

ORDINANCE 11-29

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST LUCIE TO INCLUDE A LARGE SCALE AMENDMENT CONSISTING OF TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT AS REQUESTED BY PSL ACQUISITIONS 1, LLC; PROVIDING THE INVALIDITY OF ANY PORTION SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has adopted a comprehensive plan known as the City of Port St. Lucie Comprehensive Plan adopted by Ordinance 97-50, as subsequently amended; and

WHEREAS, the City of Port St. Lucie has received an application from PSL Acquisitions 1, LLC for a large scale amendment consisting of text amendments to the Future Land Use Element of the City of Port St. Lucie Comprehensive Plan, in accordance with Section 163.3184, Florida Statutes; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174 et. Seq., Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment (P11-021) to the Comprehensive Plan and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, The Port St. Lucie City Council has prepared this amendment to the City's Comprehensive Plan as a Large Scale Amendment in accordance with Section 163.3184, Florida Statutes, and the proposed amendment has been reviewed by the Department of Economic Opportunity and the state agencies; and

ORDINANCE 11-29

WHEREAS, the City Council held two public hearings on April 25, 2011 and March 26, 2012 to consider the proposed large scale amendment, advertising of the public hearings having been made, and;

WHEREAS, the Port St. Lucie City Council desires to hereby formally adopt this amendment (P11-021) to the City's Comprehensive Plan.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. The Comprehensive Plan of the City of Port St. Lucie is hereby amended in the following respect:

The text of the Future Land Use Element is hereby amended as shown on the attached Exhibit "A".

Section 2. The provisions of the Ordinance are severable and, if any section, sentence, clause or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion or portions.

Section 3. The effective date of this plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, pursuant to Section 163.3187(3) (c)(4), Florida Statutes. If timely challenged, this amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be

ORDINANCE 11-29

in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 26TH day of March, 2012.

CITY COUNCIL

CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
JoAnn M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

Roger G. Orr, City Attorney

PORT ST. LUCIE CITY COUNCIL

AGENDA ITEM REQUEST

MEETING: REGULAR X SPECIAL

DATE: 4-25-11 (1st reading)
3-26-12 (2nd reading)

ORDINANCE X RESOLUTION __ MOTION

PUBLIC HEARING 3-26-12 LEGAL AD PUBLISH DATES 3-12-12 (copy attached)

NAME OF NEWSPAPER ST. LUCIE NEWS TRIBUNE

ITEM: P11-021. PSL Acquisitions 1, LLC - Large Scale Comprehensive Plan Amendment

RECOMMENDED ACTION: The Planning & Zoning Board on 4/5/11 voted unanimously to recommend approval of the proposed Comprehensive Plan Amendment. On April 25, 2011, the City Council voted to recommend transmittal of the proposed amendment. FDOT and Martin County provided comments which are addressed in the staff report.

=====

EXHIBITS: A. Staff Analysis & Recommendation
B. Ordinance

SUMMARY EXPLANATION/BACKGROUND INFORMATION: Proposed changes to an objective, policies, and figures of the Future Land Use Element of the City's Comprehensive Plan regarding the Tradition, Western Grove and Southern Grove NCD Districts.

IF PRESENTATION IS TO BE MADE, HOW MUCH TIME WILL BE REQUIRED?

SUBMITTING DEPARTMENT: Planning Department

DATE: 3/12/12

**NOTICE OF PUBLIC HEARING THE
CITY COUNCIL OF THE CITY OF
PORT ST. LUCIE ADOPTION HEARING
FOR THE CITY OF PORT ST. LUCIE
COMPREHENSIVE PLAN AMENDMENT**

THE CITY COUNCIL of the City of Port St. Lucie will hold a PUBLIC HEARING on this item on **March 26, 2012 at 7:00 PM** in the CITY COUNCIL CHAMBERS in the City Hall Building A, located at 121 S.W. Port St. Lucie Blvd., Port St. Lucie, Florida, on the following:

P11-021 PSL ACQUISITIONS 1, LLC - COMPREHENSIVE PLAN AMENDMENT - LARGE SCALE. A request to amend the text of the Future Land Use Element of the City's Comprehensive Plan. The proposed changes are to amend an objective and policies regarding the Tradition/Western Grove and Southern Grove NCD Districts. Figures 20 and 21, the Conceptual Master Plans for the Southern Grove and Tradition/Western Grove NCD Districts, are proposed to be amended.

NOTICE: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at said meeting upon which any appeal is to be based.



City of Port St. Lucie
Planning and Zoning Department
A City for All Ages

TO: CITY COUNCIL - MEETING OF MARCH 26, 2012

FROM: ANNE COX, ASSISTANT DIRECTOR OF PLANNING AND ZONING *AC*

RE: COMPREHENSIVE PLAN AMENDMENT APPLICATION –
LARGE SCALE
PROJECT NO. P11-021
PSL ACQUISITIONS 1, LLC

DATE: MARCH 24, 2011

BACKGROUND:

The City has been requested by Wesley S. McCurry of Fishkind and Associates, acting as agent for PSL Acquisitions 1, LLC, to amend the text of the Future Land Use Element of the City's Comprehensive Plan. The proposed changes are to amend an objective and policies regarding the Tradition/Western Grove and Southern Grove New Community Development (NCD) Districts. The Conceptual Master Plans for the Southern Grove and Tradition/Western Grove NCD Districts are proposed to be amended. The proposed changes are shown in Exhibit "A" of the attached ordinance. Deletions are shown as ~~strike-through~~ and additions are underlined.

The Planning and Zoning Board reviewed the proposed amendment at their meeting on April 5, 2011 and unanimously recommended approval. City Council reviewed the proposed amendment at their meeting on April 25, 2011 and approved the transmittal of the amendment to the State Department of Community Affairs (DCA), now known as the State Department of Economic Opportunity (DEO). A copy of the proposed amendment was also sent to the state agencies, the Treasure Coast Regional Planning Council, St. Lucie County, Martin County, the City of Fort Pierce and the City of Stuart. Per Chapter 163 of the Florida Statutes, the reviewing agencies are to provide comments within 30 days of receipt of the proposed amendment. The Florida Department of Transportation (FDOT) was the only agency that commented. Martin County sent a comment letter which the City received on February 24, 2012 (see attached).

COMMENTS AND RESPONSES:

FDOT Comment: Proposed modifications and increases in non-residential intensities are not accompanied by adequate data and analysis to determine whether adverse impacts to the region's transportation network will occur.

Response: The data and analysis was submitted to the reviewing agencies with the Southern Grove DRI Substantial Deviation application. The proposed development order conditions attached to the Southern Grove DRI Substantial Deviation staff report (P09-128) address impacts to the transportation network. The comprehensive plan amendment and the revised DRI development order are required to be adopted at the same city council meeting per Florida Statutes.

Martin County Comments: See attached letter.

Response: The City's response to Martin County's comments is provided in the attached letter dated March 5, 2012.

STAFF RECOMMENDATION:

The Planning and Zoning Department staff finds the proposed changes as shown on Exhibit "A" of the attached ordinance to be consistent with the intent and direction of the City's Comprehensive Plan and recommends approval.



RECEIVED

JUN 16 2011

PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE, FL

Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.
SECRETARY

June 10, 2011

Daniel Holbrook, Director of Planning and Zoning
City of Port St. Lucie
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, FL 34984-5099

Dear Mr. Holbrook:

SUBJECT: Proposed Comprehensive Plan Amendments Review
Local Government: City of Port St. Lucie
DCA Amendment #: 11-D1

The Department has reviewed the proposed 11-D1 comprehensive plan amendments for the City of Port St. Lucie. The amendment package is being processed and reviewed under the Expedited State Review Amendment Process from HB 7207 (2011). The proposed amendments were received by the Department on May 10, 2011. The focus of our review was on impacts to important state transportation facilities, particularly impacts to Strategic Intermodal System (SIS) and other regionally significant transportation facilities.

The comment in the attached report relates to a lack of adequate data and analysis for the proposed amendments affecting approved Developments of Regional Impact (DRIs) and an associated lack of mitigating provisions for potential impacts to SIS and other regionally significant transportation facilities.

Thank you for the opportunity to participate in the review process. The Department remains committed to working with the City and its partners in pursuing mobility solutions. If you have any comments or questions about this letter, please contact Andrew Riddle at (954) 777-4605.

Sincerely,

Howard Webb, P.E.
Acting Director of Transportation Development
District Four

GO:ar

cc Ray Eubanks, DCA
Terry Hess, TCRPC
Anne Cox, City of Port St. Lucie
Kara Wood, St. Lucie County

Kathleen Neill, FDOT Central Office
Nancy Ziegler, FDOT District Four
Lois Bush, FDOT District Four
Karen Kiselewski, Renaissance Planning Group

**Florida Department of Transportation, District Four
Comments and Recommendations
City of Port St. Lucie 11-D1 Comprehensive Plan Amendment**

The City of Port St. Lucie has submitted DCA amendment package 11-D1. The package contains text amendments to the Future Land Use Element. The focus of our review was on impacts to important state transportation facilities, particularly impacts to Strategic Intermodal System (SIS) and other regionally significant transportation facilities. Two SIS roadway facilities cross the City, I-95 and Florida's Turnpike. Okeechobee Road (SR 70) is also a SIS roadway facility within St. Lucie County.

