

## **CITY PLANNING BOARD**

### **BOARD AGENDA**

Planning Board Regular Meeting - Tuesday, January 14, 2020 - 6:00 p.m.  
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **CONSIDERATION OF ABSENCES**

5. **APPROVAL OF MINUTES**

- a. Minutes from the December 10, 2019 meeting

6. **NEW BUSINESS**

- a. Future Land Use Map Amendment - BGDN - 2152 South Jenkins Road (4 Parcels)
- b. Zoning Atlas Map Amendment - BGDN - 2152 South Jenkins Road (4 Parcels)
- c. Text Amendment - Chapter 3 and Chapter 22 - Four-Fifths Vote

7. **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 Chair, as this section of the Agenda is limited to thirty minutes. The Planning Board will not be able to take any official actions under Comments from the Public. Speakers will address the Board and the Public with respect. Inappropriate language will not be tolerated.

8. **DIRECTOR'S REPORT**

9. **BOARD COMMENTS**

10. **ADJOURNMENT**

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

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

**Planning Board**

**5. a.**

Meeting Date: 01/14/2020

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Information

REQUESTED ACTION

Minutes from the December 10, 2019 meeting

LOCATION

N/A

RESPONSIBLE STAFF

N/A

RECOMMENDATION

N/A

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Attachments

Planning Board Minutes 12.10.19

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**Form Review**

Form Started By: Alicia Rosenthal  
Final Approval Date: 12/23/2019

Started On: 12/19/2019 08:34 AM

# DRAFT



## CITY OF FORT PIERCE PLANNING BOARD

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### Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **DECEMBER 10, 2019**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: **Tim O'Connell; Bob Burdge; Gloria Johnson-Scott; Michael Broderick; Marty Sanders, Ex-Officio; Frank Creyaufmiller, Chairman**

Absent: **Patricia Diaz**

Staff Present: **Peter Sweeney, City Attorney**  
**Jennifer Hofmeister, Planning Director**  
**Brandon Creagan, Planner**  
**Vennis Gilmore, Planner**  
**Alicia Rosenthal, Executive Assistant**

4. **CONSIDERATION OF ABSENCES**

Ms. Diaz was excused.

5. **APPROVAL OF MINUTES**

- a. Minutes from the November 12, 2019 meeting

**Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the minutes from the November 12, 2019 meeting.**

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

Passed

6. **NEW BUSINESS**

a. **Planned Development - Misty Creek Preserve - 1919 South 35th Street**

This item was moved to 6c.

Mr. Creagan gave an overview of the application and he stated the project has more parking than what is required.

Lee Dobbins, applicant representative from Dean Mead Law Firm, stated they received and addressed all the traffic comments from St. Lucie County.

Chairman Creyaufmiller noted the overlap of uses with U-haul vehicles being parked on the Misty Creek property.

**Motion was made by Gloria Johnson-Scott, and seconded by Tim O'Connell To recommend APPROVAL of the proposed Zoning Atlas Map Amendment and multi-family Planned Development with the following conditions:**

- 1. A lighting plan or photometric survey shall be submitted at the time of Building Permit.**
- 2. Prior to the issuance of a building permit, all 12 parcels shall be combined via a Unity of Title with the St. Lucie County Clerk of Courts and shall be combined via a Parcel Combination with the St. Lucie County Property Appraiser's Office. A copy of the Unity of Title and Parcel Combination approvals shall be submitted with the Building Permit.**
- 3. A County Right-of-Way permit is required for all work within the County right-of-way and may include a Roadway Improvement Agreement with associated bonding.**
- 4. Sidewalks shall be constructed along the property boundary's fronting the public rights-of- way of South 35th Street and South 37th Street in accordance with County and City Codes. Options may be considered at the time of site development permitting. The applicant shall coordinate with St. Lucie County regarding sidewalks as the rights-of way are County owned.**
- 5. South 35th Street is identified on the County's Right-of-Way Protection Plan as a future 80-foot right-of-way. A dedication of one half of the remaining required right-of-way is requested in the amount of five (5) feet from the property. The applicant shall coordinate with St. Lucie County regarding this right-of-way dedication.**
- 6. South 37th Street is a local road and not on the County's Right-of-Way Protection Plan. The minimum right-of-way for a local road is 70 feet. The current width is demonstrated at 30 feet. A dedication of 20 feet from the property is required. The applicant shall coordinate with St. Lucie County regarding this right-of-way dedication.**
- 7. Submit three (3) sets of utility plans to the Fort Pierce Utilities Authority to the Water and Wastewater Engineering Division for approval at the time of Building Permit.**
- 8. Coordinate with the Fort Pierce Utilities Authority regarding all requested easements. All easements shall be in place before the first Certificate of Occupancy is granted for the site.**
- 9. A Landscape Bond pursuant to City Code 22-180 shall be required before the Final Certificate of Occupancy is approved for the site.**

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

Passed

b. **Conditional Use - Andrews Dwelling Rental - 1180 Carlton Court, Unit 102A**

This item was moved to 6a.

Mr. Gilmore gave an overview of the application and explained that a Conditional Use was previously approved in this complex for a short term rental.

Mr. Broderick questioned if the parking requirement of 1.6 parking spaces was applicable for short term rentals over 31 days. He stated this could become problematic on a 2,800 square foot home.

Ms. Hofmeister noted that parking for short term rentals needs to be examined.

Chairman Creyaufmiller stated that every unit has one assigned space and one guest space. He also mentioned that the property is well maintained.

Doug Andrews, applicant, stated he is looking to rent the 1,195 square foot unit to three people.

**Motion was made by Gloria Johnson-Scott, and seconded by Michael Broderick to recommend APPROVAL with the following six (6) conditions:**

- 1) The property manager for the dwelling rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.**
- 2) Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources, to minimize conflicts.**
- 3) The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within 30 days of Conditional Use approval.**
- 4) There shall be a limitation of no more than no two (2) vehicles at the site.**
- 5) The City of Fort Pierce Business Tax License number shall be included on all advertising.**
- 6) The maximum occupancy of the home shall ensure compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit.**

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

Passed

c. **Conditional Use - Precious Lambs - 1504 Avenue F**

This items was moved to 6b.

Mr. Creagan gave an overview of the application and answered questions from the Board.

Chairman Creyaufmiller disclosed that he did a site visit and had a lengthy discussion with the owner, Faye Owens. Chairman Creyaufmiller stated a beautiful job was done with cleaning up the property.

Takeyshia Owens, applicant, provided additional information on the the age of the infants and the number of teachers and children. Ms. Owens stressed that she wants to make life easier for working parents and she wants to educate and provide a safe and healthy environment for children.

Sarina Jackson, employee of Precious Lambs, spoke in favor of the application. Ms. Jackson

said Precious Lambs is a loving facility to work for.

Charmaine Elliot, Precious Lambs customer, spoke in favor of the application. Ms. Elliot explained that Precious Lambs is not just a babysitter, they expect a lot from the kids and they care about the kids.

Faye Owens, owner, said she started the daycare business in 1994 and the daycare has had three and four generations of families.

Mr. Broderick and Ms. Johnson Scott both complimented Precious Lambs for their service to the community and enhancing the community.

**Motion was made by Michael Broderick, and seconded by Bob Burdge to recommend APPROVAL of the request as presented with one condition.**

**1. The applicant either provide an update to the lighting proposal that was provided with the 2012 Conditional Use application or provide verification that lighting was installed with the approved building permit in accordance with City Code 22-60 (j)(1)(a). The subject verification is required prior to the issuance of the Business Tax License for the daycare.**

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

Passed

d. **Site Plan and Conditional Use - Independent Classical Charter School - 2900 South Jenkins Road**

Mr. Creagan gave an overview of the application and answered questions from the Board on the change in student population and turn lanes.

Chairman Creyaufmiller stated he did a site visit and spoke to a woman at the church regarding the application.

Mr. Sanders explained that St. Lucie County requested that the TPO do a corridor study between Midway Road and Orange Avenue to determine what improvements are needed. He stated that on new projects the county is trying to get the full right-of-way.

David Gelacia, applicant representative from KMP Engineering, explained that the school only needs K - 8 at this time with the potential option to increase to K - 12. Mr. Gelacia stated they are talking with St. Lucie County to add turn lanes and some of the egress is going to be used for the church and the school.

Board discussion ensued on the widening effort on Jenkins Road and creating a north turn lane.

**Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to recommend APPROVAL of the proposed applications with the following conditions:**

**1. The applicant shall construct off-site improvements including, but not limited to, left and right hand turn lanes into the site and any additional improvements deemed necessary by the Traffic review. All offsite improvements within the right-of-way shall be permitted and bonded through St. Lucie County.**

**2. The applicant has agreed to dedicate seven (7) feet of right-of-way along South Jenkins Road. Right-of-way shall be conveyed to the County within 90 days of the site**

**plan approval or prior to the issuance of the first building permit, whichever comes first.**  
**3. A Landscape Bond pursuant to City Code 22-180 shall be required before the Final Certificate of Occupancy is approved for the site.**

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

Passed

**7. COMMENTS FROM THE PUBLIC**

Michelle Longarzo stated that she will be present for the City Commission meeting in regard to the permit process.

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 Chair, as this section of the Agenda is limited to thirty minutes. The Planning Board will not be able to take any official actions under Comments from the Public. Speakers will address the Board and the Public with respect. Inappropriate language will not be tolerated.

**8. DIRECTOR'S REPORT**

Ms. Hofmeister handed out postcards to the Board about the upcoming Edgartown Community meeting and spoke about the Edgartown land development regulations. Ms. Hofmeister said the community meeting will be an interactive forum to discuss how the city can create a distinct area for Edgartown.

Ms. Hofmeister noted that the planning consultants will be meeting on December 11, 2019 to discuss the LDR, EAR report and master plan.

**9. BOARD COMMENTS**

Chairman Creyaufmiller requested an update on the Waiver of Distance and he questioned the wisdom of the ordinance.

Mr. Broderick suggested that site visits may be very effective for the Planning Board on large projects.

Ms. Earley introduced herself as the Assistant City Attorney.

**10. ADJOURNMENT**

**Planning Board**

**6. a.**

Meeting Date: 01/14/2020

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Information

REQUESTED ACTION

Future Land Use Map Amendment - BGDN - 2152 South Jenkins Road (4 Parcels)

LOCATION

At or Near 2152 South Jenkins Road

Parcel IDs: [2418-333-0001-000-9](#), [2418-333-0002-000-6](#), [2418-333-0003-000-3](#),  
& [2418-333-0004-000-0](#)

RESPONSIBLE STAFF

Brandon C. Creagan, LEED Green Associate, Planner

RECOMMENDATION

Approval

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Attachments

Staff Report

Application & Supporting Documents

Aerial Map

Future Land Use Map

Zoning Map

TRC Comments

TRC Comment from Applicant

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**Form Review**

Form Started By: Brandon Creagan

Started On: 01/06/2020 05:30 PM

Final Approval Date: 01/08/2020



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

**THROUGH:** Jennifer Hofmeister, AICP, LCAM, Planning Director *JAH*

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

**RE:** **Application for Future Land Use Map Amendment**  
**Application for Zoning Atlas Map Amendment**  
**BGDN, LLC - 2152 South Jenkins Road**

**BOARD DATE:** January 14, 2019

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**STAFF REPORT**

**Property Owner** BGDN, LLC  
1820 Avenue K  
Brooklyn, New York 11230

**Representative:** Dennis Murphy (Culpepper & Terpening, Inc)  
2980 South 25<sup>th</sup> Street  
Fort Pierce, Florida 34981

**Requested Action:** Approval to change the Future Land Use of four (4) parcels from Medium Density Residential (RM) to High Density Residential (RH)

Approval to Rezone four (4) parcels from Medium Density Residential (R-4) to High Density Residential (R-5)

**Site Location:** 2152 South Jenkins Road

**Parcel IDs:** 2418-333-0001-000-9  
2418-333-0002-000-6  
2418-333-0003-000-3  
2418-333-0004-000-0

**Existing Use:** Vacant

**Parcel Size:** 17.81 acres

**Current Future Land Use:** Medium Density Residential (RM)

**Current Zoning:** Medium Density Residential (R-4)

**Proposed Future Land Use:** High Density Residential (RH)

**Proposed Zoning:** High Density Residential (R-5)

**Surrounding FLU:**

**Surrounding Zoning:**

	North	East	South	West
	RM	RH	RH	GC
	R-4	C-3	R-5	C-3

**Staff Analysis:**

***Request***

In accordance with Sections 22-128, 22-131, and 22-142 of the City Code, the applicant is requesting review and approval of a Future Land Use Map Amendment from Medium Density Residential (RM) to High Density Residential (RH) with a compatible change to the Zoning Atlas (Rezoning) from Medium Density Residential (R-4) to High Density Residential (R-5) to develop the site for multi-family development.

The subject parcels were originally part of a site plan that was approved in 2006 known as Summerwind Townhomes. The development was approved for 174-unit townhomes. However, the project never commenced and has remained vacant. The applicant is seeking Future Land Use and Zoning approvals prior to submitting a formal major site development review application for a multi-family development.

***Future Land Use and Zoning Designation Comparison***

The subject site currently has a Future Land Use of Medium Density Residential (RM) for all four (4) of the parcels. The RM designation is intended for parcels that are best suited for multifamily residential uses ranging in density from 6.5 to 12 dwelling units per acre. This category allows small-lot single family units and multifamily dwellings including duplexes, condominiums, and townhomes. Limited commercial uses intended to serve the residential uses shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools, and daycare facilities shall also be allowed.

The subject site is seeking a Future Land Use of High Density Residential (RH) for four (4) parcels to be consistent with the development that will be proposed on the site. The RH designation is intended for parcels that are best suited for medium to high density multifamily residential uses ranging in density from 12 to 18 dwelling units per acre. This category allows multifamily dwellings including apartments, condominiums, and townhomes. Limited commercial uses intended to serve the residential uses shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools, and daycare facilities shall also be allowed.

Comparably, the current zoning of R-4 allows for a maximum of 10 units per acre for conventional development and 12 units per acre for innovative development. The requested zoning of R-5 would allow for a maximum number of 15 units per acre.

As the area is surrounded by land use that is either General Commercial (GC), RM, or RH, the requested high-density land use is compatible with its surrounding uses. Currently, there are no direct conflicts with the subject request. Staff has indicated that proper attention to future development in the proximity is necessary to properly plan for increased traffic and subsequent impacts to the level of service standard. To address staff's concerns, a traffic study is required of the applicant at the time of formal development review. As Jenkins Road is a St. Lucie County maintained roadway, any mitigation would be coordinated among the City, County, and the applicant.

### ***Standards for Review***

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

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

The proposed amendment is consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan. The Zoning Atlas Map Amendment promotes and protects the public health, safety, and general welfare as the request as proposed is not out of character for the area and is similar to surrounding land uses and zoning designations. The Fort Pierce Utilities Authority has confirmed the ability to meet the water use needs to the property.

With regard to traffic impacts, the St. Lucie County Transportation Planning Organization (TPO) 2018 Traffic Report demonstrations South Jenkins Road to currently be operating at a level of service (LOS) C in the immediate area. As part of the Development Review application for the subject site, a complete traffic analysis will be required identifying conditions as they exist at the time of submission and any obligatory roadway improvements.

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

All affected City and County Departments have reviewed the proposed Future Land Use Map and Zoning Atlas Map Amendments and have provided conditional approval based on compliance with requirements of the City Code and the Comprehensive Plan. The comments generated from the technical review and any responses by the applicant have been provided.

***Staff Recommendation Future Land Use Map Amendment***

The requested Application for Future Land Use Map Amendment meets the criteria specified in Section 22-131 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends that the Planning Board forward a recommendation of **APPROVAL** to the City Commission.

***Staff Recommendation Zoning Atlas Map Amendment***

The requested Application for Zoning Atlas Map Amendment meets the criteria specified in Section 22-131 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends that the Planning Board forward a recommendation of **APPROVAL** to the City Commission.

[Type here]



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



## Application for Future Land Use Map Amendment

Future Land Use Map Amendment – Large Scale (>10 acres)

Future Land Use Map Amendment – Small Scale (<10 acres)

In accordance with Chapter 163.3187, Florida Statutes, The City of Fort Pierce will consider applications for land use changes on parcels in excess of 10 acres ("Large Scale Amendments") only twice each calendar year. The City Commission will consider applications for land use changes on parcels less than or equal to 10 acres with a maximum density of 10 units per acres or less at any time during the calendar year. You are encouraged to schedule a pre-application meeting with the planning staff and to submit your application up to three months in advance of the application deadline.

