1433-701-0321-000-1**	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2305 N 19TH STREET, FORT PIERCE, FL 34946 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to the Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOT 1, BLOCK 20, PARADISE PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 17, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

SUBJECT TO 2014 AND CURRENT TAXES, EASEMENTS AND RESTRICTIONS OF RECORD.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hands and seal this 1st day of June, 2016.

Signed, sealed and delivered in our presence as witnesses:

X Jose Alberto Dubon
Witness Signature
Jose Alberto Dubon
Printed Witness Signature

X Marleny Santamaria
Witness Signature
Marleny Santamaria
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF St. Lucie

X Meinardo Galarza
Signature
Meinardo Galarza Meinardo Galarza
Printed Signature
2305 N 19th Street
Address
Fort Pierce, FL 34946
City, State, Zip

X Rosa Reyes
Signature
Rosa Elena Reyes Galarza, his wife
Printed Signature
2305 N 19th Street
Address
Fort Pierce, FL 34946
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Meinardo Galarza and Rosa Elena Reyes Galarza, his wife, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following forms of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL NOTARY PUBLIC STATE OF FLORIDA JESSICA LUNA MY COMMISSION # FF 974105 EXPIRES: April 14, 2020 Bonded Thru Budget Notary Services	Witness my hand and official Seal in the County and State last aforesaid this 1st day of June A.D. 2016. Jessica Luna Notary Signature Jessica Luna Notary Printed Signature

City Commission Regular Meeting **12. I.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2306 North 23rd Street (1433-701-0245-000-4)

SUBJECT:

Legislative Hearing - Ordinance 19-056 extending the territorial limits of the City of Fort Pierce, Florida, to include 2306 North 23rd Street in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with the a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $40,656 and the 2018 tax bill was $1,136.19.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:05 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:23 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Nine (9) Parcels**
1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 & 2306 North 23rd Street

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:

Sandra L. Jenkins
1706 Juanita Avenue
Fort Pierce, FL 34946

Christine Gagnon
Pierre LaLiberte
121 112E Avenue
Saint-Jerome, QC J7Y 4J7
CANADA

Gwendolyn Bennett
2000 North 19th Street
Fort Pierce, FL 34946

Leroy Lewis
Gerald A. Lewis
Clarence Zackery Jr.
2213 North 19th Street
Fort Pierce, FL 34946

Meinardo Galarza
Rosa Elena Reyes Galarza
2305 North 19th Street
Fort Pierce, FL 34946-5504

Courtney Gallimore
Crystal Gallimore
2004 Avienda Avenue
Fort Pierce, FL 34946

Usani E. Phillips
8130 Mountain View Drive #D
Pleasanton, CA 94588

Sandra Sessom-Penny
109 Fielding Lewis Drive
Yorktown, VA 23692

Vinson T. McCarty Sr.
PO Box 1213
Fort Pierce, FL 34954

Requested Action: Approval of Voluntary Applications for Annexation of nine (9) parcels of land along with the Future Land Use Designation of Residential Low (RL) and a Zoning classification of Single-Family Low Density (R-1) for each parcel.

Site Location: 1706 Juanita Avenue, 2000 Rosarita Avenue, 2000, 2213, and 2305 North 19th Street, 2004 and 2005 Avienda Avenue, and 2206 and 2306 North 23rd Street, all in Fort Pierce, Florida.

Parcel ID's: 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4

Parcel Size: 0.37, 0.37, 0.22, 0.40, 0.26, 0.28, 0.19, 0.93, and 0.22 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

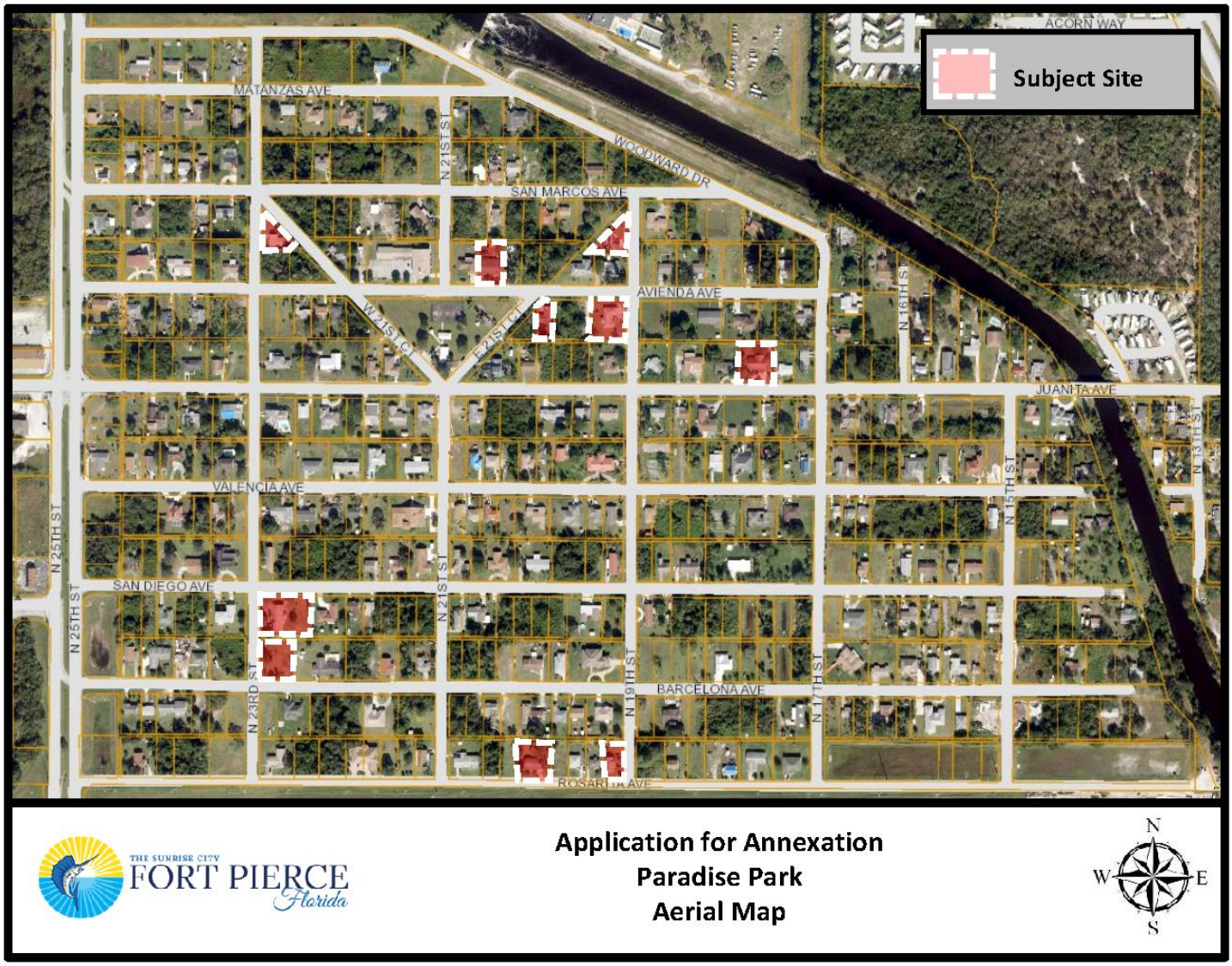
Proposed Future Land Use: Residential Low Density (RL)

Proposed Zoning: Single-Family Low Density (R-1)

	North	East	South	West
Surrounding FLU:	ROW, RL, RU (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU & COM (SLC)	ROW, RL, RU (SLC)
Surrounding Zoning:	ROW, R-1, RS-4 (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 & CG (SLC)	ROW, R-1, RS-4 (SLC)

Staff Analysis

This is a request for a voluntary annexation of nine (9) properties (Parcel ID's 1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) generally located northeast of the intersection of Rosarita Avenue and South 25th Street in Fort Pierce, Florida.



The current St. Lucie County Future Land Use is Residential Urban 5 Dwelling Units/Acre (RU) and the St. Lucie County is Zoning Single Family, 4 Dwelling Units/Acre (RS-4) for 2402 Valencia Avenue. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation is Residential Low Density (RL) and the Zoning designation for all parcels is be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (1433-701-0515-000-8, 1433-701-0413-000-3, 1433-701-0418-000-8, and 1433-701-0324-000-2, 1433-701-0321-000-1, 1433-701-0318-000-7, 1433-701-0328-000-0, 1433-701-0178-000-3, and 1433-701-0245-000-4) are approximately $25,000, $64,300, $13,593, $54,278, $102,300, $48,037, $33,700, $82,122, and $40,656, respectively. If the Applications for Annexation are approved, it would create nine (9) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation:

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-056

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2306 NORTH 23RD STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0245-000-4

LOT 1, BLOCK 14, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.22 acres, more or less, and being generally located at 2306 North 23rd Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Residential Low Density (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-056 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

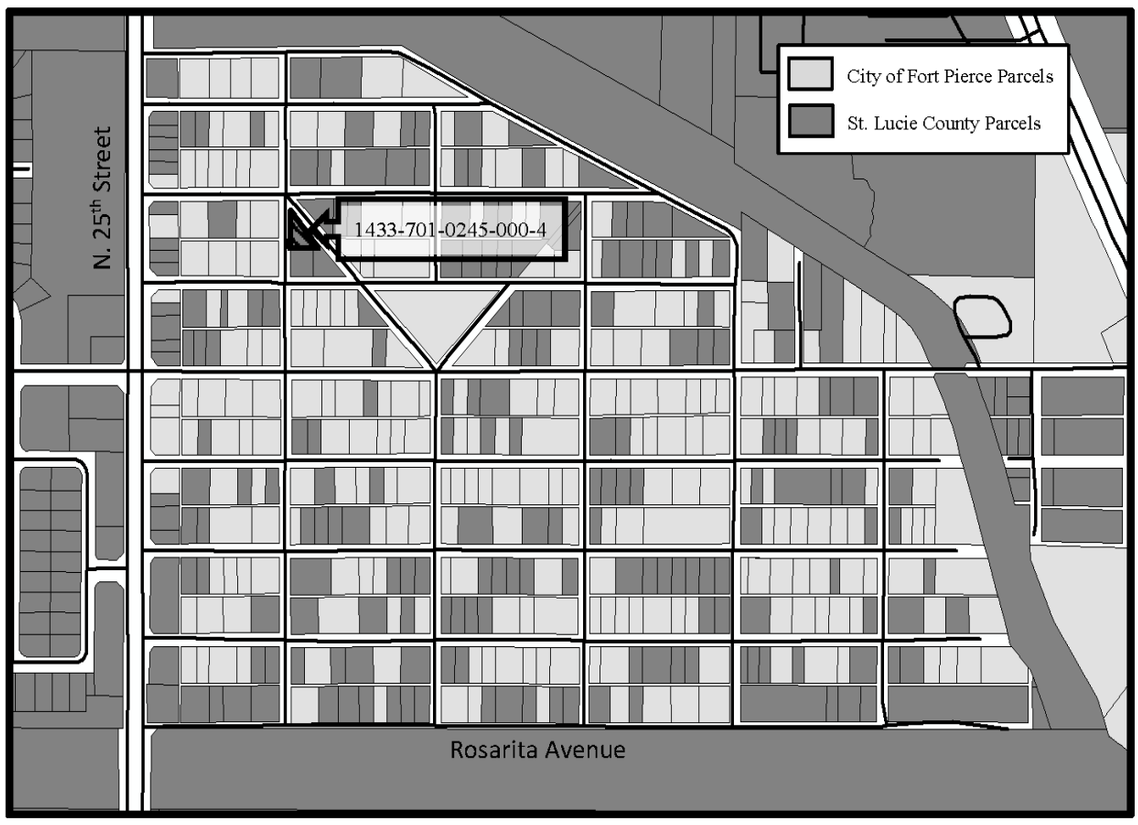
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

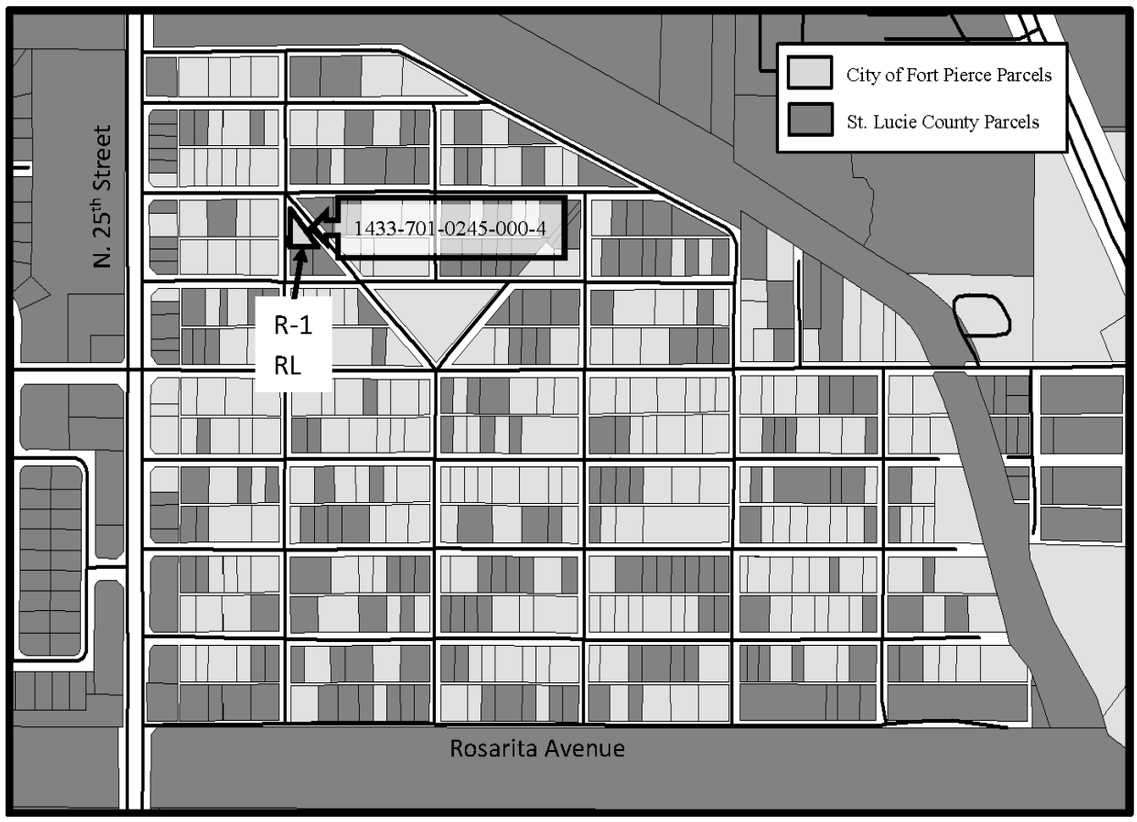
EXHIBIT A
Annexed Area & Legal Description



LOT 1, BLOCK 14, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Residential Suburban (4 dwelling units per acre) with a Future Land Use of RU, Residential Urban (5 Dwelling Units/Acre). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Residential Low Density (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3706482 OR BOOK 3392 PAGE 49, Recorded 05/23/2012 at 07:43 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 1433-701-0245-000-4	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2306 NORTH 23RD STREET, FORT PIERCE, FLORIDA 34946 Location Address 1135 – 12TH STREET, LAUREL, MARYLAND 20707 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

Lot 1, Block 14, PARADISE PARK, as per plat thereof on file in Plat Book 8 at page 17 of the Public Records of St. Lucie County, Florida

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR. THE GRANTOR RESIDES AT 1135 – 12TH STREET, LAUREL, MARYLAND 20707

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 27th day of April, 2012.

Signed, sealed and delivered in our presence as witnesses:

Angela Moore Cook
Witness Signature
Angela Moore Cook
Printed Witness Signature

Adrianne Y. Jones
Witness Signature
Adrianne Y. Jones
Printed Witness Signature

Signature
Vinson T. McCarty, Sr., a married adult
Printed Signature
1135 – 12th Street
Address
Laurel, Maryland 20707
City, State, Zip

STATE OF Maryland
~~COUNTY~~ OF Baltimore
City

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Vinson T. McCarty, Sr., known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, that I relied upon the following form of identification of the above-named person: Driver's License (State of MD); and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 27th day of April, A.D. 2012. Angela Moore Cook Notary Signature Angela Moore Cook Notary Printed ~~Signature~~

City Commission Regular Meeting **12. m.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 3301 Avenue A. (2408-605-0001-000-2)

SUBJECT:

Legislative Hearing - Ordinance 19-057 extending the territorial limits of the City of Fort Pierce, Florida, to include 3301 Avenue A. in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of General Commercial (GC) and a Zoning designation of General Commercial (C-3).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $282,200 and the 2018 tax bill was $5,444.87.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:05 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:26 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Application for Annexation**
3301 Avenue A

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owner: Socrate Inc.
6990 12th Street
Vero Beach, FL 32966

Requested Action: Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Neighborhood Commercial (GC) and a Zoning designation of General Commercial (C-3)

Site Location: 3301 Avenue A., Fort Pierce, Florida.

Parcel ID: 2408-605-0001-000-2

Parcel Size: 0.57 acres

Current Future Land Use: Commercial (COM) (St. Lucie County)

Current Zoning: Commercial General (CG) (St. Lucie County)

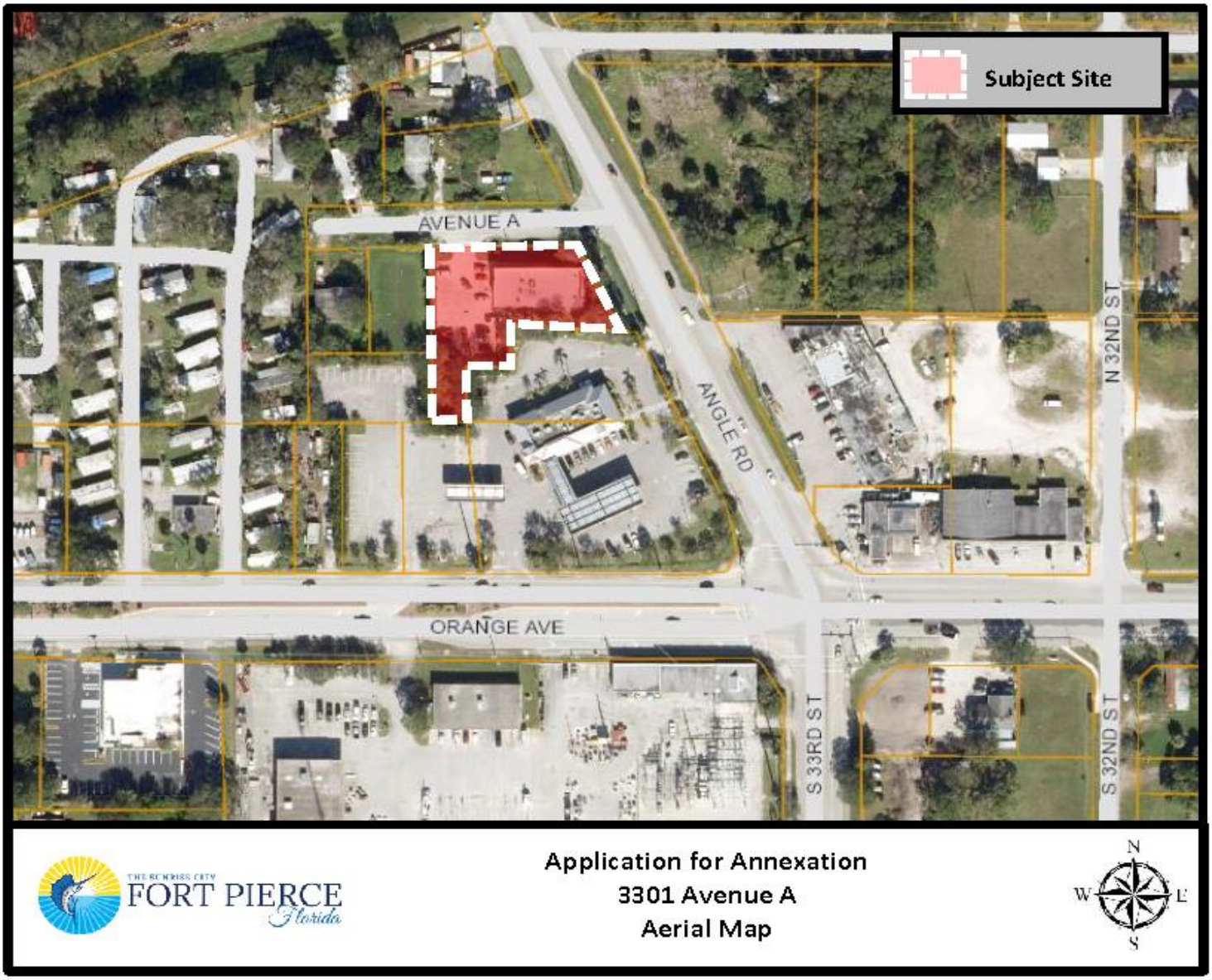
Proposed Future Land Use: General Commercial (CG)

Proposed Zoning: General Commercial (C-3)

	North	East	South	West
Surrounding FLU:	COM (SLC)	GC	RU (SLC)	COM (SLC)
Surrounding Zoning:	CG (SLC)	C-3	RS-3 (SLC)	CG (SLC)

Staff Analysis

This is a request for a voluntary annexation of property (Parcel ID 2408-605-0001-000-2) located at 3301 Avenue A. in Fort Pierce, Florida.



The current St. Lucie County Future Land Use designation is Commercial (COM) with a compatible Zoning classification is Commercial General (CG) for 3301 Avenue A. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation will be General Commercial (GC) and the proposed Zoning classification will be General Commercial (C-3).

Staff has confirmed that the property is located within unincorporated St. Lucie County and is contiguous to the Fort Pierce City municipal boundary. The property is also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there is a signed Annexation Agreement for this property from the FPUA which grants water service and/or sewer service outside the City limits of the City of Fort Pierce. This proposed annexation is also consistent with Chapter 171.044, F.S. whereas the property is contiguous to a municipality and reasonably compact; and the annexation will not result in the creation of an enclave.

The current taxable value of the property is approximately $282,200. If the Application for Annexation is approved it would create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the proposed annexation is consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery".

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of General Commercial (GC) and Zoning Designation of General Commercial (C-3), is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the request, as presented.

Staff Recommendation

The request meets the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends that the City Commission APPROVE the proposed annexation application along with a Future Land Use designation of CG and Zoning designation of C-3.

ORDINANCE NO. 19-057

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3301 AVENUE A. IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2408-605-0001-000-2

A PART OF LOT 6, HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 12 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6 AS SHOWN ON THE PLAT OF HOME ACRES, RUN SOUTHEASTERLY ALONG THE ORIGINAL EAST LINE OF SAID LOT 6, 115.50 FEET TO A POINT; THENCE WEST 155.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 6, WHICH POINT IS 90.50 FEET SOUTH OF THE NORTHWEST CORNER OF SAIF LOT 6; THENCE NORTH 90.50 FEET ALONG THE WEST LINE OF SAID LOT 6 TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE EAST 103.00 FEET TO THE POINT OF BEGINNING, LESS THEREFROM THE RIGHT OF WAY OF ANGLE ROAD

AND

LOT 7, HOME ACRES, UNIT 1, ACCORDIN TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 12 OF THE PUBLIC RECORD OF ST. LUCIE COUNTY; EXCEPTING THEREFROM THE WEST 62.3 FEET THEREOF; AND ALSO EXCEPTING THAT PART DEEDED TO HARRY J. ALTEMUELLER, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 7, OF HOME ACRES, UNIT 1, THENCE RUN WEST 52 FEET; THENCE SOUTH 70 FEET; THENCE EAST 52 FEET TO THE POINT OF BEGINNING.

Said property containing 0.57 acres, more or less, and being generally located at 3301 Avenue A. in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned C-3, General Commercial, and assigned a Future Land Use Designation of CG, General Commercial, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining

sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-057 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

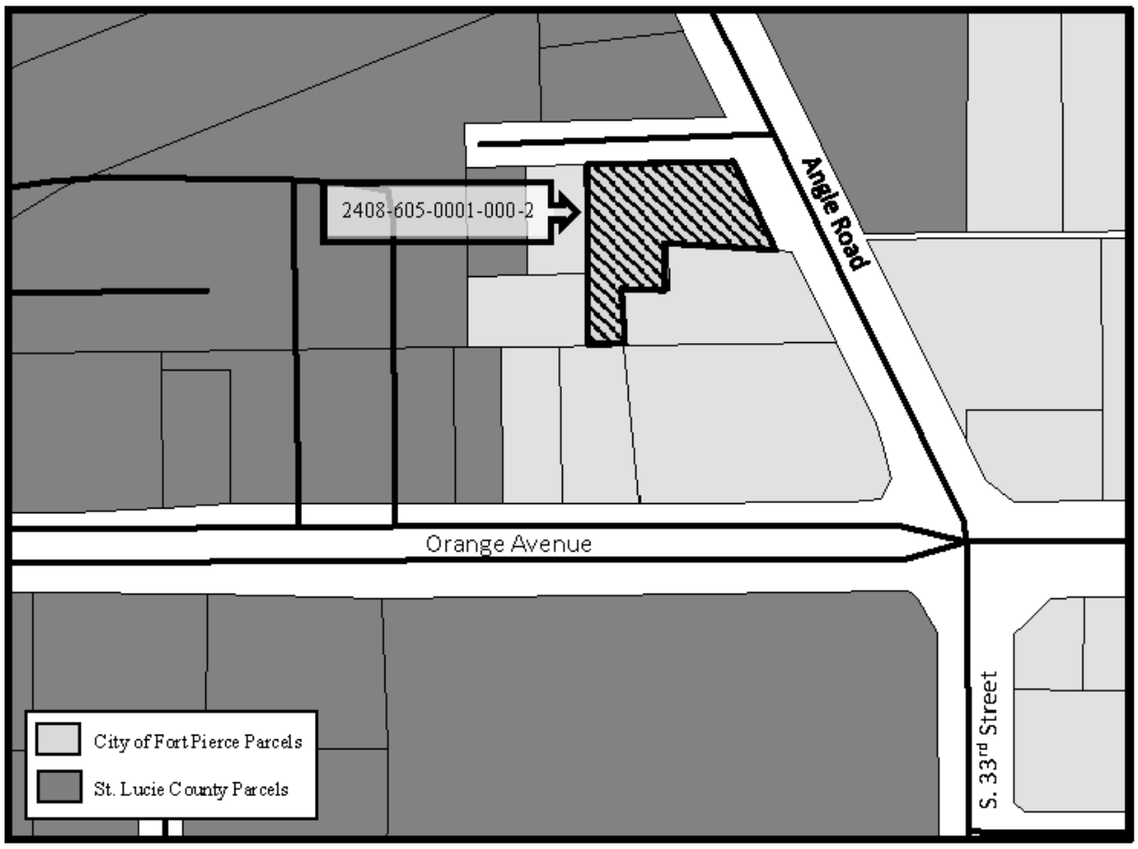
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



0.57-ACRES DESCRIBED AS

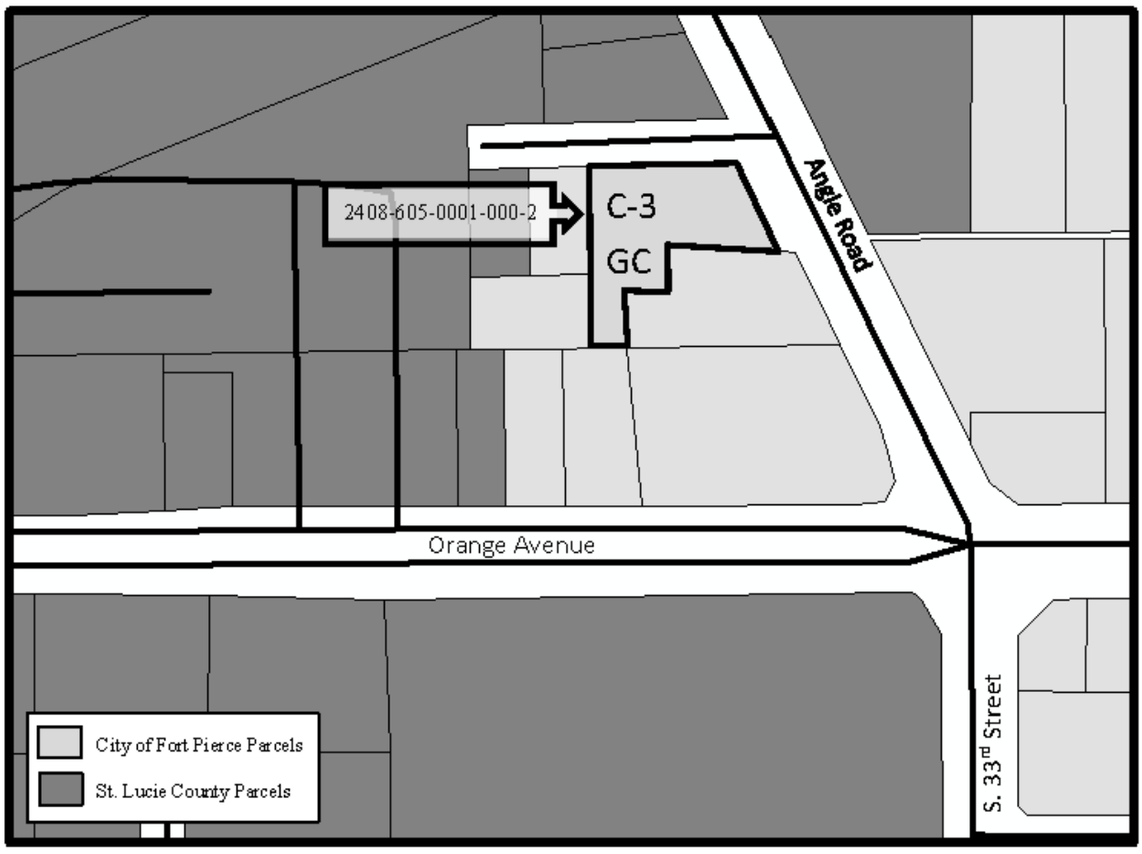
A PART OF LOT 6, HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 12 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6 AS SHOWN ON THE PLAT OF HOME ACRES, RUN SOUTHEASTERLY ALONG THE ORIGINAL EAST LINE OF SAID LOT 6, 115.50 FEET TO A POINT; THENCE WEST 155.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 6, WHICH POINT IS 90.50 FEET SOUTH OF THE NORTHWEST CORNER OF SAIF LOT 6; THENCE NORTH 90.50 FEET ALONG THE WEST LINE OF SAID LOT 6 TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE EAST 103.00 FEET TO THE POINT OF BEGINNING, LESS THEREFROM THE RIGHT OF WAY OF ANGLE ROAD

AND

LOT 7, HOME ACRES, UNIT 1, ACCORDIN TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 12 OF THE PUBLIC RECORD OF ST. LUCIE COUNTY; EXCEPTING THEREFROM THE WEST 62.3 FEET THEREOF; AND ALSO EXCEPTING THAT PART DEEDED TO HARRY J. ALTEMUELLER, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 7, OF HOME ACRES, UNIT 1, THENCE RUN WEST 52 FEET; THENCE SOUTH 70 FEET; THENCE EAST 52 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned CG, Commercial General with a Future Land Use of COM, Commercial. Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of C-3, General Commercial and have a Future Land Use Designation of CG, General Commercial.

EXHIBIT C

Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3504124 OR BOOK 3221 PAGE 147, Recorded 08/13/2010 at 01:11 PM

Rec. # 18.50

RETURN TO: R.N. KOBLEGARD, III, ESQ., CH BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2408-605-0001-000-2 & 2408-605-0003-000-6	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3301 AND 3311 AVENUE A, FORT PIERCE, FL Location Address 6990 12TH STREET, VERO BEACH, FL 32960 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

PARCEL ONE: A PART OF LOT 6, HOME ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 12 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6 AS SHOWN ON THE PLAT OF HOME ACRES, RUN SOUTHEASTERLY ALONG THE ORIGINAL EAST LINE OF SAID LOT 6, 115.50 FEET TO A POINT; THENCE WEST 155.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 6, WHICH POINT IS 90.50 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 90.50 FEET ALONG THE WEST LINE OF SAID LOT 6 TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE EAST 103.00 FEET TO POINT OF BEGINNING, LESS THEREFROM THE RIGHT OF WAY OF ANGLE ROAD.

PARCEL TWO: LOT 7, HOME ACRES, UNIT 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 12 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; EXCEPTING THEREFROM THE WEST 62.3 FEET THEREOF; AND ALSO EXCEPTING THAT PART DEEDED TO HENRY J. ALTEMUELLER, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 7, OF HOME ACRES, UNIT 1, THENCE RUN WEST 52 FEET; THENCE SOUTH 70 FEET; THENCE EAST 52 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR. THE GRANTOR RESIDES AT 6990 12TH STREET, VERO BEACH, FLORIDA 32960.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hands and seals this 12th day of July, 2010.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

Susan M. Burban
Printed Witness Signature

Witness Signature

Diane B. Sikkema
Printed Witness Signature

Signature
Sebastiano Gazzara, Trustee
Printed Signature
6990 12th Street
Address
Vero Beach, FL 32966
City, State, Zip

Signature
Cecilia P. Gazzara, Trustee
Printed Signature
6990 12th Street
Address
Vero Beach, FL 32966
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared SEBASTIANO GAZZARA and CECILIA P. GAZZARA, Trustees of the SEBASTIANO GAZZARA AND

OR BOOK 3221 PAGE 148

CECILIA GAZZARA REVOCABLE LIVING TRUST DATED 3-4-09, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 12th day of July, A.D. 2010.
DIANE B. SIKKEMA Commission DD 761938 Expires March 21, 2012 Bonded Thru Troy Fain Insurance 800-385-7019	Diane B. Sikkema Notary Signature Diane B. Sikkema Notary Printed Signature

City Commission Regular Meeting **12. n.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 3240 South 25th Street (2428-232-0001-000-0)

SUBJECT:

Legislative Hearing - Ordinance 19-058 extending the territorial limits of the City of Fort Pierce, Florida, to include 3240 South 25th Street in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $0 and the 2018 tax bill was $76.03.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:06 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:31 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Four (4) Parcels**
2409 Elizabeth Avenue, 3418 Sunrise Boulevard, 3240 and 3306 South 25th Street

HEARING DATES: November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owners:

Jorge R. Ortiz Jr.
2409 Elizabeth Avenue
Fort Pierce, FL 34982

Linda Broome
Justina Connelly
3418 Sunrise Boulevard
Fort Pierce, FL 34982

Iglesia Biblica de Fort Pierce Inc
5309 San Diego Avenue
Fort Pierce, FL 34946

Pamela J. Raab (TR)
4310 North Highway A1A, Apt 301
Fort Pierce, FL 34949

Requested Action: Approval of Voluntary Applications for Annexation of four (4) parcels of land along with the Future Land Use Designation of Residential Low Density (RL) and Zoning Designation of Single-Family Low Density (R-1) for each parcel.

Site Location: 2409 Elizabeth Avenue, 3418 Sunrise Boulevard, 3240 and 3306 South 25th Street, all in Fort Pierce, Florida.

Parcel ID's: 2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0

Parcel Size: 0.38, 0.34, 4.75, and 0.72 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Religious Facility (RF) (1 Parcel) (St. Lucie County)
Single Family, 4 Dwelling Units/Acre (RS-4) (3 Parcels) (St. Lucie County)

Proposed Future Land Use: Low Density Residential (RL)

Proposed Zoning: Single-Family Low Density (R-1)

2409 Elizabeth Avenue

	North	East	South	West
Surrounding FLU:	RU (SLC)	RU (SLC)	RU (SLC)	INST, RM (SLC)
Surrounding Zoning:	RS-4 (SLC)	RS-4 (SLC)	RF (SLC)	OS-1, PUD (SLC)

3418 Sunrise Boulevard

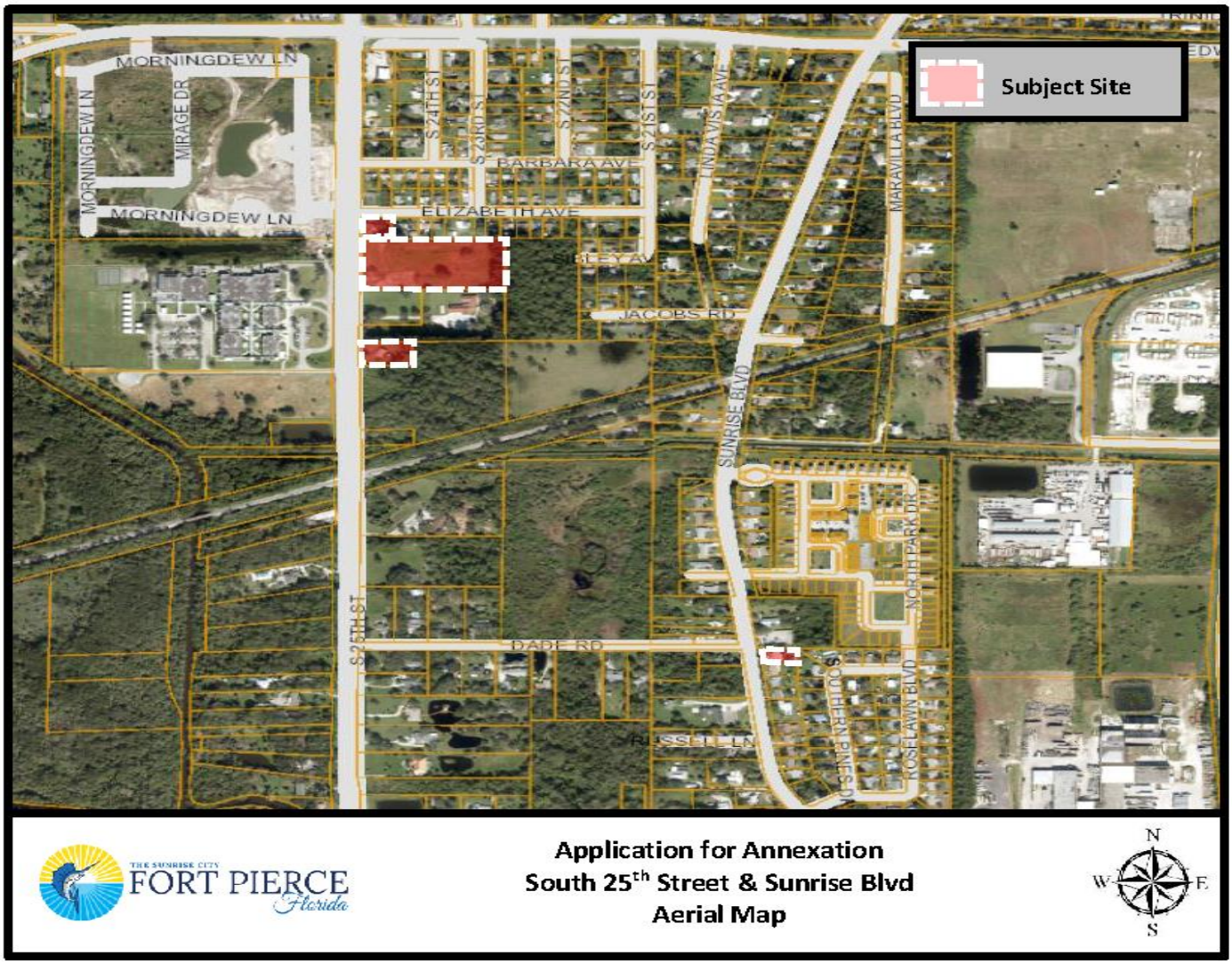
	North	East	South	West
Surrounding FLU:	INST	RU (SLC)	RU (SLC)	RM, RU (SLC)
Surrounding Zoning:	R-1	RS-4 (SLC)	RS-4 (SLC)	R-3, AR-1 (SLC)

3240 and 3306 South 25th Street

	North	East	South	West
Surrounding FLU:	RU (SLC)	RU (SLC)	RL, RU (SLC)	INST, RM (SLC)
Surrounding Zoning:	RS-4 (SLC)	RM-5 (SLC)	R-1, RS-4 (SLC)	OS-1

Staff Analysis

This is a request for a voluntary annexation of four (4) properties (Parcel ID's 2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0) generally located on the southeast corner of South 25th Street and Elizabeth Avenue, the southeast corner of Dade Road and Sunrise Boulevard, and 130 feet from the southeast intersection of South 25th Street and Elizabeth Avenue in Fort Pierce, Florida.



The current St. Lucie County Future Land Use for all of these parcels on South Jenkins Road includes Religious Facility (RF) (1 Parcel) with a Zoning classification of Single Family, 4 Dwelling Units/Acre (RS-4) (3 Parcels), and Residential Urban 5 Dwelling Units/Acre (RU). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for all parcels will be Low Density Residential (RL) and the Zoning classificatio for all parcels will be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0) are approximately $142,900, $122,700, $0 (this is the site of a church), and $54,780, respectively. If the Applications for Annexation are approved, it would create four (4) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-058

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3240 SOUTH 25TH STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit "C;" and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2428-232-0001-000-0

The North ½ of the NW ¼ of the SW ¼ of the NW ¼ of Section 28, Township 35 South, Range 40 East, of the Public Record of St. Lucie County, Florida, less the West 40 feet thereof (road right-of-way).

Said property containing 4.75 acres, more or less, and being generally located at 3240 South 25th Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Low Density Residential (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-058 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

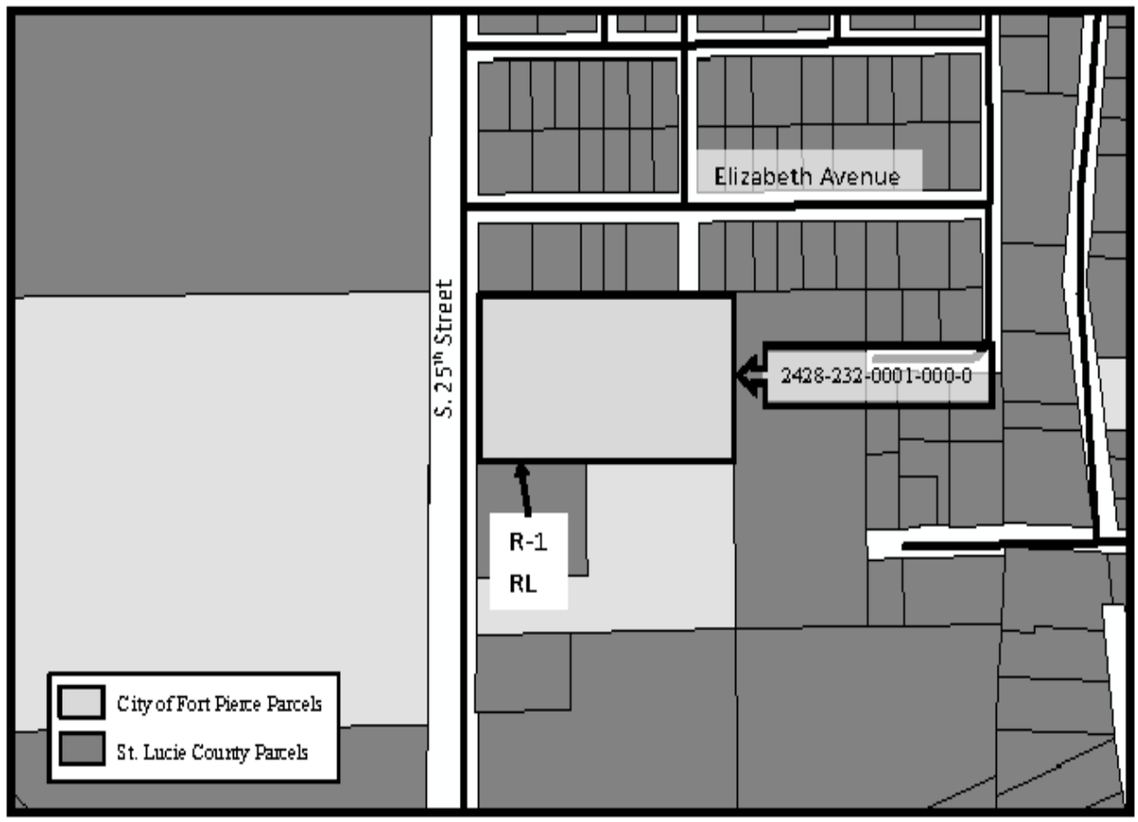
EXHIBIT A
Annexed Area & Legal Description



The North ½ of the NW ¼ of the SW ¼ of the NW ¼ of Section 28, Township 35 South, Range 40 East, of the Public Record of St. Lucie County, Florida, less the West 40 feet thereof (road right-of-way).

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Religious Facility (RF) with a Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Low Density Residential (RL).

EXHIBIT C

Fort Pierce Utilities Authority Annexation Agreement

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3267564 OR BOOK 3024 PAGE 398, Recorded 10/15/2008 at 09:17 AM

Record $ 18.50

RETURN TO: BOX 145
This instrument prepared by:
R. N. Koblegard, III, Esq.
200 S. Indian River Drive, Suite 201
Fort Pierce, FL 34950

Property Appraisers Parcel Identification (Folio) Number(s):
2428-232-0001-000-0

ANNEXATION AGREEMENT
CORPORATION

TO: WATER/WASTEWATER ENGINEERING
FORT PIERCE UTILITIES AUTHORITY
POST OFFICE BOX 3191
FORT PIERCE, FLORIDA 34948-3191

Dear Sir:

TBD – SO. 25TH STREET, FORT PIERCE, FL 34982
Location Address

4699 OLEANDER AVENUE, FORT PIERCE, FL 34982
Mailing Address (if different from location address)

The undersigned does hereby apply to the Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

The North ½ of the NW ¼ of the SW ¼ of the NW ¼ of Section 28, Township 35 South, Range 40 East, of the Public Records of St. Lucie County, Florida, less the West 40 feet thereof.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

(Corporate Seal)

Attest:

Secretary

In Witness Whereof, the GRANTOR has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized this 8th day of October, 2008.

***COVENANT REFORMED PRESBYTERIAN CHURCH OF FORT PIERCE, FLORIDA, INC.**, a Florida Non Profit Corporation*

GRANTOR

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature
Susan M. Burban
Printed Witness Signature

Witness Signature
Diane B. Sikkema
Printed Witness Signature

BY:
Samuel P. Rowe, Director
Printed Signature
4699 Oleander Avenue
Address
Fort Pierce, FL 34982
City, State, Zip

Witness Signature
Susan M. Burban
Printed Witness Signature

Witness Signature
Diane B. Sikkema
Printed Witness Signature

Samuel V. Rowe, Director
Printed Signature
2012 Winding Creek Lane
Address
Fort Pierce, FL 34981
City, State, Zip

Witness Signature
Susan M. Burban
Printed Witness Signature

Witness Signature
Diane B. Sikkema
Printed Witness Signature

E.C. Manville, Director
Printed Signature
5500 Teal Terrace
Address
Fort Pierce, FL 34982
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared SAMUEL P. ROWE, known to me to be one of the Directors of COVENANT REFORMED PRESBYTERIAN CHURCH OF FORT PIERCE, FLORIDA, INC., the corporation in whose name the foregoing instrument was executed, and that he acknowledged

OR BOOK 3024 PAGE 399

executing the same for such corporation, freely and voluntarily, under authority duly vested in him by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation, that I relied upon the following form of identification of the above-named person: Driver's Licenses, and that an oath (was not) taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 9th day of October A.D. 2008.
DIANE B. SIKKEMA Commission DD 761938 Expires March 21, 2012 Bonded Thru Troy Fain Insurance 800-385-7019	Diane B. Sikkema Notary Signature Diane B. Sikkema Notary Printed Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared SAMUEL V. ROWE, known to me to one of the Directors of COVENANT REFORMED PRESBYTERIAN CHURCH OF FORT PIERCE, FLORIDA, INC., the corporation in whose name the foregoing instrument was executed, and that he acknowledged executing the same for such corporation, freely and voluntarily, under authority duly vested in them by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation, that I relied upon the following form of identification of the above-named person: Driver's Licenses, and that an oath (was not) taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 9th day of October A.D. 2008.
DIANE B. SIKKEMA Commission DD 761938 Expires March 21, 2012 Bonded Thru Troy Fain Insurance 800-385-7019	Diane B. Sikkema Notary Signature Diane B. Sikkema Notary Printed Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared E. C. MANVILLE, known to me to be one of the Directors of COVENANT REFORMED PRESBYTERIAN CHURCH OF FORT PIERCE, FLORIDA, INC., the corporation in whose name the foregoing instrument was executed, and that he acknowledged executing the same for such corporation, freely and voluntarily, under authority duly vested in them by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation, that I relied upon the following form of identification of the above-named person: Driver's Licenses, and that an oath (was not) taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 13th day of October A.D. 2008.
DIANE B. SIKKEMA Commission DD 761938 Expires March 21, 2012 Bonded Thru Troy Fain Insurance 800-385-7019	Diane B. Sikkema Notary Signature Diane B. Sikkema Notary Printed Signature

City Commission Regular Meeting **12. o.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2409 Elizabeth Avenue (2428-604-0037-000-2)

SUBJECT:

Legislative Hearing - Ordinance 19-059 extending the territorial limits of the City of Fort Pierce, Florida, to include 2409 Elizabeth Avenue in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $142,900 and the 2018 tax bill was $3,010.97.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:06 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:34 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Four (4) Parcels**
2409 Elizabeth Avenue, 3418 Sunrise Boulevard, 3240 and 3306 South 25th Street

HEARING DATES: November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owners:

Jorge R. Ortiz Jr.
2409 Elizabeth Avenue
Fort Pierce, FL 34982

Linda Broome
Justina Connelly
3418 Sunrise Boulevard
Fort Pierce, FL 34982

Iglesia Biblica de Fort Pierce Inc
5309 San Diego Avenue
Fort Pierce, FL 34946

Pamela J. Raab (TR)
4310 North Highway A1A, Apt 301
Fort Pierce, FL 34949

Requested Action: Approval of Voluntary Applications for Annexation of four (4) parcels of land along with the Future Land Use Designation of Residential Low Density (RL) and Zoning Designation of Single-Family Low Density (R-1) for each parcel.

Site Location: 2409 Elizabeth Avenue, 3418 Sunrise Boulevard, 3240 and 3306 South 25th Street, all in Fort Pierce, Florida.

Parcel ID's: 2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0

Parcel Size: 0.38, 0.34, 4.75, and 0.72 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Religious Facility (RF) (1 Parcel) (St. Lucie County)
Single Family, 4 Dwelling Units/Acre (RS-4) (3 Parcels) (St. Lucie County)

Proposed Future Land Use: Low Density Residential (RL)

Proposed Zoning: Single-Family Low Density (R-1)

2409 Elizabeth Avenue

	North	East	South	West
Surrounding FLU:	RU (SLC)	RU (SLC)	RU (SLC)	INST, RM (SLC)
Surrounding Zoning:	RS-4 (SLC)	RS-4 (SLC)	RF (SLC)	OS-1, PUD (SLC)

3418 Sunrise Boulevard

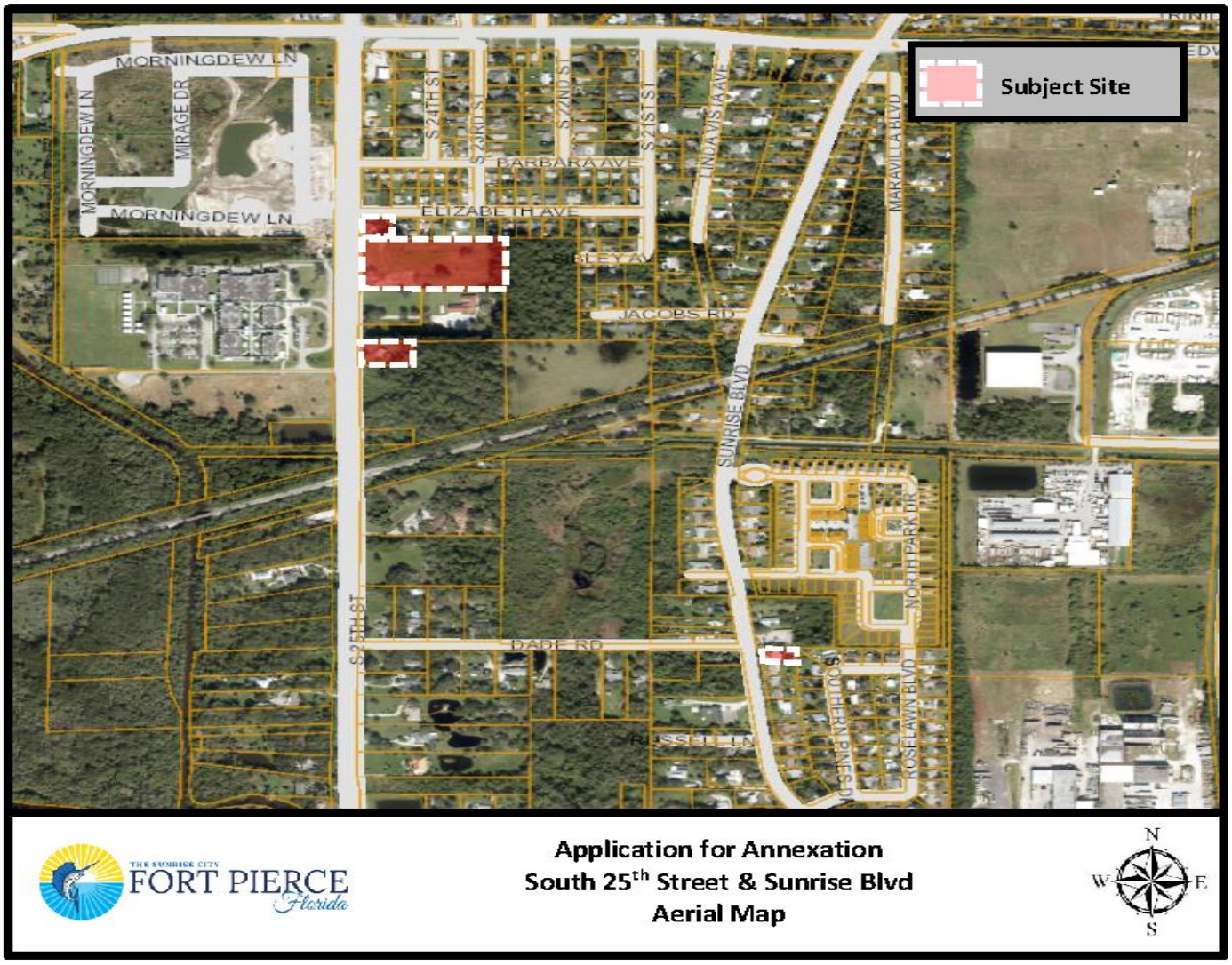
	North	East	South	West
Surrounding FLU:	INST	RU (SLC)	RU (SLC)	RM, RU (SLC)
Surrounding Zoning:	R-1	RS-4 (SLC)	RS-4 (SLC)	R-3, AR-1 (SLC)

3240 and 3306 South 25th Street

	North	East	South	West
Surrounding FLU:	RU (SLC)	RU (SLC)	RL, RU (SLC)	INST, RM (SLC)
Surrounding Zoning:	RS-4 (SLC)	RM-5 (SLC)	R-1, RS-4 (SLC)	OS-1

Staff Analysis

This is a request for a voluntary annexation of four (4) properties (Parcel ID's 2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0) generally located on the southeast corner of South 25th Street and Elizabeth Avenue, the southeast corner of Dade Road and Sunrise Boulevard, and 130 feet from the southeast intersection of South 25th Street and Elizabeth Avenue in Fort Pierce, Florida.



The current St. Lucie County Future Land Use for all of these parcels on South Jenkins Road includes Religious Facility (RF) (1 Parcel) with a Zoning classification of Single Family, 4 Dwelling Units/Acre (RS-4) (3 Parcels), and Residential Urban 5 Dwelling Units/Acre (RU). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for all parcels will be Low Density Residential (RL) and the Zoning classificatio for all parcels will be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0) are approximately $142,900, $122,700, $0 (this is the site of a church), and $54,780, respectively. If the Applications for Annexation are approved, it would create four (4) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-059

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2409 ELIZABETH AVENUE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2428-604-0037-000-2

LOTS 1 AND 2, BLOCK 3, FLEETWOOD ACRES, ACCORDING TO THE PLAT THEREOF, FILED IN PLAT BOOK 10, PAGE 78, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.38 acres, more or less, and being generally located at 2409 Elizabeth Avenue in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Low Density Residential (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-059 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019 and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

_____

Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____

Linda W. Cox
CITY CLERK

(CITY SEAL)

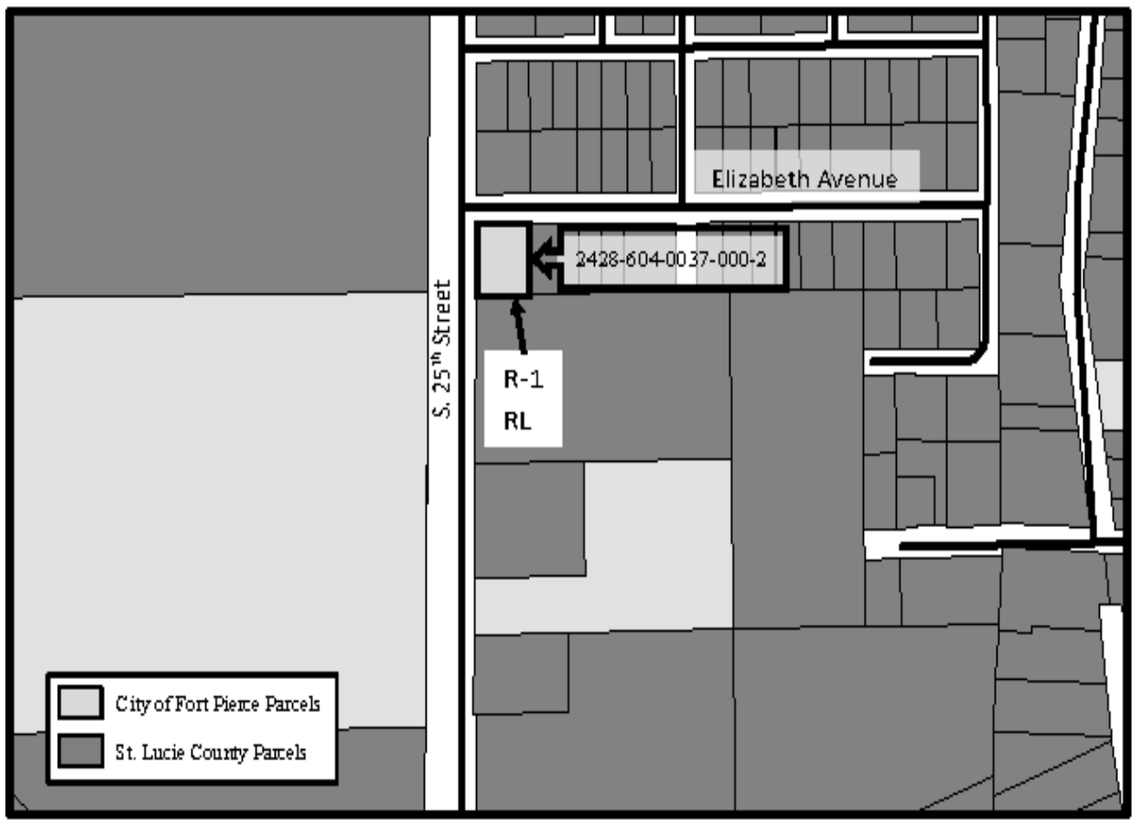
EXHIBIT A
Annexed Area & Legal Description



LOTS 1 AND 2, BLOCK 3, FLEETWOOD ACRES, ACCORDING TO THE PLAT THEREOF, FILED IN PLAT BOOK 10, PAGE 78, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Single Family, 4 Dwelling Units/Acre (RS-4) with a Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Low Density Residential (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4209716 OR BOOK 3890 PAGE 1008, Recorded 07/14/2016 08:46:52 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., CH BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2428-604-0037-000-2	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2409 ELIZABETH AVE, FORT PIERCE, FL 34982 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOTS 1 AND 2, BLOCK 3, FLEETWOOD ACRES, ACCORDING TO THE PLAT THEREOF, FILED IN PLAT BOOK 10, PAGE 78, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hands and seals this 12th day of July, 2016.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

Lisa G. dos Santos
Printed Witness Signature

Witness Signature

Nikol Martin
Printed Witness Signature

Abadesa Flores
Signature
Abadesa Flores, a single adult
Printed Signature
2409 Elizabeth Avenue
Address
Fort Pierce, Florida 34982
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Abadesa Flores, a single adult,** known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL Nikol Martin NOTARY PUBLIC STATE OF FLORIDA Comm# FF210427 Expires 3/16/2019	Witness my hand and official Seal in the County and State last aforesaid this 12th day of July, A.D. 2016. Notary Signature Nikol Martin Notary Printed Signature

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 3306 South 25th Street (2428-233-0002-000-0)

SUBJECT:

Legislative Hearing - Ordinance 19-060 extending the territorial limits of the City of Fort Pierce, Florida, to include 3306 South 25th Street in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $54,780 and the 2018 tax bill was $1,319.61.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:06 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:36 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Four (4) Parcels**
2409 Elizabeth Avenue, 3418 Sunrise Boulevard, 3240 and 3306 South 25th Street

HEARING DATES: November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owners:

Jorge R. Ortiz Jr.
2409 Elizabeth Avenue
Fort Pierce, FL 34982

Linda Broome
Justina Connelly
3418 Sunrise Boulevard
Fort Pierce, FL 34982

Iglesia Biblica de Fort Pierce Inc
5309 San Diego Avenue
Fort Pierce, FL 34946

Pamela J. Raab (TR)
4310 North Highway A1A, Apt 301
Fort Pierce, FL 34949

Requested Action: Approval of Voluntary Applications for Annexation of four (4) parcels of land along with the Future Land Use Designation of Residential Low Density (RL) and Zoning Designation of Single-Family Low Density (R-1) for each parcel.

Site Location: 2409 Elizabeth Avenue, 3418 Sunrise Boulevard, 3240 and 3306 South 25th Street, all in Fort Pierce, Florida.

Parcel ID's: 2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0

Parcel Size: 0.38, 0.34, 4.75, and 0.72 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Religious Facility (RF) (1 Parcel) (St. Lucie County)
Single Family, 4 Dwelling Units/Acre (RS-4) (3 Parcels) (St. Lucie County)

Proposed Future Land Use: Low Density Residential (RL)

Proposed Zoning: Single-Family Low Density (R-1)

2409 Elizabeth Avenue

	North	East	South	West
Surrounding FLU:	RU (SLC)	RU (SLC)	RU (SLC)	INST, RM (SLC)
Surrounding Zoning:	RS-4 (SLC)	RS-4 (SLC)	RF (SLC)	OS-1, PUD (SLC)

3418 Sunrise Boulevard

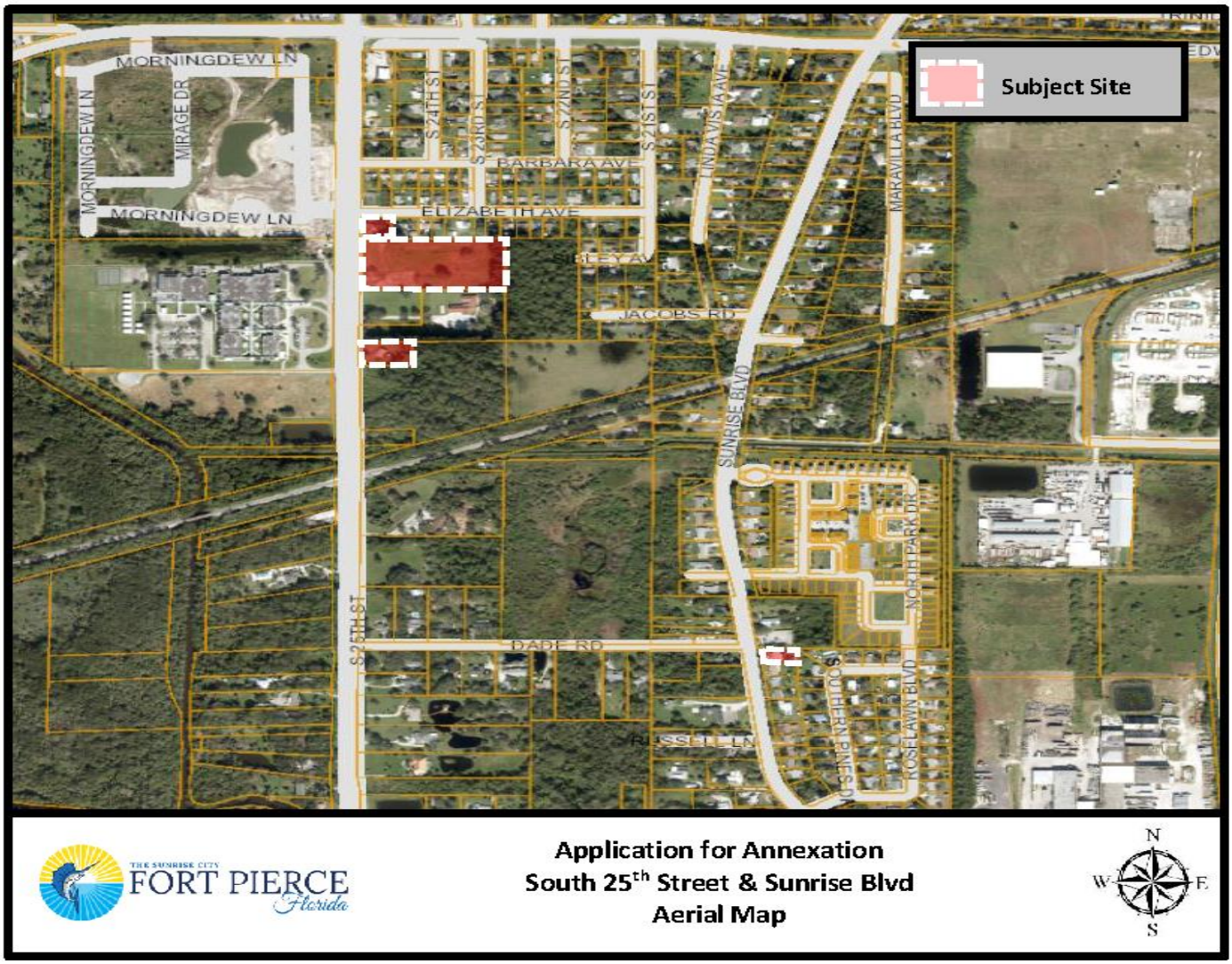
	North	East	South	West
Surrounding FLU:	INST	RU (SLC)	RU (SLC)	RM, RU (SLC)
Surrounding Zoning:	R-1	RS-4 (SLC)	RS-4 (SLC)	R-3, AR-1 (SLC)

3240 and 3306 South 25th Street

	North	East	South	West
Surrounding FLU:	RU (SLC)	RU (SLC)	RL, RU (SLC)	INST, RM (SLC)
Surrounding Zoning:	RS-4 (SLC)	RM-5 (SLC)	R-1, RS-4 (SLC)	OS-1

Staff Analysis

This is a request for a voluntary annexation of four (4) properties (Parcel ID's 2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0) generally located on the southeast corner of South 25th Street and Elizabeth Avenue, the southeast corner of Dade Road and Sunrise Boulevard, and 130 feet from the southeast intersection of South 25th Street and Elizabeth Avenue in Fort Pierce, Florida.



The current St. Lucie County Future Land Use for all of these parcels on South Jenkins Road includes Religious Facility (RF) (1 Parcel) with a Zoning classification of Single Family, 4 Dwelling Units/Acre (RS-4) (3 Parcels), and Residential Urban 5 Dwelling Units/Acre (RU). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for all parcels will be Low Density Residential (RL) and the Zoning classificatio for all parcels will be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0) are approximately $142,900, $122,700, $0 (this is the site of a church), and $54,780, respectively. If the Applications for Annexation are approved, it would create four (4) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-060

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3306 SOUTH 25TH STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit "C;" and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2428-233-0002-000-0

A 0.72-acre part of the SW ¼ of the SW ¼ of the NW ¼ of Section 28, Township 35 South, Range 40 East, more particularly described as follows, to wit:

Commence at a point where the North line of the SW ¼ of the SW ¼ of the NW ¼ of Section 28, Township 35 South, Range 40 East intersects with the East right-of-way line of Hawley Road, thence run South along the East right-of-way line of Hawley Road 150 feet to a point, thence run East, and parallel to said above North line 250 feet to a point, thence run North on a line parallel with the said East right-of-way line of Hawley Road for a distance of 150 to a point on the above described line, thence run West along said North line for a distance of 250 feet to the Point of Beginning.

Less and excepting therefrom road rights of way.

Said property containing 0.72 acres, more or less, and being generally located at 3306 South 25th Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Low Density Residential (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-060 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

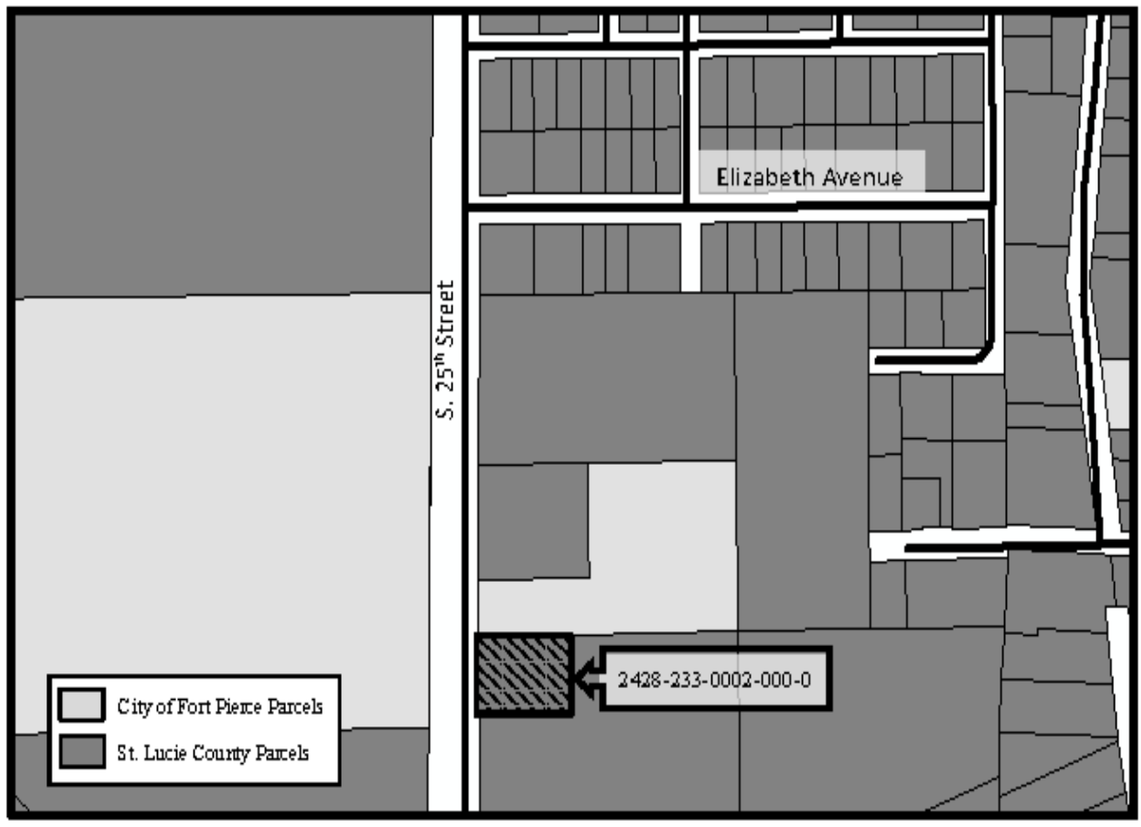
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



A 0.72-acre part of the SW ¼ of the SW ¼ of the NW ¼ of Section 28, Township 35 South, Range 40 East, more particularly described as follows, to wit:

Commence at a point where the North line of the SW ¼ of the SW ¼ of the NW ¼ of Section 28, Township 35 South, Range 40 East intersects with the East right-of-way line of Hawley Road, thence run South along the East right-of-way line of Hawley Road 150 feet to a point, thence run East, and parallel to said above North line 250 feet to a point, thence run North on a line parallel with the said East right-of-way line of Hawley Road for a distance of 150 to a point on the above described line, thence run West along said North line for a distance of 250 feet to the Point of Beginning.

Less and excepting therefrom road rights of way.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Single Family, 4 Dwelling Units/Acre (RS-4) with a Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Low Density Residential (RL).

EXHIBIT C

Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4281275 OR BOOK 3967 PAGE 1349, Recorded 02/27/2017 01:35:19 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., CH BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): **2428-233-0002-000-0**	**ANNEXATION AGREEMENT** **INDIVIDUAL**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3306 S. 25TH STREET, FORT PIERCE, FL 34981 Location Address 4310 N HIGHWAY A1A, APT. 301, FORT PIERCE, FL 34949 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to the Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LEGAL DESCRIPTION ATTACHED AND MARKED AS EXHIBIT "A"

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR. THE GRANTOR RESIDES AT 4310 N. HIGHWAY A1A, A PT. 301, FORT PIERCE, FLORIDA 34949.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 12th day of January, 2017.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Lisa G. dos Santos
Printed Witness Signature

Witness Signature
Nikol Martin
Printed Witness Signature

Signature
Pamela J. Raab, as Co-Trustee of The James P. Raab and Pamela J. Raab Revocable Trust Dated May 20, 2009
Printed Signature
4310 N Highway A1A, Apt. 301
Address
Fort Pierce, Florida 34949
City, State, Zip

STATE OF FLORIDA
COUNTY OF St. Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **PAMELA J. RAAB, as Co-Trustee of James P. Raab and Pamela J. Raab Revocable Trust dated May 20, 2009**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL Nikol Martin NOTARY PUBLIC STATE OF FLORIDA Comm# FF210427 Expires 3/16/2019	Witness my hand and official Seal in the County and State last aforesaid this 12th day of January, A.D. 2017. Notary Signature Nikol Martin Notary Printed Signature

Revised 7/9/04 per atty

OR BOOK 3967 PAGE 1350

Exhibit "A"

A part of the SW 1/4 of the SW 1/4 of the NW 1/4 of Section 28, Township 35 South, Range 40 East, more particularly described as follows, to wit:

Commence at a point where the North line of the SW 1/4 of the SW 1/4 of the NW 1/4 of Section 28, Township 35 South, Range 40 East intersects with the East right-of-way line of Hawley Road, thence run South along the East right-of-way line of Hawley Road 150 feet to a point, thence run East, and parallel to said above North line 250 feet to a point, thence run North on a line parallel with the said East right-of-way line of Hawley Road for a distance of 150 to a point on the above described North line, thence run West along said North line for a distance of 250 feet to the Point of Beginning.

Less and excepting therefrom road rights of way.

City Commission Regular Meeting **12. q.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 3366 South 25th Street (2428-322-0002-000-3)

SUBJECT:

Legislative Hearing - Ordinance 19-061 extending the territorial limits of the City of Fort Pierce, Florida, to include 3366 South 25th Street in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with the Future Land Use Designation of Medium Density Residential (RM) and Zoning designation of Medium Density Residential (R-4).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $0 and the 2018 tax bill was $0.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:07 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 05:39 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO:	Nicholas C. Mimms, PE, City Manager
THROUGH:	Jennifer Hofmeister, AICP, LCAM, Planning Director
FROM:	Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director
RE:	**Applications for Annexation of Three (3) Parcels** **3335 Sunrise Boulevard, 3366 and 3540 South 25th Street**
HEARING DATES:	November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owners:	Francisco Godinez 2407 Blossom Court Fort Pierce, FL 34982-5603 Storybrooke Preschool Academy LLC 2246 Ridgewood Circle Royal Palm Beach, FL 33411 Ana Ruiz 3540 South 25th Street Fort Pierce, FL 34981
Requested Action:	Approval of Voluntary Applications for Annexation of three (3) parcels of land along with the Future Land Use Designation of Medium Density Residential (RM) and the Zoning Designation of Medium Density Residential (R-4), for each parcel.
Site Location:	3335 Sunrise Boulevard, 3366 and 3540 South 25th Street, all in Fort Pierce, Florida.
Parcel ID's:	2428-601-0264-000-3, 2428-322-0002-000-3, and 2428-322-0003-000-0
Parcel Size:	0.46, 5.43, and 4.50 acres
Current Future Land Use:	Residential Urban 5 Dwelling Units/Acre (RU) (2 Parcels) (St. Lucie County) Medium Density Residential (RM) (1 Parcel) (St. Lucie County)
Current Zoning:	Residential Multi-Family 9 Dwelling Units/Acre (RM-9) (1 Parcel) Agricultural Residential/ Institutional (AR-1/I) (1 Parcel/Split Zoning) Agricultural Residential (AR-1) (1 Parcel) (St. Lucie County)
Proposed Future Land Use:	Medium Density Residential (RM)
Proposed Zoning:	Medium Density Residential (R-4)

3335 Sunrise Boulevard

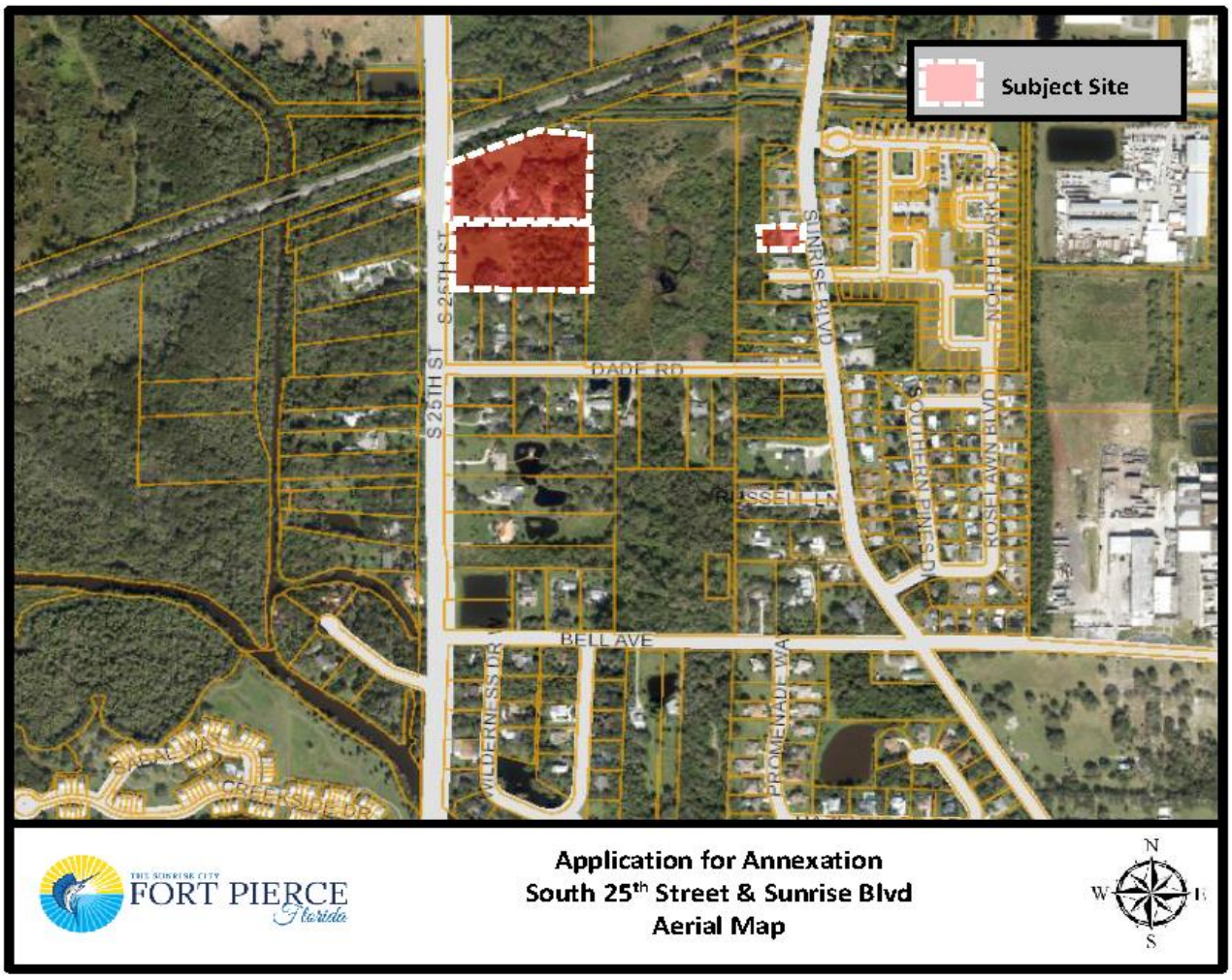
	North	East	South	West
Surrounding FLU:	RM	RM, RM (SLC)	RM (SLC)	RM
Surrounding Zoning:	R-4	R-3, RM-9 (SLC)	RM-9 (SLC)	R-4

3366 and 3540 South 25th Street

	North	East	South	West
Surrounding FLU:	ROW, RU (SLC)	RM	RU (SLC)	RS (SLC)
Surrounding Zoning:	AR-1 & I & ROW (SLC)	R-4	AR-1 (SLC)	RE-2 & AR-1 & ROW (SLC)

Staff Analysis

This is a request for a voluntary annexation of three (3) properties (Parcel ID's 2428-601-0264-000-3, 2428-322-0002-000-3, and 2428-322-0003-000-0) generally located on the east side of South 25th Street, between Elizabeth Avenue and Dade Road and 120 feet from the northwest corner of Sharon Terrace and Sunrise Boulevard in Fort Pierce, Florida.



The current St. Lucie County Future Land Use is Residential Urban 5 Dwelling Units/Acre (RU) (2 Parcels) and Medium Density Residential (RM) (1 Parcel) with a compatible St. Lucie County Zoning of Residential Multi-Family 9 Dwelling Units/Acre (RM-9) (1 Parcel), Agricultural Residential/ Institutional (1 Parcel/Split Zoning), (AR-1/I) Agricultural Residential (AR-1,) (1 Parcel).. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use Designation of all parcels will be Medium Density Residential (RM) and the proposed Zoning designation for all parcels will be Medium Density Residential (R-4).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties are approximately $137,610, $0 (this property is the site of the Storybrooke Preschool Academy), and $76,702. If the Applications for Annexation are approved, it would create three (3) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery".

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RM and Zoning classification of R-4 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed three (3) annexations along with the Future Land Use and Zoning designations of RM and R-4, respectively for each of the parcels.

ORDINANCE NO. 19-061

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3366 SOUTH 25TH STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit "C;" and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2428-322-0002-000-3

FROM THE SOUTHWEST CORNER OF THE NW ¼ OF THE SW ¼ OF SECTION 28, TOWNSHIP 35 SOUTH, RANGE 40 EAST, RUN NORTH ALONG SECTION LINE 691 FEET FROM THE POINT OF BEGINNING, THENCE EAST PARALLEL WITH THE SOUTH LINE OF THE NW ¼ OF SW ¼ 663.29 FEET, THENCE NORTH 423.84 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY LINE 373.11 FEET TO THE POINT OF BEGINNING, LESS ROAD RIGHT OF WAY AND LESS ADDITIONALLY ROAD RIGHT OF WAY AS IN O.R. BOOK 722, PAGE 2972, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA (5.43 ACRES).

Said property containing 5.43 acres, more or less, and being generally located at 3366 South 25th Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent 6years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Medium Density Residential (R-4), and assigned a Future Land Use Designation of Medium Density Residential (RM), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-061 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

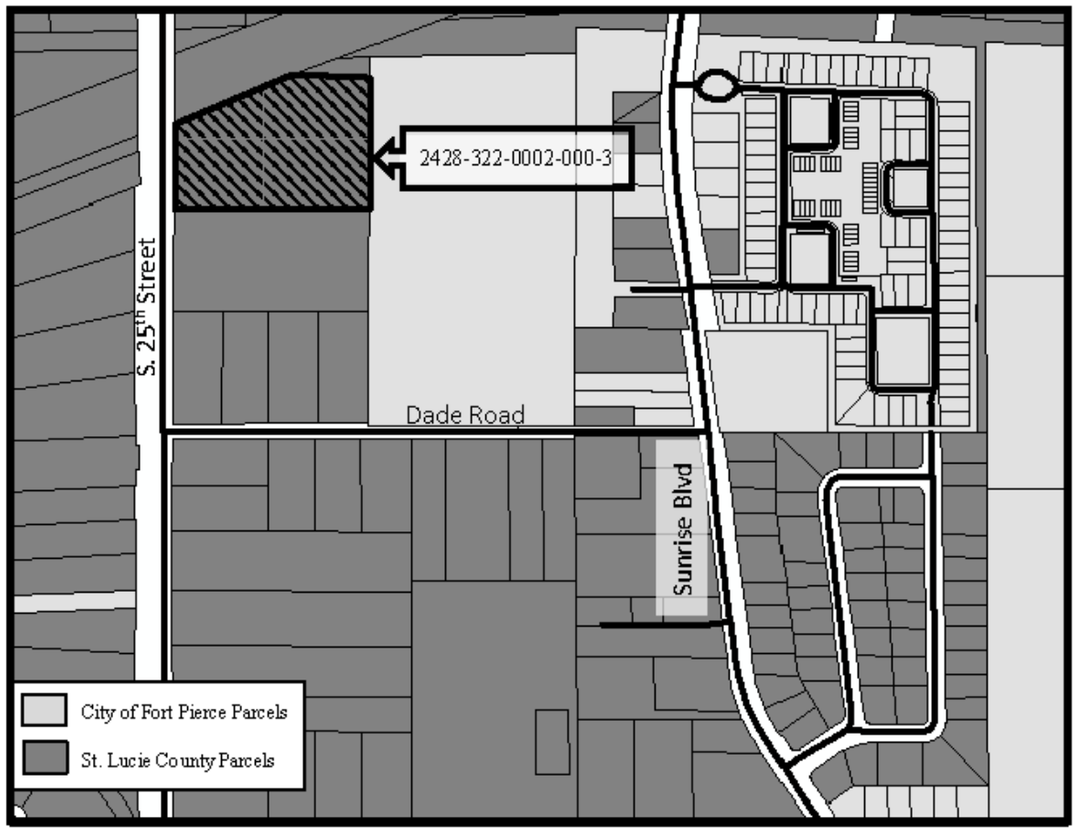
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

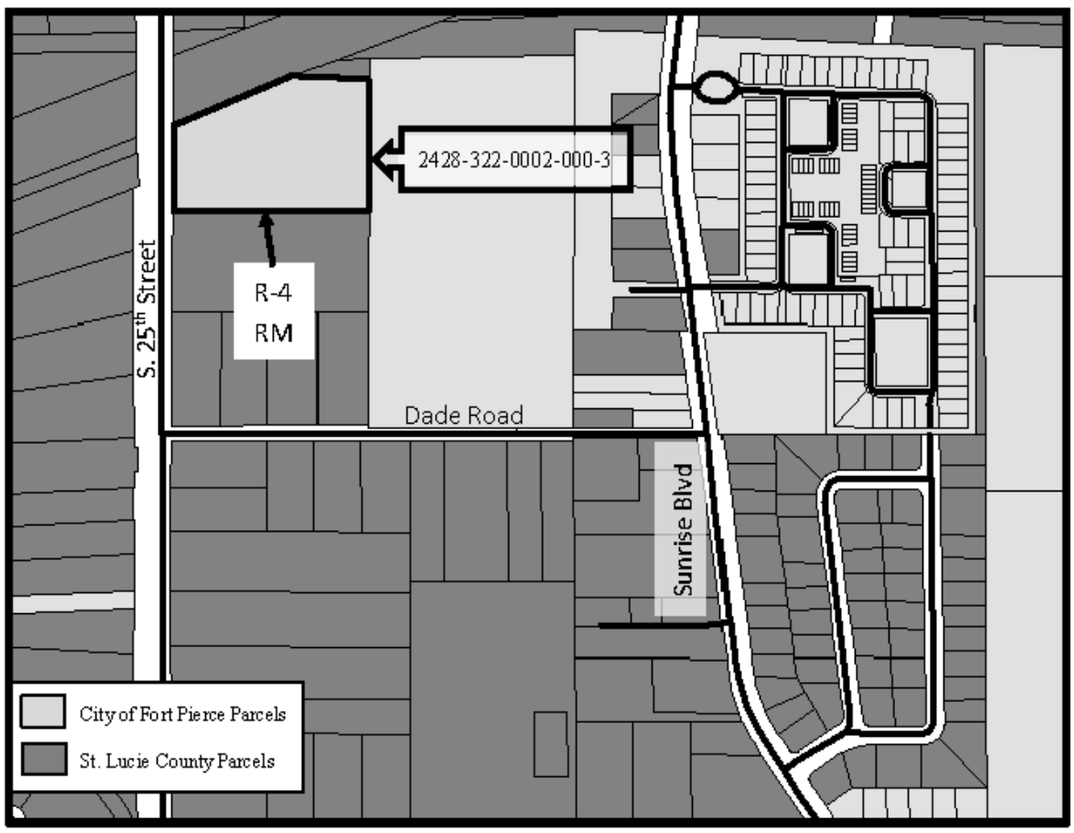
EXHIBIT A
Annexed Area & Legal Description



FROM THE SOUTHWEST CORNER OF THE NW ¼ OF THE SW ¼ OF SECTION 28, TOWNSHIP 35 SOUTH, RANGE 40 EAST, RUN NORTH ALONG SECTION LINE 691 FEET FROM THE POINT OF BEGINNING, THENCE EAST PARALLEL WITH THE SOUTH LINE OF THE NW ¼ OF SW ¼ 663.29 FEET, THENCE NORTH 423.84 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY LINE 373.11 FEET TO THE POINT OF BEGINNING, LESS ROAD RIGHT OF WAY AND LESS ADDITIONALLY ROAD RIGHT OF WAY AS IN O.R. BOOK 722, PAGE 2972, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA (5.43 ACRES).

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Agricultural Residential/ Institutional (AR-1/I) with a Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Medium Density Residential (R-4) and have a Future Land Use Designation of Medium Density Residential (RM).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3128577 OR BOOK 2900 PAGE 1531, Recorded 11/02/2007 at 11:56 AM

RETURN TO: BOX 145 This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2428-322-0002-000/3	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3366 HAWLEY ROAD Location Address 160 12TH STREET SE, VERO BEACH, FL 32962-5701 Mailing Address (if different from location address)

Clerk 5/0 -

Dear Sir:

The undersigned does hereby apply to the Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

FROM THE SOUTHWEST CORNER OF THE NW ¼ OF THE SW ¼ OF SECTION 28, TOWNSHIP 35 SOUTH, RANGE 40 EAST, RUN NORTH ALONG SECTION LINE 691 FEET FOR THE POINT OF BEGINNING, THENCE EAST PARALLEL WITH THE SOUTH LINEN OF THE NW ¼ OF SW ¼ 663.29 FEET, THENCE NORTH 423.84 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY LINE 373.11 FEET TO THE POINT OF BEGINNING, **LESS** ROAD RIGHT OF WAY AND LESS ADDITIONALLY ROAD RIGHT OF WAY AS IN O.R. BOOK 722, PAGE 2972, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA (5.43 ACRES).

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR(S). IF NOT THE HOMESTEAD, GRANTOR(S) RESIDE AT 160 12TH STREET SE, VERO BEACH, FL 32962-5701.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand(s) and seal this 1st day of November, 2007.

Signed, sealed and delivered in our presence as witnesses:

Susan M. Burban
Witness Signature

SUSAN M. BURBAN
Printed Witness Signature

Diane B. Sikkema
Witness Signature

Diane B. Sikkema
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

(1) H. Wayne Harrison
Signature
H. Wayne Harrison
Printed Signature
160 12TH Street SE
Address
Vero Beach, FL 32962-5701
City, State, Zip

Frances Harrison
Signature
Frances Harrison, his wife
Printed Signature
160 12TH Street SE
Address
Vero Beach, FL 32962-5701
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **H. Wayne Harrison and Frances Harrison, his wife**, known to me to be the person(s) described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form(s) identification of the above-named person(s): Driver's License(s); and that an oath was not taken.

RUBBER STAMP NOTARY SEAL NOTARY PUBLIC STATE OF FLORIDA **Diane B. Sikkema** Commission # DD299733 Expires March 21, 2008 Bonded Trey Fain - Insurance, Inc. 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 1st day of November A.D. 2007. Diane B. Sikkema Notary Signature ~~Susan M. Burban~~ Diane B. Sikkema Notary Printed Signature

City Commission Regular Meeting **12. r.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 3540 South 25th Street (2428-322-0003-000-0)

SUBJECT:

Legislative Hearing - Ordinance 19-062 extending the territorial limits of the City of Fort Pierce, Florida, to include 3540 South 25th Street in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Medium Density Residential (RM) and a Zoning designation of Medium Density Residential (R-4).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $76,702 and the 2018 tax bill was $1,979.06.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:11 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 06:46 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO:	Nicholas C. Mimms, PE, City Manager
THROUGH:	Jennifer Hofmeister, AICP, LCAM, Planning Director
FROM:	Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director
RE:	**Applications for Annexation of Three (3) Parcels** **3335 Sunrise Boulevard, 3366 and 3540 South 25th Street**
HEARING DATES:	November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owners:	Francisco Godinez 2407 Blossom Court Fort Pierce, FL 34982-5603 Storybrooke Preschool Academy LLC 2246 Ridgewood Circle Royal Palm Beach, FL 33411 Ana Ruiz 3540 South 25th Street Fort Pierce, FL 34981
Requested Action:	Approval of Voluntary Applications for Annexation of three (3) parcels of land along with the Future Land Use Designation of Medium Density Residential (RM) and the Zoning Designation of Medium Density Residential (R-4), for each parcel.
Site Location:	3335 Sunrise Boulevard, 3366 and 3540 South 25th Street, all in Fort Pierce, Florida.
Parcel ID's:	2428-601-0264-000-3, 2428-322-0002-000-3, and 2428-322-0003-000-0
Parcel Size:	0.46, 5.43, and 4.50 acres
Current Future Land Use:	Residential Urban 5 Dwelling Units/Acre (RU) (2 Parcels) (St. Lucie County) Medium Density Residential (RM) (1 Parcel) (St. Lucie County)
Current Zoning:	Residential Multi-Family 9 Dwelling Units/Acre (RM-9) (1 Parcel) Agricultural Residential/ Institutional (AR-1/I) (1 Parcel/Split Zoning) Agricultural Residential (AR-1) (1 Parcel) (St. Lucie County)
Proposed Future Land Use:	Medium Density Residential (RM)
Proposed Zoning:	Medium Density Residential (R-4)

3335 Sunrise Boulevard

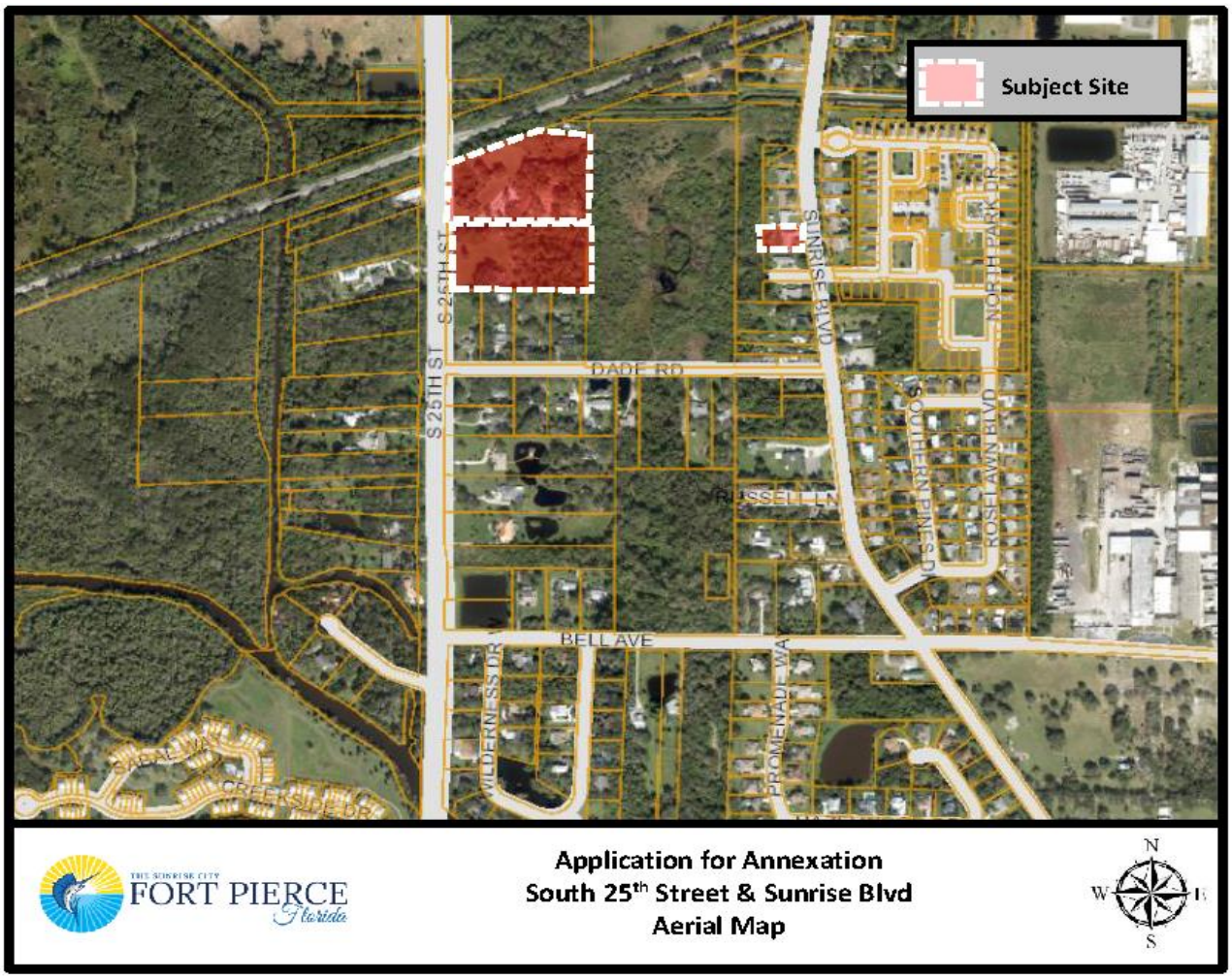
	North	East	South	West
Surrounding FLU:	RM	RM, RM (SLC)	RM (SLC)	RM
Surrounding Zoning:	R-4	R-3, RM-9 (SLC)	RM-9 (SLC)	R-4

3366 and 3540 South 25th Street

	North	East	South	West
Surrounding FLU:	ROW, RU (SLC)	RM	RU (SLC)	RS (SLC)
Surrounding Zoning:	AR-1 & I & ROW (SLC)	R-4	AR-1 (SLC)	RE-2 & AR-1 & ROW (SLC)

Staff Analysis

This is a request for a voluntary annexation of three (3) properties (Parcel ID's 2428-601-0264-000-3, 2428-322-0002-000-3, and 2428-322-0003-000-0) generally located on the east side of South 25th Street, between Elizabeth Avenue and Dade Road and 120 feet from the northwest corner of Sharon Terrace and Sunrise Boulevard in Fort Pierce, Florida.



The current St. Lucie County Future Land Use is Residential Urban 5 Dwelling Units/Acre (RU) (2 Parcels) and Medium Density Residential (RM) (1 Parcel) with a compatible St. Lucie County Zoning of Residential Multi-Family 9 Dwelling Units/Acre (RM-9) (1 Parcel), Agricultural Residential/ Institutional (1 Parcel/Split Zoning), (AR-1/I) Agricultural Residential (AR-1,) (1 Parcel).. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use Designation of all parcels will be Medium Density Residential (RM) and the proposed Zoning designation for all parcels will be Medium Density Residential (R-4).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties are approximately $137,610, $0 (this property is the site of the Storybrooke Preschool Academy), and $76,702. If the Applications for Annexation are approved, it would create three (3) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery".

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RM and Zoning classification of R-4 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed three (3) annexations along with the Future Land Use and Zoning designations of RM and R-4, respectively for each of the parcels.

ORDINANCE NO. 19-062

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3540 SOUTH 25TH STREET IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit "C;" and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2428-322-0003-000-0

4.50 acres of Parcel 2: From the SW corner of the NW ¼ of the SW ¼ of Section 28, Township 35 South, Range 40 East, run North along Section line 367 feet; thence East 25 feet to the POB; thence continue East parallel with the South line of the NW ¼ of the SW ¼ 638.28 feet; thence North 162 feet; thence West 638.28 feet; thence South 162 feet to the POB.

Said property containing 4.50 acres, more or less, and being generally located at 3540 South 25th Street in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Medium Density Residential (R-4), and assigned a Future Land Use Designation of Medium Density Residential (RM), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-062 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

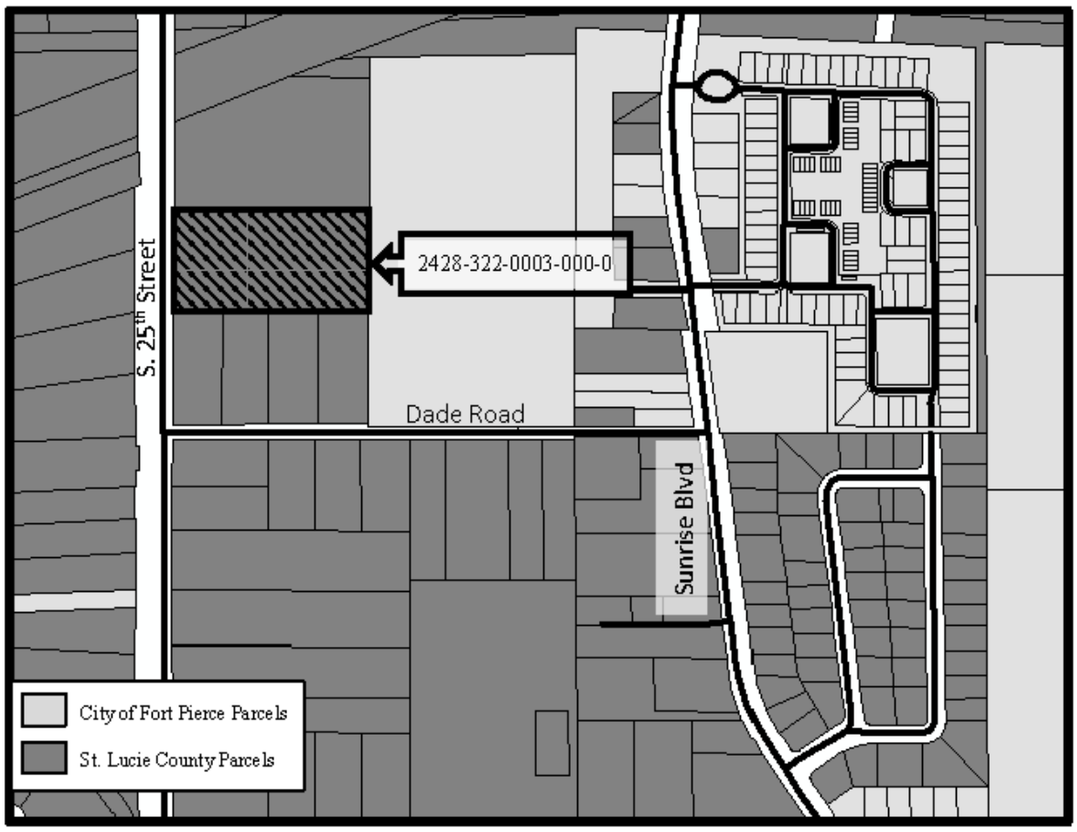
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

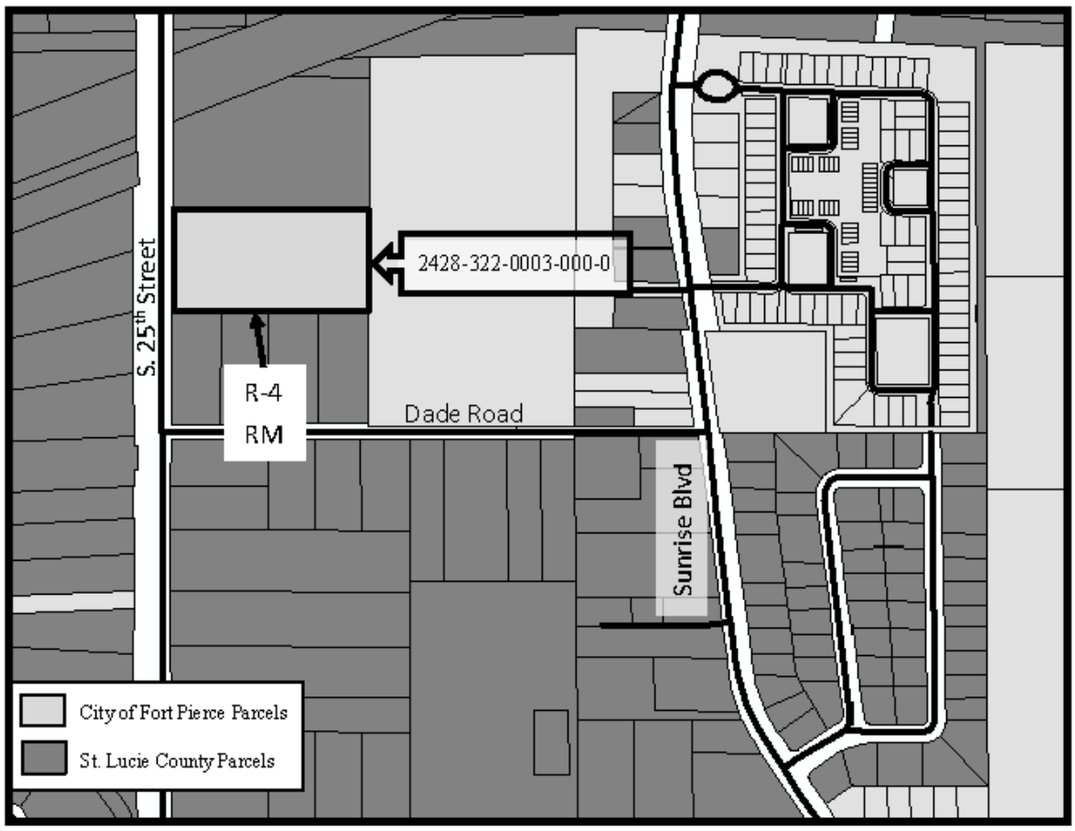
EXHIBIT A
Annexed Area & Legal Description



4.50 acres of Parcel 2: From the SW corner of the NW ¼ of the SW ¼ of Section 28, Township 35 South, Range 40 East, run North along Section line 367 feet; thence East 25 feet to the POB; thence continue East parallel with the South line of the NW ¼ of the SW ¼ 638.28 feet; thence North 162 feet; thence West 638.28 feet; thence South 162 feet to the POB.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Agricultural Residential (AR-1) with a Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Medium Density Residential (R-4) and have a Future Land Use Designation of Medium Density Residential (RM).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4202180 OR BOOK 3882 PAGE 554, Recorded 06/17/2016 at 04:29 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX	**ANNEXATION AGREEMENT** **INDIVIDUAL**
This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2428-322-0003-000-0	
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3540 S. 25TH STREET, FORT PIERCE, FL 34981 Location Address 3540 S. 25TH STREET, FORT PIERCE, FL 34981 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

SEE THE ATTACHED LEGAL DESCRIPTION

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 31st day of ~~April~~ May, 2016.

Signed, sealed and delivered in our presence as witnesses:

Courtney A Mains
Witness Signature

Courtney A Mains
Printed Witness Signature

Leah Hubbard
Witness Signature

Leah Hubbard
Printed Witness Signature

Ana Ruiz
Signature
Ana Ruiz, a single adult
Printed Signature
3540 S. 25TH STREET
Address
FORT PIERCE, FL 34981
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Ana Ruiz, in whose name the foregoing instrument was executed, and that who severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 31st day of ~~April~~ May A.D. 2016.
LEAH M. HUBBARD MY COMMISSION # FF962899 EXPIRES May 10, 2020 (407) 398-0153 FloridaNotaryService.com	Leah M. Hubbard Notary Signature Leah M. Hubbard Notary Printed Signature

OR BOOK 3882 PAGE 555

PARCEL 2: From the SW corner of the NW 1/4 of the SW 1/4 of Section 28, Township 35 South, Range 40 East, run North along the Section line 367 feet; thence East 25 feet to the POB; thence continue East parallel with the South line of the NW 1/4 of the SW 1/4 638.28 feet; thence North 162 feet; thence West 638.28 feet; thence South 162 feet to the POB.

City Commission Regular Meeting **12. s.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 3418 Sunrise Boulevard (2428-702-0042-000-1)

SUBJECT:

Legislative Hearing - Ordinance 19-063 extending the territorial limits of the City of Fort Pierce, Florida, to include 3418 Sunrise Boulevard in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $122,700 and the 2018 tax bill was $2,755.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:07 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 06:19 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Applications for Annexation of Four (4) Parcels**
2409 Elizabeth Avenue, 3418 Sunrise Boulevard, 3240 and 3306 South 25th Street

HEARING DATES: November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owners:

Jorge R. Ortiz Jr.
2409 Elizabeth Avenue
Fort Pierce, FL 34982

Linda Broome
Justina Connelly
3418 Sunrise Boulevard
Fort Pierce, FL 34982

Iglesia Biblica de Fort Pierce Inc
5309 San Diego Avenue
Fort Pierce, FL 34946

Pamela J. Raab (TR)
4310 North Highway A1A, Apt 301
Fort Pierce, FL 34949

Requested Action: Approval of Voluntary Applications for Annexation of four (4) parcels of land along with the Future Land Use Designation of Residential Low Density (RL) and Zoning Designation of Single-Family Low Density (R-1) for each parcel.

Site Location: 2409 Elizabeth Avenue, 3418 Sunrise Boulevard, 3240 and 3306 South 25th Street, all in Fort Pierce, Florida.

Parcel ID's: 2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0

Parcel Size: 0.38, 0.34, 4.75, and 0.72 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Religious Facility (RF) (1 Parcel) (St. Lucie County)
Single Family, 4 Dwelling Units/Acre (RS-4) (3 Parcels) (St. Lucie County)

Proposed Future Land Use: Low Density Residential (RL)

Proposed Zoning: Single-Family Low Density (R-1)

2409 Elizabeth Avenue

	North	East	South	West
Surrounding FLU:	RU (SLC)	RU (SLC)	RU (SLC)	INST, RM (SLC)
Surrounding Zoning:	RS-4 (SLC)	RS-4 (SLC)	RF (SLC)	OS-1, PUD (SLC)

3418 Sunrise Boulevard

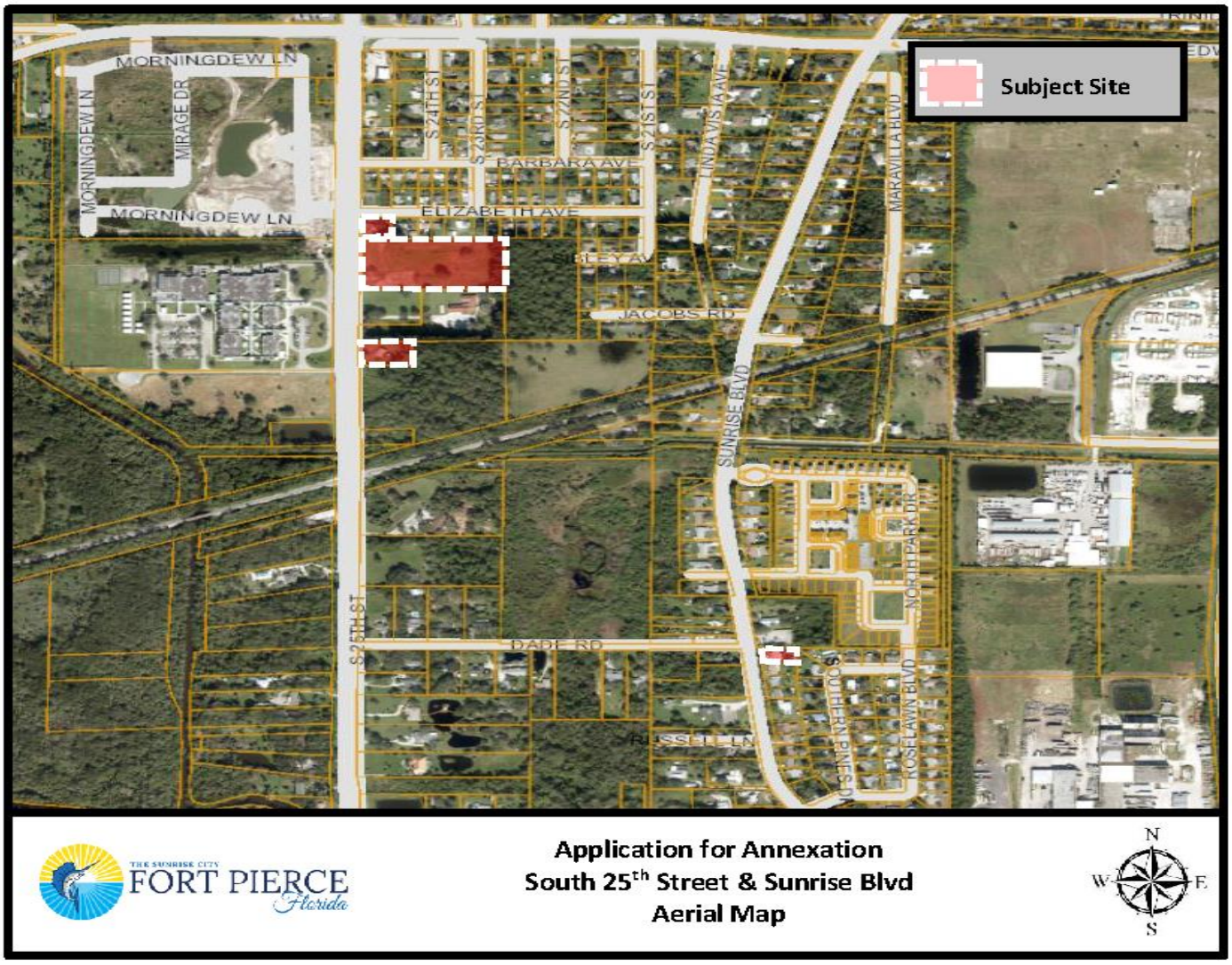
	North	East	South	West
Surrounding FLU:	INST	RU (SLC)	RU (SLC)	RM, RU (SLC)
Surrounding Zoning:	R-1	RS-4 (SLC)	RS-4 (SLC)	R-3, AR-1 (SLC)

3240 and 3306 South 25th Street

	North	East	South	West
Surrounding FLU:	RU (SLC)	RU (SLC)	RL, RU (SLC)	INST, RM (SLC)
Surrounding Zoning:	RS-4 (SLC)	RM-5 (SLC)	R-1, RS-4 (SLC)	OS-1

Staff Analysis

This is a request for a voluntary annexation of four (4) properties (Parcel ID's 2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0) generally located on the southeast corner of South 25th Street and Elizabeth Avenue, the southeast corner of Dade Road and Sunrise Boulevard, and 130 feet from the southeast intersection of South 25th Street and Elizabeth Avenue in Fort Pierce, Florida.



The current St. Lucie County Future Land Use for all of these parcels on South Jenkins Road includes Religious Facility (RF) (1 Parcel) with a Zoning classification of Single Family, 4 Dwelling Units/Acre (RS-4) (3 Parcels), and Residential Urban 5 Dwelling Units/Acre (RU). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation for all parcels will be Low Density Residential (RL) and the Zoning classificatio for all parcels will be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties (2428-604-0037-000-2, 2428-702-0042-000-1, 2428-232-0001-000-0, and 2428-233-0002-000-0) are approximately $142,900, $122,700, $0 (this is the site of a church), and $54,780, respectively. If the Applications for Annexation are approved, it would create four (4) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed nine (9) annexations along with the Future Land Use and Zoning designations of RL and R-1, respectively for each of the parcels.

ORDINANCE NO. 19-063

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3418 SUNRISE BOULEVARD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2428-702-0042-000-1

LOT 1, BLOCK 3, SUNRISE HOMESITES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 13, PAGE(S) 14 OF THE PUBLIC RECORD OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.34 acres, more or less, and being generally located at 3418 Sunrise Boulevard in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Low Density Residential (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-063 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

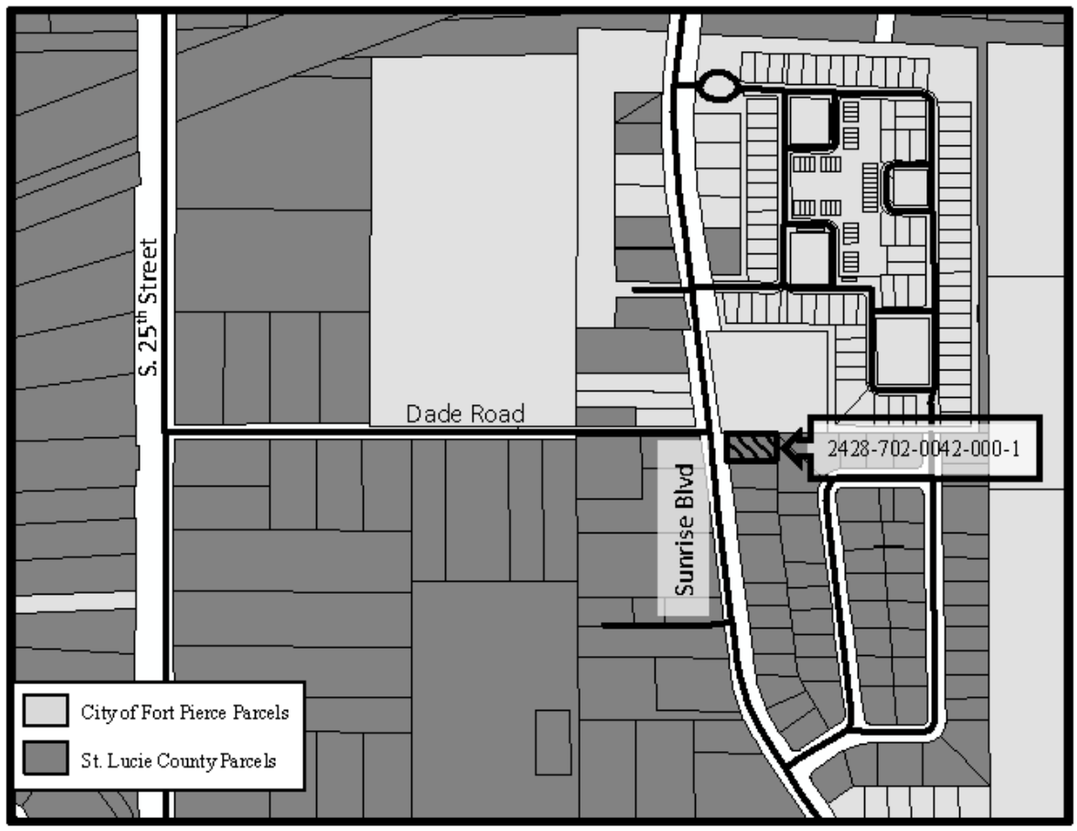
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

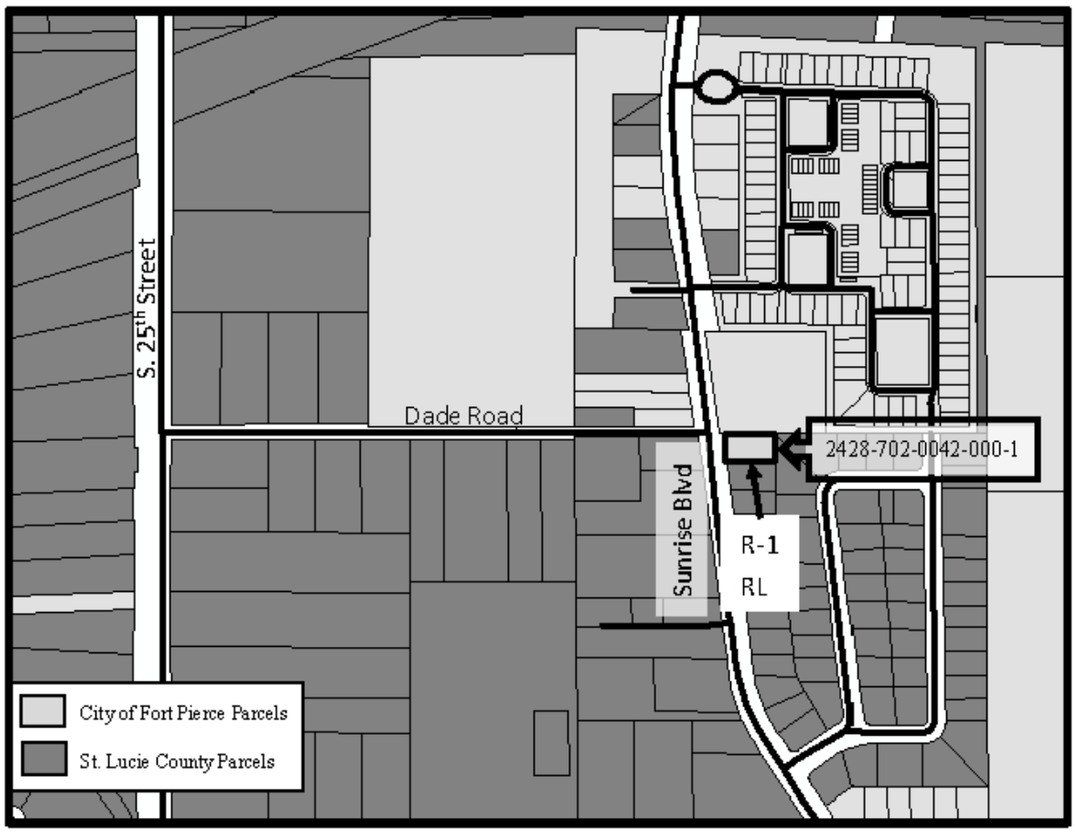
EXHIBIT A
Annexed Area & Legal Description



LOT 1, BLOCK 3, SUNRISE HOMESITES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 13, PAGE(S) 14 OF THE PUBLIC RECORD OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Single Family, 4 Dwelling Units/Acre (RS-4) with a Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Low Density Residential (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4342828 OR BOOK 4033 PAGE 1513, Recorded 08/21/2017 03:13:09 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2428-702-0042-000/1	**ANNEXATION AGREEMENT** **INDIVIDUAL** **LINDA BROOME** **JUSTINA CONNELLY** **3418 SUNRISE BLVD.** **FORT PIERCE, FLORIDA 34947**
To: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3418 SUNRISE BLVD., FT PIERCE, FLORIDA 34947 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

LOT 1, BLOCK 3, SUNRISE HOMESITES, ACCORDING TO PLAT THEREOF, RECORDED IN PLAT BOOK 13, PAGE(S) 14 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 18 day of August, 2017.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Brian Hargrave
Printed Witness Signature

Witness Signature
Fred Davis
Printed Witness Signature

Linda Broome
Linda Broome, a single woman
Linda Broome
Printed Signature

3418 Sunrise Blvd, Ft. Pierce, Florida 34947
Address

Justina Connelly
Justina Connelly, a single woman
Justina Connelly
3418 Sunrise Blvd, Ft. Pierce, Florida 34947
Address

STATE OF Florida
COUNTY OF St. Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared, **Linda Broome**, in whose name the foregoing instrument was executed, and that who severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL DANELLE M WESEMAN MY COMMISSION # FF961459 EXPIRES February 16, 2020 (407) 398-0153 FloridaNotaryService.com	Witness my hand and official Seal in the County and State last aforesaid this 18th day of August A.D. 2017. Danelle M Weseman Notary Signature Danelle M Weseman Notary Printed Signature

STATE OF Florida
COUNTY OF St. Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Justina Connelly**, in whose name the foregoing instrument was executed, and that who severally acknowledged executing the same freely and volutarily, and that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL DANELLE M WESEMAN MY COMMISSION # FF961459 EXPIRES February 16, 2020 (407) 398-0153 FloridaNotaryService.com	Witness my hand and official Seal in the County and State last aforesaid this 18th day of August A.D. 2017. Danelle M Weseman Notary Signature Danelle M Weseman Notary Printed Signature

City Commission Regular Meeting **12. t.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 3335 Sunrise Boulevard (2428-601-0264-000-3)

SUBJECT:

Legislative Hearing - Ordinance 19-064 extending the territorial limits of the City of Fort Pierce, Florida, to include 3335 Sunrise Boulevard in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation of a parcel of land along with Future Land Use Designation of Medium Density Residential (RM) and the Zoning designation of Medium Density Residential (R-4).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $137,610 and the 2018 tax bill was $3,232.18.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:08 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 06:22 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO:	Nicholas C. Mimms, PE, City Manager
THROUGH:	Jennifer Hofmeister, AICP, LCAM, Planning Director
FROM:	Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director
RE:	**Applications for Annexation of Three (3) Parcels** **3335 Sunrise Boulevard, 3366 and 3540 South 25th Street**
HEARING DATES:	November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owners:	Francisco Godinez 2407 Blossom Court Fort Pierce, FL 34982-5603 Storybrooke Preschool Academy LLC 2246 Ridgewood Circle Royal Palm Beach, FL 33411 Ana Ruiz 3540 South 25th Street Fort Pierce, FL 34981
Requested Action:	Approval of Voluntary Applications for Annexation of three (3) parcels of land along with the Future Land Use Designation of Medium Density Residential (RM) and the Zoning Designation of Medium Density Residential (R-4), for each parcel.
Site Location:	3335 Sunrise Boulevard, 3366 and 3540 South 25th Street, all in Fort Pierce, Florida.
Parcel ID's:	2428-601-0264-000-3, 2428-322-0002-000-3, and 2428-322-0003-000-0
Parcel Size:	0.46, 5.43, and 4.50 acres
Current Future Land Use:	Residential Urban 5 Dwelling Units/Acre (RU) (2 Parcels) (St. Lucie County) Medium Density Residential (RM) (1 Parcel) (St. Lucie County)
Current Zoning:	Residential Multi-Family 9 Dwelling Units/Acre (RM-9) (1 Parcel) Agricultural Residential/ Institutional (AR-1/I) (1 Parcel/Split Zoning) Agricultural Residential (AR-1) (1 Parcel) (St. Lucie County)
Proposed Future Land Use:	Medium Density Residential (RM)
Proposed Zoning:	Medium Density Residential (R-4)

3335 Sunrise Boulevard

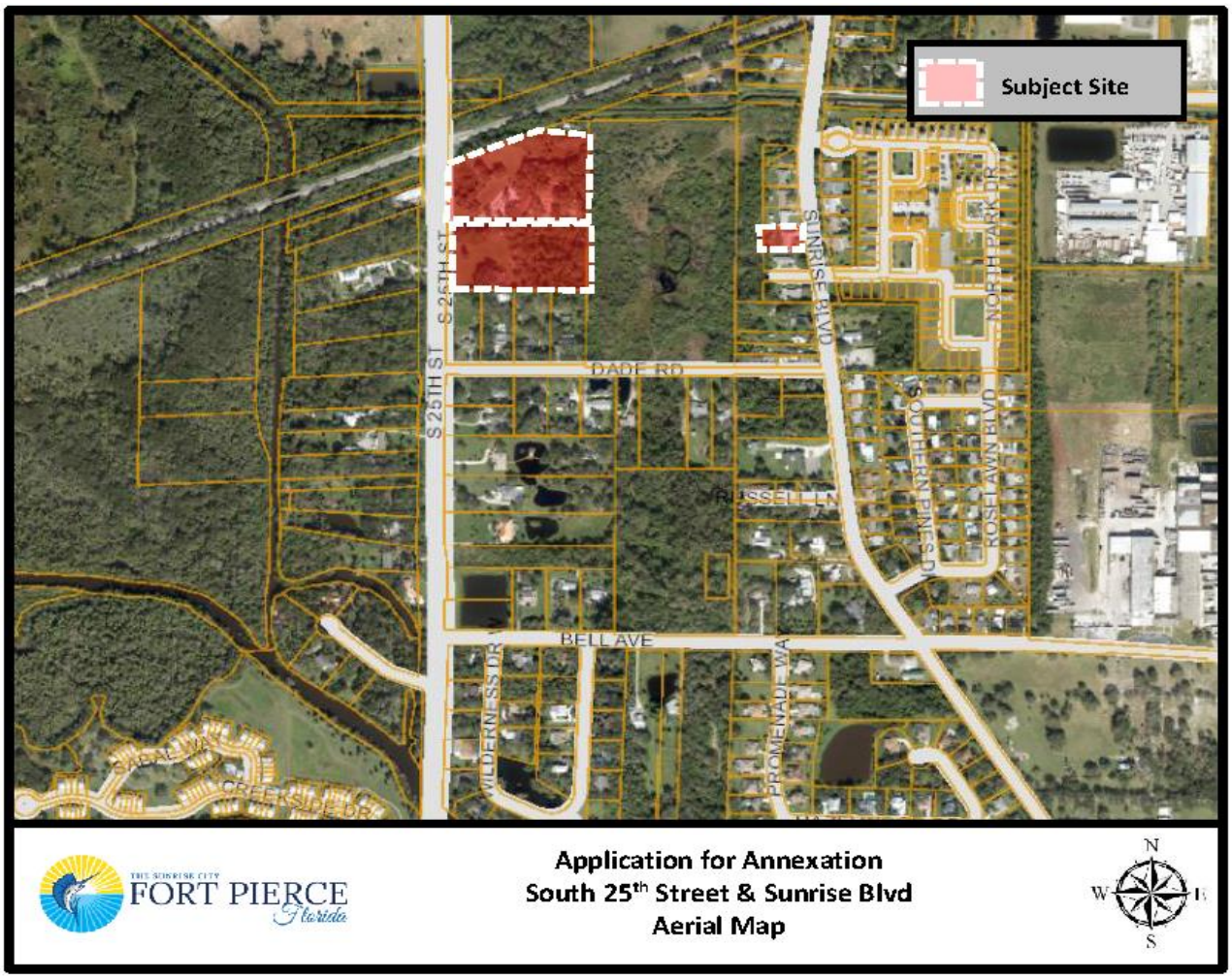
	North	East	South	West
Surrounding FLU:	RM	RM, RM (SLC)	RM (SLC)	RM
Surrounding Zoning:	R-4	R-3, RM-9 (SLC)	RM-9 (SLC)	R-4

3366 and 3540 South 25th Street

	North	East	South	West
Surrounding FLU:	ROW, RU (SLC)	RM	RU (SLC)	RS (SLC)
Surrounding Zoning:	AR-1 & I & ROW (SLC)	R-4	AR-1 (SLC)	RE-2 & AR-1 & ROW (SLC)

Staff Analysis

This is a request for a voluntary annexation of three (3) properties (Parcel ID's 2428-601-0264-000-3, 2428-322-0002-000-3, and 2428-322-0003-000-0) generally located on the east side of South 25th Street, between Elizabeth Avenue and Dade Road and 120 feet from the northwest corner of Sharon Terrace and Sunrise Boulevard in Fort Pierce, Florida.



The current St. Lucie County Future Land Use is Residential Urban 5 Dwelling Units/Acre (RU) (2 Parcels) and Medium Density Residential (RM) (1 Parcel) with a compatible St. Lucie County Zoning of Residential Multi-Family 9 Dwelling Units/Acre (RM-9) (1 Parcel), Agricultural Residential/ Institutional (1 Parcel/Split Zoning), (AR-1/I) Agricultural Residential (AR-1,) (1 Parcel).. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use Designation of all parcels will be Medium Density Residential (RM) and the proposed Zoning designation for all parcels will be Medium Density Residential (R-4).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of each of the properties are approximately $137,610, $0 (this property is the site of the Storybrooke Preschool Academy), and $76,702. If the Applications for Annexation are approved, it would create three (3) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery".

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RM and Zoning classification of R-4 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed three (3) annexations along with the Future Land Use and Zoning designations of RM and R-4, respectively for each of the parcels.

ORDINANCE NO. 19-064

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3335 SUNRISE BOULEVARD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2428-601-0264-000-3

From the Northwest (NW) corner of Lot 1, Block "F" MARAVILLA HEIGHTS, according to the Plat thereof as recorded in Plat Book 5, at page 1, of the Public Records of St. Lucie County, Florida, run South 87°54'40" East along the North line of said Lot 1, 130 feet; thence run South 0°17'43" West parallel with the West line of said Block "F" a distance of 600 feet to the Point of Beginning; thence continue South 0°17'43" West 100 feet; then run South 89°42'17" East to the West right-of-way of Sunrise Boulevard; thence run Northerly along said right-of-way to a point that is 100 feet due North of the South line of this parcel; thence run North 89°42'17" West to the point of beginning.

Said property containing 0.46 acres, more or less, and being generally located at 3335 Sunrise Boulevard in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Medium Density Residential (R-4), and assigned a Future Land Use Designation of Medium Density Residential (RM), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-064 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

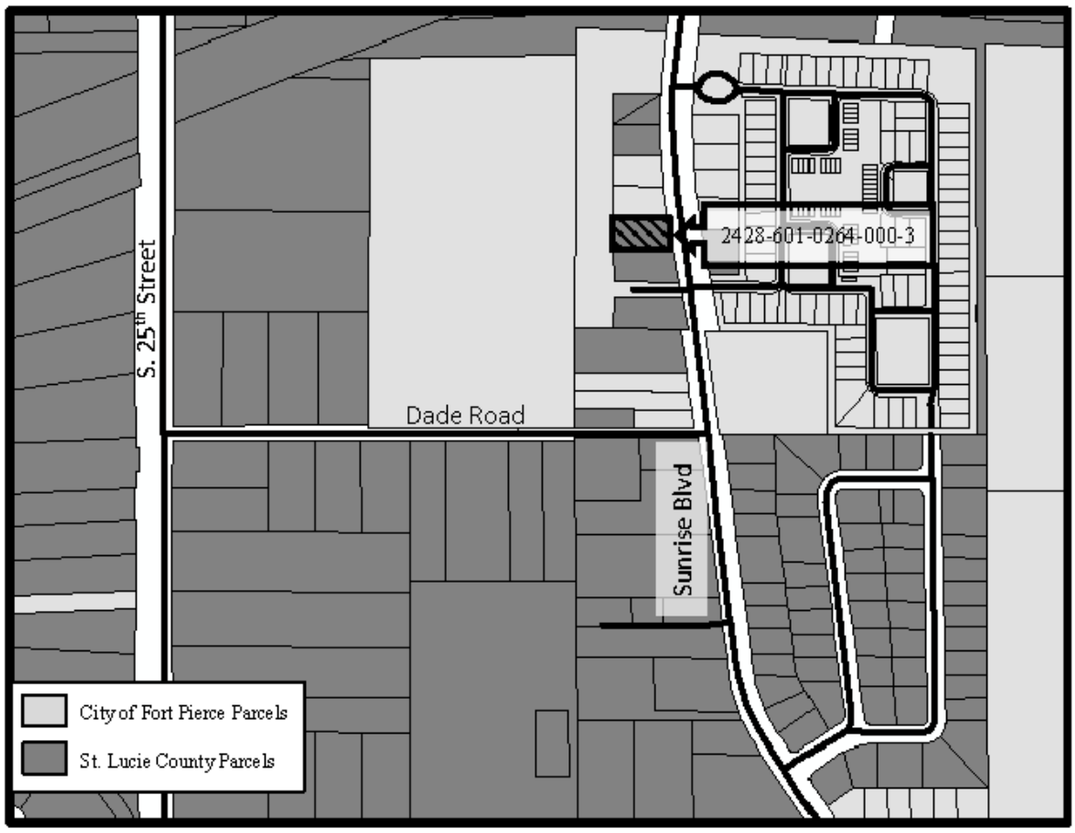
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

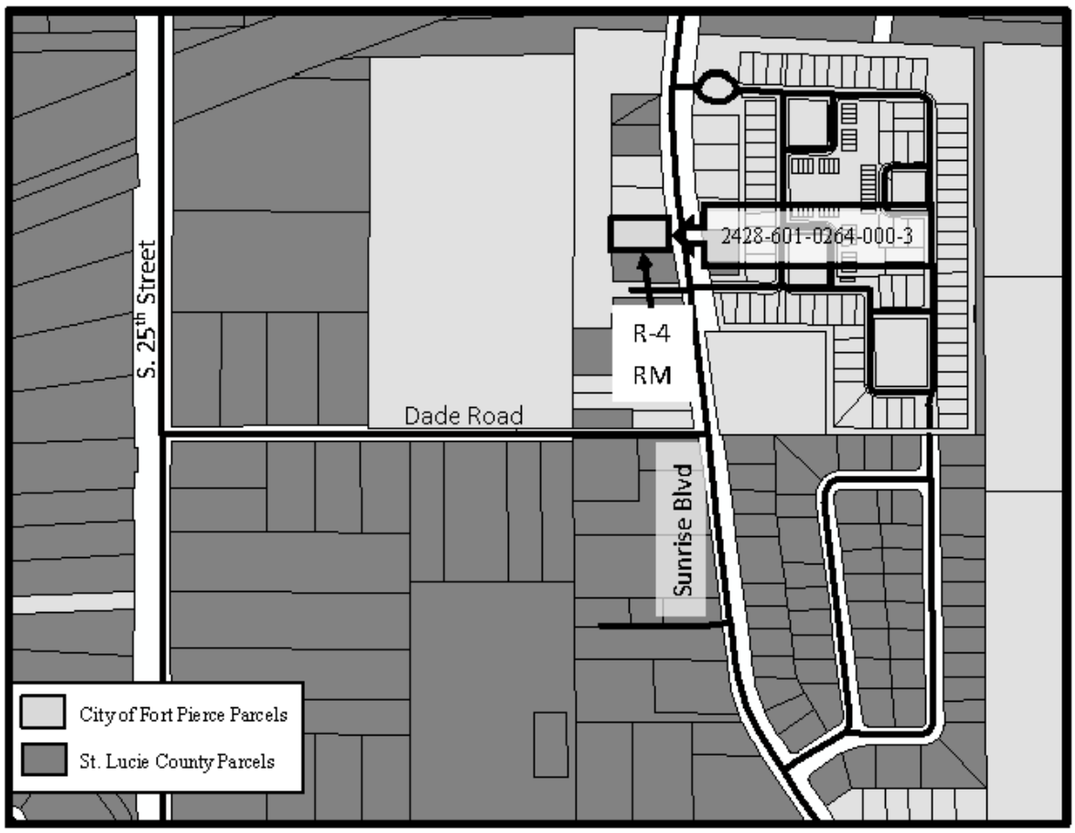
EXHIBIT A
Annexed Area & Legal Description



From the Northwest (NW) corner of Lot 1, Block "F" MARAVILLA HEIGHTS, according to the Plat thereof as recorded in Plat Book 5, at page 1, of the Public Records of St. Lucie County, Florida, run South 87°54'40" East along the North line of said Lot 1, 130 feet; thence run South 0°17'43" West parallel with the West line of said Block "F" a distance of 600 feet to the Point of Beginning; thence continue South 0°17'43" West 100 feet; then run South 89°42'17" East to the West right-of-way of Sunrise Boulevard; thence run Northerly along said right-of-way to a point that is 100 feet due North of the South line of this parcel; thence run North 89°42'17" West to the point of beginning.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Residential Multi-Family 9 Dwelling Units/Acre (RM-9) with a Future Land Use of Medium Density Residential (RM). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Medium Density Residential (R-4) and have a Future Land Use Designation of Medium Density Residential (RM).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4121874 OR BOOK 3798 PAGE 1460, Recorded 10/15/2015 at 11:49 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2428-601-0264-000-3	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3335 SUNRISE BOULEVARD, FORT PIERCE, FLORIDA 34982 Location Address 801 S. OCEAN DRIVE, #1001, FORT PIERCE, FLORIDA 34949 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A", APPENDED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN .

THE ABOVE-DESCRIBED PROPERTY IS NOT THE HOMESTEAD OF THE GRANTORS. EACH OF THE SEVERAL GRANTORS RESIDE ELSEWHERE IN ST. LUCIE COUNTY, FLORIDA.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 15TH day of JUNE, 2015.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
ROSALIE LAVERTU
Printed Witness Signature

Witness Signature
AMY SHEVLIN
Printed Witness Signature

Rita B. Stikelether
Signature
Rita B. Stikelether
Printed Signature
801 S. Ocean Drive, #1001
Address
Fort Pierce, Florida 34949
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Rita B. Stikelether**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019	Witness my hand and official Seal in the County and State last aforesaid this 15TH day of JUNE, A.D. 2015. Notary Signature ROSALIE LAVERTU Notary Printed Signature

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
STEPHEN COOPER
Printed Witness Signature

Witness Signature
ROSALIE LAVERTU
Printed Witness Signature

Karen Huck
Signature
Karen Huck
Printed Signature
13701 West Midway Road
Address
Fort Pierce, Florida 34945
City, State, Zip

OR BOOK 3798 PAGE 1461

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Karen Huck**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL

ROSALIE LAVERTU
Commission # EE 218440
Expires July 22, 2016
Bonded Thru Troy Fain Insurance 800-385-7019

Witness my hand and official Seal in the County and State last aforesaid this 16TH day of JUNE, A.D. 2015.

Notary Signature

ROSALIE LAVERTU
Notary Printed Signature

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

ROSALIE LAVERTU
Printed Witness Signature

Witness Signature

AMY SHEVLIN
Printed Witness Signature

Signature
Kim Schelin N/K/A KIM BOLIN
Printed Signature
2110 West Boothe Drive
Address
Fort Pierce, Florida 34982
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Kim Schelin**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL

ROSALIE LAVERTU
Commission # EE 218440
Expires July 22, 2016
Bonded Thru Troy Fain Insurance 800-385-7019

Witness my hand and official Seal in the County and State last aforesaid this 15TH day of JUNE, A.D. 2015.

Notary Signature

ROSALIE LAVERTU
Notary Printed Signature

Signed, sealed and delivered in our presence as witnesses:

Witness Signature

ROSALIE LAVERTU
Printed Witness Signature

Witness Signature

AMY SHEVLIN
Printed Witness Signature

Signature
Margaret Ewan
Printed Signature
3500 Twin Lakes Terrace, #104
Address
Fort Pierce, Florida 34951
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Margaret Ewan**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that she executed the same, that I relied upon the following form of identification of the above-named person: Driver's License; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL

ROSALIE LAVERTU
Commission # EE 218440
Expires July 22, 2016
Bonded Thru Troy Fain Insurance 800-385-7019

Witness my hand and official Seal in the County and State last aforesaid this 15TH day of JUNE, A.D. 2015.

Notary Signature

ROSALIE LAVERTU
Notary Printed Signature

From the Northwest (NW) corner of Lot 1, Block "F" MARAVILLA HEIGHTS, according to the Plat thereof as recorded in Plat Book 5, at page 1, of the Public Records of St. Lucie County, Florida, run South 87°54'40" East along the North line of said Lot 1, 130 feet; thence run South 0°17'43" West parallel with the West line of said Block "F" a distance of 600 feet to the Point of Beginning; thence continue South 0°17'43" West 100 feet; thence run South 89°42'17" East to the West right-of-way of Sunrise Boulevard; thence run Northerly along said right-of-way to a point that is 100 feet due North of the South line of this parcel; thence run North 89°42'17" West to the Point of Beginning. Parcel I.D. 2428-601-0264-000-3,

City Commission Regular Meeting **12. u.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 3601 West Wilderness Drive (2433-221-0005-040-2)

SUBJECT:

Legislative Hearing - Ordinance 19-065 extending the territorial limits of the City of Fort Pierce, Florida, to include 3601 West Wilderness Drive in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Residential Single Family Three Units Per Acre (E-3).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $50,248 and the 2018 tax bill was $1,426.47.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:08 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 06:25 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Application for Annexation**
3601 West Wilderness Drive

HEARING DATES: November 18, 2019 & December 2, 2019

STAFF REPORT

Property Owner: Richard A. Cotton
3601 West wilderness Drive
Fort Pierce, FL 34982

Requested Action: Approval of a Voluntary Application for Annexation for a parcel of land along with the Zoning designation of Residential Single Family Three Units Per Acre (E-3), and a Future Land Use Designation of Low Density Residential (RL).

Site Location: 3601 West wilderness Drive, Fort Pierce, Florida.

Parcel ID: 2433-221-0005-040-2

Parcel Size: 0.50 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Residential Single Family 3 Dwelling Units/Acre (RS-3) (St. Lucie County)

Proposed Future Land Use: Low Density Residential (RL)

Proposed Zoning: Residential Single Family Three Units Per Acre (E-3)

	North	East	South	West
Surrounding FLU:	RU (SLC)	RL	RL	CPUB & RS (SLC)
Surrounding Zoning:	AR-1 (SLC)	E-3	E-3	AR-1 & CPUB (SLC)

Staff Analysis

This is a request for a voluntary annexation of property (Parcel ID 2433-221-0005-040-2) located at 3601 West wilderness Drive in Fort Pierce, Florida.



The subject site has a current St. Lucie County Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU) with a compatible Zoning classification of St. Lucie County Zoning Residential Single Family 3 Dwelling Units/Acre (RS-4) for 3601 West Wilderness Drive. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation will be Low Density Residential (RL) and the Zoning classification will be Residential Single Family Three Units Per Acre (E-3).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of the property is approximately $50,248. If the Application for Annexation is approved it would create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-3 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the request, as presented.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed annexation along with the Future Land Use and Zoning designations of RL and R-3, respectively for each of the parcels.

ORDINANCE NO. 19-065

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **3601 WEST WILDERNESS DRIVE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2433-221-0005-040-2

Lot 1, Block 1, Raintree Forest, an unrecorded plat more particularly described as follows:

Beginning at a point that is 30 feet South of and 75 feet East of the Northwest corner of Section 33, Township 35 South, Range 40 East, St. Lucie County, Florida; thence run 89°34'46" East, parallel to the North line of said Section 33, a distance of 124.40 feet, to the Point of Curvature of a radially tangent curve; thence Easterly and Southerly along the arc of said curve being concave to the Southwest, having a radius of 25.00 feet, a delta of 92°02'01" and arc distance of 40.16 feet, thence tangent to said curve South 02°27'15" West, parallel to the West line said Section 33, a distance of 119.10 feet, thence North 89°34'46" West, a distance of 150.30 feet; thence North 02°27'15" East, a distance of 145.00 feet, to the Point of Beginning.

Said property containing 0.50 acres, more or less, and being generally located at 3601 West Wilderness Drive in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Residential Single Family Three Units Per Acre (E-3), and assigned a Future Land Use Designation of Low Density Residential (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-065 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019 and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

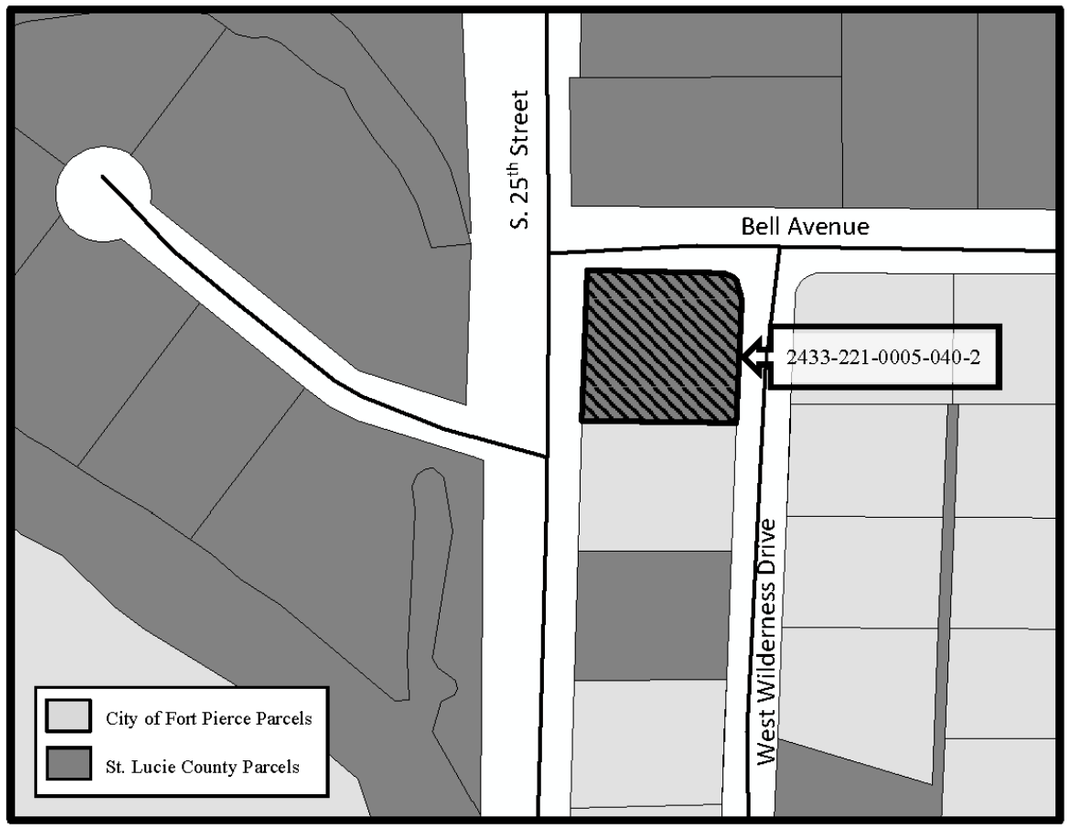
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description

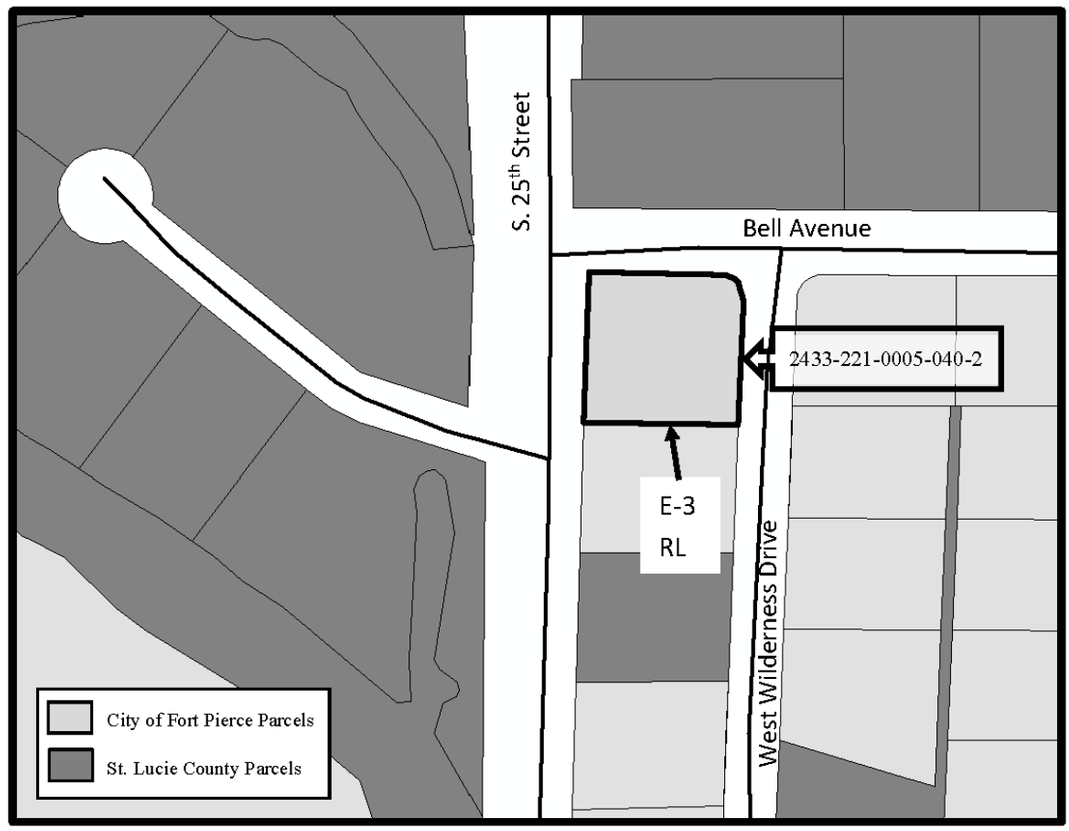


Lot 1, Block 1, Raintree Forest, an unrecorded plat more particularly described as follows:

Beginning at a point that is 30 feet South of and 75 feet East of the Northwest corner of Section 33, Township 35 South, Range 40 East, St. Lucie County, Florida; thence run 89°34'46" East, parallel to the North line of said Section 33, a distance of 124.40 feet, to the Point of Curvature of a radially tangent curve; thence Easterly and Southerly along the arc of said curve being concave to the Southwest, having a radius of 25.00 feet, a delta of 92°02'01" and arc distance of 40.16 feet, thence tangent to said curve South 02°27'15" West, parallel to the West line said Section 33, a distance of 119.10 feet, thence North 89°34'46" West, a distance of 150.30 feet; thence North 02°27'15" East, a distance of 145.00 feet, to the Point of Beginning.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Residential Single Family 3 Dwelling Units/Acre (RS-3) with a Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Residential Single Family Three Units Per Acre (E-3) and have a Future Land Use Designation of Low Density Residential (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4507300 OR BOOK 4209 PAGE 626, Recorded 12/04/2018 02:14:53 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2433-221-0005-040-2	**ANNEXATION AGREEMENT** **INDIVIDUAL** RONALD M. DILLON, AN UN-REMARRIED WIDOWER 3601 W. WILDERNESS DRIVE FORT PIERCE, FLORIDA 34982
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	3601 W. WILDERNESS DRIVE, FT. PIERCE, FLORIDA 34982 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

PLEASE SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 14 day of Sept, 2018.