The Department's findings on the proposed amendments are as follows:

- Proposed modifications and increases in non-residential intensities are not accompanied by adequate data and analysis to determine whether adverse impacts to the region's transportation network will occur.

P11-021 – PSL Acquisitions 1, LLC; Text Amendment

This proposed text amendment modifies three policies and one objective in the Future Land Use Element, and each is associated with the New Community Development (NCD) future land use designation.

The amendment to Policy 1.2.9.1 for the Southern Grove DRI proposes to increase the allowable non-residential development intensity from 4,100,000 square feet to 13,187,743 square feet. It also proposes to increase the maximum number of hotel rooms from 300 to 791 and allow the inclusion of a 300-bed hospital. The amendment also states the "City may increase or decrease the above development units as may be provided for in an Equivalency Matrix adopted as part of an approved DRI development order."

The amendment package does not include a transportation analysis to quantify the impact the additional 9,087,743 square feet of non-residential development, 491 hotel rooms, and 300-bed hospital will have on the region's transportation network. The Southern Grove DRI is adjacent to I-95, a SIS facility, but no information regarding potential impacts to I-95 is provided. In the absence of the proposed amendment to increase the development potential of the DRI, I-95 south of Okeechobee Road (SR 70) is projected not to meet the adopted level of service (LOS) standard at the end of the planning period in 2035. The following table shows the projected 2035 LOS for segments of I-95, without the proposed amendment.

Facility	From	To	Projected 2035 LOS
I-95	Martin County line	Gatlin Boulevard	E
I-95	Gatlin Boulevard	St. Lucie Boulevard	F
I-95	St. Lucie Boulevard	Midway Road	F
I-95	Midway Road	SR 70 (Okeechobee Road)	F
I-95	SR 70 (Okeechobee Road)	SR 68 (Orange Avenue)	C
I-95	SR 68 (Orange Avenue)	SR 614 (Indrio Road)	C
I-95	SR 614 (Indrio Road)	Indian River County line	C

No portion of a proposed Equivalency Matrix was included in the support materials for the proposed amendment or in associated policies. This absence of intended land use equivalencies and the impacts each would have on the region's transportation network creates a policy with no meaningful or predictable way to determine the magnitude of impacts associated with the proposed amendment.

The Department recommends that the City provide data and analysis demonstrating adopted transportation LOS standards will be maintained with the proposed modification to Policy 1.2.9.1. If the analysis demonstrates they cannot be maintained, it also should identify mitigation needed to maintain the adopted LOS standards and how it will be funded. Funding for any capital improvements needed to mitigate impacts should be addressed in a companion amendment to the City's Capital Improvements Element.

Citations:

§163.3180, FS

REVIEWED BY: Andrew Riddle, AICP PHONE: 954-777-4605

REVIEWED BY: Lois Bush PHONE: 954-777-4654

REVIEWED BY: Nancy A. Ziegler PHONE: 954-777-4490



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPARTMENT
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, Florida 34984-5099
(772) 871-5212
(772) 871-5124 Fax

TDD (772) 873-6339

March 5, 2012

Nicki van Vonno, AICP
Martin County Growth Management Director
Martin County
2401 S.E. Monterey Road
Stuart, FL 34996

Re: Southern Grove - Development of Regional Impact, Substantial Deviation (P09-128)

Dear Ms. van Vonno:

I have received and reviewed your letter dated February 20, 2012. First and foremost, I would like to thank you for your comments and concern about our region. Please consider the following responses to your request and objection.

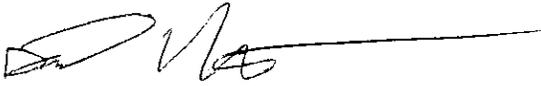
Your letter references the proposed development order conditions for the subject project that were reviewed and analyzed by the Treasure Coast Regional Planning Council (TCRPC) this past December. Please note that the proposed development order conditions were the applicant's proposal and not that of the City of Port St. Lucie. For the past three months, City of Port St. Lucie staff has actively negotiated the amendments to the development order conditions. The proposed conditions have substantially changed since the draft that was reviewed by the TCRPC. These proposed conditions will be reviewed for the first time by the Planning and Zoning Board on March 6, 2012 as a public hearing. Then, the City Council is scheduled to conduct a public hearing on March 26, 2012. The staff report and proposed development order are enclosed for your review.

It has been historically documented that the City of Port St. Lucie has had insufficient non-residential land and entitlements to support the pre-platted city and annexed areas. This has been documented in the City's comprehensive plan, evaluation and appraisal reports, and various studies. The City of Port St. Lucie has made policy decisions to address the imbalance of housing to non-residential land uses. The subject development of regional impact was originally approved with the purpose of being the City's jobs corridor. Not unlike the policy decisions of Martin County, e.g., the US-1 commercialization just south of the Port St. Lucie municipal boundary or the Ag-tech land use changes along I-95, the City of Port St. Lucie will consider providing opportunities for development that leads to a path of balanced land use sustainability.

Consistent with the TCRPC's recommendation, the proposed draft development order conditions for road improvements outside the City have not been reduced. The trip threshold for each segment remains the same and the year of failure has been moved up by three years in accordance with state legislation. Copies of the conditions from the existing and proposed development orders are attached.

If you have any questions or need further clarification about the contents of this letter, please do not hesitate to contact me directly. I can be reached at (772) 871-5213.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Holbrook', with a long horizontal line extending to the right.

Daniel L. Holbrook, AICP
Director of Planning and Zoning

Enclosures

cc: City Council (w/o enclosures)
Jerry Bentrott, City Manager (w/o enclosures)
Greg Oravec, Assistant City Manager (w/o enclosures)
Roger Orr, City Attorney (w/o enclosures)
Pam Booker, Senior Assistant Attorney (w/o enclosures)
Anne Cox, Assistant Director of Planning and Zoning (w/o enclosures)
Martin County Board of County Commissioners (w/o enclosures)
Taryn Kryzda, Martin County Administrator (w/o enclosures)
Stephen Fry, Martin County Attorney (w/o enclosures)
Applicant (w/o enclosures)

FEB 24 2012

PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE, FL

MARTIN COUNTY

BOARD OF COUNTY COMMISSIONERS

2401 S.E. MONTEREY ROAD • STUART, FL 34996

February 20, 2012

Telephone: (772) 288-5495

Fax: (772) 288-5764

Email: nikkiv@martin.fl.us

DOUG SMITH
Commissioner, District 1ED FIELDING
Commissioner, District 2PATRICK HAYES
Commissioner, District 3SARAH HEARD
Commissioner, District 4EDWARD CIAMPI
Commissioner, District 5TARYN KRYZDA, CPM
County AdministratorSTEPHEN FRY
County Attorney

Mr. Daniel Holbrook
Director of Planning and Zoning
City of Port St. Lucie
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984

Dear Mr. Holbrook:

In the previous decade the City of Port St. Lucie annexed over 42 square miles, approved five Developments of Regional Impact (DRI) and created new future land use designations in the City Comprehensive Plan specifically for the DRIs. The DRIs are each required to construct roads outside their boundaries based upon impacts identified in a single traffic study called the Western Annexation Traffic Study (WATS). Because the DRIs have not been developing as anticipated the City developed an alternative transportation methodology. Starting in 2010 and throughout 2011 three of the DRIs have proposed that: 1) they are un-coupled from each other 2) they no longer use the WATS and 3) the DRIs can mitigate their offsite impacts separately through proportionate share funding.

Martin County, as an affected adjacent jurisdiction, monitors the various proposals that have been proposed for the various DRIs. According to information we have received the Southern Groves DRI substantial deviation application and the proposed Plan amendments are scheduled for consideration by the City Council on February 26, 2012.

We have the following comments on these two related items.

DCA/TCRPC identification: Amendment No. 11D1

PSL Acquisitions 1, LLC has proposed a large scale Comprehensive Plan (Text) Amendment for two different New Community Development District (NCD) future land use designations. One NCD future land use designation encompasses the Tradition and Western Groves DRIs. The other NCD future land use designation encompasses the Southern Groves DRI.

The result of the proposed changes are text amendments that: 1) move residential units and non-residential square footage from one future land use designation (containing two DRIs) to another future land use designation (containing the Southern Grove DRI), 2) correct inconsistencies between the Comprehensive Plan and the Southern Groves DRI regarding approved units and square footage and 3) permit a net increase of non-residential square footage, above what was transferred, to the Southern Groves DRI.

"Policy 1.2.8.1: The density and intensity of the ~~Gatin/I-95~~ Tradition/Western Grove NCD District shall be limited to 14,600 ~~11,307~~ residential units, 6,000,000 ~~2,358,810~~ non-residential square feet, and 500 ~~150~~ hotel rooms, and institutional civic, amenities and ancillary uses. The City may increase or decrease the above development units as may be provided for in an Equivalency Matrix adopted as part of an approved DRI Development Order."

TELEPHONE
772-288-5400

“Policy 1.2.9.1: The density and intensity of the Southern Grove NCD District shall be limited to ~~6,600~~ 7,388 residential units, ~~4,100,000~~ 13,187,743 non-residential square feet, and ~~300~~ 791 hotel rooms, 300 hospital beds and institutional, civic, amenities and ancillary uses. The City may increase or decrease the above development units as may be provided for in an Equivalency Matrix adopted as part of an approved DRI Development Order. The Southern Grove NCD District shall, at a minimum, contain the Residential, Mixed Use and Employment Center as the three areas required by Policy 1.2.2.1.”