### Application submission shall include the following:

- **TRC (\*Initial Submission):** One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board:** One (1) original and (13) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission:** One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

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

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

1. **Property Address/Location:** \_\_\_\_\_ t/b/d \_\_\_\_\_

2. **Property Tax ID(s):** see below \_\_\_\_\_

2418-333-0001-000-9		2418-333-0002-000-6
2418-333-0003-000-3		2418-333-0004-000-0
XXXX-XXX-XXXX-XXX-X		XXXX-XXX-XXXX-XXX-X
XXXX-XXX-XXXX-XXX-X		XXXX-XXX-XXXX-XXX-X
XXXX-XXX-XXXX-XXX-X		XXXX-XXX-XXXX-XXX-X

3. **Total Acreage:** \_\_\_\_\_ 17-81 acres (more or less) \_\_\_\_\_

4. **Existing Future Land Use Designation:** RM (Residential Medium) \_\_\_\_\_

5. **Existing Zoning Classification:** R-4 (Residential Medium Density 10 du/ac) \_\_\_\_\_

6. **Proposed FLU Classification:** RH (Residential High) \_\_\_\_\_

7. **Other applications being submitted concurrent with this application, if any:** Change in Zoning Application to the R-5 Zoning District has been filed concurrent with this application.. \_\_\_\_\_

8. **Describe the existing uses, improvements and structures on the amendment lands:** Site is vacant \_\_\_\_\_

9. **Are there any identified or possible historical structures on the amendment lands?** No \_\_\_\_\_

10. **The reason for making this request:** to change the Future Land Use classification to permit the maximum possible multi-family residential development. \_\_\_\_\_

11. **Capacity Analysis:**

I. **Site Data:**

	Existing Use	Future Land Use	Zoning
North	Vacant	RM (Residential Medium)	R4 (Residential Medium Density)
South	Education (Samuel S. Gaines Acad K-8)	P/F (Public Use)	I ( Institutional)
East	Vacant	RM (Residential Medium)	R4 (Residential Medium Density)
West	Vacant	GC (General Commercial)	C-3 (General Commercial)

	Future Land Use	Zoning Classification	Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage	Total Acreage	Flood Zone
<b>Current</b>	RM	R-4	10 du/ac	17.81	X
<b>Proposed</b>	RH	R-5	15 du/ac	17.81	X

**II. Public Facilities Information:**

<b>A. Potable Water:</b>										
Average Use	Residential	100	gallons per day per person (du x 2.6 = persons x 100 gpd = demand)							
	Other	0.125	gallons per day per square foot							
Demand Analysis	Maximum									
Current Zoning	Total gallons per day	residential	178	du	46,280	gpd				
Proposed Zoning	Total gallons per day	residential	267	du	69,460	gpd				
<b>Change in Demand</b>		<b>Total gallons per day</b>				<b>+23,140</b>	<b>gpd</b>			
<b>B. Wastewater:</b>										
Average Use	Residential	100	gallons per day per person (du x 2.6 = persons x 100 gpd = demand)							
	Other	0.100	gallons per day per square foot							
Demand Analysis	Maximum									
Current Zoning	Total gallons per day	residential	178	du	46,280	gpd				
Proposed Zoning	Total gallons per day	residential	267	du	69,460	gpd				
<b>Change in Demand</b>		<b>Total gallons per day</b>				<b>+23,140</b>	<b>gpd</b>			
<b>C. Parks and Recreation (Residential Classifications Only):</b>										
(Du x 2.6 = persons + 44,227 = population /LOS)										
Park Type	LOS Ac. (per 1000)	Existing Population Park Demand		Proposed Population Park Demand		Change in Demand				
		Population	LOS AC. Req'd.	Population	LOS AC. Req'd.	persons	added acres			
Regional	20	44,690	893.80	44,922	898.43	231.53	+4.63	Acres		
Urban District	5	44,690	223.45	44,922	224.61	231.53	+1.16	Acres		
Community	2.5	44,690	111.72	44,922	112.30	231.53	+0.58	Acres		
Neighborhood	1.36	44,690	60.78	44,922	61.09	231.53	+0.31	Acres		

**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
<b>School Name</b>	Samuel S. Gaines Academy K-8	Ft. Pierce Central
<b>City</b>	Ft. Pierce	Ft. Pierce
<b>Distance</b>	< 1 mile	5 miles
<b>Current Zoning Enrollment Demand</b>	26	11
<b>Proposed Zoning Enrollment Demand</b>	39	17
<b>Change in Demand</b>	+13	+6

**E. Solid Waste:**

2 yard serves 15 units, 4 yard serves 30 units, 6 yard serves 45 units, 8 yard serves 60 units

Demand Analysis	Maximum	
<b>Current Zoning</b>	23.7	yards
<b>Proposed Zoning</b>	35.6	yards
<b>Change in Demand</b>	+11.9	yards

**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** The project site is presently zoned for multi-family development uses with a maximum site coverage by building of up to 50% of the (MF use). If land use amendment/ rezoning to the R-5 zoning designation is approved, the maximum coverage by buildings will be no more than 45% of the project site. It may therefore be inferred that overall stormwater will be no greater in the ‘after’ condition than in the ‘before’ condition. As part of the site development review process, complete stormwater analysis will be provided based on the specific plan of development.

**G. Traffic**

Most recent ITE Code for use; HCM Roadway Capacity

Demand Analysis	area/ units	AADT		AM Peak Hour Trips		PM Peak Hour Trips			
		rate	Maximum	rate	Maximum	rate	Maximum		
<b>Current Zoning</b>	residential (220)	178		7.32	1304	0.56	100	0.67	119
<b>Proposed Zoning</b>	residential (220)267	267		7.32	1956	0.56	150	0.67	179
<b>Change in Demand</b>				+652		+50		+60	

**Impact to Capacity**

South Jenkins Road, the property street frontage, is current shown to be operating at LOS C in the immediate area (SLC TPO Traffic Reports/ Fall 2018). As part of final site plan submissions for this site a complete traffic assessment will be provided identifying conditions as they exist at that time and if any improvement/ expansion obligations are required. The subject site is subject to both City and County Transportation Impact Fees.

12. Name of Owner(s): BGDN, LLC (attn.: Murray Puderbeutel)

Mailing Address: 1820 Avenue K

City Brooklyn State NY Zip 11230

Phone # 718-871-3400 Fax No.: 718-871-6035

E-mail: [murray@parkstoneproperties.com](mailto:murray@parkstoneproperties.com)

13. Name of Applicant: BGDN, LLC (attn.: Murray Puderbeutel)

Mailing Address: 1820 Avenue K

City Brooklyn State NY Zip 11230

Phone # 718-871-3400 Fax No.: 718-871-6035

E-mail: [murray@parkstoneproperties.com](mailto:murray@parkstoneproperties.com)

14. Name of Representative: Culpepper & Terpening, Inc. (attn: D. Murphy)

Mailing Address: 2980 South 25<sup>th</sup> Street

City Ft. Pierce State Fl Zip 34981

Phone # 772-464-3537 Fax No.: 772-464-9497

E-mail: [dmurphy@ct-eng.com](mailto:dmurphy@ct-eng.com)

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

I certify that: (Check One)

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

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

  
Applicants Signature

11/01/19  
Date

2980 South 25<sup>th</sup> Street, Ft. Pierce  
Address

Fla 34981  
State Zip

772-464-3537 772-464-9497  
Phone Fax

dmurphy@ct-eng.com  
E-mail

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

MURRAY PUDERBENTEL 917-208-8343

Property Owner's Name (Please Print)

Phone

1820 AVE K, BROOKLYN, NY 11230

Address

State

Zip

[Signature]

11/5/2019

Property Owner's Signature

Date

New York  
STATE OF FLORIDA)  
~~ST LUCIE COUNTY)~~  
Kings

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of NOVEMBER, 20 19, by Murray Puderbentel who is personally known to me or has produced NYS DR. L.I.C. as identification.

[Signature]

Signature of Notary

SVETLANA ROTH  
Notary Public, State of New York  
No. 01RO6222656  
Qualified in Kings County  
Commission Expires 5/24/2022  
(seal)

OFFICE USE:		
DATE RECEIVED: _____	Signed: _____	
File Number: _____	Check No: _____	Receipt No: _____
TRC Review: _____	Planning Board Review: _____	City Commission: _____

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY  
FILE # 3593866 OR BOOK 3295 PAGE 459, Recorded 05/19/2011 at 11:50 AM  
Doc Tax: \$700.00

IN THE CIRCUIT COURT, 19th JUDICIAL  
CIRCUIT, IN AND FOR ST. LUCIE,  
COUNTY, FLORIDA

CASE NO.: 07-CA-002997  
DIVISION: Bryan

BDGN, LLC,  
a New York limited liability company,

Plaintiff,

vs.

GROUP THREE DEVELOPMENT, LLC,  
a Florida limited liability company;  
KEVIN McCOY, an individual;  
LISA McCOY, an individual;  
KEITH McCOY, an individual;  
CARLA McCOY, an individual; and  
JOHN S. McCOY, an individual;

Defendants.

2011 MAY 16 PM 4: 12  
CLERK OF CIRCUIT COURT

**CERTIFICATE OF TITLE**

The undersigned Clerk of the Court certifies that he executed and filed a Certificate of Sale in this action on May 3, 2011 for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections. The following parcels in St. Lucie County, Florida:

**I. The North 1/2 of the North 1/2 of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 18, Township 35 South, Range 40 East, less the West 40 feet for road right of way purposes, all lying in St. Lucie County, Florida.**

**(Folio #2418-333-0001-000/9)  
a/k/a 2144 South Jenkins Road, Ft. Pierce, Florida**

**II. The South 1/2 of the North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 18, Township 35 South, Range 40 East, St. Lucie County, Florida. Less the West 40 feet thereof.**

(Folio #2418-333-0002-000/6)  
a/k/a 2152 South Jenkins Road, Ft. Pierce, Florida

**III. Parcel 1:**

From the Southwest corner of Section 18, Township 35 South, Range 40 East, run Northerly along the West line of said Section 104.83 feet to a point of beginning; from said point of beginning continue Northerly along said section line a distance of 132 feet to a point; thence with an angle of 90° run East 25 feet to a pipe; thence continue East 100 feet to a pipe; thence at 90° run South 132 feet to a pipe; thence at 90° run Westerly 100 feet to a stove bolt in Drive; thence continue Westerly 25 feet to a point of beginning; excepting therefrom all rights of way for public roads. Said land lying in and being a part of St. Lucie County, Florida.

(Folio #2418-333-0003-000/3)

**Parcel 2:**

All of the South ½ of the South ½ of Southwest ¼ of the Southwest ¼ of Section 18, Township 35 South, Range 40 East, excepting therefrom all rights of way for public roads and drainage canals, and also, less and excepting that part thereof particularly described as follows: From the Southwest corner of said section, township and range run Northerly along the West line of said Section 104.83 feet to a point of beginning; from said point of beginning continue Northerly along said section line a distance of 132 feet to a point; thence with an angle of 90° run East 25 feet to a pipe; thence continue East 100 feet to a pipe; thence at 90° run South 132 feet to a pipe; thence at 90° run Westerly 100 feet to a stove bolt in Drive; thence continue Westerly 25 feet to a point of beginning.

(Folio #2418-333-0004-000/0)

were sold to the Plaintiff, BDGN, LLC, whose address is c/o Jonathan S. Feldman, Esq., 200 South Biscayne Boulevard, Suite 3000, Miami, Florida 33131.

WITNESS MY HAND AND THE SEAL OF THIS COURT on May 16, 2011.

Joseph E. Smith  
Clerk of the Circuit Court

By: [Signature]  
As Deputy Clerk



JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY  
FILE # 3624394 OR BOOK 3320 PAGE 2396, Recorded 08/31/2011 at 03:27 PM

IN THE CIRCUIT COURT, 19th JUDICIAL  
CIRCUIT, IN AND FOR ST. LUCIE,  
COUNTY, FLORIDA

CASE NO.: 07-CA-002997  
DIVISION: Bryan

BDGN, LLC,  
a New York limited liability company,

Plaintiff,

vs.

GROUP THREE DEVELOPMENT, LLC,  
a Florida limited liability company;  
KEVIN McCOY, an individual;  
LISA McCOY, an individual;  
KEITH McCOY, an individual;  
CARLA McCOY, an individual; and  
JOHN S. McCOY, an individual;

Defendants.

2011 AUG 19 PM 12:48  
St. Lucie County  
CLERK OF CIRCUIT COURT

*This Amended Certificate of Title is being filed to correct scrivener's error in Legal Description and Plaintiff's name which was incorrectly referenced in that certain Certificate of Title filed on May 19, 2011 in OR Book 3295, page 459 in the Public Records of St. Lucie County, Florida.*

**AMENDED CERTIFICATE OF TITLE**

*Original recorded in OR Book 3295 PG 459*

The undersigned Clerk of the Court certifies that he executed and filed a Certificate of Sale in this action on May 10, 2011 for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections. The following parcels in St. Lucie County, Florida:

- I. **The North ½ of the North ½ of the South ½ of the Southwest ¼ of the Southwest ¼ of Section 18, Township 35 South, Range 40 East, less the West 60 feet for road right of way purposes, all lying in St. Lucie County, Florida.**

**(Folio #2418-333-0001-000/9)  
a/k/a 2144 South Jenkins Road, Ft. Pierce, Florida**

II. The South 1/2 of the North 1/2 of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 18, Township 35 South, Range 40 East, St. Lucie County, Florida. Less the West 60 feet thereof.

(Folio #2418-333-0002-000/6)  
a/k/a 2152 South Jenkins Road, Ft. Pierce, Florida

III. Parcel 1:  
From the Southwest corner of Section 18, Township 35 South, Range 40 East, run Northerly along the West line of said Section 104.83 feet to a point of beginning; from said point of beginning continue Northerly along said section line a distance of 132 feet to a point; thence with an angle of 90° run East 25 feet to a pipe; thence continue East 100 feet to a pipe; thence at 90° run South 132 feet to a pipe; thence at 90° run Westerly 100 feet to a stove bolt in Drive; thence continue Westerly 25 feet to a point of beginning; excepting therefrom all rights of way for public roads. Said land lying in and being a part of St. Lucie County, Florida.

(Folio #2418-333-0003-000/3)

Parcel 2:  
All of the South 1/2 of the South 1/2 of Southwest 1/4 of the Southwest 1/4 of Section 18, Township 35 South, Range 40 East, excepting therefrom all rights of way for public roads and drainage canals, and also, less and excepting that part thereof particularly described as follows: From the Southwest corner of said section, township and range run Northerly along the West line of said Section 104.83 feet to a point of beginning; from said point of beginning continue Northerly along said section line a distance of 132 feet to a point; thence with an angle of 90° run East 25 feet to a pipe; thence continue East 100 feet to a pipe; thence at 90° run South 132 feet to a pipe; thence at 90° run Westerly 100 feet to a stove bolt in Drive; thence continue Westerly 25 feet to a point of beginning.

(Folio #2418-333-0004-000/0)

were sold to the Plaintiff, BGDN, LLC, whose address is c/o Jonathan S. Feldman, Esq., 200 South Biscayne Boulevard, Suite 3000, Miami, Florida 33131.

WITNESS MY HAND AND THE SEAL OF THIS COURT on August 19, 2011.



Joseph E. Smith  
Clerk of the Circuit Court

By:   
As Deputy Clerk

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: 2144 S Parcel ID: 2418-333-0001- Account #: 27286 Sec/Town/Range:  
 JENKINS RD 000-9 18/35S/40E  
 Map ID: 24/18S Zoning: Medium Den Use Type: 0000 Jurisdiction: Fort Pierce

**Ownership**

BGDN LLC  
 1820 Avenue K  
 Brooklyn, NY 11230

**Legal Description**

18 35 40 N 1/2 OF N 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4-  
 LESS W 60 FT FOR RD R/W- (4.73 AC) (OR 3295-459: 3320-  
 2396)

**Current Values**

Just/Market: \$147,600 Assessed: \$88,112  
 Exemptions: \$0 Taxable: \$88,112

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2019	\$147,600	\$88,112	\$0	\$88,112
2018	\$147,600	\$80,102	\$0	\$80,102
2017	\$104,500	\$72,820	\$0	\$72,820

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-19-2011	3320 / 2396 3320 / 2396	0311	CT	BDGN LLC	\$0
05-16-2011	3295 / 0459 3295 / 0459	0311	CT	Group Three Development LLC	\$100,000
09-05-2006	2678 / 1940 2678 / 1940	XX02	WD	Holtkamp Rose M	\$850,000

**Primary Building Information**

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

Exterior Data	
View:	Roof Cover: Roof Structure: Building Type:
Year Built: N/A	Frame: Grade: Effective Year: N/A
Primary Wall:	Story Height: No. Units: 0 Secondary Wall:
Interior Data	
Bedrooms: 0	A/C %: 0% Electric: Primary Int Wall:
Full Baths: 0	Heated %: N/A% Heat Type: Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: 0% Heat Fuel: Primary Floors:

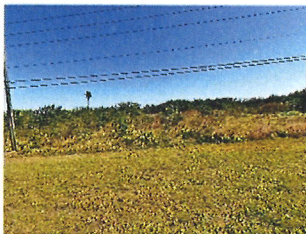


Image  
 or  
 Sketch  
 unavailable  
 for display

**Total Areas**

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	4.73
Land Size (SF):	206,039
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
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Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: 2152 S JENKINS RD Map ID: 24/18S Parcel ID: 2418-333-0002-000-6 Zoning: Medium Den Account #: 27287 Use Type: 0000 Sec/Town/Range: 18/35S/40E Jurisdiction: Fort Pierce

**Ownership**

BGDN LLC  
1820 Avenue K  
Brooklyn, NY 11230

**Legal Description**

18 35 40 S 1/2 OF N 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4-LESS W 60 FT FOR RD R/W- (4.73 AC)(OR 3295-459: 3320-2396)

**Current Values**

Just/Market: \$147,600 Assessed: \$88,112 Exemptions: \$0 Taxable: \$88,112

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2019	\$147,600	\$88,112	\$0	\$88,112
2018	\$147,600	\$80,102	\$0	\$80,102
2017	\$104,500	\$72,820	\$0	\$72,820

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-19-2011	3320 / 2396	0311	CT	BDGN LLC	\$0
05-16-2011	3295 / 0459	0311	CT	Group Three Development LLC	\$100,000
08-22-2006	2645 / 1725	XX00	WD	Marcelin Claudine	\$825,000

**Primary Building Information**

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

**Exterior Data**

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

**Interior Data**

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

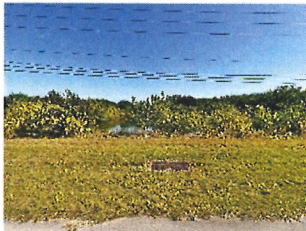


Image or sketch unavailable for display

**Total Areas**

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	4.73
Land Size (SF):	206,039
Total Building Count:	1

**Special Features and Yard Items**

Type Qty Units Year Blt

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: S JENKINS RD  
 Map ID: 24/18S  
 Parcel ID: 2418-333-0003-000-3  
 Zoning: Medium Den  
 Account #: 27288  
 Use Type: 0000  
 Sec/Town/Range: 18/35S/40E  
 Jurisdiction: Fort Pierce

**Ownership**

BGDN LLC  
 1820 Avenue K  
 Brooklyn, NY 11230

**Legal Description**

18 35 40 S 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4-LESS W 60 FT FOR RD R/W AND LESS N 132 FT OF S 194.33 FT OF W 85 FT- (8.15 AC)(OR 3295-459: 3320-2396)