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature

Rachel Rayan
Printed Witness Signature

Tanya Rios
Witness Signature

Tanya Rios
Printed Witness Signature

Ronald M Dillon
Signature-Ronald M. Dillon, an un-remarried widower

Printed Signature

3601 W. Wilderness Drive, Ft. Pierce, Florida 34982
Address

STATE OF Florida.
COUNTY OF St. Lucie

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Ronald M. Dillon, in whose names the foregoing instrument was executed, and that he severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named person: Driver's License, and that an oath was not taken.

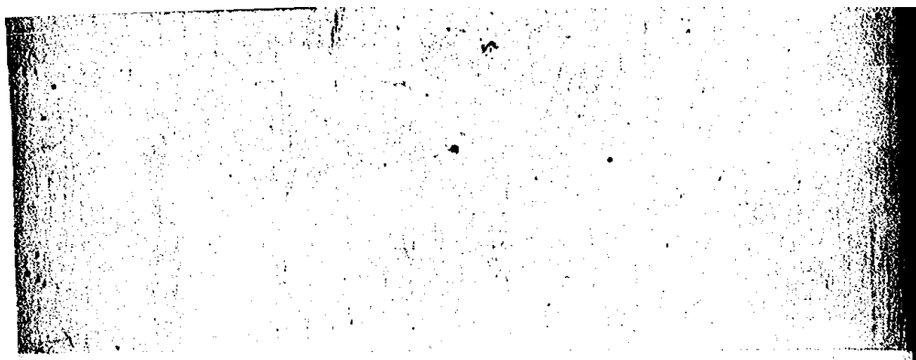
RUBBER STAMP NOTARY SEAL

Notary Public State of Florida
Tanya Rios
My Commission GG 158853
Expires 11/08/2021

Witness my hand and official Seal in the County and State last aforesaid this 14th day of Sept A.D. 2018.

T Rios
Notary Signature

Tanya Rios
Notary Printed Signature



OR BOOK [illegible]

File No. 00-010-402835
Title Order No. 00402835

OR BOOK 1390 Page 2640

EXHIBIT ONE

Lot 1, Block 1, Raintree Forest, an unrecorded plat more particularly described as follows:

Beginning at a point that is 30 feet South of and 75 feet East of the Northwest corner of Section 33, Township 35 South, Range 40 East, St. Lucie County, Florida; thence run South 89° 34' 46" East, parallel to the North line of said Section 33, a distance of 124.40 feet, to the Point of Curvature of a radially tangent curve; thence Easterly and Southerly along the arc of said curve being concave to the Southwest, having a radius of 25.00 feet, a delta of 92°02' 01" an arc distance of 40.16 feet; thence tangent to said curve South 02° 27' 15" West, parallel to the West line of said Section 33, a distance of 119.10 feet, thence North 89° 34' 46" West, a distance of 150.30 feet; thence North 02° 27' 15" East, a distance of 145. 00 feet, to the Point of Beginning.

City Commission Regular Meeting **12. v.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 1955 South Jenkins Road (2313-414-0001-000-5)

SUBJECT:

Legislative Hearing - Ordinance 19-066 extending the territorial limits of the City of Fort Pierce, Florida, to include 1955 South Jenkins Road in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Residential Single Family Two Units Per Acre (E-2).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $69,779 and the 2018 tax bill was $1,816.94.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:09 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 06:28 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas C. Mimms, PE, City Manager
THROUGH:	Jennifer Hofmeister, AICP, LCAM, Planning Director
FROM:	Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director
RE:	**Applications for Annexation of Two (2) Parcels 1955 and 2295 South Jenkins Road**
HEARING DATES:	November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:	Gus Stoncius Barbara Stoncius Eric A Stoncius 1955 South Jenkins Road Fort Pierce, FL 34947 Juan Renteria Yolanda Renteria 2295 South Jenkins Road Fort Pierce, FL 34947
Requested Action:	Approval of Voluntary Applications for Annexation of two (2) parcels of land along with the Future Land Use Designation of Low Density Residential (RL) and the Zoning Designation of Residential Single Family Two Units Per Acre (E-2), for each parcel.
Site Location:	1955 and 2295 South Jenkins Road, all in Fort Pierce, Florida.
Parcel ID's:	2313-414-0001-000-5 and 2324-111-0003-000-3
Parcel Size:	5.21 and 4.45 acres
Current Future Land Use:	Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)
Current Zoning:	Residential Single Family 2 Dwelling Units/Acre (RS-2) (St. Lucie County)
Proposed Future Land Use:	Low Density Residential (RL)
Proposed Zoning:	Residential Single Family Two Units Per Acre (E-2)

1955 South Jenkins Road

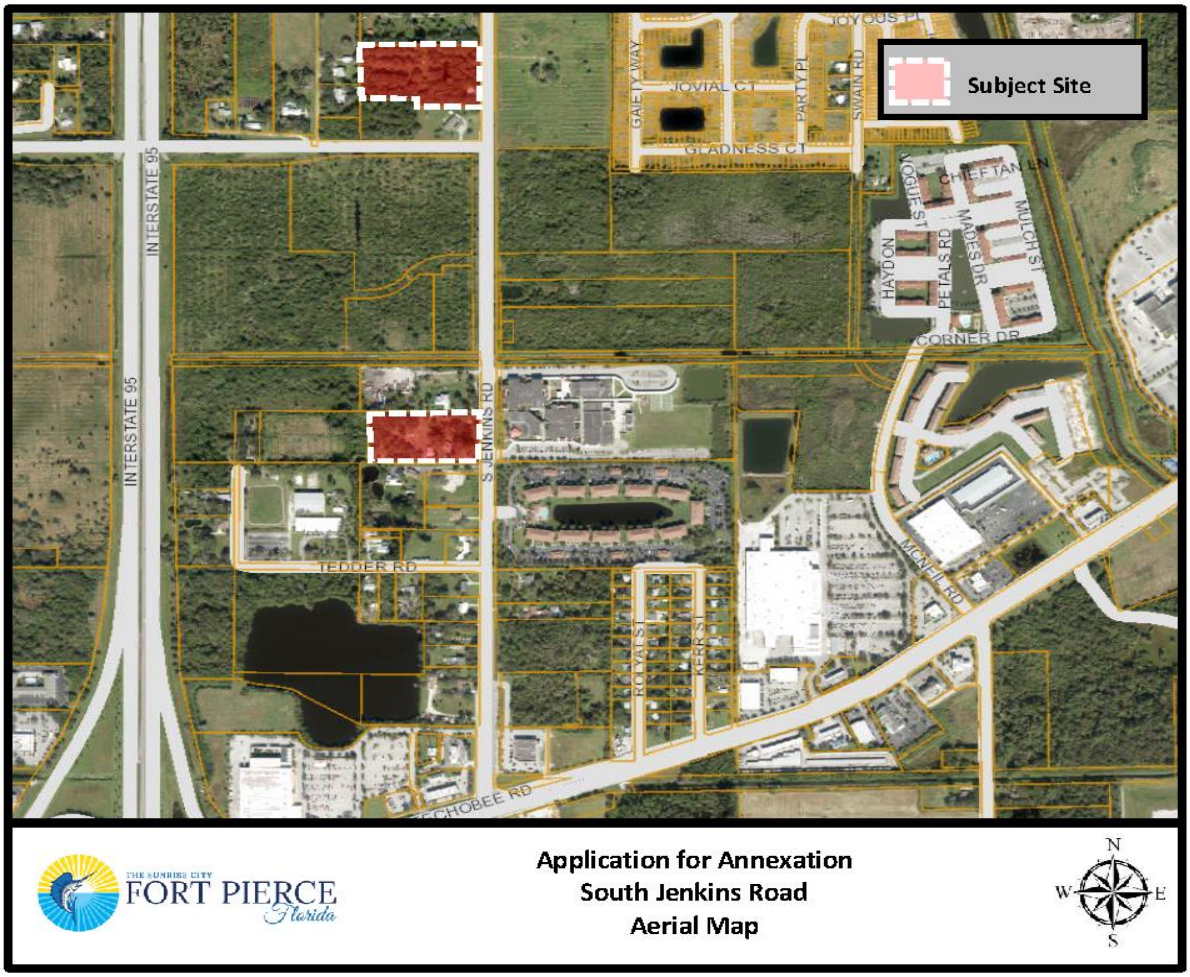
	North	East	South	West
Surrounding FLU:	RU (SLC)	RM	RL	RU (SLC)
Surrounding Zoning:	RS-2 (SLC)	R-4	C-1	RS-2 (SLC)

2295 South Jenkins Road

	North	East	South	West
Surrounding FLU:	RL	RH (SLC)	RL	RL
Surrounding Zoning:	AR-1	RM-11 (SLC)	E-2	R-1

Staff Analysis:

This is a request for a voluntary annexation of two (2) properties (Parcel ID's 2313-414-0001-000-5 and 2324-111-0003-000-3) generally located on the west side of South Jenkins Road, between Ceremony Drive and Tedder Road in Fort Pierce, Florida.



The current St. Lucie County Zoning for all of these parcels on South Jenkins Road is RS-2, Residential Single Family 2 Dwelling Units/Acre, with a St. Lucie County Future Land Use of RU, Residential Urban 5 Dwelling Units/Acre. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Zoning designation for all parcels will be Residential Single Family Two Units Per Acre (E-2), and Future Land Use Designations of Low Density Residential (RL) for each parcel.

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of the properties (2313-414-0001-000-5 and 2324-111-0003-000-3) is approximately $139,900 and $69,779, respectively. If the Applications for Annexation are approved, it would create two (2) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan:

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery".

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Zoning Designation of E-2, Residential Single Family Two Units Per Acre, and Future Land Use Designations of RL, Low Density Residential would be consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Planning Board:

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Staff Recommendation:

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed two (2) annexations along with the Zoning designations of E-2, Residential Single Family Two Units Per Acre, and Future Land Use Designations of RL, Low Density Residential for each of the parcels.

ORDINANCE NO. 19-066

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **1955 SOUTH JENKINS ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2313-414-0001-000-5

5.21-ACRES WHICH BEGINS AT THE SOUTHEAST CORNER OF THE EAST HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 39 EAST, AND RUN NORTH OF THE WEST SIDE OF JENKINS ROAD 270 FEET FOR THE STARTING POINT OF THE LANDS HEREIN CONVEYED AND FROM SAID STARTING POINT CONTINUE NORTH OF THE WEST SIDE OF JENKINS ROAD 390 FEET; THENCE 660 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 340 FEET; THENCE EAST 300 FEET; THENCE SOUTH 50 FEET, THENCE EAST 360 FEET MORE OR LESS TO SAID STARTING POINT, LESS THE EAST 40 FEET THEREOF, SAID LANDS LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

Said property containing 5.21 acres, more or less, and being generally located at 1955 South Jenkins Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Residential Single Family Two Units Per Acre (E-2), and assigned a Future Land Use Designation of Low Density Residential (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-066 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

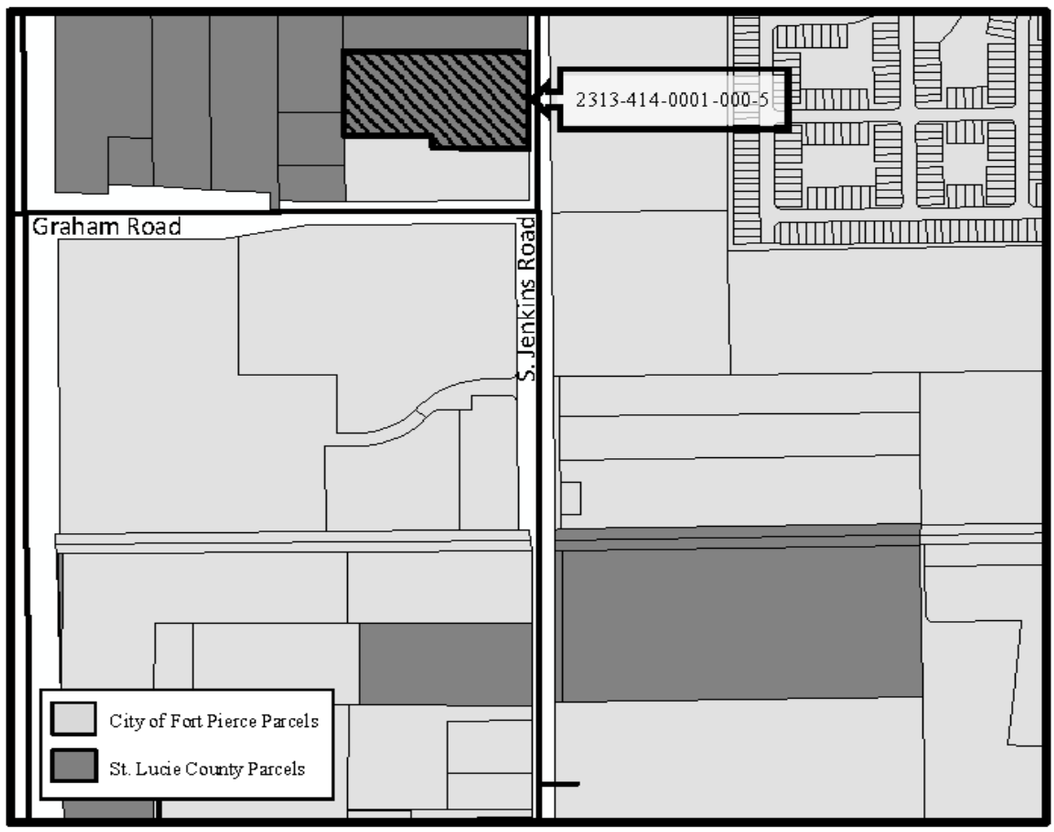
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

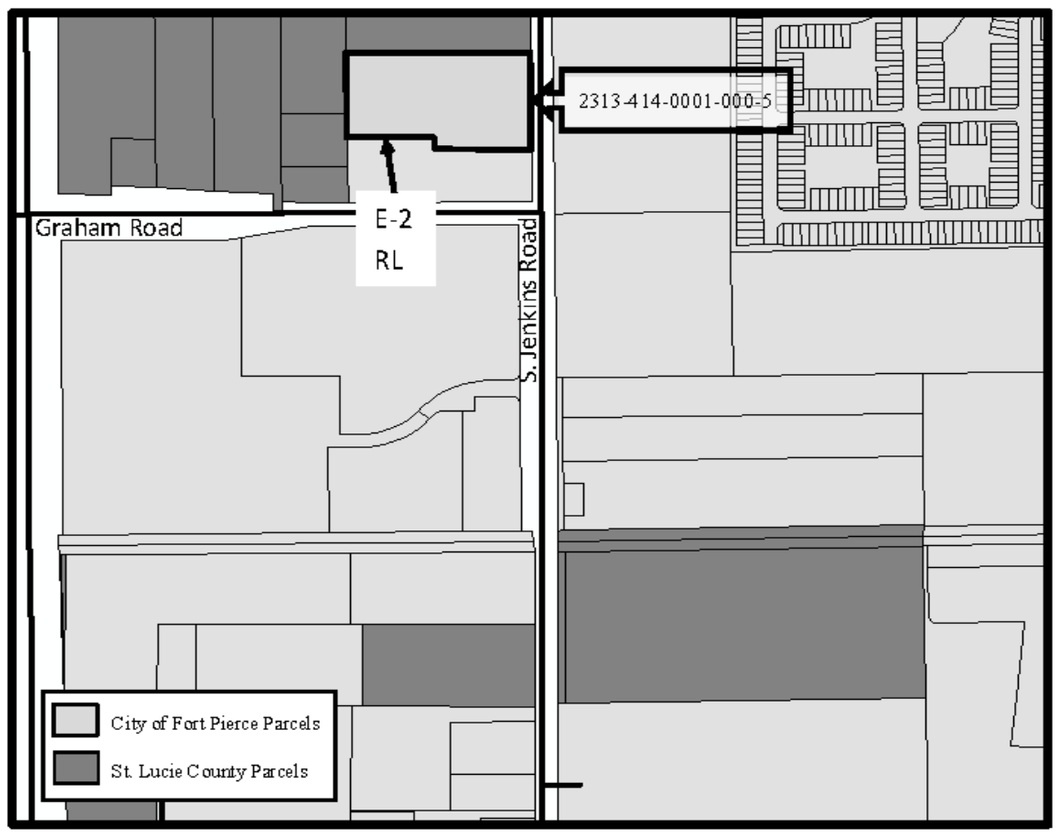
EXHIBIT A
Annexed Area & Legal Description



5.21-ACRES WHICH BEGINS AT THE SOUTHEAST CORNER OF THE EAST HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 39 EAST, AND RUN NORTH OF THE WEST SIDE OF JENKINS ROAD 270 FEET FOR THE STARTING POINT OF THE LANDS HEREIN CONVEYED AND FROM SAID STARTING POINT CONTINUE NORTH OF THE WEST SIDE OF JENKINS ROAD 390 FEET; THENCE 660 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 340 FEET; THENCE EAST 300 FEET; THENCE SOUTH 50 FEET, THENCE EAST 360 FEET MORE OR LESS TO SAID STARTING POINT, LESS THE EAST 40 FEET THEREOF, SAID LANDS LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Residential Single Family 2 Dwelling Units/Acre (RS-2) with a Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Residential Single Family Two Units Per Acre (E-2) and have a Future Land Use Designation of Low Density Residential (RL).

EXHIBIT C

Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3637685 OR BOOK 3331 PAGE 2483, Recorded 10/14/2011 at 09:51 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2313-414-0001-000-5	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	1955 S. JENKINS ROAD, FORT PIERCE, FL 34947 Location Address 1955 S. JENKINS ROAD, FORT PIERCE, FL 34947 Mailing Address (if different from location address)

Dear Sir:

The undersigned, GUS STONCIUS and BARBARA STONCIUS, his wife as to an undivided one-half interest, and ERIC A. STONCIUS, a married adult, as to an undivided one-half interest, as joint tenants with rights of survivorship, do hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

BEGINS AT THE SOUTHEAST CORNER OF THE EAST HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION13, TOWNSHIP 35 SOUTH, RANGE 39 EAST, AND RUN NORTH ON THE WEST SIDE OF JENKINS ROAD 270 FEET FOR THE STARTING POINT OF THE LANDS HEREIN CONVEYED AND FROM SAID STARTING POINT CONTINUE NORTH OF THE WEST SIDE OF JENKINS ROAD 390 FEET; THENCE WEST 660 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 340 FEET; THENCE EAST 300 FEET; THENCE SOUTH 50 FEET, THENCE EAST 360 FEET MORE OR LESS TO SAID STARTING POINT, LESS THE EAST 40 FEET THEREOF, SAID LANDS LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand and seal this 19th day of September, 2011.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
NANCY BRINSON
Printed Witness Signature

Witness Signature
CAROL M. HEINTZ
Printed Witness Signature

x _____
Signature
Gus Stoncius
Printed Signature
1955 S. Jenkins Road
Address
Fort Pierce, FL 34947
City, State, Zip

Signature
Barbara Stoncius, his wife
Printed Signature
1955 S. Jenkins Road
Address
Fort Pierce, FL 34947
City, State, Zip

Witness Signature
NANCY BRINSON
Printed Witness Signature

Witness Signature
CAROL M. HEINTZ
Printed Witness Signature

Signature
Eric A. Stoncius
Printed Signature
1955 S. Jenkins Road
Address
Fort Pierce, FL 34947
City, State, Zip

Signature
April C. Stoncius, his wife
Printed Signature
1955 S. Jenkins Road
Address
Fort Pierce, FL 34947
City, State, Zip

OR BOOK 3331 PAGE 2484

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Gus Stoncius and Barbara Stoncius, his wife, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 19TH day of SEPTEMBER, A.D. 2011.
CAROL M. HEINTZ MY COMMISSION # DD989339 EXPIRES: June 23, 2014 Fl. Notary Discount Assoc. Co. 1-800-3-NOTARY	Carol M. Heintz Notary Signature CAROL M HEINTZ Notary Printed Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Eric A. Stoncius and April C. Stoncius, his wife, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 19TH day of SEPTEMBER, A.D. 2011.
CAROL M. HEINTZ MY COMMISSION # DD989339 EXPIRES: June 23, 2014 Fl. Notary Discount Assoc. Co. 1-800-3-NOTARY	Carol M. Heintz Notary Signature Carol M. HEINTZ Notary Printed Signature

City Commission Regular Meeting **12. w.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2250 South Jenkins Road (2419-221-0001-000-8)

SUBJECT:

Legislative Hearing - Ordinance 19-067 extending the territorial limits of the City of Fort Pierce, Florida, to include 2250 South Jenkins Road in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of High Density Residential (RH) and a Zoning designation of High Density Residential (R-5).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $0 and the 2018 tax bill was $0.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:09 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 06:30 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Application for Annexation**
2250 South Jenkins Road

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owner: School Board of St Lucie County
501 NW University Boulevard
Port St Lucie, FL 34986

Requested Action: Approval of a Voluntary Application for Annexation for a parcel of land along with the Zoning designation of High Density Residential (R-5), and a Future Land Use Designation of High Density Residential (RH).

Site Location: 2250 South Jenkins Road, Fort Pierce, Florida.

Parcel ID: 2419-221-0001-000-8

Parcel Size: 17.7 acres

Current Future Land Use: Residential Heavy (RH) (St. Lucie County)

Current Zoning: Residential Multi-Family 11 Dwelling Units/Acre (RM-11) (St. Lucie County)

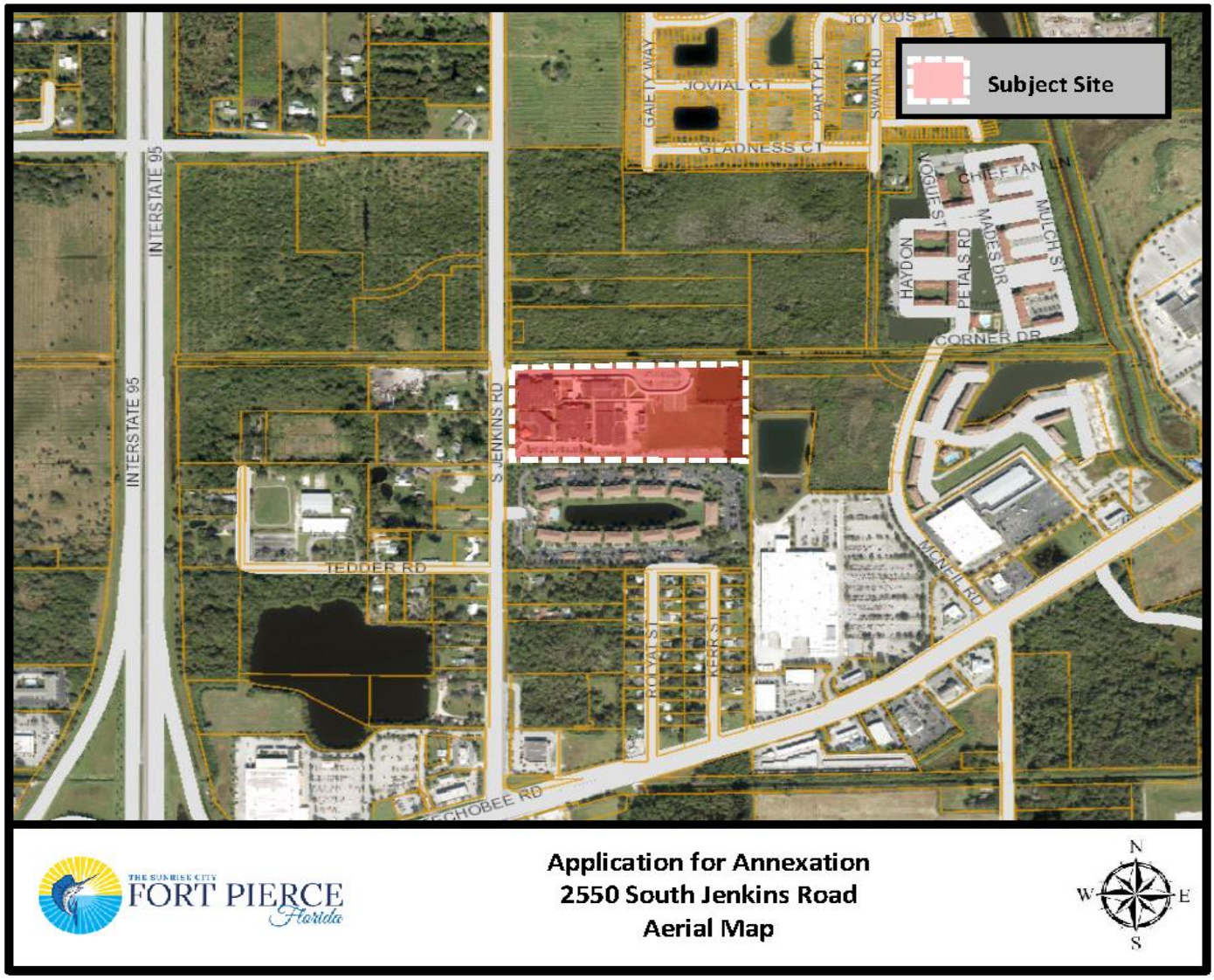
Proposed Future Land Use: High Density Residential (RH)

Proposed Zoning: High Density Residential (R-5)

	North	East	South	West
Surrounding FLU:	RM	GC	RH	RL & RU (SLC)
Surrounding Zoning:	R-4	C-3	R-5	AR-1 & RS-2 (SLC)

Staff Analysis

This is a request for a voluntary annexation of property (Parcel ID 2419-221-0001-000-8) located 2250 South Jenkins Road in Fort Pierce, Florida.



The current St. Lucie County Future Land Use is Residential Heavy (RH) and the St. Lucie County Zoning for 2250 South Jenkins Road is Residential Multi-Family 11 Dwelling Units/Acre (RM-11). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation will be High Density Residential (RH) and the Zoning designation will be High Density Residential (R-5).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of the property is approximately $0.00 (the site is the Samuel S. Gaines Academy K-8 School). If the Application for Annexation is approved it would create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of High Density Residential (RH) and Zoning Designation of High Density Residential (R-5) is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the request, as presented.

Staff Recommendation

The request meets the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends that the City Commission APPROVE the proposed annexation application along with a Future Land Use designation of High Density Residential (RH) and Zoning designation of High Density Residential (R-5).

ORDINANCE NO. 19-067

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2250 SOUTH JENKINS ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2419-221-0001-000-8

A 17.70-acre parcel of land lying in Section 19, Township 35 South, Range 40 East, St. Lucie County, Florida, being more particularly described as follows:

The north one half (1/2) of the NW one fourth (1/4) of the NW one fourth (1/4) of Section 19, Township 36 South, Range 40 East, St. Lucie County, Florida, lying South of the Southerly right-of-way line of the North St. Lucie River Water Management Canal N0. 37 (85.00' Right-of-Way) and lying Easterly of the East right-of-way line of Jenkins Road (80.00' Right-of-Way).

and

RUN N 89 01 26 E 25 FT,TH S 00 05 10 E 623.88 FT,TH S 88 50 40 W 25 FT,TH N 00 05 10 W 623.96 FT TO POB- (OR 767-2945)

Said property containing 17.70 acres, more or less, and being generally located at 2250 South Jenkins Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned High Density Residential (R-5), and assigned a Future Land Use Designation of High Density Residential (RH), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-067 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019 and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

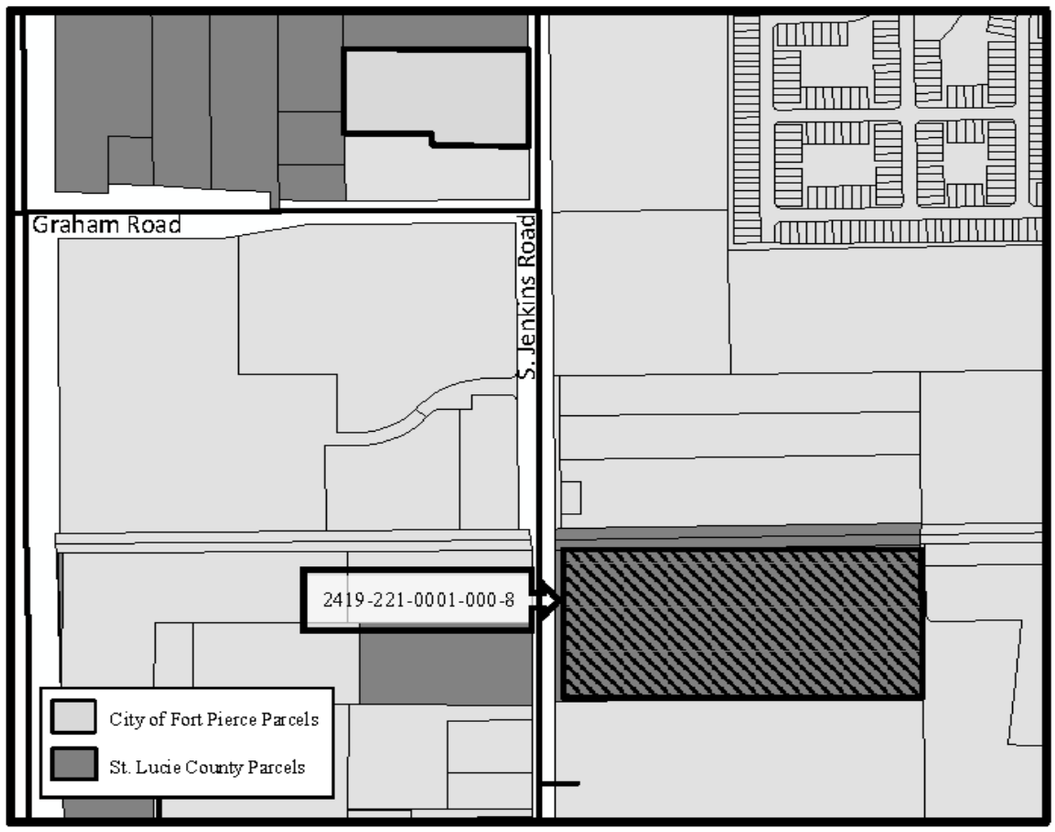
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



A 17.70-acre parcel of land lying in Section 19, Township 35 South, Range 40 East, St. Lucie County, Florida, being more particularly described as follows:

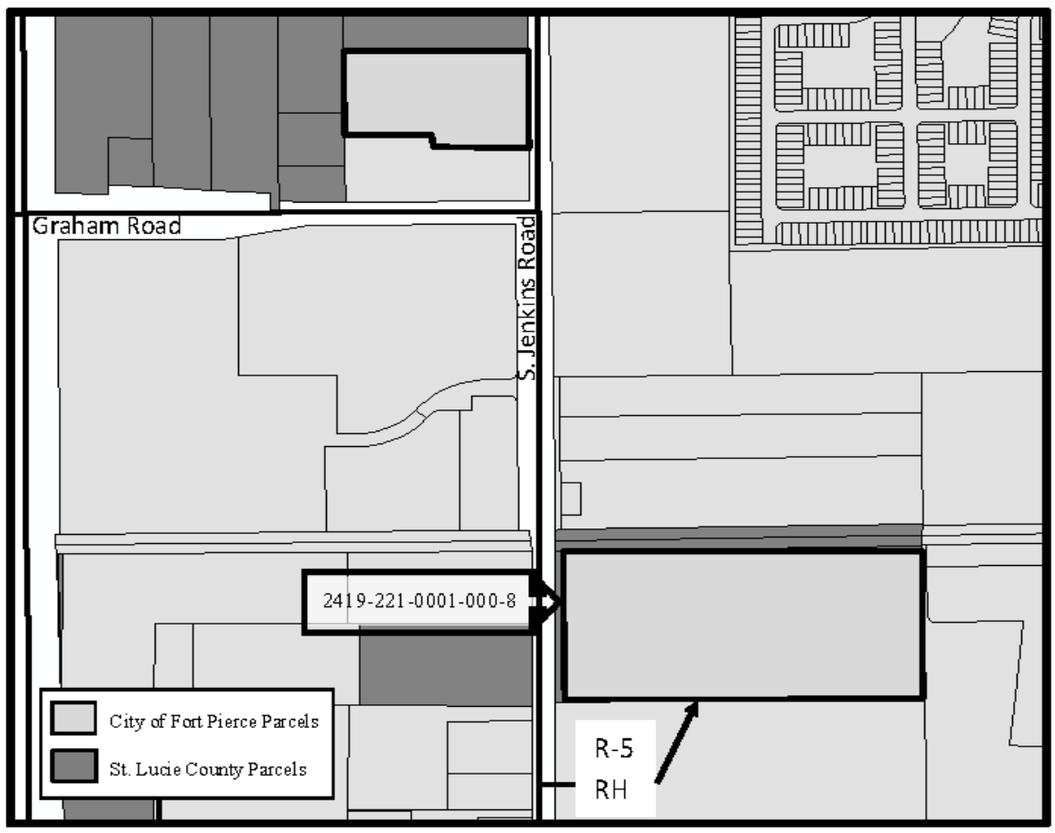
The north one half (1/2) of the NW one fourth (1/4) of the NW one fourth (1/4) of Section 19, Township 36 South, Range 40 East, St. Lucie County, Florida, lying South of the Southerly right-of-way line of the North St. Lucie River Water Management Canal N0. 37 (85.00' Right-of-Way) and lying Easterly of the East right-of-way line of Jenkins Road (80.00' Right-of-Way).

and

RUN N 89 01 26 E 25 FT,TH S 00 05 10 E 623.88 FT,TH S 88 50 40 W 25 FT,TH N 00 05 10 W 623.96 FT TO POB- (OR 767-2945)

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Residential Multi-Family 11 Dwelling Units/Acre (RM-11) with a Future Land Use of RH, Residential Heavy (RH). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of High Density Residential (R-5) and have a Future Land Use Designation of High Density Residential (RH).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

ANNEXATION AGREEMENT

This instrument prepared by:
Daniel B. Harrell
Gonano & Harrell
(Courhouse Box #34)
1600 S. Federal Highway, Suite 200
Fort Pierce, Florida 34950-5194
(772) 464-1032 Ext. 1010

Property Appraisers Parcel Identification (Folio) Number(s):
2419-221-0001-000-8

To: Water/Wastewater Engineering
Fort Pierce Utilities Authority
Post Office Box 3191
Fort Pierce, Florida 34948-3191

Location Address:
2250 South Jenkins Road
Fort Pierce, Florida 34947

Mailing Address (if different from location):
4204 Okeechobee Road
Fort Pierce, Florida 34947

The SCHOOL BOARD OF ST. LUCIE COUNTY, FLORIDA (School Board"), does hereby apply to the Fort Pierce Utilities Authority for water and sewer service outside the City limits of the City of Fort Pierce, Florida, to the following-described property:

See the Attached Exhibit A

The School Board agrees that in consideration of its request for water and sewer service to its property, that if its property becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of the above-described property into the City of Fort Pierce, Florida. The School Board approves, for itself and its successors and assigns, the annexation of its property into the City of Fort Pierce, Florida, and consents thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. The School Board waives any and all objections to annexation of the property and agrees that this Agreement shall be construed to satisfy any requirement of law for consent to, or approval of, such annexation now or hereafter required.

The School Board further confirms that this Agreement shall be binding upon its successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida, for the purpose of serving as notice to all persons or entities.

IN WITNESS WHEREOF, the School Board has caused these presents to be executed in its name and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized this 10th day of April, 2007.

ATTEST:

Michael J. Lannon, Superintendent
and Ex Officio Secretary

SCHOOL BOARD OF ST. LUCIE COUNTY, FLORIDA

By: _____
John J. Carvelli, Chair

Approved as to form and correctness:

Daniel B. Harrell
Attorney for the School Board of St. Lucie County, Florida

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 10th day of April, 2007, by John J. Carvelli, as Chair of the School Board of St. Lucie County, Florida. He ☒ is personally known to me, or ☐ has produced _____ as identification and ☐ did ☒ did not take an oath.

[Notary Seal]

DANIEL B. HARRELL
Commission DD 645307
Expires February 28, 2011
Bonded Thru Troy Fain Insurance 800-385-7019

Notary Public-State of Florida
Print Name: DANIEL B HARRELL
My commission expires Feb. 28, 2011

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

(Parcel ID No. 2419-221-0001-000-8)

A parcel of land lying in Section 19, Township 35 South, Range 40 East, St. Lucie County, Florida, being more particularly described as follows:

The North one half (1/2) of the NW one fourth (1/4) of the NW one fourth (1/4) of Section 19, Township 36 South, Range 40 East, St. Lucie County, Florida, lying South of the Southerly right-of-way line of the North St. Lucie River Water Management District Canal No. 37 (85.00'Right-of-Way) and lying Easterly of the East right-of-way line of Jenkins Road (80.00' Right-of-Way).

City Commission Regular Meeting **12. x.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2295 South Jenkins Road (2324-111-0003-000-3)

SUBJECT:

Legislative Hearing - Ordinance 19-068 extending the territorial limits of the City of Fort Pierce, Florida, to include 2295 South Jenkins Road in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use designation of Low Density Residential (RL) and a Zoning designation of Residential Single Family Two Units Per Acre (E-2).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $139,900 and the 2018 tax bill was $3,151.89.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:10 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 06:33 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO:	Nicholas C. Mimms, PE, City Manager
THROUGH:	Jennifer Hofmeister, AICP, LCAM, Planning Director
FROM:	Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director
RE:	**Applications for Annexation of Two (2) Parcels 1955 and 2295 South Jenkins Road**
HEARING DATES:	November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owners:	Gus Stoncius Barbara Stoncius Eric A Stoncius 1955 South Jenkins Road Fort Pierce, FL 34947 Juan Renteria Yolanda Renteria 2295 South Jenkins Road Fort Pierce, FL 34947
Requested Action:	Approval of Voluntary Applications for Annexation of two (2) parcels of land along with the Future Land Use Designation of Low Density Residential (RL) and the Zoning Designation of Residential Single Family Two Units Per Acre (E-2), for each parcel.
Site Location:	1955 and 2295 South Jenkins Road, all in Fort Pierce, Florida.
Parcel ID's:	2313-414-0001-000-5 and 2324-111-0003-000-3
Parcel Size:	5.21 and 4.45 acres
Current Future Land Use:	Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)
Current Zoning:	Residential Single Family 2 Dwelling Units/Acre (RS-2) (St. Lucie County)
Proposed Future Land Use:	Low Density Residential (RL)
Proposed Zoning:	Residential Single Family Two Units Per Acre (E-2)

1955 South Jenkins Road

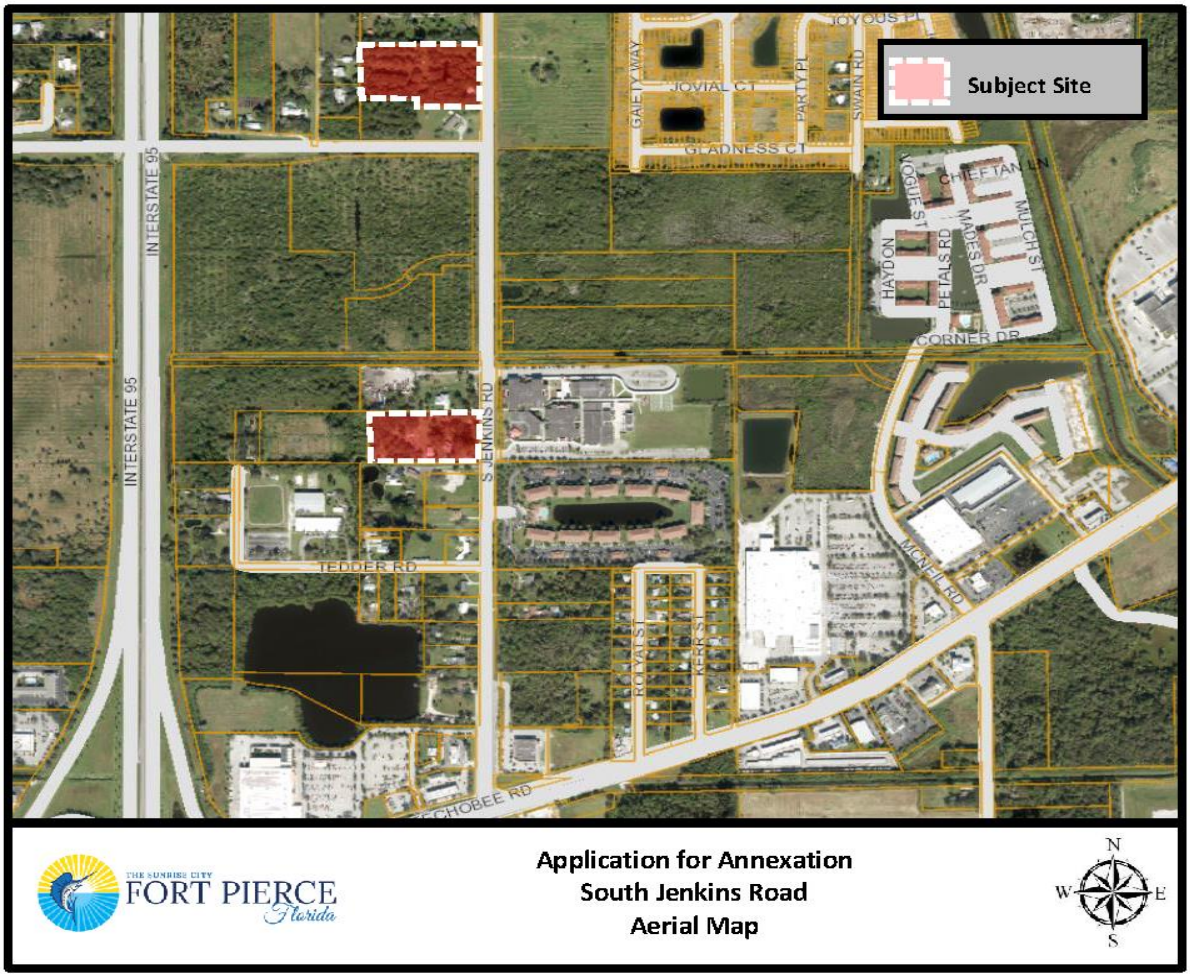
	North	East	South	West
Surrounding FLU:	RU (SLC)	RM	RL	RU (SLC)
Surrounding Zoning:	RS-2 (SLC)	R-4	C-1	RS-2 (SLC)

2295 South Jenkins Road

	North	East	South	West
Surrounding FLU:	RL	RH (SLC)	RL	RL
Surrounding Zoning:	AR-1	RM-11 (SLC)	E-2	R-1

Staff Analysis:

This is a request for a voluntary annexation of two (2) properties (Parcel ID's 2313-414-0001-000-5 and 2324-111-0003-000-3) generally located on the west side of South Jenkins Road, between Ceremony Drive and Tedder Road in Fort Pierce, Florida.



The current St. Lucie County Zoning for all of these parcels on South Jenkins Road is RS-2, Residential Single Family 2 Dwelling Units/Acre, with a St. Lucie County Future Land Use of RU, Residential Urban 5 Dwelling Units/Acre. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Zoning designation for all parcels will be Residential Single Family Two Units Per Acre (E-2), and Future Land Use Designations of Low Density Residential (RL) for each parcel.

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of the properties (2313-414-0001-000-5 and 2324-111-0003-000-3) is approximately $139,900 and $69,779, respectively. If the Applications for Annexation are approved, it would create two (2) new sources of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan:

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery".

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Zoning Designation of E-2, Residential Single Family Two Units Per Acre, and Future Land Use Designations of RL, Low Density Residential would be consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Planning Board:

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the requests, as presented.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed two (2) annexations along with the Zoning designations of E-2, Residential Single Family Two Units Per Acre, and Future Land Use Designations of RL, Low Density Residential for each of the parcels.

ORDINANCE NO. 19-068

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2295 SOUTH JENKINS ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2324-111-0003-000-3

THE SOUTH ½ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 24, TOWNSHIP 35 SOUTH, RANGE 39 EAST, LESS THE WEST 40 FEET THEREOF, AND LESS ROAD RIGHT-OF-WAY JENKINS ROAD, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 4.45 acres, more or less, and being generally located at 2295 South Jenkins Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Residential Single Family Two Units Per Acre (E-2), and assigned a Future Land Use Designation of Low Density Residential (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney

City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-068 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019, and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

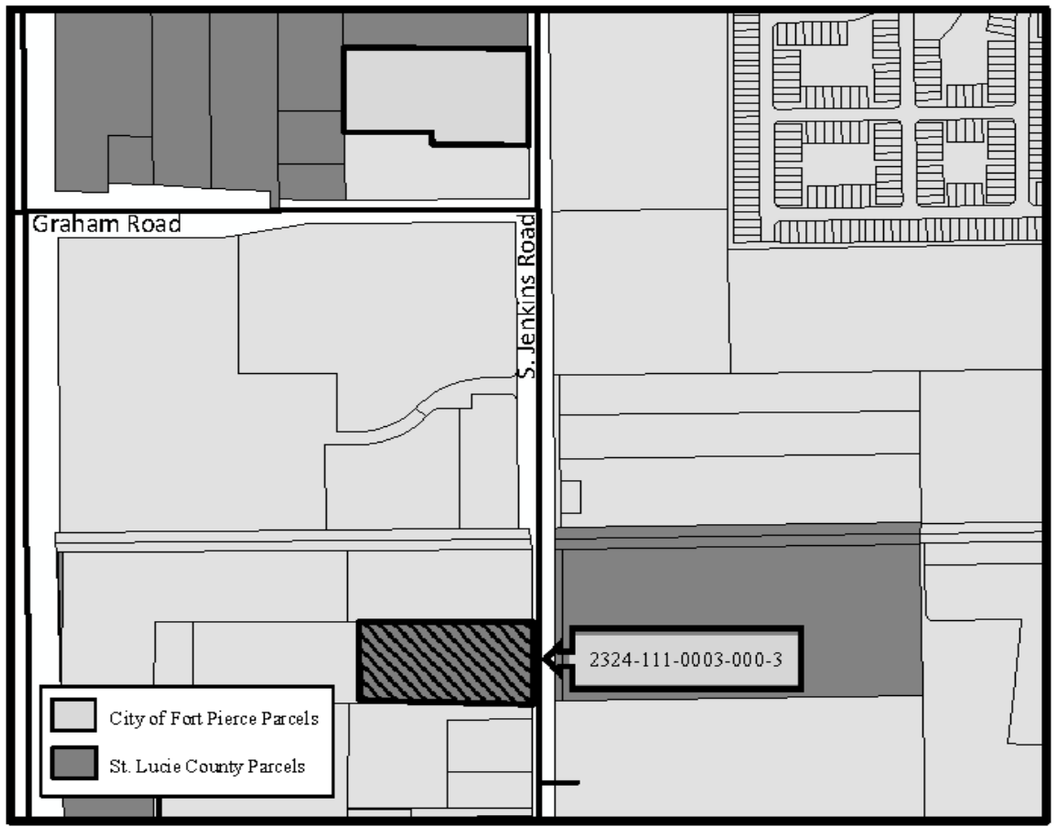
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

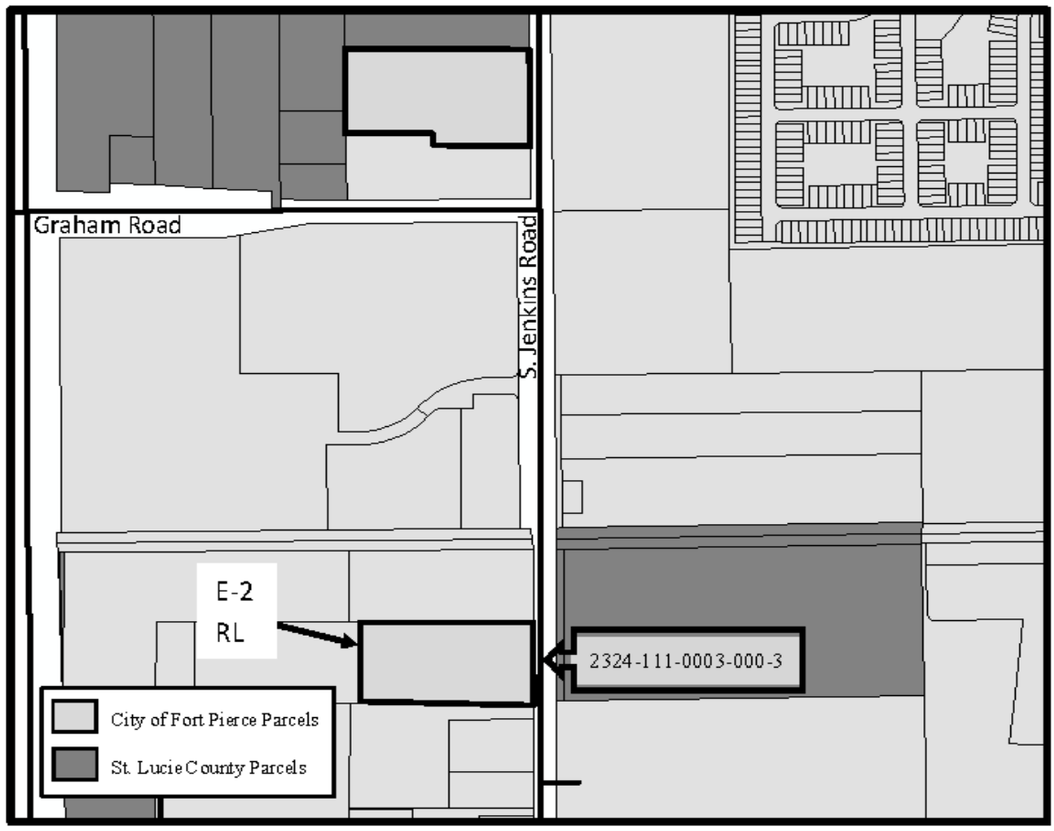
EXHIBIT A
Annexed Area & Legal Description



THE SOUTH ½ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 24, TOWNSHIP 35 SOUTH, RANGE 39 EAST, LESS THE WEST 40 FEET THEREOF, AND LESS ROAD RIGHT-OF-WAY JENKINS ROAD, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Residential Single Family 2 Dwelling Units/Acre (RS-2) with a Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Residential Single Family Two Units Per Acre (E-2) and have a Future Land Use Designation of Low Density Residential (RL).

EXHIBIT C

Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4312534 OR BOOK 4000 PAGE 1547, Recorded 05/25/2017 09:51:22 AM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2324-111-0003-000-3	**ANNEXATION AGREEMENT** **INDIVIDUAL**
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2295 S. JENKINS ROAD, FT. PIERCE, FL 34947 Location Address Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

THE SOUTH ½ OF THE NORTHEAST ¼ OF NORTHEAST ¼ OF NORTHEAST ¼ OF SECTION 24, TOWNSHIP 35 SOUTH, RANGE 39 EAST, LESS THE WEST 40 FEET THEREOF, AND LESS ROAD RIGHT-OF-WAY JENKINS ROAD, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 23rd day of MAY, 2017.

Signed, sealed and delivered in our presence as witnesses:

Brenda J Keeney
Witness Signature
Brenda J. Keeney
Printed Witness Signature

Steven L. Vanclute Sr II
Witness Signature
Steven L. Vanclute Sr II
Printed Witness Signature

Yolanda Renteria
Signature
YOLANDA RENTERIA
Printed Signature
2295 S. Jenkins Road
Address
Ft. Pierce, FL 34947
City, State, Zip

Juan Renteria
Signature
JUAN RENTERIA
Printed Signature
2295 S. Jenkins Road
Address
Ft. Pierce, FL 34947
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared YOLANDA RENTERIA and JUAN RENTERIA, wife and husband, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, and that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL Notary Public State of Florida Brenda J Keeney My Commission GG 089390 Expires 07/22/2021	Witness my hand and official Seal in the County and State last aforesaid this 23rd day of MAY A.D. 2017. Brenda J Keeney Notary Signature Brenda J. Keeney Notary Printed Signature

City Commission Regular Meeting **12. y.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2675 McNeil Road (2419-311-0001-000-4)

SUBJECT:

Legislative Hearing - Ordinance 19-069 extending the territorial limits of the City of Fort Pierce, Florida, to include 2675 McNeil Road in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Office Professional (OP) and a Zoning designation of Neighborhood Commercial (C-2).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $6,168 and the 2018 tax bill was $400.48.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:10 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 06:35 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Application for Annexation**
2675 McNeil Road

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owner: Rebekah Dubel
2675 McNeil Road
Fort Pierce, FL 34981

Requested Action: Approval of a Voluntary Application for Annexation for a parcel of land along with the Future Land Use Designation of Office Professional (OP) and Zoning designation of Neighborhood Commercial (C-2).

Site Location: 2675 McNeil Road, Fort Pierce, Florida.

Parcel ID: 2419-311-0001-000-4

Parcel Size: 0.49 acres

Current Future Land Use: Commercial (COM) (St. Lucie County)

Current Zoning: Commercial Office (CO) (St. Lucie County)

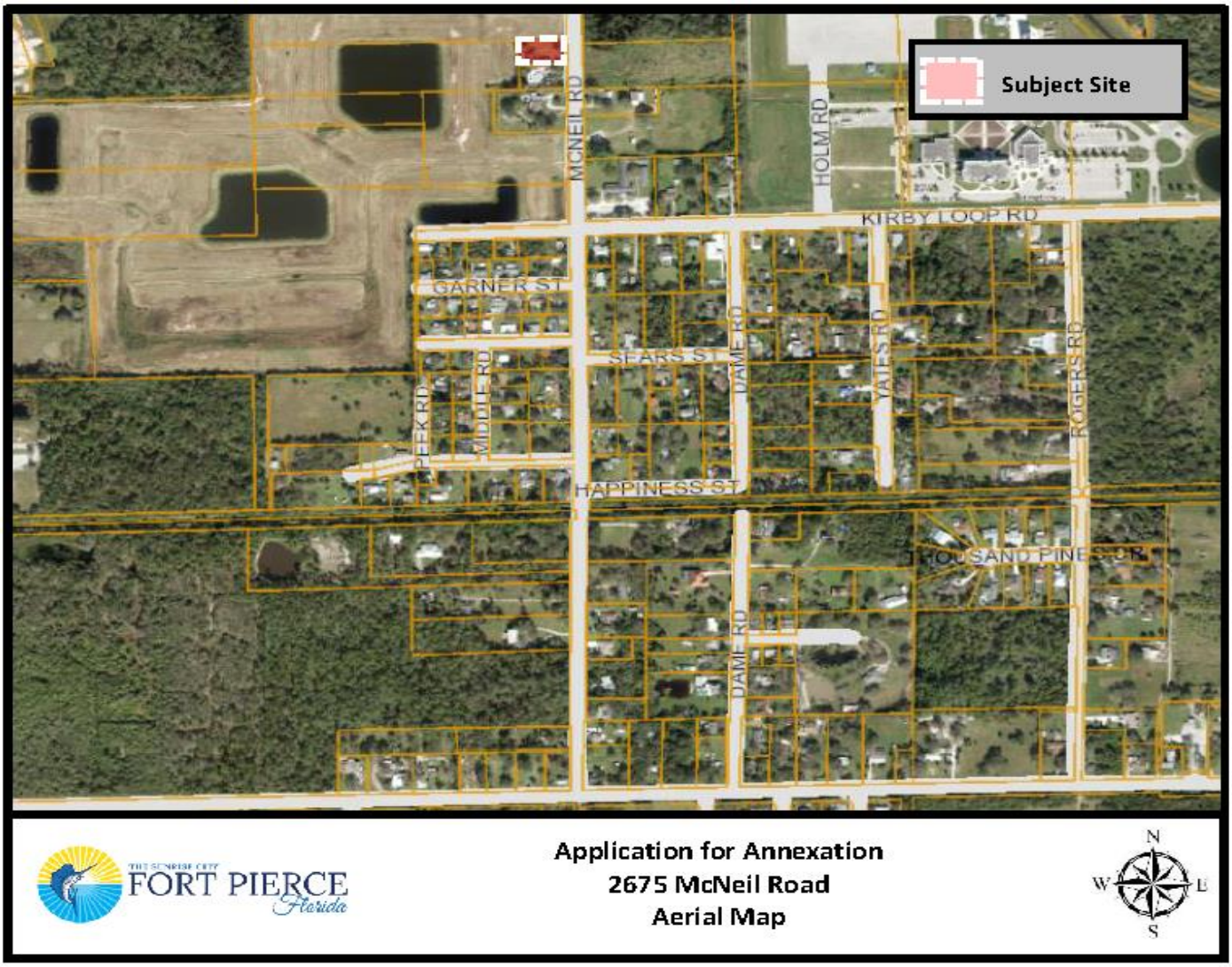
Proposed Future Land Use: Office Professional (OP)

Proposed Zoning: Neighborhood Commercial (C-2)

	North	East	South	West
Surrounding FLU:	RM	GC & COM (SLC)	RL	RM
Surrounding Zoning:	R-4	C-3 & CO (SLC)	R-3	R-4

Staff Analysis

This is a request for a voluntary annexation of property (Parcel ID 2419-311-0001-000-4) located at 2675 McNeil Road in Fort Pierce, Florida.



The current St. Lucie County Future Land Use for 2675 McNeil Road is Commercial (COM) and the St. Lucie County Zoning is General Office (CO). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation will be Office Professional (OP) and the Zoning designation will be Neighborhood Commercial (C-2).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of the property is approximately $6,168. If the Application for Annexation is approved it would create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery".

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of Office Professional (OP) and Zoning Designation of Neighborhood Commercial (C-2) is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the request, as presented.

Staff Recommendation

The request meets the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends that the City Commission APPROVE the proposed annexation application along with a Future Land Use designation of Office Professional (OP) and Zoning designation of Neighborhood Commercial (C-2).

ORDINANCE NO. 19-069

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2675 MCNEIL ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2419-311-0001-000-4

19 35 40 N 1/2 OF W 190 FT OF E 223 FT OF S 7.88 AC OF N 1/2 OF NE 1/4 OF SW 1/4 (0.49 AC).

Said property containing 0.49 acres, more or less, and being generally located at 2675 McNeil Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Neighborhood Commercial (C-2), and assigned a Future Land Use Designation of Office Professional (OP), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-069 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019 and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

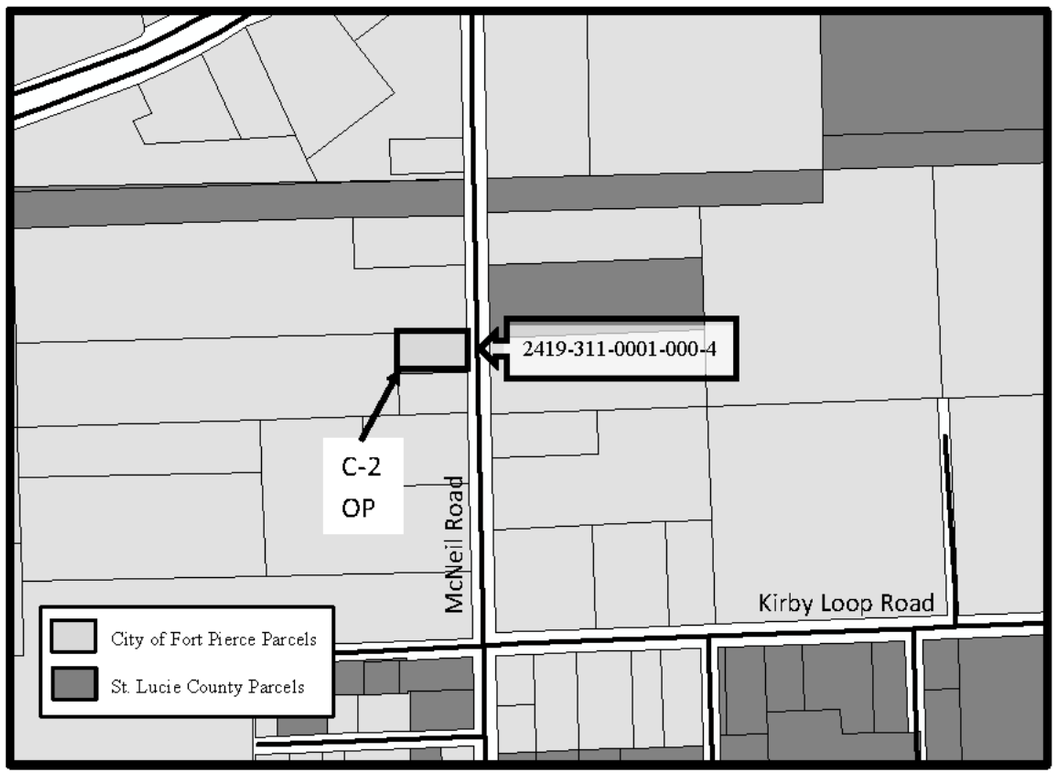
EXHIBIT A
Annexed Area & Legal Description



19 35 40 N 1/2 OF W 190 FT OF E 223 FT OF S 7.88 AC OF N 1/2 OF NE 1/4 OF SW 1/4 (0.49 AC).

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Commercial Office (CO) with a Future Land Use of Commercial (COM). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Neighborhood Commercial (C-2) and have a Future Land Use Designation of Office Professional (OP).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4202181 OR BOOK 3882 PAGE 556, Recorded 06/17/2016 at 04:29 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX	**ANNEXATION AGREEMENT** **INDIVIDUAL**
This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2419-311-0001-000-4	
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	2675 MCNEIL ROAD, FORT PIERCE, FL 34981 Location Address 2675 MCNEIL ROAD, FORT PIERCE, FL 34981 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

See the attached legal description

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTOR.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my above-described property into the City of Fort Pierce, Florida, together with any real property contiguous to the above described property owned by the undersigned at the time of signing or acquired in the future. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, I hereunto set my hand and seal this 19th day of April, 2016.

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

Witness Signature
R.N. Koblegard III
Printed Witness Signature

Witness Signature
Leah Hubbard
Printed Witness Signature

Rebekah Dubel
Signature
Rebekah Dubel, his wife
Printed Signature
2675 MCNEIL ROAD
Address
FORT PIERCE, FL 34981
City, State, Zip

Signature
Wayne Dubel
Printed Signature
2675 MCNEIL ROAD
Address
FORT PIERCE, FL 34981
City, State, Zip

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Wayne Dubel and Rebekah Dubel , in whose names the foregoing instrument was executed, and that they severally acknowledged executing the same freely and voluntarily, and that I relied upon the following form of identification of the above-named persons: Driver's Licenses, and that an oath was not taken.

RUBBER STAMP NOTARY SEAL LEAH M. HUBBARD MY COMMISSION #FF042426 EXPIRES May 10, 2016 (407) 398-0153 FloridaNotaryService.com	Witness my hand and official Seal in the County and State last aforesaid this 19th day of April A.D. 2016. Leah M. Hubbard Notary Signature Leah M. Hubbard Notary Printed Signature

Legal 19 35 40 N1/2 of W 190 FT of E 223 FT OF S 7.88 AC OF N 1/2 OF NE 1/4 OF SW 1/4 (o.49 AC)

City Commission Regular Meeting **12. z.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 4880 Edwards Road (2430-501-0003-000-6)

SUBJECT:

Legislative Hearing - Ordinance 19-070 extending the territorial limits of the City of Fort Pierce, Florida, to include 4880 Edwards Road in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with a Future Land Use Designation of Low Density Residential (RL) and a Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $17,513 and the 2018 tax bill was $602.38.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:10 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 06:39 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Application for Annexation**
4880 Edwards Road

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owner: Roger B Miller
4880 Edwards Road
Fort Pierce, FL 34981

Requested Action: Approval of a Voluntary Application for Annexation for a parcel of land along with the Future Land Use Designation of Low Density Residential (RL) and the Zoning designation of Single-Family Low Density (R-1).

Site Location: 4880 Edwards Road, Fort Pierce, Florida.

Parcel ID: 2430-501-0003-000-6

Parcel Size: 0.88 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Residential Single Family 3 Dwelling Units/Acre (RS-3) (St. Lucie County)

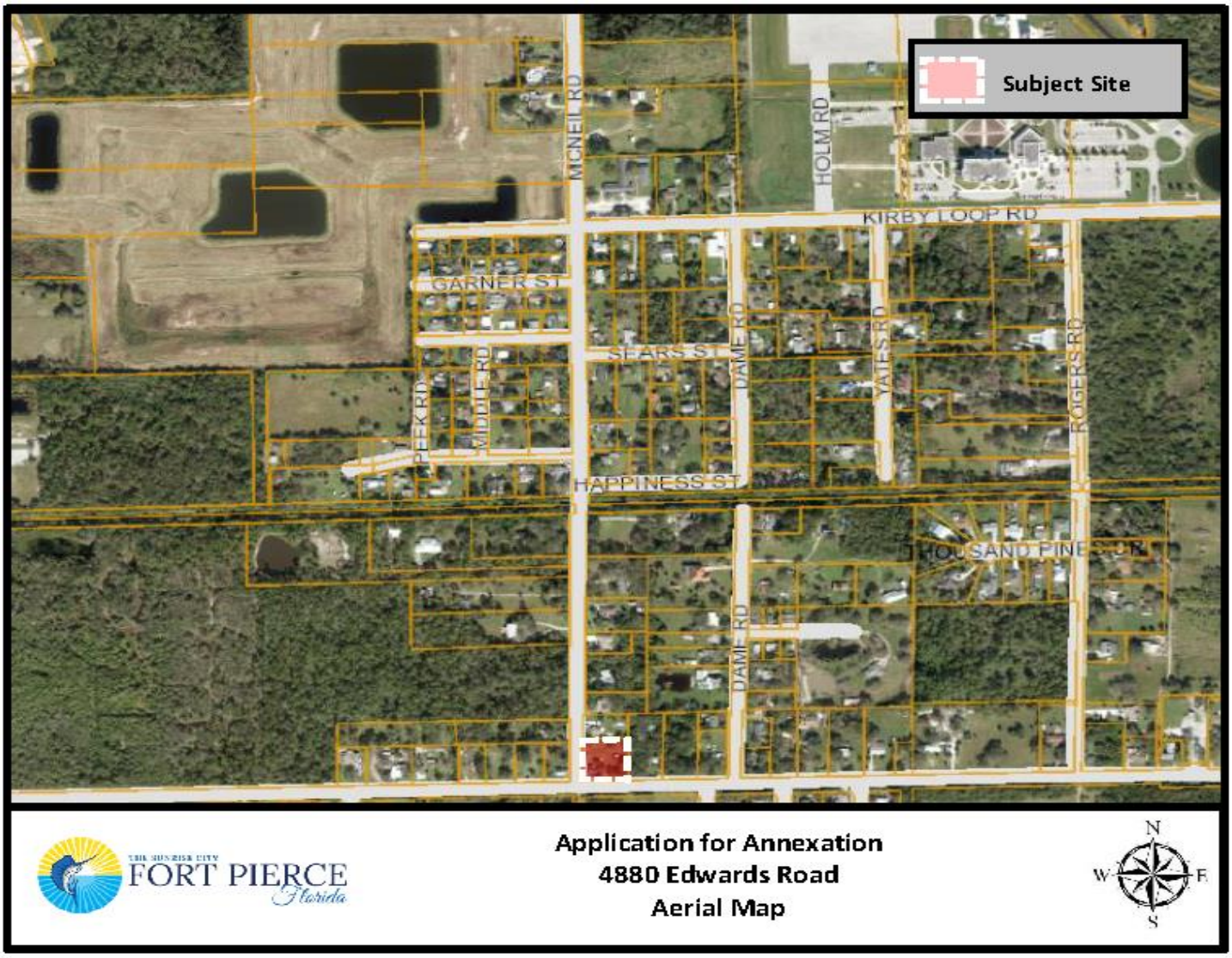
Proposed Future Land Use: Low Density Residential (RL)

Proposed Zoning: Single-Family Low Density (R-1)

	North	East	South	West
Surrounding FLU:	R-1	RU (SLC)	R-2	R-2
Surrounding Zoning:	R-4	RS-3 (SLC)	R-3	R-4

Staff Analysis

This is a request for a voluntary annexation of property (Parcel ID 2430-501-0003-000-6) located at 4880 Edwards Road in Fort Pierce, Florida.



The current St. Lucie County Future Land Use for 4880 Edwards Road is Residential Urban 5 Dwelling Units/Acre (RU with St. Lucie County Zoning of Residential Single Family 3 Dwelling Units/Acre (RS-3). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation will be Low Density Residential (RL) and the Zoning designation will be Single-Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of the property is approximately $17,513. If the Application for Annexation is approved it would create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery".

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use and Zoning designation of RL and R-1 are consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation applications based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the request, as presented.

Staff Recommendation

The request meets the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, Planning Staff recommends that the City Commission APPROVE the proposed annexation application along with the Future Land Use and Zoning designations of RL and R-1, respectively.

ORDINANCE NO. 19-070

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **4880 EDWARDS ROAD IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may apply to the governing body of said municipality to have said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce though a Fort Pierce Utilities Authority Annexation Agreement, as depicted on Exhibit “C;” and

WHEREAS, the application bears the signature(s) of current and/or former owner(s) of property in the area proposed to be annexed; and

WHEREAS, the Grantor identified in each Fort Pierce Utilities Authority Annexation Agreement represents themselves, their heirs, successors, and assigns in regards to the subject property and also waives any and all objection to annexation of the property; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019, meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator’s Office by October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners by October 29, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A," attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 2430-501-0003-000-6

THE SOUTH 220 FEET OF LOTS 1, 2 AND 3, LESS ROAD RIGHTS OF WAY, AND THE NORTH 136 FEET OF LOTS 4 AND 5, LESS ROAD RIGHTS OF WAY, SUNSET PARK, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 18, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.88 acres, more or less, and being generally located at 4880 Edwards Road in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit "A" hereof as of January 1, 2020, and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described in Exhibit "A" and annexed into the territorial limits of the City of Fort Pierce shall be zoned Single-Family Low Density (R-1), and assigned a Future Land Use Designation of Low Density Residential (RL), as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-070 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019 and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

EXHIBIT A
Annexed Area & Legal Description



THE SOUTH 220 FEET OF LOTS 1, 2 AND 3, LESS ROAD RIGHTS OF WAY, AND THE NORTH 136 FEET OF LOTS 4 AND 5, LESS ROAD RIGHTS OF WAY, SUNSET PARK, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 18, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned Residential Single Family 3 Dwelling Units/Acre (RS-3) with a Future Land Use of Residential Urban 5 Dwelling Units/Acre (RU). Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of Single-Family Low Density (R-1) and have a Future Land Use Designation of Low Density Residential (RL).

EXHIBIT C
Fort Pierce Utilities Authority Annexation Agreement

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3869329 OR BOOK 3552 PAGE 1588, Recorded 08/23/2013 at 04:08 PM

RETURN TO: R.N. KOBLEGARD, III, ESQ., COURTHOUSE BOX	**ANNEXATION AGREEMENT** **INDIVIDUAL**
This instrument prepared by: **R. N. Koblegard, III, Esquire** **200 S. Indian River Drive, Suite 201** **Fort Pierce, FL 34950** Property Appraisers Parcel Identification (Folio) Number(s): 2430-501-0003-000-6	
TO: WATER/WASTEWATER ENGINEERING FORT PIERCE UTILITIES AUTHORITY POST OFFICE BOX 3191 FORT PIERCE, FLORIDA 34948-3191	4880 EDWARDS ROAD, FORT PIERCE, FLORIDA 34981 Location Address 4880 EDWARDS ROAD, FORT PIERCE, FLORIDA 34981 Mailing Address (if different from location address)

Dear Sir:

The undersigned does hereby apply to Fort Pierce Utilities Authority for water service and/or sewer service outside the City limits of the City of Fort Pierce, Florida to the following-described property which I own, to wit:

THE SOUTH 220 FEET OF LOTS 1, 2 AND 3, LESS ROAD RIGHTS OF WAY, AND THE NORTH 136 FEET OF LOTS 4 AND 5, LESS ROAD RIGHTS OF WAY, SUNSET PARK, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 18, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

THE ABOVE-DESCRIBED PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

I hereby agree that in consideration of my request for water service and/or sewer service to my property, that if my property either becomes contiguous to the City limits of the City of Fort Pierce, Florida, as such term is defined in the Laws of Florida, is subject to a Chapter 171 interlocal service boundary agreement where contiguity has been waived by the County, or may otherwise be lawfully annexed, that this application shall be considered as an application for the annexation of my property (above-described) into the City of Fort Pierce, Florida. I do also hereby for myself, my heirs, successors and assigns approve the annexation of my property into the City of Fort Pierce, Florida and consent thereto in the event that it, or any area including it, is proposed for annexation by election or otherwise. I waive any and all objections to annexation of the property and agree that this Agreement shall be construed to satisfy any requirements of law for consent to, or approval of, such annexation now or hereafter required.

I further confirm that this Agreement shall be binding upon my heirs, successors or assigns and that this document may be recorded in the Public Records of St. Lucie County, Florida for the purpose of serving as notice to all persons or entities.

In Witness Whereof, we hereunto set our hand and seal this 12TH day of JULY, 2013.

Signed, sealed and delivered in our presence as witnesses:

Witness Signature
Rosalie Lavertu
Printed Witness Signature

Witness Signature
AMY SHEVLIN
Printed Witness Signature

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Signature
Roger B. Miller
Printed Signature
4880 Edwards Road
Address
Fort Pierce, Florida 34981
City, State, Zip

Signature
Sheila M. Miller, his wife,
By: Roger B. Miller, her Attorney-in-Fact
Printed Signature
4880 Edwards Road
Address
Fort Pierce, Florida 34981
City, State, Zip

I hereby certify that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Roger B. Miller, individually, and as Attorney-in-Fact for Sheila M. Miller, his wife**, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above-named persons: Driver's Licenses; and that an oath was not taken.

RUBBER STAMP NOTARY SEAL	Witness my hand and official Seal in the County and State last aforesaid this 12TH day of JULY, A.D. 2013.
ROSALIE LAVERTU Commission # EE 218440 Expires July 22, 2016 Bonded Thru Troy Fain Insurance 800-385-7019	Notary Signature Rosalie Lavertu Notary Printed Signature

City Commission Regular Meeting **12. aa.**

Meeting Date: 12/02/2019

Re: Voluntary Annexation For 2402 Valencia Avenue (1433-701-0085-000-4)

SUBJECT:

Legislative Hearing - Ordinance 19-071 extending the territorial limits of the City of Fort Pierce, Florida, to include 2402 Valencia Avenue in Fort Pierce, Florida. SECOND READING

SUMMARY:

Approval of a Voluntary Application for Annexation for a parcel of land along with the Future Land Use Designation of Low Density Residential (RL) and the Zoning designation of Single-Family Low Density (R-1).

RECOMMENDATION:

Approval.

ALTERNATIVES:

Disapproval.

RESPONSIBLE STAFF:

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

COORDINATED WITH:

City Attorney's Office, Technical Review Committee

Fiscal Impact

OTHER INFORMATION:

Per the St. Lucie County Property Appraiser, this parcel has a Taxable Value of $22,168 and the 2018 tax bill was $676.31.

Attachments

staff report

Draft Ordinance

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/13/2019 03:11 PM

Form Started By: Rebeca Guerra Started On: 11/06/2019 06:41 PM

Final Approval Date: 11/19/2019

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas C. Mimms, PE, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Application for Annexation**
2402 Valencia Avenue

HEARING DATES: November 18, 2019 and December 2, 2019

STAFF REPORT

Property Owner/Applicant: Ionis M. Jefferson-Swoope
2402 Valencia Avenue
Fort Pierce, FL 34946

Requested Action: Approval of a Voluntary Application for Annexation for a parcel of land.

Site Location: 2402 Valencia Avenue Fort Pierce, Florida.

Parcel ID: 1433-701-0085-000-4

Parcel Size: .19 acres

Current Future Land Use: Residential Urban 5 Dwelling Units/Acre (RU) (St. Lucie County)

Current Zoning: Single Family, 4 Dwelling Units/Acre (RS-4) (St. Lucie County)

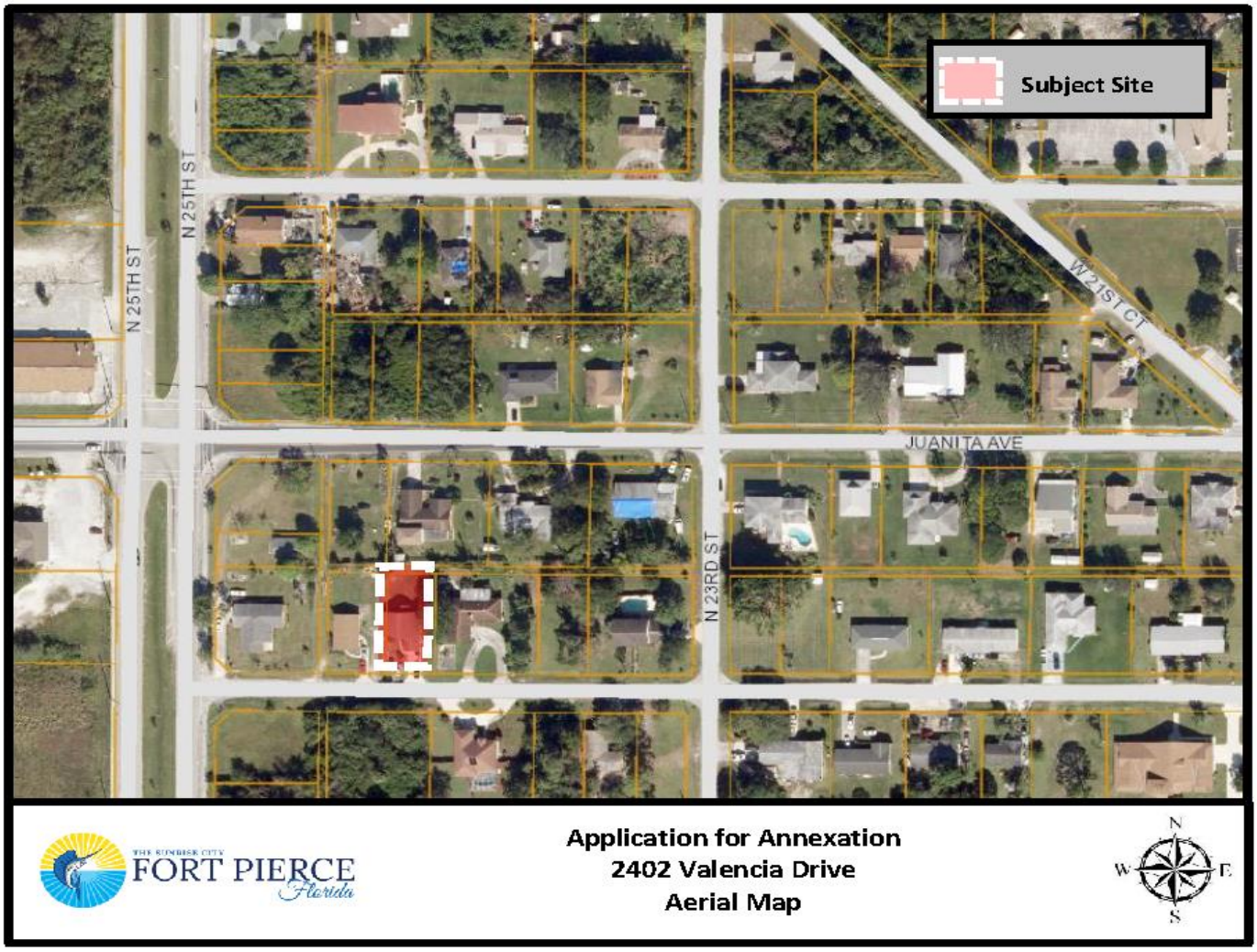
Proposed Future Land Use: Single Family Low Density (RL)

Proposed Zoning: Single Family Low Density (R-1)

	North	East	South	West
Surrounding FLU:	RL (FP)	RL (FP)	RU (SLC) RL (FP)	RL (FP)
Surrounding Zoning:	R-1 (FP)	R-1 (FP)	RS-4 (SLC) R-1 (FP)	R-1 (FP)

Staff Analysis

The applicant is requesting a voluntary annexation of property (Parcel ID 1433-701-0085-000-4) located at 2402 Valencia Avenue in Fort Pierce, Florida.



The current St. Lucie County Future Land Use for 2402 Valencia Avenue is Residential Urban 5 Dwelling Units/Acre (RU) and the Zoning is Single Family, 4 Dwelling Units/Acre (RS-4). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use will be Low Density (RL) and the Zoning designation will be Single Family Low Density (R-1).

Staff has confirmed that the properties are located within unincorporated St. Lucie County and, if approved simultaneously, will become contiguous to the Fort Pierce City municipal boundary. The properties are also within the Fort Pierce Utilities Authority (FPUA) service area. Moreover, there are signed Annexation Agreements encompassing all of the properties from the FPUA which grant water service and/or sewer service outside the City limits of the City of Fort Pierce. These proposed annexations are also consistent with Chapter 171.044, F.S., whereas the properties will be contiguous to a municipality and reasonably compact; and the annexations will not result in the creation of any enclaves.

The current taxable value of the property is approximately $85,800. If the Application for Annexation is approved it would create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the nine (9) proposed annexations are consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan states: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City." The property is within the FPUA service boundary. Pursuant to Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery".

The surrounding area has an even mix of properties within both the St. Lucie County as well as the City of Fort Pierce jurisdiction. The annexation of these properties will contribute to the removal of irregularities along the City's boundary in this area. Moreover, the adoption of these properties into the City will provide more efficient public services. The City of Fort Pierce Future Land Use and Zoning designations shall remain consistent with the current County designation and the City's Comprehensive Plan. The Future Land Use designation of RL and Zoning classification of R-1 is consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

On October 16, 2019, pursuant to Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department provided notice of these annexations by mail to the St. Lucie County Administrator's Office, which is required no fewer than thirty (30) days prior to the first reading of the annexation by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation application based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Planning Board

At their meeting on October 8, 2019, the Planning Board voted 6-0 to recommend Approval of the request, as presented.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission APPROVE the proposed annexation along with the Future Land Use and Zoning designations of RL and R-1, respectively.

ORDINANCE NO. 19-071

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE **2402 VALENCIA AVENUE IN FORT PIERCE, FLORIDA** AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2020; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part I, Chapter 171, Florida Statutes, sets forth a procedure for Municipal Annexation; and;

WHEREAS, in accordance with Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality; and

WHEREAS, the owners have submitted an application petitioning the property to be annexed to the municipality of the City of Fort Pierce; and

WHEREAS, the petition bears the signatures of all owners of property in the area proposed to be annexed; and

WHEREAS, the City of Fort Pierce Planning Board, at their October 8, 2019 meeting, voted 6 to 0 to recommend approval of the request; and

WHEREAS, in accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department has provided notice of this annexation by mail to the St. Lucie County Administrator's Office on October 19, 2019, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission of the City of Fort Pierce, Florida; and

WHEREAS, in accordance with Chapter 171.044(6) of the Florida Statutes, the City Planning Department has provided notice of this annexation, via certified mail, to the St. Lucie County Board of County Commissioners on October 18, 2019, no fewer than ten (10) days prior to publishing or posting the ordinance notice; and

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

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, are hereby extended, as depicted on Exhibit "A", attached hereto and incorporated herein; and annexed into the City:

Parcel ID: 1433-701-0085-000-4

LOT 15, BLOCK 5, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

Said property containing 0.19 acres said property being generally located at 2402 Valencia in Fort Pierce, Florida.

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit A hereof as of January 1, 2020 and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That upon this ordinance becoming effective, the land herein described on Exhibit A and annexed into the territorial limits of the City of Fort Pierce shall be zoned R-1, Single Family Low Density, and assigned a Future Land Use Designation of RL, Low Density Residential, as depicted on Exhibit "B" attached hereto and incorporated herein.

SECTION 4. That in accordance with Chapter 171.044(3), this ordinance shall be filed with clerk of the circuit court, the chief administrative officer of St. Lucie County, and the Department of State within seven (7) days after adoption.

SECTION 5. That in accordance with Chapter 171.091, any change in the City boundaries through annexation shall revise the charter boundary article and shall be filed as a revision of the charter with the Department of State within thirty (30) days; and a copy of such revision shall be submitted to the Office of Economic and Demographic Research along with a statement specifying the population census effect and the affected land area.

SECTION 6. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 7. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 8. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Pete Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-071 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, November 10, 2019 and Sunday, November 17, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on November 18, 2019; and was duly introduced, read by title only, and passed on second and final reading December 2, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 2nd day of December, 2019.

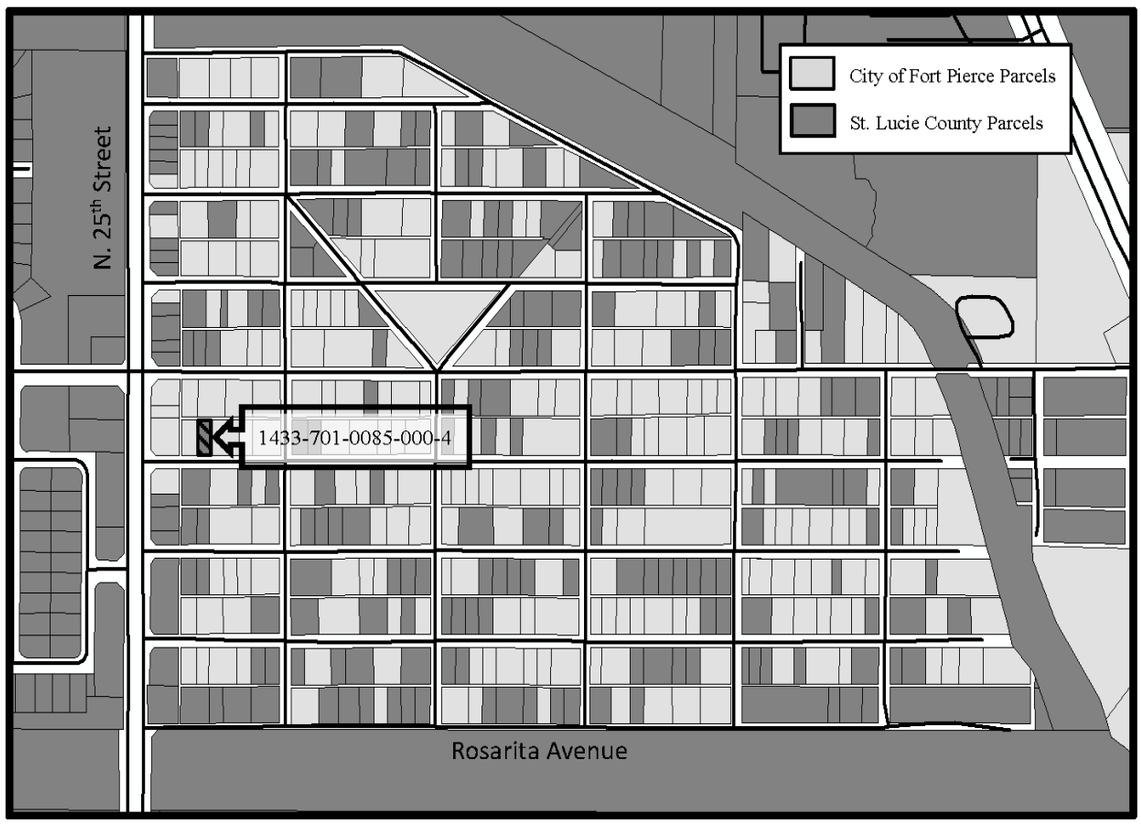
_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

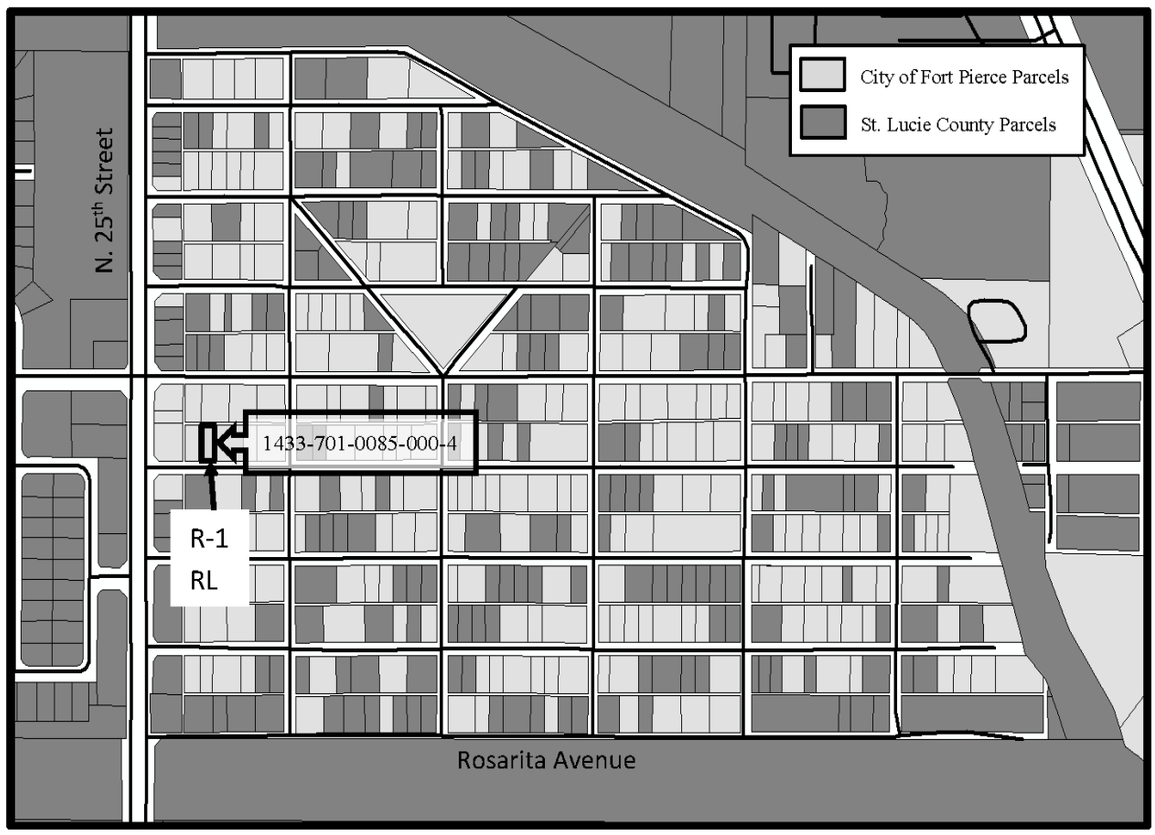
EXHIBIT A
Territorial Limits Extension



LOT 15, BLOCK 5, OF PARADISE PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

EXHIBIT B

Zoning & Future Land Use Designation Assignment



The property to be annexed is currently zoned RS-4, Single Family, 4 Dwelling Units/Acre with a Future Land Use of RU, Residential Urban 5 Dwelling Units. Once annexed, this parcel will have a City of Fort Pierce Zoning Designation of R-1, Single Family Low Density and have a Future Land Use Designation of RL, Low Density Residential.

City Commission Regular Meeting **12. bb.**

Meeting Date: 12/02/2019

Re: Text Amendment - Chapter 21 Designation of No Wake Zone

Submitted For: Mike Reals, Public Works Manager, Public Works

SUBJECT:

Legislative Hearing - Ordinance 19-072 - Text amendment to Chapter 21, Designating a No Wake Zone at Jaycee Park. FIRST READING

SUMMARY:

The proposed Text Amendment seeks to amend Chapter 21, Article V of the Code of Ordinances entitiled "No Wake and Minimum Wake Zones"; amending section 21-79 - areas defined, to modify language to allow for idle speed no wake zone within 500" of the Jaycee Park boat ramps.

RECOMMENDATION:

Approval

ALTERNATIVES:

Staff will proceed as directed by the Commission.

RESPONSIBLE STAFF:

Public Works Department

COORDINATED WITH:

City Attorney

Fiscal Impact

Budgeted Y/N:	N
Fiscal Year:	2020
Account:	00140065415310
Amount:	2000.00

OTHER INFORMATION:

Funds are available.

Attachments

19-072
Proof of Publication
Photo
Photo #2

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/18/2019 10:25 AM

Form Started By: Mike Reals
Started On: 11/07/2019 03:05 PM
Final Approval Date: 11/18/2019

ORDINANCE NO. 19-072

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING **CHAPTER 21**, ARTICLE V OF THE CODE OF ORDINANCES ENTITLED **"NO WAKE AND MINIMUM WAKE ZONES";** AMENDING SECTION 21-79 – AREAS DEFINED, TO MODIFY LANGUAGE TO ALLOW FOR IDLE SPEED NO WAKE ZONE WITHIN 500' OF THE JAYCEE PARK BOAT RAMPS AS PROVIDED BY THIS CHAPTER OR ADMINISTRATIVE RULE. PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has an objective to have parks that are relaxing, welcoming, recreational, and safe for all citizens to enjoy; and

WHEREAS, Jaycee Park has many competing water-based activities including motorized watercraft such as boats and jet skis, non-motorized watercraft such as kayaks and sailboats, bathing beach, swim area, and Treasure Coast Youth Sailing Foundation (TCYSF); and

WHEREAS, Jaycee Park waterfront and the surrounding waters need protected areas for boat ramps, bathing, swimming, non-motorized watercraft, and TCYSF for the safety and pleasure of all citizens; and

WHEREAS, at the conference agenda on April 8, 2019, the City Commission accepted the Parks Committee recommendations to: (1) create an Idle Speed No Wake zone within 500' of the Jaycee Park boat ramps, (2) protect the bathing and swim area from all watercraft, and (3) not allow motorized watercraft in the non-motorized launch and TCYSF areas; and

WHEREAS, Florida Statutes § 327.46(1)(b) authorizes the City of Fort Pierce to establish Idle Speed No Wake boating safety zones within 500 feet of any boat ramp or other launching or landing facility available for use by the general boating public; and

WHEREAS, the City of Fort Pierce officials have identified severe safety issues involving motorized watercraft in and close to the boat ramps, public bathing beach and swim area; and

WHEREAS, Florida Statutes § 327.46(1)(b) and FWC permit # 91-014 authorizes the City of Fort Pierce to establish a vessel-exclusion zone for a public bathing beach or swim area.

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

SECTION 1. Chapter 21, Article V, Section 21-79, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 21-79. - Areas defined.

(a) The following described areas of the City of Fort Pierce, Florida, as charted on National Ocean Survey Chart 11475, are hereby designated a "No Wake Zone":

All of the waters within the limits and confines of the Fort Pierce City Marina and Moore's Creek, in addition to that section of the Fort Pierce City Marina Entrance Channel easterly of said waters extending northward through the entrance channel to Channel Marker 11.

That section of the southwest corner of the Fort Pierce Harbor, commonly known as

the Turning Basin, north of the Peter C. Cobb Bridge which lies south of a line beginning at the shoreline nearest the eastern terminus of Fisherman's Wharf Drive extending easterly into the water approximately thirty (30) yards, all lying north of the Peter C. Cobb Bridge, and westerly to the shoreline of the South Bridge boat ramps located at the northwest terminus of said bridge.

That section of Taylor Creek beginning the east side of the F.E.C. Railroad Bridge Crossing and all waters easterly to Channel Marker 4.

That section of the Fort Pierce Cut which lies east of a line beginning at the shoreline nearest the northeast terminus of the Banty Saunders Bridge commencing at Channel Marker 21 and continuing easterly through the Fort Pierce Cut to Channel Marker 19.

That section of the Fort Pierce Cut which lies east of a line beginning at the shoreline of the Fort Pierce Cut northerly to Channel Marker 14 continuing northeasterly in the Fort Pierce Cut to a point approximately thirty (30) yards northeast of the Little Jim Bridge, then continuing southeasterly under Little Jim Bridge, through the Little Jim Cut to Channel Marker 11.

All of the waters of the Fort Pierce Inlet Range which lie east of a line beginning at the shoreline of Causeway Island at a point approximately two hundred fifty (250) yards west of the United States Coast Guard Station, bounded on the north by the south edge of the Fort Pierce Inlet Channel, and then extending easterly along the south edge of the Fort Pierce Inlet Channel toward the Atlantic Ocean to a point approximately one hundred (100) yards east of Channel Marker 7 and extending southerly to the shoreline of Hutchinson Island, including all areas of the Pelican Yacht Club and Faber Point.

That section of Faber Cove from a point in Faber Cove Channel commencing at Channel Marker 12A and continuing easterly into Faber Cove, and all of its shorelines, ending at a point approximately seventy-five (75) yards easterly of the Colonnades Dock.

The waters of the two (2) canal areas adjacent to Surfside Park Subdivision in the southeast corner of Thumb Point Cove, terminating at the entrance to said canals.

(b) The following described areas of the City of Fort Pierce, Florida, as charted on the National Ocean Survey Chart 11475, are hereby designated a "Minimum Wake Zone":

That section of the Fort Pierce City Marina Entrance Channel between Channel Marker 11 and Channel Marker 5.

That section of the Fort Pierce Cut between Channel Marker 19 and Channel Marker 14.

All of the waters of the Fort Pierce Inlet Range which lie east of a line beginning at the shoreline of Causeway Island at a point approximately two hundred fifty (250) yards west of the United States Coast Guard Station, all northward of the south edge of the Fort Pierce Inlet Channel the entire width of said channel, and then extending easterly through the Fort Pierce Inlet Channel toward the Atlantic Ocean to a point approximately one hundred (100) yards east of Channel Marker 7.

That section of Faber Cove commencing at a point approximately seventy-five (75) yards easterly of the Colonnades Dock and continuing to the northeast terminus of Faber Cove and all of its shorelines.

(c) The following described areas of the City of Fort Pierce, Florida, as charted on National Ocean Survey Chart 11474, are hereby designated a "No Wake Zone":

The section within 500' of the Jaycee Park public boat ramps located from the western shoreline at coordinates 27°27'8.04"N, 80°17'22.64"W. The area

designated as the restricted area is described as follows: an area lying on the western shore of Hutchinson Island in the City of Fort Pierce, Florida. It is an area located at a point with latitude 27°27'12.96"N and longitude 80°17'23.79"W to the north, latitude 27°27'8.25"N and longitude 80°17'28.13"W to the west, and latitude 27°27'3.18"N and longitude 80°17'22.60"W to the south.

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further course or effect whatsoever.

SECTION 4. This ordinance is and the same shall become effective immediately upon final passage.

APPROVED AS TO
FORM AND CORRECTNESS:

_____
Peter J. Sweeney, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-072 was duly advertised by title only in the St. Lucie News Tribune on November 22, 2019; copy of said Ordinance was made available at the Office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on December 2, 2019; and was duly introduced, read by title only, and passed on second and final reading on December 16, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 16th day of December, 2019.

_____
Linda Hudson
MAYOR COMMISSIONER

ATTEST:

_____
Linda W. Cox
CITY CLERK

(CITY SEAL)

Treasure Coast Newspapers
PART OF THE USA TODAY NETWORK
St Lucie News Tribune
1801 U.S. 1, Vero Beach, FL 32960

AFFIDAVIT OF PUBLICATION

CITY OF FORT PIERCE
100 N. U.S. 1

FORT PIERCE, FL 34950

STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned authority personally appeared, said legal clerk, who on oath says that he/she is a legal clerk of the St Lucie News Tribune, a daily newspaper published at Fort Piercein St Lucie News Tribune, a daily newspaper published at Fort Pierce in St. Lucie County, Florida: that the attached copy of advertisement was published in the St Lucie News Tribune in the following issues below. Affiant further says that the said St Lucie News Tribune is a newspaper published in Fort Pierce in said St. Lucie County, Florida, and that said newspaper has heretofore been continuously published in said St. Lucie County, Florida, daily and distributed in St. Lucie County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The St Lucie News Tribune has been entered as Periodical Matter at the Post Offices in Fort Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

November 22, 2019

Subscribed and sworn to before on November 22, 2019:

Notary, State of WI, County of Brown

TARA MONDLOCH
Notary Public
State of Wisconsin

My commission expires August 6, 2021

Publication Cost: $124.80
Ad No: 0003890140
Customer No: 1330884
PO #:

This is not an invoice

CITY OF FORT PIERCE
NOTICE OF PUBLIC HEARING

The City Commission of the City of Fort Pierce, Florida, pursuant to City Charter and Florida Statute 166.041, will hold Public Hearings, on Monday, December 2, 2019 and Monday, December 16, 2019 on first and second readings, respectively in the City Hall Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida, at their meeting which begins at 6:30 p.m., to consider review and approval of the following:

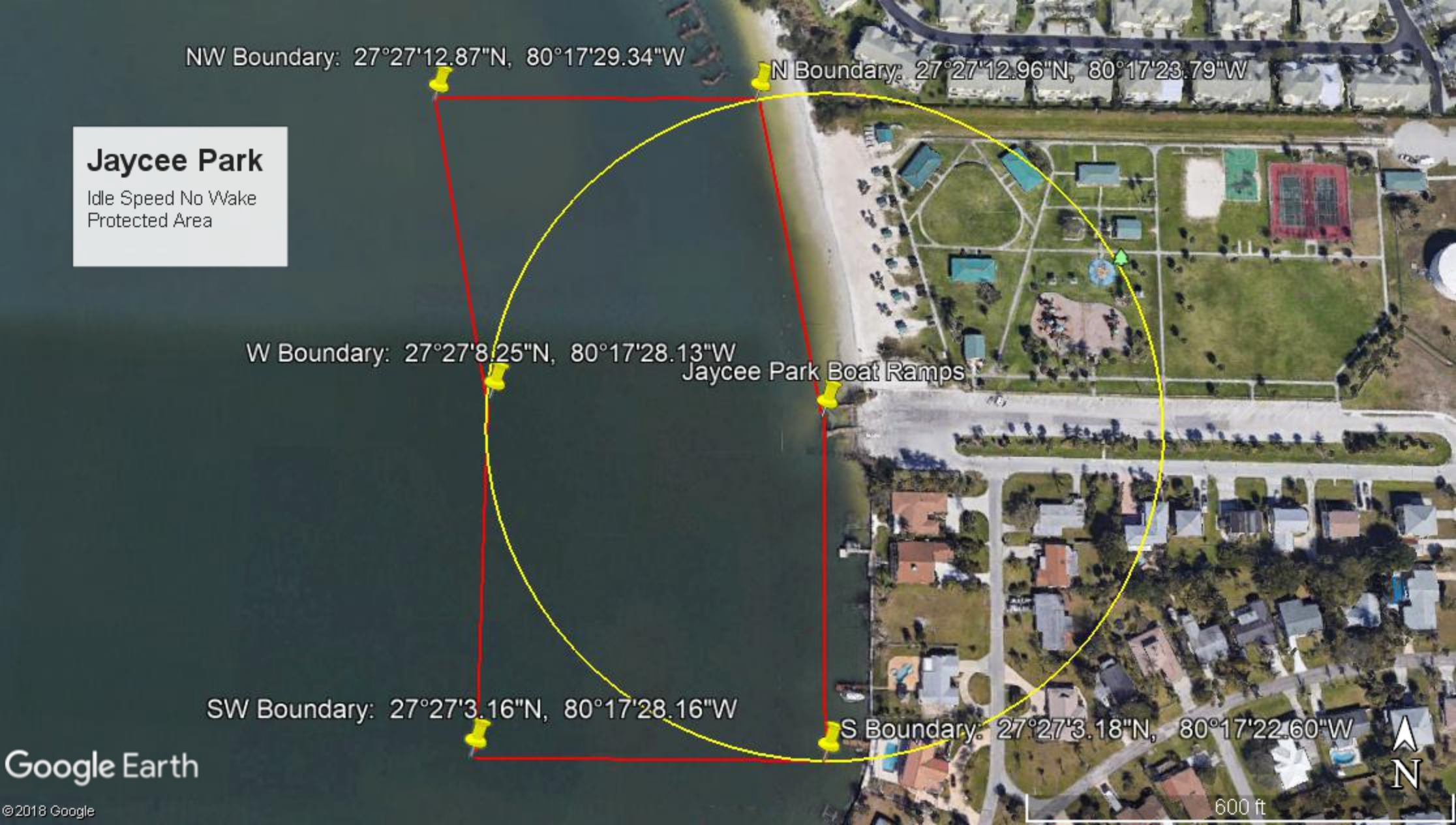
ORDINANCE NO. 19-072 AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 21, ARTICLE V OF THE CODE OF ORDINANCES ENTITLED "NO WAKE AND MINIMUM WAKE ZONES"; AMENDING SECTION 21-79 – AREAS DEFINED, TO MODIFY LANGUAGE TO ALLOW FOR IDLE SPEED NO WAKE ZONE WITHIN 500' OF THE JAYCEE PARK BOAT RAMPS AS PROVIDED BY THIS CHAPTER OR ADMINISTRATIVE RULE. PROVIDING FOR A SEVERABILITY CLAUSE REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

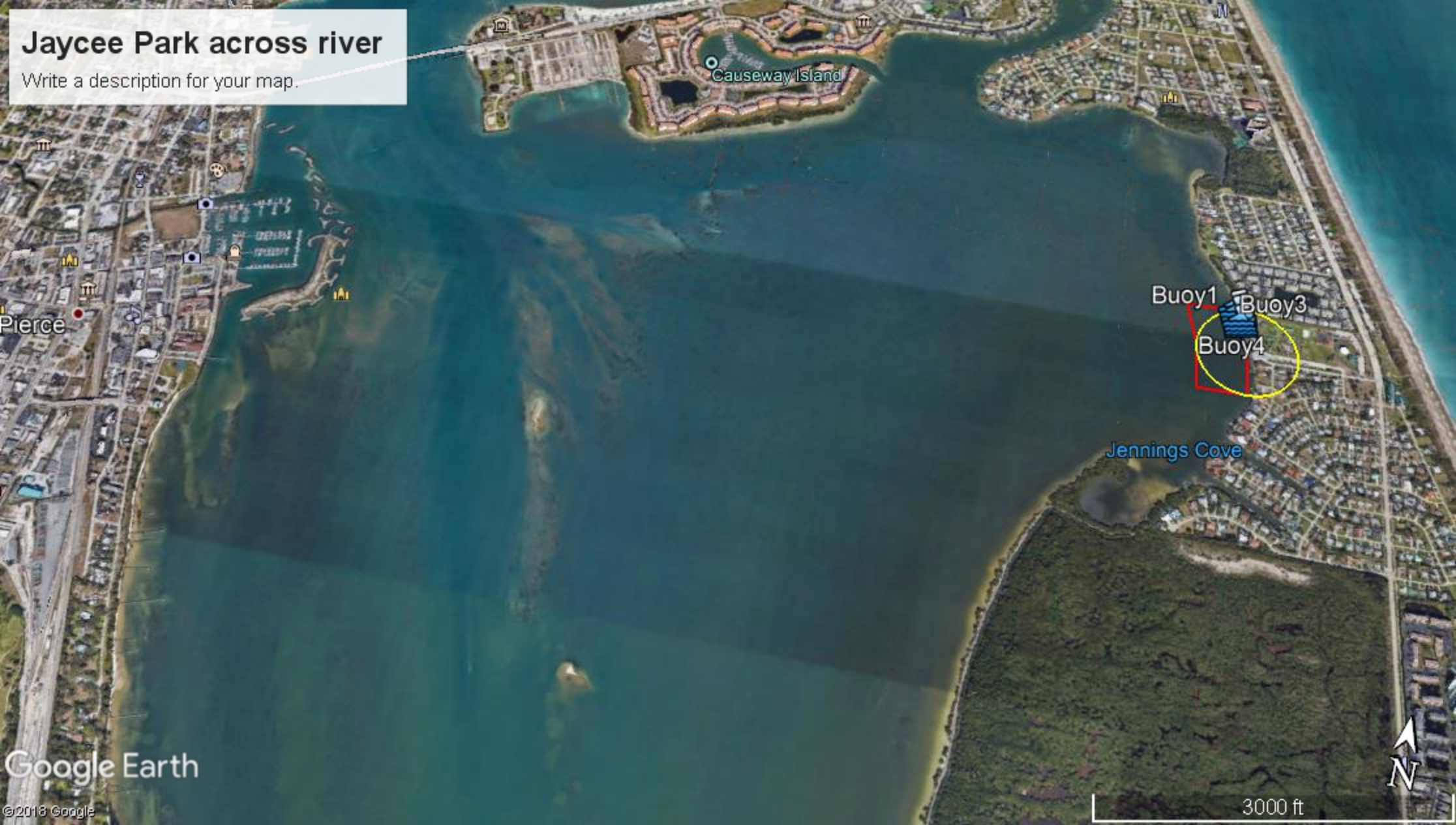
All interested parties may appear at the meeting and be heard with respect to the Amendments of the Code of Ordinances. Said Ordinance will be available for inspection in the City Clerk's Office, City Hall, 100 North U.S. #1, Fort Pierce, Florida.

ANY PERSONSEEKINGTO APPEAL THE DECISION OF THE CITY COMMISSION AS TO THE FOREGOINGIS ADVISED THAT A RECORD OF PROCEEDING IS REQUIRED IN ANY SUCH APPEALAND THAT SUCHPERSON MAY NEED TO INSURE THAT A VERBATIM RECORD OF PROCEEDINGSS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

/s/ Linda W. Cox, City Clerk
Publish: 11/22/2019
TCN3890140


NW Boundary: 27°27'12.87"N, 80°17'29.34"W
N Boundary: 27°27'12.96"N, 80°17'23.79"W
Jaycee Park
Idle Speed No Wake
Protected Area
W Boundary: 27°27'8.25"N, 80°17'28.13"W
Jaycee Park Boat Ramps
SW Boundary: 27°27'3.16"N, 80°17'28.16"W
S Boundary: 27°27'3.18"N, 80°17'22.60"W
Google Earth
©2018 Google
600 ft
N


Jaycee Park across river
Write a description for your map.
Causeway Island
Pierce
Buoy1
Buoy3
Buoy4
Jennings Cove
Google Earth
©2018 Google
N
3000 ft

City Commission Regular Meeting **13. a.**

Meeting Date: 12/02/2019

Re: Major Amendment to Planned Development - Harbour Isle - 835 Seaway Drive

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SUBJECT:

Harbour Isle Planned Development Ordinance 19-037 – This item requires a motion to remove the item from the table, properly advertise, and set for a legislative public hearing on January 6, 2020 for the second reading of Ordinance 19-037, pursuant to the motion on September 23, 2019.

SUMMARY:

In accordance with Section, 22-40 of the City Code, the applicant is requesting the review and approval of the following (Major Amendment) to the Harbour Isle Planned Development:

1. Allow for the addition of a Fueling Station to be a permitted and allowed use in the Planned Development.
2. Approve a site plan that would include a 5,625 square foot convenience store with fuel sales and associated improvements.

The proposed building is 5,625 square feet in size with twelve fueling positions. All affected City Departments have reviewed the proposed applications for a Major Amendment to a Planned Development & Design Review and have provided conditional approval based on compliance with requirements of City Code. The Planning Board at their July 9, 2019 meeting voted 5-0 to recommend approval of the request to the City Commission. 164 letters were mailed to property owners within 500 feet of the subject property.

As of August 7, 2019, 51 letters have been received in opposition and 2 letters have been received in support. An update of these numbers will be given at the City Commission meeting.

RECOMMENDATION:

Approve, subject to four (4) Conditions:

1. Before a Certificate of Occupancy is issued, a Landscape Bond shall be submitted for all proposed landscaping, pursuant to City Code 22-180.
2. A revised Landscape Plan shall be submitted which provides additional landscaping along the property line that is shared with the residential component of Harbour Isle to establish a 100% opaque screen consistent with City Code 22-187 at the time of Building Permit.
3. A revised Photometric Survey shall be submitted that complies with City Code 22-60(j)(1) at the time of Building Permit.
4. Prior to the issuance of a Site Work permit, the applicant shall provide the Engineering Department a recorded copy of the revised Access Easement Agreement authorizing parking within the limits of the existing 53.17’ Access Easement.

ALTERNATIVES:

- Approve with Alternate Conditions
- Disapprove

RESPONSIBLE STAFF:
Brandon C. Creagan, LEED Green Associate, Planner

COORDINATED WITH:
Technical Review Committee

Fiscal Impact

OTHER INFORMATION:
N/A

Attachments

19-037 w/ Updated Conditions
Site Plan Approval Letter
Updated Presentation
Ordinance 19-037 original version
Staff Presentation
Staff Documentation & Supporting Documents
Applicant Presentation & Supporting Documents
Applicant Packet Submitted to City
Intervenor #1 Presentation & Supporting Documents
Intervenor #2 Presentation & Supporting Documents
Affidavit of Notification & Mailing
Public Notification Certification
Proof of Publication
Proof of Publication Updated

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	08/13/2019 11:19 AM

Form Started By: Brandon Creagan
Started On: 08/07/2019 12:01 PM
Final Approval Date: 09/24/2019

ORDINANCE NO. 19-037

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **MODIFYING THE HARBOUR ISLE PLANNED DEVELOPMENT** TO REVISE THE PREVIOUSLY APPROVED SITE PLAN FOR A CONVENIENCE STORE WITH FUEL SALES ON PROPERTY GENERALLY LOCATED AT 835 SEAWAY DRIVE; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Pierce Code of Ordinances ("City Code") Section 22-40, Planned Development Zone (PD), sets forth a procedure for major modifications to a Planned Development; and;

WHEREAS, on August 4, 2004, the City Commission granted approval for the Planned Development known as Harbour Isle at Hutchinson Island ("Harbour Isle"), and

WHEREAS, on July 26, 2006, the plat for the Harbour Isle subdivision was recorded in Plat Book 43, Pages 31, 31A, & 31B of the Public Records of St. Lucie County, Florida; and

WHEREAS, the current property owner, Harbour Isle Development Commercial, LLC, has submitted a development review application for a major amendment to the Planned Development to allow for two (2) modifications; and

WHEREAS, City Code Section 22-40 requires a major modification to any Planned Development to follow the same procedure as set forth for a new Planned Development request.

WHEREAS, the City of Fort Pierce Planning Board, at its July 9, 2019, meeting, voted 5-0 to recommend approval of the application for Development Review (Major Amendment) to the City Commission; and

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

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

SECTION 2. The Harbour Isle Planned Development as recorded in Plat Book 43, Pages 31, 31A, & 31B of the Public Records of St. Lucie County, Florida, is hereby amended as follows and as shown in Exhibit "A"

1. Allow for the addition of a fueling station to be a permitted and allowed use in the Planned Development.

2. Approve a site plan that would include a 5,625 square foot convenience store with fuel sales and associated improvements.

SECTION 3. At the Quasi-Judicial Hearing by the City Commission on August 19, 2019, the Mayor and Commission approved the following additional requirements to the Planned Development as conditions of approval:

1. Turning movements from Seaway Drive shall be right in and right out only; and

2. Reinstate the rear driveway connection to Harbour Isle Drive incorporating a shared access agreement with all three parcel owners (2402-500-0009-000-8, 2402-504-0001-000-4, and 2402-504-0002-000-1); and

3. Additional conditions of approval shall attach to the Cumberland Farms site plan.

SECTION 4. All other aspects of the original Harbour Isle Planned Development remain in full force and effect.

SECTION 5. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 6. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 7. This Ordinance shall become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Peter J. Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-037 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, August 4, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on August 19, 2019; and was duly introduced, read by title only, and passed on second and final reading September 3, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this September 3, 2019.

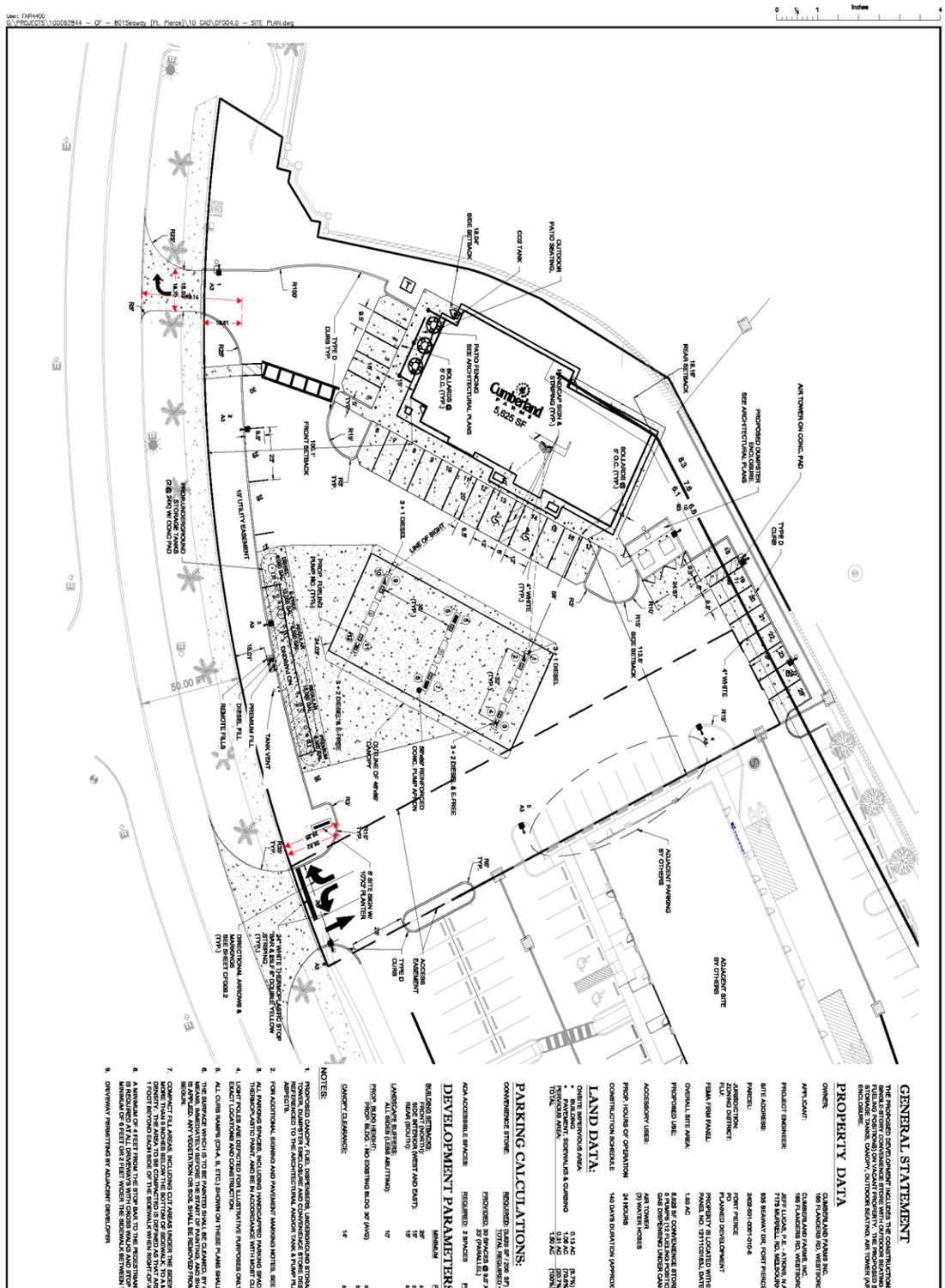
_____
Linda Hudson
Mayor Commissioner

ATTEST:

_____
Linda W. Cox
City Clerk

(CITY SEAL)

EXHIBIT A
Site Plan
Major Modification to Planned Development



THE SUNRISE CITY
FORT PIERCE
CITY CLERK'S OFFICE
Florida

August 21, 2019

Jeffery Lucas, Atkins, NA (Applicant Representative)
7175 Murrell Road
Melbourne, FL 34940

SHIP Group, Robert Malatesta and Annette Rudd, Party Intervenors
c/o Max Forgey, AICP, Representative
4704 Vincennes Blvd.
Cape Coral, FL 33904

Mr. Keith J. Madsen, Party Intervenor
38 Harbour Isle East Unit 103
Fort Pierce, FL 34949

Dear Ladies and Gentlemen:

The City Commission conducted a Quasi-Judicial Hearing on Monday, August 19, 2019 to consider on first reading Ordinance 19-037 modifying the Harbour Isle Planned Development to revise the site plan to allow for a 5,625 square foot convenience store with fuel sales on property generally located at 835 Seaway Drive; Parcel ID: 22402-501-0001-010-8. After deliberations, the Ordinance and site plan were approved with the following conditions:

1. Before a Certificate of Occupancy is issued, a Landscape Bond shall be submitted for all proposed landscaping, pursuant to City Code 22-180.
2. A revised Landscape Plan shall be submitted which provides additional landscaping along the property line that is shared with the residential component of Harbour Isle to establish a 100% opaque screen consistent with City Code 22-187 at the time of Building Permit.
3. A revised Photometric Survey shall be submitted that complies with City Code 22-60(j)(1) at the time of Building Permit.
4. Prior to the issuance of a Site Work permit, the applicant shall provide the Engineering Department a recorded copy of the revised Access Easement Agreement authorizing parking within the limits of the existing 53.17' Access Easement.
5. Increase onsite stormwater storage to 1" with approval by the City Engineer.
6. Addition of pervious pavers on the site to include parking spaces as appropriate.
7. All other conditions as approved in Ordinance 19-037 (draft attached).

The City Commission will conduct a legislative public hearing for the second reading of Ordinance 19-037 on September 3, 2019 at 6:30 p.m. which will incorporate all of the conditions of approval. Anyone interested in speaking will be limited to three minutes at this public hearing.

Very truly yours,

Linda W. Cox

Linda W. Cox
City Clerk

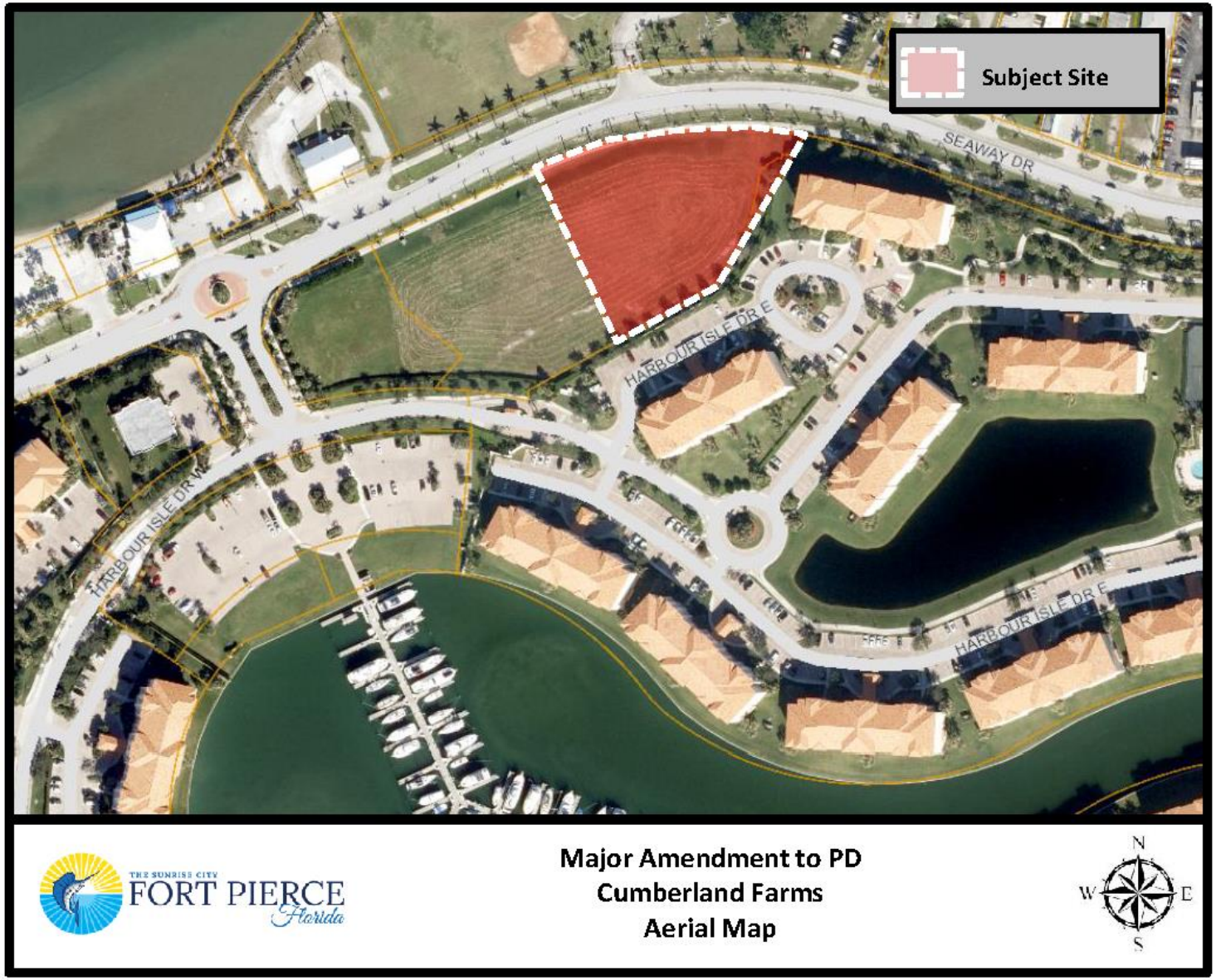
cc: Rebeca Guerra, Interim Planning Director
madsenk1@verizon.net
max@zoningtechnologies.com
zmiddlebrooks@metrogroupdevelopment.com
ralfbrookes@gmail.com
anetrudd@aol.com
jhester86@gmail.com
bema328@aol.com

Major Amendment to a Planned Development

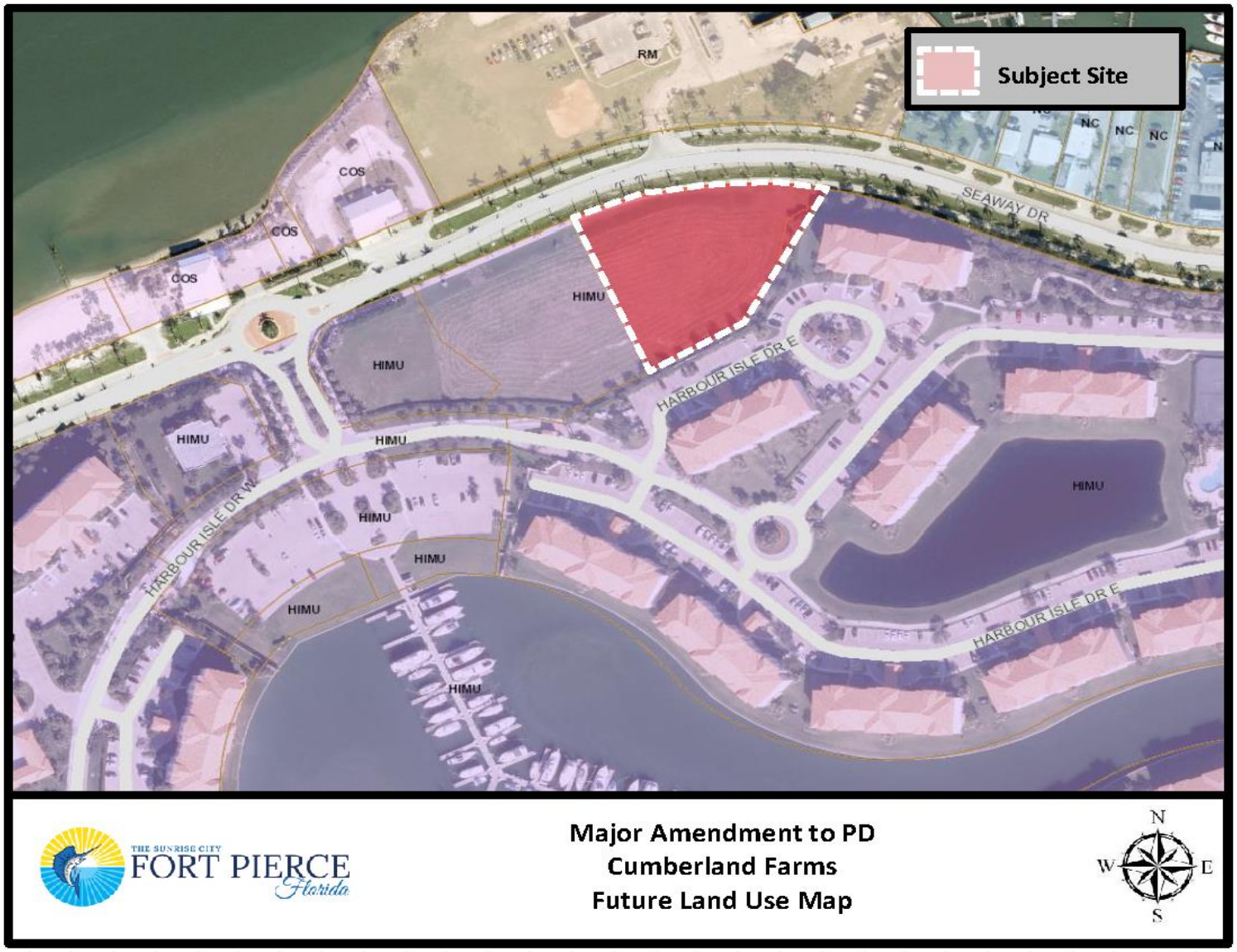


835 Seaway Drive

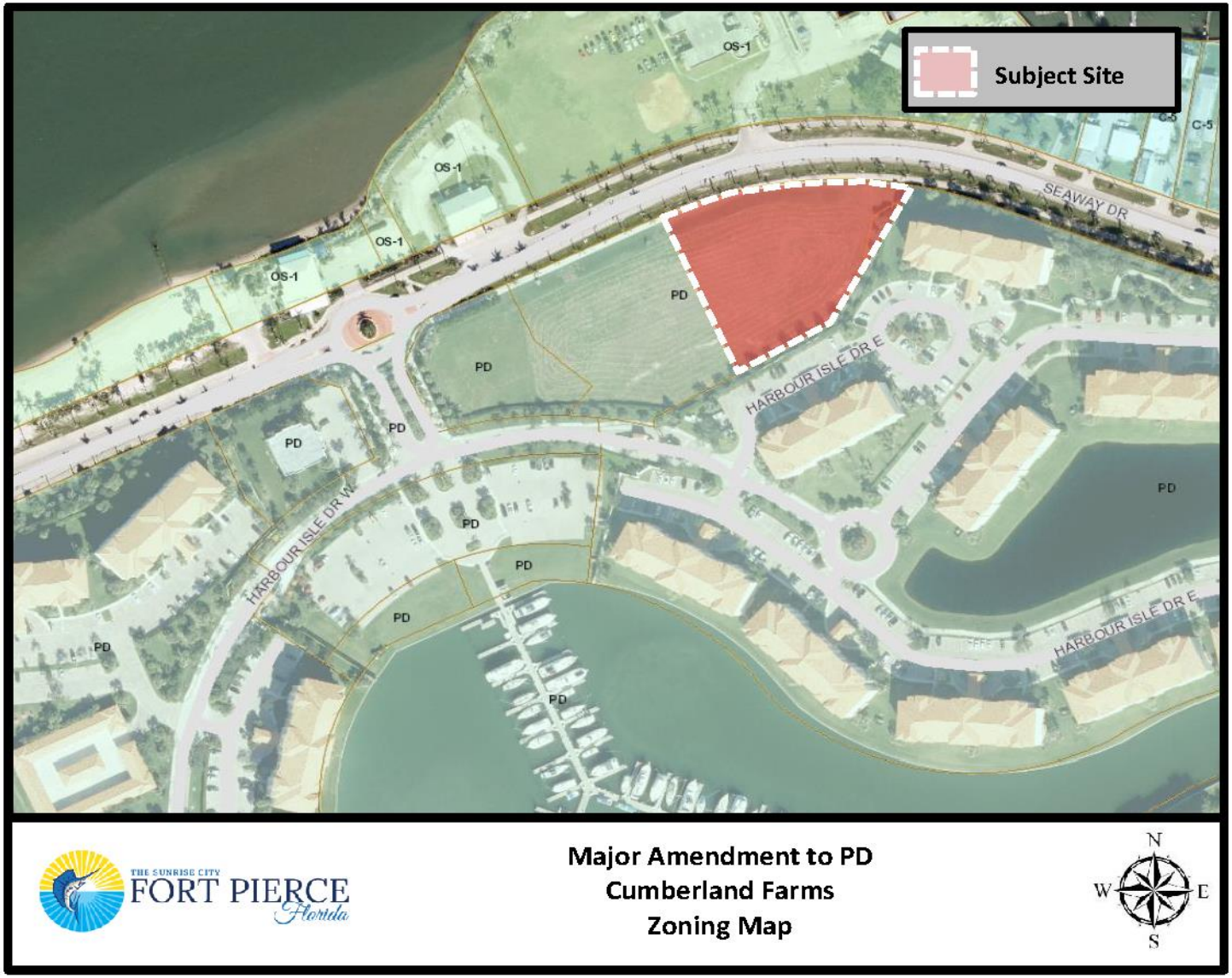
Aerial Map


Subject Site
SEAWAY DR
HARBOUR ISLE DR E
HARBOUR ISLE DR W
HARBOUR ISLE DR E
THE SUNRISE CITY
FORT PIERCE
Florida
Major Amendment to PD
Cumberland Farms
Aerial Map
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Future Land Use Map



Zoning Map

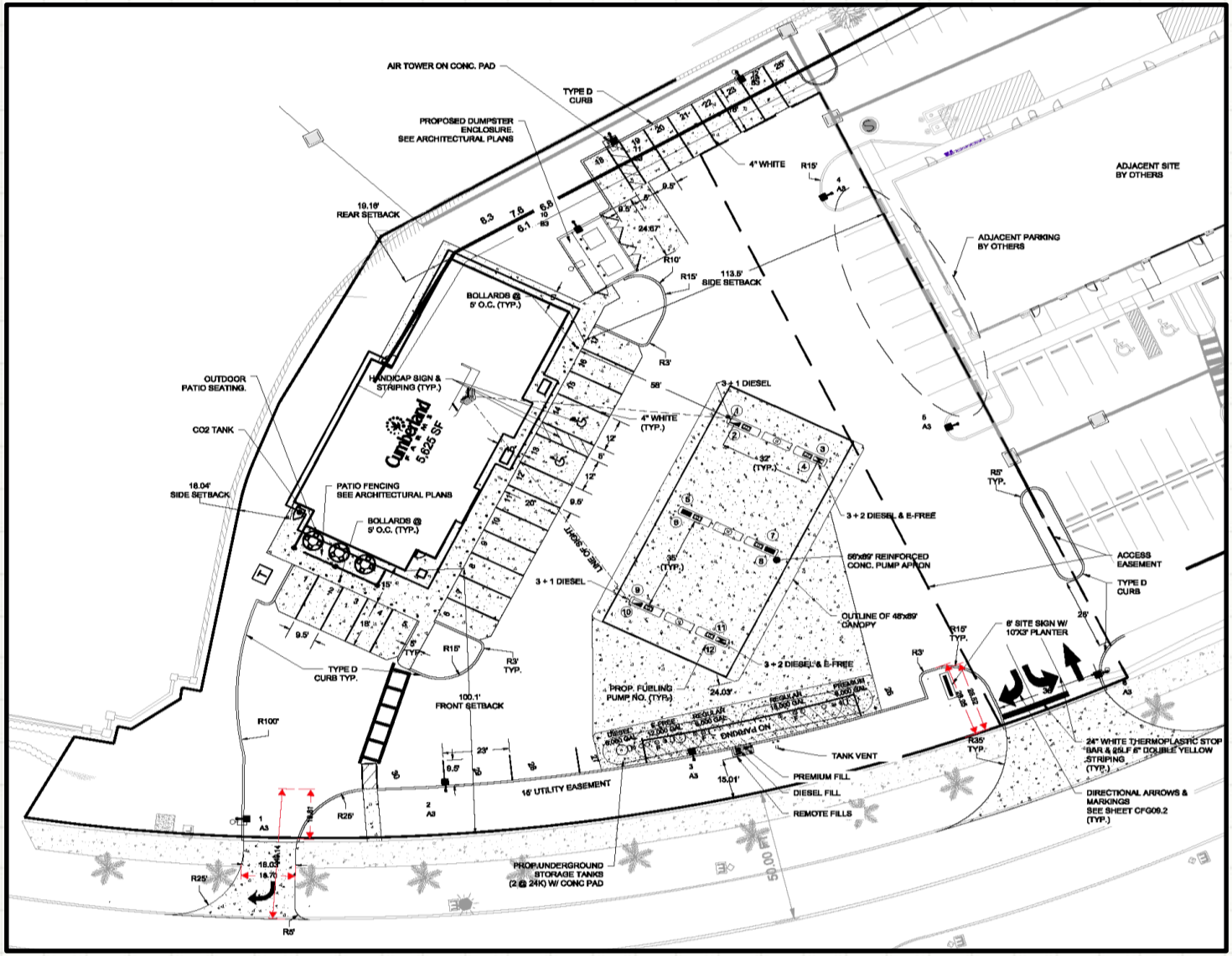

Subject Site
OS-1
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OS-1
OS-1
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HARBOUR ISLE DR E
HARBOUR ISLE DR W
HARBOUR ISLE DR E
THE SUNRISE CITY
FORT PIERCE
Florida
Major Amendment to PD
Cumberland Farms
Zoning Map
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Major Amendment to PD

Design Review approval to construct a 5,625 square foot fueling station & a Major Amendment to a PD to add a fueling station as a permitted use

- Staff recommends **Approval** with seven (7) Conditions
  - ❑ The area where this fueling station will be located is designated as commercial space and the proposed development is a commercial use.
  - ❑ The project is consistent with the City's Land Development Code and Comprehensive Plan.

Site Plan


AIR TOWER ON CONC. PAD
TYPE D CURB
PROPOSED DUMPSTER ENCLOSURE. SEE ARCHITECTURAL PLANS
4" WHITE
R15'
ADJACENT SITE BY OTHERS
ADJACENT PARKING BY OTHERS
19.19' REAR SETBACK
113.8' SIDE SETBACK
BOLLARDS @ 5' O.C. (TYP.)
OUTDOOR PATIO SEATING.
HANDICAP SIGN & STRIPING (TYP.)
CO2 TANK
Cumberland
5,625 SF
18.04' SIDE SETBACK
PATIO FENCING SEE ARCHITECTURAL PLANS
BOLLARDS @ 5' O.C. (TYP.)
3 + 1 DIESEL
4" WHITE (TYP.)
3 + 2 DIESEL & E-FREE
95'x89' REINFORCED CONC. PUMP APRON
ACCESS EASEMENT
TYPE D CURB
OUTLINE OF 48'x89' CANOPY
6' SITE SIGN W/ 10'X3' PLANTER
TYPE D CURB TYP.
100.1' FRONT SETBACK
PROP. FUELING PUMP NO. (TYP.)
DIESEL 30,000 GAL.
REGULAR 15,000 GAL.
PREMIUM 8,000 GAL.
DIESEL 30,000 GAL.
E-FREE 10,000 GAL.
REGULAR 15,000 GAL.
PREMIUM 8,000 GAL.
DIESEL 30,000 GAL.
UNDERGROUND
TANK VENT
PREMIUM FILL
DIESEL FILL
REMOTE FILLS
16' UTILITY EASEMENT
PROP. UNDERGROUND STORAGE TANKS (2 @ 24K) W/ CONC PAD
24" WHITE THERMOPLASTIC STOP BAR & 25LF 6" DOUBLE YELLOW STRIPING (TYP.)
DIRECTIONAL ARROWS & MARKINGS SEE SHEET CFG09.2 (TYP.)
R100'
R25'
R5'
R35' TYP.
R3' TYP.
R15' TYP.
R5' TYP.
LINE OF SIGHT
500'

Notifications



164 Notifications

3 = In favor

2 = No Comment

76 = In Opposition (46.3%)

If 20% or more of property owners within 500 feet are in opposition, an **Approval** will require a concurring four-fifths vote by the City Commission.

Staff Recommendation

Staff recommends that the City Commission **APPROVE** the plan as presented with the following four (4) Conditions

1. Before a Certificate of Occupancy is issued, a Landscape Bond shall be submitted for all proposed landscaping, pursuant to City Code 22-180.

2. A revised Landscape Plan shall be submitted which addresses all inconsistencies. Provide additional landscaping along the property line that is shared with the residential component of Harbour Isle to establish a 100% opaque screen.

3. A revised Photometric Survey shall be submitted which addresses the inconsistencies with the Calculation Summary table.

4. Prior to the issuance of a Site Work permit, the applicant shall provide the Engineering Department a recorded copy of the revised Access Easement Agreement authorizing parking within the limits of the existing 53.17’ Access Easement.

Staff Recommendation

5. Turning movements from Seaway Drive shall be right in and right out only

6. Reinstate the rear driveway connection to Harbour Isle Drive incorporating a shared access agreement with all three parcel owners (2402-500-0009-000-8, 2402-504-0001-000-4, and 2402-504-0002-000-1).

7. Additional conditions of approval shall attach to the Cumberland Farms site plan.

CC Recommendations

Possible actions of the City Commission:

- APPROVAL of the Major Amendment to PD with no changes.
    - Staff recommends that the City Commission APPROVE, subject to seven (7) Conditions of Approval.
    - Approval of the Major Amendment will require a 4/5 vote from the City Commission.
- APPROVAL of the proposed Major Amendment to PD with changes or additional Conditions.
- DISAPPROVAL of the proposed Major Amendment to PD.

Major Amendment to a Planned Development



835 Seaway Drive

ORDINANCE NO. 19-037

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; MODIFYING THE HARBOUR ISLE PLANNED DEVELOPMENT TO REVISE THE PREVIOUSLY APPROVED SITE PLAN FOR A CONVENIENCE STORE WITH FUEL SALES ON PROPERTY GENERALLY LOCATED AT 835 SEAWAY DRIVE; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Pierce Code of Ordinances ("City Code") Section 22-40, Planned Development Zone (PD), sets forth a procedure for major modifications to a Planned Development; and;

WHEREAS, on August 4, 2004, the City Commission granted approval for the Planned Development known as Harbour Isle at Hutchinson Island ("Harbour Isle"), and

WHEREAS, on July 26, 2006, the plat for the Harbour Isle subdivision was recorded in Plat Book 43, Pages 31, 31A, & 31B of the Public Records of St. Lucie County, Florida; and

WHEREAS, the current property owner, Harbour Isle Development Commercial, LLC, has submitted a development review application for a major amendment to the Planned Development to allow for two (2) modifications; and

WHEREAS, City Code Section 22-40 requires a major modification to any Planned Development to follow the same procedure as set forth for a new Planned Development request.

WHEREAS, the City of Fort Pierce Planning Board, at its July 9, 2019, meeting, voted 5-0 to recommend approval of the application for Development Review (Major Amendment) to the City Commission; and

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

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

SECTION 2. The Harbour Isle Planned Development as recorded in Plat Book 43, Pages 31, 31A, & 31B of the Public Records of St. Lucie County, Florida, is hereby amended as follows and as shown in Exhibit "A"

1. Allow for the addition of a fueling station to be a permitted and allowed use in the Planned Development.

2. Approve a site plan that would include a 5,625 square foot convenience store with fuel sales and associated improvements.

SECTION 3. All other aspects of the original Harbour Isle Planned Development remain in full force and effect.

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

SECTION 5. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 6. This Ordinance shall become effective immediately upon final passage.

APPROVED AS TO FORM & CORRECTNESS:

_____
Peter J. Sweeney
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 19-037 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, August 4, 2019; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on August 19, 2019; and was duly introduced, read by title only, and passed on second and final reading September 3, 2019, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this September 3, 2019.

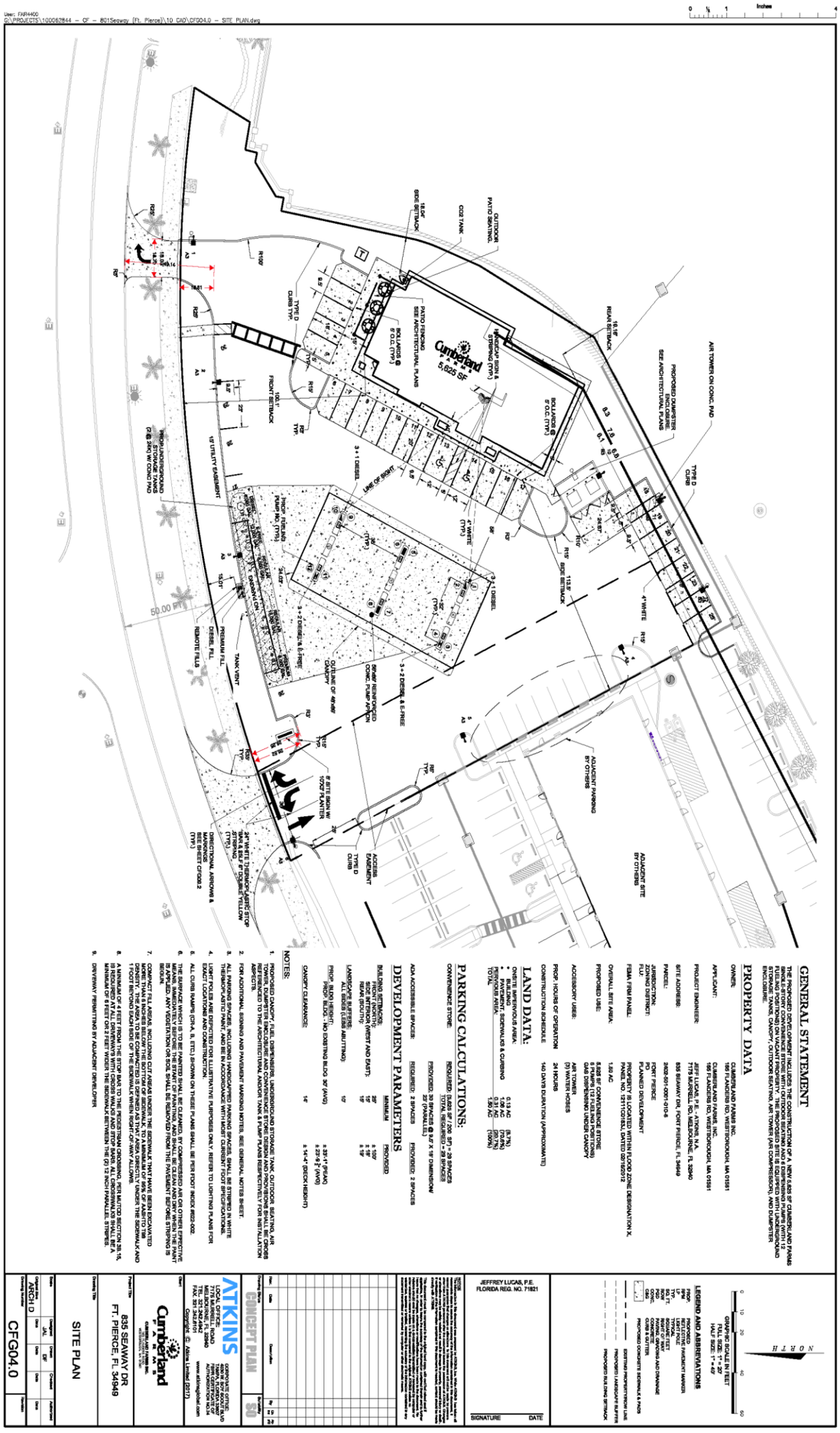
_____
Linda Hudson
Mayor Commissioner

ATTEST:

_____
Linda W. Cox
City Clerk

(CITY SEAL)

EXHIBIT A
Site Plan
Major Modification to Planned Development

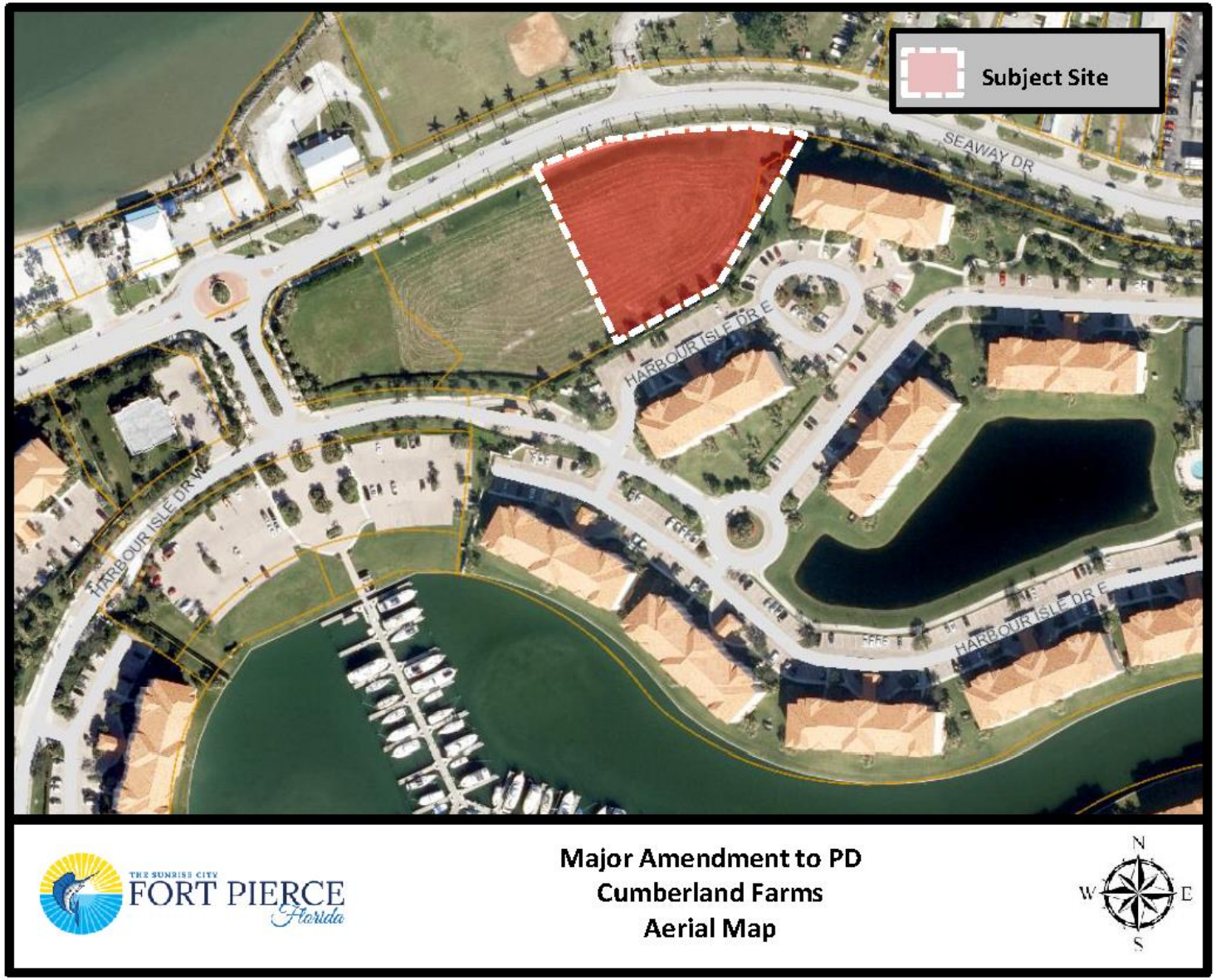


Major Amendment to a Planned Development

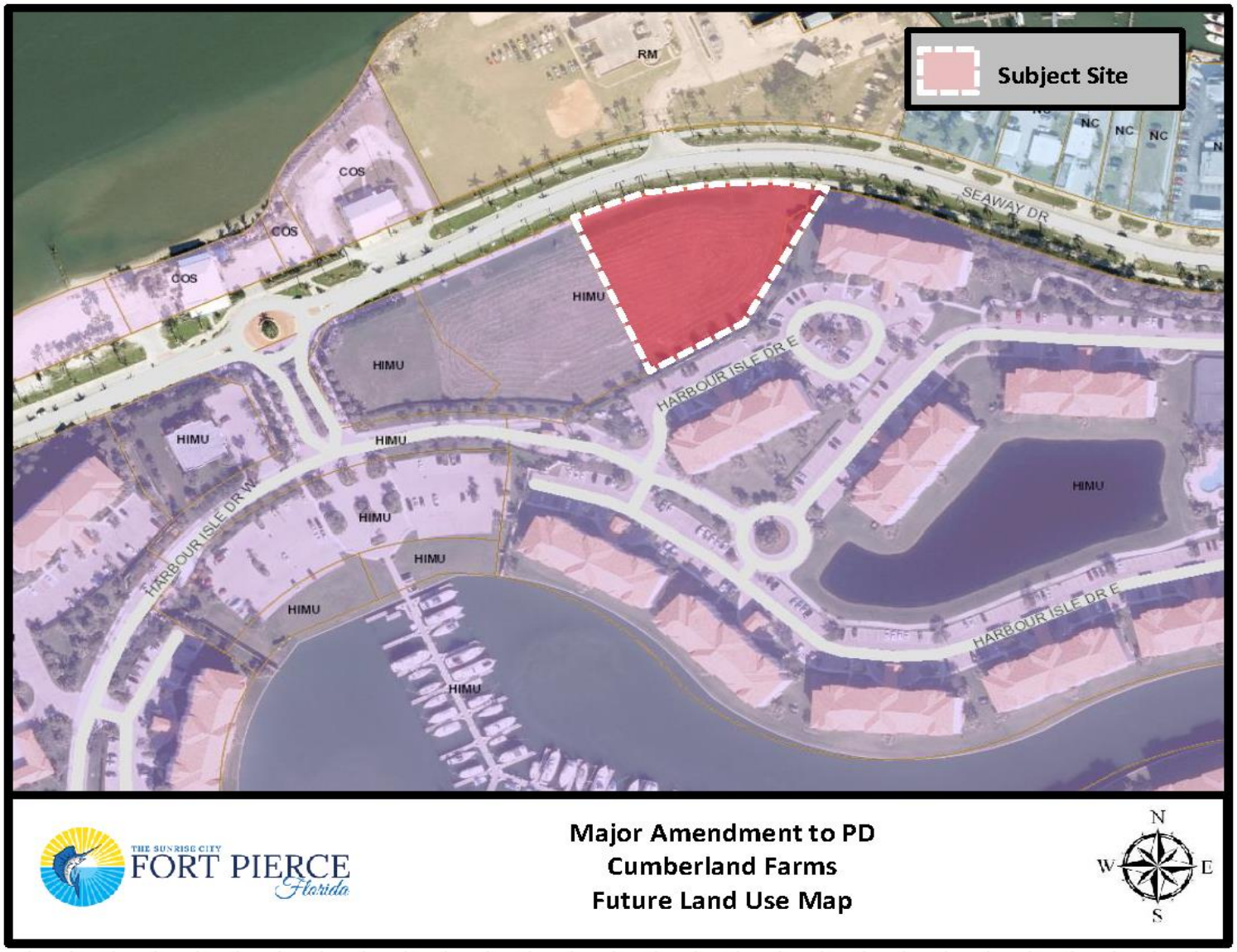


835 Seaway Drive

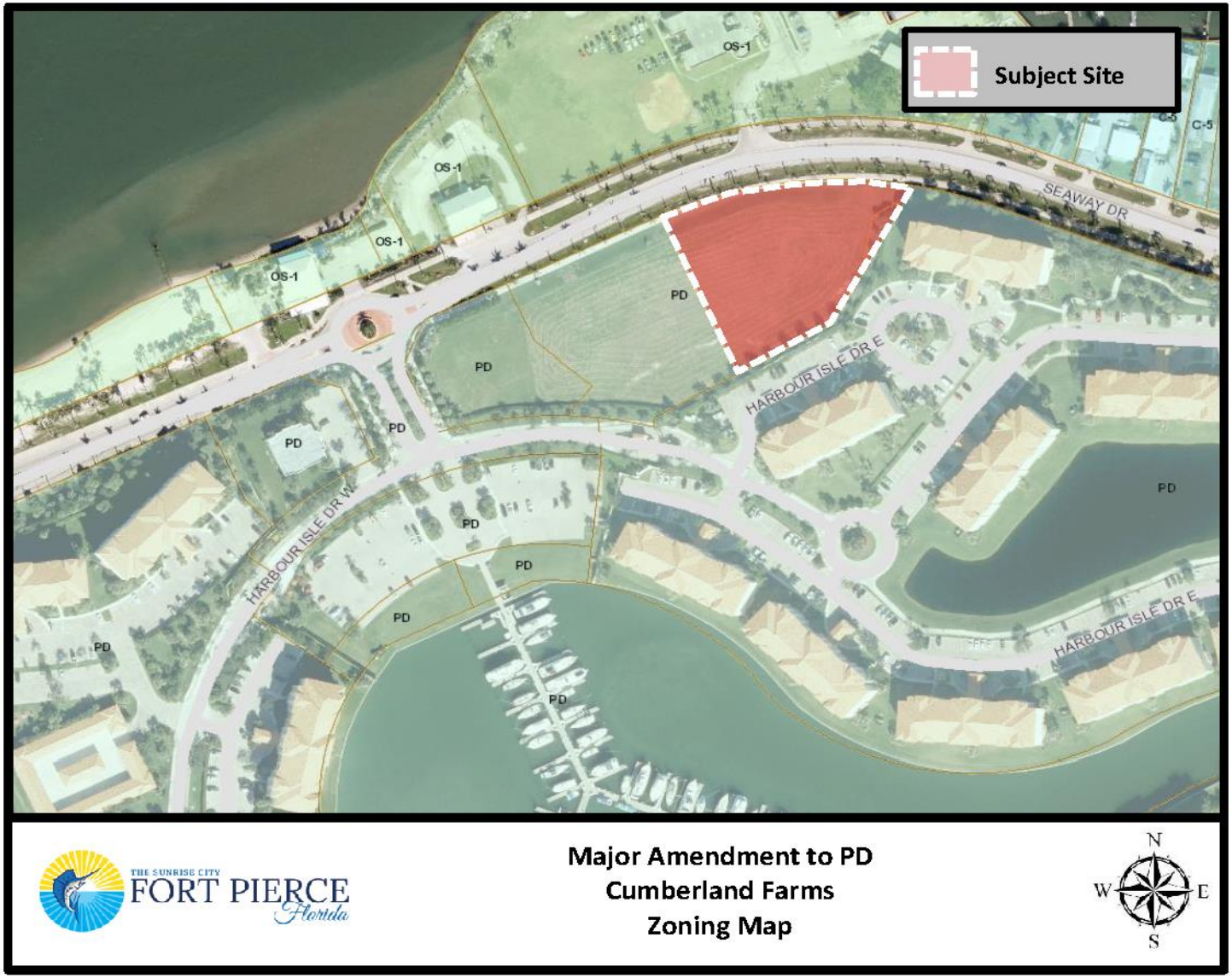
Aerial Map


Subject Site
SEAWAY DR
HARBOUR ISLE DR E
HARBOUR ISLE DR W
HARBOUR ISLE DR E
THE SUNRISE CITY
FORT PIERCE
Florida
Major Amendment to PD
Cumberland Farms
Aerial Map
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Future Land Use Map



Zoning Map

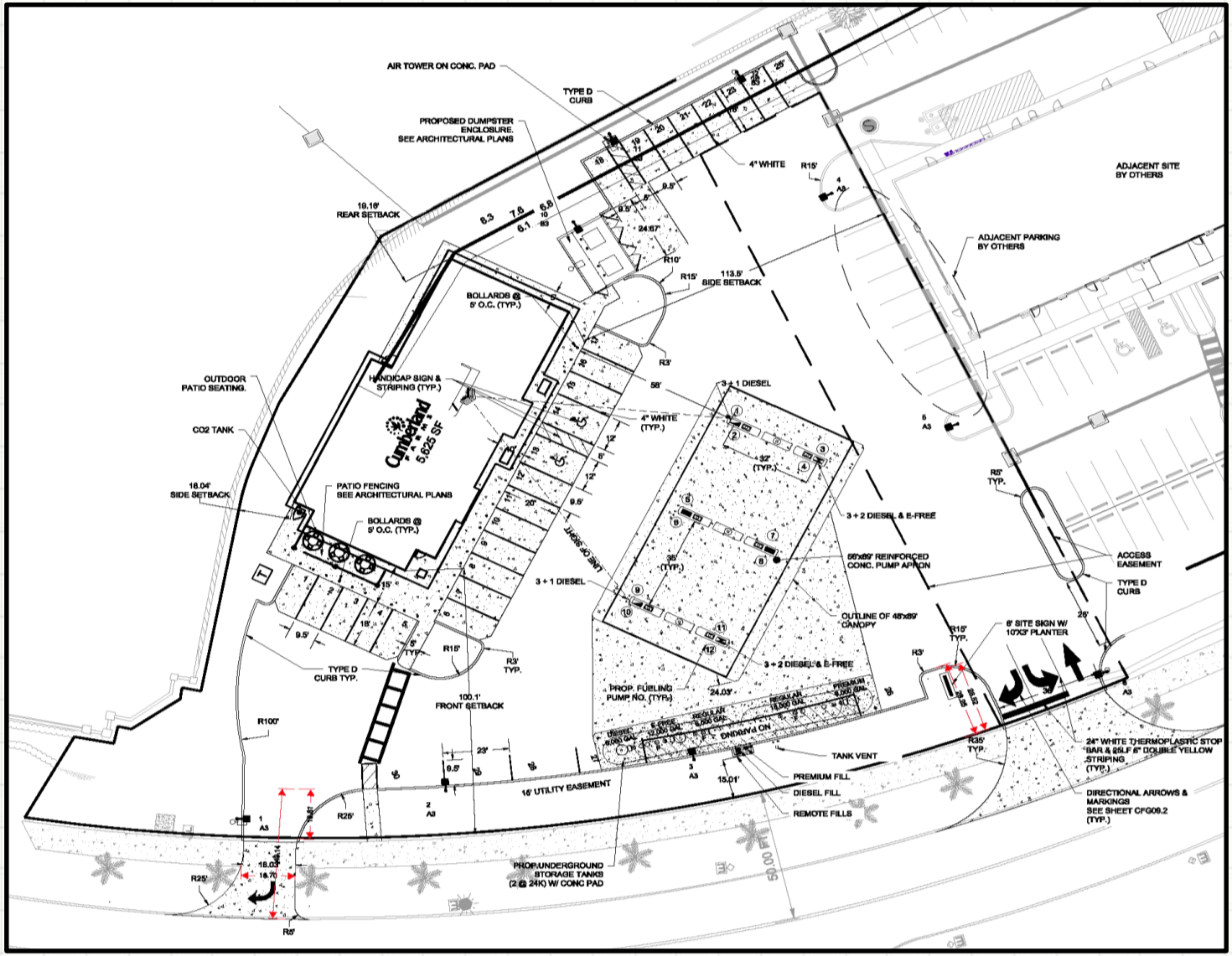

Subject Site
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THE SUNRISE CITY
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Florida
Major Amendment to PD
Cumberland Farms
Zoning Map
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Major Amendment to PD

Design Review approval to construct a 5,625 square foot fueling station & a Major Amendment to a PD to add a fueling station as a permitted use

- Staff recommends **Approval** with four (4) Conditions
  - ❑ The area where this fueling station will be located is designated as commercial space and the proposed development is a commercial use.
  - ❑ The project is consistent with the City's Land Development Code and Comprehensive Plan.