Source: Port St. Lucie; Application materials transmitted to the Department of Community Affairs; May 2, 2011.

Southern Groves Substantial Deviation

According to the TCRPC report: “The Southern Grove DRI Substantial Deviation application has the dual purpose of 1) increasing development intensities, and 2) amending the transportation conditions so that they are unique to Southern Grove, and eliminate the need to rely on roadway improvements to be built by others. The developer is proposing to mitigate transportation impacts by using “proportionate share” and building some pieces of the transportation system network.”

The TCRCP raised a number of issues with the proposed changes to the Southern Groves transportation conditions of approval and said “It is likely that the proposed amendments to the DO will create additional traffic impacts on regional roadways.” The following table compares the proposed changes to the Southern Groves DRI.

Use	Approved	Proposed	Change
Residential (DU)	7,388	7,388	0
Retail (SF)	2,164,061	3,675,075	+1,511,014
Office (SF)	2,073,238	2,430,728	+357,490
Research and Development (SF)	0	2,498,602	+2,498,602
Warehouse/Industrial (SF)	1,999,405	4,583,338	+2,583,933
Hotel (rooms)	500	791	+291
Hospital (beds)	0	300	+300
Total non-res (SF) excluding hospital beds and hotel rooms.	6,236,704	13,187,743	+6,951,039

Martin County has the following comments on these two items:

The plan amendments and the Southern Groves substantial deviation proposes a net increase of 6.9 million non-residential square feet and proposes to reduce or delay the road improvements that the DRI must make in Martin County. The net increase of square feet (nonresidential) made possible by the Plan amendment and the reduced road improvements in Martin County proposed in the DRI (Transportation Condition 17 and Table 2) will increase the impact on Martin County above what has already been planned and approved. The increase of 6.9 million additional non-residential square feet would seem to far exceed the need for this type of non-residential development in the region. It would appear to devalue the already existing approved 6.3 million square feet.

The Southern Groves Substantial deviation proposal drops any requirement to widen Citrus Blvd. from Port St. Lucie Blvd. to Martin Hwy. and it increases the trip thresholds before making improvements to Martin Hwy. We note that the TCRPC recommended conditions of approval do not include these changes.

Martin County respectfully requests that the plan amendments not increase the allowable approved non-residential square footage. Martin County strongly objects to the removal of road improvements in Martin County from the Southern Groves DRI. We recommend that the Southern Groves DRI continue to include improvements necessary to address traffic impacts to Martin County.

Sincerely,



Nicki van Vonno, AICP
Martin County Growth Management Director

NvV:pj

cc: City of Port St. Lucie Council Members
Jerry A. Bentrrott, City Manager
Martin County Board of County Commissioners
Taryn Kryzda, County Administrator
Stephen Fry, County Attorney
Clyde Dulin, Senior Planner

ORDINANCE 11-029

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST LUCIE TO INCLUDE A LARGE SCALE AMENDMENT CONSISTING OF TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT AS REQUESTED BY PSL ACQUISITIONS 1, LLC; PROVIDING THE INVALIDITY OF ANY PORTION SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has adopted a comprehensive plan known as the City of Port St. Lucie Comprehensive Plan adopted by Ordinance 97-50, as subsequently amended; and

WHEREAS, the City of Port St. Lucie has received an application from PSL Acquisitions 1, LLC for a large scale amendment consisting of text amendments to the Future Land Use Element of the City of Port St. Lucie Comprehensive Plan, in accordance with Section 163.3184, Florida Statutes; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174 et. Seq., Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment (P11-021) to the Comprehensive Plan and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, The Port St. Lucie City Council has prepared this amendment to the City's Comprehensive Plan as a Large Scale Amendment in accordance with Section 163.3184, Florida Statutes, and the proposed amendment has been reviewed by the Department of Economic Opportunity and the state agencies; and

ORDINANCE 11-029

WHEREAS, the City Council held two public hearings on April 25, 2011 and March 26, 2012 to consider the proposed large scale amendment, advertising of the public hearings having been made, and;

WHEREAS, the Port St. Lucie City Council desires to hereby formally adopt this amendment (P11-021) to the City's Comprehensive Plan.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. The Comprehensive Plan of the City of Port St. Lucie is hereby amended in the following respect:

The text of the Future Land Use Element is hereby amended as shown on the attached Exhibit "A".

Section 2. The provisions of the Ordinance are severable and, if any section, sentence, clause or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion or portions.

Section 3. The effective date of this plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, pursuant to Section 163.3187(3) (c)(4), Florida Statutes. If timely challenged, this amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be

ORDINANCE 11-029

in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 26TH day of March, 2012.

CITY COUNCIL

CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
JoAnn M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

Roger G. Orr, City Attorney

Exhibit " A"

Policy 1.2.2.9: The following unique term shall apply to regional mall/lifestyle center projects within the Regional Business Centers of the NCD district.

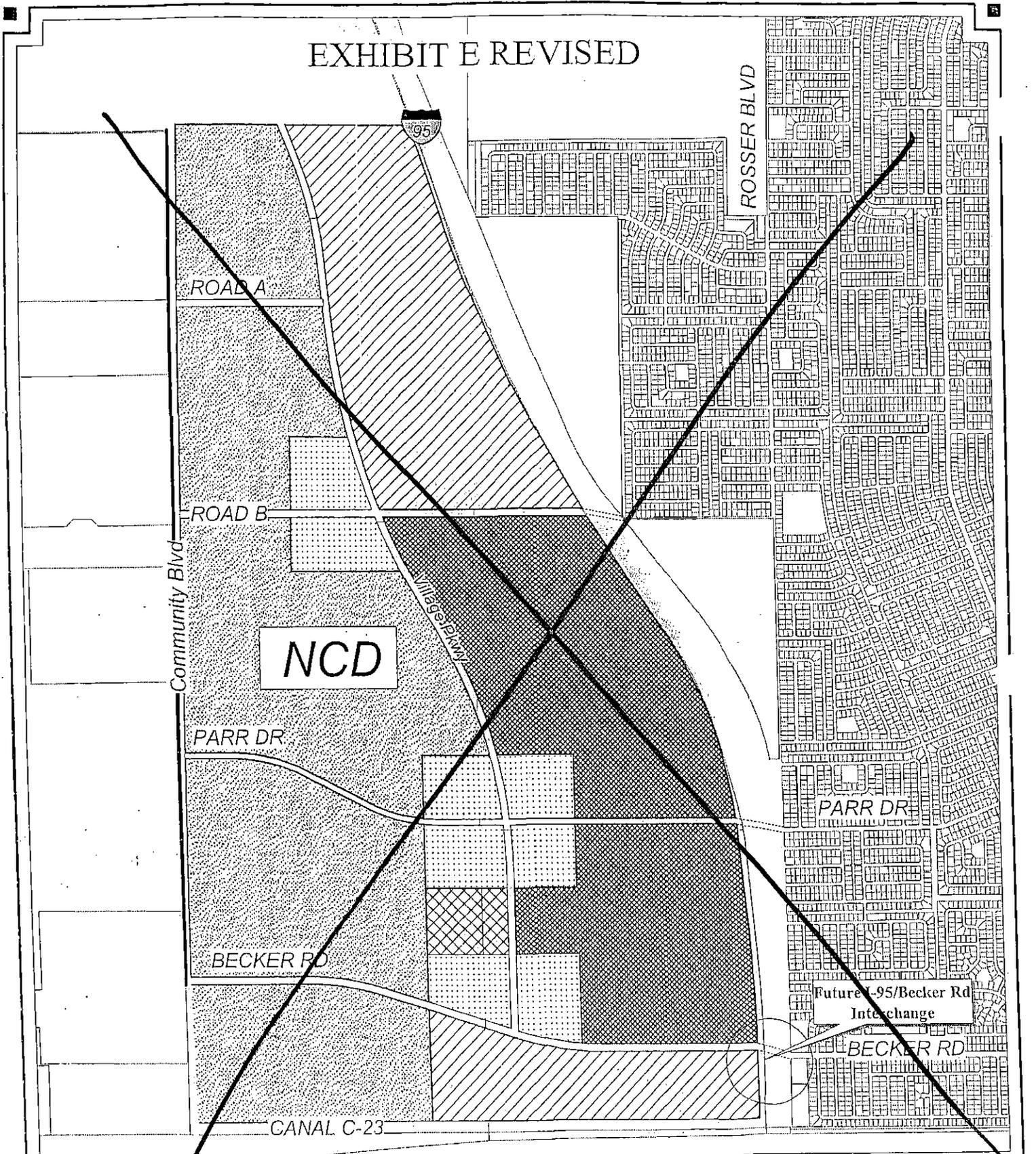
- a. Gross Leasable Area ("GLA"), shall be defined as the sum of gross horizontal areas of all floors of a building designed for the tenants' occupancy and exclusive use, expressed in sq. ft. and measured from the inside face of the exterior walls. GLA does not include public or "common areas" i.e., hallways and exit corridors, stairwells, elevators, escalators, lobbies, mall concourses or mall management offices nor does it include mechanical rooms, mechanical chases, basement, mezzanines (unless used as retail sales space), public and private restrooms, outdoor lumber and garden areas and storage areas that are roofed and enclosed but not served by a HVAC system or other unoccupied areas.

Objective 1.2.8: The Gatlin/I-95 Tradition/Western Grove NCD District is hereby established.