**Current Values**

Just/Market: \$206,100  
 Exemptions: \$0

Assessed: \$151,867  
 Taxable: \$151,867

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2019	\$206,100	\$151,867	\$0	\$151,867
2018	\$206,100	\$138,061	\$0	\$138,061
2017	\$146,000	\$125,510	\$0	\$125,510

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-19-2011	3320 / 2396	0311	CT	BGDN LLC	\$0
05-16-2011	3295 / 0457	0311	CT	Group Three Development LLC	\$100,000
08-01-2006	2678 / 1763	XX02	WD	Nelson-York Patsy	\$863,000

**Primary Building Information**

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

View:  
 Year Built: N/A  
 Primary Wall:

Roof Cover:  
 Frame:  
 Story Height:

**Exterior Data**

Roof Structure:  
 Grade:  
 No. Units: 0

Building Type:  
 Effective Year: N/A  
 Secondary Wall:

Bedrooms: 0  
 Full Baths: 0  
 Half Baths: 0

A/C %: 0%  
 Heated %: N/A%  
 Sprinkled %: 0%

**Interior Data**

Electric:  
 Heat Type:  
 Heat Fuel:

Primary Int Wall:  
 Avg Hgt/Floor: 0  
 Primary Floors:



Image of Sketch unavailable for display

**Total Areas**

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	8.15
Land Size (SF):	355,014
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
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Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: 2190 S Jenkins Parcel ID: 2418-333-0004- Account #: 135903 Sec/Town/Range:  
 RD 000-0 18/35S/40E  
 Map ID: 24/18S Zoning: Medium Den Use Type: 0000 Jurisdiction: Fort Pierce

**Ownership**

BGDN LLC  
 1820 Avenue K  
 Brooklyn, NY 11230

**Legal Description**

18 35 40 FROM SW COR OF SD SEC RUN NLY ALG W LI OF SD SEC 104.68 FT TO POB,TH CONT NLY ALGSD W LI 132 FT,TH E 125 FT,TH S 132 FT,TH WLY 125 FT-LESS 60 FT FOR RD R/W- (0.20 AC)(OR 3295-459: 3320-2396)

**Current Values**

Just/Market: \$10,500 Assessed: \$5,324  
 Exemptions: \$0 Taxable: \$5,324

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2019	\$10,500	\$5,324	\$0	\$5,324
2018	\$10,500	\$4,840	\$0	\$4,840
2017	\$4,400	\$4,400	\$0	\$4,400

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-19-2011	3320 / 2396	0311	CT	BDGN LLC	\$0
05-16-2011	3295 / 0459	0311	CT	Group Three Development LLC	\$100,000
08-01-2006	2678 / 1763	XX02	WD	Nelson-York Patsy	\$863,000

**Primary Building Information**

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

**Exterior Data**

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

**Interior Data**

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



Image or sketch unavailable for display

**Total Areas**

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	0.2
Land Size (SF):	8,580
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
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# Saint Lucie County Property Appraiser



November 4, 2019

1:4,514  
37 S

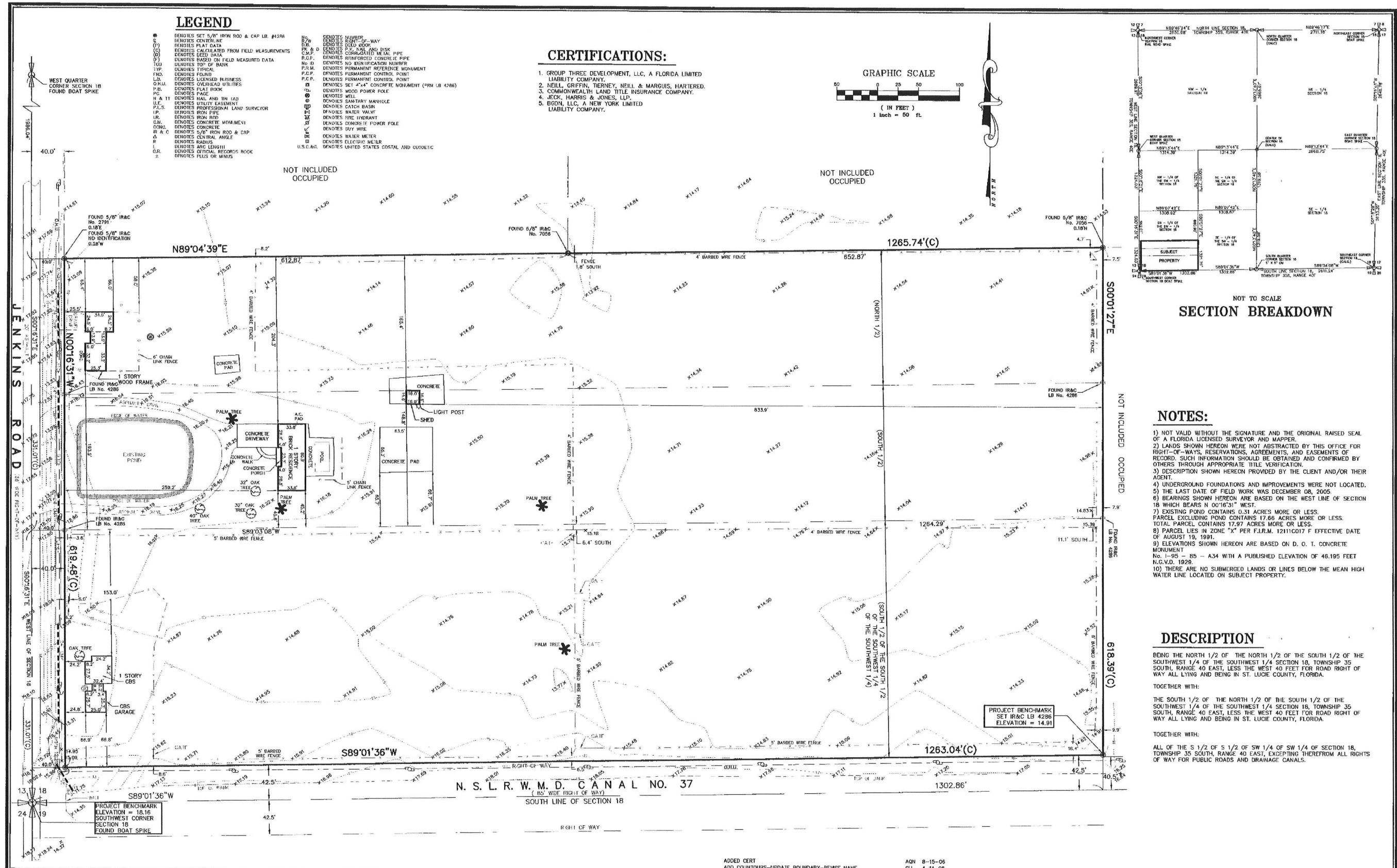
0 187.5 375 750 ft

0 55 110 220 m

Source: Cai, HERS, Gamin, USGS, Hanning, FORSMAN P, NRCAN,  
Cai Jagan, MCT, Cai Chen (Hong Kong), Cai Naixi, Cai (Holland),

# SITE SURVEY

SEE ATTACHED



*Michael T. Owen*  
 MICHAEL T. OWEN, P.S.M. FLORIDA CERTIFICATE NO. 5556

*B-152006*  
 SIGNATURE DATE

COMPUTER FILE REF.	FIELD BK./PG.
05-121.MAP2	



CONSULTING ENGINEERS & LAND SURVEYORS  
 2980 SOUTH 25th STREET  
 FORT PIERCE, FLORIDA 34981  
 (772)-464-3537

ADDED CERT  
 ADD COUNTOURS-UPDATE BOUNDARY-REVISE NAME  
 AGN 8-15-06  
 GLL 4-11-06

- REVISIONS -		BY	DATE
UPDATED NOTES AND RESCALE SURVEY	R.D.	3-27-06	
UPDATED ACREAGE AND ADD CERTIFICATIONS	R.D.	3-13-06	
UPDATED BOUNDARY SURVEY	R.D.	1-11-06	
UPDATED TREE SURVEY	R.D.	1-10-06	
ADD TOPOGRAPHIC SURVEY AND TREES	R.D.	12-9-05	
UPDATED BOUNDARY SURVEY	R.D.	12-8-05	

FIELD	BY	DATE
CALCS.	P.K.	7-15-05
DRAWN	R.D.	8-4-05
DETAILED		
CHECKED		
APPROVED		

**BOUNDARY & TOPOGRAPHIC SURVEY**  
 PREPARED FOR:  
**SUMMERWIND TOWNHOMES AT FORT PIERCE**

DATE: 08-04-2005  
 HORIZ. SCALE: 1" = 50'  
 VERT. SCALE: N/A  
 JOB No. 05-121  
 SHEET 1 of 1

END OF DOCUMENT



CULPEPPER & TERPENING, INC.

CONSULTING ENGINEERS | LAND SURVEYORS

File Number: 19-239

Writers E-Mail: [dmurphy@CT-Eng.Com](mailto:dmurphy@CT-Eng.Com)

November 11, 2019

Ms. Jennifer Hofmeister, AICP, LCAM  
City of Ft. Pierce Planning Director  
City of Ft. Pierce  
100 North Us #1  
Ft. Pierce, Florida 34950

Subject: Application for Change in Future Land Use & Zoning/ BGDN LLC Property (South Jenkins Road)

Dear Ms. Hofmeister:

On behalf of our client BGDN LLC, enclosed please find our applications for Change in Future Land Use and Zoning for certain property located along the east side of South Jenkins Road, approximately ¼ mile south of Graham Road. The petition site is currently classified by the City with a RM (Residential Medium Density) Future Land Use classification and an R-4 (Residential, Medium Density) Zoning District designation. Through this application, we are requesting a Change in the Future Land Use classification to the RH (Residential High) District and a Change in Zoning to the R-5 (Residential High Density) Zoning District.

The net effect of this requested Change in Land Use and Zoning will be the addition of 90 dwelling units, if the property were to be developed to its maximum potential (assuming no density bonus credits). It is the intention of our client to develop this property in a multi-family manner, similar to the existing Treasure Cay Apartments, located approximately 600 feet south of the petitioned property and the Sabal Chase Apartments, located adjacent to the sites eastern property line, both of which have equivalent densities to what our client is requesting. In addition to these two, like type, existing apartment communities, the City recently granted zoning approvals to St. Lucie County for the development of a new multi-family family development site, consistent with the City's High Density development standards, on the property just to the southeast of the petition site. Based on our proximity to, and contiguity with, these adjacent parcels, we believe that the proposed amendment of the Petition Property is consistent with the surrounding land uses classification and uses.

In addition to the consistency of this petitions density request with the adjacent properties to the south and east, there is an approved General Commercial development tract located opposite the petitioned property that will house a commercial RV Sales and Service Center along with a national, outdoor 'big box' retailer. Properties to the north of the petition site are being developed at a medium density development pattern with a mix of single family and townhome uses. Again, based on our proximity to these other high intensity uses, we believe that the proposed amendment of the Petition Property is consistent with the surrounding land uses classification and uses.

Subject: Application for Change in Future Land Use & Zoning/  
BGDN LLC Property (South Jenkins Road)

Specific traffic impacts from any proposed development activity on this property will be addressed in detail as part of the City's Site Plan review processes. However, for purposes of Comprehensive Plan Amendment Reviews, we have conducted a limited LOS assessment of the areas roadway network with the objective of identify if there are any minimum LOS issues of concern that need to be identified. Based on that review, all roads in this area are shown, according to the St. Lucie TPO traffic summaries, to be operating at or above any minimum require Level of Service. Applying the net difference in Land Use density on this site to the area under review, we have concluded that we are still within acceptable LOS standards. As noted, specific operational improvements, if any are required, will be addressed as part of the site plan review processes that follow the Land Use and Zoning amendments.

The petitioned site is presently vacant lands. Prior uses of the property were agriculture in nature, however, the site has not been under any type of active cultivation for some years. Much of the site is presently covered with invasive pepper trees or grasses. There are no known wetlands on the site. There are no known or reported archeologic features on the site. As part of any final site plan for the project site, full environmental assessment reports consistent with the requirements for the City of Ft. Pierce will be provided.

Utility services are available to the site through the Ft. Pierce Utility Authority (FPUA). There are no known service limitations that would negatively affect the development of this property. Final service commitments will be coordinated with the FPUA as part of the site plan review processes that follow these Land Use and Zoning amendments.

In summary, it is our belief that the requested change in Future Land Use and Zoning is consistent with the adopted Ft. Pierce Comprehensive Plan. The proposed changes in density is consistent with surrounding Land Use/Zoning classifications. The proposed changes in density do not exceed any adopted Level of Service standards that we have been made aware of, and therefore on behalf of our clients, BGDN, LLC, we respectfully request that the City commence the public hearing processes for the review of these petitions for change in Future Land Use and Zoning.

As part of this submission, we are enclosing the required application fee of \$7,500 (client check number 101) addressing this application for change in Future Land Use and Zoning. The fees due break down as follows: Land Use – base fee \$3,960 with the per acre fee of \$40/acre (\$712.50) for a total of \$4,672.50 and; Zoning – base fee of \$2,115 with a per acre fee of \$40/acre (\$712.50) for a total of \$2,827.50.

If there are in questions in the review of this material, or if you need anything additional to facilitate this review, please do not hesitate to let us know.

Sincerely;

**CULEPPER & TERPENING, INC.**

  
Dennis J. Murphy  
Principal Planner

DJM  
enclosure  
p:19-232\_corrrespond\ftp - planning\19-232\_191111\_ftp plan 001, rezone and flu transmittal\_191111.docx



**LEGAL DESCRIPTION  
DGDN , LLC PROPERTY**

**Parcel ID Numbers:**

2418-333-0001-000-9

2418-333-0002-000-6

2418-333-0003-000-3

2418-333-0004-000-0

**Acres:**

**17.81 (more or less)**

**Description:**

**BEING THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS THE WEST 60 FEET FOR ROAD RIGHT OF WAY ALL LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.**

**TOGETHER WITH:**

**THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS THE WEST 60 FEET FOR ROAD RIGHT OF WAY ALL LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.**