Site Plan


AIR TOWER ON CONC. PAD
TYPE D CURB
PROPOSED DUMPSTER ENCLOSURE. SEE ARCHITECTURAL PLANS
4" WHITE
R15'
ADJACENT SITE BY OTHERS
ADJACENT PARKING BY OTHERS
19.19' REAR SETBACK
113.8' SIDE SETBACK
BOLLARDS @ 5' O.C. (TYP.)
OUTDOOR PATIO SEATING.
HANDICAP SIGN & STRIPING (TYP.)
CO2 TANK
Cumberland
5,625 SF
18.04' SIDE SETBACK
PATIO FENCING SEE ARCHITECTURAL PLANS
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3 + 1 DIESEL
4" WHITE (TYP.)
3 + 2 DIESEL & E-FREE
95'x89' REINFORCED CONC. PUMP APRON
ACCESS EASEMENT
TYPE D CURB
OUTLINE OF 48'x89' CANOPY
6' SITE SIGN W/ 10'X3' PLANTER
TYPE D CURB TYP.
100.1' FRONT SETBACK
PROP. FUELING PUMP NO. (TYP.)
DIESEL 30,000 GAL.
REGULAR 15,000 GAL.
PREMIUM 8,000 GAL.
DIESEL 30,000 GAL.
E-FREE 10,000 GAL.
REGULAR 15,000 GAL.
PREMIUM 8,000 GAL.
DIESEL 30,000 GAL.
UNDERGROUND
TANK VENT
PREMIUM FILL
DIESEL FILL
REMOTE FILLS
16' UTILITY EASEMENT
PROP. UNDERGROUND STORAGE TANKS (2 @ 24K) W/ CONC PAD
24" WHITE THERMOPLASTIC STOP BAR & 25LF 6" DOUBLE YELLOW STRIPING (TYP.)
DIRECTIONAL ARROWS & MARKINGS SEE SHEET CFG09.2 (TYP.)
R100'
R25'
R5'
R35' TYP.
R3' TYP.
R15' TYP.
R5' TYP.
LINE OF SIGHT
500'

Notifications



164 Notifications

2 = In favor

2 = No Comment

54 = In Opposition (32.9%)

If 20% or more of property owners within 500 feet are in opposition, an **Approval** will require a concurring four-fifths vote by the City Commission.

Staff Recommendation

Staff recommends that the City Commission **APPROVE** the plan as presented with the following four (4) Conditions

1. Before a Certificate of Occupancy is issued, a Landscape Bond shall be submitted for all proposed landscaping, pursuant to City Code 22-180.

2. A revised Landscape Plan shall be submitted which addresses all inconsistencies. Provide additional landscaping along the property line that is shared with the residential component of Harbour Isle to establish a 100% opaque screen.

3. A revised Photometric Survey shall be submitted which addresses the inconsistencies with the Calculation Summary table.

4. Prior to the issuance of a Site Work permit, the applicant shall provide the Engineering Department a recorded copy of the revised Access Easement Agreement authorizing parking within the limits of the existing 53.17’ Access Easement.

CC Recommendations

Possible actions of the City Commission:

- APPROVAL of the Major Amendment to PD with no changes.
    - Staff recommends that the City Commission APPROVE, subject to four (4) Conditions of Approval.
    - Approval of the Major Amendment will require a 4/5 vote from the City Commission.
- APPROVAL of the proposed Major Amendment to PD with changes or additional Conditions.
- DISAPPROVAL of the proposed Major Amendment to PD.

Major Amendment to a Planned Development



835 Seaway Drive

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

TO: Nicholas Mimms, P.E., City Manager

THROUGH: Rebeca Guerra, AICP, LEED-AP, CPD, Interim Planning Director

FROM: Brandon Creagan, LEED Green Associate, Planner

SUBJECT: **Application for Major Amendment to a PD and Design Review**
Cumberland Farms
835 Seaway Drive

BOARD DATE: August 19, 2019

STAFF REPORT

Owner: Harbour Isle Development Commercial, LLC
825 Seaway Drive
Fort Pierce, FL 34949

Representative: Atkins, NA (Jeffery Lucas)
7175 Murrell Road
Melbourne, FL 34940

Applicant's Request: Design Review approval to construct a 5,625 square foot fueling station & a Major Amendment to a Planned Development (PD) to amendment to add a fueling station as a permitted use

Location: 835 Seaway Drive

Parcel ID: 2402-501-0001-010-8

Current Zoning: Planned Development (PD)

Future Land Use: Hutchinson Island Mixed Use (HIMU)

Surrounding Zoning:

North	East	South	West
OS1	PD	PD	PD

Site Size: 1.50 Acres

Utilities: FPUA

Staff Analysis:
Request

In accordance with Section, 22-40 of the City Code, the applicant is requesting the review and approval of the following (Major Amendment) to the Harbour Isle Planned Development:

1. Allow for the addition of a Fueling Station to be a permitted and allowed use in the Planned Development, and
2. Approve a site plan that would include a 5,625 square foot convenience store with fuel sales and associated improvements.

History:

On September 20, 2004, the City Commission granted approval for the Planned Development known as "Harbour Isle at Hutchinson Island." This PD consisted of both residential and commercial components. The commercial aspects of the project are located along Seaway Drive. One of the commercial developments proposed was a 15,000 square foot retail building. This commercial development was never built and the property remains vacant.

On January 21, 2019, the City Commission approved a 11,050-square foot retail development known as "Harbour Cay Shoppes" to be developed on the western parcel that abuts the subject property. Additionally, Harbour Cay Shoppes requested a reduction in the approved square footage of their building to accommodate an access driveway that needed to be reconfigured. On April 24, 2019, a Minor Amendment for the reduction (10, 530 sq. ft) in the building's square footage was approved through the Administrative Review process.

Design Review

The City's Design Review guidelines provide approaches to design situations that will contribute to the existing and developing character of the City. The intent of the City's design review process is not to stifle innovative architecture, but rather to assure respect for, and reduce incompatible and adverse impacts on, the visual experience throughout the City. This may be accomplished through respectful interpretation of vernacular building typologies and styles in proposed development. Designs should take cues from traditional proportioning systems and be synonymous with a chosen style.

The fueling station's design presentation is intended to blend in with the surrounding architecture in the area. Most notably, Chucks Seafood that is located nearby and the adjacent Harbour Cay Shoppes that was recently approved for development by the City Commission. The applicants have proved renderings of what the building will look like against the back drop of its surroundings. The provided 3D renderings show that the development would not overtly stand out, architecturally, from the surrounding buildings. The gas canopy will not feature a flat roof, but will instead feature a design that seeks to mimic the design and feel of the main building.

Site & Landscaping Plan

The proposed building is 5,625 square feet in size with twelve fueling positions. There are twenty-nine parking spaces that are required and the applicant is providing thirty parking spaces. Two handicap parking spaces are also required and are being provided as part of the thirty spaces. They will also be proving bicycle

parking in accordance with City Code 22-60(f)(1)(a). The Lighting Plan provided appears to be consistent with City Code Section 22-60(j)(1)(a), which stipulates that commercial projects shall have site lights that are a minimum average of two footcandles. It should be noted that Staff has detected some potential errors on the calculation summary and have requested that the applicant address this. After the Planning Board meeting the applicant addressed the above with Planning Staff and the error has been corrected on the plans, the applicant will submit a revised Lighting Plan with the Building Permit.

The Landscape Plan provides for seven Live Oaks, fourteen Sabal Palms, & six Mahogany Trees, as well as 551 various types of shrubs and groundcovers. Upon review of the Landscape Plan, Staff notes that it appears to be consistent with City Code 22-187, General Landscaping requirements. Staff has detected, however, some potential errors between the Code requirement table that the applicant provided on the Landscape Plan. Staff is asking the applicant to address this and provide clarification as it does not match the Landscape Plan provided. After the Planning Board meeting the applicant addressed the landscaping with Planning Staff, the applicant will have a revised Landscape Plan submitted with the Building Permit. The site plan does provide for pedestrian cross access from the sidewalk on Seaway Drive to the front door of the building.

Traffic

The Traffic Impact Report provided by the applicant incorporates data for not only the Cumberland Farms, but also for the recently approved Harbour Cay Shoppes. Staff has instead utilized the Capacity Analysis numbers provided as that data is germane only to the Cumberland Farms. The Capacity Analysis has determined that there will be an increase of 2,200 new additional daily trips that will be generated by the proposed project. Of these trips, 53 AM peak hour trips and 19 PM peak hour trips will enter into the site and 58 AM peak hour trips and 18 PM peak hour trips be dispersed onto the surrounding roadway network. The presented increase in daily trips has been stated to have no impact on the levels of service (LOS) within the project radius of the impact area. It should be noted, the traffic numbers presented take into account that the current Cumberland Farms site, with its associated traffic impact, is still active and in operation.

Technical Review Committee

All affected City Departments have reviewed the proposed applications for a Major Amendment to a Planned Development & Design Review and have provided conditional approval based on compliance with requirements of City Code. The comments generated from the technical review, and any responses by the applicant, are provided for review.

Planning Board:

The Planning Board at their July 9, 2019 meeting voted 5-0 to recommend approval of the request to the City Commission.

Public Notification:

164 letters were mailed to property owners within 500 feet of the subject property. As on August 7, 2019 49 letters have been received in opposition and 2 letters have been received in support. An update will be given at the City Commission meeting.

Staff Recommendation

The requested Applications for a Major Amendment to the Planned Development and Design Review meets the requirements of the City Code and are found to be consistent with the City's Comprehensive Plan. Therefore, Staff recommends **APPROVAL** of the requests with the following four (4) conditions:

1. Before a Certificate of Occupancy is issued, a Landscape Bond shall be submitted for all proposed landscaping, pursuant to City Code 22-180.

2. A revised Landscape Plan shall be submitted which provides additional landscaping along the property line that is shared with the residential component of Harbour Isle to establish a 100% opaque screen consistent with City Code 22-187 at the time of Building Permit.

3. A revised Photometric Survey shall be submitted that complies with City Code 22-60(j)(1) at the time of Building Permit.

4. Prior to the issuance of a Site Work permit, the applicant shall provide the Engineering Department a recorded copy of the revised Access Easement Agreement authorizing parking within the limits of the existing 53.17' Access Easement.



THE SUNRISE CITY
FORT PIERCE
Florida

Major Amendment to PD
Cumberland Farms
Aerial Map

N
W E
S



THE SUNRISE CITY FORT PIERCE Florida

Major Amendment to PD
Cumberland Farms
Future Land Use Map

N
W E
S



THE SUNRISE CITY FORT PIERCE Florida

Major Amendment to PD
Cumberland Farms
Zoning Map

N
W E
S

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

April 17, 2019

Jeffrey Lucas (Atkins NA)
7175 Murrell Road
Melbourne, FL 34940

SUBJECT: **Cumberland Farms – 835 Seaway Drive**
TECHNICAL REVIEW PROJECT: # 19-43900002
DEVELOPMENT & DESIGN REVIEW (MAJOR AMENDMENT TO PD)

Comments:

1. The site plan denotes a 23 foot tall sign along Seaway Drive. Per City Code 15-6(b)(3)(a), Sites that are less than or equal to three (3) acres shall have a maximum sign height of ten (10) feet. Because this project is in a Planned Development a Variance would not be allowed. Please adjust the height so that both the planter and sign are no more than 10 feet combined. Please note that all signs will be approved separately under individual Building Permits.
2. Provide documentation of the proposed cross access agreement with the adjacent property owner.
3. A lighting plan or photometric survey that is consistent with City Code 22-60(j)(1)(a) will be required at the time of Building Permit.
4. Advisory Comment: If possible please provide trip generation numbers for the current Cumberland Farms Site to compare the number of trips on the current site to the number of anticipated trips on the proposed site.
5. Provide bike parking pursuant to City Code 22-60 (f)(1)(a)

Please provide a written response to all TRC comments and provide submittal (10 hard copies/1 digital copy) of all materials by April 30, 2019 to advance to the Planning Board. 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.

Sincerely,

Brandon Creagan, LEED Green Associate
Planner

THE SUNRISE CITY
FORT PIERCE
Florida
ENGINEERING
DEPARTMENT

To : Brandon Creagan, Planner

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

Re : Cumberland Farms – 835 Seaway Drive
Development Design Review
TRC No. 19-43900002

Date : June 5, 2019

RECEIVED
JUN 06 2019
CITY OF FORT PIERCE
PLANNING & ZONING

This is to advise you that we have completed the review of the following documents as received by this office on June 3, 2019:

- [x] Development Design Submittal Package
- [ ] 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

- [x] Recommend
- [ ] Do Not Recommend

- [x] Approval of Development
- [ ] 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.

- [x] See attached for engineering advisory comments

100 NORTH US 1, FORT PIERCE, FLORIDA 34950 ▪ CITYOFFORTPIERCE.COM ▪ TEL: 772.467.3000 ▪ FAX: 772.460.6847

ENGINEERING ADVISORY COMMENTS:

1. **Advisory Comment:** Prior to issuance of a Site Work permit, the applicant shall provide a recorded copy of the revised Access Easement Agreement authorizing parking within the limits of the existing 53.17' Access Easement.
2. **Advisory Comment:** The traffic study submitted to FDOT for pre-approval was based on an additional access through the Harbour Isle development. How will the elimination of this ingress/egress access affect the traffic flow along Seaway Drive? During review of the Site Work application, the applicant will be asked to provide a copy of the FDOT Access permit issued based on an updated traffic study.

JRA/TST/tst
TST

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THE SUNRISE CITY
FORT PIERCE
Florida
ENGINEERING
DEPARTMENT

TO : Brandon Creagan, Planner

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

RE : Cumberland Farms – 835 Seaway Drive
Development Design Review
TRC No. 19-43900002

RECEIVED
MAY 14 2019
CITY OF FORT PIERCE
PLANNING & ZONING

DATE : May 9, 2019

This is to advise you that we have completed the review of the following documents as received by this office on April 30, 2019:

- [x] Development Design Submittal Package
- [ ] P/D Drawings
- [ ] Test Reports & Related Documents
- [ ] Certificate of Completion
- [ ] Record Drawings
- [ ] Permits from applicable Local, State & Federal Agencies
- [ ] Clearances from all applicable Local, State and Federal Agencies

Based on our reviews and appropriate site final inspection, we

- [ ] Recommend
- [x] Do Not Recommend

- [x] Approval of Development
- [ ] 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.

- [x] See attached for engineering comments

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ENGINEERING COMMENTS:

1. The project boundaries do not coincide with a recent plat submittal for subdivision of Tract D-1; please modify the site plan accordingly, specifically the eastern and northern property lines.
2. Add a note to the site plan specifying the relocation of the two (2) SR A1A streetlights and one (1) royal palm tree must be coordinated with the City of Fort Pierce Engineering Department.
3. Relocate all parking from within the limits of the 53.17' Access Easement in accordance with the requirements specified in the recorded agreement; refer to ORB 4185, Page 1545, or provide a revised recorded Access Easement permitting parking.
4. It does not appear that the appropriate landscape buffers are in place between the building and the proposed detention area; refer to Code of Ordinances Section 22-187(4).
5. All detention and retention areas are required to be screened with a 36" hedge per City of Fort Pierce Code of Ordinances Section17-34; please revise the landscape plan accordingly.
6. The new detention area appears to encroach into the existing oak trees root system as the trees will be located within the detention bank; how will this be accomplished without damaging the root system and ultimately the trees?
7. The demolition plan reflects the removal of six (6) oak trees along the southern property line yet the landscape plan identifies four (4) of these oak trees to remain, please identify the size of these trees and provide the appropriate mitigation calculations.
8. The submitted traffic report inaccurately identified Seaway Drive as a four-lane roadway between Indian River Drive and Harbour Isle Drive (refer to Exhibits 2 thru 5). The applicant shall revise the exhibits and applicable roadway/intersection analysis to reflect Seaway Drive as a two-lane roadway east of Causeway Cove Marina located near the base of the bridge.
9. Relocate the proposed site lights situated at the two driveways, from within the limits of the 15' Utility Easement.
10. Remove the mitered endwalls and culvert pipe from the two driveways, as the SR A1A drainage system is void of roadside swales.
11. Add a stop sign and stop bar to the eastern driveway.
12. Advisory Comment: The traffic study submitted to FDOT for pre-approval was based on an additional access through the Harbour Isle development. How will the elimination of this ingress/egress access affect the traffic flow along Seaway Drive? During review of the Site Work application, the applicant will be asked to provide a copy of the FDOT Access permit issued based on the updated traffic study.

JRA/TST/tst

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THE SUNRISE CITY
FORT PIERCE
Florida
ENGINEERING
DEPARTMENT

TO : Brandon Creagan, Planner

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

RE : Cumberland Farms – 835 Seaway Drive
Development Design Review
TRC No. 19-43900002

DATE : April 17, 2019

This is to advise you that we have completed the review of the following documents as received by this office on April 5, 2019:

- [x] Development Design Submittal Package
- [ ] P/D Drawings
- [ ] Test Reports & Related Documents
- [ ] Certificate of Completion
- [ ] Record Drawings
- [ ] Permits from applicable Local, State & Federal Agencies
- [ ] Clearances from all applicable Local, State and Federal Agencies

Based on our reviews and appropriate site final inspection, we

- [ ] Recommend
- [x] Do Not Recommend

- [x] Approval of Development
- [ ] 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.

- [x] See attached for engineering comments

100 NORTH US 1, FORT PIERCE, FLORIDA 34950 ▪ CITYOFFORTPIERCE.COM ▪ TEL: 772.467.3000 ▪ FAX: 772.460.6847

ENGINEERING COMMENTS:

1. Update the site plan to identify all property boundary dimensions and bearings.
2. The site plan shall include a legal description of the property.
3. The project boundaries do not coincide with a recent plat submittal for subdivision of Tract D-1; please modify the site plan accordingly.
4. The survey submitted was not certified nor did it identify all recorded easements situated within the limits of the property. Please update the survey to include project boundaries per the recently submitted plat documents, recorded easements, total site area, and any other pertinent information as specified Section 17-27 of the City of Fort Pierce Code of Ordinances.
5. Update the site plan to reflect all impacted existing improvements (streetlights, palm trees, etc.) located with SR A1A and the proposed relocation these items.
6. Relocate the northeastern detention area to the rear of the property as specified in the City of Fort Pierce Code of Ordinances Section 17-34(c).
7. Relocate all parking from within the limits of the 53.17' Access Easement in accordance with the requirements specified in the recorded agreement; refer to ORB 4185, Page 1545.
8. Provide a copy of the Auto-Turn analysis depicting the movements of a fuel tanker truck servicing the fuel tanks.
9. Provide a copy of the traffic report supporting the specified peak hour traffic as specified on the submitted Transportation Analysis. The report shall include information required under Section 22-217 for large-scale developments.
10. The site plan reflects a 15' utility easement along the north side of the parcel; is this existing or proposed and to whose benefit?

JRA/TST/tst

TST

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THE SUNRISE CITY
FORT PIERCE
BUILDING DEPARTMENT Florida

BUILDING DEPARTMENT
TECHNICAL REVIEW COMMITTEE (TRC)
COMMENT FORM

Meeting Date: 4.18.19
Property Address: 835 Seaway
Property Name:
Project Name: Cumberland Farms
Planner: Brandon Creagan

Please be advised that the project may trigger the requirements indicated below:

☑ 1. Building Official or his representative has no comment at the time of this meeting, but reserves submission of comments upon completion of the official plan review.

☑ 2. Pre-construction meeting with the City's Building Department is requested.

☑ 3. Any construction will need to meet the requirements of the Florida Building Code 6th Edition.

☐ 4. Means of egress is required.

☐ 5. Means of ingress is required.

☐ 6. Must meet the following Accessibility requirements:

- ☐ Accessible route
- ☐ Handicapped parking spaces
- ☐ Means of egress

☐ 7. Change of Use required

- ☐ to include a signed and sealed Life Safety Plan
- ☐ to include a signed and sealed detailed comprehensive building plan.

☐ 8. Property exists in Special Flood Hazard Area. All Federal and State requirements shall be addressed.

☐ 9. Flood Development Permit required.

☑ 10. Building Permit required.

☑ 11. Signed and sealed construction drawings required.

☐ 12. Will need to meet the Fire Code.

☐ 13. Sprinkler system is required.

☐ 14. Smoke alarm system is required.

☐ 15. Other

Additional Comments/Requirements:

Building Official's or Representative's Signature _____ Date: 4/17/19

Technical Review Committee meeting

April 18th, 2019

Case # 19-43900002

Development and design review

Cumberland Farms, 835 Seaway Dr., Ft Pierce

Comments:

Please consider moving the outdoor seating area further out (sliding the entire area towards the front of the building) to maximize the opportunity for natural surveillance of the fuel pumping area and general parking area by the users of that outdoor space.

Officer Damian Spotts

Crime Prevention Practitioner

Fort Pierce Police Department.

Fort Pierce Utilities Authority
Water/Wastewater Engineering
1701 South 37th Street
Fort Pierce, FL 34947
772.466.1600 x3473

Technical Review Committee meeting

April 18, 2019

TECHNICAL REVIEW PROJECT # 19-43900002

Development & Design Review – Cumberland Farms – 835 Seaway Drive

Comments

FPUA W/WW Engineering: Approved

FPUA Electric & Gas Engineering: Approved - Both electric and fiber optic services are available to the site. Utility easement will be require for the propose FPUA facilities.

ST. LUCIE COUNTY
PLANNING & DEVELOPMENT SERVICES
TECHNICAL REVIEW LETTER

TO:	Brandon Creagan, LEED Green Associate, Planner
FROM:	Kori Benton, Senior Planner
DATE:	April 18, 2019
SUBJECT:	**Development Review – Development & Design Review – Cumberland Farms – 835 Seaway Drive** Technical Review Project: #19-43900002

The St. Lucie County Planning & Development Services Department has completed a review of the April 4, 2019 distribution of Technical Review Project: #19-43900002.

Background

Application for Development (Major Amendment to PD) & Design Review for Cumberland Farms located at 835 Seaway Dive. The parcel is zoned PD, Planned Development with a Future Land-Use of HIMU, Hutchinson Island Mixed Use. The parcel ID for the property is 2402- 501-0001-010-8. The applicant would like to develop a gas station at the front of the Harbour Isle Development, along Seaway Drive. The proposed fueling station and convenience store will be approximately 5,625 square feet with 12 fueling positions.

Review Comments

1. Please provide a Traffic Impact Report for the proposed development, inclusive of driveway analysis. Based upon the projected trip generation, access points, roadway level of service, turn lanes may be recommended. In review of the project size and type, ITE Use Code 960, Super Convenience Market/Gas Station, based upon the independent review variable of 1,000 sq. ft. GFA, the project is estimated to generate 4707 AADT, whereas much may be pass-by, however such analysis should be conducted. Based upon the proposed traffic generation, greater capacity for vehicle stacking (in an organized fashion) is encouraged to avoid back-up into Seaway Drive.

2. The City of Fort Pierce in encouraged to conduct driveway analysis of the proposed adjustment, and corresponding adjustment pending to the west, including proposed driveway location(s), internal stacking/turn lanes, proximity of the cross access driveway to the eastern parcel to the property line, future driveway location for the parcel to the west. Restoration of internal connection would provide HI residents access without placing an external trip onto the roadway.

General Note(s):

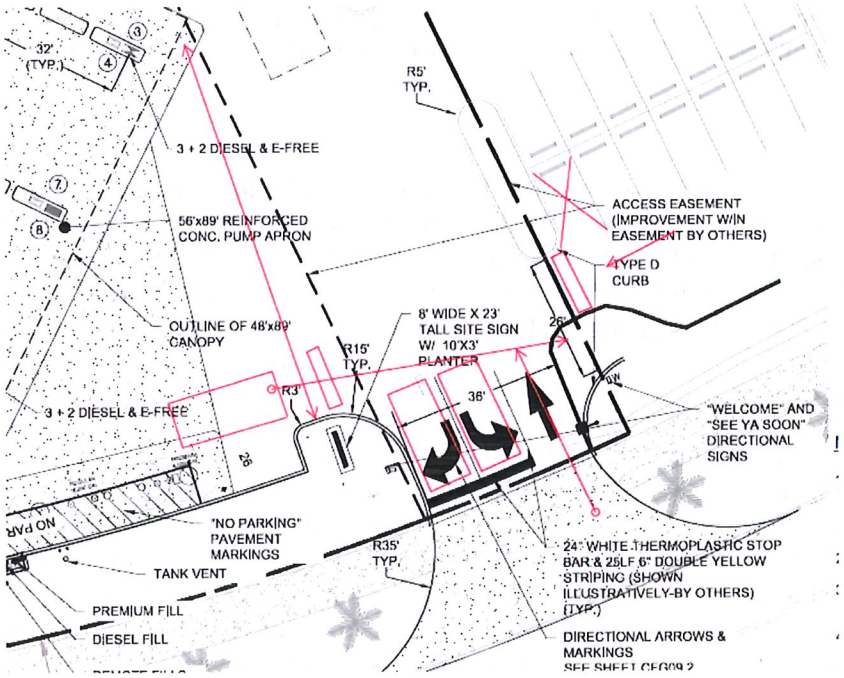
- What are the proposed hours of operation for this establishment? The previously approved project encompassed a neighborhood commercial use, whereas the proposal appears to be a general commercial use, increase intensity for the Planned Development, with adjacent residences. The original plan adopted placed the commercial building towards the right-of-way to provide enhancement urban design, as well as greater separation of the commercial operation from adjacent residential units. Limiting hours of operation may improve compatibility, especially with the relocated building(s).

- Please consider a pedestrian connection between the proposed establishment and the development considered to the west.

- Is the applicant providing a loading space/zone for deliveries of stock or fuel? The loading area is encouraged to be located outside of the front yard, but in an area which may minimize impacts to the adjacent residences.

- The proposed parallel parking spaces (27-30) appear to conflict with the adjacent two-way driveway which reduces to a one-way exit, at the adjacent driveway. The spaces would cause movements against interior traffic flow.

- The alignment of the project's drive-aisle approaching the joint drive and adjacent project's northern most row of parking appear to cause an unsafe condition, if vehicles seek to traverse across this full access driveway to enter the western project:



- The applicant is proposing a reduction in vehicular use area landscaping based upon "preserved trees" which were planted (required) as part of the PD. The trees are required and not pre-existing to the Planned Development, therefore should not be eligible. The landscape plan should be amended to reflect the required interior vehicular use area landscaping.

- Please review clear vision areas as it pertains to proposed driveways, landscaping, etc.

Please contact me at 772-462-2518 if you have any questions or would like to discuss the presented comments.

Ordinance No. K-113 entitled, "AN ORDINANCE **REZONING** PROPERTY GENERALLY LOCATED **EAST OF SOUTH CAUSEWAY BRIDGE ON THE SOUTH SIDE OF SEAWAY DRIVE**, FROM R-3, SINGLE FAMILY MODERATE DENSITY ZONE, TO PUD, PLANNED UNIT DEVELOPMENT ZONE, REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE." was placed on first reading and read by title only. (Property Owner: Causeway Island Trust)

Mayor Enns said he is sure all of them have had some contact with either Smithsonian or the applicant or others on this. Let the record reflect that they have. They are not trying to hide anything. (The Commissioners agreed they had been contacted regarding this item from people on both sides of the issue.)

Mayor Enns declared a Public Hearing on Ordinance No. K-113 in session and asked if anyone in the audience wished to be heard.

Mayor Enns asked is Mr. Simpson is he prepared to make a presentation at this point? This first item is the ordinance which changes the zoning from single family to PUD and the second Public Hearing will be on the application for the Preliminary Development Plan.

Mr. Philippe Jeck said he is an attorney for Jeck, Harris, & Jones and he represents the applicant here today. For his own clarification, is it the will of the Commission that he address one issue at a time or can he address them both together?

Mayor Enns said he can address both of them at one time; but if somebody gets up to speak on it, the first one is going to be on the zoning, if they could do it that way. He thinks it would save them a little time.

Mr. Jeck said he will address them together. By way of introduction to this project, he would like to take a moment of their time and introduce the developer that is behind the project. He believes that is important for them all to know for a couple of reasons. One being their code addresses the fact that they should be considering whether there is demand for the project before them and also the capacity of this developer to complete the project. He thinks for them to understand that element of what is before them, it would be helpful to understand Mr. Simpson's history. He started about 30 years ago in development with Ashland Oil and he was a pipeline engineer and built pipelines for Ashland Oil across the country. When they decided to commence a development arm in Florida, he became their first head of their development in Florida in the early 1970's. From that point in time he was then fully immersed into the development of residential projects and commercial projects. His first major project in Jupiter was The Bluffs. It was about a 324 acre site mixed-use. It had mid-rise condominiums, it had town homes, it had single family homes. And interestingly it had a marina, very similar to the marina that is going to be proposed to them today, that is an upland marina, a marina dredged out with development around it. He moved on from that extremely successful project in Jupiter to another project in Jupiter called The Shores, which was a 600 residential lot development that was actually the most successful project of that kind that Palm Beach County ever had. The next project he moved to was Jupiter Island. He moved into the luxury arena, building three consecutive high-rise condominium luxury projects on Jupiter Island, each one right after the other, and they were the last three condominium projects built on Jupiter Island. All three of

them were extremely successful, selling out a majority before the first stake hit the dirt in pre-sales. It was a very successful project that demonstrates, as all these projects have demonstrated, the ability to predict the market and develop a product that meets the market demand. The next project, he moved north up to Vero Beach area, Indian River County, and started a project called The Carlton at Vero Beach. Some of them may have visited that project, a very strong high luxury condominium project with multiple buildings with single family lots as well. It was a very successful project proceeded immediately by another project in the same area in Vero Beach or actually in the City of Indian River Shores. That next project is called River Club at Carlton. It is about 200 units, all luxury, single family, duplex units, carriage homes, and mid-rise condominiums again. That project then led to two more projects, one also in the same area in Vero Beach, single family lots, mid-rise, very successful project. It is well underway and almost all sold out as well. The next project immediately preceding this one is one known as Claridge by the Sea and that project is located right on the Martin County/St. Lucie County line just this side. It is in St. Lucie County. That project is again a luxury condominium high-rise project of 20 units that has received approval and is proceeding very strongly. That leads to this project, the Causeway Island project. This is his current on-going development project. His experiences with all of these other projects have let him choose this particular design which will be shown to them today, the product mix, and the pricing of it. He has been very well received in all the communities that he has had the opportunity to build in and develop in. But this project is of particular significance. This piece of property they have at Causeway Island in the City of Fort Pierce is a tremendous opportunity to build a gateway type of project. It is the gateway for the community to the beach side, to the island. Right now they have uses there as they know, a mobile home park and a water treatment facility. And this is going to change the entire character and the impression that this City creates for people heading to the beaches. Mr. Simpson feels extremely privileged to be given the opportunity to bring them a plan and be able to develop something that will be a signature of this City for many years to come. He would like to pass the microphone to Mr. Simpson and Mr. Boggs to explain some of the details of the project.

Mr. Greg Boggs said he is with Thomas Lucido & Associates. He won't spend much time talking about the site. There is a picture of the site. (Plans showing the project were displayed and Mr. Boggs distributed a drawing entitled "Harbour Isle Preliminary Master Plan".) It is approximately 108 acres. The application before them tonight is for 102 acres. There is a piece by reference in the development plan that Sandy Steele is passing out. It excludes six and a half acres just east of Smithsonian and south of A-1-A right of way. The site is a man-made spoil area basically consisting of primarily Australian Pines and Brazilian Pepper. It does have a shoreline of mangrove that the project will preserve. There appears to be no endangered or threatened plants or animals on the site. They have been authorized to begin some brief clearing to begin looking at the site for survey and topographic survey purposes. They have all been by it many times looking into it. It is a jungle of exotics. They are looking forward to removing the exotics and building the project and reinstituting the natives and some ornamental plant materials and other complimentary plant materials. Obviously, not the plant material that is there today except for the mangrove shoreline. Are there any questions before he moves on to the plan about the site itself?

Mayor Enns asked are there any questions? If not, proceed.

Mr. Boggs said the project itself, just for clarification, is for preliminary PUD. They will be back again before them for a final PUD. But tonight they are simply here to gain permission to proceed through the preliminary PUD process. Without belaboring the technical aspects of the plan, they meet or exceed all of their performance standards in the PUD section - parking, common area open space, building spacing, fire access, and police access. They went through site plan review with staff as well as the technical review committee. So they are confident based on that thorough review that it conforms to the ordinances. Just keying in on the plan, the site is basically bisected by the upland marina. It is a 73 slip public marina. On each side there are sixteen 24-unit, four story buildings. As they go through the project from A-1-A, the beginning is a paver stone roundabout, much like the one at the corner down at P.P. Cobb, probably half again as big as that. That is the beginning of the feature not only for their project but for passers-by that go on to the beach. It is a major landscape architecture and architectural feature. Progressing on, it is a double lane divided road. What they are picturing is a double outlay perhaps of Royal Palms that lead them to the restaurant which is along the public area together with a 1,500 square foot ship's store, public parking that accommodates the restaurant and ship's store and the marina. He would like to point out the areas that are being designated for public access for the general public. Obviously the entry into the project. But following the plan, they will go along the bulkhead of the marina where the restaurant and ship's store is. All the area in white, coming back to this area south of this building and back to A-1-A, will all be public. If they note the plan, it is kind of hard to see because of the scale of that plan, but there are two security gates - one on the east and one on the west. Past the gate is private for residents only. In terms of he thinks they are talking about a manned security system which will obviously maintain 24 hours a day security. But from that point on it is a private gated residential community. Each side of the community will have an eight or nine acre lake, approximately a nine acre lake with a 4,500 square feet cabana or activity area. There is a jogging path around each lake, two tennis courts, and sufficient open space for a gathering such as where they may rent a party tent for Christmas or some event out on the lawn. Each side as well, if they look at the little boxes on each side, those are 16,000 square foot storage areas for residents only, where if they have stuff they can't handle in their unit they have a storage unit. Basically it is a glorified garage unit that has an interior core that will be landscaped and architecturally detailed like the rest of the buildings. That is an overview. There are 768 units which is around seven and a half dwelling units an acre. In the PUD ordinance, they could go to 15 dwelling units per acre, so they are a little under half of what is allowed on the land. It would be four story buildings, much lower than the 200 feet allowed in the PUD ordinance. Other than that, the dwelling units he spoke about, the marina, the restaurant, the ship's store, and the storage. Mason Simpson will join him in a minute and they will talk about details. The other component to this just to the west of the entry is a six and a half acre kind of a wedge shaped parcel that appears to be part of the Smithsonian expansion. So all along the frontage of A-1-A will part of the Smithsonian, which is an exciting part of this project naturally to have this Smithsonian Institution come along. With that he will stop and maybe they can just limit it to questions versus continuing to discuss the plan.

City Manager Beach said he has a question regarding the six and a half acres they are considering for the Smithsonian. What type of development criteria are they placing on the Smithsonian for that site; or have they reached that point?

Mr. Boggs said he understood some discussion has gone on between Mr. Simpson and Dr. Rice. Perhaps Mr. Simpson could address.

Mr. Mason Simpson said he thanks the Mayor and Commissioners for the opportunity to speak before them tonight. As these fellows have said, they regard this as a real opportunity to come to Fort Pierce and provide what they think will be the gateway project to the island out there. They think they will set the tone and are very pleased to be here and pleased and honored to have that opportunity. They are here to affirm the decision of the Planning Board who voted 7 to 1 in favor of this project. The staff has been very helpful in working with them to work out conditions which at the end of this presentation they will want to go through one by one and clarify each one of them. But they have worked hard with them for a couple of months now and prior to actually making application for two or three months before that just trying to get their arms around this thing. As Mr. Boggs mentioned, they propose no high rise development here. They think that is an advantage to this town. They think it is an advantage to the Treasure Coast in general. And they are pleased they are able to come in with a plan that shows no highrise development. They believe they have the marina right in that they got it out of the river and put it on the upland property where it doesn't bother the existing boat traffic and in fact provides protected dockage for anyone who would like to use it. As Mr. Boggs mentioned, that is part of the public component of the project. Just a quick word or two about the economics of this. This will cost approximately $100 million to build, somewhere between $90 and $100 million. They see that as a very significant impact on the local economy. They think a very significant positive impact. At the end of the day when it is sold, they think it will add something in terms of $120 to $130 million to the assessed value of property here in St. Lucie County and Fort Pierce. They also see that as a very significant contribution to the local economy, not to mention the fact there will be 768 folks or households that will be living here and will be spending money in local restaurants and local stores and helping the economy in that fashion. That is all he had to say. He doesn't want to belabor this point any more than they already have because he knows they have a long agenda tonight. Just to answer Mr. Beach's question about where they are with the Smithsonian folks, he sees Dr. Rice is here tonight and she will probably speak to the issue and she is a much more eloquent speaker than he is. They are in the process of getting very close, and he would assume she would affirm this, to an agreement between them. They are trying to work their way toward a term sheet that will specify a number of different items including whatever conditions will be associated with that 6.5 acre parcel and the donation of that to the Smithsonian. If they have any questions for him, he will be right here; but he would like, unless they have some immediately, to go ahead and ask Mr. Jeck come up so they can go through one by one the conditions staff has placed on the project so they can clarify for their satisfaction as well as the City's anything that might be outstanding. (Mr. Boggs distributed a drawing showing the architecture of the proposed buildings.) He forgot about his pretty picture here. But this is the architectural style they intend for Harbour Isle and they think this is a very attractive building. This is a 24-unit condominium complex, four living

levels. And again, they think it is a very attractive building. They hope the Commissioners agree with them.

Mr. Jeck said staff has come up with seven recommendations for this project (outlined in the Memorandum from the Planning Coordinator dated September 5, 2001). In addition, there was some recommendations that came out of the Planning Board. He would just like to address them specifically so they understood clearly and hopefully they will share the understanding of what those conditions are. He has discussed these clarification points with Mr. Trias today and he believes he is comfortable with these points of clarification, but he can let Mr. Trias address that himself. The first item they have no change. They think it is clear. What it is Item #1: "The developer is required to design, permit, and construct the roundabout and the related sidewalks and landscaping that are shown on the plan." They are detailed further in this application submittal in terms of number of trees and what not, so they are comfortable with that.

Mayor Enns asked is Mr. Trias comfortable with that?

Mr. Trias said yes.

Commissioner Nelson asked let him ask staff at this point, in the event of an evacuation of that route, have they considered the possibility of slowing traffic down so much that they might have a safety hazard there?

Mr. Trias said yes. They consider that in every design of a roundabout and a roundabout is designed to actually make traffic flow better, so they have been shown to work well in those conditions.

Commissioner Nelson asked so they don't envision a problem slowing traffic down in the event of an emergency?

Mr. Trias said no.

Mr. Jeck asked may he move to Item #2? "The developer will construct a 20 foot sidewalk connecting the project with the Smithsonian aquarium on the north side of A-1-A and related landscaping." That would be the sidewalk at the bottom of the exhibit here. And the only point of clarification, like the description of the roundabout being as shown in the plan, they would like the sidewalk to be "as shown on the plan" so they are all clear that is where they are going to put it and approximately the type of vegetation they are going to put around it.

Mayor Enns asked Mr. Trias?

Mr. Trias said yes, that is acceptable wording. And of course, this is part of the overall master plan of that South Causeway area that eventually will get built.

Commissioner Nelson asked is that City-owned or County-owned property?

Mr. Trias said the right of way is D.O.T. right of way.

Commissioner Nelson asked is that in the right of way?

Mr. Trias said the sidewalk is going to be in the right of way. He is pretty sure of that.

Commissioner Nelson said that is a pretty far piece from the road there. It is not in the little park area there on the side?

Mr. Trias said the right of way is 100 feet. Those details will have to be worked out with the engineering plans.

Commissioner Nelson said if it is, they will work it out with the County?

Mr. Trias said they could do it either way.

City Manager Beach said they actually have the ability to do either of those. They could either put it in the park or in the right of way.

Assistant City Attorney Schwerer said just as point of clarification. There are some references in the staff report here and Mr. Jeck's references on the record tonight are referring to the plan, the proposed plan, and it is shown in the plan. Could they get that identified? Is that the plan that was submitted with the materials? And is that the same in every respect as this color rendition they have here before the Commission, so they understand for the record what...?

Mr. Jeck said yes. It is the plan that is included in the official application that is in their package for consideration.

Assistant City Attorney Schwerer asked is that plan the one that is attached to the agenda materials that is here?

Mr. Trias said yes. It is the preliminary site plan for the PUD application.

Mr. Jeck said thank you for that clarification. Item #3 is where they have a little bit of wording change to be a little more specific. It says in the original recommendation, "Reconstruction of an adequate portion of A-1-A...", which they propose to clarify by saying, "Reconstruction of not more than a 600 foot portion of A-1-A..."

Mr. Hector Arias, City Engineer, said on this A-1-A they will be hopefully administering the project for D.O.T. The 600 feet, he doesn't want to have that restriction because sometimes because of the type of requirements from D.O.T. it may be more than 600 feet. Let's say whatever D.O.T. requires. He would be more than happy to accept that.

Mr. Trias said some language that limits that to whatever is required to make the roundabout work with the design may be acceptable.

Mr. Jeck said that is all they are trying to qualify.

Mayor Enns said he thinks they need something more than just "an adequate portion". Somebody might take that to mean to the Martin County line.

Mr. Trias said yes.

Mayor Enns asked would the wording "acceptable to D.O.T." to make that roundabout work? Tie it to the roundabout.

Mr. Jeck said he thinks that would work fine. It's good clarification. That would be fine.

Mr. Trias said that is the intent of the recommendation.

Mr. Jeck said on Item #4, "Public access to those areas defined as public..." and he would like to clarify that to say, "Public access as those public areas as shown on the plan..." Previously when the plan was explained to them by Mr. Boggs, he outlined what the public areas were and they just want to make sure that is the public area they are referring to in Item #4.

Mayor Enns asked is there any question about that?

Mr. Trias said no, that is fine, that is acceptable.

Mayor Enns said he guesses it is up to the gates for the residents.

Mr. Trias said that is the intent of that Item #4, yes.

Mr. Jeck said going on at the very end of the recommendation of Item # 4, he will continue to read it. It says, "...shall remain in perpetuity to include parking lots, marina and pedestrian access to the waterfront." He would like to add clarification since they have lots of waterfront here - around lakes and everything. So that the clarification is "...the waterfront within the public area as shown on the plan" referring to the public area that was defined by Mr. Boggs. Then he would like to make one exception to that - "Except for any exclusive area conveyed to the Smithsonian." He will explain that. They are discussing with the Smithsonian of giving them a secure berth for two boats on one of the finger piers along the bulkhead and it is their request they be able to secure that area exclusively to their use so the public is not endangering their equipment. They are perfectly comfortable with that, so he would like to make that as an exception to this requirement of public access in this area.

Mayor Enns asked does Mr. Trias have any problems with that?

Mr. Trias said he thinks it is acceptable in the context of some design guidelines for the development of the Smithsonian property and so on. He thinks in addition to this, he thinks that would be a good thing.

Commissioner Nelson asked on the south side near the water, they are going to have 100 set back there for the water?

Mr. Jeck said actually the code requires a 50 foot setback from mean high water line for these buildings. The staff has recommended a 75 foot set back from this. This plan they are seeing is basically a minimum of 50 foot setbacks. And they are going to ask for the Commission here to depart from that recommendation of 75 feet and agree that 50 feet is sufficient for the purposes of the code and would be sufficient for the purpose of this plan.

Mayor Enns said that it Item #6. Let's go back to Item #5.

Commissioner Sessions said Item #4.

Commissioner Nelson said he was concerned about the public access of that.

Mayor Enns said they have an orderly process, going one at a time.

Mr. Trias said there are two recommendations that deal with public access. One deals with the public areas, that is the one that is being described now; and the second one deals with the setback in that area, that is #6.

Commissioner Nelson said what he is trying to address now is whether or not the public is going to have access to that area back there.

Mayor Enns said no.

City Manager Beach said if they go back to Item #5 and have that discussion, it will lead them to Item #6.

Mayor Enns said right, that is what he is trying to get to. Let's not play leap frog. They are going good.

Mr. Jeck said all right, they are rolling to Item #5 which says, "No additional gates or other means to eliminate public access shall be installed..." And again, he just wants to clarify that means no other gates, "No additional gates or other means to eliminate public access to the public areas shown in the plan..." Again relating back to that description of those public hearings. They are not going to restrict this area in here.

Mayor Enns said the gates that are proposed in this, will they point those out to the Commission?

Mr. Jeck said there is this guard gate to serve this half of the residential private area and there is a second guard gate at this point for the east half of the residential area. And they will agree not to move those. Perhaps there was a concern they would be moved up to this point and they agree not to do that. And that is what was his point of clarification addresses.

Mayor Enns said they would restrict public access they talked about previously.

Mr. Jeck said that is correct.

Commissioner Bryan asked on the public access to the marina, the public would be allowed to enter the marina area by boat?

Mr. Jeck said yes. There is no...

Commissioner Bryan asked they can come in to the docks and the restaurant, etc. that way?

Mr. Jeck said yes. There is no restriction in the plan, their proposal, or in staff's to alter that element.

City Manager Beach said if he may just for clarification, what they just described in Item #5 appears to conflict with Item #6. Is he going to go into that shortly?

Mayor Enns said let's get through with Item #5. Do they agree with Item #5?

Mr. Trias said it has to do with Item #6.

City Manager Beach said they don't, because it conflicts with Item #6 the way he stated it.

Mayor Enns said let's get through Item #5. Apparently they don't want them to move the gates, right?

Mr. Trias said that is right. The recommendation was that the gates would not be moved, as the attorney mentioned, to the entrance, for example. The second part of that is what Mr. Beach is...

Mayor Enns said okay, now they get to Item #6.

Mr. Trias said maybe a discussion of both issues at the same time would be appropriate.

Mr. Jeck said okay. Moving to Item #6, this deals with the setbacks between the buildings and the waterfront. In the first sentence they don't have any concern about "The setback between the buildings and the waterfront shall remain open space and properly landscaped and accessible to pedestrians." They would like to add for clarification that means "...pedestrians who live in the area within these residential developments." And then the next sentence, "The minimum setback for buildings shall be 75 feet from mean high water line." His point of clarification on that, it really is not a point of clarification, this is a change. They would like to have the right to build the way the code says, which is within 50 feet of the mean high water along the existing shore line. And as to the marina, they would like to have the right to build not closer than 30 feet to the edge of the marina. This plan shows the approximate location and it is to scale of where those buildings would be with a 30 foot setback or less than 30 foot setback on buildings around the marina.

Mayor Enns said let's get the clarification. The recommendation on the shore line is 75 feet. Mr. Jeck is asking for 50 feet which is in the code. The marina part is 30 feet. What does the code require?

Mr. Jeck said he believes that is minimum code requirement. The code does not talk about an internal marina setback.

Commissioner Benton asked how many of the buildings are basically about 50 feet away from the water? He thinks there are three. And the rest of them are more and in some cases 100 feet. It is just the way of the contour of the shore line. So just to state for the record they are looking at three buildings.

Mr. Jeck said they can see how this is a far greater distance.

Commissioner Sessions said he has one question while they are on that issue too for the City Attorney. Is it true the code is mute on that issue regarding internal facilities setbacks?

Assistant City Attorney Schwerer said he doesn't know. He thinks it does address it, but he thinks it is unclear in this particular case, if staff looks at it. He thinks Mr. Boggs and Mr. Trias would agree with him that it is unclear as to whether or not it is addressing the internal marina area. So it could be read either way. On the internal marina area he thinks it could be read for

the lower number. But it is a question of interpretation. He would like Mr. Trias's input on that since he administers that code regularly in the site plan review process and how he has interpreted that in the past if at all.

Mr. Trias said they have not interpreted it in the past or at least he hasn't; but he would apply the same rule to both the natural shore line and the marina. Their recommendation is based on the fact that the waterfront is one of the most valuable areas of the City. And the 75 foot setback allows for a more general use of that water's edge and maybe in the future perhaps some further development of amenities on the water. And that is a very important issue. There is a substantial amount of land in that interior of those two gated areas to redesign the plan to allow for a wider grass area along the water.

Assistant City Attorney Schwerer asked is it staff's recommendation in response to Commissioner Sessions' question that the 50 foot code for setback purposes from the mean high water line would apply to the Marina area and Mr. Trias' recommendation is for this project to increase it an additional 25 feet so it would be 75 feet in the marina area and 75 feet in the building area?

Mr. Trias said he thinks one possible compromise to that would be 50 foot within the marina and 75 feet along the natural edge of the lagoon. And that may work a little better from the point of the geometry there. The marina clearly has some different design issues there. It seems to be a beneficial thing for the City. In the PUR, there is a Section (d) on Open Spaces does talk about waterfront access for the public being one of the most important issues. The thinking here was that this is a very low intensity access. It is just simply grass and people may be able to walk around and so on. And the opportunity for something a little more could happen in the future if the residents of the community and the condo association chooses to do that in the future. He thinks that is a very valid planning idea at this point.

Mayor Enns asked is the property that is in question here, which is 75 feet versus 50 feet versus 30 feet, is that going to be part of the common elements of the condominium association?

Mr. Jeck said absolutely. This will all be common area owned by the condominium association as a common element to the individual units. That is correct.

Mayor Enns asked so any changes that ever took place in the future would be done by a vote of the majority of or maybe 2/3rds of the people in that condominium association?

Mr. Jeck said right. That is correct. In fact, he represented to Mr. Trias under the authority of his client that they will not put anything into their condominium declaration that would prohibit the association from in the future agreeing to do something if they wanted to do something as far as public access in that area.

Mayor Enns said when he is saying public access, is he talking about public access or private access for the residents?

Mr. Jeck said he used the term public in that instance to mean the general public. In other words, they will not prohibit as the developer, the future condominium association board from choosing what they want to do with this property along the water's edge.

They won't restrict it. If they choose to do it, that is up to them.

Mayor Enns said he won't have to, because they won't do it. That is fine. That is the way it should be. They own it.

Commissioner Benton said he was sitting at the Planning Board and the discussion with the setbacks off the water. He doesn't think there was ever any discussion on the marina part where they have the little canal leading back to the marina. To him, he would hate to put that restriction. He doesn't want to see any restrictions on the site plan as is, because once they start picking it apart he thinks they are going to eliminate some quality there and some green space. He has seem Mr. Simpson's projects. He knows from the Planning Board there was no discussion about the marina area. They were talking about the area looking at the Indian River. Like he said, there are only three buildings that are in that 50 foot range, the rest are set back more than that. He has no problem at all with that because he thinks if they are looking at green space versus sidewalk, if he is sitting there in his quarter of a million dollar condo, he doesn't need to look at a sidewalk out front with people jogging. He doesn't think that day will happen; but he would rather see the green and landscaping, and he thinks that is what they are trying to sell here.

Mr. Jeck said he has another point of information for the Commission to consider and Mr. Melville has alerted him to the fact that this Commission has approved in the recent past for Harbortown, which is understandably a commercial development, but a setback on the inside of the marina of 15 feet in that instance, which is not what they are asking for, but it is a point of information. That is what he has been told.

City Manager Beach said he can assure him this Commission didn't approve that. That was some time ago.

Mayor Enns said so they don't end up spending the rest of the night on footage, unless there are any more questions, because he wants to get this...

Mr. Trias said this is the only issue there is some disagreement about.

Mayor Enns said this is what he wants to get at. He wants to get the questions out of the way and see what the Commission wants to do on these footages and then they will proceed.

Commissioner Sessions said that is what he wanted to find out. They have gone through Item #1 through Item #6 and this is the first one that staff has a conflict with.

Mr. Trias said yes, this is the only one where they don't have an agreement.

Mr. Jeck said he is actually done because the other (Item #7) they don't have any points of clarification on.

Mayor Enns said the request of the applicant is that the minimum setback on the river side remain as per code at 50 feet and that the setback on the interior of the marina be at 30 feet. Are there three people that agree with the developer?

Commissioner Benton said he does.

Mayor Enns said he does.

City Manager Beach asked can they have some staff comment on that before they vote?

Mayor Enns said they have had staff comment on that. He thinks the issue is pretty clear. He knows what the staff's position is on it, that some day they think the general public will have access to this. He can tell them, knowing how condominium associations work, they are never going to have general access to this. And if they are going to put gates up there and restrict access to it, what difference does it make?

City Manager Beach said he thinks the idea they talked about here extensively is attempting to preserve the waterfront for the general public throughout the entire city, not just the waterfront downtown and the waterfront at the port, but the waterfront on the causeway as well. They have lost a great deal of it through the development of residential areas on the island. They are at a point right now where if they look at this over the long term they have the opportunity to preserve a great deal of that waterfront that in the future would give them the ability to tie that area, that causeway, they could tie it pedestrian-wise all the way to the downtown area for bicycling, whatever people do, walking. If they don't believe that is the most effective development, they need to go to larger communities and see what they are doing with their waterfront. They absolutely specifically require that the waterfronts remain public. And if they can't develop them public immediately, they at least preserve enough property so it can be developed in the future. And that is all they are asking them to do. His request of the developer was to leave a minimum of 100 feet. How it got to 75 feet he doesn't know. But it absolutely at a minimum should be 75 feet. It should be required to be maintained public. And that is what their job is as a City is to try to watch after public interest and do things that cause the long term development of this community to take place.

Mayor Enns said until that property is in the public's hands, then they are limited as to what they can do with it. They can request it. If they have objections to it, they have every right to ask for an exception.

City Manager Beach said they can require it.

Mayor Enns said they can require it. They can also turn the whole project down. They can do anything they want to. They have every right to ask for an exception and he is going to give them that right and it is going to be made by this Commission.

Mr. Trias said the code does require waterfront access to the public explicitly. That is what the code says on PUD, so it is a very valid issue within the discussion of PUD.

Mayor Enns said he would agree with him if he allowed the public access to any part of that project; but they are allowing the gates to be put up, they are not allowing the general public to go in there, so it doesn't make any difference to those except those who own it and the ownership is going to be in the common elements of the condominium association.

Mr. Trias said he thinks the distinction between vehicles and pedestrians is very significant in terms of how they limit access.

Mayor Enns said he doesn't care if it is landing craft, airplanes, bicycles, or whatever, it is still going to be part of the common elements.

Commissioner Benton said he would refer to Melody Lane. They have had their problems on Melody Lane. Can you imagine taking that problem and putting it behind these quarter million dollar on up apartments? People aren't going to put up with that. He was one that went to Boston and saw how the public had access to the waterfront everywhere. In a lot of places he agrees. The public has a lot of access to the waterfront in this City and he wants to see it. But in this area? They would threaten this project. And he thinks it is such a good idea that they built this inland marina instead of put a marina out into the river. There are some concessions the City should make and he thinks that is one. The public has access across the street to plenty of waterfront. This is probably one of the nicest developments the City of Fort Pierce has seen yet and he definitely doesn't want to threaten it.

City Manager Beach said it is a serious misjudgment to think that things are always going to be the way they are today.

Mayor Enns said he thinks they have had enough discussion about it, unless somebody has got a question.

Commissioner Nelson said he always ends up being the peacemaker. This developer is such a fine fellow. He thinks both the Mayor and City Manager have some very good points. How does he feel about it? In the long run they want this to be a first class City. And of course, what he is doing is a very commendable job. They want to meet with a happy medium here without having too much bloodshed.

Mr. Mason Simpson said it is interesting he would use that bloodshed parallel, because he thinks if they did what he hears Mr. Beach saying they should do they will put an arrow right through the heart of this project. There is no way people who come to buy and live on the water... They need to understand these residences are open to the water, that is the whole point of them, because people who live in them are buying that view. When they put a sidewalk behind them, they are at that point violating that privacy that those folks have at the back door of their home. He can't speak to the planning issues and obviously it is a passionate thing with Mr. Beach and he doesn't want to be in a position here of being in disagreement with him about that aspect of what he likes to see. But he can tell them that on the sales floor of this condominium project once they get to that point they will have serious buyer objections and it might very well be enough to be the death knell for this project. That is exactly what he thinks about it.

Commissioner Sessions said so in essence they would be setting him up for a failure.

Mr. Simpson said he doesn't want to hang that on Mr. Beach, obviously he is very passionate about it. But he does not believe this project, he can't tell them whether they will lose 50 sales or 500 sales over an issue like this. But he can tell them that for every prospect that comes in that door that he has to say, "Oh by the way, after you buy this maybe some time down the road there

will be public walking behind your home." He can see people turning around and walking out the door and saying, "Let's go find some place where the back is what we think we are getting."

City Manager Beach said they can accept that argument if they choose, but just everybody he knows lives in a place that people can walk by their house. They can walk by their house, behind their house, or wherever they want to. They have a proposed development downtown that is approximately $30 million worth of condominiums that people walk all the way around it, not just in front of it or behind it. They have a developer sitting out here now that is talking about building a development where people can circle it, drive through it, drive around it, walk under it. And that simply is not an effective argument.

Mayor Enns said they are just about to get to the end of this argument.

Commissioner Bryan said she has a question. She doesn't know of Mr. Jeck could answer it or maybe Mr. Boggs, about the fringe on the water. She can't tell from this rendering. She is assuming that is a border of mangrove trees.

Mr. Jeck said yes, those are existing mangroves which cannot and will not be interfered with.

Commissioner Bryan said correct. She can't see how anybody could put a sidewalk out there with that already in a protected area.

Mr. Jeck said he would also like to take the opportunity of answering this question. Just to remind everyone that the careful planning that went into this was to create a very accessible and usable public space and access to the waterfront and what waterfront brings to it and the marina brings to this plan right here where people can enjoy that unique feature. That has gone to address the concerns of having the public with the opportunity to benefit from waterfront.

Mayor Enns said they will be here until midnight if they don't get off this issue.

Commissioner Sessions said he would like to make a motion; but at any rate, before he makes that motion he wants to make a comment or two.

Mayor Enns asked is this a motion on the overall project?

Commissioner Benton said 50 feet, the condition.

Commissioner Sessions said on the condition itself, the setback.

Motion was made by Commissioner Sessions, seconded by Commissioner Benton, to go along with proposition of the Developer regarding the setbacks, what has been proposed is 50 feet and 30 feet, as opposed to what Staff is recommending.

Those voting in favor of the motion were: Commissioners Benton, Nelson, Sessions, and Enns. Those opposed: Commissioner Bryan.

Mayor Enns said Item #7 is environmental permits.

Mr. Trias said that is routine.

Mayor Enns said they are still in the Public Hearing. Does anyone wish to speak?

Ms. Marcia Baker said she lives on Seaway Drive and she welcomes with open arms this development, except she has one concern. When the roundabout was being built down along the waterfront, there were plenty of detour areas. She would like to know what provisions are going to be made for the months of construction on A-1-A, including the drainage underground utilities she presumes and the roundabout. Is there going to be a two lane access to the island and where is it going to be and who is going to pay for it?

Mayor Enns said the roundabout and the additions to Seaway Drive are going to have to be approved by the D.O.T. because it is a D.O.T. road. He thinks there will probably be an opportunity to address those questions at some future date.

Mr. Trias said yes and the design has not been prepared yet and all of those issues have to be addressed in the design process.

Mayor Enns said this is actually the rezoning. At this point the public comment should be just addressed to the rezoning from R-1 to PUD, Planned Unit Development.

Mr. Jim Piowaty said they have made a major point that the public would be able to use those docks and all that. They have 768 units. He wonders how many docks they have? How many people will be able to drive in and park at the docks? Do they have 200 docks, 100 docks, how many docks do they have?

Mayor Enns said he thinks the site plan calls for 73.

Mr. Piowaty said it is pretty likely those docks will be filled up by the residents.

Mayor Enns said well, they will take care of the overflow at the City Marina.

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

Motion was made by Commissioner Benton, seconded by Commissioner Bryan, that Ordinance No. K-113 be passed on first reading.

Those voting in favor of the passage of Ordinance No. K-113 on first reading were: Commissioners Benton, Bryan, Nelson, Sessions, and Enns. Those opposed: None.

The next item on the Agenda was Public Hearing on Application for Preliminary Development Plan filed by Causeway Island Trust to construct **Harbour Isle Project**, a mixed use development to include multi-family housing, restaurant, marina, etc. on property located east of South Causeway Bridge on the south side of Seaway Drive.

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

Dr. Mary Rice said she is Director of the Smithsonian Marine Station at Fort Pierce. She is speaking on behalf of the Smithsonian Marine Station at Fort Pierce as a neighbor and adjoining property owner of the proposed Harbour Isle development. The Smithsonian Institution has been a proud member of the Fort

Pierce community since 1969. The Smithsonian Marine Station at Fort Pierce, a branch of the Smithsonian Institution in Washington, D.C. was established in this community because the Indian River Lagoon represented one of the most important estuarine systems in the world and they felt it their obligation to better understand its rich biodiversity and ecological processes in a way that would not only benefit the citizens of this special city, but that would also enable them to take the lessons learned here and apply them to other ecosystems throughout the world. From the beginning, they recognized their commitment to this community was long term and for their organization to succeed they needed to be responsive not only to their mandate for marine sciences, but also to the citizens of this city and region. They therefore have developed over a period of three decades a robust program of science in service to society as well as a broad program of educational outreach aimed at teaching citizens at all levels of society of both the wonder and the importance of the natural resources they enjoy on the Treasure Coast. They were initially housed on a converted barge on the campus of the Harbor Branch Oceanographic Institution. Their relations with Harbor Branch were cordial and productive and remain so today. Over a number of years, however, they increasingly recognized the need to establish their own campus. After an extensive search, bearing in mind their need to be in a location which offered them access to water, to a variety of habitats in the Indian River Lagoon, and to public attractions, they chose to relocate to Seaway Drive. Over the past few years, they have begun the process of developing their campus with the construction of a laboratory building and relocation of a house for the use of visiting scientists. They are in the process of constructing a new storage building and plans are readied for construction of a new research platform, seawater system, and another research building. At the same time, recognizing the popular demand for greater education on the Indian River Lagoon and related marine/coastal issues, they worked very hard and were successful in relocating a prime attraction in Washington to Fort Pierce and that is the coral reef ecosystem and expanding this presentation to include habitats of the Indian River Lagoon. Over the ensuing years this presentation will be enriched by new temporary exhibits and a vigorous informal education program for the citizens of this City and region. In addition, they have worked diligently with the St. Lucie County school system and the Indian River Community College in developing courses and classes for the students from the elementary to the undergraduate level. They share the vision of this community and the St. Lucie Research and Education coalition to develop Fort Pierce and St. Lucie County into a major national center for research and education. In their original planning for their site at Seaway Drive, they always envisioned the acquisition of additional property including waterfront to meet their vision over the next half century. In negotiations with the MacArthur Foundation and later WCI, it was clear they understood their needs and indicated their willingness to work with potential buyers to accommodate their requirements within the context of future development. Their needs are basic. As an internationally recognized marine research laboratory, they need assured and unencumbered access to the Indian River Lagoon for their research purposes. This includes the ability to have a research platform extending into the Indian River Lagoon upon which to conduct experiments with easy access to and from their campus. They require appropriate dockage for their research vessel, for visiting research vessels, and other small boats used in modern marine research. They require access to flowing sea water for laboratory experiments. In addition, they require sufficient acreage to build

the necessary buildings to serve their research and education needs. They have extensively reviewed the plans of Harbour Isle Development Company and held a series of consultations with Mr. Mason Simpson, as he has pointed out, and with his architectural firm. They recognize that development will occur at the site and their discussions have been focused on how such development can proceed to assure a synergistic versus an adversarial relationship. All of their aforementioned requirements have been made known to Harbour Isle Development Company both verbally and in writing. They have also been cognizant of the need of the City of Fort Pierce to expand its tax base by appropriate development, and thus their approach to negotiations has been to create a win-win situation for all stakeholders. In an ideal world, this would not be how they would develop the site. However, they are extremely sensitive to the needs to balance inevitable growth with sensible needs for the environment and their own needs. Their conversations with Mr. Simpson have begun to yield a formula which will allow for the type of synergy for all parties that she has alluded to. The key will be a resolve on all sides of this issue to successfully implement this formula in a timely fashion and for the City Commissioners, they hope, to periodically review progress toward this end. If this formula can be successfully concluded into a binding legal framework agreed to by all parties, the entire City of Fort Pierce and the region will indeed benefit in the end. They have responded just this morning to Mr. Simpson's most recent proposal. They remain confident of Mr. Simpson's good will on the issues and his willingness to seek alternative means to satisfy the needs of the community including the Smithsonian Marine Station at Fort Pierce. His willingness to donate property and work with the Marine Station on certain infrastructure issues are all very positive sides and they thank him and his corporation for approaching the issue with understanding and the spirit of a new neighbor joining their rich and storied community.

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

Commissioner Sessions said first of all he would like to say this is a Grade A project. This is beautiful. He has not seen anything that resembles something of this nature given the architectural design for these buildings in their immediate area in a long time. And knowing his staff the way he does, he sees Ramon Trias's name written all over this. But he thinks it is time they become a little more user-friendly, for a better choice of words, developer-friendly. Let's face it, they are in a crisis here; and that crisis is called southern flight. It is about time they place developments of this nature and this magnitude in their community. It is an attraction. When they look at where it is going, it is a sight for sore eyes. It is near that water treatment center as well as the trailer park they have been talking about and having so many problems with. He is just grateful an individual would even have an interest to come in this area and put such a development in this area. He is grateful to him for doing so. They have a jewel. God has blessed us with the waterfront and it is about time they start utilizing their jewel to their advantage and reap the benefits of it. In light of that he is prepared to make a motion.

Motion made by Commissioner Sessions, seconded by Commissioner Benton, to approve the Preliminary Development Plan filed by Causeway Island Trust to construct Harbour Isle Project on property located east of South Causeway Bridge on the south side of Seaway Drive.

Commissioner Benton said he would just like to make a couple of comments. He would like to see a condition. He did talk to Mr. Simpson about this. If they look at their site plan, the landscaping that is on the east side along A-1-A, he would just ask him if he could continue it just to the south. They are not talking about a lot there. But he is just asking again if that would be considered just to the border of the property.

Mr. Simpson said it is not a problem, but he is not sure he understands exactly where he is talking about.

Commissioner Benton said from the roundabout to the west to continue what is on the east side. Would they consider that?

Mr. Simpson said yes, they would certainly do that. He had forgotten about it; but he is exactly right, he did mention it to him. Even though that is the property they propose to give to the Smithsonian, they will continue that same landscaping theme along the A-1-A right of way.

Commissioner Benton said if they would work with the Smithsonian, he just thinks it would make the project look a lot better because they wouldn't be coming off the bridge and looking right at the interior part of a parking lot.

Mr. Trias said within a year a final plan has to be submitted. He thinks at that time those very specific changes can be incorporated very easily. And then hopefully the Smithsonian will have, that area may have a better clear idea of what is going to happen.

Mayor Enns said he almost hates to bring it up. There was some question in previous years as to whether the City has jurisdiction over the Smithsonian as to construction and landscaping. Does that still apply?

City Manager Beach said that is still an issue. He would hope that in their discussions with Mr. Simpson and Harbour Isle, that in their conveyance of the land to Smithsonian that they will put some requirements on Smithsonian to comply with landscaping issues and fencing issues that would make their development more attractive.

Assistant City Attorney Schwerer said he understood the discussion on that specifically to include that. He thinks Mr. Jeck and Mr. Trias were exchanging comments at the time. But he thinks it was absolutely clear that whatever conveyance is made, Mr. Trias had a comment that he wanted that to be specifically reviewable by City staff with the ability to comment on the type of development that would be undertaken by Smithsonian. Is that what he understood?

Mr. Jeck said yes. In fact, the very latest exchange of letters between the two parties has confirmed a willingness on both sides to work together on an architectural plan and restrictions that accommodate the needs of the project and the City.

Assistant City Attorney Schwerer said so when they ask the Commission for that exception, which they seem willing to agree, it was on the provision that City staff would retain and review an approval process over what was built by Smithsonian?

Mr. Jeck said the exception he discussed was strictly dealing with the public's ability to have access to this one dock, a finger pier with two boat slips on it, which was going to be secured and

therefore not accessible to the public. That was the only exception he had made to the staff.

Mayor Enns said he thinks what they are looking for now is the conveyance of this property down here.

Assistant City Attorney Schwerer said the 6.5 acres.

Mayor Enns said right, in the northwest corner of the project next to the existing Smithsonian; and their conveyance, that whatever the Smithsonian does there it will have to come to the Commission for approval.

Mr. Trias said the discussion they had previously with the developer very informally was that it was to their advantage to have some...

Mayor Enns said they are going to put it in the site plan approval.

Mr. Trias said that will be staff recommendation that will be one of the conditions.

Commissioner Benton said the only thing he was concerned about was that landscaping out front just along A-1-A. He knows Mr. Simpson figured it was a good idea. The other thing he would like to say, he agrees with Dr. Rice as far as unfortunately it is not a perfect world or they wouldn't have a sewer plant out there and some of the facilities they have. But he did talk to County Commissioner Barnes the other day and hopefully this will iron out and there will be an agreement with the Smithsonian and Mr. Simpson. But if not or if it doesn't work out perfectly, hopefully they can work out something between the Historical Museum and the Aquarium over there. There is a lot of County property that has the ability to get to the water. He knows County Commissioner Barnes felt they could maybe work something out there. Hopefully they can work with them and get this straightened out.

Assistant City Attorney Schwerer said one final thing if he can ask staff for clarification on something. A great deal of what has been presented by the developer and what has been discussed by the Commission depends upon the architectural renderings of the building that have been presented which apparently are very first class in quality. What controls do they have in place at this point in time - and he knows it may be a minor point - to assure the Commission that if they are approving the conceptual site plan or conceptual development plan that this is the type of architectural quality the City and the Commission can expect from the project?

Mr. Trias said the only real specific control is the number of stories and the ultimate height which is four stories and 60 feet. Any additional design ideas should be mentioned as a condition.

Assistant City Attorney Schwerer asked does he have anything to suggest to the Commission in that respect?

Mr. Trias said just a general comment that it will be consistent with the representations made to the City Commission through the renderings. That will be sufficient.

Assistant City Attorney Schwerer asked is that acceptable?

Mr. Simpson said yes, it is.

Commissioner Sessions said as maker of the motion, he includes that stipulation.

Commissioner Nelson said Mr. Simpson and the Smithsonian have been working hard and he appreciates that very much. In his discussion when they talk about a dock in the southwest portion of that property, are they going to have accessibility to that for either him or the Smithsonian?

Mr. Simpson said they hope not because they would like to, as they have mentioned before, provide them the dockage at that location. They do not need another dock.

Commissioner Nelson asked have they all worked that out?

Mr. Simpson said they are in the process of discussing it. He does not think it would be a fair characterization to say it is totally worked out, but that is the direction they are moving in. Yes, they are doing that.

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

MAYOR ENNS DECLARED A RECESS AT 8:50 P.M. AND THEN RECONVENED THE MEETING AT 8:55 P.M.

Ordinance No. K-106 entitled, "AN ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 17 OF THE CITY CODE OF ORDINANCES BY REPEALING SECTION 17-1 THROUGH 17-11; CREATING REVISED AND AMENDED SECTIONS 17-1 THROUGH 17-9; PROVIDING FOR PAYMENT OF COSTS ASSOCIATED WITH RIGHT OF WAY ABANDONMENT; CREATING SECTION 17-7 ENTITLED "**PLACEMENT OF UTILITY FACILITIES IN THE PUBLIC RIGHT OF WAY**" TO PROHIBIT THE OPEN CUTTING OF STREETS OR DISRUPTION OF THE PUBLIC RIGHTS OF WAY; PROVIDING DEFINITIONS; PROVIDING FOR THE APPLICATION FOR, THE GRANTING OF, OR CANCELLATION OF PERMITS; PROVIDING FOR APPEAL; AMENDING AND RENAMING SECTION 11-35 OF CHAPTER 11 OF THE CITY CODE OF ORDINANCES ENTITLED "PLANTING AND MAINTAINING VEGETATION IN THE RIGHT OF WAY"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE." was placed on second and final reading and read by title only.

Mayor Enns declared a Public Hearing on Ordinance No. K-106 in session and asked if anyone in the audience wished to be heard.

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

Motion was made by Commissioner Bryan, seconded by Commissioner Benton, that Ordinance No. K-106 be passed on second and final reading.

Commissioner Nelson said he would like to have it stated he thinks the definitions should be up front as opposed to in the body of the thing, but he is not going to insist on it.

Those voting in favor of the passage of Ordinance No. K-106 on second and final reading were: Commissioners Benton, Bryan, Nelson, Sessions, and Enns. Those opposed: None.

Harbour Isle

City of Fort Pierce

Amendment to Approved Development Plan

SEAWAY DRIVE (S.R. A-1-A)

Site Data:

Total Site Area	108.9 Ac.
Existing Zoning	PUD
Dwelling Units	912 Units

Density Calculations:

Total Site Area 108.9 Ac. - Tract 'I' 0.9 Ac. - Tract 'E' 1.8 Ac. - Tract 'F' 1.2 Ac. - Tract 'G' 0.4 Ac. - Tract 'H' 0.3 Ac. - Tract 'J' 2.0 Ac. - Tract 'K' 0.9 Ac. - Tract 'L' 0.8 Ac. - Tract 'M' 1.2 Ac. - Tract 'D-1' 3.1 Ac. - Tract 'N' 1.1 Ac. = 95.2 Ac.

912 Units / 95.2 Ac = 9.6

Density Allowable Per Comp. Plan	11 Du/Ac
Density Allowable Per Zoning	15-18 Du/Ac
Density	9.6 Du/Ac

Tract Areas:

Tract 'A'	14.4 Ac.
Tract 'B' (Includes CE-1, CE-2, WMA-1 & WMA-3)	57.2 Ac.
Tract 'C' (Includes CE-3 & WMA-2)	20.9 Ac.
Tract 'D-1'	3.1 Ac.
Tract 'D-2'	2.1 Ac.
Tract 'E'	1.8 Ac.
Tract 'F'	1.2 Ac.
Tract 'G'	0.4 Ac.
Tract 'H'	0.3 Ac.
Tract 'I'	0.9 Ac.
Tract 'J'	2.0 Ac.
Tract 'K'	0.9 Ac.
Tract 'L'	0.8 Ac.
Tract 'M'	1.2 Ac.
Tract 'N'	1.1 Ac.
Total Site Area	108.9 Ac.

Site Area:

	Area	Site %
Buildings	14.2 Ac.	13.1%
Marina	14.4 Ac.	13.2%
Lakes	8.0 Ac.	7.3%
Submerged Land	1.3 Ac.	1.2%
Vehicular Use Area	24.8 Ac.	22.8%
Open Space (Inclusive of Rec. Areas, Walkways & Required Landscape Areas)	46.2 Ac.	42.4%
Total Site Area	108.9 Ac.	100.0%

Impervious Area:

	Area	Site %
Buildings	14.2 Ac.	13.1%
Walkways/Plaza Areas/Jetties	4.5 Ac.	4.1%
Vehicular Use Area	24.8 Ac.	22.8%
Total	43.5 Ac.	40.0%

Pervious Area:

	Area	Site %
Landscape Area	41.7 Ac.	38.3%
Marina	14.4 Ac.	13.2%
Lakes	8.0 Ac.	7.3%
Submerged Land	1.3 Ac.	1.2%
Total	65.4 Ac.	60.0%

Parking Requirements

Residential - 1.5 Spaces per Dwelling Unit
- 912 Units — 1,368 Required
- Spaces Provided — 1,431 (63 Extra)

Recreation - 1 Space per 200 SF Floor Area
- 10,862 SF — 54 Required
- Spaces Provided — 54 Provided

Retail - 1 Space per 200 SF Area
- Tract 'H' 1,500 SF — 8 Required
- Spaces Provided — 8 Provided
- Tract 'D-1' 13,000 SF — 65 Required
- Spaces Provided — 65 Provided

Restaurant - 1 Space per 100 SF Area
- Tract 'G' 5,000 SF — 50 Required
- Spaces Provided — 50 Provided
- Tract 'D-1' 2,000 SF — 20 Required
- Spaces Provided — 20 Provided

Marina - 1 Space per 3 Slips
- 63 Slips — 21 Required
- Spaces Provided — 52 (31 Extra)

Commercial / Retail - 1 Space per 200 SF Area
- Tract 'I' - 5,000 SF — 25 Required
- Spaces Provided — 25 Provided

Commercial / Retail - 1 Space per 200 SF Area
- Tract 'L' - 5,000 SF — 25 Required
- Spaces Provided — 25 Provided

PUD Open Space Requirement

40% of Site Area Required in PUD Exclusive of Aquatic Areas

Marina	14.4 Ac.
Lakes	8.0 Ac.
Submerged Land	1.3 Ac.
Total	23.7 Ac.

108.9 Ac. - 23.7 Ac. = 85.2 Ac. x .40 = 34.1 Ac.

Total Open Space Required — 34.1 Ac.

Total Open Space Provided (Inclusive of Rec. Areas, Walkways & Required Landscape Areas) — 46.2 Ac.

General Notes:

- Proposed 5,000 sf Commercial/Retail indicated in Tract 'I' is submitted for Preliminary Development Plan Approval only. An existing sales facility has been constructed on Tract 'I'.
- All signs shall conform to Chapter 15 of the Fort Pierce Code. Exact location and size of signs to be determined at time of construction permit approval.
- All landscaping shall conform to Section 22-34, Landscape Code, of the City of Fort Pierce Zoning Ordinance including plant material grades, standards, installation and maintenance.
- Access shall be provided between all residential units per Fire Prevention Code Resolution No. 331. All units shall have a separation of 12' or greater.
- Lighting layout shall comply with Sec. 27-58(d)(8), and shall be subject to the City's Engineer approval. Final design and exact location of 20' Sidewalk, Promenade illustrated north of SR A-1-A shall be as approved by state and local government agencies.
- The description of use and distribution of square footage among uses depicted on each commercial building is strictly for the purpose of calculating general parking requirements and in no way limits the permitted uses in each commercial building. All uses allowed in a PUD zone are permitted, including: Retail Service Establishments (including restaurants); Personal Service Establishments; Repair Service Establishments; Finance, Insurance, and Real Estate Service Establishments; Business Service Establishments; Communication Service Establishments; Professional Service Establishments; Education Service Establishments and such other uses as the city commission may consider appropriate.

No.	Date	Description of Revision
1	6.17.03	Minor Amendment to Approved Site Plan
2	8.8.03	Amendment to Approved Site Plan
3	09.29.03	Bldg. '34' location and Car Wash Area
4	09.18.03	East Car Wash Area/E. Storage Bldg./Club Bldgs. / Pool Areas
5	09.21.03	West Car Wash Area/Club Pool Areas
6	09.19.04	Remove Shopping Center, Add 4 Buildings
7	09.30.04	Revise per Owner Add Storage
8	09.29.04	Revise Tract 'D' Parking Calculation, Update Tract 'L' Building
9	07.29.04	Revise Tract 'D' per City Comments
10	07.29.04	Revise FKA 'M' to Add Storage Building per owner

Scale:	1"=100'-0"
Drawn by:	BR
Checked by:	GB
CADD No:	B-4582-site
Date:	09.29.03

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North

100 0 50 100

Development Team:

Thomas Lucido & Associates, P.A.
Land Planning/Landscape Architecture
Lic. #LC-0000335
100 Avenue A, Suite 2A, Ft. Pierce, Fl. 34950 561-467-1301, Fax 561-467-1303

SITE PLAN APPROVAL
CITY OF FORT PIERCE, FLORIDA

- ☐ APPROVED
- ☐ APPROVED W/CHANGES
- ☑ APPROVED W/CONDITIONS
- ☐ DISAPPROVED

MAYOR

9-20-04
DATE

- ☐ APPROVED
- ☐ APPROVED W/CHANGES
- ☑ APPROVED W/CONDITIONS
- ☐ DISAPPROVED
- ☐ NO RECOMMENDATION

CITY PLANNING BOARD

Dan Rose 8/31/04
DATE

STATE OF FLORIDA
ST. LUCIE COUNTY
CITY OF FORT PIERCE

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE RECORDS ON FILE IN THIS OFFICE.

CITY CLERK

BY _____
DEPUTY CLERK

DATE 9-21-04
(CITY SEAL)

Commissioner Nelson said if that be the case, why don't they make a motion to that effect.

Motion was made by Commissioner Coke, seconded by Commissioner Becht, to deny the Application for Conditional Use & Site Plan submitted by Lloyd Bell for construction of four mooring pilings in an A-2, Aquatic Development Zone, for storage of a personal vessel in an area generally known as the Port of Fort Pierce, based on insufficient information submitted.

Mayor Benton said just for the record, he did meet with the applicants; and he felt Mr. Bell wasn't very supportive of this after they talked about what the person wanted to do there. Basically he wanted to bring in steel on a vacant piece of land and drive off in a truck. With all the interest in the Port, that would turn it away real quick if they allowed something like that to happen there.

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

The next item on the Agenda was Public Hearing on Application for **Site Plan** Review submitted by Causeway Island Trust for an Amended Preliminary and Final Development Plan for a Planned Unit Development known as **Harbour Isle** at 801 Seaway Drive; said property zoned PUD, Planned Unit Redevelopment Zone. (Postponed from September 7, 2004, due to Hurricane Frances.)

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

Mr. Philippe Jeck said he is an attorney with the firm Jeck, Harris & Jones, representing the applicant. They are here after a unanimous vote of the Planning Board's support for an amendment to the Harbour Isle plan. The staff report reflects accurately the circumstances of their application and recommends approval. He is available for questions. Other than that, he did not plan on going into any details because he believes they have all the information.

Commissioner Coke said first of all she has to express the fact that she is very unhappy that they are not getting a Publix on South Beach. That would have been just a wonderful thing for many residents. Her concern is, they are going to go back to the Fire District. They, through whatever error in judgment when this was originally proposed, omitted the fact that they needed property for a Fire District there. She sees now that in essence, they are looking to sell them that piece of land for $139,386. She would contend that with an additional 48 units of the profit level on those 48 units would be such that would be more than sufficient that property ought to be donated to the Fire District as a gesture of good faith to be part of the community, in lieu of giving them retail on South Beach.

Mr. Jeck said first he will put a little twist on the history of the donation of the property; and that is, at the time there were discussions about donation of the property when this originally came before the Commissioners. And he does not believe it was overlooked by anyone at that time. He believes it was just uncertainty about the desires of the Fire District.

Commissioner Coke said be that as it may, they can't change the past.

Mr. Jeck said on the issue she raised about selling the property, there have been very extensive continuous negotiations and discussions with the Fire District, multiple meetings, multiple correspondence exchanged, multiple efforts to work together with the County Fire District as well as City staff. The culmination of all that hard work by a lot of people was an agreement and a support from the Fire District for the condition of approval that is before them today. The expressed language in that conditional approval which says they will donate the property in exchange for getting that credit of $140,000 on their impact fees is express language that is approved in writing by the Fire District.

Commissioner Coke said she knows. He is an attorney and she is not an attorney and that is great. But what she is telling him is that their Fire District is going to have to make up the cost of those impact fees some place along the line. The citizens of this City are going to have to pay for it. Although she is disappointed not to have the retail, she could certainly support their making however much profit they are going to make on those other 48 units and she could support this entire recommendation with the exception of the recommendation which calls for the Fire District basically to pay $139,000. That is just her and she is only one vote. She is telling them she will support this if they would go ahead and pay the impact fees for the Fire District and be a good neighbor and contribute to the City.

Mr. Jeck said he hears her. But let him add one other element of information to the equation for their decision; and that is, what is actually happening is the developer is giving $330,000 worth of value, donating that value right now to the Fire District over and above the $140,000 of value they are getting the fee credit for. That $330,000 of value that is being donated to the Fire District is double the amount that any other developer is being asked to give to the Fire District under their current policy which says that they are currently asking for $160 per unit over and above their impact fee as a voluntary donation. So they are not only giving the $140,000 of impact fees, they are not only giving value of $330,000, but that $330,000 represents actually about $320 per unit of additional value, so that is double what any other developer in this community is being asked to give and he is just wondering why.

Commissioner Coke said she is not going to argue. The only thing she is going to tell him is that he is putting a dollar figure of $330,000 on it. It is property and it is his that he can absolutely do nothing without the approval of this Commission and he already has a lot of buildings over there and a high profit margin and he is going to have a high profit margin on these others. As she says, she is only one vote; but she personally is not going to support this with that clause in there that the Fire District give up $140,000 worth of impact fees. She thinks especially in this time with the hurricane having gone through, they are in a time of crisis, they need all of the public money that they can possibly get to support the Fire Department, the Police Department, Public Works, and all those things. She thinks he is making an actual contribution to the community by providing retail services and a grocery store. That contribution to the community has gone away; and in lieu of that contribution to the community there will be added profit in the developer's pocket, which is fine, he is entitled to make a profit. What she is saying, since they are not donating or making a contribution to the community in the form of providing something for the residents of

South Beach other than the residents of Harbour Isle, that he ought to consider this. She won't argue any more. She is just going to tell him, unless that is what he is doing, she is not going to support it. But she is only one vote.

Mr. Jeck said he thanks Commissioner Coke for those viewpoints. He just wants to correct another thing that may be an incorrect impression; and that is, the developer wanted the Publix and worked very hard as the file will show through written submissions to find any kind of grocery store to go in there. It was by far their preference that it occur. So the decision to change the site plan was not one that was generated because the developer wanted more profit on this project or to change that. He just wanted to correct that.

Commissioner Coke said but that was the end result.

Mayor Benton said it was unfortunate that Publix moved in on North U.S. #1. If that hadn't happened he thinks Publix probably would have been located here. Just for the record, they are not asking to cut out all the commercial space. They are talking about 10,000 square feet, right?

Mr. Jeck said it is going from 33,000 square feet to 15,000 square feet.

Mayor Benton said in here it says 23,000 square feet.

Mr. Jeck said that is an older version from several months ago.

Commissioner Becht said let's clarify that. In the packet he has he cannot clearly identify what the changes are that Mr. Jeck is requesting nor where they are. So let's get clearly on the record all of the changes he is requesting tonight be performed on his development. They are talking about reducing 33,000 square feet of commercial down to what?

Mr. Jeck said 15,000 square feet.

Commissioner Becht said that is about 18,000 square feet of eliminated commercial square footage.

Mr. Jeck said that is correct.

Commissioner Becht asked he is going to get an additional 48 units?

Mr. Jeck said two buildings with 24 units in each one which is a total of 48 units.

Commissioner Becht said they will get an additional 48 units. That brings them up to what total number of units in this project?

Mr. Jeck said 912 total units.

Commissioner Becht asked what is the density per acre?

Mr. Jeck said that is 9.6, which is well below the 15 that is in the zoning code and the 18 if they add bonuses to it.

Commissioner Becht said other than those two things, and they are talking about under some formula the donation granting of 1.2 acres to the Fire District.

Mr. Jeck said that is correct.

Commissioner Becht asked what else is happening under his proposal tonight?

Mr. Jeck said those are the main things.

Commissioner Becht said he wants to get all of them on record.

Mr. Jeck said the other things are a sign on the road which is permitted under the code, a 200 square foot sign on the road.

Commissioner Becht asked where will it be located?

Mr. Jeck said it will be located on the out parcel tract just to the west of the entranceway.

Commissioner Becht asked is this additional signage?

Mr. Jeck said no, it is the only sign that is going up along the road.

Commissioner Becht asked that is going to be 200 square feet, is that what he said?

Mr. Jeck said yes, about half the size of what the code allows.

Mr. Ramon Trias, Director of Development, asked how tall is it?

Mr. Jeck said he is not sure the exact height.

Mr. Trias said 8 feet maximum. That is what he is going to support in the approval later on.

Commissioner Becht said if they would hold their thought there. He thought if they go forward with the sign ordinance, the maximum they could have is 200 square feet.

Mr. Trias said that is one option, yes. The Commission can make that decision if they want to.

Commissioner Becht said under the ordinance Mr. Trias has presented to them for discussion later tonight, he thought the maximum square footage would be 200 square feet.

Mr. Trias said yes.

Commissioner Becht said so there is really no concession being made by the developer if they go forward with that.

Mr. Trias said no.

Commissioner Becht asked what other changes?

Mr. Jeck said a storage area that is being proposed to be added. There used to be a pond there that was to be used for I.Q. (Irrigation Quality) water, which was determined by the Fort Pierce Utilities Authority would not be an appropriate thing to do in the end of the analysis. So they were left with nothing to do with that piece of land. And because the residents have a limited number of storage units on that side, they felt it was an important service to provide them with more storage units in this area.

Commissioner Becht said that would be on the westerly edge of the property, so he is going to pick up an additional storage area. That would be how much additional storage area?

Mr. Jeck said 41 storage units.

Commissioner Becht said 41 storage units at roughly how much square footage per unit?

Mr. Jeck said the square footage is 16,234 square feet.

Commissioner Becht asked what other changes?

Mr. Jeck said those are all of the changes.

Commissioner Becht said he has the reduction of the commercial from 33,000 down to 15,000 square feet. He has an additional 48 units. He has the 1.2 acres for the Fire District under some formula. He has a 200 square foot sign on the road. And he has roughly 16,000 square feet of storage space. Are there any other changes they are making to their PUD?

Mr. Jeck said not under this application. Those are all the changes that are before the Commission today.

Commissioner Becht said there is an administrative change being made of an additional 1,500 square feet for restaurant space and something else, if he is not mistaken. Is that correct?

Mr. Jeck said yes. There is an administrative change for that which he just mentioned, and there are two others. One is, if they look at the other storage building on the west portion of the project - the one that is already approved - there is an internal storage building. If they will see the notches on the corner, where building has been removed. They are removing four storage units.

Commissioner Becht said he has actually lost four units, so they have reduced their storage by that change.

Mr. Trias said by 1,242 square feet.

Mr. Jeck said the third administrative change is, if they look at the two clubhouses that are shown in the diagram, there is one here for the west side and one here for the east side, and they have been moved over several feet. He is not sure exactly what the number of feet is.

Mr. Trias said 34 feet to the north and the east clubhouse was moved 17 feet to the north.

Mr. Jeck said to provide yard space, so the residents would enjoy a little more yard space.

Commissioner Becht asked does that cover all the changes he is requesting both administratively and through this Commission tonight?

Mr. Jeck said yes.

Commissioner Becht said he thought he had heard somewhere along the line that there was something happening with the wall.

Mr. Trias said the wall is not going in front of the commercial area, the 8 foot wall or whatever; so therefore that area of the site is not going to have a wall.

Mr. Jeck said that is not a change. There never was a wall in front of the commercial area.

Mr. Trias said right, exactly.

Commissioner Becht said he appreciates the clarification.

Mr. Trias said the point he was making is, the alternative would have been to have a wall around that and it would have been very different from a visual point of view.

Commissioner Becht said okay. He thanks Mr. Jeck for that clarification because he did not understand it from his packet; and now he does understand the changes, the benefits to the owner, and the benefits to the Fire District. What he is still being troubled by is what is the benefit to the City. So let him ask that directly, because he is bothered by these things and he wants to give Mr. Jeck an opportunity to respond to them. Quite frankly he is bothered by them going from initially what he had seen as a Planning Board Member, which was 820 units, to 862 units to now 912 units. And he understands they will be able to sell them, that is not a problem; but there is an additional impact on the island, on the community, and on the road system, so he is bothered by that. The developer picks up roughly an additional 16,000 square feet of storage space. Where is the benefit to the City?

Mr. Jeck said he thinks this whole project offers a tremendous benefit to this City considering where they were at the time this project was first proposed and his client decided to invest in this community when nobody else would for many years. So there is a tremendous benefit to the businesses in this City of having a residential base near downtown, a residential base of 912 units that is still far below what the maximum code allows. It provides a source of revenue for not only the businesses in the downtown area, but the entire beachfront area. The community that will be there will also provide some safe harbor for the boats in the area, which the importance of that has been demonstrated to all of them unfortunately with the recent hurricane.

Commissioner Becht said he doesn't mean to interrupt him, but what he is looking at in particular is the benefit to the City of the additional burden on the City by these additional units. That is what he is looking for.

Mr. Jeck said he doesn't view it as a burden to add additional units. Again, he would say the additional units are an advantage to the City because there is certainly a market. The market is driving the need for that. The market is not driving the need for a Publix unfortunately, as they found out. The additional people in the community will add additional tax base to the community in an area that is, remember this is a community redevelopment zone. This is an area they have targeted as a community to cause there to be development in here. They have encouraged and have many policies on record of encouraging projects such as this to be developed in this area. So he would say there is a tremendous benefit to the community in achieving all of its policies under its CRA plan. So there are just numerous benefits being brought to them. The additional benefits to the tax base. The fact that his

client is donating approximately $650,000 for the construction of a roundabout. The fact that his client is donating the land to the Fire District. The fact that the client has agreed to contribute to the cost of the underground utilities along Seaway Drive. The client has agreed to contribute $50,000 for landscaping and construction in and around Chuck's Seafood.

Commissioner Becht said let him stop him there. Some of the things Mr. Jeck has mentioned, the developer has to do with his 862 units. The $50,000, is that something that was negotiated in exchange for these additional units?

Mr. Jeck said no.

Commissioner Becht asked the roundabout, that was not something that was added because of these units?

Mr. Jeck said no.

Commissioner Becht said once again, he is trying to focus on what additional burdens Harbour Isle has picked up because of this. He sees 48 additional units that will add to the tax base, but they are also going to create a corresponding burden in terms of services. Mr. Jeck mentioned the utilities, the burying of the utilities, that is something new he believes.

Mr. Jeck said yes.

Commissioner Becht asked are the utilities buried now or not, as they speak tonight?

Mr. Jeck said he believes they are buried.

Commissioner Becht said that was his understanding is that they are buried. So how is that going to work? Somebody, FPUA he presumes, has already buried the utilities. So how is that going to work?

Mr. Jeck said they agreed to reimburse $307,000 for that expense.

Commissioner Becht asked is that something they all have talked to FPUA about?

Mr. Jeck said that has been agreed upon and that is a condition of approval.

Commissioner Becht said that is in addition to anything else they may have with FPUA. That is the type of benefit he is looking for in trying to understand why he should alter what was a good plan before and a plan good enough for the developer. But now he wants to change the plan. Which his problem is that they are taking away what he perceives to be long term a need for commercial space because the current market is driven by residential. Five or ten years from now they are going to need more commercial space. This project is designed with that commercial space in mind. And now, with the pressures of the current economy, they are going to change that long term plan into a short term plan that is more economically sensible today. That is where he is coming from.

Mr. Jeck said he won't debate whether it is a long term or short term benefit about this commercial change with him other than knowing anecdotally that the businesses in the area are relieved to have less commercial space there and more residents there.

Commissioner Nelson said the consulting engineer is the guy he wants to talk to relative to the installation of that second storage area. They talked about that storage area they are putting in there replaces the retention pond, right?

Mr. Jeck said that was an I.Q. pond.

Commissioner Nelson asked what is that impact going to be with respect to drainage in that area?

Mr. Butch Terpening, Culpepper & Terpening, Inc., said the pond Commissioner Nelson is referring to was never intended to be nor was it intended to be a drainage or retention pond. It was an irrigation pond which was to take the effluent from the Utilities Authority's Wastewater Plant and provide irrigation to the project. It was an off line pond. When the U.A. decided not to provide water quality sufficient for irrigation, there was no other need for that pond. That is why they eliminated it.

Commissioner Nelson said Mr. Terpening is the engineer on that, so he will be looking at him. He is not going to forget it. When he gets flooded in that area, he will come and see Mr. Terpening.

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

Mayor Benton asked what was Staff's recommendation?

Mr. Trias said Staff and Planning Board recommend approval with conditions and the conditions are fairly detailed. These are listed in the staff report and he would suggest they incorporate those conditions.

Mayor Benton said he has a question of their two Fire Board members. Is the Fire District agreeable to the conditions and the property and everything?

Commissioner Alexander said yes and he would be a man of his word to Harbour Isle, that because of the Fire Board being agreeable with this, that is why he would go forth with it.

Commissioner Becht said the Fire District is represented here tonight. He doesn't know that they have seen the specific language that is in these conditions; and so there is no further miscues, he is wondering if they would care to comment or read or make certain that this language is sufficient to take care of their needs.

Mr. Ken Crooks, Fire District Attorney, said he has seen the language and it is exactly what they had proposed with Mr. Jeck.

Commissioner Nelson asked is it totally acceptable?

Mr. Crooks said acceptable.

Mayor Benton said that is what he wanted to hear. He wanted to make sure.

Commissioner Coke said she would like to make a comment along those lines, because she spoke with the Fire Chief; and the Fire Chief said although this was the best deal they could negotiate, he would be much happier if somehow they could get him his impact fees.

Mr. Crooks said of course they would willing to take that as well.

Mr. Trias said just to set the record straight. The conditions were drafted by Mr. Jeck at his request; and the reason was that this is the result of many months of negotiations between many different people. And obviously perfection is impossible and there is always some compromise, and he thinks they reflect some level of compromise. However, this is exactly what came out after all those months. The Commission is welcome to accept it or make any recommendations they want.

Mayor Benton said he knows when he spoke to them at one point they were looking at four buildings and no commercial, and he couldn't have accepted that because they do need commercial over there. The developer was willing to work with them. He just cut it down and there is still some commercial space there.

Commissioner Coke said her concern is, they started to look toward addressing the needs of the Fire District; and if the Chief says he would agree to this because it is the best he felt he could do, she thinks it would behoove three of them, especially those of them on the Fire Board, to at least ask Mr. Simpson if there is not some way he couldn't partner with this community that little bit more. Because she is sure he will be making enough profit on those 48 units that he could pay the impact fees for the Fire District. She thinks it is just a bad precedence to set, waiving the impact fees.

Mayor Benton said that is why he asked, because he felt the Fire District already dealt with this.

Commissioner Alexander said when he said he is a man of integrity, he spoke concerning that. Now if Mr. Simpson in the near future wants to make that donation to the community... But he can't hold him hostage for not making that suggestion.

Commissioner Becht said he is a man of integrity and he has had several meetings with Mr. Terpening in which he has told him that he doesn't think this is good planning. He doesn't think it is good to increase the number of units because he thinks it is an overload on the community as it is. And he doesn't think taking away the commercial is good. So if they are going to strike an accord or a compromise tonight, he is not in favor of the additional units, he just doesn't think it is good planning. But if he can get a benefit for the Utilities Authority which appears to be substantial and if he can get a substantial benefit to the Fire District... And he has to tell them, he is not happy about this being the location of the Fire Station. He would prefer that the Fire Station be located down by the museum. But if, as Commissioner Nelson is so fond of saying, this will make everybody happy. He would be happy if they could get a complete donation of the land, that would appease him in terms of giving the additional units and having the Fire Station located on what otherwise would be commercial property. Because if the applicant understands, it is not just the loss of the 18,000 square feet of commercial, it is the 1.2 acres, because if the Fire District goes there, he is going to lose that for commercial space as well. So in order for him to be happy, that property will have to be outright donated; and then Mr. Simpson will get his additional units and his additional storage. But, as Commissioner Coke said earlier, he is just one vote here.

Commissioner Nelson said he certainly wants everybody to be happy. He thinks Mr. Simpson is in the audience tonight. He wonders whether or not he could come down here. Maybe he might have been struck by the good fairy to say something good to the Commission tonight and try to really make everybody happy.

Mr. Mason Simpson, Harbour Isle Development, said he appreciates all they have said and he has heard all of their comments. He truly believes, as Mr. Jeck said, that Harbour Isle has done everything it should and it is being a good citizen here. He would reiterate some of that and he would say to them that they are already paying double in terms as Mr. Jeck explained the arithmetic to them. The donation of that land is twice what the Fire District has been accepting from other developers as a contribution in lieu of land. It would seem to him that if this Commission is going to make the decision that everybody gives twice as much, then it is a fair thing for Harbour Isle to give twice as much. But he would remind them that Harbour Isle came here at a time... He remembers the night they came before the Planning Board, September 9, 2001, was the night they came before the Planning Board. Frankly it was a scary night for all of them. And he was wondering if he needed to have his head examined, not because it was Fort Pierce or not because it was development that required people from outside the area to buy it because it is second home stuff, but wondering if there was even going to be an America in a couple of weeks. They all know how they felt and he doesn't need to tell them. But they stayed the course and the City worked with them all and has been very good to them. Through the CRA contribution, if they will call it that, that Harbour Isle is making, there is roughly $70 million worth of CRA funds that are going to come to this City. And with all due respect to Commissioner Coke and her suppositions about the profit of Harbour Isle, a lot of the profit of Harbour Isle has been taken away by things like concrete being twice as much as it used to be. He will remind them when they sold this project - yes, they sold it all in one day - but when they sold it concrete was $50 a yard, now it is $80, and steel was half as much as it is today. Everything they are buying there is costing a lot more. But by virtue of the fact that they entered into what is known as a hard contract, a binding contract with their purchasers, they are delivering the units at what they thought was going to be their cost plus a little increase, and it turns out that little increase is a large increase. They all know that people are reselling those units and making $100,000 and some people as much as $150,000 on them and he thinks those are fair values for them. But to characterize Harbour Isle Development as the high profit guy with the big deep pockets that ought to just keep giving and giving, he honestly really thinks Harbour Isle has given all that it should give. And frankly, their profit margins are a whole lot thinner than most people presume. He thinks what he would answer to all that is, he would like to not do that. But if this Commission is going to make the decision that everybody is going to pay double... In other words, the Fire District has been taking roughly $160 per unit in addition to impact fees as what they like to see developers give, if this Commission is going to bump that to $320 per unit and from now on everybody is going to pay that, then he will pay it. But it is not coming from deep pockets that are endless, he can tell them that. He doesn't think it is fair to apply it just to Harbour Isle.

Commissioner Nelson asked is he saying that even though he doesn't necessarily think it is fair, but to make everybody happy he will go along with this proposal?

Mr. Simpson said no, not unless they are going to double it for everybody. He sees other projects on the agenda tonight that are here for approval that have already agreed. As Mr. Crooks explained, they spent a good deal of time talking to the Fire Chief. He told Commissioner Coke he would like to have a little more, well he will go tell her he would like a little less if she would let him sit down with her for a few minutes. He would say yes, he gave him that much and he would have liked to have not given him that much, but he did it anyhow because he felt they reached a fair compromise.

Commissioner Nelson said he has been a gentleman all along in this project and they certainly appreciate his project over all. But Mr. Simpson he would certainly make him happy if he would go ahead and do that. He just believes Mr. Simpson could do it and not suffer too greatly. Why can't he just do that?

Mr. Simpson said Commissioner Nelson has not responded to his question. If they are going to do this for everyone...

Commissioner Nelson said he is going to get there, because he is going to say as a precedent they had one developer who did this, now why can't the other developer do the same thing. He operates on the basis of principle and precedent; and if he does it to one, he will do it to another. He will tell him again, he can't think of a finer project they have in this City than Mr. Simpson has over there and he commends him for it. But they are caught shorthanded because of the fact that they didn't lock in the Fire Department's needs over there. They are caught shorthanded because they didn't consummate the deal to get that Publix grocery store or some other type of commercial venture in there, which might have been a good selling point that made them sell 864 units initially because they felt they could walk down the street and buy their groceries. Now they can't do that. They will have to go down to beg some food from the Fire Department people. They have good food in the Fire Department. So if Mr. Simpson were to do this, it might work for everybody's advantage and all these guys might be happy. How much money are they talking about?

Mr. Simpson said $140,000.

Commissioner Nelson said $140,000. Don't tell him how much the whole project is going to be. He thinks they can afford it. Do that to make him happy.

Mr. Simpson said okay. If Commissioner Nelson tells him they are going to double that fee and they are going to make everybody else pay it from here on, he will do it.

Commissioner Nelson said he can't say that, because he is only one vote. He tries to persuade people, but he is not very good persuading these guys. He has a lady sitting on his left and a young fellow that sits on the right side over there who are hardheaded.

Mr. Simpson said there are two other Commissioners who have sat here tonight and said they think he ought to give it. So that means, he presumes, they think it is fair that everybody pay twice as much as they are paying. If that is the consensus of this Commission, then he will do it.

Commissioner Nelson said they follow him in terms of trying to be fair and follow precedent and protocol and he can't see them backing off from it. If they do it to one and they do it to the other. He recognizes that the whole idea of the Fire Department thing has been a hot potato for them for quite some time in this situation. There is definitely a need. But hose guys over there who have been on the Fire Board, they don't think like he thinks.

Mr. Simpson said if they all want to make the Fire Chief happy, let him have his CRA money. That is what the Fire Chief told him he would like to have.

Commissioner Nelson said they are working on something on that too. The final question, what is Mr. Simpson going to do for him?

Mr. Simpson said he told him he would go along with it if they are going to raise the bar for everybody else.

Mayor Benton said if they are going to raise the bar for everybody else starting right now.

Commissioner Nelson asked is everybody happy with that?

Commissioner Alexander said they need to get legal advice on that.

Commissioner Becht said the problem he has with the way it has been characterized, the way they are characterizing the donation is based on valuation of the land. He does not know what the 1.2 acres is worth. Mr. Simpson is the investor and the developer, not himself, so he doesn't want to go there. But the Fire District has made certain acceptances of cash donations based on certain things. That number per unit is in flux. It is somewhere in the neighborhood of what they are talking about, but he doesn't know that is where it is going to stay.

Commissioner Nelson asked it is not going to go down, does he think?

Commissioner Becht said no, it is not going to go down. He is not here to punish Mr. Simpson and he is not here to extract or extort anything out of him. He doesn't like the additional units. The compromise is, if the Fire District gets something and the Utilities Authority gets something and Mr. Simpson gets something, then he can see his way through to approve the additional units. That is where he is. He has tried to be as honest as he can.

Commissioner Coke asked do they want to ask her opinion since she was the other one opening her mouth? Before Mr. Simpson and Commissioner Nelson put words in her mouth, she will put them there herself. She thinks the issue is not a specific dollar amount per unit, because she doesn't think that is within this Commission's realm, that is something the Fire Board decides. She thinks the issue here has become - and she would agree with Commissioner Becht that she is very disappointed, as she said up front - to see the retail go. She thinks that would have been a blessing for the whole community, especially those on South Beach. But when they talk about raising the bar and raising the donation level, she thinks when they look at the totality of a project and the impact that this project is going to have. Granted, it is a great project, they love it, and it is bringing wonderful things to the community; but it also is going to have a huge impact on the roads and the Fire District services and all those other things. And

considering that, that is why she thinks if they ever have another project coming in of this size, this Commission would probably have learned from its mistakes and say those guys need to give an "x" amount of space for the Fire District right up front. They won't make that mistake again. So then she won't be bargaining with them at the end of it and asking could they do this for them? She would prefer to see the retail space stay there. She would agree with Commissioner Becht. If the retail space is going away based on the fact that they are compromising and getting something good for the Utilities Authority and the Fire District, she could support it.

Mayor Benton said he doesn't think this Commission made any mistakes when Mr. Simpson first came here. They looked at this as a gift horse, as something the City hasn't seen since the day Ocean Village was built. None of them dreamed in their wildest dreams that the economy and the housing market would do what it had done. Plus when Mr. Simpson came to him, he doesn't know of any developer in the 16 years he has been involved (with the Planning Board and the City Commission) that has ever come to Homeowner's Associations first and asked what do they think of this? Most of the time they get it shoved down their throat. He has to say he appreciates working with Mr. Simpson. The inland marina on this property was the way to go. Most of the developers would put it out there in the river and destroy the river. So he has worked with folks, he has worked with him, he has worked with the Homeowner's Association out there and the staff, and he thinks Mr. Simpson has done a lot more than any developer he has ever had any dealings with and he thinks Mr. Trias could back that up and the Fire District. They have been through this for how many years now? And each time Mr. Simpson comes back with something, they try to extract more. He hopes they do that with everybody else that comes back. There was some discussion here, are they going to be able to, if this is going to be in the motion, charge every developer the new charge?

Commissioner Nelson said he could word the motion to have this addressed with future developers.

Assistant City Attorney Schwerer asked is he talking about the charge that the Fire District has voted on for every unit to be paid over and above the impact fees? Is that the charge he is talking about?

Mr. Trias said the way he understands this - and if he is wrong, correct him - what the developer is proposing is to donate the land and then get some impact fees back; and his interpretation of that value is that he is giving more money than the impact fees would be in any event. He doesn't think the developer is proposing to have a different impact fee, he is simply saying donate the land and pay the impact fee in place already. So he doesn't believe there is any suggestion to change the impact fees from the Fire District. However, from the developer's point of view, he believes he is paying more money than the impact fees. That is the way he understands the discussion.

Mr. Simpson said that is correct.

Commissioner Nelson asked is that his interpretation too?

Mr. Simpson said technically the way things are put together right now - and Mr. Schwerer and Mr. Trias can correct him if he is wrong - legally and technically right now the Fire District is technically happy to have their impact fee, which is something they

have asked for and has been duly processed and approved, and in recent days he thinks they have been asking for additional contributions of cash in lieu of land to build fire stations on if the project isn't big enough to be able to carve out or maybe doesn't need to have it carved out. So they were willing to go along with the original idea, which was that they pay the Fire impact fee just like everyone else does. And then came the issue of it is a big project, so... Nobody missed anything that first time around, the Fire District didn't ask for this so the City didn't ask for this, nobody did, and it just wasn't discussed. So it wasn't really overlooked, it just wasn't talked about. At any rate, now they are saying other big projects around the County maybe and maybe in Fort Pierce that have had enough land that they could carve out an acre or two and say there is the Fire Station site. They have gotten that plus the impact fees. For the smaller projects they said that works out to about $160 a unit in their estimation, so if they don't have enough room for a Fire Station on their property or their project is too small to need one dedicated to it, then they just give them the $160 per unit plus the impact fee and they will be happy. Where Harbour Isle is here is they are giving, if they want to look at it that way, the impact fees plus $320 a unit. It seems to him that is unfair to Harbour Isle. But he also sees he is kind of forcing them all into some kind of a policy decision here that they are not totally comfortable with. And that is not really his idea. He is just trying to talk in terms of fairness. It is not an endless pit of money. He can't just keep writing checks for whatever people ask for. But in fairness, if they all think that everybody should be paying that much additional and they are going to do that in the future, then he can't very well stand here and say that the difference between making money and not making money is $140,000 over there, he doesn't think it is that tight. But it is not a bottomless pit of money. And while he does not think it is fair, because he negotiated with the Fire Chief. The Fire Chief and he agreed, and Mr. Crooks has told them they spent a long time getting to where they are. The Fire Chief said "This will do it, Mason, if you will agree to this, it will do it. I will be happy." Now he goes back to his wife and says he gave more than he had to or more than he wanted to. But the Fire Chief said it was okay. Now the Fire Chief goes to Commissioner Coke and says he got as much as he could get, but sure he would like to have more. And so here he stands renegotiating the deal one more time.

Commissioner Coke said she is not really looking to renegotiate. But the point is, the renegotiation was brought up by Harbour Isle wanting to do away with the retail space, which was going to be a tremendous asset to the community, and put in two more buildings. She thinks that Commissioner Becht has a valid point, that in 10 years time they will have a desperate need for that retail space there.

Mr. Simpson said he thinks they should be so lucky as to have a desperate need for retail space in this town. Everything along A-1-A that is currently residential or lower valued commercial can get wiped out and new commercial can be built there. They have plenty of room.

Commissioner Coke said if they are moving all of these people in, there will be a need for retail.

Mr. Simpson said he hopes so, from her mouth to God's ear. But he begged for Publix to come here and Publix said no, there will never

ever be enough rooftops on Hutchinson Island that they will put a Publix store there. He went over the guy and he went around the guy and went to the top of Publix to Mr. Jenkins, and Mr. Jenkins said they are not going to do it. Now they have done shopping centers with Publix in them and love to have Publix and they like them. But trust him, it isn't going to happen here.

Mayor Benton said they have one grocery store out there that is real happy that Publix isn't coming out there. They have been waiting for their day in the sunshine for ten years. And he thinks they are going to finally have it until the big guy comes in. To him, he thinks they have beat this to death. That is why he specifically asked the Fire Board members, and he is sure the Fire Board had discussion, if they were happy and if they were agreeable to the agreement that was drawn up.

Commissioner Alexander said he just has to reiterate that he talked to Mr. Simpson and he gave him his word. And he just wants to let one thing to be known that any of the monetary value is a donation. It is not required that they do anything, but it is a donation on their behalf, and he is going to leave it like that.

Mayor Benton said he believes when he bought that property it was for $140,000. Today he could probably sell it for about three or four times that easily.

Mr. Simpson said he has one other quick question. He knows they have beat this thing all night long. That price of $470,000 was an MAI appraisal, Dan Fuller did it. And so the value is not inflated or anything else. In fact, it was over a year ago. On point with what Mayor Benton is saying, it is probably worth $600,000 or $700,000 now. But he agreed a year ago to hold the price for the Fire Chief when he didn't even know if he wanted it. Last summer, he is talking about the summer of 2003, the Fire Chief said he is not sure he really wants to be there and asked if he could he hold it for him for a while. He told the Fire Chief he would hold it for him for a while and he will hold the price. And so a year has come and gone, and now not only is he holding the price, he is being asked to give it away.

Commissioner Becht said he would just like to clarify a couple of things. Back in September when Mr. Simpson came to the Planning Board, if he will go back to the Minutes, he will see comments from him that he thought he had underestimated their market. It will be in there. And he asked him why he was just building two bedroom, two bath units instead of a mix in there. They will see it in the Minutes. It is not his money. Mr. Simpson is the guy standing at the plate doing it. And he wants to thank him for what he has done. He ought to be thanked. He ought to be complimented. But he has an approved project and now he is coming in and he wants to tinker with it. The tinkering he is doing has some good things and the tinkering he is doing has some bad things. The bad things to his way of thinking outweigh the good things unless they can get the additional concessions. Commissioner Coke several weeks ago at a public meeting here said she would have preferred that the land be donated. He does not know in what context it came up, but it wasn't this week or last week that she made that position known, and it was in a public forum. Mr. Simpson wasn't here, so he doesn't know how he would have found out about it, but it wasn't at the last minute. And he himself has for the last two months at the Fire Board meetings said this is not the solution to this problem because he for one can't approve the reduction in the commercial

taking, the 1.2 acres out of commercial production and the reduced square footage. So he has been consistent over there. He is sorry that Mr. Simpson got signals from other directions. He has talked with Mr. Terpening repeatedly and said he just doesn't think it is good planning for the City. He appreciates what Mr. Simpson has done. He likes the project he has. But he wants to tinker with it, and he is not real happy with all the tinkering he is doing.

Motion was made by Commissioner Alexander, seconded by Commissioner Nelson, to approve the Site Plan submitted by Causeway Island Trust for an Amended Preliminary and Final Development Plan for a Planned Unit Development known as Harbour Isle at 801 Seaway Drive, with the conditions outlined in the memorandum by Staff dated August 2, 2004: (1) The developer will pay for underground utilities along the front of the site. (2) Harbour Isle Development, LLC, or its affiliates, (collectively "HID") will deed Tract M of the Plat of Harbour Isle to the St. Lucie County Fire District ("District") under the following conditions: (a) HID will deliver the deed to the district no later than 12/31/04; (b) The District will not charge HID and will waive the St. Lucie County Fire/EMS impact fees in the amounts of 912 residential units at $148 each and 31,500 square feet of commercial retail/restaurant space at $140 per 1,000 square feet for a total of $139,386; (c) No St. Lucie County Fire/EMS impact fees are applicable to the recreation buildings and storage buildings serving the condominiums or the marina boat slips, but if any such impact fees become applicable, they will not be charged and will be waived by the District; (d) Tract M will not be subject to the Master Declaration or other Harbour Isle PUD conditions; and (e) At its expense, HID shall use its best efforts to cause Tract M to not be subject to the conditions of the Harbour Isle PUD permits from the South Florida Water Management District, the Florida Department of Transportation, and the Army Corps of Engineers.

Commissioner Nelson said he thinks the City Attorney could have added some clarity to the point that Mr. Simpson and he were discussing relative to precedence being established in relations to other following developers making similar concessions. Commissioner Becht is always talking about his favorite thing, let's raise the bar. He would much rather have had that discussion. He will give the City Attorney a chance to make that input if he so desires at this time; otherwise, they are going to vote on it one way or the other.

Assistant City Attorney Schwerer asked is there a question?

Commissioner Nelson said precedent and the possibility of the Commission having to impose similar type of constraints on future developers as Mr. Simpson was offering relative to the impact fees.

Assistant City Attorney Schwerer said let him try to address that. Mr. Trias was right on point, what he was simply saying is that is the developer's way of valuing what his contribution is by weighing it against what the current impact fee is. His advice to this Commission is to stay as far away from impact fees as they can. They presented a proposal that says they want a waiver of the impact fees and they are willing to donate it. He is valuing that donation by saying it is twice the current rate for the extra units. His advice to the Commission is to value it for whatever benefit they feel it is to the City or the community or whatever the benefit is to the developer to get these extra units. The Commission is here to weigh the benefits and detriments of this

proposal. Mr. Simpson is here for a modification of the site plan. It has a number of conditions to it. They can approve that as stated in the report, they can disapprove it, or they can approve it with additional conditions provided the developer agrees to those conditions, but they cannot force him to agree to it. They can either approve it or disapprove it, unless he agrees to the change they want him to make. Is that clear?

Commissioner Nelson said like muddy water.

Mr. Trias said just to help him with the information, as he said before, these conditions are a result of many months of negotiations. In his view, this is what everybody could live with and everybody agreed to live with. And short of him making a different statement today, he thinks that is probably the best negotiated agreement they can get. But if they choose to make a strong message and do something else, they obviously have that ability and power.

Commissioner Nelson said hears him and it appears everybody agrees with it, but they have two Commissioners that are straddling the fence. The objective was to make truly everybody happy. He is not sure they are going to achieve that under the present circumstances. Mr. Simpson did offer an olive branch there, but he put it on the head of future developers and he laid it down.

Mayor Benton said just to add to that discussion, they have talked about raising the bar and they are waiting for that consultant to come in and do so, but it is still a fact that a good part of Fort Pierce does not have impact fees at all. So it is hard to say they are going to raise the bar to one when there is a good chunk of the City they can do anything they want and not pay a dime in impact fees. And that has to be addressed now that the world has found out about Fort Pierce. It is hard to extract until they change the rules and he thinks they need to change the rules soon. But he has been at it for a long time.

Commissioner Coke said she would just make on point in reference to what Mr. Trias said that a lot of people have been working on this. She thinks had staff come to this Commission right up front and said they are negotiating giving up "x" amount of retail space for this, how would they like to see the negotiation go, she would have told them. Number one, she doesn't want to see the retail space diminished; but number two, if it is diminished, then this community as a whole needs to see a great value in exchange for what they are losing.

Mr. Trias said right. That is the purpose of this meeting. This is the meeting when they get a chance to say that.

Commissioner Coke said she knows. But she is saying, had they told her up front, they would have known right up front that she would not be happy with giving up the retail; and if they were going to give up the retail, then she would have told them right up front to donate the land for the Fire Department.

Mr. Trias said basically the nature of the compromise was that they give up half of the retail and they gave up half of the units.

Commissioner Coke said she would have liked if staff had called and asked what did she think prior to this point.

Those voting in favor of the motion were: Commissioners Alexander, Nelson, and Benton. Those opposed: Commissioners Becht and Coke.

Commissioner Nelson said that means most of them are happy.

Mr. Simpson said thank you. He appreciates it.

The next item on the Agenda was Public Hearing on Application for **Waiver of Distance** submitted by Dennis M. Franklin of **Pizzoodle's**, Inc., for a 2-COP license for a restaurant to be located at 222 Orange Avenue; said property zoned C-4, Central Commercial Zone. (Postponed from August 2, 2004. Postponed from September 7, 2004, due to Hurricane Frances.)

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

Mr. Mitchell Weiss said he is the General Manager of Pizzoodle's making the request.

Commissioner Becht asked when would he be open?

Mr. Weiss said hopefully the end of this week or the middle of next week.

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

Mayor Benton asked what was Staff's recommendation?

Mr. Ramon Trias, Director of Development, said Staff and Planning Board recommend approval.

Commissioner Becht asked where is this restaurant going to be?

Commissioner Nelson said 222 Orange Avenue.

Mr. Trias said next to Jiffy Print.

Commissioner Alexander said it was a restaurant there not too long ago.

Commissioner said all right, he knows where it is now.

Motion was made by Commissioner Becht, seconded by Commissioner Alexander, to approve a Waiver of Distance requested by Dennis M. Franklin of Pizzoodle's, Inc., for a 2-COP license for a restaurant to be located at 222 Orange Avenue.

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

Ordinance No. K-285 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY GENERALLY LOCATED ON THE **WEST SIDE OF STATE ROAD A-1-A, NORTH OF BLUE HERON BOULEVARD (LOT 11, BLOCK 17, RE-PLAT OF SURFSIDE PLAZA UNIT NUMBER ONE)**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2005; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL

“STATE-OF-THE-ART”



Quasi-Jucial Proceeding/Competent and Substantial Evidence

- Subject Matter Expert testimony:

  Land Use/Code Compliance

  - Mel Scott, AICP (since 1997) – land use compatibility/Comp. Plan & Zoning Code compliance/consistency

  Traffic Safety/FDOT Compliance

  - Shaun MacKenzie, P.E. (since 2001) – Seaway Drive level-of-service (LOS) acceptability and traffic flow/design per FDOT standards

  Environmental Protections/Innovations

  - William E. Baird, P.E., LSP (since 1965) – environmental protections meeting and/or exceeding State and Federal standards for underground petroleum storage

  Engineer of Record

  - Jeff Lucas, P.E., (since 2010) – site layout and code compliance

Cumberland Farms Request to Mayor/Commission

- Approval of “State-of-the-Art” Convenience Store w/ *fueling island*
- *1,675 sq. ft.* of additional retail space.

Cumberland
FARMS

Harbor Isle at Hutchinson Island History

- August 5, 2004, City Commission granted approval of the “planned development” *Harbor Isle*.
- Multi-family and commercial uses were approved.
- Commercial uses were approved along Seaway Drive (i.e., subject parcel) to ensure resident convenience and predictability of future build-out.
- Initially planned for a 33,000 s.f. retail center and later reduced to a 15,000 s.f. retail center.

Tenants of “Planned Development”

- Community Planning – Right uses/right locations
- Architecture/Aesthetics
- Landscaping
- Lighting/Security
- Traffic Circulation
- Environmental Protections

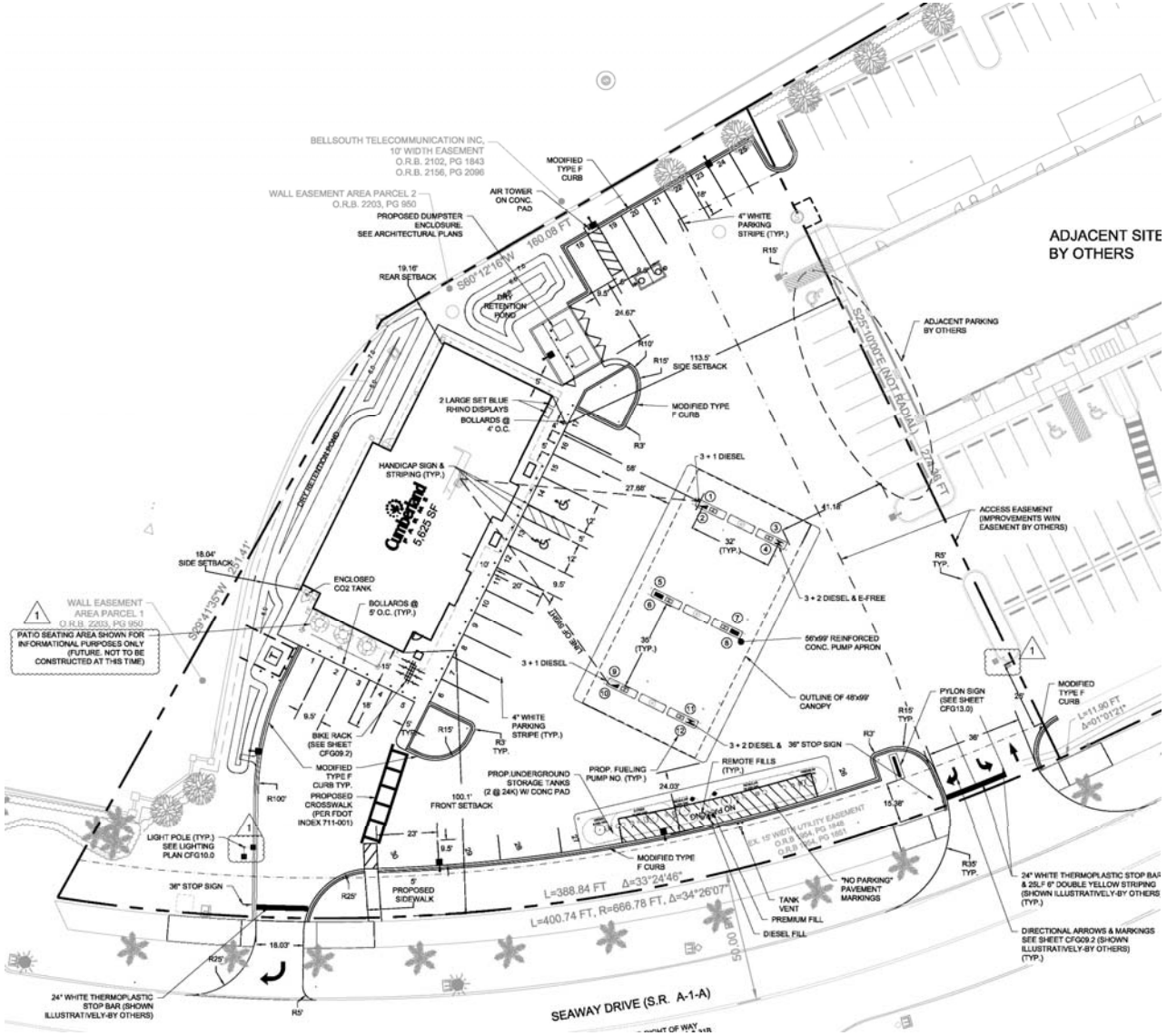
Site Design; Listening - Responding

- Underground Storage tanks shifted away from adjacent residential.
- All deliveries will occur in “front of house”, never from the rear.
- Increased landscaping along existing privacy wall to achieve 100% opaque condition from all commercial activity at rear property line.
- Color scheme/architecture consistent with Harbor Cay shops and Harbor Isle (Benjamin Moore paint).

Site Design; Listening - Responding

- Additional investment in security cameras around perimeter
- (3) Storm-Ceptor devices to capture runoff particulates before entering into master storm system (key innovation exceeds Code)
- Site lighting achieves 0 foot-candles at property line (slide 14 will illustrate)

SITE PLAN


BELLSOUTH TELECOMMUNICATION INC,
10' WIDTH EASEMENT
O.R.B. 2102, PG 1843
O.R.B. 2156, PG 2096
WALL EASEMENT AREA PARCEL 2
O.R.B. 2203, PG 950
MODIFIED TYPE F CURB
AIR TOWER ON CONC. PAD
PROPOSED DUMPSTER ENCLOSURE. SEE ARCHITECTURAL PLANS
4" WHITE PARKING STRIPE (TYP.)
ADJACENT SITE BY OTHERS
S60°12'16"W 160.08 FT
19.16' REAR SETBACK
DRY RETENTION POND
24.67'
R10'
R15'
113.5' SIDE SETBACK
ADJACENT PARKING BY OTHERS
S25°10'00"E (NOT RADIAL) 327.36 FT
2 LARGE SET BLUE RHINO DISPLAYS
BOLLARDS @ 4' O.C.
MODIFIED TYPE F CURB
R3'
HANDICAP SIGN & STRIPING (TYP.)
3 + 1 DIESEL
58'
27.58'
41.18'
ACCESS EASEMENT (IMPROVEMENTS WITH EASEMENT BY OTHERS)
Cumberland
5,625 SF
32' (TYP.)
R5' TYP.
18.04' SIDE SETBACK
251.41'
S29°41'35"W
ENCLOSED CO2 TANK
BOLLARDS @ 5' O.C. (TYP.)
3 + 2 DIESEL & E-FREE
WALL EASEMENT AREA PARCEL 1
O.R.B. 2203, PG 950
PATIO SEATING AREA SHOWN FOR INFORMATIONAL PURPOSES ONLY (FUTURE. NOT TO BE CONSTRUCTED AT THIS TIME)
12996 SQ.FT.
30' (TYP.)
56'x99' REINFORCED CONC. PUMP APRON
3 + 1 DIESEL
OUTLINE OF 48'x99' CANOPY
PYLON SIGN (SEE SHEET CFG13.0)
MODIFIED TYPE F CURB
L=11.90 FT
Δ=01°01'21"
4" WHITE PARKING STRIPE (TYP.)
BIKE RACK (SEE SHEET CFG09.2)
R3' TYP.
R15' TYP.
3 + 2 DIESEL & E-FREE
36" STOP SIGN
MODIFIED TYPE F CURB TYP.
PROPOSED CROSSWALK (PER FDOT INDEX 711-001)
PROP. UNDERGROUND STORAGE TANKS (2 @ 24K) W/ CONC PAD
PROP. FUELING PUMP NO. (TYP.)
REMOTE FILLS (TYP.)
100.1' FRONT SETBACK
R100'
LIGHT POLE (TYP.) SEE LIGHTING PLAN CFG10.0
MODIFIED TYPE F CURB
L=388.84 FT Δ=33°24'46"
L=400.74 FT, R=666.78 FT, Δ=34°26'07"
36" STOP SIGN
R25'
PROPOSED SIDEWALK
"NO PARKING" PAVEMENT MARKINGS
TANK VENT
PREMIUM FILL
DIESEL FILL
R35' TYP.
24" WHITE THERMOPLASTIC STOP BAR & 28LF 6" DOUBLE YELLOW STRIPING (SHOWN ILLUSTRATIVELY-BY OTHERS (TYP.)
DIRECTIONAL ARROWS & MARKINGS SEE SHEET CFG09.2 (SHOWN ILLUSTRATIVELY-BY OTHERS) (TYP.)
18.03'
R5'
24" WHITE THERMOPLASTIC STOP BAR (SHOWN ILLUSTRATIVELY-BY OTHERS)
SEAWAY DRIVE (S.R. A-1-A)
50.00' R/W

LANDSCAPE PLAN



LANDSCAPE CODE REQUIREMENTS	REQUIRED	PROVIDED
Landscape strip (lot over 10,000 SF)		
1 tree per 300 SF @ 3,724 SF	13	2 (6 palms) & 7 trees
Interior vehicular use area		
1 SF per 15 SF of Vehicular Use area @ 39,787 SF = 2653 SF		
Reduction for preserved trees (50% max), 4 @ 400 SF = 1600 SF		
Interior landscape of 1 tree per 100 SF @ 1053 SF		4 existing & 13 proposed
	11	17
Up to 50% of required trees may be palms (1 tree = 3 palms)	< 7 (21)	0

GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 20'
HALF SIZE: 1" = 40'

PLANT SCHEDULE					
KEY	SCIENTIFIC NAME	COMMON NAME	QTY.	SIZE	REMARKS
	TREES				
LJ	LIGUSTRUM JAPONICUM	LIGUSTRUM	4	10' HT., 1.5" DBH.	
QV	QUERCUS VIRGINIANA	LIVE OAK	5	14' HT., 2.5" DBH.	5' CLEAR TRUNK
SP	SABAL PALMETTO	SABAL PALM	14	10' CLEAR TRUNK	
SM	SWIETENIA MAHAGONI	MAHOGANY	6	14' HT., 2.5" DBH.	5' CLEAR TRUNK
	SHRUBS/GROUNDCOVERS				
AG	ARACHIS GLABRATA	PERENNIAL PEANUT	361	6" HT. x 12" SPR.	18" O.C.
CI	CHRYSOBALANUS ICACO 'RED TIP'	RED TIP COCOPLUM	136	36" HT., 7 GAL.	30" O.C.
JV	JASMINUM VOLUBILE	WAX JASMINE	134	24" HT., 7 GAL.	30" O.C.
PM	PODOCARPUS MACROPHYLLUS	PODOCARPUS	136	36" HT., 7 GAL.	30" O.C.
	TURF				
SOD	STENOTAPHRUM SECUNDATUM 'FLORATAM'	ST. AUGUSTINE FLORATAM	1,171 SQ/YD		

JASON L. KESTLE, R.L.A.
FLORIDA #6432 NCC #0667389

SIGNATURE DATE

Rev. Date Description By

Drawing Status: FOR INFORMATION
Submitted: SD

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TAMPA, FLORIDA 33607
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Client: Cumberland Farms, Inc.