Policy 1.2.8.1: The density and intensity of the of the Gatlin/I-95 Tradition/Western Grove NCD District shall be limited to ~~44,600~~ 11,307 residential units, ~~6,000,000~~ 2,358,810 non-residential square feet, and ~~500~~ 150 hotel rooms, and institutional, civic, recreation and accessory uses. The City may increase or decrease the above development units as may be provided for in an Equivalency Matrix adopted as part of an approved DRI Development Order.

Policy 1.2.9.1: The density and intensity of the of the Southern Grove NCD District shall be limited to ~~6,600~~ 7,388 residential units, ~~4,400,000~~ 13,187,743 non-residential square feet, and ~~300~~ 791 hotel rooms, 300 hospital beds and institutional, civic, recreation and accessory uses. The City may increase or decrease the above development units as may be provided for in an Equivalency Matrix adopted as part of an approved DRI Development Order. The Southern Grove NCD District shall, at a minimum, contain the Residential, Mixed Use and Employment Center as the three areas required by Policy 1.2.2.1.

EXHIBIT E REVISED



- Planning Area
- Conceptual Land Uses**
- Employment Center - 780 acres
- Neighborhood Village Center - 120 acres
- MXD - 575 acres
- Residential - 1,473 acres
- Area Reserved for Multi-Family Development - 40 Acres (min. density 10 du/ac)
- Right of Way & Open Space - 168 acres
- Conceptual Roadways
- Total Site 3156 acres

CITY OF PORT ST. LUCIE
 SOUTHERN GROVE NCD DISTRICT
 COMPREHENSIVE PLAN FUTURE
 LAND USE ELEMENT FIG. 20
 CONCEPTUAL LAND USE PLAN

CCM ASSOCIATES
 1000 University Blvd., Suite 2000, Port St. Lucie, FL 34952
 (888) 888-8888 FAX: (888) 888-8888
 WWW.CCM-ASSOCIATES.COM

SOUTHERN GROVE NCD

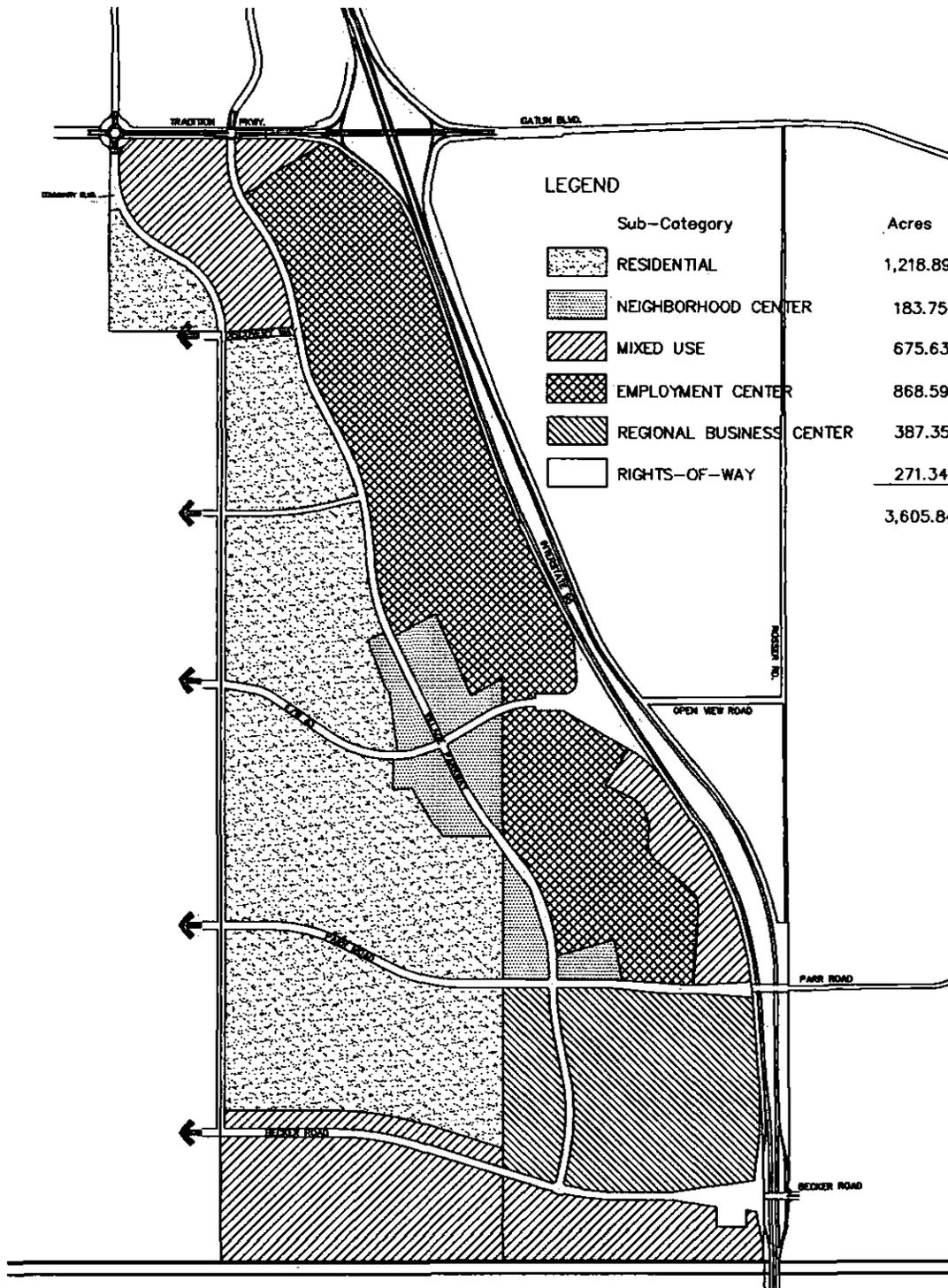


Figure 20
Conceptual Land Use Plan

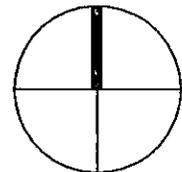


EXHIBIT A

NCD

GLADES CUTOFF RD.

RANGE LINE RD.

PEADOCK CANAL

95

LEGEND

- Planning Area
- - - City of Port St. Lucie Boundary
- NCD - 5,712.36 acres
- ▨ DSC/OBR - 4,764.60 acres

NCD District	Area	DU	SP	Flow
1	2,997.87	9,025	2,871,079	230
2	447.55	2,130	3,014,331	210
3	753.52	1,445	390,000	
4	1,468.81	5,000	290,000	
TOTAL	5,712.36	14,600	6,890,094	500

CITY OF PORT ST. LUCIE
GATLIN/95 NCD DISTRICT
PROPOSED FUTURE LAND USE

0 1000 2000 Feet

CMH ASSOCIATES
 (Urban & Environmental Planning) • Landscape Architecture
 500 Highway Avenue, Orlando, Florida 32801 (407) 472-4640
 DATE: 05/18/01 JOB NUMBER: 04110
 COPYRIGHT: © 2001 CMH ASSOCIATES, INC.
 FILENAME: 1010091100P01.DWG



ORD 02-143

TRADITION/WESTERN GROVE NCD

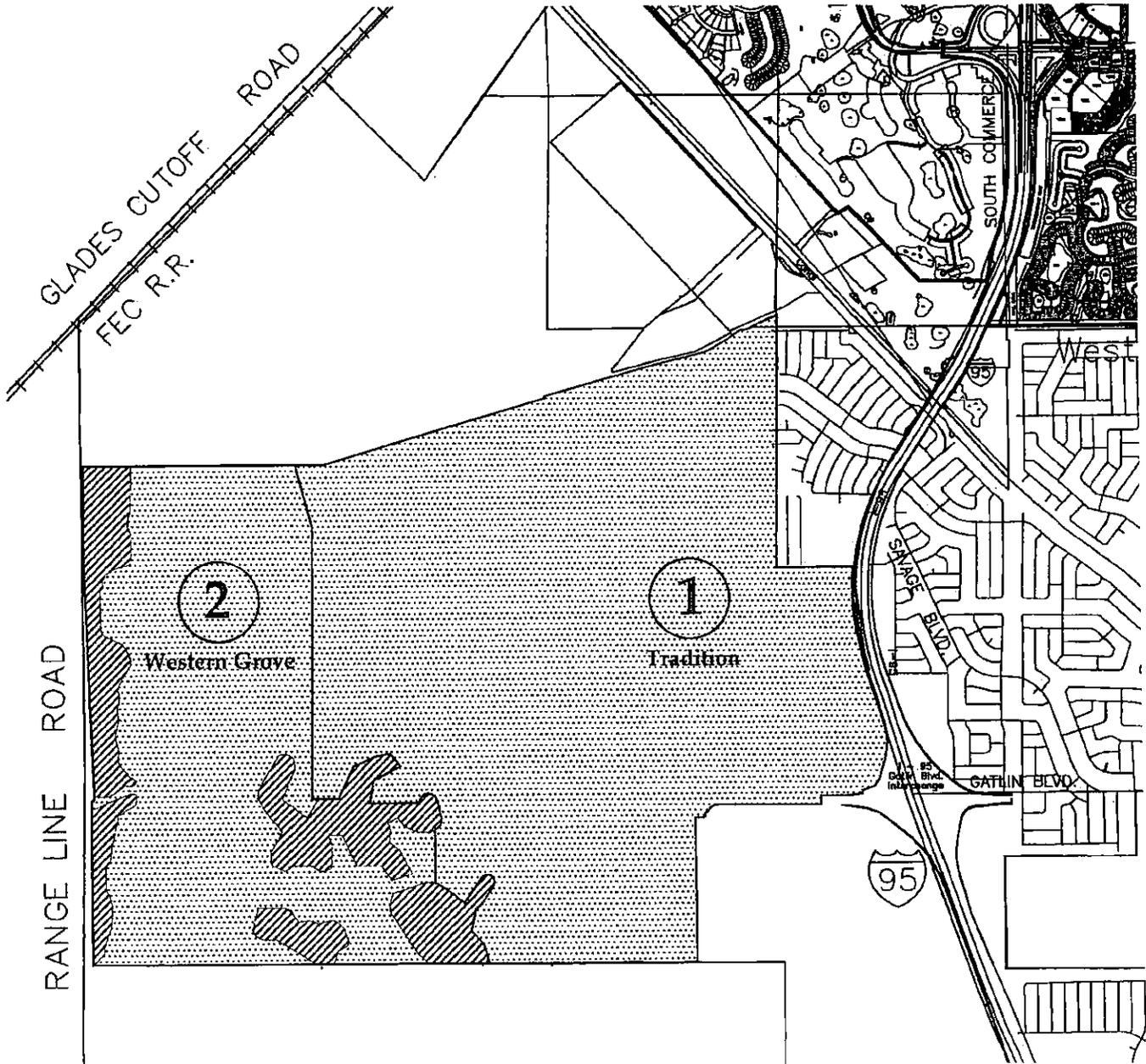
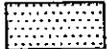