**TOGETHER WITH:**

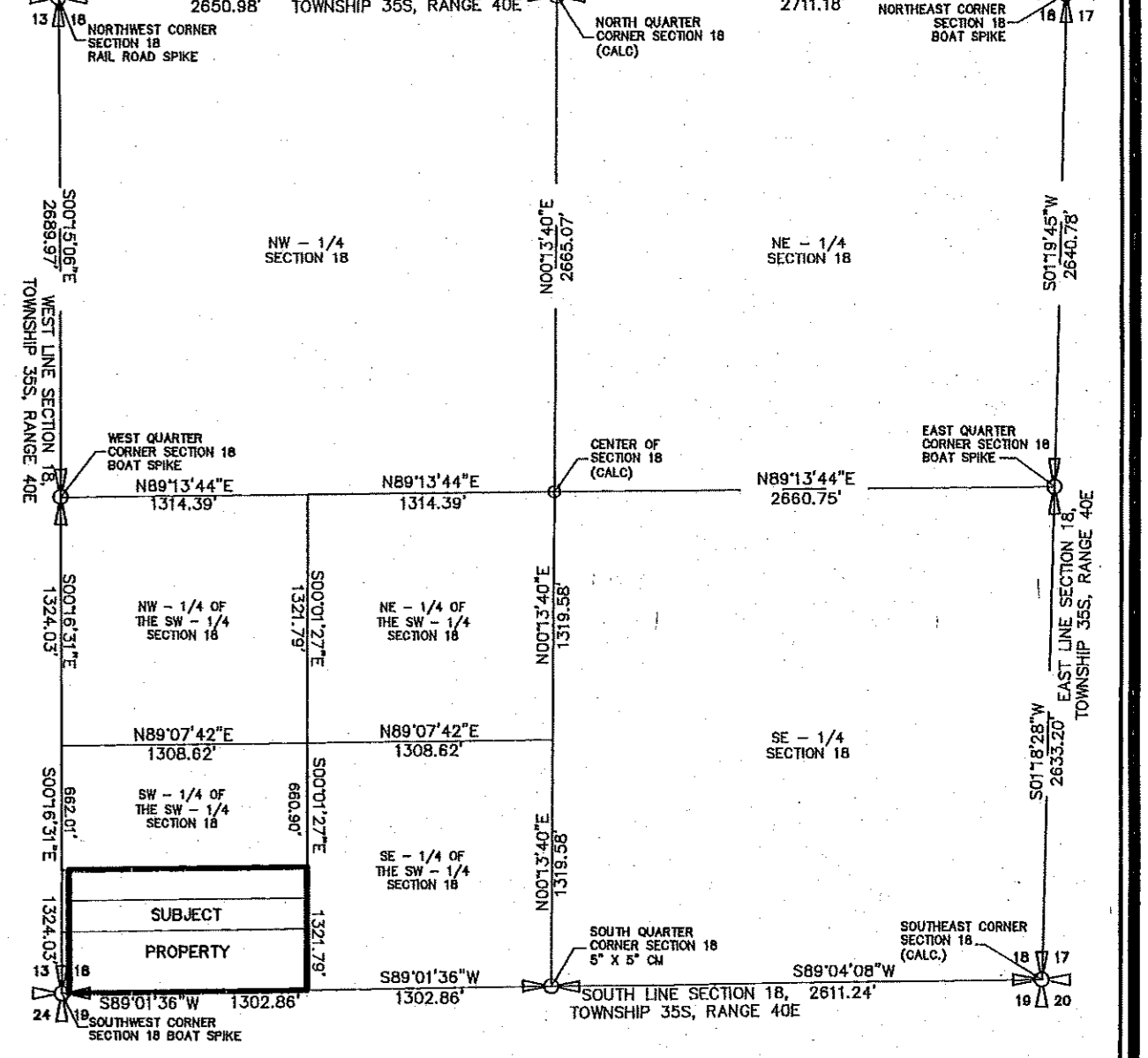
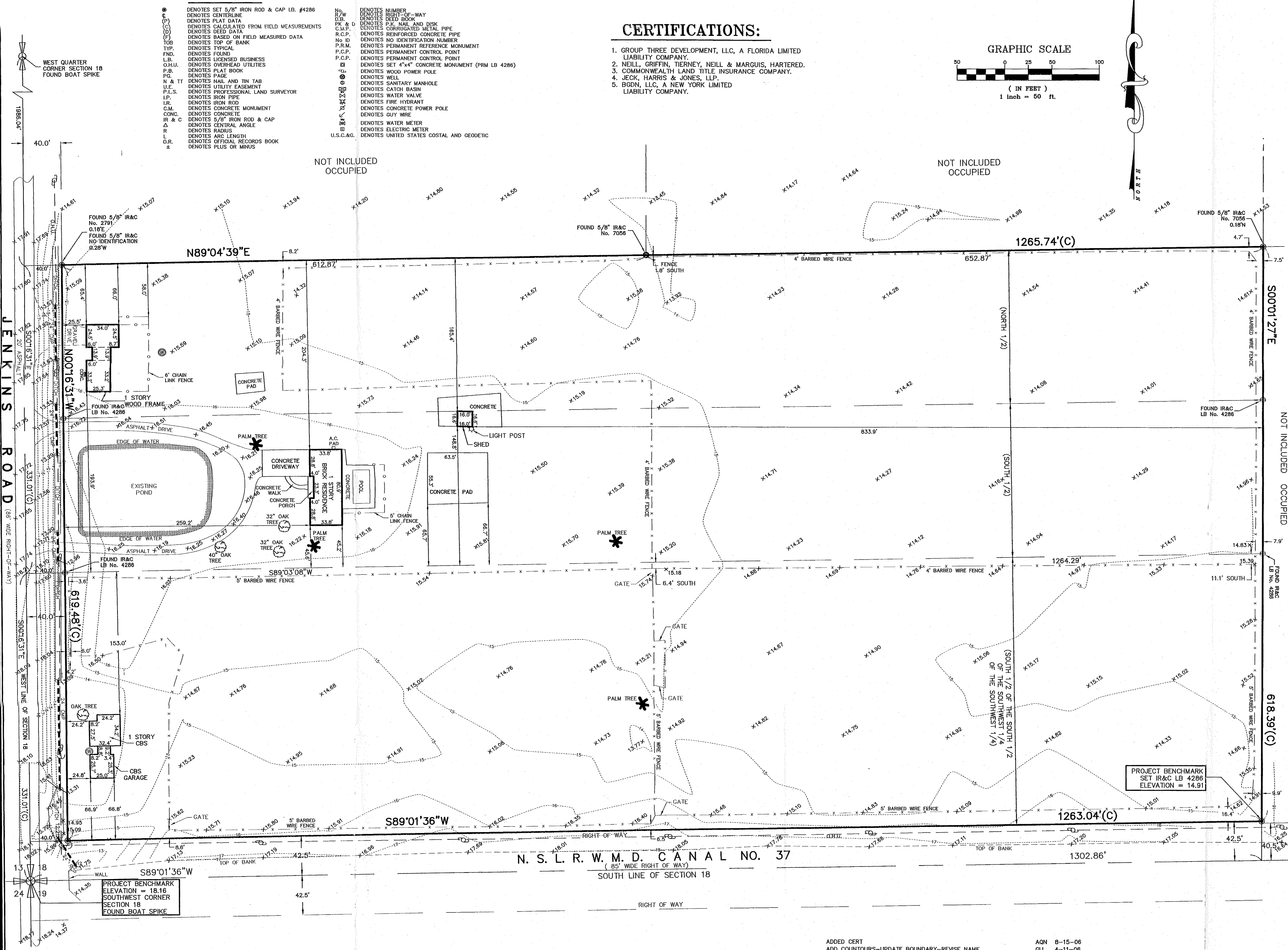
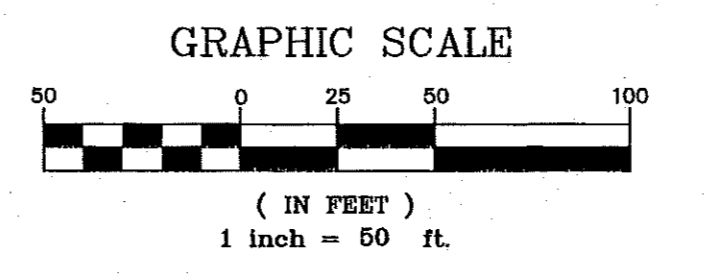
**ALL OF THE S 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4 OF SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST, EXCEPTING THEREFROM ALL RIGHTS OF WAY FOR PUBLIC ROADS AND DRAINAGE CANALS.**

**LEGEND**

- DENOTES SET 5/8" IRON ROD & CAP LB. #4286
- DENOTES CENTERLINE
- DENOTES PLAT DATA
- DENOTES CALCULATED FROM FIELD MEASUREMENTS
- DENOTES DEED DATA
- DENOTES BASED ON FIELD MEASURED DATA
- DENOTES TOP OF BANK
- DENOTES TYPICAL
- DENOTES FOUND
- DENOTES LICENSED BUSINESS
- DENOTES OVERHEAD UTILITIES
- DENOTES PLAT BOOK
- DENOTES MAIL AND TIN TAB
- DENOTES UTILITY EASEMENT
- DENOTES PROFESSIONAL LAND SURVEYOR
- DENOTES IRON PIPE
- DENOTES IRON ROD
- DENOTES CONCRETE MONUMENT
- DENOTES CONCRETE
- DENOTES 5/8" IRON ROD & CAP
- DENOTES CENTRAL ANGLE
- DENOTES RADIUS
- DENOTES ARC LENGTH
- DENOTES OFFICIAL RECORDS BOOK
- DENOTES PLUS OR MINUS
- DENOTES NUMBER
- DENOTES RIGHT-OF-WAY
- DENOTES DEED BOOK
- DENOTES P.K. NAIL AND DISK
- DENOTES CORRUGATED METAL PIPE
- DENOTES REINFORCED CONCRETE PIPE
- DENOTES NO IDENTIFICATION NUMBER
- DENOTES PERMANENT REFERENCE MONUMENT
- DENOTES PERMANENT CONTROL POINT
- DENOTES PERMANENT CONTROL POINT
- DENOTES SET 4"x4" CONCRETE MONUMENT (PRM LB 4286)
- DENOTES WOOD POWER POLE
- DENOTES WELL
- DENOTES SANITARY MANHOLE
- DENOTES CATCH BASIN
- DENOTES WATER VALVE
- DENOTES FIRE HYDRANT
- DENOTES CONCRETE POWER POLE
- DENOTES GUY WIRE
- DENOTES WATER METER
- DENOTES ELECTRIC METER
- DENOTES UNITED STATES COSTAL AND GEODETIC
- DENOTES U.S.C.&G.

**CERTIFICATIONS:**

1. GROUP THREE DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY.
2. NEILL, GRIFFIN, TIERNEY, NEILL & MARGUIS, HARTERED.
3. COMMONWEALTH LAND TITLE INSURANCE COMPANY.
4. JECK, HARRIS & JONES, LLP.
5. BGDN, LLC, A NEW YORK LIMITED LIABILITY COMPANY.



NOT TO SCALE  
**SECTION BREAKDOWN**

**NOTES:**

- 1) NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 2) LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS OFFICE FOR RIGHT-OF-WAYS, RESERVATIONS, AGREEMENTS, AND EASEMENTS OF RECORD. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION.
- 3) DESCRIPTION SHOWN HEREON PROVIDED BY THE CLIENT AND/OR THEIR AGENT.
- 4) UNDERGROUND FOUNDATIONS AND IMPROVEMENTS WERE NOT LOCATED.
- 5) THE LAST DATE OF FIELD WORK WAS DECEMBER 08, 2005.
- 6) BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF SECTION 18 WHICH BEARS N 00°16'31" WEST.
- 7) EXISTING POND CONTAINS 0.31 ACRES MORE OR LESS.
- 8) PARCEL EXCLUDING POND CONTAINS 17.66 ACRES MORE OR LESS. TOTAL PARCEL CONTAINS 17.97 ACRES MORE OR LESS.
- 9) PARCEL LIES IN ZONE "X" PER F.I.R.M. 12111C017 F EFFECTIVE DATE OF AUGUST 19, 1991.
- 10) ELEVATIONS SHOWN HEREON ARE BASED ON D. O. T. CONCRETE MONUMENT No. 1-95 - 85 - A34 WITH A PUBLISHED ELEVATION OF 46.195 FEET N.G.V.D. 1929.
- 11) THERE ARE NO SUBMERGED LANDS OR LINES BELOW THE MEAN HIGH WATER LINE LOCATED ON SUBJECT PROPERTY.

**DESCRIPTION**

BEING THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS THE WEST 40 FEET FOR ROAD RIGHT OF WAY ALL LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

TOGETHER WITH:

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS THE WEST 40 FEET FOR ROAD RIGHT OF WAY ALL LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

TOGETHER WITH:

ALL OF THE S 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4 OF SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST, EXCEPTING THEREFROM ALL RIGHTS OF WAY FOR PUBLIC ROADS AND DRAINAGE CANALS.

**N. S. L. R. W. M. D. CANAL NO. 37**  
(85' WIDE RIGHT OF WAY)  
SOUTH LINE OF SECTION 18

*Michael T. Owen*  
MICHAEL T. OWEN, P.S.M. FLORIDA CERTIFICATE NO. 5558

*B. 152006*  
SIGNATURE DATE

COMPUTER FILE REF.	FIELD BK./PG.
05-121.MAP2	

**CULPEPPER & TERPENING, INC.**  
CERTIFICATION No. LB 4286

CONSULTING ENGINEERS & LAND SURVEYORS  
2980 SOUTH 25th STREET  
FORT PIERCE, FLORIDA 34981  
(772)-484-3537

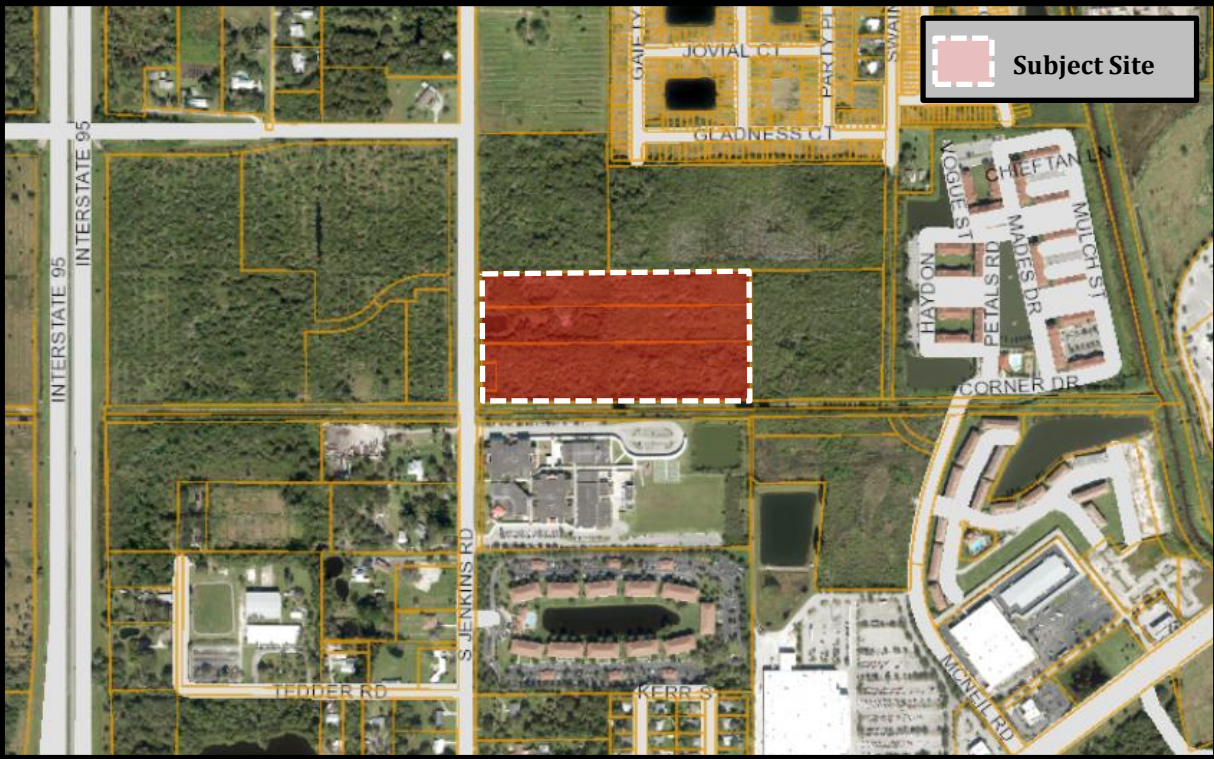
ADDED CERT  
ADD COUNTOURS-UPDATE BOUNDARY-REVISE NAME  
AGN 8-15-06  
GLL 4-11-06


- REVISIONS -		BY	DATE
UPDATED NOTES AND RESCALE SURVEY	R.D.	J	3-27-06
UPDATED ACREAGE AND ADD CERTIFICATIONS	R.D.	J	3-13-06
UPDATED BOUNDARY SURVEY	R.D.	J	1-11-06
UPDATED TREE SURVEY	R.D.	J	1-10-06
ADD TOPOGRAPHIC SURVEY AND TREES	R.D.	J	12-9-05
UPDATED BOUNDARY SURVEY	R.D.	J	12-9-05

FIELD	BY	DATE
CALCS.	P.K.	7-15-05
DRAWN	R.D.	8-4-05
DETAILED		
CHECKED		
APPROVED		

**BOUNDARY & TOPOGRAPHIC SURVEY**  
PREPARED FOR:  
**SUMMERWIND TOWNHOMES AT FORT PIERCE**

DATE: 08-04-2005  
HORIZ. SCALE: 1" = 50'  
VERT. SCALE: N/A  
JOB No. 05-121  
SHEET 1 OF 1

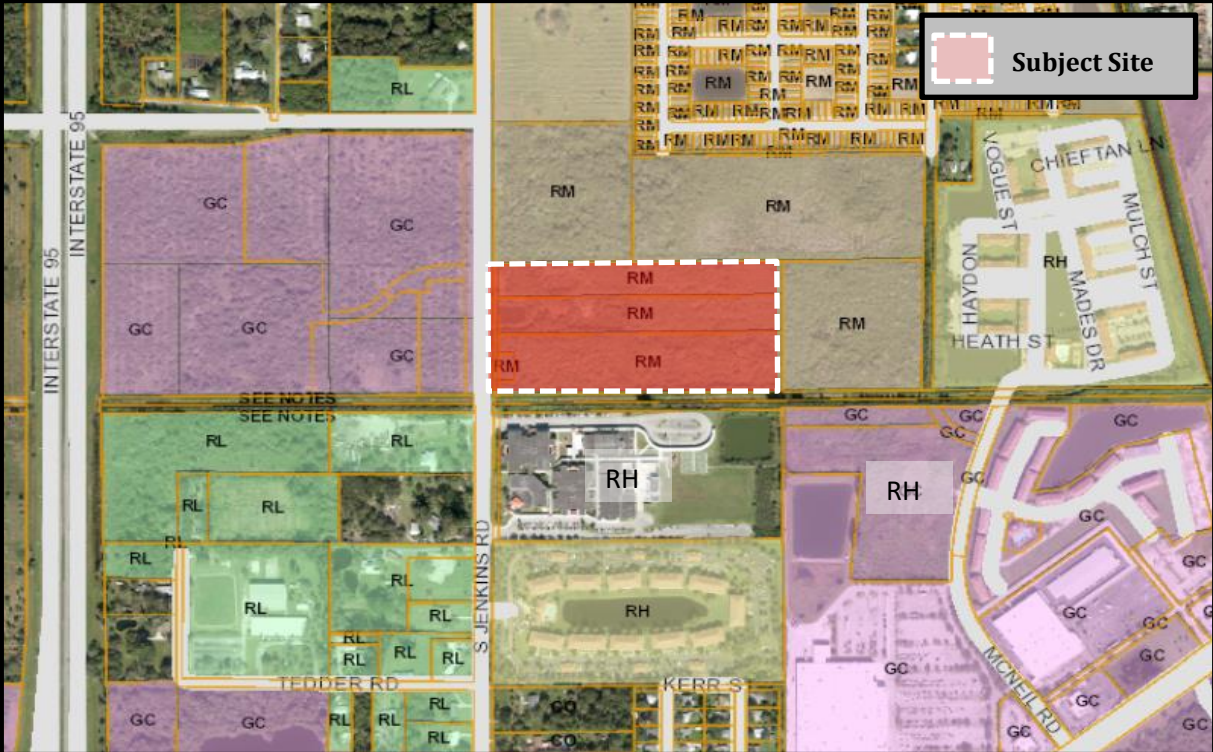



 Subject Site



**Zoning and Future Land Use Map Amendments**  
**2152 South Jenkins Road**  
**Aerial Map**






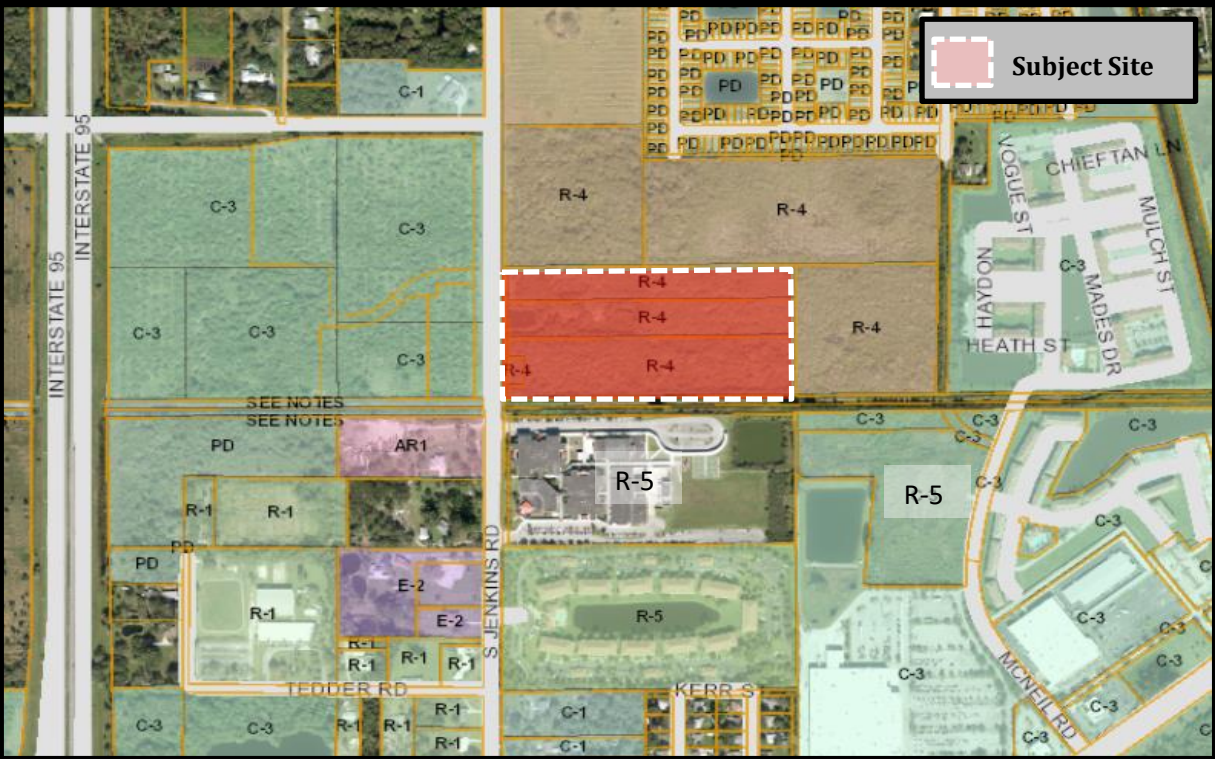
 Subject Site



**Zoning and Future Land Use Map Amendments**  
**2152 South Jenkins Road**  
**Future Land Use Map**



 Subject Site



**Zoning and Future Land Use Map Amendments**  
**2152 South Jenkins Road**  
**Zoning Map**





THE SUNRISE CITY

# FORT PIERCE

ENGINEERING DEPARTMENT  
*Florida*

RECEIVED

DEC 12 2019

CITY OF FORT PIERCE  
PLANNING & ZONING

**To : Brandon Creagan, Planner**

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

**RE : Summerwinds Rental Apartments – Jenkins Road  
Rezoning and Future Land Use - TRC No. 19-99900003**

**DATE : December 13, 2019**

This is to advise you that we have completed the review of the following documents as received by this office on December 6, 2019:

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

Based on our reviews and appropriate site final inspection, we

- |   |   |                              |
|---|---|------------------------------|
| <input checked="" type="checkbox"/> Recommend             | <input type="checkbox"/> Do Not Recommend |                              |
| <input checked="" type="checkbox"/> Approval FLU/Rezoning | <input type="checkbox"/> Building Permit  | <input type="checkbox"/> C/O |

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

- See attached for engineering comments

JRA/TST/tst



**BUILDING DEPARTMENT  
TECHNICAL REVIEW COMMITTEE (TRC)  
COMMENT FORM**

RECEIVED

Meeting Date: 12.19.19  
Property Address: Rezoning and Future Land Use – Rental Apts. – Multiple Parcel ID's

CITY OF FORT PIERCE  
PLANNING & ZONING

*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 6<sup>th</sup> 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: 12/19/19



Fort Pierce Utilities Authority  
Water/Wastewater Engineering  
1701 South 37<sup>th</sup> Street  
Fort Pierce, FL 34947  
772.466.1600 x3473

## Technical Review Committee meeting

December 19, 2019

TECHNICAL REVIEW PROJECT # 19-99900003

Rezoning and Future Land Use – Rental Apartments – Multiple Parcel IDs

### Comments

FPUA W/WW Engineering: TRC Rezoning application is approved per application submittal package. Water is available via 12-inch water main on Jenkins Road, and Sewer service is available via a 24-inch force main.

FPUA Electric & Gas Engineering: Electric Engineering approves the apartment/multi-family project proposed. FPUA has existing overhead electric lines and poles on both the west and south sides of this project. FPUA will need 10-ft-wide easements everywhere that its facilities will be run underground to serve this project.



Our mission is to provide our customers with economical, reliable, and friendly service in a continuous effort to enhance the quality of life in our community.

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





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December 19, 2019

**Project:** BGND S. Jenkins Road Rezoning & Future Land Use

Reference: #19-99900003

To: Alicia Rosenthal

From: David Hays

SLC has reviewed the proposed rezoning application and offers the following comments:

1. SLC has no comments regarding the rezoning conditional on applicant meeting offsite roadway and right-of-way requirements at the time of development application.
2. The sites front S. Jenkins Road which is an arterial roadway on the County's Roadway Protection Plan, identified as an ultimate width of 160'. Up to ½ of the deficient width may be necessary from these properties to meet ultimate requirements.
3. The survey attached to the application is outdated. Upon application for TRC, please provide an updated survey with the current ROW width of S. Jenkins Road fronting the properties.
4. The County has concerns with the recent rezoning applications along S. Jenkins Road. Currently, the LOS has approved applications within the city that upon build out are providing a degraded LOS for the road, nearing failure. The rezoning of this site increases the AADT by approximately 1,000.

Brandon, to follow up on your question about the County comments submitted as part of the TRC review for the parkstone properties change in zoning and land use , it is our intention to address the county concerns about South Jenkins Road as part of the actual site development review process, once we know the precise number of units and all that we will be looking to construct on the site.

I am not aware of any other comments raised that addresses the requested change in zoning or land use. If there are, please let me know.

Thanks.



**Dennis Murphy**

Principal Planner

[Culpepper and Terpening, Inc.](#)

2980 South 25<sup>th</sup> Street

Ft. Pierce, FL 34981

Telephone: 772.464.3537 Ext. \*301

Cell: 772.216.5056 (cell)

Facsimile: 772.464.9497

[dmurphy@ct-eng.com](mailto:dmurphy@ct-eng.com)

**Planning Board**

**6. b.**

Meeting Date: 01/14/2020

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Information

REQUESTED ACTION

Zoning Atlas Map Amendment - BGDN - 2152 South Jenkins Road (4 Parcels)

LOCATION

At or Near 2152 South Jenkins Road

Parcel IDs: 2418-333-0001-000-9, 2418-333-0002-000-6, 2418-333-0003-000-3,  
& 2418-333-0004-000-0

RESPONSIBLE STAFF

Brandon C. Creagan, LEED Green Associate, Planner

RECOMMENDATION

Approval

---

Attachments

Staff Report

Application & Supporting Documents

Aerial Map

Future Land Use Map

Zoning Map

TRC Comments

TRC Comment from Applicant

---

**Form Review**

Form Started By: Brandon Creagan

Started On: 01/06/2020 05:39 PM

Final Approval Date: 01/08/2020



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

**THROUGH:** Jennifer Hofmeister, AICP, LCAM, Planning Director *JAH*

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

**RE:** **Application for Future Land Use Map Amendment**  
**Application for Zoning Atlas Map Amendment**  
**BGDN, LLC - 2152 South Jenkins Road**

**BOARD DATE:** January 14, 2019

---

**STAFF REPORT**

**Property Owner** BGDN, LLC  
1820 Avenue K  
Brooklyn, New York 11230

**Representative:** Dennis Murphy (Culpepper & Terpening, Inc)  
2980 South 25<sup>th</sup> Street  
Fort Pierce, Florida 34981

**Requested Action:** Approval to change the Future Land Use of four (4) parcels from Medium Density Residential (RM) to High Density Residential (RH)

Approval to Rezone four (4) parcels from Medium Density Residential (R-4) to High Density Residential (R-5)

**Site Location:** 2152 South Jenkins Road

**Parcel IDs:** 2418-333-0001-000-9  
2418-333-0002-000-6  
2418-333-0003-000-3  
2418-333-0004-000-0

**Existing Use:** Vacant

**Parcel Size:** 17.81 acres

**Current Future Land Use:** Medium Density Residential (RM)

**Current Zoning:** Medium Density Residential (R-4)

**Proposed Future Land Use:** High Density Residential (RH)

**Proposed Zoning:** High Density Residential (R-5)

**Surrounding FLU:**

**Surrounding Zoning:**

	North	East	South	West
	RM	RH	RH	GC
	R-4	C-3	R-5	C-3

**Staff Analysis:**

***Request***

In accordance with Sections 22-128, 22-131, and 22-142 of the City Code, the applicant is requesting review and approval of a Future Land Use Map Amendment from Medium Density Residential (RM) to High Density Residential (RH) with a compatible change to the Zoning Atlas (Rezoning) from Medium Density Residential (R-4) to High Density Residential (R-5) to develop the site for multi-family development.

The subject parcels were originally part of a site plan that was approved in 2006 known as Summerwind Townhomes. The development was approved for 174-unit townhomes. However, the project never commenced and has remained vacant. The applicant is seeking Future Land Use and Zoning approvals prior to submitting a formal major site development review application for a multi-family development.

***Future Land Use and Zoning Designation Comparison***

The subject site currently has a Future Land Use of Medium Density Residential (RM) for all four (4) of the parcels. The RM designation is intended for parcels that are best suited for multifamily residential uses ranging in density from 6.5 to 12 dwelling units per acre. This category allows small-lot single family units and multifamily dwellings including duplexes, condominiums, and townhomes. Limited commercial uses intended to serve the residential uses shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools, and daycare facilities shall also be allowed.

The subject site is seeking a Future Land Use of High Density Residential (RH) for four (4) parcels to be consistent with the development that will be proposed on the site. The RH designation is intended for parcels that are best suited for medium to high density multifamily residential uses ranging in density from 12 to 18 dwelling units per acre. This category allows multifamily dwellings including apartments, condominiums, and townhomes. Limited commercial uses intended to serve the residential uses shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools, and daycare facilities shall also be allowed.

Comparably, the current zoning of R-4 allows for a maximum of 10 units per acre for conventional development and 12 units per acre for innovative development. The requested zoning of R-5 would allow for a maximum number of 15 units per acre.

As the area is surrounded by land use that is either General Commercial (GC), RM, or RH, the requested high-density land use is compatible with its surrounding uses. Currently, there are no direct conflicts with the subject request. Staff has indicated that proper attention to future development in the proximity is necessary to properly plan for increased traffic and subsequent impacts to the level of service standard. To address staff's concerns, a traffic study is required of the applicant at the time of formal development review. As Jenkins Road is a St. Lucie County maintained roadway, any mitigation would be coordinated among the City, County, and the applicant.

### ***Standards for Review***

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

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

The proposed amendment is consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan. The Zoning Atlas Map Amendment promotes and protects the public health, safety, and general welfare as the request as proposed is not out of character for the area and is similar to surrounding land uses and zoning designations. The Fort Pierce Utilities Authority has confirmed the ability to meet the water use needs to the property.

With regard to traffic impacts, the St. Lucie County Transportation Planning Organization (TPO) 2018 Traffic Report demonstrations South Jenkins Road to currently be operating at a level of service (LOS) C in the immediate area. As part of the Development Review application for the subject site, a complete traffic analysis will be required identifying conditions as they exist at the time of submission and any obligatory roadway improvements.

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

All affected City and County Departments have reviewed the proposed Future Land Use Map and Zoning Atlas Map Amendments and have provided conditional approval based on compliance with requirements of the City Code and the Comprehensive Plan. The comments generated from the technical review and any responses by the applicant have been provided.

***Staff Recommendation Future Land Use Map Amendment***

The requested Application for Future Land Use Map Amendment meets the criteria specified in Section 22-131 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends that the Planning Board forward a recommendation of **APPROVAL** to the City Commission.

***Staff Recommendation Zoning Atlas Map Amendment***

The requested Application for Zoning Atlas Map Amendment meets the criteria specified in Section 22-131 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends that the Planning Board forward a recommendation of **APPROVAL** to the City Commission.

[Type here]



## Application for Zoning Atlas Map Amendment

**Application submission shall include the following:**

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

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

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

\*\*\*\*\*

1. **Property Address/Location:** \_\_\_\_\_ t/b/d \_\_\_\_\_

2. **Property Tax ID(s):** see below \_\_\_\_\_

2418-333-0001-000-9	2418-333-0002-000-6
2418-333-0003-000-3	2418-333-0004-000-0
XXXX-XXX-XXXX-XXX-X	XXXX-XXX-XXXX-XXX-X
XXXX-XXX-XXXX-XXX-X	XXXX-XXX-XXXX-XXX-X
XXXX-XXX-XXXX-XXX-X	XXXX-XXX-XXXX-XXX-X

3. **Total Acreage:** 17.81 acres (more or less)
4. **Existing Future Land Use Designation:** RM (Residential Medium) (concurrent amendment to RH pending)
5. **Existing Zoning Classification:** R-4 (Residential Medium Density 10 du/ac)
6. **Proposed Zoning Classification:** R-5 (Residential – Multiple Family 15 du/ac)
7. **Other applications being submitted concurrent with this application, if any:** Change in Future Land Use Classification to the RH (Residential High Density) has been filed concurrent with this application.
8. **Describe the existing uses, improvements and structures on the amendment lands:** Site is vacant.
9. **Are there any identified or possible historical structures on the amendment lands?** No
10. **The reason for making this request:** to change the zoning designation of the petitioned property in order to provide for the submission of an application for multi-family residential development at, or up to, the maximum rates permitted by Ft. Pierce Zoning regulations.

**11. Capacity Analysis:**

**I. Site Data:**

	Existing Use	Future Land Use	Zoning
North	Vacant	RM (Residential Medium)	R4 (Residential Medium Density)
South	Education (Samuel S. Gaines Acad K-8)	P/F (Public Use)	I ( Institutional)
East	Vacant	RM (Residential Medium)	R4 (Residential Medium Density)
West	Vacant	GC (General Commercial)	C-3 (General Commercial)

	Future Land Use	Zoning Classification	Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage	Total Acreage	Flood Zone
Current	RM	R-4	10 du/ac	17.81	X
Proposed	RH	R-5	15 du/ac	17.81	X

**II. Public Facilities Information:**

<b>A. Potable Water:</b>							
Average Use	Residential	100	gallons per day per person (du x 2.6 = persons x 100 gpd = demand)				
	Other	0.125	gallons per day per square foot				
Demand Analysis		Maximum					
Current Zoning	Total gallons per day	residential	178	du	46,280	gpd	
Proposed Zoning	Total gallons per day	residential	267	du	69,460	gpd	
<b>Change in Demand</b>		<b>Total gallons per day</b>			<b>+23,140</b>	<b>gpd</b>	

<b>B. Wastewater:</b>							
Average Use	Residential	100	gallons per day per person (du x 2.6 = persons x 100 gpd = demand)				
	Other	0.100	gallons per day per square foot				
Demand Analysis		Maximum					
Current Zoning	Total gallons per day	residential	178	du	46,280	gpd	
Proposed Zoning	Total gallons per day	residential	267	du	69,460	gpd	
<b>Change in Demand</b>		<b>Total gallons per day</b>			<b>+23,140</b>	<b>gpd</b>	

**C. Parks and Recreation (Residential Classifications Only):**  
 (Du x 2.6 = persons + 44,227 = population /LOS)

Park Type	LOS Ac. (per 1000)	Existing Population Park Demand		Proposed Population Park Demand		Change in Demand	
		Population	LOS AC. Req'd.	Population	LOS AC. Req'd.	persons	added acres
Regional	20	44,690	893.80	44,922	898.43	231.53	+4.63 acres
Urban District	5	44,690	223.45	44,922	224.61	231.53	+1.16 acres
Community	2.5	44,690	111.72	44,922	112.30	231.53	+0.58 acres
Neighborhood	1.36	44,690	60.78	44,922	61.09	231.53	+0.31 acres

**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
<b>School Name</b>	Samuel S. Gaines Academy K-8	Ft. Pierce Central
<b>City</b>	Ft. Pierce	Ft. Pierce
<b>Distance</b>	< 1 mile	5 miles
<b>Current Zoning Enrollment Demand</b>	26	11

<b>Proposed Zoning Enrollment Demand</b>	39	17
<b>Change in Demand</b>	+13	+6

**E. Solid Waste:**

2 yard serves 15 units, 4 yard serves 30 units, 6 yard serves 45 units, 8 yard serves 60 units

Demand Analysis	Maximum	
<b>Current Zoning</b>	23.7	yards
<b>Proposed Zoning</b>	35.6	yards
<b>Change in Demand</b>	+11.9	yards

**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** The project site is presently zoned for multi-family development uses with a maximum site coverage by building of up to 50% of the (MF use). If land use amendment/ rezoning to the R-5 zoning designation is approved, the maximum coverage by buildings will be no more than 45% of the project site. It may therefore be inferred that overall stormwater will be no greater in the 'after' condition than in the 'before' condition. As part of the site development review process, complete stormwater analysis will be provided based on the specific plan of development.

**G. Traffic**

Most recent ITE Code for use; HCM Roadway Capacity

Demand Analysis	units	AADT		AM Peak Hour Trips		PM Peak Hour Trips		
		rate	Maximum	rate	Maximum	rate	Maximum	
<b>Current Zoning</b>	residential (220)	178	7.32	1304	0.56	100	0.67	119
<b>Proposed Zoning</b>	residential (220)	267	7.32	1956	0.56	150	0.67	179
<b>Change in Demand</b>				+652		+50		+60

**Impact to Capacity** South Jenkins Road, the property street frontage, is current shown to be operating at LOS C in the immediate area (SLC TPO Traffic Reports/ Fall 2018). As part of final site plan submissions for this site a complete traffic assessment will be provided identifying conditions as they exist at that time and if any improvement/ expansion obligations are required. The subject site is subject to both City and County Transportation Impact Fees.