Project Title: 835 SEAWAY DR
FT. PIERCE, FL 34949

Drawing Title: LANDSCAPE PLAN

Scale	Designed	Drawn	Checked	Authorised
	JAL	DF		
Original Size: ARCH D	Date	Date	Date	Date

Drawing Number: CFG08.1
Revision:

Eastern Entrance



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Western Entrance



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North View Harbor
Isle pkg lot & CF rear
EXAMPLES OF
ALUMINUM ROOFTOP
SCREENING LOUVERS
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SOLUTIONS

2nd FL looking north



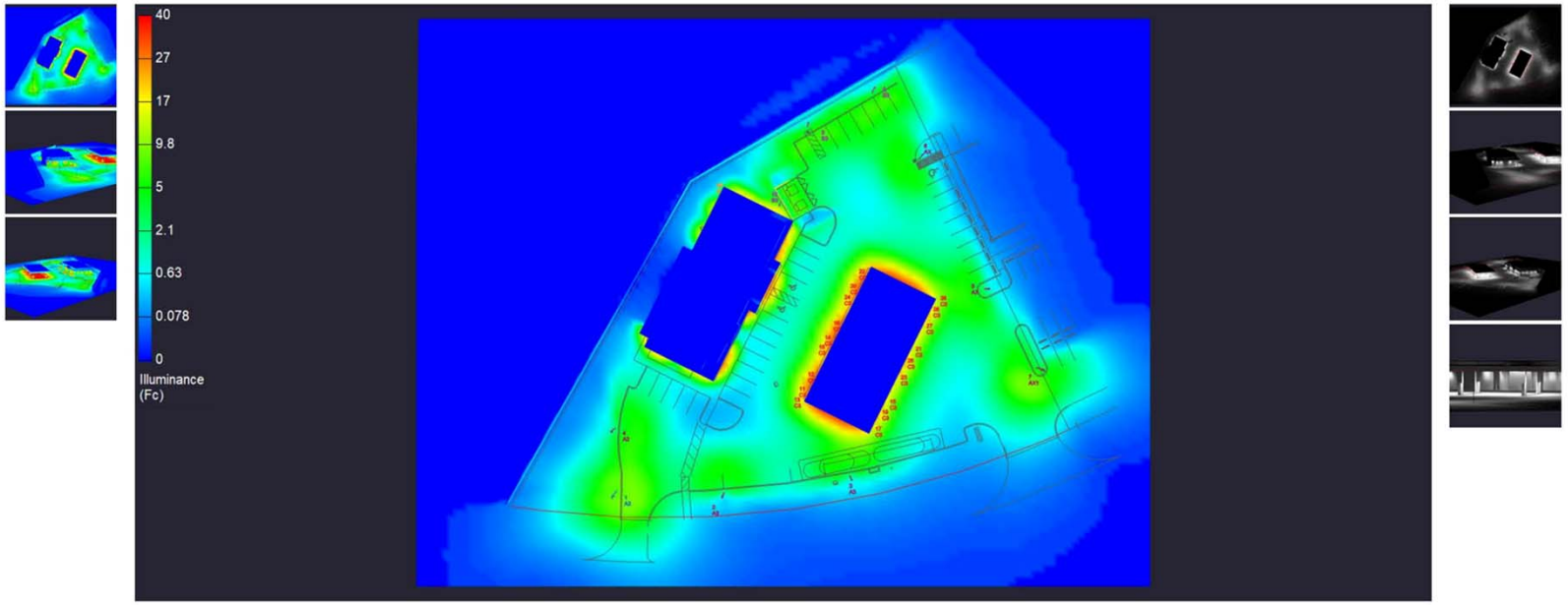
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INTERACTIVE SITE LIGHTING

ILLUMINATION MAPPING
PSEUDO COLOR LIGHTING STUDY AND SLIDESHOW



ROLL CURSOR OVER IMAGES ON LEFT AND RIGHT TO VIEW LARGER

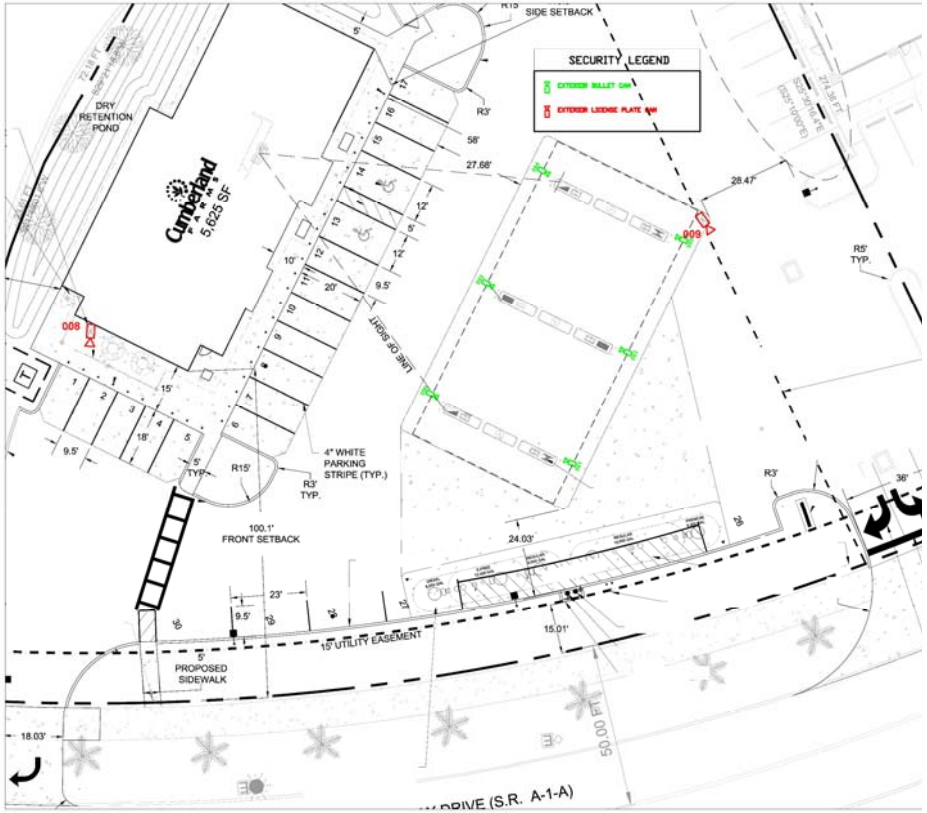
UNDERSTAND YOUR LIGHTING SOLUTION
CLICK TO VIEW AN INTERACTIVE PHOTOMETRY COMPARISON

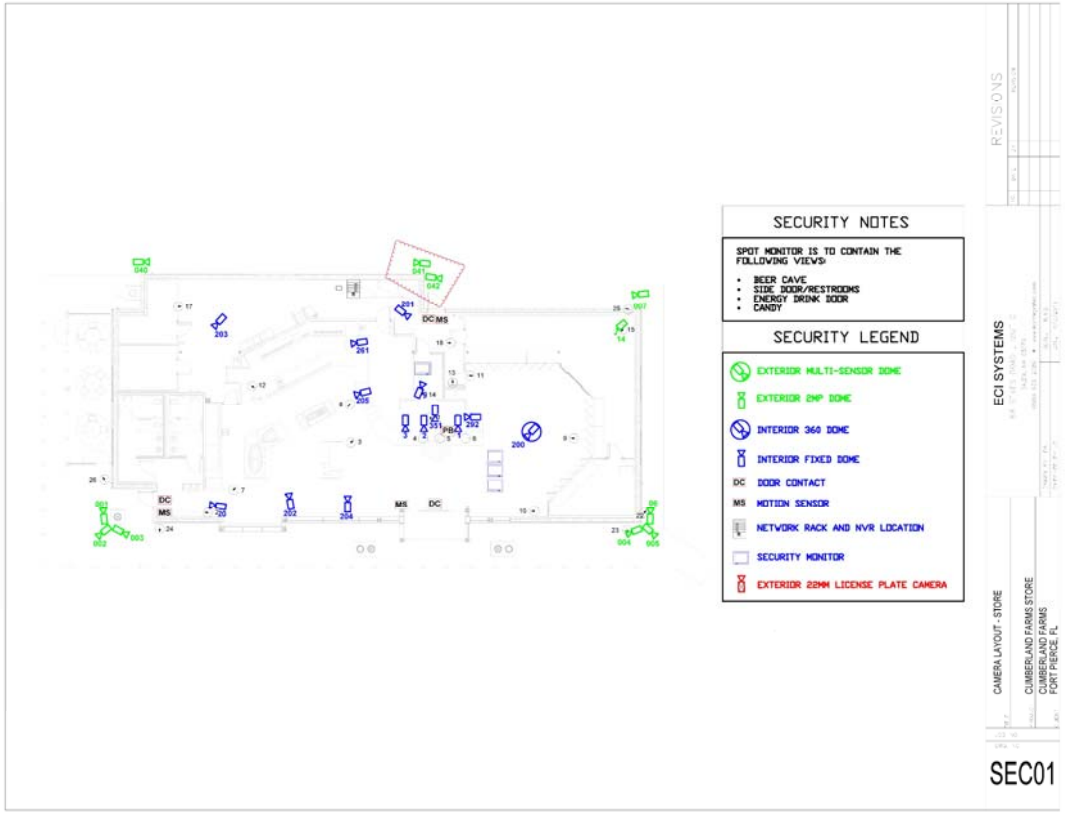
PHOTOMETRIC COMPARISON TOOL
LIGHTING DISTRIBUTION TOOL
IP RATINGS EXPLAINED

Adobe Acrobat Document

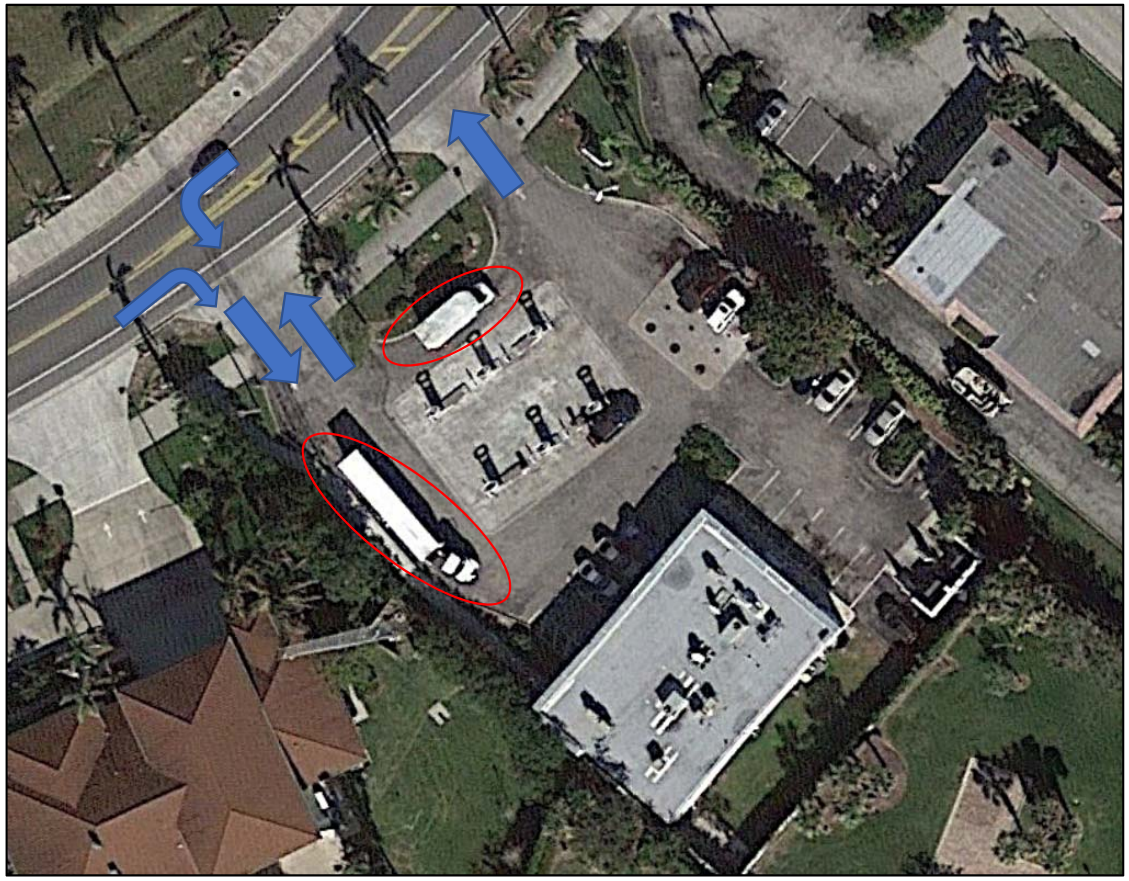
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SECURITY CAMERA LAYOUT





TRAFFIC - EXISTING SITE



- One Outbound Driveway
- One Inbound and Outbound Driveway
- Tight Circulation
  - 1 x 12’ inbound lane
  - 12’ between Pumps Parking & Store Parking
  - 13’ between Pump parking and exit Island
  - 21 parking stalls
  - 12 vehicle fueling positions

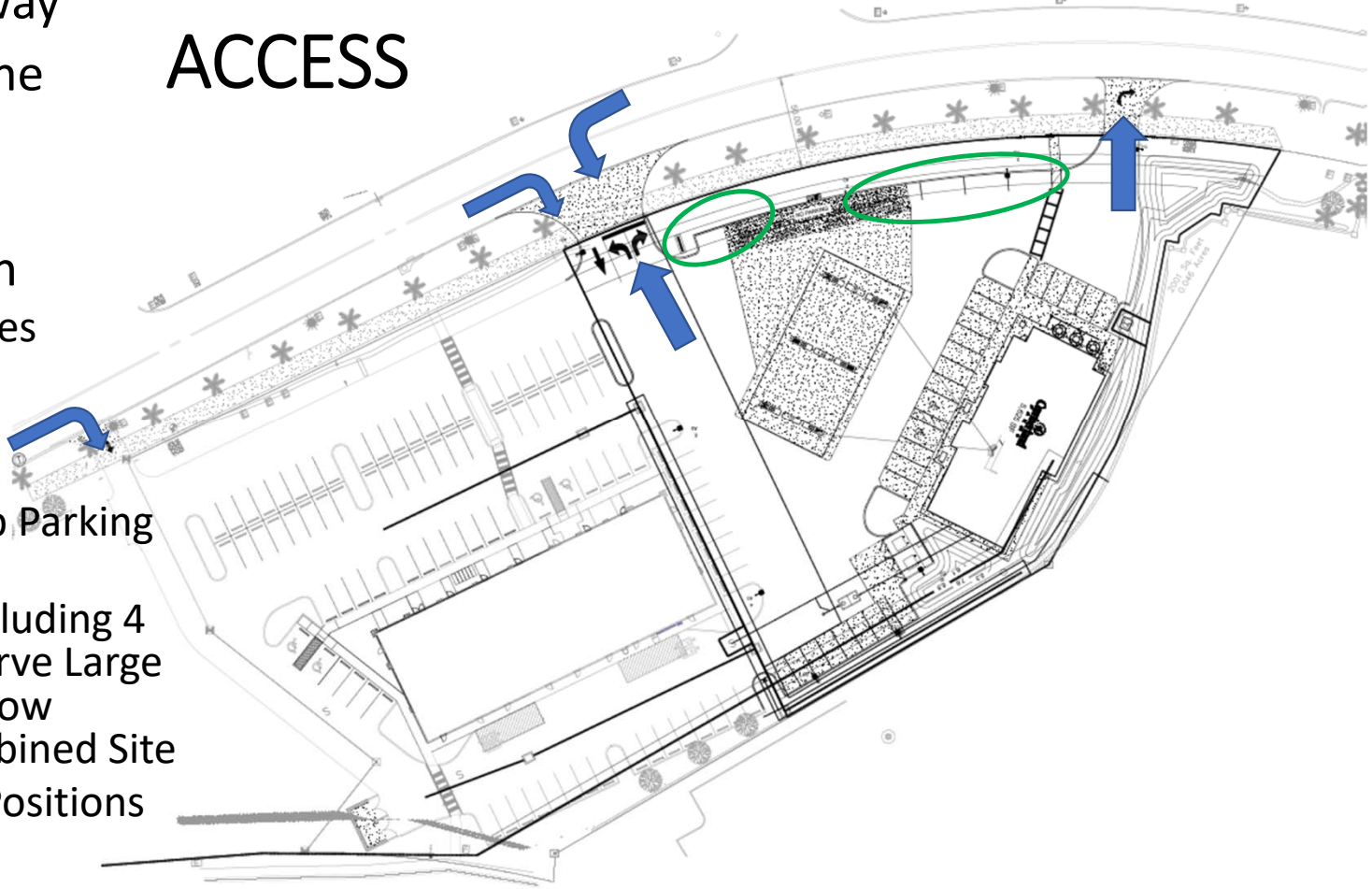
EXISTING SITE CONSTRAINTS



- Onsite Circulation is constrained and impacting A1A
- Large vehicles have difficulty parking at circulating at the existing site
- 2 Pump Islands

IMPROVED SITE CIRCULATION AND ACCESS

- One Inbound Driveway
- One Inbound and One Outbound Driveway
- Outbound Driveway
- Improved Circulation
  - 2 x 12’ Inbound Lanes
  - 30±’ between Pump Parking & Store Parking
  - 28±’ between Pump Parking and Exit Island
  - 30 Parking Stalls Including 4 Parallel Spaces – Serve Large Vehicles Plus Overflow Parking within Combined Site
  - 12 Vehicle Fueling Positions
  - 3 Pump Islands



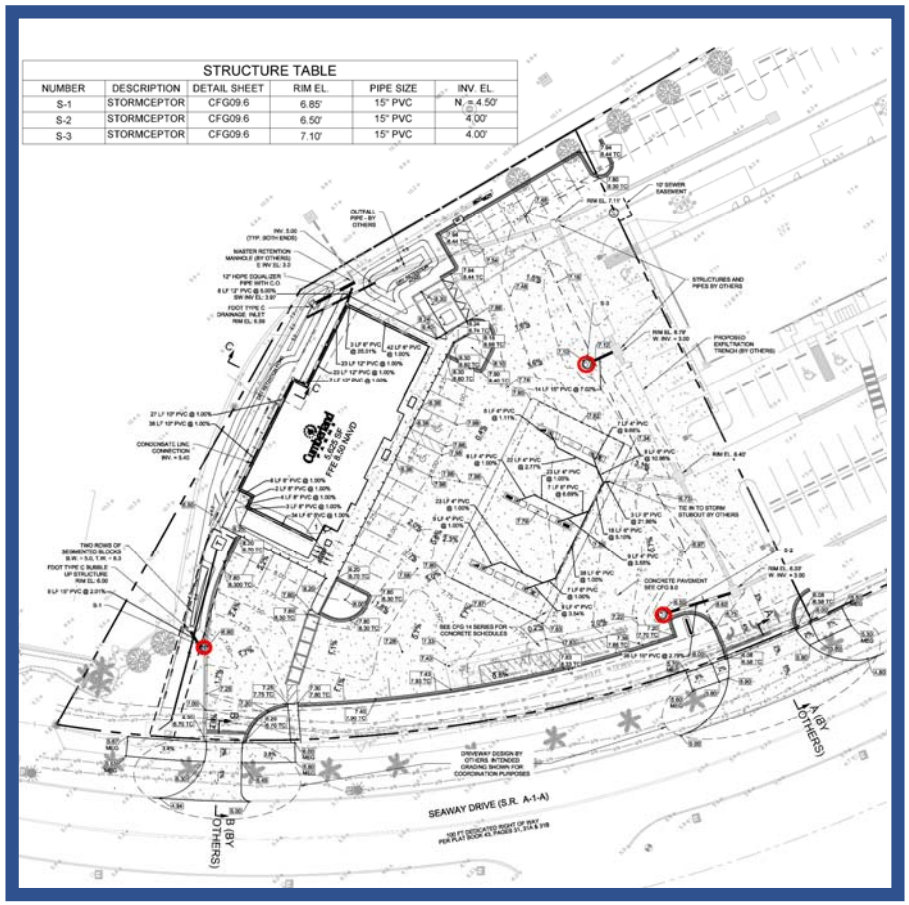
TRAFFIC FLOW

- New Site Provides More and Better Access
- Move Cars Off A1A Faster and on to Site
- FDOT Approved Access as Shown
- St Lucie County Fire District Approve Site and Access – “The St Lucie County Fire District has no issues and the site meets the access requirements” – Captain Paul Langel

TRAFFIC CONCURRENCY

- MEETS ADOPTED LEVEL OF SERVICE STANDARD
- Westbound Left-turn LOS
  - AM Peak Hour – 8.6 Seconds – LOS A
  - PM Peak Hour – 9.2 Seconds – LOS A
- Traffic Study Includes Impact of Existing Cumberland Farms Store
- Closure of Existing Store – 661 Daily Trip Reduction on A1A

Protecting the Environment



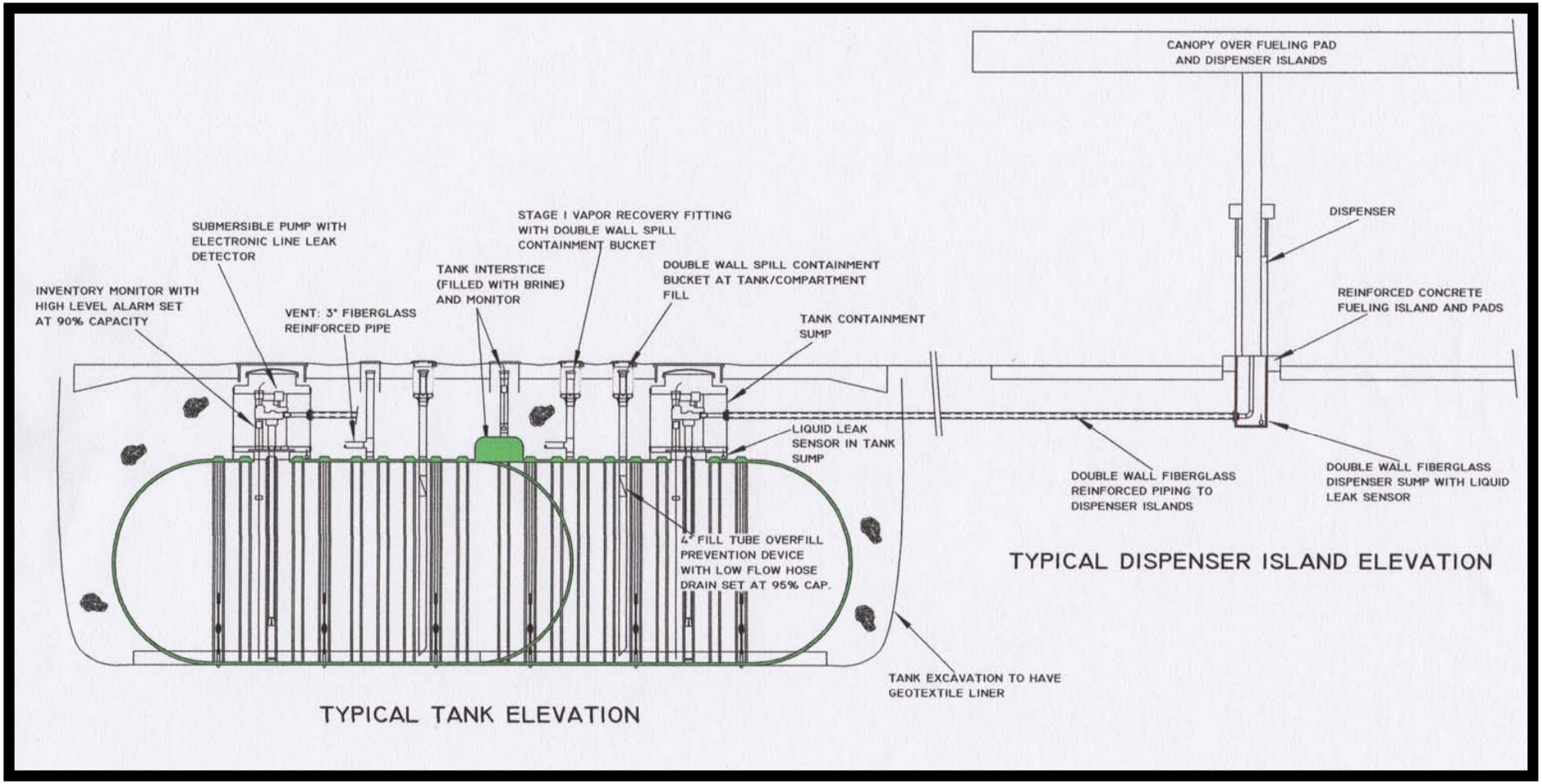
- The site plan shows 3 Stormceptors.
- All surface waters will drain to a Stormceptor.
- Stormceptors remove sediments and oils from stormwater.
- Stormceptors were first approved by the New Jersey Corporation of Advanced Technology in 2004.
- Stormceptors were recently recertified by the Department Environmental Engineering and Sciences at the University of Florida, Gainesville in 2008

Protecting the Environment

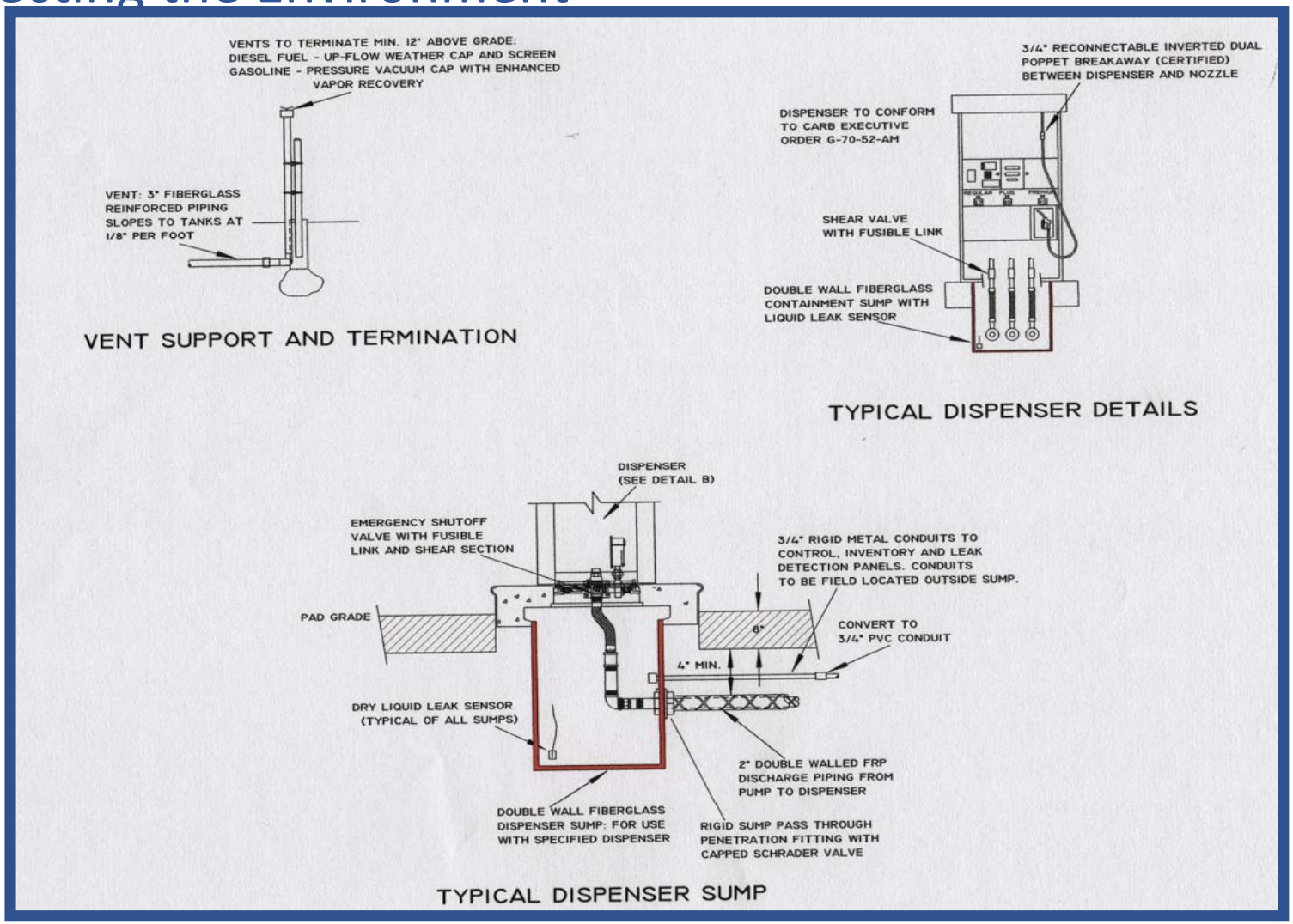
- Water with sediment, oils and trash will enter the Stormceptor from the surface.
- Water flows downward to lower chamber. Sediments settle. Oil and trash floats and is trapped in a containment structure.
- If there are no spills, the Stormceptor is cleaned yearly.
- Each Stormceptor is certified to hold 50 gallons of oil.
- Stormceptors meet Iso 14034 Environmental Management Environmental Technology Verification.



Protecting the environment



Protecting the Environment

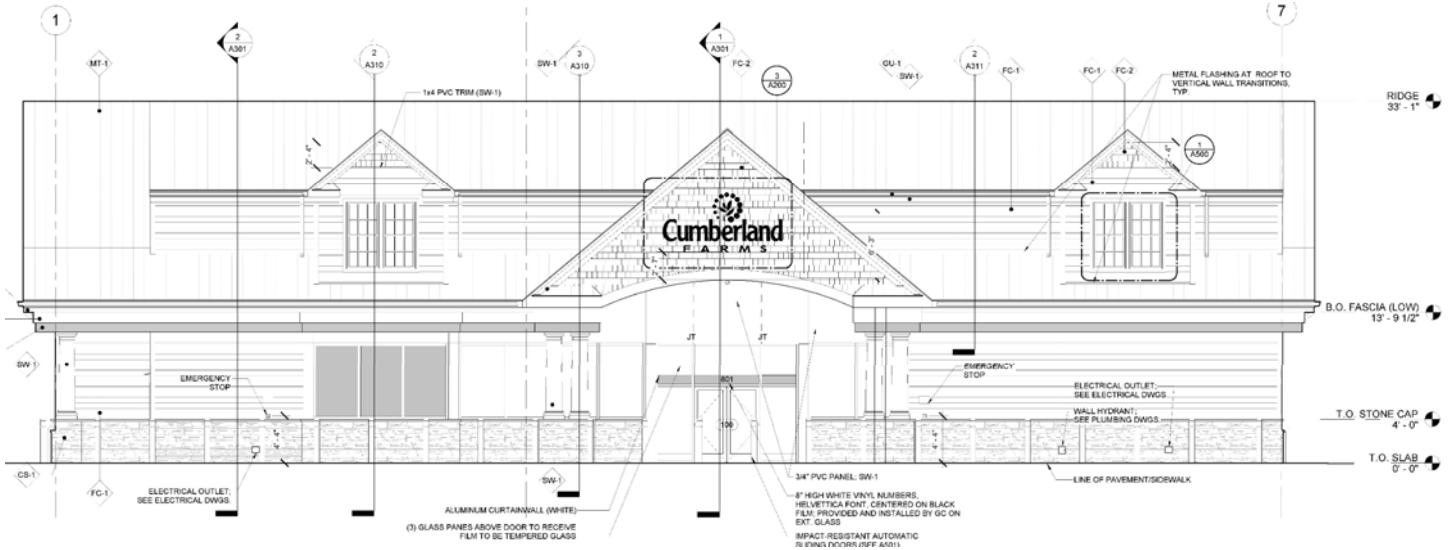


Summary Facts for Approval

- Planning Staff recommendation – APPROVAL
- Planning Board recommendation – Unanimous APPROVAL
- Elimination of “old” store with “State-of-the-Art” Facility
- 15 years ago – HIMU/PD anticipated commercial use at 835 Seaway Dr.
- Infill development preserving community asset for convenience goods.

Summary Facts for Approval

- Cumberland Farms listened and responded to community.
- Tax Base and investment in the Sun Rise City of Ft. Pierce
- THANK YOU



WEB ENGINEERING ASSOCIATES, INC.
111 Summer Street
P.O. Box 710
North Scituate, Massachusetts 02060
TEL: 781-546-2161 • FAX: 781-378-2192

July 1, 2019

Fort Pierce Planning Board
100 N. U.S. Highway 1
P.O. Box 1480
Fort Pierce, FL 34954

Dear Members of the Fort Pierce Planning Board

The following is a Third Party Evaluation of the Proposed New Petroleum Storage, Fuel Dispensing and Environmental Protection for Cumberland Farms, Inc. at 801 Seaway Drive, Ft. Pierce, FL

This evaluation is prepared by Web Engineering Associates, Inc., Scituate, MA., William E. Baird, PE, LSP.

Existing Facility: Cumberland Farms currently operates a convenience store with gasoline at 975 Seaway Drive. The existing fuel storage and dispensing at 975 Seaway Drive consists of 3-8,000-gallon double wall steel tanks installed in 1995. The underground piping is double wall flexible piping with mechanical leak detection. There are two dispenser islands with 6 dispensers dispensing gasoline.

Proposed new facility: Cumberland Farms proposes to operate a new convenience store at 801 Seaway Drive with fuel dispensing. The fuel will be stored in double wall fiberglass reinforced plastic (FRP) tanks. The underground piping will be double wall FRP piping. There will be 3 dispenser islands with 6 dispensers. The fuels dispensed will be regular and premium gasoline, ethanol free gasoline and diesel fuel.

The entire facility will be "state of the art" for petroleum storage, meeting or exceeding state and federal regulations for underground petroleum storage.

This report is divided into 4 Sections: (1) Environmental Protection, (2) Operations and (3) Environmental issues related to the storage of gasoline. (4) Comments Regarding the "Initial Strategy Analysis-Harbour Isle Preservation & Cumberland Farms."

(1) Environmental Protection:

Tanks: The proposed new tanks are 24,000 gallons each. The tank storing ethanol free gasoline has three compartments; 1-6,000-gallon diesel, 1-6,000 gallon regular gasoline and 1-12,000 gallon ethanol free gasoline. The tank storing 18,000 gallons of regular gasoline also has a 6,000-gallon premium gasoline compartment. The compartments are separated by a fiberglass reinforced plastic bulkhead. The 6,000-gallon gasoline compartment is connected to the 18,000 gallon gasoline compartment by a pipe that creates a siphon, so the two regular gasoline compartments in the two tanks act as one tank.

The primary tank and the secondary tank are constructed of fiberglass reinforced plastic (FRP). FRP tanks and FRP piping contain glass fiber reinforcement embedded in cured thermosetting resin. Thermosetting plastics are resins that undergo an irreversible reaction when cured in the presence of a catalyst. Cured thermosetting resins cannot be re-melted and are insoluble to petroleum products; blends of gasoline and diesel fuels. FRP tanks and piping do not corrode in a soils environment.

The steel tanks at 975 Seaway are steel and subject to internal and external corrosion.

FRP tanks and piping meet the standards of the following organizations:
API American Petroleum Institute
ASME American Society of Mechanical Engineers
ASTM American Society for Testing and Materials
AWWA American Water Works Association
FM Factory Mutual Research
NSF National Sanitation Foundation
UL Underwriters Laboratories, Inc.

The FRP tanks are double wall. The space between the walls, the interstice, is filled with brine. Brine is filled into the interstice and into a containment area located on the top of the tank. The brine is a calcium chloride solution. The containment area at the top of the tank has a liquid level sensor. Should the primary tanks containing gasoline or diesel fuel fail, the brine will leak into the primary tank and the liquid level sensor will activate an alarm. An inventory gauge located in the product also has a liquid sensor. Therefore, there is redundancy in sensing a leak in the primary tank. There will be no release to the environment. Should the external tank, the secondary containment, leak, the brine will leak into the area surrounding the tank and the level sensor will sound an alarm. The brine is a non toxic colored water solution. The sensor is continuously monitored and should the sensor fail to provide a signal, an audio/visual alarm is activated.

The steel tanks at 975 Seaway have a dry interstice. Should the secondary containment fail above the groundwater or above the normal high level of the storage of the gasoline, the failure of the secondary containment will not be detected.

I have consulted the Fiberglass Tank Institute, a nonprofit manufacturers association dedicated to the advancement of FRP products, and other journal sources and found no reports of a release of product from double wall fiberglass tanks, of which there are more than 200,000 in service.

Piping: The underground piping is secondarily contained FRP pipe. The primary pipe contains gasoline or diesel fuel. In the event of a failure in the primary pipe, the interstice between the two pipes, conducts the product to a containment sump. The containment sump has sensors located near the bottom of the sump. All underground piping is sloped to a containment sump, so any release of product flows quickly to the containment sump. Activation of a sump sensor creates an audible/visual alarm and the system is immediately shut down.

The underground piping at 975 Seaway has flexible piping. Flexible piping is subject to failure from reactions with certain gasolines or diesel fuels. Flexible piping does not have the ability to carry product leaking from primary containment to a containment sump except under pressure. Small leaks may go undetected for long periods of time.

The underground piping from the tank to the dispenser islands is pressurized by pumps located at the top of the tank in an FRP containment sump. One pump services one product except for the regular gasoline that requires 2 pumps to supply the 6 dispensers. The piping at the pump is equipped with a Veeder-Root Pressurized Line Leak Detector (PLLD). This is equipment is "state of the art" for detecting leaks in product piping. Should a leak occur in the pressurized piping an audio/visual alarm is activated and the transfer of product is terminated. Thus, there are redundant systems to detect primary piping leaks and the interstice of the double wall piping conveys product to a containment area such that a release to the environment as a result of a piping leak will not occur.

The pressure piping at 975 Seaway Drive has a mechanical leak detection device. This device only works when the pumps are not working. It senses a leak by the pressure drop in the leaking pipe. The mechanical leak detection device does not sound an alarm. A leak is detected by the partial closure of the valve slowing down the rate of flow to vehicles as the vehicles are filled.

The fill pipes to the regular and ethanol free gasoline tanks are located above the tanks. Each fill pipe has a 5 gallon spill containment sump around the top of the pipe where the tank is filled. The containment sump is designed to catch any drops that may discharge from a nozzle as a hose is disconnected from the fill pipe. The containment sump is double wall cast iron and steel. The double wall containment sump has a connection to test the integrity of the secondary containment. The bottom of the sump connects to steel piping that connects directly to the tank. Inside the steel pipe is an aluminum fill tube. The top of the tube is sealed such that the fill piping is secondarily contained.

The aluminum fill tube is equipped with a float valve. The float valve stops the flow of product into the tank when the level of product in the tank reaches 95% of the capacity of the tank.

The diesel compartment and the premium gasoline compartments have "remote fills." There are spill buckets located between the two double wall tanks. The spill buckets are also double wall. 4 inch diameter double wall FRP pipe carries the diesel fuel and the premium gasoline to their respective compartments. These double wall pipes terminate in containment sumps with leak sensors prior to entering the tanks fill pipe. The remote fills to the diesel and premium gasoline are located so the transport truck will not have to move to deliver product to the tanks.

Also located on top of the gasoline containing compartments is a vapor return pipe. The vapor return pipe also is equipped with a 5 gallon double wall spill containment sump. The spill containment sump will collect any condensate that may occur in the vapor return hose preventing the condensate from entering the subsurface environment.

All hose connections at the tank tops comply with the California Air Resources Board requirements for control of vapor emissions.

The tanks and the piping are installed by qualified contractors. The contractors must be certified by the tank and the piping manufacturers. The Petroleum Equipment Institute and the American Petroleum Institute, as well as the manufacturers, provide recommended practices for the installation of tanks and piping.

Containment Sumps: Containment sumps are constructed of FRP. FRP does not corrode or deteriorate when exposed to the products or to soils. Containment sumps are located under each dispenser with liquid sensors located near the bottom of the sump. Should product leak inside the dispenser, the sump sensor will activate the audio/visual alarm.
The dispenser containment sumps are double wall.

The containment sump under each dispenser has a volume of approximately 23 gallons. The containment sump at the top of the tank that has the pump, piping connections and the inventory gage will hold approximately 180 gallons of product.

Dispensers: At the top of the dispenser sump, inside the protection of the concrete mat surrounding the dispenser there is a valve on the product piping. The valve is called a "shear valve" or an "emergency shear valve." The purpose of the valve is safety. Should the dispenser be displaced in an accident, the emergency shear valve closes and prevents an uncontrolled release of gasoline. Cumberland Farms installs double poppet shear valves. The double poppet prevents gasoline in the dispenser and the piping supplying the dispenser from escaping in the event of an accident involving a dispenser.

The hose on the dispenser contains a breakaway coupling (dry-break connection). Should a driver leave the area with the hose nozzle still in the vehicle fill pipe, the dry-break will sever. Mechanisms inside the dry-break prevent the release of little more than a few drops of product.

The nozzle that is placed in the vehicle fill pipe has a self-closing valve. The valve closes automatically as product fills the fill tube. Should the automatic valve fail, the operator would release the lever on the valve and much less than a gallon of product would be released. (The vehicle tank fills with product at less than 10 gallons per minute. If it takes two seconds for an operator to react, the amount released will be about 1/3 of a gallon.

Inventory and Sensor Control: The product inventory is measured by a Veeder-Root Automatic Tank Gauge (ATG). Veeder-Root is the worlds' leading tank gauge supplier. In each tank, there is a float mechanism that senses the level of the product. The ATG converts the level of the product into gallons. Cumberland Farms employs a version of the ATG that provides many functions. The ATG not only provides the tank inventory, but also conducts continuous product leak detection on the tank inventory. The ATG also continuously monitors all the sump sensors and the product line leak detectors. The ATG sends an electronic signal to each sensor. If the signal is not returned, the alarm is activated. Thus, all the sensors, the line leak detector, the tank interstice sensor and the inventory in the tank are continuously monitored. The ATG also has a high product level sensor. Should the product in the tank reach 95% of the capacity of the tank, an audio/visual alarm is activated.

The USEPA requires third party certification of all leak detection systems. The Veeder-Root System meets or exceeds all federal requirements.

Air Emissions Control: The tank venting system is configured for vapor recovery and the control of emissions from the gasoline tanks. The vent on the venting system has a pressure vacuum valve. This valve controls the release of gasoline vapors to the atmosphere. During the filling of the tanks, the vapor and air in the tanks is exchanged with the product in the tanker truck.

The pressure vacuum vents installed on the gasoline tank vents limit the emissions from the tanks to 0.17 Standard Cubic Feet per Hour. 0.17 Standard Cubic Feet equals the 293 cubic inches about the size of a professional football. Gasoline is not continuously emitted from the tank vents. As the gasoline tanks are emptied by filling vehicles, a slight vacuum is placed on the tanks. Air is therefore sucked into the tanks and no emission of gasoline vapors occurs. The system is required to be field tested every three years for compliance with regulations.

Cumberland Farms is required to report the amount of gasoline dispensed from the station to the USEPA.

The gasoline delivery and tank venting system meet the National Emission Standards for Hazardous Air Pollutants (NESHAPS) with the Maximum Achievable Control Technology (MACT).

Tank Flotation: The tanks are anchored to concrete structures placed below the tanks with "straps" supplied by the tank manufacturer. The straps are placed over the tops of the tanks and anchor the tanks to the concrete structures. In the event of a high-water table, the anchoring prevents empty tanks from floating.

The tanks and piping are bedded in specifically sized stone. The stone provides structure to the tanks and protects the tanks and piping from any sharp objects that may be in the native soil. The excavation is lined with a geotextile fabric. The geotextile fabric prevents native soils from migrating into the stone placed under and around the tanks. Inside the tank excavation are "observation wells." The wells extend below the bottom of the tanks. The wells are required by regulation. The stone surrounding the tanks is much more permeable than native soils. Should a release occur from the secondary of the tanks or piping, product would flow to the tank excavation. The observation wells provide a convenient method to determine if product has been released to the environment.

Spill Control:

Fuel Deliveries: Fuels are delivered in transport trucks. Before fuel is scheduled to be delivered to a location, the CFI dispatcher knows the volume in the underground storage tanks. This is done electronically though the ATG system. This procedure ensures that the tanks will not be overfilled. When the

truck enters the site to make a delivery, the driver is required to manually determine that the tanks will hold the product. The driver opens the cover of the spill containment sump and removes the cap on the fill pipe. The driver inserts a calibrated wooden stick (pole or rod) into the tank, withdraws the stick and reads the elevation of the product in the tank. He then checks the level of the product against a calibrated tank chart. The chart indicates the amount of product in the tank. The driver then knows if the tank will hold the product that is in the truck. "Sticking the tank" is a check against the Automatic Tank Gauge and the Dispatcher.

Once the driver has determined the tank will hold the product, the driver removes two hoses from a shelf on the truck and connects one hose to the tank fill pipe and to the product manifold on the truck. The second hose is for vapor recovery. This hose attaches to the Stage One Vapor Recovery Piping at the tank and a special fitting on the truck. The two hoses are for gasoline only. As gasoline product fills the underground tank, the truck empties. This procedure creates a slight vacuum in the truck tank such that gasoline vapors in the underground tank are transferred to the truck tank.

Diesel fuel has one hose to fill the tank. Diesel fuel does not have vapors such that vapor return is required.

When the hoses are safely connected to the tank piping and the tanker truck piping, the safety valves on the truck are opened and product flows from the truck to the tank.

As product begins to flow, the driver checks for leaks. If a leak occurs, the driver shuts the valves on the truck manifold and makes a repair. Any gasoline that has dripped on any surface is carefully removed with absorbent pads. The driver is required to remain by the truck manifold as long as the hoses are connected to the truck and the underground storage tank. Absorbent pads contaminated with gasoline or diesel fuel are safely stored on site and removed in accordance with Florida DEP regulations.

Generally, product flows through the hose at less than 500 gallons per minute. Should a hose fail, it will take the driver less than 4 seconds to close the tank truck valves. The release will be less than 40 gallons.

Should a tanker truck hose failure occur, the Fire Department is notified immediately and the Cumberland Farms dispatcher is notified. A Hazmat company is called to remove the spill from any containment structure.

When the truck tank is empty, the driver closes the valve at the truck manifold and disconnects the hose from the truck manifold. The hose is "rolled" toward the tank such that any product in the hose drains into the tank.

When the driver is certain there is no product in the hose, he disconnects and the hose from the tank and places caps on the hose and the tank fill pipe. Any product dripping from the hose during this operation is captured in the 5-gallon spill containment sump.

Stormwater from the area of the tanks and the fuel dispensing is directed to three Stormceptor surface drainage catch basins. The Stormceptor is a prefabricated underground structure designed to remove sediments and oil and grease from stormwater. Stormceptors are installed based upon the storm flow rates for a specific surface area. The smallest Stormceptor has an oil retention capacity of 86 gallons.

The proposed Stormceptor is approved by NJCAT (New Jersey Corporation of Advanced Technology). The Stormceptor was originally tested in 2004 at the NJCAT facility in Bordentown, NJ and recertified by the Department of Environmental Engineering Sciences at the University of Florida, Gainesville in 2008.

The gasoline delivery and tank venting system meet California Air Resources Board (CARB) Standards for Enhanced Vapor Recovery (EVR), the National Emission Standards for Hazardous Air Pollutants (NESHAPS), and Maximum Achievable Control Technology (MACT). Based on the vapor pressure of diesel fuel, diesel tanks do not have vapor recovery.

New vehicles with carbon canisters emit very little gasoline per fill up. Onboard Refueling Vapor Recovery (ORVR) systems, dramatically limit refueling emissions. The EPA implementation of ORVR rules has brought American ORVR efficiency to 98%.

(2) <u>Operations:</u>

Operations concerning fuel deliveries were discussed in the Spill Control Section.

The equipment that measures product in the tank and all the sensors is manufactured by Veeder Root Corporation. The automatic tank gauge not only determines product inventory, but provides a Continuous Leak Detection System. During periods when the dispensers are not in use, the ATG performs a leak test. The tanks' inventory is monitored for temperature and level for a period of time. The time periods when data is collected is examined statistically to determine if product is being lost from the tank. This statistical tank leak test is in addition to the continuous piping leak test and inventory reconciliation.

The USEPA requires third party certification of all leak detection systems. The Veeder-Root System meets or exceeds all federal requirements for leak detection. Third party evaluations of Leak Detection Systems are now reviewed by the National Work Group on Leak Detection Evaluations. The Veeder-Root System is listed as meeting USEPA criteria.

Cumberland Farms employs a third-party company to monitor, on a 24 hour basis, the Veeder Root system. The connection from the Veeder Root System to the third party may be severed during an electrical outage or communication loss as the connection is made through an IP address which essentially is an internet connection. This is the industry standard for remote monitoring connections and is password protected to prevent tampering at the store level. A loss of connection notifies the third party vendor to begin immediately, working to restore the connection. During the period of loss connectivity, the store is contacted to inform employees of the lost connection and ensure that there are no existing Veeder Root alarms.

The State and Federal Government require the training and certification of people that operate underground tanks that store petroleum products.

There are three categories of operators for each underground tank, A, B, C. The A operator is responsible to be certain that regulations are being met at the company level. The B operator must know the equipment and operation of the tank system and on a monthly basis inspect the tank systems. This includes monthly inventory control in accordance with current regulations.

A & B operators are required to take and pass a test.

The A and or B operator is also responsible for training C operators. A C operator must be present whenever a tank system is in operation. The C operator must be trained to respond to emergencies. Every Cumberland Farms facility that dispenses motor fuels has an A, B or C operator.

Each C operator is trained in accordance with the Cumberland Farms Retail Emergency Response Plan. (See next page)

The current Florida DEP regulations require monthly inspection of all sumps. A visual inspection of all electronic release detection devices every 6 months. Annual testing of leak detection devices and integrity testing of pump and piping sumps every three years.

Summary: The existing gasoline storage and dispensing at the proposed Cumberland Farms Convenience Store and Gasoline Station meets all requirements for the safe storage and dispensing of fuels. The CFI employees are trained in accordance with State and Federal requirements.

- The proposed new tanks will be double wall FRP with brine in the interstice. The brine will detect a breech in either the primary wall or the secondary wall.
- The new piping will be FRP double wall. All piping drains to a containment sump with leak detection sensors.
- Stormwater is treated in a Stormceptor before entering the environment.
- The air pollution control system meets NESHAPS and MACTs

(3) Environmental Issues Regarding the Storage of Gasoline

Fires:

Report: "**Fires At U.S. Service Stations**" by Ben Evarts, April 2011, National Fire Protection Association, Fire Analysis and Research Division

NFPA Executive Summary regarding fires at stations delivering gasoline:

Report: NFPA's "Fires at U.S. Service Stations"

Author: Ben Evarts
Issued: April 2011

Incident types and trend data are reported for fires that occurred in or at service stations. Three different types of incidents, structure fires, vehicle fires, and outside and other fires are analyzed for cause, equipment involved, and other type of material first ignited, among other relevant factors specific to each incident type. Other information relevant to this occupancy, such as the hazards of static electricity is presented as well.

Executive Summary:

During the five-year period of 2004-2008, NFPA estimates that U.S. fire departments responded to an average of 5,020 in service or gas station properties per year. These fires caused an annual average of two civilian deaths, 48 civilian fire injuries, and $20 million in direct property damage. The majority of the fires in this category were vehicle fires. Reported fires in this occupancy group fell 46% from 7,860 in 1980 to 4,280 in 2008.

According to the U.S. Census Bureau, there were 117,000 gasoline stations in the United States in 2007. Fires in these occupancies represent a variety of incidents, including structure fires, vehicle fires, outdoor fires and other fires. The majority of incidents are vehicle fires (61%), but the majority of the property damage (59%), results from structure fires. Outside trash or rubbish fires account for 12% of the fires reported to local fire departments at this type of property.

Twelve percent of fires reported to local fire departments in these properties were structure fires. The most common items first ignited in structure fires at service stations were flammable and combustible liquids and gases, piping or filter (22% of structure fires), followed by rubbish, trash, or waste (18%) and electrical wire or cable insulation (13%).

Most vehicle fires (82%) occurred in passenger vehicles, these fires accounted for nearly half of the total number of civilian injuries that occurred in service station fires of any kind (structure, vehicle, outside, other). The most common type of material first ignited in a vehicle fire was gasoline (28%).

Outside and other fires accounted for 15% of incidents at service stations. Natural vegetation fires accounted for 42% of these incidents. The most common heat source for outside fires was smoking materials (21%).

Twelve percent of fire incidents at service stations were outside trash or rubbish fires.

Individuals interested in keeping service stations safe from fire should consult NFPA 30A – Code for Motor Fuel Dispensing Facilities and Repair Garages for information about fire prevention in these properties. The proposed Cumberland Farms Facility meets all the requirements of NFPA 30A – Code for Motor Fuel Dispensing Facilities.

Excerpts from the report:

Structure Fires: 600 Structure Fires caused 1 death and 15 injuries per year. "Many fires in service stations started in the cooking area, or in a lavatory or bathroom." The balance of the structural fires was caused by failure of heating systems or electrical systems.

Vehicle Fires: 3,050 Vehicle Fires caused an annual average of 1 death and 29 injuries per year. Of and average of 3,050 vehicle fires, 2,500 were passenger vehicle fires.

"A flammable liquid or gas being spilled was a factor in 4% of vehicle fires at service stations." Spilled gasoline on average caused one injury per year. (Approximately 1 out of 1,000 stations dispensing gasoline will have a fire as a result of spilled gasoline.)

"The majority of vehicle fires at service station or gas station properties began in the engine area. The engine area, running gear, or wheel area was the area of origin for 74% of vehicle fires at these properties. The passenger area of the vehicle was the area of origin for 6% of fires, and 4% of fires originated in the fuel tank or fuel line of the vehicle."

The dispenser closest to the residence is 200 feet away and mostly shielded by the convenience store. It is unlikely that a fire would have an impact upon the residence. The Fire Department is right next door.

Benzene:

As stated previously: The gasoline delivery and tank venting system meet California Air Resources Board (CARB) Standards for Enhanced Vapor Recovery (EVR), the National Emission Standards for Hazardous Air Pollutants (NESHAPS), and Maximum Achievable Control Technology (MACT). Based on the vapor pressure of diesel fuel, diesel tanks do not have vapor recovery.

New vehicles with carbon canisters emit very little gasoline per fill up. Onboard Refueling Vapor Recovery (ORVR) systems, dramatically limit refueling emissions. The EPA implementation of ORVR rules has brought American ORVR efficiency to 98%.

Benzene currently occurs in gasoline at 0.62%. The USEPA is continuing to lower the acceptable levels of benzene.

The pressure vacuum vents installed on the gasoline tank vents limit the emissions from the tanks to 0.17 Standard Cubic Feet per Hour. 0.17 Standard Cubic Feet equals the 293 cubic inches about the size of a professional football. The Benzene content in the 293 cubic inches is 1.8 cubic inches. Gasoline is not continuously emitted from the tank vents. As the gasoline tanks are emptied by filling vehicles, a slight vacuum is placed on the tanks. Air is therefore sucked into the tanks and no emission of gasoline vapors occurs.

My experience is that gasoline vapors cannot be detected when standing under the tank vents.

The location of this proposed fuel dispensing facility is opposite the USCG Base. There is no occupancy for a very long distance across the street.

The climate at Fort Pierce is such that there is nearly always a wind. For seven months from October to May, the average wind speed is 9.2 miles per hour. For 4 months, the end of May to early October, the average wind speed is 6.9 miles per hour. The wind is from the East for 9 months; from the South for 2 months, mid-June to mid-August. The nearest residence to the fueling operations is to the Northeast, about 200 feet from the first gasoline dispenser and about 250 feet from the tank vents.

Given the normal wind speed and the direction of the wind, it is unlikely that the nearest residence will be impacted by the gasoline vapors at any time of the year. With an average wind speed of 7 miles per hour, any vapors from automobile filling will be quickly dissipated.

(4) Comments Regarding the "Initial Strategy Analysis-Harbour Isle Preservation & Cumberland Farms."

Page 1. Summary; "Four of the 38 Harbour Isle residential buildings will be within 500 feet of the gas station." Cumberland Farms currently operates a Convenience Store with gasoline at 975 Seaway Drive. Currently two buildings at 38 Harbour Isle, ½ if the tennis court and the St. Lucie Fire Station and two residential buildings on Bayshore Drive are within 500 feet of or the 975 Seaway Drive. At the proposed location of 801 Seaway Drive, three Harbour Isle residential buildings will be within 500 feet of the dispenser island. Two of the three buildings will be blocked from the dispenser island by the Cumberland Farms Convenience Store. Please see the attached Google Earth map entitled "Location of Living Units from dispensers and tanks."

Page 2. Health Effects; The California "Air Quality and Land Use Handbook: A Community Health Perspective." April 2005, California Environmental Protection Agency, California Air Resources Board.

The assessments upon which the data and therefore the recommendations are made is based on old technology, no longer employed at modern gas stations. Cumberland Farms employs Enhanced Vapor Recovery (EVR) as required by the current California Air Resources Board (CARB). For instance, Phase II Vapor Recovery is cited in the report and is an important source for models that created the 500 feet recommended distance from gasoline dispensing facilities. Phase II Vapor Recovery has been replaced by carbon canisters located in vehicles. New filling equipment, the hose nozzle and the new vehicle fill pipe force gasoline vapors into carbon canisters located in the air inlet to the automobile engine. Therefore, filling gasoline tanks emit very little gasoline per fill up. The gasoline vapors stored in the carbon canisters are mixed with air and incinerated in the vehicles' engine.

On May 9, 2012 EPA Administrators released their final rule making which acknowledged enough ORVR systems were operational to remove further need for Stage II systems. Onboard Refueling Vapor Recovery (ORVR) systems, dramatically limit refueling emissions. The EPA implementation of ORVR rules has brought American ORVR efficiency to 98%.

In addition to the elimination of the Phase II, Cumberland Farms installs all the requirements of the CARB. The CARB has required new designs of existing equipment to eliminate vapor emissions from gasoline dispensing facilities. The vent pipes have pressure vacuum valves. The hose connections are now designed to eliminate vapor emissions during idle periods. The equipment that measures inventory is now designed to prevent gasoline vapor emissions.

These new CARB regulations were not in effect when the Air Quality and Land Use Handbook: A Community Health Perspective was created in April 2005.

Page 6 sites a Johns Hopkins University, HUB publication entitled "Small spills at gas stations could cause significant public health risks over time", October 7, 2014.

This publication sites research that approximately 1 gallon of gasoline is spilled daily at a typical gas station.

The publication cited in the October 7, 2014 article above is in the Journal of Contaminant Hydrology, published online September 19, 2014. The document is entitled "Infiltration and evaporation of small hydrocarbon spills at gas station"

A review of the document is that it is basically a modelling exercise with many assumptions about the characteristics of gasoline in concrete. Some of the "proof" of the modeling was by using concrete from the sidewalk of the city of Baltimore. There is no data as to the strength or thickness of the concrete. It is unlikely the City of Baltimore pays for the specification of concrete that Cumberland Farms uses in its facilities. Cumberland Farms

installs concrete with a minimum strength of 4,000 psi and a thickness of 6 inches. It is unlikely gasoline will penetrate this concrete to affect groundwater.

Page 7 also indicates "scientific studies" of plume travel may be 400 feet. Plume travel depends upon the porosity of soil and the slope of groundwater. A 400 feet plume is most likely from a large spill with groundwater sloping away from the source. Given the topography of this site, the slope of the groundwater is nearly flat. The case of a surface spill penetrating concrete at the proposed Cumberland Farms gasoline and diesel fuel dispensing facility and migrating to nearby waters is very unlikely.

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PROFESSIONAL CERTIFICATIONS:

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EDUCATION

1984 - Master of Science, Chemical Engineering; Clarkson University, Potsdam, NY
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EXPERIENCE

Mr. Coluccio brings over 30 years of professional experience with hundreds of environmental and chemical engineering/design projects. His expertise includes: Design of chemical, petroleum, propane, and natural gas facilities, wastewater treatment plants, chemical process control, vehicle, marine, and aircraft refueling facilities, spill prevention and countermeasure, failure analysis, stormwater and sewer management, as well as design and implementation of remedial action systems for hazardous waste sites, hazardous waste site investigations, and air quality permitting.

Other experiences include: Expert witness, mediation, public hearings, licensing, appeals, and special permitting with planning boards, conservation commissions, city councils, board of selectmen, state and local fire marshals, Army Corps of Engineers, U.S. Coast Guard, and Massachusetts Port Authority.

Engineering Design

Chemical and Fuel Process Control and Storage Facilities: Design of aboveground and underground storage tanks and process control systems for chemical, propane, natural gas, and fuel handling facilities; flammable and viscous chemical and hazardous waste storage and handling, fire risk assessments, fire protection, truck traffic, secondary containment and leak detection, truck loading/ unloading, plant wide distribution, spill prevention and countermeasure.

Industrial Wastewater Treatment Plant: Design of wastewater treatment plants employing dissolved air flotation, chemical flocculation, pH adjustment, oil/water separation, chemical destruction of organics,

sedimentation design, sludge management, high level controls and building design. Interface with municipal waste treatment plants. Solve regulatory issues.

Vehicle, Marine, and Aircraft Refueling Stations: Designed and installed vehicle, marine, and aircraft refueling stations in Boston Harbor ad throughout throughout Massachusetts. Designed and installed largest marine refueling stations in Massachusetts serving cruise vessels, commercial fishing vessels, and pleasure boats. Interface with U.S. Army Corp of Engineers, U.S. Coast Guard, Massport Fire and Rescue, Massport Environmental, Boston Conservation Commission, and Massachusetts Department of Environmental Protection.

Inventory Control and Spill Prevention: Designed inventory control system for large fuel storage depots including a multi-million gallon fuel farm for a power generation plant. Experience includes No. 6 Fuel oil, epoxy resins, Class I and II liquids, ultrasonics, weigh scales, concrete, steel, and fiberglass containment structures.

Stormwater and Sewer Management: Design of stormwater management systems, site survey and re-grading, oil/water separation, manway structures, concrete pads and containment dikes, NPDES and sewer discharge permitting

Site Assessment and Remediation

Oil and Hazardous Material Releases: Emergency response and investigation, remedial design and implementation following releases of oil or hazardous material to the environment. Representative projects include:

Investigation and remediation of gasoline, fuel oil, chlorinated solvents, and PCB releases. Phase I site assessments, subsurface investigations, MCP Compliance, Notifications of Activities and Use Limitations, and Tier Classification. Remedial design includes: Vapor Extraction, Air Sparging, Oil/Water Separation, Air Stripping, Carbon Filtration, Catalytic Oxidation, and Bioremediation.

Project and Contract Management

Contract Management: Managed numerous site-specific projects for state, federal, and private clients from proposal phase to final construction approval. Prepare cost estimates, bid documents, written specifications and drawings. Provide consultation during contractor selection and submittal approvals, and oversight during construction Project values range to $2,000,000.

Air Quality Permitting

MADEP Source Registration Regulatory Compliance: Performed mass balances to determine volatile organic emission status of industrial facilities, interface with regulatory agencies regarding category updates and compliance fees

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Masters, Business Administration

Registered Professional Engineer - Commonwealth of Massachusetts
- New Hampshire

Licensed Site Professional – Commonwealth of Massachusetts

Certified Waste Water Treatment Plant Operator - Commonwealth of Massachusetts

Licensed Third Party Inspector, Class A & B Operator Underground Storage Tanks -Commonwealth of Massachusetts

American Society of Petroleum Operations Engineers - Past President - no longer active

Additional Memberships: Petroleum Equipment Institute, National Fire Protection Association, International Spill Control Organization, New England Fuel Institute, Massachusetts Oil Heat Council, National Groundwater Association. Licensed Site Professional Association

OSHA Confined Space Entry Certification, OSHA 40 Hour Hazardous Waste Operations Certification
API Safety Certification – Service Stations, Production Facilities

Lectures and Papers

Manuscript - Pollution Engineering, July 1988 - "Critical Evaluation of EPA's UST Testing Apparatus"

American Society of Petroleum Operations Engineers - "Examination of Above Ground Petroleum Storage Tank Bottom/Shell Weldments"

Article - New England Real Estate Journal, "Proper Control Needed To Keep Tanks An Asset"

Article – Co-author, Pollution Engineering, March 2002 – "Success Story" (Article about innovative bioremediation of brownfields site, Baycity, MI)

Guest Lecturer - California Association of Health Professionals - Underground Tank Dynamics and Physical Principles Affecting Precision Testing

Guest Lecturer - USAF Precision UST Testing Methods

Guest Panellist - American Society of Mechanical Engineers- Physical Principles of

Underground Tank Leak Detection

Battelle Memorial Institute – co-author, Remedial Actions in Response to a Kerosene Release to Wetlands

University of Massachusetts, Amherst – co-author, Bioremediation of Bedrock Groundwater Contaminated w/ PCE, TCE, TCA, Toluene & Hexane

Continuing Education:

University of Wisconsin Professional Courses:

Cathodic Protection of Underground Structures

Underground Storage Tank Management

Liquid Storage Tank Installation

National Association Corrosion Engineers, Professional Courses:

Cathodic Protection, Corrosion Basics

Second International NACE/MTI Symposium - AST; Design, Inspection,

Maintenance

Northeastern University:

Graduate Courses in Environmental Engineering

Government Institutes:

Environmental Laws and Regulations

University of Massachusetts:

Annual Seminars on Petroleum Products in the Environment and Remediation Technologies

Environmental Protection Agency:

Leak Detection Technology Transfer Seminar

Environmental Protection Agency:

Region IV Seminar on Remediation of Petroleum Contaminated Sites

American Petroleum Institute:

1999 Storage Tank Management and Technology Conference

National Groundwater Association/American Petroleum Institute

2000 Petroleum Hydrocarbons and Organic Chemicals in Ground Water

NFPA – National Electrical Code – Hazardous Area Classification

PEI – CNG Systems for Automotive Fuelling

Instructor - Hartmann Management Services - University of Wisconsin, UST Installation Course

Expert Witness

Provided expert witness regarding an explosion and fire during a gasoline delivery

Provided expert witness regarding vibration stress failure of 12” diameter LNG pipeline

Chapter 21E Site Assessment - US Bankruptcy Court

Numerous appearances before Planning Boards, Selectmen, Zoning Board of Appeals, Conservation Commissions regarding Storage Tank Designs/Operation

Expert Consultation

- Provided report documenting tank installation practices, tank management, petroleum industry practices, regulations and recommended practices regarding tank failure
- Provided a report regarding tank management practices and residual groundwater contamination
- Assisted Department of Defence in evaluation of leak testing equipment for a 1,000,000 gallon UST
- Witnessed excavation and provided report regarding failure of catholically protected UST - 3 Sites
- Provided a report detailing the safety violations which caused an explosion while a gasoline underground storage tank was being abandoned.
- Examined a tank failure of a new tank installation and provided a report detailing the cause of the failure
- Naval Education and Training Centre - Investigate Failure of Two-1,000,000 Gallon Underground Storage Tanks, Review Design, Provide Expert Testimony as to Cause of Failure
- Provided a report on the failure of an AST storing sulphuric acid, failure of the containment structure and exposure of sulphuric acid fumes to an abutter.
- Provided a report as to the requirement to replace underground piping when an automobile displaced a gasoline pump on an island.
- Provided a report about underground storage tank anchoring and floatation

Invention

- Co-invented and developed the “Tank Auditor” (Patent #4811601). A certified precision underground storage tank testing method. (10,000+ tests have been conducted with this method)

Co-invented a hydraulic separator pump to condense and remove floating products (Patent #5207897)

Co-invented a Catch Basin OWS and Bioreactor

Co-invented a "Biofence" to control spills and apply microbes for bioremediation of oils.

Public Service: Elected Member - Town of Cohasset Board of Health- 7 years,

Town Committees: Recycling Transfer Station, Watershed Protection,

Sewer Study Committee, Hazardous Materials Guidance

1975 To Present — President of Web Engineering Associates, Inc.

Professional Staff - 2 Engineers, 1 Geologist, 1 Land Use Planner, 2 Technicians

Petroleum & Chemical Engineering: Included in design experience is tanker and barge terminal facilities, bulk oil plants, hazardous waste storage systems, marinas, service stations, industrial fuel oil storage systems, tank truck and railroad loading and unloading facilities, air pollution control systems, spill prevention control and countermeasure plans, pump and piping systems, tank heaters, tank repair, lube oil storage and drumming facilities, solvent storage, solvent distillation, chemical waste water treatment, piping and process systems.

The products include crude oil, #1 to #6 fuel oils, gasoline, fish oils, biofuels, flammable solvents, alcohols, chlorinated solvents, heated flammable resins, natural gas, LPG, steam, pesticides, and herbicides.

Environmental Engineering: More than 400 site investigations for surface and subsurface contamination. Included in experience is investigation of petroleum, solvents, pesticides, PCB and foundry landfill plumes, design and installation supervision of interceptors and recovery equipment; innovative bioremediation, vacuum educators, air stripping columns, water and vapor carbon systems, landfill capping, monitoring and reports. (Responsible for the first bioremediation system in the Commonwealth located in Turkey Swamp, Halifax, MA. Saved destruction of the wetlands and documented the efficacy of bioremediation to uplands and wetlands).

Tank Testing: Two crews precision leak tested 4000+ tanks.

1996 to Present — Founded MicroSorb®Environmental Products, Inc. a company to facilitate the use of wastewater treatment systems and insitu bioremediation through design and application of microbes and to distribute microbial remediation and microbial cleaning products.

1983 To 1997 — Founded Leak Detection Systems, Inc., a company to license and to market the "Tank Auditor" underground tank leak detection system.

1975 to 1981 — Construction: Developed a mechanical construction company that employed 20+ people with annual sales of +$1,000,000.00. Construction projects included a $225,000.00 tank truck loading facility for gasoline and distillates with vapor recovery. Installation of 3000' of 14" diameter pipe connecting tanks, pumps and loading facilities; installation of 600' of 6" diameter high pressure natural gas pipeline; installation of plant and equipment to reclaim solvents; underground storage tank removals and installations; stainless steel process and steam piping.

1973 to 1975 — Proprietor, Web Engineering Associates

Began company to provide engineering and construction expertise to oil industry. Engineering projects included engineering review of the design of a 600' - 24" diameter #6 oil line; design of a 40' pipe bridge; design of Spill Prevention, Control and Countermeasure Plans. Construction experience included developing a company to provide service station pump and tank installation and small bulk oil storage plant installation.

1971 to 1973 — Engineer, Chevron Oil Company, Western Division, Marketing Operations, Denver, Colorado

Develop and coordinate company wide projects for five marketing divisions in ten Mid-Western states. Projects included feasibility study of lube oil blending and canning plant, construction costs- $2,000,000.00, annual costs- $12,000,000.00; design and implementation of a $3,000,000.00 OSHA compliance program; gasoline, diesel and aviation fuel quality control; development of an environmental protection program; implementation of compliance with Department of Transportation regulations.

Responsible for specification and purchase of equipment and facilities, including transport tank trucks; warehouse and bulk storage facilities, self service gasoline stations, and tank truck loading facilities, vapor recovery equipment.

1968 to 1971 — Associate Engineer, Chevron Oil Company, Eastern Division New England Region

Responsible for estimating costs, payout calculations, and engineering design and construction in eighteen bulk plants and two terminals in Maine, New Hampshire, and Massachusetts. Responsible for estimating costs, design, presentation of plans to local officials, and construction of service stations.

Major projects included analysis, design and installation of new tanker terminal piping system; improving loading rack capacity and safety; oil spill contingency plan; designed, secured permits and supervised construction of sixteen service stations. Designed systems to remove gasoline and oils from the groundwater and vapors from residences. Supervised UST testing.

1965 to 1968 — Associate Design Engineer, Chevron Oil Company, Eastern Division, Perth Amboy, New Jersey

Responsible for estimating costs, payout calculations, design, drafting, field construction, and contract administration of refinery projects.

Mel Scott, AICP

Regional Business Development & Sales Director

Mel Scott has 20 years of Brevard County public service experience in a wide range of professional disciplines, highlighted by his 7 year tenure as Brevard County's Assistant County Manager. Overseeing departments which included Planning & Zoning (formerly the Growth Management Dept.), Public Works, Utility Services and the former Metropolitan Planning Organization (which is now the SCTPO), Mel is a valuable team member that knows this community and has a proven track record of driving quality outcomes.

Specifically, his experience includes participation in the inception, planning and construction phases of many multi-jurisdictional roadways, including the St. Johns Heritage Parkway, as well as the oversight of Public Works Department efforts that are entrusted with maintenance and capacity improvements for 1,177 miles of paved roadway, or enough to travel from the Space Coast to Connecticut! During his service in Brevard County, he supported the continued investment in ITS technology and, ultimately, the completion of a comprehensive ITS Master Plan which continues to guide extensive vehicle detection upgrades within the County's ITS system today.

As a *Project Advisor*, Mel will make sure that ATKINS provides the right level of staff, that the team remains available throughout all work processes and will regularly contact SCTPO leadership to verify that you are satisfied with the ATKINS team's work.

For 28 years, Mel has been an active member in the planning profession and is a member of the American Institute of Certified Planners (AICP). His knowledge of local, state and federal regulatory structures and commitment to this region's success, will be dedicated to the SCTPO's responsibility to manage a continuing, cooperative and comprehensive planning process in support of an evolving transportation network designed to improve quality of life, add economic viability and enhance safety within our community.

Prior to joining Atkins, Mr. Scott's experience included:

Blue Ribbon Transportation Advisory Committee Report and Recommendations (BRAC): Technical Staff Support; Recognizing the critical role that infrastructure plays in promoting economic development and community welfare, as well as the burgeoning mismatch between infrastructure revenues and needs, the Brevard County Board of County Commissioners established this Committee in 2013. Over a course of 8 months Mel worked with other County/City/TPO staff, and BRAC members in public forums to identify sustainable short and long term funding solutions for BCC or voter consideration for the purpose of bridging the gap between funds needed and funds available to sustain Brevard's roadway network.

Civic/Community Involvement

Immaculate Conception Church – Board of Trustees, 2002 – Present
Immaculate Conception Church – Fund-Raising Chair, Children's Education Fund
United Way – Past Fundraising Chair, Brevard County Board of County Commissioners

Education

M.A., Urban and Regional Planning, Political Science and Government, Florida Atlantic University, 1991

B.A., Political Science, Criminal Justice, University of Tampa, 1988

Certifications

American Institute of Certified Planners, American Planning Association (AICP), 1989.

Professional affiliations

American Planning Association, Florida (1989 – Present)

Florida Chapter, American Planning Association (1989 – Present)

Florida Atlantic Planning Society, Founding President (1990)

International City/County Management Association (2013 – Present)

Professional development

Brevard Executive Leadership (ELI), Graduate, 2011

Mel Scott, AICP
Regional Business Development & Sales Director

Boys/Girls Head Basketball Coach, HNJ School, South Beach Basketball Association (2006 – present)
Board of Directors, Keep Brevard Beautiful

Previous Work History
Director, Property Research & Acquisition
Certified Building Corp, Indialantic, FL
2004 – 2007; Responsible for property research, acquisition, design and permitting or residential communities in Brevard & Indian River Counties.

Director, Planning & Zoning Office (Zoning Official), Brevard County
1998-2004
Responsible for implementing, amending and interpreting the Comprehensive Plan and Zoning Code. Provided leadership for the day-to-day operations and budget management for the department which included continuous improvement of the permit review and approval process, code enforcement, contractor licensing and impact fee program of Brevard County.

Number of Years with Other Firms:
3 – Certified Building Corp.

Do You Hold a Public Elected or Appointed Office?
Office Held: Supervisor
Name of Agency: Brevard Soil & Water Conservation District
Term Expiration: 1996 - 2000

Jeffrey A. Lucas, PE

Project Manager

Jeffrey Lucas has 18 years of land development, water resources, and consulting experience involving commercial, residential, and municipal project layout, permitting, and design; four of these years were involved with construction practice as an active member of the U.S. Army on deployments in countries abroad. Other experience includes field inspection, environmental site assessment work, and port engineering projects. His responsibilities include site design, planning, project management, permitting, and related engineering assessments, calculations, and modeling. Mr. Lucas is experienced in land development conceptual and master planning activities including zoning changes, land use amendments, and master plan compliance related to utilities and administrative actions. He has directly coordinated management of project subconsultants as well as interacted with clients, legal counsel, and municipal and regulatory agencies to see projects planned from design to construction.

Mr. Lucas' project experience includes:

Cumberland Farms Gas Stations and Convenience Stores, East Coast, FL. Project manager and engineer of record for site civil work for proposed new construction of site planning and land development for these new facilities. Managed traffic engineering team for traffic studies, Geotech investigation, surveying, eco-bio studies, community planning, petroleum tank and pump plans, landscape and irrigation, and various permits amongst numerous agencies. Construction administrative services are also included. Approximately 20 facilities have been constructed to date from program inception timeframe of about 2012.

Big Box Retail Development Conceptual Planning, Orlando, FL. Performed site reconnaissance and due diligence to include meeting with planning and zoning officials to discuss moratoria and lot aggregation issues. Submitted conceptual access plan to FDOT to obtain preliminary assessment. Performed conceptual stormwater models to address flow-restricted watershed basin criteria. Drafted conceptual stormwater management system using AutoCAD. **Duration:** 10/2007-11/2008

Big Box Home Improvement Center Retrofit Project, Rockledge, FL. Coordinated/designed site expansion to accommodate an adjacent roadway expansion project including right-of-way donations. Designed and permitted construction plans for infrastructure improvements and utility relocations. Evaluated existing stormwater master plan and obtained a letter of conformance from regulatory agency. Evaluated municipal roadway expansion project and planned/coordinated traffic study for a signal warrant analysis of a future intersection. Met with municipality to gain project approval within a community redevelopment area including variances. Provided project status updates for clients and consultants. **Duration:** 02/2007-12/2008

La Fourche and Plaquemines Parrish Levee Inspections, New Orleans, LA. Completed 90 miles of levee and 2 major pump station inspections to inventory deficiencies for input into the National Levee Database (NLD) for use in hazard insurance. **Duration:** 08/2010-12/2010

Total years of experience

18

Years with firm

9

Education

B.S., Civil Engineering, University of Central Florida, 2005

Registrations/licenses

Professional Engineer
Florida 71621, 2010

Certifications

State-Certified Stormwater Management Inspector
Class "B" Commercial Driver's License
TWIC Card Carrier

Honors and awards

3rd in State, Water Resources Design Competition, Florida Water Environment Association (FWEA)
Commendation, Achievement, and Good Conduct Medals, U.S. Army
Florida Engineering Society, Member
National Society of Professional Engineers, Affiliate

Software

ICPR, SewerCAD, WaterCAD, OPSEW, PONDS, MODRET, StormCAD, AutoCAD (Civil 3d/LDD), ARCExplorer/GIS, Derive 5, HY-8, PUMP-FLO, SMADA, Microsoft Project, Hydraflow, Trimble GPS

Professional development

Advanced Best Management Practices (BMP) Selection Course, Florida Stormwater Association, Orlando, FL.
Stormwater Permitting Course, Florida Engineering Society, Orlando, FL.
Stormwater Management Design Course, Water Resources Learning Center, Orlando, FL.

Various Community Block Grant Projects, Brevard County, FL. Designed and permitted various sidewalk, neighborhood entry signs, pedways, and roadway restoration plans for the County. Also included construction administration. Duration: 02/2011-11/2012

SR524 Logistics Center, Canaveral Port Authority, Cocoa, FL. Project manager and the engineer of record for site civil work for proposed new construction of site planning and land development for new logistics center encompassing 270 acres. Managed traffic engineering team for traffic studies, geotechnical investigation, surveying, eco-bio studies, community planning, and various permits amongst numerous agencies. Also provided cost estimation and stockpile planning. Project was constructed as Walmart Distribution Center.

CT6 Cruise Terminal Design-Build/CT6 Parking Garage Design-Build at Port Canaveral, Canaveral Port Authority, FL. Project manager and engineer of record for site civil work for new construction of these facilities. Prepared fast track design-build plans for site civil project aspects – planning, potable water, lift station, permitting, and construction administration. Unique aspects included Fuel Line impact mitigation planning, survey layout, and pile driving coordination. Performed design of the commercial vehicle staging access lot. Design Fees: ± $200k; Constructed in Summer 2012; Project size: approx. 20acres of sitework with ±300,000 SF of building area; Cost: ±$40M; ODP's were contractor managed.

Miss Cape Canaveral, Canaveral Port Authority, Port Canaveral, FL. Project manager/engineer of record, performed site layout and design of demolition and relocation of a deep sea fishing charter operation. Project entailed design of a dock/deck by filling in a dilapidated, unutilized boat ramp, pad placement of a modular building, utility and lift station design, all while designing around the ongoing and recently completed Cove Welcome center stormwater outfall project(by others). Also managed construction administration. **Duration:** 01/2013-03/2013

Big Box Retail Retrofit Construction Inspection, St. Augustine, FL. Coordinated with contractors on inspection scheduling and resolving potential change orders. Inspected infrastructure improvements for as-built certification. Checked depths of pavement cross sections and landscaping placement. Evaluated compaction test results from subconsultant. Prepared written and pictorial reports of site construction progress for client. Coordinated with municipality and contractor to resolve Americans with Disabilities Act (ADA) compliance issues. **Duration:** 01/2008-01/2009

Big Box Retail Site Development, Lynn Haven, FL. Designed, modeled, prepared reports, and permitted onsite wet detention stormwater management system. Designed and permitted offsite stormwater quality management system including wetland mitigation. Evaluated geotechnical, environmental, and ecological reports. Consulted with client legal counsel and Audubon Society regarding site's previous wetland mitigation banking success criteria and future cost. Performed offsite large-scale stormwater model evaluating floodplain to assess conveyance impacts regarding state road improvements. Coordinated with agencies, municipalities, and consultants to gain design approvals. Prepared exhibits for subconsultants for the U.S. Army Corps permitting department. Drafted onsite and offsite infrastructure improvements. Consulted on water study reports (flow tests) to determine if adequate municipal supply exists for site development. Performed initial onsite drainage investigations and researched drainage records. Attended required state agency pre-application meetings. **Duration:** 01/2008-02/2009

Stormwater Management Inspector's Course, Florida Department of Environmental Protection, Cocoa, FL.
Leadership Course, Creech Engineers Inc., Stuart, Florida.
Stormwater Modeling Course, Streamline Technologies, Inc., Orlando, FL.
Indirectly affiliated with the University of Central Florida (UCF) Stormwater Management Academy (former student, attended meetings on stormwater sustainability with researchers to gain latest knowledge for clients on green roof, pervious pavements, stormwater reuse, etc.)

Big Box Retail Site Development #1, Madison, FL. Designed and permitted wet detention stormwater system. Designed and permitted offsite lift station and forcemain. Coordinated with municipal consultants on design approvals. Performed initial onsite drainage investigations. Coordinated with subconsultants and client legal counsel on past environmental issues associated with lumber mill activities. Performed subsurface removal estimates of buried debris using geotech borings. Performed cut and fill calculations. Coordinated with environmental/geotechnical consultants for cost-effective design solutions to subsurface instability using Tensar GeoGrid technology. Designed offsite roadway improvements. Provided project status updates to project managers. Coordinated project surveys from subconsultants. **Duration:** 05/2006-07/2007

Large-Scale Commercial Subdivision Master Plan, Palm Bay, FL. Prepared cost estimates. Maintained project schedule. Drafted conceptual plans, construction plans, and specifications. Coordinated with client, agencies, sub-consultants and municipalities to see project from inception to construction. Negotiated with client legal counsel and agencies to donate mutually beneficial right-of-way in support of a state roadway project. Designed and modeled master stormwater, wastewater, and potable water utilities. Designed offsite roadway improvements. Prepared utility calculations, reports, and permits. Hired subconsultant to perform traffic study. Managed ecological subconsultant in permitting the relocation of gopher tortoises in an offsite preserve. Coordinated with municipal consultants to obtain design approvals. Managed platting approval with a municipality. Coordinated project to complement FDOT intersection improvement project. **Duration:** 07/2007-05/2008

MacKenzie
Engineering & Planning, Inc.

1172 SW 30th Street
Suite 500
Palm City
Florida 34990

Point Of Contact:

Shaun MacKenzie, P.E

772-286-8030

shaun@mackenzieengineeringinc.com

FDOT Prequalified Consultants:
FDOT Work Group 3.
Roadway Design
3.1 Minor Highway Design

FDOT Work Group 6.
Traffic Engineering & Operations Studies
6.1 Traffic Engineering Studies
6.2 Traffic Signal Timing

FDOT Work Group 7.
Traffic Engineering & Operations Studies
7.3 Signalization

FDOT Work Group 13. Planning
13.3 Policy Planning
13.4 Systems Planning
13.5 Subarea/Corridor Planning
13.6 Land Planning/Engineering
13.7 Data Collection

MacKenzie Engineering & Planning, Inc. (MEP) was established in 2010 and is headquartered in Palm City, Florida. ***MEP*** specializes in transportation planning and engineering, growth management, and project implementation. The benefit is that ***MEP*** can develop concepts that can be cost effectively implemented.

Since 2001, Mr. MacKenzie has been practicing Transportation Planning and Engineering for both the public and private sectors. ***MEP*** has 5 full time employees and can utilize 4 flexible time employees. Our mission is to provide Superior Client Service and Technical Expertise. We use our extensive transportation knowledge, local experience and established relationships to deliver the best solution for our clients. We are able provide extensive knowledge and skills to our clients with the superior client service, one expects from a small business. Our experience includes, but is not limited to the following categories:

- Transportation Planning
- Parking Planning
- Signal Design
- Minor Roadway Design
- Statute, FAC, LDC Interpretation
- Data Collection
- Transportation Modeling
- Bicycle & Pedestrian Facility Planning and Design
- Transportation Impact and Mitigation Studies
- Transportation Analysis
- Interchange Justification & Modification
- Site Plan and Concurrency Reviews
- Corridor Evaluation and Feasibility
- Development of Regional Impact Review
- Multimodal Analysis
- Mobility Planning

Shaun G. MacKenzie, P.E. 61751
Principal Engineer

Professional Credentials

Professional Engineer in Florida

Master of Science, Civil Engineering, University of Florida

Bachelor of Science, Civil Engineering, University of Florida

Advanced Maintenance of Traffic Certified

Organizations

St. Lucie TPO Bicycle & Pedestrian Past Chair

Institute of Transportation Engineers

(Past President Treasure Coast Chapter)

Professional Qualifications

Past Experience Mr. MacKenzie has over 18 years of experience in traffic engineering conducting numerous transportation projects, including traffic engineering studies, transportation planning studies, parking studies, signal systems, traffic operations, and pavement markings. With extensive experience working with HCS and Synchro for intersection operations, VISSIM for examining multimodal alternatives and unique conditions, CorSim and SimTraffic simulation modeling, Art-Plan arterial planning tools, FSUTMS Cube/Voyager transportation modeling, and Synchro for signal system timing plans, and AutoCAD for design, signing and pavement marking.

Traffic Impact Analyses, Various Clients, FL – 2001-Current

Numerous traffic and transportation reviews, Intersection Safety Reviews, Data Collection, Parking Study Reviews, Code Creation, Code Review, Code Implementation, Long Range Transportation Plan, LOS interpretation and reporting, Site impact analyses, internal capture analysis, congestion management solutions, access management and access management solutions.

Parking Studies – Southeast Florida – 2010-Current

Developed parking recommendations based on observation and needed parking supply based on information contained with the Institute of Traffic Engineers' report, Parking Generation, 4th Edition and the Urban Land Institute's report, Shared Parking, 2nd Edition. Sites include 5th Avenue Shops, 1600 North Federal Highway, 831 East Palmetto Park Road, 331 East Yamato Road, Pine Circle Villas, 4000 North Federal Highway, Royal Palm Plaza, University Shoppes, 21302 St. Andrews, 3501 North Federal Highway, 2399 North Federal Highway, 900 North Federal Highway, St. David's Preschool, 55 South Federal Highway, and the Deerfield Building.

TLE Concurrency & Neighborhood Analysis

A proposed school required analysis of its impacts on the neighborhood. The project required traffic data collection of similar schools, queuing observations, queuing analysis, analysis of the roadway network, analysis of the existing neighborhood, and analysis of the existing adjacent Montessori

school. Based on neighborhood and school operations, we provided recommendations for hours of operation, traffic circulation, access, required parking, reservoir (throat) distance requirements, turn-lane improvements, and off-site improvements.

Indian Trails Improvement District (ITID)

Special consultant to Indian Trails Improvement District to review transportation studies and impacts to ITID roads and provide recommendations to the ITID Engineer. Over 13,000 dwelling units and four million square feet of non-residential use are approved or proposed adjacent to ITID and will utilize ITID's private roads for transportation and circulation.

Okeechobee County On-Call Reviewer

Provide continuing traffic and site plan review services to Okeechobee County. We make concurrency determinations in accordance with the adopted code and provide our professional opinion to the County on matters of traffic engineering, including: queues, signal warrants, off-site improvements, parking requirements, circulation, site design, trip generation, traffic assignment, and trip distribution.

Western Grove DRI - NOPC

Revise this approved DRI in Port St. Lucie to modify the conditions and identify specific developer improvements, extend the buildout of the project to 2040, and provide certainty to the developer. MEP worked with the City of Port St. Lucie, St. Lucie County, Treasure Coast Regional Planning Council, and FDOT to assist in the approval of the necessary Land Use Amendments and Notice of Proposed Change.

St. Lucie West Boulevard Turn Lanes & Signal Modification

The project was for the design and permitting services of an additional left turn lane and the extension of the existing left turn lane. The project required collecting traffic volumes, vehicle queues and intersection timings along the corridor and the I-95 Interchange ramp signals. St. Lucie West Boulevard was modeled using collected data. The analysis showed that a 1,000 foot second eastbound left turn lane would provide adequate storage capacity and alleviate queuing at this intersection and greatly improve the arterial operation. Therefore, the design included a new 1,000 linear foot turn lane. The design included traffic signal modifications, typical section design, roadway design, landscaping evaluation and approval, signing and striping, stormwater design, maintenance of traffic plan, and new signal timing.

Intersection Evaluation – California Blvd & University Blvd

This intersection was identified in the Congestion Management Process as being a priority project because it has experienced a high level of traffic related issues, including accidents and congestion, during the morning and afternoon peak hours. MEP evaluated the intersection for safety, signal warranting, existing and future intersection operation, and existing and future roadway operation.

The study included researching, collecting, and obtaining data to determine the existing traffic patterns, volumes, turning movements, and accidents at the intersection. The study provides recommendations for roundabout and intersection improvement alternatives and preliminary cost estimates for each option.

Hypoluxo Road and Adonis Drive Signal Design & Roadway Modifications

The project was for the traffic signal warrant, design and permitting. MEP collected data for the traffic signal warrant. The data collection included: Qualitative field visit during the AM and PM peak hour, pictures of intersection approaches, signal timing data, and 24-hour traffic volume data. The design and permitting required signal timing and phasing, signing and pavement markings, and pedestrian facilities. The signal was originally designed with mast arms and in order to reduce construction costs and was redesigned with a span wire section. The span wire design utilizing prestressed concrete poles allowed for the required vertical and horizontal distances from the existing FPL, AT&T, and Comcast overhead utilities and the underground water and force mains. In addition, the span wire design included meeting the minimum signal head height requirements and the concrete poles' minimum clear zone requirements.

Tequesta US Hwy 1

MEP performed an analysis of the traffic impacts resulting from a proposed 6 lane to 4 lane reduction. Modified the roadway laneage and improvements to match the existing plus committed roadway network to the projected buildout year. The corridor analyzed the conditions for the existing (year 2014) and future (year 2040) traffic conditions and potential impacts of the proposed lane elimination project on transportation facilities and operations in the corridor as well as the study area. The study included intersection and segment LOS interpretation and reporting, congestion management solutions, access management, access management solutions, safety analyses and conceptual design.

High Meadow Avenue Signal & Fiber Optic Network Plan

The project was for the fiber optic installation, traffic signal warrant, design and permitting. MEP collected data for the traffic signal warrant. The design and permitting required signal timing and phasing, structural analysis, fiber optic schematics and splicing diagrams.

Xenon S.A. vs. Exxon

Expert during mediation. Familiarization with Lennard Road Special Assessment District (SAD). Performed detailed analysis of SAD and improvement costs and gathered historical data related to SAD, contractual relationships and impact fees. Provided guidance during mediation negotiations to client.

CITY OF FORT PIERCE

DEVELOPMENT REVIEW PACKAGE

835 SEAWAY DRIVE/ TBD

May 21, 2019

Submitted by:

SNC·LAVALIN

ATKINS

Member of the SNC-Lavalin Group

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A. **PD AMENDMENT PACKAGE**

A.1. AMENDMENT NARRATIVE

Atkins
7175 Murrell Road
Melbourne, FL 32940-7999
Tel: +1 321 242 4942
atkinsglobal.com
snclavalin.com

TO: City of Fort Piece Planning Department
Att: Rebecca Grohall, AICP, Planning Director
100 North U.S. Highway 1
Fort Pierce, FL 34950

FROM: Jeffrey Lucas – Atkins N.A
Authorized Representative

SUBJECT: **Application for Development Review (Major PD Amendment)**
Cumberland Farms @ Harbour Isles
835 Seaway Drive / TBD

DATE: April 29, 2019

AMENDMENT NARRATIVE

Owner(s)/Applicant(s): Harbour Isle Development Commercial, LLC
835 Seaway Drive
Fort Pierce, FL 34949

Representative: Atkins, NA
Jeffrey Lucas
7175 Murrell Road
Melbourne, FL 34940

Requested Action: Approval with Conditions to allow for a Major Amendment to the Planned Development Plan for Harbour Isle Concerning Property Located at 835 Seaway Drive / TBD

Location: 835 Seaway Drive / TBD

Parcel IDs: 2402-501-0001-010-8

Zoning: PD, Planned Development

Future Land Use: HIMU, Hutchinson Island Mixed Use

Surrounding Zoning:

North	East	South	West
OS1	PD	PD	PD

Land Use: 1.50 acres

Amendment Request:

In accordance with Section, 22-40 of the City Code, Cumberland Farms, Inc. is requesting the review and approval of a Development Review (Major Amendment) to the previously approved PD as follows:

1. Revise the previously approved site plan for property that is located at 835 Seaway Drive. The proposal is to construct a 5,625 square foot convenience store with fuel sales and associated infrastructure.

2. Revise the previously approved 15,000 square foot commercial allocation by ±1,675 square feet to allow for a Cumberland Farms to be developed on a portion of the original parent parcel that received Commission approval on August 5, 2004. This development will effectively provide for "infill" development of this original parent parcel that received Commission approval of a retail building on January 11, 2019. the second infill parcel of the parent parcel to increase the remaining allotted commercial building square footage from 3,950 square feet to 5,625 square feet.

3. Revise the previously permitted uses to allow convenience stores with fuel sales.

Background Information:

On August 5, 2004, the City Commission granted approval for the Planned Development know as Harbour Isle at Hutchinson Island. This PD consisted of both residential and commercial components. The commercial aspects of the project were located along Seaway drive. A 15,000 square foot retail use was approved for a single parcel as a part of this 2004 Commission approval. On January 11, 2019, the City Commission approved an 11,050 square foot retail development on a portion of this parent parcel that was subdivided into two parcels. This request seeks to development the remaining acreage with a Cumberland Farms that will require a 1,675 square foot commercial allocation increase and permission to have fuel sales.

Site Plan Review:

Cumberland Farms, Inc. is requesting review and approval of a Major Amendment to the Harbour Isle Planned Development for the commercial component of the development that is located at 835 Seaway Drive. As noted above, the previously approved site plan had a commercial building of 15,000 square feet. The parent parcel with the previously approved commercial component has been legally split into two parcels of 1.5 acres and 1.54 acres. The approved site plan of the Planned Development has been revised. The 1.54-acre parcel has been granted a Major Amendment approval by the City Commission on January 11, 2019 for an ±11,050 square feet commercial building. Cumberland Farms, Inc. is proposing a 5,625 square feet commercial building on the remaining infill parcel. The combined buildings square footage has exceeded the previously approved the 15,000 square feet commercial building by 1,675 square feet.

There are proposed to be two driveways on the property along Seaway Drive. One driveway will be egress (right-out only) only and the second driveway will be a shared driveway with the adjacent commercial development and will be both ingress and egress. The egress for the second driveway will be a left-out and a right-out. There will be no driveway that connects to the interior of the Harbour Isle development, instead there will be a pedestrian path with a secure electronic gate that only the Harbour Isle residents will be able to access.

The proposed building size would require twenty-nine (29) parking spaces with two (2) of those spaces being designated as handicap spaces. The proposed development is providing thirty (30) parking spaces with two (2) of these spaces designated as handicap. Five (5) bicycle stalls will also be provided onsite.

The Lighting Plan provided will have minimal light spill onto both Seaway Drive and on the property line that is shared with the residential component of Harbour Isle. The lighting in the parking area was designed to be in compliance with City Code 22-60 (j)(1)(a) that required a minimum average of two (2) foot-candles in the parking area.

The Landscape Plan proposes the following vegetation:

TYPE	COMMON NAME	QUANTITY
TREES		
	Live Oak	3
	Sabal Palm	14
	Mahogany	6
SHRUBS/GROUNDCOVERS		
	Perennial Peanut	295
	Red Tip cocoplum	138
	Wax Jasmine (Shrub)	78
	Podocarpus	21
TURF		
	St. Augustine Floratam	1,265 SY

The Landscape Plan was designed to be in compliance with the requirements of City Code 22-187, General Landscaping requirements. A fully automatic irrigation system will be installed and will provide 100% coverage in winds up to 15 miles per hour.

Development Review

Section 22.58 of the City of Fort Pierce Code of Ordinances outlines the requirements for development review. The attached material includes the necessary items required for review and approval.

Design Review

Section 22.59 of the City of Fort Pierce Code of Ordinances outlines the requirements for design review. The attached material includes necessary items required for review and approval.

Based on the above justification and attached information, the Petitioner respectfully requests approval of these requests.

A.2. COMPLETE NOTARIZED APPLICATION

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

DEVELOPMENT REVIEW

Property address or Location 835 Seaway Dr / TBD., Fort Pierce, FL 34949

Parcel ID #(s) 2402-501-0001-010-8

Project description 5,625 SF 1-story convenience store with outdoor seating and 6 fueling pumps

Harbour Isle Dev Commercial, LLC
Property Owner(s)
825 Seaway Drive
Street Address
Fort Pierce FL 34949
City State Zip
(561)-623-8801
Phone Number
cmason@masondc.com
Email Address

Laura Sherman, Assistant Secretary, Cumberland Farms Inc.
Applicant/Representative, Title, Company
165 Flanders Rd.
Street Address
Westborough MA 01581
City State Zip
(508) 270-1400
Phone Number
lsherman@cumberlandfarms.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. 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.*

Representative
Jeffrey Lucas - ATKINS
7175 Murrell Road
Melbourne, FL 32940
321-242-4942
jeffrey.lucas@atkinglobal.com

Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY

The foregoing instrument was acknowledged before me this 12th day of June, 2019, by Craig R. Mason who is personally known to me or has produced as identification.

Signature of Notary

JENNIFER INGENITO
Notary Public - State of Florida
Commission # GG 027671
My Comm. Expires Oct 30, 2020
Bonded through National Notary Assn.

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

TO BE COMPLETED BY STAFF

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

Pre-Application Meeting Date_____
Intake Planner_____
Planner Assigned_____
Approved By_____ Date _____
Comments_____

Fees_____ Control #_____ B. Permit #_____

Intake Date Stamp

☐ DEVELOPMENT REVIEW

General Information

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

Choose Applicotion Type:

Application Type		
■ Site Plan	☐ Conditional Use with New Const.	■ Major Amendment
☐ Conceptual Development Plan		☐ Minor Amendment

Site Informotion:

Non-Residential: Proposed Sq. Ft.: 5,625 Residential: Proposed Units:_____

Surrounding Uses: *(i.e. single family home, retoil, industriol, etc.)*

North	South	East	West
RM	HIMU	HIMU	RM

Application Outlook



Site Plan submittal requirements:

Submit one (1) original & thirteen (13) hord copies ond one (1) CD of the following. Additional copies will be required of subsequent submittols.

- ☐ 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-S8.d.2)
- ☐ Survey (see Section 22-S8.d.3)
- ☐ Site Plan (see Section 22-S8.d.4)
- ☐ Landscaping Plan (see Section 22-187)
- ☐ Storm Drainage Plan (see Section 22-S8.d.6)
- ☐ Environmental Impact Report
- ☐ Beach/Dune System protection plan, if applicable (see Section 22-S8.d.7)
- ☐ Lighting Plan (see Section 22-S8.d.8)
- ☐ Design Review submittals (see Design Review application)
- ☐ Traffic Impact Report
- ☐ Concurrency Review submittals (see Concurrency Review application)

A.3. WARRANTY DEED

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 4485010 OR BOOK 4185 PAGE 1536, Recorded 09/27/2018 01:19:26 PM Doc
Tax: $3934.00

Prepared by and Return to:
Louisa Martinez, an employee of
First International Title, Inc.
107 North 2nd Street
Fort Pierce, FL 34950
Our File No. 127661-41

WARRANTY DEED

THIS INDENTURE is made on 18th day of September, 2018, between
Harbour Isle Development Commercial LLC a Florida limited liabilty company, *having a* business address at: 9315 Dole Circle, Windermere, FL 34786 , ("Grantor"), and
Harbour Isle Plaza, LLC, a Florida limited liabilty company, having a mailing address of: PO Box 3316, Jupiter, FL 33469, ("Grantee"):

(Which terms "Grantor" and "Grantee shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten Dollars, ($10.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged hereby grants, bargains, sells, remises, releases, conveys and confirms unto said "Grantee" all that certain land, situated, lying and being in the County of **St. Lucie, Florida,** to-wit:

That portion of Tract D-1, Second Replat of Harbour Isle at Hutchinson Island, according to the plat thereof, as recorded in Plat Book 46, Page(s) 9 and 10, of the Public Records of St. Lucie County, Florida, lying East of the following described line:

Commence at the Northwest corner of said Tract D-1; thence North 64°50'00" East, along the North line of said Tract D-1 (the North line of said Tract D-1 is assumed to bear North 64°50'00" East and all other bearings are relative thereto), a distance of 244.91 feet to the beginning of a curve concave to the South having a radius of 666.78 feet and a central angle of 1°01'21"; thence Easterly, along the arc of said curve, a distance of 11.90 feet to the Point of Beginning of the hereinafter described line; thence South 25°10'00" East, a distance of 274.36 feet to a point on the South line of said Tract D-1 and the Point of Terminus.

Parcel Identification Number: **2402-501-0001-010/8 and 2402-501-0001-020-1**

Subject, however, to all reservations, covenants, conditions, restrictions and easements of record and all applicable zoning ordinances and/or restrictions or requirements imposed by governmental authorities, if any.

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

To Have and to Hold, the same in fee simple forever.
And Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the

Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to **December 31, 2017.**

In Witness Whereof, Grantor has signed and sealed these presents on the date first above written.

Harbour Isle Development Commercial, LLC a Florida limited liability company

Pres

R. Mason Simpson, President

Signed, sealed and delivered in our presence:

Witness Signature

Print Name TRACEY SAWICKI

Witness Signature

Print Name: ESTRELLITA VAZQUEZ

State of Florida

County of Orange

The Foregoing Instrument Was Acknowledged before me on September 19, 2018, by R. Mason Simpson, as President of **Harbour Isle Development Commercial LLC a Florida limited liabilty company,** who is/are personally known to me or who has/have produced a valid driver's license as identification.

Notary Public

Sandra Roopwah

(Printed Name)

My Commission expires:

Notary Public State of Florida
Sandra Roopwah
My Commission GG 174747
Expires 01/29/2022

A.4. SLC PROPERTY RECORD CARD

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

Property Identification

Site Address:	TBD
Parcel ID:	2402-501-0001-010-8
Account #:	183453
Map ID:	24/02N
Use Type:	1000
Zoning:	PUD
City/County:	Fort Pierce

Ownership

Harbour Isle Plaza LLC

PO Box 3316
Jupiter, FL 33469



Legal Description

SECOND REPLAT OF HARBOUR ISLE AT HUTCHINSON ISLAND (PB 46-9) THAT PART OF TRACT D-1 MPDAF: FROM NW COR OF TRACT D-1, TH N 64 50 00 E ALG N LI OF TRACT 244.91 FT TO CURVE CONC S, R OF 666.78 FT, TH ELY ALG ARC 11.90 FT TO POB; TH CONT ALG ARC 388.84 FT TO NE COR OF TRACT, TH S 29 41 35 W 34.91 FT, TH N 78 52 58 W 13.84 FT, TH S 12 27 34 W 6.64 FT, TH N 76 43 04 W 4.75 FT, TH S 56 32 17 W 20.34 FT, TH S 08 07 52 W 4.31 FT, TH N 78 03 59 W 6.65 FT, TH S 11 13 25 W 71.62 FT TO CURVE CONC W, R OF 90 FT, TH SLY ALG ARC 17.17 FT, TH S 22 09 18 W 23.61 FT TO E LI OF TRACT, TH S 29 41 35 W 72.18 FT, TH S 60 12 16 W 160.08 FT TO POB (1.504 AC - 65,532 SF) (OR 2377-203)

Current Values

Just/Market Value:	$891,200
Assessed Value:	$891,200
Exemptions:	$0
Taxable Value:	$891,200

Total Areas

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	1.5
Land Size (SF):	65,532

Property taxes are subject to change upon change of ownership.

- **Past taxes are not a reliable projection of future taxes.**
- **The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.**

Taxes for this parcel: SLC Tax Collector's Office

Download TRIM for this parcel: Download PDF

Sale History

Date:	Sep 19, 2018
Book/Page:	4185 / 1536
Sale Code:	0205
Deed:	WD
Grantor:	Harbour Isle Dev Comm LLC
Price:	$562,000

Date:	Sep 28, 2005
Book/Page:	2377 / 0203
Sale Code:	XX03
Deed:	SP
Grantor:	Owen Jr Jack B

Price: $900,000

Building Information (1 of 1)

Finished Area: 0 SF

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



Image or Sketch unavailable for display

Special Features and Yard Items

Current Year Values

Current Values Breakdown

Building:	$0
Land:	$891,200
Just/Market:	$891,200
Ag Credit:	$0
Save Our Homes or 10% Cap:	$0
Assessed:	$891,200
Exemption(s):	$0
Taxable:	$891,200

Current Year Exemption Value Breakdown

Current Year Special Assessment Breakdown

This does not necessarily represent the total Special Assessements 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

14/35S

14/34S

14/36S

24/03N

24/01N

24/02N

24/03N

24/01S

24/02S

SEAWAY DRIVE

STATE ROAD A-1-A

BANSHORE DRIVE

HARBOUR ISLE A CONDOMINIUM

TRACT D - 1

TRACT L

TRACT M

BLDG 38

BLDG 2

BLDG 4

STORAGE BLDG

WATER MANAGEMENT

(141-0004-000/1)

Map Last Updated: 3/9/2019

PREPARED FOR

Michelle Franklin, CFA

SAINT LUCIE COUNTY PROPERTY APPRAISER

SAINT LUCIE COUNTY PROPERTY APPRAISER

0 50 100 200 300 400

Feet

N

W E

S

SAINT LUCIE COUNTY, FLORIDA

ASSESSMENT MAP

THIS MAP HAS BEEN PREPARED FOR THE SAINT LUCIE COUNTY PROPERTY APPRAISER'S PURPOSES ONLY AND DOES NOT NECESSARILY REFLECT AN ACTUAL SURVEY. THE SAINT LUCIE COUNTY PROPERTY APPRAISER DOES NOT ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED HEREON.

SECTION 02

TOWNSHIP 35

RANGE 40

SHEET NUMBER

24/02N

A.5. STATEMENTS OF OWNERSHIP & CONTROL OF PROPOSED DEVELOPMENT

MEMORANDUM

To: **City of Fort Pierce Planning Department**
Attn: Rebecca Grohall, Planning Director
100 North U.S. Highway 1
Fort Pierce, FL 34950

From: **Jeffrey Lucas – Atkins Global, N.A.**
As Authorized Agent

Re: **Statement of Ownership & Control of Proposed Development**
Proposed Cumberland Farms Convenience Store at 835 Seaway, Fort Pierce, FL

Date: **February 19, 2019**

SUBJECT PROPERTY

The subject property consists of a vacant parcel of 3.04 acres on the west side of Harbor Isle at Hutchinson's Island Community. The 3.04 acre property was legally split into two parcels, one of approximately 1.5 acres and the other approximately 1.54 acres. The proposed development will be on the northeast +/- 1.50 acres of vacant, well grassed land lying within the jurisdiction of the City of Ft. Pierce, Florida at 801 Seaway Dr.

The property is currently owned by ***Harbor Isle Plaza, LLC***. ***Cumberland Farms, Inc.*** has entered an Agreement for Sale and Purchase of Real Property with ***Harbor Isle Plaza, LLC*** on September 4, 2018. Upon the completion of sale, Cumberland Farms, Inc will own and control the proposed development.

PROJECT DESCRIPTION

The northeast parcel is intended to be occupied a Cumberland Farms convenience store. The proposed development includes a single-story building of 5,625 sf with of outdoor seating and 6 dispensing pumps with 12 fueling positions. The development with be equipped with underground storage tanks, canopy, outdoor seating, air tower, and dumpster enclosure.

March 11, 2019

AUTHORIZATION

Project Name: Cumberland Farms
Project Location: 801 Seaway Drive, Fort Pierce, FL

To Whom It May Concern:

Atkins North America, Inc. is the authorized agent for Cumberland Farms, Inc. to handle all site-related permit applications for the Cumberland Farms development project located at 801 Seaway Drive, Fort Pierce, Florida.

Cumberland Farms, Inc.

Laura S. Sherman
Senior Corporate Counsel & Assistant Secretary

COMMONWEALTH OF MASSACHUSETTS
WORCESTER COUNTY

Subscribed and sworn to before me this 11th day of March 2019 by Laura S. Sherman, Senior Corporate Counsel & Assistant Secretary of Cumberland Farms, Inc., who is personally known to me.

PAMELA A. SINNETT NOTARY PUBLIC COMMONWEALTH OF MASSACHUSETTS MY COMM. EXPIRES JAN. 31, 2025

Notary Public:

My Commission Expires: 1/31/2025

Cumberland Farms, Inc.
165 Flanders Road, Westborough, MA 01581
508-270-1400

A.6. GENERAL LOCATION MAP



PLOT DATE: Feb 19, 2019 - 8:59am
FILE NAME: A:\PROJECTS\100062844 - CF - 801Seaway (Ft. Pierce)\10 CAD\10 - EXHIBIT\EXHIBIT-LOCATION MAP.dwg

ATKINS

CORPORATE OFFICE:
4030 W. BOY SCOUT BOULEVARD
TAMPA, FLORIDA 33607
FBPR CERTIFICATE OF
AUTHORIZATION NO.24

LOCAL OFFICE:
7175 MURRELL ROAD
MELBOURNE, FL 32940
TEL. 321.242.4942
FAX. 321.242.6101
www.atkinsglobal.com

LOCATION MAP EXHIBIT

Job nos.	100062844
Sketch Date	02/19/2019
Scale	1" = 300'
Dr	JWS
Ck	JAL
Refer to Sheet No.	
Add./ Rev.	
RFI	N/A

A.7. DEVELOPMENT PLANS (SEE SECTION D)

B. **CONCURRENCY REVIEW SUBMITTAL**

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

CAPACITY ANALYSIS

I. Site Data:

	Existing Use	Future Land Use	Zoning
North			
South			
East			
West			

	Future Land Use	Zoning Classification	Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage	Total Acreage	Flood Zone
Current					
****Proposed**					N/A

Noted Total is for overall acreage of Harbour Cay Retail + Cumberland Farms

II. Public Facilities Information:

A. Potable Water:	
Average Use	Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.125 gallons per day per square foot 703 gpd
Demand Analysis	Maximum
Current Zoning/FLU	Total gallons per day 1,875.00
**Proposed Zoning/FLU	Total gallons per day 703 gpd
**Change in Demand	Total gallons per day reduction of 1172 gpd

B. Wastewater:	
Average Use	Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.1 gallons per day per square foot 563 gpd
Demand Analysis	Maximum
Current Zoning/FLU	Total gallons per day 1,500
**Proposed Zoning/FLU	Total gallons per day 563 gpd
**Change in Demand	Total gallons per day decrease of 937 gpd

C. Parks and Recreation (Residential Classifications Only):
(Du x 2.6 = persons + 44,227 = population /LOS)

Park Type	LOS	Existing Population Park Demand	Proposed Population Park Demand	Change in Demand
Regional	20 acres per 1,000 people			
Urban District	5 acres per 1,000 people			
Community	2.5 acres per 1,000 people			
Neighborhood	1.36 acres per 1,000 people			

D. Public Schools (Residential Classifications Only):
Single Family: (du x 0.405 = students/70% K-8/30% High)
Multi-family: (du x 0.207 = students/70% K-8/30% High)

	K-8	High
School Name		
City		
Distance		
Current Zoning/FLU Enrollment Demand		
****Proposed Zoning/FLU Enrollment Demand**		
****Change in Demand**		

E. Solid Waste: Residential (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/FLU	15,000 sf at 0.05 cy/sf = 750 cy
****Proposed Zoning/FLU**	5625 sf x 0.05 = 281.25 cy
***Change in Demand**	of decrease 469 cy

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

Impact	

III. Transportation Analysis: *Complete ITE Trip Generation Form (Attached)*

G. Transportation Analysis: Complete ITE Trip Generation Data Form Most recent ITE Code for use; HCM Roadway Capacity		
	AADT	**AM/PM Peak Hour Trips**
Demand Analysis	Maximum	Maximum
Current Zoning/FLU	566	AM Entry: 9, AM Exit:5, PM Entry: 27, PM Exit: 30
****Proposed Zoning/FLU**	2766	AM Entry: 62, AM Exit: 63; PM Entry: 46, PM Exit: 48
***Change in Demand**	Trips 2,200 (increases)	Trips 53/58/19/18 (increases)
Impact to Capacity	Trip generation will increase based on the combined development on the of the divided parcels.	

IV. Project Description

PHASING
Is this project (phase) part of a larger project? [ ] Yes [ ] No
If yes, enumerate each phase, the number of units or square footage in each phase and beginning/completion date.
Total Project: Residential Units: Single Family: Multifamily:
Non-residential (square footage):
Mixed-use (describe use):
(If this is a single phase project, name it Phase I – Total)

RESIDENTIAL DATA					
Type	**Phase**	**Number of Units**	**Acres**	**Expected beginning date**	**Expected completion date**
Single-family, detached					
Single-family, attached					
Multi-family					
Other (specify)					

NON-RESIDENTIAL DATA					
Type(s) specify	**Phase**	**Square footage**	**Acres**	**Expecting beginning date**	**Expected completion date**

A. Indicate whether the proposed project will be eliminating any existing recreational facilities. If yes, detail the number and type being eliminated. [ ] Yes [ ] No

B. 1. Does this application involve demolition or re-use of any structure(s)? [ ] Yes [ ] No
If yes, what is the size of the structure(s) to be demolished or re-used? _____
2. What is the current use of the structure to be demolished or re-used? _____
3. Are you claiming trip credits for the demolition or re-use of a structure(s) at the site? [ ] Yes [ ] No
If yes, provide estimates of credits for each previous use at the site. (Attach sheet with calculations)

C. Exemptions Requested:

** Complete section if requesting a change in zoning, future land use, or expanding

C. **DESIGN REVIEW SUBMITTAL PACKET**

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

Design Review

Property address or Location 835 Seaway Dr. / TBD, Fort Pierce, FL 34949
Parcel ID #(s) 2402-501-0001-010-8
Project Description 5,625sf 1-story convenience store with outdoor seating and 6 fueling pumps

Harbour Isle Dev Commercial, LLC	Laura Sherman, Assistant Secretary, Cumberland Farms Inc.
Property Owner(s)	Applicant/Representative, Title, Company
825 Seaway Drive	165 Flanders Rd.
Street Address	Street Address
Fort Pierce FL 34949	Westborough MA 01581
City State Zip	City State Zip
(561) 623-8801	(508) 270-1400
Phone Number	Phone Number
cmason@masondc.com	lsherman@cumberlandfarms.com (Applicant contracting to purchase)
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 sholl serve as an acknowledgement of the submission of this application. The property owner's signoture below shall also authorize the Application (if other than the property owner) and/or Representotive to act in his/her behalf for the purposes of seeking approval for the opplication described herein.*

Representative
Jeffrey Lucas - ATKINS
7175 Murrell Road
Melbourne, FL 32940
321-242-4942
jeffrey.lucas@atkinglobal.com

Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY
The foregoing instrument was acknowledged before me this 12 day of May, 2015 by CRAIG R. MASON who is personally known to me or has produced _____ as identification.

Signature of Notary

JENNIFER INGENITO
Notary Public - State of Florida
Commission # GG 027671
My Comm. Expires Oct 30, 2020
Bonded through National Notary Assn.
(seal)

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic Districts	Historic Designation

Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit _____
Intake Planner _____
Planner Assigned _____
Approved _____ Date _____
Comments _____

Intake Date Stamp

Design Review Application Checklist
(City Code of Ordinances 22-59)

Submittal for Administrative Approval

a. A survey (1" = 30' minimum scale) of property lines, existing topography and the location of trees meeting the tree protection regulations of section 22-194, location of bordering streets and, if applicable, wetlands and beaches.
b. A site analysis study to include a discussion of specimen trees and other natural vegetation, access, significant topography, wetlands, buffers, setbacks, views, orientation, the surrounding built environment and other site features that may influence design elements.
c. A draft written narrative describing the design intent of the project, its goals and objectives and how it reflects the site analysis study results.
d. Context photographs of neighboring uses and architectural styles.
e. Photographs and/or drawings of architectural buildings or objects that serve as a precedent for the proposed building design. Models should be taken from local exemplary buildings, either existing or demolished. Documentation of such buildings is available in the city's planning department.
f. Photographs of all existing structures located on the property. If existing structures on the property are more than fifty (50) years of age, documentation of these structures with data from the Florida Master Site File form is also required.
g. Conceptual site plan (to scale) showing proposed location of all buildings, structures, parking areas, signs and landscaping.
h. Landscape plan, at the same scale as the site plan. The planning director or designee may request enlarged plans of detailed planting areas. Planting schedule with sizes of proposed plantings must be included.
i. Accurate color rendering of proposed signs showing dimensions, type of lettering, materials and actual color samples that demonstrates cohesiveness with the project design.
j. Exterior elevations showing architectural character, external architectural features and streetscape of the proposed development, including materials, colors, shadow lines and landscaping. The street elevation shall encompass the entire proposed project and generally identify the major elements of the adjacent two (2) properties on either side of the site. If the adjacent properties are vacant or underutilized, a diagram shall be provided that identifies the mass and form that is allowable under current zoning. If the street elevation must be drawn at such a scale as to render architectural details of the building unreadable, drawings of individual buildings at a larger scale should be provided as well.
k. Design review concurrent with conceptual development plan procedure according to subsection 22-58(e) is also available.

Submittal for Board Approval

a. A written narrative describing how the project conforms to administrative approval and design review guidelines of this section.
b. A final site plan meeting the requirements of section 22-58
c. A final site lighting plan that meets the requirements of subsection 22-58(d)(8).
d. A final landscape plan that meets the requirements of Article XII, Landscaping and Trees.
e. Final floor plans and elevation drawings (1/8" = 1'-0" minimum scale), as detailed under administrative approval, showing exterior building materials and colors with architectural sections and details to adequately describe the project.
f. 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.

C.1. DESIGN INTENT NARRATIVE

MEMORANDUM

To: **City of Fort Pierce Planning Department**
Attn: Rebecca Grohall, Planning Director
100 North U.S. Highway 1
Fort Pierce, FL 34950

From: **Jeffrey Lucas – Atkins Global, N.A.**
As Authorized Agent

Re: **Design Intent Narrative**
Proposed Cumberland Farms Convenience Store at 835 Seaway, Fort Pierce, FL

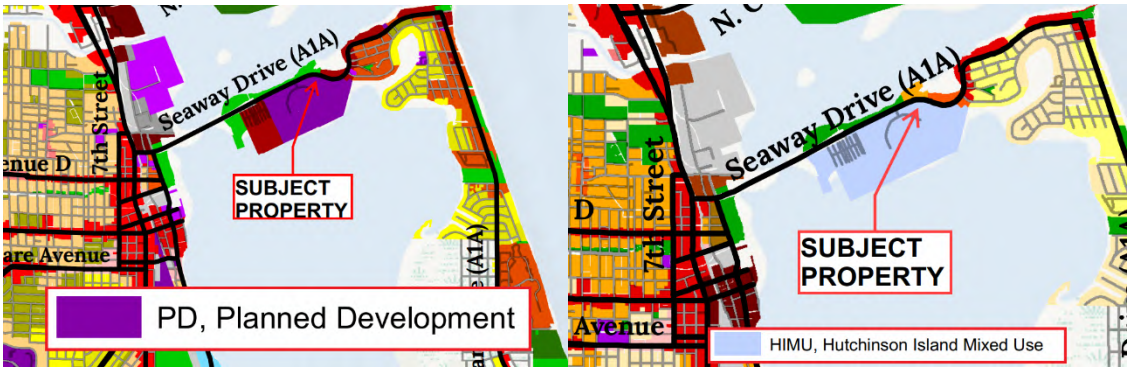
Date: **February 19, 2019**

SUBJECT PROPERTY

The subject property consists of a vacant parcel of 3.09 acres on the west side of Harbor Isle at Hutchinson's Island Community. It is intended to legally split into two parcels, one of approximately 1.5 acres and the other approximately 1.6 acres. The proposed development will be on the northeast +/- 1.50 acres of vacant, well grassed land lying within the jurisdiction of the City of Ft. Pierce, Florida at 801 Seaway Dr.

The site has no significant vegetation and in fact was created by depositing dredged fill from the intracoastal waterway. There also is no significant topography, wetlands or buffers. The subject property is currently undeveloped and vacant grassed land. The Fort Pierce US army Coastguard facility, vacant property and a residential building are located across Seaway drive adjoining the subject property to the north. A vacant property adjoins the subject property to the west, past which are roadways and residential buildings of Harbor Isles. Parking lots and residential buildings of Harbor Isles surround the subject property to the south. A vacant property adjoins the subject property to the east, past which are residential buildings of Harbor Isles. A hedge and a metal railing bound the property to the south with a few trees.

Current zoning and future land use (FLU) for the site is Planned Development (PD) and Hutchinson Island Mixed Use (HIMU), respectively (see below).



PROJECT DESCRIPTION

The northeast parcel is intended to be occupied a Cumberland Farms convenience store. The proposed development includes a single-story building of 5,625 sf with 300 sf of outdoor seating and 6 dispensing pumps with 12 fueling positions. The development with be equipped with underground storage tanks, canopy, outdoor seating, air tower, and dumpster enclosure.

Refer to PD Amendment for additional

PROPOSED ACCESS

The development has proposed to provide two driveways along Seaway Drive. One shared full access driveway with the southern parcel and a right turn only exit driveway on the north end. Addition internal circulation accesses will be provided with the parcel on the south.

SUMMARY

The proposed Cumberland Farms development fits perfectly with the local environment. It draws on neighboring architecture and provides a safe and clean place for the community to shop.

C.2. CONTEXT PHOTOGRAPHS




ALL VISITORS MUST REPORT TO THE SITE OFFICE


Ocoilna Bank
1929
132


DINER
Coca-Cola



C.3. ARCHITECTURAL PRECEDENT

Photos of surrounding uses and styles






DINER
Coca-Cola


Cumberland
Cumberland
ARMS


AVAILABLE
COMMERCIAL
3+ ACRES
(772) 461-9060


WARNING








FOR SALE
RESTAURANT SITE
Harbour Isle Rosales, LLC
772 463 9060











835 Seaway Dr
Fort Pierce FL

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Cumberland
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WE HAVE DIESEL
Cumberland

C.4. PHOTOGRAPHS OF EXISTING STRUCTURES







C.5. TRAFFIC IMPACT REPORT

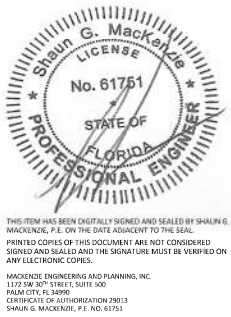
TRAFFIC IMPACT ANALYSIS

Harbor Cay
Fort Pierce, FL

Prepared for:
Mason Development & Construction
Jupiter, Florida

Prepared by:

MacKenzie
Engineering & Planning, Inc.
1172 SW 30th Street, Suite 500
Palm City, FL 34990
(772) 286-8030



Digitally signed by Shaun G MacKenzie
Date: 2019.05.20 11:46:56 -04'00'

Shaun G. MacKenzie P.E.
PE Number 61751

174001
April 2019
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CA 29013

EXECUTIVE SUMMARY

MacKenzie Engineering and Planning, Inc. (MEP) was retained to prepare a traffic study update for the development of property on the south side of Seaway Drive east of the Harbor Isle roundabout, Fort Pierce, FL (Parcel ID: 2402-501-0001-000-5). The applicant proposes a 3,250 SF of high-turnover restaurant, 4,745 SF apparel store, 1,040 SF gift shop, 1,495 SF liquor store, and 5,625 SF of convenience store with 12 vehicle fueling positions.

The project has a prior approval through Ft. Pierce and a pre-approval through FDOT for 1 right-in, 1 right-out, and one full access driveway to Seaway Drive along with a full access driveway to Harbor Isle. The project proposes to remove the Harbor Isle access. The project will provide cross-access to the undeveloped parcel to the west.

The site proposes a 2020 buildout. The project's net new trips compared to the prior use approval is a decrease of 969 daily, 66 AM peak hour, and 84 PM peak hour trips.

The proposed project is expected to generate the following net external trips:

- 1,128 daily, 72 AM peak hour (39 in/33 out), and 81 PM peak hour (42 in/39 out)

The proposed project is expected to generate the following cumulative driveway trips:

- 3,918 daily, 268 AM peak hour (139 in/129 out), and 277 PM peak hour (143 in/134 out)

The driveways are projected to operate acceptably without ingress turn lanes. The project will provide left and right-turn egress lanes from the project.

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Exhibit 3. AM Peak Hour Roadway Analysis
Exhibit 4. PM Peak Hour Project Trips
Exhibit 5. PM Peak Hour Roadway Analysis
Exhibit 6. Harbor Cay Driveway Volumes
Exhibit 7. Adjacent Parcel Trip Generation
Exhibit 8. Adjacent Parcel Driveway Volumes
Exhibit 9. Total Projected Driveway Volumes
Intersection Development Sheet – Seaway Drive @ Driveway

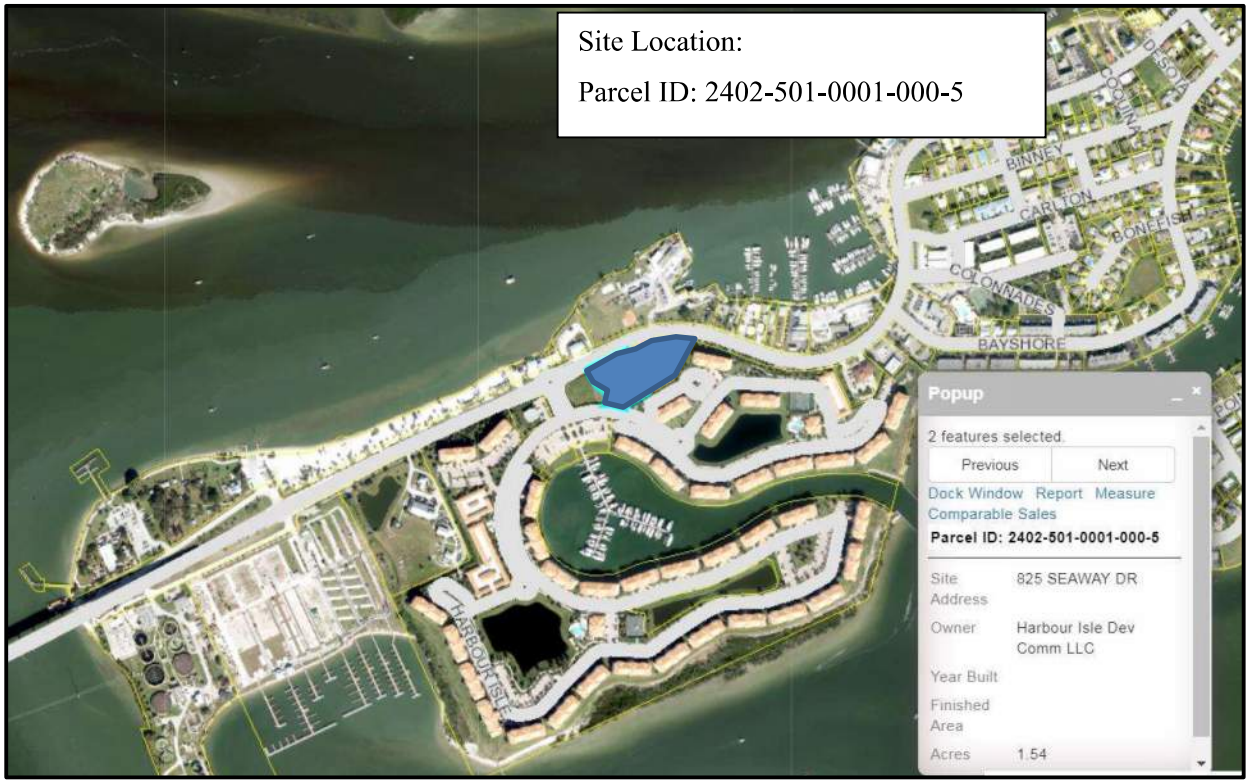
INTRODUCTION

MacKenzie Engineering and Planning, Inc. (MEP) was retained to prepare a traffic study update for the development of property on the south side of Seaway Drive east of the Harbor Isle roundabout, Fort Pierce, FL (Parcel ID: 2402-501-0001-000-5). The applicant proposes a 3,250 SF of high turnover restaurant, 4,745 SF apparel store, 1,040 SF gift shop, 1,495 SF liquor store, and 5,625 SF of convenience store with 12 vehicle fueling positions.

The project has a prior approval through Ft. Pierce and a pre-approval through FDOT for 1 right-in, 1 right-out, and one full access driveway to Seaway Drive along with a full access driveway to Harbor Isle. The project proposes to remove the Harbor Isle access. The purpose of this report is to assess the ability of the driveway and roadways surrounding the project accommodate the projected change in traffic.

The concept plan is shown in Appendix A.

Figure 1. Site Location



INVENTORY AND PLANNING DATA

The traffic data used in this analysis were obtained from FDOT.
Atkins & EDC provided site information.

PROJECT TRAFFIC

Use

The following changes are proposed:

Table 1. Proposed Changes

Use	Approved	Proposed	Change (P – A)
Medical Office	8,600 SF	-	-8,600 SF
Shopping Center	4,000 SF	0 SF	+4,000 SF
Restaurant	7,050 SF	3,250 SF	-3,800 SF
Apparel Store	-	4,745 SF	+4,745 SF
Gift Shop	-	1,040 SF	+1,040 SF
Liquor Store	-	1,495 SF	+1,495 SF
Convenience Store with Fuel Pumps			
Convenience Store	5,618 SF	5,625 SF	7 SF
Fueling Positions	12 F.P.	12 F.P.	0 F.P.

Traffic Generation

Daily and peak hour rates and equations contained in the Institute of Transportation Engineers' (ITE) report, Trip Generation (10th Edition) were applied to the following uses:

- Restaurant – ITE Land Use 932 – High-Turnover Sit-Down Restaurant
- Beachwear – ITE Land Use 876 – Apparel Store
- Gift Shop – ITE Land Use 876 – Apparel Store
- Liquor Store – ITE Land Use 899 – Liquor Store

The report uses FDOT's Trip Generation Recommendations Report (October 2014) for Convenience Market with Gas Pumps. The FDOT PM peak hour Gasoline plus convenience store equation was also applied to the AM peak hour because FDOT did not publish AM Peak Hour equations.

The proposed project is expected to generate the following net external trips:

- 1,128 daily, 72 AM peak hour (39 in/33 out), and 81 PM peak hour (42 in/39 out)

The proposed project is expected to generate the following cumulative driveway trips:

- 3,918 daily, 268 AM peak hour (139 in/129 out), and 277 PM peak hour (143 in/134 out)

Internal Capture

AM and PM peak hour internal capture is conservatively estimated at 1.8 and 4.8 percent, respectively. This is a conservation rate given the potential interaction between the uses on the site.

Pass-by Trip Capture

MEP utilized the available pass-by rate capture rates published within the ITE's report, *Trip Generation (10th Edition)*. Apparel Store and Liquor Store do not have published pass-by rates, therefore a 34 percent pass-by rate was applied based the average shopping center rate (ITE Land Use 820). The report uses the pass-by capture rate published within FDOT's Trip Generation Recommendations Report (October 2014) for Convenience Market with Gas Pumps as show in Table 2.

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Table 2. Trip Generation

Land Use	Intensity			Daily Trips	AM Peak Hour Total	AM Peak Hour In	AM Peak Hour Out	PM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out
Proposed Site Traffic										
High Turnover Sit-Down Rest	3.250		1000 SF	365	32	18	14	32	20	12
Apparel Store	5.785		1000 SF	384	6	5	1	24	12	12
Conv. Mrkt w/ Gas Pumps	5.625 ksf + 12 f.p.			3,361	235	118	117	235	118	117
Liquor Store	1.495		1000 SF	152	1	1	0	26	13	13
Subtotal				4,110	273	141	132	291	150	141
Internal Capture	AM	PM	DAILY							
High Turnover Sit-Down Rest	6.3%	12.5%	12.5%	46	2	1	1	4	2	2
Apparel Store	0.0%	8.3%	8.3%	32	0	0	0	2	1	1
Conv. Mrkt w/ Gas Pumps	1.3%	3.4%	3.4%	114	3	1	2	8	4	4
Liquor Store	0.0%	7.7%	7.7%	12	0	0	0	2	1	1
Subtotal	1.8%	4.8%	4.7%	192	5	2	3	14	7	7
Pass-By Traffic										
High Turnover Sit-Down Rest	43.0%			137	13	7	6	12	8	4
Apparel Store	34.0%			120	2	2	0	7	4	3
Conv. Mrkt w/ Gas Pumps	78.0%			2,533	181	91	90	177	89	88
Liquor Store	34.0%			48	0	0	0	8	4	4
Subtotal				2,790	196	100	96	196	101	95
NET PROPOSED TRIPS				***1,128***	***72***	***39***	***33***	***81***	***42***	***39***
Total Proposed Driveway Volumes				***3,918***	***268***	***139***	***129***	***277***	***143***	***134***
NET EXTERNAL TRIPS (FOR THE PURPOSES OF CONCURRENCY)				**1,128**	**72**	**39**	**33**	**81**	**42**	**39**
NET CHANGE IN DRIVEWAY VOLUMES				**3,918**	**268**	**139**	**129**	**277**	**143**	**134**

Note: Trip generation was calculated using the following data:

Land Use	ITE Code	Unit	Daily Rate	Pass-by Rate	AM Peak Hour in/out	AM Peak Hour Rate	PM Peak Hour in/out	PM Peak Hour Equation
High Turnover Sit-Down Rest	932	1000 SF	112.18	43%	55/45	9.94	62/38	9.77
Apparel Store	876	1000 SF	66.4	34%	80/20	1.00	51/49	4.12
Conv. Mrkt w/ Gas Pumps	FDOT	1000 SF & Pumps	14.3 x PM Trips	78%	50/50	used PM information	50/50	12.3 x Fuel Pumps + 15.5 x 1,000 SF Conv. Store
Liquor Store	899	1000 SF	101.49	34%	51/49	0.51	50/50	17.12

Area of Impact

The proposed changes on the site, reductions in intensity and use of the more accurate ITE 10th Edition and FDOT equations resulted in a significant reduction in net external and driveway trips. The most recent traffic study was performed by O'Rourke Engineering & Planning and is dated August 10, 2018. The summary of trips is shown below in Tables 3 and 4.

Table 3. Net External Trip Generation

Traffic Study	Daily Trips	AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out
O'Rourke	2,097	138	80	58	165	83	82
MEP	1,128	72	39	33	81	42	39
Change	-969	-66	-41	-25	-84	-41	-43

Table 4. Driveway Trip Generation

Traffic Study	Daily Trips	AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out
O'Rourke	4,699	309	166	143	357	178	179
MEP	3,918	268	139	129	277	143	134
Change	-781	-41	-27	-14	-80	-35	-45

The reduction in net external trips is attributed to the FDOT's studies of convenience stores with gasoline pumps which demonstrates approximately 78 percent of the traffic is related to traffic passing by the site. The study also eliminated the medical office use from the site and applied the anticipated actual uses (apparel store, gift shop, and liquor store) rather than the general shopping center trip generation.

TRAFFIC DISTRIBUTION

Consistent with the prior approved traffic study, the overall distribution is summarized by general directions and is depicted below:

WEST	-	70 percent
EAST	-	30 percent

TRAFFIC ASSIGNMENT

The distributed external trips for the project were assigned to the roadway network within the radius of influence based on the distribution and are consistent with the O'Rourke August 10, 2018 traffic study. The traffic assignment is illustrated in Figure 2.

PROJECTED GROWTH

Projected growth is estimated using the historical growth in the area. The study uses a 3.4 percent annual growth rate as shown in Table 5 based the weighted average of growth on Seaway Drive and Ocean Drive.

Table 5. Growth Rate Calculation

ROAD	FROM	TO	Station	LANES	2014	2015	2016	2017	2018	GROWTH RATE
Seaway Drive	ICWW	Harbour Isle	940115	2	12,900	15,100	14,800	14,800	16,600	4.28%
Ocean Drive	Seaway Dr	Jaycee Park	945016	2	7,800	8,000	8,800	8,100	8,400	1.55%

Average Weighted Growth Rate	**3.4%**

BACKGROUND TRAFFIC

Background traffic identifies how the study area's transportation system is forecast to operate in the buildout year. This includes traffic growth that is associated with the general (historic) growth in the area and the growth due the development of unbuilt portions of approved major developments.

Figure 2. Traffic Assignment



ASSURED AND PROGRAMMED CONSTRUCTION

A review was conducted of the Five-Year Plans of FDOT. No capacity enhancements are identified in the area.

ROADWAY ANALYSIS

Adopted Level of Service

Seaway Drive (SR A1A) has an adopted level of service of D based on the City's comprehensive plan. Seaway Drive is 4-lanes west of Causeway Cove Marina. Seaway Driveway is uninterrupted flow segment from Causeway Cove Marina to Harbour Isle Drive and transitions from 4-lanes to 2-lanes. East of Harbour Isle Drive, Seaway Drive is 2-lanes. The corresponding vehicular roadway capacities for Seaway Drive are 1,300, 1,190 and 750 peak hour peak direction vehicles, respectively, obtained from FDOT's 2013 Quality/Level of Service Manual.

Total Peak Hour

Roadway analysis was performed on Seaway Drive from Indian River Drive to Ocean Drive. The project related traffic and total traffic for the AM and PM peak hours for one-way peak hour conditions are shown in Exhibits 2 through 5. As shown in Exhibits 3 and 5, Seaway is projected to operate acceptably at project buildout in the AM and PM peak hours, respectively.

DRIVEWAYS

The Project site proposes three points of access onto Seaway Drive (SR A1A). The access is as follows:

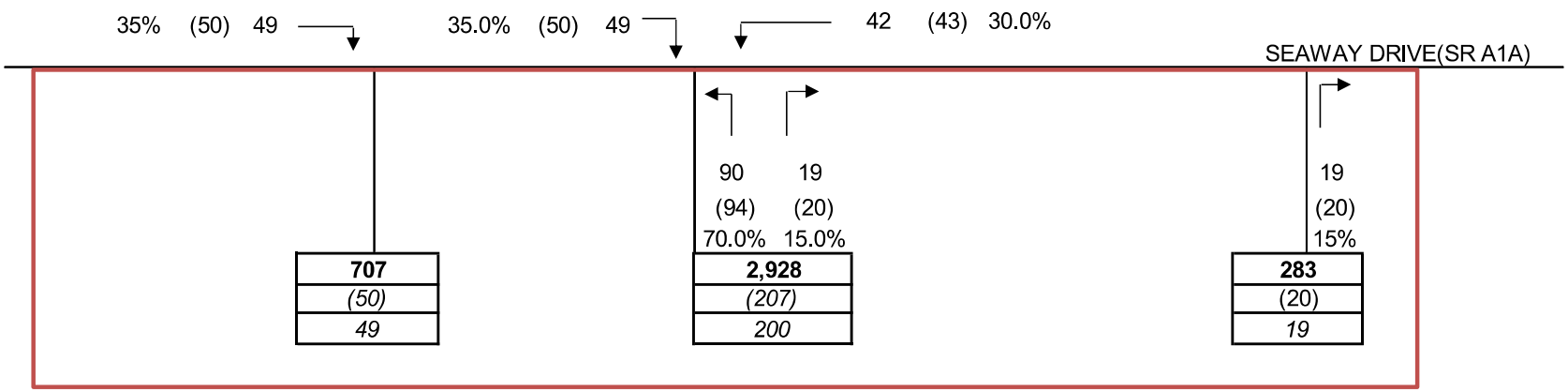
- Seaway Drive west access – right-in only
- Seaway Drive central access – full access
- Seaway Drive east access – right-out only

In addition, the project will provide cross-access to an undeveloped parcel to the west. The parcel was previously analyzed as an 8,000 SF medical office. This analysis will continue to analyze the project as an 8,000 SF medical office in order to provide a conservative analysis. Trip generation is provided in Exhibit 6 in the Appendix and the traffic assignment is consistent with the proposed project.

The Harbor Cay project, Undeveloped Western Parcel, and Total driveway trips are shown in Figures 3, 4, and 5, respectively.

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Engineering & Planning, Inc.

Figure 3. Projected Harbor Cay Driveway Volumes



PROJECT DRIVEWAY TRIPS

Daily	AM Peak Hour			PM Peak Hour		
	Total	In	Out	Total	In	Out
3,918	*268*	139	129	*277*	143	134



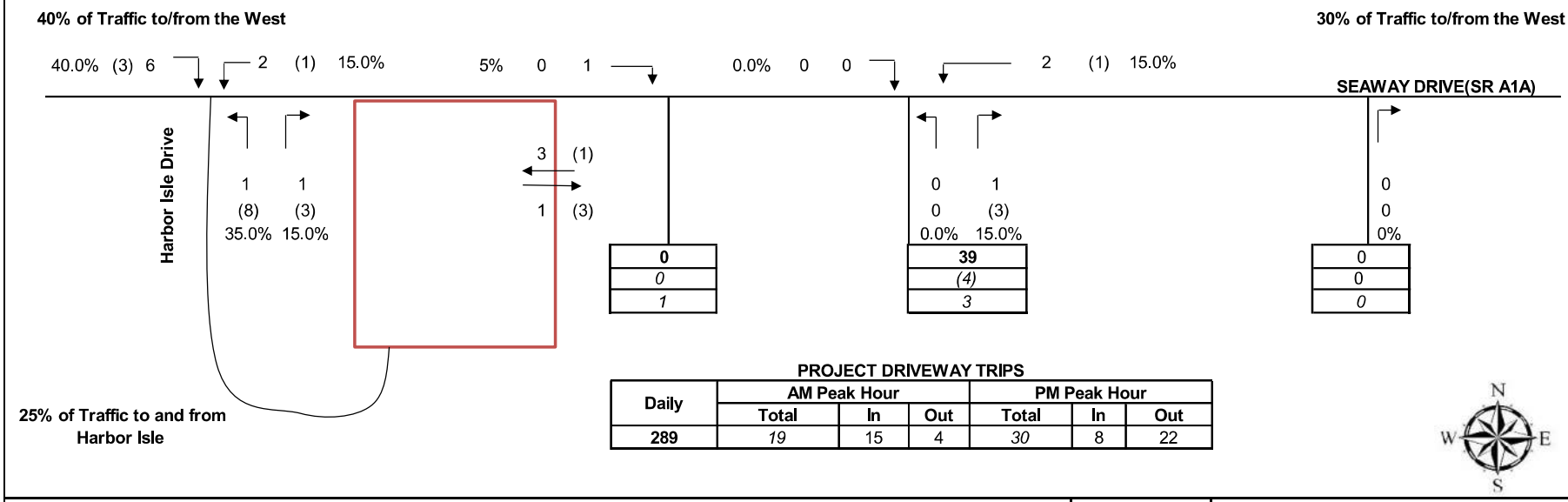
Harbor Cay

PROPOSED PROJECT DRIVEWAY VOLUMES

3,918	Total daily driveway trips
(277)	PM peak hour driveway trips
268	AM peak hour directional driveway trips

MacKenzie
Engineering & Planning, Inc.

Figure 4. Undeveloped Western Property Driveway Volumes

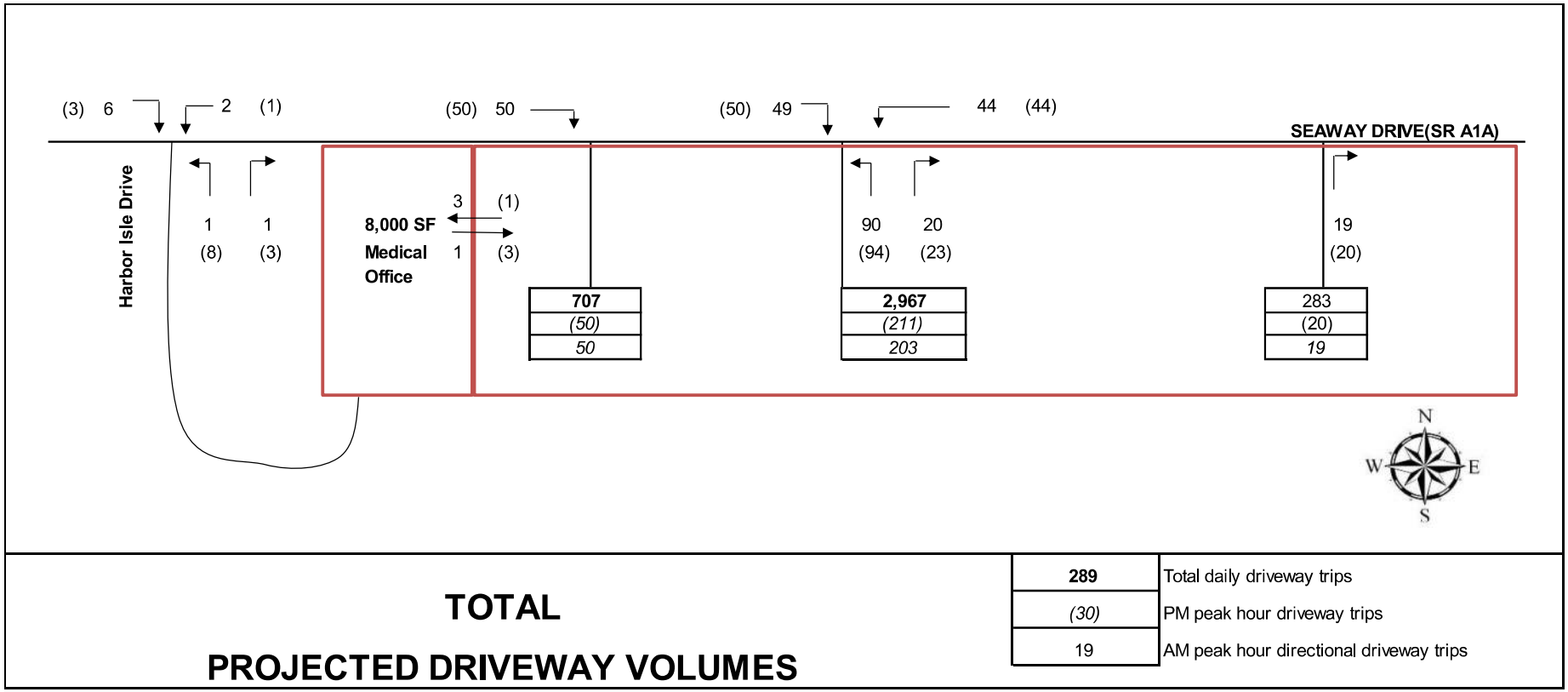


Possible Medical Office adjacent to Harbor Cay

PROJECTED DRIVEWAY VOLUMES

289	Total daily driveway trips
(30)	PM peak hour driveway trips
19	AM peak hour directional driveway trips

Figure 5. Total Projected Driveway Volumes



Driveway Dimensions

The driveway volumes and dimensions are shown in Table 6.

Table 6. Driveway Volumes

	Western Driveway	Central Driveway	Eastern Driveway
Volume (vph)			
Total	50	211	20
Inbound	50	94	0
Outbound	0	117	20
Reservoir (feet) In/out	15’	15’/28’	18.8’
Reservoir (from travel lane) (feet)	40.5’	46.5’	49.1’
Return Radius (feet)	37’	35’	25’
Ingress Left-Turn Vol (veh/hour)	-	44	-
Ingress Right-Turn Vol (veh/hour)	50	50	-

Turn Lanes

Right-Turn Lane

The right-turn volumes into the project at both entrances are less than 80 vehicles per hour. The speed limit on Seaway Drive is 35 miles per hour. Therefore, right-turn lanes into the project are not warranted.

Left-Turn Lane

The peak hour left-turn volume is projected to conservatively be 49 vehicles. This is nine vehicles fewer than the previously approved project which was approved with no turn lanes. Seaway Drive is a 35 mile per hour facility. The only left-turn lane on the two-lane section of Seaway Drive is at Bayshore Drive. The driveway is projected to operate acceptably without a turn-lane. Seaway Drive was reconstructed less than 10-years ago with the intent of creating a low speed, pedestrian and bicycle friendly environment. Further, the study’s trip generation does not consider the potential pedestrians and bicyclists that will patronize the site due to the proximity of nearby residential uses. This will reduce vehicular trips into the site.

Based on the character of the road, a left-turn lane into the project is not recommended.

Access Management

The existing site has FDOT approved driveway permits for the existing driveways. The site was approved for a more trips than proposed and proposes to maintain its approved access except for the elimination of the Harbour Isle access.

CONCLUSION

MacKenzie Engineering and Planning, Inc. (MEP) was retained to prepare a traffic study update for the development of property on the south side of Seaway Drive east of the Harbor Isle roundabout, Fort Pierce, FL (Parcel ID: 2402-501-0001-000-5). The applicant proposes a 3,250 SF of high-turnover restaurant, 4,745 SF apparel store, 1,040 SF gift shop, 1,495 SF liquor store, and 5,625 SF of convenience store with 12 vehicle fueling positions.

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APPENDICES

EXHIBIT 1
Harbor Cay
Trip Generation

Land Use	Intensity			Daily Trips	AM Peak Hour Total	AM Peak Hour In	AM Peak Hour Out	PM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out
Proposed Site Traffic										
High Turnover Sit-Down Rest	3.250		1000 SF	365	32	18	14	32	20	12
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Apparel Store	0.0%	8.3%	8.3%	32	0	0	0	2	1	1
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Pass-By Traffic										
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Conv. Mrkt w/ Gas Pumps	78.0%			2,533	181	91	90	177	89	88
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Note: Trip generation was calculated using the following data:

Land Use	ITE Code	Unit	Daily Rate	Pass-by Rate	AM Peak Hour in/out	AM Peak Hour Rate	PM Peak Hour in/out	PM Peak Hour Equation
High Turnover Sit-Down Rest	932	1000 SF	112.18	43%	55/45	9.94	62/38	9.77
Apparel Store	876	1000 SF	66.4	34%	80/20	1.00	51/49	4.12
Conv. Mrkt w/ Gas Pumps	FDOT	1000 SF & Pumps	14.3 x PM Trips	78%	50/50	used PM information	50/50	12.3 x Fuel Pumps + 15.5 x 1,000 SF Conv. Store
Liquor Store	899	1000 SF	101.49	34%	51/49	0.51	50/50	17.12

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EXHIBIT 2 - AM PEAK HOUR
Harbor Cay
AM PEAK HOUR PROJECT TRIPS

Roadway From	To	Class	Capacity Number Of Lanes	Capacity LOS 'D' Capacity	Percent Project Assignment	AM Peak Hour Project Trips NB/EB	AM Peak Hour Project Trips SB/WB
Seaway Drive							
Indian River Drive	Causeway Cove Marina	2	4LU	1,300	45%	18	15
Causeway Cove Marina	Harbour Isle Drive	2	2L Unint	1,190	45%	18	15
Harbour Isle Drive	Project	2	2L	750	70%	27	23
Project	Bayshore Drive	2	2L	750	30%	10	12
Bayshore Drive	Ocean Drive	2	2L	750	25%	10	10

EXHIBIT 3 - AM PEAK HOUR
Harbor Cay
ROADWAY ANALYSIS

Roadway From	To	Class	Committed		AM Peak Hour Project Trips		2018 AM PHPD Volume		Growth Rate	Growth from Growth Rate		2020 Background Peak Hour Volume		2020 Total Peak Hour Volume		Meets Standard ?	
			Number Of Lanes	LOS 'D' Capacity	NB/EB	SB/WB	NB/EB	SB/WB		NB/EB	SB/WB	NB/EB	SB/WB	NB/EB	SB/WB	NB/EB	SB/WB
Seaway Drive																	
Indian River Drive	Causeway Cove Marina	2	4LU	1,300	18	15	472	647	3.36%	32	44	504	691	522	706	Yes	Yes
Causeway Cove Marina	Harbour Isle Drive	2	2L Unint	1,190	18	15	472	647	3.36%	32	44	504	691	522	706	Yes	Yes
Harbour Isle Drive	Project	2	2L	750	27	23	408	439	3.36%	28	30	436	468	463	491	Yes	Yes
Project	Bayshore Drive	2	2L	750	10	12	408	439	3.36%	28	30	436	468	446	480	Yes	Yes
Bayshore Drive	Ocean Drive	2	2L	750	8	8	344	230	3.36%	24	16	368	246	376	254	Yes	Yes

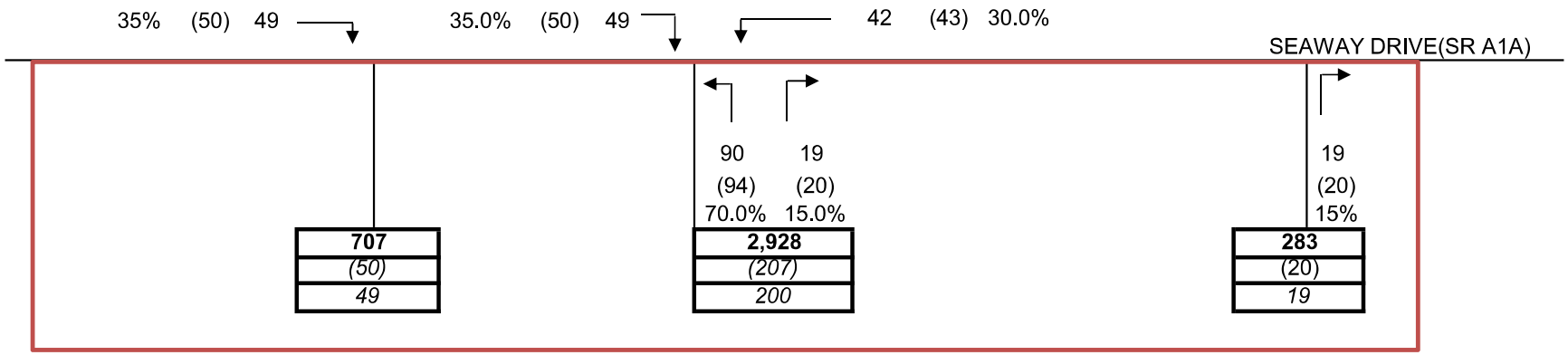
EXHIBIT 4 - PM PEAK HOUR
Harbor Cay
PM PEAK HOUR PROJECT TRIPS

Roadway			Capacity		Percent	Project Trips	
From	To	Class	Number Of Lanes	LOS 'D' Capacity	Project Assign	NB/EB	SB/WB
Seaway Drive							
Indian River Drive	Causeway Cove Marina	2	4LU	1,300	45%	19	18
Causeway Cove Marina	Harbour Isle Drive	2	2L Unint	1,190	45%	19	18
Harbour Isle Drive	Project	2	2L	750	70%	29	27
Project	Bayshore Drive	2	2L	750	30%	12	13
Bayshore Drive	Ocean Drive	2	2L	750	25%	11	11

EXHIBIT 5 - PM PEAK HOUR
Harbor Cay
ROADWAY ANALYSIS

Roadway			Committed				2018 PM		Growth	Growth from		2020 Bckgrnd		2020 Total Pk		Meets	
From	To	Class	Number Of Lanes	LOS 'D' Capacity	Project Trips NB/EB	Project Trips SB/WB	PHPD Volume NB/EB	PHPD Volume SB/WB	Rate	Growth Rate NB/EB	Growth Rate SB/WB	Peak Hr Vol NB/EB	Peak Hr Vol SB/WB	Hour Volume NB/EB	Hour Volume SB/WB	Standard ? NB/EB	Standard ? SB/WB
Seaway Drive																	
Indian River Drive	Causeway Cove Marina	2	4LU	1,300	19	18	718	852	3.36%	49	58	767	910	786	928	Yes	Yes
Causeway Cove Marina	Harbour Isle Drive	2	2L Unint	1,190	19	18	718	852	3.36%	49	58	767	910	786	928	Yes	Yes
Harbour Isle Drive	Project	2	2L	750	29	27	550	657	3.36%	38	45	588	702	617	729	Yes	Yes
Project	Bayshore Drive	2	2L	750	12	13	550	657	3.36%	38	45	588	702	600	715	Yes	Yes
Bayshore Drive	Ocean Drive	2	2L	750	11	11	382	462	3.36%	26	32	459	494	470	505	Yes	Yes

EXHIBIT 6



PROJECT DRIVEWAY TRIPS

Daily	AM Peak Hour			PM Peak Hour		
	Total	In	Out	Total	In	Out
3,918	*268*	139	129	*277*	143	134



Harbor Cay

PROPOSED PROJECT DRIVEWAY VOLUMES

3,918	Total daily driveway trips
(277)	PM peak hour driveway trips
268	AM peak hour directional driveway trips

EXHIBIT 7
Possible Medical Office adjacent to Harbor Cay
Trip Generation

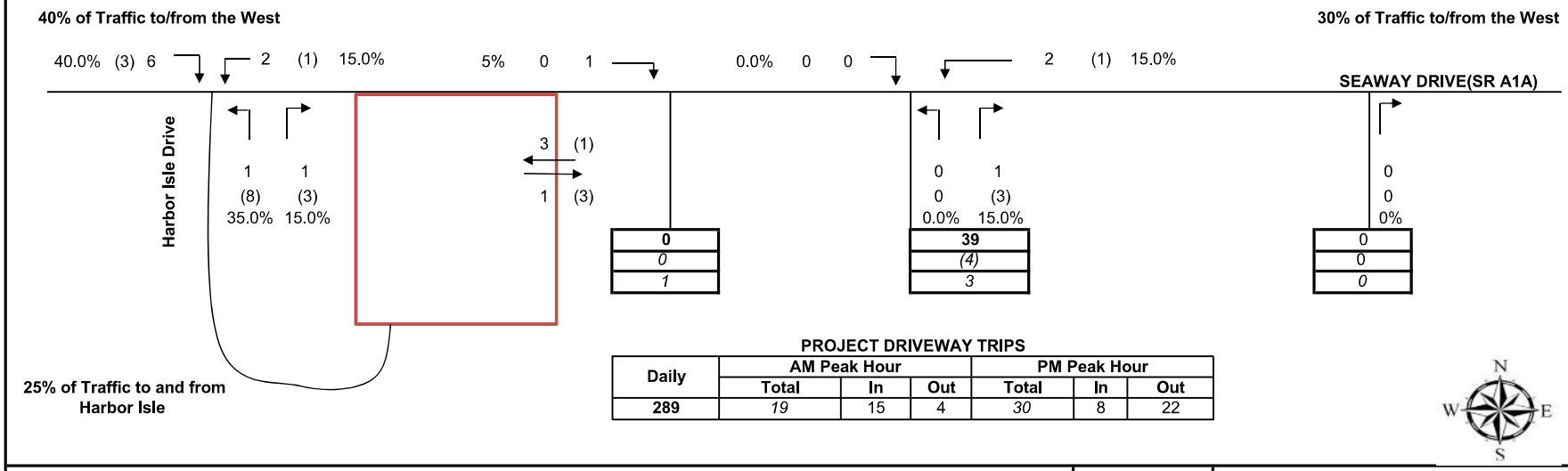
Land Use	Intensity		Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Proposed Site Traffic									
Medical Office	8.000	1000 SF	289	19	15	4	30	8	22

Note: Trip generation was calculated using the following data:

Land Use	ITE Code	Unit	Daily Rate	Pass-by Rate	AM Peak Hour		PM Peak Hour	
					in/out	Rate	in/out	Equation
Medical Office	720	1000 SF	36.13	0%	79/21	2.39	28/72	Ln(T) = 0.90 Ln(X) + 1.53

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EXHIBIT 8



PROJECT DRIVEWAY TRIPS

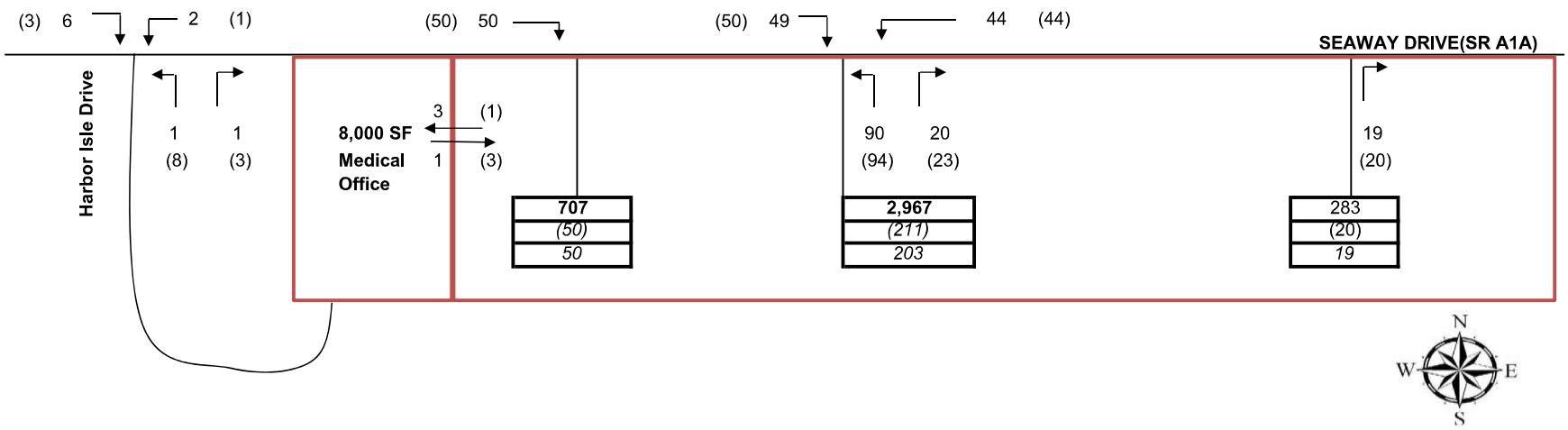
Daily	AM Peak Hour			PM Peak Hour		
	Total	In	Out	Total	In	Out
289	*19*	15	4	*30*	8	22

Possible Medical Office adjacent to Harbor Cay

PROJECTED DRIVEWAY VOLUMES

289	Total daily driveway trips
(30)	PM peak hour driveway trips
19	AM peak hour directional driveway trips

EXHIBIT 9



TOTAL

PROJECTED DRIVEWAY VOLUMES

289	Total daily driveway trips
(30)	PM peak hour driveway trips
19	AM peak hour directional driveway trips

INTERSECTION ANALYSIS SHEET
Harbor Cay

Seaway Drive @ Central Driveway

AM Peak Hour

Intersection Volume Development

	Eastbound			Westbound			Northbound			Southbound		
	LT	**Thru**	**RT**	**LT**	**Thru**	**RT**	**LT**	**Thru**	**RT**	**LT**	**Thru**	**RT**
2020 Peak Season Volume		436			468							
Project Assign	*0%*	*0%*	*35%*	*30%*	*0%*	*0%*	*70%*	*0%*	*15%*	*0%*	*0%*	*0%*
Direction	*in*	*in*	*in*	*in*	*out*	*out*	*out*	*in*	*out*	*in*	*in*	*in*
Total Project Volume	0	0	49	42	0	0	90	0	19	0	0	0
Total Volume	**0**	**436**	**49**	**42**	**468**	**0**	**90**	**0**	**19**	**0**	**0**	**0**

PM Peak Hour

Intersection Volume Development

	Eastbound			Westbound			Northbound			Southbound		
	LT	**Thru**	**RT**	**LT**	**Thru**	**RT**	**LT**	**Thru**	**RT**	**LT**	**Thru**	**RT**
2020 Peak Season Volume	0	588	0	0	702	0	0	0	0	0	0	0
Project Assign	*0%*	*0%*	*35%*	*30%*	*0%*	*0%*	*70%*	*0%*	*15%*	*0%*	*0%*	*0%*
Direction	*in*	*in*	*in*	*in*	*out*	*out*	*out*	*in*	*out*	*in*	*in*	*in*
Total Project Volume	0	0	50	43	0	0	94	0	20	0	0	0
Total Volume	**0**	**588**	**50**	**43**	**702**	**0**	**94**	**0**	**20**	**0**	**0**	**0**

HCS7 Two-Way Stop-Control Report

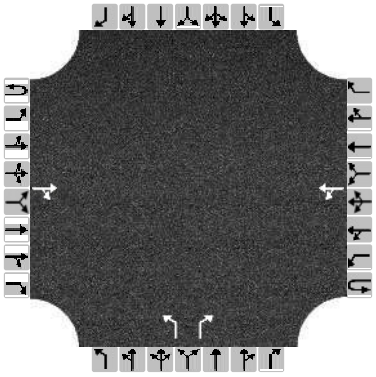
General Information

Analyst	MEP
Agency/Co.	
Date Performed	4/19/2019
Analysis Year	2020
Time Analyzed	AM Peak Hour
Intersection Orientation	East-West
Project Description	Harbor Cay

Site Information

Intersection	Harbor Cay Driveway & A1A
Jurisdiction	FDOT
East/West Street	Seaway Drive (A1A)
North/South Street	Harbor Cay
Peak Hour Factor	0.95
Analysis Time Period (hrs)	0.25

Lanes



Major Street: East-West

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		1	0	1		0	0	0
Configuration				TR		LT				L		R				
Volume, V (veh/h)			436	49		44	468			90		20				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized		No				No				No				No		
Median Type/Storage			Undivided													

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.13				6.43		6.23				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						46				95		21				
Capacity, c (veh/h)						1048				233		580				
v/c Ratio						0.04				0.41		0.04				
95% Queue Length, Q_{95} (veh)						0.1				1.9		0.1				
Control Delay (s/veh)						8.6				30.7		11.4				
Level of Service, LOS						A				D		B				
Approach Delay (s/veh)						1.2				27.2						
Approach LOS										D						

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HCS7 Two-Way Stop-Control Report

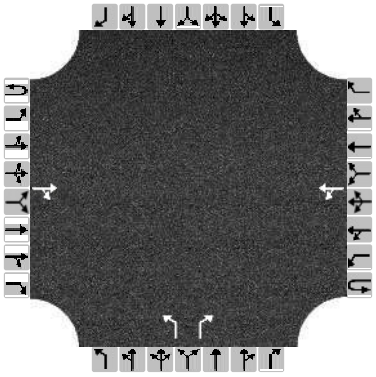
General Information

Analyst	MEP
Agency/Co.	
Date Performed	4/19/2019
Analysis Year	2020
Time Analyzed	PM Peak Hour
Intersection Orientation	East-West
Project Description	Harbor Cay

Site Information

Intersection	Harbor Cay Driveway & A1A
Jurisdiction	FDOT
East/West Street	Seaway Drive (A1A)
North/South Street	Harbor Cay
Peak Hour Factor	0.95
Analysis Time Period (hrs)	0.25

Lanes



Major Street: East-West

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		1	0	1		0	0	0
Configuration				TR		LT				L		R				
Volume, V (veh/h)			588	50		44	702			94		23				
Percent Heavy Vehicles (%)						3				3		3				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized		No				No				No				No		
Median Type/Storage			Undivided													

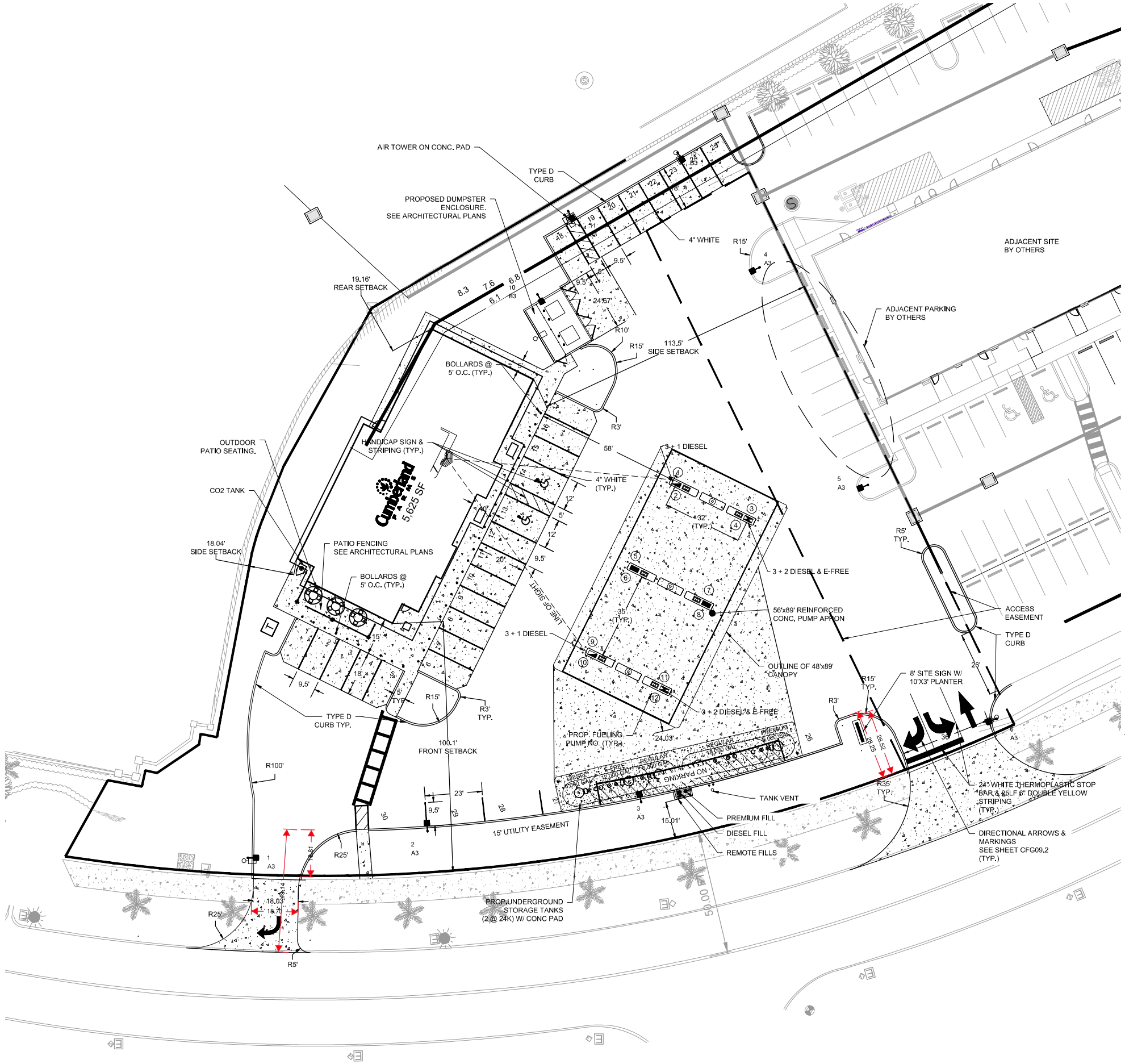
Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.13				6.43		6.23				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						46				99		24				
Capacity, c (veh/h)						913				131		470				
v/c Ratio						0.05				0.75		0.05				
95% Queue Length, Q_{95} (veh)						0.2				4.4		0.2				
Control Delay (s/veh)						9.2				88.3		13.1				
Level of Service, LOS						A				F		B				
Approach Delay (s/veh)						1.3				73.6						
Approach LOS										F						

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GENERAL STATEMENT

THE PROPOSED DEVELOPMENT INCLUDES THE CONSTRUCTION OF A NEW 5,625 SF CUMBERLAND FARMS SINGLE-STORY CONVENIENCE STORE WITH OUTDOOR SEATING AND 6 DISPENSING PUMPS (WITH 12 FUELING POSITIONS) ON VACANT PROPERTY. THE PROPOSED SITE IS EQUIPPED WITH UNDERGROUND STORAGE TANKS, CANOPY, OUTDOOR SEATING, AIR TOWER (AIR COMPRESSOR), AND DUMPSTER ENCLOSURE.