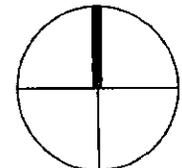
Figure 21

Tradition/ Western Grove Conceptual Land Use Plan

LEGEND

-  NCD +/- 4,233.44 acres
-  OSC/OSR +/- 374.68 acres

NCD Districts	Acres	DU	SF	Hotel
1 Sub-district 1	3,014.82	7,245	1,740,000	150
2 Sub-district 2	1,593.30	4,062	618,810	
Total	4,608.15	11,307	2,358,810	150



ORDINANCE 11-29

COUNCIL ITEM 10B
DATE 4/25/11

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST LUCIE TO INCLUDE A LARGE SCALE AMENDMENT CONSISTING OF TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT AS REQUESTED BY PSL ACQUISITIONS 1, LLC; PROVIDING THE INVALIDITY OF ANY PORTION SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has adopted a comprehensive plan known as the City of Port St. Lucie Comprehensive Plan adopted by Ordinance 97-50, as subsequently amended; and

WHEREAS, the City of Port St. Lucie has received an application from PSL Acquisitions 1, LLC for a large scale amendment consisting of text amendments to the Future Land Use Element of the City of Port St. Lucie Comprehensive Plan, in accordance with Section 163.3184, Florida Statutes; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174 et. Seq., Florida Statutes, and having held a public hearing thereon, has considered this proposed amendment (P11-021) to the Comprehensive Plan and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, The Port St. Lucie City Council has prepared this amendment to the City's Comprehensive Plan as a Large Scale Amendment in accordance with Section 163.3184, Florida Statutes, and the proposed amendment has been reviewed by the Department of Community Affairs; and

ORDINANCE 11-29

WHEREAS, the City Council held two public hearings on _____ and
to consider the proposed large scale amendment, advertising of the public hearings
having been made, and;

WHEREAS, the Port St. Lucie City Council desires to hereby formally adopt this
amendment (P11-021) to the City's Comprehensive Plan.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. The Comprehensive Plan of the City of Port St. Lucie is hereby amended
in the following respect:

The text of the Future Land Use Element is hereby amended as shown on the
attached Exhibit "A".

Section 2. The provisions of the Ordinance are severable and, if any section,
sentence, clause or phrase is for one reason held to be unconstitutional, invalid or
ineffective, this holding shall not affect the validity of the remaining portions of this
Ordinance, it being expressly declared to be the City Council's intent that it would have
passed the valid portions of this Ordinance without inclusion of any invalid portion or
portions.

Section 3. The effective date of this comprehensive plan amendment shall be the
date a final order is issued by the Department of Community Affairs or Administration
Commission finding the amendment in compliance in accordance with Section 163.3184,
Florida Statutes, whichever occurs earlier. No development orders, development permits,
or land uses dependent on this amendment may be issued or commence before it has

ORDINANCE 11-29

become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2011.

CITY COUNCIL
CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
Joann M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

Roger G. Orr, City Attorney

ORDINANCE 11-29

Exhibit "A"

Policy 1.2.2.9: The following unique term shall apply to regional mall/lifestyle center projects within the Regional Business Centers of the NCD district.

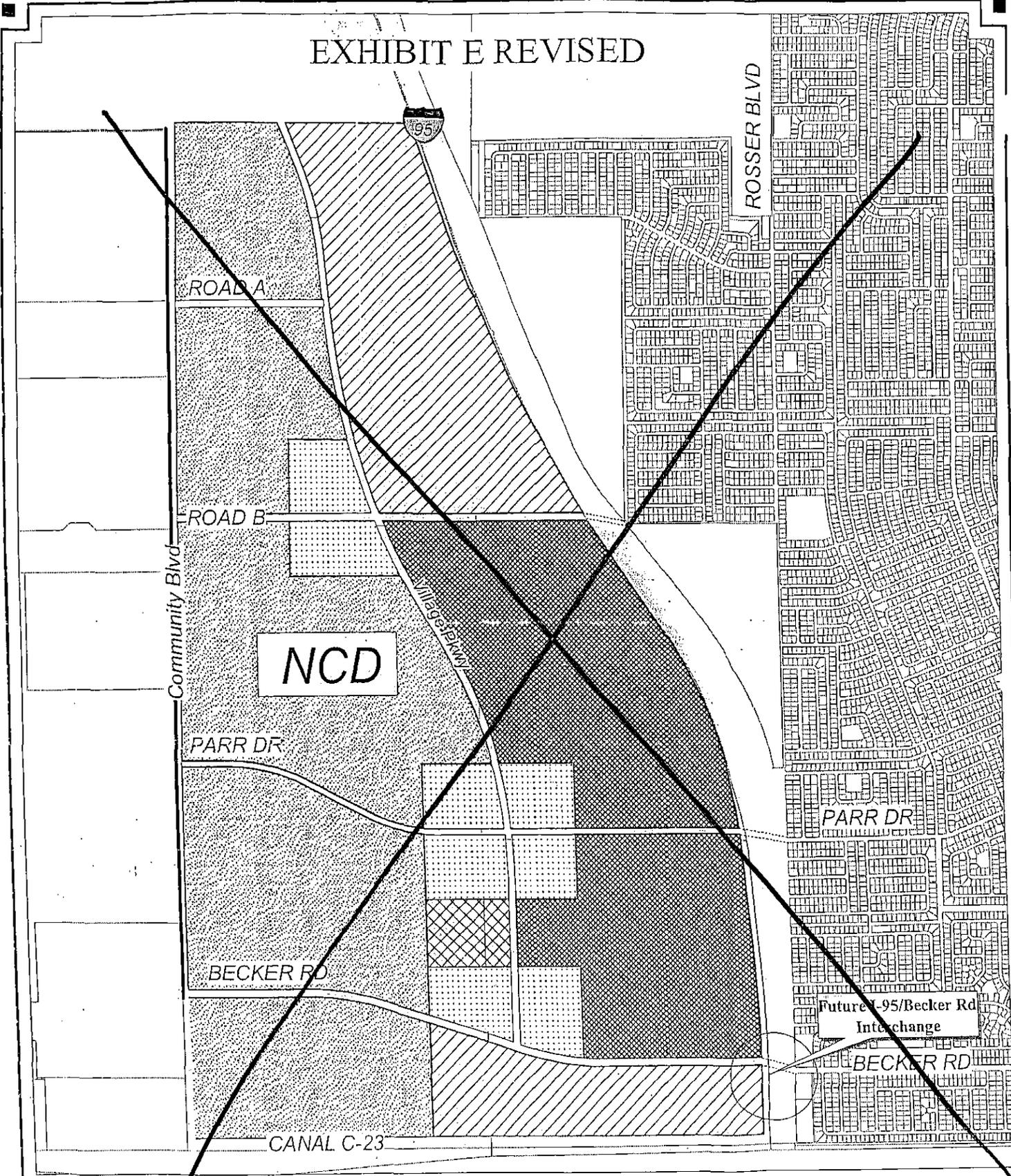
- a. Gross Leasable Area ("GLA"), shall be defined as the sum of gross horizontal areas of all floors of a building designed for the tenants' occupancy and exclusive use, expressed in sq. ft. and measured from the inside face of the exterior walls. GLA does not include public or "common areas" i.e., hallways and exit corridors, stairwells, elevators, escalators, lobbies, mall concourses or mall management offices nor does it include mechanical rooms, mechanical chases, basement, mezzanines (unless used as retail sales space), public and private restrooms, outdoor lumber and garden areas and storage areas that are roofed and enclosed but not served by a HVAC system or other unoccupied areas.

Objective 1.2.8: The Gatlin/95 Tradition/Western Grove NCD District is hereby established.