GO TO NEXT PAGE

**12. Name of Owner(s):** BGDN, LLC (attn.: Murray Puderbeutel)

Mailing Address: 1820 Avenue K

City Brooklyn State NY Zip 11230

Phone # 718-871-3400 Fax No.: 718-871-6035

E-mail: [murray@parkstoneproperties.com](mailto:murray@parkstoneproperties.com)

**13. Name of Applicant:** BGDN, LLC (attn.: Murray Puderbeutel)

Mailing Address: 1820 Avenue K

City Brooklyn State NY Zip 11230

Phone # 718-871-3400 Fax No.: 718-871-6035

E-mail: [murray@parkstoneproperties.com](mailto:murray@parkstoneproperties.com)

**14. Name of Representative:** Culpepper & Terpening, Inc. (attn: D. Murphy)

Mailing Address: 2980 South 25<sup>th</sup> Street

City Ft. Pierce State Fl Zip 34981

Phone # 772-464-3537 Fax No.: 772-464-9497

E-mail: [dmurphy@ct-eng.com](mailto:dmurphy@ct-eng.com)

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

I certify that: (Check One)

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

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



Applicants Signature

11/01/19

Date

2980 South 25th Street, Ft. Pierce

Address

Fla.

State

34981

Zip

772-464-3537

Phone

772-464-9497

Fax

[dmurphy@ct-eng.com](mailto:dmurphy@ct-eng.com)

E-mail

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

MURRAY PUDERBENTEL 917 208 8343

Property Owner's Name (Please Print)

Phone

1820 AVE K BROOKLYN NY 11230

Address

State

Zip

*Murray Puderbentel*

11-5-2019

Property Owner's Signature

Date

*NEW YORK*  
STATE OF FLORIDA)  
ST LUCIE COUNTY)  
*Kings*

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of November, 2019, by Murray Puderbentel who is personally known to me or has produced NYS Dr. L.C. as identification.

*S. Roth*

Signature of Notary

SVETLANA ROTH  
Notary Public, State of New York  
No. 01RO6222656  
Qualified in Kings County  
(seal) Commission Expires 5/24/2022

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

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY  
FILE # 3593866 OR BOOK 3295 PAGE 459, Recorded 05/19/2011 at 11:50 AM  
Doc Tax: \$700.00

IN THE CIRCUIT COURT, 19th JUDICIAL  
CIRCUIT, IN AND FOR ST. LUCIE,  
COUNTY, FLORIDA

CASE NO.: 07-CA-002997  
DIVISION: Bryan

BDGN, LLC,  
a New York limited liability company,

Plaintiff,

vs.

GROUP THREE DEVELOPMENT, LLC,  
a Florida limited liability company;  
KEVIN McCOY, an individual;  
LISA McCOY, an individual;  
KEITH McCOY, an individual;  
CARLA McCOY, an individual; and  
JOHN S. McCOY, an individual;

Defendants.

2011 MAY 19 PM 4:12  
CLERK OF CIRCUIT COURT

**CERTIFICATE OF TITLE**

The undersigned Clerk of the Court certifies that he executed and filed a Certificate of Sale in this action on May 3, 2011 for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections. The following parcels in St. Lucie County, Florida:

- I. **The North ½ of the North ½ of the South ½ of the Southwest ¼ of the Southwest ¼ of Section 18, Township 35 South, Range 40 East, less the West 40 feet for road right of way purposes, all lying in St. Lucie County, Florida.**  
  
(Folio #2418-333-0001-000/9)  
a/k/a 2144 South Jenkins Road, Ft. Pierce, Florida
- II. **The South ½ of the North ½ of the Southwest ¼ of the Southwest ¼ of Section 18, Township 35 South, Range 40 East, St. Lucie County, Florida. Less the West 40 feet thereof.**

(Folio #2418-333-0002-000/6)  
a/k/a 2152 South Jenkins Road, Ft. Pierce, Florida

**III. Parcel 1:**

From the Southwest corner of Section 18, Township 35 South, Range 40 East, run Northerly along the West line of said Section 104.83 feet to a point of beginning; from said point of beginning continue Northerly along said section line a distance of 132 feet to a point; thence with an angle of 90° run East 25 feet to a pipe; thence continue East 100 feet to a pipe; thence at 90° run South 132 feet to a pipe; thence at 90° run Westerly 100 feet to a stove bolt in Drive; thence continue Westerly 25 feet to a point of beginning; excepting therefrom all rights of way for public roads. Said land lying in and being a part of St. Lucie County, Florida.

(Folio #2418-333-0003-000/3)

**Parcel 2:**

All of the South ½ of the South ½ of Southwest ¼ of the Southwest ¼ of Section 18, Township 35 South, Range 40 East, excepting therefrom all rights of way for public roads and drainage canals, and also, less and excepting that part thereof particularly described as follows: From the Southwest corner of said section, township and range run Northerly along the West line of said Section 104.83 feet to a point of beginning; from said point of beginning continue Northerly along said section line a distance of 132 feet to a point; thence with an angle of 90° run East 25 feet to a pipe; thence continue East 100 feet to a pipe; thence at 90° run South 132 feet to a pipe; thence at 90° run Westerly 100 feet to a stove bolt in Drive; thence continue Westerly 25 feet to a point of beginning.

(Folio #2418-333-0004-000/0)

were sold to the Plaintiff, BDGN, LLC, whose address is c/o Jonathan S. Feldman, Esq., 200 South Biscayne Boulevard, Suite 3000, Miami, Florida 33131.

WITNESS MY HAND AND THE SEAL OF THIS COURT on May 16, 2011.

Joseph E. Smith  
Clerk of the Circuit Court

By: [Signature]  
As Deputy Clerk



JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY  
FILE # 3624394 OR BOOK 3320 PAGE 2396, Recorded 08/31/2011 at 03:27 PM

IN THE CIRCUIT COURT, 19th JUDICIAL  
CIRCUIT, IN AND FOR ST. LUCIE,  
COUNTY, FLORIDA

CASE NO.: 07-CA-002997  
DIVISION: Bryan

BDGN, LLC,  
a New York limited liability company,

Plaintiff,

vs.

GROUP THREE DEVELOPMENT, LLC,  
a Florida limited liability company;  
KEVIN McCOY, an individual;  
LISA McCOY, an individual;  
KEITH McCOY, an individual;  
CARLA McCOY, an individual; and  
JOHN S. McCOY, an individual;

Defendants.

2011 AUG 19 PM 12:48  
St. Lucie County  
CLERK OF CIRCUIT COURT

*This Amended Certificate of Title is being filed to correct scrivener's error in Legal Description and Plaintiff's name which was incorrectly referenced in that certain Certificate of Title filed on May 19, 2011 in OR Book 3295, page 459 in the Public Records of St. Lucie County, Florida.*

**AMENDED CERTIFICATE OF TITLE**

*Original recorded in OR Book 3295 Pg 459*

The undersigned Clerk of the Court certifies that he executed and filed a Certificate of Sale in this action on May 10, 2011 for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections. The following parcels in St. Lucie County, Florida:

- I. **The North 1/2 of the North 1/2 of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 18, Township 35 South, Range 40 East, less the West 60 feet for road right of way purposes, all lying in St. Lucie County, Florida.**  
  
**(Folio #2418-333-0001-000/9)**  
**a/k/a 2144 South Jenkins Road, Ft. Pierce, Florida**

II. The South 1/2 of the North 1/2 of the South 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 18, Township 35 South, Range 40 East, St. Lucie County, Florida. Less the West 60 feet thereof.

(Folio #2418-333-0002-000/6)  
a/k/a 2152 South Jenkins Road, Ft. Pierce, Florida

III. Parcel 1:  
From the Southwest corner of Section 18, Township 35 South, Range 40 East, run Northerly along the West line of said Section 104.83 feet to a point of beginning; from said point of beginning continue Northerly along said section line a distance of 132 feet to a point; thence with an angle of 90° run East 25 feet to a pipe; thence continue East 100 feet to a pipe; thence at 90° run South 132 feet to a pipe; thence at 90° run Westerly 100 feet to a stove bolt in Drive; thence continue Westerly 25 feet to a point of beginning; excepting therefrom all rights of way for public roads. Said land lying in and being a part of St. Lucie County, Florida.

(Folio #2418-333-0003-000/3)

Parcel 2:  
All of the South 1/2 of the South 1/2 of Southwest 1/4 of the Southwest 1/4 of Section 18, Township 35 South, Range 40 East, excepting therefrom all rights of way for public roads and drainage canals, and also, less and excepting that part thereof particularly described as follows: From the Southwest corner of said section, township and range run Northerly along the West line of said Section 104.83 feet to a point of beginning; from said point of beginning continue Northerly along said section line a distance of 132 feet to a point; thence with an angle of 90° run East 25 feet to a pipe; thence continue East 100 feet to a pipe; thence at 90° run South 132 feet to a pipe; thence at 90° run Westerly 100 feet to a stove bolt in Drive; thence continue Westerly 25 feet to a point of beginning.

(Folio #2418-333-0004-000/0)

were sold to the Plaintiff, BGDN, LLC, whose address is c/o Jonathan S. Feldman, Esq., 200 South Biscayne Boulevard, Suite 3000, Miami, Florida 33131.

WITNESS MY HAND AND THE SEAL OF THIS COURT on August 19, 2011.

Joseph E. Smith  
Clerk of the Circuit Court



By:   
As Deputy Clerk

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: 2144 S JENKINS RD Map ID: 24/18S	Parcel ID: 2418-333-0001- 000-9 Zoning: Medium Den	Account #: 27286  Use Type: 0000	Sec/Town/Range: 18/35S/40E Jurisdiction: Fort Pierce
--	--	--	--

**Ownership**

BGDN LLC  
1820 Avenue K  
Brooklyn, NY 11230

**Legal Description**

18 35 40 N 1/2 OF N 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4-  
LESS W 60 FT FOR RD R/W- (4.73 AC) (OR 3295-459: 3320-  
2396)

**Current Values**

Just/Market: \$147,600 Assessed: \$88,112  
Exemptions: \$0 Taxable: \$88,112

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2019	\$147,600	\$88,112	\$0	\$88,112
2018	\$147,600	\$80,102	\$0	\$80,102
2017	\$104,500	\$72,820	\$0	\$72,820

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-19-2011	3320 / 2396 3320 / 2396	0311	CT	BDGN LLC	\$0
05-16-2011	3295 / 0459 3295 / 0459	0311	CT	Group Three Development LLC	\$100,000
09-05-2006	2678 / 1940 2678 / 1940	XX02	WD	Holtkamp Rose M	\$850,000

**Primary Building Information**

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

View:  
Year Built: N/A  
Primary Wall:

Roof Cover:  
Frame:  
Story Height:

Exterior Data

Roof Structure:  
Grade:  
No. Units: 0

Building Type:  
Effective Year: N/A  
Secondary Wall:

Bedrooms: 0  
Full Baths: 0  
Half Baths: 0

A/C %: 0%  
Heated %: N/A%  
Sprinkled %: 0%

Interior Data

Electric:  
Heat Type:  
Heat Fuel:

Primary Int Wall:  
Avg Hgt/Floor: 0  
Primary Floors:



Image  
or  
Sketch  
unavailable  
for display

**Total Areas**

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	4.73
Land Size (SF):	206,039
Total Building Count:	1

**Special Features and Yard Items**

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

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: 2152 S Parcel ID: 2418-333-0002- Account #: 27287 Sec/Town/Range:  
 JENKINS RD 000-6 18/35S/40E  
 Map ID: 24/18S Zoning: Medium Den Use Type: 0000 Jurisdiction: Fort Pierce

**Ownership**

BGDN LLC  
 1820 Avenue K  
 Brooklyn, NY 11230

**Legal Description**

18 35 40 S 1/2 OF N 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4-LESS  
 W 60 FT FOR RD R/W- (4.73 AC)(OR 3295-459: 3320-2396)

**Current Values**

Just/Market: \$147,600 Assessed: \$88,112  
 Exemptions: \$0 Taxable: \$88,112

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2019	\$147,600	\$88,112	\$0	\$88,112
2018	\$147,600	\$80,102	\$0	\$80,102
2017	\$104,500	\$72,820	\$0	\$72,820

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-19-2011	3320 / 2396	0311	CT	BDGN LLC	\$0
05-16-2011	3295 / 0459	0311	CT	Group Three Development LLC	\$100,000
08-22-2006	2645 / 1725	XX00	WD	Marcelin Claudine	\$825,000

**Primary Building Information**

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

**Exterior Data**

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

**Interior Data**

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

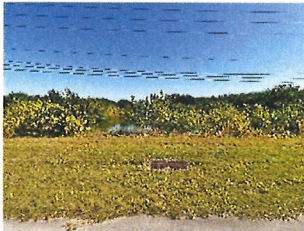


Image  
 or  
 Sketch  
 unavailable  
 for display

**Total Areas**

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	4.73
Land Size (SF):	206,039
Total Building Count:	1

**Special Features and Yard Items**

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

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: S JENKINS RD Map ID: 24/18S Parcel ID: 2418-333-0003-000-3 Zoning: Medium Den Account #: 27288 Use Type: 0000 Sec/Town/Range: 18/35S/40E Jurisdiction: Fort Pierce

**Ownership**

BGDN LLC  
1820 Avenue K  
Brooklyn, NY 11230

**Legal Description**

18 35 40 S 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4-LESS W 60 FT FOR RD R/W AND LESS N 132 FT OF S 194.33 FT OF W 85 FT- (8.15 AC)(OR 3295-459: 3320-2396)

**Current Values**

Just/Market:	Assessed:	Year	Just/Market	Assessed	Exemptions	Taxable
\$206,100	\$151,867	2019	\$206,100	\$151,867	\$0	\$151,867
Exemptions: \$0	Taxable: \$151,867	2018	\$206,100	\$138,061	\$0	\$138,061
		2017	\$146,000	\$125,510	\$0	\$125,510

**Historical Values 3-year**

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-19-2011	3320 / 2396	0311	CT	BDGN LLC	\$0
05-16-2011	3295 / 0457	0311	CT	Group Three Development LLC	\$100,000
08-01-2006	2678 / 1763	XX02	WD	Nelson-York Patsy	\$863,000

**Primary Building Information**

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

**Exterior Data**

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

**Interior Data**

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



Image of sketch unavailable for display

**Total Areas**

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	8.15
Land Size (SF):	355,014
Total Building Count:	1

**Special Features and Yard Items**

Type Qty Units Year Blt

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: 2190 S Jenkins Parcel ID: 2418-333-0004- Account #: 135903 Sec/Town/Range:  
 RD 000-0 18/35S/40E  
 Map ID: 24/18S Zoning: Medium Den Use Type: 0000 Jurisdiction: Fort Pierce

**Ownership**

BGDN LLC  
 1820 Avenue K  
 Brooklyn, NY 11230

**Legal Description**

18 35 40 FROM SW COR OF SD SEC RUN NLY ALG W LI  
 OF SD SEC 104.68 FT TO POB,TH CONT NLY ALGSD W LI  
 132 FT,TH E 125 FT,TH S 132 FT,TH WLY 125 FT-LESS 60  
 FT FOR RD R/W- (0.20 AC)(OR 3295-459: 3320-2396)

**Current Values**

Just/Market: \$10,500 Assessed: \$5,324  
 Exemptions: \$0 Taxable: \$5,324

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2019	\$10,500	\$5,324	\$0	\$5,324
2018	\$10,500	\$4,840	\$0	\$4,840
2017	\$4,400	\$4,400	\$0	\$4,400

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-19-2011	3320 / 2396	0311	CT	BDGN LLC	\$0
05-16-2011	3295 / 0459	0311	CT	Group Three Development LLC	\$100,000
08-01-2006	2678 / 1763	XX02	WD	Nelson-York Patsy	\$863,000

**Primary Building Information**

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

Exterior Data	
View:	Roof Cover:
Year Built: N/A	Roof Structure:
Primary Wall:	Frame:
	Story Height:
	No. Units: 0
	Building Type:
	Effective Year: N/A
	Secondary Wall:
	Interior Data
Bedrooms: 0	A/C %: 0%
Full Baths: 0	Heated %: N/A%
Half Baths: 0	Sprinkled %: 0%
	Electric:
	Heat Type:
	Heat Fuel:
	Primary Int Wall:
	Avg Hgt/Floor: 0
	Primary Floors:



Image  
 or  
 sketch  
 unavailable  
 for display

**Total Areas**

Finished/Under Air (SF):	0
Gross Sketched Area (SF):	0
Land Size (acres):	0.2
Land Size (SF):	8,580
Total Building Count:	1

**Special Features and Yard Items**

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

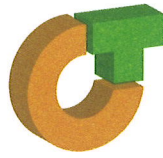


# SITE SURVEY

SEE ATTACHED



END OF DOCUMENT



CULPEPPER & TERPENING, INC.

CONSULTING ENGINEERS | LAND SURVEYORS

File Number: 19-239

Writers E-Mail: [dmurphy@CT-Eng.Com](mailto:dmurphy@CT-Eng.Com)

November 11, 2019

Ms. Jennifer Hofmeister, AICP, LCAM  
City of Ft. Pierce Planning Director  
City of Ft. Pierce  
100 North Us #1  
Ft. Pierce, Florida 34950

Subject: Application for Change in Future Land Use & Zoning/ BGDN LLC Property (South Jenkins Road)

Dear Ms. Hofmeister:

On behalf of our client BGDN LLC, enclosed please find our applications for Change in Future Land Use and Zoning for certain property located along the east side of South Jenkins Road, approximately ¼ mile south of Graham Road. The petition site is currently classified by the City with a RM (Residential Medium Density) Future Land Use classification and an R-4 (Residential, Medium Density) Zoning District designation. Through this application, we are requesting a Change in the Future Land Use classification to the RH (Residential High) District and a Change in Zoning to the R-5 (Residential High Density) Zoning District.

The net effect of this requested Change in Land Use and Zoning will be the addition of 90 dwelling units, if the property were to be developed to its maximum potential (assuming no density bonus credits). It is the intention of our client to develop this property in a multi-family manner, similar to the existing Treasure Cay Apartments, located approximately 600 feet south of the petitioned property and the Sabal Chase Apartments, located adjacent to the sites eastern property line, both of which have equivalent densities to what our client is requesting. In addition to these two, like type, existing apartment communities, the City recently granted zoning approvals to St. Lucie County for the development of a new multi-family family development site, consistent with the City's High Density development standards, on the property just to the southeast of the petition site. Based on our proximity to, and contiguity with, these adjacent parcels, we believe that the proposed amendment of the Petition Property is consistent with the surrounding land uses classification and uses.

