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Comprehensive Plan
Amendments
2008-02 Cycle**

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14	N/A
15	N/A

Transmittal Letter
Ray Eubanks
Florida Department of
Community Affairs

**BOARD OF
COUNTY
COMMISSIONERS**



**GROWTH
MANAGEMENT**

October 24, 2008

Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399

Re: Transmittal of St. Lucie County proposed Comprehensive Plan Amendment(s) Cycle 2008-02.

Dear Mr. Eubanks,

Enclosed is one (1) copy of the transmittal package containing a staff report for the proposed amendment(s) to the St. Lucie County Comprehensive Growth Management Plan. Also enclosed are two (2) copies on compact disc.

The following amendment(s) were proposed but not transmitted (9J-11.011(5)(a)5, F.A.C.);

Ordinance 08-029

Project Name / Applicant: John M. Dunn

File No. FLUMA-120081386: Future Land Use Map Amendment from AG-5 (Agricultural-5 – 1 du/5acres) to MXD (Mixed Use Development) Specific Use Area, amending Figure 1-7i of Policy 1.1.7.3 of the Comprehensive Plan

Ordinance 08-027

Project Name: Bayberry Properties

Applicant / Agent: Land Design South

File No. FLUMA-420081465: Future Land Use Map Amendment from RU (Residential Urban – 5 du/acre) and COM (Commercial) to MXD (Mixed Use Development) Medium Intensity, amending Figure 1-7f of Policy 1.1.7.3 of the Comprehensive Plan

In accordance with 9J-11.006(1)(a)(b)(c) and (d) Florida Administrative Code, St. Lucie County will also send copies of the proposed plan amendment(s) to the other various reviewing agencies. The amendment report(s) are being transmitted to meet the requirements of Chapter 163.3184(3), Florida Statutes, and Chapter 9J-11.006, Florida Administration Code. In accordance with Chapter 163.3184(6), we are requesting that the

JOSEPH E. SMITH, District No. 1 • DOUG COWARD, District No. 2 • PAULA A. LEWIS, District No. 3 • CHARLES GRANDE, District No. 4 • CHRIS CRAFT, District No. 5
County Administrator - Douglas M. Anderson

2300 Virginia Avenue • Fort Pierce, FL 34982-5652

Administration: (772) 462-1590 • Planning: (772) 462-2822 • GIS/Technical Services: (772) 462-1553

Economic Development: (772) 462-1550 • Fax: (772) 462-1581

Tourist Development: (772) 462-1529 • Fax: (772) 462-2132

www.co.sr-lucie.fl.us

October 24, 2008

Mr. Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Florida Department of Community Affairs
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Florida Department of Community Affairs review and prepare an ORC report for the enclosed transmittal package, which includes one (1) Future Land Use Map Amendment and one (1) Text Amendment adding Figure 1-7m for the proposed MXD area and providing sub-area policy language to the same Ordinance (08-030):

Cassens White City Grove, FLUMA-420081453 (Future Land Use Map Amendment)

Cassens White City Grove, TCP-420081454 (Text Amendment)

After being duly advertised in the Fort Pierce Tribune and the Port St. Lucie News on August 8, 2008 and August 27, 2008 (public hearing rescheduled, due to Tropical Storm Faye) the Planning & Zoning Commission/Land Planning Agency reviewed FLUMA-420081453 and TCP-420081454 (Draft Ordinance Number 08-030) on September 9, 2008 and voted unanimously (9-0) a recommendation of approval to the Board of County Commissioners.

The Board of County Commissioner transmittal public hearing for the amendment(s) was duly advertised in the Fort Pierce Tribune and the Port St. Lucie News on September 24, 2008. On October 7, 2008 the Board of County Commissioners unanimously voted to transmit the proposed amendment(s) FLUMA-420081453 and TCP-420081454 (Draft Ordinance Number 08-030) to the Florida Department of Community Affairs.

St. Lucie County anticipates adopting the Comprehensive Plan Amendment(s) Cycle 2008-02 in December 2008.

The proposed amendment approved for transmittal to DCA by the Board of County Commissioners is not within an Area of Critical State Concern nor is it located within Orange, Lake or Seminole Counties and is not subject to the Wekiva River Protection Area. The transmitted amendment is not being adopted under a joint planning agreement.

This plan does not include any optional elements.

A copy of the procedures for public participation that have been adopted by the Planning & Zoning Commission/Local Planning Agency and the Board of County Commissioners in accordance with section 163.3181, F.S. Rule 9j-5.004, F.A.C. is attached.

Copies of the Citizen Courtesy Information List for the above mentioned public transmittal hearings are included in the package.(9j-11.015(5)(b)4 and 163.3184(15)(c), F.S.) (Section 163.3184(8)(b)2, F.S.).

The analysis report in this packet includes the staff and Planning and Zoning/Land Planning Agency recommendations and the transmittal actions of the Board of County

October 24, 2008
Mr. Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Florida Department of Community Affairs
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Commissioners. The report format meets the requirements of the Comprehensive Plan Amendment completeness checklist prepared by the Florida Department of Community Affairs. Copies of the proposed plan amendment(s) have been sent to the Treasure Coast Regional Planning Council, South Florida Water Management District, Department of Environmental Protection, Department of State, Office of Tourism, Trade and Economic Development, Florida Department of Transportation District Four, Fish and Wildlife Conservation Commission, Department of Agricultural and Consumer Services, Florida Department of Education, Town of St. Lucie Village, City of Fort Pierce Planning Division, Martin County Growth Management, Indian River County, Planning Division, and the City of Port St. Lucie Planning Division.

Thank you for your assistance. If you need additional information or have questions, please contact me at 772-462-1582 or e-mail jonesp@stlucieco.gov.

The proposed transmittal of St. Lucie County proposed Comprehensive Plan Amendment(s) Cycle 2008-02, with all information submitted to the Department of Community Affairs is available for public inspection during normal business hours in the St. Lucie County, Growth Management Department, 2300 Virginia Ave, Fort Pierce, Florida 34982. The transmittal of St. Lucie County proposed Comprehensive Plan Amendment(s) Cycle 2008-02 with all information submitted to the Department of Community Affairs can also be viewed on line at stlucieco.gov/growth under the "Publications and Applications" link.

Sincerely,



Peter W. Jones, AIA
Planning Manager

cc: (complete package on disc)

Wendy Evans, Administrative Assistant II
Tracy D. Suber, Education Consultant
Jim Quinn, Environmental Manager
Susan Harp, Historical Preservation Planner
Mary Ann Poole, Director
Mary Helen Blakeslee, Chief Analyst
Gerry O'Reilly, Dir. of Production and Planning
Terry L. Hess, A.I.C.P., Planning Director
Jim Jackson, A.I.C.P., Senior Supervisor Planner
Planning Director
Planning Division
Nicki van Vonno, Growth Management Director
Daniel Holbrook, Director, Planning & Zoning
Stan Boling, Planning Division Director

Department of Agriculture and Consumer Services
Department of Education
Department of Environmental Protection
Department of State
Florida Fish and Wildlife Conservation Commission
Office of Tourism, Trade and Economic Development
Department of Transportation, District Four
Treasure Coast Regional Planning Council
South Florida Water management District
Town of St. Lucie Village
City of Fort Pierce
Martin County
City of Port St. Lucie
Indian River County

October 24, 2008

Mr. Ray Eubanks, Plan Processing Administrator
Division of Community Planning
Florida Department of Community Affairs
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cc (letter only):

St. Lucie County, Board of County Commissioners
Douglas Anderson, St. Lucie County Administrator
Faye Outlaw, St. Lucie County Assistant Administrator
Lee Ann Lowery, St. Lucie County Assistant Administrator
Daniel McIntyre, St. Lucie County Attorney
Mark Satterlee, St. Lucie County, Growth Management Director
Peter Buchwald, St. Lucie Transportation Planning Organization Director

Draft Ordinance Number 08-030

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ORDINANCE NO. 08-030

FILE NO.: FLUMA-420081453 / TCP-420081454

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 38.05 ACRE (M.O.L.) PARCEL OF LAND FROM RS (RESIDENTIAL SUBURBAN – 2 DWELLING UNITS PER ACRE) TO MXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING POLICY 1.1.7.3 OF THE FUTURE LAND USE ELEMENT TO INCLUDE FIGURE 1-7M AND PROVIDING SUB-AREA POLICY LANGUAGE; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

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WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, based on the testimony and evidence, including but not limited to the staff report, has made the following determinations:

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1. Terry L. Virta, AICP, Terry L. Virta and Associates, Inc., (also hereinafter referred to as the "Applicant") has filed petition for an amendment to the adopted Comprehensive Plan Future Land Use Element for a 38.05 acre (more or less) parcel of land, located north of West Midway Road and west of Selvitz Road, from Residential Suburban (RS – 2 dwelling units per acre), to Mixed Use (MXD) Specific Use Area with St. Lucie County, Florida, in accordance with Chapter 163, Florida Statutes; and,
 2. The Board of County Commissioners of St. Lucie County as the governing body of St. Lucie County, having jurisdiction over this application pursuant to Chapter 163, Florida Statutes, is authorized and empowered to consider amendments to the adopted Comprehensive Plan of St. Lucie County; and,
 3. On May 1, 2008, the St. Lucie County Development Review Committee ("DRC") met to discuss outstanding issues and concerns regarding the petition for Future Land Use Map Amendment; and,
 4. On June 2, 2008, the Growth Management Department sent a letter to the Applicant listing outstanding issues and concerns regarding the petition for Future Land Use Map Amendment; and,
 5. On September 9, 2008, the St. Lucie County Planning and Zoning Commission/ Local Planning Agency, held a public hearing, of which due notice was published in the Ft. Pierce Tribune and the Port St. Lucie News and recommended to the Board of County Commissioners that the petition for Future Land Use Map Amendment for Cassens White City Grove be (approved)(denied); and,
 6. On October 7, 2008, the Board of County Commissioners of St. Lucie County, Florida,

1 held a public hearing for transmittal of the Comprehensive Plan Amendment to the
2 Department of Community Affairs, of which due notice was published in the Ft. Pierce
3 Tribune and the Port St. Lucie News on the petition for Future Land Use Map
4 Amendment for Cassens White City Grove, and heard and considered additional
5 testimony on the proposed Future Land Use Amendment for this property; and,
6

- 7 7. On October 7, 2008, the Board of County Commissioners of St. Lucie County, Florida,
8 authorized the transmittal of this petition to the Florida Department of Community
9 Affairs for further agency review in accordance with the provisions of Chapter 163,
10 Florida Statutes.

11
12 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of St.
13 Lucie County, Florida:

14
15 **A. AMENDMENT TO FUTURE LAND USE DESIGNATION**

16
17 The Future Land Use Designation set forth in the St. Lucie County Comprehensive Plan for
18 the property described in Exhibit "A", attached hereto, containing 38.05 acres more or less,
19 located on the northwest quadrant of West Midway Road and Selvitz Road, on north side of
20 Favorite Road, and owned by White City Grove, Inc., is hereby amended from RS (Residential
21 Suburban) to MXD (Mixed Use Development) Specific Use Area, as depicted in attached
22 Exhibit "B".
23

24 **B. AMENDING POLICY 1.1.7.3 OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN**
25 **TO ADD FIGURE 1-7M.**

26
27 Policy 1.1.7.3 of the St. Lucie County Future Land Use Element shall be amended as follows:

- 28
29 1. Figure 1-7m, MXD Specific Use Area is authorized to be added to the figures included
30 in Future Land Use Element Policy 1.1.7.3 as shown in Exhibit "B."
31
32 2. "Continue to support the Mixed Use activity areas as indicted in the following sub-area
33 Mixed Use activity area plans as depicted in Figures 1-7a thru 1-7m."
34

35 **C. AUTHORIZING THE AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF**
36 **THE ST. LUCIE COUNTY COMPREHENSIVE PLAN TO INCORPORATE SUB-AREA**
37 **POLICIES TO THE CASSENS MXD SPECIFIC USE AREA, FIGURE 1-7M.**

- 38
39 • Specific Use Areas within this Mixed Use Activity Area are restricted in use to
40 the equivalent of the COM and IND Land Use designations as described in the
41 Future Land Use Element unless otherwise amended through the
42 Comprehensive Plan Amendment process. IND uses shall be limited to 310,800
43 square feet of gross building area; COM uses shall only be ancillary to IND
44 uses.
45
46 • Development on this site shall be approved through the Planned Non-
47 Residential Development process, and shall include appropriate open space
48 and buffers adjacent to residential uses. Access to development shall be
49 provided from the west via Favorite Road.

1 **D. FINDING OF CONSISTENCY**

2
3 The Board of County Commissioners of St. Lucie County, Florida, specifically determines that
4 the approval of this amendment to the adopted Comprehensive Plan Future Land Use
5 Element is internally consistent with the policies and objectives contained in the St. Lucie
6 County Comprehensive Plan and consistent with standards for review of plans and plan
7 amendments of Rule 9J-5, Florida Administrative Code, and provides for the recognition that
8 impacts of this approval on the public facilities of St. Lucie County will not occur until such time
9 as a Final Development Order for development on this property is issued.

10
11 **E. CHANGES TO FUTURE LAND USE MAPS**

12
13 The St. Lucie County Growth Management Director is hereby authorized and directed to cause
14 these changes to be made in the Future Land Use Map of the Future Land Use Element of the
15 St. Lucie County Comprehensive Plan and to make notation of reference to the date of
16 adoption of this Ordinance.

17
18 **F. CONFLICTING PROVISIONS**

19
20 Special acts of the Florida Legislature applicable only to unincorporated areas of St. Lucie
21 County, County Ordinances and County Resolutions, or parts thereof, in conflict with this
22 Ordinance are hereby superseded by this Ordinance to the extent of such conflict.

23
24 **G. SEVERABILITY**

25
26 If any portion of this Ordinance is for any reason held to be unconstitutional,
27 inoperative or void, such holding shall not affect the remaining portions of this Ordinance. If
28 this Ordinance or any provision thereof shall be held to be inapplicable to any person,
29 property, or circumstances, such holding shall not affect its applicability to any other person,
30 property or circumstances.

31
32 **H. APPLICABILITY OF ORDINANCE**

33
34 This Ordinance shall be applicable as stated in Paragraphs A, B and C.

35
36 **I. FILING WITH THE DEPARTMENT OF STATE**

37
38 The Clerk is hereby directed forthwith to send a certified copy of this Ordinance to the Bureau
39 of Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.

40
41 **J. FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS**

42
43 The Growth Management Director shall send a certified copy of this Ordinance to the
44 Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida
45 32399-2100.

46
47 **K. EFFECTIVE DATE**

48
49 This Ordinance shall take effect upon the issuance by the State Land Planning Agency of a
50 Notice of Intent to find the adopted amendment in compliance in accordance with Section
51 163.3184(9), or Section 125.66(4)(a), Florida Statutes, or upon the Administration

1 Commission issuing a final order finding the adopted amendment in compliance in accordance
2 with Section 163.3184(10).
3

4 **L. ADOPTION**

5
6 After motion and second, the vote on this Ordinance was as follows:
7

8 Chairman Joseph E. Smith	XXX
9 Vice-Chairman Paula A. Lewis	XXX
10 Commissioner Doug Coward	XXX
11 Commissioner Charles Grande	XXX
12 Commissioner Chris Craft	XXX

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17 **PASSED AND DULY ADOPTED** this XXnd day of [redacted], 2008.

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20 BOARD OF COUNTY COMMISSIONERS
21 ST. LUCIE COUNTY, FLORIDA

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25
26 BY _____
27 Chairman

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30 ATTEST

31 APPROVED AS TO FORM
32 AND CORRECTNESS

33
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35 _____
36 Deputy Clerk

37 _____
38 County Attorney

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40 kyw

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Exhibit "A"

LEGAL DESCRIPTION

DRAFT

LEGAL DESCRIPTION

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LOTS 4 AND 5 IN THE NORTHEAST QUARTER (NE 1/4) OF MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, AS SHOWN BY THE PLAT THEREOF ON FILE IN PLAT BOOK 4, PAGE 34 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPTING TO CANAL AND ROAD RIGHT OF WAY.

AND

LOTS 6 AND 7 IN THE NORTHEAST QUARTER (NE 1/4) OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, BEING THE SAME PROPERTY DESCRIBED AS: THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); AND THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); ALL IN SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST.

ALL CONTAINING 38.05 ACRES MORE OR LESS.

DRAFT

Exhibit "B"

MAPS

DRAFT

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**Citizen Courtesy Information
List
Planning & Zoning/Local
Planning Agency Public Hearing
Sept. 9, 2008**

Comprehensive Plan Citizen Courtesy Information List

Local

Government: St. Lucie County, Planning & Zoning / Local Planning Agency

Hearing Date: September 9, 2008

Type Hearing: Transmittal (Proposed)* Adoption 08-02 cycle

DCA Amendment Number: _____ (DCA Official Use)

Please Print Clearly

By providing your name and address you will receive information concerning the date of publication of the Notice of Intent by the Department of Community Affairs.

Citizen Name	Address, City, State, Zip Code	Appropriate Response(s)		Identify Amendment which is of Interest
		Written Comment	Spoken Comment	
		• Check		
Terry Campbell	4914 Orange Ave Ft. Pierce			Bay Berry Properties 34947
David Turner	5000 Orange Ave Ft. Pierce			Burbury
Treva Gilkey	4375 Favorite RD	X	X	Cassens White City 08-030
Greg Gilkey	FD, FL 34981			

Advertisement
Planning & Zoning /Land
Planning Agency Public Hearing
Published August 8
and
August 27, 2008

ST. LUCIE COUNTY PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY PUBLIC HEARING AGENDA
 August 21, 2008
NOTICE OF PROPOSED AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN

The St. Lucie County Planning and Zoning Commission/Local Planning Agency is scheduled to review and make recommendations to the Board of County Commissioners of St. Lucie County, Florida regarding Large Scale Comprehensive Plan Amendment Cycle 2008-2.

The purpose of this public hearing is to consider the following Comprehensive Plan Amendments to the Florida Department of Community Affairs:

A public hearing on these proposals will be held before the Planning and Zoning Commission/Local Planning Agency on Thursday, August 21, 2008 at 6:00 P.M. or as soon thereafter as possible, at the Commission Chambers, Royal Palm Annex, 3rd Floor, St. Lucie County Administration Building, 2000 Virginia Avenue, Fort Pierce, Florida.

Item #1 Ordinance No. 08-027

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 66.78 ACRE (M.O.L.) PARCEL OF LAND FROM R1 (RESIDENTIAL URBAN - 2 DWELLING UNITS PER ACRE) AND CDD (COMMERCIAL) TO MIX (MIXED USE DEVELOPMENT) MEDIUM DENSITY AND AMENDING FIGURE 1-7.8 IN POLICY 1.1.7.8 OF THE COMPREHENSIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Orange Avenue Development II, LLC (Land Design South, Agent)
 File Number: FLUMA-00081455
 Location: Approximately 1 mile east of I-95 on the north side of Orange Avenue and within the Janonia Road Area Plans Special District

LEGAL DESCRIPTION PARCEL 1:
 THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS RIGHT-OF-WAY FOR CANALS, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 18.46 ACRES MORE OR LESS

LEGAL DESCRIPTION PARCEL 2:
 PARCEL 2: THE EAST 60 FEET OF THE FOLLOWING DESCRIBED PROPERTY: THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPT RIGHTS OF WAY FOR PUBLIC ROADS, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.
 LESS THE 67 PARCEL DESCRIBED HEREINAFTER
LEGAL DESCRIPTION (67 EASEMENT) PROVIDED BY CULPEPPER & TRENPHAM INC. FILE #01-45833.DWG
 THE EAST 60 FEET OF THE SOUTH 382.60 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 20 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST; LESS AND EXCEPT RIGHTS OF WAY FOR PUBLIC ROADS, SAID PARCEL CONTAINING 0.99 ACRES MORE OR LESS, CONTAINING 1.09 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 3:
 THE NORTH 16 ACRES OF THE FOLLOWING DESCRIBED PROPERTY: THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST; LESS AND EXCEPT RIGHTS OF WAY FOR CANALS, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA; AND FURTHER LESS AND EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCEL, AS SET FORTH IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 2816: A PORTION OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A FOUND RAILROAD SPIKE MARKING THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE N 80 DEGREE 07'30" E ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 509.88 METERS (52,643.00 FEET) TO A POINT ON A FOUND ROAD SPIKE MARKING THE WEST 1/4 CORNER OF SAID SECTION 7, SAID POINT BEING ON THE BASELINE OF SURVEY FOR STATE ROAD 68 (ORANGE AVENUE) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION NO. 9407D-2504; THENCE N 88 DEGREE 47'09" E ALONG SAID BASELINE OF SURVEY AND THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 324.07 METERS (340.33 FEET); THENCE N 00 DEGREE 17'11" W ALONG A LINE AT A RIGHT ANGLE TO THE LAST DESCRIBED COURSE, A DISTANCE OF 116.648 METERS (382.77 FEET) TO THE POINT OF BEGINNING; THENCE N 89 DEGREE 47'00" E, 171.180 METERS (561.60 FEET); THENCE N 00 DEGREE 18'45" E, 94.635 METERS (310.65 FEET); THENCE S 88 DEGREE 47'09" W, 171.209 METERS (562.04 FEET); THENCE S 00 DEGREE 18'38" W, 94.634 METERS (310.64 FEET) TO THE POINT OF BEGINNING. FURTHER LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL, AS SET FORTH IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 1916: A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 16 ACRES OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, EXCEPTING THE RIGHT-OF-WAY FOR CANALS, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE; COMMENCE AT A FOUND RAILROAD SPIKE MARKING THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE N 00 DEGREE 07'30" E ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 24,453.00 FEET TO A POINT ON A FOUND RAILROAD SPIKE MARKING THE WEST QUARTER CORNER OF SAID SECTION 7, SAID POINT BEING ON THE BASELINE OF SURVEY FOR STATE ROAD 68 (ORANGE AVENUE) AS SHOWN ON A FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION NO. 9407D-2504; THENCE N 88 DEGREE 47'09" E ALONG SAID BASE LINE OF SURVEY AND THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 324.07 FEET; THENCE N 89 DEGREE 47'00" E ALONG A LINE AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 322.77 FEET TO THE POINT OF BEGINNING. THENCE N 88 DEGREE 47'09" E, 281.66 FEET TO THE EASTERLY BOUNDARY OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, SAID LINE ALSO TO BE EXTENDED TO THE WESTERLY BOUNDARY OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, TOGETHER WITH A PERPETUAL EASEMENT FOR INGRESS AND EGRESS AS RECORDED IN O.R. BOOK 1433, PAGE 1917, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
 CONTAINING 8.26 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 4:
 THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 20' OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPTING THE EAST 60' THEREOF AND LESS RIGHT-OF-WAY FOR PUBLIC ROADS, FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: BEGIN 20' WEST OF THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7 AND RUN THENCE NORTH 40' TO POINT OF BEGINNING; THENCE CONTINUE NORTH PARALLEL WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 187' TO A POINT; THENCE TURN AND RUN EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 100' TO A POINT; THENCE TURN AND RUN SOUTH 184' TO A POINT 100' EAST OF POINT OF BEGINNING; THENCE TURN AND RUN WEST 184' TO POINT OF BEGINNING.
 LESS O.C.T. EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 828 OFFICIAL RECORDS OF ST. LUCIE COUNTY, FLORIDA.
 LESS THE WEST 1/2 OF THE CROSS EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 1936 PAGE 238 MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 A DISTANCE 20 FEET WEST OF THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, THENCE N 00 DEGREE 10'00" E FOR 40.00 FEET TO THE NORTH RIGHT OF WAY LINE OF ORANGE AVENUE (STATE ROAD NO. 68); THENCE N 00 DEGREE 49'00" E ALONG SAID RIGHT OF WAY LINE OF ORANGE AVENUE FOR 64.00 FEET; THENCE M 79 DEGREE 45'00" E FOR 45.00 FEET; THENCE N 89 DEGREE 42'00" E FOR 0.67 FEET TO THE POINT OF BEGINNING; THENCE N 00 DEGREE 10'00" E FOR 118.00 FEET; THENCE N 89 DEGREE 42'00" E FOR 74.00 FEET; THENCE S 00 DEGREE 10'00" W FOR 118.00 FEET TO SAID NORTH RIGHT OF WAY LINE OF ORANGE AVENUE; THENCE S 89 DEGREE 10'00" W FOR

74.00 FEET TO THE POINT OF BEGINNING.
 CONTAINING 800,399 SQUARE FEET OR 18.37 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 5:
 THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, EXCEPTING ALL RIGHT-OF-WAY FOR PUBLIC AND DRAINAGE CANALS AND DITCHES, CONTAINING 8.47 ACRES MORE OR LESS

LEGAL DESCRIPTION PARCEL 6:
 THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, EXCEPTING ALL RIGHT-OF-WAY FOR PUBLIC AND DRAINAGE CANALS AND DITCHES, CONTAINING 4.87 ACRES MORE OR LESS

LEGAL DESCRIPTION PARCEL 7:
 THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, EXCEPTING ALL RIGHT-OF-WAY FOR PUBLIC AND DRAINAGE CANALS AND DITCHES, CONTAINING 8.87 ACRES MORE OR LESS

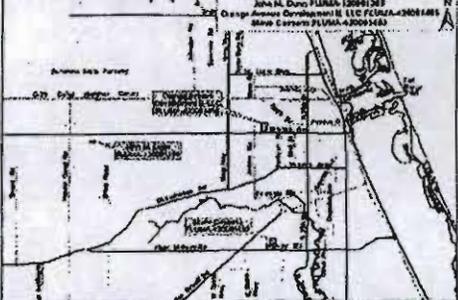
Item #2 Ordinance No. 08-028
 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 118.80 ACRE (M.O.L.) PARCEL OF LAND FROM A-5 (AGRICULTURAL-5 - 1 DWELLING UNIT PER 5 ACRES) TO MIX (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING FIGURE 1-7.8, MIXD - WEST ORANGE MIXED USE ACTIVITY AREA, IN POLICY 1.1.7.8 OF THE COMPREHENSIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Duro, John M.
 File Number: FLUMA-120081288
 Location: Approximately .25 mile south of Orange Avenue, 5.0 miles west of I-95, on the east side of Tronville Road
 Legal Description: ORANGE AVE AG PARK LOT 6 (MAP22(11)) (11.82) (OR 2384 941)

Item #3 Ordinance No. 08-029
 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 28.85 ACRE (M.O.L.) PARCEL OF LAND FROM R1 (RESIDENTIAL URBAN - 2 DWELLING UNITS PER ACRE) TO MIX (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING POLICY 1.1.7.8 OF THE FUTURE LAND USE ELEMENT TO INCLUDE FIGURE 1-7M AND PROVIDING SUB-AREA POLICY LANGUAGE; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Steve Chasen (Terry L. Vira & Associates, Inc., Agent)
 File Number: FLUMA-420081433 / TCP-620081434
 Location: Northwest quarter of West Midway Road and Seitz Road, on north side of Foyale Road
 Legal Description: LOTS 4 AND 6 IN THE NORTHEAST QUARTER (NE 1/4) OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 6, TOWNSHIP 35 SOUTH, RANGE 40 EAST, AS SHOWN BY THE PLAT THEREOF ON FILE IN PLAT BOOK 4, PAGE 34 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPTING TO CANAL AND ROAD RIGHT OF WAY.
 AND
 LOTS 8 AND 7 IN THE NORTHEAST QUARTER (NE 1/4) OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 6, TOWNSHIP 35 SOUTH, RANGE 40 EAST, BEING THE SAME PROPERTY DESCRIBED AS: THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); AND THE EAST ONE-HALF (1/2) OF THE WEST ONE-HALF (1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4), ALL IN SECTION 6, TOWNSHIP 35 SOUTH, RANGE 40 EAST.

ALL CONTAINING 38.08 ACRES MORE OR LESS.



All interested persons will be given an opportunity to be heard. Written comments received in advance of the public hearing will also be considered. Written comments to the Planning and Zoning Commission/Local Planning Agency should be received by the Growth Management Department at least 5 days prior to the scheduled hearing. The public is available for review at the Growth Management Department offices located at 2000 Virginia Avenue, 2nd Floor, Fort Pierce, Florida, during regular business hours. Please call 772/462-2922 or TDD 772/462-1426 if you have any questions or require additional information.

The St. Lucie County Planning and Zoning Commission/Local Planning Agency has the power to review and recommend to the St. Lucie County Board of County Commissioners, for approval or disapproval, any application within their area of responsibility.

The proceedings of the Planning and Zoning Commission/Local Planning Agency are electronically recorded. SUBSEQUENT TO SECTION 218.0105, Florida Statutes, if a person desires to appeal any decision made by the Planning and Zoning Commission/Local Planning Agency with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued to a date certain.

Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Services Director at least forty-eight (48) hours prior to the meeting at 772/462-1777 or T.D.O. 772/462-1426.

PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY
 ST. LUCIE COUNTY, FLORIDA
 2000 VIRGINIA AVENUE, 2ND FLOOR, FORT PIERCE, FLORIDA
 PUBLISH DATE: August 8, 2008

ST. LUCIE COUNTY PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY PUBLIC HEARING AGENDA

September 9, 2008

NOTICE OF PROPOSED AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN

The St. Lucie County Planning and Zoning Commission/Local Planning Agency is provided to review and make recommendations to the Board of County Commissioners of St. Lucie County, Florida regarding Large Scale Comprehensive Plan Amendment One zone 2.

The purpose of the public hearing is to consider amendments of the following Comprehensive Plan Amendment to the Florida Department of Community Affairs.

A public hearing on these proposals will be held before the Planning and Zoning Commission/Local Planning Agency on Tuesday, September 9, 2008 at 8:00 PM, at the location mentioned as possible, in the Commission Chamber, Roger Putnam Annex, 3rd Floor, St. Lucie County Administration Building, 2000 Virginia Avenue, Fort Pierce, Florida.

Item #1 Ordinance No. 08-027

LEGAL DESCRIPTION PARCEL 1:
 ALL ORIGINALLY OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 20.75 ACRE (91.1) PARCEL OF LAND FROM AN INDIVIDUAL UNDIVIDED - 4 SMALLER UNITS PER ACRES INTENT AND AMENDING PARCELS 1-7F IN POLY 1,1,2,3 OF THE COMPREHENSIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR CONSULTATIVE PROPOSING; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Orange Avenue Development LLC (and Design South, Agent)
 File Number: FLDA-08001346
 Location: Approximately 1 mile east of I-95 on the east side of Orange Avenue 544 west of the intersection of Road 146 (aka State Street)

Legal Description:
 THE WEST 1/4 OF THE NORTH-EAST 1/4 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 2:
 THE EAST 1/2 OF THE NORTH-EAST 1/4 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 3:
 THE EAST 1/2 OF THE NORTH-EAST 1/4 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 4:
 THE EAST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 5:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 6:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 7:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 8:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 9:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 10:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 11:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 12:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 13:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 14:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 15:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 16:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 17:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 18:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 19:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 20:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 21:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 22:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 23:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 24:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 25:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 26:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 27:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 28:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 29:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 30:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 31:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 32:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 33:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 34:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 35:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 36:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 37:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 38:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 39:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 40:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 41:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 42:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 43:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 44:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

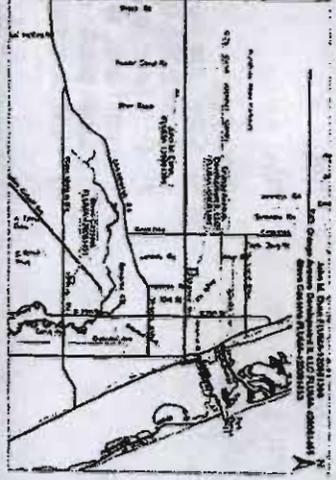
LEGAL DESCRIPTION PARCEL 45:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 46:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 47:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 48:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 49:
 THE WEST 1/2 OF SECTION 7, TOWNSHIP 25 SOUTH, RANGE 40 EAST, LESS 800'-0" OF-WAY FOR CANAL, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 19.48 ACRES MORE OR LESS.



Scripps Treasure Coast Newspapers
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Any person with a disability requiring accommodations to attend the meeting should contact the St. Lucie County Community Services Division at least five (5) business days prior to the meeting at 772-865-1777 or TDD: 772-865-5167.

PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY
 800 VIRGINIA AVENUE, FORT PIERCE, FLORIDA 34945
 PUBLISHING DATE: August 27, 2008

**Minutes from the Sept. 9, 2008
Planning & Zoning /Local
Planning Agency Public Hearing**

1 St. Lucie County
2 Planning and Zoning Commission/Local Planning Agency
3 Commission Chambers, 3rd Floor, Roger Poitras Annex
4 September 9, 2008 Regular Meeting
5 6:00 P.M.
6

7 **A compact disc recording of this meeting, in its entirety, has been placed in the file along with these**
8 **minutes as part of the record. In the event of a conflict between the written minutes and the compact disc,**
9 **the compact disc shall control.**
10

11
12 **I. CALL TO ORDER**

13 Chairman Caron called the meeting to order at 6:00 p.m.
14

15 **A. Pledge of Allegiance**

16
17 **B. Roll Call**

18 Susan CaronChairman
19 Craig MundtVice Chairman
20 Bryan BeatyBoard Member
21 Brad Culverhouse.....Board Member
22 Pamela Hammer.....Board Member
23 Edward LoundsBoard Member
24 Stephanie Morgan.....Board Member
25 Barry SchraderBoard Member
26 Britt ReynoldsBoard Member
27

28 **Members Absent**

29 Kathryn HensleyEx-Officio
30

31 **Others Present**

32 Mark Satterlee.....Director, Growth Management Dept.
33 Robin MeyerAssistant Director, Growth Management Dept.
34 Heather Young.....Assistant County Attorney
35 Kristin TetsworthPlanning Manager
36 Aneela Ansar.....Senior Planner
37 Peter W. Jones, AIA.....Planning Manager
38

39 **C. ANNOUNCEMENTS**

40 None.
41

42 **D. DISCLOSURES**

43 The following Board members disclosed that they had discussions with
44 Ms. Terissa Moulder-Aronson regarding her rezoning request: Ms.
45 Morgan, Mr. Culverhouse, Mr. Reynolds and Mr. Beaty. Ms. Caron
46 disclosed that she received a phone call from a resident (although she does
47 not remember the name of the person) who expressed some concerns.

1
2 **II. MINUTES**

3 Review the minutes from the July 17, 2008 regular meeting, for approval.
4

5 **Mr. Culverhouse motioned approval of the minutes; Mr. Schrader seconded.**
6

7 Ms. Hammer noted that on page 7, line 30 the word "than" needs to be corrected
8 to read "that."
9

10 **The motion carried unanimously to approve as amended.**
11

12 **III. PUBLIC HEARINGS**

13
14 **A. William Bessemer: RZ 420081449**

15 Petition of William Bessemer for an Amendment to the Official Zoning
16 Atlas to change the zoning from the RM-5 (Residential, Multiple-family -
17 5 du/ac) Zoning District to the AR-1 (Agricultural, Residential - 1 du/ac)
18 Zoning District.
19

20 Ms. Aneela Ansar presented this item and displayed a power point
21 presentation. Ms. Ansar explained that the subject parcel is located east of
22 U.S. 1 and Prima Vista Blvd. on the south side of Tilton Road at 1103
23 Tilton Road. The purpose of the rezoning is to maintain the character of
24 the neighborhood and to ensure the present and future use continues rural
25 with large lot single-family homes for the foreseeable future.
26

27 Staff is recommending approval.
28

29 Tyson Waters, Esq., representing the applicant, addressed the Board
30 explaining that he concurs with staff's recommendation.
31

32 Ms. Caron opened the public hearing; no one from the public spoke and
33 the public hearing was closed.
34

35 **Mr. Schrader motioned that the Planning and Zoning Commission**
36 **forward this application to the St. Lucie County Board of County**
37 **Commissioners with a recommendation of approval.**
38

39 **Mr. Culverhouse seconded.**
40

41 Roll Call

42 Mr. Reynolds - yes

43 Ms. Morgan - yes

44 Mr. Lounds - yes

45 Ms. Hammer - yes

46 Mr. Beaty - yes

1 Vice Chairman Mundt – yes
2 Mr. Culverhouse – yes
3 Mr. Schrader – yes
4 Chairman Caron - yes
5

6 **The motion carried unanimously.**
7

8 **B. 17th Street Church of God: RZ 920071319**

9 Petition of 17th Street Church of God for an Amendment to the Official
10 Zoning Atlas to change the zoning from the RF (Religious Facility)
11 Zoning District to the RS-4 (Residential, Single-Family – 4 du/ac) Zoning
12 District.
13

14 Aneela Ansar presented this item and displayed a power point
15 presentation. Ms. Ansar explained that the subject parcel is located on the
16 west side of N. 43rd Street approximately 152 feet south of San Diego
17 Avenue. The purpose of the rezoning request is to assist the church to sell
18 the property for single-family development in order to make
19 improvements to the church at another location at 802/806 N. 17th Street.
20

21 Staff is recommending approval.
22

23 Neither the applicant nor their representative was in attendance at
24 tonight's meeting.
25

26 Ms. Caron opened the public hearing.
27

28 Ms. Veronica Dillingham, a resident of N. 43rd Street, questioned the size
29 of the congregation of the church and the percentage of their membership
30 within the community.
31

32 Ms. Ansar answered by explaining that the church will not be opening a
33 facility at this location.
34

35 No one else from the public spoke and the public hearing was closed.
36

37 **Mr. Beaty motioned that the Planning and Zoning Commission**
38 **forward this application to the St. Lucie County Board of County**
39 **Commissioners with a recommendation of approval.**
40

41 **Ms. Morgan seconded.**
42

43 Roll Call

44 Mr. Reynolds – yes
45 Mr. Schrader – yes
46 Mr. Lounds – yes

1 Ms. Hammer – no (because she would have liked to have seen an
2 Environmental Impact Report first since the land is environmentally
3 sensitive)
4 Mr. Culverhouse – yes
5 Vice Chairman Mundt – yes
6 Ms. Morgan - yes
7 Mr. Beaty – yes
8 Chairman Caron – yes
9

10 **The motion carried 8-1 with Ms. Hammer dissenting.**

11
12 **C. Terissa Moulder-Aronson – RZ 520081470**

13 Petition of Terissa Moulder-Aronson for an Amendment to the Official
14 Zoning Atlas to change the zoning from the RS-4 (Residential, Single-
15 Family – 4 du/ac) Zoning District to the CN (Commercial, Neighborhood)
16 Zoning District.
17

18 Ms. Kristin Tetsworth presented this item and displayed a power point
19 presentation. Ms. Tetsworth explained that the subject parcels are
20 described as Lots 30, 32 and 33, Block 2, First Replat in River Park Unit
21 One.
22

23 The purpose of the rezoning is to allow a change in zoning from single-
24 family residential to a neighborhood commercial use. The uses allowed
25 under the current zoning are no longer viable at the corner of US Highway
26 1 and Rio Mar Drive.
27

28 Ms. Tetsworth went on to explain that there is a River Park Overlay
29 District along Prima Vista Blvd. that contains certain restrictions and
30 constraints. It requires that the commercial uses, at certain intersections of
31 this area, be designated as PNRD (Planned Non-Residential
32 Developments). It allows for commercial neighborhood uses and
33 commercial general uses. The PNRD zoning district would allow the
34 County to use better planning practices and control of buffering, egress
35 and ingress, access points, on-site parking requirements, signage and
36 lighting requirements.
37

38 Staff is in support of changing the zoning on these parcels, but would like
39 to recommend a different zoning district. The County is trying to promote
40 smart growth.
41

42 Staff, therefore, is recommending this item be continued to allow time for
43 the applicant to work together with the Growth Management Department
44 to either revise the application to request a PNRD or pursue an Overlay
45 Zone through the Comprehensive Planning process.
46

1 Ms. Terissa Moulder-Aronson, the applicant, addressed the Board and
2 explained that they are unable to attract buyers and/or developers as it is
3 currently zoned residential. The costs associated with doing a PNRD
4 would be too much for the residents at this time.
5

6 Ms. Moulder-Aronson submitted a petition signed by surrounding
7 commercial property owners in favor of this rezoning.
8

9 There were discussions between Board members and staff with regards to
10 the straight zoning of Commercial Neighborhood versus staff's suggestion
11 of a PNRD. Staff reiterated that a PNRD would enable the County to do
12 more prudent planning and have control over buffering requirements,
13 egress and ingress, control over access points, on-site parking
14 requirements, signage and lighting requirements.
15

16 Ms. Moulder-Aronson explained that there is a letter in the Board's packet
17 from Mr. and Mrs. Gomez who own the property directly behind these lots
18 and they are in favor of this rezoning. Ms. Caron read that letter into the
19 record.
20

21 Ms. Caron opened the public hearing. The following members of the
22 public spoke in opposition of this rezoning: John Ray and Ann Law
23 (stating concerns such as increased traffic congestion, as well as the fact
24 that there are numerous commercial buildings that are vacant and
25 commercial businesses who are no longer in business in the area).
26

27 No one else from the public spoke and the public hearing was closed.
28

29 Discussions between Board members and staff continued. Ms. Hammer
30 noted that she supports the PNRD zoning as suggested by staff and feels
31 there are a lot of issues that need to be worked out and a site plan is
32 needed. Several other Board members expressed the same opinion.
33

34 Staff also pointed out that with the straight zoning of Commercial
35 Neighborhood very few applications come before the Growth
36 Management Department. Most just apply to the Building Department.
37

38 **Ms. Hammer motioned to continue this application to the March 19,**
39 **2009 Planning and Zoning Commission meeting to allow staff to work**
40 **with the applicant towards a concept of the PNRD.**
41

42 **Mr. Lounds seconded.**
43

44 Roll Call

45 Mr. Schrader – yes

46 Mr. Reynolds – yes

1 Ms. Morgan – yes
2 Mr. Culverhouse - yes
3 Mr. Beaty - yes
4 Vice Chairman Mundt – yes
5 Mr. Lounds - yes
6 Ms. Hammer - yes
7 Chairman Caron - yes
8

9 **The motion carried unanimously.**

10
11 **IV. Comprehensive Plan Amendment Cycle 2008-02**

12
13 **A. Ordinance 08-027**

14 Project Name: Bayberry Properties – FLUMA 420081465. Future Land
15 Use Map Amendment from RU (Residential Urban – 5 du/ac) and COM
16 (Commercial) to MXD (Mixed-Use Development) Medium Intensity,
17 amending Figure 1-7f of Policy 1.1.7.3 of the Comprehensive Plan.
18

19 Peter Jones began by going over some procedures for the public hearing of
20 Comprehensive Plan Amendment Cycle 2008-02. Mr. Jones explained
21 that the public hearing for the Comprehensive Plan Amendment Cycle for
22 2008 needs to be opened and stay open. Each item will be heard and acted
23 on separately with the public comment portion to be opened and closed for
24 each application.
25

26 **Ms. Caron opened the public hearing of the Comprehensive Plan**
27 **Amendment Cycle for 2008-02.**

28
29 Mr. Jones then turned to the Bayberry Properties' Comprehensive Plan
30 application and explained that the applicant is requesting that their
31 application be removed from the second set of Comprehensive Plan
32 Amendments.
33

34 Mr. Brad Currie, with Land Design South, representing the applicant,
35 addressed the Board and requested that this application be withdrawn from
36 the second set of Comprehensive Plan Amendments (Comprehensive Plan
37 Amendment Cycle for 2008-02).
38

39 Ms. Caron opened the public comment portion of this application. No one
40 from the public spoke and the public comment portion was closed.
41

42 **Mr. Lounds motioned to approve the applicant's request that the**
43 **application be withdrawn from the second set of Comprehensive Plan**
44 **Amendments;**

45
46 **Mr. Schrader seconded.**

1
2 Roll Call

3 Mr. Beaty - yes
4 Mr. Culverhouse - yes
5 Ms. Hammer - yes
6 Ms. Morgan - yes
7 Mr. Reynolds - yes
8 Mr. Schrader - yes
9 Vice Chairman Mundt - yes
10 Mr. Lounds - yes
11 Chairman Caron - yes
12

13 **The motion carried unanimously.**
14

15 **B. Ordinance No. 08-029**

16 Project Name/Application: John M. Dunn - FLUMA 120081386. Future
17 Land Use Map Amendment AG-5 (Agricultural-5 (1 du/5 acres) to MXD
18 (Mixed Use Development) Specific Use Area, amending Figure 1-7i of
19 Policy 1.1.7.3 of the Comprehensive Plan.
20

21 Peter Jones presented this item and displayed a power point presentation.
22 Mr. Jones explained that the subject parcel is located approximately ¼
23 mile south of Orange Avenue. The current zoning is IX (Industrial,
24 Extraction). Zoning to the north and south is IL (Industrial, Light) and IX
25 (Industrial, Extraction), respectively. Zoning to the east and west are
26 Agricultural with one dwelling unit per five acres. The subject property
27 has a Future Land Use of AG-5 (Agricultural-5, One Dwelling Unit Per
28 Five Acres).
29

30 The owner of the property is requesting this amendment in order to rezone
31 the property from IX (Industrial, Extraction) to IL (Industrial, Light)
32 which will allow proposed improvements and for the sale of this property.
33

34 Staff has found that the proposed Future Land Use Map Amendment is not
35 consistent with the St. Lucie County Comprehensive Plan. Therefore,
36 staff is recommending denial of this application.
37

38 Mr. Dunn, the applicant, addressed the Board briefly. He explained that
39 he purchased this property thinking it was already zoned Industrial. Since
40 he learned that it is not zoned Industrial, he is now trying to sell it. With
41 the approval of this Future Land Use Map Amendment, he will be able to
42 rezone the property and sell it more quickly.
43

44 Ms. Caron opened the public comment portion of this application and the
45 following members of the public spoke in opposition (stating concerns
46 such as truck traffic on Trowbridge Road combined with children on

1 horseback using that road would be extremely dangerous): Donna Wilder
2 and Christina Parsons.

3
4 Ms. Kathleen Turner, with Remax Realty, who is assisting Mr. Dunn with
5 the proposed sale of the subject property, addressed the Board and feels
6 that the request should be approved since the property is bordered on two
7 sides by light industrial zoning.

8
9 No one else from the public spoke and the public comment portion was
10 closed.

11
12 **Mr. Beaty motioned that the Planning and Zoning Commission**
13 **forward this application to the Board of County Commissioners with**
14 **a recommendation of denial because the proposed Future Land Use is**
15 **not consistent with the single-family residences along Trowbridge**
16 **Road and because there is a surplus of undeveloped land with the**
17 **designation of Industrial, Light within the Urban Services Boundary.**

18
19 **Ms. Hammer seconded.**

20
21 Roll Call

22 Mr. Schrader – yes

23 Mr. Reynolds - yes

24 Ms. Morgan –yes

25 Mr. Lounds – yes, but has mixed feelings because of the IX designation
26 that remains on the property

27 Mr. Culverhouse – yes and echoed Mr. Lounds’ concern

28 Vice Chairman Mundt – yes

29 Ms. Hammer – yes

30 Mr. Beaty – yes

31 Chairman Caron – yes

32
33 **The motion carried unanimously.**

34
35 **C. Ordinance No. 08-030**

36 Project Name: Cassens White City Grove - FLUMA 420081453

37 TCP 420081454

38 Future Land Use Map Amendment from RS (Residential Suburban – 2
39 du/acre) to MXD (Mixed Use Development) Specific Use Area, adding
40 Figure 1-7m and Sub-Area policy language.

41
42 Peter Jones presented this item and displayed a power point presentation.
43 Mr. Jones explained that the subject property is located on the northwest
44 quadrant of West Midway Road and Selvitz Road, on the north side of
45 Favorite Road.

1 The applicant has requested this map amendment so that the property
2 reflects land uses surrounding and abutting the subject property. No
3 zoning changes are being proposed at this time.
4

5 The property is currently zoned AR-1 (Agricultural Residential-1, One
6 Dwelling Unit Per Acre) with a Future Land Use of RS (Residential
7 Suburban). The property to the north is currently zoned Light Industrial;
8 the property to the south is zoned Institutional; the property to the east is
9 zoned AR-1 and the property to the west is zoned Industrial, Heavy.
10

11 Staff is recommending approval. Staff, however, discussed their
12 suggestion of amending the Future Land Use Map designation to IND
13 (Industrial) which will afford the County the opportunity to closely follow
14 the development process, etc. "when reading the Comprehensive Plan in
15 strict terms."
16

17 Terry Virta, representing the applicant, addressed the Board briefly stating
18 he and the applicant are requesting the Board's approval of their submitted
19 application.
20

21 Ms. Hammer pointed out that the Traffic Study is based on 5 units per acre
22 and Residential Suburban allows only 2 units per acre. Staff explained
23 that the impact would be considerably less since the study is based on 5
24 units per acre and only 2 units are allowed. Ms. Hammer noted that the
25 Traffic Study is incorrect and should be corrected.
26

27 Ms. Caron opened the public comment portion of this public hearing. The
28 following members of the public spoke in opposition (stating concerns
29 such as the traffic impact on Favorite Road and that they would like the
30 owner to keep the residents informed of any future developments): Greg
31 Gilkey
32

33 No one else from the public spoke and the public comment portion was
34 closed.
35

36 **Mr. Lounds motioned that the Planning and Zoning Commission**
37 **forward this application to the St. Lucie County Board of County**
38 **Commissioners with a recommendation of approval (to Mixed-Use**
39 **Development) Specific Use Area.**
40

41 **Mr. Schrader seconded.**
42

43 Roll Call

44 Mr. Beaty – yes

45 Mr. Culverhouse – yes

46 Ms. Hammer – yes

1 Ms. Morgan – yes
2 Mr. Reynolds – yes
3 Mr. Schrader – yes
4 Mr. Lounds – yes
5 Vice Chairman Mundt – yes
6 Chairman Caron – yes
7

8 **The motion carried unanimously.**

9
10 **Ms. Hammer motioned to close the public hearing for the 2008-02**
11 **Comprehensive Plan Amendment Cycle.**

12
13 **Mr. Beaty seconded and the motion carried unanimously.**
14

15 **V. OTHER BUSINESS**

16 Ms. Caron noted that inaccurate reports, such as the Traffic Study reviewed this
17 evening, are unacceptable. There is no excuse to submit those documents. They
18 are reviewed at staff level and any inaccuracies should be found then. The
19 County should not be accepting inaccurate reports.
20

21 **VI. ADJOURN**

22 There being no further business, the meeting was adjourned at 9:16 p.m.

**Citizen Courtesy Information
List**

**Board of County Commissioner
Public Hearing October 7, 2008**

Comprehensive Plan Citizen Courtesy Information List

Local

Government: St. Lucie County BOCC Public Hearing

Hearing Date: Oct. 7, 2008

Type Hearing: Transmittal (Proposed) Adoption 08-02 Cycle

DCA Amendment Number: _____ (DCA Official Use)

Please Print Clearly

By providing your name and address you will receive information concerning the date of publication of the Notice of Intent by the Department of Community Affairs.

Citizen Name	Address, City, State, Zip Code	• Check		Identify Amendment which is of Interest
		Appropriate Response(s)		
		Written Comment	Spoken Comment	
I. A. Mascio	1004 S. U.S. Hwy 1			
I. A. Mascio	111		//	
SKET JENIGAW	CEDCOFFSFLAQ AOL.com			all -

Advertisement
Board of County Commissioner
Public Hearing
Published September 24, 2008

**ST. LUCIE COUNTY BOARD OF
COUNTY COMMISSIONERS
OCTOBER 7, 2008**

**NOTICE OF PROPOSED AMENDMENTS TO THE FUTURE LAND USE
ELEMENT OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN**

The St. Lucie County Board of County Commissioners proposes to consider the transmittal of the following 08-02 Cycle of Comprehensive Plan Amendments to the Florida Department of Community Affairs:

Item # 1 Ordinance No. 08-029

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 11.62 ACRE (M.O.L.) PARCEL OF LAND FROM AG-5 (AGRICULTURAL-5 - 1 DWELLING UNIT PER 5 ACRES) TO MXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING FIGURE 1-7I, MXD - WEST ORANGE MIXED USE ACTIVITY AREA, IN POLICY 1.1.7.3 OF THE COMPREHENSIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Dunn, John M.
File Number: FLUMA-120081366
Location: Approximately .25 mile south of Orange Avenue,
5.6 miles west of I-95, on the east side of Trowbridge Road

Legal Description: ORANGE AVE AG PARK LOT 5 (MAP2211X) (11.62) (OR 2384-841)

Item # 2 Ordinance No. 08-030

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 38.05 ACRE (M.O.L.) PARCEL OF LAND FROM RS (RESIDENTIAL SUBURBAN - 2 DWELLING UNITS PER ACRE) TO MXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING POLICY 1.1.7.3 OF THE FUTURE LAND USE ELEMENT TO INCLUDE FIGURE 1-7M AND PROVIDING SUB-AREA POLICY LANGUAGE; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

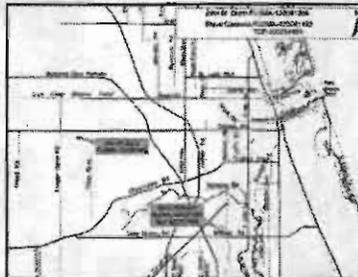
Applicant: Steve Cassens (Terry L. Virte & Associates, Inc., Agent)

File Number: FLUMA-420081453 / TCP-420081454

Location: Northwest quadrant of West Midway Road and Selvitz Road,
on north side of Favorite Road

Legal Description: LOTS 4 AND 5 IN THE NORTHEAST QUARTER (NE 1/4) OF MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, AS SHOWN BY THE PLAT THEREOF ON FILE IN PLAT BOOK 4, PAGE 34 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPTING TO CANAL AND ROAD RIGHT OF WAY.
AND

LOTS 6 AND 7 IN THE NORTHEAST QUARTER (1/4) OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, BEING THE SAME PROPERTY DESCRIBED AS: THE WEST ONE HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); AND THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); ALL IN SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST.
ALL CONTAINING 38.05 ACRES MORE OR LESS.



The PUBLIC HEARING on these items will be held in the Commission Chambers, Roger Poltras Annex, 3rd Floor, St. Lucie County Administration Building, 2300 Virginia Avenue, Fort Pierce, Florida on Tuesday, October 7, 2008 beginning at 6:00 P.M. or as soon thereafter as possible.

All interested persons will be given an opportunity to be heard. Written comments received in advance of the public hearing will also be considered. Written comments to the Board of County Commissioners should be received by the Growth Management Department - Planning Division at least 3 days prior to the scheduled hearing. The petition file is available for review at the Growth Management Department offices located at 2300 Virginia Avenue, 2nd Floor, Fort Pierce, Florida, during regular business hours. Please call 772/462-2622 or TDD 772/462-1428 if you have any questions or require additional information.

The St. Lucie County Board of County Commissioners has the power to review and grant any applications within their area of responsibility.

The proceedings of the Board of County Commissioners are electronically recorded. PURSUANT TO Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued from time to time as may be necessary to a date-certain.

Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Services Director at least forty-eight (48) hours prior to the meeting at 772/462-1777 or T.D.D. 772/462-1426.

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA
/S/ JOSEPH E. SMITH, CHAIRMAN
PUBLISH DATE: September 24, 2008

**Minutes from the
October 7, 2008
Board of County
Commissioners Public Hearing
Minutes**

**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

REGULAR MEETING

Date: October 7, 2008

**Convened: 6:00p.m.
Adjourned: 10:00 p.m.**

Commissioners Present: Chairman, Joseph Smith, Paula A. Lewis, Chris Craft, Doug Coward, Charles Grande

Others Present: Doug Anderson, County Administrator, Faye Outlaw, Asst. County Administrator, Lee Ann Lowery, Asst. County Administrator, Dan McIntyre, County Attorney, Mark Satterlee, Growth Management Director, Beth Ryder, Community Services Director, Mike Powley, County Engineer, Peter Jones, Planning Manager, Millie Delgado-Feliciano, Deputy Clerk

I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. MINUTES

Approve the minutes from the September 23, 2008 meeting.