Policy 1.2.8.1: The density and intensity of the of the Gatlin/95 Tradition/Western Grove NCD District shall be limited to 14,600 11,307 residential units, 6,000,000 2,358,810 non-residential square feet, and 500 150 hotel rooms, and institutional, civic, recreation and accessory uses. The City may increase or decrease the above development units as may be provided for in an Equivalency Matrix adopted as part of an approved DRI Development Order.

Policy 1.2.9.1: The density and intensity of the of the Southern Grove NCD District shall be limited to 6,600 7,388 residential units, 4,100,000 13,187,743 non-residential square feet, and 300 791 hotel rooms, 300 hospital beds and institutional, civic, recreation and accessory uses. The City may increase or decrease the above development units as may be provided for in an Equivalency Matrix adopted as part of an approved DRI Development Order. The Southern Grove NCD District shall, at a minimum, contain the Residential, Mixed Use and Employment Center as the three areas required by Policy 1.2.2.1.

EXHIBIT E REVISED



- Planning Area
- Conceptual Land Uses
- Employment Center - 780 acres
- Neighborhood Village Center - 120 acres
- MXD - 575 acres
- Residential - 1,473 acres
- Area Reserved for Multi-Family Development - 40 Acres (min. density 10 du/ac)
- Right of Way & Open Space- 168 acres
- Conceptual Roadways
- Total Site 3156 acres

CITY OF PORT ST. LUCIE
 SOUTHERN GROVE NCD DISTRICT
 COMPREHENSIVE PLAN FUTURE
 LAND USE ELEMENT FIG. 20
 CONCEPTUAL LAND USE PLAN

CONY GROSS ASSOCIATES
 1000 S. W. 10th Street, Suite 100, Ft. Lauderdale, FL 33304
 Phone: (954) 561-1111
 Fax: (954) 561-1112
 Website: www.conygross.com

SOUTHERN GROVE NCD

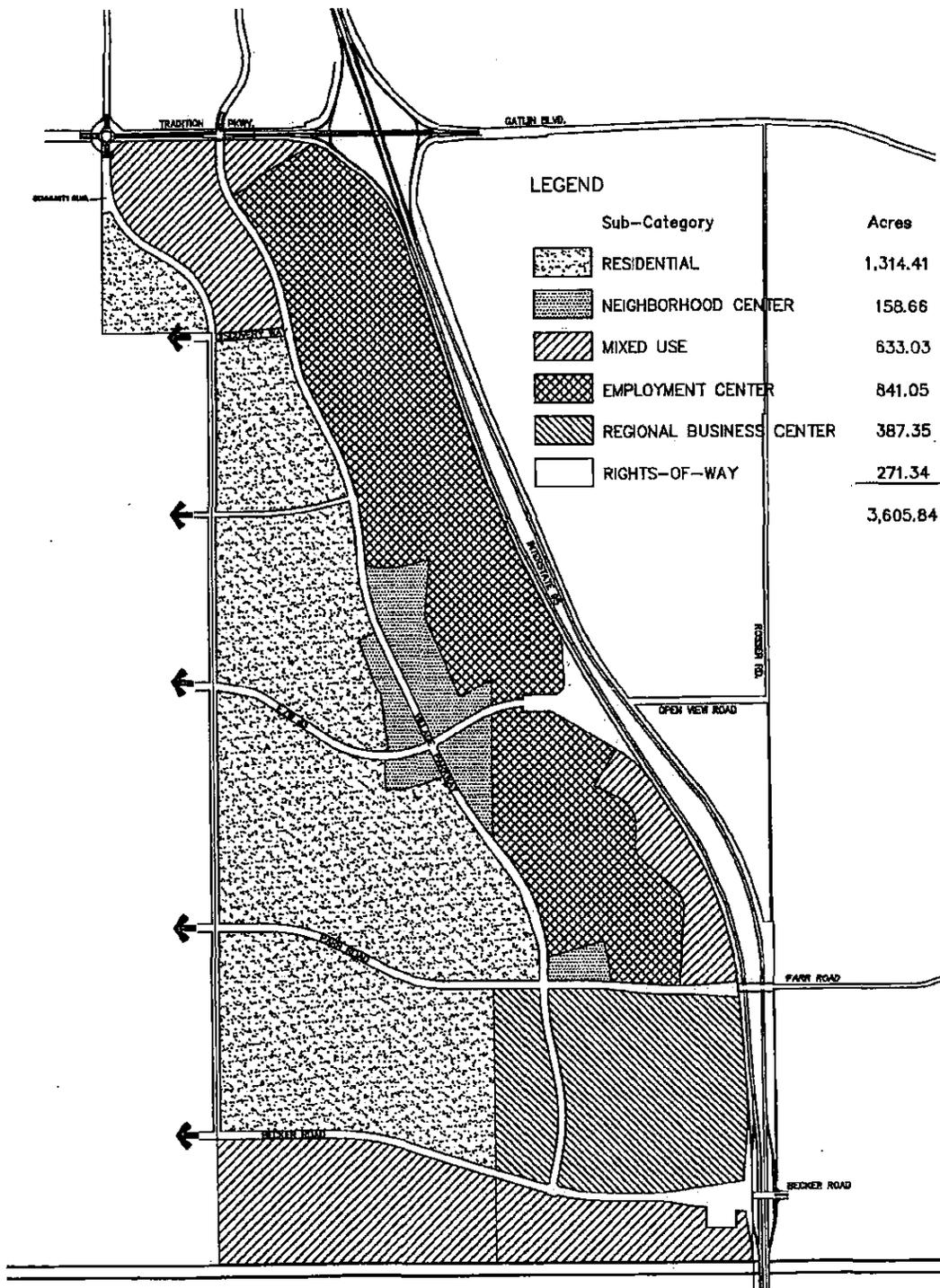


Figure 20
Conceptual Land Use Plan

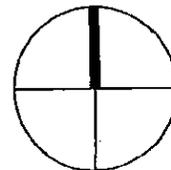
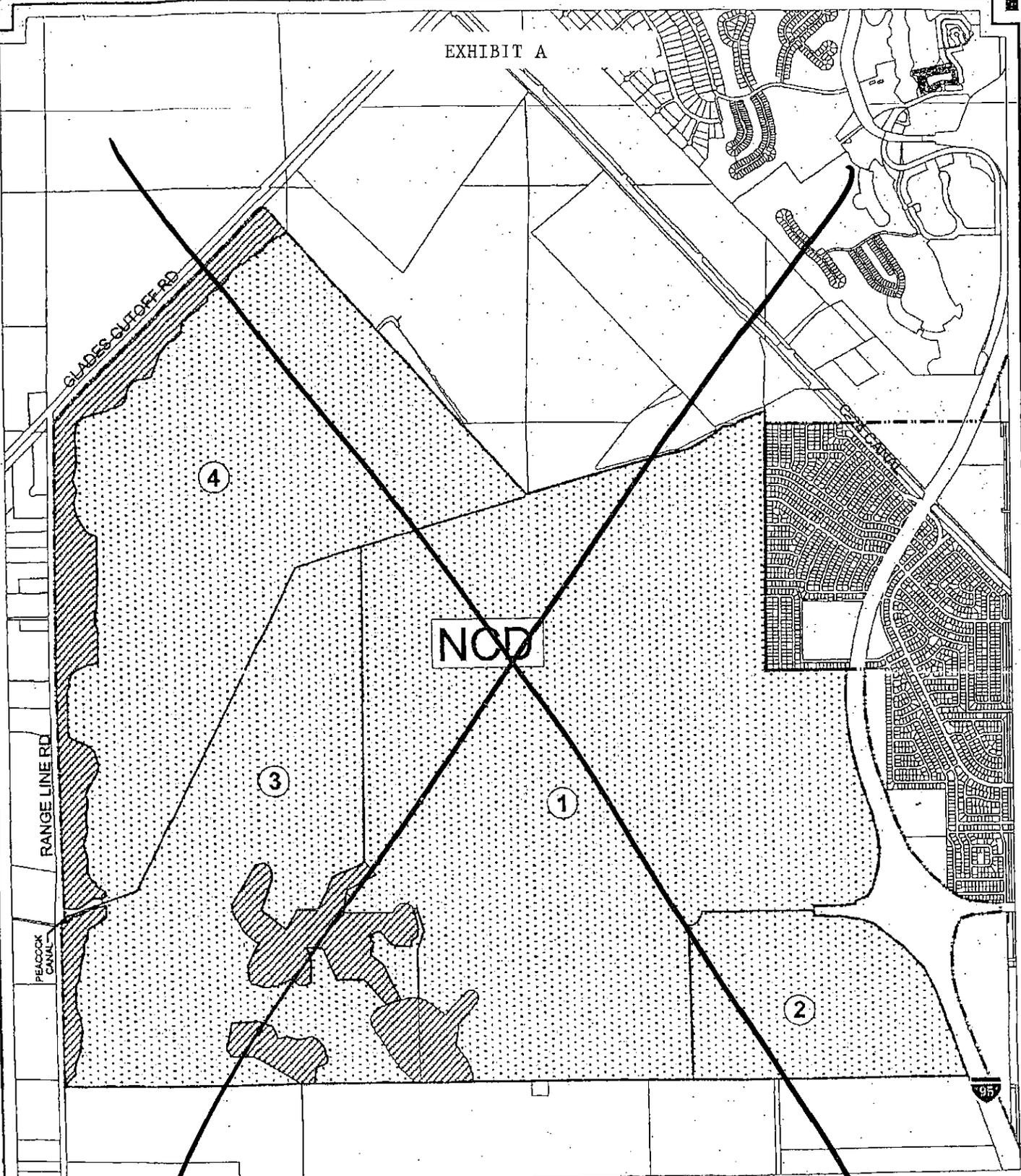