In addition to the consistency of this petitions density request with the adjacent properties to the south and east, there is an approved General Commercial development tract located opposite the petitioned property that will house a commercial RV Sales and Service Center along with a national, outdoor 'big box' retailer. Properties to the north of the petition site are being developed at a medium density development pattern with a mix of single family and townhome uses. Again, based on our proximity to these other high intensity uses, we believe that the proposed amendment of the Petition Property is consistent with the surrounding land uses classification and uses.

Subject: Application for Change in Future Land Use & Zoning/  
BGDN LLC Property (South Jenkins Road)

Specific traffic impacts from any proposed development activity on this property will be addressed in detail as part of the City's Site Plan review processes. However, for purposes of Comprehensive Plan Amendment Reviews, we have conducted a limited LOS assessment of the areas roadway network with the objective of identify if there are any minimum LOS issues of concern that need to be identified. Based on that review, all roads in this area are shown, according to the St. Lucie TPO traffic summaries, to be operating at or above any minimum require Level of Service. Applying the net difference in Land Use density on this site to the area under review, we have concluded that we are still within acceptable LOS standards. As noted, specific operational improvements, if any are required, will be addressed as part of the site plan review processes that follow the Land Use and Zoning amendments.

The petitioned site is presently vacant lands. Prior uses of the property were agriculture in nature, however, the site has not been under any type of active cultivation for some years. Much of the site is presently covered with invasive pepper trees or grasses. There are no known wetlands on the site. There are no known or reported archeologic features on the site. As part of any final site plan for the project site, full environmental assessment reports consistent with the requirements for the City of Ft. Pierce will be provided.

Utility services are available to the site through the Ft. Pierce Utility Authority (FPUA). There are no known service limitations that would negatively affect the development of this property. Final service commitments will be coordinated with the FPUA as part of the site plan review processes that follow these Land Use and Zoning amendments.

In summary, it is our belief that the requested change in Future Land Use and Zoning is consistent with the adopted Ft. Pierce Comprehensive Plan. The proposed changes in density is consistent with surrounding Land Use/Zoning classifications. The proposed changes in density do not exceed any adopted Level of Service standards that we have been made aware of, and therefore on behalf of our clients, BGDN, LLC, we respectfully request that the City commence the public hearing processes for the review of these petitions for change in Future Land Use and Zoning.

As part of this submission, we are enclosing the required application fee of \$7,500 (client check number 101) addressing this application for change in Future Land Use and Zoning. The fees due break down as follows: Land Use – base fee \$3,960 with the per acre fee of \$40/acre (\$712.50) for a total of \$4,672.50 and; Zoning – base fee of \$2,115 with a per acre fee of \$40/acre (\$712.50) for a total of \$2,827.50.

If there are in questions in the review of this material, or if you need anything additional to facilitate this review, please do not hesitate to let us know.

Sincerely;

**CULEPPER & TERPENING, INC.**

  
Dennis J. Murphy  
Principal Planner

DJM

enclosure

p:19-232\_corrrespond\ftp - planning\19-232\_191111\_ftp plan 001, rezone and flu transmittal\_191111.docx



**LEGAL DESCRIPTION  
DGDN , LLC PROPERTY**

**Parcel ID Numbers:**

2418-333-0001-000-9

2418-333-0002-000-6

2418-333-0003-000-3

2418-333-0004-000-0

**Acres:**

**17.81 (more or less)**

**Description:**

**BEING THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS THE WEST 60 FEET FOR ROAD RIGHT OF WAY ALL LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.**

**TOGETHER WITH:**

**THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS THE WEST 60 FEET FOR ROAD RIGHT OF WAY ALL LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.**

**TOGETHER WITH:**

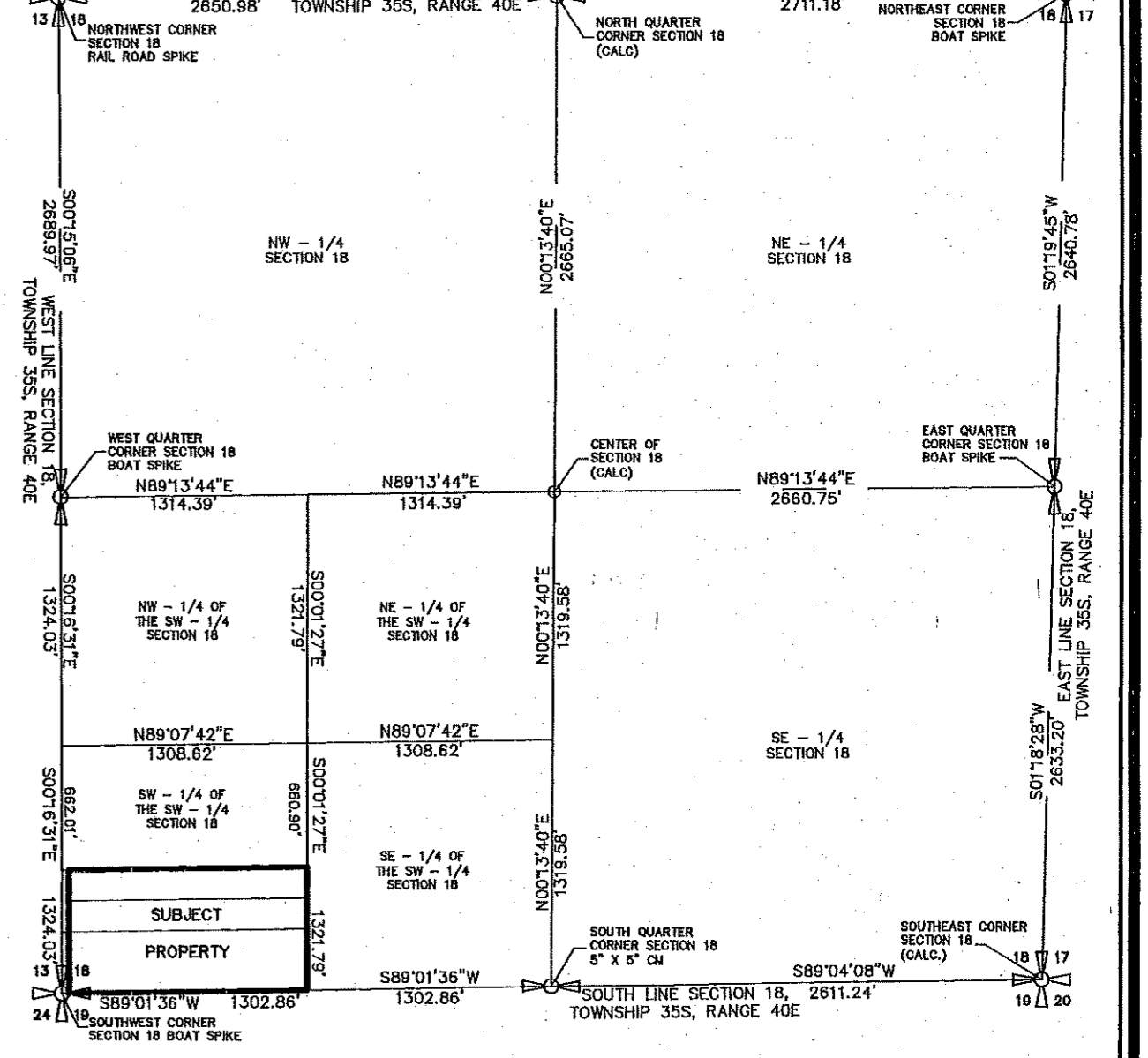
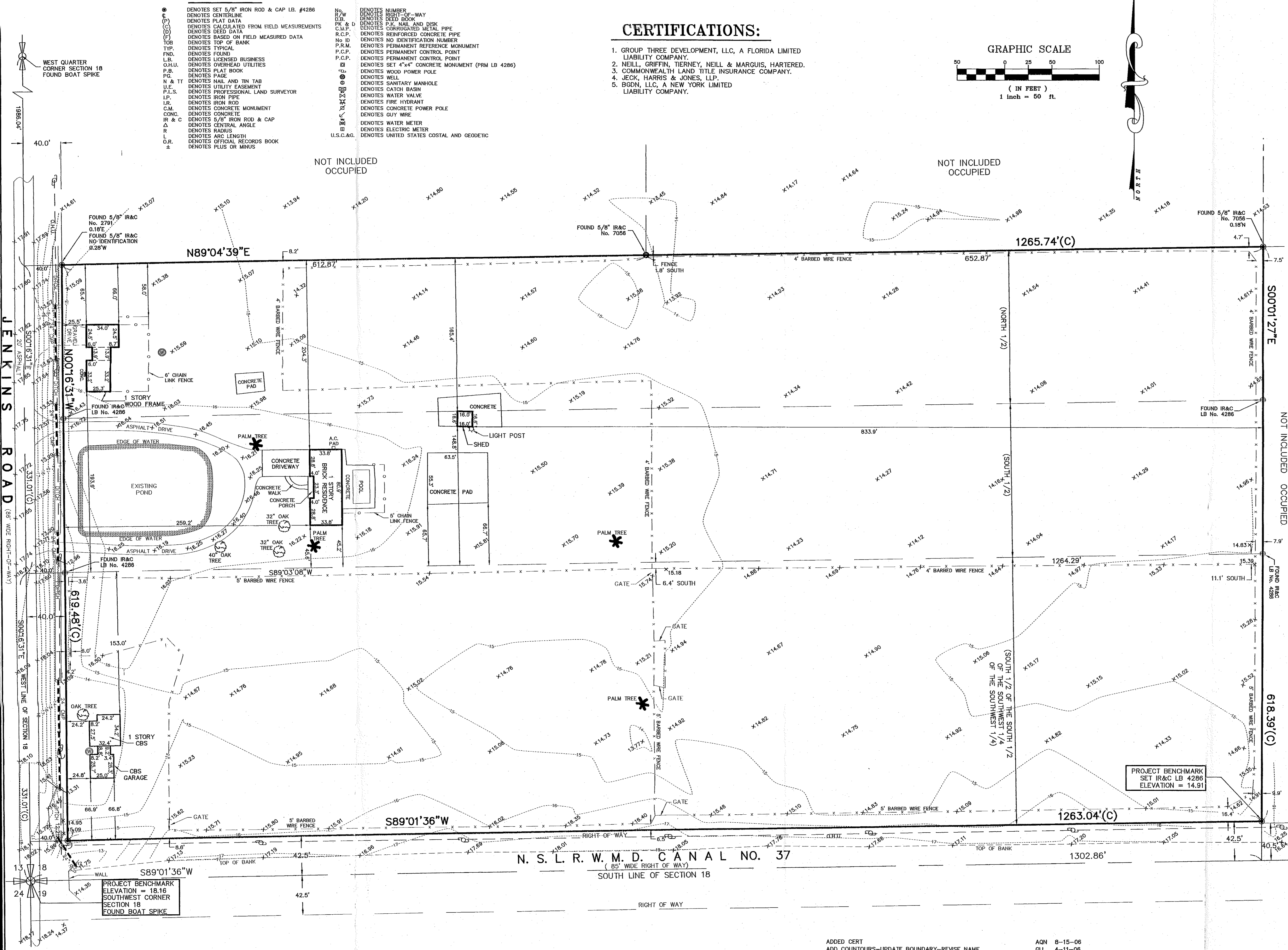
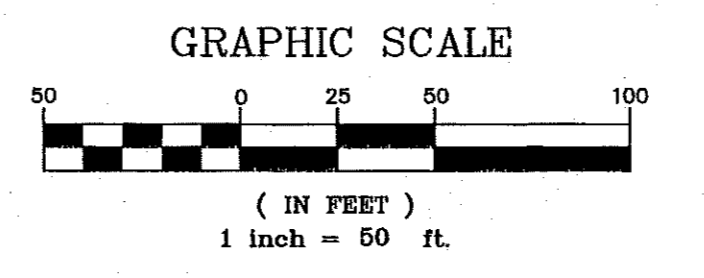
**ALL OF THE S 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4 OF SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST, EXCEPTING THEREFROM ALL RIGHTS OF WAY FOR PUBLIC ROADS AND DRAINAGE CANALS.**

**LEGEND**

- DENOTES SET 5/8" IRON ROD & CAP LB. #4286
- DENOTES CENTERLINE
- DENOTES PLAT DATA
- DENOTES CALCULATED FROM FIELD MEASUREMENTS
- DENOTES DEED DATA
- DENOTES BASED ON FIELD MEASURED DATA
- DENOTES TOP OF BANK
- DENOTES TYPICAL
- DENOTES FOUND
- DENOTES LICENSED BUSINESS
- DENOTES OVERHEAD UTILITIES
- DENOTES PLAT BOOK
- DENOTES PAGE
- DENOTES MAIL AND TIN TAB
- DENOTES UTILITY EASEMENT
- DENOTES PROFESSIONAL LAND SURVEYOR
- DENOTES IRON PIPE
- DENOTES IRON ROD
- DENOTES CONCRETE MONUMENT
- DENOTES CONCRETE
- DENOTES 5/8" IRON ROD & CAP
- DENOTES CENTRAL ANGLE
- DENOTES RADIUS
- DENOTES ARC LENGTH
- DENOTES OFFICIAL RECORDS BOOK
- DENOTES PLUS OR MINUS
- DENOTES NUMBER
- DENOTES RIGHT-OF-WAY
- DENOTES DEED BOOK
- DENOTES P.K. NAIL AND DISK
- DENOTES CORRUGATED METAL PIPE
- DENOTES REINFORCED CONCRETE PIPE
- DENOTES NO IDENTIFICATION NUMBER
- DENOTES PERMANENT REFERENCE MONUMENT
- DENOTES PERMANENT CONTROL POINT
- DENOTES PERMANENT CONTROL POINT
- DENOTES SET 4"x4" CONCRETE MONUMENT (PRM LB 4286)
- DENOTES WOOD POWER POLE
- DENOTES WELL
- DENOTES SANITARY MANHOLE
- DENOTES CATCH BASIN
- DENOTES WATER VALVE
- DENOTES FIRE HYDRANT
- DENOTES CONCRETE POWER POLE
- DENOTES GUY WIRE
- DENOTES WATER METER
- DENOTES ELECTRIC METER
- DENOTES UNITED STATES COSTAL AND GEODETIC
- DENOTES U.S.C.&G.

**CERTIFICATIONS:**

1. GROUP THREE DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY.
2. NEILL, GRIFFIN, TIERNEY, NEILL & MARGUIS, HARTERED.
3. COMMONWEALTH LAND TITLE INSURANCE COMPANY.
4. JECK, HARRIS & JONES, LLP.
5. BGDN, LLC, A NEW YORK LIMITED LIABILITY COMPANY.



**SECTION BREAKDOWN**

**NOTES:**

- 1) NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 2) LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS OFFICE FOR RIGHT-OF-WAYS, RESERVATIONS, AGREEMENTS, AND EASEMENTS OF RECORD. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION.
- 3) DESCRIPTION SHOWN HEREON PROVIDED BY THE CLIENT AND/OR THEIR AGENT.
- 4) UNDERGROUND FOUNDATIONS AND IMPROVEMENTS WERE NOT LOCATED.
- 5) THE LAST DATE OF FIELD WORK WAS DECEMBER 08, 2005.
- 6) BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF SECTION 18 WHICH BEARS N 00°16'31" WEST.
- 7) EXISTING POND CONTAINS 0.31 ACRES MORE OR LESS.
- 8) TOTAL PARCEL CONTAINS 17.97 ACRES MORE OR LESS.
- 9) PARCEL LIES IN ZONE "X" PER F.I.R.M. 12111C017 F EFFECTIVE DATE OF AUGUST 19, 1991.
- 10) ELEVATIONS SHOWN HEREON ARE BASED ON D. O. T. CONCRETE MONUMENT No. 1-95 - 85 - A34 WITH A PUBLISHED ELEVATION OF 46.195 FEET N.G.V.D. 1929.
- 11) THERE ARE NO SUBMERGED LANDS OR LINES BELOW THE MEAN HIGH WATER LINE LOCATED ON SUBJECT PROPERTY.

**DESCRIPTION**

BEING THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 18, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS THE WEST 40 FEET FOR ROAD RIGHT OF WAY ALL LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

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*Michael T. Owen*  
MICHAEL T. OWEN, P.S.M. FLORIDA CERTIFICATE NO. 5558

*B. 152006*  
SIGNATURE DATE

COMPUTER FILE REF. 05-121.MAP2  
FIELD BK./PG.