It was moved by Com. Coward, seconded by Com. Craft, to approve the minutes of September 23, 2008 meeting and; upon roll call, motion carried unanimously.

IV. PROCLAMATIONS/PRESENTATIONS

A. There are no proclamations/presentations scheduled for October 7, 2008.

V. GENERAL PUBLIC COMMENT

Mr. John Arena, area resident, addressed the Board regarding Cable TV advertisements and recycling of bicycles.

Ms. Lorraine Post, Lakewood Park resident addressed the Board regarding the Lakewood Park Pool and asked Board to give the same the consideration to the Lakewood Park Pool as they have to the Ravenswood Pool.

VI. CONSENT AGENDA

It was moved by Com. Craft, seconded by Com. Lewis, to approve the Consent Agenda as amended, and; upon roll call, motion carried unanimously.

A. WARRANTS

Approve warrant list No. 52, 53 and 1.

B. COUNTY ATTORNEY

1. Second Amendment to Facilities Use Agreement – The Salvation Army @ Logistics Center – The Board approved staff recommendation to approve the Second Amendment to the Facilities Use Agreement and authorized the Chairman to sign the Amendment.
2. Allied New Technologies – The Board approved the First Amendment to - October 4, 2007 Road Improvement Agreement –and authorized the Chairman to sign the First Amendment
3. County Administrator - Approval of Faye Outlaw – The Board approved the appointment of Faye Outlaw as County Administrator effective January 9, 2009 and directed the County Attorney to draft a written contract with Ms. Outlaw for subsequent Board consideration.
4. First Amendment to Interlocal Agreement for Bus Stop Locations – The Board approved the First Amendment and authorized the Chairman to sign the First Amendment.
5. "After the Fact" Revocable License Agreement – Mr. and Mrs. Kenneth Milner – 774 East Prima Vista Boulevard – The Board approved staff recommendation to approve the "After the Fact" Revocable License Agreement and authorized the Chairman to sign and directed Mr. and Mrs. Milner to record the Agreement in the Public Records of St. Lucie County, Florida.

B. COUNTY ATTORNEY (Contd.)

6. St. Lucie County Fair Grounds – Emergency Operations Center Utility – Easement – Florida Power and Light – The Board approved staff recommendation to approve the Florida Power & Light Company Utility Easement, authorized the Chairman to sign the Utility Easement and directed staff to record the Utility Easement in the Public Records of St. Lucie County, Florida.

C. PUBLIC WORKS

1. Engineering Division - SR 615 S. 25th Roadway Widening (Midway Road-Edwards Road) – Construction Engineering and Inspection Services – The Board approved staff recommendation to approve the Fourth Amendment to Work Authorization No. 1 (C03-05-645) which amends Kimley-Horn and Associates' contract to reflect a \$250,000 increase for construction engineering inspection services for the S. 25th Street Roadway Widening Project (Midway Road-Edwards Road), and authorized the Chairman to sign.
2. Engineering Division - SR 615 S. 25th Roadway Widening (Midway Road-Edwards Road) – Change Order No. 13 – The Board approved Change Order No. 13 to the contract with Dickerson Florida, Inc., for SR 615 S. 25th Roadway Widening (Midway Road-Edwards Road), in the amount of \$54,642.11, for signalization at Bell Avenue and modifications to project quantities and authorized the Chairman to sign.
3. **This item was pulled prior to the meeting:** Engineering Division - Road Improvement Agreement with Rhodes Holdings, Inc., developers of St. Andrews Park Walgreens - Consider staff recommendation to approve the Road Improvement Agreement with Rhodes Holdings, Inc. and authorize the Chairman to sign the Agreement.
4. Engineering Division - Release of Maintenance Bond for Howard Creek Estates off-site drainage improvement – The Board approved the release of the surety in the amount of \$1,200.00 and accept the constructed improvements.
5. Engineering Division - Indian River Estates Stormwater Improvements – Phase I Pump Station Change Order No. 2 – The Board approved Change Order No. 2 with Close Construction, Inc., in the amount of \$93,301.00, for the Indian River Estates Stormwater Improvements – Phase I Pump Station project, and signature by the Chair.
6. Engineering Division - Request the use of emergency bid procedures and award Project No. 08-22, Sneed Road Emergency Culvert Replacement at North St. Lucie River Water Control District Canal #68. The Board approved the use of emergency bid procedures and award Project No. 08-22, Sneed Road Emergency Culvert Replacement at North St. Lucie River Water Control District Canal #68. **This agenda item will be distributed after the October 7th Bid Opening.**
7. Engineering Division - Request the approval of Change Order #2 in the amount of \$23,570.59 to Contract C08-04-150 for modification to the construction of the Sneed Road Emergency Culvert Replacement at North St. Lucie River Water Control District Canal #66 project. The new contract price, including this change order, will be \$306,360.59. All work shall be completed by November 30, 2008 – The Board approved Change Order #2 in the amount of \$23,570.59 to Contract C08-04-150 for modification to the construction of the Sneed Road Emergency Culvert Replacement at North St. Lucie River Water Control District Canal #66 for a total contract price of \$306,360.59, and authorized the Chair to sign.

D. ADMINISTRATION

Commissioner/County Administrator Travel – The Board approved granting authorization for in or out-of-state travel for the County Administrator and any member of the Board during the FY08-09 fiscal year.

E. SHERIFF'S OFFICE

Permission to accept 2008 Byrne Memorial Justice Assistance Grant (JAG) from the U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance – The Board approved authorizing the acceptance of the grant award 2008-DJ-BX-0534 and, authorized the County Administrator to sign the grant acceptance documents.

F. AIRPORT

1. Request approval of Resolution 08-291 accepting the Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) #424991-1-94-01 in the amount of \$721,600 (80% FDOT share) with a 20% local match share of \$180,400 for a total cost of \$902,000 to assist in the purchase of the 29 acre parcel south of Runway 9L/27R at the St. Lucie County International Airport – The Board approved Resolution 08-291 accepting the Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) #424991-1-94-01 in the amount of \$721,600 (80% FDOT share) with a 20% local match share of \$180,400 for a total cost of \$902,000 to assist in the purchase of the 29 acre parcel south of Runway 9L/27R at the St. Lucie County International Airport and authorized the Chairman to sign.

2. Request for approval of the PBS&J Work Authorization No. 4 for environmental services due to the tree clearing required for the line of sight to the proposed Runway 9L/27R and Parallel Taxiway at the St. Lucie County International Airport, for a lump sum amount of \$94,053 – The Board approved Resolution 08-291 accepting the Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) #424991-1-94-01 in the amount of \$721,600 (80% FDOT share) with a 20% local match share of \$180,400 for a total cost of \$902,000 to assist in the purchase of the 29 acre parcel south of Runway 9L/27R at the St. Lucie County International Airport and authorized the Chairman to sign.
3. Request for approval of LPA Group Work Authorization #12 for professional services to prepare the Airport Master Plan Update for the St. Lucie County International Airport for a lump cost of \$238,984 – The Board approved LPA Group Work Authorization #12 for professional services to prepare the Airport Master Plan Update for the St. Lucie County International Airport for a lump cost of \$238,984 and authorized the Chairman to sign.
4. Request approval of Interlocal Agreement with Fort Pierce Utilities Authority (FPUA) for the installation of guide lights on utility poles along US 1 as a visual aide for pilots to keep west of US 1 – The Board approved the Interlocal Agreement with Fort Pierce Utilities Authority (FPUA) for the installation of guide lights on utility poles along US 1 as a visual aide for pilots to keep west of US 1 and authorized the Chairman to sign.
5. Request approval of Resolution 08-270 accepting the Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) #416252-1-94-01 in the amount of \$92,000 (80% FDOT share) with a 20% local match share of \$23,000 for a total project cost \$115,000 for environmental mitigation projects at the St. Lucie County International Airport – The Board approved Resolution 08-270 accepting the Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) #416252-1-94-01 in the amount of \$92,000 (80% FDOT share) with a 20% local match share of \$23,000 for a total project cost \$115,000 for environmental mitigation projects at the St. Lucie County International Airport and authorized the Chairman to sign.
6. Request approval of Budget Resolution 08-309 for the Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) #416248-1-94-01 in the amount of \$264,000 (80% FDOT share) with a 20% local match share of \$66,000 for a total project cost \$330,000 to conduct the Master Drainage Plan Update at the St. Lucie County International Airport – The Board approved Budget Resolution 08-309 for the Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) #416248-1-94-01 in the amount of \$264,000 (80% FDOT share) with a 20% local match share of \$66,000 for a total project cost \$330,000 to conduct the Master Drainage Plan Update at the St. Lucie County International Airport and authorized the Chairman to sign.

F. AIRPORT (Condt.)

7. Request authorization to execute the State Financial Assistance Agreement, St. Lucie County – Florida Department of Environmental Protection (FDEP) Agreement No. LP8991, accepting a \$788,000 grant for the Airport West Commerce Park Sanitary Sewer Project at the St. Lucie County International Airport – The Board approved executing the State Financial Assistance Agreement, St. Lucie County – Florida Department of Environmental Protection (FDEP) Agreement No. LP8991, accepting a \$788,000 grant for the Airport West Commerce Park Sanitary Sewer Project at the St. Lucie County International Airport and authorized the Chairman to sign.

G. MANAGEMENT AND BUDGET

1. Request for approval of FY09 Budget Disbursement to the Supervisor of Elections – The Board approved the Supervisor of Elections request for 25 percent (\$655,355.50) of the total FY09 budget and thereafter, 6.82 percent per month.
2. Request for approval of advance in the amount of \$275,000 to the County Tax Collector – The Board approved the Tax Collector's request for an October commission advance in the amount of \$275,000.

H. COMMUNITY SERVICES

1. Permission to enter into a contract with Sunrise City Community Housing Development Organization (CHDO) for a project request in the amount of \$280,196.00 – The Board approved entering into a contract with Sunrise City CHDO, and authorized the Chairman to sign the contract as prepared by the County Attorney.
2. Permission to Advertise Public Hearing – Grant Modification #2 to the Community Development Block Grant 2005 Disaster Recovery Grant – The Board granted permission to advertise proposed modification for public hearing on October 14, 2008 at 9:00 a.m., or as soon thereafter as may be heard.

I. GRANTS

1. Request the board to authorize the submittal of a grant application to the State of Florida E911 (Enhanced 911) County Grant Program for funding to purchase an enhanced Network Access

Server (NAS) for the new Public Safety building. Funding will be utilized to purchase and install NAS equipment and to maintain an essential countywide server that manages and stores archive recordings – The Board approved the submittal of a grant application to the State of Florida E911 (Enhanced 911) County Grant Program, requesting \$12,578.00 to purchase an enhanced Network Access Server for the new Public Safety building.

2. Request the board to authorize the submittal of a grant application to the State of Florida E911 (Enhanced 911) County Grant Program for funding to purchase Back-up Recording Equipment for the alternate Public Safety facility, located at 101 North Rock Road, Fort Pierce, FL 34945. Funding will be utilized to purchase and install Back-up Recording Equipment and to maintain an essential countywide back-up system in the event the primary system fails – The Board approved the submittal of a grant application to the State of Florida E911 (Enhanced 911) County Grant Program, requesting \$9,656.00 to purchase a Public Safety Back-up Recording System.
3. Request the board to authorize the submittal of a grant application to the State of Florida E911 (Enhanced 911) County Grant Program for funding to purchase Back-up Public Safety Answering Points (PSAP) Equipment for the alternate Public Safety facility, located at 101 North Rock Road, Fort Pierce, FL 34945. Funding will be utilized to purchase and install Back-up PSAP Equipment and to maintain an essential countywide back-up system in the event the primary system fails – The Board approved the submittal of a grant application to the State of Florida E911 (Enhanced 911) County Grant Program, requesting \$572,981.00 to purchase a Back-up PSAP System.

I. GRANTS (Contd.)

4. Request the board to authorize the submittal of a grant application to the State of Florida E911 (Enhanced 911) County Grant Program for funding to purchase an enhanced call routing and database management system for E911 Telecommunications. The system will be housed at the alternate Public Safety facility, located at 101 North Rock Road, Fort Pierce, FL 34945 – The Board approved the submittal of a grant application to the State of Florida E911 (Enhanced 911) County Grant Program, requesting \$150,000.00 to purchase a Public Safety E911 Call Routing and Database Management System for E911 Telecommunications.

J. TOURISM/ECONOMIC DEVELOPMENT

Consider approving the annual Contracts with the Treasure Coast Sports Commission (TCSC). The total Grants are for \$150,000 for FY 08/09 including \$75,000 for administrative costs, \$55,000 for bids and sponsorships and \$20,000 for the Police and Fire Games bid. The Grants are to promote tourism in the County by attracting sporting events to the County – The Board approved the annual Contracts with the Treasure Coast Sports Commission (TCSC). The total Grants are for \$150,000 and authorized the Chairman to sign the Contracts as prepared by the County Attorney.

K. PUBLIC SAFETY

Request Board approval to purchase from Presidio Corp (MOB) – Foundry and Aruba network hardware supporting wired and wireless network and Voice over Internet Protocol Telecom communication/traffic. Priced below State Contract at \$345,126, saving the County \$20,736.34 from the State Contract amount – The Board approved the purchase of Foundry and Aruba network hardware supporting wired and wireless network and Voice over Internet Protocol Telecom communication/traffic. Priced below State Contract at \$345,126, saving the County \$20,736.34 from the State Contract amount.

L. LIBRARY

St. Lucie County has received funding through the Department of State/Division of Library and Information Services since 1978 for operating funds for public library services. These funds are based on dollars spent locally for the Library's operating expenses in FY 06/07. The money for this grant has been projected in the Library's 105-7115 budget for FY 08/09. Estimated revenues from the grant is \$163,145 The Board authorized the Chairman to sign two (2) copies of the application, at the time of approval, for the State Aid to Libraries Grant Application. Approve the Library's FY 08/09 annual plan of service.

M. PARKS AND RECREATION

1. Board Approval to Advertise an Invitation to Bid (ITB) for the Construction of Phase III of the South County Regional Football/Soccer Stadium – The Board approved the request to advertise an Invitation to Bid (ITB) for the construction of Phase III of the South County Regional Football/Soccer Stadium.
2. **ADDITION** – Request to use Impact Fee Reserves for permit review fees for Phase III of the South County Regional Stadium – The Board approved the use of Impact Fee Reserves to be transferred into Zone "B" Impact Fees in an amount not to exceed \$5,000 for permit review fees for Phase III of the South County Regional Stadium.

END OF CONSENT AGENDA

VII. PUBLIC HEARINGS

A. GROWTH MANAGEMENT

Public Hearing for Comprehensive Plan Amendment Cycle 2008-02.

Ordinance 08-029

Project Name / Applicant: John M. Dunn

File No. FLUMA-120081386: Future Land Use Map Amendment from AG-5 (Agricultural-5 – 1 du/5acres) to MXD (Mixed Use Development) Specific Use Area, amending Figure 1-7i of Policy 1.1.7.3 of the Comprehensive Plan. - Consider staff recommendation to (1) Open the public hearing for St. Lucie County Comprehensive Plan Amendment Cycle 2008-02, (2) For each ordinance to be considered, hear the staff report, the applicant's comments, and public comment, (3) Close public comment, not the hearing and (4) Hold Board discussion and then Board action on each item.

Staff addressed the Board on this item and advised everyone present, the Planning and Zoning Board recommended denial of this item and it not be transmitted.

Mr. Mike Misholli, applicant, addressed the Board and stated the property will be sold to a metal company (East Coast Metals) and this would improve the tax base and provide jobs.

The Planning Manager stated the sale of the property is outside of staff's purview and requires an amendment to the Comprehensive Plan.

Com. Coward stated he believed this area was not intended to be an industrial area. An industrial operation off of an agricultural area does not make sense.

Com. Grande questioned the rationale for the mixed use request.

Staff advised the Board this was what the applicant had requested.

Ms. Kathleen Turner stated she had assisted Mr. Dunn with the completion of the application and was told they would first need to have the mixed use approved before moving forward with an industrial light use.

Staff advised the Board it should be considered that this is outside of the urban service area and he is sure the DCA will question it and not agree to the request. The DCA will require sustainability.

Mr. Misholli stated he could not see the problem due to the fact there is mixed use all around the property with the exception of 4 houses.

Com. Coward stated the applicant should consider the activity within the urban service area.

It was moved by Com. Coward, seconded by Com. Grande not to transmit this application to the Department of Community Affairs, and; upon roll call, motion carried unanimously.

B. GROWTH MANAGEMENT

Public Hearing for Comprehensive Plan Amendment Cycle 2008-02.

Ordinance 08-030

Project Name: Cassens White City Grove

Applicant / Agent: Terry L. Virta, AICP

File No. FLUMA-420081453 / TCP-420081454: Future Land Use Map Amendment from RS (Residential Suburban – 2 du/acre) to MXD (Mixed Use Development) Specific Use Area, adding Figure 1-7m and Sub-Area policy language - Consider staff recommendation to (1) Open the public hearing for St. Lucie County Comprehensive Plan Amendment Cycle 2008-02, (2) For each ordinance to be considered, hear the staff report, the applicant's comments, and public comment, (3) Close public comment, not the hearing and (4) Hold Board discussion and then Board action on each item.

The Board questioned the funding for the 25th St to Turnpike project.

Staff advised the Board this project was partially funded and the other segment would be under the PD&E.

Com. Coward stated compatibility was a concern. He is seeing an industrial project right in the residential back door. He stated he would like to see a substantial size buffer.

The Planning Manager advised the Board the applicant requested the mixed use and they have recognized there are issues of concern. However they wish to be good neighbors to the residential area.

Staff supports the mixed use and felt it does not constitute sprawl.

Com. Coward stated he would rather see industrial opposed to residential and he does not wish to throw mixed use all together.

Mr. Terry Virta, Terry Virta & Associates, addressed the Board on this item and stated he sees this piece of property being a transition of what is going on around them and this is the reason for the mixed use request.

Ms. Rose Arcadia, property owner on Favorite Street, questioned what would be built at the location.

The Planning Manager stated they are proposing a 310,000 square foot industrial park.

Ms. Arlene Goodman, White city resident, addressed the Board and questioned what where the plans for Midway Road since there are no funds currently available for its expansion.

Staff advised the Board the Local Planning Agency recommended moving forward to transmit unanimously.

It was moved by Com. Lewis, seconded by Com. Coward to transmit as applicant requested, mixed use to the DCA, and; upon roll call, motion carried unanimously.

C. GROWTH MANAGEMENT

The Petition of Home Dynamics Sedona, LLC for a 12 Month Extension of the Final Planned Unit Development (PUD) Site Plan project known as Sedona PUD located at the southwest corner of South 25th Street and Edwards Road (File No. BCC 220081425) – Consider staff recommendation to adopt Resolution No. 08-230, which would grant a 12 month extension to the Sedona Final PUD.

Mr. Mark Mathis, Lucido & Associates, addressed the Board on this item and stated he was available for any questions the Board may have.

Com. Grande stated he concurred with staff recommendation however under the circumstances, he cannot support the extension and stated he did not support the project from the beginning.

It was moved by Com. Coward, seconded by Com. Craft, to approve staff recommendation, and; upon roll call, the vote was as follows: Nay: Grande; Aye's: Lewis, Coward, Craft, Smith; motion carried by a vote of 4 to 1.

D. GROWTH MANAGEMENT

The discussion held at this time will pertain to both items D and E.

Petition of Ginn-LA WSL Ltd., LLLP for a Conditional Use Permit to allow a sand and rock mining operation in the AG-5 (Agriculture – 1 unit per 5 acres) Zoning District for property located on the south side of the SFWMD C-24 Canal to the intersection of Glades Cut-Off Road and Range Line Road (File No.: CU 04-006 and MJSP 04-003) – Consider staff recommendation to adopt Resolution No. 08-092 granting Ginn-LA WSL Ltd., LLLP a Conditional Use Permit to allow a sand and rock mining operation in the AG-5 (Agriculture – 1 unit per 5 acres) Zoning District, with the conditions therein.

Mr. Lee Dobbins, representing the applicant, addressed the Board and the public benefit of the project.

Mr. Bill Taylor, Carlton Road resident, addressed his concerns about the drainage rights and wanted to make sure they would be taken care of.

Mr. Dick Shone, Carlton Road resident, addressed the Board about his concerns with the drainage ditches on the property and how they will be maintained.

Mr. Kathy Shone, Carlton Road resident, addressed the Board and sated she disagrees with the mine in the area and asked the Board to consider the hours of operation. She does not support Saturday hours and stated she felt there was an accident ready to happen in the area.

The County Engineer advised the Board that Glades Cut Off Road to I-95 is not being widened.

Mr. Steve Mushily, owner of east 120 acres expressed his concern with the property flooding caused by the applicants pump on the property.

Mr. Rick Richinous, East Gate Group addressed Mr. Molehill's questions.

Mr. Phillip Stickers, area resident, addressed the Board and commended the applicant for their cooperation with the area residents.

The County Attorney recommended a change to page 4 of the resolution concerning the drainage.

Mr. Dobbins requested the change also appear in item 3B in the mining permit to make it consistent as well.

The County Engineer recommended drafting language that the volume would not impede in any way.

QUASI JUDICIAL

The Board members acknowledged contact with the applicant and the receipt of e-mails from Residents.

The County Engineer advised the Board of those residents who sent letters or made calls objecting and also stating their concerns. Ms. Linda Dorrough had written a letter stating her objects and Mr. Bill Hammer addressed his concerns and made recommendations to added conditions.

Com. Craft questioned if they should consider limiting the hours on Saturday.

Mr. Dobbins stated the hours requested were an important part of the mine operation.

The County Engineer recommended the hours be the same as all other mining operations previously approved by the Board and advised the Board of the following:

Florida Rock – hours of operation, Monday thru Wednesday 5:00 a.m.- 9:00 p.m.
Thursday and Friday 6:00 a.m. – 6:00 p.m.
Saturday 6:00 a.m.-6:00 pm.

Florida Rock South- hours of operation, Monday thru Saturday 6:00 a.m.-6:00 p.m.

It was moved by Com. Coward, seconded by Com. Grande to approve staff recommendation with the changes noted on the drainage, and; upon roll call, motion carried unanimously.

E. PUBLIC WORKS

Public hearing to review the mining permit application of Ginn-LA WSL Ltd., LLLP. The applicant is seeking a Class II permit for a period of 20 years - Consider staff recommendation to approve the mining permit application of Ginn-LA WSL Ltd., LLLP subject to the approved plans and the attached General and Special Conditions.

It was moved by Com. Lewis, seconded by Com. Grande, to approve staff recommendation as amended, and; upon roll call, motion carried unanimously.

END OF PUBLIC HEARINGS

III. ADMINISTRATION

ADDITION TO THE AGENDA - Value Adjustment Board – New Membership Requirements Effective September 1, 2008. - Staff recommends that the Board elect two Commissioners from the three appointed at the November 13th Reorganization meeting and select two alternate Commissioners. Staff recommends that the Board vote and appoint one applicant from the three received as the Citizen appointment to the Value Adjustment Board per the new membership requirements. Staff also recommends that the Board adopt Resolution No. 08-315 and authorize the Chairman to sign the resolution.

It was moved by Com. Craft, seconded by Com. Coward to approve Resolution No. 08-315, and; upon roll call, motion carried unanimously.

Upon tally of the votes Mr. Tague Armstrong was appointed as the citizen member for the Board of County Commissioners at the Value Adjustment Board.

The following Board members were appointed to the Value Adjustment Board: Com. Craft and Com. Grande, Alternates: Com. Lewis and Com. Coward.

There being no further business to be brought before the Board, the meeting was adjourned.

Chairman

Clerk of the Circuit Court

**St. Lucie County Adopted
Procedures
for Public Participation**

12.03.00 LOCAL PLANNING AGENCY**12.03.01 DUTIES AND RESPONSIBILITIES**

The Local Planning Agency, in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, Section 163.3174, Florida Statutes, shall:

- A. Be the agency responsible for the preparation of the comprehensive plan and shall make recommendations to the Board of County Commissioners regarding the adoption of such plan or element or portion thereof. During the preparation of the plan and prior to any recommendation to the Board of County Commissioners, the local planning agency shall hold at least one (1) public hearing, with due public notice, on the proposed plan or element or portion thereof. The Board of County Commissioners, in cooperation with the local planning agency, may designate any agency, committee, department, or person to prepare the comprehensive plan or any element thereof, but final recommendation of the adoption of such plan to the Board of County Commissioners shall be the responsibility of the Local Planning Agency.
- B. Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the Board of County Commissioners such changes in the comprehensive plan as may be required from time to time, including preparation of the periodic reports required by Section 163.3191.
- C. Review proposed land development regulations, land development codes, or amendments thereto, and make recommendations to the Board of County Commissioners as to the consistency of the proposal with the adopted comprehensive plan, or element or portion thereof.
- D. Perform any other functions, duties, and responsibilities assigned to it by the Board of County Commissioners or by general or special law.

12.03.02

DESIGNATION AND ESTABLISHMENT

Pursuant to, and in accordance with Section 163.3174, Florida Statutes (Local Government Comprehensive Planning and Land Development Regulation Act) the County Planning and Zoning Commission is hereby designated and established as the Local Planning Agency for the unincorporated territory of the County.

12.03.03

ORGANIZATION RULES AND PROCEDURES

Members of the Local Planning Agency shall continue to be appointed and follow such rules of procedure, methods of choosing officers, setting of public meetings, providing of financial support, and accomplishing its duties as provided in Chapter 59-1805, Laws of Florida, 1959, as amended by County Ordinance No. 71-5.

12.03.04

PUBLIC MEETINGS AND RECORDS

All meetings of the Local Planning Agency shall be public meetings and all agency records shall be public records. The Local Planning Agency shall encourage public participation.

CHAPTER XII DECISION MAKING AND ADMINISTRATIVE BODIES

12.00.00 BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners shall have the following powers and duties under this Code:

- A. The powers to initiate, review, and adopt amendments to the Official Zoning Atlas as provided in Section 11.06.00;
- B. The powers to initiate, review, and adopt amendments to the text of this Code as provided in Section 11.06.00;
- C. The powers to review and grant, grant with conditions, or deny Preliminary Site Plans and Final Site Plans, as provided in Section 11.02.00;
- D. The power to review and grant or deny plat applications, as provided in Section 11.03.00;
- E. The powers to review and determine whether a Class A Mobile Home can be defined as a detached single-family dwelling, as provided in Section 11.05.02;
- F. The powers to review and grant, grant with conditions, or deny conditional uses as provided in Section 11.07.00;
- G. The powers to review and grant or deny applications for development agreements, as provided in Section 11.08.00;
- H. The powers to interpret boundaries of the various zoning districts on the Official Zoning Atlas, as provided in Section 1.08.02.
- I. The power to establish a schedule of fees in order to cover the costs of technical and administrative activities required by this Code as provided in Section 11.12.00;
- J. The power to hear and decide appeals initiated by any person, officer, board, or bureau of St. Lucie County aggrieved by a decision by the County Administrator with respect to the Vested Rights and Adequate Public Facilities provisions of this Code as provided in Section 11.09.00 and Chapter V.
- K. When sitting as the Environmental Control Board, the power to hear and decide appeals initiated by any person, officer, board, or bureau of St. Lucie County aggrieved by any decision, order, determination or interpretation of any administrative official of the County with respect to the Vegetation Protection and Preservation, Mangrove Alteration and Selective Trimming, Sea Turtle Protection, Coastal Area Protection, Wellfield Protection, Wetland Protection, and Native Upland Habitat Protection provisions of this Code as provided in Section 11.11.00.

**Cassens White City Grove
Comprehensive Plan
Amendment Cycle 2008-02
FLUMA-420081453
and
TCP-420081454**

BOCC Meeting, October 7, 2008
Agenda Package



Agenda Request

Item Number VII-B
Meeting Date: 10/07/08
Consent []
Regular []
Public Hearing [X]
Leg. [X] Quasi-JD []

To: Board of County Commissioners
Submitted By: Growth Management Department

Presented By
Growth Management Director

SUBJECT: Public Hearing for Comprehensive Plan Amendment Cycle 2008-02

VII-A Ordinance 08-029
Project Name / Applicant: John M. Dunn
File No. FLUMA-120081386: Future Land Use Map Amendment from AG-5 (Agricultural-5 - 1 du/5acres) to MXD (Mixed Use Development) Specific Use Area, amending Figure 1-7l of Policy 1.1.7.3 of the Comprehensive Plan

VII-B Ordinance 08-030
Project Name: Cassens White City Grove
Applicant / Agent: Terry L. Virta, AICP
File No. FLUMA-420081453 / TCP-420081454: Future Land Use Map Amendment from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use Development) Specific Use Area, adding Figure 1-7m and Sub-Area policy language

BACKGROUND: Two applications for Future Land Use Map Amendment, one including a text amendment, are being considered in the current Comprehensive Plan amendment cycle.

FUNDS AVAILABLE: N/A

PREVIOUS ACTION: The recommendations made by the Planning and Zoning Commission during the September 9, 2008 public hearing was a unanimous denial for Ordinance 08-029 and a unanimous approval for Ordinance 08-030.

RECOMMENDATION: Procedure
1) Open the public hearing for St. Lucie County Comprehensive Plan Amendment Cycle 2008-02.
2) For each ordinance to be considered, hear the staff report, the applicant's comments, and public comment.
3) Close public comment, not the hearing.
4) Hold Board discussion and then Board action on each item.

Recommendation
Vote to recommend transmittal or denial of each amendment application individually. Recommendations for each application are contained in the staff reports.

COMMISSION ACTION:
[] APPROVED [] DENIED
[] OTHER

CONCURRENCE:

Douglas M. Anderson
County Administrator

County Attorney: Daniel S. McIntyre

Coordination/ Signatures
E.R.D.: Jennifer Evans

County Surveyor: Ron Harris

County Engineer:

Other:

Other:



GROWTH MANAGEMENT DEPARTMENT
PLANNING

MEMORANDUM

TO: Board of County Commissioners

THROUGH: Mark Satterlee, AICP, Growth Management Director 

FROM: Peter W. Jones, AIA, Comprehensive Planning Manager

DATE: September 16, 2008

SUBJECT: Comprehensive Plan Amendment Cycle 2008-02

This memorandum provides staff review and recommendations regarding the proposed items included in St. Lucie County Comprehensive Plan Amendment Cycle 2008-02. Two applications for Future Land Use Map Amendment, one of which includes a Text Amendment, are scheduled for the October 7, 2008 Board of County Commission agenda. There will not be an individual memorandum for each item.

A third application, Ordinance No. 08-027, "Bayberry Properties" was advertised for public hearing for the Planning and Zoning Commission, then subsequently removed from the current Comprehensive Plan Cycle at the request of the applicant; it is not being considered at this time.

1. **Ordinance No. 08-029**, "John M. Dunn" is requesting a Future Land Use change of 11.62 acres from AG-5 (Agricultural-5 -1du/5 acres) to MXD (Mixed Use Development) Specific Use Area.

Ordinance No. 08-029

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 11.62 ACRE (M.O.L.) PARCEL OF LAND FROM AG-5 (AGRICULTURAL-5 - 1 DWELLING UNIT PER 5 ACRES) TO MXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING FIGURE 1-7I, MXD - WEST ORANGE MIXED USE ACTIVITY AREA, IN POLICY 1.1.7.3 OF THE COMPREHENSIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Property Location: Approximately .25 miles south of Orange Avenue, 5.6 miles west of I-95. The property is flanked by the North St. Lucie Water Management (NSLWMD) Canal No. 56 on the east and Trowbridge Road to the west. Godfrey Road runs adjacent to the east along canal No. 56.

Staff Comments: Future industrial uses discussed in the application would not be compatible with the single-family residences along the west side of Trowbridge Road, just north of the subject property. Parcels in the existing West Orange MXD area all front on Orange Avenue, isolating truck traffic to this main corridor. Proposed uses on this subject property would require improvements to and added traffic on Trowbridge Road, which staff views as incompatible with the existing low-intensity residential area. St. Lucie County currently has an existing inventory of land with a Future Land Use Map designation of Industrial Land Use within the Urban Service Area that is currently undeveloped. The analysis staff conducted indicates that a MXD land use in this area is not consistent with the St. Lucie County Comprehensive Plan or Florida State Statutes.

Planning and Zoning Commission Action: Please see the attached minutes for the September 9, 2008 Planning and Zoning Commission meeting. During this meeting Mr. Bryan Beaty motioned to recommend a denial to the Board of County Commission due to the use being inconsistent with the neighboring single-family residences as well as a surplus of undeveloped land designated Industrial, Light within the Urban Services Boundary. The motion was seconded by Ms. Pamela Hammer and carried unanimously.

Staff Recommendation: Staff recommends that the Board of County Commission follow the Planning and Zoning recommendation of denial and not transmit the proposed amendment to the Department of Community Affairs.

2. **Ordinance No. 08-030**, "Cassens White City Grove" is requesting a Future Land Use Map Amendment of 38.05 acres from RS (Residential Suburban) to MXD (Mixed Use Development) Specific Use Area, and a Text Amendment adding Figure 1-7m for the proposed MXD area and providing sub-area policy language.

Ordinance No. 08-030

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 38.05 ACRE (M.O.L.) PARCEL OF LAND FROM RS (RESIDENTIAL SUBURBAN – 2 DWELLING UNITS PER ACRE) TO MXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING POLICY 1.1.7.3 OF THE FUTURE LAND USE ELEMENT TO INCLUDE FIGURE 1-7M AND PROVIDING SUB-AREA POLICY LANGUAGE; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Property Location: Northwest quadrant of West Midway Road and Selvitz Road, on north side of Favorite Road.

Staff Comments: The analysis staff conducted indicates that a MXD land use in this area is not entirely consistent with the St. Lucie County Comprehensive Plan. In staff's assessment, the area of this parcel does not meet the criteria outlined in the Comprehensive Plan. The MXD Specific Use Area could however be considered a beneficial land use as it requires the applicant to pursue the PNRD process upon development and include a minimum 35% open space. However, the parcel is not located in such a specialized area as outlined in the Comprehensive Plan MXD language. Given the criteria for consideration of a MXD Future Land Use, it is staff's conclusion that a Future Land Use of IND (Industrial) may be more appropriate for the subject property. The IND designation would be consistent with the County Comprehensive Plan and would permit all of the uses and intensities discussed in the application and proposed sub-area policies. Staff finds that the proposed amendment is consistent with the relevant provisions of the state and regional plans, rules and statutes and does not trigger any primary indicators for the proliferation of urban sprawl. It would be consistent with state and regional standards if the Future Land Use Map were amended to either MXD as requested by the applicant or IND as proposed by staff.

Planning and Zoning Commission Action: Please see the attached minutes for the September 9, 2008 Planning and Zoning Commission meeting. The Board heard concerns from two neighbors regarding traffic from the development. Staff explained that the proposed policy language requires that future access would be provided to the west, away from existing residential development. A discrepancy in the applicant's traffic study was noted; the report was prepared incorrectly for a land use of RU instead of the correct RS. An updated report has since been provided. In the latest traffic report included in the Board of County Commission package, again staff noticed a presumed error in referencing Jenkins Road in the Introduction section. There is no connection to Jenkins Road from this parcel in the planning timeframe used in the traffic analysis. After taking testimony and Board discussion Mr. Edward Lounds motioned to recommend approval to the Board of County Commission of a MXD Specific Use Area. The motion was seconded by Mr. Barry Schrader and carried unanimously.

Staff Recommendation: Staff supports amending the Future Land Use designation of the subject parcel to IND (Industrial). If the Planning and Zoning Commission and the Board of County Commissioners find that the proposed MXD (Mixed Use Development) Specific Use Area designation with associated Sub-Area policy language on this parcel is not inconsistent with the intent of the Comprehensive Plan, then staff would also support amending the Future Land Use as such.



**Environmental Resources
Department**

Agenda Item Companion Report

TO: Board of County Commissioners

FROM: Yvette Alger
Environmental Resources Department

DATE: September 29, 2008

RE: Cassens White City Grove Future Land Use Map Amendment

DEPARTMENT COORDINATION

ERD visited the site on May 2, 2008. GM requested ERD input on the proposed Future Land Use Map Amendment.

ERD INPUT

ERD input has been included in the attached staff report.

ERD RECOMMENDATION

ERD has no objection to GM recommendation.


Signature

**BOARD OF
COUNTY
COMMISSIONERS**



**GROWTH
MANAGEMENT**

September 22, 2007

Joe Smith
Anywhere Street
Anywhere, USA 12345

**RE: Cassens White City Grove
FLUMA-420081453
TCP- 420081454**

In accordance with the St. Lucie County Land Development Code, you are hereby advised that Steve Cassens (Terry L. Virta & Associates, Inc., Agent) has petitioned St. Lucie County for a proposed Large Scale Future Land Use Element Amendment for 38.05 acres more or less, located in St. Lucie County. If approved, the change would amend the adopted Comprehensive Plan Future Land Use Map from RS (Residential Suburban – 2 du/acre) to MXD (Mixed Use Development) Specific Use Area, adding Figure 1-7m and Sub-Area policy language to the Comprehensive Plan, for the following described property:

for the following described property:

Location: Northwest quadrant of West Midway Road & Selvitz Road, on the North side of Favorite Road.

Legal Description: Lots 4 and 5 in the Northeast Quarter (NE 1/4) of Model Land Company's Subdivision, of Section 6, Township 36 South, Range 40 East, as shown by the plat thereof on file in plat Book 4, page 34 of the Public Records of St. Lucie County, Florida, less and excepting to canal and road right of way.

AND

Lots 6 and 7 in the Northeast Quarter (1/4) of Model Land Company's Subdivision of Section 6, Township 36 South, Range 40 East, being the same property described as: The West one half (W 1/2) of the East one-half (E 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4); and the East one-half (E 1/2) of the West one-half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4); all in Section 6, Township 36 South, Range 40 East.

All containing 38.05 Acres more or less.

The public hearing on the petition will be held at 6:00 P.M., or as soon thereafter as possible, on Tuesday, October 7, 2008 County Commissioner's Chambers, St. Lucie County Administration Building Annex, 2300 Virginia Avenue, Fort Pierce, Florida. All interested persons will be given an opportunity to be heard at that time. Written comments received in advance of the public hearing will also be considered. The County Planning Division should receive written comments to the Board of County Commissioners at least 3 days prior to a scheduled hearing.

County policy strongly encourages your input and comment at the public hearing of this matter before the Board of County Commission, rather than by contact outside of the scheduled public hearing. We encourage you to speak at these public hearings, or provide written comments for the record.

The proceedings of the Board of County Commissioners are electronically recorded. If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued to a date-certain.

Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Services Director at least forty-eight (48) hours prior to the meeting at (772) 462-1777 or T.D.D. (772) 462-1428.

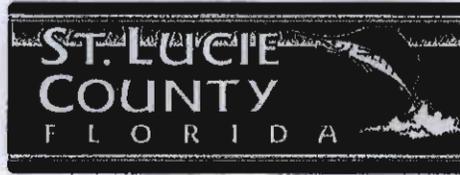
JOSEPH E. SMITH, District No. 1 • DOUG COWARD, District No. 2 • PAULA A. LEWIS, District No. 3 • CHARLES GRANDE, District No. 4
• CHRIS CRAFT, District No. 5

County Administrator - Douglas M. Anderson Website: www.co.st-lucie.fl.us
2300 Virginia Avenue - Fort Pierce, FL. 34982-5852

Administration: (772) 462-1590 Planning: (772) 462-2822 GIS/Technical Services: (772) 462-2822 FAX: (772) 462-1581

Economic Development: (772) 462-1550 FAX: (772) 462-1579 Tourist Development: (772) 462-1535 1(800) 344-TGIF FAX: (772) 462-2132

**BOARD OF
COUNTY
COMMISSIONERS**



**GROWTH
MANAGEMENT**

If you no longer own property adjacent to the above-described parcel, please forward this notice to the new owner. Please call (772) 462-2822 if you have any questions, and refer to the project name and number listed above.

Sincerely,
ST. LUCIE COUNTY BOARD OF COUNTY COMMISSIONERS

Joseph E. Smith, Chairman

Form No. 07-19

JOSEPH E. SMITH, District No. 1 • DOUG COWARD, District No. 2 • PAULA A. LEWIS, District No. 3 • CHARLES GRANDE, District No. 4
• CHRIS CRAFT, District No. 5

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APO listing for Steve Cassens (Agent, Terry L. Virta & Associates, Inc.) FLUMA-420081453

Queried from Property Appraiser 2007 ad valorem tax roll data and current owner data as of July 2, 2008. List prepared July 18, 2008.

Parcel ID	TaxRollOwner1	TaxRollOwner2	Address	City	State	ZipCode
340650300040007	Barbara J Swegles		4311 Favorite Rd	Fort Pierce	FL	34981-4810
340650100040001	Chester C Kuro	Nellie R Kuro	1549 Pheasant Walk Apt A	Fort Pierce	FL	34951
340650100050008	Angela L Massa		105 Wheatsville Ct	Carolina Shores	NC	28467-2284
340650100250004	Dan L Zollinger	Melanie F Zollinger	4221 Favorite Rd	Fort Pierce	FL	34981-4810
340650100030004	Vincent Frias	Maria Guinto Frias	4703 Selvitz Rd	Fort Pierce	FL	34981-4806
340650300030000	Kyle Bradfield	Rhonda Bradfield	234 NW Pleasant Grove Way	Port St Lucie	FL	34986
243141100010009	Midway Properties Of St Lucie		161 N Causeway Ste 8	New Smyrna	FL	32169-5300
340650100080009	Virginia N Going		4242 Favorite Rd	Fort Pierce	FL	34981-4809
340650100270008	Ada F Johnson		4847 Selvitz Rd	Fort Pierce	FL	34981-4808
340650100145009	New Horizons Of The Treas Cst		4500 W Midway Rd	Fort Pierce	FL	34981-4823
340650100140107	United States Postal Service		5000 W Midway Rd	Fort Pierce	FL	34981
340650100070002	Shamy Tommie	Wanda G Tommie	4280 Favorite Rd	Fort Pierce	FL	34981-4809
340650100060005	Fred O Smith	Tammie G Smith	4339 Favorite Rd	Fort Pierce	FL	34981-4810
340650100020100	Robert J Arend		PO Box 12176	Fort Pierce	FL	34979-2176
340650100020007	Ray H Taylor	Carlotta J Taylor	4605 Selvitz Rd	Fort Pierce	FL	34981-4806
340650100110003	White City Grove Inc		PO Box 613	Fort Pierce	FL	34954-0613
340650100120000	Norma F Cassens	Steven D Cassens	PO Box 613	Fort Pierce	FL	34954-0613
340650200070005	Fort Pierce No 3 Llc		2101 NW 110th Ave	Miami	FL	33172
340650200060008	Fort Pierce No 2 Llc		2101 NW 110th Ave	Miami	FL	33172
340650200050001	Fort Pierce No 2 Llc		2101 NW 110th Ave	Miami	FL	33172
340650200040004	Fort Pierce No 3 Llc		2101 NW 110th Ave	Miami	FL	33172
243141100020006	St Lucie County		2300 Virginia Ave	Fort Pierce	FL	34982-5632
340650100200009	New Horizons Of The Treas Cst		4500 W Midway Rd	Fort Pierce	FL	34981-4823
340650100280005	Elio J Hernandez	Ruth V Hernandez	4861 Selvitz Rd	Fort Pierce	FL	34981-4808
340650300020003	Resident		4375 Favorite Rd	Ft Pierce	FL	34981
100000000000000	NSLRWMD		2721 S Jenkins Rd	Ft Pierce	FL	34981
100000000000000	NSLRWMD		2721 S Jenkins Rd	Ft Pierce	FL	34981
Applicant	Steve Cassens		3180 N Kings Hwy	Ft Pierce	FL	34951
Agent	Terry L. Virta, AICP		3101 Park Ave	Riviera Beach	FL	33404
<i>Changed ownership since 2007 tax roll</i>						
340650300040007	James L Kuro	Chester C Kuro Jr	3445 Fox Hollow Way	Suwannee	GA	30024
340650100040001	Nellie R Kuro		1549 Pheasant Walk Apt A	Fort Pierce	FL	34951
340650100050008	David Ortega	Rose Ortega	3851 SW Ruark St	Port St Lucie	FL	34953

**ST. LUCIE COUNTY BOARD OF
COUNTY COMMISSIONERS
OCTOBER 7, 2008**

**NOTICE OF PROPOSED AMENDMENTS TO THE FUTURE LAND USE
ELEMENT OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN**

The St. Lucie County Board of County Commissioners proposes to consider the transmittal of the following 08-02 Cycle of Comprehensive Plan Amendments to the Florida Department of Community Affairs:

Item # 1 Ordinance No. 08-028

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 11.62 ACRE (M.O.L.) PARCEL OF LAND FROM AG-5 (AGRICULTURAL-5 - 1 DWELLING UNIT PER 5 ACRES) TO MXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING FIGURE 1-7I, MXD - WEST ORANGE MIXED USE ACTIVITY AREA, IN POLICY 1.1.7.3 OF THE COMPREHENSIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Dunn, John M.
File Number: FLUMA-120081886
Location: Approximately .25 mile south of Orange Avenue,
5.6 miles west of I-95, on the east side of Trowbridge Road

Legal Description: ORANGE AVE AG PARK LOT 5 (MAP22/11X) (11.62) (OR 2384-641)

Item # 2 Ordinance No. 09-030

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 38.05 ACRE (M.O.L.) PARCEL OF LAND FROM RS (RESIDENTIAL SUBURBAN - 2 DWELLING UNITS PER ACRE) TO MXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING POLICY 1.1.7.3 OF THE FUTURE LAND USE ELEMENT TO INCLUDE FIGURE 1-7M AND PROVIDING SUB-AREA POLICY LANGUAGE; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Steve Cassens (Terry L. Vitta & Associates, Inc., Agent)
File Number: FLUMA-420081453 / TCP-420081454
Location: Northwest quadrant of West Midway Road and Selwitz Road,
on north side of Favorite Road

Legal Description: LOTS 4 AND 5 IN THE NORTHEAST QUARTER (NE 1/4) OF MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 8, TOWNSHIP 36 SOUTH, RANGE 40 EAST, AS SHOWN BY THE PLAT THEREOF ON FILE IN PLAT BOOK 4, PAGE 34 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPTING TO CANAL AND ROAD RIGHT OF WAY.

AND

LOTS 6 AND 7 IN THE NORTHEAST QUARTER (NE 1/4) OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 8, TOWNSHIP 36 SOUTH, RANGE 40 EAST, BEING THE SAME PROPERTY DESCRIBED AS: THE WEST ONE HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); AND THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); ALL IN SECTION 8, TOWNSHIP 36 SOUTH, RANGE 40 EAST.

ALL CONTAINING 38.05 ACRES MORE OR LESS.



The PUBLIC HEARING on these items will be held in the Commission Chambers, Roger Politas Annex, 3rd Floor, St. Lucie County Administration Building, 2300 Virginia Avenue, Fort Pierce, Florida on Tuesday, October 7, 2008 beginning at 6:00 P.M. or as soon thereafter as possible.

All interested persons will be given an opportunity to be heard. Written comments received in advance of the public hearing will also be considered. Written comments to the Board of County Commissioners should be received by the Growth Management Department - Planning Division at least 3 days prior to the scheduled hearing. The petition file is available for review at the Growth Management Department offices located at 2300 Virginia Avenue, 2nd Floor, Fort Pierce, Florida, during regular business hours. Please call 772/462-2822 or TDD 772/462-1428 if you have any questions or require additional information.

The St. Lucie County Board of County Commissioners has the power to review and grant any applications within their area of responsibility.

The proceedings of the Board of County Commissioners are electronically recorded. PURSUANT TO Section 286.0106, Florida Statutes, if a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued from time to time as may be necessary to a date certain.

Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Services Director at least forty-eight (48) hours prior to the meeting at 772/462-1777 or T.O.D. 772/462-1428.

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA
BY JOSEPH E. SMITH, CHAIRMAN
PUBLISH DATE: September 24, 2008

1163

PUBLIC NOTICE

Public Hearing for an Application of Steve Cassens (Terry L. Virta & Associates, Inc., Agent) for a proposed large scale Future Land Use Map Amendment for 38.05 acres more or less, known as Cassens White City Groves, located in St. Lucie County. If approved the change would amend the adopted Comprehensive Plan Future Land Use Map from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use) Specific Use Area, adding Figure 1-7m and Sub-Area policy language to the Comprehensive Plan. The hearing is to be held in the County Administration Building, 2300 Virginia Avenue, Fort Pierce, on **TUESDAY, SEPTEMBER 9, 2008 @ 6 PM** before the Planning and Zoning Commission and on **Tuesday, OCT. 7, 2008 @ 6 PM** before the Board of County Commissioners.

PETITIONS AVAILABLE IN PLANNING DEPT.



Comprehensive Plan Citizen Courtesy Information List

Local

Government: St. Lucie County, Planning & Zoning Local Planning Agency

Hearing Date: September 9, 2008

Type Hearing: Transmittal (Proposed)* Adoption 08-02 cycle

DCA Amendment Number: _____ (DCA Official Use)

Please Print Clearly

By providing your name and address you will receive information concerning the date of publication of the Notice of Intent by the Department of Community Affairs.

Citizen Name	Address, City, State, Zip Code	Appropriate Response(s)		Identify Amendment which is of Interest
		Written Comment	Spoken Comment	
		• Check		
Terry Campbell	4914 Orange Ave Ft. Pierce			Bay Berry Properties 34947
Dawn Turner	5000 Orange Ave 34947			Burbury
Treva Gilkey	4375 Favorite RD	X	X	Cassens White City 08-030
Greg Gilkey	FP, FL 34981			



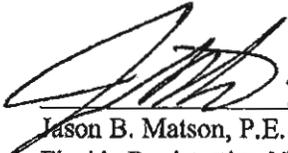
Kimley-Horn
and Associates, Inc.

*TRAFFIC ANALYSIS FOR
COMPREHENSIVE
PLAN AMENDMENT*

**CASSENS GROVE
ST. LUCIE COUNTY, FLORIDA**

Prepared for:
East Bay Group, Inc.

February 2008
Revised September 2008
041376000
© Kimley-Horn and Associates, Inc.
CA 09000696
10521 S.W. Village Center Drive
Port St. Lucie, Florida 34987
772/345-3800 TEL
772/286-0138 FAX

 9-15-08

Jason B. Matson, P.E.
Florida Registration Number 56799



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Kimley-Horn
and Associates, Inc.

INTRODUCTION

It is proposed to change the land use designation of the subject property from Residential (2 dwelling units per acre) to MXD. The subject property is located west of Selvitz Road and north of Midway Road in St. Lucie County, Florida. *Figure 1* shows the location of the subject property, which encompasses approximately 39 acres. The study area for the analysis consisted of all major roadways within two miles of the subject site.

While typically MXD would allow commercial and residential land uses, the subarea policies that are part of this request limit specific land uses to industrial. Therefore, the projection of future trips is limited to the square footage of industrial park area as included in this proposed amendment to the Comprehensive Plan.

Access to the property is proposed via a new connection west to Jenkins Road. Access is not currently proposed via Selvitz Road.

Kimley-Horn and Associates, Inc. was retained to prepare a comprehensive plan amendment traffic analysis for the potential impact of the change in land use designation within a 5-year timeframe (through the end of the year 2013).



Kimley-Horn
and Associates, Inc.

INVENTORY DATA

The data used in this analysis was obtained from St. Lucie County and other sources and consists of:

- 2007 Turning Movement Counts
- 2006 FDOT counts
- 2006 St. Lucie County data
- Peak Season Factors from the Florida Department of Transportation (FDOT) database (Florida Traffic Information 2006)
- AADT volumes from the St. Lucie County Spring 2006 Traffic Capacity Table
- 2012 Treasure Coast Regional Planning Model



TABLE 1
CASSENS GROVE COMPREHENSIVE PLAN AMENDMENT
TRIP GENERATION

Land Use	Acreage	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Existing Land Use									
Single Family Residential	39	78 DU	827	64	16	48	86	54	32
SubTotal			827	84	16	48	86	54	32
Total Existing Land-Use Trips			827	64	16	48	86	54	32
Proposed Land Use									
Industrial Park	-	310,800 SF	2,163	261	214	47	267	56	211
Subtotal		310,800 SF	2,163	261	214	47	267	56	211
Total Proposed Trips			2,163	261	214	47	267	56	211
Net Increase (Proposed - Existing)			1,336	197	198	-1	181	2	179

Note: Trip generation was calculated using the following data:

Daily Trip Generation

Single Family Residential
Industrial Park

(ITE 210) = $\ln(T) = 0.92 \cdot \ln(X) + 2.71$
 (ITE 130) = T = 6.98 trips per 1,000 SF GFA

AM Peak Hour Trip Generation

Single Family Residential
Industrial Park

(ITE 210) = T = 0.70*(X) + 9.43; (25% in, 75% out)
 (ITE 130) = T = 0.84 trips per 1,000 SF GFA; (82% in, 18% out)

PM Peak Hour Trip Generation

Single Family Residential
Industrial Park

(ITE 210) = $\ln(T) = 0.90 \cdot \ln(X) + 0.53$; (63% in, 37% out)
 (ITE 130) = T = 0.88 trips per 1,000 SF GFA; (21% in, 79% out)

\\041041376000_cassens\land use\traffic\cassens update_09-11-2008.xls\trip gen
September 11, 2008



Kimley-Horn
and Associates, Inc.

DISTRIBUTION AND ASSIGNMENT

The external traffic distribution for the subject site was determined using model outputs from the Treasure Coast Regional Planning Model (TCRPM). A new traffic analysis zone (TAZ) was created at the subject property within the model to represent the proposed change in land use and to determine the traffic distribution.

The potential traffic resulting from the subject site was assigned to the external roadway network based on the distribution obtained from the model. The model outputs can be found in the Appendix.



Kimley-Horn
and Associates, Inc.

BACKGROUND TRAFFIC

Existing Traffic

Existing PM peak hour peak direction traffic volumes were calculated from turning movement volumes, 2006 FDOT data and 2006 St. Lucie County raw data.

Historical Growth

To account for background growth between the count year (2006 or 2007) and 2013, the historic growth rate was calculated by comparing Spring 2001 daily volumes with Spring 2006 daily volumes reported by the St. Lucie MPO and FDOT. This historical growth rate was applied to the existing roadway link volumes to determine background conditions in 2013. The growth rate on Selvitz Road could not be calculated because AADT volumes are not available. A five percent growth rate was utilized for Selvitz Road.



Kimley-Horn
and Associates, Inc.

ASSURED AND PROGRAMMED CONSTRUCTION

A review of the Five-Year Plans of St. Lucie County and FDOT identify the following roadway capacity improvements or studies in the two-mile base transportation impact area.

- S. 25th Street from W. Midway Road to Edwards Road/ CR 611 – widened from 2 lanes to 4 lanes – under construction.
- W. Midway Road from Florida's Turnpike to S. 25th Street – widened from 2 lanes to 4 lanes – identified as a capital improvement need by St. Lucie County – Construction planned to begin in 2009 as per St. Lucie County Engineering.
- Selvitz Road & Glades Cut-Off Road Intersection – assured intersection improvements.



LEVEL OF SERVICE EVALUATION

Table 2 shows the results of the level of service analysis for the proposed land-use change for the analysis year 2013. The volumes in this 2013 analysis were obtained from the sum of the existing traffic, background growth, and the land use traffic for PM Peak hour traffic.

The additional traffic related to the change in land use is expected to significantly impact (more than 1% of the adopted capacity) the roadway at the adopted level of service the following facilities:

- Selvitz Road: South of Midway Road
- Midway Road: from I-95 to 25th Street
- Glades Cut-Off Road: South of Midway Road

The change in land use is expected to have *de minimus* impact to I-95, a Strategic Intermodal System (SIS) facility.

The following link is anticipated to exceed the generalized service volume:

- Midway Road - from Glades Cut-Off to 25th Street: Midway Road from Glades Cut-Off to Selvitz Road is projected to exceed the generalized service volume in 2013 with or without the change in land use of this property. Moreover, Midway Road from Selvitz Road to 25th Street is only projected to exceed the service volume in 2013 by four trips given historical growth and land use traffic. The widening of Midway Road from Florida's Turnpike to 25th Street is contained within the St. Lucie County Capital Improvement Plan. This widening is also contained within the Long-Range Transportation Cost Feasible Plan.