PROPERTY DATA

OWNER:	CUMBERLAND FARMS INC, 165 FLANDERS RD, WESTBOROUGH, MA 01581
APPLICANT:	CUMBERLAND FARMS, INC. 165 FLANDERS RD, WESTBOROUGH, MA 01581
PROJECT ENGINEER:	JEFF LUCAS, P.E. - ATKINS, N.A. 7175 MURRELL RD, MELBOURNE, FL 32940
SITE ADDRESS:	835 SEAWAY DR, FORT PIERCE, FL 34949
PARCEL:	2402-501-0001-010-8
JURISDICTION: ZONING DISTRICT: FLU:	FORT PIERCE PD PLANNED DEVELOPMENT
FEMA FIRM PANEL:	PROPERTY IS LOCATED WITHIN FLOOD ZONE DESIGNATION X, PANEL NO. 12111C0183J, DATED 02/16/2012
OVERALL SITE AREA:	1.50 AC
PROPOSED USE:	5,625 SF CONVENIENCE STORE 6 PUMPS (12 FUELING POSITIONS) GAS DISPENSING UNDER CANOPY
ACCESSORY USES:	AIR TOWER (3) WATER HOSES
PROP. HOURS OF OPERATION	24 HOURS
CONSTRUCTION SCHEDULE	140 DAYS DURATION (APPROXIMATE)

LAND DATA:

ONSITE IMPERVIOUS AREA:

• BUILDING	0.13 AC	(8.7%)
• PAVEMENT, SIDEWALKS & CURBING	1.06 AC	(70.6%)
PERVIOUS AREA:	0.31 AC	(20.7%)
TOTAL	1.50 AC	(100%)

PARKING CALCULATIONS:

CONVENIENCE STORE: REQUIRED: (5,625 SF / 200 SF) = 29 SPACES
TOTAL REQUIRED = 29 SPACES

PROVIDED: 30 SPACES @ 9.5' X 18' DIMENSION/ 23' (PARALLEL)

ADA ACCESSIBLE SPACES: REQUIRED: 2 SPACES PROVIDED: 2 SPACES

DEVELOPMENT PARAMETERS

	MINIMUM	PROVIDED
BUILDING SETBACKS:		
FRONT (NORTH):	25'	± 100'
SIDE INTERIOR (WEST AND EAST):	15'	± 18'
REAR (SOUTH):	15'	± 19'
LANDSCAPE BUFFERS:		
ALL SIDES (LESS ABUTTING):	10'	
PROP. BLDG HEIGHT:		
PROP. BLDG. - NO EXISTING BLDG	30' (AVG)	± 33'-1" (PEAK) ± 23'-9 3/4" (AVG)
CANOPY CLEARANCE:	14'	± 14'-4" (DECK HEIGHT)

NOTES:

1. PROPOSED CANOPY, FUEL DISPENSERS, UNDERGROUND STORAGE TANK, OUTDOOR SEATING, AIR TOWER, DUMPSTER ENCLOSURE AND CONVENIENCE STORE DESIGN AND PROVISIONS SHALL BE CROSS REFERENCED TO THE ARCHITECTURAL AND/OR TANK & PUMP PLANS RESPECTIVELY FOR INSTALLATION ASPECTS.
2. FOR ADDITIONAL SIGNING AND PAVEMENT MARKING NOTES, SEE GENERAL NOTES SHEET.
3. ALL PARKING SPACES, INCLUDING HANDICAPPED PARKING SPACES, SHALL BE STRIPED IN WHITE THERMOPLASTIC PAINT, AND BE IN ACCORDANCE WITH MOST CURRENT FDOT SPECIFICATIONS.
4. LIGHT POLES ARE DEPICTED FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO LIGHTING PLANS FOR EXACT LOCATIONS AND CONSTRUCTION.
5. ALL CURB RAMPS (CR-A, B, ETC.) SHOWN ON THESE PLANS SHALL BE PER FDOT INDEX #522-002.
6. THE SURFACE WHICH IS TO BE PAINTED SHALL BE CLEANED, BY COMPRESSED AIR OR OTHER EFFECTIVE MEANS, IMMEDIATELY BEFORE THE START OF PAINTING, AND SHALL BE CLEAN AND DRY WHEN THE PAINT IS APPLIED. ANY VEGETATION OR SOIL SHALL BE REMOVED FROM THE PAVEMENT BEFORE STRIPING IS BEGUN.
7. COMPACT FILL AREAS, INCLUDING CUT AREAS UNDER THE SIDEWALK THAT HAVE BEEN EXCAVATED MORE THAN 6 INCHES BELOW THE BOTTOM OF SIDEWALK, TO A MINIMUM OF 95% OF AASHTO T99 DENSITY. THE AREA TO BE COMPACTED IS DEFINED AS THAT AREA DIRECTLY UNDER THE SIDEWALK AND 1 FOOT BEYOND EACH SIDE OF THE SIDEWALK WHEN RIGHT-OF-WAY ALLOWS.
8. A MINIMUM OF 4 FEET FROM THE STOP BAR TO THE PEDESTRIAN CROSSING, PER MUTCD SECTION 3B.16, IS REQUIRED AT ALL DRIVEWAYS WITH CROSS WALKS AND STOP BARS. ALL CROSSWALKS SHALL BE A MINIMUM OF 6 FEET OR 2 FEET WIDER THE SIDEWALK BETWEEN THE (2) 12 INCH PARALLEL STRIPES.
9. DRIVEWAY PERMITTING BY ADJACENT DEVELOPER

NORTH

0 10 20 40 60

GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 20'
HALF SIZE: 1" = 40'

LEGEND AND ABBREVIATIONS

PROP.	PROPOSED
RPM	REFLECTIVE PAVEMENT MARKER
LP	LIGHT POLE
TYP.	TYPICAL
SQ. FT.	SQUARE FEET
ROW	RIGHT OF WAY
PGD	PAVING, GRADING AND DRAINAGE
CONC.	CONCRETE
C&G	CURB & GUTTER
	PROPOSED CONCRETE SIDEWALK & PADS
	EXISTING PROPERTY/ROW LINE
	PROPOSED LANDSCAPE BUFFER
	PROPOSED BUILDING SETBACK

JEFFREY LUCAS, P.E.
FLORIDA REG. NO. 71621
SIGNATURE DATE

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Rev.	Date	Description	By	Ch'd	Ap'd

Drawing Status: CONCEPT PLAN
Suitability: SO

ATKINS
LOCAL OFFICE:
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MELBOURNE, FL 32940
TEL. 321.242.4942
FAX. 321.242.6101

CORPORATE OFFICE:
4030 W. BOY SCOUT BLVD
TAMPA, FLORIDA 33607
FBPR CERTIFICATE OF AUTHORIZATION NO.24

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Client: Cumberland FARMS
CUMBERLAND FARMS INC.
165 FLANDERS ROAD
WESTBOROUGH, MA 01581

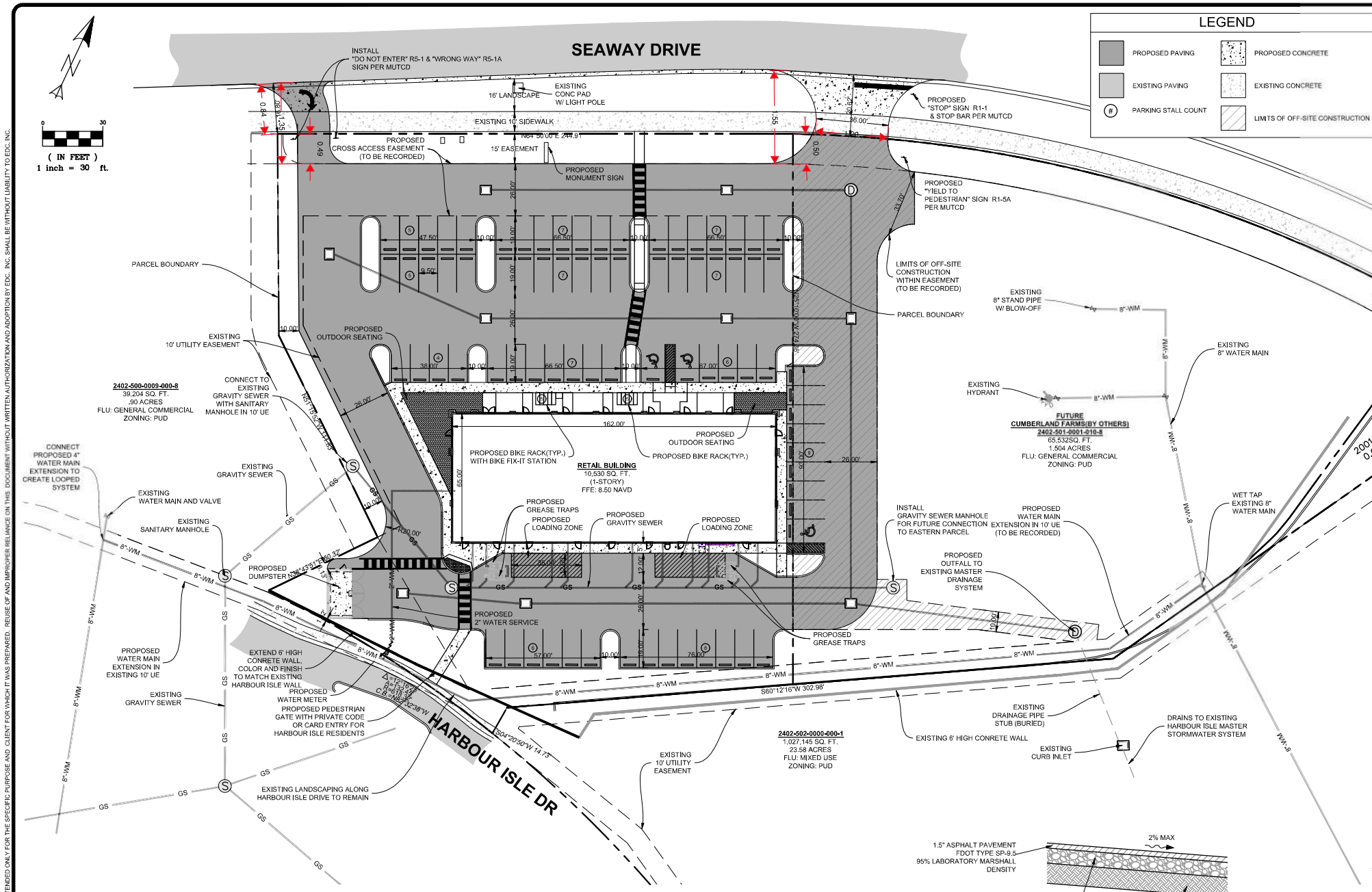
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FT. PIERCE, FL 34949

Drawing Title: SITE PLAN

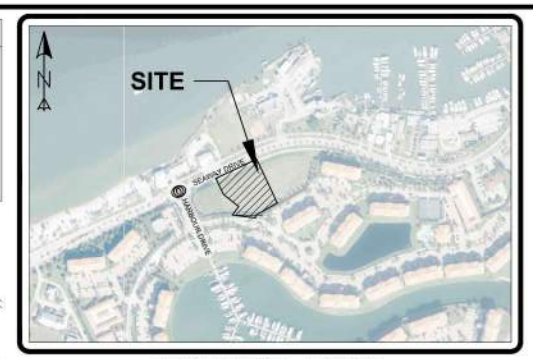
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	Date	Date	Date	Date

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Revision:

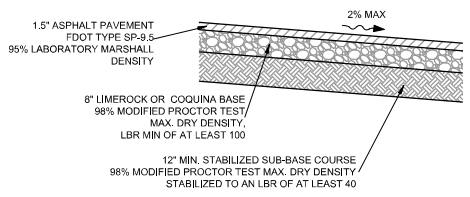
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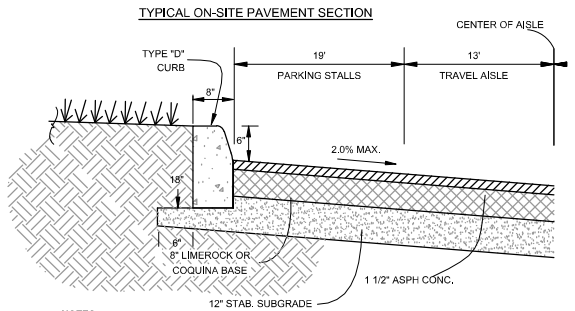
(IN FEET)
1 inch = 30 ft.



FORT PIERCE, FLORIDA
VICINITY MAP
SCALE: 1"= 500'

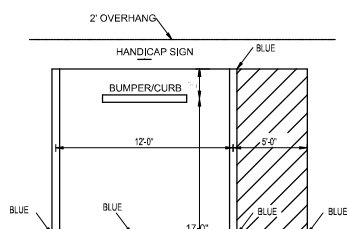


TYPICAL ON-SITE PAVEMENT SECTION



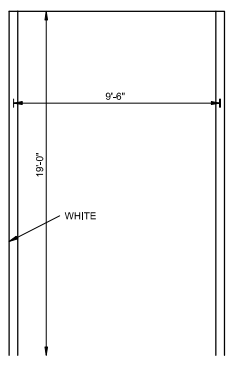
NOTES:
1. TYPICAL PAVEMENT TO BE APPLIED TO ENTIRE PARKING LOT AND ENTRANCE DRIVEWAY.
2. USE 3,000 P.S.I. CONCRETE AT 28 DAYS FOR CONSTRUCTION.
3. SUBGRADE TO EXTEND BEYOND THE TYPE "D" CURB AS SHOWN ON DETAIL.
4. TYPE "D" CURB TO BE CONSTRUCTED IN ACCORDANCE WITH FDOT INDEX #300.
5. TYPE "D" CURB SHOWN OVERSIZED IN DETAIL FOR CLEARITY.

PARKING LOT SECTION W/ TYPE "D" CURB (S-3)

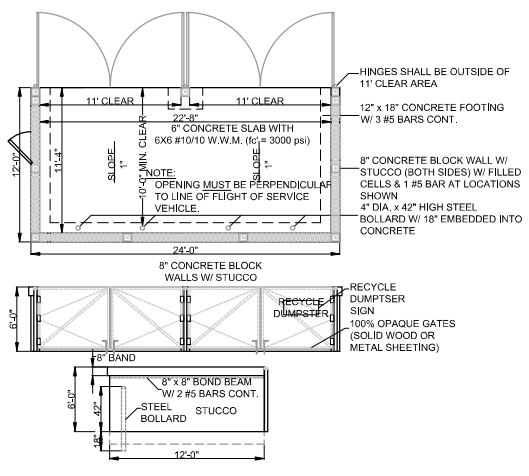


NOTES:
1. TOP PORTION OF FTP 25 & 26 SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER.
2. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH BLACK OPAQUE LEGEND AND BORDER.
3. FTP 25 & 26 MAY BE FABRICATED ON ONE PANEL OR TWO.
4. FTP 25 IS FOR USE IN AREAS WHERE SPACE IS LIMITED.

HANDICAP SPACE DETAIL



19' PARKING STALL DETAIL



DOUBLE DUMPSTER DETAIL

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADOPTION BY EDC, INC. SHALL BE WITHOUT LIABILITY TO EDC, INC.

LEGAL DESCRIPTION

THAT PORTION OF TRACT D-1, OF **SECOND REPLAT OF HARBOUR ISLE AT HUTCHINSON ISLAND,** ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGE (S) 9 AND 10 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LYING WEST OF THE FOLLOWING DESCRIBED LINE:
COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT D-1;
THENCE NORTH 64°50'00" EAST ALONG THE NORTH LINE OF SAID TRACT D-1(THE NORTH LINE OF SAID TRACT D-1 IS ASSUMED TO BEAR NORTH 64°50'00" EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 244.91 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 666.78 FEET AND A CENTRAL ANGLE OF 1°01'21";
BEGINNING OF THE HEREINAFTER DESCRIBED LINE;
THENCE SOUTH 25°10'00" EAST, A DISTANCE OF 274.36 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT D-1 AND THE POINT OF TERMINUS.
CONTAINING IN ALL 66,877 SQUARE FEET OR 1.535 ACRES, MORE OR LESS.

TOTAL SITE AREA: 66,877 S.F., 1.54 AC.
PARCEL ID: 2402-501-0001-000-5

PROJECT NAME: HARBOUR ISLES SHOPPES
OWNER/DEVELOPER: 825/835 SEAWAY DRIVE
FORT PIERCE, FLORIDA 34949

SITE DATA

	CURRENT		
FUTURE LAND USE:	HUTCHINSON ISLAND MIXED USE (HIMU)		
ZONING:	PLANNED DEVELOPMENT		
GROSS SITE AREA	66,877 S.F. (1.54 AC)		
GROSS PROPOSED DEVELOPMENT AREA	66,877 S.F. (± 1.54 AC) =	100.00%	
IMPERVIOUS AREA	50,981 S.F.	1.17 AC	75.97%
PROPOSED BUILDING	10,530 S.F.	0.24 AC	15.58%
PROPOSED PAVEMENT	36,031 S.F.	0.83 AC	53.90%
PROPOSED CONCRETE	3,620 S.F.	0.08 AC	5.19%
PROPOSED PAVERS	800 S.F.	0.02 AC	1.30%
OFF-SITE			
PROPOSED PAVEMENT	13,645 S.F.	0.31 AC	
GREEN SPACE	1,892 S.F.	0.04 AC	

PROPOSED BUILDING COVERAGE: 15.58%

BUILDING DATA
GROSS SQUARE FOOTAGE: 11,050 S.F.

PARKING CALCULATIONS
REQUIRED PARKING
REQUIRED PARKING SPACES (11,050 S.F. (1 SPACE / 200 S.F.) = 56 SPACES
REQUIRED HANDICAP SPACES (INCLUDED) = 3 SPACES
REQUIRED BICYCLE PARKING (1 PER 10 PROVIDED SPACES) = 9.2 STALLS

PROPOSED PARKING
PROVIDED PARKING SPACES = 78 SPACES
PROVIDED HANDICAP SPACES (INCLUDED) = 3 SPACES
PROVIDED BICYCLE STALLS = 10 STALLS
NOTE: REQUIRED PARKING RATE PER HARBOUR ISLE PUD FOR RETAIL USE

PROJECT STATEMENT:
THE PROJECT PROPOSED THE DEVELOPMENT OF THE 1.535 ACRE PARCEL WITH THE CONSTRUCTION OF A 11,050 SF COMMERCIAL BUILDING, A PARKING LOT, A STORMWATER MANAGEMENT SYSTEM, AND UNDERGROUND UTILITIES. ALL IMPROVEMENTS SHALL CONFORM TO THE FORT PIERCE CODE OF ORDINANCES AND HARBOUR ISLE PUD.

SURVEY:
THIS SITE IS BASED UPON A SURVEY THAT WAS PROVIDED BY WALLACE SURVEYING CORP.

DATUM NOTE:
THESE PLANS REFERENCE THE NORTH AMERICAN VERTICAL DATUM (NAVD), A TYPICAL ACCEPTED CONVERSION TO NGVD FROM NAVD IS...
NAVD = NGVD - 1.475'

WATER AND SEWER:
WATER AND SEWER SERVICE TO THE BUILDING WILL BE PROVIDED BY EXISTING FORT PIERCE UTILITIES AUTHORITY (FPUA) MAINS LOCATED ADJACENT TO THE PROJECT SITE. PROPOSED POINTS OF CONNECTION AND POINTS OF SERVICE ARE SHOWN ON THIS PLAN. THIS PLAN IS FOR PRELIMINARY ENGINEERING PURPOSES ONLY. ALL FINAL UTILITY DESIGN AND SIZES TO BE INCLUDED ON CONSTRUCTION LEVEL PLANS.

DRAINAGE STATEMENT:
THE PROJECT IS LOCATED WITHIN THE HARBOUR ISLE MASTER STORMWATER SYSTEM (SFWMD ERP PERMIT 56-01689-P). WATER QUALITY TREATMENT AND ATTENUATION ARE PROVIDED FOR IN AN EXISTING MASTER SYSTEM LAKE. PRIOR TO DISCHARGING INTO THE LAKE ON-SITE RUNOFF WILL BE COLLECTED IN A SERIES OF INLETS AND EXFILTRATION TRENCH THAT WILL PROVIDE THE REQUIRED 2.5" OF DRY PRETREATMENT FOR COMMERCIAL DEVELOPMENT. THIS PROPERTY IS LOCATED IN FLOOD ZONE X ACCORDING TO F.I.R.M. (FLOOD INSURANCE RATE MAP) NO. 12111C 0183J, DATED 02/16/2012.

SOLID WASTE:
THIS PROJECT WILL UTILIZE A DOUBLE DUMPSTER AREA FOR SOLID WASTE AND RECYCLABLE ITEMS. THE PROPOSED ENCLOSURE SHALL MEET THE CITY OF FORT PIERCE STANDARDS. GARBAGE AND RECYCLING PICKUP SERVICE TO BE PROVIDED BY THE FORT PIERCE SOLID WASTE DIVISION.

HAZARDOUS WASTE:
ALL HAZARDOUS OR TOXIC MATERIALS GENERATED OR USED OR STORED ON-SITE SHALL BE DISPOSED OF IN ACCORDANCE WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS. HOWEVER, NO HAZARDOUS WASTE IS ANTICIPATED.

FIRE PROTECTION:
ALL HYDRANTS WITHIN 1000' ARE SHOWN. IF REQUIRED BY THE FLORIDA BUILDING CODE A SPRINKLER SYSTEM FOR FIRE PROTECTION WILL BE INSTALLED AND AN FDC WILL BE LOCATED NO LESS THAN 40' FROM THE BUILDING. EMERGENCY ACCESS FOR FIRE DISTRICT VEHICLES WILL BE PROVDED.

TRAFFIC STATEMENT:
INSTITUTE OF TRANSPORTATION ENGINEERS TRIP GENERATION, 10TH EDITION
RETAIL (820)

WEEKDAY DAILY TRIPS:			
(820)	37.75/1,000 S.F.	11,050 S.F.	= 417
A.M. PEAK HOUR TRIPS:			
(820)	3.00/1,000 S.F.	11,050 S.F.	= 33
P.M. PEAK HOUR TRIPS:			
(820)	4.21/1,000 S.F.	11,050 S.F.	= 47

ENGINEERS & SURVEYORS ENVIRONMENTAL
10250 VILLAGE PARKWAY
SUITE 201
PORT ST. LUCIE, FL 34987
772-462-2455
www.edc-inc.com
E.B.P.E. CERTIFICATE OF AUTHORIZATION 9935
E.L.B. CERTIFICATE OF AUTHORIZATION 8098

DCB DESIGNED BY
JJL DRAWN BY
18-303 harbour cay.dwg FILENAME
SITE PLAN (2) LAYOUT
AS SHOWN SCALE
2ENG/2018 DATE

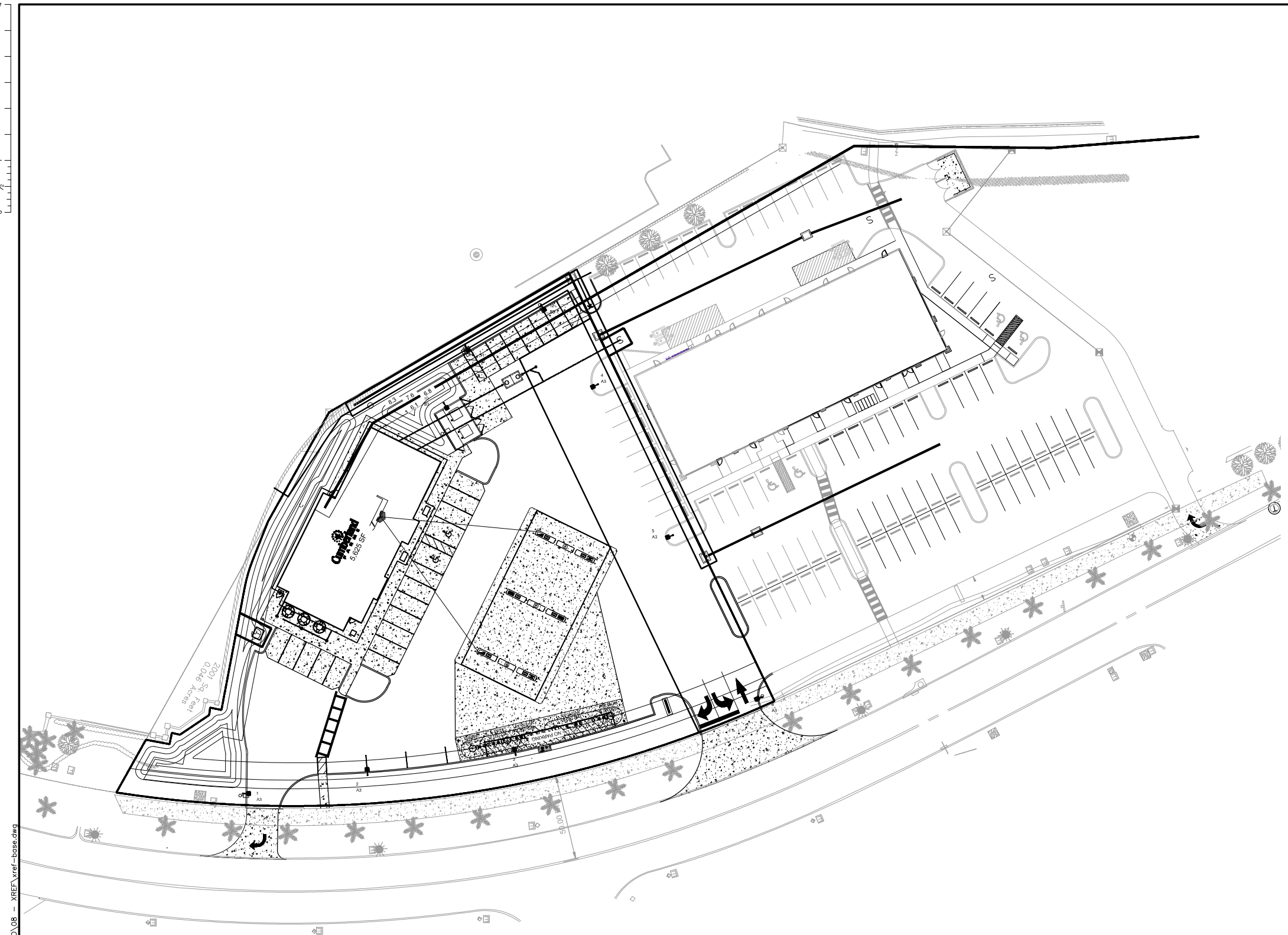
DATE	REVISION COMMENTS
12/26/2018	ADDED EXISTING/PROPOSED CONCRETE WALL, GATE & BIKE FIX-IT STATION
11/29/2018	FORT PIERCE COMMENTS ADDRESSED (10/12/2018)

HARBOUR CAY
SITE PLAN
FORT PIERCE FLORIDA

DAVID C. BAGGETT, P.E.(DATE)
#81375
10250 SW VILLAGE PARKWAY - SUITE 201
PORT SAINT LUCIE, FL 34987
772-462-2455

18-303

1 OF 1



User: FAR4400
G:\PROJECTS\1000062844 – CF – 801Seaway (Ft. Pierce)\10 CAD\08 – XREF\xref–base.dwg

PATRICK MARTIN, P.E.
FLORIDA REG., NO. 80835

PATRICK J. MARTIN
LICENSE
No 80835
STATE OF FLORIDA
PROFESSIONAL ENGINEER

SIGNATURE DATE

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Rev.	Date	Description	By	Ch'kd	App'd

Drawing Status: CONCEPT PLAN
Suitability: S0

ATKINS
LOCAL OFFICE:
7175 MURRELL ROAD
MELBOURNE, FL 32940
TEL. 321.242.4942
FAX. 321.242.6101

CORPORATE OFFICE:
4030 W. BOY SCOUT BLVD
TAMPA, FLORIDA 33607
FBPR CERTIFICATE OF AUTHORIZATION NO.24

www.atkinsglobal.com

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Client
Cumberland FARMS
CUMBERLAND FARMS INC.
165 FLANDERS ROAD
WESTBOROUGH, MA 01581

Project Title
835 SEAWAY DR
FT. PIERCE, FL 34949

Drawing Title
OVERALL MASTER PLAN EXHIBIT OPT. 1

Scale	Designed	Drawn	Checked	Authorized
	JAL	DF		
Original Size: ARCH D	Date	Date	Date	Date

Drawing Number

Revision

COUNTY: 94
STATION: 0115
DESCRIPTION: SR A1A/S - E END OF S BRIDGE
START DATE: 02/06/2018
START TIME: 0000

	DIRECTION: E					DIRECTION: W					COMBINED
TIME	1ST	2ND	3RD	4TH	TOTAL	1ST	2ND	3RD	4TH	TOTAL	TOTAL
0000	16	4	17	9	46	4	10	9	11	34	80
0100	6	7	1	5	19	10	4	5	8	27	46
0200	3	3	4	5	15	8	3	7	7	25	40
0300	5	4	3	5	17	3	2	3	4	12	29
0400	6	10	13	18	47	7	10	9	8	34	81
0500	35	41	45	45	166	10	12	26	33	81	247
0600	60	65	58	67	250	43	55	69	82	249	499
0700	61	93	82	109	345	102	139	149	154	544	889
0800	114	104	112	115	445	137	131	155	178	601	1046
0900	112	115	130	154	511	161	153	146	157	617	1128
1000	131	134	144	151	560	161	167	159	151	638	1198
1100	176	219	191	183	769	171	151	162	166	650	1419
1200	232	237	205	242	916	169	150	192	177	688	1604
1300	243	254	167	222	886	191	156	199	202	748	1634
1400	200	207	194	199	800	236	185	186	187	794	1594
1500	173	221	196	216	806	188	173	175	222	758	1564
1600	177	184	174	183	718	255	216	213	168	852	1570
1700	220	193	186	232	831	164	180	176	148	668	1499
1800	163	143	136	142	584	165	158	117	104	544	1128
1900	123	112	82	86	403	102	78	66	46	292	695
2000	76	94	58	58	286	58	54	42	43	197	483
2100	62	54	58	47	221	35	31	50	35	151	372
2200	45	45	25	18	133	37	22	24	18	101	234
2300	22	14	12	13	61	20	13	19	16	68	129
24-HOUR TOTALS:					9835					9373	19208

PEAK VOLUME INFORMATION

	DIRECTION: E		DIRECTION: W		COMBINED DIRECTIONS	
	HOUR	VOLUME	HOUR	VOLUME	HOUR	VOLUME
A.M.	845	472	830	647	845	1110
P.M.	1230	944	1545	906	1230	1660
DAILY	1230	944	1545	906	1230	1660

PM Peak
Eastbound = 718
Westbound = 852

GENERATED BY SPS 5.0.53P

COUNTY: 94
STATION: 5016
DESCRIPTION: SR A1A/S - S OF SEAWAY DR (COUNTY 5016)
START DATE: 02/20/2018
START TIME: 1100

	DIRECTION: N					DIRECTION: S					COMBINED
TIME	1ST	2ND	3RD	4TH	TOTAL	1ST	2ND	3RD	4TH	TOTAL	TOTAL
0000	0	7	3	1	11	6	6	3	1	16	27
0100	3	2	2	2	9	1	0	2	6	9	18
0200	3	0	3	1	7	3	0	4	1	8	15
0300	2	4	2	3	11	2	1	4	3	10	21
0400	5	3	10	4	22	4	6	14	17	41	63
0500	2	13	8	15	38	37	39	63	58	197	235
0600	24	26	40	42	132	60	49	49	41	199	331
0700	58	77	84	77	296	52	49	46	51	198	494
0800	74	82	92	79	327	42	42	46	64	194	521
0900	91	71	88	68	318	50	58	58	71	237	555
1000	106	79	101	93	379	56	78	76	83	293	672
1100	76	96	103	88	363	60	91	106	89	346	709
1200	76	76	89	101	342	103	100	97	102	402	744
1300	96	96	96	98	386	107	93	111	99	410	796
1400	100	102	82	88	372	93	102	113	105	413	785
1500	122	113	117	98	450	97	113	101	104	415	865
1600	105	101	93	114	413	95	85	106	90	376	789
1700	148	107	89	94	438	106	80	80	81	347	785
1800	86	110	62	50	308	100	66	65	46	277	585
1900	47	41	27	22	137	59	68	46	39	212	349
2000	22	27	24	10	83	49	36	30	44	159	242
2100	23	12	13	16	64	33	35	22	17	107	171
2200	11	11	11	11	44	22	20	13	13	68	112
2300	6	5	6	4	21	9	7	0	10	26	47
24-HOUR TOTALS:					4971					4960	9931

PEAK VOLUME INFORMATION

	DIRECTION: N		DIRECTION: S		COMBINED DIRECTIONS	
	HOUR	VOLUME	HOUR	VOLUME	HOUR	VOLUME
A.M.	815	344	845	230	845	559
P.M.	1630	462	1430	428	1500	865
DAILY	1630	462	1430	428	1500	865

TRUCK PERCENTAGE 7.44 15.52 11.48

CLASSIFICATION SUMMARY DATABASE

DIR	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	TOTTRK	TOTVOL
N	82	3804	663	16	296	33	2	18	4	0	0	0	1	0	52	370	4971
S	79	3303	752	20	666	30	13	28	8	1	1	1	2	0	56	770	4960

GENERATED BY SPS 5.0.53P

Volume in front of project determined by averaging volume west of Harbour Isles and volume at North End of Ocean Drive

Eastbound
AM = (472 + 344) / 2 = 408

PM = (718 + 382) / 2 = 550

Westbound
AM = (647 + 230) / 2 = 439
PM = (852 + 462) / 2 = 657

PM Peak = 106+90+106+80 = 382

SR180810

Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

MIKE DEW
SECRETARY

August 25, 2017

THIS PRE-APPLICATION LETTER IS VALID UNTIL – **August 25, 2018**
THIS LETTER IS NOT A PERMIT APPROVAL

Douglas G. Winter
Doug Winter Companies, Inc.
4047 Okeechobee Blvd. # 222
West Palm Beach, FL 33409

Dear Douglas G. Winter:

RE: **August 25, 2017** - Pre-application Meeting for **Category D Driveway**
St. Lucie County - City of Fort Pierce, Urban; SR A1A; Sec. # 94050; MP: 16.600;
Access Class - 06; Posted Speed - 35 mph; SIS - N;
Request:
- **Driveway 1: Joint-use right-in/right-out driveway along SR A1A located approximately 200 feet east of Harbour Isle Drive.**
- **Driveway 2: Right-in/right-out driveway along SR A1A located approximately 295 feet east Driveway 1.**

SITE SPECIFIC INFORMATION
Project Name & Address: **Harbour Island Shoppes - SR A1A/Seaway Dr and Harbour Isle**
Applicant/Property Owner: **Harbour Isle Invests LLC(FLLLC)**
Parcel Size: **3.1 Acres** Development Size: **13,000 S.F. Retail & 5,500 S.F. Restaurant**

WE APPROVE YOUR REQUEST

This decision is based on your presentation of the facts, site plan and survey - please see the **conditions** and **comments** below. You may choose to review this concept further with the District Access Management Review Committee (AMRC).

Conditions:
- **A minimum driveway length of 25 feet, as measured from the ultimate right-of-way line to the first conflict point shall be provided. If a gate is installed a minimum driveway length of 100 feet is required.**
- **A recorded cross access agreement with the adjacent parcel to the west shall be provided at the time of permit.**

Comments:

- Drainage mitigation is required for any impacts within FDOT right-of-way (i.e. increased runoff or reduction of existing storage). A Storm Water Pollution Prevention Plan must be submitted with the application for more than one acre of "disturbed area" as defined by the Florida Department of Environmental Protection (FDEP).
- The applicant shall donate the right-of-way to the Department if right-of-way dedication is required to implement the improvements.
- All driveways not approved in this letter must be fully removed and the area restored.
- Dimensions between driveways are measured from the near edge of pavement to near edge of pavement and for median openings are measured from centerline to centerline unless otherwise indicated.

The purpose of this Pre-Application letter is to document the conceptual review of the approximate location of driveway(s) to the State Highway system and to note required improvements, if any. This letter shall be submitted with any further reviews and for permitting. The Department's personnel shall review permit plans for compliance with this letter as well as current Department standards and/or specifications. Final design must consider the existing roadway profile and any impacts to the existing drainage system. **Note, this letter does not guarantee permit approval.** The permit may be denied based on the review of the submitted engineering plans. Be aware that any approved median openings may be modified (or closed) in the future, at the sole discretion of the Department. For right-of-way dedication requirements go to: https://gis.dot.state.fl.us/OneStopPermitting; click on Statewide Permit News; Scroll down to District 4; Scroll down to Additional Information and Examples and choose Right-of-way Donations/Dedications.

Please contact Geysa Sosa, P.E. at the District Permits Office with any questions regarding permits – Tel. # 954-777-4377, or e-mail: geysa.sosa@dot.state.fl.us.

Sincerely,

Dalila Fernandez, P.E.
District Access Management Manager

cc: Nesa Y. Harden
File S:\Transportation Operations\Traffic Operations\Access Management\1 Pre-Apps and Variance\2017-08-25\5 94050 MP 16.600 SR A1A_Habour Islands Shoppes\94050 MP 16.600 SR A1A_Habour Islands Shoppes.docx

Apparel Store
(876)

Vehicle Trip Ends vs: **1000 Sq. Ft. GFA**
On a: **Weekday**

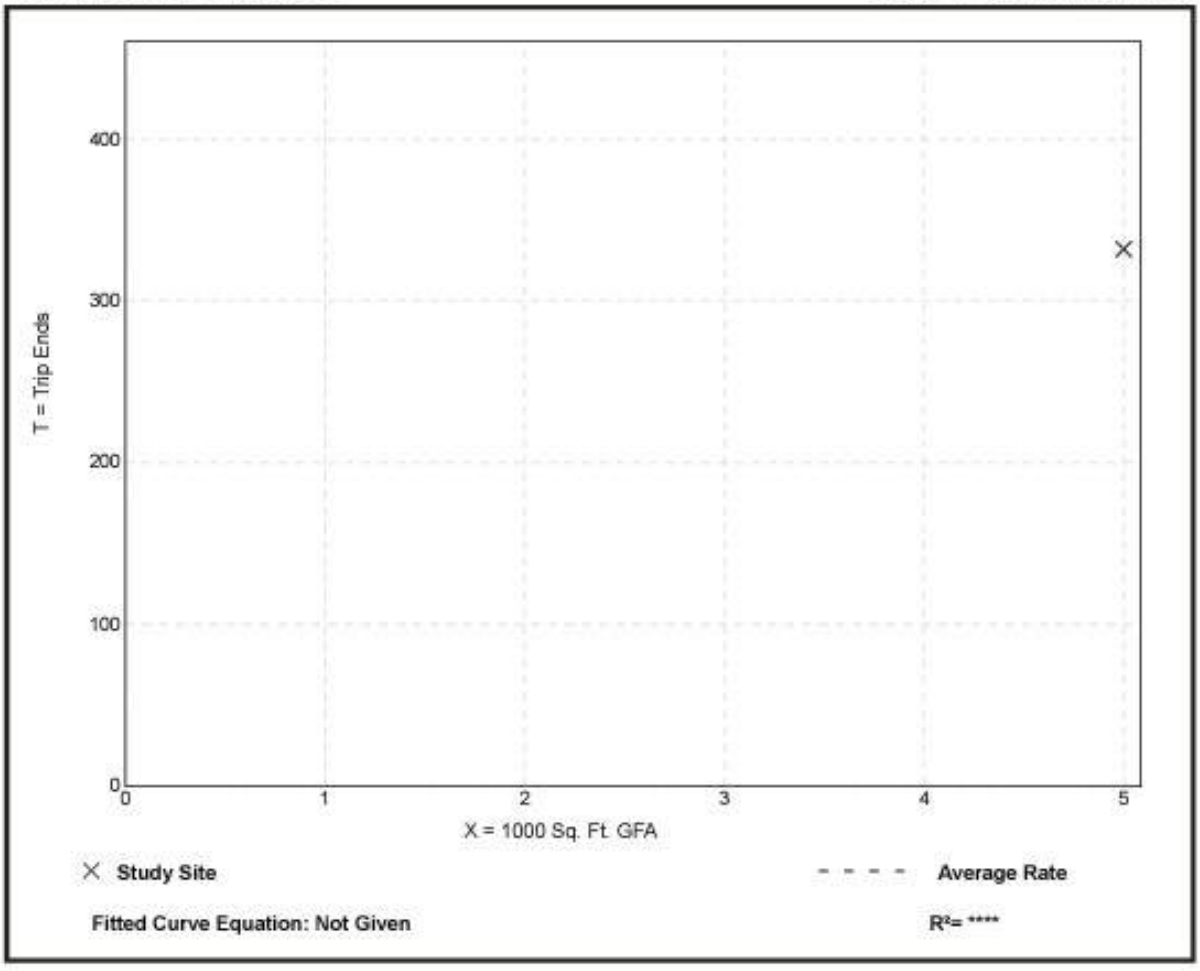
Setting/Location: **General Urban/Suburban**
Number of Studies: 1
1000 Sq. Ft. GFA: 5
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
66.40	66.40 - 66.40	*

Data Plot and Equation

Caution – Small Sample Size



Fitted Curve Equation: Not Given

R^2= ****

Apparel Store
(876)

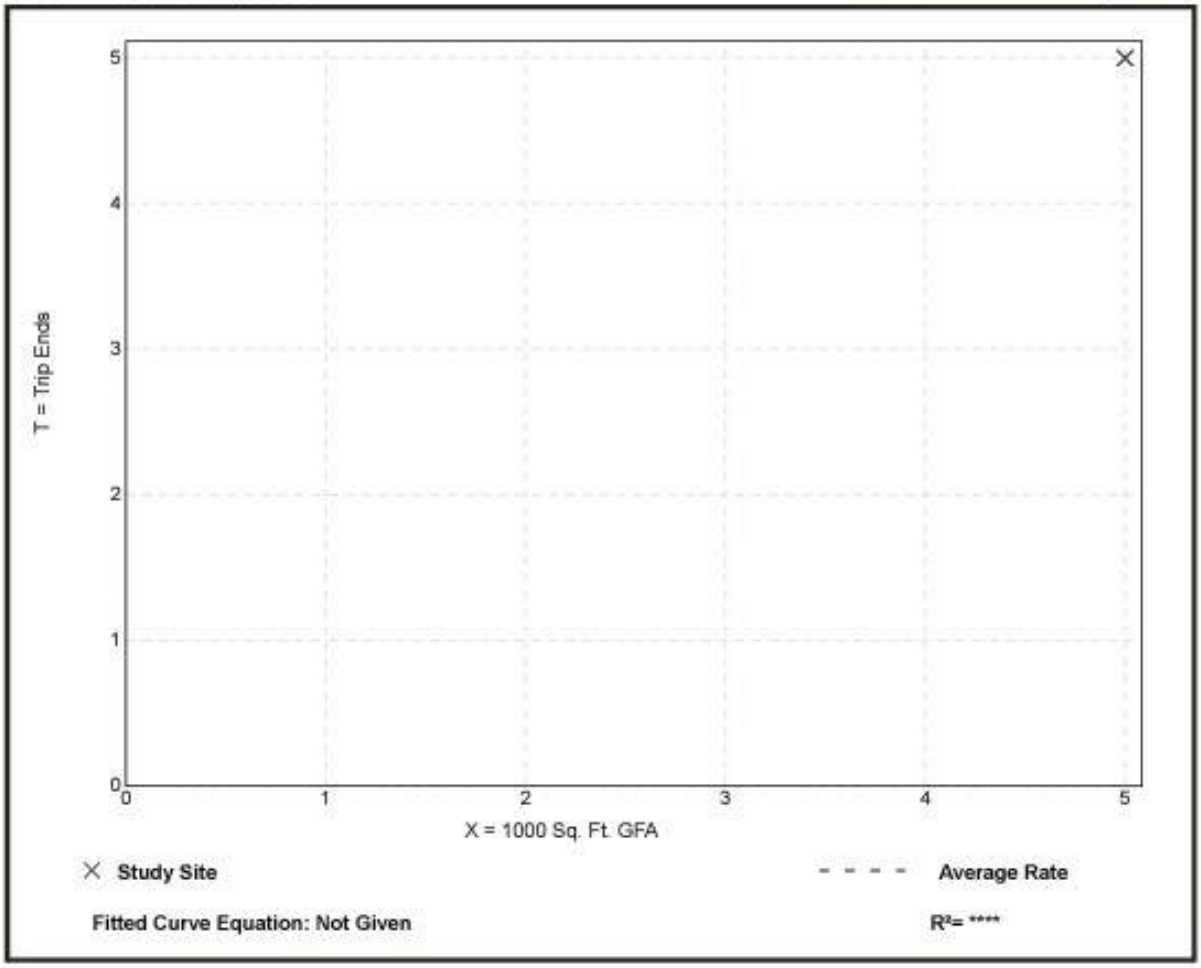
Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,** **Peak Hour of Adjacent Street Traffic,** **One Hour Between 7 and 9 a.m.**
Setting/Location:	**General Urban/Suburban**
Number of Studies:	1
1000 Sq. Ft. GFA:	5
Directional Distribution:	80% entering, 20% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.00	1.00 - 1.00	*

Data Plot and Equation

Caution – Small Sample Size



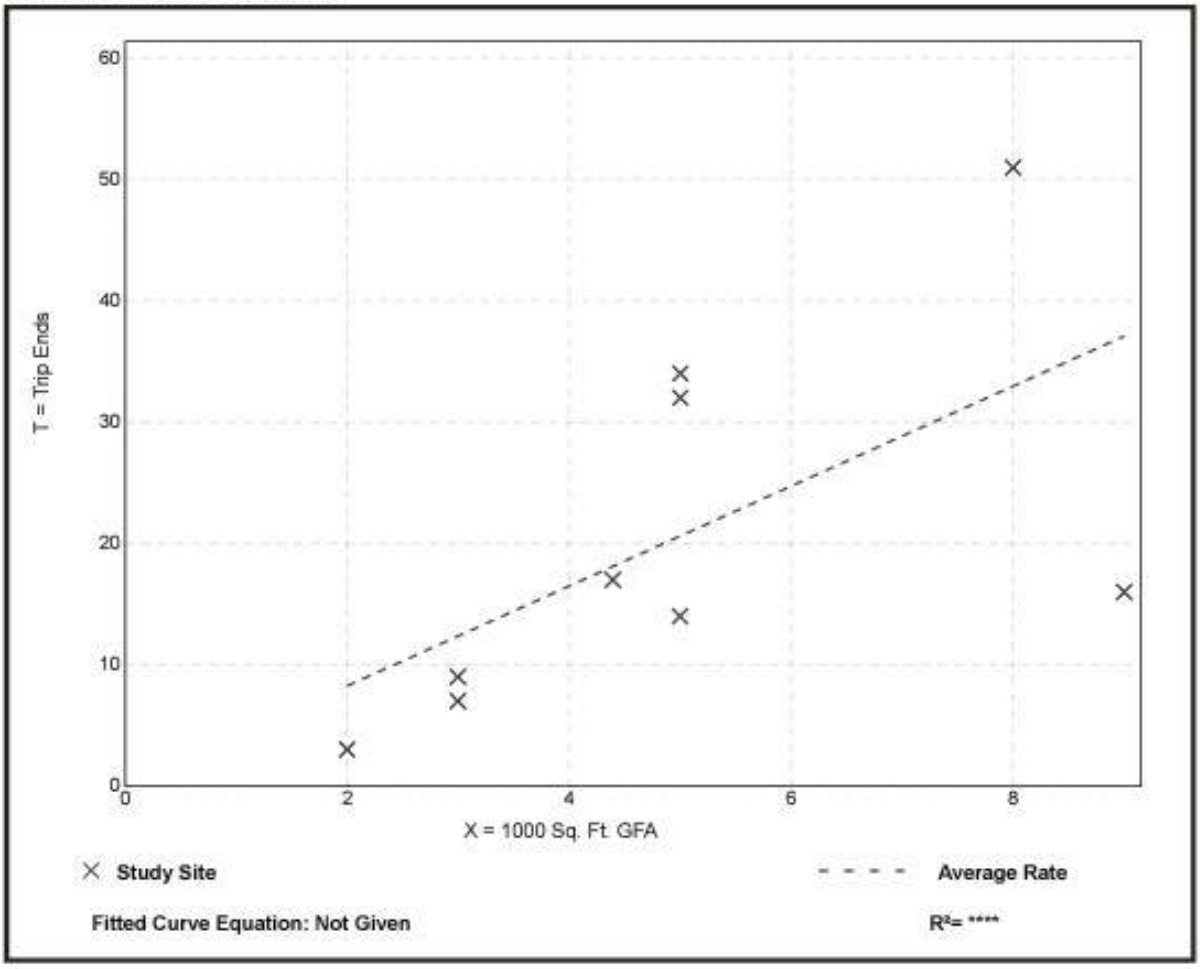
Apparel Store
(876)

Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,** **Peak Hour of Adjacent Street Traffic,** **One Hour Between 4 and 6 p.m.**
Setting/Location:	**General Urban/Suburban**
Number of Studies:	9
1000 Sq. Ft. GFA:	5
Directional Distribution:	51% entering, 49% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
4.12	1.50 - 6.80	2.18

Data Plot and Equation



Land Use: 899
Liquor Store

Description

A liquor store specializes in the sale of prepackaged alcoholic beverages intended to be consumed off the store's premises.

Additional Data

Time-of-day distribution data for this land use are presented in Appendix A. For the one general urban/suburban site with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 11:30 a.m. and 12:30 p.m. and 5:00 and 6:00 p.m., respectively.

The sites were surveyed in the 1990s and the 2010s in Alberta (CAN) and Minnesota.

Source Numbers

870, 973

Liquor Store
(899)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

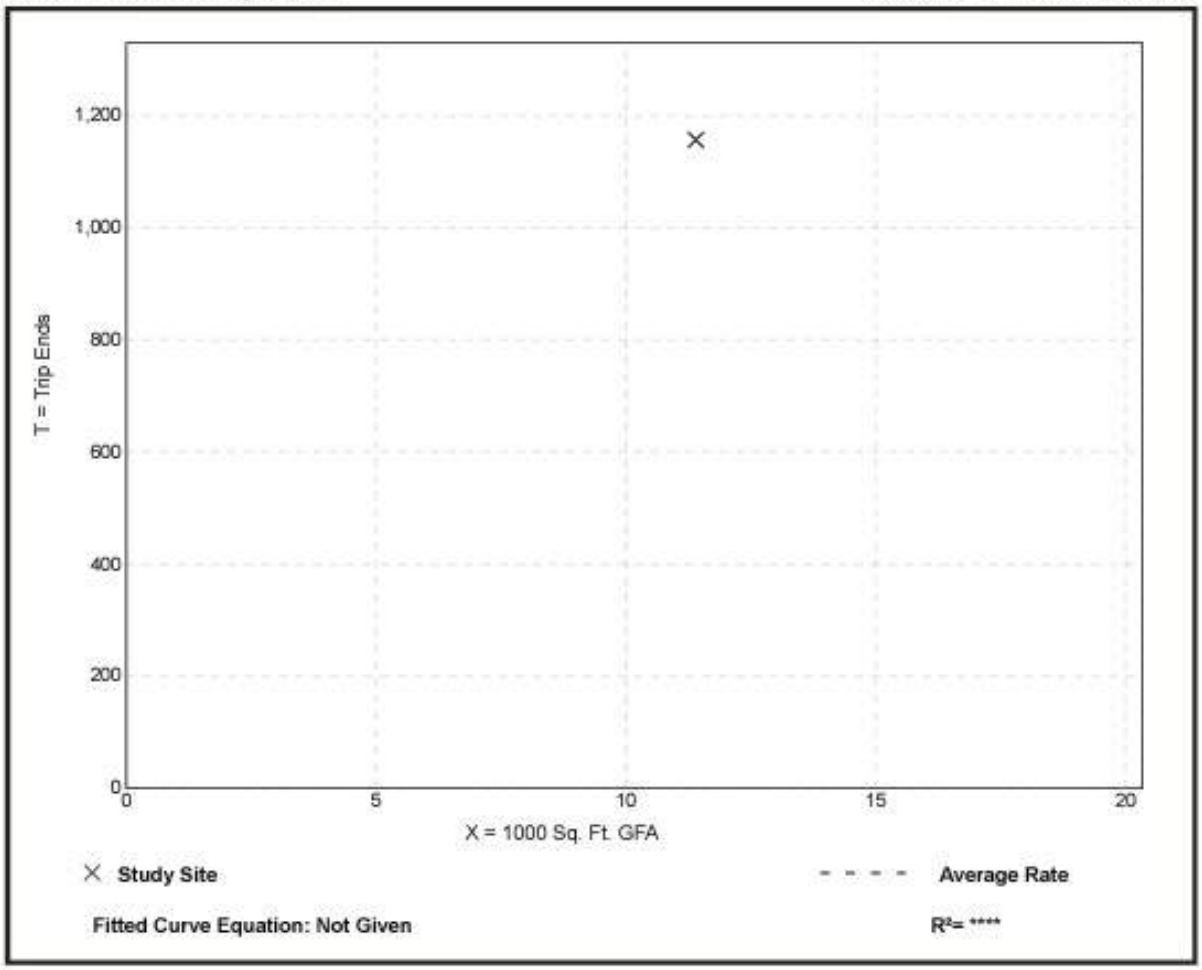
Setting/Location: General Urban/Suburban
Number of Studies: 1
1000 Sq. Ft. GFA: 11
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
101.49	101.49 - 101.49	*

Data Plot and Equation

Caution – Small Sample Size



AM PEAK HOUR TRIP GEN NOT AVAILABLE – USE ½ PERCENT OF DAILY TRIP GENERATION BASED ON 24-HOUR DATA

Land Use	881 Pharmacy/Drugstore with Drive-Through Window						882 Marijuana Dispensary				890 Furniture Store		899 Liquor Store	
Setting	General Urban/Suburban						General Urban/Suburban				General Urban/ Suburban		General Urban/ Suburban	
Time Period	Weekday		Saturday		Sunday		Weekday		Saturday		Weekday		Weekday	
Trip Type	Vehicle		Vehicle		Vehicle		Vehicle		Vehicle		Vehicle		Vehicle	
# Data Sites	6		2		1		4		4		7		1	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
12:00	0.3	8.5	0.7	9.3	0.0	11.1	0.0	9.0	0.0	10.8	0.0	9.2	0.0	4.1
12:15	0.3	8.2	0.8	9.1	0.0	10.8	0.0	8.7	0.0	10.4	0.0	9.0	0.0	4.1
12:30	0.3	7.7	0.8	8.7	0.0	10.8	0.0	8.6	0.0	9.9	0.0	8.4	0.0	3.6
12:45	0.2	7.8	0.7	8.7	0.0	12.1	0.0	8.1	0.0	9.8	0.0	8.2	0.0	4.4
1:00	0.2	8.3	0.8	8.5	0.0	10.8	0.0	8.1	0.0	9.0	0.0	8.5	0.2	4.8
1:15	0.1	8.4	0.7	9.4	0.0	11.3	0.0	8.3	0.0	8.8	0.0	9.0	0.2	5.1
1:30	0.1	8.8	0.6	9.9	0.0	11.3	0.0	8.7	0.0	9.1	0.0	8.7	0.2	5.6
1:45	0.1	8.8	0.6	10.0	0.0	10.8	0.0	9.2	0.0	9.4	0.0	9.2	0.2	6.5
2:00	0.1	8.3	0.5	10.0	0.0	11.1	0.0	8.9	0.0	10.4	0.0	8.0	0.0	7.3
2:15	0.1	8.3	0.2	9.3	0.0	12.1	0.0	9.2	0.0	10.6	0.0	6.8	0.0	9.7
2:30	0.0	8.2	0.2	8.7	0.0	12.6	0.0	9.2	0.0	10.7	0.0	7.3	0.0	10.3
2:45	0.1	8.2	0.1	9.5	0.0	13.4	0.0	9.4	0.0	10.7	0.0	7.0	0.0	10.1
3:00	0.1	8.3	0.1	10.1	0.0	13.7	0.0	9.7	0.0	10.4	0.0	8.4	0.0	9.8
3:15	0.1	8.6	0.1	10.6	0.0	12.6	0.0	9.8	0.0	10.4	0.0	11.4	0.0	9.3
3:30	0.1	9.0	0.1	10.3	0.0	11.4	0.0	10.3	0.0	10.4	0.0	11.8	0.0	10.2
3:45	0.1	9.4	0.1	9.4	0.0	10.4	0.0	10.7	0.0	10.5	0.0	12.5	0.0	11.5
4:00	0.1	9.3	0.1	8.2	0.0	9.3	0.0	11.4	0.0	10.1	0.0	13.3	0.0	11.9
4:15	0.2	9.0	0.1	7.1	0.0	9.0	0.0	12.1	0.0	10.8	0.0	13.5	0.0	13.4
4:30	0.2	9.3	0.1	7.3	0.0	8.5	0.1	12.2	0.0	11.7	0.0	13.8	0.0	14.6
4:45	0.2	9.2	0.2	6.9	0.0	6.0	0.1	12.6	0.0	11.9	0.0	12.3	0.0	16.3
5:00	0.3	9.4	0.3	6.5	0.0	6.4	0.1	12.4	0.0	12.6	0.0	9.9	0.0	17.5
5:15	0.4	9.2	0.4	6.8	0.0	5.9	0.1	12.7	0.0	12.6	0.0	6.5	0.0	16.4
5:30	0.4	8.0	0.5	6.6	0.0	5.5	0.2	14.0	0.0	11.7	0.0	4.1	0.2	15.6
5:45	0.5	7.0	0.6	6.6	0.0	5.2	0.2	14.2	0.0	11.3	0.0	2.9	0.3	13.1
6:00	0.7	6.1	0.8	6.7	0.0	3.8	0.3	13.6	0.1	10.1	0.0	3.4	0.3	11.5
6:15	1.1	5.4	0.9	5.9	0.0	2.6	0.3	10.4	0.3	7.3	0.2	2.9	0.5	9.7
6:30	1.5	5.7	1.1	5.2	0.0	2.0	0.3	6.7	0.4	5.1	0.2	3.1	0.5	9.2
6:45	2.0	5.8	1.5	4.5	0.3	2.8	0.5	3.1	0.4	2.8	0.3	2.7	0.3	9.2
7:00	2.7	5.6	1.8	4.1	0.5	2.1	0.8	0.9	0.5	1.0	1.0	1.2	0.4	10.0
7:15	3.1	5.3	2.1	4.2	0.8	2.1	1.5	0.7	0.9	0.8	2.7	0.9	0.3	10.3
7:30	3.4	4.8	2.5	4.1	2.1	2.6	2.3	0.3	1.2	0.4	4.8	0.7	0.3	9.3
7:45	3.4	4.3	2.7	3.9	2.4	1.8	3.0	0.3	1.4	0.3	6.5	0.5	0.4	8.9
8:00	3.3	4.2	3.3	3.5	2.4	2.1	3.9	0.2	1.8	0.4	7.8	0.2	0.5	8.5
8:15	3.2	4.3	3.6	2.8	3.8	2.4	3.9	0.2	2.1	0.4	7.7	0.0	0.9	7.7
8:30	3.5	4.1	4.0	2.8	3.1	1.5	4.2	0.1	2.3	0.4	7.7	0.0	1.2	6.8
8:45	3.8	4.1	4.0	2.7	3.6	1.6	4.4	0.1	3.1	0.2	8.4	0.0	1.7	5.9
9:00	4.4	3.8	4.2	2.5	6.4	1.1	4.8	0.0	4.3	0.2	9.2	0.0	2.3	4.4
9:15	4.8	3.4	4.4	2.6	6.9	0.7	6.1	0.0	5.1	0.0	9.9	0.0	2.4	2.8
9:30	5.1	2.9	5.0	2.3	8.2	0.7	7.0	0.0	6.7	0.0	10.1	0.0	2.6	1.9
9:45	5.6	2.4	5.7	2.3	9.3	0.2	7.5	0.0	8.6	0.0	10.6	0.0	2.6	1.0
10:00	5.7	2.0	5.9	2.5	10.0	0.2	7.8	0.0	9.8	0.0	8.7	0.0	2.8	0.3
10:15	6.6	1.5	7.0	2.2	9.3	0.0	7.5	0.0	10.4	0.0	10.2	0.0	3.1	0.3
10:30	6.9	1.2	7.2	2.1	10.1	0.0	7.4	0.1	10.0	0.0	10.8	0.0	3.2	0.0
10:45	7.2	0.8	7.8	2.0	9.8	0.0	7.6	0.1	8.8	0.0	9.4	0.0	3.3	0.0
11:00	7.9	0.5	8.0	1.8	9.1	0.0	8.0	0.0	8.8	0.0	11.1	0.0	3.3	0.0
11:15	8.0	0.4	8.0	1.6	10.0	0.0	8.4	0.0	9.2	0.0	9.2	0.0	3.8	0.0
11:30	8.5	0.3	8.6	1.4	9.8	0.0	8.3	0.0	10.0	0.0	8.7	0.0	4.5	0.0
11:45	8.6	0.3	8.7	1.0	10.3	0.0	8.9	0.0	10.6	0.0	9.6	0.0	4.2	0.0

Percent of Daily Traffic During the 60-Minute Period Beginning at Displayed Time

Liquor Store
(899)

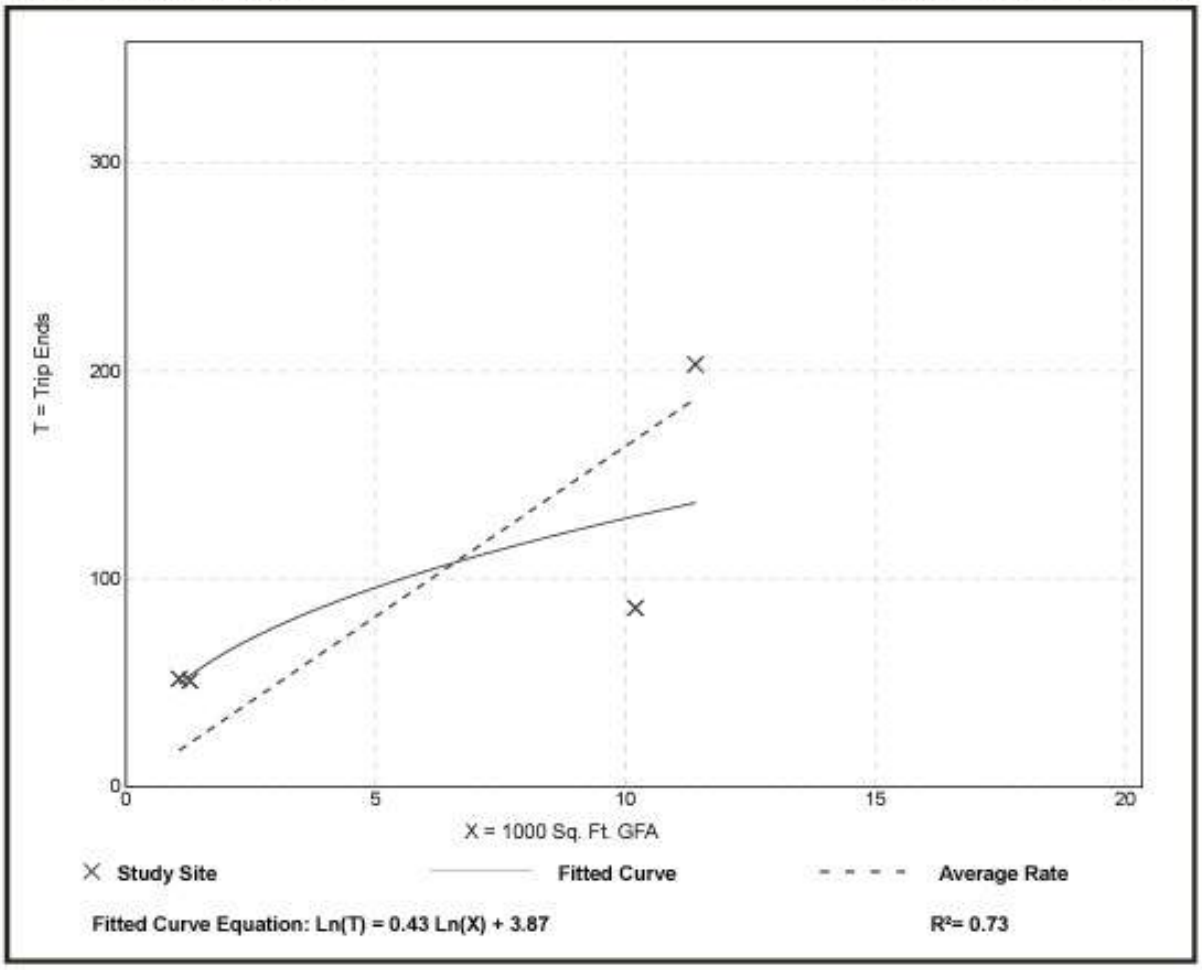
Vehicle Trip Ends vs:	**1000 Sq. Ft. GFA**
On a:	**Weekday,** **Peak Hour of Adjacent Street Traffic,** **One Hour Between 4 and 6 p.m.**
Setting/Location:	**General Urban/Suburban**
Number of Studies:	4
1000 Sq. Ft. GFA:	6
Directional Distribution:	50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
16.37	8.43 - 48.60	11.76

Data Plot and Equation

Caution – Small Sample Size

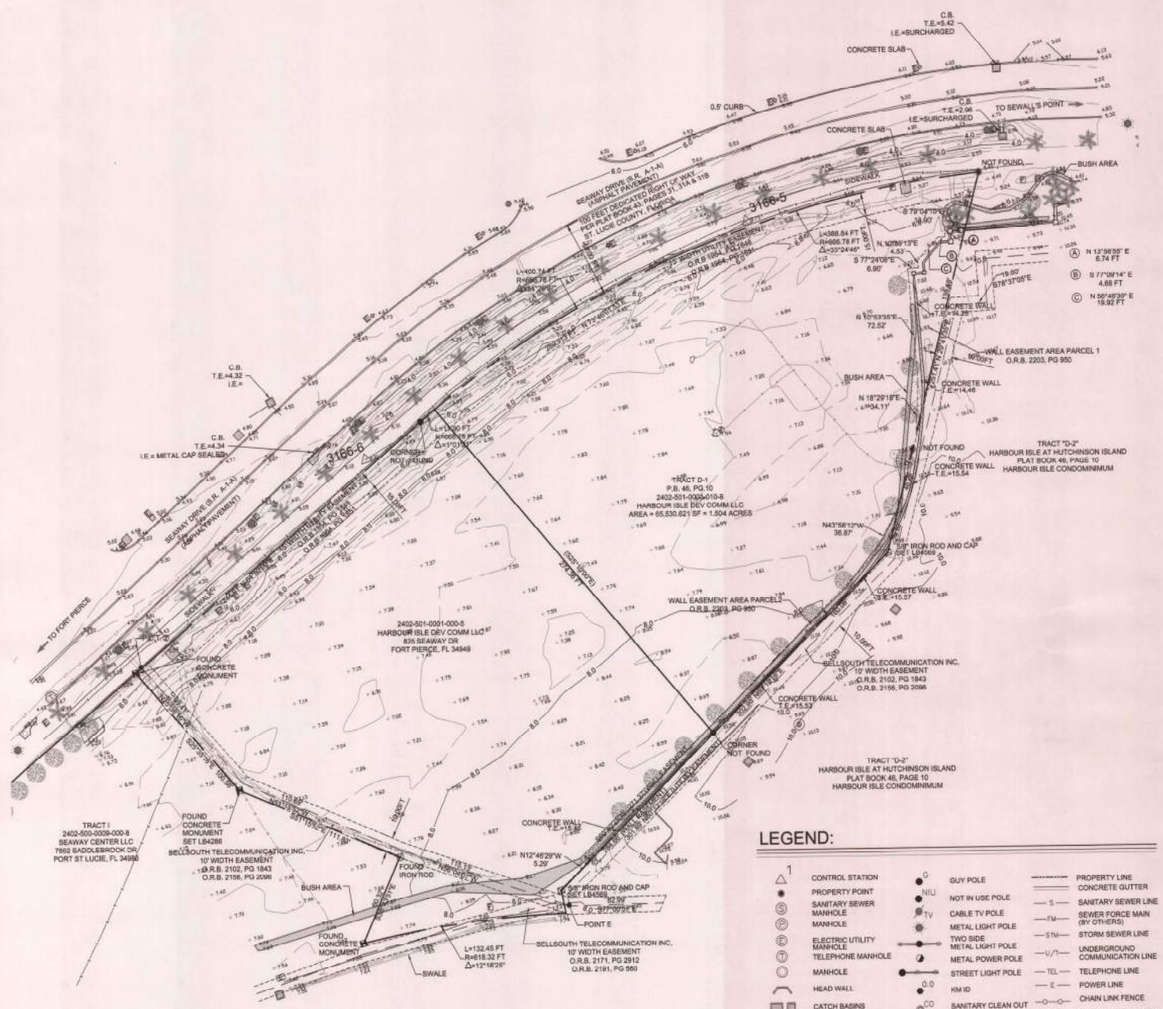


C.6. DEVELOPMENT PLANS (SEE SECTION D)

D. **DEVELOPMENT PLANS**

D.1. SURVEY
D.2. DEMOLITION PLAN
D.3. SITE PLAN
D.4. STORM DRAINAGE PLAN
D.5. LANDSCAPE MITIGATION (DISPOSITION) PLAN
D.6. LANDSCAPE PLAN
D.7. PHOTOMETRIC PLAN
D.8. PHOTOMETRIC DETAILS
D.9. AUTOTURN ANALYSIS
D.10. EXTERIOR ELEVATIONS
D.11. SECURITY CAMERA EXHIBIT
D.12. SIGN RENDERINGS

ALTA / NSPS LAND TITLE SURVEY
FOR A PORTION OF TRACT D-1 AT
TOWNSHIP 35 S RANGE 40 EAST
FORT PIERCE, ST. LUCIE COUNTY, FLORIDA



ZONING INFORMATION AS PROVIDED

ZONE: PUD (PLANNED UNIT DEVELOPMENT)

SETBACKS:	EXISTING:
FRONT:	25.00 FT
SIDE (STREET):	15.00 FT
SIDE (NE):	15.00 FT
REAR:	15.00 FT

NO REPRESENTATION IS MADE AS TO THE ACCURACY OR COMPLETENESS OF SAID THIRD PARTY INFORMATION. COMPLIANCE IS BEYOND THE SCOPE OF THIS SURVEY. ANY USER OF SAID INFORMATION IS URGED TO CONTACT THE LOCAL GOVERNING AGENCY DIRECTLY.

SURVEY CONTROL (US. SURVEY FEET)

STA	COORDINATES		ELEVATION	DESCRIPTION
	NORTHING	EASTING		
3166-5	1,138,093.965	881,001.86	5.751	PK NAIL & WASHER
3166-6	1,138,012.922	880,723.505	5.205	PK NAIL & WASHER

LEGEND:

- CONTROL STATION
- PROPERTY POINT
- SANITARY SEWER MANHOLE
- MANHOLE
- ELECTRIC UTILITY MANHOLE
- TELEPHONE MANHOLE
- MANHOLE
- HEAD WALL
- CATCH BASINS
- WATER METER
- WATER VALVE
- CONCRETE LIGHT POLE
- CONCRETE POWER POLE
- CONCRETE POWER & TELEPHONE POLE
- UTILITY POLE
- WOODEN POWER/ TELEPHONE POLE
- TELEPHONE POLE
- WOODEN POWER POLE
- WOODEN LIGHT POLE
- BOLLARD
- GATE
- CONTOUR 2 FEET INTERVAL
- CONTOUR 0.5 FOOT INTERVAL
- GUY POLE
- NOT IN USE POLE
- CABLE TV POLE
- METAL LIGHT POLE
- TWO SIDE METAL LIGHT POLE
- METAL POWER POLE
- STREET LIGHT POLE
- KM ID
- SANITARY CLEAN OUT
- FIRE HYDRANT
- CURB INLET
- STREET LIGHT BOX
- HANDICAP RAMP
- SIGN
- GUY CABLE
- EXISTING TREE
- EXISTING BUSH
- PALM TREE
- VERTICAL PIPE
- ELECTRIC BOX
- CONCRETE MONUMENT
- PROPERTY LINE
- CONCRETE GUTTER
- SANITARY SEWER LINE
- SEWER FORCE MAIN (BY OTHERS)
- STORM SEWER LINE
- UNDERGROUND COMMUNICATION LINE
- TELEPHONE LINE
- POWER LINE
- CHAIN LINK FENCE
- GAS LINE (BY OTHERS)
- UNDERGROUND POWER LINE
- UNKNOWN PIPE (BY OTHERS)
- GUARDRAIL
- HANDICAP PARKING
- EXISTING STRUCTURES
- CONCRETE SLAB
- METAL CAP
- PAVEMENT PATCH
- IRON POST

FLOOD MAP

SCALE 1" = 1,000'



VICINITY MAP

SCALE 1" = 500'



TITLE INFORMATION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ST. LUCIE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:
LEGAL DESCRIPTION:
THAT PORTION OF TRACT D-1, OF SECOND REPLAT OF HARBOUR ISLE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGE 10, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LYING EAST OF THE FOLLOWING DESCRIBED LINE:COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT D-1; THENCE NORTH 64°50'00" EAST, ALONG THE NORTH LINE OF SAID TRACT D-1 (THE NORTH LINE OF SAID TRACT D-1 IS ASSUMED TO BEAR NORTH 64°50'00 EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 244.91 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 666.78 FEET AND A CENTRAL ANGLE OF 1°01'21"; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 11.90 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED LINE;THENCE SOUTH 25°10'00" EAST, A DISTANCE OF 274.36 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT D-1 AND THE POINT OF TERMINUS.

AND

LESS AND EXCEPT

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT D-1;THENCE SOUTH 29°41'35" WEST, ALONG THE EAST LINE OF SAID TRACT D-1 (THE EAST LINE OF SAID TRACT D-1 IS ASSUMED TO BEAR SOUTH 29°41'35" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 34.91 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL;THENCE NORTH 78°52'58" WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 20.34 FEET TO A POINT;THENCE SOUTH 12°27'34" WEST, A DISTANCE OF 6.64 FEET TO A POINT;THENCE NORTH 76°43'04" WEST, A DISTANCE OF 4.75 FEET TO A POINT; THENCE SOUTH 56°32'17" WEST, A DISTANCE OF 20.34 FEET TO A POINT;THENCE SOUTH 08°07'53" WEST, A DISTANCE OF 4.31 FEET TO A POINT;THENCE NORTH 78°03'59" WEST, A DISTANCE OF 6.65 FEET TO A POINT; THENCE SOUTH 11°13'25" WEST, A DISTANCE OF 71.62 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 90.00 FEET AND A CENTRAL ANGLE OF 10°55'52";THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 17.17 FEET TO A POINT;THENCE SOUTH 22°09'18" WEST, A DISTANCE OF 23.61 FEET TO A POINT ON SAID EAST LINE;THENCE NORTH 29°41'35" EAST, ALONG SAID EAST LINE, A DISTANCE OF 144.32 FEET TO THE POINT OF BEGINNING. CONTAINING IN ALL 65,530.621 SQUARE FEET, EQUIVALENT TO 1.504 ACRES, MORE OR LESS.

PARCEL ID

2402-501-0001-010-8

ENCROACHMENT STATEMENT

THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED AND THE ABOVE PREMISES; THERE ARE NO APPARENT ENCROACHMENTS ON THE SUBJECT PROPERTY OR UPON ADJACENT LAND ABUTTING SAID PROPERTY EXCEPT AS SHOWN HEREON AND WAS MADE IN ACCORDANCE WITH LAWS AND / OR MINIMUM STANDARDS OF THE STATE OF FLORIDA.

FLOOD INFORMATION

BASED ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AVAILABLE ONLINE AT WWW.MSC.FEMA.GOV, AND BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING ZONE DESIGNATION X ON FLOOD INSURANCE RATE MAP NO. 12111C0183J WHICH BEARS AND EFFECTIVE DATE FEBRUARY 16, 2012.

CEMETERY NOTE

AT THE TIME OF THE FIELD SURVEY THERE WAS NO EVIDENCE OF SITE USE AS A CEMETERY OR BURIAL GROUND.

SOURCES OF INFORMATION

1. BOUNDARY SURVEY FOR HARBOUR ISLE PLAZA, PERFORMED BY WALLACE SURVEYING CORP, DATED JUNE 21, 2018, PROVIDED BY CLIENT.

2. GIS MAP FOR VACANT PARCEL-SEAWAY DR. DATED JULY 18, 2017 PROVIDED BY CLIENT.

3. CONCEPTUAL PLAN FOR CUMBERLAND FARM - 801 SEAWAY DR. PREPARED BY ATKINS CORP. DATED JUNE 1, 2018

4. OVERLAY PLAN FOR CUMBERLAND FARM - 801 SEAWAY DR. PREPARED BY ATKINS CORP. DATED JUNE 1, 2018.

5. TITLE COMMITMENT NUMBER NCS-923662-HOU1. PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY. DATED JANUARY 14, 2019. PROVIDED BY CLIENT.

6. GRANT OF EASEMENT BETWEEN JACK B. OWEN, JR AND HARBOUR ISLE DEVELOPMENT EAST, LLC RECORDED AT O.R.B. 2203, PAGE 950 OF THE PUBLIC RECORDS OF ST.LUCIE COUNTY, FLORIDA.

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS SURVEY IS THE FLORIDA COORDINATE SYSTEM BASED ON NGS PUBLISHED STATION 672 2208 (PID DI4021). BEARING WITHIN STATIONS 3166-6 & 3166-5, SHOWN TO BE 289.913 FEET, N 76° 46' 01.53" E, WAS TAKEN AS THE BASIS OF BEARING SHOW ON THIS SURVEY.

SUMMARY OF PARKING SPACES

REGULAR PARKING SPACES	HANDICAPPED PARKING	TOTAL
0	0	0

GENERAL NOTES

1. ALL DISTANCES ARE EXPRESSED IN US SURVEY FEET, UNLESS OTHERWISE NOTED.
2. FIELDWORK PERFORMED FROM OCTOBER 4 THRU 5, 2018.
3. PLEASE REFER TO SURVEY JEB-3166.
4. HORIZONTAL CONTROL IS REFERRED TO NAD 83 SPC ZONE FLORIDA EAST 0901. BENCHMARK DESIGNATION 672 2208 C , PID DI4021, ST. LUCIE COUNTY.
5. VERTICAL DATUM IS REFERRED TO NAVD88.
6. THE INFORMATION OF THIS MAP REPRESENTS THE RESULT OF THE SURVEY MADE IN THE DATE INDICATED AND CAN BE ONLY CONSIDERED AS AN INDICATION OF THE GENERAL CONDITIONS EXISTING AT THAT TIME.
7. THE PRESENT LAND SURVEY, PER CURRENT FLORIDA STATUTES, CANNOT REPRESENT NOR INTENDS TO REPRESENT COMPLIANCE WITH ZONING CODES, THE INTERPRETATION OF ZONING CODES OR THE DETERMINATION OF VIOLATIONS THEREOF.
8. UNDERGROUND UTILITIES ARE BASED ON ABOVEGROUND EVIDENCE. THIS DRAWING NEITHER DEPICTS NOT INTEND TO DEPICT ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES PRIOR TO ANY WORK.
9. THE RESULT OF A PUBLIC RECORDS SEARCH IS HEREON SHOWN ON THIS SURVEY AND CORRECT AT THE TIME OF SURVEY.
10. THIS SURVEY CANNOT BE RELIED UPON BY PERSONS OR ENTITIES OTHER THAN THE PERSONS OR ENTITIES CERTIFIED TO HEREON.
11. THE DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE WITH NO GORES, GAPS, OVERLAYS OR HIATUS.
12. THE SUBJECT PROPERTY HAS ACCESS THROUGH SEAWAY DRIVE (SR. A.1.A), A DEDICATED PUBLIC RIGHT OF WAY.

SCHEDULE "B" ITEMS

TITLE COMMITMENT - POLICY NUMBER: NCS-923662-HOU1
SCHEDULE B-II (DATED JANUARY 14, 2019)

	STATUS
9. DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR HARBOUR ISLE AT HUTCHINSON ISLAND COMMUNITY DATED APRIL 23, 2004 AND RECORDED IN OFFICIAL RECORDS 1954, PAGE 1845, AS AMENDED BY FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS RECORDED IN 2102, PAGE 1844; WITHDRAWAL NOTICE DATED DECEMBER 16, 2004 AND RECORDED IN PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, OFFICIAL RECORDS BOOK 2138, PAGE 2696; FIRST SUPPLEMENT TO RECORDED IN PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, OFFICIAL RECORDS BOOK 2139, PAGE 2696; FIRST SUPPLEMENT TO DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR HARBOUR ISLE AT HUTCHINSON ISLAND COMMUNITY DATED DECLARATION TO PROTECTIVE COVENANTS AND RESTRICTIONS FOR HARBOUR ISLE AT HUTCHINSON ISLAND COMMUNITY DATED OCTOBER 10, 2005 AND RECORDED IN OFFICIAL RECORDS BOOK 2455, PAGE 928; SECOND SUPPLEMENT TO DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR HARBOUR ISLE AT HUTCHINSON ISLAND COMMUNITY DATED OCTOBER 10, 2005 AND RECORDED IN OFFICIAL RECORDS 2589, PAGE 1; CERTIFICATE OF AMENDMENT AND RESTATEMENT OF THE BYLAWS OF HARBOUR ISLE AT HUTCHINSON ISLAND PROPERTY MAINTENANCE ASSOCIATION, INC. DATED NOVEMBER 21, 2008 AND RECORDED IN OFFICIAL RECORDS BOOK 3036, PAGE 2840; AND THIRD SUPPLEMENT TO AND AMENDMENT OF DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR HARBOUR ISLE AT HUTCHINSON ISLAND COMMUNITY RECORDED IN OFFICIAL RECORDS BOOK 4188, PAGE 1358 PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.	BLANKET IN NATURE
10. OIL, GAS AND MINERAL RESERVATIONS CONTAINED IN THE DEEDS FROM THE TRUSTEE OF THE INTERNAL IMPROVEMENT FUND RECORDED IN DEED BOOK 127, PAGE 302, DEED BOOK 160, PAGE 447 AND OFFICIAL RECORDS BOOK 97, PAGE 151.	BLANKET IN NATURE
11. MATTERS CONTAINED IN ORDINANCE NO.88-001 RECORDED IN OFFICIAL RECORDS BOOK 1203, PAGE 1685.	BLANKET IN NATURE
12. MATTERS CONTAINED IN ORDINANCE NO.89-002 RECORDED IN OFFICIAL RECORDS BOOK 1321, PAGE 230.	BLANKET IN NATURE
13. GRANT OF UTILITY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1954, PAGE 1845.	AS SHOWN IN SURVEY
14. AMENDED AND RESTATED PUBLIC UTILITY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1954, PAGE 1851.	AS SHOWN IN SURVEY
25. AGREEMENT REGARDING INCORPORATING TRACT "M" INTO THE DRAINAGE PLAN FOR HARBOUR ISLE AT HUTCHINSON ISLAND COMMUNITY DATED APRIL 18, 2006 AND RECORDED IN OFFICIAL RECORDS BOOK 3047, PAGE 1885, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.	BLANKET IN NATURE
26. SOVEREIGNTY SUBMERGED LANDS EASEMENT RENEWAL AS RECORDED IN OFFICIAL RECORDS BOOK 3941, PAGE 2192 AND OFFICIAL RECORDS BOOK 3257, PAGE 2671, PUBLIC RECORDS OF ST.LUCIE COUNTY, FLORIDA.	BLANKET IN NATURE

* EASEMENTS AND RESTRICTIONS SHOWN HEREIN ARE BASED ON TITLE POLICY NO. NCS-923662-HOU1, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY ON JANUARY 14, 2019. THERE MAY BE ADDITIONALLY EASEMENTS OF RECORD AND CONVEYANCES NOT SHOWN ON THIS SURVEY WHICH MAY BE FOUND AT THE COUNTY PUBLIC RECORDS.

SURVEYOR'S CERTIFICATION

TO:
- CUMBERLAND FARMS, INC.
- FIRST AMERICAN TITLE INSURANCE COMPANY.
- SHUTTS AND BOWEN, LLP.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE ITEMS 1, 2, 3, 4, 5, 6, 7A, 7B1, 7C, 8, 9, 10, 13, 16, 20 AND 21 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON OCTOBER 5, 2018.

DATE OF PLAT OR MAP: MAY 21, 2019

JAVIER E. BIDOT CRUZ, PSM
REGISTERED LAND SURVEYOR LICENSE NO. 7111

JAVIER E. BIDOT ASSOCIATES, PSC, CORP.
Land Surveyors & Consultants
3300 Interstate Center Drive, Ft. Pierce, FL 34946
Phone: (561) 818-4262 | www.JEBPA.COM

GRAPHIC SCALE
0' 20' 40' 80' 120'
SCALE : 1" = 40'

Drawn by: J.C.	Survey Ref. No. JEB-3166
Checked by: C. LEBRON	Field Date: OCT. 5, 2018

Revision Box

Date:	Revision:
3-22-2019	EASEMENTS 1 & 2
4-17-2019	SURVEY EXCEPTIONS
5-8-2019	SURVEY EXCEPTIONS
5-20-2019	BEARINGS & DISTANCES PL

Copy Sent Date: MAY 21, 2019
Sheet 1 of 1

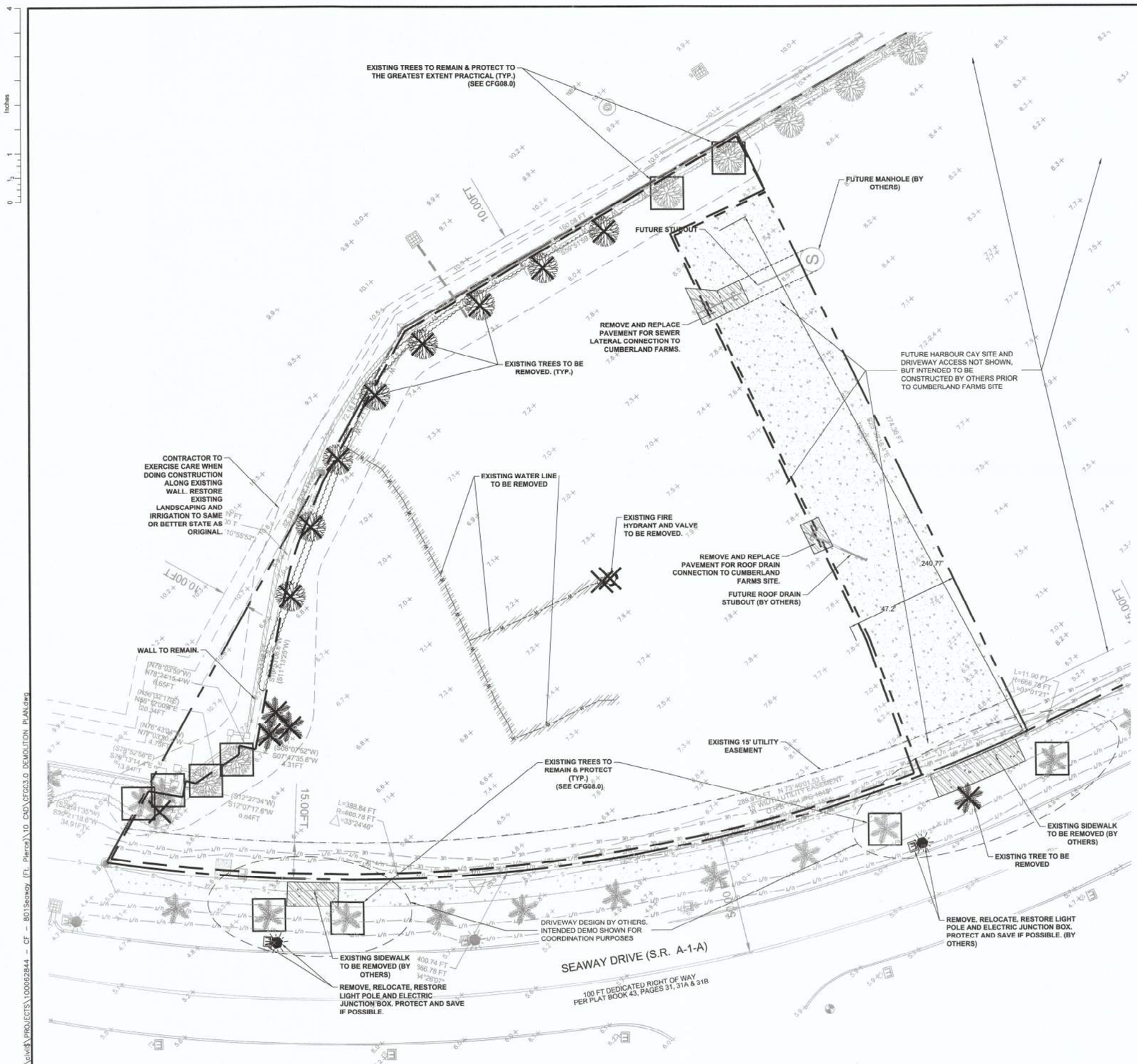
Prepared For: CUMBERLAND FARMS, INC.

Project Address: 801 SEAWAY DRIVE

Project Name: ALTA / NSPS LAND TITLE SURVEY

Project Location: CITY OF FT. PIERCE, FLORIDA

Job Number: JEB - 3166



Know what's below. Call before you dig.

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON DESIGN DRAWINGS, RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE MEASUREMENTS TAKEN IN THE FIELD. DOES NOT GUARANTEE THAT LOCATIONS SHOWN ARE EXACT. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES.

SPECIFIC DEMOLITION NOTES

1. **ROW WORK BY ADJACENT DEVELOPER SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.**
2. **BOLDED ITEMS DENOTE DEMOLITION.**
3. EXISTING UTILITIES SHOWN ON THIS DRAWING ARE FROM THE BEST AVAILABLE INFORMATION. ACTUAL LOCATIONS AND ELEVATIONS MAY VARY. CONTRACTOR TO VERIFY ALL UTILITIES BEFORE PROCEEDING WITH WORK.
4. CONTRACTOR TO COORDINATE WITH THE VARIOUS UTILITIES TO REMOVE, CAP, RELOCATE, BYPASS, OR OTHERWISE ENSURE THAT THE UTILITY SERVICES WILL NOT BE INTERRUPTED DURING CONSTRUCTION/DEMOLITION.
5. ALL ITEMS NOT IDENTIFIED FOR REMOVAL SHALL BE PROTECTED AND REMAIN UNDISTURBED TO THE BEST EXTENT PRACTICAL.
6. STRIPPING (CLEARING AND GRUBBING) BY THE CONTRACTOR SHALL BE PERFORMED TO THE MINIMUM EXTENT PRACTICAL TO COMPLETE WORK. THE CONTRACTOR SHALL GENERALLY BE WITHIN THE LIMITS OF CONSTRUCTION AND STRIP SURFACES OF VEGETATION, STUMPS, DEBRIS, ORGANIC TOP SOIL (ORGANIC CONTENT > 5%) OR OTHER DELETERIOUS MATERIALS AS ENCOUNTERED.
7. CONTRACTOR TO COORDINATE AND OBTAIN ALL NECESSARY CONSTRUCTION PERMITS FROM LOCAL, STATE, AND FEDERAL AGENCIES HAVING JURISDICTION OVER THE SITE OR REGULATING CONSTRUCTION OPERATIONS.
8. REMOVE OR RELOCATE EXISTING TREES PER LANDSCAPE PLAN AND CITY OF FORT PIERCE STANDARDS. SEE LANDSCAPE PLANS. SOME TREES AND LANDSCAPE DEMOLITION IS OFFERED HEREIN FOR PRACTICAL AND INFORMATIONAL PURPOSES ONLY.
9. CONTRACTOR SHALL REFER TO GENERAL NOTES SHEET FOR OTHER DEMOLITION CONSIDERATIONS.
10. CONTRACTOR SHALL COORDINATE WITH OWNER AND ELECTRICAL/TELECOM SERVICE PROVIDER ON SALVAGING OF ELECTRICAL COMPONENTS (LAMP FIXTURES, PULL BOXES, SERVICE LEADS, CONDUITS, ETC) DURING/PRIOR TO REMOVAL ACTIVITIES. ELECTRICAL/TELECOM DEMO AND SERVICES PROVISIONS ARE NOT WITHIN THE CIVIL ENGINEERS SCOPE OF WORK. ELECTRICAL/TELECOM CONSULTANT SHALL BE AT THE CONTRACTOR'S EXPENSE AS NEEDED.
11. SAWCUT PAVEMENT AT PAVEMENT DEMO LIMITS.
12. PHASED DEMOLITION, MAINTENANCE OF TRAFFIC AND LOGISTICS RELATING TO CIVIL ENGINEERING ACTIVITIES SHALL BE MANAGED BY THE CONTRACTOR AND COORDINATED WITH THE OWNER AND ENGINEER. CONSTRUCTION FENCING LIMITS ARE AT THE DISCRETION OF THE CONTRACTOR.
13. SEE SURVEY FOR EXISTING CONDITIONS. (BY OTHERS)
14. CONSTRUCTION SEQUENCING AND SCHEDULING SHALL BE BY THE CONTRACTOR. COORDINATE WITH OWNER AND ENGINEER.
15. CONTRACTOR SHALL REVIEW THE SITE GEOTECHNICAL REPORT PRIOR TO CONDUCTING ANY EARTHWORK. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROCURE A GEOTECHNICAL REPORT FOR THEIR PURPOSES OF COMPACTION, FILL REQUIREMENTS, ETC. AS NECESSARY.
16. UTILITY COVERS WITHIN THE LOC SHALL BE ADJUSTED TO MEET EXISTING OR PROPOSED GRADES RESPECTIVELY.
17. ANY SHORING OR BRACING SHALL BE BY THE CONTRACTORS MEANS AND METHODS, BUT DOES NOT PRECLUDE STRUCTURAL ENGINEERING PROCUREMENT AT THEIR OWN EXPENSE AS NEEDED DURING EARTH OR DEMOLITION WORK ADJACENT TO ITEMS SUCH AS WALLS, UTILITY POLES, ETC.
18. REMOVAL OF DRIVEWAY, SIDEWALK, AND CURB TO BE FROM JOINT TO JOINT.
19. REFER TO SURVEY FOR EXISTING ITEMS LEGEND NOT INDICATED HEREIN.
20. ALL ITEMS NOT IDENTIFIED FOR REMOVAL SHALL BE PROTECTED AND REMAIN UNDISTURBED TO THE BEST EXTENT PRACTICAL.
21. UTILITIES UNDER THE BUILDING FOOTPRINT TO BE DEMOLISHED SHALL BE REMOVED (FOUNDATIONS, UTILITY LINES) OR RELOCATED UNLESS OTHERWISE DIRECTED. THIS IS STATED FOR INFORMATIONAL PURPOSES ONLY AND THE CONTRACTOR SHALL REFER TO THE RESPECTIVE ENGINEERING DISCIPLINE PLAN SET FOR SPECIFIC GUIDANCE AND DETAIL.
22. REMOVE STRIPING BY GRINDING.
23. SEE SHEET CFG09.3 AND 09.4 FOR MAINTENANCE OF TRAFFIC (MOT). ADDITIONAL MOT NOTES CAN ALSO BE FOUND ON CFG01.1 UNDER THE "ROADWAY & MOT NOTES" HEADING.

ADJACENT DEVELOPMENT:

1. CONSTRUCTION OF THE ADJACENT DEVELOPMENT INFRASTRUCTURE TO BE BY OTHERS, AND SHOWN HEREON FOR PLANNING PURPOSES. ACTUAL DEMOLITION MAY VARY DEPENDING ON ASBUILT CONDITIONS.
2. SCOPE OF WORK BY OTHERS WITHIN THE SHARED ACCESS AND UTILITY EASEMENT:
   A. SEWER MANHOLE AND GRAVITY SEWER STUBOUT
   B. STORMWATER SYSTEM AND ROOF DRAIN STUBOUT
   C. CONCRETE PAVEMENT

NORTH

0 10 20 40 60

GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 20'
HALF SIZE: 1" = 40'

LEGEND

- PROPERTY LINE
- EXISTING ASPHALT/CONCRETE TO BE REMOVED
- SITE ELEMENT REMOVAL
- EXISTING SPOT ELEVATION
- EXISTING STORMWATER
- LIMITS OF CONSTRUCTION (LOC)
- TREE PROTECTION
- EASEMENT

JEFFREY LUCAS, P.E.
FLORIDA REG. NO. 71621
STATE OF FLORIDA
JEFFREY A. LUCAS
LICENSE
No. 71621
PROFESSIONAL ENGINEER
SIGNATURE
DATE 5-27-15

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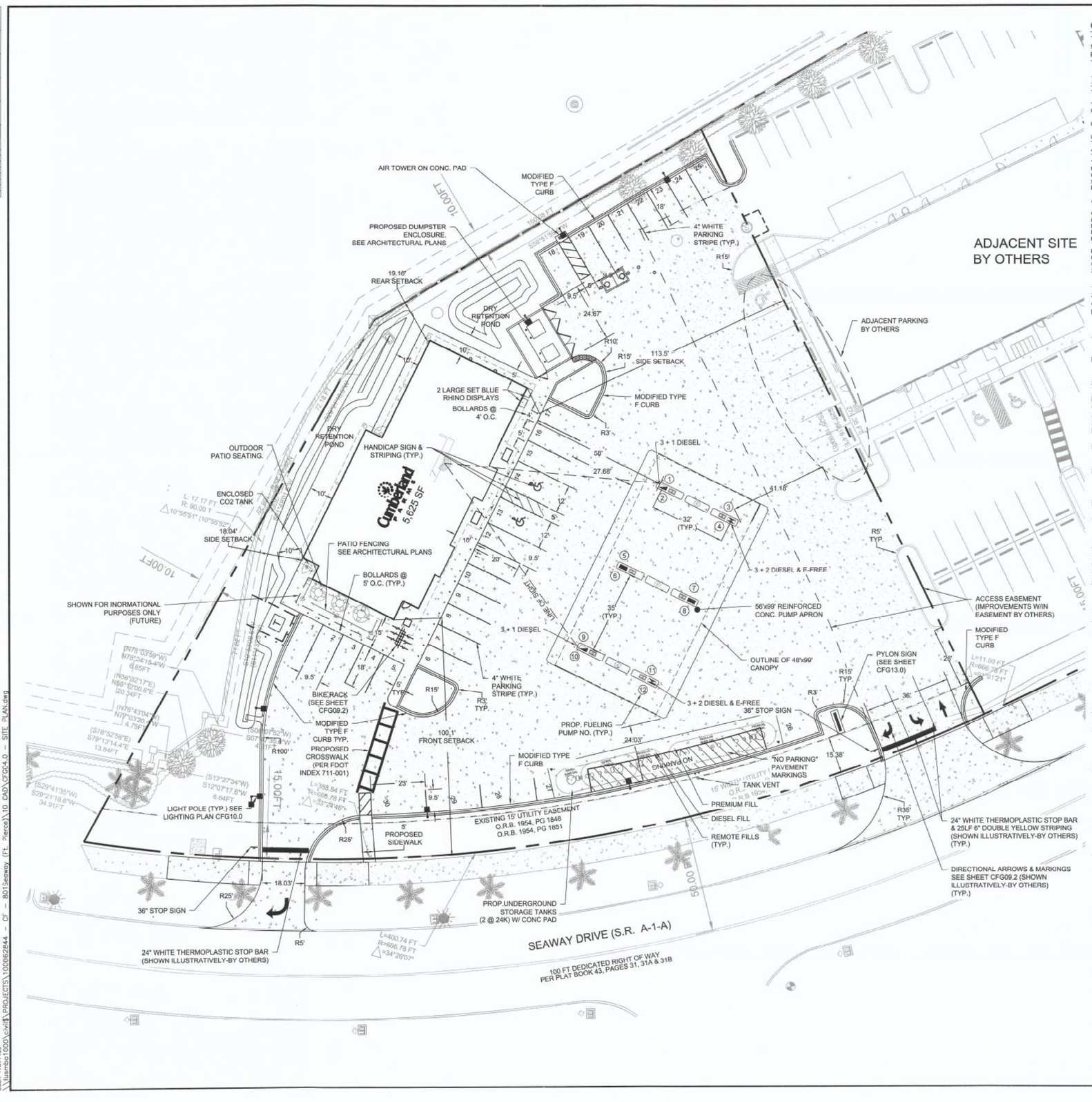
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Drawing Title:
DEMOLITION PLAN

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Drawing Number: CFG03.0
Revision:

User: FAR4403
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GENERAL STATEMENT

THE PROPOSED DEVELOPMENT INCLUDES THE CONSTRUCTION OF A NEW 5,625 SF CUMBERLAND FARMS SINGLE-STORY CONVENIENCE STORE WITH OUTDOOR SEATING AND 6 DISPENSING PUMPS (WITH 12 FUELING POSITIONS) ON VACANT PROPERTY. THE PROPOSED SITE IS EQUIPPED WITH UNDERGROUND STORAGE TANKS, CANOPY, OUTDOOR SEATING, AIR TOWER, AND DUMPSTER ENCLOSURE.

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ST. LUCIE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

TRACT "D-1" OF THE SECOND REPLAT OF HARBOUR ISLE, RECORDED IN PLAT BOOK 46, PAGE 10, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED LAND:

LEGAL DESCRIPTION:
THAT PORTION OF TRACT D-1, OF SECOND REPLAT OF HARBOUR ISLE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGE 10, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LYING EAST OF THE FOLLOWING DESCRIBED LINE:COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT D-1;
THENCE NORTH 64°50'00" EAST, ALONG THE NORTH LINE OF SAID TRACT D-1 (THE NORTH LINE OF SAID TRACT D-1 IS ASSUMED TO BEAR NORTH 64°50'00 EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 244.91 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 666.78 FEET AND A CENTRAL ANGLE OF 1°01'21"; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 11.90 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED LINE;THENCE SOUTH 25°10'00" EAST, A DISTANCE OF 274.36 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT D-1 AND THE POINT OF TERMINUS.

AND LESS AND EXCEPT

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT D-1;THENCE SOUTH 29°41'35" WEST, ALONG THE EAST LINE OF SAID TRACT D-1 (THE EAST LINE OF SAID TRACT D-1 IS ASSUMED TO BEAR SOUTH 29°41'35" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 34.91 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL;THENCE NORTH 78°52'58" WEST, DEPARTING SAID EAST LINE, A DISTANCE OF 13.84 FEET TO A POINT;THENCE SOUTH 12°27'34" WEST, A DISTANCE OF 6.84 FEET TO A POINT;THENCE NORTH 76°43'04" WEST, A DISTANCE OF 4.75 FEET TO A POINT; THENCE SOUTH 56°32'17" WEST, A DISTANCE OF 20.34 FEET TO A POINT;THENCE SOUTH 08°07'53" WEST, A DISTANCE OF 4.31 FEET TO A POINT;THENCE NORTH 76°03'59" WEST, A DISTANCE OF 6.65 FEET TO A POINT; THENCE SOUTH 11°13'25" WEST, A DISTANCE OF 71.62 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 90.00 FEET AND A CENTRAL ANGLE OF 10°55'52";THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 17.17 FEET TO A POINT;THENCE SOUTH 22°09'18" WEST, A DISTANCE OF 23.81 FEET TO A POINT ON SAID EAST LINE;THENCE NORTH 29°41'35" EAST, ALONG SAID EAST LINE, A DISTANCE OF 144.32 FEET TO THE POINT OF BEGINNING.

PROPERTY DATA

OWNER (CONTRACTING TO PURCHASE):	CUMBERLAND FARMS INC. 165 FLANDERS RD, WESTBOROUGH, MA 01581
APPLICANT:	CUMBERLAND FARMS, INC. 165 FLANDERS RD, WESTBOROUGH, MA 01581
PROJECT ENGINEER:	JEFF LUCAS, P.E. - ATKINS, N.A. 7175 MURRELL RD, MELBOURNE, FL 32940
SITE ADDRESS:	835 SEAWAY DR, FORT PIERCE, FL 34949
PARCEL:	2402-501-0001-010-8
OVERALL SITE AREA:	1.50 AC
JURISDICTION:	FORT PIERCE
ZONING DISTRICT:	PD
FLU:	HIMU
FEMA FIRM PANEL:	PROPERTY IS LOCATED WITHIN FLOOD ZONE DESIGNATION X, PANEL NO. 12111C0183J, DATED 02/16/2012
PROPOSED USE:	5,625 SF CONVENIENCE STORE 6 PUMPS (12 FUELING POSITIONS) GAS DISPENSING UNDER CANOPY
PROP. HOURS OF OPERATION	24 HOURS
CONSTRUCTION SCHEDULE	140 DAYS DURATION (APPROXIMATE)

LAND DATA:

ONSITE IMPERVIOUS AREA:		
• BUILDING	0.13 AC	(8.7%)
• PAVEMENT, SIDEWALKS & CURBING	0.81 AC	(53.8%)
PERVIOUS AREA:	0.56 AC	(37.5%)
TOTAL	1.50 AC	(100%)

PARKING CALCULATIONS:

CONVENIENCE STORE: REQUIRED: (5,625 SF / 200 SF) = 29 SPACES
TOTAL REQUIRED = 29 SPACES

PROVIDED: 25 SPACES @ 90° - 9.5' X 18'
AND 5 PARALLEL SPACES @ 9.5' X 23'
FOR A TOTAL OF 30 PROVIDED SPACES

ADA ACCESSIBLE SPACES: REQUIRED: 2 SPACES PROVIDED: 2 SPACES

DEVELOPMENT PARAMETERS

	PROVIDED
BUILDING SETBACKS:	
FRONT (NORTH):	± 100'
SIDE INTERIOR (WEST AND EAST):	± 18'
REAR (SOUTH):	± 19'
LANDSCAPE BUFFERS:	
ALL SIDES (LESS ABUTTING):	PROVIDED AS SHOWN ON LANDSCAPE PLAN
PROP. BLDG HEIGHT:	
PROP. BLDG. - NO EXISTING BLDG 30' (AVG)	± 33'-1" (PEAK) ± 23'-9 ¾" (AVG)
CANOPY CLEARANCE:	14' ± 14'-4" (DECK UNDERSIDE HEIGHT)

NOTES:

1. PROPOSED CANOPY, FUEL DISPENSERS, UNDERGROUND STORAGE TANK, OUTDOOR SEATING, AIR TOWER, DUMPSTER ENCLOSURE AND CONVENIENCE STORE DESIGN AND PROVISIONS SHALL BE CROSS REFERENCED TO THE ARCHITECTURAL AND/OR TANK & PUMP PLANS RESPECTIVELY FOR INSTALLATION ASPECTS.
2. FOR ADDITIONAL SIGNING AND PAVEMENT MARKING NOTES, SEE GENERAL NOTES SHEET.
3. ALL PARKING SPACES, INCLUDING HANDICAPPED PARKING SPACES, SHALL BE STRIPED IN WHITE THERMOPLASTIC PAINT, AND BE IN ACCORDANCE WITH MOST CURRENT FDOT SPECIFICATIONS.
4. LIGHT POLES ARE DEPICTED FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO LIGHTING PLANS FOR EXACT LOCATIONS AND CONSTRUCTION.
5. ALL CURB RAMPS (CR-A, B, ETC.) SHOWN ON THESE PLANS SHALL BE PER FDOT INDEX #522-002.
6. THE SURFACE WHICH IS TO BE PAINTED SHALL BE CLEANED, BY COMPRESSED AIR OR OTHER EFFECTIVE MEANS, IMMEDIATELY BEFORE THE START OF PAINTING, AND SHALL BE CLEAN AND DRY WHEN THE PAINT IS APPLIED. ANY VEGETATION OR SOIL SHALL BE REMOVED FROM THE PAVEMENT BEFORE STRIPING IS BEGUN.
7. A MINIMUM OF 4 FEET FROM THE STOP BAR TO THE PEDESTRIAN CROSSING, PER MUTCD SECTION 3B.16, IS REQUIRED AT ALL DRIVEWAYS WITH CROSS WALKS AND STOP BARS. ALL CROSSWALKS SHALL BE A MINIMUM OF 6 FEET OR 2 FEET WIDER THE SIDEWALK BETWEEN THE (2) 12 INCH PARALLEL STRIPES.
8. DRIVEWAY PERMITTING BY ADJACENT DEVELOPER

NORTH

0 10 20 40 60

GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 20'
HALF SIZE: 1" = 40'

LEGEND AND ABBREVIATIONS

PROP.	PROPOSED
RPM	REFLECTIVE PAVEMENT MARKER
TYP.	TYPICAL
SQ. FT.	SQUARE FEET
ROW	RIGHT OF WAY
PGD	PAVING, GRADING AND DRAINAGE
CONC.	CONCRETE
C&G	CURB & GUTTER

PROPOSED CONCRETE SIDEWALK & PADS
EXISTING PROPERTY/ROW LINE
EXISTING EASEMENT
PROPOSED EASEMENT
T TRANSFORMER PAD
EXISTING TREE TO REMAIN

JEFFREY LUCAS, P.E.
FLORIDA REG. NO. 71621
STATE OF FLORIDA PROFESSIONAL ENGINEER
No. 71621
JEFFREY A. LUCAS LICENSE
7-22-15
SIGNATURE DATE

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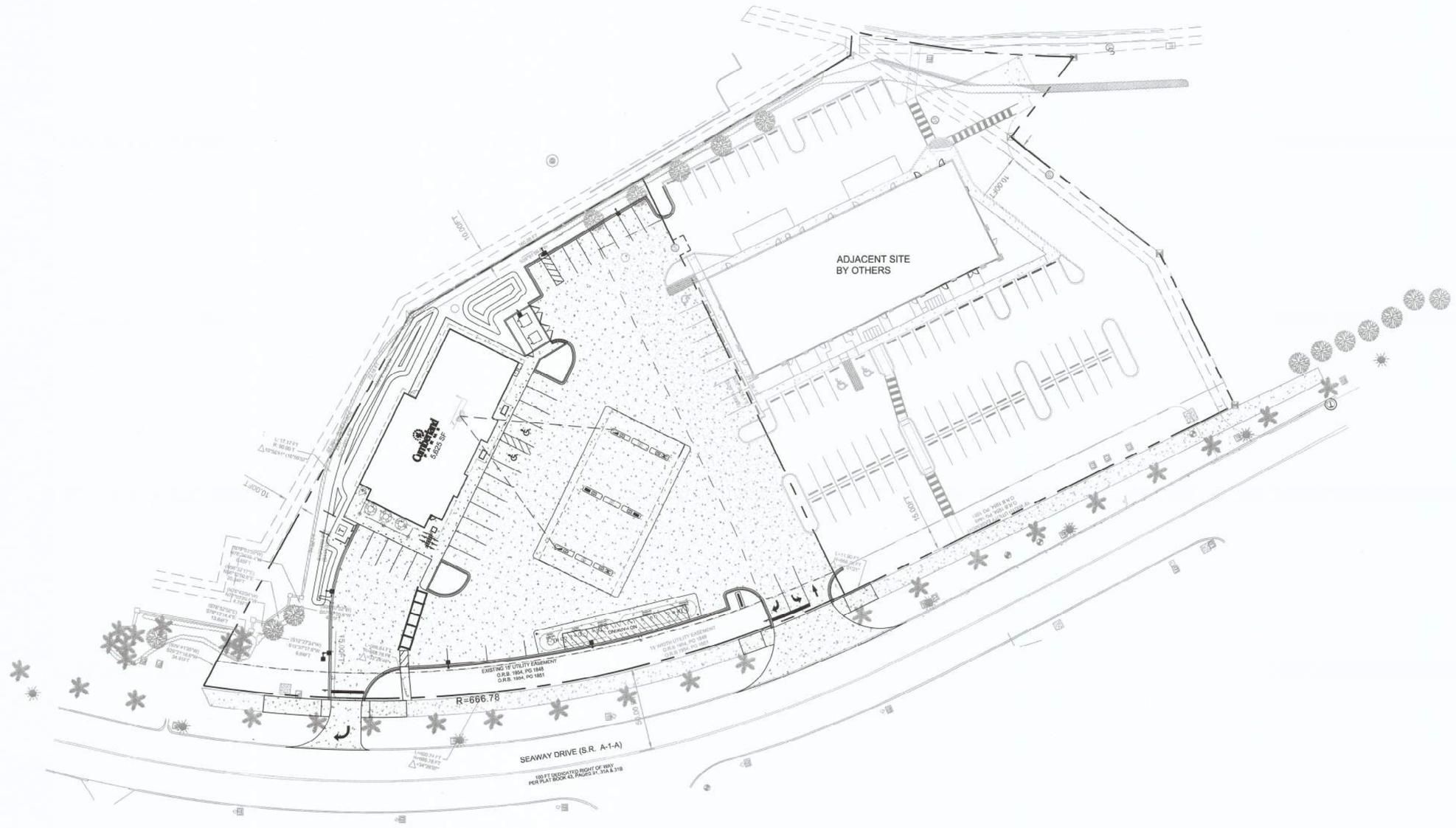
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Drawing Title: SITE PLAN

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User: FAR4402
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NORTH

0 15 30 60 120

GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 30'
HALF SIZE: 1" = 60'

LEGEND AND ABBREVIATIONS

PROP.	PROPOSED
RPM	REFLECTIVE PAVEMENT MARKER
TYP.	TYPICAL
SQ. FT.	SQUARE FEET
ROW	RIGHT OF WAY
PGD	PAVING, GRADING AND DRAINAGE
CONC.	CONCRETE
C&G	CURB & GUTTER

PROPOSED CONCRETE SIDEWALK & PADS
EXISTING PROPERTY/ROW LINE
EXISTING EASEMENT
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T TRANSFORMER PAD
EXISTING TREE TO REMAIN

JEFFREY LUCAS, P.E.
FLORIDA REG. NO. 71621

JEFFREY A. LUCAS LICENSE No. 71621 STATE OF FLORIDA PROFESSIONAL ENGINEER

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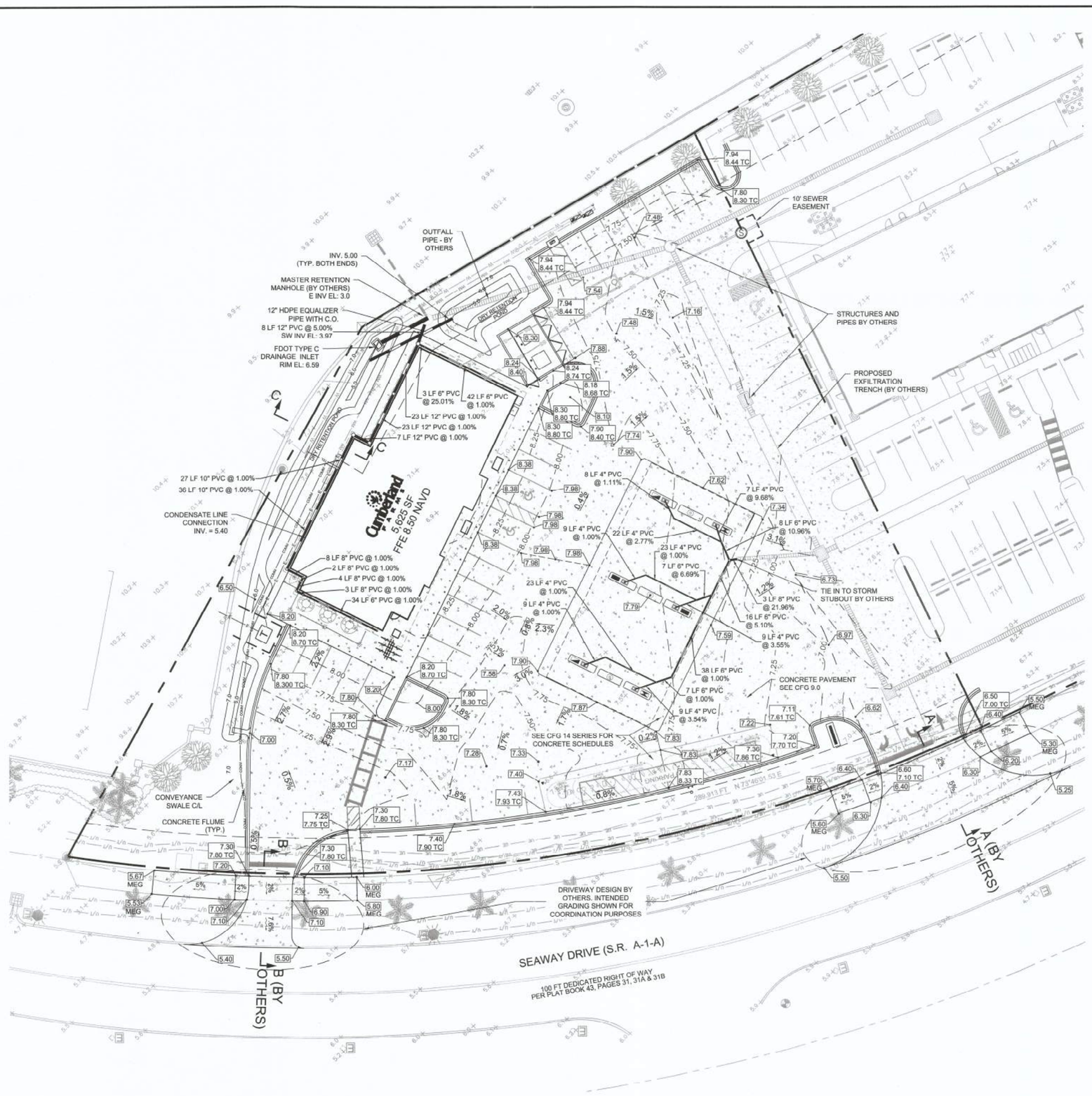
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LEGEND

- FLOW PATTERN
- DRAINAGE STRUCUTURES
- 19.30 — PROPOSED ELEVATION
- EXISTING SPOT ELEVATION
- PROPOSED CONCRETE PAVEMENT
- PROPOSED DRAINAGE PIPE
- EXISTING DRAINAGE PIPE
- EXISTING PROPERTY/ROW LINE
- PROPOSED GRADE BREAK
- SPREADER SWALE CENTERLINE
- PROPOSED EASEMENT
- DRAINAGE PIPE (BY OTHERS)
- DRAINAGE STRUCTURES (BY OTHERS)

NOTES:

1. CIVIL SITE WORK (GRADING, PAVING, CONCRETE INSTALLATION, DRAINAGE) SHALL BE CROSS REFERENCED TO ARCHITECTURAL PLANS. OVERLAPPING INFORMATION PROVIDED HEREIN IS SUBJECT TO INTERDISCIPLINE COORDINATION. CONTRACTOR TO COORDINATE ACCORDINGLY.
2. CONTRACTOR TO PERFORM PRE-CONSTRUCTION SURVEY TO VERIFY GRADING TIE-IN OF SURFACE AND UNDERGROUND ELEMENTS WITHIN AND DIRECTLY ADJACENT TO THE ACCESS EASEMENT.
3. REINFORCED CONCRETE PIPE SHALL BE CLASS III OR GREATER WITHIN CITY AND/OR FDOT ROW.
4. DOWNSPOUT COLLECTION SYSTEM (BOXES, BACKWATER VALVES, ECT) PER PLUMBING PLANS (SHOWN FOR ILLUSTRATIVE PURPOSES ONLY)
5. REFER TO STRUCTURAL/ARCHITECTURAL PLANS FOR CONSTRUCTION & EXPANSION JOINT DETAILS WHERE SIDEWALKS ABUT BUILDINGS.
6. CONCRETE JOINT (EXPANSION, CONTROL, ETC.) LAYOUT IS THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL SUPPLY ENGINEER WITH JOINTING PLAN AT TIME OF CONSTRUCTION FOR APPROVAL.
7. CONTRACTOR TO FIELD VERIFY PIPE COVER AND CLEARANCES DURING CONSTRUCTION AND NOTIFY ENGINEER PRIOR TO TRENCH CLOSURE WHEN MINIMUM REQUIREMENT CANNOT BE ACHIEVED. CONCRETE ENCASEMENT MAY BE NECESSARY.
8. ROOF DRAIN LEADERS ARE LOCATED TO THE BEST EXTENT PRACTICAL. EXACT LOCATION MAY VARY AND/OR REQUIRE FIELD VERIFICATION. EXACT SIZES TO BE VERIFIED WITH PLUMBING PLANS.
9. ALL CLEANOUTS RIMS/COLLARS TO MATCH FINAL GRADE ACCORDINGLY.
10. CONTRACTOR TO COORDINATE CONSIDERATION FOR LANDSCAPE IMPROVEMENTS (TOP SOIL, MULCH, VEGETATION, ETC.) WHEN ESTABLISHING ROUGH AND FINAL GRADES.
11. MATCH EXISTING GRADES AT SITE PERIMETER UNLESS SHOWN OTHERWISE.
12. ALL STREET & STORMWATER CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF FT. PIERCE.
13. COMPACT FILL AREAS, INCLUDING CUT AREAS UNDER THE SIDEWALK THAT HAVE BEEN EXCAVATED MORE THAN 6 INCHES BELOW THE BOTTOM OF SIDEWALK, TO A MINIMUM OF 95% OF AASHTO T99 DENSITY. THE AREA TO BE COMPACTED IS DEFINED AS THAT AREA DIRECTLY UNDER THE SIDEWALK AND 1 FOOT BEYOND EACH SIDE OF THE SIDEWALK WHEN RIGHT-OF-WAY ALLOWS.

RETENTION AREA CONSTRUCTION NOTES:

1. NATURAL GRADE AT POND BOTTOM/SLOPE AREAS TO BE STRIPPED, CLEARED, AND GRUBBED OF ORGANIC AND PARENT SOIL CONTAINING FINES TO A DEPTH OF 12-18 INCHES, THEN DEEP RAKED.
2. ROUGH GRADE AND EXCAVATE. CONTRACTOR SHALL USE LIGHT CONSTRUCTION EQUIPMENT, AS PRACTICAL, TO AVOID UNDUE COMPACTION OF SAND.
3. AFTER DRAINAGE AREA CONTRIBUTING TO POND HAS BEEN FULLY STABILIZED, THE INTERIOR SIDE SLOPES AND POND BOTTOM SHOULD BE CONSTRUCTED TO FINAL DESIGN SPECIFICATIONS.
4. DEEP RAKE POND BOTTOM.
5. SOD POND BOTTOM WITH SAND GROWN SOD, NOT MUCK GROWN.
6. CONTRACTOR SHALL PROVIDE POST-CONSTRUCTION PERCOLATION TESTS WITHIN THE RETENTION AREA(S). A MINIMUM OF TWO TESTS SHALL BE PROVIDED AND SUPPLIED TO THE EOR PRIOR TO FINAL ACCEPTANCE. IF PERCOLATION RATES TESTED FAIL TO MEET DESIGN TOLERANCES, OVER-EXCAVATION AND SELECT BACKFILL SHALL BE REQUIRED.

NORTH

0 10 20 40 60

GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 20'
HALF SIZE: 1" = 40'

ABBREVIATIONS:

TYP.	–	TYPICAL
HP	–	HIGH POINT
E/P	–	EDGE OF PAYMENT
T/C	–	TOP OF CURB
T/S	–	TOP OF SIDEWALK
T/W	–	TOP OF WALL
S/W	–	SIDEWALK
REQ.	–	REQUIRED
MEG	–	MATCH EXISTING GRADE
C.O.	–	CLEAN OUT
DS	–	DOWNSPOUT
P/L	–	PROPERTY LINE
TBD	–	TO BE DETERMINED
INT	–	INTERPOLATED
EOR	–	ENGINEER OF RECORD
YD	–	YARD DRAIN
EX.	–	EXISTING

JEFFREY A. LUCAS, P.E.
FLORIDA REG. NO. 71621

STATE OF FLORIDA — JEFFREY A. LUCAS — LICENSE No. 71621 — PROFESSIONAL ENGINEER

SIGNATURE — DATE

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Client: Cumberland FARMS
CUMBERLAND FARMS INC.
165 FLANDERS ROAD
WESTBOROUGH, MA 01581

Project Title:
835 SEAWAY DR
FT. PIERCE, FL 34949

Drawing Title:
PAVING, GRADING AND DRAINAGE

Scale	Designed	Drawn	Checked	Authorized
	JAL	DF		
Original Size: ARCH D	Date	Date	Date	Date

Drawing Number: CFG05.0
Revision:

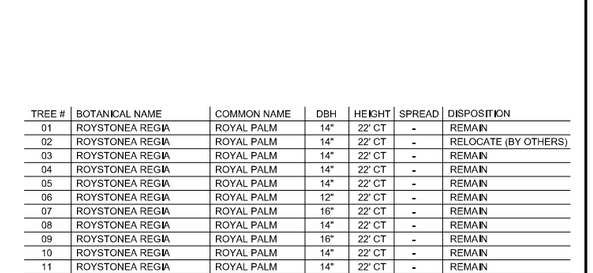
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\\usmbo1000\civil$\PROJECTS\100062844 – CF – 801 Seaway (Ft. Pierce)\10 CAD\CFG05.0 – PAVING, GRADING AND DRAINAGE.dwg



TREE #	BOTANICAL NAME	COMMON NAME	DBH	HEIGHT	SPREAD	DISPOSITION
01	ROYSTONEA REGIA	ROYAL PALM	14"	22' CT	-	REMAIN
02	ROYSTONEA REGIA	ROYAL PALM	14"	22' CT	-	RELOCATE (BY OTHERS)
03	ROYSTONEA REGIA	ROYAL PALM	14"	22' CT	-	REMAIN
04	ROYSTONEA REGIA	ROYAL PALM	14"	22' CT	-	REMAIN
05	ROYSTONEA REGIA	ROYAL PALM	14"	22' CT	-	REMAIN
06	ROYSTONEA REGIA	ROYAL PALM	12"	22' CT	-	REMAIN
07	ROYSTONEA REGIA	ROYAL PALM	16"	22' CT	-	REMAIN
08	ROYSTONEA REGIA	ROYAL PALM	14"	22' CT	-	REMAIN
09	ROYSTONEA REGIA	ROYAL PALM	16"	22' CT	-	REMAIN
10	ROYSTONEA REGIA	ROYAL PALM	14"	22' CT	-	REMAIN
11	ROYSTONEA REGIA	ROYAL PALM	14"	22' CT	-	REMAIN
12	ROYSTONEA REGIA	ROYAL PALM	14"	22' CT	-	REMAIN
13	SABAL PALMETTO	SABAL PALM	11"	12' CT	-	REMAIN
14	SABAL PALMETTO	SABAL PALM	11"	12' CT	-	REMAIN
15	SABAL PALMETTO	SABAL PALM	10"	12' CT	-	REMAIN
16	LIGUSTRUM JAPONICUM	LIGUSTRUM	8"	10'	10'	REMAIN
17	LIGUSTRUM JAPONICUM	LIGUSTRUM	8"	10'	10'	REMAIN
18	SABAL PALMETTO	SABAL PALM	10"	12' CT	20'	REMOVE
19	SABAL PALMETTO	SABAL PALM	10"	12' CT	20'	REMOVE
20	SABAL PALMETTO	SABAL PALM	10"	12' CT	20'	REMOVE
21	QUERCUS VIRGINIANA	LIVE OAK	6"	18'	16'	REMOVE
22	QUERCUS VIRGINIANA	LIVE OAK	6"	18'	16'	REMOVE
23	QUERCUS VIRGINIANA	LIVE OAK	6"	18'	16'	REMOVE
24	QUERCUS VIRGINIANA	LIVE OAK	6"	18'	16'	REMOVE
25	QUERCUS VIRGINIANA	LIVE OAK	6"	18'	16'	REMOVE
26	QUERCUS VIRGINIANA	LIVE OAK	6"	18'	16'	REMOVE
27	QUERCUS VIRGINIANA	LIVE OAK	6"	18'	16'	REMOVE
28	QUERCUS VIRGINIANA	LIVE OAK	6"	18'	16'	REMOVE
29	QUERCUS VIRGINIANA	LIVE OAK	6"	18'	16'	REMAIN
30	QUERCUS VIRGINIANA	LIVE OAK	6"	18'	16'	REMAIN

NOTES:

1. TREE #2 IS BEING REMOVED BY THE OVERALL PROPERTY DEVELOPER FOR A SINGLE POINT OF ENTRY THAT WILL NOT IMPEDED THE RESIDENTIAL ENTRANCE TO THE HARBOR CAY COMMUNITY.
2. TREES #18 THRU #20 ARE BEING REMOVED AS THEY CONFLICT WITH THE INSTALLATION OF NEW COMMUNICATION AND POWER UTILITIES AS WELL AS REQUIRED SITE STORM DRAINAGE SWALES.
3. TREES #25 THRU #28 ARE BEING REMOVED FOR THE INSTALLATION OF A NEW WATER LINE TO SERVICE THEIR PROPERTY.



TREE SAVE GRADING AND PROTECTION DETAILS

NO FILL WITHIN DRIP LINE

NOTES:

1. CONTRACTOR SHALL USE EXTREME CAUTION WHEN WORKING AROUND TREES.
2. ALL UTILITY WORK SHALL BE DONE BY HAND WITHIN TREE ROOT IMPACT ZONE.
3. ALL EARTHWORK WITHIN A 10 FOOT RADIUS ZONE AROUND SAVED TREES SHALL BE NON-COMPACTED.
4. GRAVEL AND FILTER FABRIC SHALL BE INSTALLED AROUND SAVED TREES IN FILL AREAS A MINIMUM OF 12 FEET FROM EDGE OF TREE TRUNK AND TERMINATE AT PROPOSED CURB LINE AND/OR DRIP LINE CANOPY OF SAVED TREE. INSTALLATION SHALL BE FIELD DIRECTED TO DETERMINE LIMITS.

TREE PROTECTION NOTES

1. PROTECT EXISTING TREES AND UNDERGROWTH TO REMAIN AGAINST:
   - UNNECESSARY CUTTING, BREAKING, OR SKINNING OF ROOTS AND LIMBS
   - SKINNING AND BRUISING OF BARK
   - SMOTHERING OF TREES BY STOCKPILING CONSTRUCTION OR EXCAVATION MATERIAL WITHIN DRIP LINE
   - EXCESS FOOT OR VEHICULAR TRAFFIC
   - PARKING VEHICLES WITHIN DRIP LINE
2. DIRECT TEMPORARY CONSTRUCTION FENCING BEFORE COMMENCEMENT OF ANY SITE CLEARING OR GRADING. FENCE SHALL BE A MINIMUM HEIGHT OF 4 FT., WITH STEEL POSTS SET DEEP ENOUGH IN THE GROUND TO BE STABLE WITHOUT ADDITIONAL SUPPORT. ALL FENCING SHOULD BE SET BEYOND THE DRIP LINE OF EXISTING TREES AND A MINIMUM OF 10' CLEAR DISTANCE FROM THE FACE OF ANY TREES AND SHALL FULLY ENCLOSE ALL TREES AND UNDERGROWTH SCHEDULED TO REMAIN. NOTHING SHALL BE PLACED INSIDE OF THE FENCE, INCLUDING BUT NOT LIMITED TO, CONSTRUCTION MATERIALS, MACHINERY, CHEMICALS, OR TEMPORARY SOIL DEPOSITS. FOR TREES LARGER THAN 20" DBH, THE FENCE SHALL BE NO CLOSER THAN 15' FROM FACE OF TREE. WHEN PAVING, EXCAVATION, OR HARDSCAPE MUST BE DONE WITHIN THE FENCE, THE FENCE SHALL BE MOVED TO A SECONDARY LOCATION AT THE EDGE OF WORK. EXTRA CARE MUST BE TAKEN AT THE TIME BY THE CONTRACTOR TO ENSURE THAT NO DAMAGE TO THE TREE AND UNDERGROWTH OCCURS.
3. PROVIDE WATER TO TREES AND UNDERGROWTH AS REQUIRED TO MAINTAIN THEIR HEALTH DURING CONSTRUCTION.
4. FOR GRADE CUTS WITHIN THE DRIP LINES, ROOTS SHALL NOT BE TRACTOR CLEARED. LINE OF CONSTRUCTION SHALL BE DETERMINED, FENCE PLACED, AND ROOTS CUT CLEAN WITH A POWER SAW. CLEAN CUTS WILL AVOID "SMEARING" OF ROOTS, COVER EXPOSED ROOTS WITH MOIST MULCH TO PREVENT DRYING AND COVER WITH EARTH AS SOON AS POSSIBLE.
5. NO CLEARING OF UNDERGROWTH SHALL TAKE PLACE WITHOUT PRIOR APPROVAL OF THE OWNER OR THEIR REPRESENTATIVE. WHEN THE CLEARING OF UNDERGROWTH DOES TAKE PLACE, IT SHALL BE DONE BY QUALIFIED PERSONNEL (LANDSCAPE CONTRACTOR) UNDER THE DIRECTION OF THE OWNER OR THEIR REPRESENTATIVE. MULCH SHALL BE IMMEDIATELY PLACED OVER ANY CLEARED UNDERGROWTH AREA TO PROTECT SURFACE ROOTS OF TREES.
6. NO GRADE CHANGES ARE TO BE MADE WITHIN THE FENCE WITHOUT PRIOR APPROVAL OF THE OWNER OR THEIR REPRESENTATIVE.
7. INTERFERING BRANCHES MAY BE REMOVED AT THE DIRECTION OF THE OWNER OR HIS REPRESENTATIVE BY A QUALIFIED TREE SURGEON.
8. THE CONTRACTOR SHALL REPAIR OR REPLACE TREES INDICATED TO REMAIN, WHICH ARE DAMAGED IN THE CONSTRUCTION OPERATIONS, IN A MANNER ACCEPTABLE TO THE OWNER. EMPLOY A QUALIFIED TREE SURGEON TO REPAIR MAJOR DAMAGE TO TREES AND SHRUBS, PROMPTLY, TO PREVENT PROGRESSIVE DETERIORATION CAUSED BY THE DAMAGE. CONTRACTOR SHALL PROVIDE DOCUMENTATION TO THE OWNER OR THEIR DESIGNATED REPRESENTATIVE OF REPAIRS OR RECOMMENDATIONS FROM THE TREE SURGEON.
9. CONTRACTOR SHALL BE RESPONSIBLE FOR TREES DAMAGED BEYOND REPAIR. TREES SHALL BE REPLACED ON AN INCH FOR INCH BASIS WITH TREES OF 5" CALIPER OR GREATER OF THE SAME SPECIES EQUALING THE OVERALL CALIPER OF THE TREE REMOVED. IF A 20" CALIPER TREE IS REMOVED, IT SHALL BE REPLACED WITH 4 5" CALIPER TREES. REPLACEMENT TREES SHALL BE "FLORIDA #1 GRADE" OR BETTER. IF TREES ARE HARMED THROUGH LACK OF PROTECTION OR NEGLIGENCE, THE CONTRACTOR SHALL BEAR THE BURDEN OF COST OF REPAIR OR REPLACEMENT.

N O R T H

0 10 20 40 60

GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 20'
HALF SIZE: 1" = 40'

JASON L KEESE, P.L.A.
FLORIDA REG. NO. 6667398

REGISTERED LANDSCAPE ARCHITECT JASON L KEESE LA 6667398 STATE OF FLORIDA

SIGNATURE DATE

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CUMBERLAND FARMS INC.
165 FLANDERS ROAD
WESTBOROUGH, MA. 01581

Project Title:
835 SEAWAY DR
FT. PIERCE, FL 34949

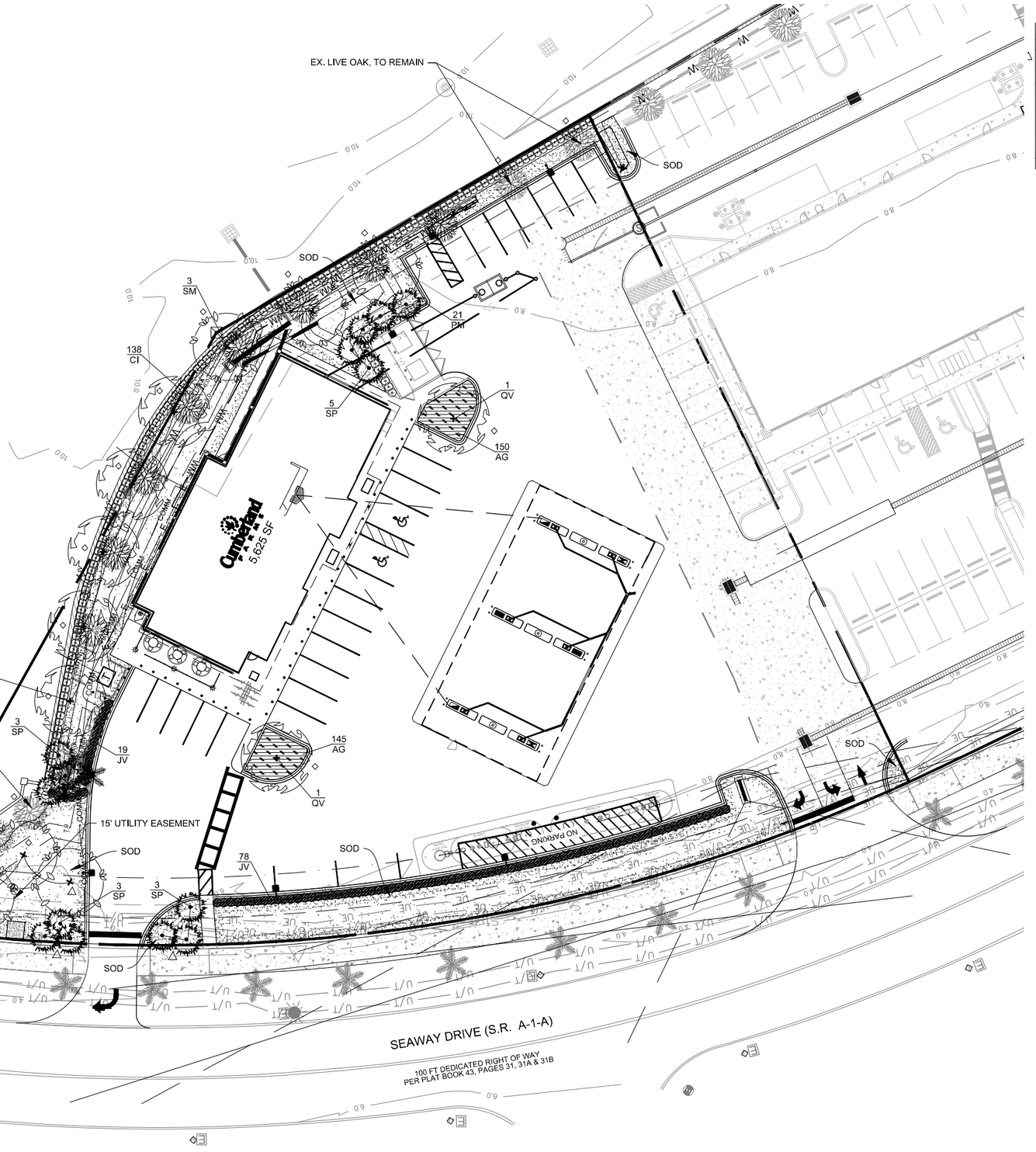
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DISPOSITION PLAN

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1" = 20'	JKL	BF	HB	JK
Original Size: ARCH D	Date	Date	Date	Date

Drawing Number: CFG 08.0

Revision:

User: KEESJ1810
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LANDSCAPE CODE REQUIREMENTS		
	REQUIRED	PROVIDED
Landscape strip (lot over 10,000 SF)		
1 tree per 300 SF @ 3,724 SF	13	2 (6 palms) & 2 trees
Interior vehicular use area		
1 SF per 15 SF of Vehicular Use area @ 39,787 SF = 2653 SF		
Reduction for preserved trees (50% max), 7 @ 400 SF = 2800 SF		
Interior landscape of 1 tree per 100 SF @ 1326 SF		4 existing & 11 proposed
	14	15
Up to 50% of required trees may be palms (1 tree = 3 palms)	< 7 (21)	0

NORTH

0 10 20 40 60

GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 20'
HALF SIZE: 1" = 40'

JASON L KEESE, R.L.A.
FLORIDA REG. NO. 6667398

REGISTERED LANDSCAPE ARCHITECT JASON L. KEESE LA 6667398 STATE OF FLORIDA

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CUMBERLAND FARMS INC.
165 FLANDERS ROAD
WESTBOROUGH, MA 01581

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FT. PIERCE, FL 34949

Drawing Title
LANDSCAPE PLAN

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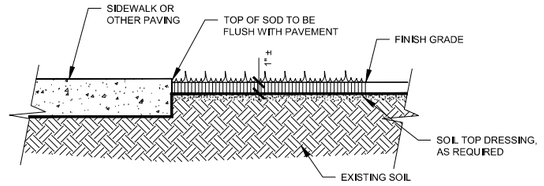
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LANDSCAPE NOTES

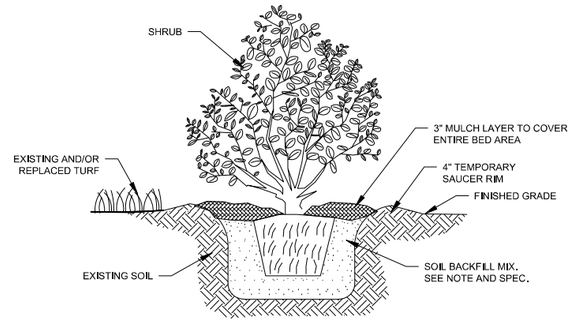
1. ALL PLANTING TO CONFORM TO ALL APPLICABLE LAWS OF THE CITY OF FORT PIERCE.
2. ALL PLANTED AREAS, INCLUDING SOD, ARE TO RECEIVE 100% COVERAGE WITH 75% MINIMUM OVERLAP BY AN UNDERGROUND, AUTOMATIC IRRIGATION SYSTEM.
3. ABOVE AND BELOW GRADE UTILITY LOCATIONS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO COMMENCING WORK. IF UTILITY CONFLICTS BECOME EVIDENT, THE CONTRACTOR SHALL CONTACT THE OWNER'S REPRESENTATIVE FOR ANY NECESSARY ADJUSTMENTS. WHEN WORKING IN AREAS WHERE UTILITIES ARE KNOWN TO EXIST, UTILITY LOCATIONS MAY NEED TO STAKED BY A SURVEYOR OR UTILITY COMPANY. THE CONTRACTOR HAS THE OPTION TO CALL 'SUNSHINE ONE CALL' AT 1-800-432-4770 TO SCHEDULE LOCATION OF UTILITIES THAT SUBSCRIBE TO THEIR SERVICE.
4. ALL PLANT MATERIAL SHALL BE IN OPTIMUM CONDITION, FREE OF ALL INSECTS AND DISEASE, AND SHALL BE EQUAL OR SUPERIOR TO FLORIDA #1 PER THE STATE OF FLORIDA GRADES AND STANDARDS FOR NURSERY PLANTS.
5. PLANT MATERIAL SHALL MEET OR EXCEED ALL SPECIFICATIONS REGARDING SIZING. IT MAY BE NECESSARY TO EXCEED SOME OF THE SPECIFICATIONS TO MEET THE MINIMUM REQUIREMENTS OF OTHERS.
6. CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER OF ANY QUANTITY DISCREPANCIES BETWEEN SCHEDULE AND PLAN PRIOR TO CONSTRUCTION.
7. PLACEMENT OF ALL PLANT MATERIAL SHALL BE APPROVED BY THE OWNER BEFORE INSTALLATION. ANY PLANT MATERIAL INSTALLED BEFORE APPROVAL WILL BE SUBJECT TO RELOCATION AT THE CONTRACTOR'S EXPENSE.
8. ALL TREE PITS SHALL BE FREE OF ROCKS OVER 3/4" IN DIAMETER, STICKS, AND OTHER DEBRIS. CONTRACTOR MUST VERIFY THAT TREE PITS DRAIN PROPERLY. IF WATER IN THE TREE PIT DOES NOT COMPLETELY PERCOLATE INTO THE SOIL WITHIN ONE HOUR, A REMEDY TO TO MEET REQUIRED PERCOLATION MUST BE PROVIDED.
9. PLANTING BACKFILL MIX SHALL BE 2 PARTS NATIVE SOIL FROM EXCAVATION AND 2 PARTS RECYCLED TOP SOIL OR OTHER APPROVED COMPOST MIX.
10. APPLY AN 8-2-12 FERTILIZER, OR APPROVED ALTERNATIVE, WITH MINOR ELEMENTS TO ALL NEW PLANTING AT THE RATE RECOMMENDED BY THE MANUFACTURER. SUBMIT PROPOSED FERTILIZER FOR APPROVAL BEFORE APPLICATION.
11. IT WILL BE THE SOLE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO INSURE THAT ALL NEW PLANTING RECEIVE ADEQUATE WATER DURING INSTALLATION AND THROUGHOUT THE PLANT WARRANTEE PERIODS. DEEP WATERING OF ALL NEW PLANTS AND ANY SUPPLEMENTARY WATERING THAT MAY BE REQUIRED TO AUGMENT NATURAL RAINFALL OR SITE IRRIGATION IS MANDATORY TO INSURE PROPER PLANT DEVELOPMENT AND SHALL BE PROVIDED AS PART OF THIS CONTRACT.
12. MULCH SHALL BE RIVER ROCK OR WHITE MARBLE CHIPS. CONTRACTOR SHALL SUBMIT FOR APPROVAL.
13. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR HOLDING THE FINE GRADING OF PLANTING AREAS TO INSURE AT LEAST 3% POSITIVE DRAINAGE AWAY FROM BUILDINGS AND INTO TURF AREAS, PONDS, STREETS OR OTHER DRAINAGE WAYS. TURF AND PLANTING BEDS SHALL MEET SIDEWALKS AND FLATWORK AT 2" BELOW THE FLATWORK.
14. IF REQUIRED, PRUNING OF EXISTING TREES AS FIELD DIRECTED BY OWNER'S REPRESENTATIVE SHALL BE CONDUCTED UNDER THE DIRECT SUPERVISION OF A CERTIFIED ARBORIST IN THE FIELD.
15. LANDSCAPE CONTRACTOR SHALL REPAIR, RELOCATE AND/OR REPLACE ANY DAMAGED OR REMOVED LANDSCAPE AFFECTED BY CONSTRUCTION NOT DELINEATED FOR ACTION ON THE DEMOLITION PLANS. CONTRACTOR SHALL OBTAIN APPROVAL FROM OWNER'S REPRESENTATIVE PRIOR TO ANY REMEDIATION LANDSCAPE EFFORTS.
16. SODDING IS REQUIRED FOR ALL AREAS DISTURBED THAT ARE NOT TO RECEIVE LANDSCAPE OR HARDSCAPE. CONTRACTOR SHALL CONFIRM SOD QUANTITY PRIOR TO BID.
17. DURING THE WARRANTEE PERIOD, THE CONTRACTOR SHALL REPLACE AT HIS OWN EXPENSE ANY PLANT THAT DIES OR FALLS BELOW CONTRACT SPECIFICATION REQUIREMENTS AND IN THE OPINION OF THE OWNER WILL NOT FULLY RECOVER BEFORE THE END OF THE WARRANTEE PERIOD. THE CONTRACTOR MUST REPLACE DEFECTIVE MATERIAL WITHIN 30 DAYS OF NOTIFICATION.