**CULPEPPER & TERPENING, INC.**  
CERTIFICATION No. LB 4286

CONSULTING ENGINEERS & LAND SURVEYORS  
2980 SOUTH 25th STREET  
FORT PIERCE, FLORIDA 34981  
(772)-484-3537

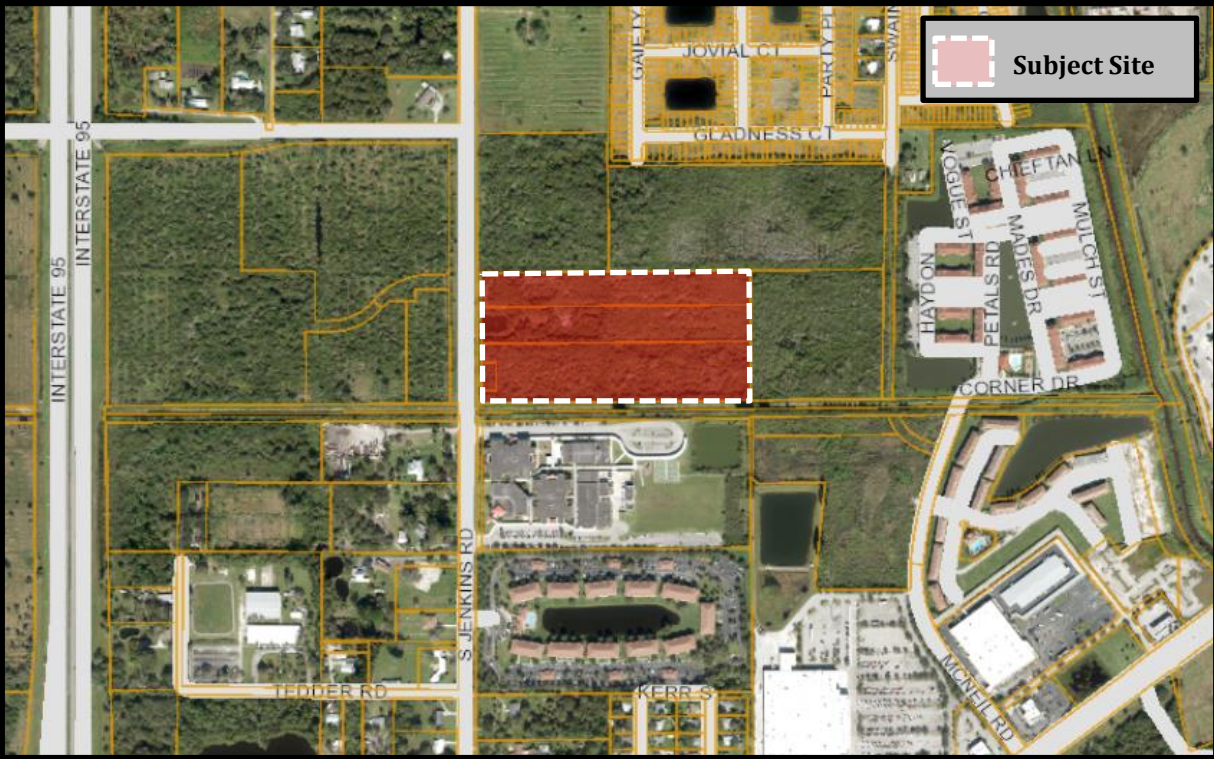
- REVISIONS -		BY	DATE
UPDATED NOTES AND RESCALE SURVEY	R.D.	J-27-06	
UPDATED ACREAGE AND ADD CERTIFICATIONS	R.D.	3-13-06	
UPDATED BOUNDARY SURVEY	R.D.	1-11-06	
UPDATED TREE SURVEY	R.D.	1-10-06	
ADD TOPOGRAPHIC SURVEY AND TREES	R.D.	12-9-05	
UPDATED BOUNDARY SURVEY	R.D.	12-9-05	


BY	DATE
FIELD	
CALCS.	P.K. 7-15-05
DRAWN	R.D. 8-4-05
DETAILED	
CHECKED	
APPROVED	

**BOUNDARY & TOPOGRAPHIC SURVEY**  
PREPARED FOR:  
**SUMMERWIND TOWNHOMES AT FORT PIERCE**

DATE: 08-04-2005  
HORIZ. SCALE: 1" = 50'  
VERT. SCALE: N/A  
JOB No. 05-121  
SHEET 1 OF 1

3/19/06 2:05:51 PM L:\mike\proj\05-121\05-121.MAP2.dwg, PLOT: 05-121.MAP2, PLOT DATE: 8/4/05 2:05:51 PM, PLOT BY: MTO

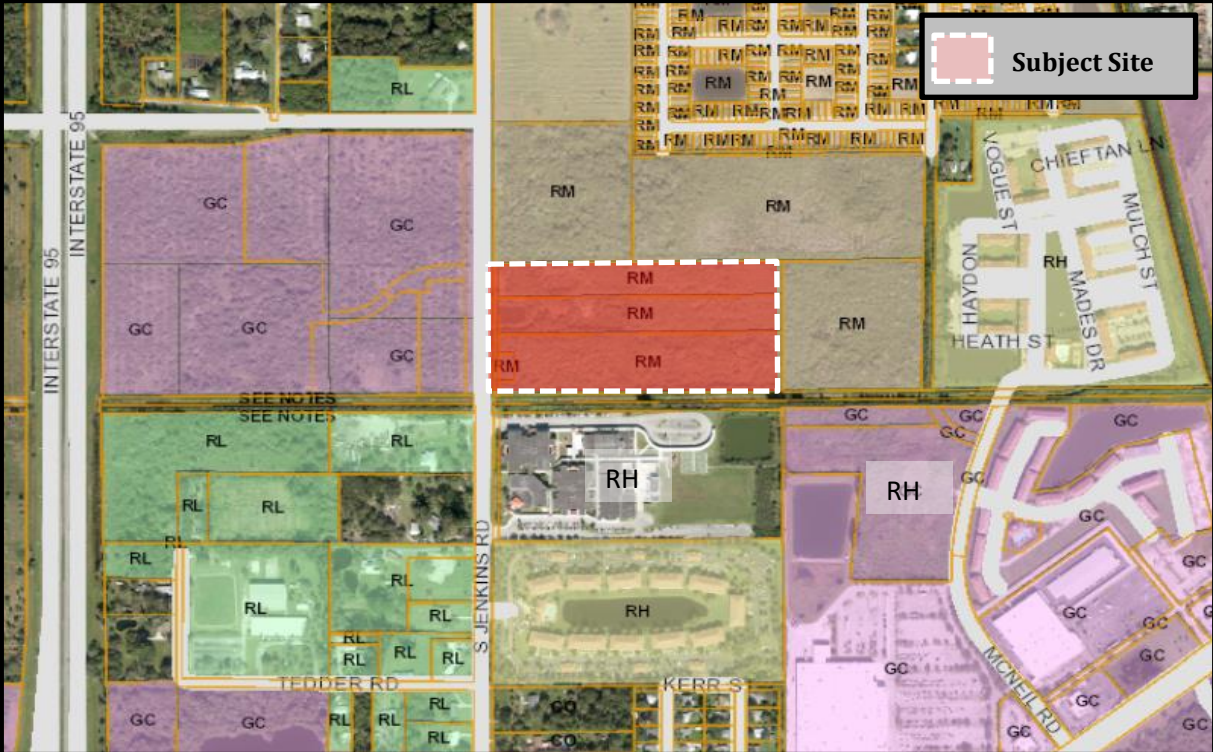


 Subject Site




**Zoning and Future Land Use Map Amendments**  
**2152 South Jenkins Road**  
**Aerial Map**

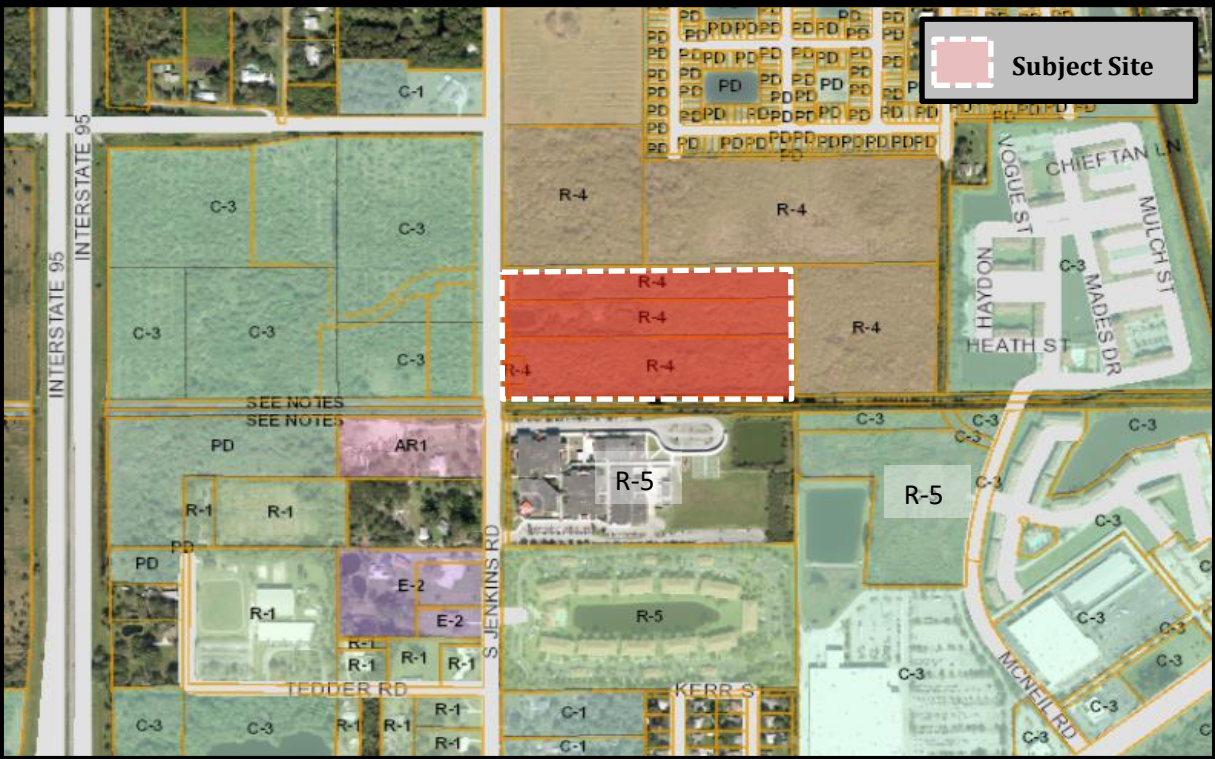




**Zoning and Future Land Use Map Amendments**  
**2152 South Jenkins Road**  
**Future Land Use Map**



 Subject Site



**Zoning and Future Land Use Map Amendments**  
**2152 South Jenkins Road**  
**Zoning Map**





THE SUNRISE CITY

# FORT PIERCE

ENGINEERING DEPARTMENT  
*Florida*

RECEIVED

DEC 12 2019

CITY OF FORT PIERCE  
PLANNING & ZONING

**To : Brandon Creagan, Planner**

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

**RE : Summerwinds Rental Apartments – Jenkins Road  
Rezoning and Future Land Use - TRC No. 19-99900003**

**DATE : December 13, 2019**

This is to advise you that we have completed the review of the following documents as received by this office on December 6, 2019:

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

Based on our reviews and appropriate site final inspection, we

- |   |   |                              |
|---|---|------------------------------|
| <input checked="" type="checkbox"/> Recommend             | <input type="checkbox"/> Do Not Recommend |                              |
| <input checked="" type="checkbox"/> Approval FLU/Rezoning | <input type="checkbox"/> Building Permit  | <input type="checkbox"/> C/O |

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

- See attached for engineering comments

JRA/TST/tst



**BUILDING DEPARTMENT  
TECHNICAL REVIEW COMMITTEE (TRC)  
COMMENT FORM**

RECEIVED

Meeting Date: 12.19.19  
Property Address: Rezoning and Future Land Use – Rental Apts. – Multiple Parcel ID's

CITY OF FORT PIERCE  
PLANNING & ZONING

*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 6<sup>th</sup> 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: 12/19/19



Fort Pierce Utilities Authority  
Water/Wastewater Engineering  
1701 South 37<sup>th</sup> Street  
Fort Pierce, FL 34947  
772.466.1600 x3473

## Technical Review Committee meeting

December 19, 2019

TECHNICAL REVIEW PROJECT # 19-99900003

Rezoning and Future Land Use – Rental Apartments – Multiple Parcel IDs

### Comments

FPUA W/WW Engineering: TRC Rezoning application is approved per application submittal package. Water is available via 12-inch water main on Jenkins Road, and Sewer service is available via a 24-inch force main.

FPUA Electric & Gas Engineering: Electric Engineering approves the apartment/multi-family project proposed. FPUA has existing overhead electric lines and poles on both the west and south sides of this project. FPUA will need 10-ft-wide easements everywhere that its facilities will be run underground to serve this project.



Our mission is to provide our customers with economical, reliable, and friendly service in a continuous effort to enhance the quality of life in our community.

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





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December 19, 2019

**Project:** BGND S. Jenkins Road Rezoning & Future Land Use

Reference: #19-99900003

To: Alicia Rosenthal

From: David Hays

SLC has reviewed the proposed rezoning application and offers the following comments:

1. SLC has no comments regarding the rezoning conditional on applicant meeting offsite roadway and right-of-way requirements at the time of development application.
2. The sites front S. Jenkins Road which is an arterial roadway on the County's Roadway Protection Plan, identified as an ultimate width of 160'. Up to ½ of the deficient width may be necessary from these properties to meet ultimate requirements.
3. The survey attached to the application is outdated. Upon application for TRC, please provide an updated survey with the current ROW width of S. Jenkins Road fronting the properties.
4. The County has concerns with the recent rezoning applications along S. Jenkins Road. Currently, the LOS has approved applications within the city that upon build out are providing a degraded LOS for the road, nearing failure. The rezoning of this site increases the AADT by approximately 1,000.

Brandon, to follow up on your question about the County comments submitted as part of the TRC review for the parkstone properties change in zoning and land use , it is our intention to address the county concerns about South Jenkins Road as part of the actual site development review process, once we know the precise number of units and all that we will be looking to construct on the site.

I am not aware of any other comments raised that addresses the requested change in zoning or land use. If there are, please let me know.

Thanks.



**Dennis Murphy**

Principal Planner

[Culpepper and Terpening, Inc.](#)

2980 South 25<sup>th</sup> Street

Ft. Pierce, FL 34981

Telephone: 772.464.3537 Ext. \*301

Cell: 772.216.5056 (cell)

Facsimile: 772.464.9497

[dmurphy@ct-eng.com](mailto:dmurphy@ct-eng.com)

**Planning Board**

**6. c.**

Meeting Date: 01/14/2020

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Information

REQUESTED ACTION

Text Amendment - Chapter 3 and Chapter 22 - Four-Fifths Vote

LOCATION

N/A

RESPONSIBLE STAFF

Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RECOMMENDATION

Approval.

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Attachments

Staff Report

Proposed Text Amendment

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**Form Review**

Form Started By: Rebeca Guerra

Started On: 01/08/2020 10:34 AM

Final Approval Date: 01/08/2020



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

**THROUGH:** Jennifer Hofmeister, AICP, LCAM, Planning Director *JH*

**FROM:** Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director *RA*

**RE:** Amendment to Chapter 3 – Alcoholic Beverages and Chapter 22 – Zoning

**BOARD DATE:** January 14, 2020

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**STAFF REPORT**

**Text Amendment  
Code of Ordinances  
-Four-Fifths Vote-**

The proposed Text Amendment seeks to eliminate multiple subsections of the Code of Ordinances that require City Commission to have a four-fifths concurring vote to approve an application. Currently, a supermajority vote of approval by the City Commission is mandated in the following cases:

- In the event of the Planning Board disapproves a Conditional Use or Alcohol Waiver of Distance application; or
- In the case of a protest against a Conditional Use, Alcohol Waiver of Distance, Text Amendment, or Zoning Atlas Amendment (i.e. Rezoning) application signed by 20% of the property owners within 500 feet of the area included in said application.

The subject code amendment was requested by the City Commission at the conclusion of the October 14, 2019, Conference Agenda meeting which involved a discussion of relevant sections of City Code that require a four-fifths concurring vote of approval. At said meeting, following a presentation by staff that included a comparison of cases when a four-fifth vote is required for other local governing bodies, the City Commission directed staff to remove specific instances where a four-fifth concurring vote of approval was currently required. Revised text of these sections is detailed in the subject report.

Specifically, the following three (3) sections of the Code of Ordinances have been modified:

1. Section 3-9. - Waiver of distance procedure;
2. Section 22-76. - Procedure for the review and approval of conditional uses; and
3. Section 22-128. - Amendment procedures.

On December 19, 2019, the Technical Review Committee unanimously voted to recommend approval of the proposed text amendment.

Attachments:  
Proposed Text Amendment

## **PROPOSED TEXT AMENDMENT FOUR-FIFTHS VOTE**

### **Sec. 3-9. - Waiver of distance procedure.**

Any person whose location or place of business does not meet the distance restrictions in subsection 3-7(b) and who is applying to the State of Florida, Division of Alcoholic Beverages and Tobacco for a license may have this distance waived in the following manner:

(1) A request for waiver may be initiated by filing an application in writing for such waiver in the office of the department of planning and development.

(2) The department of planning and development shall refer such application to the city planning board for review and report after conferring with affected city departments. Such recommendation and report shall be forwarded to the city commission within ninety (90) days of the receipt of a complete application.

(3) Upon receipt of the report from the planning board, the city commission shall conduct a public hearing thereon giving at least fifteen (15) days notice thereof in a newspaper having general circulation in the city.

~~(4) In case, however, that the planning board recommends disapproval of the application for waiver, such waiver shall not be granted by the city commission except by four-fifths vote thereof.~~

~~(54)~~ Before consideration of a request for waiver by the city commission pursuant to this section, notice by mail shall be given pursuant to section 22-1432 of the City Code.

~~(65)~~ Before any action is taken upon any application as provided in this section, either by the planning board or the city commission, the applicant shall deposit with the city a fee established by the city commission by resolution to cover the approximate cost of the procedure and such sum is not refundable in any event.

### **Sec. 22-76. - Procedure for the review and approval of conditional uses.**

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

(1) The city commission shall hold a public hearing in accordance with the provisions of section 1432 prior to acting on the application for conditional use.

~~(2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners~~

~~within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.~~

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

## **Sec. 22-128. - Amendment procedures.**

The following procedure shall apply to amendment of the text of the zoning ordinance or the zoning atlas:

(1) The department of planning and development shall refer the application to the city planning board together with a staff report which notes any inconsistency between the proposed amendment and the comprehensive plan or this chapter.

(2) The city planning board will review the proposed amendment within forty-five (45) days of the filing except that it may provide for a reasonable extension of time within which to consider the amendment upon a showing of good cause.

(3) The city planning board will recommend approval, modified approval or disapproval of the proposed amendment, and its recommendations with the proposed amendment shall then be submitted to the city commission. Prior to acting on the proposed amendment, the city commission will hold a public hearing in accordance with the provisions of section 22-1432.

(4) In the event the city planning board recommends disapproval, ~~or in case of a protest against any said proposed change signed by twenty (20) per cent of the owners of either the lots included in such proposed change or those within five hundred (500) feet of the area included in such proposed change~~ such amendment shall not become effective except by a four-fifths vote by the city commission.