As the property develops, site specific concurrency analyses will be performed to determine specific improvements.

**TABLE 2
CASSENS GROVE COMPREHENSIVE PLAN AMENDMENT
PM PEAK HOUR PEAK-DIRECTION LINK ANALYSIS**

Roadway From To		Existing							Background		2013 Background				Subject Property Traffic					2013		Meets LOS Standard?		
		Number of Lanes	Adopted LOS	Service Capacity	Count Year	Existing Traffic		Historic Growth Rate	Growth		Number of Lanes	Service Capacity	2013 Traffic		Assign	Pk. Hr. Volume (Total Traffic)		Pk. Hr. Volume (Net Increase)		% Road Capacity	Total Traffic			
						NB/EB	SB/WB		NB/EB	SB/WB			NB/EB	SB/WB		NB/EB	SB/WB	NB/EB	SB/WB		NB/EB		SB/WB	NB/EB
Selvitz Road																								
South of Midway Road		2LU	E	890	2007	229	524	5.00%	78	178	2LU	890	307	702	10%	6	21	0	18	2.02%	313	723	YES	
Midway Road		2LU	E	890	2007	307	490	5.00%	104	167	2LU	890	411	657	3%	6	2	5	0	0.56%	417	659	-	
Glades Cut-Off Road		2LU	E	890	2007	515	606	5.00%	175	206	2LU	890	690	811	3%	6	2	5	0	0.56%	696	813	-	
Midway Road																								
I-95		4LD	E	1,860	2006	505	603	4.77%	194	232	4LD	1,860	699	835	45%	25	95	1	81	4.35%	724	930	YES	
Glades Cut-Off Road		2LU	E	890	2007	789	745	4.11%	216	204	2LU	890	1,005	949	58%	32	122	1	104	11.69%	1,037	1,071	*	
Site Entrance		2LU	E	890	2007	789	745	4.11%	216	204	2LU	890	1,005	949	42%	89	24	75	1	8.43%	1,094	973	*	
Selvitz Road		2LU	E	890	2007	670	725	3.30%	145	157	2LU	890	814	881	24%	51	13	43	0	4.83%	865	894	*	
Glades Cut-Off Road																								
North of Midway Road		2LU	D	760	2006	434	398	7.39%	281	258	2LU	760	715	655	3%	6	2	5	0	0.66%	721	658	-	
South of Midway Road		2LU	D	760	2006	98	82	2.29%	17	14	2LU	760	115	96	7%	4	15	0	13	1.71%	119	111	YES	
25th Street (SR 615)																								
South of Midway Road		4LD	D	1,860	2007	599	1,207	6.47%	274	552	4LD	1,860	873	1,759	0%	0	0	0	0	0.00%	873	1,759	-	
North of Midway Road		2LU	D	860	2007	482	910	6.00%	202	381	4LD	1,860	684	1,291	10%	21	6	18	0	0.97%	705	1,297	-	
I-95																								
North of Midway Road		6LD	C	4,550	2006	1,808	2,121	4.00%	571	670	6LD	4,550	2,379	2,791	19%	40	11	34	0	0.75%	2,419	2,802	-	
South of Midway Road		6LD	C	4,550	2006	2,469	2,611	4.00%	779	824	6LD	4,550	3,248	3,435	12%	7	25	0	21	0.46%	3,248	3,456	-	

* Midway Road to be addressed at concurrency stage concurrent with site plan submittal (see conclusion)

1041104137000 casSENS and update@casSENS update_00-11-2006.xls from this analysis

8/11/2006 8:27



CONCLUSION

Kimley Horn and Associates, Inc. has prepared this report summarizing the impact of the proposed land use amendment for the subject property located west of Selvitz Road and north of Midway Road in St. Lucie County, Florida. It is proposed to change the land use designation of the subject property from Residential to MXD. While typically MXD would allow commercial and residential land uses, the subarea policies that are part of this request limit specific land uses to industrial. Therefore, the projection of future trips is limited to the square footage of industrial park area as included in this proposed amendment to the Comprehensive Plan.

It is understood that the purpose of the comprehensive plan traffic analysis is to demonstrate consistency and financial feasibility with the County and State five-year work programs. Concurrency is not addressed at this stage but rather administered by St. Lucie County when the applicant submits a site plan application. The maximum land use intensity is theoretical in nature and will be adjusted at the site development stage to meet adopted level of service standards.

The analysis indicates that the link of Midway Road from Glades Cut-Off Road to Selvitz Road is expected to reach and exceed its capacity by the year 2013 with or without the change in land use of the subject property.

The following mitigation options are available to the applicant to address Midway Road:

- 1) Funding is identified in either the State or County five-year Work Programs
- 2) The applicant phases to approximately 100,000 square feet resulting in PM peak hour trips being net equivalent to the existing residential land use designation.
- 3) The applicant prepares a more detailed analysis at the concurrency stage to demonstrate these facilities meet acceptable level of service.
- 4) The applicant may enter into a Proportionate Share Agreement for necessary improvements.



Kimley-Horn
and Associates, Inc.

APPENDIX

**TABLE 1
CASSENS GROVE COMPREHENSIVE PLAN AMENDMENT
TRIP GENERATION**

Land Use	Acreage	Intensity	Daily Trips	PM Peak Hour		
				Total	In	Out
Existing Land Use						
Single Family Residential	39	78 DU	827	86	54	32
SubTotal			827	86	54	32
Total Existing Land-Use Trips			827	86	54	32
Proposed Land Use						
Industrial Park	-	100,000 SF	696	86	18	68
Subtotal		100,000 SF	696	86	18	68
Total Proposed Trips			696	86	18	68
Net Increase (Proposed - Existing)			-131	0	-36	36

Note: Trip generation was calculated using the following data:

Daily Trip Generation

Single Family Residential
Industrial Park

[ITE 210] = $\ln(T) = 0.92 \cdot \ln(X) + 2.71$
 [ITE 130] = $T = 6.96$ trips per 1,000 SF GFA

AM Peak Hour Trip Generation

Single Family Residential
Industrial Park

[ITE 210] = $T = 0.70 \cdot (X) + 9.43$; (25% in, 75% out)
 [ITE 130] = $T = 0.84$ trips per 1,000 SF GFA; (82% in, 18% out)

PM Peak Hour Trip Generation

Single Family Residential
Industrial Park

[ITE 210] = $\ln(T) = 0.90 \cdot \ln(X) + 0.53$; (63% in, 37% out)
 [ITE 130] = $T = 0.86$ trips per 1,000 SF GFA; (21% in, 79% out)

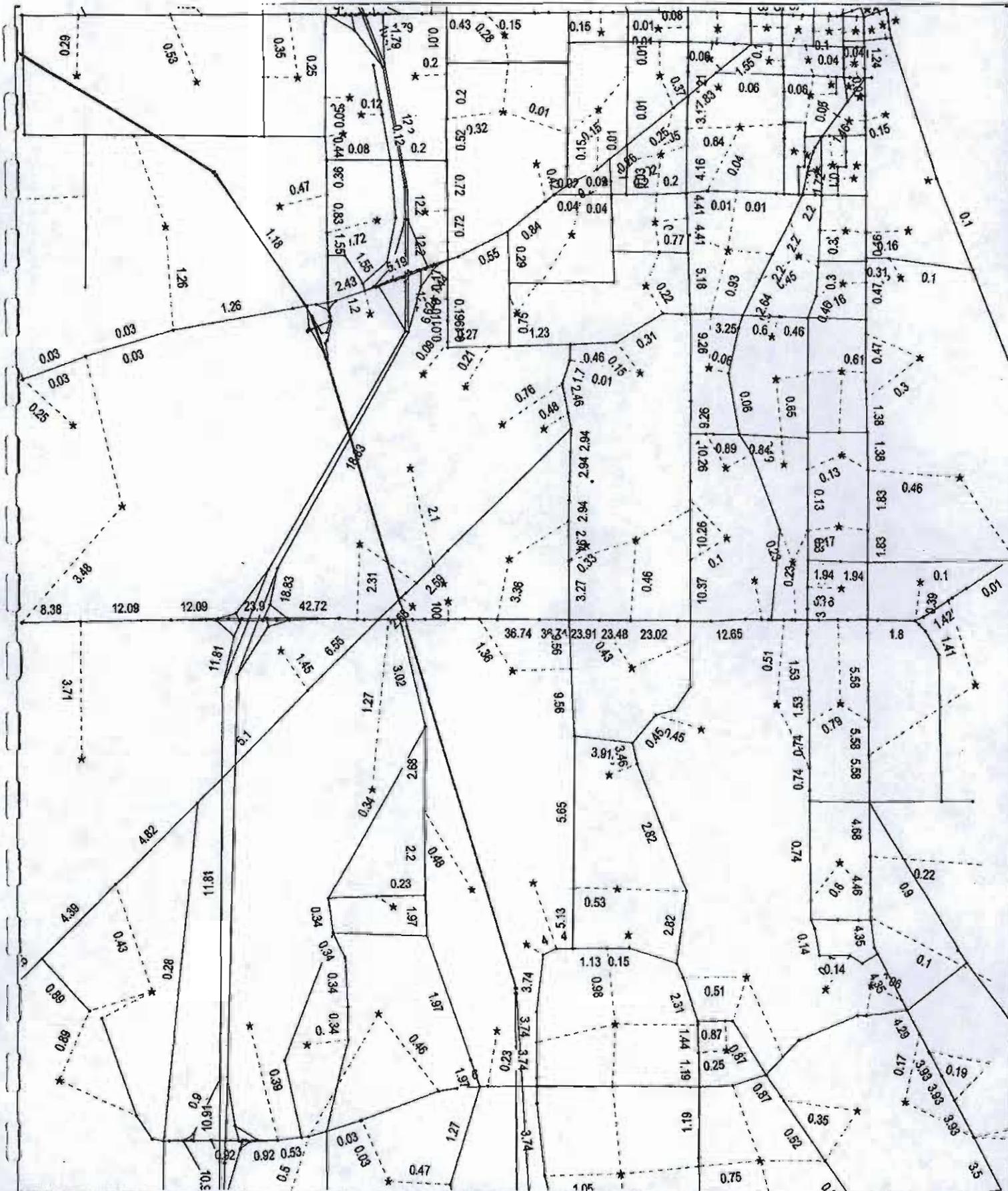
s:\041\041378000 cassens land use\traffic\cassens update_09-11-2008.xls\trip gen

September 11, 2008



**Kimley-Horn
and Associates, Inc.**

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MIDWAY ROAD COMP PLAN AMENDMENT
 ST. LUCIE COUNTY, FLORIDA
 TRAFFIC DISTRIBUTION (PERCENT)
 1/17/2008

**Planning & Zoning Meeting
Sept.9, 2008
Agenda Package**



Agenda Request

Item Number IV C
Meeting Date: 09.09.08

Consent []
Regular []
Public Hearing [X]
Leg. [X] Quasi-JD []

To: Planning and Zoning Commission
Submitted By: Growth Management Department

Presented By
Robin D. Mayer
Growth Management Director

SUBJECT: Public Hearing for Comprehensive Plan Amendment Cycle 2008-02

IV A Ordinance 08-027
Project Name: Bayberry Properties
Applicant / Agent: Land Design South
File No. FLUMA-420081465: Future Land Use Map Amendment from RU (Residential Urban - 5 du/acre) and COM (Commercial) to MXD (Mixed Use Development) Medium Intensity, amending Figure 1-7f of Policy 1.1.7.3 of the Comprehensive Plan

IV B Ordinance 08-029
Project Name / Applicant: John M. Dunn
File No. FLUMA-120081386: Future Land Use Map Amendment from AG-5 (Agricultural-5 - 1 du/5acres) to MXD (Mixed Use Development) Specific Use Area, amending Figure 1-7i of Policy 1.1.7.3 of the Comprehensive Plan

IV C Ordinance 08-030
Project Name: Cassens White City Grove
Applicant / Agent: Terry L. Virta, AICP
File No. FLUMA-420081453 / TCP-420081454: Future Land Use Map Amendment from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use Development) Specific Use Area, adding Figure 1-7m and Sub-Area policy language

BACKGROUND: Three applications for Future Land Use Amendment, one including a text amendment, are being considered in the current Comprehensive Plan amendment cycle.

FUNDS AVAILABLE: N/A

PREVIOUS ACTION: This item was scheduled for the August 21, 2008 public hearing. That meeting was cancelled and rescheduled for September 9, 2008 due to Tropical Storm Fay. Please find agenda item for the August 21st meeting attached.

RECOMMENDATION: Procedure
1) Open the public hearing for St. Lucie County Comprehensive Plan Amendment Cycle 2008-02.
2) For each ordinance to be considered, hear the staff report, the applicant's comments, and public comment.
3) Close public comment, not the hearing.
4) Hold Board discussion and then Board action on each item.

Recommendation
Vote to recommend transmittal or denial of each amendment application individually. Recommendations for each application are contained in the staff reports.

Planning and Zoning:

APPROVED DENIED
 OTHER

1163

PUBLIC NOTICE

Public Hearing for an Application of Steve Cassens (Terry L. Virta & Associates, Inc., Agent) for a proposed large scale Future Land Use Map Amendment for 38.05 acres more or less, known as Cassens White City Groves, located in St. Lucie County. If approved the change would amend the adopted Comprehensive Plan Future Land Use Map from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use) Specific Use Area, adding Figure 1-7m and Sub-Area policy language to the Comprehensive Plan. The hearing is to be held in the County Administration Building, 2300 Virginia Avenue, Fort Pierce, on ~~TUESDAY, SEPTEMBER 9, 2008 @ 6 PM~~ before the Planning and Zoning Commission and on Tuesday, **OCT. 7, 2008 @ 6 PM** before the Board of County Commissioners.

PETITIONS AVAILABLE IN PLANNING DEPT.



1163

PUBLIC NOTICE

Public Hearing for an Application of Steve Cassens (Terry L. Virta & Associates, Inc., Agent) for a proposed large scale Future Land Use Map Amendment for 38.05 acres more or less, known as Cassens White City Groves, located in St. Lucie County. If approved the change would amend the adopted Comprehensive Plan Future Land Use Map from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use) Specific Use Area, adding Figure 1-7m and Sub-Area policy language to the Comprehensive Plan. The hearing is to be held in the County Administration Building, 2300 Virginia Avenue, Fort Pierce, on Thursday, August 21, 2008 @ 6 PM before the Planning and Zoning Commission and on Tuesday, September 16, 2008 @ 6 PM before the Board of County Commissioners.

PETITIONS AVAILABLE IN PLANNING DEPT.



08/07/2008

**BOARD OF
COUNTY
COMMISSIONERS**



**GROWTH
MANAGEMENT**

August 25, 2008

Joe Smith
1800 Anywhere DR.
Anywhere, FL 34982

**RE: Cassens White City Grove
FLUMA-420081453
TCP- 420081454**

In accordance with the St. Lucie County Land Development Code, you are hereby advised that Steve Cassens (Terry L. Virta & Associates, Inc., Agent) presented a petition to St. Lucie County for a proposed Large Scale Future Land Use Element Amendment for 38.05 acres more or less, located in St. Lucie County. If approved, the change would amend the adopted Comprehensive Plan Future Land Use Map from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use Development) Specific Use Area, adding Figure 1-7m and Sub-Area policy language to the Comprehensive Plan, for the following described property:

Location: Northwest quadrant of West Midway Road & Selvitz Road, on the North side of Favorite Road.

Legal Description: Lots 4 and 5 in the Northeast Quarter (NE 1/4) of Model Land Company's Subdivision, of Section 6, Township 36 South, Range 40 East, as shown by the plat thereof on file in plat Book 4, page 34 of the Public Records of St. Lucie County, Florida, less and excepting to canal and road right of way.

AND

Lots 6 and 7 in the Northeast Quarter (1/4) of Model Land Company's Subdivision of Section 6, Township 36 South, Range 40 East, being the same property described as: The West one half (W 1/2) of the East one-half (E 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4); and the East one-half (E 1/2) of the West one-half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4); all in Section 6, Township 36 South, Range 40 East. All containing 38.05 Acres more or less.

The Planning and Zoning Commission public hearing on the petition will be held at 6:00 P.M., or as soon thereafter as possible, on **Tuesday, September 9, 2008**, in the County Commission Chambers, St. Lucie County Administration Annex Building, 2300 Virginia Avenue, Fort Pierce, Florida. All interested persons will be given an opportunity to be heard at that time. Written comments received in advance of the public hearing will also be considered. The Growth Management Department should receive written comments regarding any item for consideration at least 3 days prior to a scheduled hearing.

County policy strongly encourages your input and comment at the public hearing of this matter before the Planning and Zoning Commission and Board of County Commissioners, rather than by contact outside of the scheduled public hearing(s). We encourage you to speak at these public hearings, or provide written comments for the record.

The proceedings of the Planning and Zoning Commission are electronically recorded. If a person decides to appeal any recommendation made to the Board of County Commissioners by the Planning and Zoning Commission, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued to a date-certain.

Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Services Director at least forty-eight (48) hours prior to the meeting at (772) 462-1777 or T.D.D. (772) 462-1428.

JOSEPH E. SMITH, District No. 1 • DOUG COWARD, District No. 2 • PAULA A. LEWIS, District No. 3 • CHARLES GRANDE, District No. 4
• CHRIS CRAFT, District No. 5

County Administrator - Douglas M. Anderson Website: www.co.st-lucie.fl.us

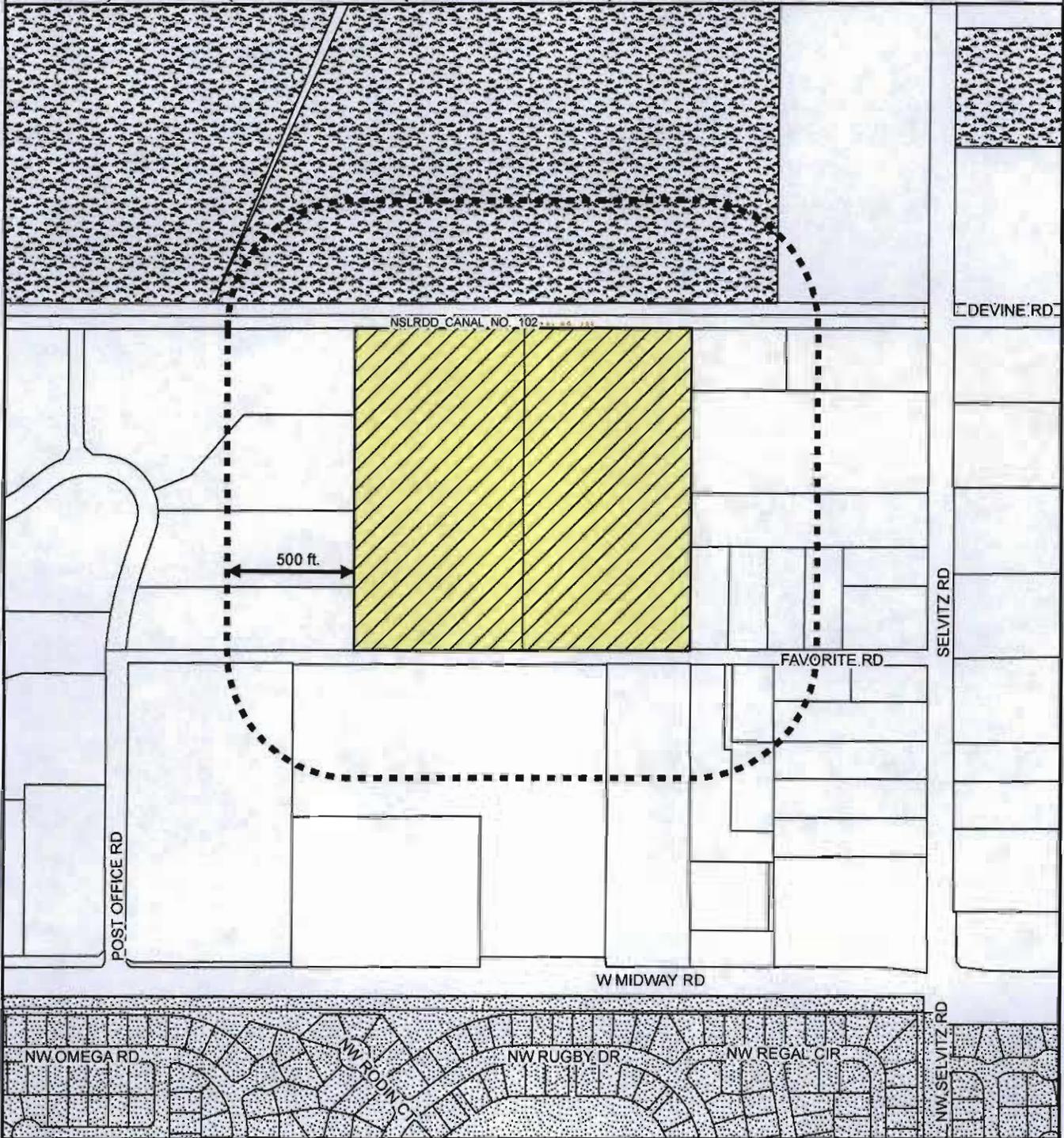
2300 Virginia Avenue - Fort Pierce, FL. 34982-5652

Administration: (772) 462-1590 Planning: (772) 462-2822 GIS/Technical Services: (772) 462-2822 FAX: (772) 462-1581

Economic Development: (772) 462-1550 FAX: (772) 462-1579 Tourist Development: (772) 462-1535 1(800) 344-TGIF FAX: (772) 462-2132

FLUMA-420081453

A petition of Steve Cassens (Agent, Terry L. Virta & Associates, Inc.) for a proposed large scale Future Land Use Map Amendment from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use - Specific Use Area) for 38.05 acres more or less



-  Subject property
-  500 ft. notification area
-  City of Ft. Pierce
-  City of Port St. Lucie



ST. LUCIE COUNTY PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY PUBLIC HEARING AGENDA

September 9, 2008

NOTICE OF PROPOSED AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN

The St. Lucie County Planning and Zoning Commission/Local Planning Agency is scheduled to review and make recommendations to the Board of County Commissioners of St. Lucie County, Florida regarding Large Scale Comprehensive Plan Amendment Cycle 2008-2.

The purpose of this public hearing is to consider transmission of the following Comprehensive Plan Amendments to the Florida Department of Community Affairs.

A public hearing on these proposals will be held before the Planning and Zoning Commission/Local Planning Agency on Tuesday, September 9, 2008 at 6:00 P.M. or as soon thereafter as possible, in the Commission Chambers, Roger Polites Annex, 3rd Floor, St. Lucie County Administration Building, 2000 Virginia Avenue, Fort Pierce, Florida.

Item #1 Ordinance No. 08-027

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 66.78 ACRE (M.C.L.) PARCEL OF LAND FROM RU (RESIDENTIAL URBAN - 8 DWELLING UNITS PER ACRE) AND COM (COMMERCIAL) TO MIXD (MIXED USE DEVELOPMENT) MEDIUM INTENSITY AND AMENDING FIGURE 1-7F IN POLICY 1.1.7.3 OF THE COMPREHENSIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Orange Avenue Development II, LLC (Land Design South, Agent)
File Number: FLUMA-42081463
Location: Approximately 1 mile east of I-95 on the north side of Orange Avenue and within the Jackie Road Area Plan Special District.

LEGAL DESCRIPTION PARCEL 1:
THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS RIGHT-OF-WAY FOR CANALS, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 18.43 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 2:
PARCEL 2: THE EAST 50 FEET OF THE FOLLOWING DESCRIBED PROPERTY: THE WEST OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPT RIGHTS OF WAY FOR PUBLIC ROADS, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.
LESS THE 50' PARCELS DESCRIBED HEREFTER
LEGAL DESCRIPTION (50' EASEMENT) PROVIDED BY GULPEPPER & TERPENING INC. FILE #01-458406.DWG
THE EAST 50 FEET OF THE SOUTH 382.53 FEET OF THE FOLLOWING DESCRIBED PROPERTY:
THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 20 FEET THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPT RIGHTS OF WAY FOR PUBLIC ROADS, SAID PARCEL CONTAINING 0.38 ACRES MORE OR LESS.
CONTAINING 1.08 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 3:
THE NORTH 16 ACRES OF THE FOLLOWING DESCRIBED PROPERTY: THE EAST 1/2 OF THE SOUTHWEST 1/4 OF NORTHWEST 1/4 IN SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPT RIGHTS OF WAY FOR CANALS, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA; AND FURTHER LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL AS SET FORTH IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 2816: A PORTION OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A FOUND RAILROAD SPIKE MARKING THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE N 00 DEGREE 07'30" E ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 806.206 METERS (2,645.03 FEET) TO A POINT ON A FOUND BOAT SPIKE MARKING THE WEST 1/2 OF SAID SECTION 7; SAID POINT BEING ON THE BASELINE OF SURVEY FOR STATE ROAD 68 (ORANGE AVENUE) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION NO. 84070-2505; THENCE N 88 DEGREE 42'00" E ALONG SAID BASELINE OF SURVEY AND THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 824.027 METERS (2,697.35 FEET); THENCE N 03 DEGREE 17'51" W ALONG A LINE AT A RIGHT ANGLE TO THE POINT OF BEGINNING, A DISTANCE OF 116.994 METERS (382.77 FEET) TO THE POINT OF BEGINNING; THENCE N 89 DEGREE 47'57" E, 171.190 METERS (561.64 FEET); THENCE N 00 DEGREE 18'45" E, 94.455 METERS (310.48 FEET); THENCE S 89 DEGREE 47'56" E, 171.206 METERS (562.04 FEET); THENCE S 00 DEGREE 14'20" W, 94.634 METERS (310.46 FEET) TO THE POINT OF BEGINNING. FURTHER LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL AS SET FORTH IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 1914: A PARCEL OF LAND LYING ON THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 16 ACRES OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 IN SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, EXCLUSIVE OF RIGHTS-OF-WAY FOR CANALS, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE; COMMENCE AT A FOUND RAILROAD SPIKE MARKING THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE N 00 DEGREE 07'30" E ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 2,645.03 FEET TO A POINT ON A FOUND RAILROAD SPIKE MARKING THE WEST QUARTER CORNER OF SAID SECTION 7, SAID POINT BEING ON THE BASE LINE OF SURVEY FOR STATE ROAD 68 (ORANGE AVENUE) AS SHOWN ON A FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION NO. 84070-2505; THENCE N 89 DEGREE 42'00" E ALONG SAID BASE LINE OF SURVEY AND THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 2,047.53 FEET; THENCE N 00 DEGREE 17'51" W ALONG A LINE AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 382.77 FEET TO THE POINT OF BEGINNING; THENCE N 89 DEGREE 47'56" E, 561.65 FEET TO THE EASTERLY BOUNDARY OF THE EAST OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, SAID LINE ALSO TO BE EXTENDED TO THE WESTERLY BOUNDARY OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, TOGETHER WITH A PERPETUAL EASEMENT FOR INGRESS AND EGRESS AS RECORDED IN O.R. BOOK 1406, PAGE 1917, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
CONTAINING 9.23 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 4:
THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 20' OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPTING THE EAST 50' THEREOF AND LESS RIGHT-OF-WAY FOR PUBLIC ROADS.
FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: BEGIN 20' WEST OF THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7 AND RUN THENCE NORTH 40' TO POINT OF BEGINNING; THENCE CONTINUE NORTH PARALLEL TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 165' TO A POINT; THENCE TURN AND RUN EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 100' TO A POINT; THENCE TURN AND RUN SOUTH 165' TO A POINT 100' EAST OF POINT OF BEGINNING; THENCE TURN AND RUN WEST 100' TO POINT OF BEGINNING.
LESS D.O.T. EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 2925 OFFICIAL RECORDS OF ST. LUCIE COUNTY, FLORIDA, WITH THE EAST LINE OF THE WEST 1/2 OF THE CROSS EASEMENT AS RECORDED IN OFFICIAL RECORD BOOK 1438 PAGE 238 MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE 20 FEET WEST OF THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, THENCE N 00 DEGREE 18'00" E FOR 40.00 FEET TO THE NORTH RIGHT OF WAY LINE OF ORANGE AVENUE (STATE ROAD NO. 68); THENCE N 89 DEGREE 42'00" E ALONG SAID RIGHT OF WAY LINE OF ORANGE AVENUE FOR 843.9 FEET; THENCE N 89 DEGREE 48'00" E FOR 45.07 FEET; THENCE N 89 DEGREE 42'00" E FOR 8.47 FEET TO THE POINT OF BEGINNING; THENCE N 00 DEGREE 18'00" E FOR 118.20 FEET; THENCE N 89 DEGREE 42'00" E FOR 74.89 FEET; THENCE S 00 DEGREE 10'00" W FOR 118.20 FEET TO SAID NORTH RIGHT OF WAY LINE OF ORANGE AVENUE; THENCE S 89 DEGREE 10'00" W FOR 74.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 800,289 SQUARE FEET OR 18.37 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 5:
THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, EXCEPTING ALL RIGHT-OF-WAY FOR PUBLIC AND DRAINAGE CANALS AND DITCHES, CONTAINING 8.47 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 6:
THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, EXCEPTING ALL RIGHT-OF-WAY FOR PUBLIC AND DRAINAGE CANALS AND DITCHES, CONTAINING 4.87 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 7:
THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, EXCEPTING ALL RIGHT-OF-WAY FOR PUBLIC AND DRAINAGE CANALS AND DITCHES, CONTAINING 4.87 ACRES MORE OR LESS.

Item #2 Ordinance No. 08-028

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 11.82 ACRE (M.C.L.) PARCEL OF LAND FROM AG-5 (AGRICULTURAL-5 - 1 DWELLING UNIT PER 6 ACRES) TO MIXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING FIGURE 1-7I, MIXD - WEST ORANGE MIXED USE ACTIVITY AREA, IN POLICY 1.1.7.3 OF THE COMPREHENSIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Duke, John M.
File Number: FLUMA-120081304
Location: Approximately .28 mile south of Orange Avenue, .88 miles west of I-95, on the east side of Tronchessa Road
Legal Description: ORANGE AVE AG PARK LOT 5 (MAP22110) (11.82) (OR 2004-041)

Item #3 Ordinance No. 08-029

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 38.05 ACRE (M.C.L.) PARCEL OF LAND FROM RS (RESIDENTIAL SUBURBAN - 2 DWELLING UNITS PER ACRE) TO MIXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING POLICY 1.1.7.3 OF THE FUTURE LAND USE ELEMENT TO INCLUDE FIGURE 1-7M AND PROVIDING SUB-AREA POLICY LANGUAGE; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Steve Casella (Terry L. Vitis & Associates, Inc., Agent)
File Number: FLUMA-420081453 / TIC-420081454
Location: Northwest quadrant of West Minary Road and Beltz Road, on north side of Favorite Road
Legal Description:
LOTS 4 AND 5 IN THE NORTHEAST QUARTER (NE 1/4) OF MOSEL LAND COMPANY'S SUBDIVISION OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, AS SHOWN BY THE PLAT THEREOF ON FILE IN PLAT BOOK 4, PAGE 24 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPTING TO CANAL AND ROAD RIGHT OF WAY.
AND
LOTS 6 AND 7 IN THE NORTHEAST QUARTER (NE 1/4) OF MOSEL LAND COMPANY'S SUBDIVISION OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, BEING THE SAME PROPERTY DESCRIBED AS: THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); AND THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); ALL IN SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST.

ALL CONTAINING 38.05 ACRES MORE OR LESS.



All interested persons will be given an opportunity to be heard. Written comments received in advance of the public hearing will also be considered. Written comments to the Planning and Zoning Commission/Local Planning Agency should be received by the Growth Management Department at least 3 days prior to the scheduled hearing. The petition file is available for review at the Growth Management Department offices located at 2000 Virginia Avenue, 2nd Floor, Fort Pierce, Florida, during regular business hours. Please call 772/462-2822 or TDD 772/462-1428 if you have any questions or require additional information.

The St. Lucie County Planning and Zoning Commission/Local Planning Agency has the power to review and recommend to the St. Lucie County Board of County Commissioners, for approval or disapproval, any applications within their area of responsibility.

The proceedings of the Planning and Zoning Commission/Local Planning Agency are electronically recorded. SUBMITTAL TO: Design: 288-5108, 270000-0108. If a person desires to appeal any decision made by the Planning and Zoning Commission/Local Planning Agency with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued to a date certain.

Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Services Director at least forty-eight (48) hours prior to the meeting at 772/462-1777 or T.D.D. 772/462-1428.

PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY
ST. LUCIE COUNTY, FLORIDA
BUSAN GARRON, CHAIRMAN
PUBLISH DATE: August 27, 2008

Client Name: / PO# 855145408
Advertiser: SLC GROWTH MANAGEMENT
Section/Page/Zone: Local/B08/Fort Pierce Tribune
Description: 46 comp plan

Ad Number: 2119905
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Size: B&W
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Publication Date: 08/27/2008

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Agenda Request

Item Number IV C
Meeting Date: 08.21.08

Consent []
Regular []
Public Hearing [X]
Leg. [X] Quasi-JD []

To: Planning and Zoning Commission
Submitted By: Growth Management Department

Presented By
Robert D. Meyer
Growth Management Director

SUBJECT: Public Hearing for Comprehensive Plan Amendment Cycle 2008-02

- IV A Ordinance 08-027
Project Name: Bayberry Properties
Applicant / Agent: Land Design South
File No. FLUMA-420081465: Future Land Use Map Amendment from RU (Residential Urban - 5 du/acre) and COM (Commercial) to MXD (Mixed Use Development) Medium Intensity, amending Figure 1-7f of Policy 1.1.7.3 of the Comprehensive Plan
- IV B Ordinance 08-029
Project Name / Applicant: John M. Dunn
File No. FLUMA-120081386: Future Land Use Map Amendment from AG-5 (Agricultural-5 - 1 du/5acres) to MXD (Mixed Use Development) Specific Use Area, amending Figure 1-7i of Policy 1.1.7.3 of the Comprehensive Plan
- IV C Ordinance 08-030
Project Name: Cassens White City Grove
Applicant / Agent: Terry L. Virta, AICP
File No. FLUMA-420081453 / TCP-420081454: Future Land Use Map Amendment from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use Development) Specific Use Area, adding Figure 1-7m and Sub-Area policy language

BACKGROUND: Three applications for Future Land Use Amendment, one including a text amendment, are being considered in the current Comprehensive Plan amendment cycle.

FUNDS AVAILABLE: N/A

PREVIOUS ACTION: N/A

RECOMMENDATION: Procedure
1) Open the public hearing for St. Lucie County Comprehensive Plan Amendment Cycle 2008-02.
2) For each ordinance to be considered, hear the staff report, the applicant's comments, and public comment.
3) Close public comment, not the hearing.
4) Hold Board discussion and then Board action on each item.

Recommendation
Vote to recommend transmittal or denial of each amendment application individually. Recommendations for each application are contained in the staff reports.

Planning and Zoning:

APPROVED DENIED
 OTHER



PLANNING & ZONING COMMISSION REVIEW: 08/21/2008

File No.: FLUMA-420081453 / TCP-420081454

MEMORANDUM

GROWTH MANAGEMENT DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Mark Satterlee, AICP, Growth Management Director
FROM: Kara Wood, TVC Planning Manager *KW*
DATE: August 4, 2008
ITEM: Cassens White City Grove Future Land Use Map Amendment

GENERAL PROJECT INFORMATION

APPLICANT: Steve Cassens, Owner
3180 North Kings Highway
Fort Pierce, FL 34951

AGENT: Terry L. Virta, AICP
3101 Park Avenue
Riviera Beach, FL 33404

REQUESTED ACTION: Future Land Use Map Amendment from RS (Residential Suburban) to MXD (Mixed Use Development) Specific Use Area, and text amendment adding Figure 1-7m for the proposed MXD area and providing sub-area policy language

PURPOSE: The owner has requested this amendment so that the property reflects land uses surrounding and abutting the property.

LOCATION: Northwest quadrant of West Midway Road and Selvitz Road, on north side of Favorite Road.

PARCEL SIZE: 38.05 acres

EXISTING USE: Citrus grove

ZONING: AR-1 (Agricultural Residential - 1, 1 du/acre)

FUTURE LAND USE: RS (Residential Suburban)

PROPOSED USE: The application states that "Land is intended to remain in Citrus for the foreseeable future. At the point of development the intent is to use it for industrial purposes utilizing the Planned Development - Industrial zoning processes."

PROPOSED ZONING: A change in zoning is not proposed at this time; the current zoning of AR-1 will remain. Sub-Area policy language proposed as part of the MXD Specific Use Area requires that the property rezone to PNRD (Planned Non-Residential Development) at the time of development.

**PROPOSED
FUTURE LAND
USE:**

MXD (Mixed Use Development) Specific Use Area

SURROUNDING PROPERTY:

North: Zoning: I-1 (Light Industrial)
City of Fort Pierce FLU: I (Industrial)
Existing Use: Vacant land

South: Zoning: I (Institutional)
FLU: P/F (Public Facilities)
Existing Use: U.S. Post Office, St. Lucie County Sheriff, New Horizons of the
Treasure Coast

East: Zoning: AR-1 (Agricultural, Residential-1), RS-2 (Residential, Single-Family-2)
FLU: RS (Residential Suburban)
Existing Use: Large-lot (1 to 8 acres) single-family residences

West: Zoning: IH (Industrial, Heavy)
FLU: IND (Industrial)
Existing Use: Industrial park

SPECIAL INFORMATION:

Public Utilities Energy: Fort Pierce Utilities Authority
Providers: Water: Fort Pierce Utilities Authority
Wastewater: Fort Pierce Utilities Authority

Public Services Storm Water: South Florida Water Management District (SFWMD) and North St.
Providers: Lucie River Water Control District (NSLRWCD)
Fire Rescue & EMS: St. Lucie County Fire District
Law Enforcement: St. Lucie County Sheriff

ANALYSIS

ZONING:

The current zoning of this property, as well as most of the residential parcels to the east along Selvitz Road, is AR-1 (Agricultural Residential - 1). Section 3.01.03.E provides the following guidance for development in this zoning district:

The purpose of this district is to provide and protect an environment suitable for single-family dwellings at a maximum density of one (1) dwelling unit per gross acre, together with such other uses as may be necessary for and compatible with very low density rural residential surroundings.

Under its current zoning the property could be divided into 1-acre lots for up to 38 single-family residences, though the ultimate lot yield would be lower as some acreage would be used for streets to access these lots. Given the RS Future Land Use that provides for a development potential of up to two dwelling units per acre, the applicant could also propose to rezone the property to RE-2 (Residential, Estate - 2), RS-2 (Residential, Single Family - 2) or PUD (Planned Unit Development) and develop up to 76 single family units.

Should the requested Future Land Use designation of MXD Specific Use Area be granted, at the time of development the property would be required to rezone to the PNRD (Planned Non-Residential Development) zoning district. Uses and intensities would be limited to non-residential as outlined in the Sub-Area policy language.

FUTURE LAND USE:

The Future Land Use of the property is currently Residential Suburban, which "is intended to act as a transitional area between the agricultural areas and the more intense residential areas in the eastern portion of the County. ... The RS designation is intended for large lot, single-family detached residential dwellings, at a density of one to two units per gross acre."

The proposed MXD land use would allow development listed in the concurrent Sub-Area policy text amendments proposed by the applicant. To be both consistent with other Specific Use Areas in the Comprehensive Plan, and clear that residential development will not be permitted on the site, staff has revised the applicant's proposed sub-area policy language to read as follows:

- This Mixed Use Activity Specific Use Area is restricted in use to the equivalent of the COM and IND Land Use designations as described in the Future Land Use Element. IND uses shall be limited to 310,800 square feet of gross building area; COM uses shall only be ancillary to IND uses.
- Development on this site shall be approved through the Planned Non-Residential Development process, and shall include appropriate open space and buffers adjacent to residential uses and environmental conditions. Access to development shall be provided from the west via Favorite Road.

Given that industrial and institutional uses exist or will be developed on three sides of the subject property, it is staff's assessment that the proposed industrial uses would be more compatible with this area than the existing RS land use.

COMPLIANCE WITH COMPREHENSIVE PLAN:

The analysis staff conducted indicates that an MXD land use in this area is not entirely consistent with the St. Lucie County Comprehensive Plan. In staff's assessment, the area of this parcel does not meet the criteria outlined in the following Comprehensive Plan language:

The intent of the Mixed Use Development (MXD) designation is to identify those areas where innovative land use concepts are encouraged. Application of this district should be with prudence, and should be only to those areas where traditional land use classifications do not afford the desired flexibility and community input in land use planning necessary to address local concerns. Candidates for this district include all 1-95 interchange areas, the St. Lucie County International Airport, Community Development Districts created pursuant to Chapter 190, Florida Statutes and areas of special or unique environmental consideration that may not be appropriate for traditional land use designations.

The MXD Specific Use Area could be considered a beneficial land use as it requires the applicant to pursue the PNRD process upon development and include a minimum 35% open space. However, the parcel is not located in such a specialized area as outlined above. Given these quoted criteria for consideration of an MXD Future Land Use, it is staff's conclusion that a

Future Land Use of IND (Industrial) may be more appropriate for the subject property. The IND designation would be consistent with the County Comprehensive Plan and would permit all of the uses and intensities discussed in the application and proposed sub-area policies.

COMPLIANCE WITH STATE STATUTES AND COMPREHENSIVE PLAN:

Staff has reviewed the proposed Future Land Use Map Amendment against the standards provided in Rule 9J-5.006(5), *Review of Plans and Plan Amendments for Discouraging the Proliferation of Urban Sprawl*, of the Florida Administrative Code.

The County currently has over 1,500 acres of undeveloped industrial land within the Urban Service Area. It could be argued that "projected growth trends over the planning period" (9J-5.006(5)(i)6) do not warrant additional industrial land in St. Lucie County at this time, but even this assessment is dependent upon unforeseeable economic trends in the coming years. In staff's analysis, other aspects of the evaluation of land uses (9J-5.006(5)(h)), including the location, functional relationship and existing pattern of development in this particular area of the County, clearly warrant this amendment.

Staff finds that the proposed amendment is consistent with the relevant provisions of the state and regional plans, rules and statutes and does not trigger any primary indicators for the proliferation of urban sprawl. If the Future Land Use Map Amendment were revised to propose an IND land use designation, this would also be consistent with state and regional standards.

COMPATIBILITY WITH EXISTING NEIGHBORHOOD:

Future industrial uses discussed in the application would be compatible with the industrial land and uses to the north and west, as well as Institutional land and uses to the south. With buffering appropriate to the specific intensity of proposed uses, industrial development could also be compatible with the existing low-density residential condition to the east.

If the Future Land Use Map Amendment for the site were approved as Industrial, future site plan application could occur as either a Major Site Plan Application or a Planned Non-Residential Development. Sub-area policy language proposed with the MXD land use designation requires that a future site plan occur as PNRD, providing a slightly more stringent review process and requiring 35% open space. One argument in favor of the MXD Specific Use land use designation is that the PNRD process would be mandated, whereas a PNRD application is optional in IND.

ENVIRONMENTALLY SENSITIVE AREAS:

According to the applicant, the site has been in active citrus production for decades and there is no indication of environmentally sensitive areas on site. At the time of development, appropriate buffering will be required along the southern edge of the property adjacent to the environmentally sensitive areas to the south.

NATURAL HAZARDS:

No natural hazards exist intrinsic to this site. The subject parcel is located in Zone X, outside the 500-year flood plain (FEMA Flood Insurance Rate Map Number 12111C0188 F).

HISTORICAL AND ARCHEOLOGICAL SITES:

No significant historical or archeological sites are known to exist on site. The two closest historical sites are concrete block homes approximately one mile away. Both were constructed in the mid-1950s and both are ineligible for the local or national register.

TRANSPORTATION IMPACTS:

In staff's review of the traffic analysis, the proposed land use change would result in an increase of an estimated 244 vehicle trips and 71 p.m. peak hour trips based upon anticipated site development trip generation. These additional trips will be assigned to Midway Road between Selvitz Road and the Florida Turnpike as the direct connection primary facility and to Midway Road between 25th Street and US1 as a secondary distribution facility. Both segments of Midway Road are operating at a current LOS "F" condition.

The traffic generated from any future development on the site will have to be mitigated for by the applicant. Midway Road from Selvitz to the Turnpike has some funding identified within the County's 5-year Capital Improvement Program for widening from a 2-lane facility to a 4-lane facility. It does not appear that the identified funding will be sufficient to complete the full reconstruction project, and no construction funding is identified for the portion of Midway Road east of South 25th Street.

Regardless of the status of funding or construction at the time of site plan or rezoning application, the applicant will be required to enter into a Proportionate Fair Share Agreement with the County as a means of mitigating traffic impacts for any development of the site. The applicant has submitted a Concurrency Deferral Affidavit to defer the certificate of capacity until the time of proposed development.

PARKS AND RECREATION:

As the proposed Future Land Use Map Amendment limits future development to non-residential uses, there is no anticipated impact to parks and recreational facilities.

DEVELOPMENT REQUIREMENTS:

Whether future development is proposed as a Planned Non-Residential Development or Major Site Plan, all site plan applications shall comply with the St. Lucie County Land Development Code and Comprehensive Plan in order to receive final site plan approval. This will require adequate buffering between any proposed uses on the property and residential uses to the east and environmentally-sensitive lands to the south. Design of appropriate buffers should be based on the intensity of the industrial use as well as the proximity to existing residential buildings or conditions.

STAFF ANALYSIS SUMMARY

The proposed Future Land Use Map Amendment is consistent with Chapter 163, Florida Statutes, and the proposed uses are consistent with the St. Lucie County Comprehensive Plan. Staff finds that the proposed designation of MXD on this parcel does not, however, meet the intent of a mixed use area. By definition, this designation should provide opportunities to integrate residential and non-residential uses in areas of the County appropriate for greater flexibility in land planning. To create an entirely new MXD area in the County, then proceed to limit it to industrial uses, occurs to staff as counter-intuitive. This, however, is an interpretation of the Comprehensive Plan intent that is subject to advisement by the County Local Planning Agency and determination by the Board of County Commissioners.

STAFF RECOMMENDATION

Staff supports amending the Future Land Use designation of the subject parcel to IND (Industrial). If the Planning and Zoning Commission and the Board of County Commissioners find that the proposed IND (Industrial Use Development) Specific Use Area designation with associated Sub-Area policy language on this parcel is not inconsistent with the intent of the Comprehensive Plan, then staff would also support amending the Future Land Use as such.

EXHIBITS

Exhibit A	Maps	Location, Zoning, Future Land Use, aerial
Exhibit B	Zoning Districts	Existing Zoning: 3.01.03.E, AR-1 (Agricultural, Residential-1) Proposed Zoning: 3.01.03.CC, PNRD (Planned Non-Residential Development)
Exhibit C	Comprehensive Plan	Relevant excerpts from the St. Lucie County Comprehensive Plan
Exhibit D	Rule 9J-5	Relevant excerpts from Rule 9J-5.006, Future Land Use Element, Florida Administrative Code
Exhibit E	Ordinance	Draft Ordinance No. 08-030
Exhibit F	Motion	Suggested motion to recommend approval or denial

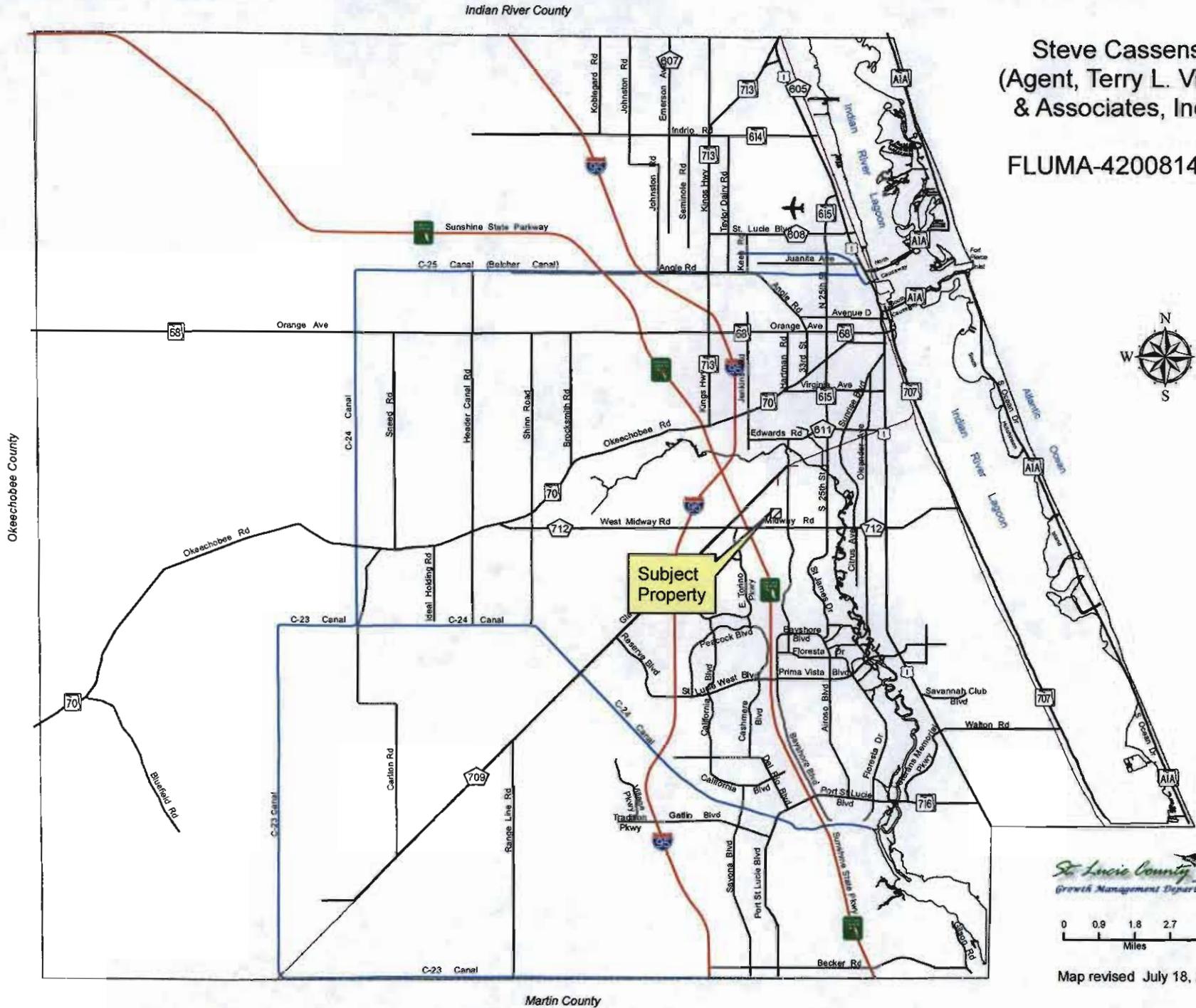
Exhibit A

Maps

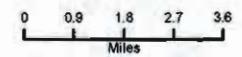
Location, Zoning, Future Land Use, Aerial

Steve Cassens
(Agent, Terry L. Virta
& Associates, Inc.)

FLUMA-420081453



St. Lucie County
Growth Management Department



Map revised July 18, 2008

FLUMA-420081453

Zoning

Petitioner: Steve Cassens (Agent, Terry L. Virta & Associates, Inc)



-  Subject property
-  500 ft. notification area
-  City of Ft. Pierce
-  City of Port St. Lucie

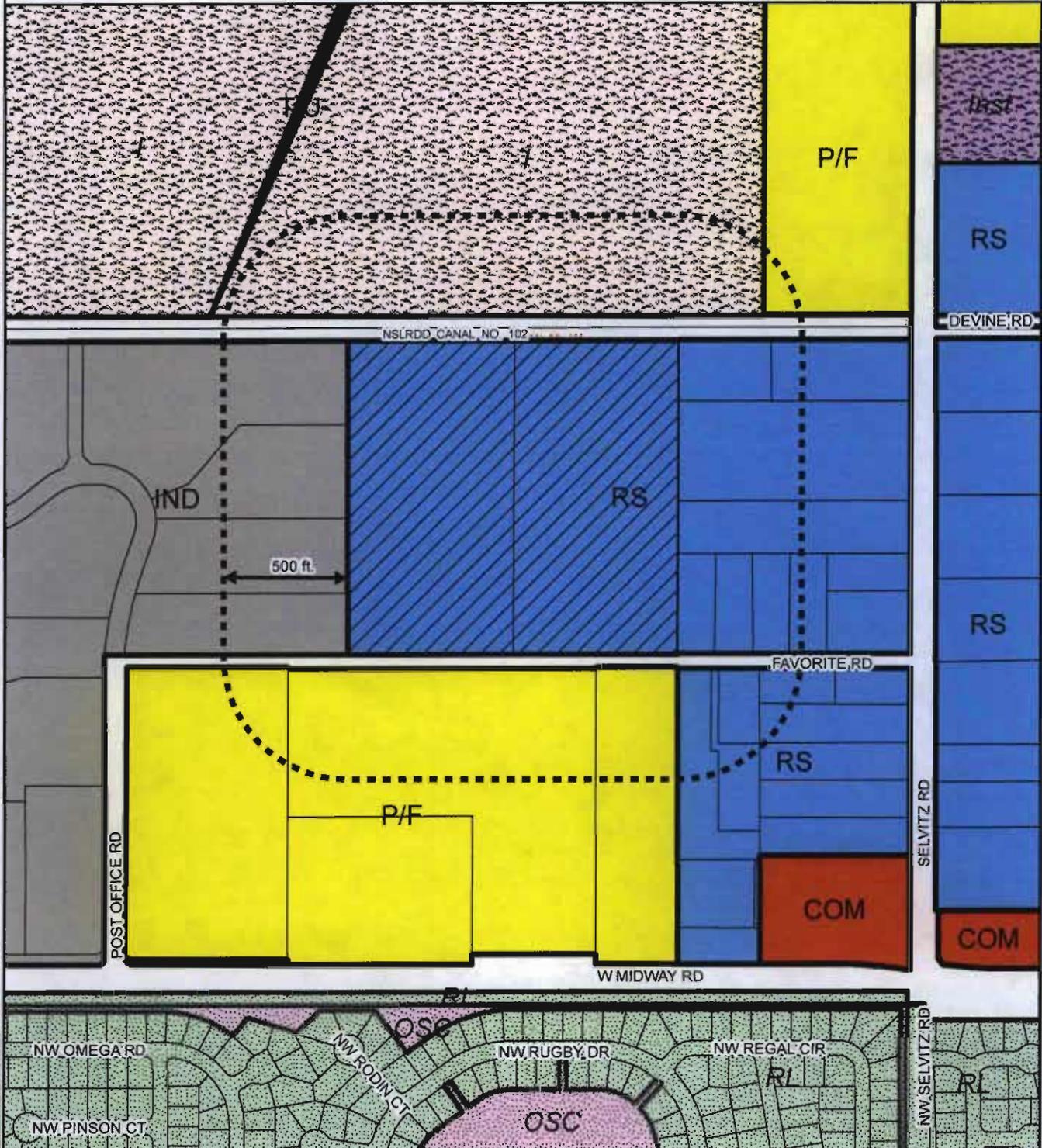
- SLC Zoning**
- AR-1 - Agricultural Residential (1 du/ac)
 - CN - Commercial Neighborhood
 - I - Institutional
 - IH - Industrial Heavy
 - RS-2 - Residential Single Family (2 du/ac)
 - U - Utilities
- Ft. Pierce Zoning**
- I1 - Light Industrial
 - OS-1 - Open Space Recreation

- PSL Zoning**
- RS-2 - Single Family Residential

FLUMA-420081453

Future Land Use

Petitioner: Steve Cassens (Agent, Terry L. Virta & Associates, Inc)



-  Subject property
-  500 ft. notification area
-  City of Ft. Pierce
-  City of Port St. Lucie

- SLC Future Land Use**
 COM - Commercial
 IND - Industrial
 P/F - Public Facilities
 RS - Residential Suburban (2 du/ac)
 T/U - Transportation/Utilities
- Ft. Pierce Future Land Use**
 I - Industrial
 Inst - Institutional

- PSL Future Land Use**
 OSC - Open Space Conservation
 RL - Low Density Residential



Map prepared July 18, 2008

Exhibit B

Zoning Districts:

**Existing Zoning: Section 3.01.03.E,
AR-1 (Agricultural, Residential - 1)**

**Proposed Zoning: Section 3.01.03.CC,
PNRD (Planned Non-Residential Development)**

Zoning Districts

Current Zoning District

3.01.03.E. AR-1 AGRICULTURAL, RESIDENTIAL - 1

1. Purpose

The purpose of this district is to provide and protect an environment suitable for single-family dwellings at a maximum density of one (1) dwelling unit per gross acre, together with such other uses as may be necessary for and compatible with very low density rural residential surroundings. The number in "()" following each identified use corresponds to the SIC code reference described in Section 3.01.02(B). The number 999 applies to a use not defined under the SIC code but may be further defined in Section 2.00.00 of this code.