PLANT SCHEDULE

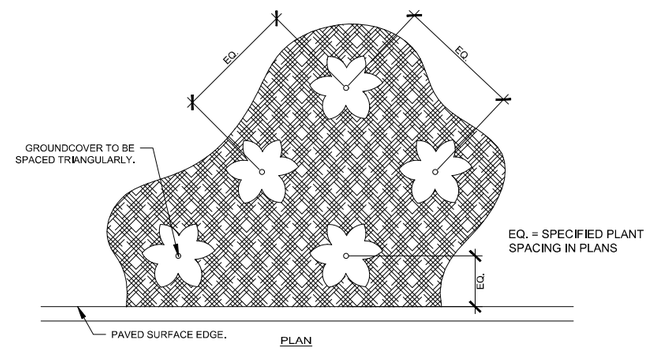
KEY	SCIENTIFIC NAME	COMMON NAME	QTY.	SIZE	REMARKS
	TREES				
QV	QUERCUS VIRGINIANA	LIVE OAK	7	14' HT., 2.5" DBH.	5' CLEAR TRUNK
SP	SABAL PALMETTO	SABAL PALM	14	10' CLEAR TRUNK	
SM	SWIETENIA MAHAGONI	MAHOGANY	6	14' HT., 2.5" DBH.	5' CLEAR TRUNK
	SHRUBS/GROUNDCOVERS				
AG	ARACHIS GLABRATA	PERENNIAL PEANUT	295	6" HT. x 12" SPR.	18" O.C.
CI	CHRYSOBALANUS ICACO 'RED TIP'	RED TIP COCOPLUM	138	36" HT., 7 GAL.	30" O.C.
JV	JASMINUM VOLUBILE	WAX JASMINE	97	24" HT., 7 GAL.	30" O.C.
PM	PODOCARPUS MACROPHYLLUS	PODOCARPUS	21	36" HT., 7 GAL.	30" O.C.
	TURF				
SOD	STENOTAPHRUM SECUNDATUM 'FLORATAM'	ST. AUGUSTINE FLORATAM	1,250 SQ/YD		



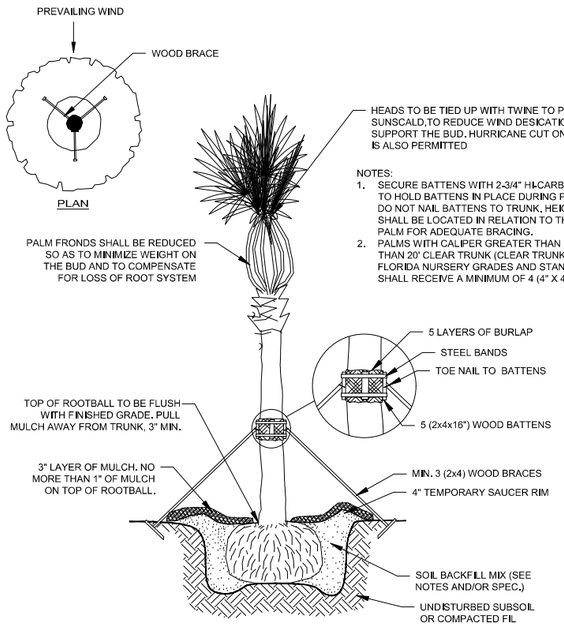
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N.T.S.



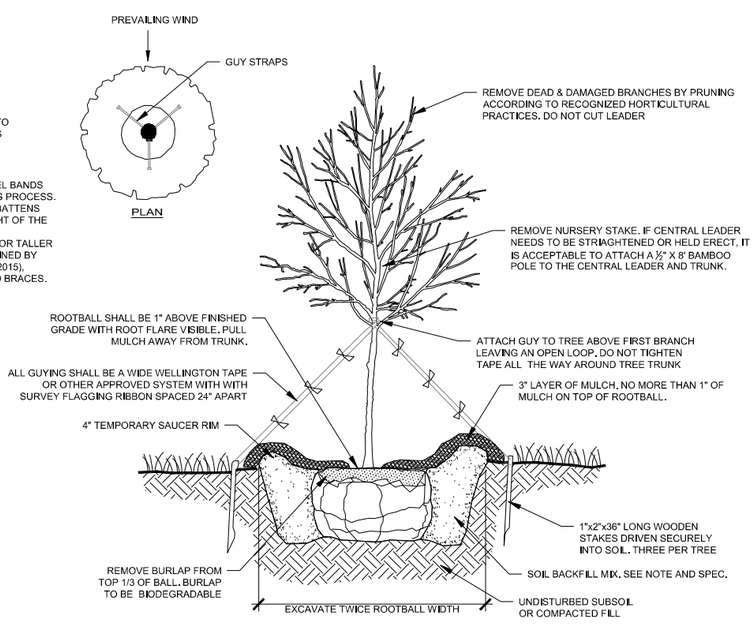
TYPICAL SHRUB PLANTING
N.T.S.



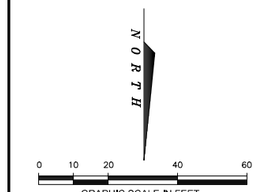
TYPICAL GROUNDCOVER PLANTING
N.T.S.



TYPICAL SINGLE TRUNK PALM
N.T.S.



TYPICAL TREE INSTALLATION
N.T.S.



JASON L KEESE, R.L.A.
FLORIDA REG. NO. 6667398

DATE

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4030 W. BOY SCOUT BLVD
TAMPA, FLORIDA 33607
FBPR CERTIFICATE OF AUTHORIZATION NO.24
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Client: Cumberland Farms
CUMBERLAND FARMS INC.
165 FLANDERS ROAD
WESTBOROUGH, MA 01581

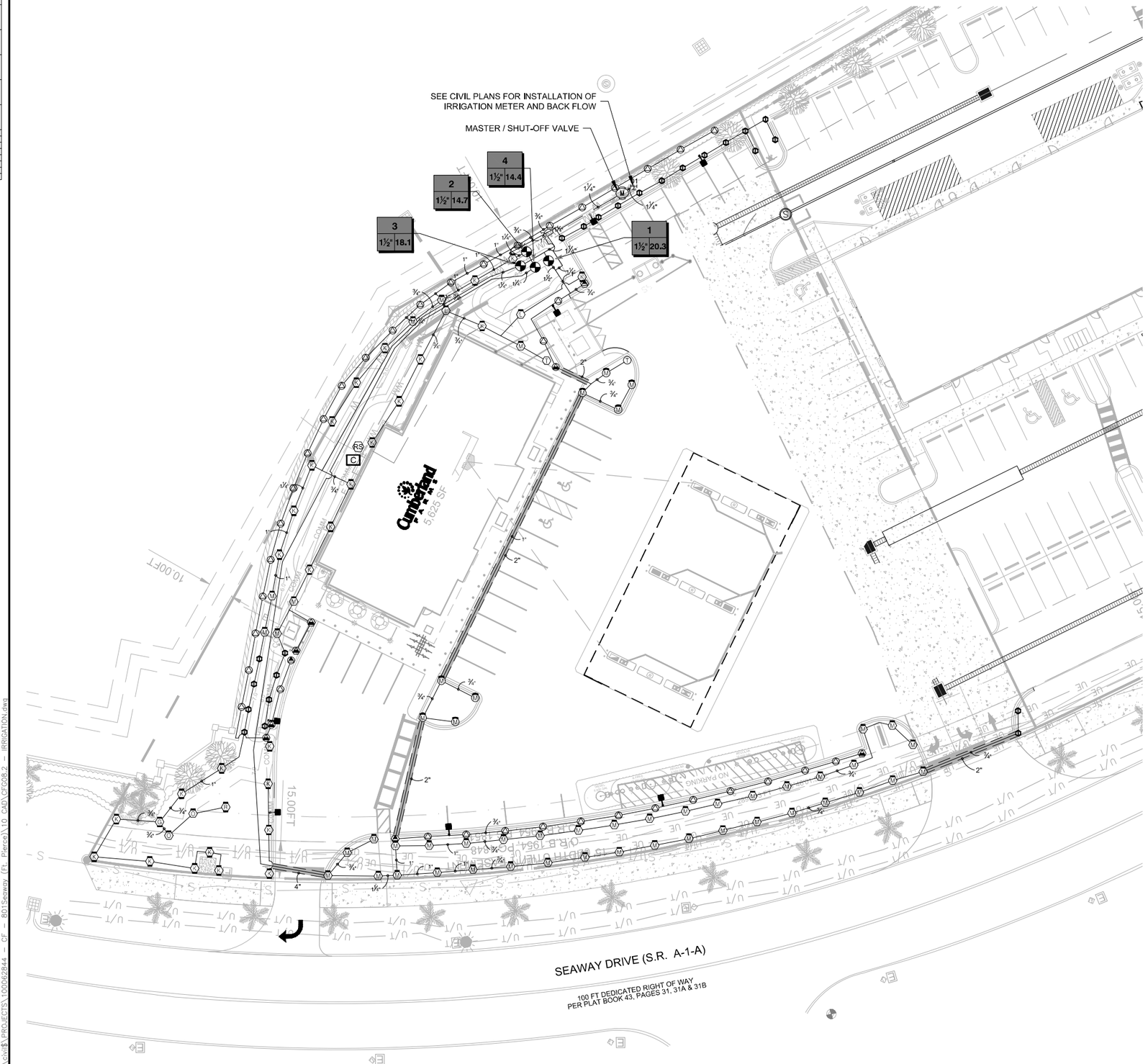
Project Title:
835 SEAWAY DR
FT. PIERCE, FL 34949

Drawing Title:
LANDSCAPE NOTES, SCHEDULE, & DETAILS

Scale	Designed	Drawn	Checked	Authorized
	JAL	DF		
Original Size: ARCH D	Date	Date	Date	Date

Drawing Number: CFG08.2
Revision:

User: KEES1810
\\Tusmia1000\civil$\PROJECTS\100062844 - CF - 801Seaway (Ft. Pierce)\10 CAD\CFG08.1 - LANDSCAPE.dwg



IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL
	Hunter MP Corner PROS-06-PRS40-CV
MSR MST MSST	Hunter MP Strip PROS-06-PRS40-CV
	Hunter MP1000 PROS-06-PRS40-CV
	Hunter MP2000 PROS-06-PRS40-CV
ADJ. 360	Hunter MP800SR PROS-06-PRS40-CV
T	Hunter MP Corner PROS-06-PRS40-CV
SST PST SSS	Hunter MP Strip PROS-06-PRS40-CV
ST PST SS	Hunter MP1000 PROS-06-PRS40-CV

SYMBOL	MANUFACTURER/MODEL
	Hunter ICV-G
M	Hunter IBV 1-1/2"
C	Hunter PC-400
RS	Hunter MINI-CLIK
01 H	Point of Connection 1"
	Irrigation Lateral Line: PVC Schedule 40
	Irrigation Mainline: PVC Schedule 40
	Pipe Sleeve: PVC Class 200 SDR 21

Valve Callout
— Valve Number
#" # — Valve Flow
Valve Size

NORTH

0 10 20 40 60

GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 20'
HALF SIZE: 1" = 40'

JASON L KEESE, R.L.A.
FLORIDA REG. NO. 6667398

SIGNATURE DATE

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Rev.	Date	Description	By	Ch ks	Ap pd

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Suitability: **S0**

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Client
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165 FLANDERS ROAD
WESTBOROUGH, MA 01581

Project Title
835 SEAWAY DR
FT. PIERCE, FL 34949

Drawing Title
IRRIGATION PLAN

Scale	Designed	Drawn	Checked	Authorized
	JAL	DF		
Original Size: ARCH D	Date	Date	Date	Date

Drawing Number: CFG08.3
Revision:

User: KEES1810
V:\Lambda1000\civil_PROJECTS_\0006284 – CF – 801Seaway (Ft. Pierce)\10_CAD\CFG08.2 – IRRIGATION.dwg

IRRIGATION NOTES :

1. THE IRRIGATION CONTRACTOR SHALL BE CERTIFIED BY THE IRRIGATION ASSOCIATION AND SHALL BE ON SITE TO DIRECT ALL IRRIGATION CONSTRUCTION ACTIVITIES.
2. ALL MATERIALS FOR THIS PROJECT SHALL BE NEW. NO SUBSTITUTIONS WILL BE ALLOWED WITHOUT PRIOR APPROVAL BY THE PROJECT ENGINEER.
3. PLANS ARE SHOWN SCHEMATICALLY FOR GRAPHIC CLARITY. ALL EQUIPMENT SHALL BE INSTALLED IN PERVIOUS AREA (EXCEPT FOR SLEEVING) AND WITHIN THE PROPERTY LIMITS.
4. ALL IRRIGATION COMPONENTS AND THEIR INSTALLATION SHALL BE IN ACCORDANCE WITH LOCAL CODES, CONTRACT DRAWINGS, MANUFACTURER'S RECOMMENDATIONS AND CONTRACT SPECIFICATIONS.
5. IRRIGATION SYSTEMS SHALL BE DESIGNED TO MINIMIZE OVERSPRAY, RUN-OFF, AND PONDING OF WATER. DISCHARGE INTO WATER BODIES THAT DISCHARGE DIRECTLY OR INDIRECTLY INTO WATER OF THE STATE IS PROHIBITED.
6. THE QUANTITIES ARE SUMMARIZED FOR THE CONVENIENCE OF THE CONTRACTOR AND OF THE ENGINEER. THE IRRIGATION SYSTEM IS A LUMP SUM BID ITEM ALL INCLUSIVE OF LABOR AND MATERIALS REQUIRED FOR A COMPLETED AND TOTALLY FUNCTIONAL, 100% COVERAGE IRRIGATION SYSTEM, INCLUDING WATER AND ELECTRICAL SERVICE CONNECTIONS.
7. THE OWNER, OR OWNER'S REPRESENTATIVE, SHALL BE NOTIFIED PRIOR TO START OF CONSTRUCTION.
8. CONTRACTOR SHALL PROVIDE BID ALLOWANCE TO REPAIR, REPLACE, RESTORE EXISTING IRRIGATION ALONG WALL PLANTINGS.
9. NO EXCAVATION SHALL TAKE PLACE UNTIL ALL EXISTING UTILITIES HAVE BEEN LOCATED ON SITE. CONTACT SUNSHINE STATE ONE CALL, TELEPHONE NUMBER 811, AND THE PUBLIC WORKS DEPARTMENT TWO BUSINESS DAYS PRIOR TO EXCAVATION.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT LOCATIONS OF THE WATER METER AND BACKFLOW DEVICE. PLAN ADJUSTMENTS MAY BE NECESSARY SHOULD THE LOCATION GREATLY DIFFER FROM THE PLANS.
11. ZONE LINES ARE DESIGNED TO PERFORM AT 40 PSI AT THE LAST HEAD. APPROPRIATE PRESSURE REGULATING ITEMS SHALL BE INSTALLED AS NOTED IN THE PLANS AND SCHEDULE.
12. ZONE LINE PIPING SHALL BE SCHEDULE 40 PVC PLASTIC PIPE OR APPROVED EQUAL.
13. THE IRRIGATION MAIN LINE SHALL BE SCHEDULE 40 PVC INSTALLED 18" BELOW THE FINISHED GRADE OF MEDIANS AND 36" BELOW FINISHED GRADE OF ROADWAY. FINISHED GRADE SHALL BE 2" BELOW TOP OF CURB, ADJACENT PAVEMENT, AND/OR SURROUNDING GROUND.
14. IRRIGATION SLEEVE PIPING SHALL BE SCHEDULE 40 PVC FOR TRENCHES AND DR17 (100PSI) HDPE PIPE FOR DIRECTIONAL BORE ACTIVITIES. SLEEVE SHALL BE NO LESS THAN TWICE THE DIAMETER OF THE RECEIVING PIPE.
15. IRRIGATION LINES AND FITTINGS SHALL BE SOLVENT WELDED WITH E-2 WELD BLUE GLUE WITH WELD-ON P70 PURPLE PRIMER, OR APPROVED EQUALS.
16. ALL VALVES, FILTERS, GAUGES, ETC., SHALL BE ENCLOSED IN APPROVED VALVE BOXES OF APPROPRIATE SIZE. THESE ITEMS MUST BE EASILY ACCESSIBLE FOR SERVICING AND MAINTENANCE AFTER INSTALLATION OF THE LANDSCAPING.
17. IRRIGATION CONTROL WIRE SHALL BE THERMOPLASTIC SOLID COPPER, SINGLE CONDUCTOR, LOW VOLTAGE, #12 IRRIGATION CONTROL WIRE AND #10 WHITE COMMON WIRE SUITABLE FOR DIRECT BURIAL AND CONTINUOUS OPERATION AT RATED VOLTAGES. MAKE ELECTRICAL CONNECTIONS WITH IRRIGATION GRADE, WATERPROOF CONNECTORS. NUMBER WIRES IN ALL VALVE BOXES, JUNCTION BOXES AND AT THE CONTROLLER. PROVIDE TWO EXTRA SPARE WIRES TO THE LAST VALVE IN EACH DIRECTION.
18. FLUSH ALL LINES FOR A MINIMUM OF TEN MINUTES.
19. AFTER THE SATISFACTORY COMPLETION OF THE MAIN, AND BEFORE BACKFILLING, THE MAIN SHALL BE FILLED WITH WATER AND TESTED FOR PRESSURE AT THE WORKING PRESSURE WITH GAUGES AT OPPOSITE ENDS OF THE SYSTEM, MONITOR FOR TWO HOURS, THERE CAN BE NO PRESSURE LOSS. ALSO EACH ZONE SHALL BE VISUALLY TESTED FOR LEAKAGE.
20. IRRIGATION SYSTEM SHALL BE OPERABLE FOR A MINIMUM OF 48 HOURS PRIOR TO THE LAYING OF SOD. GROUND SHALL BE THOROUGHLY SATURATED PRIOR TO THE LAYING OF SOD.
21. AT THE PRE-CONSTRUCTION MEETING THE CONTRACTOR SHALL PROVIDE:
    - CUT SHEETS OF ALL IRRIGATION EQUIPMENT TO BE PROVIDED
    - A UNIT COST BREAKDOWN OF PROPOSED IRRIGATION MATERIALS TO BE INSTALLED
    - AN INSTALLATION SCHEDULE FOR ALL IRRIGATION EQUIPMENT AT EACH AREA OF THE SITE
22. BEFORE THE IRRIGATION IS ACCEPTED THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING AND ORGANIZING AN OPERATIONAL TRAINING SESSION WITH THE OWNER'S MAINTENANCE STAFF IN THE FIELD. THIS MEETING WILL INFORM THE MAINTENANCE STAFF OF THE SYSTEM COMPONENTS AND FUNCTIONALITY.
23. UPON PROJECT ACCEPTANCE THE CONTRACTOR SHALL PROVIDE COPIES OF THE OPERATION MANUAL, MAINTENANCE SCHEDULES, WARRANTIES, AS-BUILTS, AND ANY OTHER PERTINENT INFORMATION ABOUT THE SYSTEM.

IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL	QTY	PSI
	Hunter MP Corner PROS-06-PRS40-CV	1	40
LST RST SST	Hunter MP Strip PROS-06-PRS40-CV	5	40
	Hunter MP1000 PROS-06-PRS40-CV	48	40
	Hunter MP2000 PROS-06-PRS40-CV	30	40
ADJ. 360	Hunter MP800SR PROS-06-PRS40-CV	23	40
	Hunter MP Corner PROS-06-PRS40-CV	1	40
LST RST SST	Hunter MP Strip PROS-06-PRS40-CV	41	40
	Hunter MP1000 PROS-06-PRS40-CV	8	40

SYMBOL	MANUFACTURER/MODEL	QTY
	Hunter ICV-G	4
	Hunter IBV 1-1/2"	1
C	Hunter PC-400	1
RS	Hunter MINI-CLIK	1
01	Point of Connection 1"	1
	Irrigation Lateral Line: PVC Schedule 40	2,853 l.f.
	Irrigation Mainline: PVC Schedule 40	71.3 Lf.
	Pipe Sleeve: PVC Class 200 SDR 21	242.5 l.f.

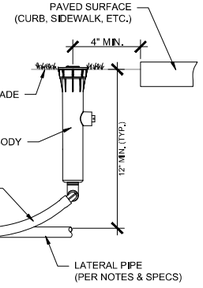
Valve Callout

Valve Number
Valve Flow
Valve Size

N O R T H

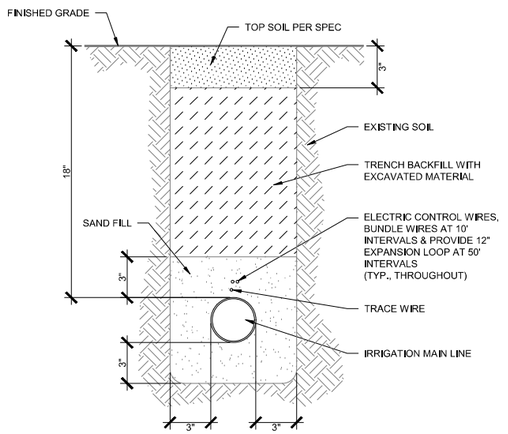
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GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 20'
HALF SIZE: 1" = 40'



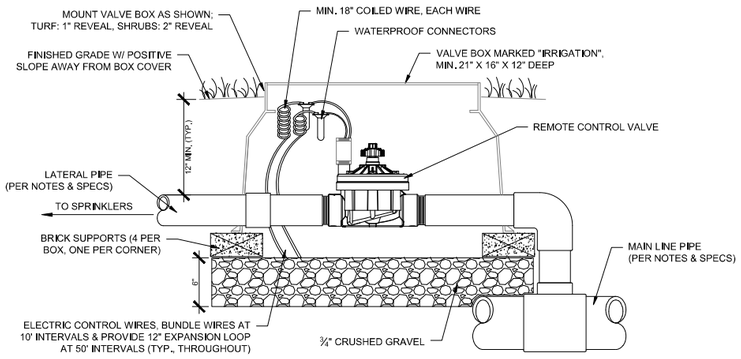
6" SPRAY BODY INSTALLATION

FOR USE WITH ALL NOZZLES (SPRAY, BUBBLER, ROTARY)
N.T.S.



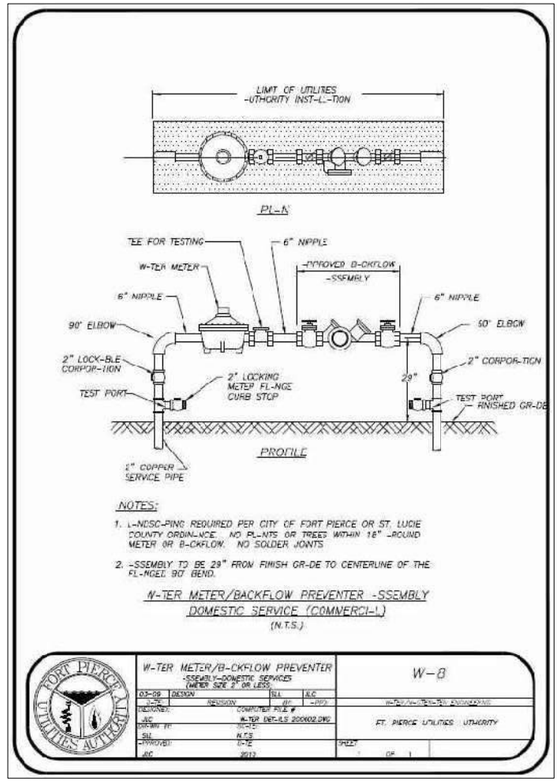
TRENCHING DETAIL

N.T.S.



REMOTE CONTROL GLOBE VALVE INSTALLATION

N.T.S.



JASON L KEESE, P.L.A.
FLORIDA REG. NO. 6667398

SIGNATURE DATE

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Suitable By: SO

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CUMBERLAND FARMS INC.
165 FLANDERS ROAD
WESTBOROUGH, MA 01581

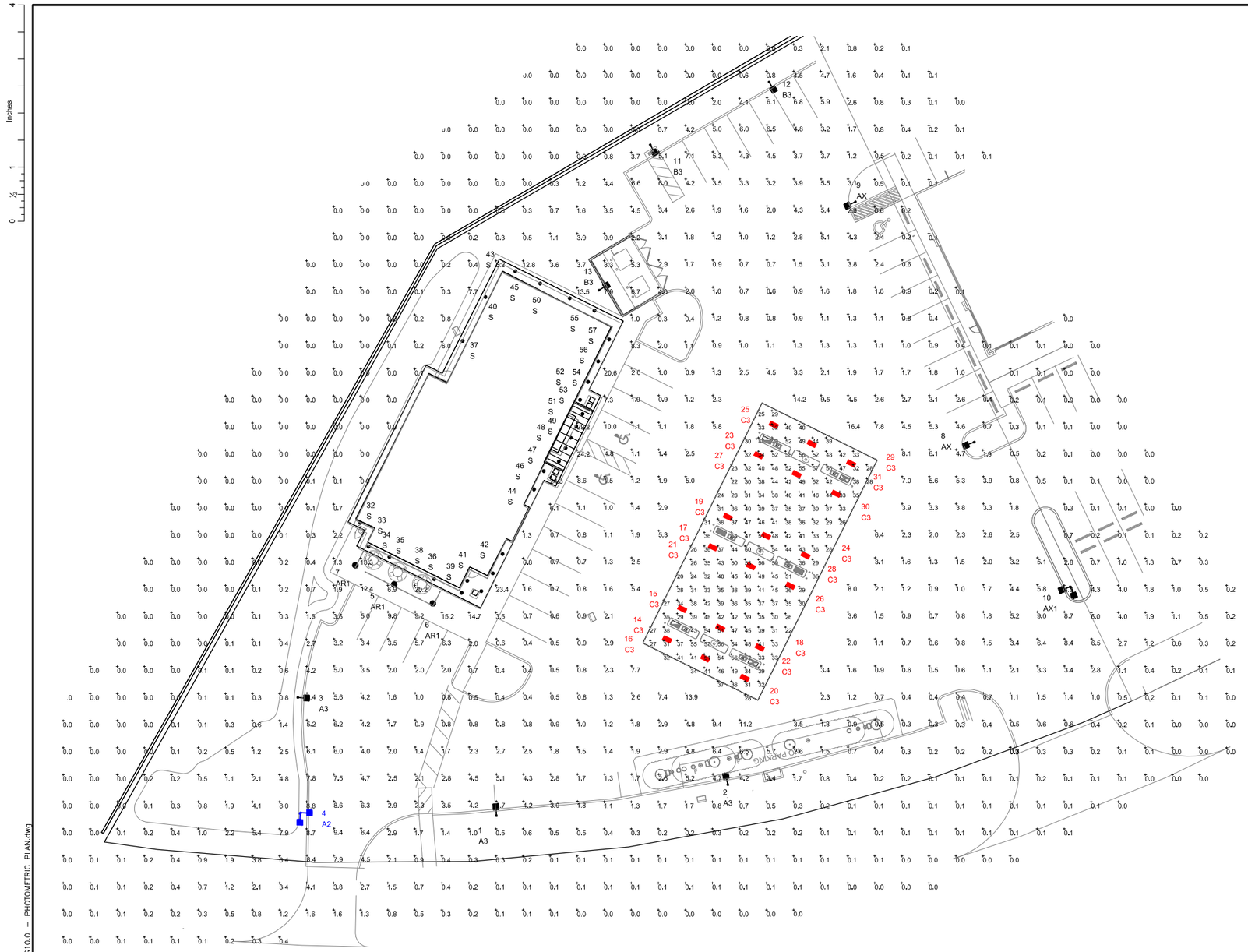
Project Title:
835 SEAWAY DR
FT. PIERCE, FL 34949

Drawing Title:
IRRIGATION NOTES, SCHEDULE, & DETAILS

Scale	Designed	Drawn	Checked	Authorized
	JAL	DF		
Original Size: ARCH D	Date	Date	Date	Date

Drawing Number: CFG08.4
Revision:

User: KEES1810
\\Fsmbs1000\Users$\PROJECTS\100052844 - CF - 801Seaway (Ft. Pierce)\10 CAD\CFG08.2 - IRRIGATION.dwg



red leonard associates
1340 Kemper Meadow Dr. | Cincinnati, OH 45240 | 513-574-9500
www.redleonard.com

NOTE:
- EXCEPT FOR TYPE "AR1" FIXTURES, ALL POLE MOUNTED FIXTURES ARE MOUNTED ON A 15FT POLE ATOP A CONCRETE BASE FLUSH AT GRADE.
-TYPE "AR1" FIXTURE IS MOUNTED ON AN 8 FT POLE ATOP A CONCRETE BASE FLUSH AT GRADE.

LUMINAIRE LOCATION SUMMARY		
LUM NO.	LABEL	MTG. HT.
1	A3	15
2	A3	15
3	A3	15
4	A2	15
5	AR1	8
6	AR1	8
7	AR1	8
8	AX	15
9	AX	15
10	AX1	15
11	B3	15
12	B3	15
13	B3	15
14	C3	14
15	C3	14
16	C3	14
17	C3	14
18	C3	14
19	C3	14
20	C3	14
21	C3	14
22	C3	14
23	C3	14
24	C3	14
25	C3	14
26	C3	14
27	C3	14
28	C3	14

LUMINAIRE LOCATION SUMMARY		
LUM NO.	LABEL	MTG. HT.
29	C3	14
30	C3	14
31	C3	14
32	S	12
33	S	12
34	S	12
35	S	12
36	S	12
37	S	12
38	S	12
39	S	12
40	S	12
41	S	12
42	S	12
43	S	12
44	S	12
45	S	12
46	S	12
47	S	15.5
48	S	16.945
49	S	16.945
50	S	12
51	S	16.945
52	S	12
53	S	15.5
54	S	12
55	S	12
56	S	12
57	S	12

CALCULATION SUMMARY					
LABEL	AVG	MAX	MIN	AVG/MIN	MAX/MIN
CANOPY	39.38	60	20	1.97	3.00
PAVED AREA	3.00	16.4	0.2	15.00	82.00
UNDEFIND AREA	0.95	29.2	0.0	N.A.	N.A.

LUMINAIRE SCHEDULE												
SYMBOL	QTY	LABEL	ARRANGEMENT	LUMENS	LATF	DIMMING LUMEN MULTIPLIER	LLF	BUG RATING	WATTS/LUMINAIRE	TOTAL WATTS	MANUFACTURER	DESCRIPTION
	1	A2	2 @ 90 DEGREES	10706	1.000	1.000	1.000	B3-U0-G3	132.5	265	CREE, INC.	ARE-EDG-3M-DA-06-E-UL-WH-700-57K
	3	A3	SINGLE	7896	1.010	1.000	1.010	B1-U0-G2	134	402	CREE, INC.	ARE-EDG-3MB-DA-06-E-ULWH-700-57K
	3	AR1	SINGLE	5325	1.010	1.000	1.010	B1-U0-G2	92	276	CREE, INC.	ARE-EDR-3MB-R5-04-E-UL-BK-700-57K
	2	AX	SINGLE	7896	1.010	1.000	1.010	B1-U0-G2	134	268	CREE, INC.	ARE-EDG-3MB-DA-06-E-ULWH-700-57K (FURNISHED AND INSTALLED BY OTHERS)
	1	AX1	2 @ 90 DEGREES_1	7896	1.010	1.000	1.010	B1-U0-G2	134	268	CREE, INC.	ARE-EDG-3MB-DA-06-E-ULWH-700-57K (FURNISHED AND INSTALLED BY OTHERS)
	3	B3	SINGLE	8480	1.010	1.000	1.010	B1-U0-G2	134	402	CREE INC.	ARE-EDG-4MB-DA-06-E-UL-WH-700-57K
	18	C3	SINGLE	21340	1.010	0.670	0.677	B4-U0-G1	138	2484	Cree Inc	CAN-228-SL-RM-09-E-UL-WH-700-57K (SWITCH SETTING 3)
	26	S	SINGLE	2483	1.010	1.000	1.010	B2-U0-G0	37.4	972.4	Cree Inc	KR6-30L-40K-120V-10V + KR6T-SSGC-WF

REV.	BY	DATE	DESCRIPTION
R1	TAS	2/20/19	UPDATED SITE PLAN
R2	TAS	4/3/19	REVISED FIXTURE TYPES AND ADDED ONE LIGHT POLE
R3	TAS	5/21/19	RELOCATED POLES AT ENTRANCES

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SCALE:	LAYOUT BY:
	TAS
DWG SIZE:	DATE:
D	2/12/19

PROJECT NAME:
CUMBERLAND FARMS
FT. PIERCE
DRAWING NUMBER:
RL-5964-S1-R3

rla

NORTH

0 10 20 40 60
GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 20'
HALF SIZE: 1" = 40'

PEDRO TREVIN
P.E. No. 75309
SIGNATURE DATE

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Client
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165 FLANDERS ROAD
WESTBOROUGH, MA 01581

Project Title
835 SEAWAY DR
FT. PIERCE, FL 34949

Drawing Title
PHOTOMETRIC PLAN

Scale	Designed	Drawn	Checked	Authorized
Original Size ARCH D	JAL	DF		
	Date	Date	Date	Date

Drawing Number: CFG10.0
Revision:

Inches 0 ½ 1 4

User: FNR4400
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AREA

PRODUCT INFORMATION

SYMBOL:	QTY:	LABEL:
	4	A3

ARE-EDG-3MB-DA-06-E-ULWH-700-57K

	3	AX

ARE-EDG-3MB-DA-06-E-ULWH-700-57K (FURNISHED AND INSTALLED BY OTHERS)

	3	B3

ARE-EDG-4MB-DA-06-E-UL-WH-700-57K

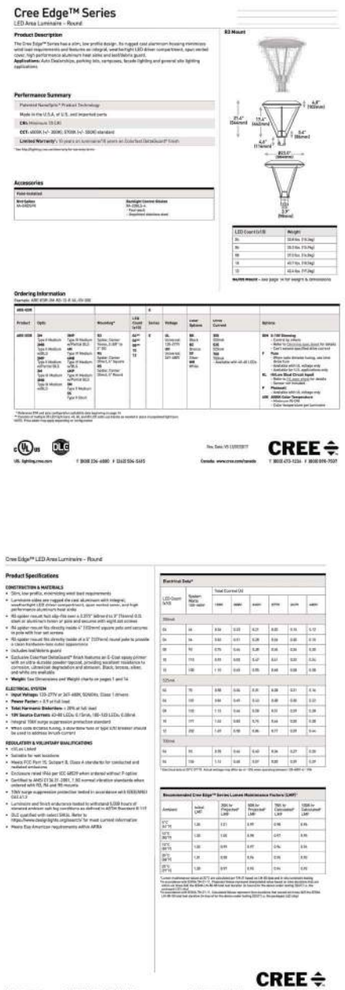


AREA

PRODUCT INFORMATION

SYMBOL:	QTY:	LABEL:
	3	AR1

ARE-EDR-3MB-R5-04-E-UL-BK-700-57K

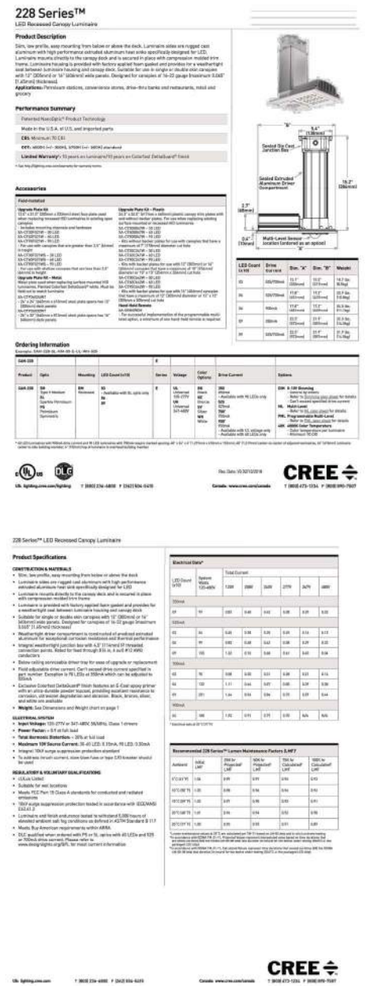


CANOPY

PRODUCT INFORMATION

SYMBOL:	QTY:	LABEL:
	18	C3

CAN-228-SL-RM-09-E-UL-WH-700-57K (SWITCH SETTING 3)

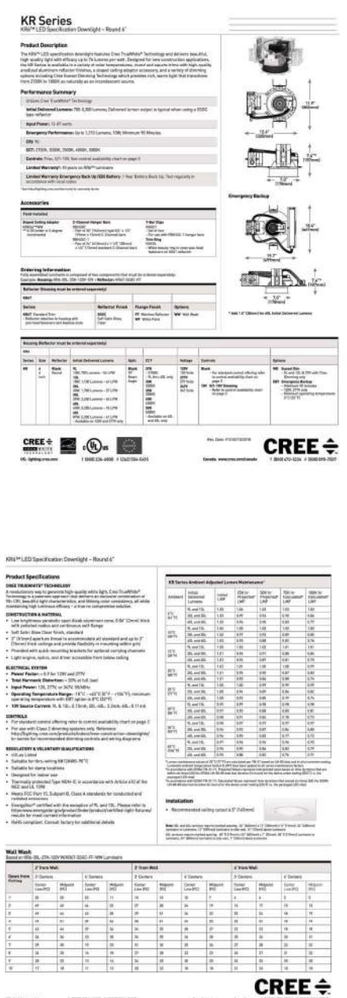


SOFFIT

PRODUCT INFORMATION

SYMBOL:	QTY:	LABEL:
	26	S

KR6-30L-40K-120V-10V + KR6T-SSGC-WF



rla
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RL-5964-S1-R2

DATE

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Rev.	Date	Description	By	Ch'd	Ap'd

Drawing Status: FOR INFORMATION

Suitability: S0

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7175 MURRELL ROAD
MELBOURNE, FL 32940
TEL. 321.242.4942
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CORPORATE OFFICE:
4030 W. BOY SCOUT BLVD
TAMPA, FLORIDA 33607
FBPR CERTIFICATE OF AUTHORIZATION NO.24
www.atkinsglobal.com

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Client: Cumberland Farms
CUMBERLAND FARMS INC.
165 FLANDERS ROAD
WESTBOROUGH, MA 01581

Project Title
835 SEAWAY DR
FT. PIERCE, FL 34949

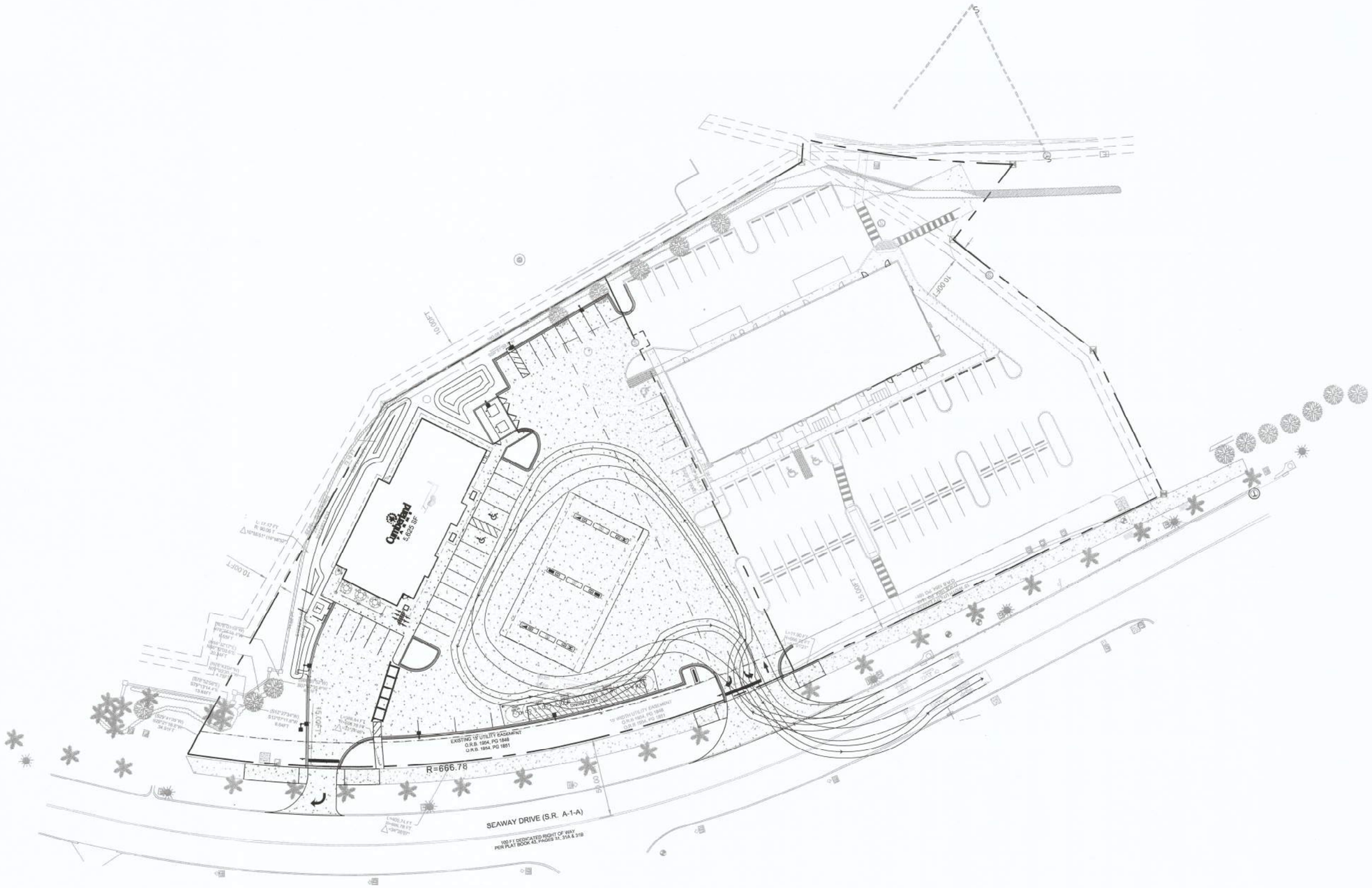
Drawing Title
SITE LIGHTING PLAN DETAILS

Scale	Designed	Drawn	Checked	Authorized
	JAL	DF		
Original Size: ARCH D	Date	Date	Date	Date

Drawing Number: CFG10.1

Revision:

User: FAR4400
\\Fusmba1000\civil$\PROJECTS\100062844 – CF – 801Seaway (Ft. Pierce)\10 CAD\CFG10.0 – PHOTOMETRIC PLAN.dwg



NORTH

0 15 30 60 120

GRAPHIC SCALE IN FEET
FULL SIZE: 1" = 30'
HALF SIZE: 1" = 60'

LEGEND AND ABBREVIATIONS

PROP.	PROPOSED
RPM	REFLECTIVE PAVEMENT MARKER
TYP.	TYPICAL
SQ. FT.	SQUARE FEET
ROW	RIGHT OF WAY
PGD	PAVING, GRADING AND DRAINAGE
CONC.	CONCRETE
C&G	CURB & GUTTER

PROPOSED CONCRETE SIDEWALK & PADS

EXISTING PROPERTY/ROW LINE

EXISTING EASEMENT

PROPOSED EASEMENT

T — TRANSFORMER PAD

EXISTING TREE TO REMAIN

JEFFREY LUCAS, P.E.
FLORIDA REG. NO. 71621

JEFFREY A. LUCAS LICENSE No 71621 STATE OF FLORIDA PROFESSIONAL ENGINEER

DATE 5-22-19

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Rev.	Date	Description	By	Ch'kd	Ap'vd

Drawing Status: FOR INFORMATION

Suitability: S0

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Client
Cumberland FARMS
CUMBERLAND FARMS INC.
165 FLANDERS ROAD
WESTBOROUGH, MA 01581

Project Title
835 SEAWAY DR
FT. PIERCE, FL 34949

Drawing Title
TURNING MOVEMENT PLAN

Scale	Designed	Drawn	Checked	Authorized
Original Size: ARCH D	JAL	DF		
	Date	Date	Date	Date

Drawing Number: CFG16.0

Revision:

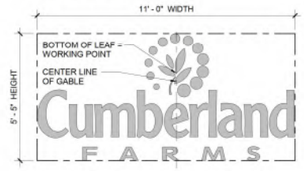
Inches 0 1/2 1 4

User: FitzHall
\\Tampa1000.civil$\PROJECTS\100062844 – CF – 801 Seaway (Ft. Pierce)\10 CAD\CFG24.0 – SITE PLAN.dwg

WALL SIGNAGE SPECIFICATION

CUSTOM FABRICATED INTERNALLY
ILLUMINATED SIGN THAT IS SUPPLIED BY
OWNER AND IS INSTALLED BY SIGN VENDOR.

SIGN AREA = 37.6 ft²



EXTERIOR FINISH SCHEDULE

MARK	DESCRIP.	MANUF.	MODEL	COLOR	NOTES
CS-1	CULTURED STONE	BORAL	COUNTRY LEDGESTONE	ECHO RIDGE	INSTALL DRYSTACK ONLY
FB-1	FIBERGLASS COLUMN SHROUD	PACIFIC COLUMNS	-	WHITE	16'x9' ENDURA STONE PLAIN COLUMN ROUND SHAFT WITH TRUE ENTASIS TAPERED SMOOTH FINISH.
MT-1	METAL STANDING SEAM ROOF			PREFIN; B.D.	
GU-1	ALUMINUM GUTTER SYSTEM	ATAS	.032	WHITE	PROVIDE ALL ACCESORIES REQ'D FOR A COMPLETE CONTINUOUS INSTALLATION. INSTALL PER MANUF. INSTRUCTIONS. ENSURE SEALED, WATERTIGHT CORNER CONNECTIONS. FLASH& SEAL TO DOWNSPOUTS AS REQ'D. PROVIDE SUPPORT STIFFENERS AT 12" MIN. O.C. GUTTER SHALL BE SEAMLESS & 6" MIN.
SW-1	SYNTHETIC WOOD TRIM	CERTAINTEED	-	WHITE	PROVIDE SCARF JOINTS ON ALL EXTERIOR SYNTHETIC WOOD TRIM. G.C. TO PUTTY ALL NAIL HOLES & PAINT ALL SYNTHETIC WOOD TRIM & PANELS.
SW-2	SYNTHETIC WOOD TRIM	CERTAINTEED	-	GREEN	PROVIDE SCARF JOINTS ON ALL EXTERIOR SYNTHETIC WOOD TRIM. G.C. TO PUTTY ALL NAIL HOLES & PAINT ALL SYNTHETIC WOOD TRIM & PANELS.
FC-1	FIBER CEMENT SIDING	JAMES HARDIE	HARDIEPLANK	PREFIN. TBD	6" EXPOSURE. CEDARMILL FINISH. PROVIDE ALL REQ'D ACCESSORIES AND TRIM FOR A COMPLETE INSTALLATION.
FC-2	FIBER CEMENT SHINGLES	JAMES HARDIE	HARDIESHINGLE	PREFIN. TBD	5" EXPOSURE. STRAIGHT EDGE PANEL. PROVIDE ALL REQ'D ACCESSORIES AND TRIM FOR A COMPLETE INSTALLATION.



3 FRONT SIDE PERSPECTIVE - SD



2 LEFT SIDE ELEVATION - SD
3/16" = 1'-0"



1 FRONT ELEVATION - SD
3/16" = 1'-0"

HFA
Creative Solutions
Meaningful Places
HARRISON FRENCH & ASSOCIATES, LTD
t 508.528.0770
31 Hayward Street
Franklin, Massachusetts 02038
www.hfa-ar.com

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Cumberland FARMS

Store # TBD
VSH # TBD
Oracle # FL8719
801 Seaway
Ft. Pierce, FL 34949

JOB NUMBER: 41-18-00230

ISSUE BLOCK

90% CDs	08/30/18

CHECKED BY: Checker
DRAWN BY: Author

EXTERIOR ELEVATIONS

SHEET:
A-200

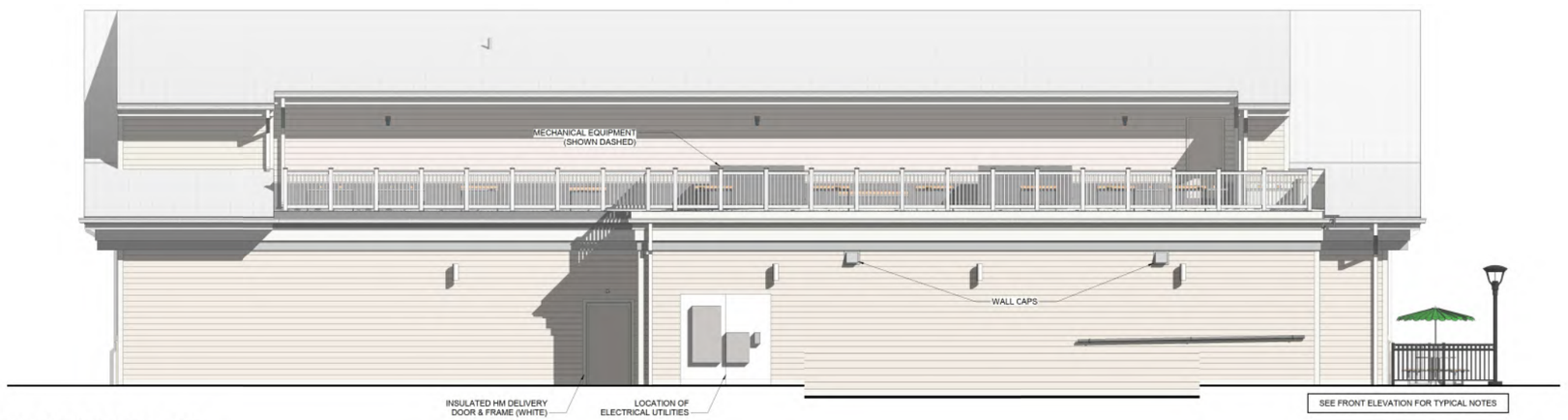
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C:\Users\david.farmer\Documents\2018 Revit Projects\41-18-00230_AM03-LVL_Ft Pierce Seaway_v18_david.farmer.rvt



3 REAR SIDE PERSPECTIVE - SD



2 RIGHT SIDE ELEVATION - SD
3/16" = 1'-0"



1 REAR ELEVATION - SD
3/16" = 1'-0"

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Cumberland FARMS

Store # TBD
VSH # TBD
Oracle # FL8719
801 Seaway
Ft. Pierce, FL 34949

JOB NUMBER: 41-18-00230

ISSUE BLOCK

CHECKED BY:	Checker
DRAWN BY:	Author

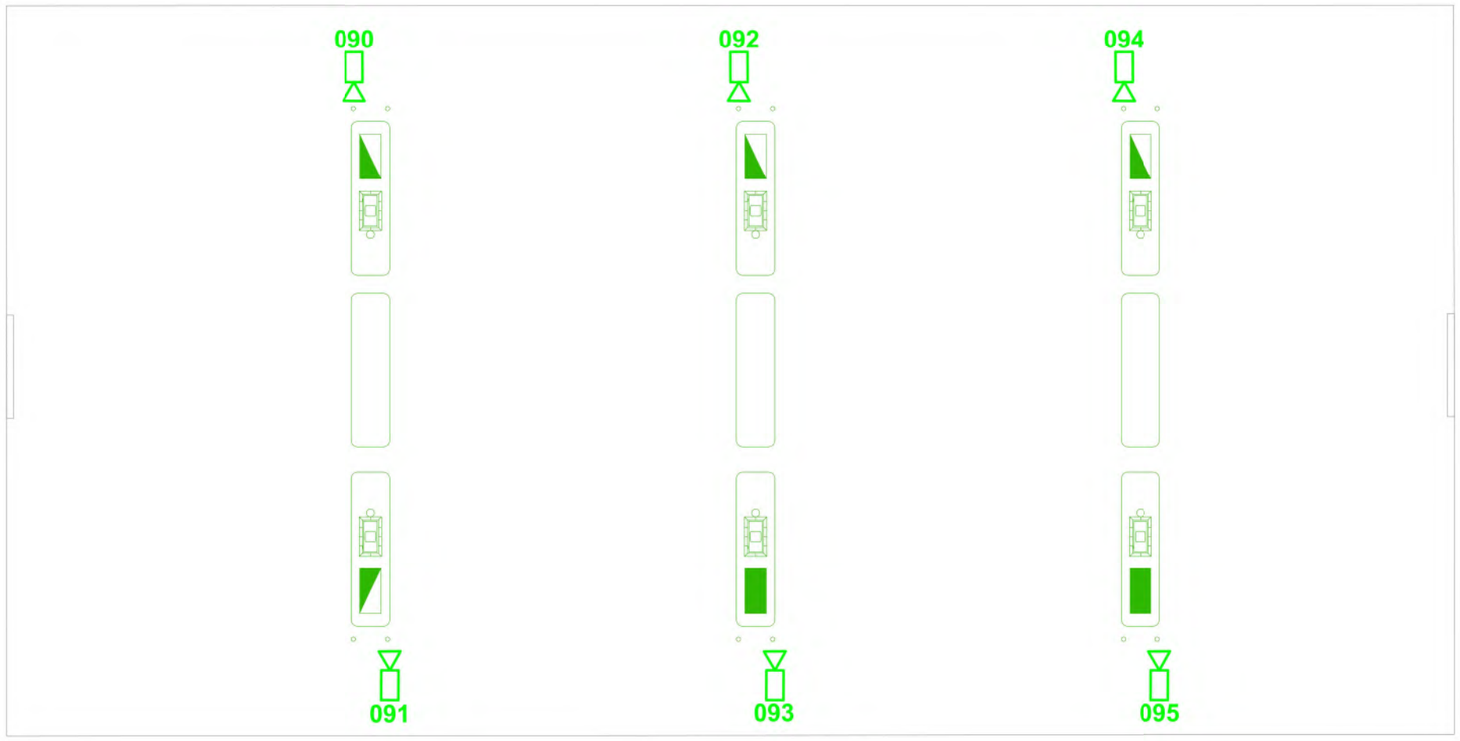
EXTERIOR ELEVATIONS

SHEET:
A-201

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4.0/1.0/2018/1.0/1.0/1.0

SECURITY LEGEND

EXTERIOR BULLET CAM



REVISIONS

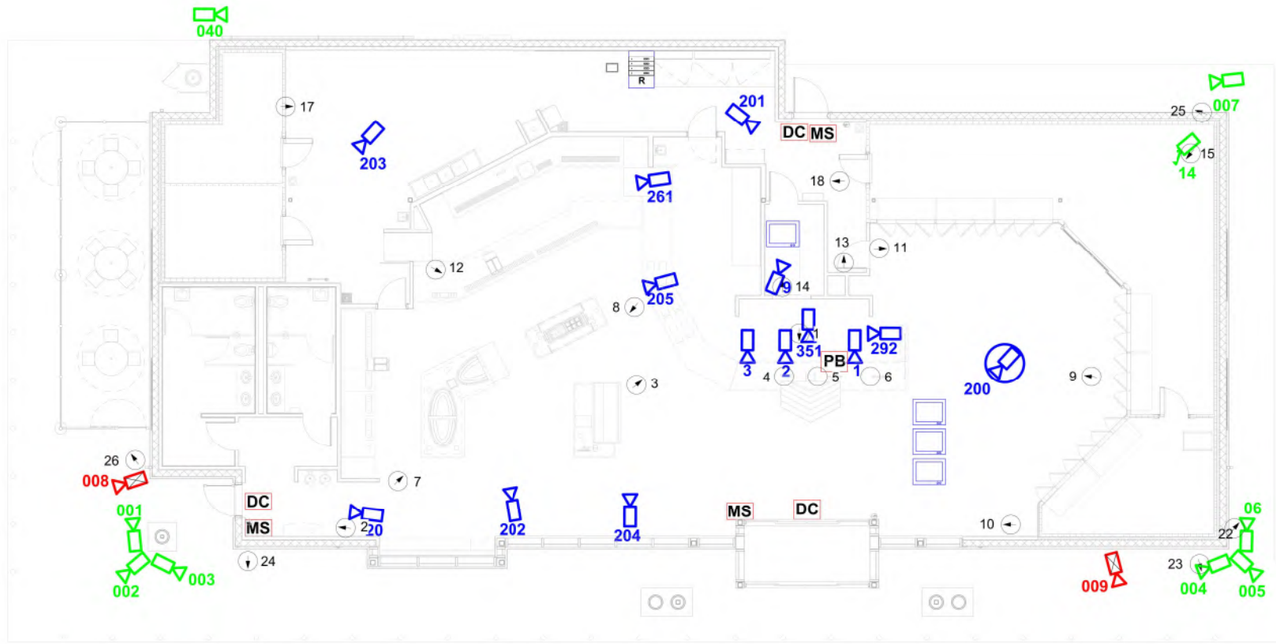
NO.	DATE	BY	REVISION

ECI SYSTEMS
68 STILES ROAD , UNIT C
SALEM, NH 03079
(800) 639-2086 • www.ecintegrated.com

SCALE N.T.S.
DATE 4/3/2019
DRAWN BY DB
CHECKED BY JC

TITLE: CAMERA LAYOUT - GAS PUMPS
PROJECT: CUMBERLAND FARMS STORE
CLIENT: CUMBERLAND FARMS
FORT PIERCE, FL

JOB NO.
DWG. NO.
SEC02



SECURITY NOTES

SPOT MONITOR IS TO CONTAIN THE FOLLOWING VIEWS:

- BEER CAVE
- SIDE DOOR/RESTROOMS
- ENERGY DRINK DOOR
- CANDY

SECURITY LEGEND

- EXTERIOR MULTI-SENSOR DOME
- EXTERIOR 2MP DOME
- INTERIOR 360 DOME
- INTERIOR FIXED DOME
- DC — DOOR CONTACT
- MS — MOTION SENSOR
- R — NETWORK RACK AND NVR LOCATION
- SECURITY MONITOR
- EXTERIOR 22MM LICENSE PLATE CAMERA

REVISIONS

NO.	DATE	BY	REVISION

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SALEM, NH 03079
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SCALE N.T.S.
DATE 4/3/2019
DRAWN BY DB
CHECKED BY JC

TITLE: CAMERA LAYOUT - STORE
PROJECT: CUMBERLAND FARMS STORE
CLIENT: CUMBERLAND FARMS
FORT PIERCE, FL

JOB NO.
DWG. NO
SEC01

Cumberland

FARMS

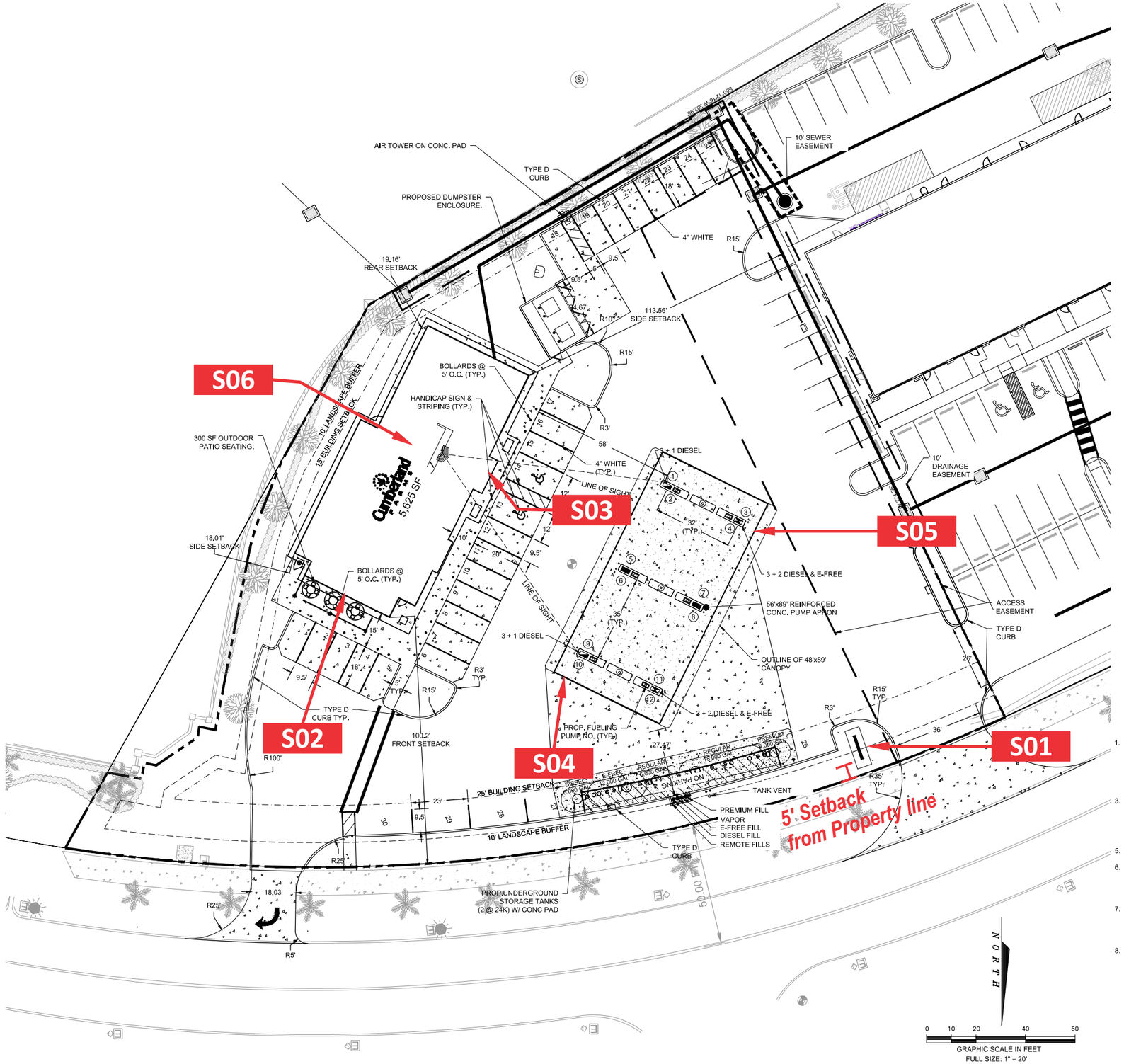
Location #835
801 Seaway Dr
Fort Pierce, FL

SO #99677
Created: 03.07.2019
Revised: 04.25.2019

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Site Plan



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Revisions:	
...	...
...	...
...	...
...	...
...	...

SP

PM: M.G	Address: 801 Seaway Dr.
Drawn By: TLD	City State: Fort Pierce, FL
Date: 03/06/2019	Drawing Number: 99677-SP

Pylon | Custom 10'

Continued on next page

Action:

- Manufacture and Install new pylon as shown.
- Customer to provide LED pricer units.



Material & Color:

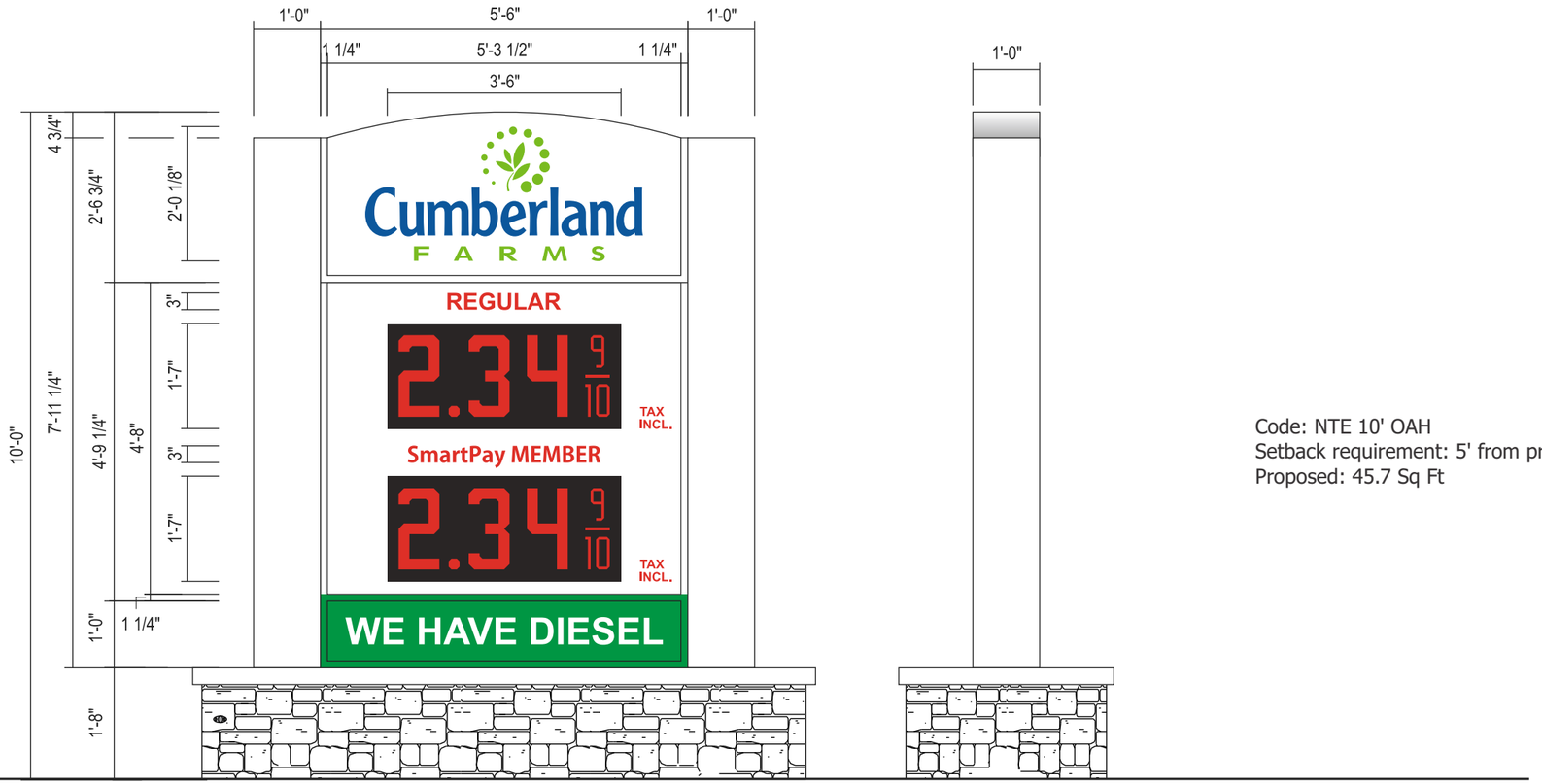
C1 Pantone Color: **301C**
Opaque Vinyl: **3M Vivid Blue 180C-17**
Translucent Vinyl: **3M Bristol Blue 3630-97**

C2 Pantone Color: **376C**
Opaque Vinyl: **3M Apple Green 180C-198**
Translucent Vinyl: **3M Brilliant Green 3630-106**
Green ACM: **Alcoa Reynobond Duragloss 3000** Outrageous Green

C3 Paint Color: **Cumberland Farms White matches Alcoa Shell White (300G B-10, .1g B-44)**

C4 Pantone Color: **186C**
Opaque Vinyl: **3M Geranium Red 180C-63**
Translucent Vinyl: **3M Cardinal Red 3630-53**

C5 Opaque Vinyl: **3M Bright Green 186**
Translucent Vinyl: **3M Vivid Green 3630-156**



Code: NTE 10' OAH
Setback requirement: 5' from property line.
Proposed: 45.7 Sq Ft

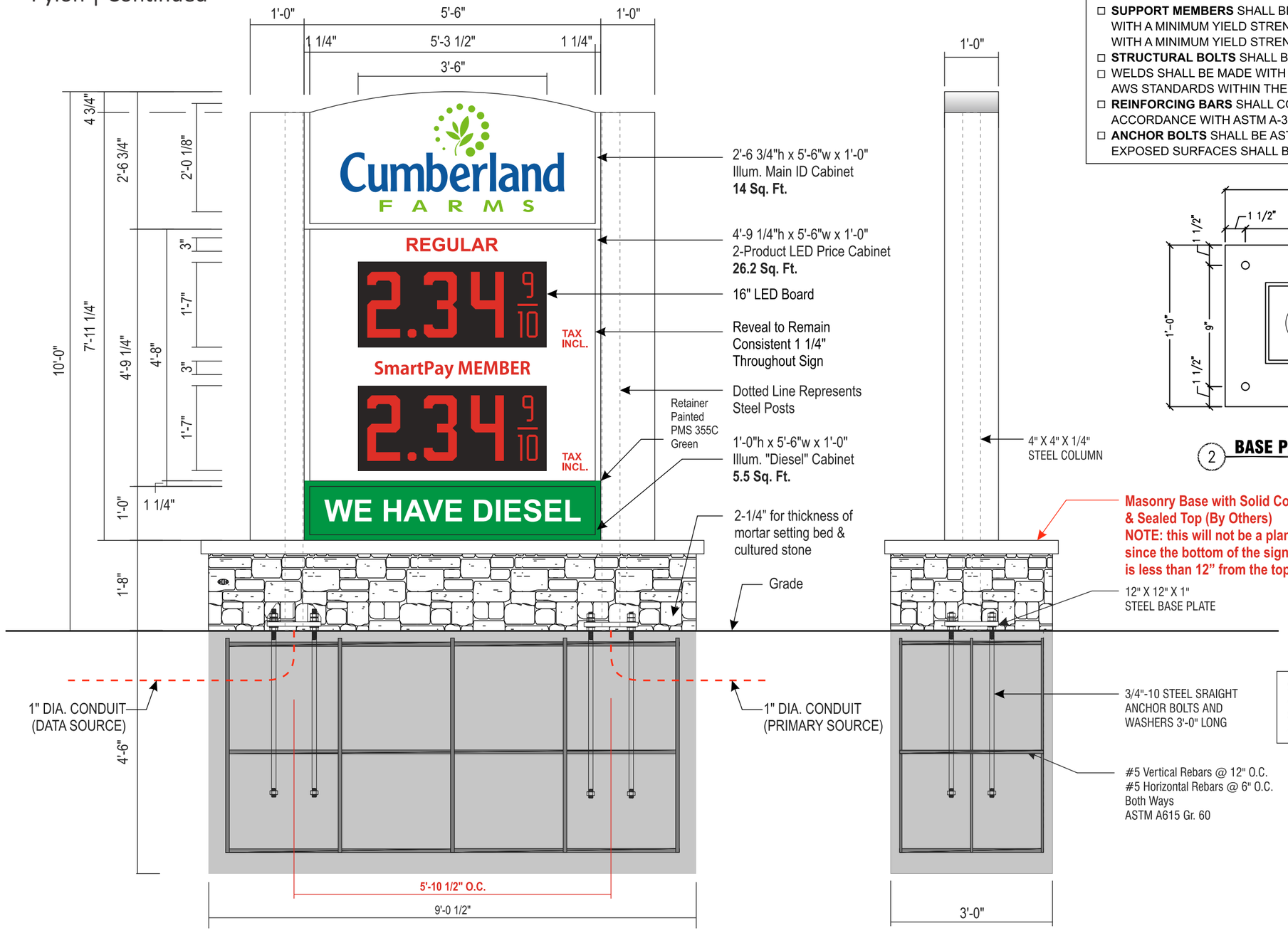
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Revisions:	
Revised pylon 04.08.2019 TLD	...
Revised to 10' Tall pylon per code 04.25.2019	...
...	...
...	...
...	...

S1.0

PM: M.G		Address: 801 Seaway Dr.	
Drawn By: TLD		City State: Fort Pierce, FL	
Date: 03/06/2019		Drawing Number:	99677-S1.0

Pylon | Continued



Side View

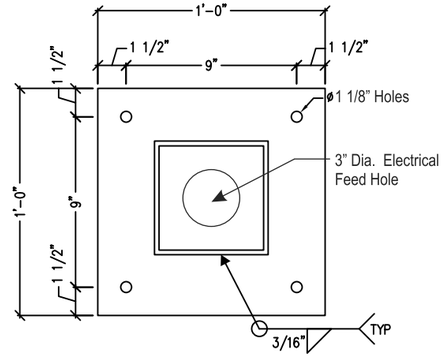
D.F. ILLUMINATED PYLON - 45.7 SQ. FT.

QTY: 1

SCALE: 1/2"=1'-0"

STRUCTURAL STEEL SPECIFICATIONS:

- ☐ **SUPPORT MEMBERS** SHALL BE FREE FROM DEFECTS. TUBE SHALL MEET ASTM A500 GRADE B, WITH A MINIMUM YIELD STRENGTH OF 46000 PSI. PIPE SHALL MEET ASTM A53 GRADE B, WITH A MINIMUM YIELD STRENGTH OF 35000 PSI. PLATE AND ANGLE SHALL MEET ASTM A36.
- ☐ **STRUCTURAL BOLTS** SHALL BE ZINC COATED A325 UNLESS OTHERWISE NOTED.
- ☐ WELDS SHALL BE MADE WITH E70XX ELECTRODES BY PERSONS QUALIFIED IN ACCORDANCE WITH AWS STANDARDS WITHIN THE PAST TWO YEARS.
- ☐ **REINFORCING BARS** SHALL CONFORM TO ASTM A615 GRADE 60 WITH DEFORMATIONS IN ACCORDANCE WITH ASTM A-305. WELDING OF REINFORCING BARS IS PROHIBITED.
- ☐ **ANCHOR BOLTS** SHALL BE ASTM F1554-07 GRADE 55 ROUND STOCK. EXPOSED SURFACES SHALL BE GALVANIZED OR HAVE BITUMINOUS COATING TO PREVENT CORROSION.



2 **BASE PLATE**
SCALE: 1-1/2"=1'-0"

AREA/WEIGHT	
SIGN SQUARE FOOTAGE	80 SQ.FT.
ESTIMATED SIGN WEIGHT	840 LBS.

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF SIGN.

SIGN BASED ON DESIGN LOADS:
2014 FLORIDA BUILDING CODE,
SECTION 16 WIND LOAD.
RISK CATEGORY II. EXPOSURE C.
ASCE 7-10, 150 mph.
SOIL RESISTANCE 150 psf/ft

FOUNDATION NOTE:
3000 PSI CONCRETE @ 28 DAYS
2000 PSF SOIL BEARING
150 PSF/FT SOIL LATERAL BEARING
UNDISTURBED SOIL

SPREAD FOUNDATION
4'-6" X 9'-0 1/2" X 3'-0"
CONCRETE REQUIRED:
4.0 CU. YD.

ELECTRICAL

AMPS:	7	AMPS	
V.A.:	120	VOLTS	WATTS: 840
CIRCUITS:	2-20 amp CIRCUIT		

NOTE: EMU TO HAVE A DEDICATED 20 AMP CIRCUIT

THIS SIGN TO BEAR THIS MARK

Underwriters Laboratories

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Revisions:	
Revised pylon 04.08.2019 TLD	...
Revised to 10' Tall pylon per code 04.25.2019	...
...	...
...	...
...	...

S1.1

PM: M.G	Address: 801 Seaway Dr.
Drawn By: TLD	City State: Fort Pierce, FL
Date: 03/06/2019	Drawing Number: 99677-S1.1

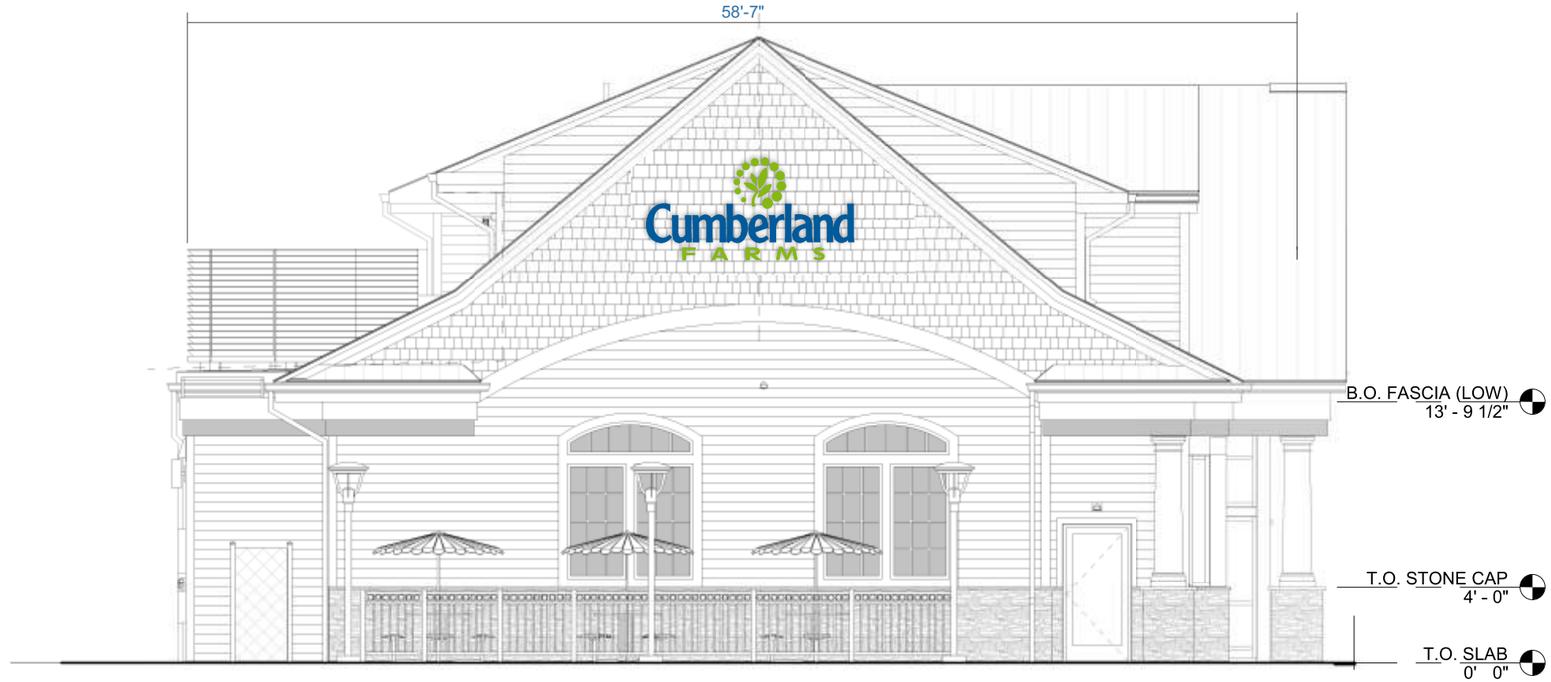
Channel Letters | Remote
(West Elevation)

Action:

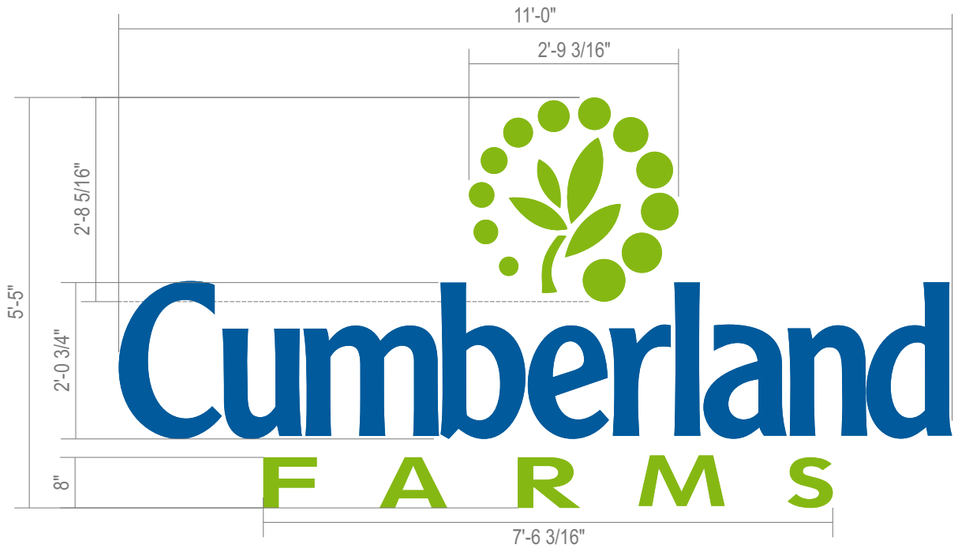
- Install new letterset as shown.
- Channel letters to be mounted to clapboard siding with non corrosive hardware and
- standoffs.
  All holes and seams to be sealed and caulked.

Material & Color:

- Vinyl - 3M 3630-97 Bristol Blue
- Vinyl - 3M 3630-106 Brilliant Green
- Returns - Painted to match PMS 301C
- Returns = Painted to match PMS 376C
- Trim Cap - Blue Jewelite
- Trim Cap = Green Jewelite
- Faces - 2406 White Acrylic
- Illumination - White LED



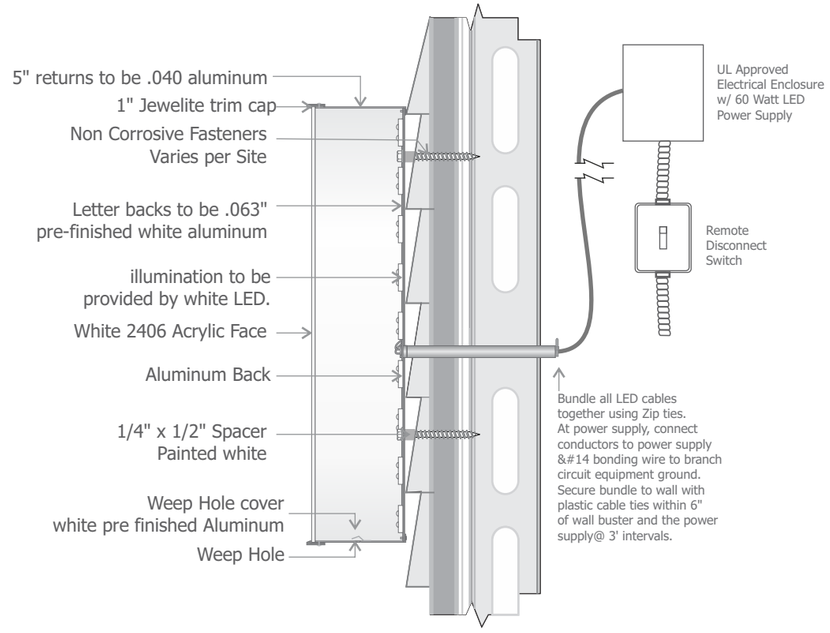
WEST ELEVATION
1/8" = 1'



CF-CHLTR-24
Modified Logo

37.6 Sq Ft





Scale 1:30

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Revisions:	
Revised letterset 03.26.2019 TLD	...
...	...
...	...
...	...
...	...

S02

PM: M.G	Address: 801 Seaway Dr.
Drawn By: TLD	City State: Fort Pierce, FL
Date: 03/06/2019	Drawing Number: 99677-S02

Channel Letters | Remote

Action:

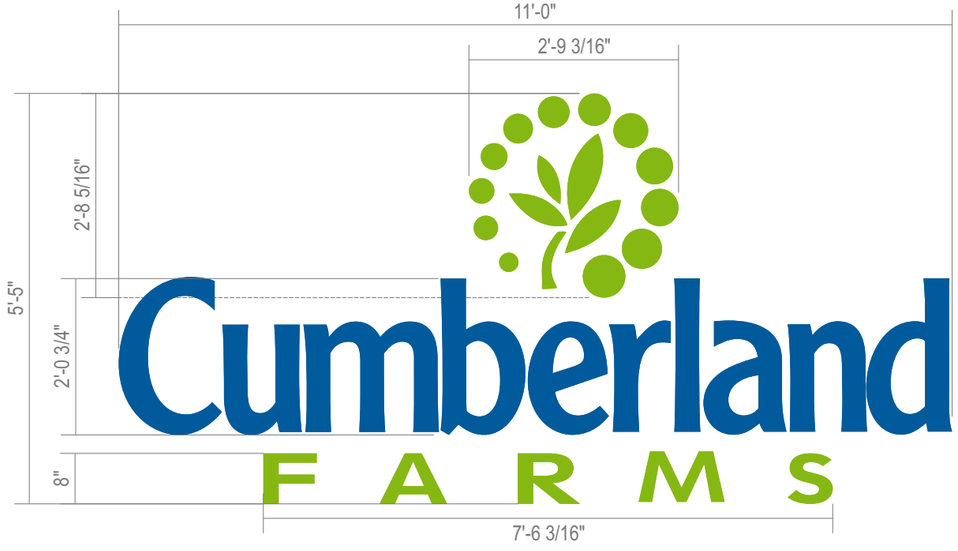
- Install new letterset as shown.
- Channel letters to be mounted to clapboard siding with non corrosive hardware and
- standoffs.
  All holes and seams to be sealed and caulked.

Material & Color:

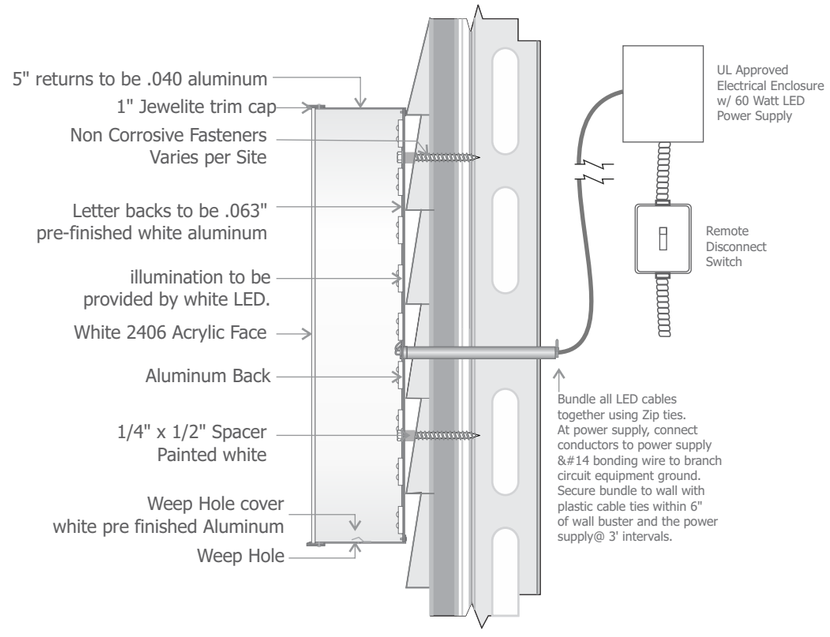
- Vinyl - 3M 3630-97 Bristol Blue
- Vinyl - 3M 3630-106 Brilliant Green
- Returns - Painted to match PMS 301C
- Returns = Painted to match PMS 376C
- Trim Cap - Blue Jewelite
- Trim Cap = Green Jewelite
- Faces - 2406 White Acrylic
- Illumination - White LED



NORTH ELEVATION
3/32" = 1'







CF-CHLTR-24
Modified Logo

37.6 Sq Ft

Scale 1:30

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Revisions:	
Added 03.14.2019 TLD	...
Revised letterset 03.26.2019 TLD	...
Revised per code 04.25.2019 TLD	...
...	...
...	...

S03

PM: M.G	Address: 801 Seaway Dr.
Drawn By: TLD	City State: Fort Pierce, FL
Date: 03/06/2019	Drawing Number: 99677-S03

Illuminated Canopy Sign | Left

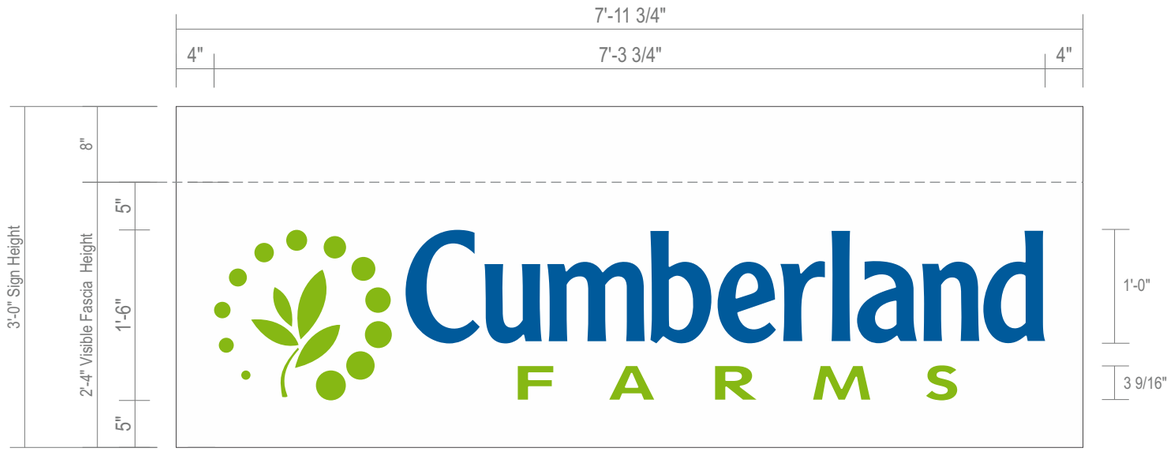
Action:

- Install new internally illuminated canopy sign.
- Canopy sign to be ACM aluminum with routed push through faces. Mounted to canopy with non corrosive fasteners.

Material & Color:

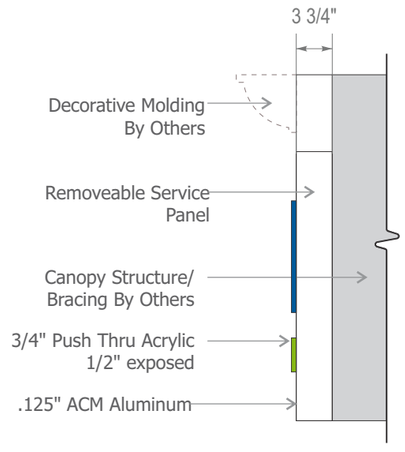
- Vinyl - 3M 3630-97 Bristol Blue
- Vinyl - 3M 3630-106 Brilliant Green
- Push Thru Faces - Clear Acrylic
- Aluminum - Painted Alcoa-Shell White
- Illumination - White LED





CF-CAN-18-LED-LH

11.0 Sq Ft



atlas
BRANDING THE WORLD

National Headquarters: 1077 West Blue Heron Blvd.
West Palm Beach, Florida 33404
800.772.7932
www.atlasbtw.com

Revisions:	
Revised palcement 03.26.2019 TLD	...
...	...
...	...
...	...
...	...

S04

PM: M.G	Address: 801 Seaway Dr.
Drawn By: TLD	City State: Fort Pierce, FL
Date: 03/06/2019	Drawing Number: 99677-S04

Illuminated Canopy Sign | Right

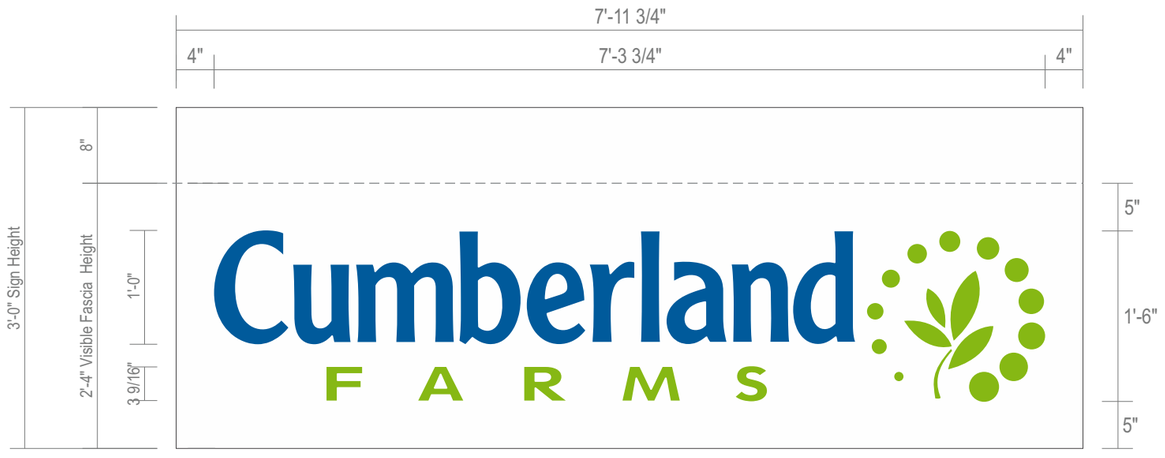
Action:

- Install new internally illuminated canopy sign.
- Canopy sign to be ACM aluminum with routed push through faces. Mounted to canopy with non corrosive fasteners.



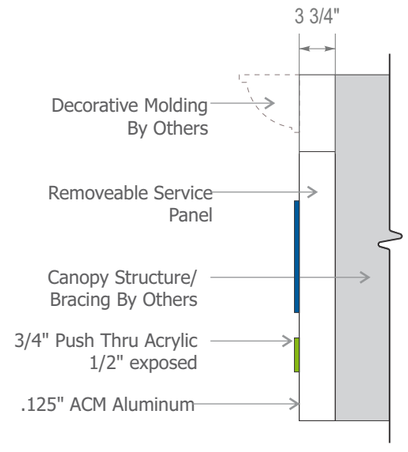
Material & Color:

- Vinyl - 3M 3630-97 Bristol Blue
- Vinyl - 3M 3630-106 Brilliant Green
- Push Thru Faces - Clear Acrylic
- Aluminum - Painted Alcoa-Shell White
- Illumination - White LED



CF-CAN-18-LED-RH

11.0 Sq Ft



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Revisions:	
Added 03.14.2019 TLD	...
...	...
...	...
...	...
...	...

S05

PM: M.G	Address: 801 Seaway Dr.
Drawn By: TLD	City State: Fort Pierce, FL
Date: 03/06/2019	Drawing Number: 99677-S05

Interior Low Profile Face Lit Letters | Remote (Interior Elevation)

Action:

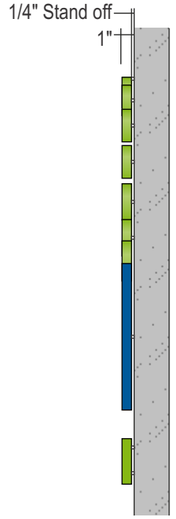
- Install new letterset as shown.
- Letterset to be 1" deep clear acrylic with 1/2" pocket routed out for LEDs.
- Vinyl applied to face of letters. Returns to be painted to match specs below. Letter backs to have .040" aluminum applied to back. Letterset to be stud mounted to wall with 1/4" spacers.

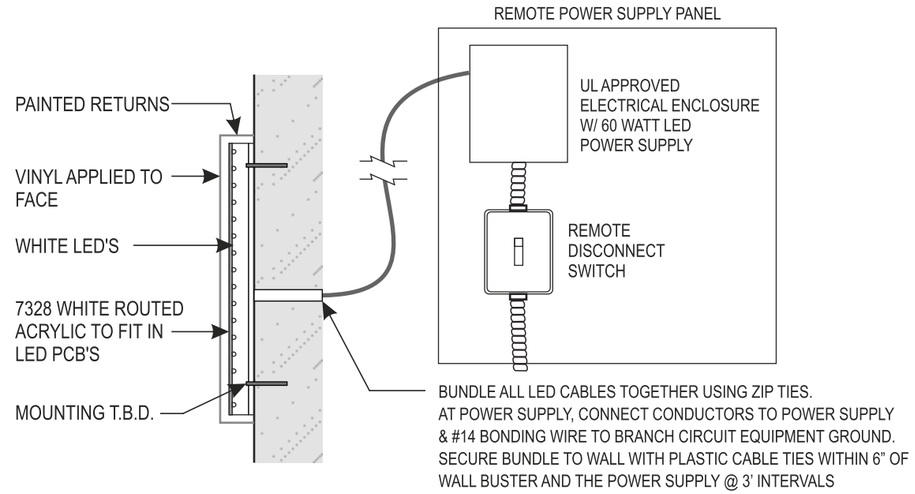
Material & Color:

- Vinyl - 3M 3630-97 Bristol Blue
- Vinyl - 3M 3630-106 Brilliant Green
- Returns - Painted to match PMS 301C
- Returns = Painted to match PMS 376C
- Clear Acrylic
- Illumination - White LED



CF-LPLTR-24
Modified Logo





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Revisions:	
Added 03.14.2019 TLD	...
...	...
...	...
...	...
...	...

S06

PM: M.G		Address: 801 Seaway Dr.	
Drawn By: TLD		City State: Fort Pierce, FL	
Date: 03/06/2019		Drawing Number:	99677-S06



835 Seaway Dr
Fort Pierce FL

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RLAtechnolgy.com
513-57 4-9500

RLA TECHNOLOGY SOLUTIONS

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May 22, 2019
Brandon Creagan
LEED Green Associate, Planner
100 North US 1
Fort Pierce, FL 34950
Phone: (772) 467-3742

Technical Review Project Number: # **19-43900002**
Project Name: **Cumberland Farms 835 Seaway Drive**

RE: DEVELOPMENT & DESIGN REVIEW (MAJOR AMENDMENT TO PD)

We are pleased to provide you with our responses below in bold to address comments provided on April 17, 2019 for the above-mentioned project.

GENERAL COMMENTS

1. The project boundaries do not coincide with a recent plat submittal for subdivision of Tract D-1; please modify the site plan accordingly, specifically the eastern and northern property lines.

   Response: Boundaries have been revised to match. See Site Plan sheet CFG04.0 and revised survey.

2. Add a note to the site plan specifying the relocation of the two (2) SR A1A streetlights and one (1) royal palm tree must be coordinated with the City of Fort Pierce Engineering Department.

   Response: Per discussion with Tracy Telle, noting these items on the plans as by others is sufficient to address this comment.

3. Relocate all parking from within the limits of the 53.17' Access Easement in accordance with the requirements specified in the recorded agreement; refer to ORB 4185, Page 1545, or provide a revised recorded Access Easement permitting parking.

   Response: Per discussion with Tracy Telle on May 21, a revised Access Easement Agreement will be noted as a condition of site plan approval.

4. It does not appear that the appropriate landscape buffers are in place between the building and the proposed detention area; refer to Code of Ordinances Section 22-187(4).

   Response: Drainage plan has been revised to include a 10' buffer between the building and the area designated as dry retention.

5. All detention and retention areas are required to be screened with a 36" hedge per City of Fort Pierce Code of Ordinances Section 17-34; please revise the landscape plan accordingly.

   Response: Landscape plan has been revised to include hedge screening.

6. The new detention area appears to encroach into the existing oak trees root system as the trees will be located within the detention bank; how will this be accomplished without damaging the root system and ultimately the trees?
   Response: The trees will be removed and replaced to just outside the top of bank of detention to be between the wall and detention.

7. The demolition plan reflects the removal of six (6) oak trees along the southern property line yet the landscape plan identifies four (4) of these oak trees to remain, please identify the size of these trees and provide the appropriate mitigation calculations.
   Response: Landscape plans and Demolition Plan have been revised to match.

8. The submitted traffic report inaccurately identified Seaway Drive as a four-lane roadway between Indian River Drive and Harbour Isle Drive (refer to Exhibits 2 thru 5). The applicant shall revise the exhibits and applicable roadway/intersection analysis to reflect Seaway Drive as a two-lane roadway east of Causeway Cove Marina located near the base of the bridge.
   Response: See Traffic Study Response to Comments Letter.

9. Relocate the proposed site lights situated at the two driveways, from within the limits of the 15' Utility Easement.
   Response: Site lighting has been moved out of the easement, see CFG10.0, Photometric Plan.

10. Remove the mitered endwalls and culvert pipe from the two driveways, as the SR A1A drainage system is void of roadside swales.
    Response: Culverts and mitered end sections have been removed from the right of way on all affected sheets.

11. Add a stop sign and stop bar to the eastern driveway.
    Response: Stop bar and Stop sign have been added to the eastern driveway.

12. Advisory Comment: The traffic study submitted to FDOT for pre-approval was based on an additional access through the Harbour Isle development. How will the elimination of this ingress/egress access affect the traffic flow along Seaway Drive? During review of the Site Work application, the applicant will be asked to provide a copy of the FDOT Access permit issued based on the updated traffic study
    Response: See Traffic Study Response to Comments Letter.

If you require any additional information or have any questions, please contact me at (321) 775-6647 or Jeff.Lucas@atkinsglobal.com. We look forward to having a great project come to fruition.

Sincerely,



Jeff Lucas, P.E.
Senior Engineer/Project Manager, Civil

ATKINS

Atkins North America, Inc.
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Fax: +1.321.242.6101

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April 29, 2019
Brandon Creagan
LEED Green Associate, Planner
100 North US 1
Fort Pierce, FL 34950
Phone: (772) 467-3742

Technical Review Project Number: **# 19-43900002**
Project Name: Cumberland Farms 835 Seaway Drive

RE: DEVELOPMENT & DESIGN REVIEW (MAJOR AMENDMENT TO PD)
We are pleased to provide you with our responses below in bold to address comments provided on April 17, 2019 for the above-mentioned project.

GENERAL COMMENTS

1. The site plan denotes a 23 foot tall sign along Seaway Drive. Per City Code 15-6(b)(3)(a), Sites that are less than or equal to three (3) acres shall have a maximum sign height of ten (10) feet. Because this project is in a Planned Development a Variance would not be allowed. Please adjust the height so that both the planter and sign are no more than 10 feet combined. Please note that all signs will be approved separately under individual Building Permits.

   Response: Sign plan has been revised to show a 10' max height, see Sign Drawing.

2. Provide documentation of the proposed cross access agreement with the adjacent property owner.

   Response: A draft copy will be provided once it becomes available for review.

3. A lighting plan or photometric survey that is consistent with City Code 22-60(j)(1)(a) will be required at the time of Building Permit.

   Response: Photometric plan and site plan details included in CFG10.0 and CFG10.1 respectively.

4. Advisory Comment: If possible please provide trip generation numbers for the current Cumberland Farms Site to compare the number of trips on the current site to the number of anticipated trips on the proposed site.

   Response: See included traffic study by Mackenzie dated April 19, 2019.

5. Provide bike parking pursuant to City Code 22-60 (f)(1)(a)

   Response: Bike parking included on site and shown on sheet CFG04.0, Site Plan.

FORT PIERCE ENGINEERING DEPARTMENT

1. Update the site plan to identify all property boundary dimensions and bearings.
   Response: Please see updated site plan, CFG04.0.

2. The site plan shall include a legal description of the property.
   Response: Legal description provided on Cover sheet.

3. The project boundaries do not coincide with a recent plat submittal for subdivision of Tract D-1; please modify the site plan accordingly.
   Response: Boundary callouts have been revised to be consistent with latest plat submission, see Sheet CFG04.0, Site Plan.

4. The survey submitted was not certified nor did it identify all recorded easements situated within the limits of the property. Please update the survey to include project boundaries per the recently submitted plat documents, recorded easements, total site area, and any other pertinent information as specified Section 17-27 of the City of Fort Pierce Code of Ordinances.
   Response: Certified ALTA survey is included with this submittal.

5. Update the site plan to reflect all impacted existing improvements (streetlights, palm trees, etc.) located with SR AIA and the proposed relocation these items.
   Response: All impacted existing improvements shown on demolition plan sheet CFG03.0

6. Relocate the northeastern detention area to the rear of the property as specified in the City of Fort Pierce Code of Ordinances Section 17-34(c).
   Response: The northeastern detention pond has been removed from the current plans. A conveyance swale has been added to pick up sheet flow and route to the rear dry detention pond.

7. Relocate all parking from within the limits of the 53.17' Access Easement in accordance with the requirements specified in the recorded agreement; refer to ORB 4185, Page 1545.
   Response: The easement language will be modified to included provisions for this parking, or the limits of the easement will be changed. A draft easement will be provided when it becomes available.

8. Provide a copy of the Auto-Turn analysis depicting the movements of a fuel tanker truck servicing the fuel tanks.
   Response: Auto turn analysis performed and provided on Turning Movements Plan, Sheet CFG16.0.

9. Provide a copy of the traffic report supporting the specified peak hour traffic as specified on the submitted Transportation Analysis. The report shall include information required under Section 22-217 for large-scale developments.
   Response: See included traffic study by Mackenzie dated April 19, 2019.

10. The site plan reflects a 15' utility easement along the north side of the parcel; is this existing or proposed and to whose benefit?
    Response: The easement is existing and corresponding reference to Official record is included on the latest survey, included with this submittal. See Sheet CFG02.0, Survey.

FORT PIERCE POLICE DEPARTMENT

1. Please consider moving the outdoor seating area further out (sliding the entire area towards the front of the building) to maximize the opportunity for natural surveillance of the fuel pumping area and general parking area by the users of that outdoor space.

   Response: Surveillance will be provided inside and outside the store with equipment for constant monitoring to minimize blind spots where criminal activity could occur. Please see included security camera exhibit.

FORT PIERCE UTILITIES AUTHORITY

1. FPUA W/WW Engineering: Approved

   Response: Thank you.

2. FPUA Electric & Gas Engineering: Approved - Both electric and fiber optic services are available to the site. Utility easement will be required for the propose FPUA facilities.

   Response: A utility easement will be prepared after utilities installation and provided prior to certificate of completion.

ST LUCIE COUNTY PLANNING DEPARTMENT

1. Please provide a Traffic Impact Report for the proposed development, inclusive of driveway analysis. Based upon the projected trip generation, access points, roadway level of set vice, turn lanes may be recommended. In review of the project size and type, ITE Use Code 960, Super Convenience Market/Gas Station, based upon the independent review variable of 1,000 sq. ft. GFA, the project is estimated to generate 4707 AADT, whereas much may be pass-by, however such analysis should be conducted. Based upon the proposed traffic generation, greater capacity for vehicle stacking (in an organized fashion) is encouraged to avoid back-up into Seaway Drive.

   Response: See included traffic study by Mackenzie dated April 19, 2019.

2. The City of Fort Pierce in encouraged to conduct driveway analysis of the proposed adjustment, and corresponding adjustment pending to the west, including proposed driveway location(s), internal stacking/turn lanes, proximity of the cross access driveway to the eastern parcel to the property line, future driveway location foe the par eel to the west. Restoration of internal connection would provide HI residents access without placing an external trip onto the roadway.

   Response: See included traffic study by Mackenzie dated April 19, 2019.

3. What are the proposed hours of operation for this establishment? The previously approved project encompassed a neighborhood commercial use, whereas the proposal appears to be a general commercial use, increase intensity for the Planned Development, with adjacent residences. The original plan adopted placed the commercial building towards the right-of-way to provide enhancement urban design, as well as greater separation of the commercial operation from adjacent residential units. Limiting hours of operation may improve compatibility, especially with the relocated building(s).

   Response: The Cumberland Farms will be open 24 hours to the public.

4. Please consider a pedestrian connection between the proposed establishment and the development considered to the west.

   Response: Acknowledged.

5. Is the applicant providing a loading space/zone for deliveries of stock or fuel? The loading area is encouraged to be located outside of the front yard, but in an area which may minimize impacts to the adjacent residences.

   Response: Comment noted.

6. The proposed parallel parking spaces (27-30) appear' to conflict with the adjacent two-way driveway which reduces to a one-way exit, at the adjacent driveway. The spaces would cause movements against interior traffic flow.

   Response: Acknowledged.

7. The alignment of the project's drive-aisle approaching the joint drive and adjacent project's northern most row of parking appear to cause an unsafe condition, if vehicles seek to traverse across this full access driveway to enter the western project:

   Response: Acknowledged. The condition has been relayed to the adjacent developer for consideration.

8. The applicant is proposing a reduction in vehicular use area landscaping based upon "preserved trees" which were planted (required) as part of the PD. The trees are required and not pre-existing to the Planned Development, therefore should not be eligible. The landscape plan should be amended to reflect the required interior vehicular use area landscaping.

   Response: Landscape plan has been revised to exclude these preservation trees as part of that calculation. Required Vehicular use landscaping is now provided, see Landscape Plan, Sheet CFG08.0.

9. Please review clear vision areas as it pertains to proposed driveways, landscaping, etc.

   Response: Acknowledged.

If you require any additional information or have any questions, please contact me at (321) 775-6647 or Jeff.Lucas@atkinsglobal.com. We look forward to having a great project come to fruition.

Sincerely,



Jeff Lucas, P.E.
Senior Engineer/Project Manager, Civil

Fort Pierce Mayor & City Commission

Members

- Rufus J. Alexander, III, City Commissioner, District 1
- Jeremiah Johnson, City Commissioner, District 2
- Thomas K. Perona, City Commissioner District 2
- Reginald B. Sessions, City Commissioner, District 1

City Manager, Nick Mimms

Re: Five Determining Factors for the opposition to Cumberland Farms

- **Environmental Impact**
- **Decrease in Property Values**
- **Human Rights Act**
- **911**
- **FHA Determination**

1. Environmental Impact

Waters/gas emanating from the site i.e., “run off” of gas will be piped into our pond, not just running off into it. The long term environmental, health and safety implications cannot be overlooked.

(a) Potential Pollution from Gas Station Runoff
By: Bryce Franklin, Nate Braun, Jacob Monroe
7th of December, 2014

See: http://gsp.humboldt.edu/olm_2015/Courses/GSP_270_Online/PreviousClassProjects/2014_Fall/Potential%20Pollution%20from%20Gas%20Station%20Runoff.pdf

Excerpts from the above publication:
When putting gas in your car, drips from the nozzle can accumulate at the base of pumps at gas stations. Rainstorms will cause the gas to move along with the runoff. This runoff will lead to a water source that could potentially pollute the water and cause ecological damage.

While there has been no formal study that shows how much gas is lost in liquid form when fueling a vehicle (as droplets falling from the nozzle or dripping down from the fill spout on the vehicle), an estimation has been done. In a paper written by Raymond Sierra from Stanford University, he finds that approximately one liter of gasoline is wasted or lost as liquid runoff per every 15,000 gallons pumped. While that may not seem like a lot, when it is considered that "in 2013, about 134.51 billion gallons1 (or 3.20 billion barrels) of gasoline were consumed2 in the United States, a daily average of about 368.51 million gallons." (Department of Energy). Using Mr. Sierra's estimation, this means that roughly 24,567 liters are lost as runoff per day.

(b) Johns Hopkins Bloomberg School of Public Health. October 2014. **Small Spills at Gas Stations Could Cause Significant Public Health Risks Over Time.**

See: https://www.jhsph.edu/news/news-releases/2014/small-spills-at-gas-stations-could-cause-significant-public-health-risks-over-time.html

Excerpts from the above publication:
A new study suggests that drops of fuel spilled at gas stations — which occur frequently with fill-ups — could cumulatively be causing long-term environmental damage to soil and groundwater in residential areas in close proximity to the stations.

Few studies have considered the potential environmental impact of routine gasoline spills and instead have focused on problems associated with large-scale leaks. Researchers with the Johns Hopkins Bloomberg School of Public Health, publishing online Sept. 19 in the Journal of Contaminant Hydrology, developed a mathematical model and conducted experiments suggesting these small spills may be a larger issue than previously thought. A study by Markus Hilpert, PhD, a senior scientist in the Department of Environmental Health Sciences in the Johns Hopkins Bloomberg School of Public Health states; "Even if only a small percentage reaches the ground, this could be problematic because gasoline contains harmful chemicals including benzene, a known human carcinogen," Hilpert says. "In a perfect world, it would be ideal to avoid chronic spills," "However, if these spills do occur, it is also important to prevent rainwater from flowing over the concrete pads underneath the pumps. Otherwise, storm runoff gets contaminated with benzene and other harmful chemicals and can infiltrate into adjacent soil patches or from storm water that may end up in natural bodies of water."

Patrick N. Breysse, PhD, a professor in the Department of Environmental Health Sciences, also wrote; “The environmental and public health impacts of chronic gasoline spills are poorly understood,” says Breysse. “Chronic gasoline spills could well become significant public health issues since the gas station industry is currently trending away from small-scale service stations that typically dispense around 100,000 gallons per month to high-volume retailers that dispense more than 10 times this amount.”

2. Decrease in Property Values

This study was presented in the “The Costal Business Journal” in the spring of 2013, a document of variability over 25 years in a coastal market. These studies document that when our water view is obstructed and in some cases completely obscured, property values plummet. This not only hurts us, but all of Hutchinson Island. Taking distance into account, the highest-quality view commanded a premium in the 2005-2007 period of about $102,000. If located 0.1 miles from the bay and a premium of $75,000 if located 2 miles away. By todays measures they will be even higher. The resulting losses will be shared by both the residents and the city.

3. Human Rights Act

Our contention in this case, the Planning Board before making any final rulings on this matter, should consider sections of the Human Rights Act, in particular Protocol 1, Article 1...This states that a person has the right to peaceful enjoyment, of all their possessions, which includes the home and other land. e.g. Harbour Isle Condo’s . Additionally, Article 8 of the Human Rights Act, states that a person has the substantive right to respect for their private and family life. In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings. This impacts, not only buildings 37, 38, 10 , 9, 1 that are in the immediate surroundings, all of Harbour Isle Condo’s and the two homes across the street at 940 and 936 Seaway Drive.

In respect of privacy, it may be worth citing the Human Rights Act 1998 in particular Protocol 1, Article 1, states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land.

In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings. *Should residents of Fort Pierce except anything less?*

4. 911

If the tragedy of 911 hasn't shown us anything else, it has shown the airplanes flying into the Twin Towers turned into bombs, destroying over 3000 human lives and an untold amount of property destruction. That happened because the wings of the planes were something not-unlike the storage tanks that Cumberland Farms will install if approved. The wings stored over 1,000 gallons of fuel as does Cumberland Farms gas stations. Gas stations have at least two tanks (3 if they have diesel), typically with 5,000 to maybe 10,000 gallons. In some cases it could amount to storage of 30,000-40,000 gallons of a flammable liquid constituting a hazard.

5. Deeming the move a Hazard and Denial of FHA Insurance

Copied Monday August 12, 2019. FHA mandated statements. https://www.appraisalbuzz.com/the-latest-updates-to-sf-handbook-4000-1/
Peter Gillispie October 12, 2016

The latest enhancements to the Single Family Housing Policy Handbook 4000.1 (SF Handbook) have been published. These changes consist of technical changes for consistency and clarity as well as several policy updates. The SF Handbook was published to eliminate the need for mortgagees and other stakeholders in FHA transactions to search through multiple stand-alone policy documents. The following highlights the revisions to the SF Handbook pertaining to FHA appraisal reporting requirements.

Handbook Section/ Reference	Handbook Changes	Page Numbers
II.D.3.c.iii(C) (7) Stationary Storage Tanks	Revised language about stationary storage tanks and MPR/MPS	490

Revised Handbook Text Page 490:
“If the subject property line is located within 300 feet of an aboveground or subsurface stationary storage tank with a capacity of 1,000 gallons or more of flammable or explosive material, then the Property is ineligible for FHA insurance, and the Appraiser must notify the Mortgagee of the deficiency of MPR or MPS. This includes domestic and commercial uses as well as automotive service station tanks.”

Summary: Reinforced clarification regarding the ineligibility of properties within 300 feet of stationary storage tanks holding 1,000 or more gallons of flammable or explosive material.

- Conclusion: “The proposed development is a direct contravention of why properties were purchased at Harbour Isle. It does not respect local context and safety of street pattern for tractor and trailers, and trucks toting long boats that will try to negotiate safe entrance and/or egress of the station. Forget the thousands of cars that travel in that immediate area day in and day out. We alone have 912 units that constitute a potential 1,824 drivers committed to getting out of Harbour Isle and then returning home each and every day. That amounts to a potential 3,646 trips every day. When you consider how the two lane highway of Seaway Dr contributes to an unsafe entrance and/or egress of the station for those large tractor and trailers, you readily see it’s compounded by our own 3,646 trips every day.

- The scale of Cumberland Farms and proportions of surrounding buildings, put this proposal out of character of the area, to the detriment of Harbour Isle and the Beach across at Indian River. The aim should be for any development to result in a benefit in environmental and safety of surrounding areas.

The issues I presented are Documentary Evidence-i.e., real evidence-no innuendo, just facts that cannot be disputed or overlooked. All competent substantial evidence which establishes a substantial basis from which the fact at issue can reasonably be inferred. Including, fact or opinion evidence offered by experts on matters that requires specialized knowledge that is relevant to the issues to be decide.

If only one of the Five Determining Factors were to be taken into account, then by any Reasonable Mans Standard, denying owners a mortgage puts them at an unfair advantage to one who is mortgaged approved. No other criteria needs come into play.

This body must not disregard a Federal Agency’s determination, especially when that Federal Agency determines an imminent hazard is in-place.

Potential Pollution from Gas Station Runoff

By: Bryce Franklin, Nate Braun, Jacob Monroe

7th of December, 2014

Introduction

When putting gas in your car, drips from the nozzle can accumulate at the base of pumps at gas stations. Rainstorms will cause the gas to move along with the runoff. This runoff will lead to a water source that could potentially pollute the water and cause ecological damage. The distance from the gas station to the water body will show which gas stations have the highest potential to cause pollution.

While there has been no formal study that shows how much gas is lost in liquid form when fueling a vehicle (as droplets falling from the nozzle or dripping down from the fill spout on the vehicle), an estimation has been done. In a paper written by Raymond Sierra from Stanford University, he finds that approximately one liter of gasoline is wasted or lost as liquid runoff per every 15,000 gallons pumped. While that may not seem like a lot, when it is considered that “in 2013, about 134.51 billion gallons1 (or 3.20 billion barrels) of gasoline were consumed2 in the United States, a daily average of about 368.51 million gallons.” (Department of Energy). Using Mr. Sierra’s estimation, this means that roughly 24,567 liters are lost as runoff per day. The following report shows the potential for runoff from gas stations in Arcata to reach and pollute local waterways.

Methods

Acquiring the necessary data, stream and gas station location, was the first step. Once this data was imported to ArcMap and geo-referenced we added a basemap to show the layout of Arcata. We then created a new shapefile for the locations of all the local gas stations in the area. A buffer was created at 75 meters around all of the streams. We then created buffers around all the gas stations at 75, 150, and 300 meters. These are our high, medium, and low risk parameters respectively. The intersect tool was then used to find where the buffer zones for the gas station and the buffer zone for the streams intersect. The final step was making the map attractive to the viewer.

Results

We found that there are ten gas stations throughout Arcata. Eight of them are within range of streams with at least a low risk of polluting the water body. Of the eight stations, three of them have a medium pollution risk factor and two have a high risk of polluting a local waterway.

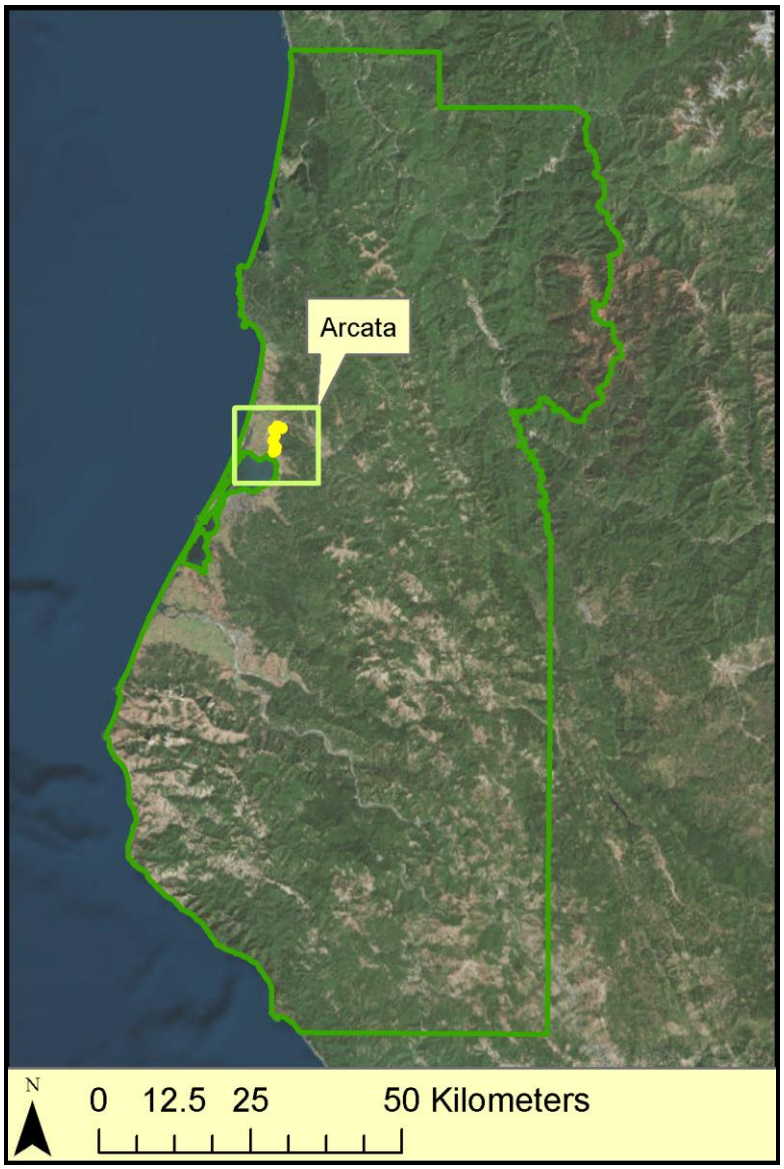


Figure 1. Analysis area within Humboldt County

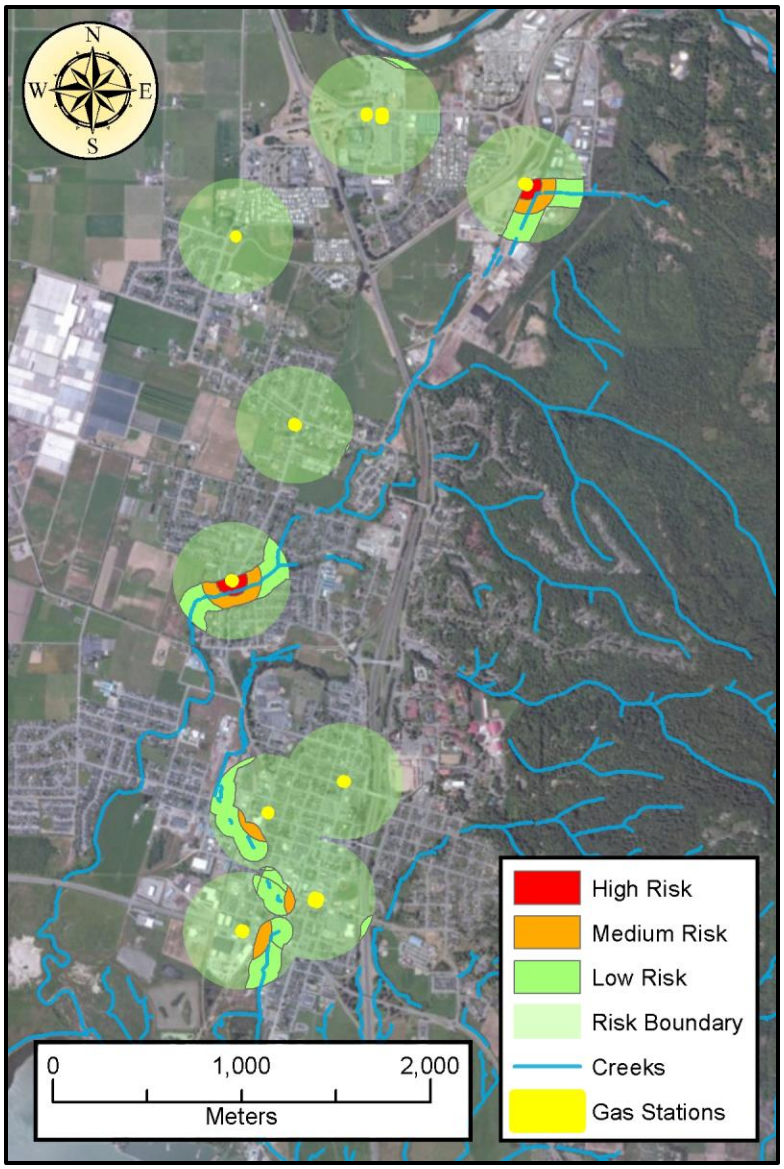


Figure 2. Potential risk of gas pollution due to run off.

Conclusion

There are two gas stations with a high risk for pollution nearby water resources. These are the Renner Petroleum gas station at 5000 W End Road and a 76 gas station at 2205 Alliance Road. Both of these stations sit extremely close to the riparian areas surrounding the waterways. The sites should be monitored for inadvertent gas runoff because of the increased potential for polluting the water. The riparian areas nearby should also be inspected for contamination. It may prove beneficial to do additional research on the effects of topography on the potential for waterway contamination by gas runoff not only for these two sites, but also for all areas with the potential for pollution by gas runoff.

Sources

Data was acquired from Humboldt County's GIS data website and the City of Arcata's GIS portal. ESRI also provided the base map on which the data was layered onto.

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Acknowledgements

A special thanks goes out to Nick Ramirez for his outstanding teaching and support. This project would not have been successful without him. He will live on in our hearts long after we have graduated and departed his realm.

October 9, 2014

Small Spills at Gas Stations Could Cause Significant Public Health Risks Over Time, Johns Hopkins Finds

A new study suggests that drops of fuel spilled at gas stations — which occur frequently with fill-ups — **could cumulatively be causing long-term environmental damage to soil and groundwater in residential areas in close proximity to the stations.**

Few studies have considered the potential environmental impact of routine gasoline spills and instead have focused on problems associated with large-scale leaks. Researchers with the Johns Hopkins Bloomberg School of Public Health, publishing online September 19 in the Journal of Contaminant Hydrology, developed a mathematical model and conducted experiments suggesting these small spills may be a larger issue than previously thought.

“Gas station owners have worked very hard to prevent gasoline from leaking out of underground storage tanks,” says study leader Dr. Markus Hilpert, a senior scientist in the department of environmental health sciences in the

Johns Hopkins Bloomberg School of Public Health. *“But our research shows we should also be paying attention to the small spills that routinely occur when you refill your vehicle’s tank.”*

Over the lifespan of a gas station, Dr. Hilpert says, concrete pads underneath the pumps can accumulate significant amounts of gasoline, which can eventually penetrate the concrete and escape into underlying soil and groundwater, potentially impacting the health of those who use wells as a water source. Conservatively, the researchers estimate, roughly 1,500 liters of gasoline are spilled at a typical gas station each decade.

To learn more: **http://www.jhsph.edu/news/news-releases/2014/small-spills-at-gas-stations-could-cause-significant-public-health-risks-over-time.html**

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THE VALUE OF A WATER VIEW: VARIABILITY OVER 25 YEARS IN A COASTAL HOUSING MARKET

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ABSTRACT

Given a relatively inelastic supply of locations with coastal water views, the price of a water view is likely to rise during housing market upturns and fall during downturns. Using 25 years of data and more than 20,000 home sales for Bellingham, Washington, this study uses the hedonic methodology to estimate water view premiums over different phases of the housing cycle. Views are differentiated both by scope and by distance from the water. Results show real dollar premiums associated with water views move with the housing cycle, rising when housing demand and overall market prices increase and falling when the overall price of housing declines. In addition, the relative value of a view fluctuates as well.

INTRODUCTION

The value of a residential "view" has been well-documented in numerous studies over the past 15 years or so. Water views in particular have been found to add significantly to the sales price of a single-family home. While earlier research used a generic definition of view, classifying all properties as "view" or "no view", recent studies have examined several dimensions of the view amenity, including view scope (degree of obstruction by buildings or trees) and distance from the water. When views are differentiated by scope and distance, view premiums are found to increase with the scope of the view and decrease with distance from the water (see, for example, Benson et al., 1998 and Bourassa et al., 2004).

With few exceptions, previous studies have estimated view values in a particular market over a relatively short period of time. An interesting question concerns what happens to view premiums over a longer period of time. Theory suggests that prices of housing attributes with relatively inelastic supply are likely to change over time in response to changing demand. Because the supply of land with view potential is limited, the "quantity" of lots with water views cannot rise significantly in response to rising prices. In that case, the implicit price of a view would be expected to rise and fall with the cyclical variation in home prices. What is less clear is what might happen to the relative value of a view over time, where relative value is the view premium as a percentage of home value. Is this relative premium roughly constant over time or should we expect it to fluctuate, as well, with home values?

Unlike previous studies that use a much more limited database, this study examines a 25-year period (that includes two complete housing cycles) and more than 20,000 transactions. The hedonic methodology is used to estimate real prices of water views in Bellingham, WA, for the period 1984-2009. In this coastal market, properties with water views comprised 21 percent of

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all single-family transactions during this period. Author-collected view data distinguishes between type of water view (ocean or lake) and scope of view, ranging from full, unobstructed views to partial views. In addition, ocean views are differentiated by distance from the water. Results suggest that view premiums can vary substantially over time, both in terms of the dollar premium (as measured by the inflation-adjusted implicit price), and in relative terms (as measured by the percentage of sales price).

The following section provides a review of the recent literature on the value of view amenities. Data and local housing market cycles are described in Section III. Section IV presents results of hedonic modeling when views are differentiated by type and scope, while Section V presents results when view/distance interaction variables are included for ocean views. A final section provides a summary and conclusions.

PREVIOUS RESEARCH

Prior to 1997, research on single-family view premiums used simple binary (0-1) definitions of view, and most did not incorporate distance (see Benson et al. (1998) and Bourassa et al. (2004) for a thorough review of these early studies). Later studies have incorporated more complex measures that include interactive measures of view and distance and incorporate geographic information systems (GIS) and other objective measurement techniques. These studies are discussed in detail below.

An early study that used both view and distance as independent variables in a hedonic pricing model was done by Milton et al. (1984), who analyze sales prices of vacant parcels near Florida's Apalachicola Bay. Independent variables include distance from the Gulf and a dummy variable for view/no view. Using three different locations around the bay, they find that distance and view are both important determinants of parcel value. Other studies, focusing on lake views, include Smith (1994), Lansford and Jones (1995), and Doss and Taff (1996). All three studies find that lake view adds significant value and distance from the lake reduces the value of homes, with the first two studies looking at sales prices and the third study using assessed values. None of these earlier papers attempt to interact distance with view.

Starting with a study of the housing market in Point Roberts, Washington, (an area for which no land link exists from the U.S. and if traveling by car one must enter from Canada), the definition of a view was expanded beyond the binary definition of earlier studies to include the scope and quality of the view (Benson at al., 1997). The authors personally collected view data for 397 residential properties, by visiting each property and classifying views into four categories--ocean frontage, unobstructed ocean view, partial ocean view and no view. Personal inspection was judged to be the best way to assess the impact of obstructions such as buildings or trees. Estimated view premiums for the three categories are 147 percent, 32 percent, and 10 percent, respectively, relative to "no view" home sales. No distance variables were included.

The first paper to investigate the complexities of view and distance was Benson et al. (1998). A database was constructed that contained 7,305 single-family homes sold in

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Bellingham, Washington, over the period 1984-1993. View data was collected by the authors by personally conducting a site visit for each view property. Views were classified into mountain, lake, and "ocean" views (views of Bellingham Bay). Ocean views were further classified into four quality categories ranging from unobstructed ocean view to poor partial ocean view. Distance from the water was calculated for each view property, using GIS software. Interaction variables for each of the four ocean views with distance from the water were also calculated. Hedonic estimation results yield view premiums that increase with the scope of an ocean view. For the year 1993, premiums range from 8 percent for a poor partial ocean view to 60 percent for an unobstructed ocean view. Lake frontage is found to add 127 percent to value. The view premium for all ocean view scopes is found to fall significantly with distance from the water. Again for the year 1993, estimated view premiums for properties 0.1 miles from the bay were 68, 56, 37, and 26 percent respectively for the four view categories in declining order of quality; one mile from the bay, the view premiums were 45, 30, 28, and 12 percent, respectively, for the four categories.

The same study (Benson et al., 1998) was also the first to estimate view values over time. Results show that view premiums in percentage terms rose during the late 1980s, a period of growing demand and rising prices in the local market. For example, the percentage impact of an unobstructed ocean view (not controlling for distance) rose from 50% in 1984 and 1986 to roughly 60% from 1988 to 1993. During a period in which overall house prices are rising faster than the rate of inflation, even a constant percentage view premium implies an increase in the real price of a view. When the percentage premium is rising, that implies an even larger increase in the real view price. Thus findings of this study are consistent with the theory that prices of housing attributes with a relatively inelastic supply, such as view amenities, are likely to move with the housing cycle. During the same time period (1984-93), estimated elasticities for dwelling square footage remained relatively constant.

In a follow-up study, Benson et al. (2000) use the same Bellingham, WA, database as described above but focus on 1991-1993, a period of time in which the local market was relatively stable. They show that pooling the data for the three-year period yields estimates of view premiums that are similar to the individual year estimates. Given the likelihood of changing view values over the housing cycle, however, pooling is not likely to be appropriate for long periods of time.

Studies by Seiler et al. (2001) and Bond et al. (2002) examine the value of views of Lake Erie in Cuyahoga County, OH. Both studies used a simple dummy variable for view. The 2001 study of 1,172 homes showed that assessed values were $115,000 higher (a 56 percent premium) for view properties in 1998. Using a database of 190 home sales the 2002 study showed that sales prices during the 1998 to 2000 period were $256,545 higher (a 90 percent premium) for view properties. Neither study incorporated variables measuring distance from the water.

Bourassa et al. (2004) examine 4,814 real estate transactions in Auckland, New Zealand. Their explanatory variables include several dimensions of the view amenity including type and scope of view, and distance from the coast. They also include variables to capture the

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"appearance" of the surrounding area, the quality of landscaping in the neighborhood, and average quality of structures in the neighborhood. Hedonic regression estimates suggest that a wide view at the coast provides a 59 percent premium over properties having no view, while a medium scope view and a narrow view yield premiums of 33 and 4 percent, respectively. At a distance of 100 meters from the coast, the view premiums are 18, 13, and 10 percent, respectively. The study shows that the view amenity (or aesthetic externalities as they call them) is multidimensional.

In another paper using transactions for coastal New Zealand, Bourassa et al. (2005) examine view values over time (1986-1996) in three cities: Auckland, Christchurch, and Wellington. Using housing attribute data that includes a binary variable for water view and a variable measuring distance from the coast, the authors estimate a hedonic model for each of eleven years for each city. Estimated percentage price impacts suggest that the premium for a water view varies over time, as well as across cities. When evaluated at the real mean sales price, estimated percentage impacts imply real prices for water views that move roughly with the local housing cycle, at least for Auckland and Christchurch. View premiums are found to be inversely related to the scarcity of views across cities, lowest in Wellington, the city with the fewest water views, and highest in Christchurch, the city with the most water views. Like Benson et al. (1998), this study finds elasticities for dwelling square footage ("floor space") to be highly stable over time. Because the paper does not report complete regression equation estimates or tests of significance for estimated coefficients, it is somewhat difficult to interpret the results, or to compare with other studies.

Samarasinghe and Sharp (2008) also focus on view values in Auckland, New Zealand, using a database of 2,531 home sales in 2004. Estimation of a hedonic model yields results similar to previous studies that differentiate water views by scope, and that interact view with distance from the water. The effect of distance is found to be greatest for properties with the widest scope of water view. Wide scope water views are found to increases sales price by roughly 44 percent at the coastline. In this study, the authors attempt to control for neighborhood quality by including socioeconomic variables, finding that homes sell for higher prices in neighborhoods with a higher percentage of European ethnic groups, and lower prices in neighborhoods with family income below $50,000(NZ).

Filippova (2009) examines whether water view premiums vary across housing submarkets. Using data for over 53,000 home sales from 2004 to 2006 in Auckland, New Zealand, the author uses a spatial definition of submarkets, dividing the Auckland region into geographic areas of 3,000-5,000 people. To focus on the effect of socioeconomic factors on view premiums, only those submarkets with similar water view scarcities are included in the hedonic analysis. Several view variables are included in the estimation, based on scope of view and distance from the water. The impact of view on sales price was found to vary in the expected way based on scope and distance, and also to vary significantly from one submarket to another. For example, for the region as a whole a wide water view 500 meters from the coast is found to add 18 percent to value; when estimated for submarkets, however, the premium varies from 5 to 54 percent.

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Results suggest that differences in view premiums across submarkets are associated with differences in household socioeconomic characteristics.

Shultz and Smith (2008) examine the value of views of manmade lakes in Omaha using a sample of 1298 home sales from 2000 to 2006. They find that view premiums are between 7.6 and 8.3 percent. Interestingly they find that multiple listing service data underestimates the number of view properties by 79 percent, that GIS frontage calculations overestimate the number by 42 percent, and that GIS viewshed analyses overestimated the number by about 0.5 percent. In order to correct the GIS viewshed data, they conducted site visits to take into account view obstructions.

Bin, et al. (2008) measure a home's view as the number of degrees of view (maximum = 180), using LIDAR (Light Detection and Ranging) data, in their study of coastal views and flood hazard risk in North Carolina. The LIDAR technique makes it possible to account for obstructions to view from buildings and trees, using a continuous view measure which uses GIS measures that are "objective" and replicable. In examining 1,075 home sales from 1995 to 2002, they estimate that "willingness to pay" increases at a rate of $995 per degree of view (or about $179,000 for a 180 degree water view at the coast) in 2002 dollars. The $179,000 is roughly 60 percent of the average selling price of $298,000. Unfortunately, we cannot calculate the percent impact of a view home relative to a no view home because of insufficient information provided.

Morgan and Hamilton (2011) examine Pensacola Beach, Florida, home sales from 1998 to 2007 using a similar methodology to that of Bin et al. (2008). They find the marginal willingness-to-pay is $1,228 per degree of viewshed (about $221,000 for a 180 degree water view) in 2007 dollars, when the average sales price was $559,000. The $221,000 is about 40 percent of the average selling price.

Baranzini and Schaerer (2011) use GIS techniques to develop three-dimensional view variables. For water views, they create a continuous variable that measures the number of hectares of "water-covered areas" that can be seen from individual apartments in apartment buildings in Geneva, Switzerland. They examine the rents on 12,932 apartment units in 2005, with the average rent being CHF 1,122. The model combines a topographical land profile with a "surface numerical model", that takes into account heights of all objects, including buildings and trees. They find that dwellings with the maximum view of water-covered areas (88 hectares) rent for 57 percent more than a dwelling with no water view.

Hindsley, et al. (2012) use LIDAR data and GIS techniques to create three-dimensional view variables for 1,081 home sales in Pinellas County, Florida. Four continuous variables measuring Gulf of Mexico views are constructed. In measuring view scope, both natural and man-made obstructions are taken into account, including structures, sand dunes, trees and other vegetation. They estimate a marginal view scope value of $1,300 per degree of water view (about $234,000 for a 180 degree water view). This represents about 49% of the average home sales price of $475,400.

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Finally, Wallner (2012) uses GIS techniques to develop four view measures for a database of 24,491 Sydney, Australia home sales in 2008. Using a continuous variable for water views that measures the number of square kilometers of visible water surface area, the average water view is found to add 6.8 to 12.7% to a property's value. Water views in the top 5th percentile are found to increase property values 18.2 to 34.7%. For an angular diameter measure of water views, the maximum water view adds 59.4 to 107.0% to value. Compared to a binary (0-1) view variable for the same sample, the GIS measures improve out-of-sample prediction accuracy. As pointed out by the author, however, GIS measures cannot identify trees, telephone poles and other "idiosyncrasies" that can only be captured with an on-site inspection of a property.

In sum, these studies tend to show that "world-class" water view premiums for homes that are near the coastline tend to be about 45 to 70 percent, relative to no view homes; and premiums for waterfront homes tend to be 125 to 150 percent (though these premiums reflect more than "view" since these properties have direct access to water, often with a dock). This contrasts with "lake view" homes in Omaha that have 8 percent premiums. As discussed above, only two studies have examined the movement of view premiums over time -- Benson et al. (1998) for the period 1984-1993 in Bellingham, WA., and Bourassa et al. (2005) for the period 1986-1996 in Auckland, Christchurch and Wellington, New Zealand – and none have incorporated the most recent housing cycle. This paper estimates water view premiums over a 25-year period, including the housing boom and bust of the 2000s.

DATA AND LOCAL MARKET HOUSING CYCLES

Data

To conduct the analysis of view values, this study uses data for single-family home transactions in Bellingham, Washington for the period January 1984 through July 2009. Databases obtained from the Whatcom County Assessor included a total of 29,854 transactions. After removal of invalid and/or inappropriate transactions, the sample size is 20,883. Transactions were removed for the following reasons: 1) transaction prices were identified as possibly not reflecting market prices because the sale was between family members, the property was a foreclosure sale, or the property was sold to a relocation firm 2) transaction prices represented multiple property sales 3) the transaction was a lot-only sale, 4) the transaction was a duplicate of another transaction for the same property on the same date, 5) the property was remodeled after the transaction date, and 6) data for the transaction was missing or in error, such as an invalid sales date, no year built information, or the number of bathrooms coded as zero.

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Bellingham is the central city of a small metropolitan area in the northwest corner of the contiguous U.S. It is located 90 miles north of Seattle and 45 miles south of Vancouver, British Columbia. The city is particularly well-suited for a view study given the prevalence of water views and the diversity of view quality caused by hills and trees. The market is small enough that the authors were able to collect view information by personal inspection of all properties in the sample that could potentially have a water view. These were properties in neighborhoods located either on the water, or on hills facing the water. Personal inspection was the best method to ensure accurate view classifications. To determine the view from the main living area, properties were inspected from street level, and from above and along the side where possible and when necessary. This fieldwork was conducted in August and September, 1995, in August 2004 and in July and August, 2009. During the most recent inspection of view properties, the authors also updated view classifications for some of the properties already in the sample. Most of the view neighborhoods in Bellingham are established neighborhoods, in which virtually no new construction has occurred. However, view classifications for a few properties were changed due to the growth of trees.

View properties are classified by type of water view – ocean view (a view of Bellingham Bay) or lake view (a view of Lake Whatcom). Ocean views are further subdivided into four quality levels ranging from full ocean view to poor partial ocean view. Generally speaking, the quality of ocean views was determined based on the degree of obstruction, with more obstructed views judged to be lower quality. While there are no true oceanfront properties in Bellingham due to the existence of a railroad right-of-way along the water, there are a number of lakefront properties. Lake view properties are classified into three quality categories – lakefront, full lake view and partial lake view. The following vector of view dummy variables was created:

OCEANVIEW1 = 1 if the home has a full (unobstructed) view of Bellingham Bay, else 0,
OCEANVIEW2 = 1 if the home has a superior partial bay view (some obstruction by buildings, trees, etc., up to 30% obstruction), else 0,
OCEANVIEW3 = 1 if the home has a good partial bay view (significant obstructions, from 30% to 60% obstruction), else 0,
OCEANVIEW4 = 1 if the home has a poor partial bay view (some water could be seen, more than 60% obstruction), else 0,
LAKEFRONT = 1 if the home has a lake view from lakefront property, else 0,
LAKEVIEW1 = 1 if the home has a full lake view from non-lakefront property, else 0, and
LAKEVIEW2 = 1 if the home has a partial lake view from non-lakefront property, else 0,

with the omitted category containing homes with no water view.

Table 1 provides definitions of variables, and descriptive statistics are shown in Table 2. Property characteristics data were obtained from the Whatcom County Assessor; these data are supplemented by distance from Bellingham Bay and neighborhood variables provided for our sample by the City of Bellingham. For the full 25½-year sample, the average property is approximately 43 years old at the time of sale, and the mean square footage is 1479, excluding finished and unfinished basement. Properties with water views comprise 21.2 percent of all

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transactions. As shown in Table 2, 5.0 percent of transactions were for houses with an unobstructed ocean view, 2.6 percent were for houses with a superior partial ocean view, and 4.0 percent and 6.2 percent for houses with a good or poor partial ocean view, respectively. An additional 0.5 percent of transactions were for lakefront property, 0.6 percent for full lake view property, and 2.3 percent for partial lake view property. The set of explanatory variables for the hedonic model includes dummy variables for 20 neighborhoods, as defined by Bellingham city government. Neighborhood dummy variables are included to control for unobserved locational factors that affect housing prices; such factors may include socioeconomic characteristics of neighborhood households.

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Table 1. Variable Definitions

Variable Name	Definition
PRICE	Sales price of house (2009 dollars)
AGE	Year of sale minus the year house was built
REMODEL	Dummy variable (1if house remodeled since 1960, otherwise 0)
SQFT	House square feet (above grade)
FBASEM_SF	Finished basement square feet
UFBASEM_SF	Unfinished basement square feet
GARAGE_SF	Garage square feet
CARPORT_SF	Carport square feet
DECK_SF	Deck square feet
PATIO_SF	Patio square feet
BEDRMS	Number of bedrooms
BATHS	Number of bathrooms
QUALITY1	Dummy variable (1 if quality given a well above average assessor rating of 5 or 6 on a 1-6 scale; otherwise 0)
QUALITY2	Dummy variable (1 if quality given an above average assessor rating of 2 on a 1-6 scale; otherwise 0)
QUALITY3	Dummy variable (1 if quality given an average assessor rating of 2 on a 1-6 scale; otherwise 0)
QUALITY4	Dummy variable (1 if quality given a below average assessor rating of 2 on a 1-6 scale; otherwise 0)
QUALITY5	Dummy variable (1 if quality given a below average assessor rating of 1 on a 1-6 scale; otherwise 0)
QUALITY+	Dummy variable (1 if house given an additional quality classification of plus, otherwise zero)
QUALITY-	Dummy variable (1 if house given an additional quality classification of minus, otherwise zero)
CONDITION1	Dummy variable (1 if condition given an above average assessor rating of 4, 5 or 6 on a 1-6 scale, otherwise zero)
CONDTION2	Dummy variable (1 if condition given an average assessor rating of 3 on a 1-6 scale, otherwise zero)
CONDITION3	Dummy variable (1 if condition given a below average assessor rating of 1 or 2 on a 1-6 scale, otherwise zero)
OCEANVIEW1	Dummy variable (1 if house has an unobstructed view of Bellingham Bay; if not, 0)
OCEANVIEW2	Dummy variable (1 if house has a superior partial bay view (up to 30% obstruction); if not, 0)
OCEANVIEW3	Dummy variable (1 if house has a good partial bay view (30 to 60% obstruction) ; if not, 0)
OCEANVIEW4	Dummy variable (1 if house has a poor partial bay view (more than 60% obstruction); if not, 0)
LAKEFRONT	Dummy variable (1 if property fronts on Lake Whatcom; if not, 0)
LAKEVIEW1	Dummy variable (1 if house has an unobstructed Lake Whatcom view from non-lakefront property; if not, 0)
LAKEVIEW2	Dummy variable (1 if house has a partial Lake Whatcom view from non-lakefront property; if not, 0)
DBAY	Shortest distance in miles from Bellingham Bay
N1….N20	Dummy variables for 21 neighborhoods (defined by City of Bellingham). The omitted neighborhood is Roosevelt.
Y1985 … Y2004	Dummy variable (1 if house sold in that year, otherwise 0)

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Table 2. Summary Statistics of Sample Variables (n=20883)

Continuous variables:	Mean	Std. Dev.	Min.	Max.	*Dummy Variables*:*	Mean	n
PRICE (2009$)	$229,530	$131,318	$31,048	$2,088,670	REMODEL	0.061	1273
AGE	43	36	0	123	QUALITY1	0.004	92
SQFT	1479	566	368	6585	QUALITY2	0.101	2105
FBASEMT_SF	128	354	0	3344	QUALITY3	0.610	12736
UBASEM_SF	142	310	0	2710	QUALITY4	0.281	5868
GARAGE_SF	319	254	0	1890	QUALITY5	0.003	82
CARPORT_SF	26	101	0	1664	QUALITY+	0.290	6066
DECK_SF	118	188	0	1690	QUALITY-	0.184	3848
PATIO_SF	69	168	0	3840	CONDITION1	0.497	10375
BEDRMS	2.89	0.81	1	8	CONDITION2	0.401	8368
BATHS	1.76	0.73	1	6	CONDITION3	0.102	2140
DBAY (miles)	1.44	0.95	0.02	4.06	OCEANVIEW1	0.050	1053
					OCEANVIEW2	0.026	548
					OCEANVIEW3	0.040	828
					OCEANVIEW4	0.062	1294
					LAKEFRONT	0.005	94
					LAKEVIEW	0.006	134
					LAKEVIEW2	0.023	475

*Dummy variable means give the proportion of sample transactions with this attribute.

Pairwise correlations between explanatory variables are generally small; the only exceptions are the correlations between total square footage and the number of bathrooms, and total square footage and the number of bedrooms (correlation coefficients of 0.70 and 0.66, respectively). Of particular interest given our focus on views, pairwise correlations between each of the view dummy variables and the other explanatory variables are very small, with only one above 0.36. Computation of variance inflation factors for all explanatory variables results in very low values for the view variables (between 1.2 and 1.6) and values less than 4 for all variables except for "dbay", leading us to conclude that multicollinearity is not a problem for our sample.

Local Market Housing Cycles

The first step in the empirical analysis is an examination of housing price cycles in the local market. In order to identify the movement of housing prices over time, we pooled our 25 ½ years of data and used it to construct a real hedonic price index. (The specification for the

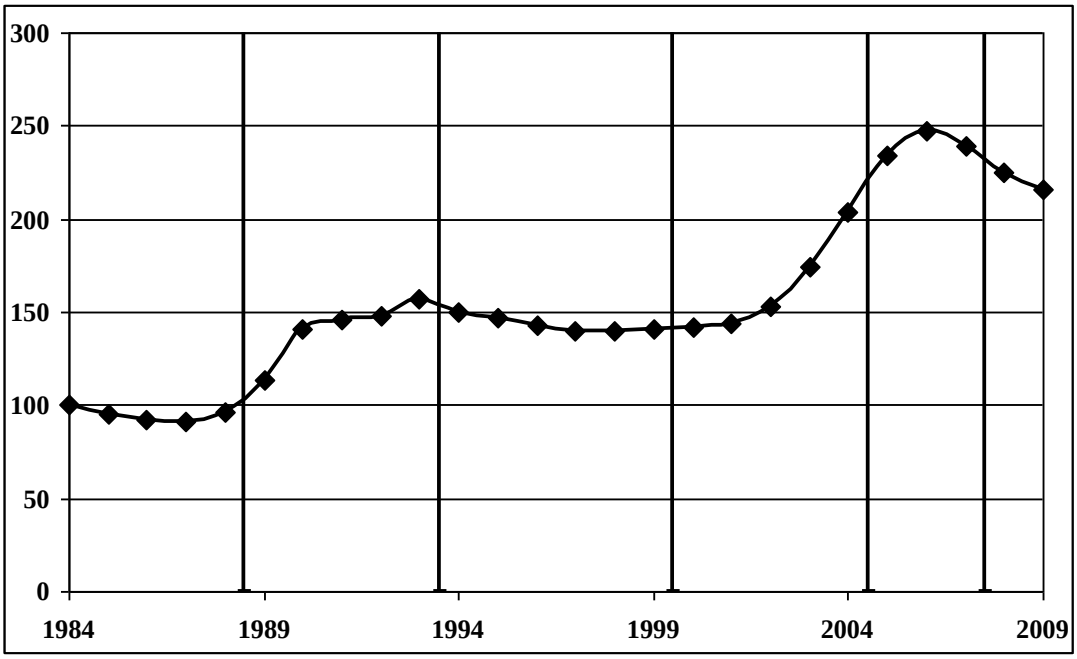
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pooled hedonic model is identical to the specification used in Model 1 (shown in Table 3 below), with dummy variables for each year of the sample after 1984. The dependent variable is the natural log of the sales price adjusted for inflation using the Seattle CPI-U. Hedonic price index values are computed as exp(β)*100, where β is the estimated coefficient on the year dummy variable.) This index, illustrated in Figure 1, provides a measure of the inflation-adjusted constant-quality house price. As shown in the figure, the Bellingham single-family market experienced two housing price cycles during the period of our data. Real prices rose substantially during the period 1988-1993 (about 62 percent), then fell slightly from 1994-1999 (about 6 percent). For the more recent cycle, the index peaks in 2006 at a level about 74 percent higher than the 2000 level. It should be noted that the time period for this study does not capture the entire recent cycle, as the downturn did not end in 2009. (As of 1st quarter 2011, the FHFA repeat sales price index for the Bellingham MSA continued to fall.)

Figure 1. Real Hedonic House Price Index, Bellingham



For purposes of examining how the value of a view varies with the housing cycle, we identify six time periods over which to create pooled subsamples of our data. The time periods are chosen to represent phases of the local housing cycle, as indicated by the movement of real prices in Figure 1. Shown by vertical bars in the figure, the six time periods are as follows:

Time Period	Years	House Price Movement
1	1984-1988	Stable/slight decline

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2	1989-1993	Rising
3	1994-1999	Stable/slight decline
4	2000-2004	Rising
5	2005-2007	Peaking
6	2008-2009	Falling

If the price of a view moves with the real estate cycle as hypothesized, we would expect view prices measured in real terms to rise in Period 2, fall in Period 3, then rise again in Period 4, following by a peak in Period 5, and a decline in Period 6. To estimate the real price of different views, we estimate a hedonic housing price model for each of the six time periods. With the dependent variable given by the log of the real sales price (see below), the coefficients on view dummy variables yield the percentage impact of a particular view type. An estimate of the real dollar price of a view can then be obtained by multiplying the percentage impact by the mean real sales price for the time period.

HEDONIC MODEL 1: THE VALUE OF WATER VIEWS OVER TIME

A hedonic pricing model is used to estimate the value of water views in the Bellingham single-family housing market. Theory gives little guidance with respect to the appropriate functional form for the hedonic model. A maximum-likelihood Box-Cox hedonic model is an attractive choice, as it provides a flexible functional form. However, a Box-Cox model has the disadvantage of not allowing for continuous variables with zero values (and thus does not allow the use of view/distance interaction variables used below in Model 2). Given this disadvantage, and given that previous estimation of a Box-Cox hedonic model for this market yielded results very similar those obtained from a log-linear model (Benson et al., 1998), we chose the log-linear model. The following model is estimated:

$$\ln(P_i) = \alpha + \sum_{j=1}^{n} \beta_j X_{ji} + \sum_{k=1}^{m} \gamma_k Z_{ki} + e_i$$

where ln(*P*) is the natural log of price of property *i*, *X* is a vector of the natural logs of *j* property characteristics such as age and square footage, and *Z* is a vector of dummy variables, including dummy variables for sale year and neighborhood.