EXHIBIT A

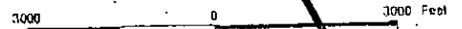


NCD

LEGEND

---	Planning Area				
---	City of Port St. Lucie Boundary				
.....	NCD - 5,717.26 acres				
	OSCO/SRL - 1,406.60 acres				
	NCD District	Dist. Acres	DU	SP	Jobs
1	Subarea 1	2,697.87	8,925	2,271,079	259
2	Subarea 2	447.55	2,130	3,014,321	239
3	Subarea 3	753.52	1,445	500,000	
4	Subarea 4	1,406.53	3,060	200,000	
	TOTAL	5,717.26	14,560	6,900,000	500

CITY OF PORT ST. LUCIE
GATLIN/I-95 NCD DISTRICT
PROPOSED FUTURE LAND USE

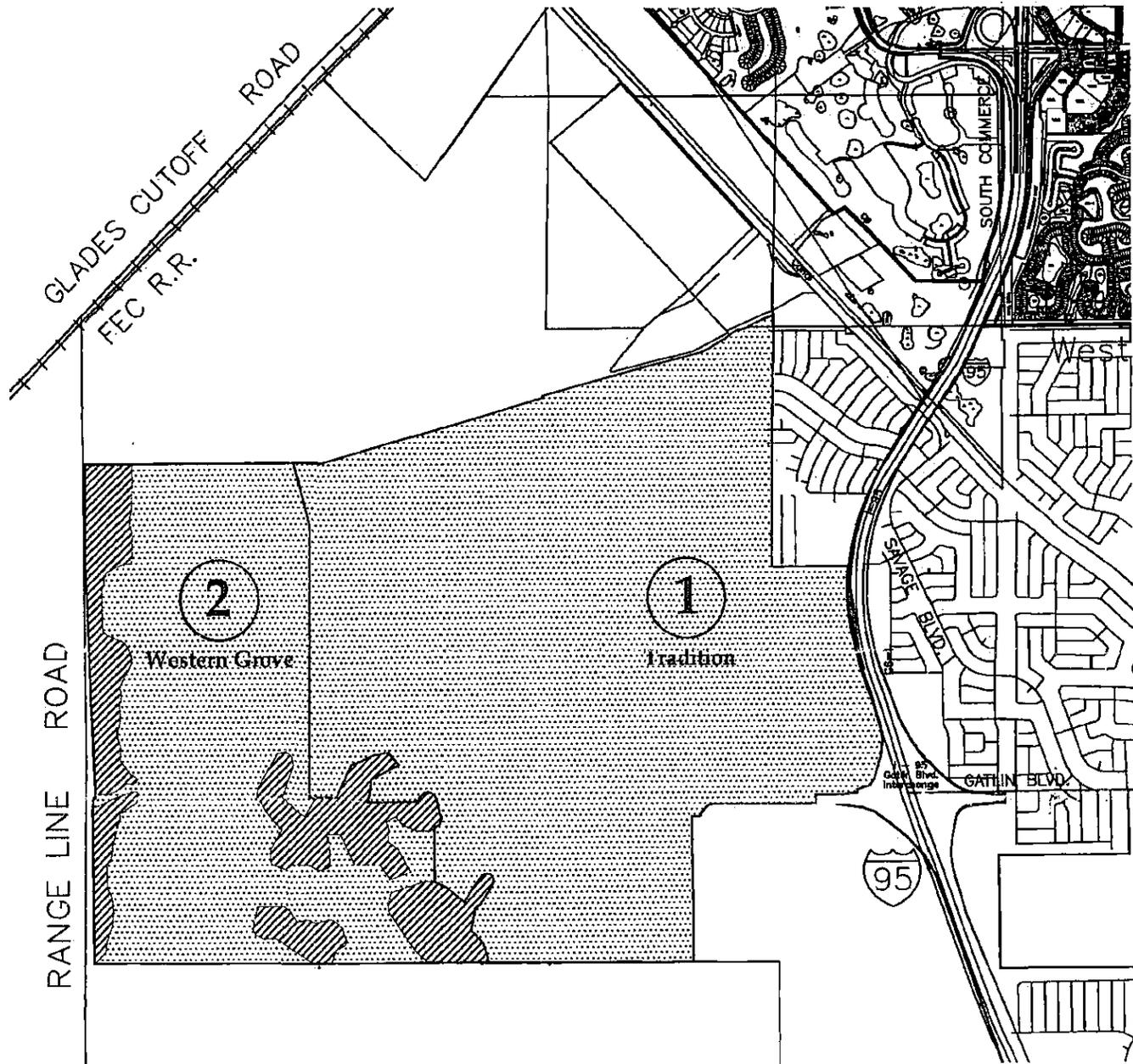


CMIN ASSOCIATES

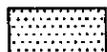
Urban & Environmental Planning, Landscape Architects
500 Oakway Avenue, Orlando, Florida 32801 (407) 423-6040
DATE: 05/09/99 JOB NUMBER: 191104
COPYRIGHT © 2002 CMIN ASSOCIATES, INC.
TELEPHONE: (407) 423-6040 FAX: (407) 423-6041



TRADITION/WESTERN GROVE NCD



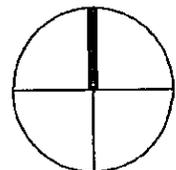
LEGEND

-  NCD +/- 4,233.44 acres
-  OSC/OSR +/- 374.68 acres

NCD Districts	Acres	DU	SF	Hotel
1 Sub-district 1	3,014.82	7,245	1,740,000	150
2 Sub-district 2	1,593.30	4,062	618,810	
Total	4,608.15	11,307	2,358,810	150

Figure 21

Tradition/ Western Grove Conceptual Land Use Plan



PORT ST. LUCIE CITY COUNCIL

AGENDA ITEM REQUEST

MEETING: REGULAR X SPECIAL

DATE: 4-25-11 (Second Public Hearing to be scheduled after review by the Department of Community Affairs)

ORDINANCE X RESOLUTION MOTION

PUBLIC HEARING 4-25-11 LEGAL AD PUBLISH DATES 4-11-11 (copy attached)

NAME OF NEWSPAPER ST. LUCIE NEWS TRIBUNE

ITEM: P11-021. PSL Acquisitions 1, LLC - Large Scale Comprehensive Plan Amendment

RECOMMENDED ACTION: A motion on the transmittal of the plan amendment to the State Department of Community Affairs.

 The Planning & Zoning Board on 4/5/11 voted unanimously to recommend approval of the proposed Comprehensive Plan Amendment.

=====

EXHIBITS: A. Staff Analysis & Recommendation
 B. Ordinance

SUMMARY EXPLANATION/BACKGROUND INFORMATION: Proposed changes to an objective, policies, and figures of the Future Land Use Element of the City's Comprehensive Plan regarding the Tradition, Western Grove and Southern Grove NCD Districts.

IF PRESENTATION IS TO BE MADE, HOW MUCH TIME WILL BE REQUIRED?

SUBMITTING DEPARTMENT: Planning Department

DATE: 4/11/11

able to partici-

Luis Garcia, Florida State representative

d overriding former Gov.
e Charlie Crist's veto of a
e bill that created political
d fundraising funds for state
elected leaders.

e Siplin also voted for an
e education reform bill sup-
il ported by Republicans
it that ties teacher pay raises
ls to student performance.

Montford joined Repub-
licans in asking voters to
approve a constitutional
amendment that would
cap the amount of rev-
enues the state could col-
lect.

"I vote on the issue as
it regards to my district,"

with me. The party didn't
elect me."

Leaving the state a la
Wisconsin or Indiana
Democrats, for the record,
wouldn't make a differ-
ence.

Rep. Mark Pafford
looked it up to be certain.

So it's day after day of
losing amendments and
being ruled out of order.
Day after day of speaking
to members who won't
change their vote no mat-
ter how good the argu-
ment.

he calls a weekly account-
ability scorecard.

"Week One: Florida
House passes Unemploy-
ment Compensation leg-
islation punishing out
of work employees by
rewarding Wall Street's
Corporations ... Pafford,
recorded vote — Against."

The bill passed 81-38.
"This is the year that
I have felt more isolated,
because I have not been
able to participate," said
Rep. Luis Garcia of Miami
Beach, first elected in 2006.

reclosure Defense

ey J. Saunders, Esq.
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for a free consultation

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guide to Probate &
Administration.

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Port St. Lucie, FL 34986
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notice for yield other than advertised yield. Lighthouse
insurance agency offering a CD locator service to introduce
invested includes bonus. Monday-Friday By Appointment.

CITY OF PORT ST. LUCIE PLANNING AND ZONING DEPARTMENT NOTICE OF PUBLIC MEETING

THE CITY COUNCIL of the City of Port St. Lucie
will hold a PUBLIC HEARING on this item on
April 25, 2011 at 7:00 PM in the CITY COUNCIL
CHAMBERS in the City Hall Building A, located
at 121 S.W. Port St. Lucie Blvd., Port St. Lucie,
Florida, on the following:

P11-021 PSL ACQUISITIONS 1, LLC —
comprehensive plan amendment — LARGE
SCALE. A request to amend the text of
the Future Land Use Element of the City's
Comprehensive Plan. The proposed
changes are to amend an objective and
policies regarding the Tradition/Western
Grove and Southern Grove NCD Districts.
Figures 20 and 21, the Conceptual
Master Plans for the Southern Grove and
Tradition/Western Grove NCD Districts,
are proposed to be amended.