2. Permitted Uses

- a. Family day care homes. (999)
- b. Family residential homes provided that such homes shall not be located within a radius of one thousand (1000) feet of another existing such family residential home and provided that the sponsoring agency or Department of Health and Rehabilitative Services (HRS) notifies the Board of County Commissioners at the time of home occupancy that the home is licensed by HRS. (999)
- c. Single-family detached dwellings. (999)

3. Lot Size Requirements

Lot size requirements shall be in accordance with Table 1 in Section 7.04.00.

4. Dimensional Regulations

Dimensional requirements shall be in accordance with Table 1 in Section 7.04.00.

5. Off-street Parking Requirements

Off-street parking requirements shall be in accordance with Section 7.06.00.

6. Conditional Uses

- a. Crop services (072)
- b. Family residential homes located within a radius of one thousand (1000) feet of another such family residential home. (999)
- c. Industrial wastewater disposal. (999)
- d. Kennels - completely enclosed. (0752)
- e. Landscaping & horticultural services (078)
- f. Retail:
 - (1) Fruits and Vegetables. (543)
- g. Riding stables. (7999)
- h. Veterinary services. (074)

7. Accessory Uses

Accessory uses are subject to the requirements of Section 8.00.00, and include the following:

- a. Agriculture (farms and ranches accessory to single-family detached dwelling). (01/02)
- b. Animals, subject to the requirements of Section 7.10.03. (999)
- c. Guest house subject to the requirements of Section 7.10.04. (999)
- d. Retail and wholesale trade - subordinate to the primary authorized use or activity.

Proposed Zoning District

3.01.03.CC. PNRD PLANNED NON-RESIDENTIAL DEVELOPMENT (See Section 7.02.00)

7.02.00 PLANNED NON-RESIDENTIAL DEVELOPMENT

7.02.01 PURPOSE

The Planned Non-Residential Development (PNRD) District is intended to achieve non-residential land development of superior quality through the encouragement of flexibility and creativity in design options that:

- A. Permit creative approaches to the development of non-residential land reflecting changes in the technology of land development;
- B. Allow for the efficient use of land, which can result in smaller networks of utilities and streets and thereby lower development costs;
- C. Allow design options that encourage an environment of stable character, compatible with surrounding land uses; and
- D. Permit the enhancement of neighborhoods through the preservation of natural features, the provision of underground utilities, and the provision of recreation areas and open space.

7.02.02 PERMITTED USES

The following general guidelines shall be used in determining the permitted use possibilities in any Planned Nonresidential Zoning Development:

- A. For properties located in any Residential or Agricultural classified land use area:

Any permitted, conditional or accessory use, including any standards, conditions and requirements for those uses, as identified in the Commercial, Neighborhood (CN); Commercial, Office (CO); Institutional (I) Zoning Districts, and in the Agricultural land use classified areas only, any non-residential permitted or accessory use identified in the Agriculture-1 (AG-1), Agricultural-2.5 (AG-2.5), or Agricultural-5 (AG-5) zoning districts of this Code.

The general standards, conditions and requirements, as found in this Code, that pertain to conditional and accessory uses shall be used in the determination of the compatibility of the proposed use(s) with the surrounding land uses in the review of the Planned Nonresidential Development. All applications for Planned Nonresidential Development shall include a complete identification of all planned uses and activities.

- B. For properties located in any Commercial or Industrial classified land use area:

Any permitted, conditional or accessory use, including any standards, conditions and requirements for those uses, as identified in the Commercial, Neighborhood (CN); Commercial, Office (CO); Commercial, General (CG); Industrial Light (IL); Industrial Heavy (IH), Utility (U) and (I) Institutional zoning districts, and any non-residential permitted or accessory use identified in the Agriculture-1 (AG-1), Agricultural-2.5 (AG-2.5), or Agricultural-5 (AG-5) zoning districts of this Code.

The general standards, conditions and requirements, as found in this Code, that pertain to conditional and accessory uses shall be used in the determination of the compatibility of the proposed use(s) with the surrounding land uses in the review of the Planned Nonresidential

Development. All applications for Planned Nonresidential Development shall include a complete identification of all planned uses and activities.

7.02.03 STANDARDS AND REQUIREMENTS

Standards and requirements for a Planned Non-Residential Development shall be as follows:

A. MINIMUM SIZE

The minimum lot size requirements for a Planned Non-Residential Development shall be as follows:

1. Any Planned Non-Residential Development in a Residential Land Use classification shall comply with the minimum lot requirements in the Commercial Neighborhood (CN) Zoning District.
2. Any Planned Non-Residential Development in a Commercial, Industrial or Mixed Use Land Use classification shall comply with the minimum lot requirements in the Commercial General (CG) Zoning District.
3. All Planned Non-Residential Development shall be under common ownership or control.

B. DIMENSIONAL REQUIREMENTS

Dimensional requirements shall be in accordance with Table 7.10 in Section 7.04.01, provided, however, that the Board of County Commissioners may condition approval of a Planned Non-Residential Development upon compliance with more stringent or restrictive dimensional requirements in order to ensure compatibility with surrounding land uses, to mitigate impact on the environment and natural resources, to ensure public safety and to ensure compliance with the St. Lucie County Comprehensive Plan; and,

any structure on North or South Hutchinson Island that has not been occupied, constructed, or has not received a building permit, site plan or other County development approval as a permitted use prior to January 10, 1995; the requirements of Section 4.01.00, Hutchinson Island - Building Height Overlay Zone shall apply.

REVISED 1/10/95

C. PUBLIC FACILITIES

The Planned Non-Residential Development shall be designed and located so there will be no net public cost for the provision of water lines, sewage lines, storm and surface drainage systems, and other utility systems in order to ensure compatibility with surrounding land uses, to mitigate impact on the environment and natural resources, to ensure public safety and to ensure compliance with the St. Lucie County Comprehensive Plan.

D. TRAFFIC AND PEDESTRIAN CIRCULATION ~~Error! Bookmark not defined.~~

1. Every use permitted in a Planned Non-Residential Development shall have access to a public street either directly or through an approved private road, vehicular accessway, a pedestrian way, or other area dedicated to public or private use.
2. Principal vehicular access points shall be designed to permit smooth traffic flow with controlled turning movement and minimum hazards to vehicular or pedestrian traffic. Minor streets within the Planned Non-Residential Development shall not be connected to streets outside the development so as to encourage their use by through traffic.

3. The proposed Planned Non-Residential Development shall be designed so that it will not create traffic congestion on the arterial and collector roads surrounding the project, or such surrounding collector or arterial roads shall be improved so that they will not be adversely affected.
4. Streets in a Planned Non-Residential Development may be dedicated to public use or retained under private ownership. Said streets and associated improvements shall comply with all pertinent County regulations and ordinances.
5. Any pedestrian circulation system and its related walkways shall be insulated from the vehicular street system.
6. Access points on all collector or arterial streets serving a Planned Non-Residential Development shall be located and spaced so that traffic moving into and out of the arterial streets does not cause traffic congestion.

E. PARKING AND LOADING

1. General Provisions

- a. The number, type, and location of parking spaces shall be determined at the time of final Planned Nonresidential Development plan approval. The determination of the number of spaces required shall be based on Section 7.06.02 of this Code. The number of parking spaces required by this section may be reduced based on substantial competent evidence that the reduced number of spaces is adequate for the proposed use or that parking may be shared by proximate uses that operate at different times or on different days.
- b. Reserved parking spaces may be provided, in lieu of paved spaces, subject to Section 7.06.02(B) (4) of this Code.

2. Off Street Parking and Loading

Off-street parking and loading requirements are governed by Sections 7.06.02 and 7.06.03 of this Code, and the following standards:

- a. Off-street parking and loading areas shall be designed to provide travelways between adjacent uses while discouraging through traffic.
- b. Off-street parking and loading areas shall be screened from adjacent roads and pedestrian walkways with hedges, dense planting, or changes in grades or walls.

3. On Street Parking

In Planned Non-Residential Developments, on street parking may be used so long as the road on which the on-street parking is proposed lies entirely within the limits of the defined Planned Nonresidential Development and such parking would not contravene any other provision of this Code or the St. Lucie County Code of Ordinances. Where such on street parking and loading is used, it shall be consistent with the following design standards:

- a. The minimum size of a parking stall shall be as follows:

parallel	8 feet X 23 feet
angled	10 feet X 18 feet

handicapped (parallel)	12 feet X 23 feet
handicapped (angled)	12 feet X 18 feet

- b. Handicapped parking spaces shall be appropriately marked.
- c. Access for emergency fire vehicles shall be in accordance with NFPA standards.
- d. No more than fifteen (15) parking spaces shall be permitted in a continuous row without being interrupted by a minimum landscape area of 360 square feet.

F. LIGHTING

All lighting facilities shall be arranged in such a manner so as to prevent direct glare or hazardous interference of any kind to adjoining streets or properties.

G. LANDSCAPING AND NATURAL FEATURES

- 1. Native trees and vegetation and other natural features shall be preserved to the extent practicable.
- 2. All sensitive environmental vegetation, trees and areas shall be preserved to the extent practicable.
- 3. Landscaping for off-street parking and loading areas shall meet the minimum requirements of Section 7.09.00.

H. OPEN SPACE STANDARDS

- 1. For development projects of less than ten (10) acres, a minimum of twenty (20) percent of the gross area of land to be committed to a Planned Non-Residential Development must be for use as parks, recreation areas, marinas, swimming beaches, open space, planting, or other public purposes other than rights-of-way, utility easements, and parking areas.

For development projects of ten (10) acres or more, a minimum of thirty-five (35) percent of the gross area of land to be committed to a Planned Non-Residential Development must be for use as parks, recreation areas, marinas, swimming beaches, open space, planting, or other public purposes other than rights-of-way, utility easements, and parking areas.

At the request of the developer, and subject to the approval of the Board of County Commissioners, use of recreational facilities may be offered to the general public.

Of the required open space, a minimum of fifteen (15) percent of any remaining native habitat on the property is to be preserved in its natural condition. For each acre of preserved native habitat above the required minimum 15 percent that is preserved in its original state, credit shall be given at a rate of 150 percent per acre towards the remaining open space requirement.

Areas that are floodways, lakes, wetlands, and stormwater retention areas may be applied to satisfy the total open space requirement.

- 2. All land dedicated for open space shall be physically part of the Planned Non-Residential Development.

I. PHASING

1. A Planned Non-Residential Development may be developed in more than one (1) stage or phase.
2. If a Final Development Plan approved by the Board of County Commissioners is to be developed in stages or phases, each successive phase shall be constructed and developed in a reasonably continuous fashion. The final stage or phase shall be completed within ten (10) years of the date of final development plan approval. Any extension of the above requirement is subject to approval by the Board of County Commissioners unless otherwise amended by the Board of County Commissioners.

J. SIGNS

1. Signs within any Planned Non-Residential Development located in a Residential or Agriculturally classified land use area shall comply with the provisions of Chapter 9 applicable to the Commercial Neighborhood (CN) Zoning District; provided, however, that the Board of County Commissioners may condition approval of a Planned Non-Residential Development upon compliance with more stringent sign regulations in order to ensure design consistency throughout the proposed development, to ensure compatibility with surrounding land uses, to ensure public safety and prevent public harm, and to ensure compliance with the St. Lucie County Comprehensive Plan.
2. Signs within any Planned Non-Residential Development located in a commercially or industrially classified Land Use Area shall comply with the provisions of Chapter 9 applicable in the Commercial General (CG), Zoning District; provided, however, that the Board of County Commissioners may condition approval of a Planned Non-Residential Development upon compliance with more stringent sign regulations in order to ensure design consistency throughout the proposed development, to ensure compatibility with surrounding land uses, to ensure public safety and prevent public harm, and to ensure compliance with the St. Lucie County Comprehensive Plan.

Exhibit C

Comprehensive Plan

**Relevant Excerpts from the
St. Lucie County Comprehensive Plan**

Relevant excerpts from the Comprehensive Plan

Existing Future Land Use Definition

D. RESIDENTIAL SUBURBAN (RS)

The Residential Suburban (RS) land use category is intended to act as a transitional area between the agricultural areas and the more intense residential areas in the eastern portion of the County. This category is found predominantly along the western edge of the urban form, but is also appropriate for areas of special environmental concern such as along the North Fork of the St. Lucie River and the Indian River Lagoon.

The RS designation is intended for large lot, single-family detached residential dwellings, at a density of one to two units per gross acre. These areas are not required to be served with central utilities, however when at all practical, service connections should be required.

Proposed Future Land Use Definition

H. MIXED USE DEVELOPMENT (MXD)

The intent of the Mixed Use Development (MXD) designation is to identify those areas where innovative land use concepts are encouraged. Application of this district should be with prudence, and should be only to those areas where traditional land use classifications do not afford the desired flexibility and community input in land use planning necessary to address local concerns. Candidates for this district include all I-95 interchange areas, the St. Lucie County International Airport, Community Development Districts created pursuant to Chapter 190, Florida Statutes and areas of special or unique environmental consideration that may not be appropriate for traditional land use designations.

Uses within the areas classified as Mixed Use should be segregated as to intensity and indicated in the form of a concept master plan which is to be included as a part of the land use designation process. The following criteria, in addition to those as cited in Objective 1.1.7, are to be used in the development of Mixed Use areas:

- Unless otherwise compliant with the identified intensity classification, any change in zoning shall be to the Planned Unit Development (PUD), Planned Non-residential Development (PNRD) or Mixed Use Development (MXD), as described in the St. Lucie County Land Development Regulations. Those properties with compatible existing zoning designations are encouraged to develop under the PUD, PNRD or MXD regulations.
- Residential development shall be regulated by the intensity district in which it is to take place. In no case should gross residential density exceed 15 du/ac.
- All uses shall be compatible with internal and external adjacent land uses.

MXD Policy Language

Policy 1.1.7.4 The following use intensity definitions shall be used for the purpose of this plan for the Mixed Use activity areas:

1. High Intensity development areas may include the following types of land uses;

- Residential • 5 to 15 du/acres
- Institutional • 1.5 FAR *
- Professional Service/Office • 1.5 FAR *
- General Commercial • 1.0 FAR *
- Public Service/Utility • .5 FAR *
- Industrial • .5 FAR *

* FAR = Floor Area Ratio

2. Medium Intensity development areas may include the following types of land uses;

- Residential • 5 to 9 du/acres
- Institutional • 1.0 FAR *
- Professional Service/Office • 1.0 FAR *
- General Commercial • .75 FAR *
- Public Service/Utility • .25 FAR *
- Industrial • .25 FAR *

* FAR = Floor Area Ratio

3. Low Intensity development areas may include the following types of uses;

- Residential • not to exceed 5 du/acres
- Institutional • .5 FAR *
- Professional Service/Office • .5 FAR *
- General Commercial • .5 FAR *
- Public Service/Utility • .25 FAR *

* FAR = Floor Area Ratio

4. Specific Use Areas:

Areas with special or unique local character may be included within the Mixed Use Designation. These areas, because of conditions unique or peculiar to them alone, have been limited to specific activities and zoning options as set forth in the activity area plans described in Policy 1.1.7.4. Any zoning application not consistent with this policy must be accompanied by a corresponding Comprehensive Plan Amendment indicating the change in intensity classification.

Application of the Specific Use Area designation is to be made to those areas recognized by the County as suitable for alternative land use as the full spectrum of community services become available. This designation would serve to prevent the unplanned or premature development of such areas until all services were provided for and are consistent with the Future Land Use development philosophy of St. Lucie County.

The terminology used in the Specific Use designation identifies the type of permitted activity, maximum zoning density or maximum zoning intensity. Each Mixed Use Activity area will identify the type of Special Use areas in the legends of each area.

Exhibit D

Rule 9J-5

**Relevant excerpts from Rule 9J-5.006, Future Land
Use Element, Florida Administrative Code**

Relevant excerpts from Rule 9J-5.006, Florida Administrative Code

9J-5.006 Future Land Use Element.

The purpose of the future land use element is the designation of future land use patterns as reflected in the goals, objectives and policies of the local government comprehensive plan elements. Future land use patterns are depicted on the future land use map or map series within the element.

(1) Existing Land Use Data Requirements. The element shall be based upon the following data requirements pursuant to subsection 9J-5.005(2), F.A.C.

...

(2) Land Use Analysis Requirements. The element shall be based upon the following analyses which support the comprehensive plan pursuant to subsection 9J-5.005(2), F.A.C.

...

(3) Requirements for Future Land Use Goals, Objectives and Policies.

...

(4) Future Land Use Map.

...

(5) Review of Plans and Plan Amendments for Discouraging the Proliferation of Urban Sprawl.

(a) Purpose. The purpose of this subsection is to give guidance to local governments and other interested parties about how to make sure that plans and plan amendments are consistent with relevant provisions of the state comprehensive plan, regional policy plans, Chapter 163, Part II, F.S., and the remainder of this chapter regarding discouraging urban sprawl, including provisions concerning the efficiency of land use, the efficient provision of public facilities and services, the separation of urban and rural land uses, and the protection of agriculture and natural resources.

(b) Determination. The determination of whether a plan or plan amendment discourages the proliferation of urban sprawl shall be based upon the standards contained in this subsection.

(c) In general. The discouragement of urban sprawl accomplishes many related planning objectives. The purpose of this subsection is to provide a general methodology for examining whether or not a plan or plan amendment discourages the proliferation of urban sprawl. This subsection is organized into twelve paragraphs, paragraphs (5)(a) through (5)(l). Nothing in this paragraph (5) shall be interpreted to require that a local government submit information beyond the information required by other provisions of this chapter.

(d) Use of indicators. Paragraph (5)(g) describes those aspects or attributes of a plan or plan amendment which, when present, indicate that the plan or plan amendment may fail to discourage urban sprawl. For purposes of reviewing the plan for discouragement of urban sprawl, an evaluation shall be made whether any of these indicators is present in a plan or plan amendment. If an indicator is present, the extent, amount or frequency of that indicator shall be considered. The presence and potential effects of multiple indicators shall be considered to determine whether they collectively reflect a failure to discourage urban sprawl.

(e) Methodology for determining indicators. Paragraphs (5)(h) through (5)(l) describe the three major components of a methodology to determine the presence of urban sprawl indicators. Paragraph (5)(h) describes how land use aspects of a plan shall be analyzed. The land use element, including both the future land use map and associated objectives and policies, represents the focal point of the local

government's planning effort. Paragraph (5)(l) describes the unique features and characteristics of each jurisdiction which provide the context of the analysis and which are needed to evaluate the extent, amount or frequency of an indicator and the significance of an indicator for a specific jurisdiction. Paragraph (5)(j) recognizes that land use plans generally may be significantly affected by other development policies in a plan which may serve to mitigate the presence of urban sprawl indicators based on the land use plan alone. Paragraph (5)(j) describes development controls which may be used by a local government to mitigate the presence of sprawl.

(f) Analysis components. subsection (5)(k) describes how the analysis components described in subsections (5)(h) through (5)(j) are combined in a systematic way to determine the presence of urban sprawl indicators.

(g) Primary indicators. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

1. Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.
2. Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.
3. Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.
4. As a result of premature or poorly planned conversion of rural land to other uses, fails adequately to protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
5. Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.
6. Fails to maximize use of existing public facilities and services.
7. Fails to maximize use of future public facilities and services.
8. Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
9. Fails to provide a clear separation between rural and urban uses.
10. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
11. Fails to encourage an attractive and functional mix of uses.
12. Results in poor accessibility among linked or related land uses.
13. Results in the loss of significant amounts of functional open space.

(h) Evaluation of land uses. The comprehensive plan must be reviewed in its entirety to make the determinations in (5)(g) above. Plan amendments must be reviewed individually and for their impact on the remainder of the plan. However, in either case, a land use analysis will be the focus of the review and constitute the primary factor for making the determinations. Land use types cumulatively (within the entire jurisdiction and areas less than the entire jurisdiction, and in proximate areas outside the jurisdiction) will be evaluated based on density, intensity, distribution and functional relationship, including an analysis of the distribution of urban and rural land uses. Each land use type will be evaluated based on:

1. Extent.
2. Location.
3. Distribution.
4. Density.
5. Intensity.
6. Compatibility.
7. Suitability.
8. Functional relationship.
9. Land use combinations.
10. Demonstrated need over the planning period.

(i) Local conditions. Each of the land use factors in (5)(h) above will be evaluated within the context of features and characteristics unique to each locality. These include:

1. Size of developable area.
2. Projected growth rate (including population, commerce, industry, and agriculture).
3. Projected growth amounts (acres per land use category).
4. Facility availability (existing and committed).
5. Existing pattern of development (built and vested), including an analysis of the extent to which the existing pattern of development reflects urban sprawl.
6. Projected growth trends over the planning period, including the change in the overall density or intensity of urban development throughout the jurisdiction.
7. Costs of facilities and services, such as per capita cost over the planning period in terms of resources and energy.
8. Extra-jurisdictional and regional growth characteristics.
9. Transportation networks and use characteristics (existing and committed).
10. Geography, topography and various natural features of the jurisdiction.

(j) Development controls. Development controls in the comprehensive plan may affect the determinations in (5)(g) above. The following development controls, to the extent they are included in the comprehensive plan, will be evaluated to determine how they discourage urban sprawl:

1. Open space requirements.
2. Development clustering requirements.
3. Other planning strategies, including the establishment of minimum development density and intensity, affecting the pattern and character of development.
4. Phasing of urban land use types, densities, intensities, extent, locations, and distribution over time, as measured through the permitted changes in land use within each urban land use category in the plan, and the timing and location of those changes.
5. Land use locational criteria related to the existing development pattern, natural resources and facilities and services.
6. Infrastructure extension controls, and infrastructure maximization requirements and incentives.
7. Allocation of the costs of future development based on the benefits received.
8. The extent to which new development pays for itself.
9. Transfer of development rights.
10. Purchase of development rights.
11. Planned unit development requirements.
12. Traditional neighborhood developments.
13. Land use functional relationship linkages and mixed land uses.
14. Jobs-to-housing balance requirements.
15. Policies specifying the circumstances under which future amendments could designate new lands for the urbanizing area.
16. Provision for new towns, rural villages or rural activity centers.
17. Effective functional buffering requirements.

18. Restriction on expansion of urban areas.

19. Planning strategies and incentives which promote the continuation of productive agricultural areas and the protection of environmentally sensitive lands.

20. Urban service areas.

21. Urban growth boundaries.

22. Access management controls.

(k) Evaluation of factors. Each of the land use types and land use combinations analyzed in paragraph (5)(h) above will be evaluated within the context of the features and characteristics of the locality, individually and together (as appropriate), as listed in paragraph (5)(l). If a local government has in place a comprehensive plan found in compliance, the Department shall not find a plan amendment to be not in compliance on the issue of discouraging urban sprawl solely because of preexisting indicators if the amendment does not exacerbate existing indicators of urban sprawl within the jurisdiction.

(l) Innovative and flexible planning and development strategies. Notwithstanding and as a means of addressing any provisions contained in subparagraphs 9J-5.006(3)(b)8., 9J-5.011(2)(b)3. and subsection 9J-5.003(140), F.A.C., and this subsection, the Department encourages innovative and flexible planning and development strategies and creative land use planning techniques in local plans. Planning strategies and techniques such as urban villages, new towns, satellite communities, area-based allocations, clustering and open space provisions, mixed-use development and sector planning that allow the conversion of rural and agricultural lands to other uses while protecting environmentally sensitive areas, maintaining the economic viability of agricultural and other predominantly rural land uses, and providing for the cost-efficient delivery of public facilities and services, will be recognized as methods of discouraging urban sprawl and will be determined consistent with the provisions of the state comprehensive plan, regional policy plans, Chapter 163, Part II, F.S., and this chapter regarding discouraging the proliferation of urban sprawl.

(6) Multimodal Transportation District. Multimodal transportation districts may be established by local option for areas for which the local government assigns priority for a safe, comfortable, and attractive pedestrian environment. The local government must establish community design standards for the district to reduce vehicle miles traveled and to support an integrated, multimodal transportation system that includes the elements for community design specified in Section 163.3180(15)(b), F.S.

Specific Authority 163.3177(9), (10), 163.3180(14) FS. Law Implemented 163.3177(1), (2), (4), (5), (6)(a), (d), (8), (9), (10), (11), 163.3178, 163.3180(13), (15) FS. History--New 3-6-86, Amended 10-20-86, 4-2-92, 3-23-94, 5-18-94, 3-21-99, 2-25-01.

Exhibit E
Ordinance

Draft Ordinance No. 08-030

ORDINANCE NO. 08-030

FILE NO.: FLUMA-420081453 / TCP-420081454

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 38.05 ACRE (M.O.L.) PARCEL OF LAND FROM RS (RESIDENTIAL SUBURBAN - 2 DWELLING UNITS PER ACRE) TO MXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING POLICY 1.1.7.3 OF THE FUTURE LAND USE ELEMENT TO INCLUDE FIGURE 1-7M AND PROVIDING SUB-AREA POLICY LANGUAGE; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, based on the testimony and evidence, including but not limited to the staff report, has made the following determinations:

1. Terry L. Virta, AICP, Terry L. Virta and Associates, Inc. (also hereinafter referred to as the "Applicant") has filed petition for an amendment to the adopted Comprehensive Plan Future Land Use Element for a 38.05 acre (more or less) parcel of land, located north of West Midway Road and west of Selwitz Road, from Residential Suburban (RS - 2 dwelling units per acre), to Mixed Use (MXD) Specific Use Area with St. Lucie County, Florida, in accordance with Chapter 163, Florida Statutes; and,
2. The Board of County Commissioners of St. Lucie County as the governing body of St. Lucie County having jurisdiction over this application pursuant to Chapter 163, Florida Statutes, is authorized and empowered to consider amendments to the adopted Comprehensive Plan of St. Lucie County; and,
3. On May 1, 2008, the St. Lucie County Development Review Committee ("DRC") met to discuss outstanding issues and concerns regarding the petition for Future Land Use Map Amendment; and,
4. On June 2, 2008, the Growth Management Department sent a letter to the Applicant listing outstanding issues and concerns regarding the petition for Future Land Use Map Amendment; and,
5. On August 21, 2008, the St. Lucie County Planning and Zoning Commission, the Local Planning Agency, held a public hearing, of which due notice was published in the Ft. Pierce Tribune, and recommended to the Board of County Commissioners that the petition for Future Land Use Map Amendment for Cassens White City Grove be (approved)(denied); and,
6. On _____, 2008, the Board of County Commissioners of St. Lucie County, Florida, held a public hearing for transmittal of the Comprehensive Plan Amendment to the Department of Community Affairs, of which due notice was published in the Ft. Pierce

1 Tribune, on the petition for Future Land Use Map Amendment for Cassens White City
2 Grove, and heard and considered additional testimony on the proposed Future Land
3 Use Amendment for this property; and,
4

- 5 7. On _____, 2008, the Board of County Commissioners of St. Lucie County, Florida,
6 authorized the transmittal of this petition to the Florida Department of Community
7 Affairs for further agency review in accordance with the provisions of Chapter 163,
8 Florida Statutes.
9

10 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of St.
11 Lucie County, Florida:

12
13 **A. AMENDMENT TO FUTURE LAND USE DESIGNATION**

14
15 The Future Land Use Designation set forth in the St. Lucie County Comprehensive Plan for
16 the property described in Exhibit "A", attached hereto, containing 38.05 acres more or less,
17 located on the northwest quadrant of West Midway Road and Selvitz Road, on north side of
18 Favorite Road, and owned by White City Grove, Inc. is hereby amended from RS (Residential
19 Suburban) to MXD (Mixed Use Development) Specific Use Area, as depicted in attached
20 Exhibit "B".
21

22 **B. AMENDING POLICY 1.1.7.3 OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN**
23 **TO ADD FIGURE 1-7M.**

24
25 Policy 1.1.7.3 of the St. Lucie County Future Land Use Element shall be amended as follows:

- 26
27 1. Figure 1-7m, MXD Specific Use Area is authorized to be added to the figures included
28 in Future Land Use Element Policy 1.1.7.3 as shown in Exhibit "C."
29
30 2. "Continue to support the Mixed Use activity areas as indicated in the following sub-area
31 Mixed Use activity area plans as depicted in Figures 1-7a thru 1-7j m."
32

33 **C. AUTHORIZING TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF**
34 **THE ST. LUCIE COUNTY COMPREHENSIVE PLAN TO INCORPORATE SUB-AREA**
35 **POLICIES TO THE CASSENS MXD SPECIFIC USE AREA, FIGURE 1-7M.**

- 36
37 • Specific Use Areas within this Mixed Use Activity Area are restricted in use to
38 the equivalent of the COM and IND Land Use designations as described in the
39 Future Land Use Element unless otherwise amended through the
40 Comprehensive Plan Amendment process. IND uses shall be limited to 310,800
41 square feet of gross building area; COM uses shall only be ancillary to IND
42 uses.
43
44 • Development on this site shall be approved through the Planned Non-
45 Residential Development process, and shall include appropriate open space
46 and buffers adjacent to residential uses. Access to development shall be
47 provided from the west via Favorite Road.

1 **D. FINDING OF CONSISTENCY**

2
3 The Board of County Commissioners of St. Lucie County, Florida, specifically determines that
4 the approval of this amendment to the adopted Comprehensive Plan Future Land Use
5 Element is internally consistent with the policies and objectives contained in the St. Lucie
6 County Comprehensive Plan and consistent with standards for review of plans and plan
7 amendments of Rule 9J-5, Florida Administrative Code, and provides for the recognition that
8 impacts of this approval on the public facilities of St. Lucie County will not occur until such time
9 as a Final Development Order for development on this property is issued.

10
11 **E. CHANGES TO FUTURE LAND USE MAPS**

12
13 The St. Lucie County Growth Management Director is hereby authorized and directed to cause
14 these changes to be made in the Future Land Use Map of the Future Land Use Element of the
15 St. Lucie County Comprehensive Plan and to make notation of reference to the date of
16 adoption of this Ordinance.

17
18 **F. CONFLICTING PROVISIONS**

19
20 Special acts of the Florida Legislature applicable only to unincorporated areas of St. Lucie
21 County, County Ordinances and County Resolutions, or parts thereof, in conflict with this
22 Ordinance are hereby superseded by this Ordinance to the extent of such conflict.

23
24 **G. SEVERABILITY**

25
26 If any portion of this Ordinance is for any reason held or declared to be unconstitutional,
27 inoperative or void, such holding shall not affect the remaining portions of this Ordinance. If
28 this Ordinance or any provisions thereof shall be held to be inapplicable to any person,
29 property, or circumstances, such holding shall not affect its applicability to any other person,
30 property or circumstance.

31
32 **H. APPLICABILITY OF ORDINANCE**

33
34 This Ordinance shall be applicable as stated in Paragraphs A, B and C.

35
36 **I. FILING WITH THE DEPARTMENT OF STATE**

37
38 The Clerk is hereby directed forthwith to send a certified copy of this Ordinance to the Bureau
39 of Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.

40
41 **J. FILING WITH THE DEPARTMENT OF COMMUNITY AFFAIRS**

42
43 The Growth Management Director shall send a certified copy of this Ordinance to the
44 Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida
45 32399-2100.

46
47 **K. EFFECTIVE DATE**

48
49 This Ordinance shall take effect upon the issuance by the State Land Planning Agency of a
50 Notice of Intent to find the adopted amendment in compliance in accordance with Section
51 163.3184(9), or Section 125.66(4)(a), Florida Statutes, or upon the Administration

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Commission issuing a final order finding the adopted amendment in compliance in accordance with Section 163.3184(10).

L. ADOPTION

After motion and second, the vote on this Ordinance was as follows:

Chairman Joseph E. Smith	XXX
Vice-Chairman Paula A. Lewis	XXX
Commissioner Doug Coward	XXX
Commissioner Charles Grande	XXX
Commissioner Chris Craft	XXX

PASSED AND DULY ADOPTED this XXnd day of _____, 2008.

**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

BY _____

Chairman

ATTEST

APPROVED AS TO FORM
AND CORRECTNESS

Deputy Clerk

County Attorney

kyw

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Exhibit "A"

LEGAL DESCRIPTION

LOTS 4 AND 5 IN THE NORTHEAST QUARTER (NE 1/4) OF MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, AS SHOWN BY THE PLAT THEREOF ON FILE IN PLAT BOOK 4, PAGE 34 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPTING TO CANAL AND ROAD RIGHT OF WAY.

AND

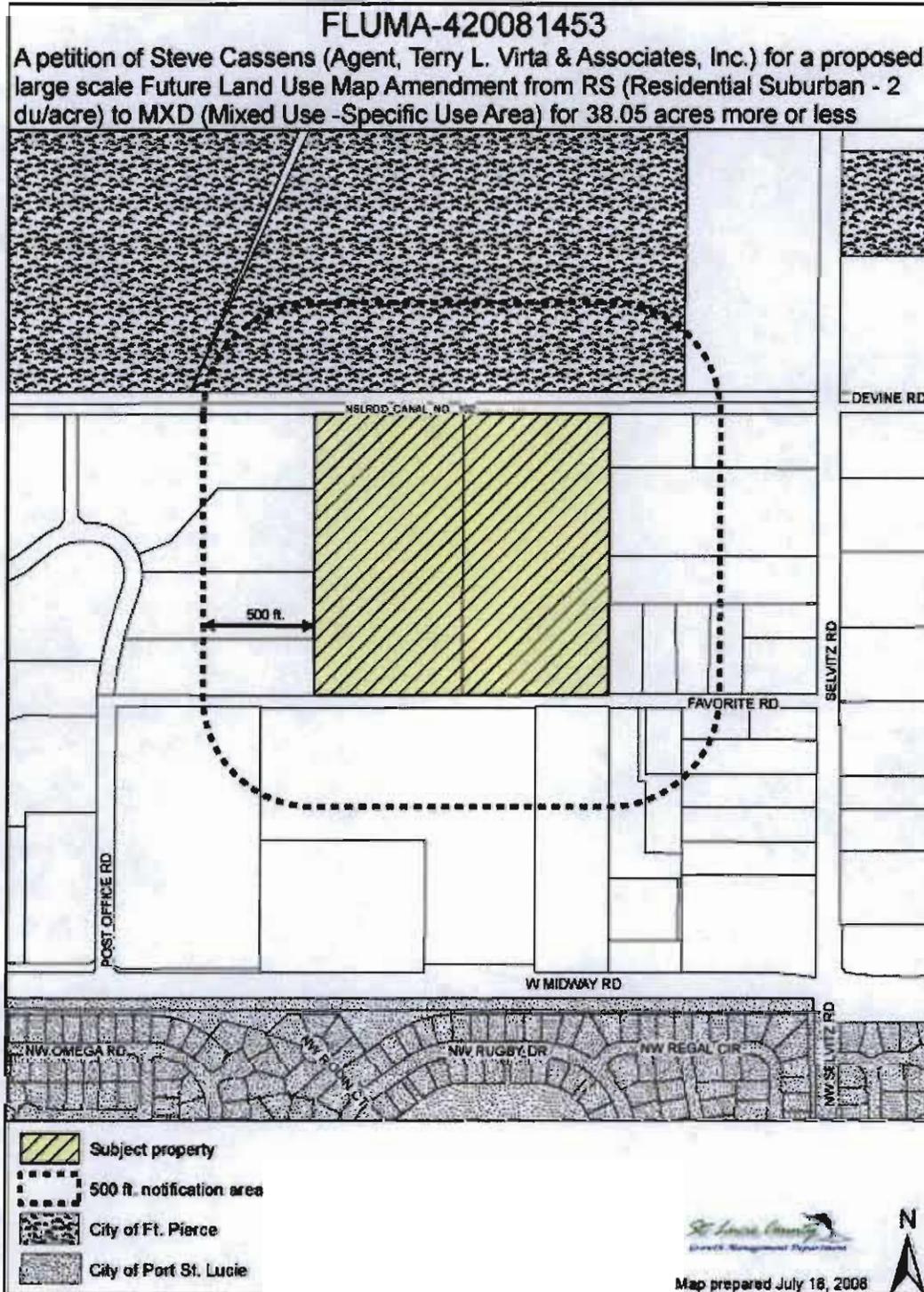
LOTS 6 AND 7 IN THE NORTHEAST QUARTER (1/4) OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST, BEING THE SAME PROPERTY DESCRIBED AS: THE WEST ONE HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); AND THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4); ALL IN SECTION 6, TOWNSHIP 36 SOUTH, RANGE 40 EAST.

ALL CONTAINING 38.05 ACRES MORE OR LESS.

1
2
3
4

Exhibit "B"

Maps

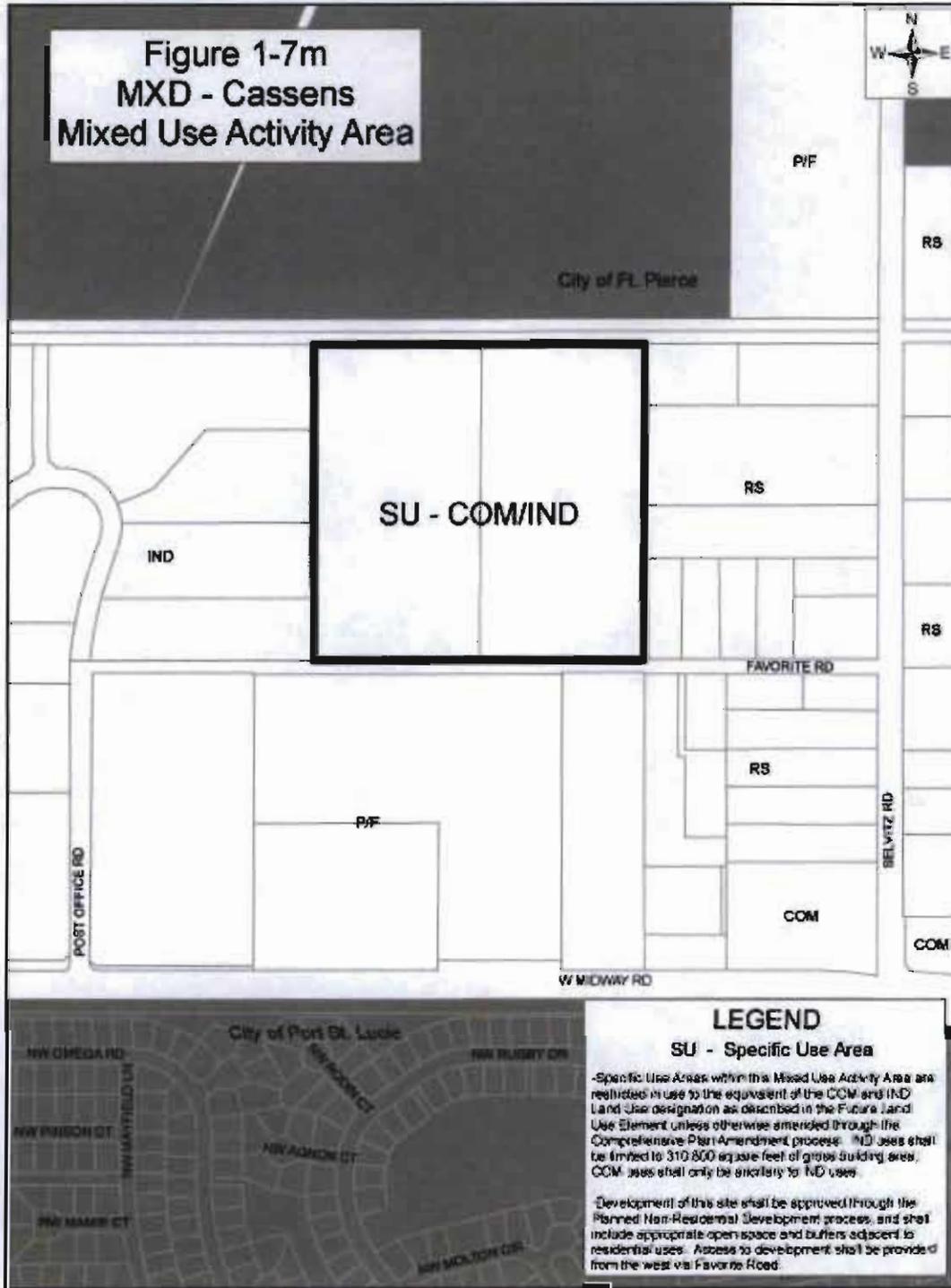


5

1
2
3
4
5

Exhibit "C"

New Figure 1-7m MXD Specific Use Area



6

Exhibit F

Motion

Suggested motion to recommend approval or denial

Suggested motion to recommend approval/denial

MOTION TO APPROVE MXD FUTURE LAND USE:

AFTER CONSIDERING THE TESTIMONY PRESENTED DURING THE PUBLIC HEARING, INCLUDING STAFF COMMENTS, I HEREBY MOVE THAT THE LOCAL PLANNING AGENCY RECOMMEND THAT THE ST. LUCIE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVE THE APPLICATION FOR FUTURE LAND USE MAP AMENDMENT TO MXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA AND FUTURE LAND USE ELEMENT TEXT AMENDMENT TO POLICY 1.1.7.3, ADDING FIGURE 1-7N, FOR CASSENS WHITE CITY GROVE BECAUSE ...

[CITE REASON WHY - PLEASE BE SPECIFIC].

MOTION TO APPROVE IND FUTURE LAND USE:

AFTER CONSIDERING THE TESTIMONY PRESENTED DURING THE PUBLIC HEARING, INCLUDING STAFF COMMENTS, I HEREBY MOVE THAT THE LOCAL PLANNING AGENCY RECOMMEND THAT THE ST. LUCIE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVE THE APPLICATION FOR FUTURE LAND USE MAP AMENDMENT TO IND (INDUSTRIAL) FOR CASSENS WHITE CITY GROVE BECAUSE ...

[CITE REASON WHY - PLEASE BE SPECIFIC].

MOTION TO DENY:

AFTER CONSIDERING THE TESTIMONY PRESENTED DURING THE PUBLIC HEARING, INCLUDING STAFF COMMENTS, I HEREBY MOVE THAT THE LOCAL PLANNING AGENCY RECOMMEND THAT THE ST. LUCIE COUNTY BOARD OF COUNTY COMMISSIONERS DENY THE APPLICATION FOR FUTURE LAND USE MAP AMENDMENT TO MXD (MIXED USE DEVELOPMENT) SPECIFIC USE AREA AND FUTURE LAND USE ELEMENT TEXT AMENDMENT TO POLICY 1.1.7.3, ADDING FIGURE 1-7N, FOR CASSENS WHITE CITY GROVE BECAUSE ...

[CITE REASON WHY - PLEASE BE SPECIFIC].



Environmental Resources Department

Agenda Item Companion Report

TO: Board of County Commissioners
FROM: Yvette Alger
Environmental Resources Department
DATE: August 8, 2008
RE: Cassens White City Grove Future Land Use Map Amendment

DEPARTMENT COORDINATION

ERD visited the site on May 2, 2008. GM requested ERD input on the proposed Future Land Use Map Amendment.

ERD INPUT

ERD input has been included in the attached staff report.

ERD RECOMMENDATION

ERD has no objection to GM recommendation.


Signature



Sign Up Request

Date Sent:
Attention: James Beams

Sign # 1163

Sign to be installed by Sign Technicians before: Friday August 8, 2008

OR

Sign to be ready for pick up before:

(Pickup hours: 7:00 -11:30or 12:30- 3:00)

Please return signed and dated original to Deanna Givens (ext. 6426) at Growth Management. Thank you.

**St. Lucie County
Affidavit of Public Notice**

I, _____, do hereby certify that as Agent for the St. Lucie County Board of Commissioners on the following described property:

Location of sign: North side of Favorite Road, approximately 1,600 feet West of Selvitz Road.

I did on _____, 2008 erect in a conspicuous place on this property the following notice:

PUBLIC NOTICE

Public Hearing for an Application of Steve Cassens (Terry L. Virta & Associates, Inc., Agent) for a proposed large scale Future Land Use Map Amendment for 38.05 acres more or less, known as Cassens White City Groves, located in St. Lucie County. If approved the change would amend the adopted Comprehensive Plan Future Land Use Map from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use) Specific Use Area, adding Figure 1-7m and Sub-Area policy language to the Comprehensive Plan. The hearing is to be held in the County Administration Building, 2300 Virginia Avenue, Fort Pierce, on Thursday, August 21, 2008 @ 8 PM before the Planning and Zoning Commission and on day, date @ 6 PM before the Board of County Commissioners.

PETITIONS ARE AVAILABLE AT THE FRONT DESK IN THE PLANNING DIVISION.

Signature

Date

1163

PUBLIC NOTICE

Public Hearing for an Application of Steve Cassens (Terry L. Virta & Associates, Inc., Agent) for a proposed large scale Future Land Use Map Amendment for 38.05 acres more or less, known as Cassens White City Groves, located in St. Lucie County. If approved the change would amend the adopted Comprehensive Plan Future Land Use Map from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use) Specific Use Area, adding Figure 1-7m and Sub-Area policy language to the Comprehensive Plan. The hearing is to be held in the County Administration Building, 2300 Virginia Avenue, Fort Pierce, on Thursday, August 21, 2008 @ 6 PM before the Planning and Zoning Commission and on Tuesday, September 16, 2008 @ 6 PM before the Board of County Commissioners.

PETITIONS AVAILABLE IN PLANNING DEPT.

00000772008



Parcel ID	TaxRollOwner1
340650100270008	Ada F Johnson
340650100050008	Angela L. Massa
340650300049007	Barbara J Swegles
340650100040001	Chester C Kuro
340650100250004	Dan L Zollinger
340650100050008	David Ortega
340650100280005	Elio J Hernandez
340650200060008	Fort Pierce No 2 Llc
340650200070005	Fort Pierce No 3 Llc
340650100060005	Fred O Smith
340650300040007	James L Kuro
340650300030000	Kyle Bradfield
243141100010009	Midway Properties Of St Lucie
340650100040001	Nellie R Kuro
340650100145009	New Horizons Of The Treas Cst
340650100120000	Norma F Cassens
100000000000000	NSLRWMD
340650100020007	Ray H Taylor
340650300020003	Resident
340650100020100	Robert J Arend
340650100070002	Shamy Tommie
340650100140107	United States Postal Service
340650100030004	Vincent Frias
340650100080009	Virginia N Going
340650100110003	White City Grove Inc
Applicant	Steve Cassens
Agent	Terry L. Vira, AICP

TaxRollOwner2	Address
	4847 Selvitz Rd
	105 Wheatsville Ct
	4311 Favorite Rd
Nellie R Kuro	1549 Pheasant Walk Apt A
Melanie F Zollinger	4221 Favorite Rd
Rose Ortega	105 Wheatfield Ct
Ruth V Hernandez	4861 Selvitz Rd
	2101 NW 110th Ave
	2101 NW 110th Ave
	4339 Favorite Rd
Tammie G Smith	3445 Fox Hollow Way
Chester C Kuro Jr	234 NW Pleasant Grove Way
Rhonda Bradfield	161 N Causeway Ste 8
	1549 Pheasant Walk Apt A
	4500 W Midway Rd
Steven D Cassens	PO Box 613
	2721 S Jenkins Rd
Carlotta J Taylor	4605 Selvitz Rd
	4375 Favorite Rd
	PO Box 12176
Wanda G Tommie	4280 Favorite Rd
	5000 W Midway Rd
Maria Guinto Frias	4703 Selvitz Rd
	4242 Favorite Rd
	PO Box 613
	3180 N Kings Hwy
	3101 Park Ave

City	State	ZipCode
Fort Pierce	FL	34981-4808
Carolina Shores	NC	28467-2284
Fort Pierce	FL	34981-4810
Fort Pierce	FL	34951
Fort Pierce	FL	34981-4810
Carolina Shores	NC	28467-2284
Fort Pierce	FL	34981-4808
Miami	FL	33172
Miami	FL	33172
Fort Pierce	FL	34981-4810
Suwannee	GA	30024
Port St Lucie	FL	34986
New Smyrna	FL	32169-5300
Fort Pierce	FL	34951
Fort Pierce	FL	34981-4823
Fort Pierce	FL	34954-0613
Ft Pierce	FL	34981
Fort Pierce	FL	34981-4806
Ft Pierce	FL	34981
Fort Pierce	FL	34979-2176
Fort Pierce	FL	34981-4809
Fort Pierce	FL	34981
Fort Pierce	FL	34981-4806
Fort Pierce	FL	34981-4809
Fort Pierce	FL	34954-0613
Ft Pierce	FL	34951
Riviera Beach	FL	33404

**BOARD OF
COUNTY
COMMISSIONERS**



**GROWTH
MANAGEMENT**

August 7, 2008

Joe Smith
1800 Anywhere DR.
Anywhere, FL 34982

**RE: Cassens White City Grove
FLUMA-420081453
TCP- 420081454**

In accordance with the St. Lucie County Land Development Code, you are hereby advised that Steve Cassens (Terry L. Virta & Associates, Inc., Agent) presented a petition to St. Lucie County for a proposed Large Scale Future Land Use Element Amendment for 38.05 acres more or less, located in St. Lucie County. If approved, the change would amend the adopted Comprehensive Plan Future Land Use Map from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use Development) Specific Use Area, adding Figure 1-7m and Sub-Area policy language to the Comprehensive Plan, for the following described property:

Location: Northwest quadrant of West Midway Road & Selvitz Road, on the North side of Favorite Road.

Legal Description: Lots 4 and 5 in the Northeast Quarter (NE 1/4) of Model Land Company's Subdivision, of Section 6, Township 36 South, Range 40 East, as shown by the plat thereof on file in plat Book 4, page 34 of the Public Records of St. Lucie County, Florida, less and excepting to canal and road right of way.

AND

Lots 6 and 7 in the Northeast Quarter (1/4) of Model Land Company's Subdivision of Section 6, Township 36 South, Range 40 East, being the same property described as: The West one half (W 1/2) of the East one-half (E 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4); and the East one-half (E 1/2) of the West one-half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4); all in Section 6, Township 36 South, Range 40 East.

All containing 38.05 Acres more or less.

The **Planning and Zoning Commission public hearing** on the petition will be held at **6:00 P.M.**, or as soon thereafter as possible, on **Thursday, August 21, 2008**, in the County Commission Chambers, St. Lucie County Administration Annex Building, 2300 Virginia Avenue, Fort Pierce, Florida. All interested persons will be given an opportunity to be heard at that time. Written comments received in advance of the public hearing will also be considered. The Growth Management Department should receive written comments regarding any item for consideration at least 3 days prior to a scheduled hearing.

County policy strongly encourages your input and comment at the public hearing of this matter before the Planning and Zoning Commission and Board of County Commissioners, rather than by contact outside of the scheduled public hearing(s). We encourage you to speak at these public hearings, or provide written comments for the record.

JOSEPH E. SMITH, District No. 1 • DOUG COWARD, District No. 2 • PAULA A. LEWIS, District No. 3 • CHARLES GRANDE, District No. 4
• CHRIS CRAFT, District No. 5

County Administrator - Douglas M. Anderson Website: www.co.st-lucie.fl.us

2300 Virginia Avenue - Fort Pierce, FL 34982-5652

Administration: (772) 462-1590 Planning: (772) 462-2822 GIS/Technical Services: (772) 462-2822 FAX: (772) 462-1581

Economic Development: (772) 462-1550 FAX: (772) 462-1579 Tourist Development: (772) 462-1535 1(800) 344-TGIF FAX: (772) 462-2132

The proceedings of the Planning and Zoning Commission are electronically recorded. If a person decides to appeal any recommendation made to the Board of County Commissioners by the Planning and Zoning Commission, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued to a date certain.

Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Services Director at least forty-eight (48) hours prior to the meeting at (772) 462-1777 or T.D.D. (772) 462-1428.

If you no longer own property adjacent to the above-described parcel, please forward this notice to the new owner. Please call (772) 462-2822, if you have any questions and refer to the project name and number listed above.

Sincerely,

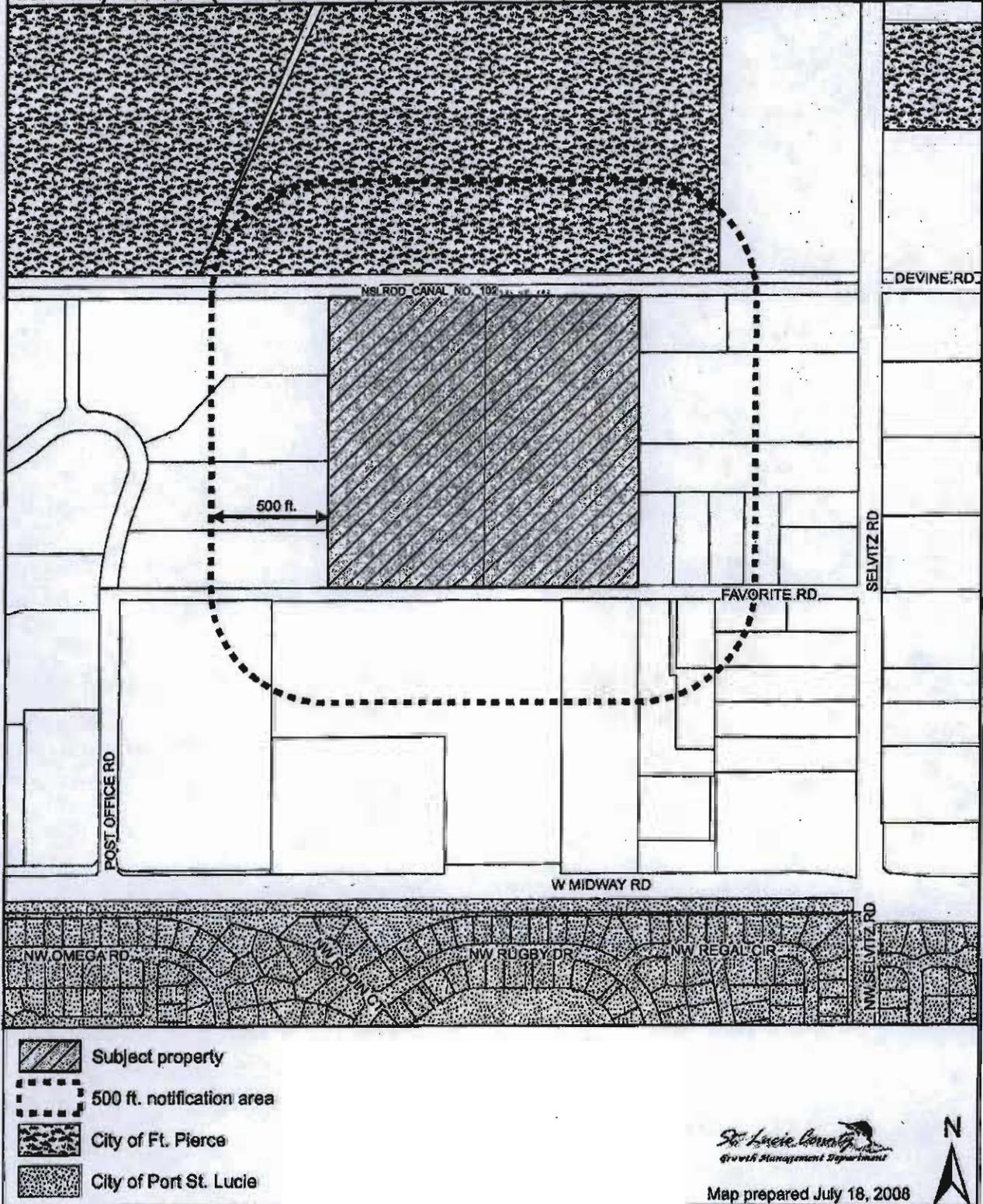
ST LUCIE COUNTY PLANNING AND ZONING COMMISSION

/S/ SUSAN CARON, CHAIRMAN

Form No. 07-12

FLUMA-420081453

A petition of Steve Cassens (Agent, Terry L. Virta & Associates, Inc.) for a proposed large scale Future Land Use Map Amendment from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use - Specific Use Area) for 38.05 acres more or less



**ST. LUCIE COUNTY PLANNING AND ZONING COMMISSION/LOCAL
PLANNING AGENCY PUBLIC HEARING AGENDA
August 21, 2008
NOTICE OF PROPOSED AMENDMENTS TO THE FUTURE LAND USE
ELEMENT OF THE ST. LUCIE COUNTY COMPREHENSIVE PLAN**

The St. Lucie County Planning and Zoning Commission/Local Planning Agency is scheduled to review and make recommendations to the Board of County Commissioners of St. Lucie County, Florida regarding Large Scale Comprehensive Plan Amendments Cycle 2008-2.