To test the hypothesis that water views add significantly to value, our first hedonic model (Model 1) includes dummy variables for ocean and lake views. In the next section of the paper, additional variables are added to test the hypothesis that view values vary with distance. Estimation results for Model 1, which is estimated for all six time periods using ordinary least squares, are shown in Table 3.

Most of the variables describing property characteristics are significant, with the expected sign. Sales prices are higher, the newer the house, the better the quality and condition, and the greater the above-grade square footage, as well as the greater the basement square footage, garage square footage, etc. A variable measuring distance from Bellingham Bay is negative and significant, but the magnitude is very small. With only two exceptions, estimated coefficients

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for the water view variables are positive and significant at the 1% level in all time periods. Coefficients not significantly different from zero are the coefficient on poor partial ocean view in the 1984-88 time period, and the coefficient on unobstructed lake view in the 2008-09 period.

Table 3. Hedonic Regression Results, Model 1
Dependent variable is ln(P)

	Time Period					
	1984-88	**1989-93**	**1994-99**	**2000-04**	**2005-07**	**2008-09**
C	8.9002 [a]	8.8817 [a]	9.5373 [a]	9.3565 [a]	9.8154 [a]	9.7007 [a]
ln(AGE)	-0.0612 [a]	-0.0218 [a]	-0.0124 [a]	-0.0116 [a]	-0.0013 [a]	0.0144 [a]
REMODEL	0.0921 [a]	0.0461 [a]	0.0224 [a]	0.0070	0.0167	0.0346 [c]
ln(SQFT)	0.3952 [a]	0.3991 [a]	0.3484 [a]	0.3589 [a]	0.3635 [a]	0.3556 [a]
ln(FBASEM_SF)	0.0227 [a]	0.0178 [a]	0.0174 [a]	0.0209 [a]	0.0184 [a]	0.0216 [a]
ln(UBASEM_SF)	0.0103 [a]	0.0082 [a]	0.0060 [a]	0.0078 [a]	0.0056 [a]	0.0065 [a]
ln(GARAGE_SF)	0.0142 [a]	0.0109 [a]	0.0098 [a]	0.0086 [a]	0.0072 [a]	0.0073 [a]
ln(CARPORT_SF)	0.0106 [a]	0.0084 [a]	0.0057 [a]	0.0030 [a]	0.0042 [a]	-0.0011
ln(DECK_SF)	0.0060 [a]	0.0049 [a]	0.0046 [a]	0.0040 [a]	0.0048 [a]	0.0052
ln(PATIO_SF)	0.0099 [a]	0.0039 [a]	0.0038 [a]	0.0043 [a]	0.0033 [a]	0.0031
ln(BEDRMS)	0.0000	0.0064	0.0247 [b]	0.0170	0.0139	0.0169
ln(BATHS)	0.06912 [a]	0.0513 [a]	0.0335 [a]	0.0250 [a]	0.0119	0.0218
QUALITY1	0.4555 [a]	0.2696 [a]	0.4457 [a]	0.4348 [a]	0.3942 [a]	0.5195 [a]
QUALITY2	0.2614 [a]	0.2049 [a]	0.2830 [a]	0.2583 [a]	0.2755 [a]	0.26546 [a]
QUALITY4	-0.1290 [a]	-0.1209 [a]	-0.1566 [a]	-0.1344 [a]	-0.1310 [a]	-0.1289 [a]
QUALITY5	-0.2127 [a]	-0.3058 [a]	-0.3668 [a]	-0.2873 [a]	-0.1469 [a]	-0.0957
QUALITY+	0.0811 [a]	0.0780 [a]	0.0790 [a]	0.0735 [a]	0.0815 [a]	0.0667 [a]
QUALITY-	-0.0428 [a]	-0.0497 [a]	-0.0749 [a]	-0.0697 [a]	-0.0434 [a]	-0.0417 [a]
CONDITION1	0.0401 [a]	0.0678 [a]	0.0477 [a]	0.0609 [a]	0.0417 [a]	0.0535 [a]
CONDITION3	-0.0610 [a]	-0.1057 [a]	-0.0782 [a]	-0.0777 [a]	-0.0286 [a]	-0.0329
OCEANVIEW1	0.2436 [a]	0.2743 [a]	0.1904 [a]	0.2042 [a]	0.2114 [a]	0.1738 [a]
OCEANVIEW2	0.1034 [a]	0.1949 [a]	0.1316 [a]	0.1327 [a]	0.1703 [a]	0.1226 [a]
OCEANVIEW3	0.0842 [a]	0.1442 [a]	0.0660 [a]	0.0976 [a]	0.1124 [a]	0.0864 [a]
OCEANVIEW4	0.0049	0.0468 [a]	0.0435 [a]	0.0612 [a]	0.0648 [a]	0.0733 [a]
LAKEFRONT	0.6373 [a]	0.7419 [a]	0.5465 [a]	0.6286 [a]	0.6827 [a]	0.7755 [a]
LAKEVIEW1	0.1923 [a]	0.2490 [a]	0.1145 [a]	0.1326 [a]	0.2165 [a]	0.0475
LAKEVIEW2	0.0921 [a]	0.1147 [a]	0.0370 [a]	0.0467 [a]	0.0826 [a]	0.0848 [a]
ln(DBAY)	-0.0368 [a]	-0.0305 [a]	-0.0201 [a]	-0.0343 [a]	-0.0890 [a]	-0.0222
Edgemoor	0.2621 [a]	0.2956 [a]	0.2533 [a]	0.3177 [a]	0.2562 [a]	0.4219 [a]
South Hill	0.1257 [a]	0.1770 [a]	0.1276 [a]	0.2429 [a]	0.1265 [a]	0.3160 [a]
R-squared	0.8603	0.8633	0.8626	0.8648	0.8205	0.8427
Adjusted R-sq.	0.8579	0.8613	0.8612	0.8635	0.8174	0.8346
S.E. of regression	0.1788	0.1841	0.1416	0.1547	0.1539	0.1455
n	2851	3441	5099	5534	2951	1007

[a]Significant at the 1% level; [b]significant at the 5% level; [c]significant at the 10% level. Estimated coefficients for year dummy variables and neighborhood dummy variables other than Edgemoor and South Hill are not shown.

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Table 4 shows percentage impacts of views on sales price, (computed as $100*(e^{\beta}-1)$, where β is the estimated coefficient), along with real prices of views over time. (The correct interpretation of coefficients on dummy variables when the dependent variable is specified in logs was first pointed out by Halvorsen and Palmquist (1980).) In every time period, the percentage price impact is highest for lakefront properties. This is not surprising, given that lakefront locations provide recreational amenities as well as view amenities. Percentage impacts for ocean views generally decline as the scope of the view narrows. It should be noted that estimated percentage impacts for ocean views are significantly lower than those found in previous research for this market (Benson et al., 1998) for the time period 1984-1993. This can be explained by the addition of neighborhood dummy variables to the model. The two Bellingham neighborhoods with the highest prevalence of ocean views--Edgemoor and South Hill--are also the most prestigious neighborhoods, and according to our regression results command the highest neighborhood premiums (shown in Table 3). After controlling for neighborhood, the estimated marginal impact of an ocean view on sales price is, therefore, reduced.

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Table 4. Percentage Impacts and Real Prices of Water Views

	Time Period					
	1984-88	**1989-93**	**1994-99**	**2000-04**	**2005-07**	**2008-09**
OCEANVIEW1:						
Percent Impact	27.6%	31.6%	21.0%	22.6%	23.5%	19.0%
Price (2009$)*	$36,999	$58,734	$43,577	$54,558	$83,246	$62,976
OCEANVIEW2:						
Percent Impact	10.9%	21.5%	14.1%	14.2%	18.6%	13.0%
Price (2009$)	$14,609	$40,044	$29,235	$34,189	$65,649	$43,291
OCEANVIEW3:						
Percent Impact	8.8%	15.5%	6.8%	10.2%	11.9%	9.0%
Price (2009$)	$11,780	$28,862	$14,186	$24,686	$42,077	$29,949
OCEANVIEW4:						
Percent Impact	0.5%**	4.8%	4.4%	6.3%	6.7%	7.6%
Price (2009$)	$664	$8,909	$9,238	$15,205	$23,676	$25,244
LAKEFRONT:						
Percent Impact	89.1%	110.0%	72.7%	87.5%	97.9%	117.2%
Price (2009$)	$119,557	$204,682	$151,139	$210,748	$346,309	$388,719
LAKEVIEW1:						
Percent Impact	21.2%	28.3%	12.1%	14.2%	24.2%	4.9%**
Price (2009$)	$28,439	$52,616	$25,210	$34,159	$85,472	$16,126
LAKEVIEW2:						
Percent Impact	9.7%	12.2%	3.8%	4.8%	8.6%	8.9%
Price (2009$)	$12,947	$22,625	$7,822	$11,520	$30,473	$29,375

*Percentage impacts are evaluated at the mean sales price for the time period ($2009 dollars). **Coefficient not significantly different from zero.

We suspect, however, that the neighborhood premiums themselves are not independent of views. It is likely that the high prevalence of view properties in certain neighborhoods leads to greater prestige and higher household incomes, making the neighborhood more attractive and leading to higher prices even for non-view properties. In addition, both neighborhoods mentioned above are located along Bellingham Bay, and provide water views not only from private houses, but from roads, sidewalks and common areas, another factor which may contribute to higher prices for non-view properties. If the view and neighborhood effects are combined for these two neighborhoods, the value premium can be quite high. In the case of the Edgemoor neighborhood, for example, the combined percentage impact for view and

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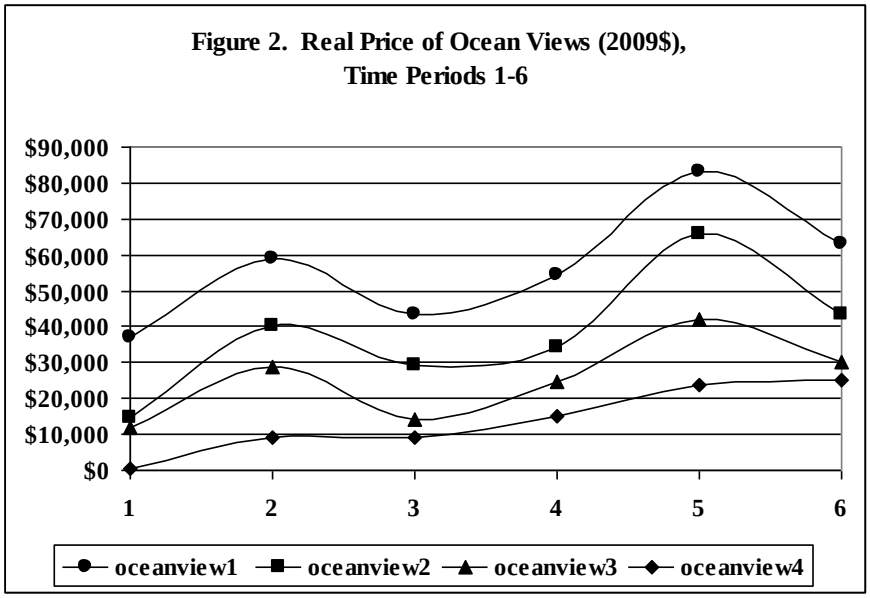
neighborhood for the 2005-2007 time period is 59.62 percent for an unobstructed ocean view (OCEANVIEW1) and 53.19 percent for a superior partial ocean view (OCEANVIEW2).

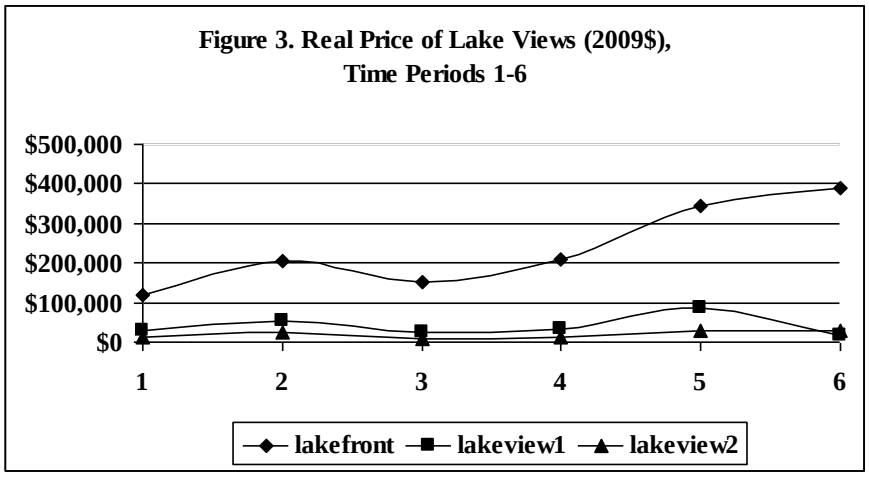
For all the different view types, estimated percentage impacts rise during period 2, a period in which the market price level was rising, then fall in time period 3, rise again in period 4 and reach a peak in period 5, the period in which real housing prices peaked in the overall market (2005-2007). For all views except for poor partial ocean view and lakefront, the percentage impact then falls in the most recent time period (2008-09). (It should be noted that only six lakefront properties sold in that time period, making it difficult to interpret that particular result.) For all view types except for the lowest-quality ocean view, percentage impacts are highest in period 2, the 1989-93 time period. It is interesting to note that the coefficients (and hence percentage impacts) for the two dummy variables for above-average structure quality – QUALITY1 and QUALITY2 – are lowest in time period 2, perhaps indicating a higher than normal willingness of buyers during the housing boom of the late 1980s and early 1990s to trade off structure quality for views.

Evaluating percentage impacts at the real mean sales price for each time period yields estimates of the real dollar prices of water and lake views. The movement of real view prices across time periods is illustrated in Figures 2 and 3. For all view types, prices generally move as expected with the housing cycle, exceptions being the increase in real price for poor partial ocean views and lakefront during the recent downturn (period 6). Again we note the very small sample size for lakefront properties in this time period. Although the percent impact of most view types is lower during the most recent housing boom than during the earlier boom, real prices of views are higher, given that the percent impacts are being applied to much higher sales prices. For example, estimation results suggest that a full ocean view adds 31.6 percent to value in the 1989-93 time period, implying a real price of $58,734; although the premium for 2005-07 time period is 23.5 percent, the corresponding real price of an unobstructed ocean view is $83,246.

In contrast to the percentage price impacts for views, the elasticities for square footage are quite stable across all six time periods. As shown by the coefficients on the SQFT variable in Table 3, these elasticities vary from 0.348 to 0.399, implying that a 1 percent increase in square feet increases the sale price by .348 to .399 percent, *ceteris paribus*. It should be noted that this elasticity measures the impact of an increase in above-grade square footage, holding the number of bedrooms, bathrooms, and basement square feet constant. Of course a stable elasticity does not imply a constant dollar price of square footage. Evaluating the elasticity value at the mean sales price and mean square footage for each time period yields a real price of square footage that moves with the Bellingham housing cycle. Based on the elasticities estimated here, the price of a marginal square foot in real terms moves from $37.50 in time period 1 to $54.16 in period 2, then to $48.33, $57.11, $83.20 and $75.73 in the last 4 time periods, respectively. The finding of a stable square footage elasticity, and a real price of square footage that varies with the housing cycle, is similar to the findings of Bourassa et al. (2005).

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HEDONIC MODEL 2: THE EFFECT OF DISTANCE FROM THE WATER ON VIEW VALUES

The previous section explored the value of different types of water views – both ocean and lake views, and how those values have varied over a long period of time. In this section of the paper, we consider that for ocean view and partial ocean view properties, the value of a view may vary depending on distance from the water. More specifically, we hypothesize that the

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more distant the view, the smaller the view premium, everything else held constant. To test this hypothesis over the six time periods of this study, variables interacting each of the four ocean view variables with distance are added to the hedonic model. Interaction variables (OCEAND1-4) are defined as the natural log of (DBAY + 1), where as defined in Table 1, DBAY is the shortest distance in miles from Bellingham Bay. In this model, the impact of a view on sales price is determined by the estimated coefficients on both the view dummy variable and the view/distance variable. As shown by Benson et al. (1998), the percentage impact of a particular type of ocean view on sales price is given by: $100 * [e^{(\beta+\gamma*(OCEAND)}-1]$, where β is the coefficient on the view dummy variable, and γ is the coefficient on the view/distance interaction term.

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Table 5. Selected Hedonic Regression Results and Percentage Impacts, Model 2

	Time Period											
	1984-88		**1989-93**		**1994-99**		**2000-04**		**2005-07**		**2008-09**	
Coefficient:												
OCEANVIEW1	0.3431	a	0.4128	a	0.2876	a	0.2604	a	0.2585	a	0.2721	a
OCEAND1	-0.2251	a	-0.2718	a	-0.140	a	-0.0839	a	-0.0606	c	-0.1646	a
OCEANVIEW2	0.2098	a	0.3531	a	0.2551	a	0.1861	a	0.2520	a	0.1993	a
OCEAND2	-0.1249	a	-0.2001	a	-0.1397	a	-0.0701	a	-0.0987	b	-0.0899	
OCEANVIEW3	0.1590	a	0.2123	a	0.1318	a	0.1424	a	0.2219	a	0.2433	a
OCEAND3	-0.0908	a	-0.0697	c	-0.0666	b	-0.0549	b	-0.1312	a	-0.1820	a
OCEANVIEW4	0.0190		0.4128	a	0.0689	a	0.1082	a	0.1130	a	0.0736	
OCEAND4	-0.0133		-0.2717	a	-0.0259		-0.0601	a	-0.0557		-0.0135	
Percentage Impacts:												
OCEANVIEW1												
0.1 miles	37.9%		47.2%		31.6%		28.7%		28.8%		29.2%	
0.5 miles	28.6%		35.3%		26.0%		25.4%		26.4%		22.8%	
1 mile	20.6%		25.2%		21.0%		22.4%		24.1%		17.1%	
2 miles	10.1%		12.1%		14.3%		18.3%		21.1%		9.6%	
OCEANVIEW2												
0.1 miles	21.9%		39.7%		27.3%		19.7%		27.5%		21.0%	*
0.5 miles	17.3%		31.2%		21.9%		17.1%		23.6%		17.7%	*
1 mile	13.1%		23.9%		17.1%		14.7%		20.1%		14.7%	*
2 miles	7.5%		14.3%		10.7%		11.2%		15.4%		10.6%	*
OCEANVIEW3												
0.1 miles	16.2%		22.8%		13.4%		14.7%		23.3%		25.4%	
0.5 miles	13.0%		20.2%		11.0%		12.8%		18.4%		18.5%	
1 mile	10.1%		17.8%		8.9%		11.0%		14.0%		12.4%	
2 miles	6.1%		14.5%		6.0%		8.6%		8.1%		4.4%	

[a]Significant at the 1% level; [b]significant at the 5% level; [c]significant at the 10% level. *Distance interaction term is not statistically significant.

Table 5 (above) shows selected hedonic regression results for Model 2 – the coefficients on the view dummy variables and interaction terms – and implied percentage impacts. Distance is a significant addition to the specification of ocean views for the three highest-quality ocean views (for most time periods), but not for the lowest-quality ocean view. For the highest-quality ocean views – a full ocean view -- coefficients on the view/distance interaction variables are negative and significant at the 1 percent level for all time periods except 2005-2007 (where the coefficient is significant at the 10 percent level). For superior partial ocean views, the coefficients for the

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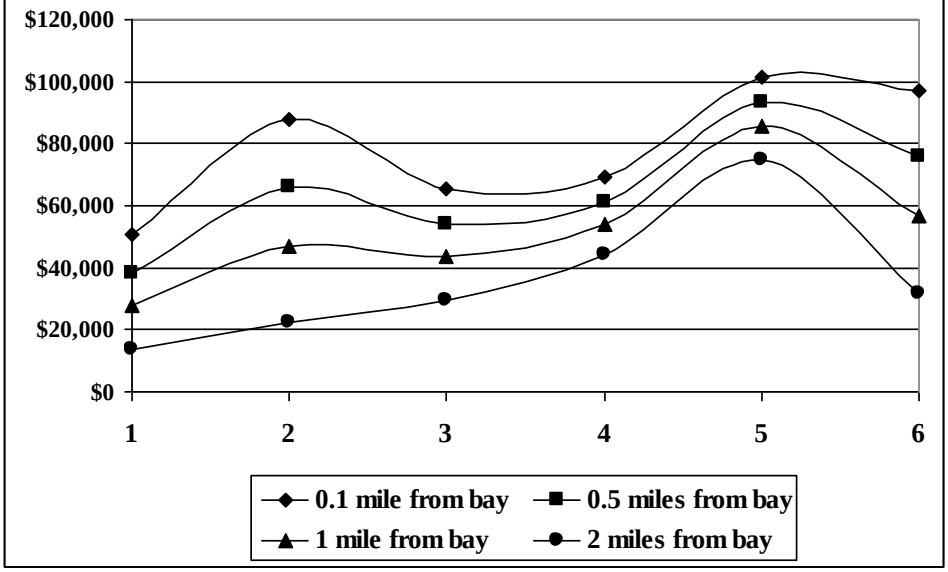
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interaction terms are negative and significant for all time periods except for the most recent period, and for good partial ocean views, coefficients are negative and significant at at least the 10 percent level for all time periods. The view/distance interaction term does not generally perform well for poor partial ocean views.

For the three highest-quality ocean views, percentage price impacts tend to move with the housing cycle, but there are some exceptions to the general pattern. For example, the percentage impact of unobstructed water views at locations 0.1 mile from the water doesn't fall during the recent downturn (time period 6). For the same quality-level at locations 2 miles from the water, percentage price impacts rise during all time periods except the most recent. As a result, the percentage impacts at different distances become more similar up until period 5 (2005-07), and less similar after period 5.

As in the previous section of the paper, real dollar prices of water and lake views are obtained by evaluating percentage impacts at the real mean sales price for each time period. Figure 4 illustrates real prices for unobstructed ocean view properties located 0.1 mile, 0.5 miles, 1 mile and 2 miles from the water. While prices at all distances tend to track the overall market, the relationship between distance from the water and the value of a view has clearly varied over time.

Figure 4. Real Price of a Full Ocean View (2009$), Time Periods 1-6



For example, for full ocean view properties within 0.1 mile of the bay, the view premium is $50,893, $87,912, $65,578, and $101,701 for periods 1, 2, 3 and 5, respectively. From a distance

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of 2 miles the premium is $13,486, $22,527, $29,723, and $74,842 for the same periods, but falls to $31,692 in period 6. The reduced effect of distance starting in time period 3, and continuing in time periods 4 and 5 is unexpected, and appears to be related to an increase in the number of sales of full ocean view properties located more than 3 miles from Bellingham Bay. For the 1989-93 time period, there were no sales of full ocean view properties located farther than 3 miles in our sample, but for the next three time periods, the percentage of full ocean view properties at distances greater than 3 miles rises to 12.8 percent, and then to 23.9 and 20.1 percent. (The percentage for the most recent time period drops to 10.3 percent.)

The increase in the percentage of full ocean view properties located at distances beyond 3 miles is likely explained by the development of a new area of Bellingham view homes in the late 1990s and early 2000s (the "Barkley area"). This area is farther from the bay than other view areas in the city, and many houses are located more than 3 miles from the water. Because the area is located on a high hill, however, many properties have full ocean views. We suspect that a high value for full ocean views in the Barkley area, in spite of the relatively great distance from the water, is causing the reduction in the view/distance interaction term, particular for the 2000-2004 and 2005-2007 time periods. The value of these views may be explained by the dimension of elevation. It is possible that higher elevation can offset the effect of distance by "opening up" the view, and in the case of the Barkley area, affording a view of a greater expanse of water and islands. More research is needed to investigate the impact of elevation on view values.

SUMMARY AND CONCLUSIONS

Very little research has focused on the value of water views over the housing cycle. This study uses housing market sales data for the coastal city of Bellingham, Washington to estimate the value of ocean and lake views over a 25-year period from 1984-2009. Both ocean and lake views are categorized by quality level, as defined by the scope of the view (or conversely, the degree of obstruction), and in the case of ocean views by distance from the ocean as well. The view classifications were determined by a site visit to each potential view property, a method judged by the authors to be the best way to account for obstructions such as building and trees.

The empirical work in the paper addresses both the "absolute" change and the "relative" change of water view premiums over this 25-year period. Results show that real prices of water views have moved substantially over the housing cycle. Real prices of ocean and lake views of all quality levels rose during the housing upturn of the late 1980s and early 1990s, then fell, then rose again during the housing boom of the 2000s before declining again in the most recent period. Measured in 2009 dollars, the price of the highest-quality ocean view (an unobstructed view of Bellingham Bay and the San Juan Islands) peaks at about $83,000 in 2005-2007, the time period corresponding to the peak of the local market. Taking distance into account, the highest-quality ocean view home commands a premium in the 2005-2007 period of about $102,000 if located 0.1 miles from the bay and a premium of $75,000 if located 2 miles away. In

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the 1994-1999, the period prior to the recent housing boom, these view premiums were only $66,000 and $30,000, respectively.

We find that water view premiums move with the housing cycle not only when measured in inflation-adjusted dollar terms, but also when measured on a relative basis. For this market, percentage premiums appear to have peaked during the housing boom of the late 1980s and early 1990s, and then fell in the late 1990s. They recovered in the early 2000s, reached a peak in the boom years of 2005-2007, and fell as home prices dropped in 2008-2009. For example, the view premium for a home that is within 0.1 miles of the bay, with a superior partial bay view rose from 21.9 percent in the mid-1980s to 39.7 percent in the late 1980s and early 1990s, only to fall to 27.3 percent and 19.7 percent in the subsequent two periods. Then, the relative premium rose to 27.5 percent in the 2005-2007 period and fell to 21 percent in 2008-2009. This pattern was true for all view/distance categories except for the best view category (with the highest home values) which exhibited much less variation compared to the other categories. One implication is that percentage view premiums cannot be assumed to be constant over time, or assumed to be similar for similar phases of the housing cycle. Percentage view premiums for the next housing upturn, for example, may differ from premiums exhibited during previous upturns. Results here suggest that in addition to the scope of a view, and distance from the water, careful assessment of views should consider that not only the dollar value but the percentage impact of a view may vary with the housing cycle.

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ABOUT THE AUTHORS

Julia L. Hansen is Professor of Economics in the Economics Department at Western Washington University and has a Ph.D. in economics from the University of California, Berkeley. Her teaching and research activities include microeconomics, urban economics, public finance, and real estate. Her publications have appeared in the *Journal of Urban Economics, Journal of Real Estate Finance and Economics, Journal of Housing Economics, Land Economics, Journal of Real Estate Research, and The Appraisal Journal.* She is also the Editor of the annual *Whatcom County Real Estate Research Report*.

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Volume 12, Number 1

Earl D. Benson is Professor of Finance in the Finance and Marketing Department at Western Washington University and has a Ph.D. in finance from the University of Oregon. His teaching includes financial management, investments, and portfolio analysis and management. Research interests include real estate valuation, portfolio analysis, and determinants of municipal bond interest costs. His publications have appeared in the *Journal of Finance, Journal of Financial and Quantitative Analysis, Financial Analysts Journal, Journal of Portfolio Management, Journal of Money, Credit and Banking, Journal of Real Estate Finance and Economics, Land Economics, Journal of Real Estate Research, The Appraisal Journal, Public Finance Quarterly, Journal of Accounting, Auditing and Finance, Research in Governmental and Nonprofit Accounting, Advances in Accounting, Public Budgeting and Finance, and the Municipal Finance Journal.*

From: Mohsen Salehi msalehi@caltrangroup.com
Subject: Brief Qualifications
Date: Aug 6, 2019 at 5:50:51 PM
To: madsenk1@verizon.net

Mohsen Salehi's Qualifications:

The career of Mohen Salehi, AICP, ITE(F) spans over 30 years of public- and private-sector experience with an extensive track record in traffic and parking studies, transportation/ infrastructure planning and urban design, low impact development and redevelopment projects, complete streets/ context sensitive design solutions, traffic calming/ roadway safety audits/ development review services/ and expert testimony for public agencies and community organizations. Mohsen has a Master of City and Regional Planning (MCRP) from Clemson University with a concentration in Urban Design and Infrastructure, and a Bachelor of Architectural Engineering from Southern Tech (formerly a division of Georgia Tech). He is a member of the American Institute of Certified Planners (AICP) and a fellow of the Institute of Transportation Engineers (ITE).

RALF BROOKES ATTORNEY

Robert L. Malatesta
37 Harbour Isle Drive East PH6
Hutchinson Island, FL 34949-2789

Annette Rudd
37 Harbour Isle Drive East PH4
Hutchinson Island, FL 34949-2789

July 1, 2019

Peter Sweeney, Esq.
City Attorney City of Fort Pierce
100 N. U.S. Highway 1 Fort Pierce, FL 34950

SUBJECT: REQUEST FOR INTERVENOR STATUS IN CASE # 19-4390002 FOR A MAJOR PD AMENDMENT FOR A PROPERTY LOCATED AT 835 SEAWAY DRIVE

Dear Mr. Sweeney:

Purpose of this letter. We request intervenor status in the above entitled case, which is scheduled for first hearing before the City of Fort Pierce Planning Board on Tuesday July 9, 2019 at 5:30 PM. This is a quasi-judicial proceeding.

Parties requesting intervenor status. On behalf of the SOUTH HUTCHINSON ISLAND PRESERVATION (SHIP) GROUP, a §501(c)3 not-for-profit corporation (in organization) which advocates for good land use planning on the island, and on behalf of ourselves, ROBERT L. MALATESTA and ANNETTE RUDD, at the addresses above, we request recognition of intervenor status in opposition to case number 19-4390002, Harbour Isle Development Commercial, LLC, applicants.

Criteria for granting intervenor status. A search of Municode's online version of the Fort Pierce Code does not identify rules for granting intervenor status, but we understand that the City's **Resolution 17.R16** articulates the following "process for establishing quasi-judicial procedures":

> V. Party lntervenors. 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).

Criterion Number 1, an interest different from the public at large. The residences of both Robert Malatesta and Annette Rudd are among the dwellings nearest to the site of the proposed service station. Their residences, at building 37 literally overlook the wall which separates the Harbour Isle development from the subject property. Other residents of building 37 and nearby building 38, which is the second closest building in the complex. Other residents in close proximity are represented by SHIP. *We respectfully request that Robert Malatesta, Annette Rudd, and the SHIP group be recognized as intervenors in case #19-4390002 on grounds that their interest is greater than that of the public at large.*

Criterion Number 2, a request submitted at least three days prior to the hearing with specified contents. The request for intervenor status has been forwarded via email to the City Attorney and the Community Development Director at least three days prior to the first scheduled hearing on July 9th. Resolution 17-R16 also requires that we provide the following materials:

- "a detailed outline of his or her interest in the application and argument in favor or against it." We have explained our interest in our response to Criterion Number 1. Our argument against the application will be that it is generally inconsistent with the Fort Pierce Comprehensive Plan, that it will be disruptive to the immediate neighborhood, due to its 24-hour operations, light pollution, noise, an increase in police calls and illegal behavior, motor and diesel fuel fumes, smells and stormwater runoff, which will be directed on to and share an existing retention pond at our development.

- "copies of all exhibits which will be presented at the hearing." At this time, we have prepared no exhibits, expert reports, or slide presentations, and will not do so until we have the staff report for the case, which the Planner on Duty advises will be available on or about Friday, July 5th. We will have exhibits available on, before or at the adoption hearing when it is heard by the City Commission.

- "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)." In addition to ourselves, Robert Malatesta and Annette Rudd, addresses listed above, we anticipate testimony from Keith Madson, who resides in building 38, Anne Marie Bode, from building 10 and Paul Nist, resident of building 9. Our expert

witness will be Daryl Max Forgey, AICP, of Forgey Planning Services in Cape Coral. Florida.

Our attorney will be Ralf Brookes, Esq. Mr. Brookes has a scheduling conflict and we do not anticipate that he will be personally present at the Planning Board hearing. We are forwarding his resume, along with Mr. Forgey's. We understand that other persons may wish to testify at the public hearing.

We respectfully request that Robert Malatesta, Annette Rudd, and the SHIP group be recognized as intervenors in case #19-4390002 on grounds that they have applied in a timely manner for intervenor status.

If you have any questions concerning this request, please direct them to Annette Rudd at (856) 498-8033.

Sincerely,

Robert L. Maletesta

Robert L. Malatesta

Annette Rudd

Annette Rudd

/s/ Ralf Brookes Attorney
Attorney for Plaintiff
1217 E Cape Coral Parkway #107
Cape Coral Florida 33904
(239) 910-5464
Fax (866) 341-6086
RalfBrookes@gmail.com
Ralf@RalfBrookesAttorney.com

cc: Rebeca Guerra
Max Forgey AICP

RALF BROOKES

Board Certified* in *City County and Local Government Law by The Florida Bar

Ralf G. Brookes, Attorney. 1998-present. Local government law practice - Representing local governments, public and private sector clients, public interest groups and not-for-profit organizations. Prepare and present to local government councils, commissions and boards, review and file applications, litigate approvals and denials, prepare and defend ordinances, land development regulations, comprehensive plan amendments, settlements, development agreements, administrative proceedings on local, state and federal agency permits, approvals, challenges and appeals in state and federal courts, state agencies, counties and municipalities.

MUNICIPAL/CITY ATTORNEY EXPERIENCE:

- **City of Madeira Beach, Florida** (Pinellas County, population 4,406) 2017-present
- **Town of Yankeetown, Florida,** (Levy County, population 760) Town Attorney 2006 – present
- **City of St Pete Beach, Florida** (Pinellas County, population 10,086) **(**City Attorney 2007-2008):
- **City of Bradenton Beach Florida,** (Manatee County, population 1,536) 2004 – 2009

As City/Town Attorney: Meet with and advise City Manager and Departments; Municipal Law; Contracts, RFQs/RFPs; Disputes, Litigation, Comprehensive Plan Amendments, Land Development Code Amendments and review of development application, variances, planned developments, development agreements; legislation, ordinances, audits, sunshine law, public records law; grants, government and public works projects.

COUNTY ATTORNEY EXPERIENCE:

- **Monroe County (the "Florida Keys") - Land Use Litigation Counsel** (1992-1998) Representing Monroe County Florida in land use litigation in state and federal courts, serve as counsel for Growth Management Division, counsel for Planning Department, Planning Commission and Code Enforcement; prepared and defended **vacation rental ordinance**, noise ordinances, resolutions and land development regulations, development agreements, comprehensive plan amendments, defended Monroe County in state and federal court.

- **Sarasota County Assistant County Attorney** (1990 – 1992) Advise County Attorney, Board of County Commissioners of Sarasota County; Planning Commission, Planning, Natural Resources, Code Enforcement, Solid Waste Departments, interagency and interlocal agreements; Pollution Control

MEDIATOR/ARBITRATOR/ALTERNATIVE DISPUTE RESOLUTION

- **Circuit Civil Court Mediator** - Florida Supreme Court Certified
- **Florida Court Appointed Arbitrator** – Florida Supreme Court Approved Training
- **Special Magistrate/Master, Fla. Stat. 70.51 Land Use & Dispute Resolution Act:** Alternative dispute resolution process for land use applications. (e.g., Village of Islamorada Florida)

BUSINESS MANAGEMENT:

BUSINESS MANAGEMENT CONSULTANT & ANALYST: 1998 –2000

Senior Consultant & Analyst Business Management–Cambridge Management Consulting (Celerant Consulting)**.** Delivered measurable improvements in Operations and Maintenance systems to deliver sustainable measurable results of $2.7 to 3.5 million dollars in annual client savings and increased profits. Identify and implement systems, reporting and management procedures for sustainable continual improvements and economic return on location in Texas, NJ, La, Delaware in Oil, Gas, Technology Sectors

TEACHING:

University of Florida Law School – Conservation Clinic and Env and Land Use Law Program, Practitioner in Residence 2013 under Professors Ankersen, Flournoy and Hamann
Florida Gulf Coast University (FGCU) - Adjunct Professor Env Law 2005 - 2014. Masters of Public Administration Program: Environmental & Land Use Law PAD 5620.

EDUCATION:

University of Florida –Law School Gainesville, Florida, Juris Doctorate (J.D. 1988)
- Jessup's Cup Moot Court Team;
- UF Law Center for Governmental Responsibility Fellowship

University of Miami - Bachelor Science degree in **Marine Sciences/Geology,** Coral Gables, (B.S. 1985)

PROFESSIONAL:

Admitted to Florida Bar – 1988 (Over 22+ years as member in good standing)
Board Certified: **City, County and Local Government Law** by The Florida Bar – **2004 to date**

Florida Federal Courts: Admitted Middle District Fla., Southern District Fla., Northern District Florida
Florida State Courts: Admitted all state circuits, all appellate district courts, Florida Supreme Court

The Florida Bar, Sections and Committees:
- **City, County and Local Government Law Section**, to present
- **Environmental and Land Use Law Section (ELULS)**, Executive Council, 1993-2001
- **Administrative Law Section** Executive Council, 1991- 1999

Florida League of Cities, Florida Municipal Attorney's Association Member/Lecturer

The Florida Chamber of Commerce,
- Growth Management Short Course
- Environmental Permitting Short Course

The Florida Bar, Continuing Legal Education (CLE) Programs
- City, County and Local Government Section of the Florida Bar
- Environmental and Land Use Law Section of the Florida Bar
- Administrative Law Section of the Florida Bar
- University of Florida Law program, speaker and guest lecturer

Continuing Legal Education, CLE-International Programs,
- Dealing With Government
- Litigating Land Use and Takings Claims
- Defending Local Government Land Use Denials
- Regulatory Takings under the U.S. and Florida Constitution
- Wetlands Regulations

Florida Municipal Attorney's Association Speaker Noise Ordinances
Southwest Florida Chamber of Commerce "Issues 08" Southwest Florida Legislative Delegation
A Sustainable Southwest Florida: Creating a Vision. Participant City Attorney



Board Certified* in *City County and Local Government Law by The Florida Bar

DARYL MAX FORGEY, AICP
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Cape Coral FL 33904
(239) 560-5864
max@zoningtechnologies.com

AICP (American Institute of Certified Planners). Member in good standing since 1993. A national professional certification maintained by the American Planning Association. AICPs must first meet educational standards and then pass an examination covering all aspects of professional planning practice, and are expected to maintain their membership through a self-directed program of study that is monitored by the national organization, which includes regular training in law and ethics.

Current Positions

FORGEY PLANNING SERVICES—Cape Coral, Florida
Sole Proprietor November 2008-present
A solo planning practice that has done comprehensive planning work for Lee and Sarasota Counties, the City of North Port, and the Captiva Community Panel. Developed a template for auditing the effectiveness of existing local governments comprehensive plans which has been applied in Sarasota County and the City of North Port. An expert witness since 2013, working on more than 30 cases in 25 Florida counties and municipalities, appearing before planning commissions, city councils, county commissions, hearing examiners, administrative law judges, and circuit court. Qualified as an expert witness in Lee County Hearing Examiner proceedings.

ZONING TECHNOLOGIES ®, Inc.—Cape Coral, Florida
President October 2011-present
A start-up subsection 'S' corporation that specializes in restructuring and updating local government comprehensive plans and developing implementation strategies which employ automation to create linked tools (e.g. application forms, automated worksheets, case reports, and adopting resolutions). The Zoning Technologies expert system prototype products were marketed statewide and were demonstrated at the American Planning Association (APA) national conference in Atlanta in April 2014.

Past Positions

OSCEOLA COUNTY, FLORIDA—Kissimmee
Planning Coordinator April 20, 2005-December 31, 2008
Authored key elements of the Osceola County Comprehensive Plan and the 2008 Evaluation and Appraisal Report.

CLAY COUNTY, FLORIDA—Green Cove Springs
Senior Planner October 2003-March 2005
Authored the county's Interlocal Service Delivery Agreement Report (ISDAR) mandated by the Florida legislature, identifying all service overlaps between and among all local governments within Clay County.

LAKE COUNTY, FLORIDA—Tavares
March 2001 to September 2003
Senior Planner – September 2002-September 2003; **Planning Director** – May 2001-September 2002.
Staff liaison to the Environmental Lands Management Advisory Committee, a citizen organization created by the Board of County Commissioners to study the creation of an environmental land program.

Recommended policies were ratified in November 2002, when Lake County voters approved a one-third mil assessment for the acquisition of environmental lands.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL—Fort Myers
Planner--March 1997 to June 1998
Reviewed local government plan amendments throughout the six-county area and authored "The Platted Lands Challenge" report.

CHARLOTTE COUNTY, FLORIDA
Community Development Director – June 1995 to March 1997
Planning Director – January 1990 to June 1995
Early in my tenure, Gulf Development Corporation (GDC), the County's largest land subdivider, declared bankruptcy, shifting responsibility for completion of roads, bridges, drainage works, and utilities, to the public sector and forcing a host of development decisions upon the local government and public agencies. I had two memorable achievements during these seven years:

- Led the staff team that rewrote the Charlotte County Comprehensive Plan and was the point person in the successful four-year effort to negotiate a stipulated settlement agreement between the Board of County Commissioners and the Florida Department of Community Affairs to find Charlotte County's Comprehensive Plan in compliance with Florida's Growth Management Act.
- Advocated internally against the rezoning of 42 parks (illustrated as such on GDC sales maps and the County's Future Land Use Maps) to residential uses. The Company's receivers eventually gave in and donated 41 of them to the people of Charlotte County.

CITY OF CAPE CORAL – Cape Coral, Florida
Acting Deputy Planning Director; Planner; Senior Planner—January 1985 to January 1990
Authored and supervised preparation of key elements of the 1988 Comprehensive Plan (the City's first plan under the 1985 Growth Management Act) and the City's 1989 Land Development Code.

Education

Indiana University Bloomington.
Master of Public Affairs (MPA) with concentration in Urban and Regional Planning 1982.
Bachelor of Arts (BA) 1976**.**

Recent Continuing Education, Writing and Teaching

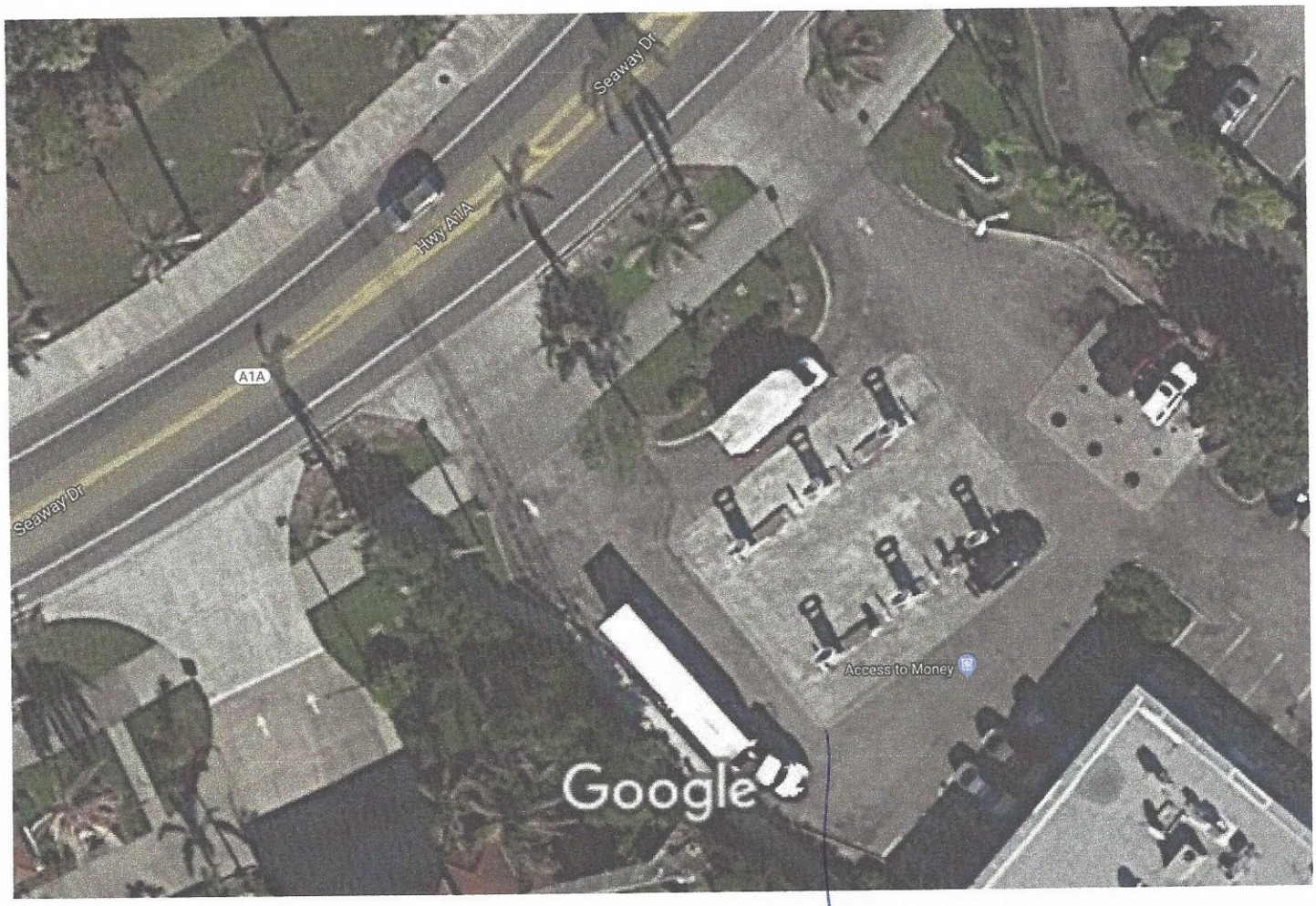
- Program chair for "Planners in Peril: Law and Ethics for Design Professionals" tentatively scheduled for December 6, 2019 in Bonita Springs.
- Program chair for "How High is the Water, Ma?: Rising Sea Level on the Florida Gulf Coast and what we can do about it," sponsored by Friends of Boca Grande Community Center, March 22, 2019 at the Boca Grande Community Center Auditorium.
- Member, Faith Presbyterian Affordable Housing Board, a not for profit corporation which aspires to offer quality housing for low- and moderate-income persons in Cape Coral. Appointed 2018.
- Received 2018 American Planning Association Florida Chapter, Promised Lands section's first-ever Wayne Daltry Award for Planning Programs for developing professional education symposia.
- Prepared policy audit of Town of Fort Myers Beach Comprehensive Plan for Weiler Engineering, Summer 2018.
- Program chair for American Planning Association symposium "Warped Tour '18: Land Use Law for Planners" March 23, 2018 in Punta Gorda.

- Program chair for Captiva Community Panel/ Florida APA symposium "Now in *My* Back Yard: Rising Sea Level on Florida's Gulf Coast and what can be done about it" January 13, 2017 at South Seas Resort on Captiva Island.
- Co-authored article with Karen Consalo, Esq. "Best Practices for Local Government Land Use Decision-making" in Summer 2016 edition of *Florida Planning*.
- Speaker at American Planning Association Florida Chapter Annual Conference in Tampa, September 9, 2016. "A Pre-tirement Guide for Perplexed Planners: Making the Transition to Solo Practitioner."
- Attended and participated in CLE International's annual Land Use Law symposium in Tampa, August 18-19, 2016 and August 6-7, 2015
- Speaker at University of Central Florida 2016 Public Administration Research Conference April 8, 2016. Topic: "What's the Big Idea: New Software that Aids Land Use Decisions."
- Attended and participated in American Planning Association Florida chapter annual conference in Hollywood, Florida September 10-13, 2015.
- Coordinator and presenter for daylong FAPA-sponsored symposium "Everything You Ever Wanted to Know about Florida Land Use" in Cape Coral May 16, 2014.

Jurisdictions where Max Forgey has done Expert Witness Work 2013-2019
April 19, 2019

Bonita Springs
Bradenton
Cape Coral (3)
Charlotte County
Collier County
DeSoto County
Fort Myers Beach (2)
Hardee County
Hendry County (C Court)
Hernando County
Highlands County
Lantana
Lee County (5)
Miramar
Monroe Co (ALJ)
Orange County
Palm Beach County (ALJ)
Pasco County
Polk County (C court)
Punta Gorda (2)
St. Johns County
Sarasota County
Venice

Google Maps 975 Seaway Dr



Map data ©2019 20 ft

Concrete pump apron
49' x 64' = 3,136 sq ft.

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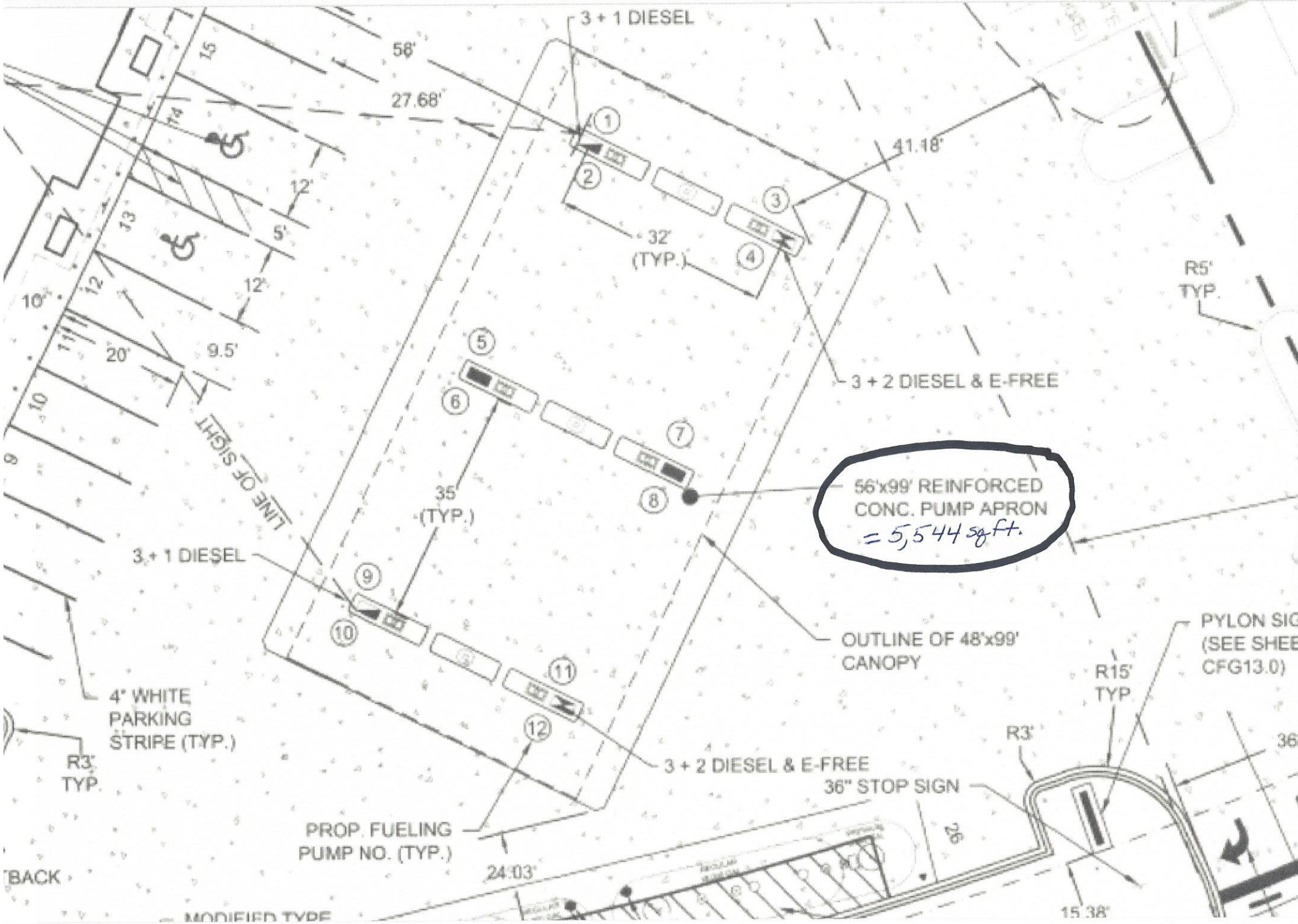
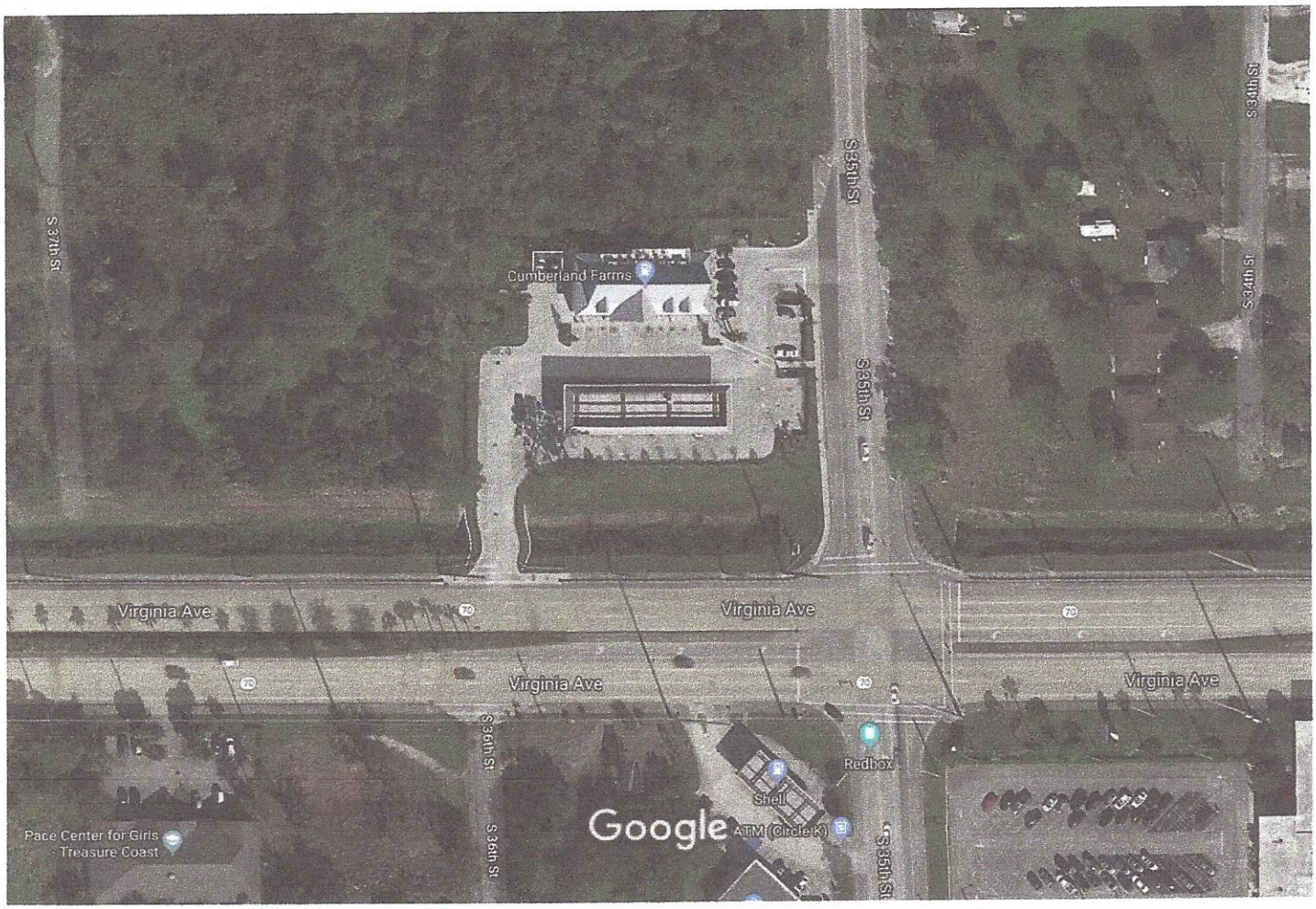




Photo taken by Keith Madsen on 4-14-19 at the St Lucie County Aquarium boat ramp.

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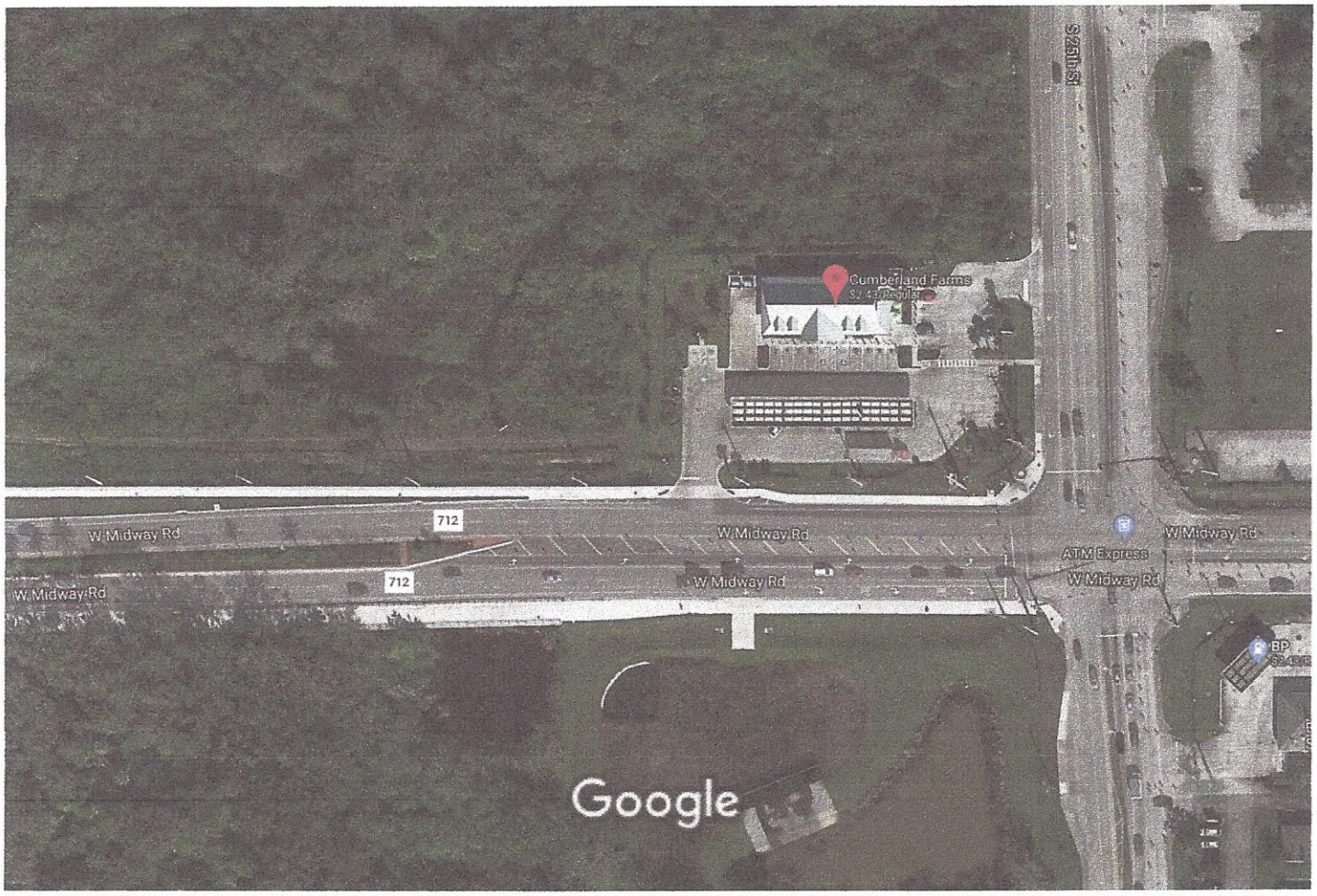
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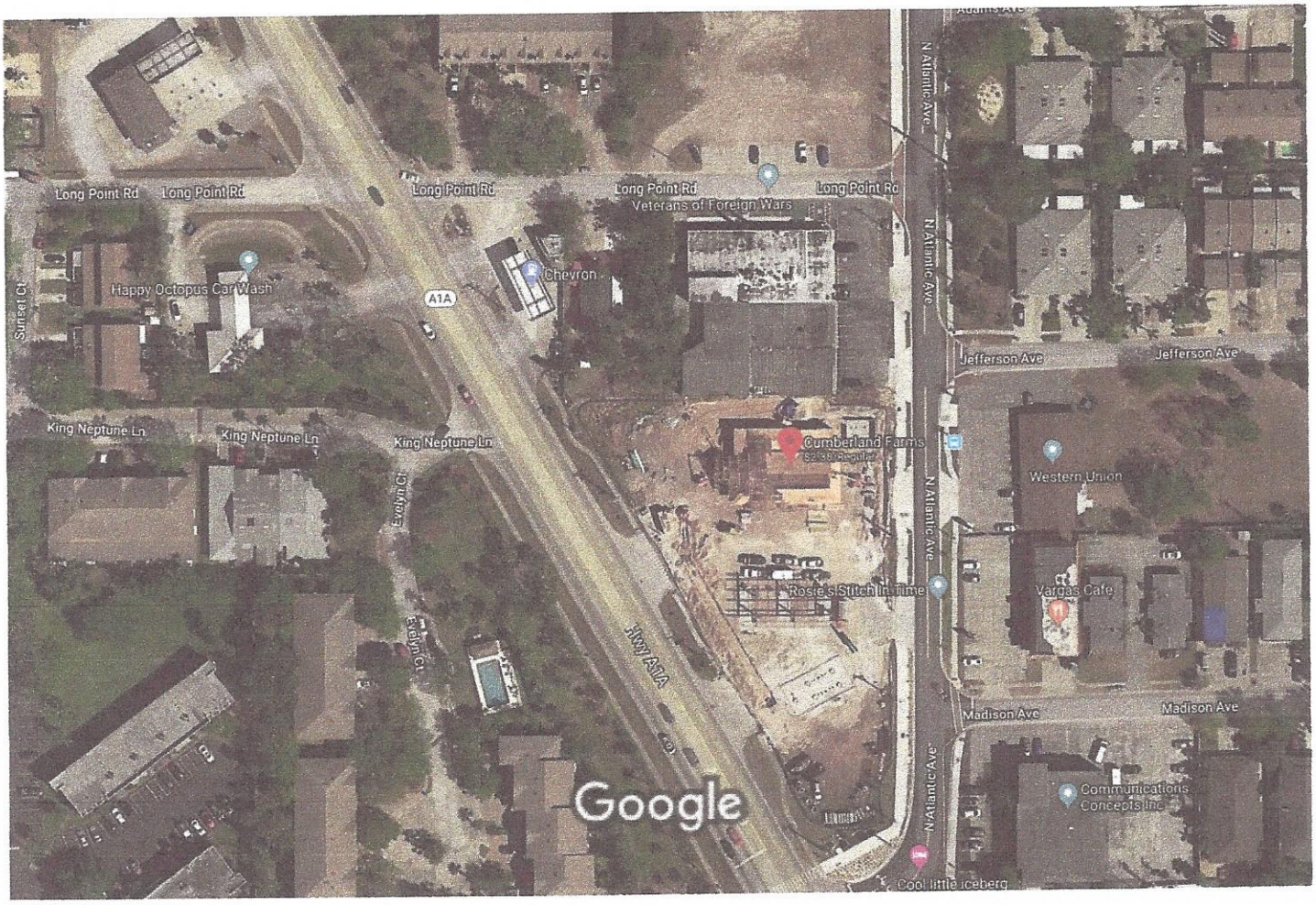
Gas station

Directions Save Nearby Send to your phone Share

Diesel	Regular	Midgrade	Premium
-	$2.43	-	-

Convenience store chain with packaged snacks, cold drinks, prepared foods & more (most sell fuel).

Google Maps Cumberland Farms



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Image capture: Dec 2018 © 2019 Google

Cape Canaveral, Florida

Google

Street View - Dec 2018

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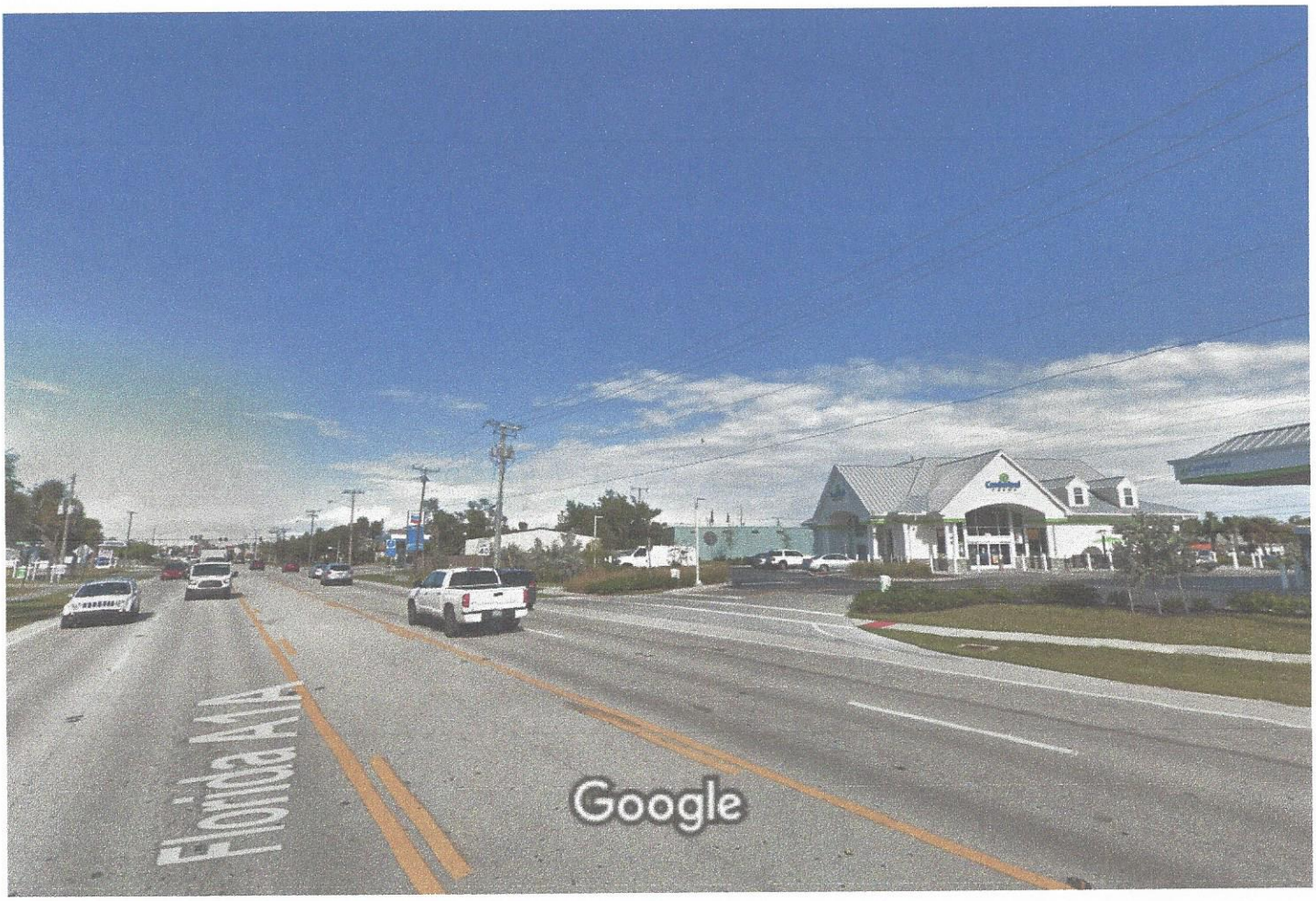


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Cape Canaveral, Florida

Google

Street View - Dec 2018

Google Maps 8040 N Atlantic Ave



Image capture: Dec 2018 © 2019 Google

Cape Canaveral, Florida

Google

Street View - Dec 2018

From: Mohsen Salehi msalehi@caltrangroup.com
Subject: Brief Qualifications
Date: Aug 6, 2019 at 5:50:51 PM
To: madsenk1@verizon.net

Mohsen Salehi's Qualifications:

The career of Mohen Salehi, AICP, ITE(F) spans over 30 years of public- and private-sector experience with an extensive track record in traffic and parking studies, transportation/ infrastructure planning and urban design, low impact development and redevelopment projects, complete streets/ context sensitive design solutions, traffic calming/ roadway safety audits/ development review services/ and expert testimony for public agencies and community organizations. Mohsen has a Master of City and Regional Planning (MCRP) from Clemson University with a concentration in Urban Design and Infrastructure, and a Bachelor of Architectural Engineering from Southern Tech (formerly a division of Georgia Tech). He is a member of the American Institute of Certified Planners (AICP) and a fellow of the Institute of Transportation Engineers (ITE).

Our Stores



Check out the future of Cumberland Farms, coming soon to a neighborhood near you. We have over 300 of these incredible new locations up and running, but many more are on the way. We won't stop until every one of our nearly 600 stores is converted!



Keith J. Madsen
38 Harbour Isle Drive East Unit 103
Hutchinson Island, FL 34949-2789

August 5, 2019

Peter Sweeney, Esq.
City Attorney
City of Fort Pierce
100 N. U. S. Highway 1
Fort Pierce, FL 34950

SUBJECT: REQUEST FOR INTERVENOR STATUS IN CASE # 19-4390002 FOR A MAJOR PD AMENDMENT FOR A PROPERTY LOCATED AT 835 SEAWAY DRIVE

Dear Mr. Sweeney:

Purpose of this letter. I am requesting intervenor status in the above entitled case, which is scheduled for a public hearing before the City Commission of the City of Fort Pierce, Florida, at their meetings on Monday, August 19, 2019 and Tuesday, September 3, 2019 which begin at 6:30 PM. This is a quasi-judicial proceeding.

Party requesting intervenor status. On behalf of myself, Keith J. Madsen, at the address above, I request recognition of intervenor status in opposition to case number 19-4390002, Harbour Isle Development Commercial, LLC, property owner and Cumberland Farms, and representative Jeffery Lucas of Atkins, NA.

Criteria for granting intervenor status. A search of Municode's online version of the Fort Pierce Code does not identify rules for granting intervenor status, but we understand that the City's **Resolution 17.R16** articulates the following "process for establishing quasi-judicial procedures".

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.)

Criterion Number 1, an interest different from the public at large. The residence of Keith J. Madsen is among the dwellings nearest to the site of the proposed service station. *I respectfully request that I be recognized as an intervenor in case #19-439002 on grounds that my interest is greater than that of the public at large.*

Criterion Number 2, a request submitted at least three days prior to the hearing with specified contents. The request for intervenor status has been forwarded via email to the City Attorney and the Community Development Director at least three days prior to the first scheduled hearing on August 19, 2019. Resolution 17-R16 also requires that we provide the following materials:

- "a detailed outline of his or her interest in the application and argument in favor or against it." We have explained our interest in our response to Criterion Number 1. Our argument against the application will be that it is inconsistent with the Fort Pierce Comprehensive Plan, that it will be disruptive to the immediate neighborhood due to its 24-hour operations, light pollution, noise, and antisocial behavior. The largest factor affecting the entire island will be traffic congestion as well as hazards for vehicles, pedestrians and bicyclists.

- "copies of all exhibits which will be presented at the hearing." All exhibits, expert reports, or slide presentations will be submitted to the City Clerk's office no later than three days prior to the hearing.

- "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)". In addition to myself, Keith J. Madsen, address listed above, also testifying will be expert witness Mohsen Salehi (ITE(F) of Salehi Consulting Service of Ft. Myers, Florida; resume is attached.

I respectfully request that Keith J. Madsen and Mohsen Salehi (ITE)(F) be recognized as intervenors in case # 19-4390002 on grounds that we have applied in a timely manner for intervenor status.

If you have any questions concerning this request please contact me at 443-618-0621 or email madsenk1@verizon.net. and/or Mohsen Salehi at 239-994-1320 or email msalehi@caltrangroup.com.

Sincerely,



Keith J. Madsen

From: Mohsen Salehi msalehi@caltrangroup.com
Subject: Brief Qualifications
Date: Aug 6, 2019 at 5:50:51 PM
To: madsenk1@verizon.net

Mohsen Salehi's Qualifications:

The career of Mohen Salehi, AICP, ITE(F) spans over 30 years of public- and private-sector experience with an extensive track record in traffic and parking studies, transportation/ infrastructure planning and urban design, low impact development and redevelopment projects, complete streets/ context sensitive design solutions, traffic calming/ roadway safety audits/ development review services/ and expert testimony for public agencies and community organizations. Mohsen has a Master of City and Regional Planning (MCRP) from Clemson University with a concentration in Urban Design and Infrastructure, and a Bachelor of Architectural Engineering from Southern Tech (formerly a division of Georgia Tech). He is a member of the American Institute of Certified Planners (AICP) and a fellow of the Institute of Transportation Engineers (ITE).

City of Ft Pierce
Case#19-4390002 Cumberland Farms
Application For Major Amendment To PD At 835 Seaway Drive



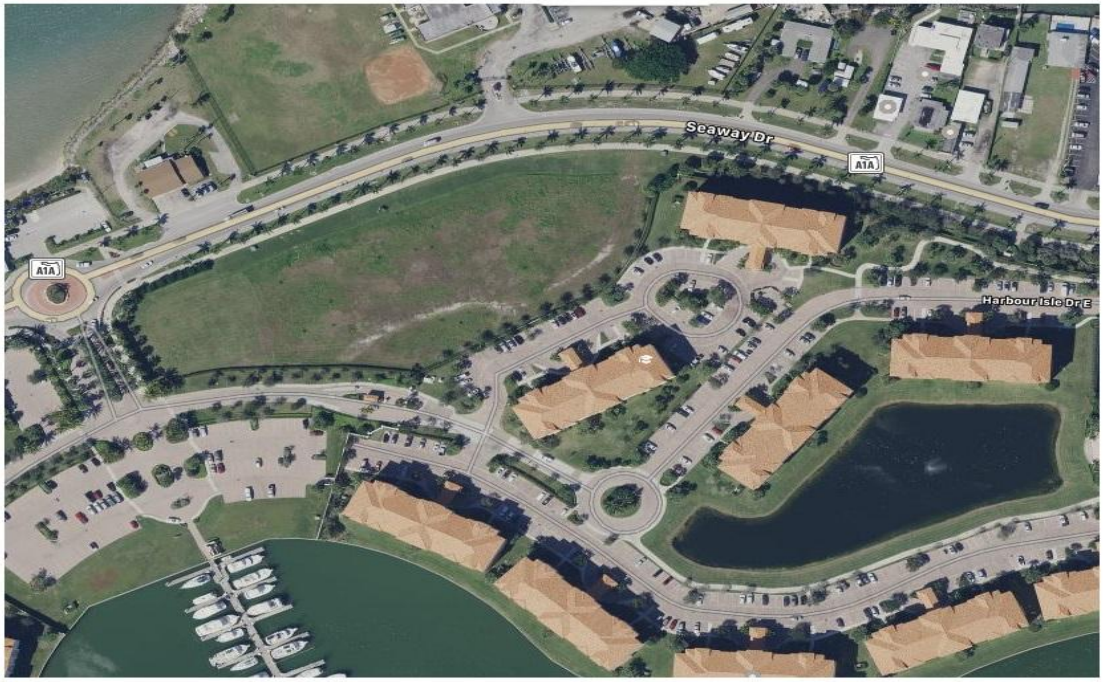
Mohsen Salehi, AICP, ITE(F)
On Behalf of Harbour Isle Community
of South Hutchinson Island
Preservation (SHIP), Inc.
Ft Pierce City Commission
August 19, 2019

TRAFFIC IMPLICATIONS

Of Proposed Cumberland Farms Relocation To 835 Seaway Dr (A1A)

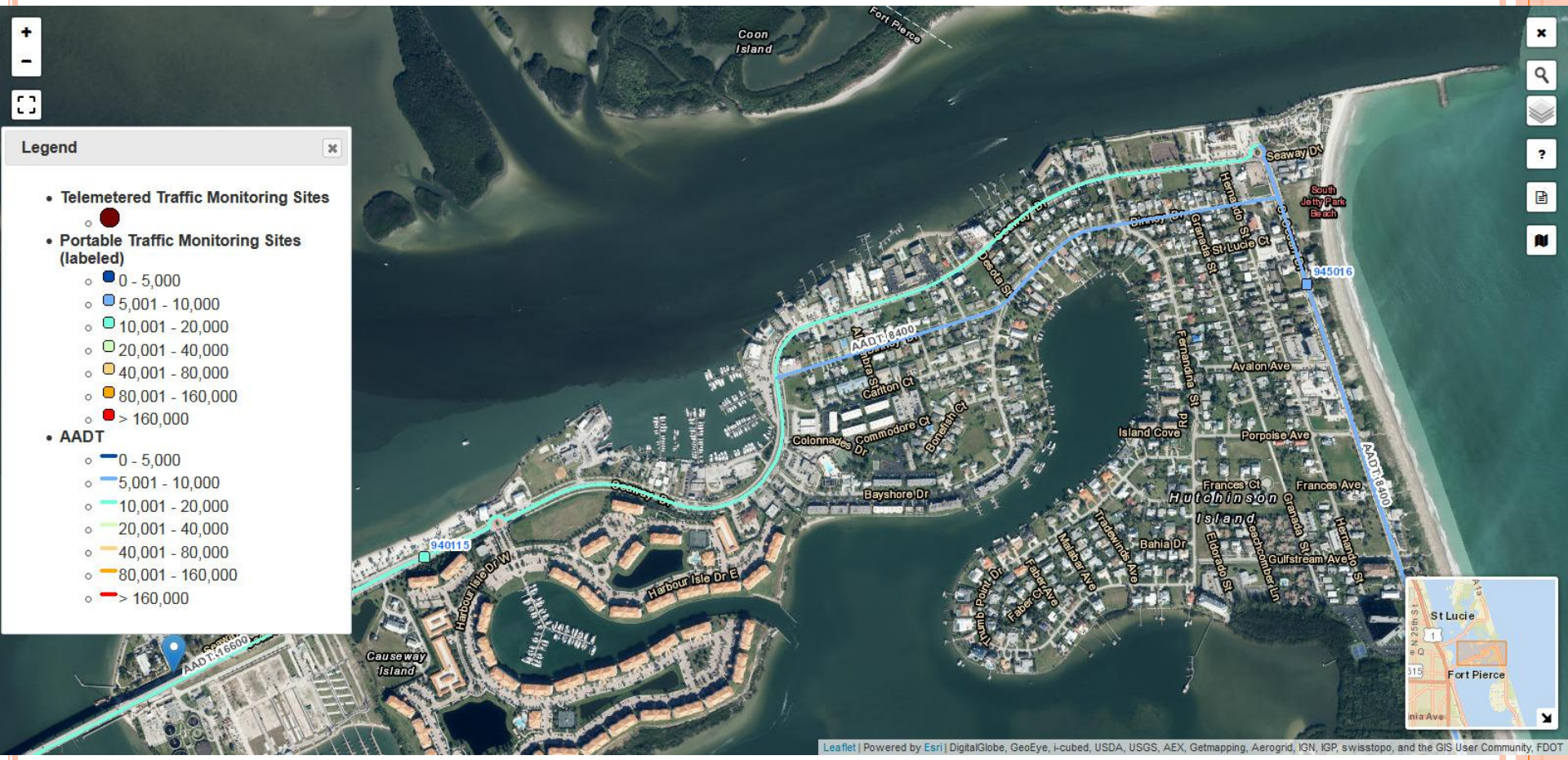
Existing CF:
975 Seaway Dr
4,000 sq ft
0.74 AC
Zoning: C5/TC
FLU: GC





Proposed CF:
835 Seaway Dr
5,625 sq ft / 12 FP
1.5 AC
Zoning: PD
FLU: HIMU

Traffic Context



Seaway Dr (A1A) Walk Score





Seaway Dr (A1A) Bike Score



Scores for Seaway Drive

Walk Score **36**

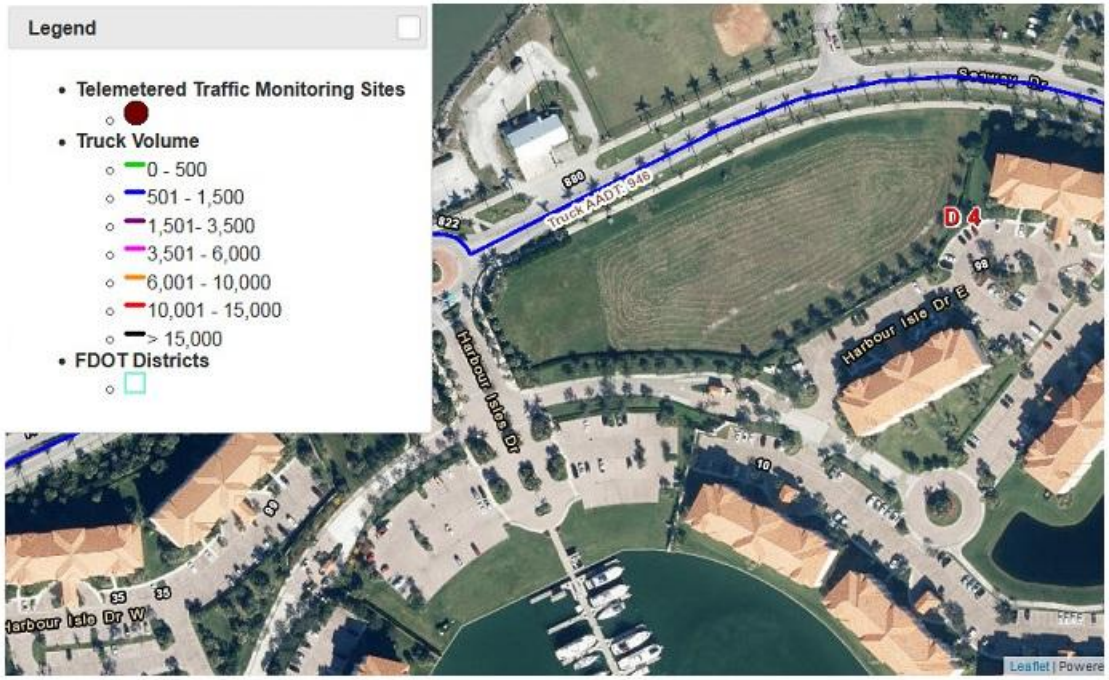
Bike Score **54**

Walk Score	Transit Score	Bike Score

Bike Score measures whether an area is good for biking based on bike lanes and trails, hills, road connectivity, and destinations.

90–100	**Biker's Paradise** Daily errands can be accomplished on a bike
70–89	**Very Bikeable** Biking is convenient for most trips
50–69	**Bikeable** Some bike infrastructure
0–49	**Somewhat Bikeable** Minimal bike infrastructure

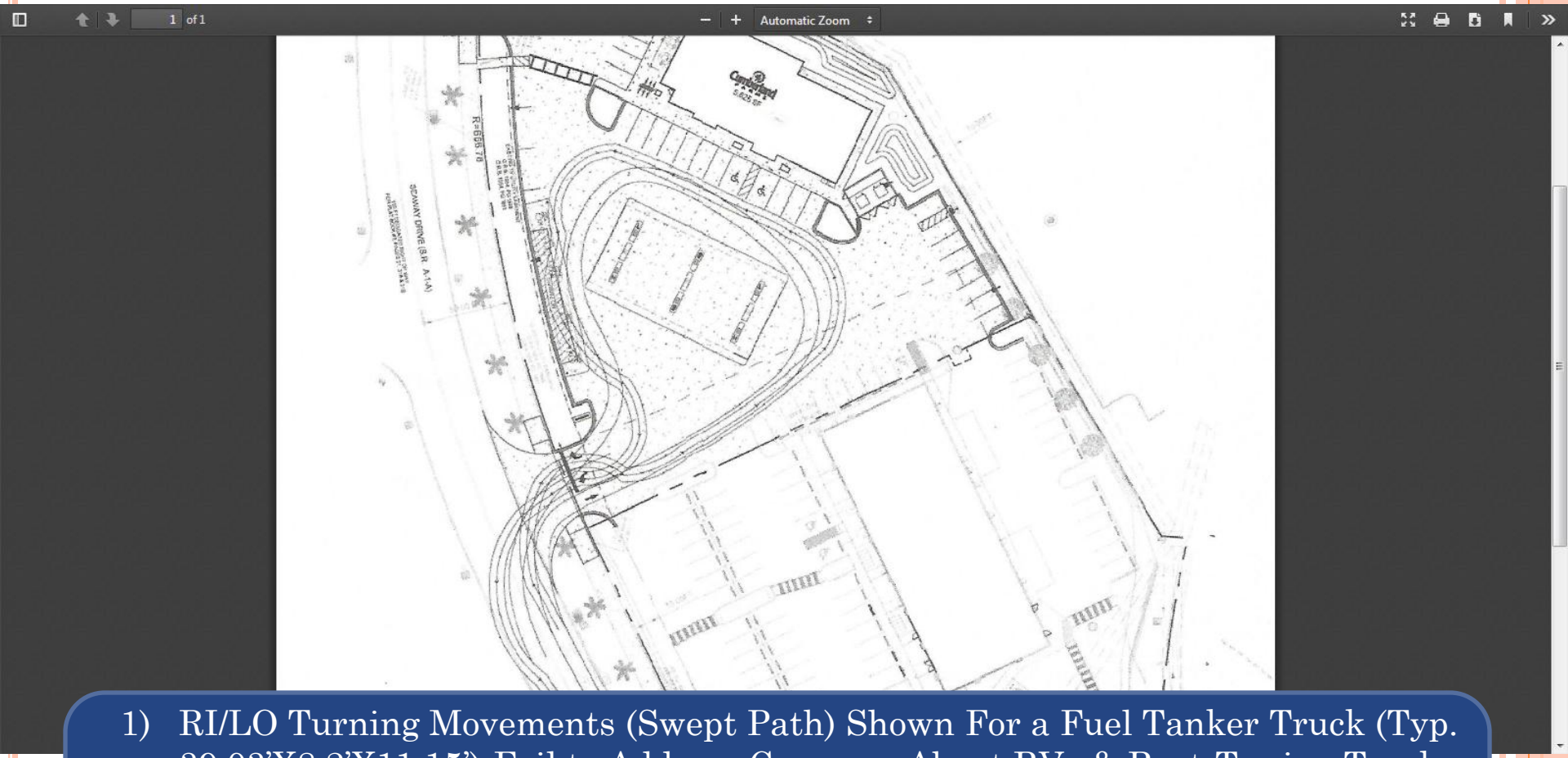
Truck Traffic



1) 2018 Truck Traffic: 946 AADT or 5.7% of Seaway Dr (A1A) Traffic Total of 16,600

2) Truck Impacts on Coastal Traffic w/ their Limited Maneuverability, & Larger Radii, on A1A as 2Lane Undivided Rd Pose Safety & Quality of Life Concerns

Turning Movements Issues



1) RI/LO Turning Movements (Swept Path) Shown For a Fuel Tanker Truck (Typ. 39.03'X8.2'X11.15') Fail to Address Concerns About RVs & Boat-Towing Trucks RIRO or LIRO

2) Trucks Swept Path Encroachment onto Bike Lanes Constitute a Safety Concern

Driveways Issues

1) Movements to & from A1A Single Lane Approaches, -T Intersection Driveways, Particularly Full Access, RIRO/LILO, Constitute 9 Conflict Points Through Merging (3) , Diverging (3), and Crossing(3) Movements

2) Conflict Points Compounded by Pedestrian Crossing & Bicycle Traffic Particularly if Riding Against Traffic Flow

3) A1A as a Two Lane Undivided Roadway, without a Median or Right Turn Lane is Particularly Vulnerable to Unsafe Short Cuts in the Vicinity of the Proposed CF.

4) FDOT Approval of CF Request for "Driveway 1: Right in only Driveway on the South side of SR A1A/Seaway Drive, Located Approximately 200 feet East of Harbour Isle Drive" inconsistent with the Department's Rule 14-97, Table 2 Establishing a Minimum of 245 Connection Spacing for Access Class 06 with speed =/< 45mph

Rule 14-97: Table 2

Access Class	Medians	Connection Spacing (FEET)		Median Opening Spacing (FEET)		Signal Spacing (FEET)
		> 45 mph	≤45mph	Directional	Full	
2	Restrictive with Service Roads	1320	660	1320	2640	2640
3	Restrictive	660	440	1320	2640	2640
4	Non-Restrictive	660	440			2640
5	Restrictive	440	245	660	*2640/1320	*2640/1320
6	Non-Restrictive	440	245			1320
7	Both	125		330	660	1320

Most Strict

Least Strict

*2640 feet for > 45 mph; 1320 feet for < 45 mph

"Restrictive" = physically prevent vehicle crossing

"Non-Restrictive" = allow turns across at any point

CF Traffic Area of Influence



1) Per LDC Sec 22-217 (f)(b)(2) Table A, Even as "Minimal Scale" 1.o Mile Radius Links & Intersections Need to be Analyzed

MEP CF's Traffic Study Irregularities & Inconsistencies

1) Background Traffic AADT By Averaging FDOT CS#940115 (Seaway Dr)& #945016 (Ocean Dr) To Reduce 5YR Growth Rate (4.28%,1.55% Respectively) to 3.4%(p.6)

2) Assertion of Approval of 24,268sqft Development Parameters in MEP's TIS (p.2) as Opposed to Shoppe's 11,050sqft (Per Ord. 19-003)

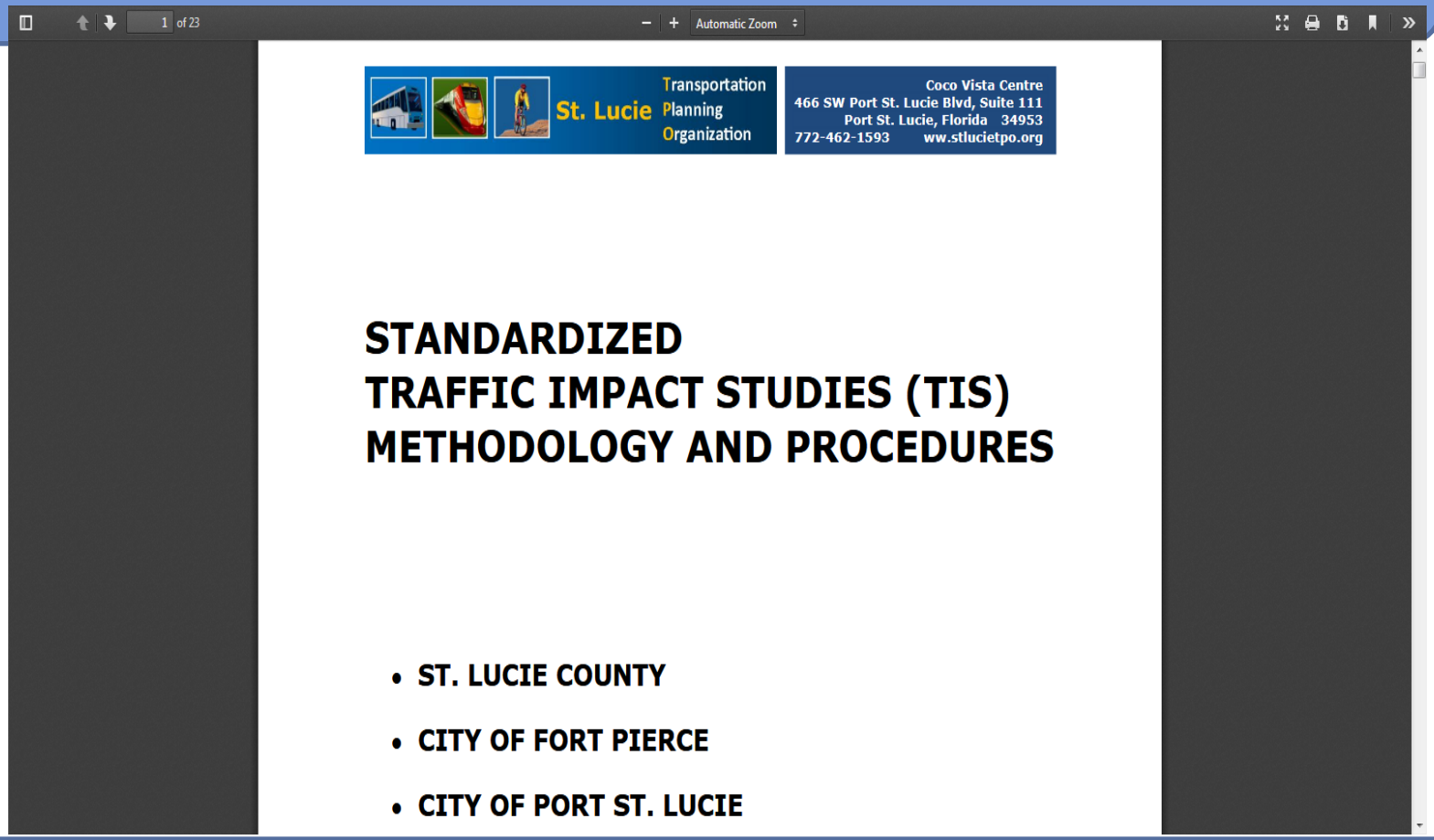
3) Trip Generation Calculations for Medical Office (Exhibit7) w/o Entering them into Links LOS

4) Limiting Intersections Analyses to RI(W), Full Access, RIRO-LILO(M), & RO(E) Driveways & Excluding Harbour Isle Roundabout & A1A / Bayshore Intersection

5) 2018 St Lucie TPO LOS Report for PM Pk Hr Pk Dir Indicate Background Traffic LOS D for A1A (Binney Dr to Causeway Park (V/C 777/790=0.984 w/ 14,800 AADT 2017)

PM Pk Hr Pk Dir for 2018 Data Results in LOS F (V/C=944/790=1.19 w/16,600 AADT 2018) inconsistent w/ LDC Sec. 22-218 (e)(1) Table B Requirement for Minor Arterials LOS D

Pre-application Vs. Methodology



Considering Availability of St. Lucie County TPO Standardized TIS, Methodology & Procedure (May 2014)City Is Urged to Require Applicants to Follow to Show Full Impact of Proposed Developments.

Inconsistency w/ Comp Plan

Comp Plan Future Land Use Element

1.4 Objective: Coordinate the transportation and land use planning activities of Fort Pierce to ensure that the roadway level of service(LOS) standards established within the Comprehensive Plan are maintained

.1.4.1 Policy: The City shall evaluate land use with transportation impacts for all land use and development applications which will direct planned improvements in the Schedule of Capital Improvements and the Capital Improvements Element

1.4.2 Policy: The City will require traffic impact studies for all future land use changes, rezonings, and development applications. Applicants will be required to demonstrate the traffic impacts according to professionally accepted traffic engineering practices.

With A1A Background Traffic at F, Denying the Application based on Applicant's TIS Downplaying Full Impact of Development, is Ground for Denying CF Application, Consistent w/ Objective 1.4 & Policy 1.41. 1.4.2.

Inconsistency w/ Comp Plan

Comp Plan Transportation Element

2.1.Objective:TheCity of Fort Pierce is designated as a transportation Concurrency Exception area pursuant to Section 163.3180,FloridaStatutes (F.S.).The City Is exempt from state-mandated transportation concurrency. The City will Continue to administer a roadway level of service(LOS) based Concurrency Management system to review development impacts. Land use and Transportation strategies to support and fund mobility shall be implemented to comply with163.3180(5)(b)4,F.S.

2.1.1 Policy: Development impacts will continue to be mitigated through the administration of a roadway LOS based concurrency management system that requires transportation facilities needed to serve new development to be in place or under construction within three years after the City approves a building permit or its functional equivalent.

In the Absence of Any Planned Capacity Improvements for A1A, City Must Uphold Adopted LOS to Safeguard Public Safety & Mobility Consistent with Objective 2.1. & Policy 2.1.1. and Deny CF Application

Inconsistency w/ LDC

LDC Sec. 22-218 (b)(2).

(2)De minimis *impacts*. A development which meets the following de minimis *impact* thresholds is also exempt from the requirements of this article, but only to the extent stated in an applicable certification of exemption:

a.

An *impact* that would not affect more than one per cent of the maximum volume at the adopted level of service of the affected transportation facility as determined by the director of planning.

b.

An *impact* for which the sum of existing roadway volumes and the projected volumes from approved projects on a transportation facility does not exceed one hundred ten (110) per cent of the maximum volume at the adopted level of service of the affected transportation facility.

CF Application Not eligible for Exemptions Since w/ Background Traffic at LOS F w/ V/C Ratio of 1.19 & Exceeding both (a.) & (b.) thresholds, therefore City is Strongly Urged to Deny CF Application.

Questions?

Sometimes in the city's rush to be business friendly,
(Mayor)"Hudson Said . We don't follow all of our rules."

July 18, 2016

The Commission Is Urged to Stay Consistent w/Comp Plan & LDC & Deny CF Application For Major Amendment To PD at 835 Seaway

Thank You

Mohsen Salehi, AICP, ITE(FL)
Salehi Consulting Services
Ft. Myers, Florida

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

AFFIDAVIT OF NOTIFICATION AND MAILING

I, the undersigned, do hereby declare that I did mail copies of a notice of public hearings to each owner of the property located, or having any part thereof, situated within five hundred (500) feet of any point of the property for which the request has been made and to the owner of the property for which the request has been made, as required by Chapter 22, Article X, Section 22-143 of the Code of Ordinances.

Project: Major Amendment to PD - Harbour Isle - 835 Seaway Drive

Staff Name: Brandon C. Creagan

Staff Signature: B C C ...

Date Mailed: 7-17-19

Number of Mailed Letters: 164

Attachments:
Copy of notice of public hearings
Mailing list
Map of properties notified

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

July 17, 2019

Dear Property Owner(s):

The property owner, **Harbour Isle Dev Commercial, LLC**, applicant, **Cumberland Farms,** and representative **Jeffery Lucas of Atkins, NA**, are requesting approval of a **Major Amendment** to the Harbour Isle Planned Development for the construction of a 5,625 sqft Fueling Station and Convenience Store with associated improvements to be known as Cumberland Farms. The property is zoned PD, Planned Development with a Future Land Use of HIMU, Hutchinson Island Mixed Use.

Legal Description: SECOND REPLAT OF HARBOUR ISLE AT HUTCHINSON ISLAND (PB 46-9) THAT PART OF TRACT D-1 MPDAF: FROM NW COR OF TRACT D-1, TH N 64 50 00 E ALG N LI OF TRACT 244.91 FT TO CURVE CONC S, R OF 666.78 FT, TH ELY ALG ARC 11.90 FT TO POB; TH CONT ALG ARC 388.84 FT TO NE COR OF TRACT, TH S 29 41 35 W 34.91 FT, TH N 78 52 58 W 13.84 FT, TH S 12 27 34 W 6.64 FT, TH N 76 43 04 W 4.75 FT, TH S 56 32 17 W 20.34 FT, TH S 08 07 52 W 4.31 FT, TH N 78 03 59 W 6.65 FT, TH S 11 13 25 W 71.62 FT TO CURVE CONC W, R OF 90 FT, TH SLY ALG ARC 17.17 FT, TH S 22 09 18 W 23.61 FT TO E LI OF TRACT, TH S 29 41 35 W 72.18 FT, TH S 60 12 16 W 160.08 FT TO POB (1.504 AC - 65,532 SF) (OR 2377-203)

A public hearing is scheduled before the City Commission of the City of Fort Pierce, Florida, at their meetings on **Monday, August 19, 2019** and **Tuesday, September 3, 2019** which begins at **6:30 p.m**. in the City Hall Commission Chambers, 100 North U.S. 1, Fort Pierce, Florida. You are provided the opportunity to attend the public hearing and to speak in favor of, or in opposition to, the requested **Major Amendment to the PD**. Whether you attend the meeting or not, it is requested that you please complete the form below and return it so it is received by **5 p.m.** on **Monday, August 19, 2019.** Methods of returning your ballot are identified below. Each ballot returned will be tabulated and reported to the City Commission. If you have any inquiries, or would like to review the complete application, please contact me at (772) 467-3742 or bcreagan@city-ftpierce.com. Furthermore, published agenda packets for each City Commission meeting are provided a few days in advance at the following web address: http://cityoffortpierce.com/223/Agendas-Minutes.

Thank you for your contribution.

Sincerely,

Brandon Creagan, LEED Green Associate
Planner

Major Amendment to PD – Harbour Isle – 835 Seaway Drive No. 1

I approve 0 I disapprove 0

Comments:

_____

_____

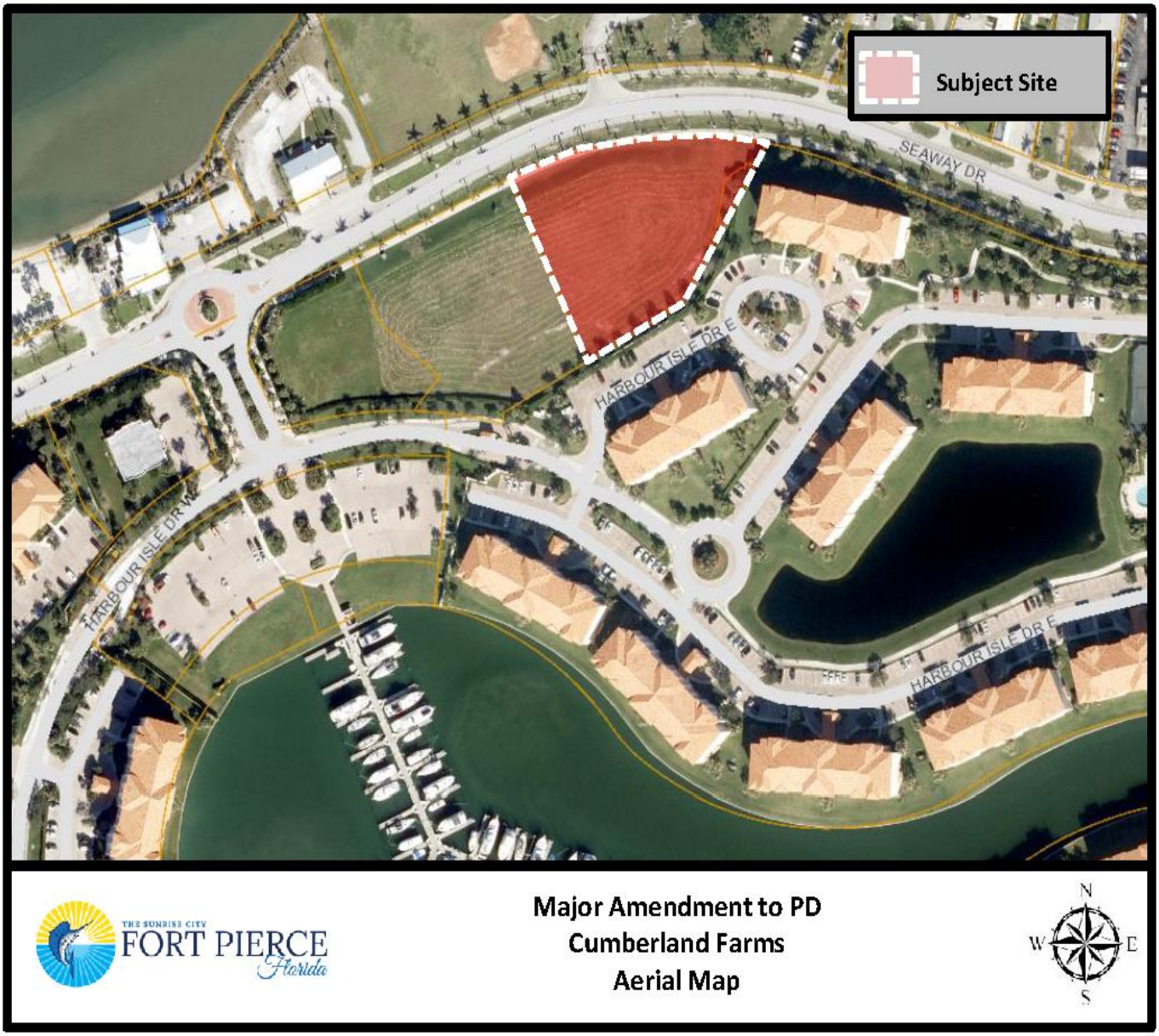
_____

_____ _____

Signature **Date**

Aerial Map

835 Seaway Drive



Please complete and return ballot to:

Mail		Fax		Email
City of Fort Pierce **Planning Department** **100 N. US Hwy 1** **Fort Pierce, FL 34950**	**or**	**(772) 466-5808**	**or**	**bcreagan@city-ftpierce.com**

Salvador-Harbeck (LF EST) Aleida 1
240 Gray Street
West Palm Beach , FL 33405-4706
UNITED STATES

Newman Tracy E 2
1 E Harbour Isle Dr, Unit 102
Fort Pierce , FL 34949-2753
UNITED STATES

Massei (TR) Sara S 3
10946 Lake Central Drive
Saint John , IN 46373-0260
UNITED STATES

Tarallo John 4
27 Crystal Terrace
Mount Bethel , PA 18343-5775
UNITED STATES

Leonard Laurie 5
2 Swift Road, Unit 105
Lombard , IL 60148-1147
UNITED STATES

Bunch (LF EST) Laura L 6
1951 NE 60th Street
Fort Lauderdale , FL 33308-2125
UNITED STATES

McCarthy James G 7
31 Yankee Maid Lane
Goshen , NY 10924-2600
UNITED STATES

DeVries Ronald 8
1336 SW Cottonwood CV
Port St Lucie , FL 34986-2002
UNITED STATES

Jeppson Charles A 9
1129 San Martin Drive
Tucson , AZ 85704
UNITED STATES

Peterson William A 10
1 E Harbour Isle Dr, Unit 204
Fort Pierce , FL 34949-2753
UNITED STATES

O`Leary Marian 11
1 E Harbour Isle Dr, Unit 205
Fort Pierce , FL 34949-2753
UNITED STATES

Sangster David E 12
1 E Harbour Isle Dr, Unit 206
Fort Pierce , FL 34949-2753
UNITED STATES

Staelens Solange A 13
1 E Harbour Isle Dr, Unit 301
Fort Pierce , FL 34949-2753
UNITED STATES

Flosi (TR) Elizabeth 14
22 Praire Lane
Orland Park , IL 60467-7222
UNITED STATES

Speck Charles 15
1 E Harbour Isle Dr, Unit 303
Fort Pierce , FL 34949
UNITED STATES

VanWyk (TR) Janet E 16
7273 SE Old Lantern Dr
Caledonia , MI 49316-9002
UNITED STATES

Collins (LF EST) Roger 17
1 E Harbour Isle Dr, Unit 305
Fort Pierce , FL 34949-2753
UNITED STATES

Clifford Joseph D 18
2367 Barnsbury Road
East Lansing , MI 48823-7770
UNITED STATES

Mijares Carlos 19
7700 SW 176th Street
Palmetto Bay , FL 33157-6244
UNITED STATES

Berman (TR) Alan M 20
1780 NW 104th Avenue
Coral Springs , FL 33071-6501
UNITED STATES

Briganti Francis L 21
1 Harbour Isle Dr E PH03
Fort Pierce , FL 34949-2753
UNITED STATES

Montgomery George 22
1 E Harbour Isle Dr, Unit PH4
Fort Pierce , FL 34949-2753
UNITED STATES

Tischler Robert J 23
5003 Jackson Drive
Jefferson Hills , PA 15025-3455
UNITED STATES

Metcalf Daryl L 24
1 E Harbour Isle Dr, Unit PH6
Fort Pierce , FL 34949-2753
UNITED STATES

Stroh Cary A 25
1911 N 47th Avenue
Hollywood , FL 33021-4125
UNITED STATES

Starcevich Charles A 26
917 Krystal Lane
New Lenox , IL 60451-2618
UNITED STATES

Squires Thomas E 27
2 E Harbour Isle Dr, Unit 103
Fort Pierce , FL 34949-2754
UNITED STATES

Anthony Stephen M 28
2 E Harbour Isle Dr, Unit 104
Fort Pierce , FL 34949-2754
UNITED STATES

Davis John R 29
2 E Harbour Isle Dr, Unit 105
Fort Pierce , FL 34949-2754
UNITED STATES

Debus Sr John R 30
2469 SE Grand Drive
Port St Lucie , FL 34952-6533
UNITED STATES

Doherty Bernadette 31
2 E Harbour Isle Dr, Unit 201
Fort Pierce , FL 34949-2754
UNITED STATES

Conner Jeffrey 32
2 E Harbour Isle Dr, Unit 202
Fort Pierce , FL 34949-2754
UNITED STATES

Kussel (TR) Jean Z 33
2 E Harbour Isle Dr, Unit 203
Fort Pierce , FL 34949-2754
UNITED STATES

Natale Johanna 34
2 E Harbour Isle Dr, Unit 204
Fort Pierce , FL 34949-2754
UNITED STATES

Reilly Grace M 35
914 Bay Avenue
Point Pleasant Beach , NJ 08742-3065
UNITED STATES

Gilmore Kent 36
2 E Harbour Isle Dr, Unit 206
Fort Pierce , FL 34949-2754
UNITED STATES

Tutt III Karl F 37
2 E Harbour Isle Dr, Unit 301
Fort Pierce , FL 34949
UNITED STATES

Marino Joseph 38
2 E Harbour Isle Dr, Unit 302
Fort Pierce , FL 34949
UNITED STATES

Truby Charles P 39
502 Waycross Drive
Greensboro , NC 27410-6056
UNITED STATES

Morse Guy W 40
139 E Berkeley Street, Unit Apt 602
Boston , MA 02118-4604
UNITED STATES

Czarnota Joseph R 41
13 Bigham Road
North Reading , MA 01864-2903
UNITED STATES

Eenigenburg (TR) Eugene 42
10049 Prairie Knoll Court
Saint John , IN 46373-8752
UNITED STATES

Morris Rodney 43
2 E Harbour Isle Dr, Unit PH1
Fort Pierce , FL 34949-2754
UNITED STATES

Hayden Joseph 44
2 E Harbour Isle Dr, Unit PH2
Fort Pierce , FL 34949-2754
UNITED STATES

Anderson Jonathan 45
2 Harbour Isle Dr, Unit PH3
Fort Pierce , FL 34949-2754
UNITED STATES

Bajada Angelo 46
268 Dock Road
Barrie , ON L4N 9S2
CANADA

Grondin (LF EST) Bette 47
2 E Harbour Isle Dr, Unit PH 5
Fort Pierce , FL 34949-2754
UNITED STATES

Byrum (TR) Tina M 48
2 E Harbour Isle Dr, Unit PH 6
Fort Pierce , FL 34949-2754
UNITED STATES

Voss Thomas 49
70 Aqua Ra Drive
Jensen Beach , FL 34957-2622
UNITED STATES

Guettler Brian K 50
1413 Lone Pine Drive
Fort Pierce , FL 34982-3344
UNITED STATES

Diotte Richard J 51
9 E Harbour Isle E Dr, Unit 103
Fort Pierce , FL 34949-2761
UNITED STATES

Urella Joseph J 52
9 E Harbour Isle Dr, Unit 104
Fort Pierce , FL 34949-2761
UNITED STATES

Center Bruce P 53
9 E Harbour Isle Dr, Unit 105
Fort Pierce , FL 34949-2761
UNITED STATES

Murphy (TR) Marilyn S 54
4 E Harbour Isle Dr, Unit 102
Fort Pierce , FL 34949-2756
UNITED STATES

Gordon (TR) Russell C 55
9 E Harbour Isle Dr, Unit 201
Fort Pierce , FL 34949-2761
UNITED STATES

Davis (TR) Thomas J 56
516 W Columbia Street
Chippewa Falls , WI 54729-2217
UNITED STATES

Cooper Robert C 57
212 Claiborne Fields Drive
Centreville , MD 21617-2506
UNITED STATES

Crea Linda 58
9 E Harbour Isle Dr, Unit 204
Fort Pierce , FL 34949-2761
UNITED STATES

Schreiner Dale A 59
9 E Harbour Isle Dr, Unit 205
Fort Pierce , FL 34949-2761
UNITED STATES

Szegeski Michael A 60
9 E Harbour Isle Dr, Unit 206
Fort Pierce , FL 34949-2761
UNITED STATES

Camire (TR) Robert J 61
9442 Northcote Avenue
Munster , IN 46321-3908
UNITED STATES

Foley Nancy B 62
9 E Harbour Isle Dr, Unit 302
Fort Pierce , FL 34949-2761
UNITED STATES

High Performance Properties LLC 63
3950 S Highway 41A
Clarksville , TN 37043-6803
UNITED STATES

Lanese Joseph 64
1 Osborn Street
Stony Point , NY 10980-3650
UNITED STATES

Raymon Jay Sizemore Jr 65
9 E Harbour Isle Drive, Unit 305
Fort Pierce , FL 34949
UNITED STATES

Lisa R Skipper 66
3848 Spring Tide Drive
Southport , NC 28461
UNITED STATES

Nist Paul A 67
9 E Harbour Isle Dr, Unit PH1
Fort Pierce , FL 34949
UNITED STATES

Huerta Holdings LLC (TR) 68
380 Creekstone Court
Longwood , FL 32779-6115
UNITED STATES

Bode Anne Marie 69
9 E Harbour Isle Dr, Unit PH3
Fort Pierce , FL 34949-2761
UNITED STATES

Ochse Daniel Francios 70
9 E Harbour Isle Dr, Unit PH4
Fort Pierce , FL 34949
UNITED STATES

Willis Donald 71
1720 Skyline Dr, Unit 108
Johnson City , TN 37604-3792
UNITED STATES

Cecchini Michael J 72
9 E Harbour Isle Dr, Unit PH6
Fort Pierce , FL 34949-2761
UNITED STATES

Cote Louis 73
711 RTE-138 Street
St-Tite-des-Caps , QC G0A 4J0
CANADA

Stecher (LF EST) Maureen M 74
10 E Harbour Isle Dr, Unit 102
Fort Pierce , FL 34949-2762
UNITED STATES

Windle John F 75
10 E Harbour Isle Dr, Unit 103
Fort Pierce , FL 34949
UNITED STATES

Kelly John M 76
122 Oyster Cove Dr
Grasonville , MD 21638-1045
UNITED STATES

Barr Victor M 77
10 E Harbour Isle Dr, Unit 105
Fort Pierce , FL 34949-2762
UNITED STATES

Rick Schaefer ETAL 78
10 E Harbour Isle Dr, Unit 106
Fort Pierce , FL 34949
UNITED STATES

Evans John F 79
441 Irving Avenue
Millville , NJ 08332-9781
UNITED STATES

Stiglbauer Nancy C 80
10 E Harbour Isle Dr, Unit 202
Fort Pierce , FL 34949-2762
UNITED STATES

Mazzo Paul 81
136 Szost Dr
Fairfield , CT 06824-4059
UNITED STATES

Hahneman Rodger 82
836 Forepeak Dr
Forked River , NJ 08731-3030
UNITED STATES

DeGraw Jr Bruce G 83
3608 Belmar Blvd
Neptune , NJ 07753-7105
UNITED STATES

Rizzo Alfonso V 84
10 E Harbour Isle Dr, Unit 206
Fort Pierce , FL 34949-2762
UNITED STATES

Mills Patrick W 85
1630 Toscano Terrace
Oconomowoc , WI 53066-4659
UNITED STATES

Rajaballey Maureen E 86
16386 SW 70 Street
Fort Lauderdale , FL 33331
UNITED STATES

Rajaballey Maureen E 87
16386 SW 70th Street
Fort Lauderdale , FL 33331
UNITED STATES

Bell James J 88
10 E Harbour Isle Dr, Unit 304
Fort Pierce , FL 34949-2762
UNITED STATES

Yenchko Thomas S 89
10 E Harbour Isle Dr, Unit 305
Fort Pierce , FL 34949-2762
UNITED STATES

AMB Land Inc 90
10 E Harbour Isle Dr, Unit 306
Fort Pierce , FL 34949-2762
UNITED STATES

Ferrari Arthur J 91
10 E Harbour Isle Dr, Unit PH1
Fort Pierce , FL 34949-2762
UNITED STATES

Maffei (LF EST) Frank A 92
10 E Harbour Isle Dr, Unit PH 2
Fort Pierce , FL 34949-2762
UNITED STATES

Sauls Stephen 93
32 W Harbour Isle Dr, Unit PH5
Fort Pierce , FL 34949-2784
UNITED STATES

Tarasenko Serge 94
10 E Harbour Isle Dr, Unit PH4
Fort Pierce , FL 34949-2762
UNITED STATES

Nelson Dean 95
18 Bruns Road
Allenhurst , NJ 7711
UNITED STATES

Neil Richard 96
10 E Harbour Isle Dr, Unit PH 6
Fort Pierce , FL 34949-2762
UNITED STATES

Giancola Carol A 97
150 Charles Street
Floral Park , NY 11001-2237
UNITED STATES

Love Becky 98
1717 Sunset Isles Road
Fort Pierce , FL 34949-3433
UNITED STATES

Joiner Sid 99
37 E Harbour Isle Dr, Unit 103
Fort Pierce , FL 34949-2789
UNITED STATES

Love George 100
37 E Harbour Isle Dr, Unit 104
Fort Pierce , FL 34949
UNITED STATES

Rovira (TR) Cora J 101
1743 Cotswold Dr
Orlando , FL 32825
UNITED STATES

Cade (TR) Frederick C 102
1323 SE 17th Street, Unit Ste 471
Fort Lauderdale , FL 33316-1707
UNITED STATES

Marreiros Arthur J 103
36 Bell Drive
Highland , NY 12528-1608
UNITED STATES

Grover Paul L 104
5318 Villa Ridge Court
Baldwinsville , NY 13027-8975
UNITED STATES

Bond Richard 105
37 E Harbour Isle Dr, Unit 203
Fort Pierce , FL 34949-2789
UNITED STATES

Theodore Thomas Sawicz Revocable Trust 106
37 E Harbour Isle Dr, Unit 204
Fort Pierce , FL 34949-2789
UNITED STATES

Ulishney Eugene 107
5812 NW 63rd Way
Parkland , FL 33067-1528
UNITED STATES

Brady Anthony P 108
536 N Preserve PT
Jupiter , FL 33458-8325
UNITED STATES

Barbret (TR) Craig T 109
37 E Harbour Isle Dr, Unit 301
Fort Pierce , FL 34949-2789
UNITED STATES

Sullivan Donald W 110
2235 El Cid Court
Davie , FL 33324-5912
UNITED STATES

Florio Pietro 111
265 Maron Lane
Seven Hills , OH 44131-3523
UNITED STATES

Anderson (TR) Daniel M 112
37 E Harbour Isle Dr, Unit Unit 304
Fort Pierce , FL 34949-2789
UNITED STATES

Howell Don M 113
19394 Gulfstream Dr
Tequesta , FL 33469-2050
UNITED STATES

Casson Tammy L 114
37 E Harbour Isle Dr, Unit 306
Fort Pierce , FL 34949-2789
UNITED STATES

Hegedus Kathy M 115
37 E Harbour Isle Dr
Fort Pierce , FL 34949-2789
UNITED STATES

Anderson (TR) Daniel M 116
37 E Harbour Isle Dr, Unit Unit 304
Fort Pierce , FL 34949-2789
UNITED STATES

Spyrzynski Grzegorz 117
37 E Harbour Isle Dr, Unit PH03
Fort Pierce , FL 34949-2789
UNITED STATES

Rudd James M 118
37 E Harbour Isle Dr, Unit PH04
Fort Pierce , FL 34949-2789
UNITED STATES

VanDenbos Gary 119
1706 Francis Court
Fort Pierce , FL 34949-3579
UNITED STATES

Malatesta Robert I 120
37 E Harbour Isle Dr, Unit PH06
Fort Pierce , FL 34949-2789
UNITED STATES

Robertson Diane D 121
38 E Harbour Isle Dr, Unit 101
Fort Pierce , FL 34949-2790
UNITED STATES

Hernandez Danilo R 122
1250 Belfiore Way
Windermere , FL 34786-8113
UNITED STATES

Crow Cheryl N 123
503 Bayberry Drive
Severna Park , MD 21146-3602
UNITED STATES

Kohler Shauna R 124
2358 SE Delano Road
Port St Lucie , FL 34952-5558
UNITED STATES

Koblegard Susan A 125
38 Harbour Isle Dr, Unit 105
Fort Pierce , FL 34949-2790
UNITED STATES

Wooten Daniel L 126
38 E Harbour Isle Dr, Unit 106
Fort Pierce , FL 34949-2790
UNITED STATES

Carroll Lawrence G 127
23 Hendrik Hudson Way
Halfmoon , NY 12065-2673
UNITED STATES

Sachs (LF EST) Sharon E 128
161 SE Osprey Ridge
Port St Lucie , FL 34984-8941
UNITED STATES

Sweeney William M 129
38 E Harbour Isle Dr, Unit 203
Fort Pierce , FL 34949-2790
UNITED STATES

Emerald Harbour Enterprises 130
2326 S Congress Avenue, Unit Ste 1C
West Palm Beach , FL 33406-7652
UNITED STATES

Noble Carol S 131
38 E Harbour Isle Dr, Unit 205
Fort Pierce , FL 34949-2790
UNITED STATES

Martin Daniel 132
38 E Harbour Isle Dr, Unit 206
Fort Pierce , FL 34949-2790
UNITED STATES

Rodriguez Elvis 133
38 E Harbour Isle Dr, Unit 301
Fort Pierce , FL 34949-2790
UNITED STATES

Shaw Mary L 134
772 Howe Island Dr
Gananoque , ON K7G 2V6
CANADA

Settanni Sebastiano 135
11702 W 130th Street
Strongsville , OH 44136-2753
UNITED STATES

Payne (TR) Rosemarie 136
38 E Harbour Isle Dr, Unit 304
Fort Pierce , FL 34949-2790
UNITED STATES

Pinho Manuel A 137
342 Long Ridge Road
Stamford , CT 06902-1637
UNITED STATES

DiCenso Ferdinando 138
325 Oakview Circle
Hinchley , OH 44233-9414
UNITED STATES

Hamilton Gisela B 139
2322 Keen Road
Fort Pierce , FL 34946-2003
UNITED STATES

Ramos (LF EST) Victoria M 140
12104 SW Bayberry Avenue
Port St Lucie , FL 34987-2818
UNITED STATES

Rowe Robert 141
11349 Kingsley Manow Way
Jacksonville , FL 32225-1075
UNITED STATES

Johnston Ronnie L 142
PO Box 1578
Sweetwater , TX 79556-1578
UNITED STATES

Hartl Willaim 143
38 E Harbour Isle DR, Unit PH5
Fort Pierce , FL 34949-2790
UNITED STATES

Sreenan (TR) Janis A 144
3810 NE 30th Avenue
Lighthouse Point , FL 33064-8422
UNITED STATES

AMB Land Inc 145
1017 Creek Road
Newark , DE 19711
UNITED STATES

Becky Love ETAL 146
414 Conc 4
West Waterdown , ON L8B IJ5
CANADA

Frederick C Cade (TR) ETAL 147
1323 SE 17th Street, Suite 471
Fort Lauderdale , FL 33316
UNITED STATES

Brian R Murphy ETAL 148
43 Congress Street
Pembroke , MA 2359
UNITED STATES

Donald Willis 149
3835 E Millers Bridge Road
Tallahassee , FL 32312-1061
UNITED STATES

St Lucie County 150
2300 Virginia Avenue
Fort Pierce , FL 34982-5632
UNITED STATES

Seaway Drive Investments LLC 151
7892 Saddlebrook Drive
Port St Lucie , FL 34986
UNITED STATES

Harbour Isle Dev Comm LLC 152
801 Seaway Drive
Fort Pierce , FL 34949
UNITED STATES

Harbour Isle Dev Comm LLC 153
825 Seaway Drive
Fort Pierce , FL 34949
UNITED STATES

Harbour Isle Plaza LLC 154
PO Box 3316
Jupiter , FL 33469
UNITED STATES

Camerone T Elizer (TR) 155
940 Seaway Drive
Fort Pierce , FL 34949
UNITED STATES

United States Coast Guard 156
15608 SW 117th Avenue
Miami , FL 33177
UNITED STATES

SLC Ft Pierce Fire Dist 157
5160 NW Milner Drive
Port St Lucie , FL 34983
UNITED STATES

Harbour Isle at Hutchinson Island Property Maintenance Association 158
801 Seaway Drive
Fort Pierce , FL 34949
UNITED STATES

Harbour Isle At Hutchinson Island West Condominium Association Inc 159
14 W Harbour Isle Drive
Fort Pierce , FL 34949
UNITED STATES

Harbour Isle At Hutchinson Island East Condominium Association Inc 160
6 E Harbour Isle Drive
Fort Pierce , FL 34949
UNITED STATES

Angler`s Landing LLC 161
1708 SE Clearmont Street
Port St. Lucie , FL 34983
UNITED STATES

Saucier Realty LLC 162
8351 Chinaberry Road
Vero Beach , FL 32963
UNITED STATES

Republic Western Investments Co LLC 163
2049 Century Park E Ste 3630
Los Angeles , CA 90067
UNITED STATES

Republic Western Investments Co LLC 164
2049 Century Park E Ste 3630
Los Angeles , CA 90067
UNITED STATES

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SEAWAY DR
HARBOUR ISLE DR W
HARBOUR ISLE DR W

THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

PUBLIC NOTIFICATION CERTIFICATION

PROJECT NAME: Major Amendment to Planned Deveopment - Harbour Isle - 835 Seaway Drive

NOTICES PROVIDED PURSUANT TO: 22-143

NOTICE BY NEWSPAPER: 8-4-2019

NOTICE BY MAIL: 7-17-2019

NOTICE BY SIGNS: 8-7-2019

VERIFIED BY: Brandon C. Creagan **TITLE:** Planner

SIGNATURE: **DATE:** 8/7/2019

Treasure Coast Newspapers

PART OF THE USA TODAY NETWORK

St Lucie News Tribune
1801 U.S. 1, Vero Beach, FL 32960

AFFIDAVIT OF PUBLICATION

CITY OF FORT PIERCE
100 N. U.S. 1

FORT PIERCE, FL 34950

STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned authority personally appeared, said legal clerk, who on oath says that he/she is a legal clerk of the St Lucie News Tribune, a daily newspaper published at Fort Piercein St Lucie News Tribune, a daily newspaper published at Fort Pierce in St. Lucie County, Florida: that the attached copy of advertisement was published in the St Lucie News Tribune in the following issues below. Affiant further says that the said St Lucie News Tribune is a newspaper published in Fort Pierce in said St. Lucie County, Florida, and that said newspaper has heretofore been continuously published in said St. Lucie County, Florida, daily and distributed in St. Lucie County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The St Lucie News Tribune has been entered as Periodical Matter at the Post Offices in Fort Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

August 4, 2019

Subscribed and sworn to before on August 5, 2019:

Tara Mondloch
Notary, State of WI, County of Brown

TARA MONDLOCH
Notary Public
State of Wisconsin

My commission expires August 6, 2021

Publication Cost: $127.92
Ad No: 0003713733
Customer No: 1330884
PO #:

CITY OF FORT PIERCE
NOTICE OF PUBLIC HEARING

The City Commission of the City of Fort Pierce, Florida, pursuant to Sections 22-40 & 22-143 of the Code of Ordinances of the City of Fort Pierce, and Section 166.041 (3)(a) of Florida State Statutes, will on Monday, August 19th, 2019 and Tuesday, September 3rd, 2019 hold Quasi-Judicial Public Hearing on the enactment of the proposed ordinance on first and second readings, respectively, in the City Hall Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida, at their meetings which begin at 6:30 p.m., to consider review and approval of the following:

ORDINANCE 19-037 AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE,FLORIDA; MODIFYING THE HARBOUR ISLE PLANNED DEVELOPMENT TO REVISE THE PREVIOUSLY APPROVED SITE PLAN FOR A CONVENIENCE STORE WITH FUEL SALES ON PROPERTY GENERALLY LOCATED AT 835 SEAWAY DRIVE; PROVIDING FOR A SEVERABILITY CLAUSE REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIV DATE.

All interested parties may appear at the meeting and be heard with respect to the Applications for Major Amendment to a Planned Development. Said application will be available for inspection in the City Clerk's Office, City Hall, 100 North U.S. #1, Fort Pierce, Florida.

ANY PERSONSEEKINGTO APPEAL THE DECISION OF THE CITY COMMISSION AS TO THE FOREGOING IS ADVISED THAT A RECORD OF PROCEEDING IS REQUIRED IN ANY SUCH APPEAL AND THAT SUCH PERSON MAY NEED TO INSURE THAT A VERBATIM RECORD OF PROCEEDINGSS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

/s/ Linda W. Cox, City Clerk
Publish: 8/4/2019
TCN3713733

Treasure Coast Newspapers

PART OF THE USA TODAY NETWORK

St Lucie News Tribune
1801 U.S. 1, Vero Beach, FL 32960
AFFIDAVIT OF PUBLICATION

CITY OF FORT PIERCE
100 N. U.S. 1

FORT PIERCE, FL 34950

STATE OF WISCONSIN
COUNTY OF BROWN

Before the undersigned authority personally appeared, said legal clerk, who on oath says that he/she is a legal clerk of the St Lucie News Tribune, a daily newspaper published at Fort Piercein St Lucie News Tribune, a daily newspaper published at Fort Pierce in St. Lucie County, Florida: that the attached copy of advertisement was published in the St Lucie News Tribune in the following issues below. Affiant further says that the said St Lucie News Tribune is a newspaper published in Fort Pierce in said St. Lucie County, Florida, and that said newspaper has heretofore been continuously published in said St. Lucie County, Florida, daily and distributed in St. Lucie County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The St Lucie News Tribune has been entered as Periodical Matter at the Post Offices in Fort Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

September 8, 2019

Subscribed and sworn to before on September 9, 2019:

Tara Mondloch
Notary, State of WI, County of Brown

TARA MONDLOCH
Notary Public
State of Wisconsin

My commission expires August 6, 2021

Publication Cost: $121.68
Ad No: 0003774314
Customer No: 1330884
PO #:

CITY OF FORT PIERCE
NOTICE OF PUBLIC HEARING

The City Commission of the City of Fort Pierce, Florida, pursuant to Sections 22-40 & 22-143 of the Code of Ordinances of the City of Fort Pierce, and Section 166.041 (3)(a) of Florida State Statutes, will on Monday, September 23, 2019 hold a Public Hearing on the enactment of the proposed ordinance on second reading, in the City Hall Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida, at their meeting which will begin at 5:05 p.m., to consider review and approval of the following:

ORDINANCE 19-037 AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; MODIFYING THE HARBOUR ISLE PLANNED DEVELOPMENT TO REVISE THE PREVIOUSLY APPROVED SITE PLAN FOR A CONVENIENCE STORE WITH FUEL SALES ON PROPERTY GENERALLY LOCATED AT 835 SEAWAY DRIVE; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

All interested parties may appear at the meeting and be heard with respect to the Applications for Major Amendment to a Planned Development. Said application will be available for inspection in the City Clerk's Office, City Hall, 100 North U.S. #1, Fort Pierce, Florida.

ANY PERSON SEEKING TO APPEAL THE DECISION OF THE CITY COMMISSION AS TO THE FOREGOING 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 PROCEEDINGS IS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

/s/ Linda W. Cox, City Clerk
Publish: 9/8/2019
TCN3774314

City Commission Regular Meeting **13. b.**

Meeting Date: 12/02/2019

Re: Reappointment of one (1) Sunrise Theatre Advisory Board Member

Submitted For: Sharon Engle, Executive Director, Sunrise Theatre

SUBJECT:

Resolution 19-R48 appointing Rebecca Shearer as the IRSC representative to the Sunrise Theatre Advisory Board Member

SUMMARY:

The Sunrise Theatre Advisory Board Member's term expired and a request is for reappointment to the Board.

RECOMMENDATION:

Approval

ALTERNATIVES:

Seek additional Board Members

RESPONSIBLE STAFF:

Sharon Engle, Executive Director Sunrise Theatre
Linda Cox, City Clerk

COORDINATED WITH:

Linda Cox, City Clerk

Fiscal Impact

Budgeted Y/N: Y
Fiscal Year: 2019/20
Account: Sunrise Theatre
Amount: 0
OTHER INFORMATION:

Reappointment requires no funding.

Attachments

19-R48
Rebecca Shearer

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/21/2019 03:24 PM

Form Started By: Anne Satterlee Started On: 11/07/2019 03:55 PM
Final Approval Date: 11/21/2019

RESOLUTION NO. 19-R48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **CERTIFYING THE APPOINTMENT AND REAPPOINTMENT OF MEMBERS TO THE SUNRISE THEATRE ADVISORY BOARD;** PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED By the City Commission of the City of Fort Pierce, Florida, that the following be and is hereby appointed by the City Commission to serve as a member of the Sunrise Theatre Advisory Board; said term to commence upon adoption of this resolution as indicated below, or when a successor has been duly appointed.

NAME	**REPRESENTING**	**TERM EXPIRES**
Rebecca Shearer	Indian River State College	December 1, 2022

BE IT FURTHER RESOLVED that this Resolution shall become effective upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 2nd day of December, 2019.

_____
LINDA HUDSON, MAYOR COMMISSIONER

ATTEST:

_____
LINDA W. COX, CITY CLERK

(CITY SEAL)

APPROVED AS TO FORM
AND CORRECTNESS:

_____
PETER J. SWEENEY, CITY ATTORNEY

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3065 fax (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: Sunrise Advisory Board

Name: Rebecca Shearer	Phone: 772-528-1476
Home Address: 5211 NW Rugby Pr. City/Zip Code: Port St. Lucie, FL 34983	How long at this address? 3yrs
Are you a citizen of the United States? ☒ Yes ☐ No	
Occupation: IRSC Theatre Manager	
Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☒ No If yes, list the address and nature of said business:	
Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☒ No If yes, in what capacity?	
Are you employed by a business that is located within the City of Fort Pierce? ☒ Yes ☐ No If yes, state the business and location: IRSC	
Do you have special training or knowledge in the area of: Architecture: ☐ Yes ☒ No Engineering: ☐ Yes ☒ No Real Estate Brokering: ☐ Yes ☒ No Contracting: ☐ Yes ☒ No Land Development: ☐ Yes ☒ No Other: Describe your education, background, training and knowledge – (feel free to attach a resume): MbA 9yrs. experience at IRSC	
Are you currently a member of a Commission-appointed board/committee? ☐ Yes ☒ No If yes, please specify:	
Have you ever been convicted of a felony? ☐ Yes ☒ No If yes, what was the nature of the crime(s) you were convicted of:	
Referred by: Dr. Massey	Applicant Email Address: Rshearer@irsc.edu
Date: 11/6/19	Applicant's Signature: Rebecca M. Shearer

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
fax (772) 467-3841 or via email at lcox@city-ftpierce.com

City Commission Regular Meeting **13. c.**

Meeting Date: 12/02/2019

Re: Submittal of Applications for the Historic Preservation Board

Submitted For: Jennifer Hofmeister, Planning Director, Planning & Zoning

SUBJECT:

Submittal of applications for the Historic Preservation Board

SUMMARY:

There are two regular member positions that need to be filled. Charlie Hayek and Holly Theuns have submitted applications for consideration of reappointment and Patrick Small and Michael Waldrop have submitted applications for consideration. The attendance record for 2019 is attached.

RECOMMENDATION:

Appoint/Reappoint two regular members.

ALTERNATIVES:

Take no action.

RESPONSIBLE STAFF:

Jennifer Hofmeister, Planning Director, AICP, LCAM

COORDINATED WITH:

Linda Cox, City Clerk

Fiscal Impact

Budgeted Y/N:	N
Fiscal Year:	2020
Account:	N/A
Amount:	N/A

OTHER INFORMATION:

Not Applicable

Attachments

Historic Preservation Board Attendance 2019

Charile Hayek Reappointment Form

Patrick Small Application

Holly Theuns Reappointment Form

Micheal Waldrop Application

Form Review

Inbox	Reviewed By	Date
City Manager	Nick Mimms	11/21/2019 08:22 AM

Form Started By: Alicia Rosenthal Started On: 11/18/2019 09:00 AM

Final Approval Date: 11/21/2019

HISTORIC PRESERVATION BOARD

BOARD MEMBERS	1/28/2019	2/25/2019	3/25/2019	~~ELECTIONS~~ 4/22/2019	ELECTIONS 5/21/2019	6/24/2019	7/22/2019	8/26/2019	9/23/2019	10/28/2019	12/9/2019 Nov. & Dec. Combined Meeting
SAMPSON, PAUL	P	P	P	E	E	E	E	E	E	E	
SUZANNE BOARDMAN (Chair as of 5/21/19)	P	P	E	E	P	E	P	P	E	P	
THEUNS, HOLLY	P	P	P	P	P	P	P	P	P	P	
HAYEK, CHARLIE (Vice-Chair as of 5/21/19)	P	E	P	P	P	P	P	E	P	P	
BRODERICK, MICHAEL	P	P	P	P	P	P	P	P	P	P	
OSTEEN, JARED	E	E	P	P	E	E	Term Expired				
NEPRUD, JON	P	P	P	P	P	P	P	E	P	P	
BENTON, KORI	Appointed 7/1/19						P	P	P	P - Late	
JOHANSEN, GEORGE "BUSTER" (Alternate #1 as of 12/3/18)	P	P	P	E	P	P	E	E	P	P	
WESTBURY, ANTHONY (Alternate #2 as of 7/1/19)	Appointed 7/1/19						P	P	P	P	

E = EXCUSED
U = UNEXCUSED

Active Alternate

X = No meeting

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3065 fax (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: HISTORICAL PRESERVATION BOARD

Name: CHARLES HAYEK	Phone: 772-828-1080
Home Address: 1111 FERNANDINA ST. City/Zip Code: FORT PIERCE 34949	How long at this address? 5 YRS
Are you a citizen of the United States? ☒ Yes ☐ No	
Occupation: GENERAL CONTRACTOR	
Do you own a business that operates within the City of Fort Pierce? ☒ Yes ☐ No If yes, list the address and nature of said business: 1111 FERNANDINA ST. REMODELING CONTRACTOR	
Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☒ No If yes, in what capacity?	
Are you employed by a business that is located within the City of Fort Pierce? ☒ Yes ☐ No If yes, state the business and location: HAYEK CONSTRUCTION 1111 FERNANDINA ST.	
Do you have special training or knowledge in the area of: Architecture: ☒ Yes ☐ No Engineering: ☒ Yes ☐ No Real Estate Brokering: ☒ Yes ☐ No Contracting: ☒ Yes ☐ No Land Development: ☐ Yes ☐ No Other: Describe your education, background, training and knowledge – (feel free to attach a resume): BSBA UNIV OF FLA. MAJOR - FINANCE - 1969 MSM - MASTER OF SCIENCE - MANAGEMENT MAJOR - REAL ESTATE FLA ENTER NATIONAL UNIV 1972 STATE GC - SINCE 1972	
Are you currently a member of a Commission-appointed board/committee? ☒ Yes ☐ No If yes, please specify: POLICE COMMUNITY ADVISORY COMMITTEE	
Have you ever been convicted of a felony? ☐ Yes ☒ No If yes, what was the nature of the crime(s) you were convicted of:	
Referred by:	Applicant Email Address: CCHANK77@AOL.COM
Date: 10-16-19	Applicant's Signature

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
fax (772) 467-3841 or via email at lcox@city-ftpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3065 fax (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: Fort Pierce Historic Preservation Board

Name: Patrick Small	Phone: 772-359-7509
Home Address: 1303 Peppertree Trail Apt B City/Zip Code: Fort Pierce, FL 34950	How long at this address? 2.5yrs

Are you a citizen of the United States? ☒ Yes ☐ No

Occupation: Social Media Marketing/Real Estate/Dj

Do you own a business that operates within the City of Fort Pierce? ☒ Yes ☐ No
If yes, list the address and nature of said business:

Antcrawler Marketing - Social Media Marketing
131 N 2nd Street Suite 216 Fort Pierce, FL

Do you now or in the future plan to do business with the City of Fort Pierce? ☒ Yes ☐ No
If yes, in what capacity?

Obtaining permits for hosting local events in the city (grand openings, holiday events, etc.)

Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☒ No
If yes, state the business and location:

Do you have special training or knowledge in the area of:
Architecture: ☒ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☒ Yes ☐ No
Contracting: ☐ Yes ☐ No Land Development: ☐ Yes ☐ No Other:
Describe your education, background, training and knowledge – (feel free to attach a resume):

Former Historic Board member for 3 years.

Are you currently a member of a Commission-appointed board/committee? ☐ Yes ☒ No
If yes, please specify: Former Historic Board member

Have you ever been convicted of a felony? ☐ Yes ☒ No
If yes, what was the nature of the crime(s) you were convicted of:

Referred by: Applicant Email Address: Patrick.small772@gmail.com

Date: 08/07/19 Applicant's Signature *Patrick Small*

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
fax (772) 467-3841 or via email at lcox@city-ftpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3065 fax (772) 467-3841

RECEIVED
OCT 25 2019
CITY CLERK'S OFFICE

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: Historic Preservation

Name: Holly Theurs	Phone: 772-801-9505
Home Address: 419 N 2nd St City/Zip Code: Fort Pierce, FL 34950	How long at this address?
Are you a citizen of the United States? ☑ Yes ☐ No	
Occupation: Program Coordinator Heathcote Botanical Gardens	
Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☑ No If yes, list the address and nature of said business:	
Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☑ No If yes, in what capacity?	
Are you employed by a business that is located within the City of Fort Pierce? ☑ Yes ☐ No If yes, state the business and location: Heathcote Botanical Gardens	
Do you have special training or knowledge in the area of: Architecture: ☐ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☐ Yes ☑ No Contracting: ☐ Yes ☐ No Land Development: ☐ Yes ☐ No Other: Historic Preservation Describe your education, background, training and knowledge – (feel free to attach a resume): Restored 1905 house in historic Edgartown. I was not commissioner appointed on either of the other boards I serve o	
Are you currently a member of a Commission-appointed board/committee? ☐ Yes ☐ No If yes, please specify: I am the lay person on the Examiners of Contractors Board and was voted on to the Art + Culture Board by the board members	
Have you ever been convicted of a felony? ☐ Yes ☑ No If yes, what was the nature of the crime(s) you were convicted of:	
Referred by: Susie Boardman	Applicant Email Address: hollytheurs@gmail.com
Date: 10/22/19	Applicant's Signature

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
fax (772) 467-3841 or via email at lcox@city-ftpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3065 fax (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: HISTORIC PRESERVATION

Name: MICHAEL J. WALDROP	Phone: 772-834-7457
Home Address: 5770 NW CLUBURN DRIVE City/Zip Code: PORT SAINT LUCIE, FL 34986	How long at this address? 5 yr

Are you a citizen of the United States? ☒ Yes ☐ No

Occupation: GENERAL CONTRACTOR

Do you own a business that operates within the City of Fort Pierce? ☒ Yes ☐ No
If yes, list the address and nature of said business:

INNOVATION CONTRACTING, INC.
CHAUNCEY'S GLASS OF THE EAST COAST, LLC.
621 N. US HWY 1, FT. PIERCE, FL 34950

Do you now or in the future plan to do business with the City of Fort Pierce? ☒ Yes ☐ No
If yes, in what capacity? HOPE TO CONTINUE SERVING THE CITY OF FORT PIERCE WITH BOTH COMPANIES.

Are you employed by a business that is located within the City of Fort Pierce? ☒ Yes ☐ No
If yes, state the business and location:

BOTH ABOVE.

Do you have special training or knowledge in the area of:
Architecture: ☐ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☐ Yes ☐ No
Contracting: ☒ Yes ☐ No Land Development: ☒ Yes ☐ No Other:
Describe your education, background, training and knowledge – (feel free to attach a resume):

Are you currently a member of a Commission-appointed board/committee? ☒ Yes ☐ No
If yes, please specify: BOARD OF EXAMINERS OF CONTRACTORS – CURRENTLY
CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEAL – ABOLISHED

Have you ever been convicted of a felony? ☐ Yes ☒ No
If yes, what was the nature of the crime(s) you were convicted of:

Referred by: NOTIFICATION EMAIL Applicant Email Address: Mwaldrop@innovationcontracting.com

Date: 5/4/19 Applicant's Signature [signature]

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
fax (772) 467-3841 or via email at lcox@city-ftpierce.com

City Commission Regular Meeting **13. d.**

Meeting Date: 12/02/2019

Re: Board of Adjustment Applications

SUBJECT:

Submission of applications for appointment to the Board of Adjustment.

SUMMARY:

Ordinance 19-044 adopted November 4, 2019 and effective December 6, 2019, modified Sec. 22-147(a) of the Code of Ordinances with regard to the member of the Board of Adjustment to make it consistent with other Boards. The board shall consist of five (5) members, with one (1) appointed by each commissioner and one (1) appointed by the mayor and the terms of office of the members of the board shall be concurrent with the mayor's and appointing city commissioner's terms. Accordingly, the members must all reappointed consistent with the new ordinance.

RECOMMENDATION:

Consider appointing members using the applications attached.

ALTERNATIVES:

Seek additional applications or appoint other eligible members.

RESPONSIBLE STAFF:

Linda W. Cox, City Clerk

COORDINATED WITH:

Planning Department

Fiscal Impact

OTHER INFORMATION:

No fiscal impact.

Attachments

James Crist
Stanley Hula
Rebexca Issac
Bill Nunn
19-Rxx

Form Review

Inbox	Reviewed By	Date

City Manager	Nick Mimms	11/21/2019 03:26 PM

Form Started By: Linda Cox
Started On: 10/24/2019 11:10 AM
Final Approval Date: 11/21/2019

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3065 fax (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: ADJUSTMENTS + APPEALS

Name: JAMES CRIST	Phone: 772-370-4024
Home Address: 4365 GATOR TRACE LN. City/Zip Code: FT. PIERCE, FL 34982	How long at this address? 20 years

Are you a citizen of the United States? ☑ Yes ☐ No

Occupation: SELF-EMPLOYED BUILDING CONTRACTOR

Do you own a business that operates within the City of Fort Pierce? ☑ Yes ☐ No
If yes, list the address and nature of said business:
SEE ABOVE

Do you now or in the future plan to do business with the City of Fort Pierce? ☑ Yes ☐ No
If yes, in what capacity?
CONSTRUCTION

Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☑ No
If yes, state the business and location:

Do you have special training or knowledge in the area of:
Architecture: ☑ Yes ☐ No Engineering: ☐ Yes ☑ No Real Estate Brokering: ☐ Yes ☑ No
Contracting: ☑ Yes ☐ No Land Development: ☐ Yes ☑ No Other:
Describe your education, background, training and knowledge – (feel free to attach a resume):
BS DEGREE FROM AUBURN UNIVERSITY IN BUILDING SCIENCE

Are you currently a member of a Commission-appointed board/committee? ☑ Yes ☐ No
If yes, please specify:

Have you ever been convicted of a felony? ☐ Yes ☑ No
If yes, what was the nature of the crime(s) you were convicted of:

Referred by: Applicant Email Address: jimcrst@yahoo.com

Date: 11/25/19 Applicant's Signature James Crist

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
fax (772) 467-3841 or via email at lcox@city-ftpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3065 fax (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: Adjustment

Name: Stanley J. Hula	Phone: 561-246-4969
Home Address: 20 Orange Ave. PH2 City/Zip Code:	How long at this address? 6½ yrs

Are you a citizen of the United States? ☒ Yes ☐ No

Occupation: Retired

Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☒ No
If yes, list the address and nature of said business:

Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☒ No
If yes, in what capacity?

Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☒ No
If yes, state the business and location:

Do you have special training or knowledge in the area of:
Architecture: ☐ Yes ☒ No Engineering: ☐ Yes ☒ No Real Estate Brokering: ☒ Yes ☐ No
Contracting: ☐ Yes ☒ No Land Development: ☐ Yes ☒ No Other:
Describe your education, background, training and knowledge – (feel free to attach a resume):
BS Mathematics, Michigan State University
MBA Butler University
Reactor License State of Indiana (Inactive Since 2010)

Are you currently a member of a Commission-appointed board/committee? ☐ Yes ☒ No
If yes, please specify:

Have you ever been convicted of a felony? ☐ Yes ☒ No
If yes, what was the nature of the crime(s) you were convicted of:

Referred by: Volunteer Applicant Email Address: SJHula@Live.com

Date: 11/19/2019 Applicant's Signature Stanley J. Hula

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
fax (772) 467-3841 or via email at lcox@city-ftpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3065 FAX (772) 467-3841

RECEIVED
NOV 05 2019
CITY CLERK

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: Board of Adjustments

Name: Rebecca Isaac	Phone: 772-621-0582
Home Address: 1704 Hispana Avenue City/Zip Code: Fort Pierce 34982	How long at this address? 1 year
Are you a citizen of the United States? ☑ Yes ☐ No	
Occupation: Direct Care Professional	
Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☑ No If yes, list the address and nature of said business:	
Do you now or in the future plan to do business with the City of Fort Pierce? ☑ Yes ☐ No If yes, in what capacity? I plan to have a service business in town	
Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☑ No If yes, state the business and location:	
Do you have special training or knowledge in the area of: Architecture: ☐ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☐ Yes ☐ No Contracting: ☐ Yes ☐ No Land Development: ☐ Yes ☐ No Other: Describe your education, background, training and knowledge – (feel free to attach a resume): I have an AA in Journalism / Communication.	
Are you currently a member of a Commission-appointed board/committee? ☑ Yes ☐ No If yes, please specify: Alternate for Board of Adjustments; member of Community-wide Council	
Have you ever been convicted of a felony? ☐ Yes ☑ No If yes, what was the nature of the crime(s) you were convicted of:	
Referred by: Linda Cox	Applicant Email Address: rebecca.isaac8@gmail.com
Date: 11/5/19	Applicant's Signature Rebecca Isaac

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
fax (772) 467-3841 or via email at lcox@city-ftpierce.com

RECEIVED
NOV 08 2019
CITY CLERK'S OFFICE

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3065 fax (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Name of Board or Boards for which you are applying: Board of Zoning & Adjustment

Name: Bill Nunn	Phone: 772-708-4332
Home Address: City/Zip Code: 1807 S. IRD, Fort Pierce, FL 34950	How long at this address? 20yrs.
Are you a citizen of the United States? ☑ Yes ☐ No	
Occupation: Consultant	
Do you own a business that operates within the City of Fort Pierce? ☑ Yes ☐ No If yes, list the address and nature of said business: 1807 S. IRD Fort Pierce, FL 34950 Development Consulting	
Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☑ No If yes, in what capacity?	
Are you employed by a business that is located within the City of Fort Pierce? ☑ Yes ☐ No If yes, state the business and location: West Marine	
Do you have special training or knowledge in the area of: Architecture: ☐ Yes ☑ No Engineering: ☐ Yes ☑ No Real Estate Brokering: ☐ Yes ☑ No Contracting: ☑ Yes ☐ No Land Development: ☑ Yes ☐ No Other: Describe your education, background, training and knowledge – (feel free to attach a resume): BA in Legal Studies UCF 20 years in Commercial Development I have sat on two Planning Boards.	
Are you currently a member of a Commission-appointed board/committee? ☑ Yes ☐ No If yes, please specify: Board of Zoning & Adjustment Housing Authority City of Ft. Pierce	
Have you ever been convicted of a felony? ☐ Yes ☑ No If yes, what was the nature of the crime(s) you were convicted of:	
Referred by: Linda Cox Applicant Email Address: bnunnco1@bellsouth.net	
Date: 11/7/2019 Applicant's Signature	

APPLICATIONS EXPIRE 6 MONTHS FROM THE DATE OF SUBMISSION. PLEASE REAPPLY AS OFTEN AS DESIRED.
Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
fax (772) 467-3841 or via email at lcox@city-ftpierce.com

RESOLUTION NO. 19-RXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **REMOVING EXISTING BOARD MEMBERS AND CERTIFYING THE APPOINTMENT OF MEMBERS TO THE BOARD OF ADJUSTMENT,** PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by Ordinance 19-044, the City Commission of the City of Fort Pierce, Florida modified Article X, Section 22-147(a) of the Code of Ordinances establishing the membership of the Board of Adjustment; and

WHEREAS, the adoption of Ordinance 19-044 on November 4, 2019, and effective December 6, 2019, necessitates the removal of existing Board of Adjustment members and the appointment of members under the new provisions.

BE IT RESOLVED By the City Commission of the City of Fort Pierce, Florida, as follows:

1. Members of the Board of Adjustment as of December 6, 2019 are hereby removed; and

2. The following be and are hereby appointed and/or reappointed by the City Commission to serve as members of the Board of Adjustment; said terms shall run concurrent with the appointee's term, or when a successor has been duly appointed.

_____, Commissioner Alexander Appointee
_____, Commissioner Johnson Appointee
_____, Commissioner Perona Appointee
_____, Commissioner Sessions Appointee
_____, Mayor Hudson Appointee

BE IT FURTHER RESOLVED that this Resolution shall become effective upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 16th day of December, 2019.

_____
LINDA HUDSON
MAYOR COMMISSIONER

ATTEST:

_____
LINDA W. COX
CITY CLERK

(CITY SEAL)

APPROVED AS TO FORM
AND CORRECTNESS:

_____
PETER J. SWEENEY, ESQ.
CITY ATTORNEY

City Commission Regular Meeting **13. e.**

Meeting Date: 12/02/2019

Re: TC Scenic Highway Committee

SUBJECT:

Appointment of a Fort Pierce Commissioner to serve on the Treasure Coast Scenic Highway Committee as requested by Edward DeFini, Bicycle and Pedestrian Program Manager, St. Lucie Transportation Planning Organization. The committee meets four (4) times per year on Fridays at 10:00 am at the TPO offices in Port St. Lucie.

SUMMARY:

Appointment of a Fort Pierce Commissioner to serve on the Treasure Coast Scenic Highway Committee as requested by Edward DeFini, Bicycle and Pedestrian Program Manager, St. Lucie Transportation Planning Organization.

RECOMMENDATION:

Appoint the Mayor or a Commissioner.

ALTERNATIVES:

Leave the seat vacant.