The purpose of this public hearing is to consider transmission of the following Comprehensive Plan Amendments to the Florida Department of Community Affairs.

A public hearing on these proposals will be held before the Planning and Zoning Commission/Local Planning Agency on Thursday, August 21, 2008 at 6:00 P.M. or as soon thereafter as possible, in the Commission Chambers, Right Poling Annex, 3rd Floor, St. Lucie County Administration Building, 2200 Virginia Avenue, Fort Pierce, Florida.

Item #1 Ordinance No. 08-027

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 66.78 ACRE (M.O.L.) PARCEL OF LAND FROM R1 (RESIDENTIAL URBAN) - 2 DWELLING UNITS PER ACRE AND COM (COMMERCIAL) TO M20 (MIXED USE DEVELOPMENT) MEDIUM DENSITY; AND AMENDING FIGURE 1-7F IN POLICY 1.1.7A OF THE COMPREHENSIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Orange Avenue Development II, LLC (Land Design South, Agent)
File Number: FLUMA-02001458
Location: Approximately 1 mile east of 165 on the north side of Orange Avenue and within the Janine Road Area Plan Special District

LEGAL DESCRIPTION PARCEL 1:
THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS RIGHT-OF-WAY FOR CANALS, AS RECORDED IN THE PUBLIC RECORDS IN AND FOR ST. LUCIE COUNTY, FLORIDA, CONTAINING 18.45 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 2:
PARCEL 2 THE EAST 80 FEET OF THE FOLLOWING DESCRIBED PROPERTY: THE WEST OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPT RIGHTS OF WAY FOR PUBLIC ROADS, LYING AND BEING 87.57 ACRES, LESS AND EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCEL AS SET FORTH IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 2816; A PORTION OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A FOUND BOUNDARY SPRIKE MARKING THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE N 00 DEGREE 07'30" E ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 608.508 METERS (2,028.03 FEET) TO A POINT ON A FOUND BOAT SPIKE MARKING THE WEST 1/4 CORNER OF SAID SECTION 7, SAID POINT BEING ON THE BASELINE OF HARVEY FOR STATE ROAD 68 (ORANGE AVENUE) AS SHOWN ON A FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION NO. 94070-2506; THENCE N 89 DEGREE 42'00" E ALONG SAID BASELINE OF SURVEY AND THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 624.027 METERS (2,047.23 FEET); THENCE N 00 DEGREE 17'31" W ALONG A LINE AT A RIGHT ANGLE TO THE LAST DESCRIBED COURSE, A DISTANCE OF 118.668 METERS (387.7 FEET) TO THE POINT OF BEGINNING; THENCE S 89 DEGREE 47'57" E, 171.180 METERS (561.48 FEET); THENCE N 00 DEGREE 18'00" E, 344.9 METERS (1,131.48 FEET); THENCE S 89 DEGREE 47'57" W, 171.509 METERS (562.04 FEET); THENCE S 00 DEGREE 14'00" W, 84.834 METERS (278.45 FEET) TO THE POINT OF BEGINNING. FURTHER LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL AS SET FORTH IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1430, PAGE 1816; A PARCEL OF LAND LYING AND BEING IN THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE NORTH 1/2 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, EXCLUSIVE OF RIGHTS-OF-WAY FOR CANALS, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE, COMMENCING AT A FOUND BOUNDARY SPRIKE MARKING THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE N 60 DEGREE 07'30" E ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 2,415.03 FEET TO A POINT ON A FOUND BOUNDARY SPRIKE MARKING THE WEST QUARTER CORNER OF SAID SECTION 7, SAID POINT BEING ON THE BASELINE OF SURVEY FOR STATE ROAD 68 (ORANGE AVENUE) AS SHOWN ON A FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION NO. 94070-2506; THENCE N 89 DEGREE 42'00" E ALONG SAID BASELINE OF SURVEY AND THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 2,047.33 FEET; THENCE N 00 DEGREE 17'31" W ALONG A LINE AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, A DISTANCE OF 322.7 FEET TO THE POINT OF BEGINNING; THENCE N 89 DEGREE 47'57" E, 281.46 FEET TO THE EASTERLY BOUNDARY OF THE EAST OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, SAID LINE ALSO TO BE EXTENDED TO THE WESTERLY BOUNDARY OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 100' TO A POINT; THENCE TURN AND RUN EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 100' TO A POINT; THENCE TURN AND RUN SOUTH 160' TO A POINT 100' EAST OF THE POINT; THENCE TURN AND RUN WEST 100' TO POINT OF BEGINNING; THENCE TURN AND RUN WEST 100' TO POINT OF BEGINNING; LESS 0.07 ACRES AS RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 2825 OFFICIAL RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LEGAL DESCRIPTION PARCEL 3:
THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 20' OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPTING THE EAST 80' THEREOF AND LESS RIGHT-OF-WAY FOR PUBLIC ROADS. FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: BEING THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, AND RUN THENCE NORTH 40' TO POINT OF BEGINNING; THENCE CONTINUE NORTH PARALLEL WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 160' TO A POINT; THENCE TURN AND RUN EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 100' TO A POINT; THENCE TURN AND RUN SOUTH 160' TO A POINT 100' EAST OF THE POINT; THENCE TURN AND RUN WEST 100' TO POINT OF BEGINNING; LESS 0.07 ACRES AS RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 2825 OFFICIAL RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LEGAL DESCRIPTION PARCEL 4:
THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 20' OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPTING THE EAST 80' THEREOF AND LESS RIGHT-OF-WAY FOR PUBLIC ROADS. FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: BEING THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, AND RUN THENCE NORTH 40' TO POINT OF BEGINNING; THENCE CONTINUE NORTH PARALLEL WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 160' TO A POINT; THENCE TURN AND RUN EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 100' TO A POINT; THENCE TURN AND RUN SOUTH 160' TO A POINT 100' EAST OF THE POINT; THENCE TURN AND RUN WEST 100' TO POINT OF BEGINNING; LESS 0.07 ACRES AS RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 2825 OFFICIAL RECORDS OF ST. LUCIE COUNTY, FLORIDA.

LEGAL DESCRIPTION PARCEL 5:
THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE EAST 20' OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, LESS AND EXCEPTING THE EAST 80' THEREOF AND LESS RIGHT-OF-WAY FOR PUBLIC ROADS. FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: BEING THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, AND RUN THENCE NORTH 40' TO POINT OF BEGINNING; THENCE CONTINUE NORTH PARALLEL WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 160' TO A POINT; THENCE TURN AND RUN EAST PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 100' TO A POINT; THENCE TURN AND RUN SOUTH 160' TO A POINT 100' EAST OF THE POINT; THENCE TURN AND RUN WEST 100' TO POINT OF BEGINNING; LESS 0.07 ACRES AS RECORDED IN OFFICIAL RECORDS BOOK 1433, PAGE 2825 OFFICIAL RECORDS OF ST. LUCIE COUNTY, FLORIDA.

74.80 FEET TO THE POINT OF BEGINNING, CONTAINING 800,256 SQUARE FEET OR 18.37 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 6:
THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, EXCEPTING ALL RIGHT-OF-WAY FOR PUBLIC AND DRAINAGE CANALS AND DITCHES, CONTAINING 8.47 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 7:
THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, EXCEPTING ALL RIGHT-OF-WAY FOR PUBLIC AND DRAINAGE CANALS AND DITCHES, CONTAINING 4.87 ACRES MORE OR LESS.

LEGAL DESCRIPTION PARCEL 8:
THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA, EXCEPTING ALL RIGHT-OF-WAY FOR PUBLIC AND DRAINAGE CANALS AND DITCHES, CONTAINING 4.87 ACRES MORE OR LESS.

Item #2 Ordinance No. 08-028

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 11.42 ACRE (M.O.L.) PARCEL OF LAND FROM AG-8 (AGRICULTURAL-8 - 1 DWELLING UNIT PER 6 ACRES) TO M20 (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING FIGURE 1-7J, 1000 - WEST ORANGE MIXED USE ACTIVITY AREA, IN POLICY 1.1.7.9 OF THE COMPREHENSIVE PLAN; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Duen, John M.
File Number: FLUMA-120061306
Location: Approximately 25 mile south of Orange Avenue, 6.0 miles west of I-95, on the east side of Tronahedge Road

Legal Description: ORANGE AVE AD PARK LOT 5 (MAP 22/110) (11.42) (OR 2004-841)

Item #3 Ordinance No. 08-030

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR A 88.08 ACRE (M.O.L.) PARCEL OF LAND FROM R5 (RESIDENTIAL SUBURBAN - 2 DWELLING UNITS PER ACRE) TO M20 (MIXED USE DEVELOPMENT) SPECIFIC USE AREA; AND AMENDING POLICY 1.1.7.9 OF THE FUTURE LAND USE ELEMENT TO INCLUDE FIGURE 1-7M AND PROVIDING SUB-AREA POLICY LANGUAGE; PROVIDING FINDINGS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

Applicant: Steve Cassens (Terry L. Vra & Associates, Inc., Agent)
File Number: FLUMA-620081453 / TCP-470061454
Location: Federal quarter of West Midway Road and Saltz Road, on north side of Fayette Road

Legal Description: LOTS 4 AND 6 IN THE NORTHEAST QUARTER (1/4) OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 6, TOWNSHIP 38 SOUTH, RANGE 40 EAST, AS SHOWN BY THE PLAT THEREOF ON FILE IN PLAT BOOK 4, PAGE 34 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS AND EXCEPTING TO CANAL AND ROAD RIGHT OF WAY.

AND LOTS 8 AND 7 IN THE NORTHEAST QUARTER (1/4) OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 6, TOWNSHIP 38 SOUTH, RANGE 40 EAST, BEING THE SAME PROPERTY DESCRIBED AS: THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) AND THE EAST ONE-HALF (1/2) OF THE WEST ONE-HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4); ALL IN SECTION 6, TOWNSHIP 38 SOUTH, RANGE 40 EAST.

ALL CONTAINING 98.08 ACRES MORE OR LESS.



All interested persons will be given an opportunity to be heard. Written comments received in advance of the public hearing will also be considered. Written comments to the Planning and Zoning Commission/Local Planning Agency should be received by the Growth Management Department at least 3 days prior to the scheduled hearing. The public file is available for review at the Growth Management Department offices located at 2200 Virginia Avenue, 2nd Floor, Fort Pierce, Florida, during regular business hours. Please call 772-462-2822 or TDD 772-462-1428 if you have any questions or require additional information.

The St. Lucie County Planning and Zoning Commission/Local Planning Agency has the power to review and recommend to the St. Lucie County Board of County Commissioners, for approval or disapproval, any applications within their area of responsibility.

The proceedings of the Planning and Zoning Commission/Local Planning Agency are electronically recorded. PURSUANT TO SECTION 218.0108, Florida Statutes, if a person desires to appeal any decision made by the Planning and Zoning Commission/Local Planning Agency with respect to any matter considered at a meeting of hearing, he or she will need a record of the proceedings. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued to a date certain.

Anyone with a disability requiring accommodation to attend this meeting should contact the St. Lucie County Community Services Director at least forty-eight (48) hours prior to the meeting at 772-462-1777 or T.D.D. 772-462-1428.

PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY
ST. LUCIE COUNTY, FLORIDA
AUBUSAN GARDN, CHAIRMAN
PUBLISH DATE: August 8, 2008

A LAND USE PLAN AMENDMENT

**CASSENS WHITE CITY
GROVE**

**A REQUEST FOR RESIDENTIAL SUBURBAN LAND TO
BE AMENDED TO REFLECT A MXD DESIGNATION**

SEPTEMBER 18, 2008

Terry L. VIRTA & ASSOCIATES, INC.

Received By
SEP 18 2008
Growth Management

Terry L. Vlrta & Associates, Inc.

Planning Consultants

Terry L. Vlrta, AICP

Principal

March 1, 2008

Mark Satterlee, AICP, Director
St. Lucie County Growth Management Department
2300 Virginia Avenue
Ft. Pierce, FL 34954

Re: Cassens White City Grove Land Use Amendment Application

Dear Mr. Satterlee:

Please find enclosed two applications to amend the Land Use Element of the Comprehensive Plan for St. Lucie County. The first of these applications is to amend the land use designation for property known as the Cassens White City Grove from Residential Suburban to Mixed Use. The second request is to amend the Plan text to accommodate the subarea policies designed to guide development of this property under the MXD designation.

The following information is included with this application:

- 1- One original and 29 copies of the land use map amendment application.
- 2- One original and 29 copies of the Land Use Element text amendment application.
- 3- Two electronic copies of each application as well as a copy of the legal description in Word.
- 4- A Concurrency Deferral Affidavit.
- 5- A check in the amount of \$2,490.00 to cover the cost of the appropriate fees.
- 6- Three copies of the County's Property Appraisers Tax Map and three aerials with the property subject to the application highlighted.
- 7- Seven sealed copies of the traffic report which is also included as an appendix to the land use amendment application.
- 8- Copies of the transmittal letters to the Planning Directors of each city.

On behalf of the client and the project team I wish to thank you for your interest in our request. To that end please feel free to contact at anytime if you should need additional information or I might respond to a question. We look forward to working with you in the review and processing of this request.

3101 Park Avenue
Riviera Beach, Florida 33404
Phone: 561-718-1343
Fax: 561-863-7682
E-mail:tlv31987@hotmail.com

Our team consists of the following additional individuals:

Steve Cassens, President
Cassens Grove Service
P.O. Box 613
Ft. Pierce, Fl 34954-0613

772-461-4615

Stuart E. McGahee, P.E.
East Bay Group, LLC
546 NW University Drive
Suite 103
Port St. Lucie, FL 34986
772-323-2233

Jason Matson, P.E.
Kimley-Horn and Associates
Suite 103
10521 SW Village Center Drive
Port St. Lucie, FL 34986
772-345-3800

Sincerely,

Terry L. Virta, AICP, Principal
Terry L. Virta & Associates, Inc.

cc. Steve Cassens
Stuart McGahee, P.E.
Jason Matson, P.E.

Terry L. Virta & Associates, Inc.

Planning Consultants

Terry L. Virta, AICP

Principal

March 1, 2008

Cheryl Friend, AICP
Planning Director
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34954

Re: Cassens White City Grove Land Use Amendment

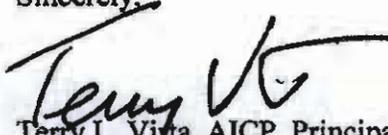
Dear Cheryl:

Enclosed is a copy of a comprehensive plan land use change amendment being submitted to St. Lucie County. The County requires that you be provided with a copy of this application as we are within one mile of the Port St. Lucie municipal boundary.

This request is for the change of 38.05 acres located north of Midway Road along the north side of the right of way for Favorite Road. The enclosed application will demonstrate the spatial relationship of this site to the City limits. Being that the site is located immediately south of the existing Ft. Pierce municipal limits and within the service area of the FPUA it is anticipated that this location will ultimately be annexed into Ft. Pierce.

If you have any questions or I can provide you with additional information I can be contacted at 561-718-1343 or the email address as indicated in the stationary.

Sincerely,


Terry L. Virta, AICP, Principal
Terry L. Virta & Associates, Inc.
3101 Park Avenue
Riviera Beach, FL 33404

cc. St. Lucie County Growth Management

3101 Park Avenue
Riviera Beach, Florida 33404
Phone: 561-718-1343
Fax: 561-863-7682
E-mail: tlv31987@hotmail.com

Terry L. Virta & Associates, Inc.

Planning Consultants

Terry L. Virta, AICP

Principal

March 1, 2008

Matthew G. Margotta
Planning Director
P.O. Box 1480
Ft. Pierce, Florida 34954

Re: Cassens White City Grove Land Use Amendment

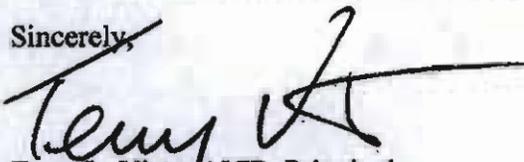
Dear Mr. Margotta:

Enclosed is a copy of a comprehensive plan land use change amendment being submitted to St. Lucie County. The County requires that you be provided with a copy of this application as we are within one mile of the Ft. Pierce municipal boundary.

This request is for the change of 38.05 acres located north of Midway Road along the north side of the right of way for Favorite Road. The enclosed application will demonstrate the spatial relationship of this site to the City limits. Being that the site is located immediately south of the existing Ft. Pierce municipal limits and within the service area of the FPUA it is anticipated that this location will ultimately be annexed into Ft. Pierce.

If you have any questions or I can provide you with additional information I can be contacted at 561-718-1343 or the email address as indicated in the stationary.

Sincerely,



Terry L. Virta, AICP, Principal
Terry L. Virta & Associates, Inc.
3101 Park Avenue
Riviera Beach, FL 33404

cc. St. Lucie County Growth Management

3101 Park Avenue
Riviera Beach, Florida 33404
Phone: 561-718-1343
Fax: 561-863-7682
E-mail:tlv31987@hotmail.com

ACKNOWLEDGEMENT OF SUBMITTAL/RESUBMITTAL

This form is to acknowledge that an application packet was received by Growth Management on this date. This further acknowledges receipt of 30 number of plan packages and receipt of a check in the amount of \$ 2,490.00. This does not guarantee that the packet is sufficient or complete or that the number of packages or the amount of the check is correct. No approval is given or implied. Staff will contact the applicant regarding any insufficiencies.

SUBMITTED BY: C Cassens Land Enterprises, Inc.

PETITION NAME: Fdu Amendment + LDC Text change

[Signature]
Verified By / Signature

Received By

MAR 03 2008

Growth Management

Form No. 07-02

(Area for date stamp)

BOARD OF COMMISSIONERS

93223

ST. LUCIE COUNTY, FLORIDA

FORT PIERCE, FLA. 3-3- 20 08

RECEIVED OF Cassens Land Enterprises, Inc.

Two Thousand Four Hundred Ninety ⁰⁰/₁₀₀ DOLLARS

Tax Map, 2 Text Amend Apps, For Comp Plan
Concurrence

BOARD OF COMMISSIONERS

\$ 2,490.00

By [Signature]



**ST. LUCIE COUNTY
FUTURE LAND USE MAP AMENDMENT
APPLICATION**

Please complete the requested information below and submit all items to the St. Lucie County Growth Management Department, 2300 Virginia Avenue, Ft. Pierce, Florida, 34982. For assistance in completing the application and to schedule a pre-application meeting, please contact the St. Lucie County Growth Management, Planning Division at 772-462-2822.

APPLICATION FEES

		Application Review Fee	Concurrency Review & Deferral
Small Scale Amendment (See 163.3187, FS)	Residential \leq 10 acres and \leq 10 dwelling units per acre		
	Non-Residential \leq 10 acres	\$ 600.00	\$ 200.00
Large Scale Amendment	10.01 to 20 acres	\$ 1,000.00	\$ 400.00
Large Scale Amendment	20 acres plus	\$ 1,200.00 + \$5 per acre over 20 acres	\$ 400.00

In accordance with Chapter 163.3187, Florida Statutes, The St. Lucie County Board of County Commissioners will consider applications for land uses changes on parcels in excess of 10 acres ("Large Scale Amendments") only twice each calendar year. The Commission will consider applications for land use changes on parcels less or equal to 10 acres and 10 dwelling units ("Small Scale Amendments") at any time during the calendar year. The deadline for submission of a **complete** application for large scale amendments will be determined by the Growth Management Department. You are encouraged to schedule a pre-application meeting with planning staff and to submit your application up to three months in advance of the application deadline.

Application submissions shall include the following:

1. One (1) original and twenty-nine (29) paper copies of the application and support documents.
2. Two (2) electronic copies of the application and the property's legal description, in Microsoft Word Format.
3. Three (3) copy of the County's Property Appraisers Tax Map and three (3) aerials with the property subject to the application highlighted.
4. Seven (7) copies of the traffic report and any available environmental or historical report.
5. Six (6) copies of any conceptual development plan (if available).

Applicant's Name: Terry L. Virta, AICP, Agent for Owner

Applicant's Address: 3101 Park Avenue, Riviera Beach, FL 33404

Applicant's Phone Number: 561-718-1343

Applicant's Fax: 561-863-7682

Email: tlv31987@hotmail.com

Note: The above applicant (may be agent or owner) information will be used by the County as the single contact for all correspondence and other communication.

SPECIAL NOTE: Under the provisions of the St. Lucie County Land Development Code, a petition for change in land use is considered to be a PRELIMINARY DEVELOPMENT ORDER. Under the definition of Preliminary Development Order, and consistent with the County's concurrency regulations, St. Lucie County neither warrants nor represents that there are sufficient public facilities or services available to serve the property on which the change in land use is sought. Further, pursuant to Section 5.01.01(B) (3) of the Code, a signed Concurrency Deferral Affidavit must accompany all applications for land use changes that acknowledge that no public facility capacity will be reserved for the subject property. A determination of public facilities capacity is required prior to the issuance of a Final Development Order. A Final Development Order cannot be issued until capacity is available.

OFFICE USE: FILE CODE: _____ CHECK NO.: _____ RECEIPT NO.: _____ RECEIVED: _____

CERT. COMPLETE: _____ LPA REVIEW: _____ TRANSMITTAL TO DCA _____ ADOPTION: _____

ORD NO: _____ DATE APPRVD: _____

I (We) do hereby petition the St. Lucie County Local Planning Agency and the St. Lucie County Board of County Commissioners to change the **Future Land Use Designation** of the following property:

Legal Description: (Type or print in black ink and attach any available sketch and description)

Lots 4 and 5 in the Northeast Quarter (NE 1/4) of Model Land Company's Subdivision, of Section 6, Township 36 South, Range 40 East, as shown by the plat thereof on file in plat Book 4, page 34 of the Public Records of St. Lucie County, Florida, less and excepting to canal and road right of way.

AND

Lots 6 and 7 in the Northeast Quarter (1/4) of Model Land Company's Subdivision of Section 6, Township 36 South, Range 40 East, being the same property described as: The West one half (W 1/2) of the East one-half (E 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4); and the East one-half (E 1/2) of the West one-half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4); all in Section 6, Township 36 South, Range 40 East.

All containing 38.05 Acres more or less.

Property Tax ID(s) #: all of 340650100120000 and all of 340650100110003

(Please indicate if only a portion of a Property Tax ID is included) Both parcels are included in their entirety.

Parcel Acres: **38.05 acres**

Amendment Acres: **38.05 acres**

Property Address/Location: _____

Existing Future Land Use: **Residential Urban**

Proposed Future Land Use: **MXD**

Existing Zoning: **AG-1 Agricultural**

Existing Use: **Citrus Grove**

Are any other applications being submitted concurrent with this application? **Yes, two concurrent applications with second a request for a Comprehensive Plan text amendment.**

Please indicate the type of any concurrent applications being submitted. **Subarea Policy Comprehensive Plan Text Amendment/Concurrency Deferral Application**

Describe the existing improvements and structures on the amendment lands: **Parcel presently consists of a citrus grove containing drainage improvements necessary for agriculture.**

Proposed use of amendment lands: **Land is intended to remain in Citrus for the foreseeable future. At the point of development the intent is to use it for industrial purposes utilizing the Planned Development – Industrial zoning processes.**

My (Our) reason for making this request is:

Owner desires change so that land reflects land uses surrounding and abutting the property. Land to the west and north are presently enjoy an industrial and land to the west is zoned Heavy Industrial and those to the north are zoned Ft. Pierce Industrial. Property to the south has an Institutional land use designation and is zoned Public Facilities. The requested land use will reflect ultimate use of the property once citrus is no longer desired for the site. There are no other agricultural lands in the immediate vicinity of this site. It is an island in an otherwise developing area.

Required Documentation

On a separate sheet provide the following information. Your responses should be thorough and supported by references to specific sections of the Comprehensive Plan that are applicable to the proposed future land use amendment. Please provide documentation to support your responses and complete the attached worksheets.

1. A general statement describing whether and how the proposed amendment conforms to the St. Lucie County Comprehensive Plan. **See page 12 of 60 in this application.**
2. A statement describing how the proposed future land use designation is compatible with the future land use designation(s) and existing land uses surrounding the amendment lands? **See page 13 of 60 in this application.**
3. In accordance with Future Land Use Policy 1.1.5.3 provide the following information:
 - a. Identification future land use designations and existing land uses within ¼ mile of the subject property that have the same or greater type of proposed future land use designation. **See page 15 of 60 in this application.**
 - b. Is the property under the land use amendment application within the Five Year Capital Improvement Program of the Water and Wastewater Master Plan for St. Lucie County or otherwise meet the requirements of Policy 1.1.5.4. **See page 15 of 60 in this application.**
 - c. Provide a statement describing any conditions affecting the area of the amendment lands that have changed since the most recent adoption of the Comprehensive Plan. Describe any changes in development patterns, utility availability, and public service capacity. Provide the data and analysis supporting your conclusions. **See page 15 of 60 in this application.**
4. Provide a statement describing 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. **See page 19 of 60 in this application.**
5. If a change to Industrial Land Use is proposed, explain how the proposal meets Future Land Use Policy 1.1.11.2 or Policy 1.1.11.3 of the Comprehensive Plan. **See page 20 of 60 in this application.**
6. Provide a traffic report of the potential impacts to the County's transportation system brought about by the proposed land use change. The report must include existing, background, committed trips, and the projected traffic volumes and the level of service for all affected roadways. Projected traffic volumes must be based on the highest density/intensity allowed under the requested future land use designation. **See page 24 of 60 as well as Appendix A in this application.**
7. Describe the drainage characteristics of the area and what effects the proposed land use amendment would have on the volume and quality of stormwater runoff? Identify the property's flood zone classification? **See page 25 of 60 of this application.**
8. What are the potential environmental impacts of the requested amendment? Describe the natural resources occurring on and adjacent to the amendment lands. Identify any protected

species that are known to occur and estimate the acres of wetlands and native upland habitats on the amendment lands. Identify Category I, II, or III Wetlands as described in Policy 8.1.14.1. See page 26 of 60 of this application.

9. Provide a potable water impact and capacity analysis and documentation that demonstrate adequate water supply facilities and service will be available concurrent with the impact of development. Provide correspondence from the service provider verifying their ability to serve the proposed development. (See attached worksheet) See page 27 of 60 as well as Appendix B of this application.

10. Provide a projection of the average daily volumes of solid waste that would be generated if the land use(s) change. See page 28 of 60 of this application.

11. What demands for recreational facilities will be created by development as a result of the land use change? If you are requesting a residential classification, identify the recreational facilities and open spaces that are available in the vicinity? No changes in recreational needs anticipated as a result of this request. See page 29 of 60 of this application.

12. Indicate the location of any archaeological or historic resources that are known to occur on or near the amendment lands. Describe potential impacts to these resources as a result of the proposed amendment. Provide a copy of any available archaeological or historic assessment. See page 30 of 60 of this application.

13. Is the property currently within the Planned Urban Service Area Boundary? See page 31 of 60 of this application.

14. If you answered "no" to Question 12 above, will the property be used for "urban development activities" as defined in Future Land Use Policy 1.1.5.1? Check which urban development activities apply:

- NA residential development in excess of two units to the gross acre
 NA any non-agricultural commercial activity
 NA any non-extractive, non-agriculturally related industrial activity

See page 32 of 60 of this application.

15. If any item in Question 13 above is checked, the property must lie outside the Planned Urban Service Area. If an expansion of the Urban Service Area boundary line is proposed, please refer to Future Land Use Policy 1.1.5.1 and answer the following questions:

- a. What is the distance between the property and the Urban Service Area Boundary? NA
- b. Is the subject property contiguous to lands with the requested future land use designation? NA
- c. Can the owners of contiguous properties between your property and the present Urban Services Area Boundary ensure appropriate urban infrastructure and services can be provided? If so, please provide documentation. NA
- d. To what extent will the proposed expansion detrimentally impact the established character of the area? NA

See page 33 of 60 of this application.

16. If changing from an agricultural category (AG-5 and AG-2.5) to a non-agricultural category (all others), please answer the following questions.

- a. How will the non-agricultural use(s) maintain the viability of continued agricultural uses on adjacent lands? How will any adjacent agricultural uses affect the proposed non-agricultural uses?
- b. Using the St. Lucie County Soil Survey, provide documentation of the soil type(s) found on the subject parcel and their suitability for the proposed use. Indicate their suitability as defined by the soil survey.
- c. Describe the existing land characteristics and how the proposed land use is suitable with those characteristics?
- d. Does the propose land use amendment propose the extension of the urban services boundary in a manner that creates any enclaves, pockets, or finger areas?
- e. Describe why the non-agricultural uses could not be feasibly located on non-agricultural land.

See page 34 of 60 of this application.

17. Provide a copy of all existing federal, state, regional or local permits or plans related to the property (i.e. SFWMD permits, USDA Conservation Plans, documents related to the lands present or past enrollment in any federal, state or local program). **See page 35 of 60 and Appendix C of this application.**

18. Indicate if the area under consideration is located within a unique area with common characteristics, such as the Indrio Road corridor and White City. If so, indicate how the proposed change in future land use is consistent with the character of the area and any neighborhood plan or special planning project for the amendment area. **See page 36 of 60 of this application.**

19. Identify any local government within one mile of the amendment lands. If any, provide a copy of the proposed application documents to the appropriate government official. Indicate the name and address of the official for which the application documents were provided. **See page 37 of 60 of this application.**

20. St. Lucie County reserves the right to request additional information.

22. APPLICANT ACKNOWLEDGEMENTS (Owner's Signature Must be Notarized)

I CERTIFY THAT: (CHECK ONE)

[Signature] I (We) do hereby certify that I (we) own in fee simple the above described property for which a change in Future Land Use 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.

[Signature] _____ Date 2-21-08
Applicant's Signature

Address: 3180 N. Kings Highway, Ft. Pierce, FL 34951

Phone: 772-461-4615

Email Address: SteveC@Cassens.biz Fax: 772-461-5533

Note: The above applicant will be the County's single contact for all correspondence and other communication related to this application.

PROPERTY OWNERS ACKNOWLEDGMENTS: (please print) - 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 future land use. The property owner's signature below shall also authorize the applicant (if other than the property owner) and/or Agent to act in his/her behalf for the purposes of seeking this change to the County's Comprehensive Plan for the property described herein.

Steve Cassens Phone: 772-461-4615
Property Owner's Name (Please Print)

3180 NOAH Kings Hwy Fort Pierce FL 34951
Address City State Zip

[Signature] _____ Date 2-21-08
Property Owner's Signature

STATE OF FLORIDA, COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 21st day of February 2008, by Steve Cassens who is personally known to me or has produced _____ as identification.

[Signature]
Signature of Notary

Rosemarie Cannon
Type or Print Name of Notary

Notary Public Title

DD748547 Commission Number

(seal)



THIS FORM NOT COMPLETED SEE APPENDIX D.

**St. Lucie County
Potable Water Availability Worksheet**

This worksheet is provided to assist applicants in submitting comprehensive plan amendments that provide the potable water analysis required to determine the availability of potable water resources to serve the proposed development. The South Florida Water Management District and local utility company contacts are attached.

1. General Information

Date: _____

Contact Name: _____ Phone: _____ E-mail: _____

Potable Water Supplier: _____

2. Infrastructure Information

Water treatment plant permit number: _____ Permitting agency: _____

Permitted capacity of water treatment plant(s): _____ million gallons a day (mgd)

Are distribution lines available to serve the property? Yes No

If not, indicate if, how and when the lines will be provided: _____

3. Water Management District Consumptive Use Permit (CUP)

CUP Number: _____ Expiration Date: _____

Total CUP duration (years): _____

CUP allocation in last year of permit: _____

Current Status of CUP: In compliance Not In compliance

Reserved capacity: _____

4. Consumptive Use Analysis

A. Current year CUP allocation: _____

B. Consumption in the previous calendar year: _____

C. Reserved capacity or growth projection: _____

D. Projected consumption by proposed comprehensive plan amendment areas: _____

E. Amount available for all other future uses (A-B-C-D =E): _____

If the amount in E is zero or a negative number, explain how potable water will be made available for future uses: _____

Potable Water Availability Worksheet Instructions

1. **Date:** Enter worksheet completion date.
Contact name: Enter the contact information for the person who prepared the worksheet.
Potable water supplier: Supplier for the amendment area(s).
2. **Infrastructure Information**
Permitted capacity of the water treatment plant: Obtain from the utility.
Distribution lines: Indicate if distribution lines are available to serve the property. If not, indicate who will fund the improvements and when the improvements will be completed.
Reuse Distribution lines: Indicate if reuse distribution lines are available to serve the property.
3. **SFWMD Consumptive Use (CUP) Permit Information**
CUP information: Obtain from the utility.
Reserved capacity: Enter the amount of potable water capacity currently encumbered for developments that are approved but not yet constructed.
4. **Consumptive Use Analysis**
Designate mgd or mgy: Indicate which unit of measure is used. The figures may be cited in units of either million gallons per year (mgy) or million gallons per day (mgd), but you must be consistent throughout the worksheet.
 - A. **Current Year CUP allocation:** provide the annual groundwater withdrawal allowed under the SFWMD – issued CUP for the current calendar year. If you receive water from another local government, enter the allocation established by agreement or by the secondary user CUP issued by SFWMD. It is important to consider the duration of the CUP and the CUP allocation in the last year of permit. If your CUP allocation is less in the final year than in the current year, consider using the final year figure as a more conservative approach for planning purposes.
 - B. **Consumption in the previous calendar year:** this figure may be taken from the EN-50 forms (SFWMD), from FDEP monthly operating reports, or from other acceptable documentation. Cite your source.
 - C. **Reserved capacity or growth projection:** Enter an amount based on your reserved capacity or growth projection. Check which alternative you selected. Attached the calculation for the alternative selected.
Reserved Capacity: Enter the amount of potable water capacity currently encumbered for developments that are approved.
Growth Projection: Enter the water use attributable to this year's growth and cite your data source(s). Sources for growth projections include the comprehensive land use plan, the CUP, the most current SFWMD water supply assessment, or the utility's water supply plan. Include the amount of the previous year's allocation that was not used.
 - D. **Projected consumption:** Attach a description of formulas, including figures and assumptions used to derive this figure. The projected consumption should be based on new growth attributable to the proposed amendment. Calculate the difference in projected assumption based on the difference between the maximum development potential under the current future land use designation and the proposed future land use designation.
 - E. **Amount available for all other future uses:** This line represents the amount available for all other future uses by subtracting lines B, C, and D from A.

Contact Information:

South Florida Water Management District (SFWMD)

February 24, 2008

Page 8 of 60

Keith Smith, Sr. Supv. Hydrologeologist
WATER USE REGULATION
Mailing Address: P.O. Box 24680
West Palm Beach, FL 33416-4680
Telephone number: 561-682-6620

SFWMD Martin/St. Lucie Service Center
Upper East Coast Office
Phone: 772-223-2600 or 800-250-4100

The Upper East Coast Water Supply Plan webpage is
<http://www.sfwmd.gov/org/wsd/wsp/uecwsp.htm>

St. Lucie County Utility
Office mailing address: 2300 Virginia Avenue
Fort Pierce, FL 34982
Office telephone numbers: 772-462-1150
Office fax number: 772-462-1153 (Fax)
Office e-mail address: Utilities_Customer_Service@co.st-lucie.fl.us

Fort Pierce Utilities Authority (FPUA)
206 S 6th Street
Fort Pierce, FL 34950
Mailing Address: PO Box 3191
Fort Pierce, FL 34948-3191
Office Telephone Number: (772) 466-1600

Attached as Appendix is a copy of a letter from FPUA indicating that potable water and sewer service is available to the site.

THIS FORM NOT COMPLETED AS NO RESIDENTS ARE EXPECTED.

**St. Lucie County
School Impact Worksheet**

This worksheet is required to be submitted as part of an application for changes to the Future Land Use Map or Zoning Map that will increase the maximum residential densities allowed on the property. The worksheet is also required for all Site Plan applications proposing residential development. The purpose of the worksheet is to assist the County and the School District in planning for future public school facility needs.

Project Information

Date: _____

1. Property owner: _____
2. Parcel ID#: _____
3. Project Name: _____
4. Former Project Name (if any): _____
5. Total Project acres: _____
6. Is build-out expected within 5 years: Yes No (circle one)
7. The project number and type of residential dwelling units at build-out:

Unit Type	Number of Units	Typical Floor Area (sq. ft.)	Estimated Unit Price per Unit (\$)	Number Restricted to 55+ Age Group (if any)
Single-Family detached				
Duplex				
Multi-family dwellings (apt./condo)				
Townhouse dwellings				
Zero lot line dwellings				
Other				

School Board of St. Lucie County Contact Information:

Marty Sanders
327 NW Commerce Park Drive
Port St. Lucie, FL 34986
772-340-4816
sandersm@stlucie.k12.fl.us

Staff Use Only

Project Number: _____

Application Type: _____



St. Lucie County
Concurrency Deferral Affidavit

Fee: See Application Form

I, STEVEN D CASSENS, residing or doing business at 3180 N. STATE HWY
Name Street
FT PIERCE FL 34951 772-461-4615
City State Zip Phone

have applied for a COMP PLAN MAP & TEXT AMEND from St. Lucie County, Florida,
Type of Development Order

for the following project: CASSENS'S WHITE CITY GROVE
Name of Proposed Development

I do hereby affirm that in connection with my application for the above project, I have elected to defer the certificate of capacity and reservation of capacity in public facilities for the above property until a later time, but no later than the application for a final development order for the same property.

I understand and acknowledge that the above listed property will be subject to the certificate of capacity before any final development order can be issued, and that St. Lucie County can make no guarantee that adequate public facilities will be available when I apply for the final development order.

I further acknowledge that according to Section 5.01.01 of the St. Lucie County Land Development Code, no final development approval can be granted until capacity in those facilities is available at that time. The issuance of a preliminary development order without a certificate of capacity creates no vested or other rights to develop the subject property.

Signed: [Signature]
Applicant

Date: 2-21-08

State of Florida, County of St. Lucie

Before me, the undersigned authority personally appeared Steve Cassens
who upon being duly sworn, deposes and says sworn to and subscribed before me this day of
21, February, 2008.

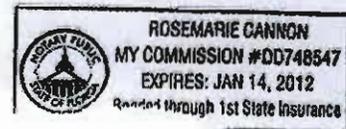
[Signature]
Notary Public

My Commission expires: Jan. 14, 2012

Witness

[Signature]

[Signature]
Witness



1. How the proposed amendment conforms to the St. Lucie County Comprehensive Plan.

Goal 1.1 of the Land Use Element provides in part as follows, "ensure the highest quality living environment possible, through a mixture of uses reflecting the needs and desires of the local residents and how they want their community to develop." This site is adjacent to industrial land use to the west and north, institutional uses to the south and residential to the east. By changing the use from residential urban to industrial the use becomes compatible with adjacent uses on three sides. In developing the site through the PUD process provisions will be incorporated that would ensure that the majority of the required open space will be provided along the eastern portions of the property affording maximum separation with the existing residential development. Being in compliance with Goal 1.1 this request is in compliance with the Comprehensive Plan for St. Lucie County.

2. A statement describing how the proposed future land use designation is compatible with the future land use designation(s) and existing land uses surrounding the amendment lands?

The area north of the site is located within the corporate boundaries of Ft. Pierce. They have an Industrial Land Use and are zoned Industrial. Prior to annexation this area had County designation of Utility and Industrial Land Use designation and was zoned Utilities and Heavy Industrial and Utilities.

Lands to the west of the parcel site enjoy an Industrial Land Use and are presently zoned Heavy Industrial. The Midway Industrial Park is located to the west of the land under consideration and currently is under development.

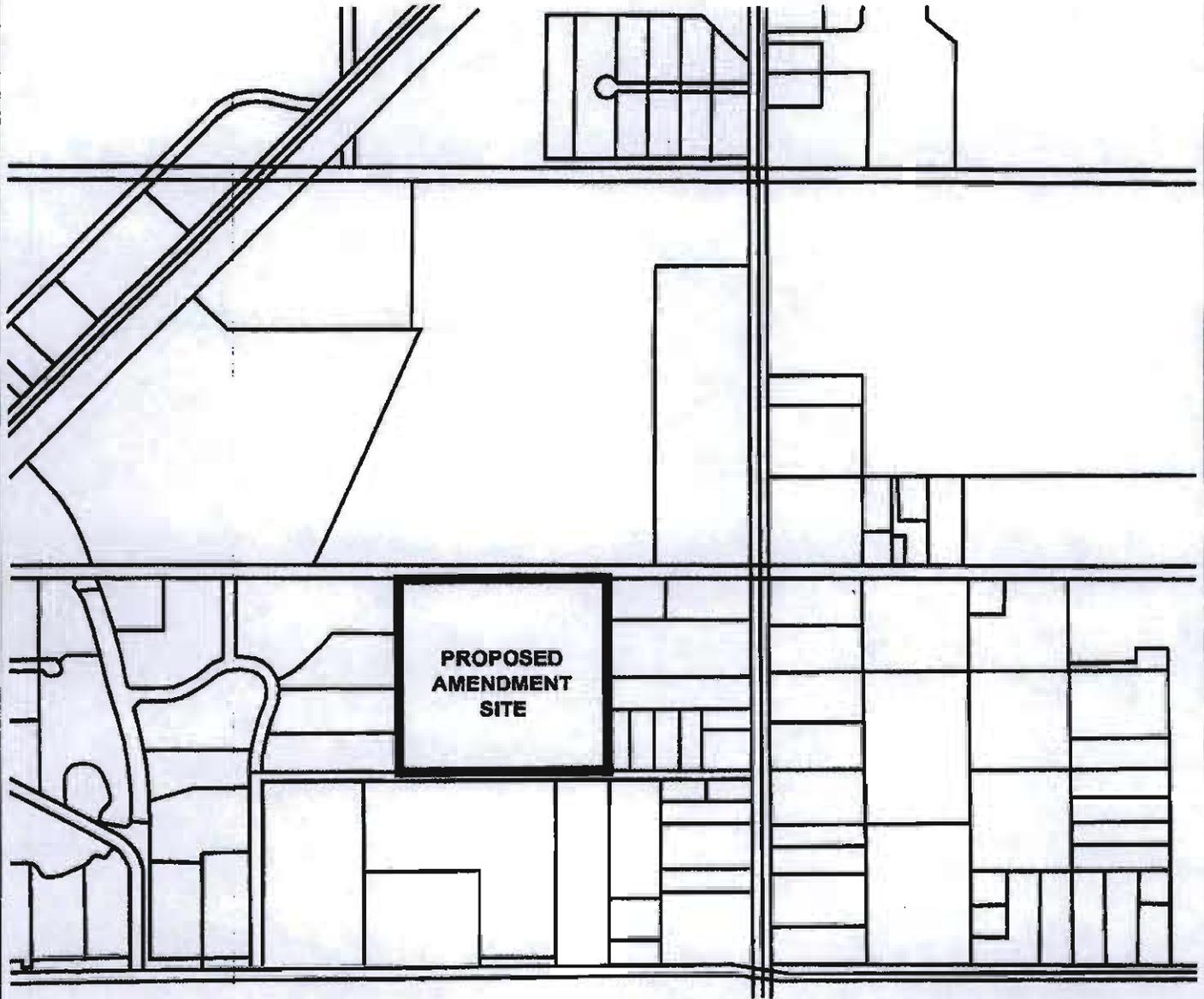
Land to the south of the area under consideration are portrayed Public Facilities Land Use and zoned a combination of Industrial and Residential Estates-1. This area is occupied by the campus of New Horizons, the Sheriff's Administrative Offices and the Main Post Office.

Land to the east of the parcel under consideration has an Urban Residential Land Use with a development density of five units per acre. This area is primarily occupied by large lot single family residential. The lands to the east will be adequately screened from the parcel under consideration eliminating any potential for conflict.

This site is currently occupied by citrus grove. It is an island of agriculture in an otherwise developing area. There are not any agricultural lands adjacent or in the immediate proximity to this site. The request is for a MXD Land Use with specific subarea policies provided on the following page and as a separate text amendment.

SUB AREA POLICIES

- Industrial land use shall be limited to 310,800 square feet of gross building area.
- Commercial uses shall only be ancillary to primary industrial use.
- The site shall be approved for the development process via Planned Development.
- Required open space pursuant to the Planned Development process shall be located along the eastern site boundary.
- Access to the entire site shall be to and from the west via Favorite Road.



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East Bay
Engineering, Environmental & Management Services
611 U.S. Highway One, Suite 400 • North Palm Beach, FL 33408 • 561-726-4515
CERTIFICATE NUMBER: 0000843

**CASSENS GROVE
MIXED USE ACTIVITY AREA**
DEVELOPED FOR:
CASSENS GROVE SERVICES, INC
FORT PIERCE, FLORIDA

PROJECT NO.
07-058
SHEET
4 OF **4**
PMS 10

3. In accordance with Future Land Use Policy 1.1.5.3 provide the following information:
Identification future land use designations and existing land uses within ¼ mile of the subject property that have the same or greater type of proposed future land use designation.

This site is immediately adjacent to the Midway Industrial Park with one of the two eastern most of those lots having been cleared for development. In fact, as a result of the clearing of this lot, the existing grove can be readily seen from Post Office Road. It is important to bear in mind that this land is zoned Heavy Industrial. This clearing has made it obvious that development of the grove for any use other than industrial would be difficult to achieve because there are no provisions for buffering.

Lands to the south have been developed in institutional uses. Along the north side of Midway Road are the post office, sheriff's administrative offices and the campus of New Horizons. These uses are buffered from the grove sight by environmentally reserved property located to the south of Favorite Road.

Lands to the east are large lot residential with some vacant property. The land use is Residential Urban and the zoning is Residential Suburban.

The northern boundary of the site is an east west canal. On the north side of the canal right of way are lands located within the City of Ft. Pierce. These lands are designated industrial and zoned industrial.

Therefore the site is surrounded by nonresidential, principally industrial land use, on three sides. The fourth side is residential but it is intended through subarea policies to build in a level of protection for the eastern area. A benefit that was not afforded this location.

There are no properties within ¼ miles that are in active agricultural production.

Is the property under the land use amendment application within the Five Year Capital Improvement Program of the Water and Wastewater Master Plan for St. Lucie County or otherwise meet the requirements of Policy 1.1.5.4.

The site is within the service are of the FPUA who has indicated that they would be able to serve the site once connecting water lines are installed at the owners expense. See letter included as Appendix D of this application.

Provide a statement describing any conditions affecting the area of the amendment lands that have changed since the most recent adoption of the Comprehensive Plan. Describe any changes in development patterns, utility availability, and public service capacity. Provide the data and analysis supporting your conclusions.

Property to the east has been cleared up to the properties boundary for industrial purposes. Institutional land uses to the south have been expanded or newly constructed since the adoption of the plan.

The following pages reflect an aerial photo of the site and surrounding area as well future land use and existing zoning.

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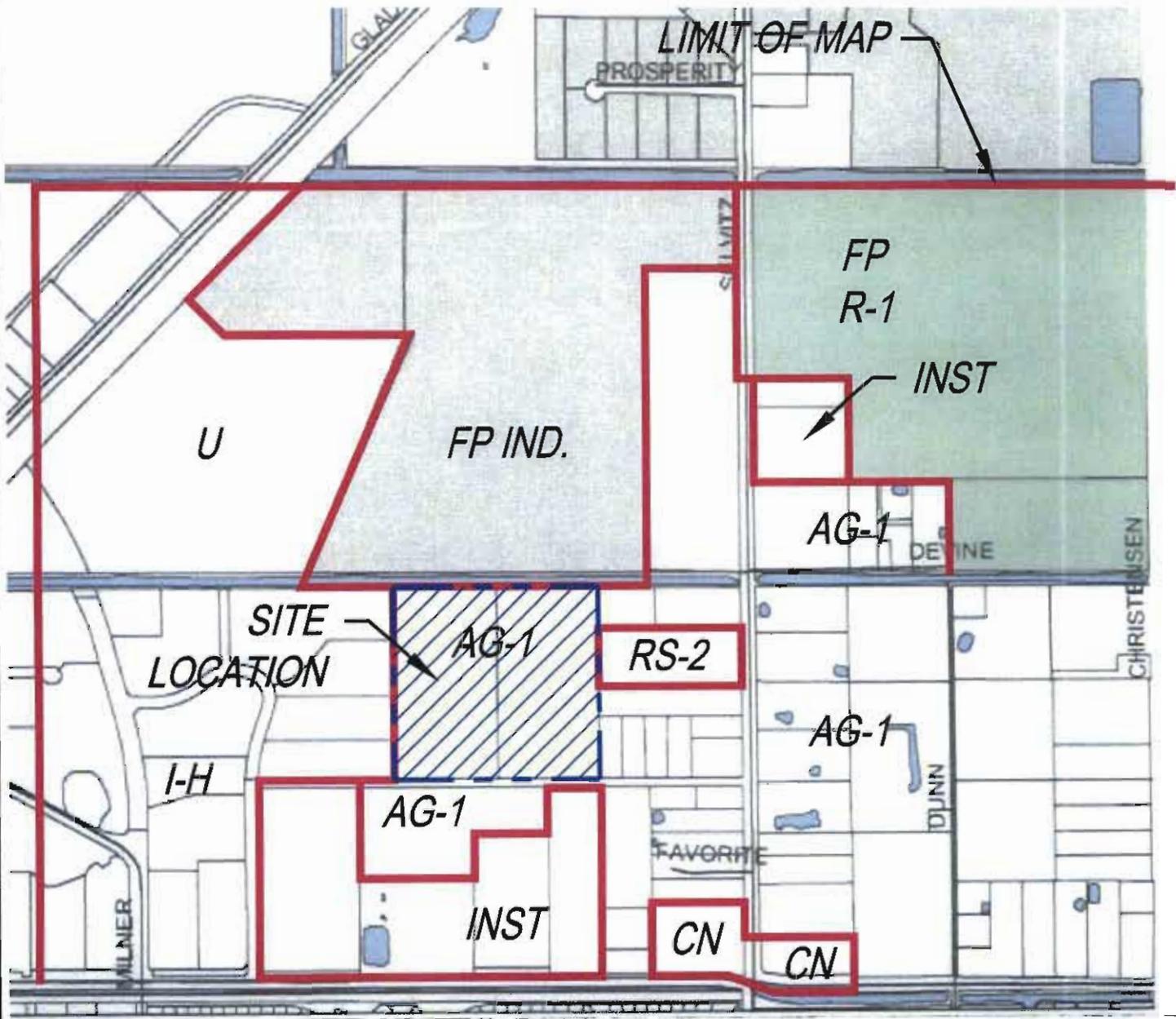
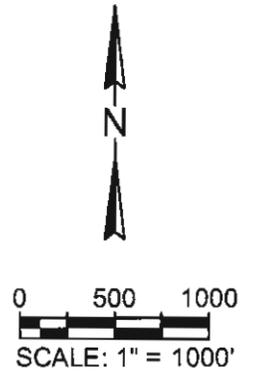
East Bay Group, LLC
 Engineering, Environmental & Management Services
 631 U.S. Highway One, Suite 400 • North Palm Beach, FL 33408 • 561-296-4525
 CERTIFICATE NUMBER: 00008643

**CASSENS GROVE
 AERIAL VIEW**
 PREPARED FOR:
CASSENS GROVE SERVICES, INC
 FORT PIERCE, FLORIDA

PROJECT NO.
 07-058
 SHEET
 1 of 3
 DWG ID

LEGEND:

FP R-1	SINGLE FAMILY RESIDENTIAL	AG-1	ONE UNIT PER ACRE
RS-2	RESIDENTIAL SINGLE FAMILY -2	INST	INSTITUTIONAL
U	UTILITIES	I-H	INDUSTRIAL HEAVY
CN	COMMERCIAL NEIGHBORHOOD	FP-IND	FT. PIERCE INDUSTRIAL



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East Bay Group, LLC
 Engineering, Environmental & Management Services
 631 U.S. Highway One, Suite 400 • North Palm Beach, FL 33408 • 561-296-4525
 CERTIFICATE NUMBER: 00008643

**CASSENS GROVE
 EXISTING LAND USE MAP**

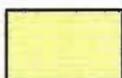
PREPARED FOR:
CASSENS GROVE SERVICES, INC
 FORT PIERCE, FLORIDA

PROJECT No.
 07-058

SHEET
 2 of 3

DWG ID

LEGEND:

-  TRANSPORTATION/UTILITIES
-  INDUSTRIAL
-  RESIDENTIAL SUBURBAN
-  PUBLIC FACILITIES
-  COMMERCIAL



0 500 1000
SCALE: 1" = 1000'



P:\07-068_Cassens_Grove\Exhibits\Working\Land_Use_Maps\Land_Use_Map_2\1622008 204x42 PM_grodrigues

4. Provide a statement describing 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.

This site is currently an active citrus grove. Amending the Land Use Plan at this time would make the site more compatible with surrounding land uses as presently designated. (A future land use map follows this page.) There is no intent to develop these properties at this time, however, changing the land use to Industrial represents intent upon the part of the owner to determine the future potential of this site.

It will allow for the level of site planning that when requests for rezoning are made any potential for conflict, particularly with the property to the east can be properly addressed. This as opposed to the Midway Industrial Park located immediately to the west which is developing immediately adjacent to this property. In fact, it can be argued that when the Midway Industrial Park was planned and approved that there was no consideration of impacts on this site.

5. If a change to Industrial Land Use is proposed, explain how the proposal meets Future Land Use Policy 1.1.11.2 or Policy 1.1.11.3 of the Comprehensive Plan.

The land use sought is mixed use with the intent to utilize the property for industrial and ware housing activities. It is expected that most of the uses will be of a light industrial nature. However, Policy 1.1.11.2 is reviewed due to the fact that certain heavy industrial uses might be accommodated.

Policy 1.1.11.2 In addition to any other general standard for change in zoning as may be described in the County's Land Development Regulations, the following specific standards shall be used in determining the suitability of new property(s) for designation as Heavy Industrial under the County's Land Development (zoning) Regulations:

- 1- New Heavy Industrial property should have available to it central water services necessary for both domestic and fire protection purposes. The site is under the service area of the Ft. Pierce Utilities Authority who has indicated that they can serve the site.**
- 2- New Heavy Industrial property shall not be located within 1,000 feet of any Aquatic Preserve or other specifically designated aquatic habitat or Category I Wetlands as described in Policy 8.1.14.1. The requested land use is Mixed Use. However, it is intended to contain within listed permitted uses certain activities that would fall into the class of heavy industrial. It is the intent that no such uses would be within 1,000 feet of a class I wetland. In addition there are no wetlands found on the site.**
- 3- New Heavy Industrial property should not be located within the 100 year flood plain. No portion of this site is not located within the 100 year flood plain.**
- 4- Heavy Industrial property should have available to it heavy rail services for the receipt and distribution of products. The primary uses intended are light industrial and warehousing. Due to the nature of what is being sought access to rail is not critical.**
- 5- Heavy Industrial property should have immediate access to the regional transportation network without the need to travel through residential areas. Access to this site will be via Favorite Road onto Post Office Road both of which are nonresidential in actual use serving adjacent industrial areas.**
- 6- New Heavy Industrial property should have a minimum area of 10 acres. This site is 38.05 acres.**
- 7- New Heavy Industrial property should not be located within the cone of influence, as identified under the County's Wellfield protection program. The site is not located within any identified cone of influence.**

Policy 1.1.11.3 In addition to any other general standard for change in zoning as may be described in the County's Land Development Regulations, the following specific standards shall be used in determining the suitability of new property(s) for designation a Light Industrial under the County's Land Development regulations:

- 1- Light Industrial property should have available to it central water services necessary for both domestic and fire protection purposes. The site is under the**

service area of the Ft. Pierce Utilities Authority who has indicated that they can serve the site.

- 2- *New Light Industrial property should not be located within 500 feet of any Aquatic Preserve or other specifically designated aquatic habitat or a Category I wetlands as described in Policy 8.1.14.1. No light industrial use will be located within 500 feet of a designated Class I wetland.*
- 3- *New Light Industrial property should have immediate access to the regional transportation network. The site accesses the regional transportation network via Favorite Road and onto Post Office Road.*
- 4- *New Light Industrial property should have a minimum lot size of one (1) acre. Minimum lot sizes will be determined through the planned development process and will provide adequate area for the use intended.*

The intent of this request is that ultimate development be represented by uses such as the following and as approved by St. Lucie County:

- a. Business services (73)
- b. Communications - including telecommunication towers - subject to the standards of Section 7.10.23 (48)
- c. Construction services:
 - (1) Building construction - general contractors (15)
 - (2) Other construction - general contractors (16)
 - (3) Construction - special trade contractors (17)
- d. Engineering, architectural and surveying services (671)
- e. Commercial fishing (661)
- f. Laundry, cleaning & garment services (721)
- g. Local & suburban transit (41)
- h. Manufacturing:
 - (1) Food and kindred products (20)
 - (2) Tobacco products (21)
 - (3) Textile mill products (22)
 - (4) Apparel & other finished products (23)
 - (5) Furniture & fixtures (25)
 - (6) Printing, publishing and allied industries (27)
 - (7) Drugs (223)
 - (8) Leather & leather products (31)
 - (9) Glass:
 - (a) Flat glass (321)
 - (b) Glass & glassware - pressed or blown (322)
 - (c) Glass products - made of purchased glass (323)
 - (10) Fabricated metal prod. - except machinery & transport. equip.:
 - (a) Metal cans & shipping containers (341)
 - (b) Cutlery, handtools & general hardware (342)
 - (c) Heating equipment, except electric and warm air, and plumbing fixtures (343)
 - (d) Fabricated structural metal products (344)
 - (e) Coating, engraving & allied services (347)
 - (f) Miscellaneous fabricated metal products -
 - (1) Wire products (3485)
 - (2) Misc. fabricated wire products (3496)
 - (3) Metal foil & leaf (3497)
 - (4) Fabricated metal products - NEC (3499)
 - (11) Industrial/commercial machinery & computer equipment:
 - (a) Metalworking machinery & equipment (354)
 - (b) Special industry machinery, except metalworking machinery (355)
 - (c) General industrial machinery & equipment (356)
 - (d) Computers & office equipment (357)
 - (12) Electronic & other electrical equipment and components, except computer equipment:

- (4) Household appliances (363)
- (5) Electric lighting & wiring equipment (364)
- (6) Household audio & video equipment (365)
- (7) Communications equipment (366)
- (8) Electronic components & accessories (367)
- (9) Misc. electrical machinery equipment & supplies (368)
- (10) Measuring, analyzing and controlling instruments (369)
- (14) Photographic, medical and optical goods (38)
- (18) Watches & clocks (38)
- (16) Misc. manufacturing industries:
 - (a) Jewelry, silverware, and plated ware. (391)
 - (b) Musical instruments and parts. (393)
 - (c) Dolls, toys, games & sporting goods (394)
 - (d) Pens, pencils, & other office & artists' materials. (395)
 - (e) Costume jewelry, costume novelties, and notions. (396)
 - (f) Brooms and brushes. (3991)
 - (g) Signs and advertising displays. (3993)
 - (h) Morticians goods. (3995)
 - (i) Manufacturing industries, NEC. (3999)
- (17) Plastic products - fabrication, molding, cutting, extrusion, and injection processing. (399)
- i. Marinas (4493)
- j. Millwork and structural wood members. (243)
- k. Motion pictures (78)
- l. Motor freight transportation & warehousing. (42)
- m. Repair services:
 - (1) Automotive & automotive parking (75)
 - (2) Electrical (762)
 - (3) Watch, clock & jewelry repair (763)
 - (4) Re-upholstery & furniture repair (764)
 - (5) Misc. repairs & services (765)
- n. Retail trade:
 - (1) Lumber & other building materials (521)
 - (2) Paint, glass & wallpaper (523)
 - (3) Hardware (525)
 - (4) Nurseries, lawn & garden supplies (526)
 - (5) Mobile home dealers (527)
 - (6) Automotive/boat/RV/motorcycle dealers (55)
 - (7) Gasoline service (55)
 - (8) Furniture & furnishings (57)
- o. Research, development, and testing services. (873)
- p. Ship, boat building & repairing - less than forty-five (45) ft. (873)
- q. Sorting, grading & packaging services - citrus/vegetables (8723)
- r. Vocational Schools (824)
- s. Wholesale trade - durable goods:
 - (1) Motor vehicle and automotive equipment. (501)
 - (2) Furniture and home furnishings. (502)
 - (3) Lumber and other building materials. (503)
 - (4) Professional & commercial equipment/supplies. (504)
 - (5) Metals & minerals except petroleum. (505)
 - (6) Electrical goods. (506)
 - (7) Hardware, plumbing and heating equipment, and supplies. (507)
 - (8) Machinery, equipment, and supplies. (508)
 - (9) Misc. durable goods:
 - (a) Sporting and recreational goods (5091)
 - (b) Toys & hobby goods (5092)
 - (c) Jewelry, watches, precious stones & metals. (5094)
 - (d) Durable goods NEC (5099)
- t. Wholesale trade - nondurable goods:
 - (1) Paper and paper products. (511)
 - (2) Drugs (512)
 - (3) Dry goods and apparel. (513)
 - Groceries and related products. (514)
 - Farm products - raw materials. (515)
 - Chemicals, and allied products. (516)
 - Beer, wine, and distilled alcoholic beverages. (518) Misc. nondurable goods:

- (e) Farm supplies (5101)
 - (e) Books, periodicals & newspapers (5102)
 - (e) Flowers, nursery stock & florists' supplies (5103)
 - (e) Tobacco/tobacco products (5104)
 - (e) Paints, varnishes & supplies (5105)
 - (f) Nondurable goods, NEC (5109)
- u. Mobile food vendors (990)

6. Provide a traffic report of the potential impacts to the County's transportation system brought about by the proposed land use change. The report must include existing, background, committed trips, and the projected traffic volumes and the level of service for all affected roadways. Projected traffic volumes must be based on the highest density/intensity allowed under the requested future land use designation.

A traffic study was prepared by Kimley-Horn and Associates, Inc. It is contained within this application as Appendix A of this application. In addition seven sealed and separately bound copies of the report have been included with this submittal package.

7. Describe the drainage characteristics of the area and what effects the proposed land use amendment would have on the volume and quality of storm water runoff? Identify the property's flood zone classification?

LOCATION

The 38 acre property is located within the unincorporated area of St. Lucie County, and more specifically, within Section 6, Township 36 South, Range 40 East, St. Lucie County, Florida. The project is generally described as being located west of Selvitz Road and north of W. Midway Road and adjacent to and on the south side of the North St. Lucie River Water Control District (NSLRWCD) Canal No. 102.

EXISTING FACILITIES

Stormwater runoff from the existing grove area is directed into a series of conveyance canals that carry the runoff to the NSLRWCD Canal No. 102. Discharge off-site is through existing gravity controlled culverts.

PROPOSED DRAINAGE IMPROVEMENTS

A series of catch basins and conveyance pipes will direct stormwater runoff to the on-site lake system. It is estimated that ~15% of the site will be in water management facilities. The required water quality volume for this project will be based on 2.5" times the % of impervious area and all commercial/industrial sites will provide the required ½ inch of dry water quality pretreatment as a part of the overall required water quality treatment through the use of exfiltration trenches and/or dry detention systems. The project is located within the (NSLRWCD). Discharges off-site will be limited to the NSLRWCD formula of 2 inch/acre/day during the 10 year – 3 day design storm event (7.5" of rainfall). Discharges off-site are directed to the NSLRWCD Canal No. 102 which is located along the northern boundary of the property and currently serves as a positive outfall for this property. The minimum road crown elevation will be set at or above the 5 year – 1 day storm stage (5.0" of rainfall), the perimeter site grading will be set at or above the 10 year – 3 day design storm stage and the minimum floor elevations will be set above the calculated 100 year –3 day zero discharge storm stage (12.2" of rainfall). Based on the FEMA Flood Insurance Rate Map, this project is located within Zone X (Community Panel 12111C0118F, August 19, 1991) which is determined to be outside the 500 year flood plain.

The drainage system will be designed to meet the requirements of the South Florida Water Management District (SFWMD) and St. Lucie County.

8. What are the potential environmental impacts of the requested amendment? Describe the natural resources occurring on and adjacent to the amendment lands. Identify any protected species that are known to occur and estimate the acres of wetlands and native upland habitats on the amendment lands. Identify Category I, II, or III Wetlands as described in Policy 8.1.14.1.

There are no environmentally sensitive lands on this site. There are no wetlands or even the indication that there were such lands within the site. It presently is a 38 plus acre citrus grove and has been in production for decades. A portion of the site has been within the present owners control for 102 years.

Presently the site drains through a series of onsite swales to the north out-falling into an east west canal. Ultimate development of this site could include drainage in the same manner but also employing on-site detention to assure enhanced water quality. If it should ultimately prove to be beneficial storm water flow could be directed to wet located to the south of Favorite Road.

9. Provide a potable water impact and capacity analysis and documentation that demonstrate adequate water supply facilities and service will be available concurrent with the impact of development. Provide correspondence from the service provider verifying their ability to serve the proposed development. (See attached worksheet)

The applicant's agent met with staff of the Ft. Pierce Utility Authority. They discussed options for providing utility service to the site. Utility Authority Staff were not willing to assist in the completion of the worksheet that is provided with County's Application. The Authority Staff did indicate verbally and in writing (see attached letters) that there was utility service of such size and capacity that it could serve the site with potable water, sewer and natural gas. See Appendix B for attachments.

10. Provide a projection of the average daily volumes of solid waste that would be generated if the land use(s) change.

The Solid Waste Authority of Palm Beach County provides waste generation rates by type of use. These rates are found within their Integrated Solid Waste Management Plan dated August, 2006. To use these rates for estimation purposes requires the development of certain assumptions. The assumptions are as follows:

- 1- The site will support a total square of building of 310,800 square feet based upon there being 28.53 acres developable at a FAR of .25.
- 2- The site will develop equally between warehouse, light industrial and heavy industrial uses which equates to 103,600 square feet for each use.
- 3- That the rates developed by the Solid Waste Authority of Palm Beach County are comparable to generation rates in St. Lucie County.

The Palm Beach rates are based upon pounds per year per square foot. In order to develop a daily rate the annual generation was divided by 261 days based upon a Monday through Friday work week. If the actual work-week should be longer the daily generation rate would reduce accordingly.

The rate used for warehousing was 2.24 pounds per square foot per year. The rate for light was 4.58 pounds per square foot per year. The rate used for heavy industrial was 1.50 pounds per square foot per year. The annual generation of the site under these assumptions is 861,949 pounds per year. Dividing that number by 261 days provides a daily generation of 3,300 pounds per day.

If developed residentially the site would allow a maximum of 195 residential units. Again relying upon Palm Beach County rates the site would generate 321,750 pounds per year. That is assuming an average square footage of 1,500 per unit. Based upon these assumptions the change in use could see an increase in waste generation of 540,199 pounds per year.

11. What demands for recreational facilities will be created by development as a result of the land use change? If you are requesting a residential classification, identify the recreational facilities and open spaces that are available in the vicinity?

No changes in recreational needs are anticipated as a result of this request. It could be argued that this request would lessen the demand at least as far as it applies to this property. Industrial use in and of itself does not create recreational demand.

12. Indicate the location of any archaeological or historic resources that are known to occur on or near the amendment lands. Describe potential impacts to these resources as a result of the proposed amendment. Provide a copy of any available archaeological or historic assessment.

The site has been used for citrus production for several decades. There are no known archaeological or historic resources known to be in the general area. The site itself was long ago cleared, leveled and put into citrus production.

13. Is the property currently within the Planned Urban Service Area Boundary?

Yes, the property is located within the Planned Urban Service Area Boundary.

14. If you answered "no" to Question 12 above, will the property be used for "urban development activities" as defined in Future Land Use Policy 1.1.5.1? Check which urban development activities apply:

- NA residential development in excess of two units to the gross acre
- NA any non-agricultural commercial activity
- NA any non-extractive, non-agriculturally related industrial activity

15. If any item in Question 13 above is checked, the property must lie outside the Planned Urban Service Area. If an expansion of the Urban Service Area boundary line is proposed, please refer to Future Land Use Policy 1.1.5.1 and answer the following questions:

A. What is the distance between the property and the Urban Service Area Boundary?

Not applicable.

B. Is the subject property contiguous to lands with the requested future land use designation?

Not applicable.

C. Can the owners of contiguous properties between your property and the present Urban Services Area Boundary ensure appropriate urban infrastructure and services can be provided? If so, please provide documentation.

Not applicable.

D. To what extent will the proposed expansion detrimentally impact the established character of the area?

Not applicable.

16. If changing from an agricultural category (AG-5 and AG-2.5) to a non-agricultural category (all others), please answer the following questions.

- A. How will the non-agricultural use(s) maintain the viability of continued agricultural uses on adjacent lands? How will any adjacent agricultural uses affect the proposed non-agricultural uses?

Not applicable.

- B. Using the St. Lucie County Soil Survey, provide documentation of the soil type(s) found on the subject parcel and their suitability for the proposed use. Indicate their suitability as defined by the soil survey.

Not applicable.

- C. Describe the existing land characteristics and how the proposed land use is suitable with those characteristics?

Not applicable.

- D. Does the proposed land use amendment propose the extension of the urban services boundary in a manner that creates any enclaves, pockets, or finger areas?

Not applicable.

- E. Describe why the non-agricultural uses could not be feasibly located on non-agricultural land.

Not applicable.

17. Provide a copy of all existing federal, state, regional or local permits or plans related to the property (i.e. SFWMD permits, USDA Conservation Plans, documents related to the lands present or past enrollment in any federal, state or local program).

Documentation is included as Appendix E.

18. Indicate if the area under consideration is located within a unique area with common characteristics, such as the Indrio Road corridor and White City. If so, indicate how the proposed change in future land use is consistent with the character of the area and any neighborhood plan or special planning project for the amendment area.

The site as has been described previously is surrounded on three sides by non-residential uses. The intent of this request is to achieve a commonality with adjacent properties especially the industrial located to the west and to the north.

19. Identify any local government within one mile of the amendment lands. If any, provide a copy of the proposed application documents to the appropriate government official. Indicate the name and address of the official for which the application documents were provided.

The site is located within one mile of the municipal boundaries of Ft. Pierce as well as Port St. Lucie. A copy of this application is being provided to each municipality as follows:

Matthew G. Margotta, Planning Director
P.O. Box 1480
Ft. Pierce, FL 34954

Cheryl Friend, AICP, Planning Director
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34954

APPENDIX A

TRAFFIC ANALYSIS

■ *TRAFFIC ANALYSIS FOR
COMPREHENSIVE
PLAN AMENDMENT*

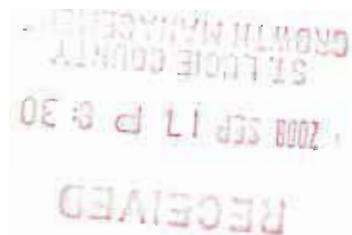
**CASSENS GROVE
ST. LUCIE COUNTY, FLORIDA**

Prepared for:
East Bay Group, Inc.

February 2008
Revised September 2008
041376000
© Kimley-Horn and Associates, Inc.
CA 00000696
10521 S.W. Village Center Drive
Port St. Lucie, Florida 34987
772/345-3800 TEL
772/286-0138 FAX



Kimley-Horn
and Associates, Inc.





Kimley-Horn
and Associates, Inc.

*TRAFFIC ANALYSIS FOR
COMPREHENSIVE
PLAN AMENDMENT*

**CASSENS GROVE
ST. LUCIE COUNTY, FLORIDA**

Prepared for:
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© Kimley-Horn and Associates, Inc.
CA 00000696
10521 S.W. Village Center Drive
Port St. Lucie, Florida 34987
772/345-3800 TEL
772/286-0138 FAX

A handwritten signature in blue ink, appearing to read 'J. Matson', is written over a horizontal line. To the right of the signature, the date '9-15-08' is handwritten in blue ink.

Jason B. Matson, P.E.
Florida Registration Number 56799



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INTRODUCTION

It is proposed to change the land use designation of the subject property from Residential (2 dwelling units per acre) to MXD. The subject property is located west of Selvitz Road and north of Midway Road in St. Lucie County, Florida. *Figure 1* shows the location of the subject property, which encompasses approximately 39 acres. The study area for the analysis consisted of all major roadways within two miles of the subject site.

While typically MXD would allow commercial and residential land uses, the subarea policies that are part of this request limit specific land uses to industrial. Therefore, the projection of future trips is limited to the square footage of industrial park area as included in this proposed amendment to the Comprehensive Plan.

Access to the property is proposed via a new connection west to Jenkins Road. Access is not currently proposed via Selvitz Road.

Kimley-Horn and Associates, Inc. was retained to prepare a comprehensive plan amendment traffic analysis for the potential impact of the change in land use designation within a 5-year timeframe (through the end of the year 2013).



Kimley-Horn
and Associates, Inc.

INVENTORY DATA

The data used in this analysis was obtained from St. Lucie County and other sources and consists of:

- 2007 Turning Movement Counts
- 2006 FDOT counts
- 2006 St. Lucie County data
- Peak Season Factors from the Florida Department of Transportation (FDOT) database (Florida Traffic Information 2006)
- AADT volumes from the St. Lucie County Spring 2006 Traffic Capacity Table
- 2012 Treasure Coast Regional Planning Model



TRAFFIC GENERATION

The trip generation potential for the proposed land use change was calculated using rates and equations contained in the Institute of Transportation Engineers Report *Trip Generation*, Seventh Edition.

An analysis was performed comparing the difference in trip generation potential of the existing land use designation and the proposed land use designation. It is estimated that the proposed land use designation has a potential to generate an increase of 1,336 daily trips, 197 AM peak hour trips and 181 PM peak hour trips. Trip generation calculations are summarized in *Table 1*.

Land Use

The existing and proposed land uses are comprised of the following:

Existing Designated Land Use:

Residential (2 dwelling units per acre) = 78 single family dwelling units

Proposed Designated Land Use:

- 310,800 Square Feet of Industrial Park
 - 28.53 net developable acres at 0.25 maximum FAR

Based on information provided to Kimley-Horn, the overall site acreage of approximately 39 acres was reduced by 25% to account for road right-of-way within the project. The resulting net acreage is 28.53 acres.



TABLE 1
CASSENS GROVE COMPREHENSIVE PLAN AMENDMENT
TRIP GENERATION

Land Use	Acreage	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Existing Land Use									
Single Family Residential	39	78 DU	827	64	16	48	86	54	32
SubTotal			827	64	16	48	86	54	32
Total Existing Land-Use Trips			827	64	16	48	86	54	32
Proposed Land Use									
Industrial Park	-	310,800 SF	2,163	261	214	47	267	56	211
Subtotal		310,800 SF	2,163	261	214	47	267	56	211
Total Proposed Trips			2,163	261	214	47	267	56	211
Net Increase (Proposed - Existing)			1,336	197	198	-1	181	2	179

Note: Trip generation was calculated using the following data:

Daily Trip Generation

Single Family Residential
Industrial Park

[ITE 210] = $\ln(T) = 0.92 \cdot \ln(X) + 2.71$
 [ITE 130] = $T = 6.96$ trips per 1,000 SF GFA

AM Peak Hour Trip Generation

Single Family Residential
Industrial Park

[ITE 210] = $T = 0.70 \cdot (X) + 9.43$; (25% in, 75% out)
 [ITE 130] = $T = 0.84$ trips per 1,000 SF GFA; (82% in, 18% out)

PM Peak Hour Trip Generation

Single Family Residential
Industrial Park

[ITE 210] = $\ln(T) = 0.90 \cdot \ln(X) + 0.53$; (63% in, 37% out)
 [ITE 130] = $T = 0.86$ trips per 1,000 SF GFA; (21% in, 79% out)

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September 11, 2008



DISTRIBUTION AND ASSIGNMENT

The external traffic distribution for the subject site was determined using model outputs from the Treasure Coast Regional Planning Model (TCRPM). A new traffic analysis zone (TAZ) was created at the subject property within the model to represent the proposed change in land use and to determine the traffic distribution.

The potential traffic resulting from the subject site was assigned to the external roadway network based on the distribution obtained from the model. The model outputs can be found in the Appendix.



BACKGROUND TRAFFIC

Existing Traffic

Existing PM peak hour peak direction traffic volumes were calculated from turning movement volumes, 2006 FDOT data and 2006 St. Lucie County raw data.

Historical Growth

To account for background growth between the count year (2006 or 2007) and 2013, the historic growth rate was calculated by comparing Spring 2001 daily volumes with Spring 2006 daily volumes reported by the St. Lucie MPO and FDOT. This historical growth rate was applied to the existing roadway link volumes to determine background conditions in 2013. The growth rate on Selvitz Road could not be calculated because AADT volumes are not available. A five percent growth rate was utilized for Selvitz Road.



ASSURED AND PROGRAMMED CONSTRUCTION

A review of the Five-Year Plans of St. Lucie County and FDOT identify the following roadway capacity improvements or studies in the two-mile base transportation impact area.

- S. 25th Street from W. Midway Road to Edwards Road/ CR 611 – widened from 2 lanes to 4 lanes – under construction.
- W. Midway Road from Florida's Turnpike to S. 25th Street – widened from 2 lanes to 4 lanes – identified as a capital improvement need by St. Lucie County – Construction planned to begin in 2009 as per St. Lucie County Engineering.
- Selvitz Road & Glades Cut-Off Road Intersection – assured intersection improvements.



LEVEL OF SERVICE EVALUATION

Table 2 shows the results of the level of service analysis for the proposed land-use change for the analysis year 2013. The volumes in this 2013 analysis were obtained from the sum of the existing traffic, background growth, and the land use traffic for PM Peak hour traffic.

The additional traffic related to the change in land use is expected to significantly impact (more than 1% of the adopted capacity) the roadway at the adopted level of service the following facilities:

- Selvitz Road: South of Midway Road
- Midway Road: from I-95 to 25th Street
- Glades Cut-Off Road: South of Midway Road

The change in land use is expected to have *de minimus* impact to I-95, a Strategic Intermodal System (SIS) facility.

The following link is anticipated to exceed the generalized service volume:

- Midway Road - from Glades Cut-Off to 25th Street: Midway Road from Glades Cut-Off to Selvitz Road is projected to exceed the generalized service volume in 2013 with or without the change in land use of this property. Moreover, Midway Road from Selvitz Road to 25th Street is only projected to exceed the service volume in 2013 by four trips given historical growth and land use traffic. The widening of Midway Road from Florida's Turnpike to 25th Street is contained within the St. Lucie County Capital Improvement Plan. This widening is also contained within the Long-Range Transportation Cost Feasible Plan.

As the property develops, site specific concurrency analyses will be performed to determine specific improvements.

**TABLE 2
CASSENS GROVE COMPREHENSIVE PLAN AMENDMENT
PM PEAK HOUR PEAK-DIRECTION LINK ANALYSIS**

Roadway From To		Existing						Background		2013 Background				Subject Property Traffic				2013		Meets LOS Standard?			
		Number of Lanes	Adopted LOS	Service Capacity	Count Year	Existing Traffic		Historic Growth Rate	Growth		Number of Lanes	Service Capacity	2013 Traffic		Assign	Pk. Hr. Volume (Total Traffic)		Pk. Hr. Volume (Net Increase)			% Road Capacity	Total Traffic	
						NB/EB	SB/WB		NB/EB	SB/WB			NB/EB	SB/WB		NB/EB	SB/WB	NB/EB	SB/WB			NB/EB	SB/WB
Selvitz Road																							
South of Midway Road		2LU	E	890	2007	229	524	5.00%	78	178	2LU	890	307	702	10%	6	21	0	18	2.02%	313	723	YES
Midway Road	Glades Cut-Off Road	2LU	E	890	2007	307	490	5.00%	104	167	2LU	890	411	657	3%	6	2	5	0	0.56%	417	659	-
Glades Cut-Off Road	Edwards Road	2LU	E	890	2007	515	606	5.00%	175	206	2LU	890	690	811	3%	6	2	5	0	0.56%	696	813	-
Midway Road																							
I-95	Glades Cut-Off Road	4LD	E	1,860	2006	505	603	4.77%	194	232	4LD	1,860	699	835	45%	25	95	1	81	4.35%	724	930	YES
Glades Cut-Off Road	Site Entrance	2LU	E	890	2007	789	745	4.11%	216	204	2LU	890	1,005	949	58%	32	122	1	104	11.69%	1,037	1,071	*
Site Entrance	Selvitz Road	2LU	E	890	2007	789	745	4.11%	216	204	2LU	890	1,005	949	42%	89	24	75	1	8.43%	1,094	973	*
Selvitz Road	25th Street (SR 615)	2LU	E	890	2007	670	725	3.30%	145	157	2LU	890	814	881	24%	51	13	43	0	4.83%	865	894	*
Glades Cut-Off Road																							
North of Midway Road		2LU	D	760	2006	434	398	7.39%	281	258	2LU	760	715	656	3%	6	2	5	0	0.66%	721	658	-
South of Midway Road		2LU	D	760	2006	98	82	2.29%	17	14	2LU	760	115	96	7%	4	15	0	13	1.71%	119	111	YES
25th Street (SR 615)																							
South of Midway Road		4LD	D	1,860	2007	599	1,207	6.47%	274	552	4LD	1,860	873	1,759	0%	0	0	0	0	0.00%	873	1,759	-
North of Midway Road		2LU	D	860	2007	482	910	6.00%	202	381	4LD	1,860	684	1,291	10%	21	6	18	0	0.97%	705	1,297	-
I-95																							
North of Midway Road		6LD	C	4,550	2006	1,808	2,121	4.00%	571	670	6LD	4,550	2,379	2,791	19%	40	11	34	0	0.75%	2,419	2,802	-
South of Midway Road		6LD	C	4,550	2006	2,469	2,611	4.00%	779	824	6LD	4,550	3,248	3,435	12%	7	25	0	21	0.46%	3,248	3,456	-

* Midway Road to be addressed at concurrency stage concurrent with site plan submittal (see conclusion)

s:\0411041378000 casons tend use\traffic\casons update_06-11-2008.xls\pm link analysis

9/11/2008 8:57



CONCLUSION

Kimley Horn and Associates, Inc. has prepared this report summarizing the impact of the proposed land use amendment for the subject property located west of Selvitz Road and north of Midway Road in St. Lucie County, Florida. It is proposed to change the land use designation of the subject property from Residential to MXD. While typically MXD would allow commercial and residential land uses, the subarea policies that are part of this request limit specific land uses to industrial. Therefore, the projection of future trips is limited to the square footage of industrial park area as included in this proposed amendment to the Comprehensive Plan.

It is understood that the purpose of the comprehensive plan traffic analysis is to demonstrate consistency and financial feasibility with the County and State five-year work programs. Concurrency is not addressed at this stage but rather administered by St. Lucie County when the applicant submits a site plan application. The maximum land use intensity is theoretical in nature and will be adjusted at the site development stage to meet adopted level of service standards.

The analysis indicates that the link of Midway Road from Glades Cut-Off Road to Selvitz Road is expected to reach and exceed its capacity by the year 2013 with or without the change in land use of the subject property.

The following mitigation options are available to the applicant to address Midway Road:

- 1) Funding is identified in either the State or County five-year Work Programs
- 2) The applicant phases to approximately 100,000 square feet resulting in PM peak hour trips being net equivalent to the existing residential land use designation.
- 3) The applicant prepares a more detailed analysis at the concurrency stage to demonstrate these facilities meet acceptable level of service.
- 4) The applicant may enter into a Proportionate Share Agreement for necessary improvements.



Kimley-Horn
and Associates, Inc.

APPENDIX

**TABLE 1
CASSENS GROVE COMPREHENSIVE PLAN AMENDMENT
TRIP GENERATION**

Land Use	Acreage	Intensity	Daily Trips	PM Peak Hour		
				Total	In	Out
Existing Land Use						
Single Family Residential	39	78 DU	827	86	54	32
SubTotal			827	86	54	32
Total Existing Land-Use Trips			827	86	54	32
Proposed Land Use						
Industrial Park	-	100,000 SF	696	86	18	68
Subtotal		100,000 SF	696	86	18	68
Total Proposed Trips			696	86	18	68
Net Increase (Proposed - Existing)			-131	0	-36	36

Note: Trip generation was calculated using the following data:

Daily Trip Generation

Single Family Residential
Industrial Park

[ITE 210] = $\ln(T) = 0.92 \cdot \ln(X) + 2.71$
 [ITE 130] = $T = 6.96$ trips per 1,000 SF GFA

AM Peak Hour Trip Generation

Single Family Residential
Industrial Park

[ITE 210] = $T = 0.70 \cdot (X) + 9.43$; (25% in, 75% out)
 [ITE 130] = $T = 0.84$ trips per 1,000 SF GFA; (82% in, 18% out)

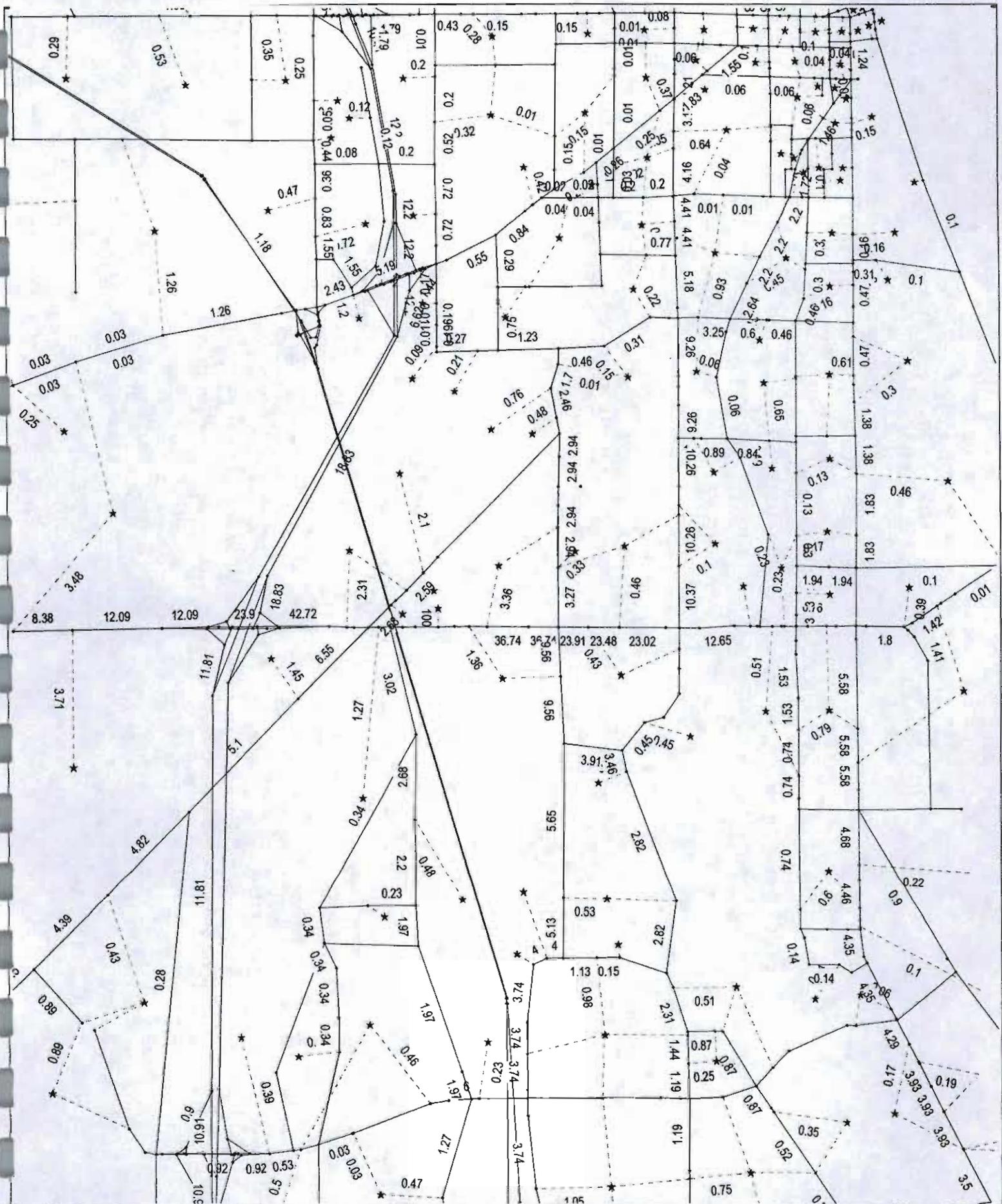
PM Peak Hour Trip Generation

Single Family Residential
Industrial Park

[ITE 210] = $\ln(T) = 0.90 \cdot \ln(X) + 0.53$; (63% in, 37% out)
 [ITE 130] = $T = 0.86$ trips per 1,000 SF GFA; (21% in, 79% out)

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September 11, 2008



MIDWAY ROAD COMP PLAN AMENDMENT
 ST. LUCIE COUNTY, FLORIDA
 TRAFFIC DISTRIBUTION (PERCENT)
 1/17/2008

APPENDIX B
FORT PIERCE UTILITY AUTHORITY
POTABLE WATER INFORMATION

Terry L. Virta & Associates, Inc.

Planning Consultants

Terry L. Virta, AICP

Principal

January 11, 2007

James L. Carnes III
Environmental Engineer
Fort Pierce Utilities Authority
113 North Second Street
Fort Pierce, FL 34948-3191

Re: Cassens White City Grove

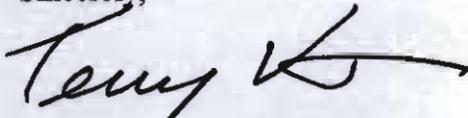
Dear Mr. Carnes:

This is written in follow-up to our meeting earlier this week. We met to discuss the long term utilities needs for parcels having the Tax ID's of 340650100120000 and 34065010110003. As you may recall, the owner is seeking a Comprehensive Plan Amendment with St. Lucie County to obtain an industrial land use designation.

When we met we discussed availability of sewer, water and gas service to the site. The County as a part of its amendment process needs to know if there are adequate utilities to serve the site. Would you be able to summarize our meeting in a letter that I might include with our application for Comprehensive Plan amendment?

If you should need additional information from me let me know. I also thank you for your time and attention in this regard.

Sincerely,



Terry L. Virta, AICP, Principal
Terry L. Virta & Associates, Inc.

cc. Steve Cassens
Stuart McGahee, P.E.

3101 Park Avenue
Riviera Beach, Florida 33404
Phone: 561-718-1343
Fax: 561-863-7682
E-mail: tlv31987@hotmail.com

FORT PIERCE UTILITIES AUTHORITY

"Committed to Quality"



113 N. 2nd Street (34950)
Post Office Box 3191
Fort Pierce, FL 34948-3191

Telephone: (772) 466-1600, Ext. 3472
Fax: (772) 489-0396
E-Mail: jcarnes@fpu.com

January 14, 2008

Mr. Terry L. Virta (tlv31987@hotmail.com)
Terry L. Virta & Associates, Inc.
3101 Park Avenue
Riviera Beach, FL 33404

Subject: Utility Availability – Cassens White City Grove
PCN 3406-501-0012-000/0 and 3406-501-011-000/3

Dear Mr. Virta:

As requested, the Fort Pierce Utilities Authority (FPUA) would like to confirm the availability of water and wastewater service to the above-referenced project. In order to receive service, a 12" water main must be extended to your property from the terminus on Selvitz Road, a force main must be extended from your property to Selvitz Road, and a regional lift station must be constructed. Reuse water is not available at this time. Capacity is currently available at FPUA's Water Treatment Plant and Water Reclamation Facility.

Please note that availability is contingent upon construction of the required infrastructure, payment of the applicable fees and charges, and the signing of a City of Fort Pierce Annexation Agreement. Please visit our website at www.fpu.com to review developer requirements, specifications, details, fees, etc.

We trust this letter provides you the information necessary to move forward with your project. Should you need additional information relating to water or wastewater service, please contact me at the telephone number above.

Sincerely,

A handwritten signature in black ink, appearing to read "James Carnes III", is written over a horizontal line.

James Carnes III
Environmental Engineer

ec: Bo Hutchinson, Environmental Engineer
Larry Jones, Gas Sales and Services Representative
Estela Wilson, Electric Engineering Coordinator

APPENDIX C

WATER MANAGEMENT PERMITS

**SOUTH FLORIDA WATER
MANAGEMENT DISTRICT**

BEG. PERMIT NUMBER:

56-02024-W

APPLICATION NUMBER:

0401030-32

56-02024-W



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

CON 24-06

Application No.: 040630-32

General Permit No.: 56-02024-W

August 13, 2004

**WHITE CITY GROVE INC
P O BOX 613
FORT PIERCE, FL 34954**

Dear Permittee:

**SUBJECT: General Water Use Permit No.: 56-02024-W
Project: WHITE CITY GROVE INC
Location: ST LUCIE COUNTY, S6/T36S/R40E
Permittee: WHITE CITY GROVE INC**

This letter is to notify you of the District's agency action concerning your Notice of Intent to Use Water. This action is taken pursuant to Chapter 40E-20, Florida Administrative Code (F.A.C.). Based on the information provided, District rules have been adhered to and a General Water Use Permit is in effect for this project subject to:

1. Not receiving a filed request for Chapter 120, Florida Statutes, administrative hearing and
2. The attached Limiting Conditions.

The purpose of this application is to obtain a Water Use Permit for agriculture irrigation of 16.5 acres of citrus using a flood/seepage irrigation system. Withdrawals are from the Surficial Aquifer System via three existing withdrawal facilities.

The three wells are pumped with one pump and supply water to not only White City Groves but also the adjacent property to the east, Cassens & Cassens, Permit No. 56-02025-W, which is 17 acres and has permission from White City Groves to use the water. The wells have more than enough capacity to supply both groves.

GOVERNING BOARD

Nicolás J. Gutiérrez, Jr., Esq., *Chair*
Pamela Brooks-Thomas, *Vice-Chair*
Irela M. Bagué

Michael Collins
Hugh M. English
Lennart E. Lindahl, P.E.

Kevin McCarty
Harley R. Thornton
Trudi K. Williams, P.E.

EXECUTIVE OFFICE

Henry Dean, *Executive Director*

Application Number: 040630-32
WHITE CITY GROVE INC
August 13, 2004
Page 2

Date Of Issuance: August 13, 2004
Expiration Date: September 28, 2024
Water Use Classification: Agricultural
Total Serviced Acreage: 16.5 (16.5 acres of citrus)
Water Use Permit Status: Existing/Unpermitted
Environmental Resource Permit Status: Not Applicable
Right Of Way Permit Status: Not Applicable
Ground Water From: Floridan Aquifer System
Surficial Aquifer System

Permitted Allocation(s):

Annual Allocation: 21,870,100 Gallons
Maximum Monthly Allocation: 2,822,200 Gallons

Existing Withdrawal Facilities - Ground Water

Source: Floridan Aquifer System
1 - 4" X 850' X 0 GPM Well Cased To 100 Feet
Source: Surficial Aquifer System
1 - 2" X 60' X 175 GPM Well Cased To 45 Feet
2 - 3" X 60' X 175 GPM Wells Cased To 45 Feet

Rated Capacity

Source(s)	Status Code	GPM	MGD	MGM	MGY
Surficial Aquifer System	E	525	0.76	23.0	276
Totals:		525	0.76	23.0	276

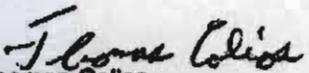
Application Number: 040630-32
WHITE CITY GROVE INC
August 13, 2004
Page 3

Should you object to the Limiting Conditions, please refer to the attached Notice of Rights which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have questions concerning this matter. If we do not hear from you prior to the time frame specified in the Notice of Rights, we will assume that you concur with the District's recommendations.

Certificate Of Service

I HEREBY CERTIFY that a Notice of Rights has been mailed to the addressee not later than 5:00 p.m. this 13th day of August, 2004, in accordance with Section 120.60(3), Florida Statutes.

Sincerely,


Thomas Colios
Sr Supv Hydrogeologist
Water Use Regulation Division

TDC /dm

Certified Mail No.: 7002 2030 0006 4396 3399

Enclosure

c: Cassens Grove Service Inc
Florida Fish & Wildlife Conservation Commission
Indian River Bd of County Commissioners
Port St. Lucie Utilities System
St Lucie County Health Department

Application Number: 040630-32
WHITE CITY GROVE INC
August 13, 2004
Page 4

Limiting Conditions

1. This permit shall expire on September 28, 2024.
2. Application for a permit modification may be made at any time.
3. Water use classification:

Agricultural Irrigation

4. Source classification:

Ground Water from:
Floridan Aquifer System
Surficial Aquifer System

5. Total annual allocation is 21.8701 MG.

Total maximum monthly allocation is 2.8222 MG.

These allocations represent the amount of water required to meet the water demands as a result of rainfall deficit during a drought with the probability of recurring one year in ten. The Permittee shall not exceed these allocations in hydrologic conditions less than a 1 in 10 year drought event. If the rainfall deficit is more severe than that expected to recur once every ten years, the withdrawals shall not exceed that amount necessary to continue to meet the reasonable-beneficial demands under such conditions, provided no harm to the water resources occur and:

(a) All other conditions of the permit are met; and

(b) The withdrawal is otherwise consistent with applicable declared Water Shortage Orders in effect pursuant to Chapter 40E-21, F.A.C.

6. Pursuant to Rule 40E-1.6105, F.A.C., Notification of Transfer of Interest in Real Property, within 30 days of any transfer of interest or control of the real property at which any permitted facility, system, consumptive use, or activity is located, the permittee must notify the District, in writing, of the transfer giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer, as set forth in Rule 40E-1.6107, F.A.C.

Pursuant to Rule 40E-1.6107 (4), until transfer is approved by the District, the permittee shall be liable for compliance with the permit. The permittee transferring the permit shall remain liable for all actions that are required as well as all violations of the permit which occurred prior to the transfer of the permit.

Failure to comply with this or any other condition of this permit constitutes a violation and pursuant to Rule 40E-1.609, Suspension, Revocation and Modification of Permits, the District may suspend or revoke the permit.

This Permit is issued to:

White City Grove Inc
P.O. Box 613
Ft/ Pierce, FL 34954

Limiting Conditions

7. Withdrawal Facilities:

Ground Water - Existing:

- 1 - 4" X 650' X 0 GPM Well Cased To 100 Feet
- 1 - 2" X 60' X 175 GPM Well Cased To 45 Feet
- 2 - 3" X 60' X 175 GPM Wells Cased To 45 Feet

8. Permittee shall mitigate interference with existing legal uses that was caused in whole or in part by the permittee's withdrawals, consistent with the approved mitigation plan. As necessary to offset the interference, mitigation will include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means.

Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1 in 10 year drought event that results in the:

- (1) Inability to withdraw water consistent with provisions of the permit, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference; or
 - (2) Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent.
9. Permittee shall mitigate harm to existing off-site land uses caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm as determined through reference to the conditions for permit issuance, includes:
- (1) Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other governmental authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g. fill for construction, mining, drainage canal, etc.)
 - (2) Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or
 - (3) Land collapse or subsidence caused by reduction in water levels associated with consumptive use.

Limiting Conditions

10. Permittee shall mitigate harm to the natural resources caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to the conditions for permit issuance includes:
 - (1) Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface,
 - (2) Reduction in water levels that harm the hydroperiod of wetlands,
 - (3) Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond,
 - (4) Harmful movement of contaminants in violation of state water quality standards, or
 - (5) Harm to the natural system including damage to habitat for rare or endangered species.
11. If any condition of the permit is violated, the permit shall be subject to review and possible modification, enforcement action, or revocation.
12. Authorized representatives of the District shall be permitted to enter, inspect, and observe the permitted system to determine compliance with special conditions.
13. The Permittee is advised that this permit does not relieve any person from the requirement to obtain all necessary federal, state, local and special district authorizations.
14. The permit does not convey any property right to the Permittee, nor any rights and privileges other than those specified in the Permit and Chapter 40E-2, Florida Administrative Code.
15. Permittee shall submit all data as required by the implementation schedule for each of the limiting conditions to: S.F.W.M.D., Supervising Hydrogeologist - Post-Permit Compliance, Water Use Regulation Dept. (4320), P.O. Box 24680, West Palm Beach, FL 33416-4680.
16. In the event of a declared water shortage, water withdrawal reductions will be ordered by the District in accordance with the Water Shortage Plan, Chapter 40E-21, F.A.C. The Permittee is advised that during a water shortage, pumpage reports shall be submitted as required by Chapter 40E-21, F.A.C.
17. Permittee shall secure a well construction permit prior to construction, repair, or abandonment of all wells, as described in Chapters 40E-3 and 40E-30, Florida Administrative Code.

NOTICE OF RIGHTS

Section 120.569(1), Fla. Stat. (1997), requires that "each notice shall inform the recipient of any administrative hearing or judicial review that is available under this section, s. 120.57, or s. 120.68; shall indicate the procedure which must be followed to obtain the hearing or judicial review; and shall state the time limits which apply." Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

PETITION FOR ADMINISTRATIVE PROCEEDINGS

1. A person whose substantial interests are affected by the South Florida Water Management District's (SPWMD) action has the right to request an administrative hearing on that action. The affected person may request either a formal or an informal hearing, as set forth below. A point of entry into administrative proceedings is governed by Rules 28-106.111 and 40E-1.511, Fla. Admin. Code (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109), as set forth below. Petitioners are deemed filed upon receipt of the original documents by the SPWMD Clerk.

a. Formal Administrative Hearing:

If a genuine issue(s) of material fact is in dispute, the affected person seeking a formal hearing on a SPWMD decision which does or may determine their substantial interests shall file a petition for hearing pursuant to Sections 120.569 and 120.57(1), Fla. Stat. or for mediation pursuant to Section 120.573, Fla. Stat. within 21 days, except as provided in subsections c. and d. below, of either written notice through mail or posting or publication of notice that the SPWMD has or intends to take final agency action. Petitioners must substantially comply with the requirements of Rule 28-106.201(2), Fla. Admin. Code; a copy of the which is attached to this Notice of Rights.

b. Informal Administrative Hearing:

If there are no issues of material fact in dispute, the affected person seeking an informal hearing on a SPWMD decision which does or may determine their substantial interests shall file a petition for hearing pursuant to Sections 120.569 and 120.57(2), Fla. Stat. or for mediation pursuant to Section 120.573, Fla. Stat. within 21 days, except as provided in subsections c. and d. below, of either written notice through mail or posting or publication of notice that the SPWMD has or intends to take final agency action. Petitioners must substantially comply with the requirements of Rule 28-106.301(2), Fla. Admin. Code; a copy of the which is attached to this Notice of Rights.

c. Administrative Complaint and Order:

If a Respondent(s) objects to a SPWMD Administrative Complaint and Order, pursuant to Section 373.119, Fla. Stat. (1997), the person named in the Administrative Complaint and Order may file a petition for a hearing no later than 14 days after the date such order is served. Petitioners must substantially comply with the requirements of either subsection a. or b. above.

d. State Lands Environmental Resource Permit:

Pursuant to Section 373.427, Fla. Stat., and Rule 40E-1.511(3), Fla. Admin. Code (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109)(2)(c)), a petition objecting to the SPWMD's agency action regarding consolidated applications for Environmental Resource Permits and Use of Sovereign Submerged Lands (SLSRP's), must be filed within 14 days of the notice of consolidated intent to grant or deny the SLERP. Petitioners must substantially comply with the requirements of either subsection a. or b. above.

e. Emergency Authorization and Order:

A person whose substantial interests are affected by a SPWMD Emergency Authorization and Order, has a right to file a petition under Sections 128.569, 120.57(1), and 120.57(2), Fla. Stat., as provided in subsections a. and b. above. However, the person, or the agent of the person responsible for causing or contributing to the emergency conditions that take whatever action necessary to cause immediate compliance with the terms of the Emergency Authorization and Order.

f. Order for Emergency Action:

A person whose substantial interests are affected by a SPWMD Order for Emergency Action has a right to file a petition pursuant to Rules 28-107.005 and 40E-1.611, Fla. Admin. Code; copies of which are attached to this Notice of Rights, and Section 373.119(3), Fla. Stat., for a hearing on the Order. Any subsequent agency action or proposed agency action to initiate a formal revocation proceeding shall be separately noticed pursuant to section g. below.

g. Permit Suspension, Revocation, Annulment, and Withdrawal:

If the SPWMD issues an administrative complaint to suspend, revoke, annul, or withdraw a permit, the permittee may request a hearing to be conducted in accordance with Sections 120.569 and 120.57, Fla. Stat., within 21 days of either written notice through mail or posting or publication of notice that the SPWMD has or intends to take final agency action. Petitioners must substantially comply with the requirements of Rule 28-107.004(3), Fla. Admin. Code; a copy of the which is attached to this Notice of Rights.

2. Because the administrative hearing process is designated to formulate final agency action, the filing of a petition means that the SPWMD's final action may be different from the position taken by it previously. Persons whose substantial interests may be affected by any such final decision of the SPWMD shall have, pursuant to Rule 40E-1.511(2), Fla. Admin. Code (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109)(2)(c)), an additional 21 days from the date of receipt of notice of said decision to request an administrative hearing. However, the scope of the administrative hearing shall be limited to the substantial deviation.

3. Pursuant to Rule 40E-1.511(4), Fla. Admin. Code, substantially affected persons entitled to a hearing pursuant to Section 120.57(1), Fla. Stat., may waive their right to such a hearing and request an informal hearing before the Governing Board pursuant to Section 120.57(2), Fla. Stat., which may be granted at the option of the Governing Board.

4. Pursuant to Rule 28-106.111(3), Fla. Admin. Code, persons may file with the SPWMD a request for extension of time for filing a petition. The SPWMD, for good cause shown, may grant the extension. The request for extension must contain a certificate that the petitioner has consulted with all other parties, if any, concerning the extension and that the SPWMD and all other parties agree to the extension.

CIRCUIT COURT

5. Pursuant to Section 373.617, Fla. Stat., any substantially affected person who claims that final agency action of the SPWMD relating to permit decision constitutes an unconstitutional taking of property without just compensation may seek judicial review of the action in circuit court by filing a civil action in the circuit court, in the judicial circuit in which the affected property is located within 90 days of the rendering of the SPWMD's final agency action.

6. Pursuant to Section 403.412, Fla. Stat., any citizen of Florida may bring an action for injunctive relief against the SPWMD to compel the SPWMD to enforce the laws of Chapter 373, Fla. Stat., and Title 40E, Fla. Admin. Code. The complaining party must file with the SPWMD Clerk a verified complaint setting forth the facts upon which the complaint is based and the manner in which the complaining party is affected. If the SPWMD does not take appropriate action on the complaint within 30 days of receipt, the complaining party may then file a civil suit for injunctive relief in the 1st Judicial Circuit in and for Palm Beach County or circuit court in the county where the cause of action allegedly occurred.

7. Pursuant to Section 373.433, Fla. Stat., a private citizen of Florida may file suit in circuit court to require the abatement of any stormwater management system, dam, impoundment, reservoir, appurtenant work or works that violate the provisions of Chapter 373, Fla. Stat.

DISTRICT COURT OF APPEAL

8. Pursuant to Section 120.68, Fla. Stat., a party who is adversely affected by final SPWMD action may seek judicial review of the SPWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SPWMD Clerk within 30 days of rendering of the final SPWMD action.

LAND AND WATER ADJUDICATORY COMMISSION

9. A party to a "proceeding below" may seek review by the Land and Water Adjudicatory Commission (LAWAC) of SPWMD's final agency action to determine if such action is consistent with the provisions and purposes of Chapter 373, Fla. Stat. Pursuant to Section 373.114, Fla. Stat., and Rules 42-2.013 and 42-2.0132, Fla. Admin. Code, a request for review of (a) an order or rule of the SPWMD must be filed with LAWAC within 20 days after rendition of the order or adoption of the rule sought to be reviewed; (b) an order of the Department of Environmental Protection (DEP) requiring amendment or repeal of a SPWMD rule must be filed with LAWAC within 30 days of rendition of the DEP's order; and (c) a SPWMD order entered pursuant to a formal administrative hearing under Section 120.57(1), Fla. Stat., must be filed no later than 20 days after rendition of the SPWMD's final order. Simultaneous with filing, a copy of the request for review must be served on the DEP Secretary, any person named in the SPWMD or DEP final order, and all parties to the proceeding below. A copy of Rule 42-2.013, Fla. Admin. Code is attached to this Notice of Review.

PRIVATE PROPERTY RIGHTS PROTECTION ACT

10. A property owner who alleges a specific action of the SPWMD has inordinately burdened an existing use of the real property, or a vested right to a specific use of the real property, may file a claim in the circuit court where the real property is located within 1 year of the SPWMD action pursuant to the procedures set forth in Subsection 70.001(4)(a), Fla. Stat.

LAND USE AND ENVIRONMENTAL DISPUTE RESOLUTION

11. A property owner who alleges that a SPWMD development order (as that term is defined in Section 70.51(2)(a), Fla. Stat. to include permits) or SPWMD enforcement action is unreasonable, or unfairly burdens the use of the real property, may file a request for relief with the SPWMD within 30 days of receipt of the SPWMD's order or notice of agency action pursuant to the procedures set forth in Subsections 70.51(4) and (6), Fla. Stat.

MEDIATION

12. A person whose substantial interests are, or may be, affected by the SPWMD's action may choose mediation as an alternative remedy under Section 120.573, Fla. Stat. Pursuant to Rule 28-106.111(2), Fla. Admin. Code, the petition for mediation shall be filed within 21 days of either written notice through mail or posting or publication of notice that the SPWMD has or intends to take final agency action. Choosing mediation will not adversely affect the right to an administrative hearing if mediation does not result in settlement.

Pursuant to Rule 28-106.402, Fla. Admin. Code, the contents of the petition for mediation shall contain the following information:

- (1) the name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- (2) a statement of the preliminary agency action;
- (3) an explanation of how the person's substantial interests will be affected by the agency determination; and
- (4) a statement of relief sought.

As provided in Section 120.573, Fla. Stat. (1997), the timely agreement of all the parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Fla. Stat., for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within 60 days of the execution of the agreement. If mediation results in settlement of the dispute, the SPWMD must enter a final order incorporating the agreement of the parties. Persons whose substantial interest will be affected by such a modified agency decision have a right to petition for hearing within 21 days of receipt of the final order in accordance with the requirements of Sections 120.569 and 120.57, Fla. Stat., and SPWMD Rule 28-106.201(2), Fla. Admin. Code. If mediation terminates without settlement of the dispute, the SPWMD shall notify all parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Fla. Stat., remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action.