RESPONSIBLE STAFF:

Linda W. Cox, City Clerk

COORDINATED WITH:

Edward DeFini, TPO

Fiscal Impact

OTHER INFORMATION:

no fiscal impact

Attachments

Meeting Dates
Member Handbook
Current Membership

Form Review

Inbox	Reviewed By	Date
City Manager	Linda Cox	11/21/2019 12:20 PM

Form Started By: Linda Cox Started On: 11/20/2019 10:57 AM

Final Approval Date: 11/21/2019

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

Indian River Lagoon Scenic Highway (IRLSH)
Treasure Coast Corridor Management Entity (TCCME)

2019 Meeting Dates

(Approved: December 14, 2018)

Friday, March 1, 2019, 10:00 am

Friday, June 14, 2019, 10:00 am

Friday, September 6, 2019, 10:00 am

Friday, December 13, 2019, 10:00 am

NOTICES

The St. Lucie TPO satisfies the requirements of various nondiscrimination laws and regulations including Title VI of the Civil Rights Act of 1964. Public participation is welcome without regard to race, color, national origin, age, sex, religion, disability, income, or family status. Persons wishing to express their concerns about nondiscrimination should contact Marceia Lathou, the Title VI/ADA Coordinator of the St. Lucie TPO, at 772-462-1593 or via email at lathoum@stlucieco.org.

Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) should contact Marceia Lathou at 772-462-1593 at least five days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

Items not included on the agenda may also be heard in consideration of the best interests of the public's health, safety, welfare, and as necessary to protect every person's right of access. If any person decides to appeal any decision made by the TCCME with respect to any matter considered at a meeting, that person shall need a record of the proceedings, and for such a purpose, that person may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based.

Kreyol Ayisyen: Si ou ta renmen resevwa enfòmasyon sa a nan lang Kreyòl Aysiyen, tanpri rele nimewo 772-462-1593.

Español: Si usted desea recibir esta informaciòn en español, por favor llame al 772-462-1593.

Coco Vista Centre
466 SW Port St. Lucie Blvd, Suite 111
Port St. Lucie, Florida 34953
772-462-1593
www. treasurecoastscenichighway.com

TREASURE COAST CORRIDOR MANAGEMENT ENTITY

Member Handbook

September 2019

Table of Contents	
Tab #	***Resource***
1	IRLSH Map and Brochure
2	Corridor Management Entity Agreement
3	Bylaws, Rules, and Procedures
4	Vision and Mission Statement
5	Goals, Objectives & Strategies
6	Florida Scenic Highways Program Guidance
7	Member List
8	Annual Work Plan

INDIAN RIVER LAGOON
Treasure Coast Scenic Highway





















N

to Orlando 120 miles

A1A

Indian River Lagoon Vero Beach to Fort Pierce Aquatic Preserve

1

1

FLORIDA SCENIC HIGHWAYS

Historic Downtown Fort Pierce

2
3
4

Fort Pierce Inlet

8
9
10

5
6
7

FLORIDA'S TURNPIKE

95

70

Exit 152

70

Exit 129

Indian River Lagoon Jensen Beach to Jupiter Inlet Aquatic Preserve

FLORIDA SCENIC HIGHWAYS

Indian River Lagoon

A1A

Midway Rd.

11

Indian River Drive

1

14

12

Walton Rd.

13

Port St. Lucie

to Miami 125 miles

716

1

Jensen Beach Blvd.

FLORIDA'S TURNPIKE

KEY

1. **Avalon Beach State Park**–Swimming, picnic pavilions, amenities
2. **Pepper Park**–Guarded ocean beach, amenities, canoe/kayak launch into Indian River Lagoon
3. **Navy SEAL Museum**–History of Navy SEALs, major displays, interactive and outdoor exhibits
4. **Fort Pierce Inlet State Park**–Swimming, surfing, eco trails, kayaking (rentals available)
5. **Backus Museum and Gallery**–A.E. Backus and local artwork including Florida Highwaymen
6. **Manatee Observation Center**–The history of these gentle aquatic giants
7. **Fort Pierce City Marina and Marina Square**–Picturesque downtown, Indian River Lagoon tours depart from marina
8. **St. Lucie County History Center and Aquarium**–Exhibits of Old Florida and adjacent marine life aquarium
9. **Seaway Drive Park**–Beautiful sandy beach with amenities great view of the inlet
10. **Jetty Park**–Tranquil view of inlet and observation point for kite surfing
11. **Savannas Recreation Area**–Midway Road Camping, Multi-Use trails, fishing, bird watching, water sports
12. **South Hutchinson Island, Hwy A1A**–Public access beaches
13. **Savannas Preserve State Park**–Walton Road Five distinctive eco-systems, eco trails, fishing, bird watching, water sports
14. **Walton Scrub Preserve**–Picturesque view of the Lagoon, many threatened and endangered species and plants found only in this location, half-mile self-guided trail



From Orlando (120 miles):

- Interstate 95 south to Exit 129 (SR 70), head east on SR70/Okeechobee Road, stay to the right on SR70/Virginia Avenue, then turn on US 1 north
- Florida's Turnpike south to Exit 152 (SR 70), head east on SR70/Okeechobee Road, stay to the right on SR70/Virginia Avenue, then turn on US 1 north

From Miami (125 miles):

- Interstate 95 north to Exit 129 (SR 70), head east on SR70/Okeechobee Road, stay to the right on SR70/Virginia Avenue, then turn on US 1 north
- Florida's Turnpike north to Exit 152 (SR 70), head east on SR70/Okeechobee Road, stay to the right on SR70/Virginia Avenue, then turn on US 1 north

Scenic Florida

The Indian River Lagoon Treasure Coast Scenic Highway offers travelers a glimpse into Florida's past with quiet, pristine beaches and quaint towns greeting travelers with southern charm and natural beauty. Whether experiencing the history and cultural events of our local communities, kayaking the calm and crystal waters of the lagoon or tasting some of Florida's most authentic culinary delights, a trip to Florida isn't complete without time spent along the Indian River Lagoon Treasure Coast Scenic Highway.

Sunrises and sunsets on the Indian River Lagoon will bookend your days of adventure, exploration and relaxation. As the main focal point for much that happens in the region, the Indian River Lagoon, at 156 miles in length, is considered by many scientists to be the most biologically diverse estuary in North America. This lagoon is considered home to more than 4,300 species of plants and animals that live within the lagoon's dense mangroves and secluded islands. Many of these species, especially our Manatees and sea turtles are regularly encountered as they navigate the lagoon's sheltered waters.

Get away from the rush of city life! A visit to the Indian River Lagoon-Treasure Coast Scenic Highway will be more than just another destination stop – it will be a journey filled with stories and memories for the entire family to share. You'll want to return and we will be happy to welcome you back.

Indian River Lagoon

Treasure Coast Scenic Highway

FLORIDA SCENIC HIGHWAYS

In Partnership with the
Florida Scenic Highways Program

www.TreasureCoastScenicHighway.com

FORT PIERCE THE SUNRISE CITY

CITY of PORT ST. LUCIE FLORIDA

ST. LUCIE COUNTY FLORIDA

FDOT

St. Lucie Transportation Planning Organization

DESTINATION

Indian River Lagoon

Treasure Coast Scenic Highway

INDIAN RIVER LAGOON
Treasure Coast Scenic Highway

CORRIDOR MANAGEMENT ENTITY AGREEMENT

THIS AGREEMENT is made and entered in to this _____ day of _____, 2004, by and between the **INDIAN RIVER LAGOON SCENIC HIGHWAY-TREASURE COAST CORRIDOR ADVOCACY GROUP**, hereinafter called the "CAG," **ST. LUCIE COUNTY**, a political subdivision of the State of Florida, hereinafter called the "County," the **CITY OF FORT PIERCE**, a Florida municipal corporation, hereinafter called "Fort Pierce," the **CITY OF PORT ST. LUCIE**, a Florida municipal corporation, hereinafter called "Port St. Lucie," the **TREASURE COAST REGIONAL PLANNING COUNCIL**, an agency of the State of Florida, hereinafter called the "Council," the **ST. LUCIE METROPOLITAN PLANNING ORGANIZATION**, a governmental entity corporate and politic, hereinafter called the "MPO," the **STATE OF FLORIDA DEPARTMENT OF TRANSPORATION**, an agency of the State of Florida, hereinafter called "FDOT," the **STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**, an agency of the State of Florida, hereinafter called "FDEP," the **FORT PIERCE UTILITIES AUTHORITY**, a special district organized under the Charter of the City of Fort Pierce, hereinafter called "FPUA," and the **MARINE RESOURCES COUNCIL OF EAST FLORIDA, INC.**, a Florida non profit corporation, hereinafter called "MRC," all hereinafter collectively called the "Member Entities".

FOR AND IN CONSIDERATION of the mutual benefits and obligations hereunto pertaining, the Member Entities agree as follows:

1. There is hereby created the "Indian River Lagoon Scenic Highway-Treasure Coast Corridor Management Entity", hereinafter called the "CME", which shall approve the Indian River Lagoon Scenic Highway-Treasure Coast Corridor Management Plan, in accordance with the provisions of Section 335.093, Florida Statutes (2003), and Rule 14-15.016, Florida Administrative Code, and initiate, coordinate, and monitor strategies, programs, and events set forth in the Plan. The Plan consists of the following roads in St. Lucie County:

    A. A1A from Martin County line to St. Lucie County line.

    B. U.S. Highway 1 from North Bridge Causeway to Seaway Drive.

    C. Indian River Drive from Seaway Drive to Martin County line.

2. The CME shall be composed of nineteen (19) members appointed as follows:

    A. The CAG shall appoint six (6) members:

        1. One (1) resident of Indian River Drive
        2. One (1) resident of North Hutchinson Island
        3. One (1) resident of South Hutchinson Island (incorporated)
        4. One (1) resident of South Hutchinson Island (unincorporated)

5. Two (2) residents of St. Lucie County (at-large)

B. The County shall appoint two (2) members:

1. One member of the Board of County Commissioners appointed by its Chairman
2. One (1) employee of the County Community Development Department appointed by the County Administrator.

C. Fort Pierce shall appoint two (2) members:

1. One (1) member of the City Commission appointed by the City Commission
2. One (1) employee of the City Planning Department appointed by the City Manager.

D. Port St. Lucie shall appoint two (2) members:

1. One (1) member of the City Council appointed by the City Council
2. One (1) employee of the City Planning Department appointed by the City Manager.

E. FDEP shall appoint two (2) members:

1. One (1) employee of the State Parks Division
2. One (1) employee of the Coastal & Aquatic Managed Areas Division.

F. FDOT shall appoint one (1) member.

G. TCRPC shall appoint one (1) member.

H. MPO shall appoint one (1) member.

I. FPUA shall appoint one (1) member.

J. MRC shall appoint one (1) representative.

The representatives of each Member Entity shall serve at the pleasure of the representative's appointing authority. Membership may be expanded or reduced by majority action of the existing CME members.

3. Each Member Entity shall provide technical advice in areas of planning, engineering, architecture, economics and environmental management, as may be

appropriate to the Member Entity, taking into consideration the funding, if any, the Member Entity has to commit. No Member Entity shall be required to commit any resources or funds by virtue of this Agreement. It is understood and agreed that the CME is a voluntary cooperative relationship and the Member Entities, individually and collectively, are providing no warranties whatsoever, express or implied, with respect to the technical advice contemplated by this paragraph.

4. This Agreement is a continuing contract and program, however, a Member Entity may seek to dissolve its participation in the CME upon thirty (30) days prior written notice to the remaining parties. The CME will terminate if no party remains legally active.

5. The CME may enter into formal partnership agreements to incorporate various participating partners in the CME in addition to those identified as parties to this Agreement. Partnerships may be long term or activity specific in nature.

6. The CME will adopt bylaws, which establish procedures for its organization and operation.

7. It is recognized that each Member Entity may have rights and interests contrary to other Member Entities. No Member Entity shall be required to relinquish any rights or jurisdiction in connection with this Agreement.

8. All notices, requests, consents, and other communications required or permitted under this Agreement shall in writing (including telex and telegraphic communication) and shall be (as elected by the person giving such notice) hand delivered by messenger or courier service, telecommunicated, or mailed by registered or certified mail (postage prepaid), return receipt requested, and addressed to:

As to the CAG:

Indian River Lagoon Scenic Highway
Treasure Coast Corridor Advocacy Group
2300 Virginia Avenue, Annex
Fort Pierce, Florida 34982

As to County:

County Administrator
2300 Virginia Avenue
Administration Building Annex
Fort Pierce, Florida 34982

With a copy to:

St. Lucie County Attorney
2300 Virginia Avenue
Administration Building Annex
Fort Pierce, Florida 34982

As to Fort Pierce:

Fort Pierce City Manager
Post Office Box 1480
Fort Pierce, Florida 34954

With a copy to:

Fort Pierce City Attorney
Post Office Box 1480
Fort Pierce, Florida 34954

As to Port St. Lucie:

Port St. Lucie City Manager
Port St. Lucie City Hall
121 Southwest Port St. Lucie Blvd.
Port St. Lucie, Florida 34984

With a copy to:

Port St. Lucie City Attorney
Port St. Lucie City Hall
121 Southwest Port St. Lucie Blvd.
Port St. Lucie, Florida 34984

As to TCRPC:

Executive Director
Treasure Coast Regional Planning Council
301 E. Ocean Boulevard, Suite 300
Stuart, Florida 34994

As to FDOT:

Scenic Highway Coordinator, District Four
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

As to FDEP:

Florida Department of Environmental Protection
9737 Gumbo Limbo Lane
Jensen Beach, FL 34957

As to FPUA:

Fort Pierce Utilities Authority
Director of Utilities
206 South 6th Street
Fort Pierce, FL 34950

As to MRC:

Marine Resources Council of East Florida, Inc.
270 Paint Street
Rockledge, FL 32955

or to such other address as any party may designate by notice complying with the terms of this section. Each such notice shall be deemed delivered: (a) on the date delivered if by personal delivery, (b) on the date telecommunicated if by telegraph, (c) on the date of transmission with confirmed answer back if by telex, and (d) on the date upon which the return receipt is signed or delivery is refused or the notice is designated by the postal authorities as not deliverable, as the case may be, if mailed.

8. This Agreement embodies the whole understanding of the parties. There are no promises, terms, conditions, or obligations other than those contained therein, and this Agreement shall supersede all previous telecommunications, representations, or agreements, either verbal or written, between the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused the execution hereof by their duly authorized officials on the dates stated below.

WITNESSES:

INDIAN RIVER LAGOON SCENIC HIGHWAY-TREASURE COAST CORRIDOR ADVOCACY GROUP

BY: _____
CHAIRMAN

DATE: 04-21-04

WITNESSES:

SHIRLEY BURLINGHAM

BY: Shirley Burlingham
CAG MEMBER

DATE: 4/23/04

WITNESSES:

CHARLES GRANDE

BY: _____
CAG MEMBER

DATE: 4-21-04

Coco Vista Centre
466 SW Port St. Lucie Blvd, Suite 111
Port St. Lucie, Florida 34953
772-462-1593
www. treasurecoastscenichighway.com

INDIAN RIVER LAGOON SCENIC HIGHWAY
TREASURE COAST
CORRIDOR MANAGEMENT ENTITY

BYLAWS, RULES, AND PROCEDURES

Adopted

September 8, 2016

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1.0 OVERVIEW

1.1 ESTABLISHMENT

The Indian River Lagoon Scenic Highway – Treasure Coast Corridor Management Entity (TCCME) is created pursuant to Florida Statutes Section 335.093, Florida Administrative Code Rule 14-15.016, the Florida Scenic Highway Program Manual, and the *Corridor Management Entity Agreement* of 2004 (CME Agreement). The parties to the CME Agreement are as follows:

- St. Lucie Transportation Planning Organization
- Indian River Lagoon Scenic Highway-Treasure Coast Corridor Advocacy Group
- City of Fort Pierce
- City of Port St. Lucie
- St. Lucie County
- Fort Pierce Utilities Authority
- Treasure Coast Regional Planning Council
- Florida Department of Environmental Protection
- Florida Department of Transportation

1.2 PURPOSE

As specified in Section 1 of the CME Agreement, the CME was created to approve the Indian River Lagoon Scenic Highway-Treasure Coast Corridor Management Plan (Plan) and initiate, coordinate, and monitor strategies, programs, and events set forth in the Plan. The purpose of the Bylaws, Rules, and Procedures contained herein are to establish rules and procedures that effectuate the powers, responsibilities, and obligations of the CME.

1.3 AUTHORITY

The CME is provided with the general and specific authorities specified in Florida Statutes Section 335.093, Florida Administrative Code Rule 14-15.016, the Florida Scenic Highway Program Manual, and the CME Agreement.

2.0 STRUCTURE

2.1 COMPOSITION AND MEMBERSHIP

The composition and membership of the CME are specified in Section 2 of the CME Agreement. The membership may be expanded or reduced by majority action of the CME Members as also specified in Section 2 of the CME Agreement. The TPO Staff shall maintain the list of CME Members.

CME Members shall be designated by informal resolution, appointment, or other action to serve as the official representative and spokesperson for the jusrisdiction or organization regarding the powers, responsibilities, and obligations of the CME. The TPO Staff shall be notified in writing or by email of the CME Member(s) designated by the jurisdiction or organization.

2.2 ALTERNATES

Each CME Member may designate an alternate, who is of the same membership type as the CME Member, to replace them in their absence. The CME Member shall notify the TPO Staff in writing or by email that the appointed individual may act as an alternate member if the regular member cannot attend a meeting.

2.3 OFFICERS

The CME shall elect a Chairperson and a Vice Chairperson at its first meeting of each calendar year. The Chairperson and Vice Chairperson shall serve for a period of one (1) year or until a successor is elected. The Chairperson and Vice Chairperson shall be voting members of the CME. The Chairperson shall call and preside at all meetings of the CME. The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson. In the absence of both the Chairperson and the Vice Chairperson from a meeting, a temporary Chairperson shall be elected by the CME for the meeting.

2.4 MINUTES

The staff of the TPO shall maintain the minutes and other records of the CME. The minutes shall accurately reflect the proceedings of the CME.

Minutes from the previous meeting shall be sent to all members at least seven days before the subsequent meeting.

2.5 VOTING

An affirmative vote of fifty percent (50%) of the quorum plus one will be required in order for a motion to pass. In the event of a tie vote, the motion will fail. Should a member in good standing be unable to attend a scheduled meeting in person, he or she may join by conference call and may participate in discussions of agenda items, provided however, that member may not be counted for purposes of establishing a quorum, nor be able to vote on an individual agenda item.

2.6 QUORUM

A majority of the voting members of the CME must be present for the CME to vote on action items.

3.0 OPERATING PROCEDURES

3.1 ADMINISTRATIVE OPERATIONS

The TPO Staff shall serve as the staff to the CME to assist in the coordination and support of the CME.

3.2 PUBLIC ACCESS

All public records of the CME are available for inspection and examination in accordance with applicable State and Federal regulations. Public records inquiries may be submitted during regular business hours to the offices of the St. Lucie TPO located at 466 SW Port St. Lucie Boulevard, Suite 111, Port St. Lucie, Florida 34953 or via email to TPOAdmin@stlucieco.org. All public records inquiries shall be forwarded by the TPO Staff to the TPO Attorney.

All meetings, workshops, and proceedings of the CME shall be open to the public. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) should contact the TPO at 772-462-1593 at least five days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

3.3 NOTICE OF MEETINGS AND WORKSHOPS

Except in the case of emergency meetings or workshops, the CME shall provide generally at least seven (7) days public notice of CME meetings and workshops by posting an agenda of the meeting or workshop at the TPO office and on the TPO website and forwarding the agenda of the meeting or workshop to the local jurisdictions for posting.

3.4 AGENDA

The CME agendas shall list the items in the general order that they are to be considered provided, however, that for cause stated in the record by the Chairperson, items may be considered at the CME meeting out of their listed order. The agenda shall be specific as to the items to be considered. All matters involving the exercise of CME discretion and policy making shall be listed on the agenda.

Any member of the public desiring to have an item placed on the agenda of a CME meeting shall request of the CME in person or in writing that the item be considered for placement on the agenda. Requests in person shall be made at a regular CME meeting, and the CME will consider whether to place the item on the agenda for a subsequent regular meeting. Requests in writing must be received by the TPO Staff at least fourteen (14) days in advance of a scheduled regular meeting and must describe and summarize the item. The written requests shall be emailed or delivered to the TPO Staff at the address specified in Section 3.2. The CME then will consider at the scheduled regular meeting whether to place the item requested in writing on the agenda for a subsequent regular meeting.

Upon approval by the CME Chairperson or by a majority of a quorum of the CME, additional items not included on the meeting agenda may be considered at a meeting of the Board for the purpose of acting upon matters affecting the public health, safety, or welfare or which are in the best interests of the public.

3.5 EMERGENCY MEETINGS AND WORKSHOPS

The CME may conduct an emergency meeting or workshop for the purpose of acting upon matters affecting the public health, safety, or welfare or which are in the best interests of the public. Whenever an emergency meeting or workshop is scheduled to be held, the CME shall provide public notice of such meeting or workshop as soon as possible using the methods specified in Section 3.3.

3.6 MEETING RULES AND PROCEDURES

All meetings of the CME shall be governed by the rules and procedures contained in Robert’s Rules of Order which are applicable and which are not inconsistent with these Bylaws, Rules, and Procedures or with any special rules of order that the CME may adopt.

3.7 AMENDMENTS

These Bylaws, Rules, and Procedures may be amended at any CME meeting by the affirmative vote of the majority of the voting members of the CME provided that a copy of the proposed amendment(s) shall have been mailed or e-mailed to each CME member at least seven calendar days prior to the meeting.

INDIAN RIVER LAGOON SCENIC HIGHWAY
TREASURE COAST CORRIDOR MANAGEMENT ENTITY
VISION AND MISSION STATEMENT

(Adopted September 8, 2016)

- *To preserve and enhance the cultural, historic, recreational, and natural resources of the area*

- *To promote appreciation and enjoyment of the area through improved access, information, and education for all visitors and residents*

INDIAN RIVER LAGOON SCENIC HIGHWAY
TREASURE COAST CORRIDOR MANAGEMENT PLAN
GOALS, OBJECTIVES & STRATEGIES

(Adopted March 10, 2017; Amended October 13, 2017)

GOAL 1 - PROTECT, PRESERVE, AND MAINTAIN: Ensure that the intrinsic resources of the corridor are protected, preserved, and maintained.

Objective 1.1: Ensure the stabilization of the shoreline, the restoration of the shoreline habitat, and the preservation of the scenic views.

Strategy 1.1.1: Identify those interested in shoreline stabilization and habitat restoration, such as the Marine Resources Council, the Indian River Lagoon Program, the Ocean Research & Conservation Association, fishing and birding organizations, boating organizations, and environmental organizations, and enlist them in partnerships for stabilization and restoration projects.

Strategy 1.1.2: Identify those interested in removal of exotic vegetation, such as the Marine Resources Council and the Ocean Research & Conservation Association, and enlist them in partnership for removal of exotic vegetation.

Strategy 1.1.3: Identify deteriorated or blighted areas along the corridor and where the scenic views have been impaired by man.

Strategy 1.1.4: Work with the government agencies to plan, gain approval of, find funding for, and implement renewal projects for the deteriorated and blighted areas and impaired scenic views.

Objective 1.2: Support continued enhancement of historic, archeological, cultural, and recreational resources of the corridor.

Strategy 1.2.1: Identify and partner with government entities and community organizations interested in the protection, preservation, maintenance and enhancement of historic, archeological, cultural, and recreational resources to support the enhancement of these resources.

Strategy 1.2.2: Assist the government agencies that have responsibility for historic, archeological, cultural, and recreational resources in identifying and using funding sources for enhancement.

GOAL 2 – ENHANCE ACCESS: Ensure safe, non-congested, destination--targeted, multi-modal transportation throughout the corridor.

Objective 2.1: Recognize and provide low-impact access to historic, archeological, and cultural resources.

Strategy 2.2.1: Identify and partner with government entities and community organizations interested in providing low-impact access to historic, archeological, and cultural resources within the corridor to develop and implement appropriate projects.

Objective 2.2: Evaluate and implement ways to enhance multi-modal transportation and improve safety throughout the corridor.

Strategy 2.2.1: Identify government and community organizations with interest in multi-modal transportation.

Strategy 2.2.2: Work with these organizations to coordinate corridor-wide, multi-modal transportation evaluations and enhancement plans.

Strategy 2.2.3: Work with these entities to identify and use funding sources to implement multi-modal transportation enhancement plans.

Objective 2.3: Cooperate with efforts to develop trails, walkways, and bikeways throughout the corridor.

Strategy 2.3.1: Identify initiatives to develop trails, walkways, and bikeways throughout the corridor.

Strategy 2.3.2: Facilitate partnerships to coordinate trails, walkways, and bikeways throughout the corridor so as to develop continuous networks wherever feasible.

Strategy 2.3.3: Assist those who are taking initiatives to develop trails, walkways, and bikeways throughout the corridor to identify and use funding sources.

Objective 2.4: Support the installation of appropriate directional signs for the corridor and for the resources.

Strategy 2.4.1: Develop a master plan for directional signage throughout the corridor, which will include sign site location, design, funding, installation, and maintenance.

Strategy 2.4.2: Facilitate the implementation of the master plan for signage.

GOAL 3 – INCREASE SUPPORT: Increase community support and participation in the planning and implementation process.

Objective 3.1: Inform the public about the scenic highway program.

Strategy 3.1.1: Submit news releases to the media covering the corridor.

Strategy 3.1.2: Develop and maintain an email list of corridor interests to send notices of corridor efforts and activities.

Strategy 3.1.3: Develop and promote a website and social media program to disseminate corridor information.

Objective 3.2: Elicit more active participation in hands-on conservation and enhancement programs such as pepper busting, water quality monitoring, and native plant proliferation.

Strategy 3.2.1: Form partnerships with the Marine Resources Council, the St. Lucie Conservation Alliance, the Ocean Research & Conservation Association, the Florida Oceanographic Society, the University of Florida Extension Service, and other similar organizations to enlist volunteers for existing programs.

Strategy 3.2.2: Utilize partnerships to increase promotion for these programs and the opportunities for hands-on participation.

GOAL 4 - EDUCATE AND PROMOTE: Provide public education on the corridor and promote low-impact economic development and resource-based tourism.

Objective 4.1: Communicate with local citizens and potential visitors the story of the Indian River Lagoon.

Strategy 4.1.1: Use the website and social media to tell the story of the Indian River Lagoon.

Strategy 4.1.2: Form a partnership with the St. Lucie County Tourism department, the Tourist Development Council, the St. Lucie County Chamber of Commerce and media to communicate the corridor story.

Strategy 4.1.3: Utilize a "welcome center" as a public information center for the Indian River Lagoon.

Objective 4.2: Promote the Indian River Lagoon Treasure Coast Scenic Highway as a treasure to be experienced and preserved.

Strategy 4.2.1: Work with tourism entities to develop and utilize promotional materials that highlight Florida resources of the corridor that will appeal as eco-tourism and are of historical interest to visitors.

Strategy 4.2.2: Support the provision of appropriate infrastructure within the corridor to enable such visitors as eco-tourists and heritage tourists to have an enlightening and enjoyable experience without adversely impacting the resources.

GOAL 5 –SUSTAIN: Ensure the sustainability of the Indian River Lagoon Scenic Highway-Treasure Coast Corridor Management Entity.

Objective 5.1: Support the mission of the Florida Scenic Highway Program.

Strategy 5.1.1: Actively participate in the Florida Scenic Highway Advisory Committee.

Strategy 5.1.2: Conduct regular advertised public meetings to inform the community of the ongoing mission of the program and the goals, objectives, and strategies and the actions taken by the TCCME to accomplish them while seeking input from the community to help promote, maintain, and enhance the program.

Objective 5.2: Ensure compliance with Florida Scenic Highway Program requirements.

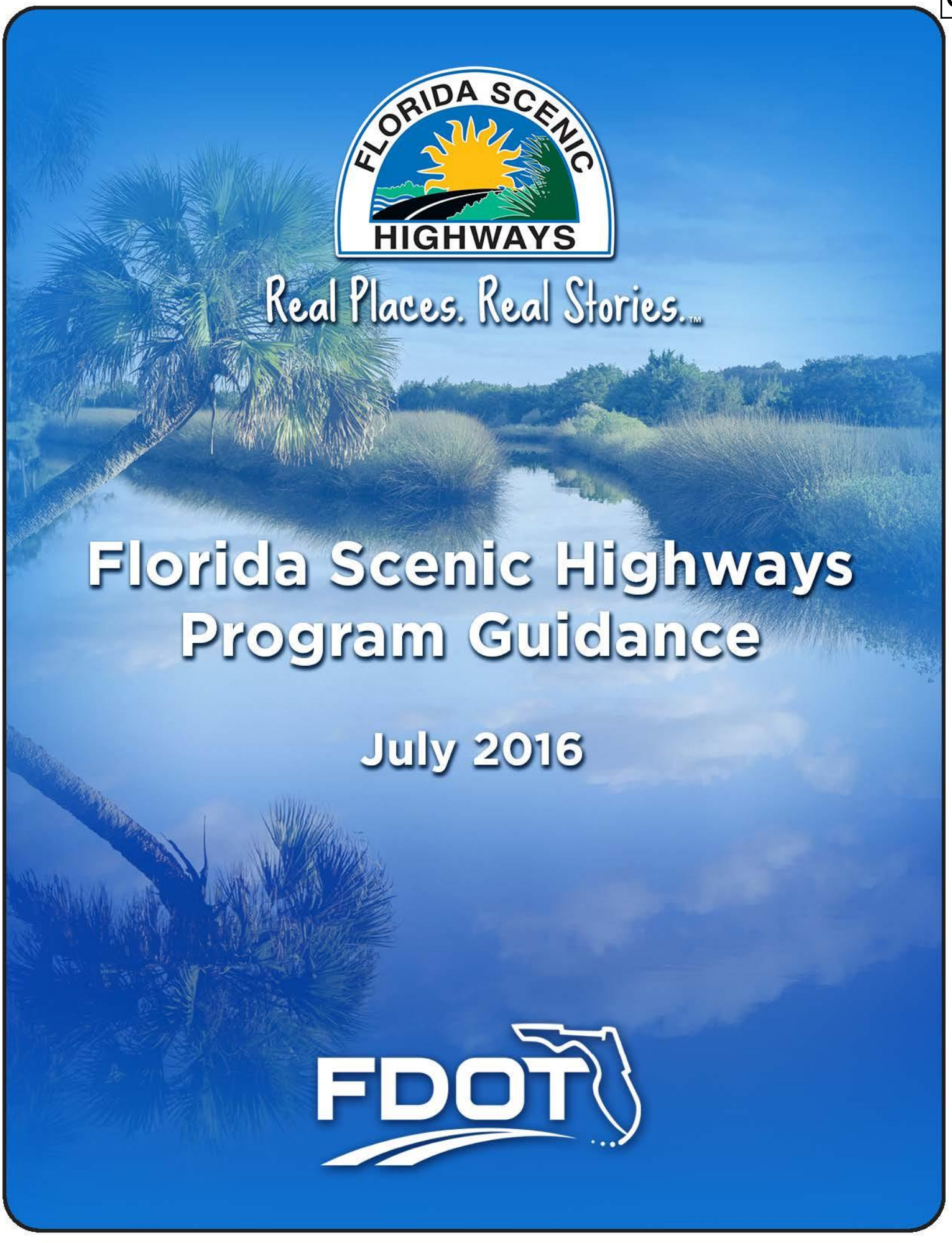
Strategy 5.2.1: Prepare required documents and meet submittal schedules including accurate and timely filings of Annual Workplans and Reports.

Strategy 5.2.2: Conduct regular advertised public meetings that include review of the Annual Workplans and Reports and demonstrate progress toward completing the workplan activities.

Strategy 5.2.3: Remain well-informed and current with any changes in the requirements by maintaining regular communication with the Florida Scenic Highway Program.

Objective 5.3: Develop independent and sustainable resources to support the TCCME.

Strategy 5.3.1: Evaluate the development of a non-profit corporation for the TCCME.



Florida Scenic Highways Program Guidance

July 2016

FDOT

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1.0 PROGRAM OVERVIEW

What is a Scenic Highway?

A scenic highway is a public road that has been designated through an official government agency declaration to protect and promote its special cultural, historic, archaeological, recreational, natural, and scenic resources. Designation is recognition that roads not only pass through places, but that they are places; places that offer exceptional travel experiences. Byways tell stories to visitors about people and places, and empower local communities to promote, enhance, and protect critical resources. Because they tell stories, Scenic Highways offer distinctive and memorable travel experiences. For any given destination, tourism websites list things to do and places to see, but byways tell the story about how and why the people and places are connected. For example, the A1A Scenic & Historic Coastal Byway beckons travelers to experience the history of early tourism and ambiance of "old Florida," while the Big Bend Scenic Byway reflects on the convergence of coastline and forest, and how these natural resources influenced the lives of early settlers, and create a natural wonderland today.

The term "scenic highway" is used to describe Florida Scenic Highway Program designations, but it is synonymous with the terms "scenic byway" and "byway" used commonly by programs in other states and the National Scenic Byways Program.

Mission

The mission of the Florida Scenic Highways Program is to help Florida communities deliver high-quality experiences to visitors.

Vision

The Florida Scenic Highways Program is well known for promoting economic development, enhancing local quality of life, and conserving important resources.

History of the Florida Scenic Highways Program

The National Scenic Byways Program (NSBP) was established under the **Intermodal Surface Transportation Efficiency Act (ISTEA)** of 1991. Under the Program, the U.S. Secretary of Transportation recognizes certain roads as **National Scenic Byways** or **All-American Roads** based on the presence of archaeological, cultural, historic, natural, recreational and scenic intrinsic qualities. To be designated as a National Scenic Byway, a road should have at least one of the six intrinsic qualities that is regionally significant. To be designated as an All-American Road, the road or highway should meet the criteria for at least two of the intrinsic qualities that are nationally significant. The road or highway should also be considered a destination unto itself.

As of 2016, there are 150 nationally designated byways in 46 States. The Federal Highway Administration (FHWA) promotes the collection as America's Byways®. The program is a voluntary, grassroots program founded upon the strength of the leaders for individual byways.

One of the requirements of the **National Scenic Byways Program** is that roads must first be designated at the state level before being eligible to receive National Scenic Byway or All-American Road status. This condition prompted the enhancement of existing and development of new state scenic byway programs across the country, including in Florida. Prior to the ISTEA legislation, Florida had no official statewide scenic byway program. Although several routes designated by the Florida Legislature as "scenic and/or historic" [1] existed, none of these highways were evaluated independently with uniform criteria.

In 1993, State legislation was passed to enable the State, through the Department, to establish an official program for scenic byways. In 1994, the Department began developing criteria and guidelines for the **Florida Scenic Highways Program**, and in 1996, the program was launched.

Like the NSBP, corridors designated by the Department as Florida Scenic Highways are so designated to influence the preservation, maintenance, protection, and enhancement of cultural, historic, archaeological, recreational, natural, and scenic resources. Designation as a scenic highway increases opportunities for these resources to be experienced and enjoyed by citizens and visitors. Data collected from across the state reveals that communities are using scenic highway designation to help promote and advocate for the protection of important resources, as well as implement projects and programs that improve local quality of life and enhance the experience of travelers.

There are currently 25 designated Florida Scenic Highways, five of which are also designated as National Scenic Byways, and one as an All-American Road.

Benefits of Designation

Improved Quality of Life for Florida Communities

Seeking scenic highway designation can provide a catalyst for the development of a community vision. Nearly twenty years ago, the NSBP and the FSHP were created not just to promote the "scenic route," but to offer local communities an opportunity to engage in a planning process that helps shape the future of their communities. The designation process allows communities to identify and develop strategies to help manage resources

[1] A listing of these routes can be found in the Department's publication, *Legislatively Designated Scenic Highways* available on the Florida Scenic Highways Program website.

that are important to maintaining a sense of place, authenticity, and strong tourism economy.

Resource Protection

Resource Protection is also a benefit of Florida Scenic Highway designation. Designation provides the opportunity to preserve, maintain, protect and enhance the intrinsic resources identified by communities as significant, exceptional and distinctive to a particular region. Recognizing the significance of a corridor's resources is essential to any effort to protect these resources for future generations to enjoy.

Economic Impact

The most direct economic benefit for scenic highway communities is through increased tourism. Currently, millions of tourists visit Florida each year. Once here, nearly all will travel on roads. Scenic highways offer these visitors, as well as Florida residents, alternative routes to travel throughout the State. The ability of a visitor to experience a place as if being given a tour by a local resident and hearing the stories behind traditions, foods, and places is what makes visiting a byway a one-of-a-kind travel experience. This is the product that only Florida Scenic Highways can offer! Byway visitors increase the demand for tourist-oriented businesses such as recreational tours, lodging, restaurants, gas stations, bike shops, and outfitters.

Promotion

Florida Scenic Highways are included on statewide maps and promotional materials such as brochures and the program website. The posting of official Florida Scenic Highway logo signage along the designated highways identifies the corridors as "special places" with important resources. The Florida Scenic Highways Program continues to identify ways to effectively promote the state's collection of designated corridors.

Responsibilities of Designation

Each byway in Florida is unique and adds something significant to the collection of Florida Scenic Highways. With designation comes the responsibility of contributing to the collection and the traveler experience. Organizations that manage designated byways respect and protect the integrity of resources and are expected to offer and promote authentic and diverse experiences to travelers of all ages, abilities and interests. Each byway organization is accountable to all the others to create a shared standard of high quality throughout the collection.

Seeking Designation as a Florida Scenic Highway

Participation in the FSHP is voluntary, and efforts to designate roads are initiated at the local level. Before seeking designation, it is important for interested communities to know that the benefits of designation are the result of careful planning and a lot of hard work!

Long-term program success requires clear goals, human and financial resources, partnerships, and the support of residents, businesses, local governments and other stakeholders along the corridor.

Grassroots groups interested in pursuing designation should first contact the appropriate DSHC or the FSHP Coordinator at info@floridascenichighways.com.

2.0 PROGRAM INITIATION

Pursuing Designation

Pursuing Florida Scenic Highway Program (FSHP) designation requires hard work and the input and commitment of all stakeholders (residents, business owners, local governments, agencies, nonprofits, and other organizations). The designation process usually takes at least two years, and once designated, the byway must be locally managed in perpetuity (see **FSHP Guidance Part 4: Implementation Phase**). The decision to make this commitment should be discussed extensively with all stakeholders responsible for both the designation process and long-term management of the corridor.

The most important criteria to consider when deciding whether or not to seek Florida Scenic Highway designation are:

1. **Byway Resources and Byway Story**

   In order to be eligible for designation as a Florida Scenic Highway, proposed routes must possess **Intrinsic Qualities**: "scenic, historic, recreational, cultural, archaeological or natural features that are considered representative, unique, irreplaceable, or distinctly characteristic of an area" (FHWA Interim Policy, May 18, 1995).

   Intrinsic qualities are not single resources, but **arise from a byway's particular combination of resources that define its character, interest and appeal**. These resources are the special views, places, buildings, sites and other features that residents enjoy and travelers will find interesting. A resource can be natural, such as a beach, mountain or prairie; or it may be the result of human activity, such as a historic building, battle site, or trail.

   A **byway story** is the intentional, coordinated message about these resources that the route conveys to visitors. This message may be interpreted through written materials, signs, information kiosks, guides, smart phone apps and other media. Most importantly, the byway story is conveyed through the direct experiences that the visitor encounters along the trip, and retold by visitors as they remember and share their experiences again and again.

2. **Byway Organization**

   As stated earlier, it will likely take at least two years to obtain a new Florida Scenic Highway designation. The designation process is managed by the Byway Organization which should include residents, business owners, and representatives of local governments, agencies, nonprofits, and other organizations. Once designated, the Byway Organization is responsible for the

long-term implementation of all scenic highway management plans, and complying with FHSP requirements *in perpetuity*. Although it is not required that a new formal organization be created, there must exist at all times broad-based support from a diverse group of stakeholders and individuals willing to accept this responsibility.

The National Scenic Byway Program's Byways 101 website offers the following advice for byway leaders considering pursuit of a state designation:

As a test of how prepared you are to make your case to other people, try to complete the following two sentences:

1. It is important for our community that we create this byway because…
2. I believe that we will benefit from a byway in the following ways…

If you cannot complete these sentences in a convincing manner, step back and reconsider whether a byway makes sense. Byways are not the answer for every community.

In summary, scenic highways must possess resources that are representative, unique, irreplaceable, or distinctly characteristic of an area in order to be designated, but designation is just the first step. In order for byway communities to realize the benefits of designation, an effective Byway Organization must exist for the long-term management of the corridor.

Process Overview

The Florida Scenic Highways Program (FSHP) is comprised of two phases: Eligibility and Implementation.

Eligibility Phase

A. Any person or group seeking designation or the extension of an existing corridor, must contact the appropriate DSHC to initiate the Eligibility Phase. During the Eligibility Phase, a Byway Organization of volunteers is formed to develop and deliver the following:
    1. A Letter of Intent to the appropriate Department District Office(s);
    2. The Byway Story, Byway Inventory, and Documentation of Community Commitment;
    3. A Byway Management Plan and Year-One Work Plan.

B. Upon the review and acceptance of the above materials by the DSHC, FSHP staff, and Scenic Highway Advisory Committee (SHAC), the candidate corridor will be recommended to the Department Secretary for designation as a Florida Scenic Highway.

See **Figure 2-1** on the following page for a detailed description in (flow chart format) of each step in the Eligibility phase.

Implementation Phase

Upon written notice of designation from the Secretary, the Byway Organization is responsible for:

A. Implementing the Byway Management Plan and updating as necessary;
B. Developing, implementing, and keeping current an Annual Work Plan;
C. Providing a Byway Annual Report to the FSHP.

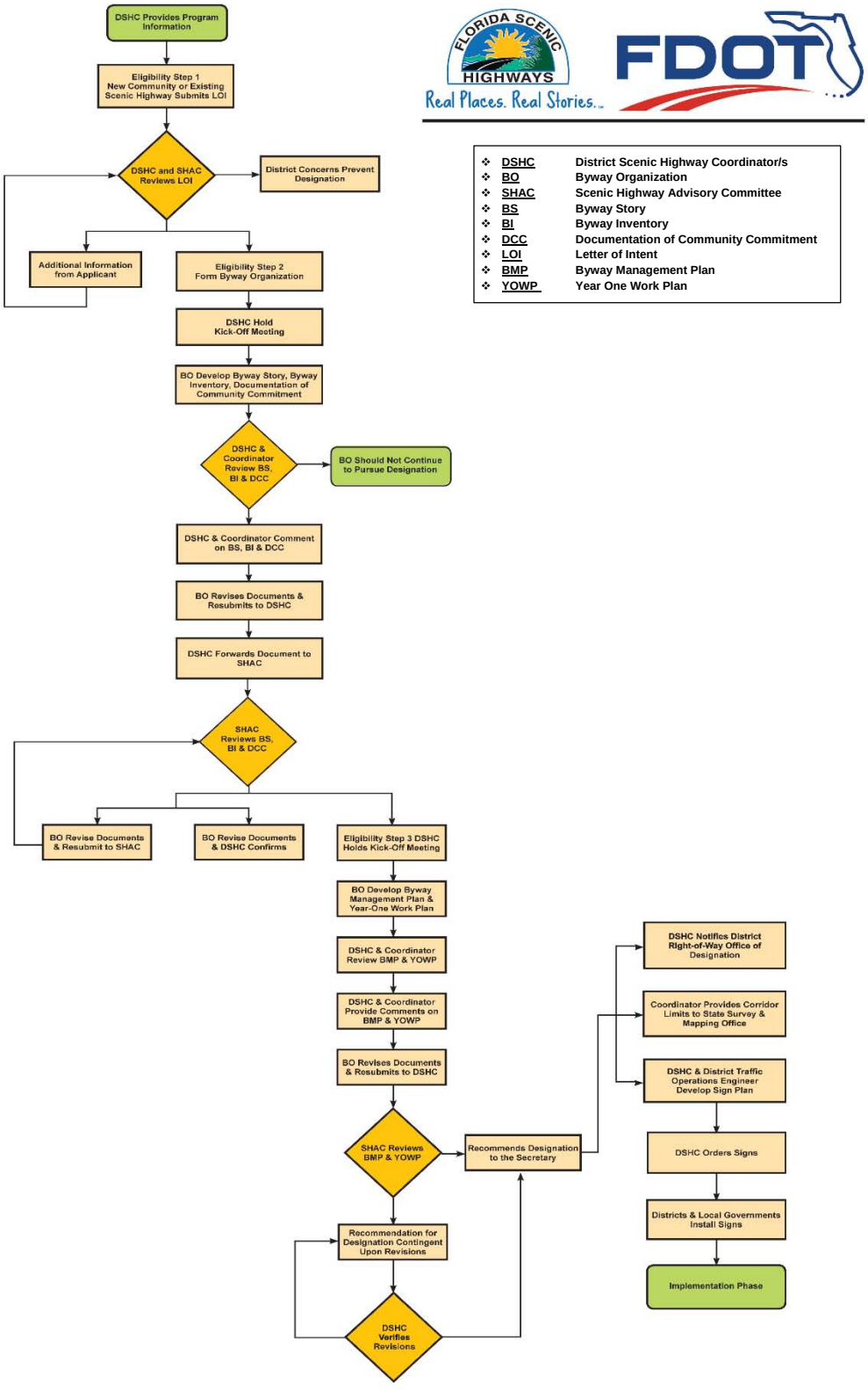


Figure 2-1: Eligibility Phase Flow Chart

Definitions and Acronyms

Common terms used in this program include:

Annual Work Plan – A document required to be completed by all Byway Organizations in Florida that specifies the projects, activities, and/or programs a Byway Organization will undertake for the calendar year, along with a timeframe for completion, responsible party, and funding source (if applicable).

Byway - A public road or highway that has been designated through an official declaration for its special qualities. The term "scenic highway" is used to describe FSHP designations, but is synonymous with the terms "scenic byway" and "byway."

Byway Annual Report (BAR) – A standard report required to be completed by all Byway Organizations in Florida annually. The primary purpose of the report is to collect information about how the FSHP is benefitting Florida communities, and to identify training and technical assistance needs.

Byway Inventory - A survey of the intrinsic qualities and resources within the byway corridor. It should contain a series of photographs and descriptions of the resources that contribute to the byway's intrinsic qualities, and maps that illustrate the location of these sites and views. The inventory should focus on the intrinsic qualities known to exist along the byway, and focus on recording and describing the resources and features that relate to those qualities and support the byway's story.

Byway Management Plan (BMP) – A multi-year plan required by the FSHP to be completed by all Byway Organizations in Florida that describes actions to be taken by the Byway Organization which will result in benefits to the Scenic Highway community, a high-quality visitor experience, and compliance with FSHP requirements.

Byway Organization - A group of individuals and organization representatives committed to implementing the plans of a designated Scenic Highway and meeting the requirements of the FSHP.

Byway Story – The intentional, coordinated message that the byway conveys to visitors about the resources and qualities that it promotes. This message may be interpreted through written materials, signs, information kiosks, guides, videos and other media. The byway story is conveyed through the direct experiences that the visitor encounters along the trip, and refers to the inherently interesting and valuable tale that roadways can tell about the history, culture and environment of the surrounding landscape and communities.

Department - Florida Department of Transportation.

District - One of the eight Florida Department of Transportation Districts within the State.

District Scenic Highway Coordinator (DSHC) - A person who has been appointed to implement the Florida Scenic Highways Program within the District.

Documentation of Community Commitment – Tangible evidence that substantial support for designation exists from a diverse group of stakeholders, and a documented assessment of available resources for implementing the Byway Management Plan.

Eligibility Phase - The first phase of the designation process where the Department determines whether or not a roadway is eligible for designation as a Florida Scenic Highway.

Federal Highway Administration (FHWA) - The federal agency which oversees all highway transportation issues for the nation.

Florida Scenic Highway - Any public road that is so designated by the Secretary pursuant to Section 335.093, Florida Statutes. These roadways have been designated for their unique cultural, historic, archeological, recreational, natural, or scenic intrinsic qualities.

Florida Scenic Highways Program (FSHP) - Establishes and implements the process and criteria available to anyone desiring to have a public road designated as a Florida Scenic Highway. Participation in the FSHP is entirely voluntary and grassroots in nature. There are no penalties attached for local general purpose governments not participating in the program.

Implementation Phase - The second phase of the designation process. Following designation, a Byway Organization implements the actions agreed upon by the community, and meets the annual requirements of the FSHP.

Letter of Intent (LOI) - The initial written notification submitted by an applicant to the Department stating the applicant's desire to pursue designation for a roadway as a Florida Scenic Highway, or extension of an existing scenic highway.

National Scenic Byway - A scenic highway which is recognized by the federal government as satisfying the criteria for the National Scenic Byways Program.

Public Road - A road which is open and available for use by the public and dedicated to the public use, according to law or by prescription.

Scenic Highway Advisory Committee (SHAC) - A committee consisting of representatives from several state agencies and organizations as authorized by the Secretary.

State Scenic Highway Coordinator (Coordinator) – Person appointed by the Secretary to implement the Florida Scenic Highways Program statewide. The Coordinator will be assisted by all of the DSHC in this role.

Secretary - The Secretary of the Florida Department of Transportation.

Stakeholders - Individuals, businesses, organizations, agencies, and government entities who support the designation of a scenic highway, who value the byway enough to commit resources, who may benefit from the success of the byway, and who have contacts and can influence others in the community.

State Highway System - As defined in Section 334.03(24), Florida Statutes.

Year-One Work Plan – A document required in Step 2 of the Eligibility Phase that specifies the projects, activities, and/or programs a Byway Organization will undertake in the first year after designation, along with timeframes for completion, responsible parties, and funding sources (if applicable).

3.0 ELIGIBILITY PHASE

The Florida Scenic Highways Program is comprised of two phases: **Eligibility** and **Implementation**. Any person or group interested in pursuing a new designation or corridor extension must contact the appropriate DSHC to initiate the Eligibility Phase.

The **Eligibility Phase** consists of the following three primary steps:

Step 1: Develop and submit a **Letter of Intent (below)**;

Step 2: Develop and submit the **Byway Story (see page 3-4), Byway Inventory (see page 3-4),** and documentation of **Community Commitment (see page 3-6)**;

Step 3: Develop a **Byway Management Plan (see page 3-9)** and **Year-One Work Plan (see page 3-17)**.

Upon the review and acceptance of the above materials, the candidate corridor will be recommended to the FDOT Secretary of Transportation for designation as a Florida Scenic Highway. Once the corridor is designated, the Byway Organization enters the Implementation Phase which lasts for the duration of the designation.

Step 1: Letter of Intent

The Letter of Intent should be prepared for and submitted to the appropriate DSHC. Use this link to access a map of FDOT Districts and current list of DSHC. If the potential route lies in multiple Districts, all DSHC affected should receive the LOI. The LOI will also be distributed to all SHAC members.

The purpose of the LOI is for the DSHC to investigate District design and maintenance issues related to the potential route, and for SHAC member agencies to identify any potential concerns regarding state resources or programs. The LOI should also demonstrate community understanding of and support for the designation. The applicant will be made aware of the Department's concerns within 30 days. In extreme cases, District concerns might preclude the route from designation.

If the proposed route is on non-state roads or includes non-state roads, the applicant must provide evidence that the entity with jurisdiction over the road(s) has been notified and has no objections.

All applicants should be aware that the State will not issue permits for any new billboards on designated Florida Scenic Highways on the Interstate system or Federal-aid primary highway system.

What to Submit: LOI

The LOI should contain, at minimum, the following components:

1. A map and detailed description of the precise route of the proposed scenic highway. The map should be of sufficient scale and quality to allow the DSHC to follow the route based on the description.

2. A compelling explanation as to why scenic highway designation is being considered for the route. This explanation should avoid broad generalizations such as "economic development" or "resource protection," and describe specific ways in which this program is a good fit for the communities along the route.

3. A detailed description of who will be involved in managing the designation process and what financial and human resources are available for the Implementation Phase. The letter should demonstrate that financial and human resources will be made available from diverse sources including, but not limited to, residents, the business community, local government(s), and local tourism agencies.

4. For corridor extensions, the applicant must also provide strong evidence of support for the extension from the existing corridor's Byway Organization.

Eligibility Phase: Step 1 Program Review

Once the LOI has been submitted, the DSHC and SHAC members will respond to the applicant within 30 days. The response will indicate one of the following:

(A) The LOI is found acceptable and the applicant may form a Byway Organization and proceed to Step 2 in the Eligibility Phase.
(B) The applicant needs to provide additional information to the DSHC or SHAC before a determination can be made. If this additional information is not provided within six months of notification, the applicant must submit a new LOI and adhere to the program requirements in effect at the time of restart.
(C) The LOI is complete, but the proposed route cannot be considered for FSHP designation at this time.

The LOI response letter will be sent electronically from the DSHC to the applicant, with original to follow via US mail. The DSHC will forward the approved LOI electronically to the Coordinator for file and future reference.

For approved LOIs, the DSHC will work with the Byway Organization to establish a designation schedule and arrange a kick-off meeting.

Step 2: Develop and Submit the Byway Story, Byway Inventory, and Documentation of Community Commitment

For the designation to be meaningful, and for the community to benefit, the designation process will require a significant commitment of resources from all involved – byway stakeholders as well as the FDOT. Byway supporters will volunteer a great deal of time, the FSHP will provide technical assistance, and funding will be required if a consultant is desired. To help ensure that all involved fully understand the commitment, **Eligibility Phase Step 2** begins with a kick-off training session led by the DSHC and FSHP staff. All stakeholder groups should be invited to this meeting. A detailed overview of the Eligibility and Implementation Phases of the program will be presented, and attendees will be given helpful tips, examples, and the opportunity to ask questions. Once this kick-off meeting has been completed, the final decision to move forward with designation should be weighed carefully.

Eligibility Phase Step 2 required documents must be submitted together to the DSHC **within 18 months** of the kick-off meeting.

Byway Organization

A decision to proceed should be followed by the creation of a **Byway Organization**. The Byway Organization is comprised of individuals as well as representatives of local governments, nonprofits, business owners, and other organizations committed to managing the designation process, developing and implementing the plans of the designated scenic highway, and meeting the requirements of the FSHP in perpetuity. The FSHP does not require a specific organizational structure. Byway organizations are not required to become nonprofits. More information about options for structuring a Byway Organization is available on the National Scenic Byway Foundation's Byways 101 website.

Although no specific, formal structure is required, scenic highway candidates must be able to demonstrate at any given time that a viable, broad-based organization exists for the purpose of managing the designated corridor, implementing adopted plans, and meeting the requirements of the FSHP.

Characteristics of a strong, viable Byway Organization:

- Brief and concise mission statement that is clearly articulated by members
- Clearly defined roles and responsibilities
- Multiple and diverse sources of funding
- Stakeholders that are routinely updated about accomplishments and project impacts
- Routine discussions about the organization's budget and financial position

- Rigorously implemented Community Participation Strategy (CPS) (detailed description in "What to Submit: Byway Management Plan")
- Recruitment strategies and succession plans
- Strong partnerships that benefit not only the Byway Organization, but businesses and other organizations in the byway community

Byway Story and Byway Inventory

The ultimate success of the scenic highway as a community planning, resource protection, or economic development tool hinges on the Byway Story and Byway Inventory. Scenic Highways offer distinctive travel experiences because they tell stories about people and places, and empower local communities to promote, enhance, and protect the resources that define the intrinsic qualities that are critical to telling the story.

The recommended reference for developing the Byway Story and Byway Inventory is Part 2 of Byways 101 available on the National Scenic Byway Foundation website. The "Intrinsic Quality" definitions and criteria included in Byways 101 are used by the National Scenic Byways Program and adopted by the FSHP.

In addition, a good example of a Byway Story can be found in the Florida Black Bear National Scenic Byway's corridor management plan.

Another good "mini" example is the following excerpt from a corridor extension application for the Indian River Lagoon National Scenic Byway:

> "*…the Extension passes through some of the rarest and most significant natural communities remaining in coastal Florida. Merritt Island National Wildlife Refuge and the Canaveral National Seashore are located on a natural barrier island system that has been protected from development activity common elsewhere in Florida, and offers peace and tranquillity for dozens of threatened and protected species, serving as a location to fish, bird or stroll a trail along Florida's longest remaining expanse of pristine shoreline. Amazingly, these types of experiences can take place on the doorstep of America's "Byway to the stars". This extension's proximity to the John F. Kennedy Space Center allows visitors to explore the world around them whether it is the manatees resting peacefully in Haulover Canal or rockets heading toward the heavens.*"

In essence, the Byway Story for the Indian River Lagoon National Scenic Byway corridor extension is "where science and nature meet." The coexistence of these resources is what makes this corridor unique, and why it offers experiences that travelers cannot find anywhere else. It is the thing that will entice travelers to visit!

Remember, byways tell stories to visitors about people and places, and empower local communities to promote, enhance, and protect the resources that are critical to telling the story. From **Byways 101**:

> *"That is why simply inventorying potentially interesting features and then promoting a byway are not sufficient. These intrinsic qualities must be pulled together into a cohesive and engaging story that serves as a unifying experiential tool."*

What to Submit: Byway Story

The purpose of developing the Byway Story is to articulate what is inherently interesting and valuable about the history, culture, and environment of the surrounding landscape and communities along the proposed route.

The Byway Story should be submitted as a written narrative. The length of the narrative will vary due to many factors including:

- Length of the proposed corridor
- Concentration of resources that contribute to the byway's Intrinsic Qualities (as defined by FHWA)
- Number of themes and/or subthemes

What to Submit: Byway Inventory

The purpose of the Byway Inventory is to identify and demonstrate that there are resources present on the proposed corridor that meet at least one of the Intrinsic Quality definitions (detailed in **Byways 101: Part 2,** Objective #1). The six intrinsic qualities are archeological, cultural, historic, natural, recreational and scenic.

The Byway Inventory should include the following at minimum:

1. A catalog of resources arranged by Intrinsic Quality. The following information should be included for each resource identified:

a. Name/Description
b. Intrinsic Quality(s) to which the resource contributes
c. How the resource helps to tell the Byway Story
d. How the resource is linked to other resources along the byway corridor
e. How the resource is linked to the roadway
f. If the resource has been recognized by any regionalor national program, or organization

g. Owner of the resource

2. An assessment of each intrinsic quality to include its context within the surrounding areas, and an evaluation of which qualities are of local, regional or national significance. This should require at least one substantive paragraph for each intrinsic quality identified.

3. A map with resource locations identified. It is helpful if the resources are coded by intrinsic quality.

4. At least one high-resolution photo of each resource.

Community Commitment

The benefits of designation are realized through careful planning and the hard work of many, not upon installation of the FSHP logo signs. In order to receive designation as a Florida Scenic Highway, substantial support for designation from a diverse group of stakeholders must be demonstrated, as well as an assessment of available human and financial resources for implementation. Together, this is referred to as Community Commitment.

The **purpose** of the Community Commitment documentation is to:

- Demonstrate that all stakeholders have been notified and involved in the designation process.
- Identify who has committed to doing the work, and that the commitment is adequate.
- Identify what human and financial resources are being made available from stakeholders to ensure the success of the byway.
- Identify how partnerships will be developed that benefit byway stakeholders.

What to submit: Community Commitment

There are many ways to demonstrate diverse stakeholder involvement and support in the designation process, but the following is a **requirement**:

A letter of support (or statement that there is no objection) must be submitted from every local government entity with jurisdiction over the proposed route.

Documentation to demonstrate stakeholder engagement:

- Public meetings:
  - Meeting announcements and/or public notices

        - Sign-in sheets
        - Follow-up newspaper articles
        - Meeting agenda(s)
        - Feedback (comments from meetings, follow-up emails, etc.)
    - List of stakeholders the Byway Organization communicates with routinely. Also describe the frequency and content of communication, and provide examples.
    - Documentation of other ways the Byway Organization is getting the word out and collecting input. This might include meetings with homeowner associations, garden clubs, historical societies, etc.
    - Documentation of potential partnerships that will benefit not only the Byway Organization, but businesses and other organizations in the community.
    - Letters of support and/or objection from interested parties (keep in mind that template letters are far less meaningful than those in which a stakeholder uses his/her own words to express support and/or to commit resources).

The human and financial resources available to a Byway Organization for completing the designation process, and for the long-term management of the byway need to be identified in advance to the extent possible.

Examples of ways to document available human and financial resources include:

- List of Byway Organization members with their association (resident, business owner, etc.), area of expertise, and geographic representation.
- List of Byway Organization members who not only routinely attend meetings, but also commit time outside of meetings to complete tasks. If possible, list the approximate number of hours committed per month.
- Describe cash and/or in-kind commitments from business owners, local government, agencies, foundations, etc.
- List partners, agencies, or other organizations that have agreed to be responsible for specific administrative tasks or projects in the byway management plan.
- Describe partnerships with other organizations or agencies that have been established for mutual benefit.

Eligibility Phase: Step 2 Program Review

All of the **Eligibility Phase: Step 2** documents (**Byway Story, Byway Inventory, and Community Commitment**) should be submitted together to the DSHC **within 18 months**

of the kick-off meeting, and can be combined into a single electronic document. The DSHC will coordinate a review of the documents by FSHP staff and other DSHC to be completed within 30 days of receipt. Based on this review, one of the following will occur:

- The DSHC will notify the Byway Organization that the documents are complete and will be submitted to the SHAC during the next scheduled meeting that allows at least a 30-day review period for SHAC members.
- The DSHC from the originating District will compile and provide written comments to the Byway Organization and instruct the organization to revise and resubmit the documents. The Program review process will be repeated until the FSHP staff agrees that the documents meet all Step 2 Program requirements. Final versions of the documents must be submitted to the DSHC at least 45 days prior to the SHAC meeting at which the documents will be reviewed by the SHAC.
- The Byway Organization will be advised that the proposed designation should not continue for reasons identified in comments provided by the DSHC.

The SHAC is scheduled to meet quarterly in Tallahassee. Byway Organizations need to be aware that for each meeting the agenda is limited. At any time, Byway Organizations can ask their DSHC to determine the next opening on the SHAC agenda.

During the SHAC meeting in which the **Eligibility Phase: Step 2** documents are reviewed, SHAC members will provide comments on the documents, and may ask questions or seek clarification. Though attendance is not required, members of the Byway Organization are always welcome to attend the meeting. SHAC meetings are public, and access is provided via an online meeting service.

The purpose of the SHAC review is to determine if the scenic highway documents identify new or expanded opportunities available through (or in cooperation with) SHAC agencies that will make the proposed scenic highway designation mutually beneficial to the byway organization and SHAC agencies. The SHAC must also review the byway documents to identify, avoid or eliminate any conflicts with existing SHAC agency programs within the scenic highway documents.

The State Scenic Highway Coordinator (Coordinator) chairs all SHAC meetings, and at the conclusion of each **Eligibility Phase: Step 2** document review, will ask the SHAC to make one of the following recommendations:

- The Byway Organization should proceed to Eligibility Phase: Step 3.
- The documents need to be revised as directed in the SHAC comments. The SHAC will stipulate if the revised documents either:
    1. Need to be reviewed again by the SHAC, or

2. Will be confirmed upon review by the DSHC to have adequate revisions. Once the revisions have been accepted by the SHAC or DSHC, the Byway Organization can proceed to Eligibility Phase: Step 3.

If revisions to Step 2 documents requested by Program staff or the SHAC are not made **within 12 months,** the Byway Organization must start again at Step 1 of the Eligibility Phase, provide a new LOI and adhere to the program requirements in effect at the time of restart.

SHAC members will provide written comments to the Coordinator after the meeting. The Coordinator will forward the comments to the DSHC. These comments will be made available by the DSHC to the Byway Organization no later than 30 days after the SHAC meeting.

Step 3: Develop a Byway Management Plan (BMP) and Year One Work Plan

Byway Management Plan

During this step, the DSHC will provide a kick-off meeting for the Byway Organization with assistance from the Coordinator. The DSHC will describe how to create a Byway Management Plan and a Year-One Work Plan to the Byway Organization.

A **Byway Management Plan** is a multi-year plan that describes actions to be taken by the Byway Organization and its stakeholders which will result in benefits to the scenic highway community and compliance with FSHP requirements. All byway stakeholders should be involved in developing plans to maintain the organization, protect and promote resources, and deliver a quality experience to visitors. Byway plans can grow locally owned businesses by helping attract visitors to spend more time and money along the byway.

A long-range plan for a byway is traditionally referred to as *Corridor Management Plan* (CMP). Guidelines for developing a CMP were developed for the National Scenic Byways Program in the early 1990s. This guidance remains valuable and is available through Part 4 of Byways 101. Over time, the FSHP has determined that the traditional CMP format should be modified to also:

- Address a byway/Byway Organization's specific rather than generic needs. CMPs have proven to be too formulaic and perceived by Byway Organizations as a requirement rather than a true planning tool.
- Take into consideration the actual capacity of the Byway Organization. Goals should be realistically attainable. Over time, the goals can grow as the organization grows.

- Fully engage all byway stakeholders in every stage of the planning process. A consultant may be utilized to provide an outside perspective, effectively manage the process, etc., but also work in true partnership with the Byway Organization so that there is a sense of ownership in the final product.
- Determine how success will be measured for programs and projects when feasible.

The FSHP has modified traditional CMP guidance to incorporate the critical elements above into the BMP. Byway Organizations are encouraged to think of the BMP as a "Users Guide" for the byway. It should clearly convey to Byway Organization members, local elected officials, business owners, potential funders, and other stakeholders exactly why designation was sought and what is hoped to be accomplished over time. The document should also serve as an orientation tool that helps new Byway Organization members and volunteers quickly get up to speed. Since the primary audience for the document is not the FDOT, but others less familiar with the FSHP, jargon should be kept to a minimum, and the writing should be clear and concise.

What to submit: Byway Management Plan

Introduction

If you think of the BMP as a user's guide or orientation tool, it makes sense to begin by telling the reader why scenic highway designation was sought and by whom. This provides a historical context for anyone not involved from the beginning. The introduction might also include a brief overview of what the Byway Organization hopes to accomplish through designation.

The following sections are not required to appear in any particular order in the BMP. In addition to the elements described below, the Byway Organization should also include any other information they believe is relevant or necessary for the successful implementation of the BMP and long-term success of the organization.

Vision

Adapted from Byways 101:

A vision statement defines where you're ultimately trying to go…so you'll know, in the future, whether you've arrived or not. The vision statement captures the destination of your planning and implementation process, and provides your byway stakeholders with an inspiring glimpse of where you are trying to lead them. To motivate others, the vision statement must be clear and compelling, creative yet realistic, and, most important, connected to the desired future for the community. The idea is to reflect the broad and sweeping aspirations your community has for its byway. Vision statements will be different for every byway.

Writing your vision statement is the time to think big. Lay out everything that your ideal byway will accomplish for your community and the visitors. Involve others in this process; it's a good activity to create common ground among your byway team.

Your vision statement should be based on ideal yet possible circumstances.

Good Vision Statements:

- Inspire; they are compelling and bold, raising your actions to a higher purpose
- Embody your values and give your group courage to express those values to your community
- Use vivid language, word pictures and metaphors to communicate enthusiasm and excitement
- Reflect the byway's unique and special character
- Verbalize the Byway Organization's highest aspirations
- Conjure a similar picture for each group member of the destination of the group's work together
- Come from the heart
- Describe a desired future

Three Vision-Writing Tips:

1. Ask "What If?"

Keep the statement general and even a little grand – it should inspire. Think into the future and imagine what the byway could be like and what it could do for the community and region. Ask "what if" questions. What if the byway attracts more people? What if more land is developed along the byway? What if the landscape is managed so as to provide exceptional scenic vistas for future generations?

2. Communicate A Single Vision
While initially people may come to the table having somewhat different ideas of what the byway could accomplish, with some work, the group should be able to reach consensus on a byway vision.
3. Consider All Influential Factors
Address all of the factors that will likely influence your route. This is where it is important to bring all potentially interested and affected parties to the table so that the broad implications of scenic byway designation can be considered.

Maps

Maps are an important visual tool for understanding your byway, and your BMP should contain several. A complete map of the byway located at the beginning of the document that is easy for the reader to refer back to is very helpful. Maps should also be included in the Intrinsic Quality Inventory and Visitor Experience sections, as well as any other sections in which this visual aid would be helpful for the user.

Roadway Conditions

If safety concerns that may cause problems for drivers who are not familiar with the route have been identified along the proposed scenic highway, safety and accident data should be analyzed. There should be a substantive discussion of these concerns in the BMP including possible corrections for which the Byway Organization can advocate, or work with transportation officials to accomplish.

Intrinsic Quality Inventory and Assessment

The Byway Inventory submitted in Step 2 of the Eligibility Phase should be inserted for this section of the BMP, but should be edited to include any existing or potential management or protection strategies for identified resources. In other words, the Byway Organization should consult local government comprehensive plans and other documents to see what protections already exist for resources contributing to the byway's intrinsic qualities. Existing protections might include zoning, overlay districts, listing on the National Register of Historic Places, conservation easement, or public ownership.

If there are byway resources that are not currently protected, the Byway Organization should document in the BMP what strategies the organization will employ to either seek

or advocate for the protection of these resources during the implementation phase. A description of potential protection techniques can be found here.

Byway Story

The byway story developed for Eligibility Phase Step 2 should be inserted for this section. Remember that photos are an important enhancement to the narrative.

Goals and Objectives

The **goals** developed for the BMP by the Byway Organization should describe how the byway vision will be achieved. Unlike the broad, sweeping language of the vision statement, goals address point-by-point issues that can be dealt with through policy, management or voluntary action. They are broad statements providing more definitive direction, although not detailing any specific action. Goals are important because they express a consensus view on where the byway is headed. Even if people don't agree on how to reach the goal, they should at least agree on the goal's intention.

Whereas goals are statements of the general direction the organization wants to pursue, **objectives** should narrow the goal and provide a sense of how it will move in the desired direction.

Those familiar with strategic planning know that goals and objectives are oftentimes accompanied by strategies. Strategies are specific measurable activities and techniques that are implemented to achieve objectives. Strategies may be included in the BMP, but are not required because strategies are very resource dependent, (i.e., how a Byway Organization achieves an objective will depend on what human and financial resources are available at the time). Many of the goals and objectives included in the BMP will be long term or ongoing. Depending on available resources, a Byway Organization may not address every goal and objective each year. Therefore, it is more practical to develop strategies annually depending on available resources. The **Year-One Work Plan** (Eligibility Phase: Step 3 requirement) and **Annual Work Plan** (Implementation Phase requirement) should contain specific strategies (or tasks) that will achieve the objectives.

When developing goals and objectives, it is important to keep in mind the following:

- All byway stakeholders should be fully engaged. Their varied expertise and insights will enrich the planning process, and create a sense of ownership in the final product.

- Goals should not be “pie in the sky.” The actual capacity of the Byway Organization should be taken into consideration, in addition to the political climate, realistic funding opportunities, and other practical considerations.

- When goals are being developed, byway stakeholders should also begin to discuss how progress toward goals will be measured.

Byway Organization

The BMP should contain an extensive discussion of the Byway Organization that addresses the following:

Purpose – In addition to Byway Organization members, the audience for the BMP will include new byway supporters, potential funders, and others unfamiliar with the FSHP. Therefore, this section should begin with an explanation of why the Byway Organization exists. Yes, it will be redundant to some, but important to new members. All involved need to understand that the FSHP requires a viable organization committed to implementing the BMP and meeting all other requirements of the FSHP in perpetuity.

Mission Statement - The absolute foundation of a sustainable Byway Organization is a clear mission. An organization’s Mission Statement is a clear, concise articulation of the organization’s fundamental purpose. It describes who you are, what you do, and why what you do is important.

This clear, concise “Why are we here?” statement, which is in essence the message your organization wants to communicate, is a critical tool both internally and externally. Within the Byway Organization, the Mission Statement ensures everyone is on the same page and can easily articulate the organization’s purpose. Externally, it helps the community, byway stakeholders, funders and potential funders understand why the group exists and how it reflects community goals and priorities. This statement is what organization members communicate in order for someone else to say “I get it.”

Remember, the difference between a mission and vision statement is that a vision statement focuses on the future, while a mission statement focuses on the present. In the context of byways, it is also important to remember that the mission statement is about the Byway Organization, while the vision is about the road.

More information about crafting a mission statement for a Byway Organization (including examples) can be found here.

Structure – The FSHP requires no formal structure for Byway Organizations. It is not a requirement to create a new nonprofit organization. The Byway Organization could be a collaboration or partnership of existing organizations. Although no formal structure is

required, scenic highways must be able to demonstrate at any given time that a viable, broad-based organization exists for the purpose of managing the designated corridor, implementing adopted plans, and meeting the requirements of the FSHP.

Community Commitment – Documentation from Eligibility Phase: Step 2 should be updated and included.

Community Participation Strategy (CPS) - A CPS is a communication plan that helps ensure that a Byway Organization is routinely updating byway stakeholders about programs, projects and accomplishments. It requires that a Byway Organization first identify all byway stakeholders including residents, business owners, local government officials and agencies, tourism agencies, and nonprofit organizations (a complete list of byway stakeholders can be found here). The Byway Organization should then assign specific communication methods for each stakeholder. Methods of communication might include speaking engagements, participation in events (like festivals), or email updates. For example, a presentation could be made once each year to garden clubs or homeowners associations.

Implementation of the CPS is important for several reasons. First, it builds support for the byway and the Byway Organization. Even folks who live and work on Florida Scenic Highways are often unaware of the byway designation or the existence of a Byway Organization. A CPS is a systematic way to educate the community about the benefits of Florida Scenic Highway designation and the mission of the Byway Organization.

Implementation of the CPS is also one of the best ways to recruit new Byway Organization members and volunteers. Your Byway Organization's presence in the community will help identify individuals and groups who support your mission and are willing to help. They may be willing to help by becoming a volunteer or board member, or by making a contribution. Making connections to other groups also develops opportunities for partnerships, and helps to identify ways the Byway Organization can assist its partners and others in the community.

A CPS that is rigorously implemented will also help identify potential partners for byway projects, and help the Byway Organization stay in touch with the needs and priorities of stakeholders. Byway Organizations that work in isolation may pursue goals that are not relevant, and struggle to find support.

A consistently implemented CPS will build trust for your Byway Organization in the community. If there is a clear understanding of your mission in the community, there is less likely to be opposition to Byway Organization projects or programs.

A spreadsheet is usually the easiest way to organize and track implementation of the CPS. Detailed information about developing and implementing a rigorous CPS can be found here.

Visitor Experience

Increased tourism provides a direct economic benefit to byway communities. Therefore, visitor experience planning is an important part of any BMP. Please see **FSHP Guidance Part 5: Visitor Experience** for a detailed explanation of the byway visitor experience model. The required elements of the BMP related to the byway visitor experience are outlined below.

Stage 1: Trip Planning

Website

If a website for the scenic highway has not been launched at the time of designation, the BMP should estimate when the website will be available. The website should contain the following visitor experience elements:

- A map that has been field tested for accuracy and effectiveness.
- The byway story and/or themes prominently showcased.
- Travel considerations prominently displayed that help visitors plan their trip and also reinforce that the experience is built around the road. For example, a "Quick Facts" box might include information such as number of miles, travel time, and considerations like the best time of the year to view wildflowers, special weather concerns, or sections of the route that have limited visitor services. Reading visitor reviews of byway trips on sites like Trip Advisor will help to understand the kind of information that is relevant to byway travelers.

There should also be a discussion about tracking website use and how its effectiveness as a trip-planning tool will be measured.

Social Media

If a Byway Organization is not yet using social media at the time of designation, the BMP should outline when the Byway Organization will develop and maintain at least one social media platform and how the effectiveness of social media will be measured.

Marketing Plan

The BMP should contain a narrative describing how the scenic highway will be marketed and publicized, including what actions are in place and what is planned.

There should also be a discussion of how the effectiveness of marketing efforts will be measured, and how the Byway Organization intends to partner with local and regional tourism agencies.

Stage 2: Traveling and Experiencing

Wayshowing

Upon designation, the Byway Organization will work with the DSHC to develop a sign plan and install FSHP logo signs on the route. The BMP should include a discussion of how the Byway Organization will continually monitor the condition and presence of the signs.

Map

A printed, printable or downloadable map of the scenic highway that has been field tested should be available to byway travelers.

Interpretation

The BMP should provide a description of the methods that are in place, or are planned to interpret the significant intrinsic qualities of the scenic byway (for example, kiosks, guidebooks, brochures, festivals, website, and smart phone apps). The timeframe for making materials available should be included for items that need to be developed. At a minimum, the BMP should include plans to make interpretive material available on the byway website, and at least one printed or downloadable brochure should be developed as soon as possible. The BMP should also discuss how printed materials will be distributed (if applicable).

Stage 3: Remembering and Sharing

Social Media

The BMP should contain strategies that encourage visitors to share their experiences and photos from the byway on social media. This could include requests on the byway website and in printed materials for visitors to share their experiences, or possibly contests with prizes announced via social media. There are a multitude of resources available online for increasing social media presence. A recent article detailing more than thirty strategies for increasing social media followers is available here.

*Important note regarding **Visitor Experience**:

All byway materials (printed, website, smart phone apps, kiosks, maps, etc.) should be accurate and up to date - always. Materials should also be tested for accuracy and effectiveness by individuals or groups not involved in the development of the materials.

It is very easy for supporters familiar with the byway to omit information critical to those new to the area or region!

*Important note about **National Scenic Byway** designation:

Any scenic highway wishing to seek National Scenic Byway designation will be required to develop a corridor management plan (CMP) based on federal guidelines found here. It is important to note that these requirements are not identical to BMP requirements, and therefore would require additional planning and document development.

Year-One Work Plan

The planning process is ongoing for successful Byway Organizations. In addition to the BMP, Byway Organizations may eventually adopt marketing, interpretive, fundraising, wayfinding, and other plans. But for organizations with limited resources, implementing these plans can feel overwhelming. Developing an Annual Work Plan is a FSHP Implementation Phase requirement intended to help byway leaders commit to a realistic set of tasks and/or projects, and avoid over-commitment. For these same reasons, a **Year-One Work Plan** is required in the Eligibility Phase.

Year-One Work Plans specify:

- Projects, activities, and/or programs a Byway Organization will undertake the first year after designation
- A timeframe for completion of each task and/or project
- A lead or responsible party for each task, project, activity, and/or program
- The funding source (if applicable) for each project, activity, and/or program

The Year-One Work Plan helps keep new Byway Organizations on track by:

- Clarifying the roles and responsibilities of individuals and committees. This ensures that everyone in the organization understands who is responsible for what.
- Deterring leadership from taking on too many projects at once. If a great idea or opportunity emerges during the first year, the work plan should be consulted to determine if resources are available for a new project before the organization makes a commitment.
- Tracking the progress of byway projects and program tasks, as well as organizational development tasks (those related to increasing the capacity of the organization and sustainability).
- Ensuring that everyone within the organization understands the financial condition of the Byway Organization. Total transparency regarding how much is being spent, from what sources, and what the outstanding funding needs are, is a must. The Byway Organization's budget should be discussed routinely.

- Ensuring that projects/tasks are completed at regular intervals. Most byway projects take months and sometimes years to complete. However, most individuals in organizations (especially those who volunteer) need to feel a sense of accomplishment and see tangible results of their work to stay motivated. By committing to a combination of both long- and short-term projects (with various degrees of complexity) in the work plan, the organization will routinely add to its list of accomplishments. This growing list of accomplishments will help motivate organization members, and demonstrate success to byway stakeholders, volunteers, financial supporters, and potential funders.

Tips for developing an effective Year-One Work Plan:

- Be realistic. Take into consideration the actual human and financial resources of the Byway Organization.
- Include both long- and short-term tasks and/or projects. Keep in mind that more complex projects may take longer to complete than the timeframe of the work plan, but completion of small "chunks" each year demonstrates progress.
- Include both simple and complex tasks and/or projects.
- Include tasks and/or projects that produce both tangible and intangible results; tasks that are meaningful and beneficial to the community, to businesses, and other organizations.
- Assign specific responsibility for tasks, but try to make sure that the work is shared evenly among organization members.
- Do not include projects or programs for which no one will commit to take the lead.

Sample Year-One Work Plan

There is no standard form required for the Year-One Work Plan. Byway Organizations may adapt a work plan already in use to contain the required elements. The Sample Year-One Work Plan, **Figure 3-1,** was developed in Word, and the template is available here.

Program/Project (Expenses)	Expense Amount	Lead	Estimated Date of Completion	Funding Source(s)
Website	$ 500	Nicole	Ongoing	Business Sponsor Program
Map Printing	8,000	Bob	March/October	Business Sponsor Program/Grant
Kids Ocean day	1,500	Dani	May	Special Events/Sponsors
Cell phone app	1,700	Jim	Ongoing	Business Sponsor Program
Kiosks	6,000	Mark H.	May	Sponsors
International coastal clean up	250	Mary Ann	September	Special Events
Adopt a Highway	0	Madeline	Ongoing	N/A
Overhead Expenses	$ 1,500	N/A	N/A	N/A
Total Expenses	**$ 19,450**			
Fundraising Strategies (Revenue)	**Projected Revenue**	**Lead**	**Estimated Date Revenue Available**	
Garage Sale	$ 1,500	Marge	4th quarter	
Business Sponsor Program	5,000	Brian B.	Ongoing	
Major Donor Program (Sponsors)	6,500	Charlie	Ongoing	
Cycling Event	2,500	Bill	2nd quarter	
Tourism Grant	5,000	Cindy	1st quarter	
Total Revenue	$ 20,500			
Total Expense	$ 9,450			
Projected Annual Net	**$ 1,050**			

Figure 3-1: Sample Year-One Work Plan

The top half of the sample above contains all of the elements required by the FSHP. The "Funding Strategies" or revenue section is not required, but inclusion is encouraged. It is always beneficial for Byway Organization members to know as much as possible about the financial position of the organization.

It is important to keep in mind that all Byway Organizations are different, therefore no two work plans will look the same. Some may be more sophisticated than the sample, some less.

What to submit: Year-One Work Plan

Using the sample template provided, or one already in use by the Byway Organization, a Year-One Work Plan specifying the following should be submitted with the BMP to the DSHC:

- Projects, tasks, activities, and/or programs the Byway Organization will undertake during the first year of designation.
- A timeframe for completion of each.
- A lead or responsible party for each project, task, activity, and/or program.
- The funding source (if applicable) for each project, task, activity, and/or program.

Eligibility Phase: Step 3 Program Review

When the Byway Management Plan and Year-One Work Plan are submitted by the Byway Organization to the DSHC, the DSHC will distribute the documents to the FSHP

Coordinator and remaining DSHC. Written comments must be forwarded to the originating DSHC within 30 days of receipt of the documents. The DSHC from the originating District will compile and provide written comments to the Byway Organization with instructions to revise and resubmit the documents. The above Program review process will be repeated until the DSHC and FSHP staff agree that the documents meet all Step 3 Program requirements.

Final Step 3 documents must be submitted to the DSHC at least 45 days prior to the SHAC meeting at which the documents will be reviewed.

The BMP and Year-One Work Plan will be forwarded by the DSHC through the Coordinator to members of the SHAC at least thirty (30) days prior to the meeting at which the documents will be reviewed. SHAC members will review the BMP and Year-One Work Plan documents, prepare written comments, and offer oral comments during the specified SHAC meeting. The purpose of the SHAC review is to determine if the scenic highway documents identify new or expanded opportunities available through (or in cooperation with) SHAC agencies that will make the proposed scenic highway management plan mutually beneficial to the byway organization and SHAC agencies. The SHAC must also identify, avoid or eliminate any conflicts with existing SHAC agency programs within the scenic highway documents.

At the conclusion of the discussion during the SHAC meeting, the SHAC will:

- Recommend to the Secretary designation of the proposed route as a Florida Scenic Highway.
- Recommend designation of the proposed route as a Florida Scenic Highway contingent upon specific revisions to the Byway Management Plan and/or Year-One Work Plan as outlined in the SHAC comments. The SHAC comments will be made available to the Byway Organization no later than 30 days after the SHAC meeting, and will stipulate required revisions in addition to any recommended changes or actions. Revisions must be verified by the DSHC and Coordinator before there is a recommendation to the Secretary that the proposed route be designated as a Florida Scenic Highway.

When one of the above conditions has been met, the FSHP Coordinator will prepare a designation letter for the Secretary's signature. The letter will be addressed to the Byway Organization, and copy the appropriate District Secretary and DSHC, the State Outdoor Advertising Office, and State Scenic Highway Coordinator. The signed letter, accompanied by a byway map, will be sent electronically with the original to follow via US mail.

If revisions to Step 3 documents requested by Program staff or the SHAC are not made **within 12 months**, the Byway Organization must start again at Step 1 of the Eligibility Phase and adhere to the program requirements in effect at the time of restart.

4.0 IMPLEMENTATION PHASE

Implementation Phase Program Requirements

Once a scenic highway has been designated, the Byway Organization is responsible for meeting the Implementation Phase requirements of the FSHP in perpetuity in order to maintain the designation. The requirements are as follows:

1. Implement the Byway Management Plan (see below)
2. Update the Byway Management Plan as necessary (see below)
3. Develop and submit an Annual Work Plan (see page 4-7)
4. Submit a Byway Annual Report (see page 4-10)

The purpose of the Implementation Phase requirements is to help Byway Organizations maintain the ongoing planning and stakeholder engagement necessary to effectively implement Byway Management Plans and realize the benefits of scenic highway designation.

Implement the Byway Management Plan

It is the responsibility of the Byway Organization to implement the Byway Management Plan. Progress will be tracked each year by the FSHP through the **Annual Work Plan** and **Byway Annual Report**. Unless otherwise specified, it is also the responsibility of the Byway Organization to implement any additional plans adopted by the organization (marketing, interpretive, fundraising, etc.).

Update the Byway Management Plan

The Florida Scenic Highways Program does not require mandatory updates of BMPs. Not because updates aren't necessary, but because many factors other than time influence the need to update including the following:

- Any significant change in the condition of intrinsic qualities. Changes are rare, and could be negative or positive. An example might be a significant loss of open space or viewshed due to development.
- A significant change in the Byway Organization. If the capacity of the organization changes drastically, the BMP may need to be updated. An example would be if an organization loses funding for a full-time staff person, which necessitates a change to an all-volunteer organization, or vice versa.
- Most, or all of the objectives in the BMP have been accomplished. This is a great problem to have, but does not mean that the byway is "finished." Many programs are ongoing, and the visitor experience should always be improved upon.
- The scenic highway is extended. In some cases, this may only require an addendum to the existing BMP, but if significant mileage is added, the extension may warrant a comprehensive update to the BMP. This decision can be made in consultation with the DSHC.

- The needs of byway stakeholders change. This can occur for a myriad of reasons. For example, a community that was once focused primarily on resource protection may begin to care more about increased tourism during an economic downturn. The Byway Organization needs to be flexible and respond to the needs of its stakeholders. If not, support for byway programs and projects may diminish.

What to submit: BMP Update

There are two sections not found in original BMPs that appear in BMP Updates: 1) Accomplishments and Impacts, and 2) Changes to Intrinsic Qualities. With the exception of these two sections, a BMP Update is likely composed of revised sections of the original (or previous) BMP, or unaltered sections from the original (or previous) BMP included for reference purposes (example: the Byway Story). Please be mindful that BMP updates often become confusing for users and FSHP reviewers, when it is not clearly noted whether materials are "old" (from a previous BMP) or new (original to the update). Careful consideration should be given to how the document is formatted in order to prevent confusion. One approach might be to distinguish unaltered sections from previous versions by a border, background color, and/or font. A reader could then easily discern, for example, that all content with a yellow background is unedited material taken directly from a previous or original BMP.

The following considerations should be made when revising or developing components for inclusion in a BMP update (or making a decision whether to include):

Introduction

As with the original BMP, it is recommended that the BMP update contain an introduction that explains the purpose of the document for new Byway Organization members and others outside the organization. This introduction could take the form of a letter from the byway leader or chair.

Accomplishment and Impacts

Although BMP Update components may be arranged in any order, it is recommended that the section detailing accomplishments appears near the beginning. Don't be shy! Brag about your hard work, and use photos, graphs and tables to demonstrate progress and impacts. One approach is to create a "scorecard" for the original set of goals and objectives that shows the status of each shown in **Figure 4-1**.

To the extent possible, discuss any impacts that have been documented as a result of byway projects or programs. Examples might include increased use of a recreation site

after parking improvements, or a dramatic increase in business during a byway event as reported by local business owners.

	Goals				Total	
	Resource Protection	**Increased Tourism**	**Community Education**	**Regional Cooperation**		
Objectives	**6**	**5**	**3**	**4**	**18**	
Strategies	**27**	**17**	**12**	**19**	**75**	
Completed	22	16	10	9	57	76%
In Progress / Ongoing	2	0	2	8	12	16%
No Action	3	1	0	2	6	8%

Figure 4-1 Sample "Scorecard" of Accomplishments

The scorecard, like a list of accomplishments, demonstrates progress in implementing the BMP not only to byway organization members, but also to supporters and funders. The example above identifies the Byway Organization's goals, and breaks down the strategies by status. Tracking the status of strategies also helps the byway organization monitor when it might be time to update the BMP, although 100% completion is not necessary for an update.

Changes to Intrinsic Qualities

There should be a detailed description of any negative or positive changes to resources that contribute to the byway's intrinsic qualities. It is particularly important to note any changes that can be attributed to scenic highway designation. Any involvement by the Byway Organization in saving or enhancing an important resource should be documented as an accomplishment.

Vision

Review **FSHP Guidance Part 3** regarding vision statements to determine if the Byway Organization should consider revising this section. An important question to be considered is whether the Vision is compelling and appealing to persons outside of the byway organization. Does the vision continue to reflect the goals and priorities of byway communities?

Maps

Maps are an important visual tool for understanding your byway. A complete map of the byway located at the beginning of the BMP update that is easy for the reader to reference is very helpful. Other maps should be included as needed to assist the user.

Roadway Conditions

As in the original BMP, safety and accident data should be analyzed if safety concerns have been identified that may cause problems for travelers who are not familiar with the route. There should be a substantive update (or discussion, if new) of these concerns in the BMP update, including possible corrections for which the Byway Organization can advocate, or work with transportation officials to accomplish.

Intrinsic Quality Inventory and Assessment and the Byway Story

These two sections are less likely than others to change over time, but are critical to understanding why the byway was designated originally, and what intentional, coordinated message the byway conveys to visitors about the resources and qualities it promotes. All members of the Byway Organization should be familiar with this information, and it should be readily available for other stakeholders and supporters. If the byway story and intrinsic quality inventory remain unchanged at the time of the BMP update, both should be included and noted as such. Another option is to create a stand-alone document containing the byway story and intrinsic quality inventory. This document can be referenced in BMP updates, and used alone as a training tool. An example is the A1A Scenic & Historic Coastal Byway Field Guide available here.

Goals and Objectives

A good place to start with this section is a review of **FSHP Guidance Part 3**. Oftentimes, goals and objectives from previous documents are carried over, which is perfectly acceptable, but it should be clearly noted which goals are “brand new” versus ongoing. Users need to be able to clearly distinguish between old and the new in this section.

If gaining and/or maintaining stakeholder support is an issue for the Byway Organization, it is important to discuss whether the group’s goals are still relevant to the byway community(s). If no one is eager to roll up their sleeves and get involved, this is a good sign that the goals need to be revised.

Byway Organization

It is important to approach the update of this section from the perspective of supporters or stakeholders outside of the Byway Organization. Important information includes how the organization is currently structured (volunteer citizen group, 501(c)(3), etc.). If the structure has changed since the last BMP update, an explanation for that change should be provided. For more complex organizations, an organization chart might be helpful for the user, along with a description of committees if applicable (names of individuals can be omitted). It is also important to report about the impacts of projects, programs, or training undertaken to increase the effectiveness or sustainability of the Byway Organization. The ultimate goal is to communicate how the work of the organization is being accomplished, and the ongoing efforts to maintain a sustainable organization.

Visitor Experience

Increased tourism provides a direct economic benefit to byway communities. Therefore, visitor experience planning is an important part of any BMP. Please see **FSHP Guidance Part 5: Visitor Experience** for a detailed explanation of the byway visitor experience model and requirements. BMP updates prepared during the Implementation Phase should include a realistic plan for continuing to enhance the byway visitor experience and address the following:

Stage 1: Trip Planning

The BMP update should include a thorough description of the information currently made available to visitors in the trip-planning stage, as well as what is planned.

Website

The byway website should contain the following visitor experience elements:

- A map that has been field tested for accuracy and effectiveness.
- The byway story and/or themes prominently showcased.
- Information prominently placed that helps visitors plan their trip, and also reinforces the idea that the experience is built around the road. For example, a “Quick Facts” box might include information such as number of miles; travel time by various modes; facilities for seniors, children, and bicyclists; and considerations like the best time of the year to view wildflowers, special weather concerns, or sections of the route that have limited visitor services. Reading visitor reviews of byway trips on sites like Trip Advisor will help to understand the kind of information that is relevant to byway travelers.

- A mobile-friendly format option.

There should be a discussion in the BMP about what strategies the Byway Organization uses to track website usage and measure its effectiveness as a trip-planning tool.

Social Media

The BMP update should discuss the Byway Organization's current social media presence, and outline its plans to engage in all major social media platforms. A discussion of how the effectiveness of social media is being measured should also be included.

Marketing Plan

The BMP update should contain a narrative describing how the scenic highway is being marketed and publicized, and what actions are planned based on available data to the targeted market. There should also be a discussion of how the effectiveness of marketing efforts are being measured, and how the Byway Organization is partnering with local and regional businesses and tourism agencies.

Stage 2: Traveling and Experiencing

FSHP Directional Signs

The BMP update should include a discussion of how the Byway Organization is monitoring the condition and presence of FSHP logo and directional signs.

Map

The BMP update should include a review of the printed, printable or downloadable maps of the scenic highway that have been field tested and are available to byway travelers. If a GPS enabled map has not yet been created, there should be a timeframe for development.

Interpretation

The BMP update should provide a description of the methods in place to interpret the byway story and significant resources of the scenic byway (kiosks, guidebooks, brochures, festivals, website, smart phone apps, etc.), and an assessment of the effectiveness of each to date. There should also be a discussion of planned interpretive methods, and how each will enhance the visitor experience. The timeframe for making new materials available should also be included.

Stage 3: Remembering and Sharing

The BMP update should discuss what strategies are being implemented that provide visitors an opportunity to share their byway experiences. Are these strategies being utilized to help identify visitors who can offer feedback on their byway experience? Are the strategies helping to identify the byway's target audience?

Testimonials and Trip Reviews

Byway Organizations should discuss strategies to encourage visitor feedback in the form of testimonials or trip reviews. These reviews could be posted on the byway website, or on travel sites like Trip Advisor.

Social Media

The BMP update should contain strategies that encourage visitors to share their experiences and photos from the byway on social media (where people planning trips are highly engaged in travel content). This could include requests on the byway website and in printed materials for visitors to share their experiences, or possibly contests with prizes announced via social media. There are a multitude of resources available online for increasing your social media presence. A recent article detailing more than thirty strategies for increasing social media followers is available here.

*Important note regarding **Visitor Experience**:

All byway materials (printed, website, smart phone apps, kiosks, maps, etc.) should be accurate and up to date - always. Materials should also be tested for accuracy and effectiveness by individuals or groups not involved in the development of the materials. It is very easy for supporters familiar with the byway to omit information critical to those new to the area or region!

Byway Management Plan Update Program Review

Byway Management Plan Updates should be submitted by the Byway Organization to the DSHC. The DSHC will distribute the documents to the FSHP Coordinator and remaining DSHC. Written comments must be forwarded to the originating DSHC within 30 days of receipt of the documents. The DSHC from the originating District will compile and provide written comments to the Byway Organization with instructions to revise and resubmit the documents. The above Program review process will be repeated until the DSHC and FSHP staff agree that all major concerns have been addressed.

The final BMP Update document must be submitted to the DSHC at least 45 days prior to the SHAC meeting at which the documents will be reviewed.

The BMP Update will be forwarded by the DSHC through the Coordinator to members of the SHAC at least thirty (30) days prior to the meeting at which the documents will

be reviewed. SHAC members will review the BMP Update, prepare written comments, and offer oral comments during the specified SHAC meeting. The purpose of the SHAC review is to determine if the BMP Update identifies new or expanded opportunities available through (or in cooperation with) SHAC agencies that will make the scenic highway management plan mutually beneficial to the byway organization and SHAC agencies. The SHAC must also identify, avoid or eliminate any conflicts with existing SHAC agency programs within the scenic highway documents. SHAC comments will be made available to the Byway Organization no later than 30 days after the SHAC meeting, The DSHC will follow up with the Byway Organization **within six months** to ensure that SHAC comments have been incorporated into the document.

Annual Work Plan

The planning process is ongoing for successful Byway Organizations. In addition to the BMP, Byway Organizations may also adopt marketing, interpretive, fundraising, wayfinding, and other plans. But for organizations with limited resources, implementing these plans can feel overwhelming. Developing an Annual Work Plan is a way for byway leaders to commit to a realistic set of tasks and/or projects, and avoid over-commitment.

Annual Work Plans specify:

- Projects, activities, and/or programs a Byway Organization will undertake for the calendar year
- A timeframe for completion of each task and project
- A lead or responsible party for each task, project, activity, and/or program
- The funding source (if applicable) for each project, activity, and/or program

Annual Work Plans for the upcoming calendar year are required to be submitted by all Byway Organizations no later than **November 15th** of the current year. They are to be submitted to the DSHC and will be reviewed by the State Scenic Highway Coordinator and the DSHC. If necessary, the DSHC will compile and provide written comments to Byway Organizations within 30 days of receipt of the Annual Work Plan.

An Annual Work Plan can help keep a Byway Organization on track by:

- Clarifying the roles and responsibilities of individuals and committees. This ensures that everyone in the organization understands who is responsible for what.
- Deterring leadership from taking on too many projects at once. If a great idea or opportunity emerges during the year, the work plan should be consulted to determine if resources are available for a new project before the organization makes a commitment.
- Tracking the progress of byway projects and program tasks, as well as organizational development tasks (those related to increasing the capacity of the organization and sustainability).

- Ensuring that everyone within the organization understands the financial condition of the Byway Organization. Total transparency regarding how much is being spent, from what sources, and what the outstanding funding needs are, is a must. The Byway Organization's budget should be discussed routinely.
- Ensuring that projects/tasks are completed at regular intervals. Most byway projects take months and sometimes years to complete. However, most individuals in organizations (especially those who volunteer) need to feel a sense of accomplishment and see tangible results of their work to stay motivated. By committing to a combination of both long- and short-term projects (with various degrees of complexity) in the work plan, the organization will routinely add to its list of accomplishments. This growing list of accomplishments will help motivate organization members, and demonstrate success to byway stakeholders, volunteers, financial supporters, and potential funders.

Tips for developing an effective Annual Work Plan:

- Be realistic. Take into consideration the actual human and financial resources of the Byway Organization.
- Include both long- and short-term tasks and/or projects. Keep in mind that more complex projects may take longer to complete than the timeframe of the work plan, but completion of small "chunks" each year demonstrate progress.
- Include both simple and more challenging tasks and/or projects.
- Include tasks and/or projects that produce both tangible and intangible results.
- Assign specific responsibility for tasks, but try to make sure that the work is shared evenly among organization members.
- Do not include projects or programs for which no one will commit to take the lead.

Sample Annual Work Plan

There is no standard form required for the Annual Work Plan. Your Byway Organization may adapt a work plan you are already using to contain the required elements. The sample Annual Work Plan shown in **Figure 4-2** was developed in Word, and the template can be accessed through this link.

Program/Project (Expenses)	Expense Amount	Lead	Estimated Date of Completion	Funding Source(s)
Website	$ 500	Nicole	Ongoing	Business Sponsor Program
Map Printing	8,000	Bob	March/October	Business Sponsor Program/Grant
Kids Ocean day	1,500	Dani	May	Special Events/Sponsors
Cell phone app	1,700	Jim	Ongoing	Business Sponsor Program
Kiosks	6,000	Mark H.	May	Sponsors
International coastal clean up	250	Mary Ann	September	Special Events
Adopt a Highway	0	Madeline	Ongoing	N/A
Overhead Expenses	$ 1,500	N/A	N/A	N/A
Total Expenses	**$ 19,450**			
Fundraising Strategies (Revenue)	**Projected Revenue**	**Lead**	**Estimated Date Revenue Available**	
Garage Sale	$ 1,500	Marge	4th quarter	
Business Sponsor Program	5,000	Brian B.	Ongoing	
Major Donor Program (Sponsors)	6,500	Charlie	Ongoing	
Cycling Event	2,500	Bill	2nd quarter	
Tourism Grant	5,000	Cindy	1st quarter	
Total Revenue	$ 20,500			
Total Expense	$ 9,450			
Projected Annual Net	**$ 1,050**			

Figure 4-2: Sample Annual Work Plan

The top half of the sample above contains all of the elements required by the FSHP. The "Funding Strategies" or revenue section is not required, but inclusion is encouraged. It is always beneficial for Byway Organization members to know as much as possible about the financial position of the organization.

It is important to keep in mind that all Byway Organizations are different, therefore no two work plans will look the same. Some may be more sophisticated than the sample, some less.

What to Submit: Annual Work Plan

Using the sample template provided, or one already in use by the Byway Organization, and Annual Work Plan specifying the following should be submitted to the DSHC by **November 15th** each year:

- Projects, tasks, activities, and/or programs a Byway Organization will undertake for the calendar year
- A timeframe for completion of each
- A lead or responsible party for each project, task, activity, and/or program

The funding source (if applicable) for each project, task, activity, and/or program

Byway Annual Report

The **Byway Annual Report (BAR)** is a standard report required to be completed by all Byway Organizations in Florida by **February 1** each year. The primary purpose of the report is to collect information about how the FSHP is benefitting Florida communities,

and to help identify the training and technical assistance needs of Byway Organizations. It is also a way to ensure that a viable Byway Organization exists for each scenic highway and that BMPs are being implemented.

Information provided in the BAR is also used to produce the **Florida Scenic Highways Program Annual Report** which highlights program and Byway Organization accomplishments for the year. The most recent FSHP Annual Report can be found here.

The DSHC will review all Byway Annual Reports submitted within their respective Districts by April 1, summarize the reports, and deliver a District report during the next scheduled SHAC meeting.

The BAR is a series of questions regarding the activities of Byway Organizations from previous years in the areas of: completed projects, funding, marketing, and the Byway Organization itself. In the months leading up to the deadline for submitting the report, the questions are made available to Byway Organizations, as well as written guidance for completing the report, frequently asked questions, and live training sessions. The most recent guidance and frequently asked questions for the BAR are available here.

Tips for completing the Byway Annual Report:

- Keep the contact information for your byway leader up to date with your DSHC in order to receive important announcements and updates.
- Don't wait until the last minute. The type of information requested in the report does not change significantly from year-to-year. It is a good idea to compile information throughout the year based on the previous year's report (see link above).
- Create a committee to track or collect the required information. It is usually not a good idea to expect one person to do all the work required.
- Attend a BAR training session hosted online using GoToMeeting. Those who have attended in the past report that the training is helpful.
- Remember to take photos throughout the year to submit with the BAR. The photos might be published in the FSHP Annual Report or elsewhere within the FSHP, therefore high resolution photos are preferred. Great landscape photos are always useful, but don't forget that photos with people are important too. Photos of visitors enjoying the byway and Byway Organization members engaged in the community can illustrate the impact of the Program.

It is important to remember that although the BAR is a FSHP requirement, the Byway Organization should take full advantage of the information collected. The accomplishments and impacts documented in the BAR are exactly the type of information needed to gain support from new members, volunteers, local elected officials, and others. Although not required, Byway Organizations could even use the information to produce their own annual report. More information about doing so can be found here.

What to submit: Byway Annual Report (BAR)
In the fall of each year, the BAR for the current year will be made available to byway leaders, with a due date of February 1 of the next year (for example, the 2016 BAR will be distributed fall 2016 and due February 1, 2017). A link to the previous year's BAR is included above.

5.0 BYWAY VISITOR EXPERIENCE

The “visitor experience” of a place involves both tangible elements like scenic views and historic buildings, and intangible elements like authenticity and hospitality all working together to meet travelers’ needs and expectations. A good scenic byway accommodates these needs and interests to create a rewarding experience. When planning for the purpose of providing a quality visitor experience, think about the places visitors should go and the people they could meet. How will you provide and enhance that experience? What do visitors need and desire? What intrudes on the visitor experience, and how can those intrusions be handled?

Increased tourism provides a direct economic benefit to byway communities. Therefore, visitor experience planning is an important part of any Byway Management Plan (BMP) or update. Effective interpretation, visitor information centers, design elements, marketing, and wayshowing (the communication of information that helps travelers find their way to and along byways) are among the many variables that influence how travelers discover and remember your byway and its story. By understanding the visitor experience, Byway Organizations can offer a safe, rewarding and authentic experience that travelers will want to repeat and share, resulting in economic impact for byway communities. Every BMP should include a realistic plan for enhancing and delivering a quality visitor experience on the byway that will be continually improved over time.

Visitor experience models developed for places like interpretive sites, visitor centers, and museums tell us that the byway visitor experience begins long before a traveler arrives on a byway and continues well after the visit ends. These models suggest that the visitor experience generally has three stages: *before*, *during*, and *after* the visit. The idea that a byway visit occurs in three stages was first introduced in the *Wayshowing for Byways* reference manual produced by the America’s Byways Resource Center in 2011. Although primarily focused on signage, this manual touches on many critical elements of the byway visitor experience.

The FSHP has adopted the Byway Visitor Experience model shown in **Figure 5-1** which identifies the three stages of the byway visitor experience: **Trip Planning, Traveling and Experiencing** and **Remembering and Sharing**. Each stage has multiple components.



Figure 5-1: Byway Visitor Experience Model

Stage 1: Trip Planning

Stage 1 begins as soon as a traveler decides to visit a byway, and ends when they arrive somewhere along the route. Their decision to visit might be influenced by word of mouth, the byway website, a brochure, or an advertisement, but a traveler's decision is also highly

motivated by their personal interests. Research indicates that people are actually more drawn to having an experience related to something they "sort of know already" versus learning something new. What this means for byways is that it is important to create materials that communicate themes of experiences to capture interests. In other words, marketing the strong themes related to the byway story is more likely to appeal to potential visitors' personal interests than marketing that says, "We have everything." Visitor experience research suggests that defining a target visitor is better than trying to market everything to everyone.

A 2014 social media study asserts that posts about travel receive 40% more engagement than other types of shares. In addition, those who are in the process of planning a trip are even more likely to share and engage in travel content. What this means is that people planning trips engage more with travel-related posts than other social media users, making social media an important way to provide trip-planning information.

Please keep in mind, though, that social media is also a very important reason to set realistic expectations about the experience a byway delivers. If the trip planning information provided for a byway over promises, visitors will share their disappointment on social media and in reviews on sites like Trip Advisor. Word-of-mouth recommendations are highly effective, and negative reviews will be shared.

Stage 2: Traveling and Experiencing

Stage 2 of the visitor experience begins when a traveler arrives on the byway. While driving, visitors must be able to navigate the route safely and have consistent reassurance that they are still on the byway. Getting lost creates strong negative emotions that can become the lasting memories of a trip. Navigation of most byways will be provided by road signs, but could also be assisted by phone apps, maps (printed or mobile), or a comprehensive wayshowing system.

> **Wayshowing** is the job of the Byway Organization and includes preparing travel information, designing maps and travel brochures, planning or installing signs, or providing other navigational help in person or by electronic means. This includes providing visitors access to traveler services for comfort (food, lodging, restrooms) and additional trip-planning tools.
>
> **Wayfinding** is the job of travelers. They look for clues to reassure them they are where they planned to be, and they look for information and amenities to make their experience pleasant and enjoyable.

Wayshowing for Byways: A Reference Manual (Link) is a comprehensive resource for understanding, designing, planning, implementing, and maintaining effective wayshowing features for byways. It is designed for those seeking an introduction to the concepts of

wayfinding and wayshowing, as well as those seeking to plan and implement a comprehensive wayshowing system along a byway.

Visitors also experience the byway outside of the car at stops along the route. Through effective interpretation, visitor centers and personal interaction, visitors come to appreciate the byway story and treasure the byway's intrinsic qualities.

Although visitors may not always stop at locations where interpretation is available, by providing effective trip-planning tools, Byway Organizations can influence where visitors do stop and get out of the car. Keep in mind though, that byway visitors may seek information about the byway anywhere they stop along the route, including hotels, restaurants and attractions. A rigorously implemented Community Participation Plan will help ensure that front-line workers like restaurant servers, hotel front-desk personnel, and staff at major attractions, can answer questions about the byway. This is also a compelling reason to implement hospitality training as soon as resources are available.

Keep in mind that visitors begin sharing their experiences and memories while still on the byway with others they meet along the way or on social media.

Stage 3: Remembering and Sharing

Stage 3 begins when the traveler leaves the byway. Visitors will leave with memories of their experiences, and often photographs, mementos and souvenirs. What visitors remember and for how long is linked to many factors including the tendency for visitors to talk about their experiences among those in their travel party, and later with friends, family and co-workers.

Current research indicates that 90% of Americans consider word-of-mouth recommendations from friends the most worthwhile form of promotion. Word-of-mouth promotion is seven times more effective than newspapers and magazines. This has important implications for the priority and emphasis placed on social media, and the importance of what happens after the byway visit.

Visitor Experience and Byway Management Plans

Delivering a quality visitor experience on a byway requires careful planning, is ongoing, and should be continually enhanced over time. Visitor Experience is a required component of all BMPs and updates, but the requirements are progressive. Basic elements are required in the Eligibility Phase BMP, but BMP updates should contain plans that continue to develop and enhance the visitor experience over time. **FSHP Guidance Parts 3 & 4** contain detailed information for addressing visitor experience in BMPs. The chart shown in **Figure 5-2** contains a summary of those elements with the Eligibility Phase requirements in bold.



Figure 5-2: Visitor Experience Elements within the Eligibility Phase Requirements

APPENDIX A
REFERENCES

References:

America's Byways Resource Center. (2011). *Wayshowing for Byways: A Reference Manual.*

Dierking, L. D., & Faulk, J. H. (2013). *The Museum Experience Revisited.* Walnut Creek: Left Coast Press.

Gilmore, J. H., & Pine, B. J. (2011). *The Experience Economy. Boston:* Harvard Business Review Press.

Weaver, S. (2007). *Creating Great Visitor Experiences.* Walnut Creek: Left Coast Press.

APPENDIX B
HYPERLINK INDEX

Hyperlink References

1. **Page 3-1 -** Access to a map of FDOT Districts and a current list of District Scenic Highway Coordinators: http://program.floridascenichighways.com/wp-content/uploads/2015/11/District-Map-List-of-Coordinators.docx

2. **Page 3-3** - Information about options for structuring a Byway Organization: http://www.bywaysl01.org/bywaysl01/public-community-involvement/organizational-options

3. **Page 3-4** - Recommended reference for developing the Byway Story and Byway Inventory: http://www.bywaysl01.org/bywaysl01/intrinsic-qualities-the-byway-story/the-six-intrinsic-qualities/cultural-quality

4. **Page 3-4** – Example of a Byway Story: http://program.floridascenichighways.com/wp-content/uploads/2015/11/FLBB-Byway-Story.pdf

5. **Page 3-5** – Identification and demonstration of resources present on the proposed corridor that meet at least one of the Intrinsic Quality definitions (detailed in Byways 101: Part 2): http://www.bywaysl01.org/bywaysl01/intrinsic-qualities-the-byway-story/the-six-intrinsic-qualities

6. **Page 3-9** - Guidelines for developing a Corridor Management Plan, developed for the National Scenic Byways Program: http://www.bywaysl01.org/bywaysl01/planning-action-nomination/the-cmp-s-14-points

7. **Page 3-13** Description of potential protection techniques for byway resources: http://program.floridascenichighways.com/wp-content/uploads/2015/11/Protect-Techniques_11.13.15.pdf

8. **Page 3-14** – Examples for crafting a mission statement for a Byway Organization: http://corridorsolutions.net/AE_FDOT5/1-6.htm

9. **Page 3-15** – A complete list of byway stakeholders including residents, business owners, local government officials and agencies, tourism agencies, and nonprofit organizations:
   http://program.floridascenichighways.com/wp-content/uploads/2015/11/Stakeholder-List.pdf

10. **Page 3-16** - Detailed information about developing and implementing a rigorous Community Participation Strategy:
    http://corridorsolutions.net/AE_FDOT5/1-4.htm

11. **Page 3-17** - A recent article detailing more than thirty strategies for increasing social media followers:
    http://www.inc.com/jayson-demers/39-ways-to-get-more-social-media-followers.html

12. **Page 3-18** - Federal guidelines to develop a corridor management plan (CMP) for any scenic highway wishing to seek National Scenic Byway designation:
    http://www.byways101.org/byways101/planning-action-nomination/the-cmp-s-14-points

13. **Page 3-19** – The Byway Sample Year-One Work Plan template:
    http://program.floridascenichighways.com/wp-content/uploads/2015/11/Annual-Work-Plan-Template.docx

14. **Page 4-4** – An example of a stand-alone document containing the byway story and intrinsic quality inventory, which can be referenced in the Byway Management Plan updates, and used alone as a training tool. An example is the A1A Scenic & Historic Coastal Byway Field Guide:
    http://program.floridascenichighways.com/wp-content/uploads/2015/11/A1A_FieldGuide_Draft_Final-1.pdf

15. **Page 4-7 (second mention)** - A recent article detailing more than thirty strategies for increasing social media followers
    http://www.inc.com/jayson-demers/39-ways-to-get-more-social-media-followers.html

16. **Page 4-9 (second mention)** – The Byway Sample Year-One Work Plan template: http://program.floridascenichighways.com/wp-content/uploads/2015/11/Annual-Work-Plan-Template.docx

17. **Page 4-11** - The most recent FSHP Annual Report: http://program.floridascenichighways.com/wp-content/uploads/2011/07/FSHP_Report_Full_Spreads_View_060916.pdf

18. **Page 4-11** - The most recent guidance and frequently asked questions for the Byway Annual Report: http://program.floridascenichighways.com/wp-content/uploads/2011/07/2015-FSHP-Byway-Annual-Report-Guidance-v.1.pdf

19. **Page 4-11** – Information that Byway Organizations could use to produce their own annual report: http://corridorsolutions.net/AE_FDOT5/2-1.htm

20. **Page 5-3** - This Reference Manual is a comprehensive resource for understanding, designing, planning, implementing, and maintaining effective wayshowing features for byways: http://program.floridascenichighways.com/wp-content/uploads/2016/07/wayshowing_for_byways_reference_manual.pdf

Coco Vista Centre
466 SW Port St. Lucie Blvd, Suite 111
Port St. Lucie, Florida 34953
772-462-1593
www. treasurecoastscenichighway.com

CORRIDOR MANAGEMENT ENTITY MEMBERS - 2019

A. CORRIDOR ADVISORY GROUP SHALL APPOINT 6 MEMBERS:	
1 Resident of Indian River Drive	Diana Gregory - **Chairperson**
	Alt:
1 Resident of North Hutchinson Island	Mary Chapman - **Vice Chairperson**
	Alt:
1 Resident of South Hutchinson Island (Incorporated)	Eileen Emery
	Alt:
1 Resident of South Hutchinson Island (Unincorporated)	Charles Grande
	Alt:
2 Residents of St. Lucie County (At-Large)	Karine Rich
	Alt:
	Vacant
	Alt:
B. ST. LUCIE COUNTY SHALL APPOINT 2 MEMBERS:	
1 Member of the Board of County Commissioners Appointed by the Chairperson	Commissioner Sean Mitchell
	Alt: Commissioner Frannie Hutchinson
1 Employee of the Community Development Department Appointed by the County Administrator	Jodi Nentwick
	Alt:
C. CITY OF FORT PIERCE SHALL APPOINT 2 MEMBERS:	
1 Member of the City Commission Appointed by the City Commission	***Vacant***
	Alt:
1 Employee of the City Planning Department Appointed by the City Manager	Jennifer Hofmeister
	Alt: Rebeca Guerra
D. CITY OF PORT ST. LUCIE SHALL APPOINT 2 MEMBERS:	
1 Member of the City Council Appointed by the City Council	***Vacant***
	Alt:
1 Employee of the City Planning Department Appointed by the City Manager	Bridget Kean
	Alt: Kilon Rhoden
E. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SHALL APPOINT 2 MEMBERS:	
1 Employee of the State Parks Division	Christopher Vandello
	Alt: Steve Eibl
1 Employee of the Coastal and Aquatic Managed Areas Division	Irene Arpayoglou
	Alt:
F. FLORIDA DEPARTMENT OF TRANSPORTATION SHALL APPOINT 1 MEMBER:	Lauren Rand
	Alt: Michael Palozzi
G. TREASURE COAST REGIONAL PLANNING COUNCIL SHALL APPOINT 1 MEMBER:	Kim Delaney
	Alt: Thomas Lanahan
H. ST. LUCIE TRANSPORTATION PLANNING ORGANIZATION SHALL APPOINT 1 MEMBER:	Marceia Lathou
	Alt: Yi Ding
I. FORT PIERCE UTILITIES AUTHORITY SHALL APPOINT 1 MEMBER:	John Tompeck
	Alt:

Total Number of Members = 18; Quorum = 10

Coco Vista Centre
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Port St. Lucie, Florida 34953
772-462-1593
www. treasurecoastscenichighway.com

INDIAN RIVER LAGOON SCENIC HIGHWAY (IRLSH)
TREASURE COAST CORRIDOR MANAGEMENT ENTITY (TCCME)

2019
Annual Work Plan

PROGRAM/PROJECT/ACTIVITY	LEAD	ESTIMATED COMPLETION DATE	FUNDING SOURCE AND TYPE	ESTIMATED EXPENSES
IRLSH TCCME Meeting Preparation and Support	TPO Staff	Ongoing	TPO: PL Funds[1]	$4,500
Promotion of IRLSH Treasure Coast Corridor at Local Government, Community, and Other Byway Meetings	TCCME Members	Ongoing	N/A[2]	$0
IRLSH TCCME Interacting with Other Scenic Byway Management Entities Promoting Best Practices	TCCME Members	Ongoing	N/A	$0
IRLSH TCCME Obtaining Donor Support for Printing the IRLSH Treasure Coast Corridor Promotional Brochure	TCCME Members	Ongoing	N/A	$0
IRLSH Treasure Coast Corridor Webpage Hosting and Maintenance	TPO Staff	Ongoing	TPO: PL Funds	$1,500
Update of the IRLSH Treasure Coast Corridor Webpage at Floridascenichighways.com	TCCME Members and TPO Staff	March	TPO: PL Funds	$500
IRLSH Treasure Coast Corridor Signage Needs Plan Implementation Phase 1	FDOT[3] and TPO Staff	March	FDOT: State Funds	TBD[4]
IRLSH Treasure Coast Corridor Webpage Update	FDOT and TPO Staff	June	FDOT: State Funds	TBD
IRLSH TCCME Annual Work Plan Preparation and Submittal	TCCME Members and TPO Staff	September	TPO: PL Funds	$1,000
IRLSH Treasure Coast Corridor Signage Needs Plan Implementation Phase 2	TPO Staff and FDOT	September	FDOT: State Funds	TBD
IRLSH Treasure Coast Corridor Social Media Campaign	TCCME Members and TPO Staff	December	TPO: PL Funds	$500
IRLSH Treasure Coast Corridor Annual Report Preparation and Submittal	TPO Staff	December	TPO: PL Funds	$1,000
			Total	**$9,000[5]**

[1]PL: Federal Metropolitan Planning funds
[2]N/A: Not applicable
[3]FDOT: Florida Department of Transportation District 4
[4]TBD: To be determined
[5]The total does not include the estimated expenses that are TBD.

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INDIAN RIVER LAGOON SCENIC HIGHWAY (IRLSH)
TREASURE COAST CORRIDOR MANAGEMENT ENTITY (TCCME)

2020
Annual Work Plan

PROGRAM/PROJECT/ACTIVITY	LEAD	ESTIMATED COMPLETION DATE	FUNDING SOURCE AND TYPE	ESTIMATED EXPENSES
IRLSH TCCME Meeting Preparation and Support	TPO[1] Staff	Ongoing	TPO: PL[2] Funds	$4,500
IRLSH Treasure Coast Corridor Webpage Hosting and Maintenance	TPO Staff	Ongoing	TPO: PL Funds	$1,000
Promotion/Update of IRLSH Treasure Coast Corridor at Local Government and Other Community Meetings	TCCME Members	Ongoing	N/A[3]	$0
IRLSH TCCME Obtaining Donor Support for Printing the IRLSH Treasure Coast Corridor Promotional Brochure	TCCME Members	Ongoing	N/A	$0
IRLSH TCCME Interacting with Other Scenic Byway Management Entities Via a Joint Meeting	TCCME Members	March	N/A	$0
IRLSH Treasure Coast Corridor Webpage Update	TCCME Members and TPO Staff	June	TPO: PL Funds	$500
Signage Needs Plan Implementation Phase 2	TPO Staff	September	TPO: PL Funds	$500
Annual Work Plan Preparation and Submittal	TCCME Members and TPO Staff	September	TPO: PL Funds	$500
IRLSH Treasure Coast Corridor Social Media Campaign	TCCME Members and TPO Staff	December	TPO: PL Funds	$1,000
IRLSH Treasure Coast Corridor Annual Report Preparation and Submittal	TPO Staff	December	TPO: PL Funds	$1,000
			Total	**$9,000**

[1]TPO: St. Lucie Transportation Planning Organization
[2]PL: Federal Metropolitan Planning Program
[3]N/A: Not Applicable

Will Member Attend?	Representing	
Diana Gregory – Chair	Indian River Drive	4866135
Mary Chapman Vice-Chair	North Island	W 465-2001 C 708-2996
Eileen Emery	South Island Incorporated	
Charles Grande	South Island un-incorporated	Vacant
Karine Rich	St. Lucie County (at-large)	6074359239
(Vacant)	St. Lucie County (at-large)	Vacant
Commissioner Mitchell Commissioner Hutchinson	Board of County Commissioners	4621406
Jodi Nentwick	St. Lucie County Planning and Development Services	4621589
Vacant	Fort Pierce City Commission	Vacant
Rebeca Guerra	Fort Pierce Planning Department	4673737
Vacant	Port St Lucie City Council	Vacant
Kilon Rhoden	Port St Lucie Planning Department/ Public Works	8736489 8715105
Christopher Vandello	FDEP State Parks	3982779
Irene Arpayoglou Matthew Anderson	FDEP Aquatic Preserves	4292995 X 24
Lauren Rand Michael Palozzi–Atkins	FDOT	9547774500
Michael Lanahan	TCRPC	2214060
Marceia Lathou	TPO	4621594
John Tompeck	Fort Pierce Utilities Authority	4661600

Voters=18

City Commission Regular Meeting **13. f.**

Meeting Date: 12/02/2019

Re: RFP No. 2020-004 - Evaluation Committee

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

SUBJECT:

Establish the composition of the evaluation committee for RFP No. 2020-004 - Animal Shelter Services.

SUMMARY:

The Request for Proposals shall be reviewed and rated by an evaluation committee comprised of either staff or the City Commission.

RECOMMENDATION:

Staff recommends a committee comprised of City staff plus one or two representatives from St. Lucie County.

ALTERNATIVES:

The evaluation committee is comprised of City staff without County representation.
The evaluation committee is comprised of the City Commission.

RESPONSIBLE STAFF:

Margaret M. Arraiz, Code Compliance Manager

COORDINATED WITH:

Nicholas Mimms, City Manager

Fiscal Impact

OTHER INFORMATION:

None

Attachments

PP -Evaluation Committee

Form Review

Form Started By: Peggy Arraiz Started On: 11/21/2019 05:08 PM

Final Approval Date: 11/25/2019

EVALUATION COMMITTEE

- Committee Members
  - Option 1 – Comprised of City of Fort Pierce staff
  - Option 2 – Comprised of City of Fort Pierce staff plus one or more St. Lucie County representatives
  - Option 3 – Comprised of City Commission members

City Commission Regular Meeting **15. a.**

Meeting Date: 12/02/2019

Re:

SUBJECT:

Reports

Attachments

November Purchase Order Report

City Manager's Report

Form Review

Form Started By: Linda Cox Started On: 11/21/2019 12:17 PM

Final Approval Date: 11/21/2019

Purchase Order Approvals between $10,000 and $50,000 by the City Manager from November 1, 2019 to November 30, 2019

1. Purchase Orders

a. Approval for the Building Department to piggyback the Florida Sheriffs' Association Contract No. FSA19-VEL27.0 (Bid award period of 10/19/19-9/30/20), for the purpose of purchasing two (2) vehicles, Specification No. 137 Ford Ranger Super Cab XL 4X2 from Bozard Ford of St. Augustine, FL in the amount of $48,500.00.

b. Request approval of Specific Authorization No. 7 in the amount of $12,000.00 for professional engineering services upon City Attorney review of form and correctness. Professional services are related to the evaluation of traffic impacts to S.R. A1A as a result of the proposed construction of the Cumberland Farms and Harbour Cay Shoppes.

c. Approval of payment to St. Lucie County Board of County Commissioners Administration for cooperation on state lobbying in an amount not to exceed $25,000 pursuant to an Interlocal Agreement for Fiscal Year 2020.

d. Approval of Purchase Order for Acushnet Golf in the amount of $19,000.00 for golf merchandise for resale.

e. Approval of Purchase Order for Callaway Golf in the amount not to exceed $30,000.00

f. Indian Hills Golf Course is requesting Approval of Purchase Order for Coca-Cola in the amount of $12,000 for non-alcoholic beverages for resale in the Golf Shop.

g. Indian Hills Golf Course is requesting Approval of a Purchase Order for Comcast Spotlight in the amount of $11,000 for our local cable television advertising campaign.

h. Indian Hills Golf Course is requesting Approval of a Purchase Order for Ocean Media (My Living Magazine) in the amount of $10,000 for our direct mail advertising campaign.

i. Indian Hills Golf Course is requesting Approval of a Purchase Order in the amount of $25,000 for Palmdale Oil to fuel our Golf Cart Fleet as well as our Maintenance Vehicles.

DECEMBER 2019

FORT INSIDER





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4 FEATURED

6 POLICE DEPARTMENT

10 CONSTRUCTION SPOTLIGHT

12 BUILDING DEPARTMENT

14 PUBLIC WORKS DEPARTMENT

16 INDIAN HILLS GOLF COURSE

17 FORT PIERCE CITY MARINA

18 SUNRISE THEATRE

21 UPCOMING EVENTS

The City of Fort Pierce presents

CITY OF LIGHTS DECORATING CONTEST

UNTANGLE THOSE CHRISTMAS LIGHTS AND START DECORATING!

Put on those creative thinking caps, untangle those Christmas lights and get ready for the 4th Annual City of Lights Holiday Decorating Contest presented by the City of Fort Pierce!

REGISTRATION

Registration will be open until December 12 at noon online at ***www.CityOfFortPierce.com***

Simply fill out the application, choose from one of two categories: single family or business. Be sure the decorated home or business is lit up at night for our voters. Each category winner will receive $250 and a sign to display in their yard.*

TROLLEY TOURS

The Trolley tours are free and begin Sunday, December 15 through Wednesday, December 18. Reservations are required by phone: 772-465-4170. A free hot chocolate bar and holiday photo op will enhance the fun. Guests are asked to wear Ugly Christmas Sweaters and/or festive attire on the Trolley Tours.

2019 HOLIDAY HAPPENINGS

DOWNTOWN FRIDAY FEST
FRIDAY, DECEMBER 6th
5:30 PM - 9:00 PM
MARINA SQUARE
772.466.3880

HOLIDAY BOAT PARADE
SATURDAY, DECEMBER 7th
6:00 PM - 9:00 PM
772.692.7599

CHRISTMAS ON MOORE'S CREEK
SATURDAY, DECEMBER 14th
10:00 AM - 2:00 PM
AVENUE D & 8TH STREET
772.462.2481

COFFEE WITH THE MAYOR
FRIDAY, DECEMBER 20th
8:00 AM - 9:00 AM
FORT PIERCE
YACHT CLUB
772.466.3880

MOVIES IN THE FORT
FRIDAY, DECEMBER 6th
5:00 PM - 8:00 PM
FORT PIERCE
POLICE DEPARTMENT
772.467.6801

SIGHTS AND SOUNDS ON 2ND ST.
SUNDAY, DECEMBER 8th
1:00 PM - 6:00 PM
PARADE STARTS AT 4:00 PM
HISTORIC DOWNTOWN
772.466.3880

CITY OF LIGHTS TROLLEY TOUR
DECEMBER 15th -18th
6 PM, 7 PM & 8 PM
DOWNTOWN FORT PIERCE
772.465.4170

HOLIDAY LIGHTS SPECTACULAR
DECEMBER TO JANUARY
6:00 PM - 9:00 PM
MARINA SQUARE
772.467.3000



FORT FOR THE HOLIDAYS

BY JOE SWEAT, MARKETING SPECIALIST

For locals, its easy to see why Fort Pierce is home for the holidays. The hustle and bustle is laid back and quiet, as our town naturally is. We tend to take the back seat and soak up the sights and sounds of everything. We're not crazy busy like other cities, nor crowded for that matter. We're just the Fort. A small town nestled on the east side of Florida, but slap in the middle of everything. You can truly go from Fort Pierce to anywhere within a few short hours, but why? Seriously.

As many times as I've been out of town for the holidays, there's still no place like home. Snow covered mountains are nice, but the weather is so cold that the firepit has to stay lit and it gets a little darker quicker, but that is if you visit north. If you head south, expect road delays, people bumping into each other (which you'll get up north too), and the aggravating rush is swiftly felt. No offense to our neighbors to the south, but that kind of busyness is why some of us stay put, which is exactly my point. It's easy to get caught up in the holiday rush and forget to take it all in. The City of Fort Pierce strives each year to ensure that you and your loved ones experience that cozy, laid back feeling all year, but especially for Christmas. Who wants to sip coffee just to have it run down the front of you because you were bum-rushed by shoppers? Humbug!

Now, it could be different for you, but for me its hearing the children run around at Marina Square laughing and playing while the Dancing Palms light up the waterfront with Christmas music. I know they are too excited for Christmas Day and there isn't enough energy to be let out.

Furthermore, it's the folks that get on to enjoy the Annual Trolley Tour. They come dressed in festive attire, ready to laugh, sing and go around looking at Christmas lights. Hot cocoa and cookies await before they board the trolley and often times a special guest in red pays a visit. Perhaps its the thousands of people that gather in downtown for the Annual Sights and

Sound Parade. The kids are tickled to see Santa come riding in on a float. Everyone is shoulder to shoulder, but smiling ear to ear, enjoying the festivites, together.



Maybe it's how the streets of Fort Pierce are lit up with Christmas lights, poles wrapped in garland, while moving snowflake lights dance on the buildings in downtown; maybe it's the Holiday Boat Parade where you can sit along the riverfront and watch a parade of boats cruise by in an assortment of Christmas decorations, playing echoing Christmas music - you can't do that in the snow. What about Christmas on Moore's Creek. It's a chartiable toy drive with lots of food, fun and vendors, but everyone is contributing together to bring gifts to children. It truly emulates the spirit of Christmas. A new event I'm looking forward to adding to my little book of memories is Movies in the Fort at the Fort Pierce Police Department. The FPPD is featuring the Grinch, the animated movie of 2018. I expect a big Christmas, Grinch kinda bash because our men and women in blue know how to throw a block party.



So whatever it is that makes your spirit bright, remember to take it all in this year wherever you are, and if you're here in the Fort for the Holidays, there's always something to do in the Fort, especially for the holidays.



For more information about holiday events, please call 772-467-3031

KID FOCUSED, COMMUNITY ENGAGED



Since the beginning of school year, the Courageous Kids weekly after-school program has expanded its focus to include helping children improve their reading skills. The move came after volunteers found out that one of the children failed summer school and was held back because he was having trouble reading. In stepped, Clorisse Stephens, who is the Community Resource Mom for the Lincoln Park Area with Helping People Succeed.



When Ms. Clorisse arrives at the park each week, the kids crowd around her car to help her unload the books and get set up. The children, between the ages of three and 14, are eager to read and to date they have read more than 178 books. As an incentive, the kids get to select a prize from the prize box and once a month they participate in a special activity. Ms. Clorisse first found out about First Step Park from one of the parents and she has been there ever since. When she started, there were approximately 10 children interested in reading. Now there are about 50 kids every week and with approximately five volunteers, about



four officers, and help from some of the older kids, they are managing the demand for help. If there is a line waiting to get help to read, the kids will get book and go find and officer and ask them to help them read, she said.

The reading program has been so successful especially for the young man who had to repeat third grade. At a recent Courageous Kids outing, he was so excited to show off his report card that displayed four “As” and a “B” he received.



On Veterans Day, the City of Fort Pierce joined the rest of our nation in pausing to celebrate and honor America’s veterans for their patriotism, love of country and willingness to serve and sacrifice for the common good.
Fort Pierce Police Department Officers were among several people who gathered for Veterans Day Ceremony hosted by the AMVETS Post 15 at the Fort Pierce Veteran’s Memorial Park on Indian River Drive. To help us show appreciation to our local veterans, members of the American Heritage girls of Okeechobee and Lawnwood Elementary School made “Happy Veterans Day” cards and presented them to those in attendance during the event.

The holiday started as a day to reflect upon the heroism of those who died in our country's service and was originally called Armistice Day. It fell on November 11 because that is the anniversary of the signing of the Armistice that ended World War I. However, in 1954, the holiday was changed to "Veterans Day" in order to account for all veterans in all wars. We thank our veterans for their service.



THE GRINCH

HOSTED BY THE

FORT PIERCE POLICE DEPARTMENT

FRIDAY, DECEMBER 6TH AT 6:00 PM

HALF CENT SALES TAX UPDATE:



On November 6, 2018, a referendum was held, and the voters of St. Lucie County approved a half cent increase to the local sales tax. This tax, referred to as the Infrastructure Surtax, is to be used to help improve roads, build more sidewalks and support water quality projects throughout the County. The City has collected $1,158,361.01 in Surtax proceeds between March 2019 through November 2019. As stipulated by the ballot language approved by the voters, the referendum called for an independent oversight by a citizen committee, to review expenditures of the Surtax proceeds. This committee is comprised of seven (7) members, five (5) direct appointments by each City Commissioner and two (2) at large members. The committee began meeting in September 2019, meeting once a month through November 2019. All projects that use the Surtax proceeds are reviewed by the committee to ensure all expenditures are consistent with the Florida Statutes and the will of the voters. Two projects are currently under construction that utilize the Surtax proceeds, South 7th Street Reconstruction and Avenue A and Avenue B Reconstruction. Both of these projects were made possible by combining this new funding source with several other funding sources to accomplish total reconstruction as opposed to continued patching. Avenue A and Avenue B are nearing completion, we are anticipating the final work to be completed by the first week of December. The work included rejuvenation and replacement of utilities by FPUA, new concrete sidewalk, curb/gutter, and complete reconstruction of the pavement section.

CONSTRUCTION UPDATE



Ohio Avenue and U.S. Highway 1 Realignment:

Construction of the long awaited Ohio Avenue realignment has begun. Many residents and visitors know that this intersection, with its offset east and west legs, is a hazard to motorists attempting a left turn onto U.S. Highway 1. The construction cost of this project is $1,015,000 and is being funded with FDOT compensation and revenue generated from collected City of Fort Pierce road impact fees.

The design of the project includes the shifting of the Ohio Avenue, east of U.S. Highway 1, to the north to allow better alignment with the west leg of Ohio Avenue. In addition, the intersection will receive three (3) new mast arms with traffic signals which will eliminated the strand wire traffic system currently in place. Project improvements to Ohio (east of U.S. 1) include a new drainage system, a boulevard style street with landscaped islands, new sidewalks, curb & gutter and of course an entire new roadway.



Edgartown

COMMUNITY MEETING

THURSDAY, DECEMBER 12, 2019
6:00 PM to 8:00 PM

Riverwalk Center
600 North River Drive

For more information,
contact Jennifer Hofmeister at
772-467-3730
jhofmeister@cityoffortpierce.com

The City of Fort Pierce invites you to share input, ideas and feedback regarding the historic Edgartown District on Thursday, December 12, 2019 from 6:00 pm to 8:00 pm at the Riverwalk Center located at 600 N. Indian River Drive.

The meeting will give us the opportunity to discuss such topics as code and building issues, the district's current regulations, public spaces, neighborhood identity, landscaping, signage and lighting, and architectural design guidelines for the community.

Please join us to contribute your ideas to the vision of Edgartown Historic District!

Refreshments will be served.

WHAT'S NEW?



TACO DIVE ON THE BEACH

Located at 2025 Seaway Drive on South Beach, Taco Dive is opening their fourth location, the second in Fort Pierce, in the space formerly occupied by the Bluewater Beach Grill. This picture was taken during the review of their Sidewalk Café Permit. A Sidewalk Café Permit is required anytime outdoor seating is provided within the City's right-of-way. In addition to the Planning Department, the Building Department reviews Sidewalk Café Permits for compliance with the Florida Building Code. Two of the major considerations in the review of Sidewalk Café Permits is to verify emergency egress and that handicap accessibility is maintained.



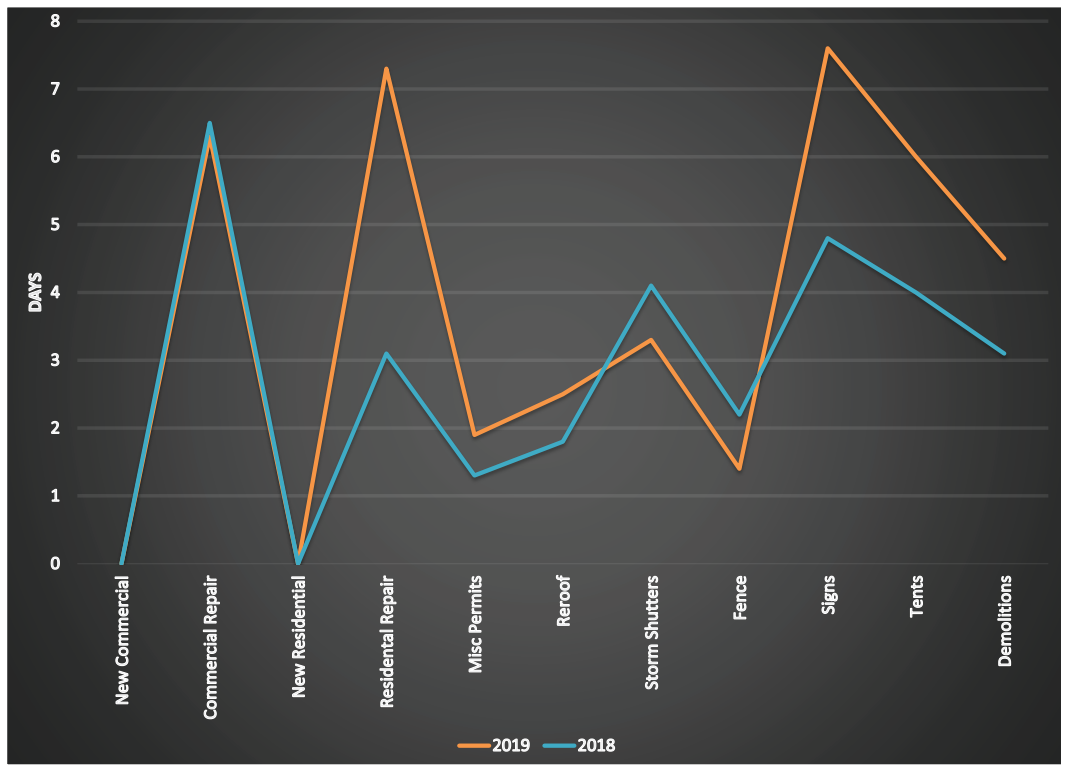
NEW ASSISTED LIVING

A new 28,000 square foot assisted living facility is being constructed between Fort Pierce Central High School and the Palm Lakes Gardens subdivision. The construction will be split into two phases. The first phase of construction will provide the majority of the sleeping rooms. At this time, permits have been issued for the first phase and a "shell building" permit has been issued for the second phase.

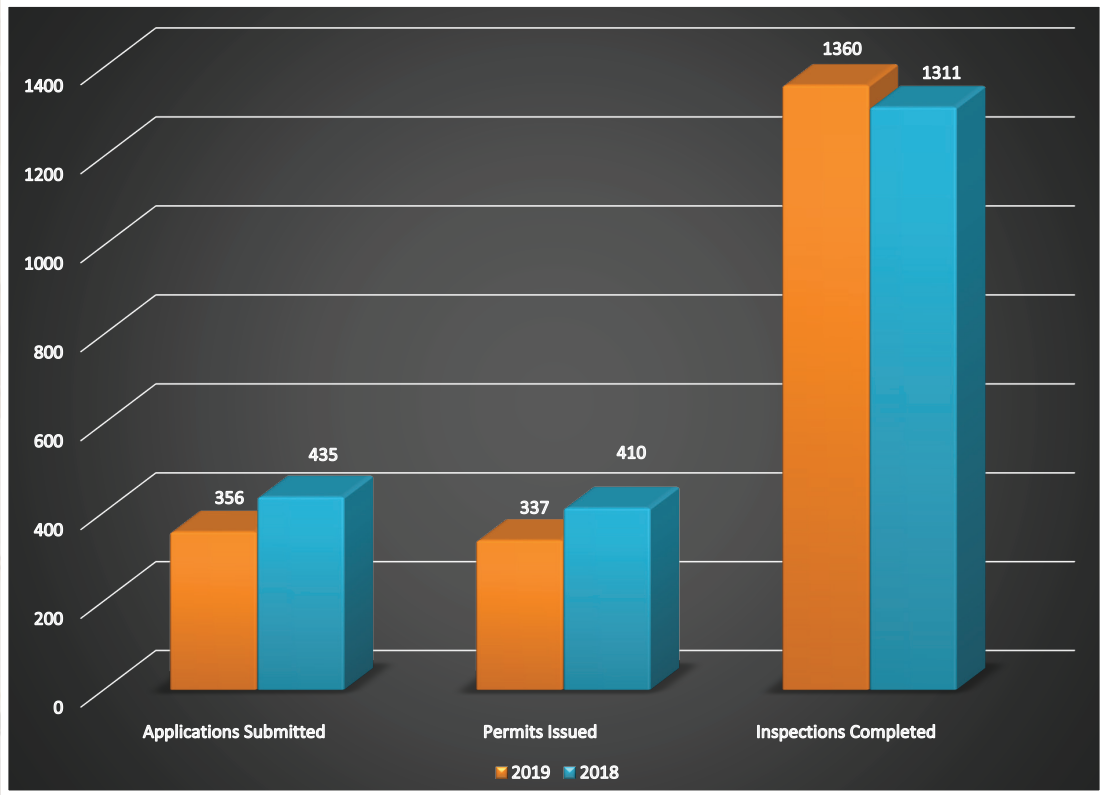
BUILDING CHARTS FOR NOVEMBER 2019

PLAN REVIEW PROCESSING TIME

For permits with 0 days, either the review was not completed within the month, or there were no reviews for the entire month.



BUILDING PERMIT ACTIVITY REPORT





PAUL BERTRAM,
PARKS & GROUNDS DIVISION MANAGER

Season's Greetings from your Fort Pierce Public Works Department. The Public Works Department is busy installing holiday decorations to bring the holiday spirt to all of our citizens and visiting guest. It still makes us chuckle when we hear people ask us when are you going to start putting up the holiday decorations? Believe it or not Public Works crews have been installing holiday decorations for the past three weeks! Our crews start very early in the morning sometimes as early as midnight to decorate all corners of the City of Fort Pierce. This procedure helps use with four very important concepts; It allows us the time to install all of our decorations, traffic is at a minimum, helps the crews when it's dark to see the light show for necessary installation adjustments and most of all gives are citizens and guest the element of holiday surprise! What's the surprise you ask? The element of holiday surprise is the excitement that all of our residents and guest feel when magically all of the decorations appear to come to life in just one night.

We at Public Works strive every day to Keep Fort Pierce Beautiful and are very proud that our City of Fort Pierce is the top spot on the Treasure Coast to visit for the holidays. A big thanks to all of the personnel that volunteered to come in early to help install decorations. This year same as last we will also be installing a one of a kind 2,000 plant Poinsettia show, a magical red carpet of beautiful holiday flowers!

Please take the time to spread the word, bring family and friends and come out and enjoy all of our holiday festivities in our paradise by the sea, Fort Pierce Florida!





RIVER WALK CENTER SALES REPORT OCTOBER 2019

CLASSES	$ 751.46
PARK PERMITS	$ 512.50
SPECIAL EVENTS	$ 590.00
FACILITY	$ 4632.75
TOTAL	**$ 9,446.33**



ENJOYING INDIAN HILLS IN THE 1940's

DANIEL VISCONTI, IHGC MANAGER

Following a busy summer where we averaged almost 90 players per day between May1st and September 30th, we are excited for peak season as we are already having a great start to our fiscal year. With revenues up almost $20,000 through October and the first three weeks of November versus last year, we hope that Mother Nature helps to provide a productive and prosperous 2019-2020!! With the Holidays right around the corner, please keep the less fortunate in mind!! We are a drop off site for the Toys for Tots program as well as the Treasure Coast Food bank.

Our entrance is undergoing a facelift as Ohio Avenue is being improved and widened and once completed will be a much easier and more attractive route to Indian Hills, TD Bank and Aldi. We continue to improve the course conditions on an almost daily basis, focusing on the health of the turf on the greens and fairways. This process will help carry us through the dry and cool conditions of the winter months when grass growth is at its slowest. From a community standpoint, we are proud to be able to touch the lives of in excess of 500 children per year through golf!! We are the proud host site of the First Tee Program. Participating in the program in Fort Pierce are the Pace Center for Girls, The P.A.L. and two age groups of children from the Boys & Girls Club. For those of you who are not aware, the First Tee not only teaches golf skills, but also the following life skills. Honesty, Integrity, Sportsmanship, Respect, Confidence, Responsibility, Perseverance, Courtesy & Judgement. We thank all of our members and guests for their support and we ask that you please "Like" and "Follow Us" on Facebook or Instagram to see almost daily updates on the golf course and our ongoing summer

INDIAN HILLS SALES REPORT

	9/2019	10/2019
GOLF ROUNDS	2406	3410
GOLF FEES	$43,193.36	$67,557.48
RANGE TOKENS	$943.26	$2,076.58
MEMBERSHIP PASS	$2,088.69	$6,316.34
FOOD & BEVERAGES	$4,718.66	$7,753.38
MERCHANDISE	$2,402.58	$4,325.39
TOTAL	$53,346.55	$88,029.17



CITY MARINA FINANCIAL REPORT

	August	September	October
Dockage Reservations	88	27	94
Monthly Dockage	$138,570.49	$105,708.12	$118,293.66
Transient Dockage	$34,155.10	$16,921.25	$23,883.56
Electricity	$6,032.24	$1,343.50	$2,119.38
Retail	$12,903.79	$8,096.99	$6,605.35
Gas Sales	$0	$0	$0
Diesel Sales	$44,420.30	$11,043.95	$63,166.97
TOTALS	$ 235,901.92	$ 141,770.31	$214,068.92

2020 SUNRISE THEATRE KICKOFF



Sunrise Theatre has kicked off the 2019-2020 season, and new this year is a Family Adventure series of six performances guaranteed to provide fun and entertainment for children and adults alike. The can't-miss shows kick off on Sunday, December 22, with Rudolph the Red Nosed Reindeer: The Musical, and wrap up with My Little Pony Live, on Thursday, April 30. In between are four family-friendly musicals, animal adventures and classic ballets. There is truly something for everyone. With the holidays fast approaching, consider gifting the incomparable experience of a live performance to your little ones and loved ones. Tickets to one show (or the whole series) are an unforgettable, intangible gift sure to create memories that last a lifetime. "Gifts of experience" are a wonderful way to treat an entire family and give you a chance to bond with grandkids, nieces and nephews or other children in your life.

Here's the rundown of the full Family Adventure series schedule:

Rudolph the Red Nosed Reindeer:

The Musical, on Sunday, December 22, at 3 p.m. Tickets start at $52; tickets for kids 12 and under are just $23 each. If the TV classic Rudolph the Red-Nosed Reindeer is a holiday tradition in your home, you won't want to miss the new musical version. It's the perfect way to carry on this tradition in a new generation. Not to worry: All of your favorite characters— including Santa and Mrs. Claus, Hermey the Elf, Bumble the Abominable Snow Monster, Clarice, Yukon Cornelius and, of course, Rudolph — come to life on stage. Like the classic TV version, the musical is "an adventure that teaches us that what makes you different can be what makes you special."

The Nutcracker,

presented by The State Ballet Theatre of Odessa, on Thursday, December 26, at 7 p.m.
Tickets start at $48; tickets for kids 12 and under are just $23 each.
The Nutcracker is a timeless holiday classic for children and adults. This treasured ballet follows young Clara's journey to meet fairies, princes, toy soldiers and an army of mice. This version uses the same authentic Russian choreography performed by the famous Bolshoi Ballet in Moscow, and it is set to Tchaikovsky's beloved music, including favorites like Waltz of the Flowers, Dance of the Sugar Plum Fairy, and Waltz of the Snowflakes. Make this another holiday tradition for the whole family!



Jack Hanna's Into the Wild, Live –

Presented by Nationwide, on Thursday, January 23, at 7 p.m. Tickets start at $42. Jack Hanna is America's most beloved animal expert, and he's bringing his three-time Emmy Award-winning series Into The Wild Live! back to the Sunrise stage. "Jungle Jack" takes you with him "into the wild." You'll meet incredible animals and hear real-life, jaw-dropping stories about brushing a hippo's teeth and eating with wombats (and many, many more). Plus, you'll see footage of his worldwide adventures, from the jungles of Rwanda to the savannas of Australia, and learn about Jack's passion and dedication to wildlife conservation. Expect to see about 15 animals. The exact lineup is a surprise for now, but you could "meet" a baby cheetah, kangaroo, baby tiger, two-toed sloth or a penguin!

Catapult: The Amazing Magic of Shadow Dancing,

Thursday, February 20, at 7 p.m. Tickets start at $42; tickets for kids 12 and under are just $23 each.
This shadow dance company, founded in 2009 by Adam Battlestein, theatrically blends dance, storytelling, and sculpture in a performance you simply must see for yourself. Catapult "catapulted" to fame on season eight of America's Got Talent, eventually making their way to the finals of the popular TV show. The family-friendly show is "all about the human body and its ability to transform." From behind a screen, dancers create seemingly impossible shadow images of shapes — becoming a mountain, a life-size elephant, a helicopter, a house with a window and people inside. How do they do it? It's a secret, but you'll definitely be surprised and amazed by their transformations.

Dinosaur World Live:

A Dino-Mite Adventure!, on Sunday, February 23, at 3 p.m. Tickets start at $38; tickets for kids 12 and under are just $18 each. Who isn't amazed by dinosaurs? Dinosaur World Live is a "roarsome" interactive show for kids and the young at heart. You'll get to discover a prehistoric world of almost life-like dinosaurs— including a tyrannosaurus rex, triceratops, giraffatitan, microraptor and segnosaurus! After the show, stick around for a special meet-and-greet with a new dinosaur friend. Don't miss this "entertaining and mind-expanding Jurassic adventure." (Tickets are $18 for children ages 12 and under.)

My Little Pony Live,

Thursday, April 30, at 6 p.m. (Tickets start at $32.) The Family Adventure series finishes up with the "mane" event. The all-new My Little Pony Live features an original story about ponies like Twilight Sparkle, Pinkie Pie, Rarity, Fluttershy, Applejack and Rainbow Dash. Along with Spike, the ponies "embrace their true colors" during a memorable, magical, musical journey to the land of Equestria. Don't miss this "ultimate celebration of laughter, kindness and the magic of friendship."

These shows are likely to sell out, so get your tickets today!



SUNRISE THEATRE FINANCIAL REPORT

Date	Show	Ticket Sales	Concessions	Miscellaneous	Total Revenue
10/3/2019	Science of Ecology (School Show)	945.00		216.00	1,161.00
10/25/2019	Allman Betts Band	42,845.00	9,058.00	158.00	52,061.00
10/3/2019	RENTALS				
10/17/2019	J Hendrick/ Reception	N/A	689.00	428.00	1,117.00
10/26/2019	B K Jackson	1,445.00	270.00	200.00	1,915.00
	Impact	N/A			0.00
10/1 ~31/19	Jazz Jam - BB	635.00	577.00		1,212.00
10/1 ~31/19	Comedy Corner - BB	2,205.00	562.00		2,767.00
		$48,075.00	$11,156.00	$1,002.00	$60,233.00



UPCOMING COMMUNITY EVENTS

EVENT	DATE	TIME	LOCATION
FORT PIERCE FARMER'S MARKET	EVERY SATURDAY	8:00 AM - 1:00 PM	MARINA SQUARE
GREEN MARKET	EVERY WEDNESDAY	12:00 PM - 6:30 PM	MARINA SQUARE
AVENUE D MARKET	EVERY FRIDAY AND SATURDAY	8:00 AM - 10:30 PM	AVENUE D PLAZA
HOLIDAY LIGHTS SPECTACULAR	12/2019 - 1/2020	6:00 PM - 9:00 PM	MARINA SQUARE
FRIDAY FEST	12/6	5:30 PM - 9:00 PM	MARINA SQUARE
MOVIES IN THE FORT	12/6	6:00 PM	FORT PIERCE POLICE DEPARTMENT
SIGHTS & SOUNDS PARADE	12/8	1:00 PM - 6:00 PM	DOWNTOWN FORT PIERCE
CHRISTMAS ON MOORE'S CREEK	12/14	10:00 AM - 2:00 PM	AVE D & 8th STREET
COFFEE WITH THE MAYOR	12/20	8:00 AM - 9:00 AM	FORT PIERCE YACHT CLUB



Mission Statement

To provide community leadership, quality public service, and a safe environment for all citizens, by an empowered team of employees motivated by pride in themselves and their work.

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