VARIANCES AND WAIVERS

13. A person who is subject to regulation pursuant to a SPWMD rule and believes the application of that rule will create a substantial hardship or will violate principles of fairness (as those terms are defined in Subsection 120.54(2), Fla. Stat.) and can demonstrate that the purpose of the underlying statute will be or has been achieved by other means, may file a petition with the SPWMD Clerk requesting a variance from or waiver of the SPWMD rule. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have concerning the SPWMD's action. Pursuant to Rule 28-104.002(2), Fla. Admin. Code, the petition must include the following information:

- (a) the caption shall read:
 - (b) Petition for (Variance from) or (Waiver of) Rule (Citation)
 - (c) The name, address, telephone number and any facsimile number of the petitioner;
 - (d) The name, address telephone number and any facsimile number of the attorney or qualified representative of the petitioner;
 - (e) the applicable rule or portion of the rule;
 - (f) the citation to the statute the rule is implementing;
 - (g) the type of action requested;
 - (h) the specific facts that demonstrate a substantial hardship or violation of principals of fairness that would justify a waiver or variance for the petitioner;
 - (i) the reason why the variance or the waiver requested would serve the purposes of the underlying statute; and
 - (j) a statement of whether the variance or waiver is permanent or temporary. If the variance or waiver is temporary, the petition shall include the dates indicating the duration of the requested variance or waiver.

A person requesting an emergency variance from or waiver of a SPWMD rule must clearly so state in the caption of the petition. In addition to the requirements of Section 120.54(3), Fla. Stat. pursuant to Rule 28-104.004(2), Fla. Admin. Code, the petition must also include:

- a) the specific facts that make the situation an emergency; and
- b) the specific facts to show that the petitioner will suffer immediate adverse effect unless the variance or waiver is issued by the SPWMD more expeditiously than the applicable timeframes set forth in Section 120.542, Fla. Stat.

WAIVER OF RIGHTS

14. Failure to observe the relevant time frames prescribed above will constitute a waiver of such right.

28-106.201

INITIATION OF PROCEEDINGS (INVOLVING DISPUTED ISSUES OF MATERIAL FACT)

- (2) All petitions filed under these rules shall contain:
 - (a) The name and address of each agency affected and each agency's file or identification number, if known;

- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding, and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (1) A demand for relief.

28-106.301.1 INITIATION OF PROCEEDINGS (NOT INVOLVING DENIED ISSUES OR MATERIAL FACT)

- (2) All petitions filed under these rules shall contain:
 - (a) The name and address of each agency affected and each agency's file or identification number, if known;
 - (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding, and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
 - (c) A statement of when and how the petitioner received notice of the agency decision;
 - (d) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
 - (e) A demand for relief.

28-107.004 SUSPENSION, REVOCATION, ANNULMENT, OR WITHDRAWAL

- (3) Requests for hearing filed in accordance with this rule shall include:
 - (a) The name and address of the party making the request, for purposes of service;
 - (b) A statement that the party is requesting a hearing involving disputed issues of material fact, or a hearing not involving disputed issues of material fact; and
 - (c) A reference to the notice, order to show cause, administrative complaint, or other communication that the party has received from the agency.

42-2.013 REQUEST FOR REVIEW PURSUANT TO SECTION 375.114 OR 373.217

- (1) In any proceeding acting under Chapter 373, F.S., review by the Florida Land and Water Adjudicatory Commission may be initiated by the Department or a party by filing a request for such review with the Secretary of the Commission and serving a copy on any person named in the rule or order, and on all parties to the proceeding which resulted in the order sought to be reviewed. A certificate of service showing completion of service as required by this subsection shall be a requirement for a determination of sufficiency under Rule 42-2.0132. Failure to file the request with the Commission within the time period provided in Rule 42-2.0132 shall result in dismissal of the request for review.
- (2) The request for review shall identify the rule or order requested to be reviewed, the proceeding in which the rule or order was entered and the nature of the rule or order. A copy of the rule or order sought to be reviewed shall be attached. The request for review shall state with particularity:
 - (a) How the order or rule conflicts with the requirements, provisions and purposes of Chapter 373, F.S., or rules duly adopted thereunder;
 - (b) How the rule or order sought to be reviewed affects the interests of the party seeking review;
 - (c) The oral or written statement, sworn or unsworn, which was submitted to the agency concerning the matter to be reviewed and the date and location of the statement, if the individual or entity requesting the review has not participated in a proceeding previously instituted pursuant to Chapter 120, F.S., on the order for which review is sought;
 - (d) If review of an order is being sought, whether and how the activity authorized by the order would substantially affect natural resources of statewide or regional significance, or whether the order raises issues of policy, statutory interpretation, or rule interpretation that have regional or statewide significance from a standpoint of agency precedent, and all the factual bases in the record which the petitioner claims support such determination(s); and
 - (e) The action requested to be taken by the Commission as a result of the review, whether to rescind or modify the order, or request the proceeding to the water management district for further action, or to require the water management district to initiate rulemaking to adopt, amend or repeal a rule.

28-107.005 EMERGENCY ACTION

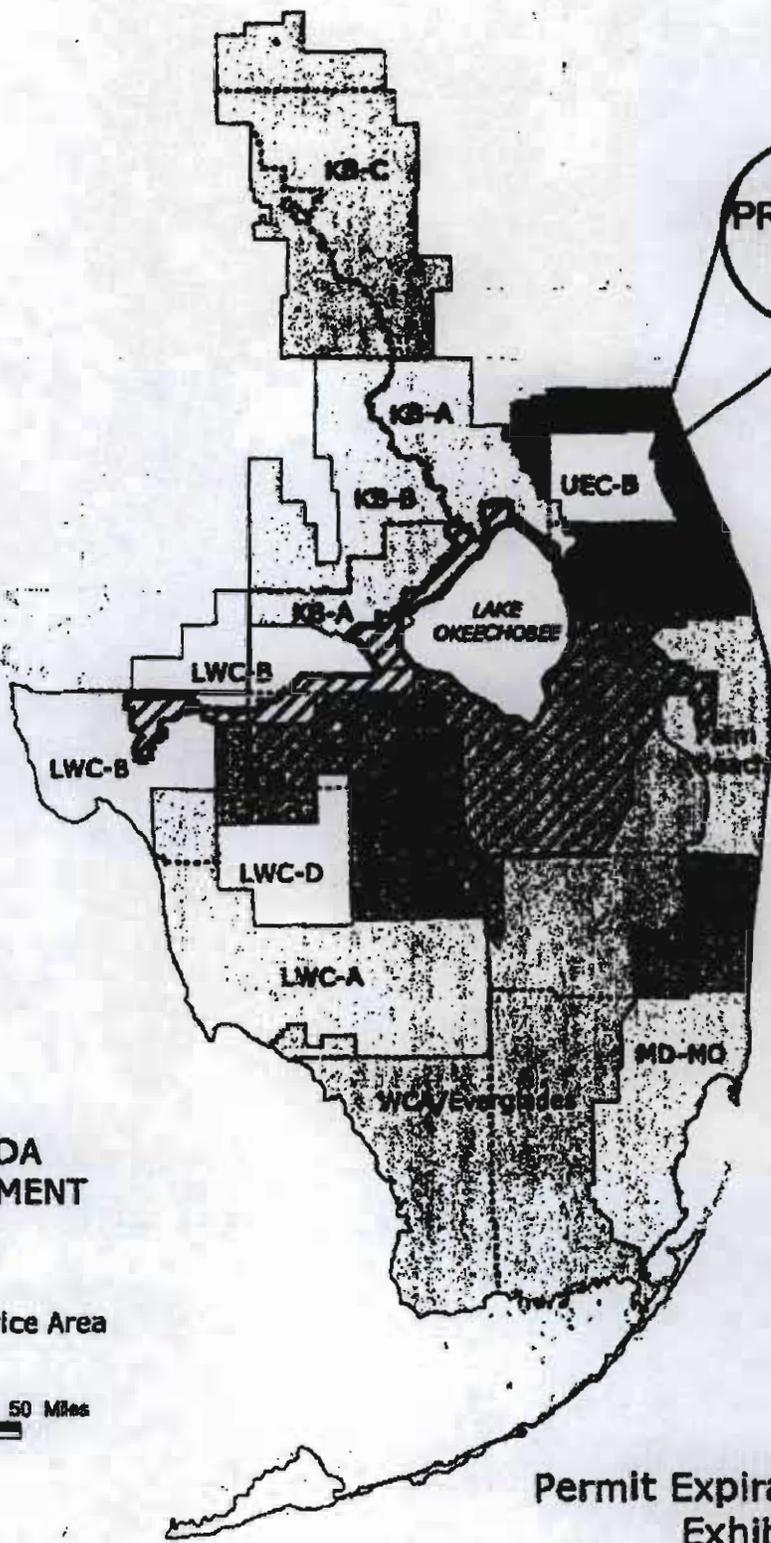
- (1) If the agency finds that immediate serious danger to the public health, safety, or welfare requires emergency action, the agency shall summarily suspend, limit, or restrict a license.
- (2) The 14-day notice requirement of Section 120.509(2)(b), F.S., does not apply and shall not be construed to prevent a hearing at the earliest time practicable upon request of an aggrieved party.
- (3) Unless otherwise provided by law, within 20 days after emergency action taken pursuant to paragraph (1) of this rule, the agency shall initiate a formal suspension or revocation proceeding in compliance with Sections 120.569, 120.57, and 120.60, F.S.

40E-1.611 EMERGENCY ACTION

- (1) An emergency exists when immediate action is necessary to protect public health, safety or welfare; the health of animals, fish or aquatic life; the works of the District; a public water supply, or recreational, commercial, industrial, agricultural or other reasonable uses of land and water resources.
- (2) The Executive Director may employ the resources of the District to take whatever remedial action necessary to alleviate the emergency condition without the issuance of an emergency order, or in the event an emergency order has been issued, after the expiration of the requisite time for compliance with that order.



PROJECT SITE

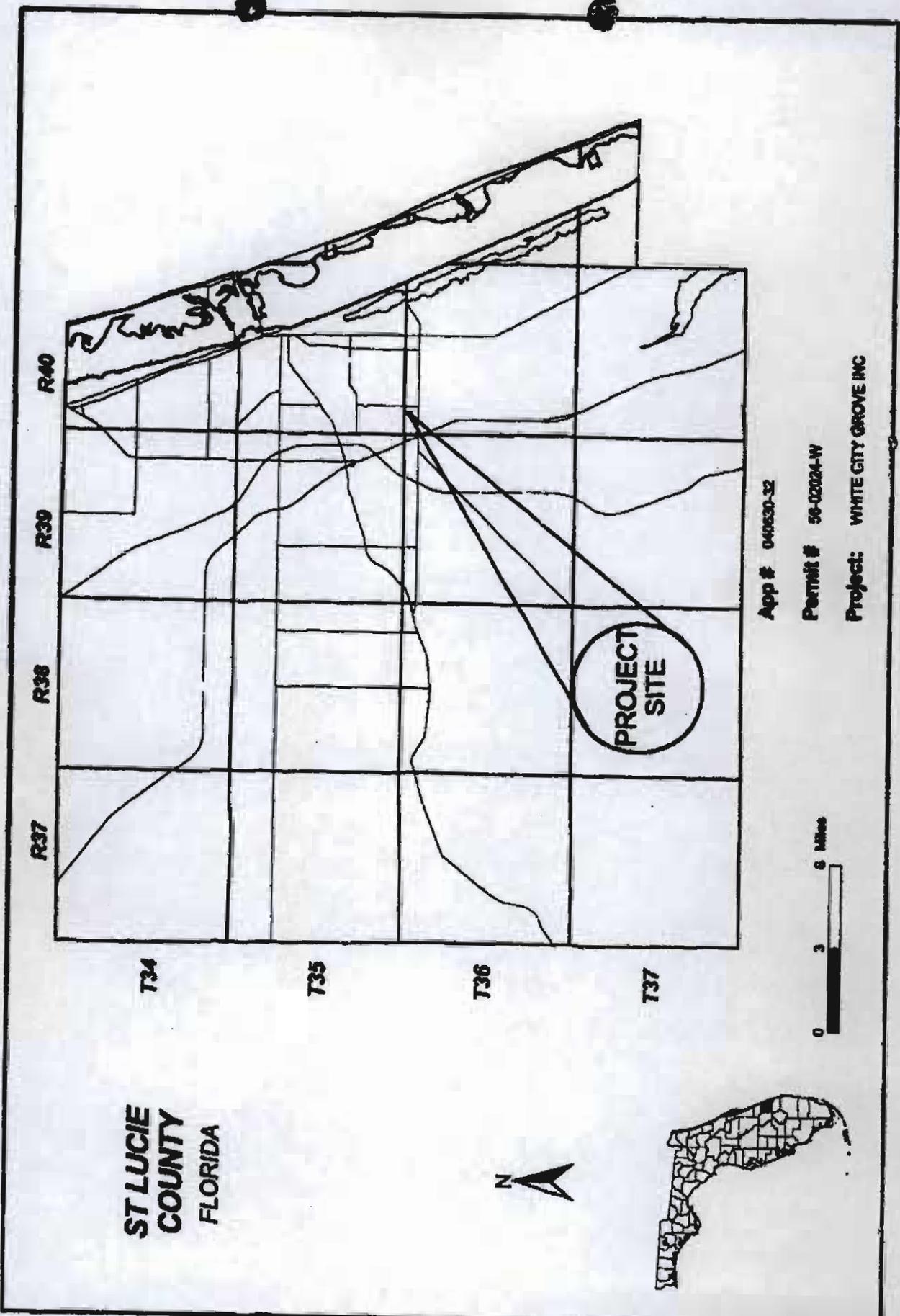


**SOUTH FLORIDA
WATER MANAGEMENT
DISTRICT**

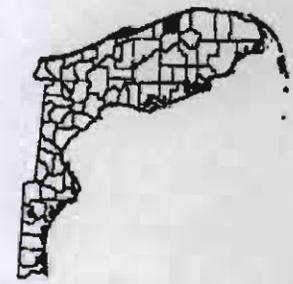
 Okeechobee Service Area



**Permit Expiration Basins
Exhibit 1**



**ST LUCIE
COUNTY
FLORIDA**



App # 040630-32

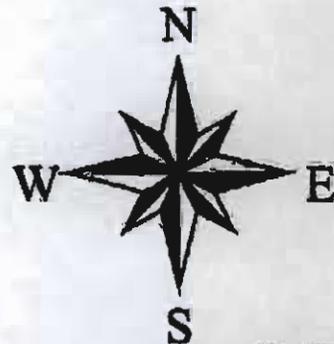
Permit # 56-02024-W

Project: WHITE CITY GROVE INC

Location Map

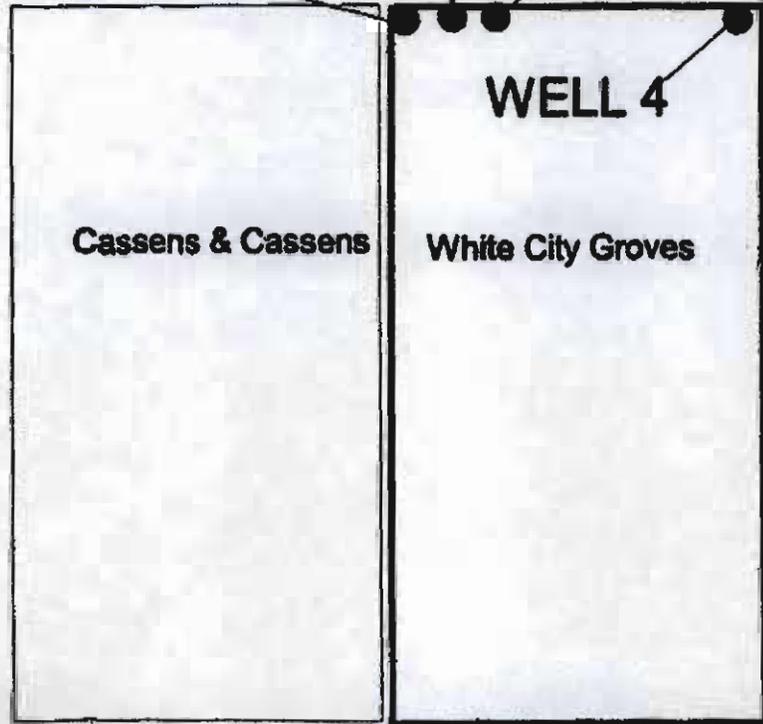


-  Detailed Roads
-  040630-32 - wuppmt, St. Lucie -SL)
-  State Roads
-  County Boundaries



Site Map

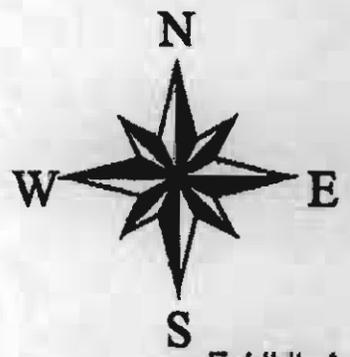
WELL 1 WELL 2 WELL 3



Cassens & Cassens

White City Groves

Favorite Road



-  Detailed Roads
-  040630-32 - wuppmt, St. Lucie -SL)
-  County Boundaries

TABLE - A
Description Of Wells.

Application Number: 040630-32

Well ID	157114	157115	157116	157120
Name	W-1	W-3	W-2	W-4
Map Designator				
FLUWID Number				
Well Field				
Existing/Proposed	E	E	E	E
Well Diameter(Inches)	2	3	3	4
Total Depth(feet)	60	60	60	650
Cased Depth(feet)	45	45	45	100
Facility Elev. (ft. NGVD)				
Screened Interval				
From				
To				
Pumped Or Flowing	P	P	P	F
Pump Type	centrifugal	centrifugal	centrifugal	none
Pump Int. Elev. Feet (NGVD)				
Feet (BLS)				
Pump Capacity(GPM)	175	175	175	0
Year Drilled				
Planar Location				
Source	DIGITIZED	DIGITIZED	DIGITIZED	DIGITIZED
Feet East	860431	860441	860437	860638
Feet North	1108351	1108351	1108355	1108341
Accounting Method	time clock	time clock	time clock	none
Use Status	Primary	Primary	Primary	Standby
Water Use Type	Irrigation	Irrigation	Irrigation	Freeze Protection
Aquifer	Surficial Aquifer System	Surficial Aquifer System	Surficial Aquifer System	Floridan Aquifer System

Exhibit No: 5

Calculations Of Irrigation Requirements

APPLICATION NUMBER: 040630-32

RAINFALL STATION: Ft. Pierce
IRRIGATION SYSTEM: Flood/Seepage
PARCEL ACREAGE: 16.5
LAND USE: Agricultural

CROP: Citrus
SOIL TYPE: 1.5
PARCEL NAME:
IRR. MULTIPLIER: 2

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
MEAN RAINFALL	2.48	2.77	3.23	3.08	4.29	5.98	5.66	5.82	8.03	6.72	2.95	2.07	53.08
EVAPOTRANSPIRATION	2.31	2.40	3.33	4.07	5.16	5.65	5.97	5.78	5.03	4.15	3.05	2.46	49.36
AVG. EFFECTIVE RAIN	1.35	1.50	1.81	1.80	2.56	3.50	3.40	3.45	4.35	3.56	1.64	1.16	30.08
DROUGHT RAINFAL	1.12	1.25	1.50	1.49	2.12	2.91	2.82	2.86	3.61	2.95	1.36	0.96	24.95
AVERAGE IRRIGATION	0.96	0.90	1.52	2.27	2.60	2.15	2.57	2.33	0.68	0.59	1.41	1.30	19.28
DROUGHT IRRIGATION	1.19	1.15	1.83	2.58	3.04	2.74	3.15	2.92	1.42	1.20	1.69	1.50	24.41

ANNUAL SUPPLEMENTAL CROP REQUIREMENT: 24.41 INCHES

ANNUAL SUPPLEMENTAL CROP WATER USE:

24.41 IN X 16.5 AC X 2 X 0.02715 MG/AC-IN = 21.87 MG

MAXIMUM MONTHLY SUPPLEMENTAL CROP REQUIREMENT: 3.15 INCHES

MAXIMUM MONTHLY SUPPLEMENTAL CROP WATER USE:

3.15 IN X 16.5 AC X 2 X 0.02715 MG/AC-IN = 2.82 MG

TOTAL ANNUAL DEMAND: 21.87 MG

TOTAL MAXIMUM MONTHLY DEMAND: 2.82 MG

Application Number: 040630-32
WHITE CITY GROVE INC
August 13, 2004
Page 7

bc: Donna Moscone, P.G.
A. Superchi - 4320
D. Loving - 6880
Permit File
R. Mierau
WU Compliance - J. Floyd - 4320

ADDRESSES

Cassens Grove Service Inc
Attn: Steven D Cassens
P O Box 613
Fort Pierce, FL 34954

Florida Fish & Wildlife Conservation Commission
Attn: - Imperiled Species Mgmt Section
620 South Meridian Street
Tallahassee, FL 32399-6000

Indian River Bd of County Commissioners
Attn: Department of Utility Services
Attn: Steven J. Doyle, Pe
1840 25th Street
Vero Beach, FL 32980

Port St. Lucie Utilities System
Attn: Wes Upham
900 SE Ogden Lane
Port St. Lucie, FL 34983

St Lucie County Health Department
Attn: Attn: Well Construction
5150 NW Milner Drive
Port St. Lucie, FL 34983-3392



The Avanti Company

METERS * VALVES * INSTRUMENTS

22 South Lake Avenue
Avon Park, FL 33825-3902
www.avanticompany.com

800-284-5231

FAX: 863-453-0085

040629-28

E-Mail: info@avanticompany.com

Certified Flow Test Record

Customer: CASSENS GROVE SERVICE

Consumptive Use Permit # _____

Test Site: C & C BLOCK

Lat: 27-22-88 N Long: 80-22-29 W

Contact: STEVE CASSENS

Pipe info at test site, Material: PVC

Outside Diameter: 8.65 " O.D. Pipe Thickness: 0.249 WT

Transducer Spacing: 7.411 " 1 188.2 mm

Type of Pump: Diesel Electric Free Flow

RPM Tested @ = _____ Pressure Tested @ = 25 PSI

For Diesel or Electric Pump: HP Rating: 15

Test information using a Panametrics Ultrasonic Flow Meter Transport Model PT878

*For Use With Multiple Zones, No Meter, Specify Rate Per Zone:

Test Performed @: 369 GPM, Zone: _____

Test Performed @: _____ GPM, Zone: _____

Test Performed @: _____ GPM, Zone: _____

Test Performed @: _____ GPM, Zone: _____

Comments:

Test Performed By: MARK CONNER

Signature: *Mark Conner* Date: 7/6/2004

MEMO

Date: 07/21/2004
Application Number: 040630-32
Permit Number:
Project Name: White City Grove, Inc.
County: St. Lucie
Water Use Reviewer: D. Moscone

Comments: Need drawdown analysis.

Route to NRM? Yes No Hold for missing info

- Well Location
- Requested Quantity
- Water Source/ Table A/ Table B
- Well Location/ Site Map
- Project Location
- Wetland Identification
- Drawdown Analysis

Rebecca Redondo
Rebecca Redondo, Environmental Analyst

1
Q

SUMMARY OF INPUT DATA
NON-EQUILIBRIUM (THEIS) MODEL

TRANSMISSIVITY = 44880.
STORAGE COEFFICIENT = .20000000
TIME (DAYS) = 90.0000
NODE SPACING = 500.00

APT 56-00005-W
TROPICANA PRODUCE

WELL DESCRIPTIONS

X-LOCATION	Y-LOCATION	Q(GPD)
15.00	15.00	91000.00

--DISPLAY DRAWDOWNS ARE ACTUAL DRAWDOWN VALUES--

--ROUNDED UP ON 5 AND DOWN ON 4--

25	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.01	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	
24	.00	.00	.00	.00	.00	.00	.00	.00	.00	.01	.01	.01	.01	.01	.01	.01	.01	.01	.00	.00	.00	.00	.00	.00	
23	.00	.00	.00	.00	.00	.00	.00	.01	.01	.01	.01	.01	.02	.02	.02	.01	.01	.01	.01	.01	.00	.00	.00	.00	
22	.00	.00	.00	.00	.00	.00	.01	.01	.01	.02	.02	.02	.03	.03	.03	.02	.02	.02	.01	.01	.01	.00	.00	.00	
21	.00	.00	.00	.00	.00	.01	.01	.01	.02	.03	.03	.04	.05	.05	.05	.04	.03	.03	.02	.01	.01	.01	.00	.00	
20	.00	.00	.00	.00	.00	.01	.01	.02	.03	.04	.05	.06	.07	.08	.07	.06	.05	.04	.03	.02	.01	.01	.00	.00	
19	.00	.00	.00	.00	.01	.01	.02	.03	.04	.06	.08	.10	.12	.12	.12	.10	.08	.06	.04	.03	.02	.01	.01	.00	
18	.00	.00	.00	.00	.01	.01	.02	.03	.05	.08	.11	.15	.18	.19	.18	.15	.11	.08	.05	.03	.02	.01	.01	.00	
17	.00	.00	.00	.00	.01	.01	.02	.04	.06	.10	.15	.21	.27	.31	.27	.21	.15	.10	.06	.04	.02	.01	.01	.00	
16	.00	.00	.00	.00	.01	.02	.03	.05	.07	.12	.18	.27	.41	.52	.41	.27	.18	.12	.07	.05	.03	.02	.01	.00	
15	.00	.00	.00	.00	.01	.01	.02	.03	.05	(.08)	.12	.19	.31	.52	2.52	.52	.31	.19	.12	(.08)	.05	.03	.02	.01	.01
14	.00	.00	.00	.00	.01	.02	.03	.05	.07	.12	.18	.27	.41	.52	.41	.27	.18	.12	.07	.05	.03	.02	.01	.00	
13	.00	.00	.00	.00	.01	.01	.02	.04	.06	.10	.15	.21	.27	.31	.27	.21	.15	.10	.06	.04	.02	.01	.01	.00	
12	.00	.00	.00	.00	.01	.01	.02	.03	.05	.08	.11	.15	.18	.19	.18	.15	.11	.08	.05	.03	.02	.01	.01	.00	
11	.00	.00	.00	.00	.01	.01	.02	.03	.04	.06	.08	.10	.12	.12	.12	.10	.08	.06	.04	.03	.02	.01	.01	.00	
10	.00	.00	.00	.00	.00	.01	.01	.02	.03	.04	.05	.06	.07	.08	.07	.06	.05	.04	.03	.02	.01	.01	.00	.00	

nearest Surficial

n = 500

nearest Wetland

9	.00	.00	.00	.00	.00	.00	.01	.01	.01	.02	.03	.03	.04	.05	.05	.05	.04	.03	.03	.02	.01	.01	.01	.00	.00
8	.00	.00	.00	.00	.00	.00	.00	.01	.01	.01	.02	.02	.02	.03	.03	.03	.02	.02	.02	.01	.01	.01	.00	.00	.00
7	.00	.00	.00	.00	.00	.00	.00	.00	.01	.01	.01	.01	.01	.02	.02	.02	.01	.01	.01	.01	.01	.00	.00	.00	.00
6	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.01	.01	.01	.01	.01	.01	.01	.01	.01	.00	.00	.00	.00	.00	.00
5	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.01	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00
4	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00
3	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00
2	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00
1	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	

X AXIS

--DISPLAY DRAWDOWNS ARE ACTUAL DRAWDOWN VALUES--

--ROUNDED UP ON 5 AND DOWN ON 4--



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

CON-24-06

July 23, 2004

Steven Cassens
Cassens Grove Service, Inc.
P.O. Box 613
Ft. Pierce, FL 34954

Dear Mr. Cassens:

Subject: Application No.: 040630-32
Project: White City Groves
County: St. Lucie

A preliminary review of the above referenced application indicates that additional information will be required in order to complete the evaluation, as follows, pursuant to Rule 40E-1.603, Florida Administrative Code (FAC). Please submit the following information.

1. Pursuant to Rule 40E-1.607, F.A.C., a processing fee of \$350.00 is required for processing a General Water Use Permit. No fee was received with the application for a water use permit. Please submit the application processing fee of \$350.00.

When the above information is received, we will resume processing your application. In accordance with Rule 40E-1.603, FAC, if a response is not received within 90 days this application may be processed for denial, if not withdrawn by the applicant. If you have any questions regarding this matter, please contact me at (561) 682-6714.

Sincerely,

Donna L. Moscone, P.G.
Staff Hydrogeologist
Water Use Regulation Division

GOVERNING BOARD

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Harkley R. Thornton
Trudi K. Williams, P.E.

EXECUTIVE OFFICE

Henry Dean, *Executive Director*

bc:

Day
Mescone/File

MAILING ADDRESSES



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 686-8804
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

(receipt)

Receipt No. 0000062668 - 0001

Refer to Application: 040630-32
Project Name : WHITE CITY GROVE INC

CASSENS GROVE SERVICE INC
P O BOX 613
FORT PIERCE, FL 34954

RECEIPT OF PERMIT APPLICATION TYPE OF APPLICATION

REVENUE ACCOUNT CODE				FEE AMOUNT
4600	WU GENERAL PERMIT	GENERAL PERMIT - MAJOR - NEW		\$1,000.00
ITEM	TRANS TYPE	DATE RECEIVED	CHECK NO	AMOUNT RECEIVED
1	PAYMENT MADE BY APPLICANT	07/30/2004	20527	\$350.00
			BALANCE DUE	\$650.00

PROCESSED BY : CRAMIREZ
DATE : August 4, 2004
BRANCH OFFICE : WPB

c: Applicant
Accounting
Control
file

GOVERNING BOARD

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Hugh M. English
Lennart F. Lindahl, P.E.

Kevin McCarty
Harkley R. Thornton
Erudi E. Williams, P.E.

EXECUTIVE OFFICE

Henry Dean, *Executive Director*

GP PERMIT NEW Call
21 DAY 7/20 irrigated
OK method
Fee \$2500

APPLICATION # 040630-32 PERMIT # 56-02024-W
 MOD/REN/NEW _____ GW SOURCE 1 @ 60
 SECT/WP/RGE 6 36 4D SW SOURCE _____
 COUNTY St. Lucie FACILITY # ID #
 CITY _____
 SWM/ERP NO. _____
 SWM REVIEWER _____
 NRM REVIEWER _____

FACILITY #	ID #
W-1	860431 1108351
W-2	860437 1108355
W-3	860441 1108351
W-4	860638 1108341

PROJECT NAME WHITE CITY GROUP, INC.

TYPE USE Citrus TOTAL ACERAGE 19.8
~~Microjet~~ Microjet IRRIGATED ACERAGE 16.5
 CROP _____

TOTAL ALLOCATION 21.8701 MG
 MAX DAY 91,000 MGD

ADDITIONAL INFORMATION

Steve Cassens

PERMIT APPLICATION ROUTING
Environmental Resource Regulation

Application Number: 040630-32 Permit Number: _____

Related Application Number: _____

Applicant: WHITE CITY GROVE INC

Project: WHITE CITY GROVE INC

County: St. Lucie Permit Type: WU Land Use Type: AGR

Done + 9/8

- Copy of application was not sent to the ACOE, if determined there is wetland activity please route a copy of the application back to the ADMIN staff.
- Copy of application was sent to the ACOE on _____

30 Day Deadline: 7/30/04

No Fee Required: _____

Fee Received: \$1000.00 Fee Due: 3 Fee Code: W8A2
(Do Not Issue Permit)

		DATE RECEIVED	DATE OUT
PROCESSED BY:	<u>Rae Davis</u>	<u>7/16/04</u>	<u>7/16/04</u>
<u>Virg Cruz</u>	_____	_____	_____
<u>Don Medellin</u>	_____	_____	_____
<u>ENV. RES. COMPL. DIV.</u>	_____	_____	_____
<u>BACK-UP</u>	<u>St. Lucie - Juan</u>	_____	_____
<u>RIGHT-OF-WAY</u>	<u>7330</u>	_____	_____
<u>WEEKLY MAIL/FAN</u>	_____	_____	_____

NRM Signoff: _____ Date: _____

COMMENTS: FEE DUE!

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

ORIGINAL SUBMITTAL

JUN 30 2004

TABLE A
Description of Wells

Well Name or Number	1	2				
Map Designation	1	2				
Existing or Proposed	Existing	Existing				
Date of Proposed Construction						
Date Installed If Existing	1985	1950				
Diameter (in)	2 7/8"	4"				
Total Depth (ft)	60	650				
Cased Depth (ft)	45'	100'				
Screened Interval (ft)	15'					
Pumped or Flowing	Pumped	Flowing				
Pump Type (see instructions)	Cent.					
Pump Intake Depth (ft b/s)	+18					
Pump or Flow Capacity (GPM)	350					
Working Valve if Artesian (yes, no or not applicable)	n/a	yes				
Status (see instructions)	Primary	Standby				
Purpose (see instructions)	Irig	Freeze Protection				
Elevation of the Wellhead (ft NGVD - see instructions)	2'	3'				
Water Use Accounting Method (see instructions)	Hour Meter					
Date Last Calibrated (ATTACH calibration report)						
Planar Coordinates (if known - see instructions)						
Section / Township / Range	6/36s/40e					

White City Grove N



Favorite ROAD

PROPERTY RECORD CARD

Norma F Cassens Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address:	TBD	ParcelID:	3406-501-0012-000-0
Sec/Town/Range:	06 :36S :40E	Account #:	40094
Map ID:	34/06N	Land Use:	ORCHRD GRV
Zoning:	AR-1	City/Cnty:	ST. LUCIE COUNTY



Ownership and Mailing

Owner: Norma F Cassens Steven D Cassens
 Address: PO Box 613
 Fort Pierce FL 34954-0613

Legal Description

MODEL LAND CO'S S/D OF 6-36-40 LOTS 6 AND 7 IN NE 1/4 (19.07 AC) (OR 646-295: 891-2406)

Sales Information

Date	Price	Code	Deed	Book/Page
1/1/1900		0		/

Assessment Trim

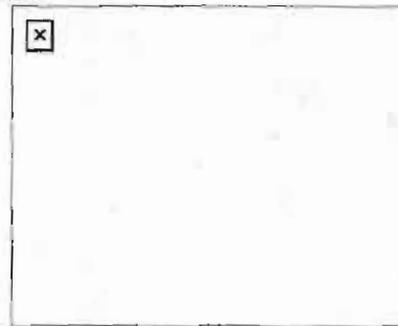
2008 TRIM: 762800
 Assessed: 15256
 Ag.Credit: 747544
 Exempt: 0
 Taxable: 15256
 Taxes: 290.66

Total Land and Building

Land Value: 762800 Acres: 19.07
 Building Value: 0
 Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch
 Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:	-	Frame:	-
Grade:	-	EffYrBlt:	-	PrimeWall:	-
StoryHght:	-	No.Units:	-	SecWall:	-

Interior Features

BedRooms:	-	Electric:	-	PrmIntWall:	-
FullBath:	-	HeatType:	-	AvgHt/Ft:	-
1/2Bath:	-	HeatFuel:	-	Prm.Flors:	-
%A/C:	-	%Heated:	-	%Sprinkled:	-

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
------	-----	------	-------	-------	-------	--------

Land Information

No.	Land Use	Type	Measure	Depth
1	6600-ORCHRD GRV	800 -Market Acres	19.07	
2	RG22-RD SEED GFT	N -Tree Acres	17	
3	BL01-BASIC LAND	N -Class Acres	19.07	

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

PROPERTY RECORD CARD

White City Grove Inc Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address:	TBD	ParcelID:	3406-501-0011-000-3
Sec/Town/Range:	06 :36S :40E	Account #:	40093
Map ID:	34/06N	Land Use:	ORCHRD GRV
Zoning:	AR-1	City/Cnty:	ST. LUCIE COUNTY



Ownership and Mailing

Owner: White City Grove Inc
 Address: PO Box 613
 Fort Pierce FL 34954-0613

Legal Description

MODEL LAND CO'S S/D OF 6 36 40 LOTS 4 AND 5 IN NE 1/4 (19.08 AC) 516-955: 556-1659: 583-1765)

Sales Information

Date	Price	Code	Deed
10/1/1986	1100	01	CV

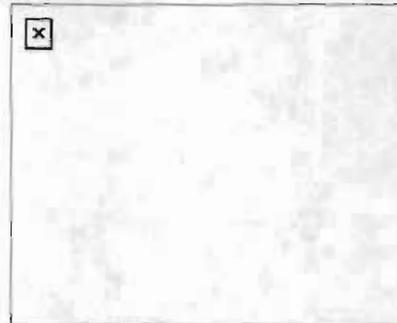
Book/Page
0516 / 0955

Assessment Trim
2008 TRIM: 763200
Assessed: 15264
Ag.Credit: 747936
Exempt: 0
Taxable: 15264
Taxes: 290.8

Total Land and Building
Land Value: 763200 Acres: 19.08
Building Value: 0
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch
 Available



Exterior Features

View: -	RoofCover: -	RoofStruct: -
ExtType: -	YearBlt: -	Frame: -
Grade: -	EffYrBlt: -	PrimeWall: -
StoryHght: -	No.Units: -	SecWall: -

Interior Features

BedRooms: -	Electric: -	PrmIntWall: -
FullBath: -	HeatType: -	AvgHt/Ft: -
1/2Bath: -	HeatFuel: -	Prm.Flors: -
%A/C: -	%Heated: -	%Sprinkled: -

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
------	-----	------	-------	-------	-------	--------

Land Information

No.	Land Use	Type	Measure	Depth
1	6600-ORCHRD GRV	800 -Market Acres	19.08	
2	NA08-NAVELS	N -Tree Acres	8.5	
3	RG18-RD SEED GFT	N -Tree Acres	8	

More...

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

LETTER OF AUTHORIZATION

I, Norma Cassens-Axx, with reference to White City Grove Inc., hereby authorize Steven D. Cassens, President of Cassens Grove Service Inc. to act as my agent in the application of my water use permit with SFWMD.

Norma Cassens-Axx
Owner

6/29/04
Date

WATER USE PERMIT APPLICATION FORM (RC-1A, RC-1W, RC-1G)
For all water uses EXCEPT dewatering for mining or construction

General and Specific Authority, Chapter 373, State Statutes, 40E-20 Florida Administrative Code and Basis of Review, Vol III, South Florida Water Management District.

A. GENERAL INFORMATION

1. *Name of Owner, Responsible Entity, etc.*

Name: White City Grove Inc. Norma F. Cassens Axx

Project Name: White City Grove Inc.

Address: P. O. Box 613

City: Ft. Pierce, County: St. Lucie State: FL ZIP: 34954-0613

Phone: 772/461-4615 Cell Phone: Fax: 772/461-5533 E-mail: cgrser@aol.com

2. *Proof of Ownership is required, in the form of a Deed, tax certificate, lease, or Articles of Incorporation*

ATTACH Proof of Ownership to this Form

3. *Name of Engineer, Contractor or Other.*

Name: Steven D. Cassens

Firm: Cassens Grove Service, Inc.

Address: P. O. Box 613

City: Ft. Pierce County: St. Lucie State: FL ZIP: 34954-0613

Phone: 772/461-4615 Cell Phone: Fax: 772/461-5533

4. *If the above person(s) filling out this form will sign this Application on behalf of the owner, a letter of authorization signed by the owner, stating they are acting on behalf of the owner, must be submitted.*

ATTACH Letter of Authorization to this form

5. *Is this a New Permit* *Renewal/Modification/Expired* *Permit No.:*

6. *Amount of water applied for.* 35,000 gallons per day

7. *Has a Surface Water Management Permit or Environmental Resource Permit from the District been issued for this Project? SWM / ERP Permit No.:*

or has a Surface Water Management Permit or Environmental Resource Permit from the District been applied for? SWM / ERP Application No.:

8. *A fee of _____ is required to process this Application. See Chapter 40E-1.607, F.A.C. for fee schedule.*

ATTACH Application fee to this Form

9. *Please identify any District Staff member you have discussed this Application with.*

RECEIVED

B. LOCATION OF THE PROPERTY

JUN 30 2004

1. *General Location of the Property/Project*

County: St. Lucie City: Ft. Pierce

Sections 6

Township (s) 36S Range (s) 40E (or Land Grant Name)

ENV RES REGULATION

2. *It will be necessary to submit two drawings to be used as exhibits for this Permit.*

a. *Location Map, (8 1/2 x 11), showing location of the project in relation to major roads.*

b. *Site Map, (8 1/2 x 11) locating project in relation to adjacent streets, canals and water bodies, and showing property boundaries, buildings, on-site lakes/ponds and the location of pumps and wells.*

ATTACH Location Map and Site Map to this Form

stwmfd.gov

C. WATER SOURCE and WATER TYPE

Please indicate the source of water.

Groundwater from an underground aquifer:
Aquifer Name (if known): Floridan Aquifer

ATTACH
Table A for Wells
to this form

Surface water:
 Onsite Lake/Pond Onsite Ditch/Canal
 Adjacent Lake/Open Water, Name:
 Adjacent Canal, Name:

ATTACH
Table B for Pumps
to this Form

Type of water use (Please check at least one)

Agricultural Irrigation Landscape Irrigation Golf Course Irrigation
 Public Water Supply Industrial/Commercial Aquaculture
 Aquifer Storage/Recovery (ASR) Other (Please describe):

D. IRRIGATION WATER USE

1. Is this permit for irrigation? Landscape Golf Agriculture - Crop type: Citrus
What is the Total Project Acreage: 19.8 Irrigated Acreage: 16.5

ATTACH Table D for Crop Information to this Form

2. Applications for golf or landscape irrigation in excess of 500,000 gallons per day require a water conservation plan as explained in Section 2.3.1 of the Basis of Review.

ATTACH, if needed, a water conservation plan for golf or landscape irrigation

E. PUBLIC WATER SUPPLY WATER USE

1. Is this permit for Public Water Supply?
Maximum gallons per month needed: Average gallons per day:
Permit Duration requested: Years

2. A map of the service area for the utility, (8 1/2 x 11) showing boundaries of service, water treatment plants, storage facilities, the location of all production and monitor wells is required.

ATTACH Location Map and Service Area Map to this Form

3. For public water supplies using more than 100,000 gallons per day, applicants must meet criteria and identify the demand for each use/component including number, type and size of service connections; past pumpage, projected population data, future expected pumpage, water treatment method and losses and other specific data as identified in Section 2.1 and 2.6 of the Basis of Review. Tables F (past water use), Table G (projected water use) and Table I (treatment method and losses) must be submitted.

ATTACH water supply demand computations and Tables F, G and I to this Form

4. For public water supplies using more than 100,000 gallons per day, other necessary information requirements may include if applicable: explanations of per-capita greater than 200 GPD, water supply system interconnections, water received from or distributed to other entities, and aquifer storage and recovery. Please submit Tables H (for per capita use greater than 200 GPD), Table J (ASR), Table K (interconnections), and Table E (water received from or distributed to other entities) if necessary.

ATTACH, if needed, Tables H, J, K and E to this Form

5. Applications for public water supply in excess of 500,000 gallons per day require a water conservation plan as explained in Section 2.6.1 of the Basis of Review.

ATTACH, if needed, a water conservation plan for public water supply to this Form

F. INDUSTRIAL, COMMERCIAL AND OTHER WATER USES

1. *Is this permit for Industrial/Commercial? Nature of the Business:*

Maximum gallons per month needed:

Average gallons per day needed:

2. *Industrial/commercial applicants using more than 100,000 gallons per day must provide information on the water balance for the operation, including all sources of water and losses of water for processes, personal/sanitary needs, treatment losses and unaccounted uses. A flow chart for the water balance should be submitted.*

ATTACH water balance and flow chart to this Form

3. *For uses other than Irrigation, Public Water Supply, Industrial or Commercial, but excluding mining/dewatering (Air conditioning, pool heating, mitigation, etc.):*

Describe Water Needs:

Maximum gallons per month needed:

Average gallons per day needed:

ATTACH a written explanation and calculations used to determine the amount of water you need

4. *Applications for industrial, commercial and other water uses in excess of 500,000 gallons per day require a water conservation plan as explained in Section 2.4.1 of the Basis of Review.*

ATTACH, if needed, a water conservation plan for industrial, commercial or other water supply

G. ADDITIONAL REQUIREMENTS IF YOU ARE USING MORE THAN 100,000 GALLONS PER DAY

1. *The withdrawal of water must not cause harm to sensitive areas, wetlands or saline water intrusion. It may be necessary to supply modeling to address impacts of the water use.*

ATTACH, if needed, modeling or documentation on environmental impacts to this Form

2. *All applicants withdrawing water in proximity to saline surface or ground water, or withdrawing saline water that may come in contact with fresh surface or ground water, are required to develop a saline water monitoring program as described in Section 4.2 of the Basis of Review.*

ATTACH, if needed, a saline water monitoring program

3. *Except for Public Water Supply, reclaimed water must be used when readily available, unless it is not environmentally, technically or economically feasible to do so, as explained in Section 3.2.3 of the Basis of Review.*

ATTACH, if needed, an evaluation of the feasibility of using reclaimed water and a letter from your local utility regarding their availability of reclaimed water to this Form

4. *An aerial photograph of the entire project site is required.*

ATTACH an aerial photograph

5. *Section 4.1 of the Basis of Review requires all wells and pumps be equipped with a calibrated meter or other acceptable water use accounting method.*

ATTACH calibration reports of the water use accounting method for each well and pump

H. ATTACHMENTS

Please make sure you have included the following attachments with your Application:

- Proof of Ownership
- Letter of Authorization (where required)
- Location Map
- Site Map
- Table A for Wells
- Table B for pumps
- Application Fee

For irrigation water use, also make sure you have included the following attachments:

- Table D for crop information
- Water conservation plan (if needed)

For Public Water Supply water use of more than 100,000 gallons per day, also make sure you have included the following attachments:

- Table F for past water use
- Table G for projected water use
- Table H for projected water use greater than 200 gpcd (if needed)
- Water conservation plan (if needed)
- Service Area Map
- Table I for treatment method and losses
- Table J for ASR well operations (if needed)
- Table K for interconnections (if needed)
- Table E for water received from or delivered to other entities (if needed)

For Industrial water use of more than 100,000 gallons per day, also make sure you have included the following attachments:

- Water balance and flow chart
- Water conservation plan (if needed)

For Commercial or other water use that is not irrigation, public water supply, or industrial, also make sure you have included the following attachments:

- Explanation of how you determined the amount of water you need
- Water conservation plan (if needed)

Attachments for additional special requirements

- Saline Water Monitoring Plan
- Feasibility evaluation of reclaimed water use
- Aerial Photograph
- Letter from reclaimed water utility
- Modeling or documentation of impacts of water use
- Reports of calibration of water use accounting method for wells and pumps

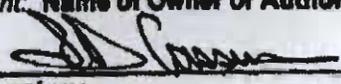
I. CERTIFICATION

I hereby certify that, to the best of my knowledge, the total project acreage listed above is owned or controlled by me and encompasses the project referenced in this permit application. In addition, I agree to provide entry to the project site for South Florida Water Management inspectors with proper identification or documents as required by law for the purpose of making analyses of the site. Further, I agree to provide entry to the project site for such inspectors to monitor permitted work if a permit is granted. If I do not use the water for which this permit is issued within two years the permit may be revoked. If this application is not complete within 240 days, it may be denied pursuant to Rule 40E-1.603, Florida Administrative Code.

Steven D. Cassens
Print: Name of Owner or Authorized Agent

Authorized Agent

Title

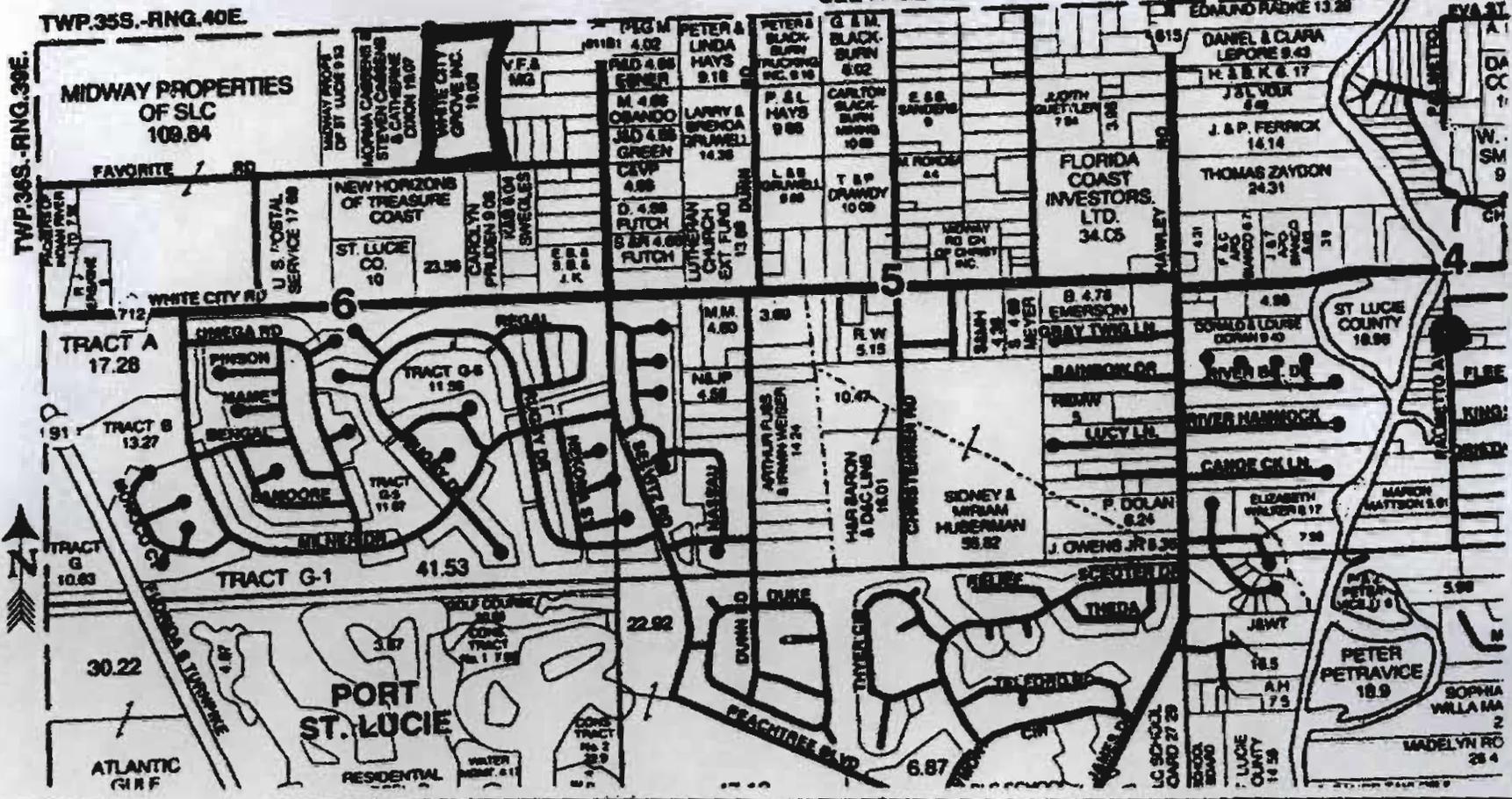
Signature: 

TWP.36S.-RNG.40E.

NORTHWEST QUADRANT ST. LUCIE COUNTY, FLORIDA



SEE PAGE 40





SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

(receipt)

Receipt No. 0000062668 - 0001

Refer to Application: 040630-32
Project Name : WHITE CITY GROVE INC

CASSENS GROVE SERVICE INC
P O BOX 613
FORT PIERCE, FL 34954

REVENUE ACCOUNT CODE		RECEIPT OF PERMIT APPLICATION TYPE OF APPLICATION		FEE AMOUNT
4600	WU GENERAL PERMIT	GENERAL PERMIT - MINOR - NEW		\$350.00
ITEM	TRANS TYPE	DATE RECEIVED	CHECK NO	AMOUNT RECEIVED
1	PAYMENT MADE BY APPLICANT	07/30/2004	20527	\$350.00
			BALANCE DUE	\$0.00

PROCESSED BY : CRAMIREZ
DATE : August 4, 2004
BRANCH OFFICE : WPB

c: Applicant
Accounting
Control
File

GOVERNING BOARD

Nicolas J. Gutierrez, Jr., Esq., *Chair*
Pamela Brooks-Thomas, *Vice-Chair*
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Lennart E. Lindahl, P.E.

Kevin McCarty
Harkley R. Thornton
Trudi K. Williams, P.E.

EXECUTIVE OFFICE

Henry Dean, *Executive Director*



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

CON 24-06

Application No.: 040629-28

General Permit No.: 56-02025-W

October 5, 2004

CASSENS GROVE SERVICE INC
PO BOX 613
FORT PIERCE, FL 34954-0613

Dear Permittee:

SUBJECT: General Water Use Permit No.: 56-02025-W
Project: CASSENS & CASSENS
Location: ST LUCIE COUNTY, S6/T36S/R40E
Permittee: CASSENS GROVE SERVICE INC

This letter is to notify you of the District's agency action concerning your Notice of Intent to Use Water. This action is taken pursuant to Chapter 40E-20, Florida Administrative Code (F.A.C.). Based on the information provided, District rules have been adhered to and a General Water Use Permit is in effect for this project subject to:

1. Not receiving a filed request for Chapter 120, Florida Statutes, administrative hearing and
2. The attached Limiting Conditions.

The purpose of this application is to obtain a Water Use Permit for agriculture irrigation of 17 acres of citrus using a micro-sprinkler irrigation system. Withdrawals are from the Water Table Aquifer via one existing withdrawal facility.

GOVERNING BOARD

Nicolás J. Gutiérrez, Jr., Esq., *Chair*
Pamela Brooks-Thomas, *Vice-Chair*
Irela M. Bagué

Michael Collins
Hugh M. English
Lennart E. Lindahl, P.E.

Kevin McCarty
Harkley R. Thornton
Trudi K. Williams, P.E.

EXECUTIVE OFFICE

Henry Dean, *Executive Director*

Application Number: 040629-28
CASSENS GROVE SERVICE INC
October 5, 2004
Page 2

Date Of Issuance: October 5, 2004

Expiration Date: October 5, 2024

Water Use Classification: Agricultural

Total Serviced Acreage: 17 (17 acres of citrus)

Water Use Permit Status: Proposed

Environmental Resource Permit Status: Not Applicable

Right Of Way Permit Status: Not Applicable.

Ground Water From: Water Table Aquifer

Permitted Allocation(s):

Annual Allocation: 15,260,500 Gallons
Maximum Monthly Allocation: 2,810,300 Gallons

Existing Withdrawal Facilities - Ground Water

Source: Water Table Aquifer

1 - 3" X 60' X 185 GPM Well Cased To 45 Feet

Rated Capacity

Source(s)	Status Code	GPM	MGD	MGM	MGY
Water Table Aquifer	E	185	0.27	8.1	97
Totals:		185	0.27	8.1	97

Application Number: 040629-28
CASSENS GROVE SERVICE INC
October 5, 2004
Page 3

Should you object to the Limiting Conditions, please refer to the attached Notice of Rights which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have questions concerning this matter. If we do not hear from you prior to the time frame specified in the Notice of Rights, we will assume that you concur with the District's recommendations.

Certificate Of Service

I HEREBY CERTIFY that a Notice of Rights has been mailed to the addressee not later than 5:00 p.m. this 5th day of October, 2004, in accordance with Section 120.60(3), Florida Statutes.

Sincerely,

Terry O. Bengtsson
For Terry O. Bengtsson P.G.
Sr Hydrogeologist
Water Use Regulation Division

TOB /jh

Certified Mail No.: 7000 1530 0000 2744 9709

Enclosure

c: Florida Fish & Wildlife Conservation Commission
Indian River Bd of County Commissioners
Port St. Lucie Utilities System
St Lucie County Health Department

Limiting Conditions

1. This permit shall expire on October 5, 2024.
2. Application for a permit modification may be made at any time.
3. Water use classification:
 Agricultural Irrigation
4. Source classification:
 Ground Water from:
 Water Table Aquifer
5. Total annual allocation is 15.2605 MG.

Total maximum monthly allocation is 2.8103 MG.

These allocations represent the amount of water required to meet the water demands as a result of rainfall deficit during a drought with the probability of recurring one year in ten. The Permittee shall not exceed these allocations in hydrologic conditions less than a 1 in 10 year drought event. If the rainfall deficit is more severe than that expected to recur once every ten years, the withdrawals shall not exceed that amount necessary to continue to meet the reasonable-beneficial demands under such conditions, provided no harm to the water resources occur and:

- (a) All other conditions of the permit are met; and
 - (b) The withdrawal is otherwise consistent with applicable declared Water Shortage Orders in effect pursuant to Chapter 40E-21, F.A.C.
6. Pursuant to Rule 40E-1.6105, F.A.C., Notification of Transfer of Interest in Real Property, within 30 days of any transfer of interest or control of the real property at which any permitted facility, system, consumptive use, or activity is located, the permittee must notify the District, in writing, of the transfer giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer, as set forth in Rule 40E-1.6107, F.A.C.

Pursuant to Rule 40E-1.6107 (4), until transfer is approved by the District, the permittee shall be liable for compliance with the permit. The permittee transferring the permit shall remain liable for all actions that are required as well as all violations of the permit which occurred prior to the transfer of the permit.

Failure to comply with this or any other condition of this permit constitutes a violation and pursuant to Rule 40E-1.609, Suspension, Revocation and Modification of Permits, the District may suspend or revoke the permit.

This Permit is issued to:

Catherine Cassens Dixon & Steven Cassens
P.O. Box 613
Ft. Pierce, FL 34954-0613

Limiting Conditions

7. Withdrawal Facilities:

Ground Water - Existing:

1 - 3" X 60' X 185 GPM Well Cased To 45 Feet

8. Permittee shall mitigate interference with existing legal uses that was caused in whole or in part by the permittee's withdrawals, consistent with the approved mitigation plan. As necessary to offset the interference, mitigation will include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means.

Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1 in 10 year drought event that results in the:

- (1) Inability to withdraw water consistent with provisions of the permit, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference; or
 - (2) Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent.
9. Permittee shall mitigate harm to existing off-site land uses caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm as determined through reference to the conditions for permit issuance, includes:
- (1) Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other governmental authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g. fill for construction, mining, drainage canal, etc.)
 - (2) Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or
 - (3) Land collapse or subsidence caused by reduction in water levels associated with consumptive use.

Limiting Conditions

10. Permittee shall mitigate harm to the natural resources caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to the conditions for permit issuance includes:
 - (1) Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface,
 - (2) Reduction in water levels that harm the hydroperiod of wetlands,
 - (3) Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond,
 - (4) Harmful movement of contaminants in violation of state water quality standards, or
 - (5) Harm to the natural system including damage to habitat for rare or endangered species.
11. If any condition of the permit is violated, the permit shall be subject to review and possible modification, enforcement action, or revocation.
12. Authorized representatives of the District shall be permitted to enter, inspect, and observe the permitted system to determine compliance with special conditions.
13. The Permittee is advised that this permit does not relieve any person from the requirement to obtain all necessary federal, state, local and special district authorizations.
14. The permit does not convey any property right to the Permittee, nor any rights and privileges other than those specified in the Permit and Chapter 40E-2, Florida Administrative Code.
15. Permittee shall submit all data as required by the implementation schedule for each of the limiting conditions to: S.F.W.M.D., Supervising Hydrogeologist - Post-Permit Compliance, Water Use Regulation Dept. (4320), P.O. Box 24680, West Palm Beach, FL 33416-4680.
16. In the event of a declared water shortage, water withdrawal reductions will be ordered by the District in accordance with the Water Shortage Plan, Chapter 40E-21, F.A.C. The Permittee is advised that during a water shortage, pumpage reports shall be submitted as required by Chapter 40E-21, F.A.C.

NOTICE OF RIGHTS

Section 120.569(1), Fla. Stat. (1997), requires that "each notice shall inform the recipient of any administrative hearing or judicial review that is available under this section, s. 120.57, or s. 120.68; shall indicate the procedure which must be followed to obtain the hearing or judicial review, and shall state the time limits which apply." Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

PETITION FOR ADMINISTRATIVE PROCEEDINGS

1. A person whose substantial interests are affected by the South Florida Water Management District's (SFWMD) action has the right to request an administrative hearing on that action. The affected person may request either a formal or an informal hearing, as set forth below. A point of entry into administrative proceedings is governed by Rules 28-106.111 and 40E-1.511, Fla. Admin. Code, (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109), as set forth below. Petitions are deemed filed upon receipt of the original documents by the SFWMD Clerk.

a. Formal Administrative Hearing:

If a genuine issue(s) of material fact is in dispute, the affected person seeking a formal hearing on a SFWMD decision which does or may determine their substantial interests shall file a petition for hearing pursuant to Sections 120.569 and 120.57(1), Fla. Stat. or for mediation pursuant to Section 120.573, Fla. Stat. within 21 days, except as provided in subsections c. and d. below, of either written notice through mail or posting or publication of notice that the SFWMD has or intends to take final agency action. Petitions must substantially comply with the requirements of Rule 28-106.201(2), Fla. Admin. Code, a copy of the which is attached to this Notice of Rights.

b. Informal Administrative Hearing:

If there are no issues of material fact in dispute, the affected person seeking an informal hearing on a SFWMD decision which does or may determine their substantial interests shall file a petition for hearing pursuant to Sections 120.569 and 120.57(2), Fla. Stat. or for mediation pursuant to Section 120.573, Fla. Stat. within 21 days, except as provided in subsections c. and d. below, of either written notice through mail or posting or publication of notice that the SFWMD has or intends to take final agency action. Petitions must substantially comply with the requirements of Rule 28-106.301(2), Fla. Admin. Code, a copy of the which is attached to this Notice of Rights.

c. Administrative Complaint and Order:

If a Respondent(s) objects to a SFWMD Administrative Complaint and Order, pursuant to Section 373.119, Fla. Stat. (1997), the person named in the Administrative Complaint and Order may file a petition for a hearing no later than 14 days after the date such order is served. Petitions must substantially comply with the requirements of either subsection a. or b. above.

d. State Lands Environmental Resource Permit:

Pursuant to Section 373.427, Fla. Stat., and Rule 40E-1.511(3), Fla. Admin. Code (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109(2)(c)), a petition objecting to the SFWMD's agency action regarding consolidated applications for Environmental Resource Permits and Use of Sovereign Submerged Lands (SLERPs), must be filed within 14 days of the notice of consolidated intent to grant or deny the SLERP. Petitions must substantially comply with the requirements of either subsection a. or b. above.

e. Emergency Authorization and Order:

A person whose substantial interests are affected by a SFWMD Emergency Authorization and Order, has a right to file a petition under Sections 120.569, 120.57(1), and 120.57(2), Fla. Stat., as provided in subsections a. and b. above. However, the person, or the agent of the person responsible for causing or contributing to the emergency conditions shall take whatever action necessary to cause immediate compliance with the terms of the Emergency Authorization and Order.

f. Order for Emergency Action:

A person whose substantial interests are affected by a SFWMD Order for Emergency Action has a right to file a petition pursuant to Rules 28-107.005 and 40E-1.611, Fla. Admin. Code, copies of which are attached to this Notice of Rights, and Section 373.119(3), Fla. Stat., for a hearing on the Order. Any subsequent agency action or proposed agency action to initiate a formal revocation proceeding shall be separately noticed pursuant to section g. below.

g. Permit Suspension, Revocation, Annulment, and Withdrawal:

If the SFWMD issues an administrative complaint to suspend, revoke, annul, or withdraw a permit, the permittee may request a hearing to be conducted in accordance with Sections 120.569 and 120.57, Fla. Stat., within 21 days of either written notice through mail or posting or publication of notice that the SFWMD has or intends to take final agency action. Petitions must substantially comply with the requirements of Rule 28-107.004(3), Fla. Admin. Code, a copy of the which is attached to this Notice of Rights.

2. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the SFWMD's final action may be different from the position taken by it previously. Persons whose substantial interests may be affected by any such final decision of the SFWMD shall have, pursuant to Rule 40E-1.511(2), Fla. Admin. Code (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109(2)(c)), an additional 21 days from the date of receipt of notice of said decision to request an administrative hearing. However, the scope of the administrative hearing shall be limited to the substantial deviation.

3. Pursuant to Rule 40E-1.511(4), Fla. Admin. Code, substantially affected persons entitled to a hearing pursuant to Section 120.57(1), Fla. Stat., may waive their right to such a hearing and request an informal hearing before the Governing Board pursuant to Section 120.57(2), Fla. Stat., which may be granted at the option of the Governing Board.

4. Pursuant to Rule 28-106.111(3), Fla. Admin. Code, persons may file with the SFWMD a request for extension of time for filing a petition. The SFWMD, for good cause shown, may grant the extension. The request for extension must contain a certificate that the petitioner has consulted with all other parties, if any, concerning the extension and that the SFWMD and all other parties agree to the extension.

CIRCUIT COURT

5. Pursuant to Section 373.617, Fla. Stat., any substantially affected person who claims that final agency action of the SFWMD relating to permit decisions constitutes an unconstitutional taking of property without just compensation may seek judicial review of the action in circuit court by filing a civil action in the circuit court in the judicial circuit in which the affected property is located within 90 days of the rendering of the SFWMD's final agency action.

6. Pursuant to Section 403.412, Fla. Stat., any citizen of Florida may bring an action for injunctive relief against the SFWMD to compel the SFWMD to enforce the laws of Chapter 373, Fla. Stat., and Title 40E, Fla. Admin. Code. The complaining party must file with the SFWMD Clerk a verified complaint setting forth the facts upon which the complaint is based and the manner in which the complaining party is affected. If the SFWMD does not take appropriate action on the complaint within 30 days of receipt, the complaining party may then file a civil suit for injunctive relief in the 15th Judicial Circuit in and for Palm Beach County or circuit court in the county where the cause of action allegedly occurred.

7. Pursuant to Section 373.433, Fla. Stat., a private citizen of Florida may file suit in circuit court to require the abatement of any stormwater management system, dam, impoundment, reservoir, appurtenant work or works that violate the provisions of Chapter 373, Fla. Stat.

DISTRICT COURT OF APPEAL

8. Pursuant to Section 120.68, Fla. Stat., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

LAND AND WATER ADJUDICATORY COMMISSION

9. A party to a "proceeding below" may seek review by the Land and Water Adjudicatory Commission (LAWAC) of SFWMD's final agency action to determine if such action is consistent with the provisions and purposes of Chapter 373, Fla. Stat. Pursuant to Section 373.114, Fla. Stat., and Rules 42-2.013 and 42-2.0132, Fla. Admin. Code, a request for review of (a) an order or rule of the SFWMD must be filed with LAWAC within 20 days after rendition of the order or adoption of the rule sought to be reviewed; (b) an order of the Department of Environmental Protection (DEP) requiring amendment or repeal of a SFWMD rule must be filed with LAWAC within 30 days of rendition of the DEP's order, and (c) a SFWMD order entered pursuant to a formal administrative hearing under Section 120.57(1), Fla. Stat., must be filed no later than 20 days after rendition of the SFWMD's final order. Simultaneous with filing, a copy of the request for review must be served on the DEP Secretary, any person named in the SFWMD or DEP final order, and all parties to the proceeding below. A copy of Rule 42-2.013, Fla. Admin. Code is attached to this Notice of Rights.

PRIVATE PROPERTY RIGHTS PROTECTION ACT

10. A property owner who alleges a specific action of the SFWMD has inordinately burdened an existing use of the real property, or a vested right to a specific use of the real property, may file a claim in the circuit court where the real property is located within 1 year of the SFWMD action pursuant to the procedures set forth in Subsection 70.001(4)(a), Fla. Stat.

LAND USE AND ENVIRONMENTAL DISPUTE RESOLUTION

11. A property owner who alleges that a SFWMD development order (as that term is defined in Section 70.51(2)(a), Fla. Stat. to include permits) or SFWMD enforcement action is unreasonable, or unfairly burdens the use of the real property, may file a request for relief with the SFWMD within 30 days of receipt of the SFWMD's order or notice of agency action pursuant to the procedures set forth in Subsections 70.51(4) and (6), Fla. Stat.

MEDIATION

12. A person whose substantial interests are, or may be, affected by the SFWMD's action may choose mediation as an alternative remedy under Section 120.573, Fla. Stat. Pursuant to Rule 28-106.111(2), Fla. Admin. Code, the petition for mediation shall be filed within 21 days of either written notice through mail or posting or publication of notice that the SFWMD has or intends to take final agency action. Choosing mediation will not adversely affect the right to an administrative hearing if mediation does not result in settlement.

Pursuant to Rule 28-106.402, Fla. Admin. Code, the contents of the petition for mediation shall contain the following information:

- (1) the name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- (2) a statement of the preliminary agency action;
- (3) an explanation of how the person's substantial interests will be affected by the agency determination; and
- (4) a statement of relief sought.

As provided in Section 120.573, Fla. Stat. (1997), the timely agreement of all the parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Fla. Stat., for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within 60 days of the execution of the agreement. If mediation results in settlement of the dispute, the SFWMD must enter a final order incorporating the agreement of the parties. Persons whose substantial interest will be affected by such a modified agency decision have a right to petition for hearing within 21 days of receipt of the final order in accordance with the requirements of Sections 120.569 and 120.57, Fla. Stat., and SFWMD Rule 28-106.201(2), Fla. Admin. Code. If mediation terminates without settlement of the dispute, the SFWMD shall notify all parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Fla. Stat., remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action.

VARIANCES AND WAIVERS

13. A person who is subject to regulation pursuant to a SFWMD rule and believes the application of that rule will create a substantial hardship or will violate principles of fairness (as those terms are defined in Subsection 120.542(2), Fla. Stat.) and can demonstrate that the purpose of the underlying statute will be or has been achieved by other means, may file a petition with the SFWMD Clerk requesting a variance from or waiver of the SFWMD rule. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have concerning the SFWMD's action. Pursuant to Rule 28-104.002(2), Fla. Admin. Code, the petition must include the following information:

- (a) the caption shall read:
Petition for (Variance from) or (Waiver of) Rule (Citation)
- (b) The name, address, telephone number and any facsimile number of the petitioner;
- (c) The name, address telephone number and any facsimile number of the attorney or qualified representative of the petitioner;
- (d) the applicable rule or portion of the rule;
- (e) the citation to the statute the rule is implementing;
- (f) the type of action requested;
- (g) the specific facts that demonstrate a substantial hardship or violation of principals of fairness that would justify a waiver or variance for the petitioner;
- (h) the reason why the variance or the waiver requested would serve the purposes of the underlying statute; and
- (i) a statement of whether the variance or waiver is permanent or temporary. If the variance or waiver is temporary, the petition shall include the dates indicating the duration of the requested variance or waiver.

A person requesting an emergency variance from or waiver of a SFWMD rule must clearly so state in the caption of the petition. In addition to the requirements of Section 120.542(5), Fla. Stat. pursuant to Rule 28-104.004(2), Fla. Admin. Code, the petition must also include:

- a) the specific facts that make the situation an emergency; and
- b) the specific facts to show that the petitioner will suffer immediate adverse effect unless the variance or waiver is issued by the SFWMD more expeditiously than the applicable timeframes set forth in Section 120.542, Fla. Stat.

WAIVER OF RIGHTS

14. Failure to observe the relevant time frames prescribed above will constitute a waiver of such right.

28-106.201 INITIATION OF PROCEEDINGS (INVOLVING DISPUTED ISSUES OF MATERIAL FACT)

(2) All petitions filed under these rules shall contain:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;

- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding, and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (f) A demand for relief.

28-106.301.1 INITIATION OF PROCEEDINGS (NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT)

- (2) All petitions filed under these rules shall contain:
 - (a) The name and address of each agency affected and each agency's file or identification number, if known;
 - (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding, and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
 - (c) A statement of when and how the petitioner received notice of the agency decision;
 - (d) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
 - (e) A demand for relief.

28-107.004 SUSPENSION, REVOCATION, ANNULMENT, OR WITHDRAWAL

- (3) Requests for hearing filed in accordance with this rule shall include:
 - (a) The name and address of the party making the request, for purposes of service;
 - (b) A statement that the party is requesting a hearing involving disputed issues of material fact, or a hearing not involving disputed issues of material fact; and
 - (c) A reference to the notice, order to show cause, administrative complaint, or other communication that the party has received from the agency.

42-2.013 REQUEST FOR REVIEW PURSUANT TO SECTION 373.114 OR 373.217

- (1) In any proceeding arising under Chapter 373, F.S., review by the Florida Land and Water Adjudicatory Commission may be initiated by the Department or a party by filing a request for such review with the Secretary of the Commission and serving a copy on any person named in the rule or order, and on all parties to the proceeding which resulted in the order sought to be reviewed. A certificate of service showing completion of service as required by this subsection shall be a requirement for a determination of sufficiency under Rule 42-2.0132. Failure to file the request with the Commission within the time period provided in Rule 42-2.0132 shall result in dismissal of the request for review.
- (2) The request for review shall identify the rule or order requested to be reviewed, the proceeding in which the rule or order was entered and the nature of the rule or order. A copy of the rule or order sought to be reviewed shall be attached. The request for review shall state with particularity:
 - (a) How the order or rule conflicts with the requirements, provisions and purposes of Chapter 373, F.S., or rules duly adopted thereunder;
 - (b) How the rule or order sought to be reviewed affects the interests of the party seeking review;
 - (c) The oral or written statement, sworn or unsworn, which was submitted to the agency concerning the matter to be reviewed and the date and location of the statement, if the individual or entity requesting the review has not participated in a proceeding previously instituted pursuant to Chapter 120, F.S., on the order for which review is sought;
 - (d) If review of an order is being sought, whether and how the activity authorized by the order would substantially affect natural resources of statewide or regional significance, or whether the order raises issues of policy, statutory interpretation, or rule interpretation that have regional or statewide significance from a standpoint of agency precedent, and all the factual bases in the record which the petitioner claims support such determination(s); and
 - (e) The action requested to be taken by the Commission as a result of the review, whether to rescind or modify the order, or remand the proceeding to the water management district for further action, or to require the water management district to initiate rulemaking to adopt, amend or repeal a rule.

28-107.005 EMERGENCY ACTION

- (1) If the agency finds that immediate serious danger to the public health, safety, or welfare requires emergency action, the agency shall summarily suspend, limit, or restrict a license.
- (2) The 14-day notice requirement of Section 120.569(2)(b), F. S., does not apply and shall not be construed to prevent a hearing at the earliest time practicable upon request of an aggrieved party.
- (3) Unless otherwise provided by law, within 20 days after emergency action taken pursuant to paragraph (1) of this rule, the agency shall initiate a formal suspension or revocation proceeding in compliance with Sections 120.569, 120.57, and 120.60, F.S.

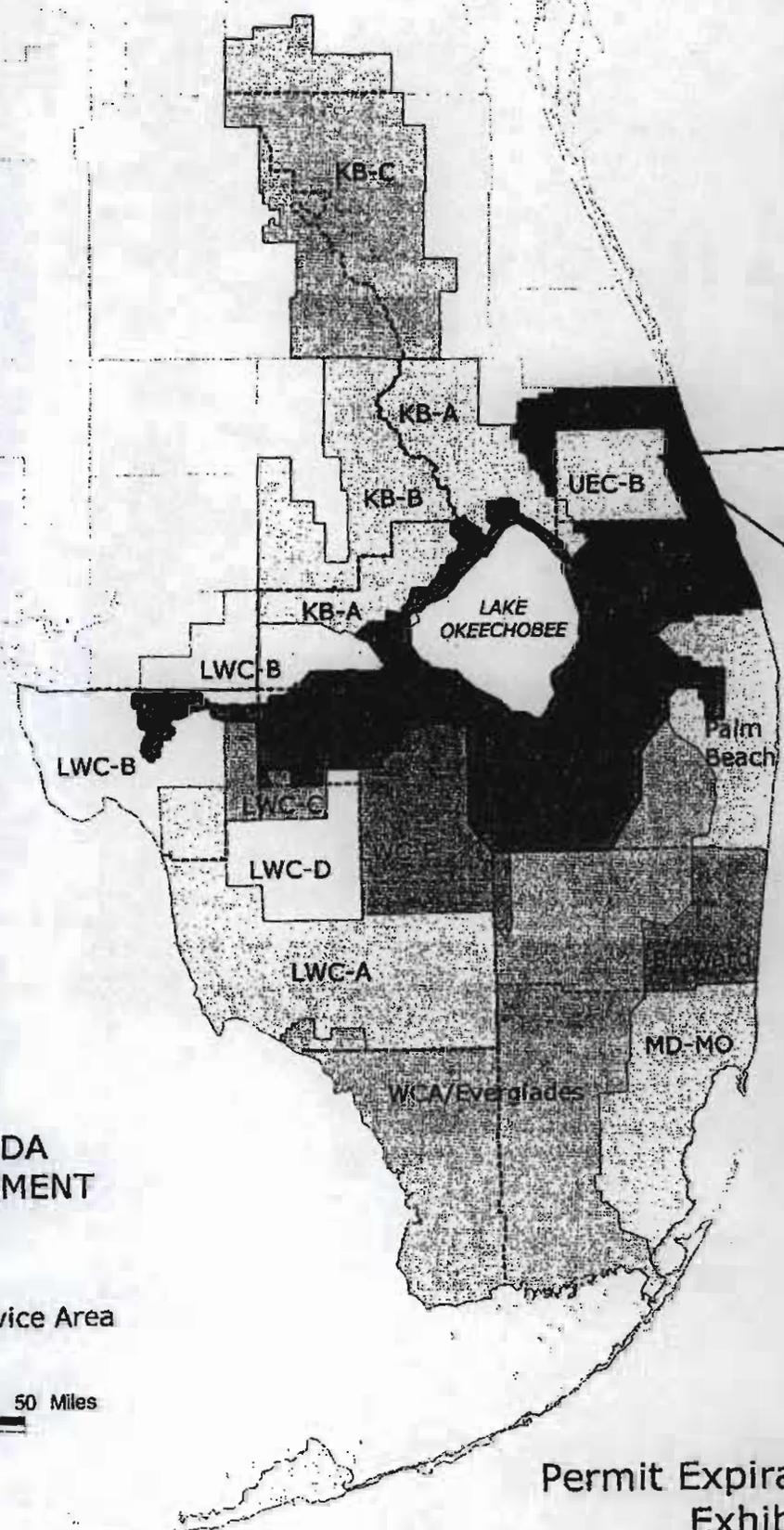
40E-1.611 EMERGENCY ACTION

- (1) An emergency exists when immediate action is necessary to protect public health, safety or welfare; the health of animals, fish or aquatic life; the works of the District; a public water supply, or recreational, commercial, industrial, agricultural or other reasonable uses of land and water resources.
- (2) The Executive Director may employ the resources of the District to take whatever remedial action necessary to alleviate the emergency condition without the issuance of an emergency order, or in the event an emergency order has been issued, after the expiration of the requisite time for compliance with that order.



**SOUTH FLORIDA
WATER MANAGEMENT
DISTRICT**

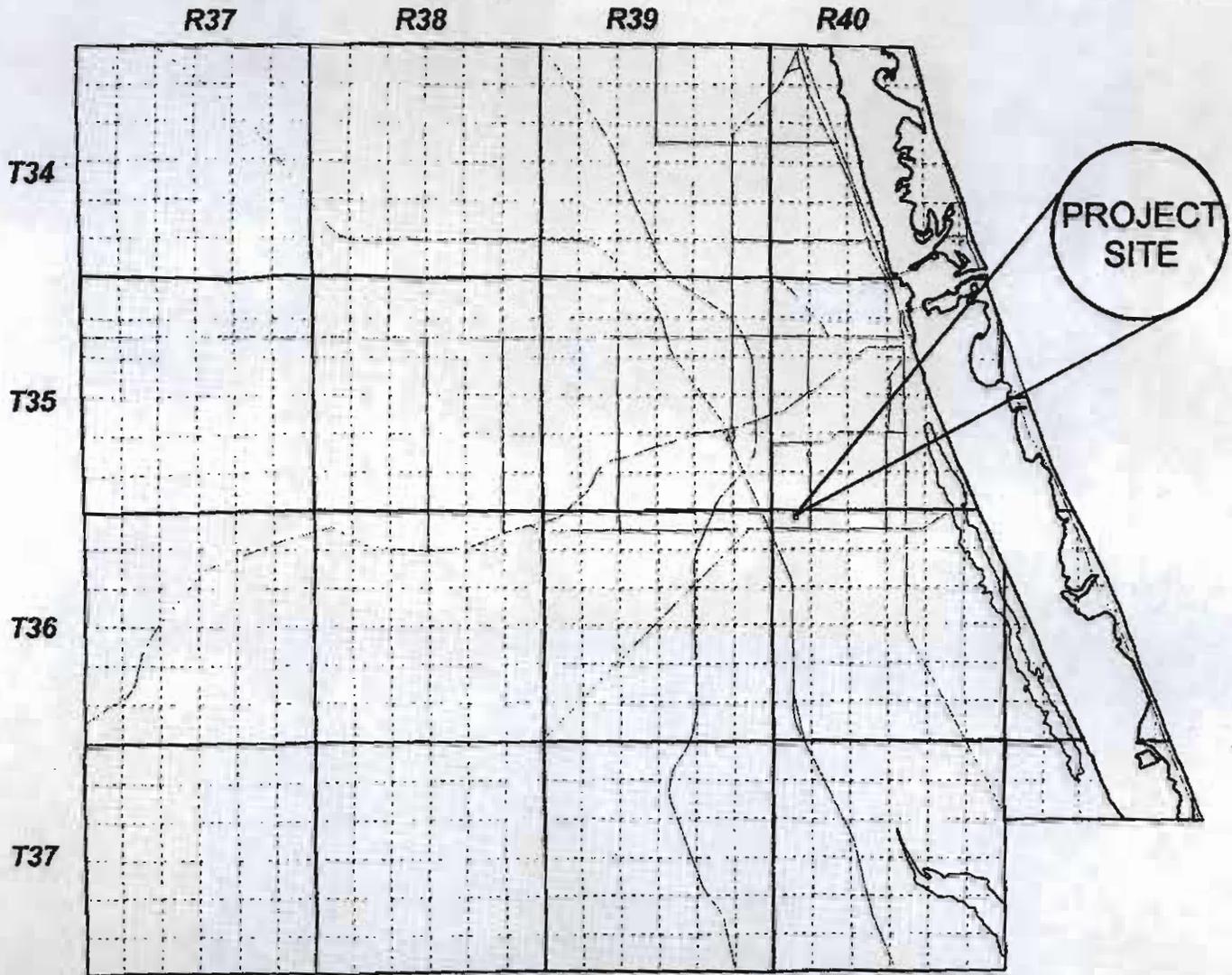
 Okeechobee Service Area



**PROJECT
SITE**

**Permit Expiration Basins
Exhibit 1**

**ST LUCIE
COUNTY
FLORIDA**



App # 040629-28

Permit # 56-02025-W

Project: CASSENS & CASSENS

Cassens & Cassens

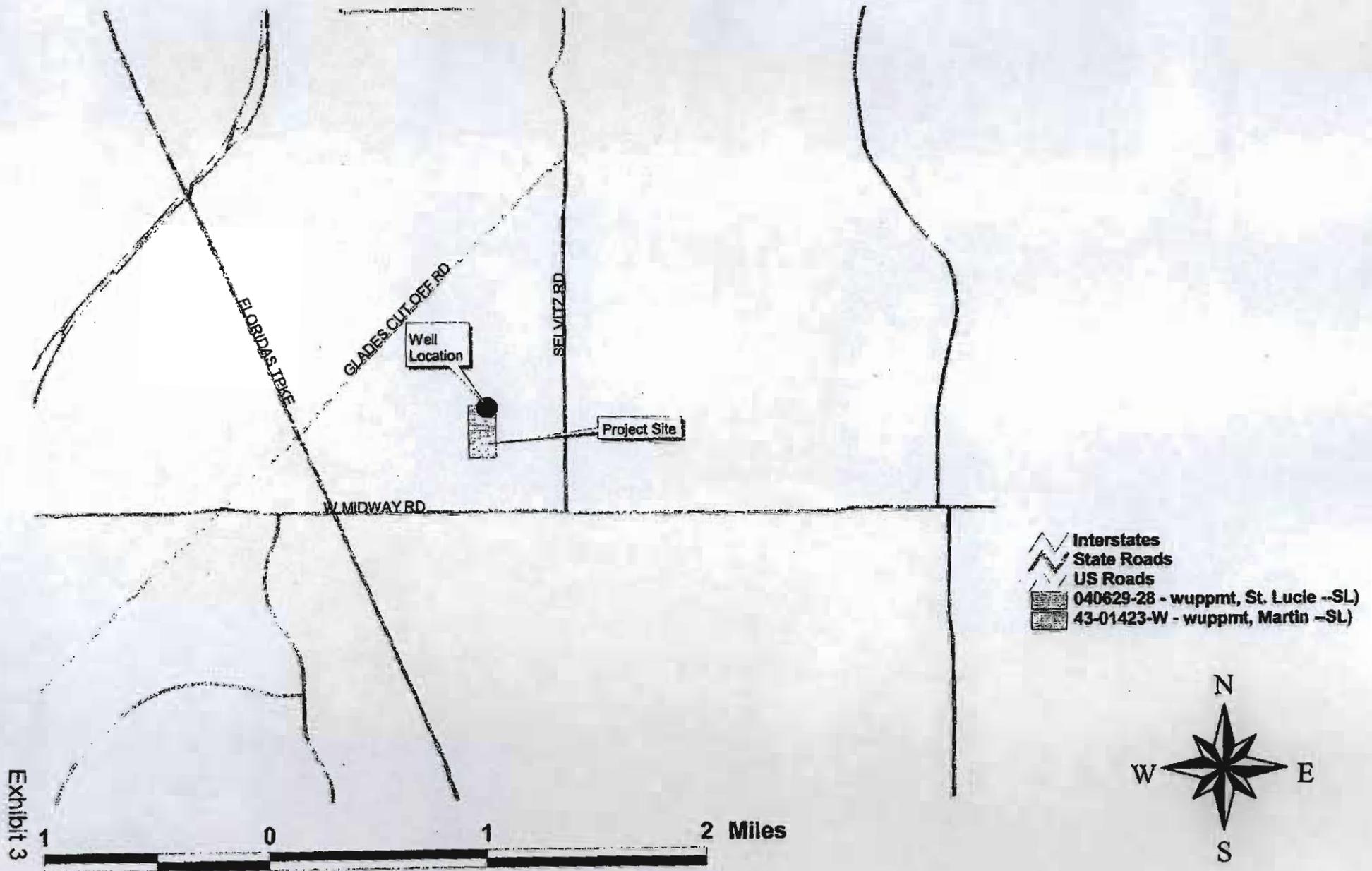


TABLE - A
Description Of Wells.

Application Number: 040629-28

Well ID	156163
Name	Well 1
Map Designator	Well 1
FLUWID Number	
Well Field	
Existing/Proposed	E
Well Diameter(Inches)	3
Total Depth(feet)	60
Cased Depth(feet)	45
Facility Elev. (ft. NGVD)	
Screened Interval	
From	
To	
Pumped Or Flowing	P
Pump Type	centrifugal
Pump Int. Elev.	
Feet (NGVD)	
Feet (BLS)	
Pump Capacity(GPM)	185
Year Drilled	1985
Planar Location	
Source	DIGITIZED
Feet East	860008
Feet North	1108309
Accounting Method	time clock
Use Status	Primary
Water Use Type	Irrigation
Aquifer	Water Table Aquifer

Exhibit No: 4

Calculations Of Irrigation Requirements

APPLICATION NUMBER: 040629-28

RAINFALL STATION: Ft. Pierce
IRRIGATION SYSTEM Micro-Sprinkler
PARCEL ACREAGE: 17
LAND USE: Agricultural

CROP: Citrus
SOIL TYPE: 0.8
PARCEL NAME:
IRR. MULTIPLIER 1.18

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	DEC	TOTAL
MEAN RAINFALL	2.48	2.77	3.23	3.08	4.29	5.98	5.66	5.82	8.03	6.72	2.07	50.13
EVAPOTRANSPIRATION	2.31	2.40	3.33	4.07	5.16	5.65	5.97	5.78	5.03	4.15	2.46	46.31
AVG. EFFECTIVE RAIN	1.15	1.28	1.54	1.54	2.19	3.00	2.91	2.95	3.72	3.04	0.99	24.31
DROUGHT RAINFAL	0.95	1.06	1.28	1.28	1.82	2.49	2.42	2.45	3.09	2.52	0.82	20.18
AVERAGE IRRIGATION	1.16	1.12	1.79	2.53	2.97	2.65	3.06	2.83	1.31	1.11	1.47	22.00
DROUGHT IRRIGATION	1.36	1.34	2.05	2.79	3.34	3.16	3.55	3.33	1.94	1.63	1.64	26.13

ANNUAL SUPPLEMENTAL CROP REQUIREMENT: 26.13 INCHES

ANNUAL SUPPLEMENTAL CROP WATER USE:

26.13 IN X 17 AC X 1.18 X 0.02715 MG/AC-IN = 14.23MG

MAXIMUM MONTHLY SUPPLEMENTAL CROP REQUIREMENT: 5.16 INCHES

MAXIMUM MONTHLY SUPPLEMENTAL CROP WATER USE:

5.16 IN X 17 AC X 1.18 X 0.02715 MG/AC-IN = 2.81 MG

TOTAL ANNUAL DEMAND: 14.23MG

TOTAL MAXIMUM MONTHLY DEMAND: 2.81 MG

Application Number: 040629-28
CASSENS GROVE SERVICE INC
October 5, 2004
Page 7

bc: Jeff Herr, P.G.

A. Superchi - 4320

D. Loving - 6880

Permit File

R. Mierau

WU Compliance - J. Floyd - 4320

ADDRESSES

Florida Fish & Wildlife Conservation Commission
Attn: - Imperiled Species Mgmt Section
620 South Meridian Street
Tallahassee, FL 32399-6000

Indian River Bd of County Commissioners
Attn: Department of Utility Services
Attn: Steven J. Doyle, Pe
1840 25th Street
Vero Beach, FL 32960

Port St. Lucie Utilities System
Attn: Wes Upham
900 SE Ogden Lane
Port St. Lucie, FL 34983

St Lucie County Health Department
Attn: Attn: Well Construction
5150 NW Milner Drive
Port St. Lucie, FL 34983-3392

Required Maps
(Rule 9j-11.006(1)(b) and (c),
F.A.C.

Cassens Mixed Use Activity Area

Figure 1-7m

Legend

-  Cassens Mixed Use Area
-  Municipalities

Specific Use Areas within this Mixed Use Activity Area are restricted in use to the equivalent of the COM and IND Land Use designation as described in the Future Land Use Element unless otherwise amended through the Comprehensive Plan Amendment process. IND uses shall be limited to 310,800 square feet of gross building area; COM uses shall only be ancillary to IND uses.

Development of this site shall be approved through the Planned Non-Residential Development process, and shall include appropriate open space and buffers adjacent to residential uses. Access to development shall be provided from the west via Favorite Road.



City of Ft. Pierce

Specific Use
COM / IND

IND

RS

P/F

RS

RS

FAVORITE RD

SELVITZ RD

P/F

RS

COM

COM

W MIDWAY RD

City of Fort St. Lucie

NW OMEGA RD

NW TORCH CT

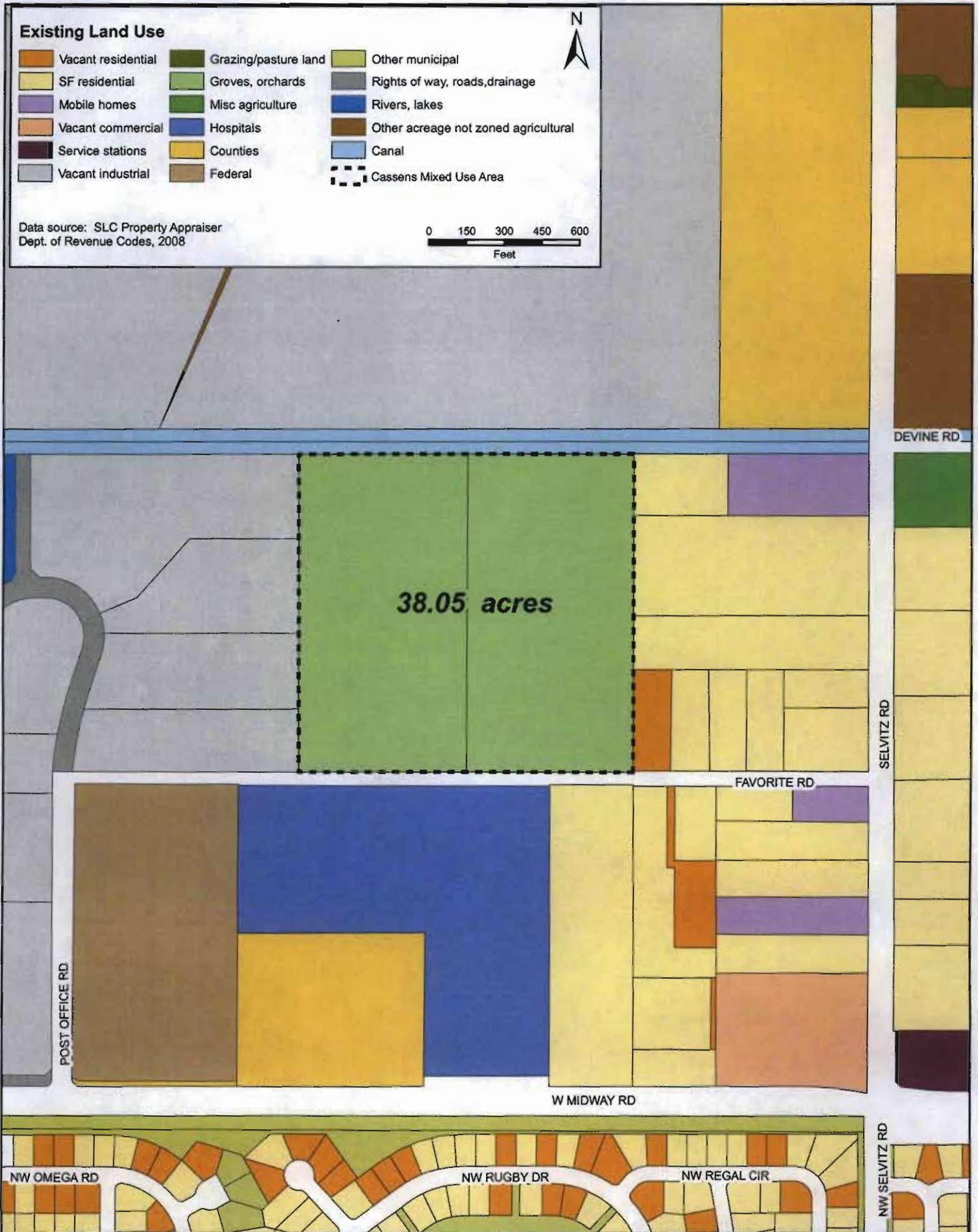
NW ROBIN CT

NW RUGBY DR

NW REGAL CIR

NW SELVITZ RD

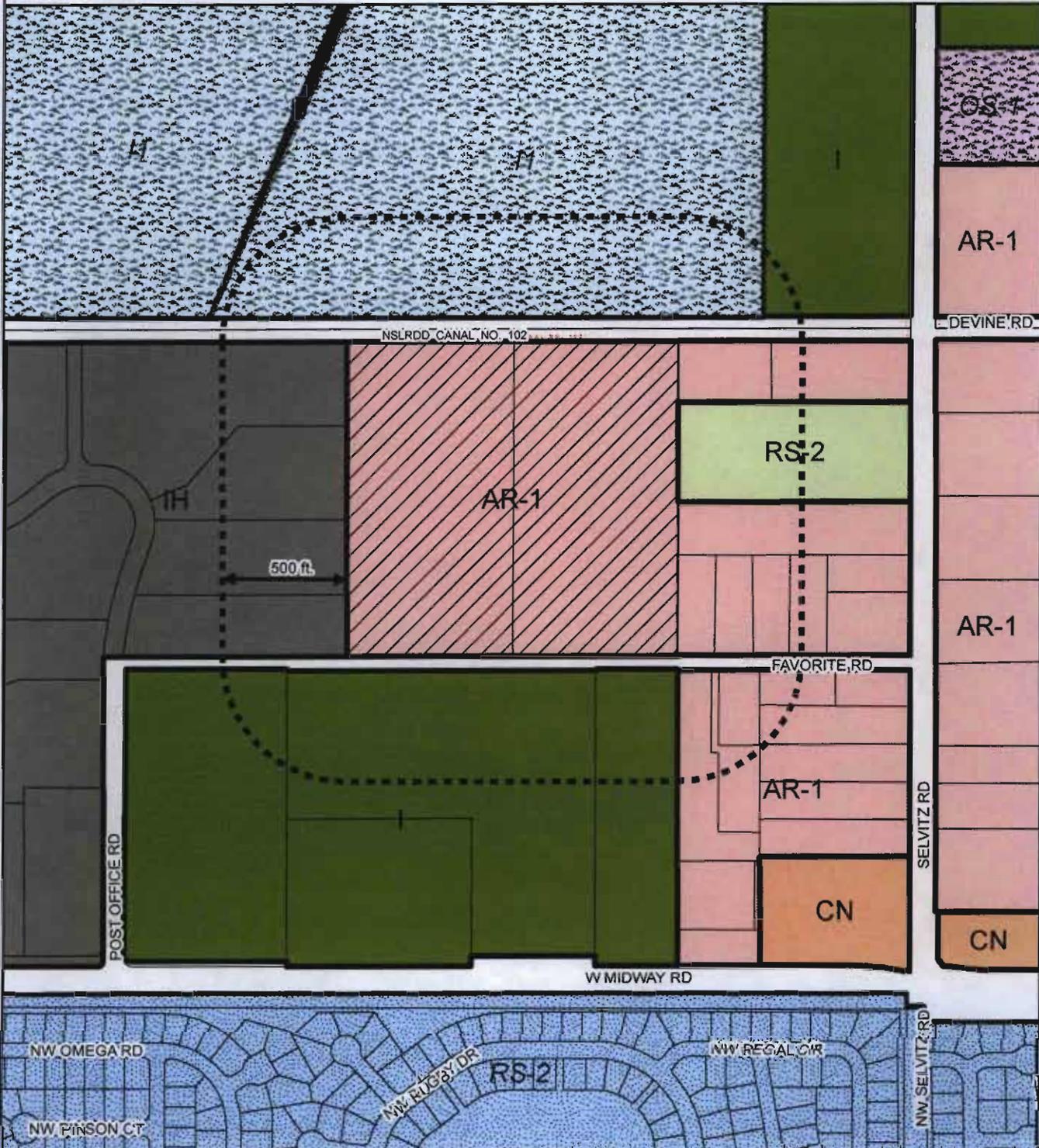
Cassens Mixed Use Activity Area - Existing Land Use



FLUMA-420081453

Zoning

Petitioner: Steve Cassens (Agent, Terry L. Virta & Associates, Inc)



-  Subject property
-  500 ft. notification area
-  City of Ft. Pierce
-  City of Port St. Lucie

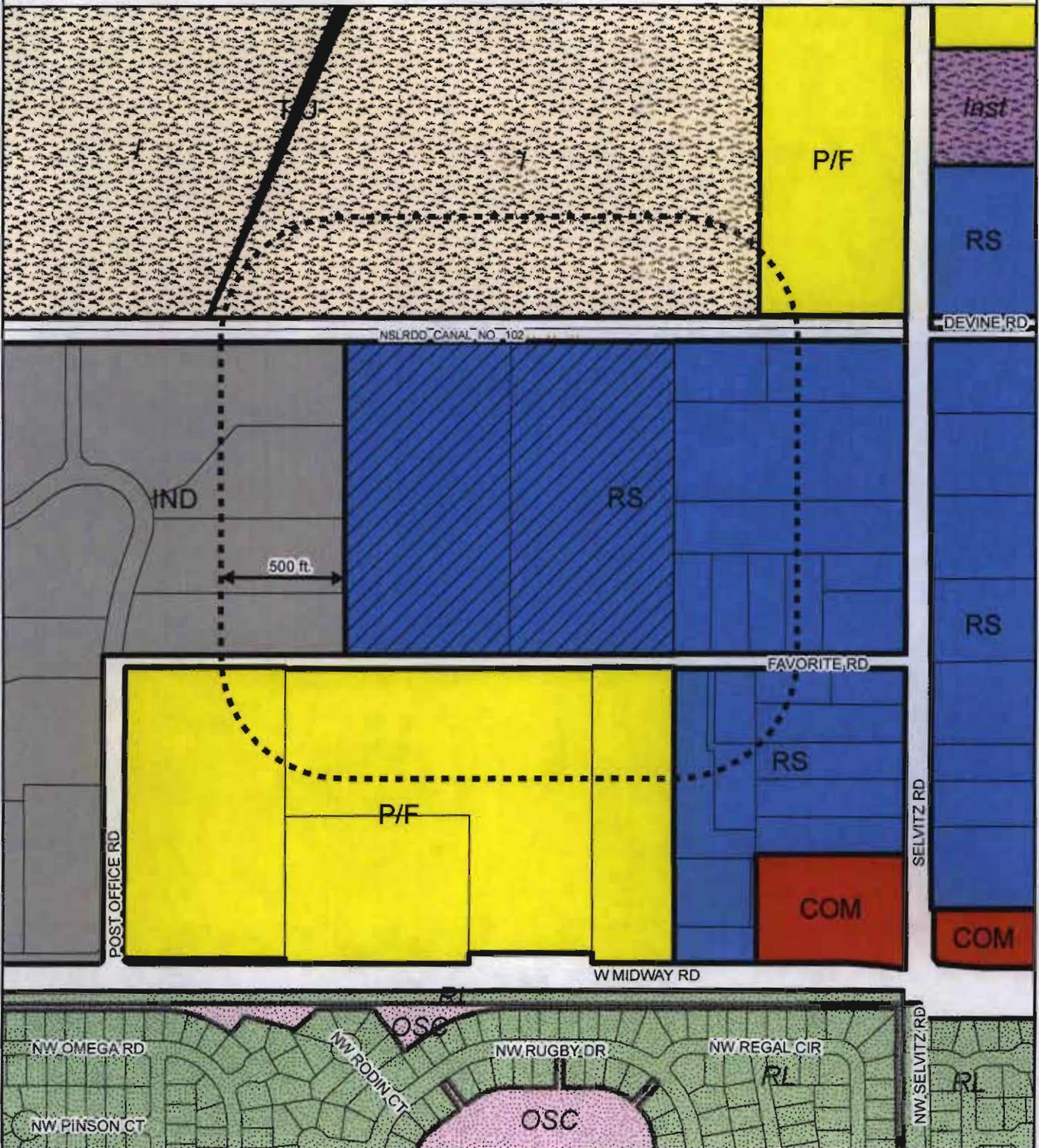
- SLC Zoning**
- AR-1 - Agricultural Residential (1 du/ac)
 - CN - Commercial Neighborhood
 - I - Institutional
 - IH - Industrial Heavy
 - RS-2 - Residential Single Family (2 du/ac)
 - U - Utilities
- Ft. Pierce Zoning**
- I1 - Light Industrial
 - OS-1 - Open Space Recreation

- PSL Zoning**
- RS-2 - Single Family Residential

FLUMA-420081453

Future Land Use

Petitioner: Steve Cassens (Agent, Terry L. Virta & Associates, Inc)



-  Subject property
-  500 ft. notification area
-  City of Ft. Pierce
-  City of Port St. Lucie

- SLC Future Land Use**
- COM - Commercial
 - IND - Industrial
 - P/F - Public Facilities
 - RS - Residential Suburban (2 du/ac)
 - T/U - Transportation/Utilities

- Ft. Pierce Future Land Use**
- I - Industrial
 - Inst - Institutional

- PSL Future Land Use**
- OSC - Open Space Conservation
 - RL - Low Density Residential



Map prepared July 18, 2008



FLUMA-420081453

Petitioner: Steve Cassens (Agent, Terry L. Virta & Associates, Inc)



-  Subject property
-  500 ft. notification area
-  City of Ft. Pierce
-  City of Port St. Lucie

Aerial flown Dec. 2005

St. Lucie County
Growth Management Department

Map prepared July 18, 2008

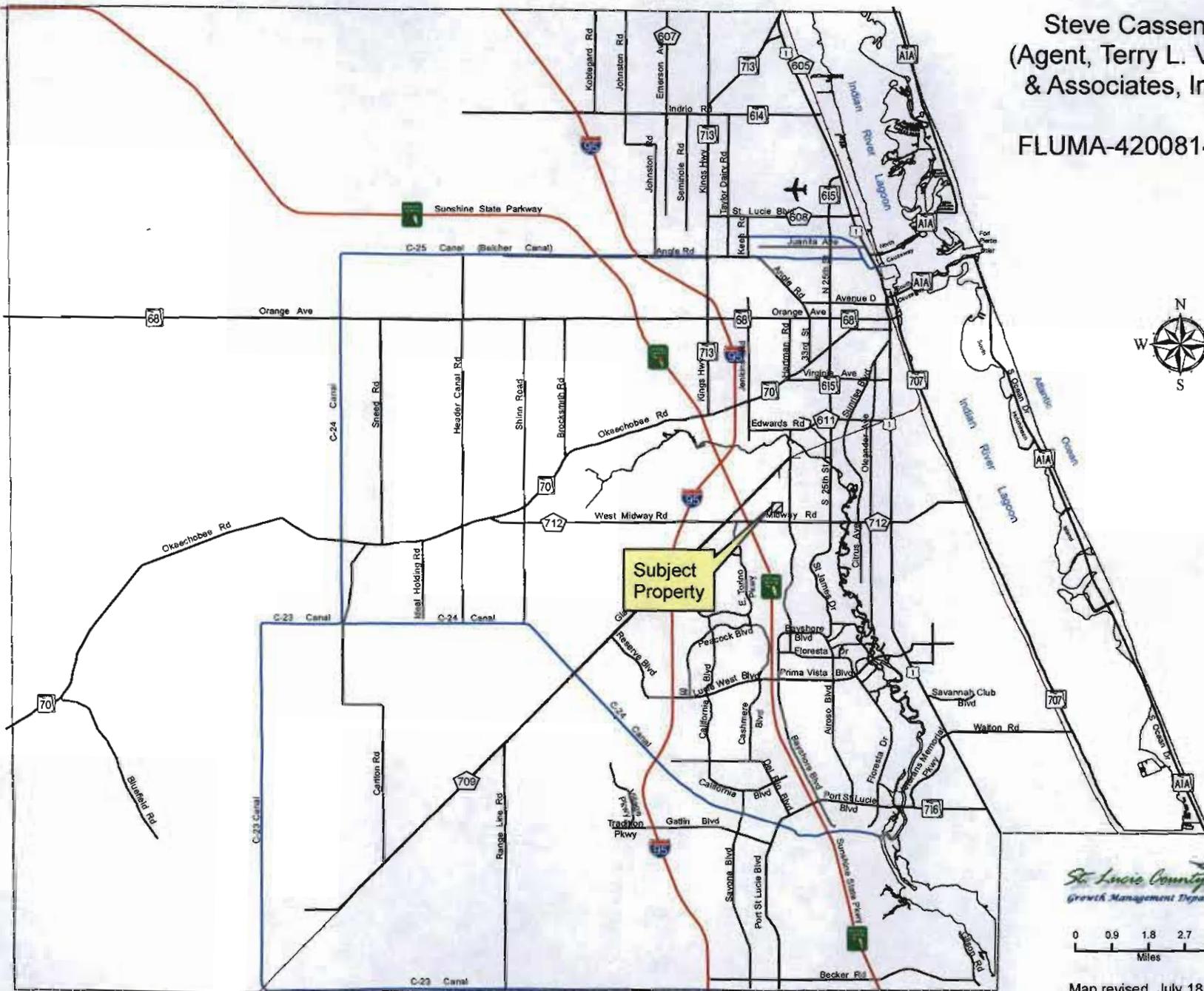


Indian River County

Steve Cassens
(Agent, Terry L. Virta
& Associates, Inc.)

FLUMA-420081453

Okeechobee County



St. Lucie County
Growth Management Department

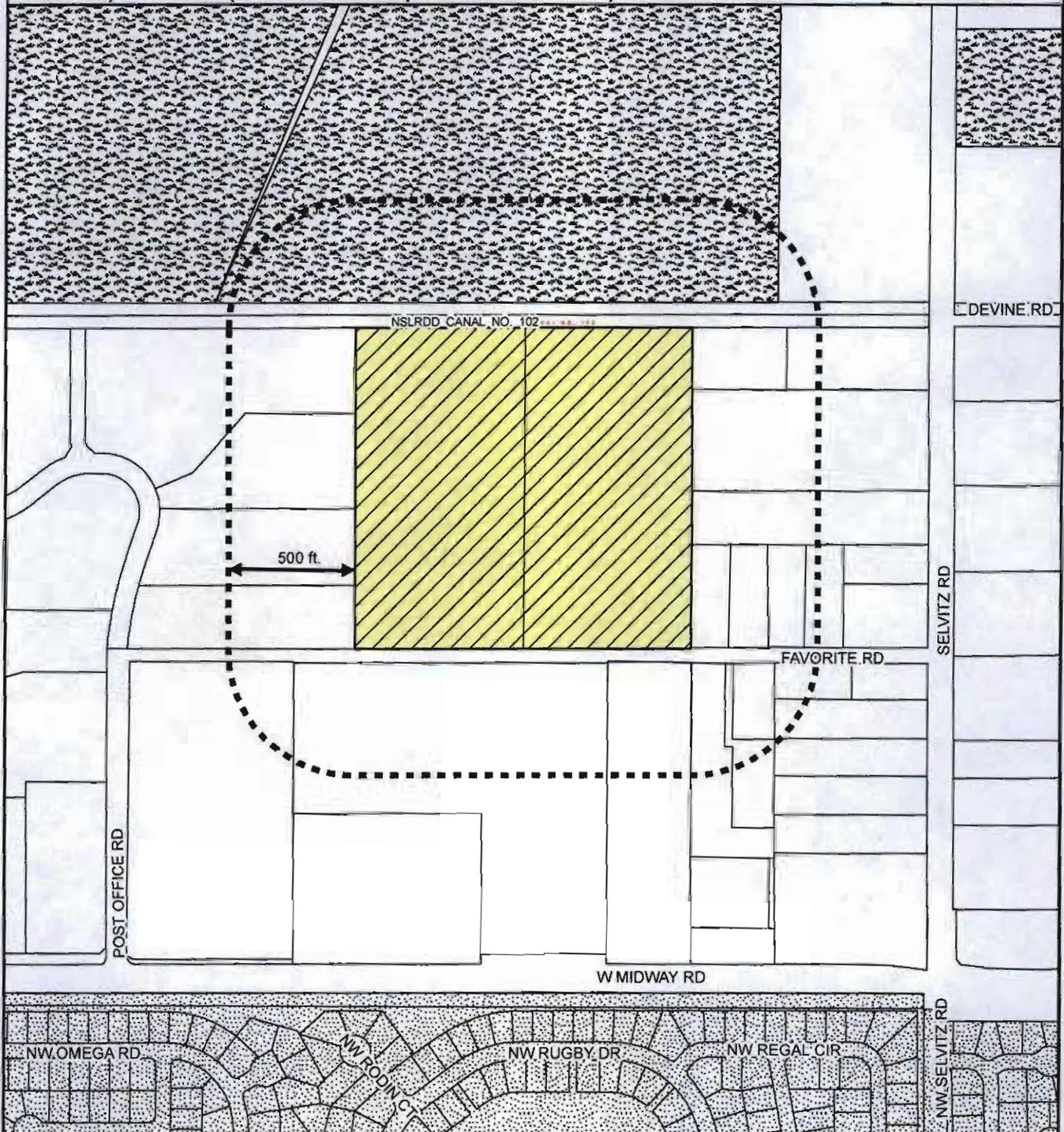


Map revised July 18, 2008

Martin County

FLUMA-420081453

A petition of Steve Cassens (Agent, Terry L. Virta & Associates, Inc.) for a proposed large scale Future Land Use Map Amendment from RS (Residential Suburban - 2 du/acre) to MXD (Mixed Use - Specific Use Area) for 38.05 acres more or less



-  Subject property
-  500 ft. notification area
-  City of Ft. Pierce
-  City of Port St. Lucie