NOTICE: No stenographic record by a certified
court reporter will be made of the foregoing
meeting. Accordingly, any person who may seek to
appeal any decision involving the matters noticed
herein will be responsible for making a verbatim
record of the testimony and evidence at said
meeting upon which any appeal is to be based.

Planning and Zoning Department
PUBLISH: April 11, 2011



City of Port St. Lucie
Planning and Zoning Department
A City for All Ages

TO: PLANNING & ZONING BOARD - MEETING OF APRIL 5, 2011

FROM: ANNE COX, ASSISTANT DIRECTOR OF PLANNING AND ZONING *AZ*

RE: COMPREHENSIVE PLAN AMENDMENT APPLICATION –
 LARGE SCALE
 PROJECT NO. P11-021
 PSL ACQUISITIONS 1, LLC

DATE: MARCH 24, 2011

The City has been requested by Wesley S. McCurry of Fishkind and Associates, acting as agent for PSL Acquisitions 1, LLC, to amend the text of the Future Land Use Element of the City's Comprehensive Plan. The proposed changes are to amend an objective and policies regarding the Tradition/Western Grove and Southern Grove New Community Development (NCD) Districts. The Conceptual Master Plans for the Southern Grove and Tradition/Western Grove NCD Districts are proposed to be amended. The proposed text changes are shown as ~~strike-through~~ for deletions and underlined for additions as follows:

Policy 1.2.2.9: The following unique term shall apply to regional mall/lifestyle center projects within the Regional Business Centers of the NCD district.

- a. Gross Leasable Area ("GLA"), shall be defined as the sum of gross horizontal areas of all floors of a building designed for the tenants' occupancy and exclusive use, expressed in sq. ft. and measured from the inside face of the exterior walls. GLA does not include public or "common areas" i.e., hallways and exit corridors, stairwells, elevators, escalators, lobbies, mall concourses or mall management offices nor does it include mechanical rooms, mechanical chases, basement, mezzanines (unless used as retail sales space), public and private restrooms, outdoor lumber and garden areas and storage areas that are roofed and enclosed but not served by a HVAC system or other unoccupied areas.

Analysis and Justification

This policy was included in the Comprehensive Plan last year along with the addition of the Regional Business Center sub-district. The definition for "gross leasable area" was included because malls usually have 20-25% of the building in common space area that is not leasable. The proposed addition of "regional mall/lifestyle center" is to clarify that gross leasable area pertains only to those types of projects. It would not apply to smaller free standing buildings such as restaurants, banks, retail stores, etc., that may be located in the Regional Business Center.

Objective 1.2.8: The Gatlin/I-95 Tradition/Western Grove NCD District is hereby established.

Policy 1.2.8.1: The density and intensity of the of the Gatlin/I-95 Tradition/Western Grove NCD District shall be limited to ~~14,600~~ 11,307 residential units, ~~6,000,000~~ 2,358,810 non-residential square feet, and ~~500~~ 150 hotel rooms, and institutional, civic, amenities and ancillary uses. The City may increase or decrease the above development units as may be provided for in an Equivalency Matrix adopted as part of an approved DRI Development Order.

Analysis and Justification

The Gatlin/I-95 NCD District encompasses the area of the Tradition and Western Grove Developments of Regional Impact (DRI). The objective and policy are proposed to be amended to change the name to be consistent with the DRIs. The development intensities are also proposed to be amended to be consistent with the current approved development intensities of the DRIs.

Policy 1.2.9.1: The density and intensity of the of the Southern Grove NCD District shall be limited to ~~6,600~~ 7,388 residential units, ~~4,100,000~~ 13,187,743 non-residential square feet, and ~~300~~ 791 hotel rooms, 300 hospital beds and institutional, civic, amenities and ancillary uses. The City may increase or decrease the above development units as may be provided for in an Equivalency Matrix adopted as part of an approved DRI Development Order. The Southern Grove NCD District shall, at a minimum, contain the Residential, Mixed Use and Employment Center as the three areas required by Policy 1.2.2.1.

Analysis and Justification

A substantial deviation application (DRI amendment) has been submitted for the Southern Grove DRI (P09-128) which is currently going through the review process. The substantial deviation application is to increase the development densities and intensities of the Southern Grove DRI. Pursuant to Section 380.06(6) of the Florida Statutes, a comprehensive plan amendment related to a DRI amendment may be initiated by the developer and must be considered by the local governing body at the same time as the proposed DRI amendment. The local governing body must hold a

public hearing on the transmittal of the proposed comprehensive plan amendment and then transmit the proposed comprehensive plan amendment to the Department of Community Affairs (DCA) for comment. After receiving a response from DCA, the local government must wait at least 30 days and then may hold a public hearing to take action on both the DRI amendment and the proposed comprehensive plan amendment. Both applications must be heard at the same meeting.

The applicant has provided an analysis to justify the increased development densities and intensities for the project. (See attached). The analysis indicates that the densities and intensities proposed are appropriate given the projected population growth and demand for office, industrial and commercial space.

The potable water and wastewater demand is expected to increase by 1.257 MGD and 1.068 MGD respectively. The project is within the service area of the Port St. Lucie Utility Systems Department. The Utilities System has indicated that there is adequate plant capacity existing or planned to serve the project.

A revised transportation analysis is being conducted in conjunction with the DRI amendment. The results of that analysis will be incorporated into the transportation conditions of the amended development order for the DRI. This will ensure that roadway levels of service are addressed per the City's Comprehensive Plan.

Solid waste generation is expected to increase by 28 tons per day. Solid waste capacity for St. Lucie County is measured and planned based on population projections. There is adequate capacity to accommodate this project.

There are existing conditions in the Southern Grove DRI development order which address schools, storm water management and police and fire protection.

The revised **Figure 20**, Southern Grove NCD District Conceptual Master Plan, depicts the conceptual master plan required by NCD District Policy 1.2.1.4. It illustrates the allocation of the land use sub-categories and how they function in relation to each other. **Figure 21** revises the figure originally adopted by Ordinance 02-143 for the Gatlin/I-95 NCD District.

Analysis and Justification

The revised Figure 20 is proposed to be consistent with master development plan "Map H" submitted as part of the DRI amendment application. Figure 21 is proposed to be consistent with the revised boundaries for the Tradition and Western Grove DRIs.

STAFF RECOMMENDATION:

The Planning and Zoning Department staff finds the proposed changes to be consistent with the intent and direction of the City's Comprehensive Plan and recommends approval.

Southern Grove NCD – Comprehensive Plan Amendment

Section I: Application For Comprehensive Plan Amendment

City of Port St. Lucie
Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34984
(561) 871-5212

For Office Use Only

Planning Dept: P11-021
Fee (Nonrefundable): \$ 3,960.00
Receipt #: 10960

Application fee: \$1,800, plus \$10 for each acre or portion thereof. Make checks payable to the 'City of Port St. Lucie.' All items on this application should be addressed; otherwise it cannot be processed. Attach proof of ownership; two copies of deed or contract for purchase. Please type or print clearly in BLACK ink.

Property Owner

Name: PSL Acquisitions 1, LLC
Address: 4333 Edgewood Rd. NE
Cedar Rapids, IA, 52499

Telephone No.: (319) 355-2304

Fax No.:

RECEIVED

FEB 28 2011

PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE, FL

If property is in multiple or corporate ownership, please provide one contact person:

Name: David Feltman
Address: PSL Acquisitions 1, LLC
4333 Edgewood Rd. NE
Cedar Rapids, IA, 52499

Telephone No.: (319) 355-2304

Fax No.:

Agent of Owner (if any)

Name: Wesley S. McCurry (c/o Fishkind & Associates, Inc.)
Address: 10489 SW Meeting St.
Port St. Lucie, FL 34987

Telephone No.: (772) 340-3500

Fax No.: (772) 340-3718

Property information

Boundary Description: N/A (text and figure amendments)
(Attach map)

Property Tax I.D. Number: N/A (text and figure amendments)

Current Land Use: N/A (text and figure amendments)

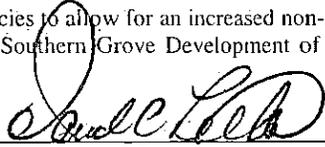
Proposed Land Use: N/A (text and figure amendments)

Current Zoning: N/A (text and figure amendments)

Acreage of Property: N/A (text and figure amendments)

Reason For Comprehensive Plan Amendment

Text modifications to Future Land Use Element policies to allow for an increased non-residential development program for the Southern grove NCD District as supported by the Southern Grove Development of Regional Impact Substantial Deviation ADA.


Signature of Owner

2/24/11
Date

**If signature is not that of owner, a letter of authorization from the owner is needed.*

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted.

Section II: Introduction

A. Background

Southern Grove is an approved Development of Regional Impact located in the City of Port St. Lucie. The 3,606 acre site is located west of Interstate 95, north of the C-23 Canal and south of Tradition Parkway. See Map A, General Location Map.

The project is currently approved for 7,388 residential units, 1,999,404 sq. ft. of industrial /warehouse, 2,073,238 sq. ft. of office, 2,164,061 sq. ft. of retail, 500 hotel rooms and ancillary uses, such as schools, recreation and open space and infrastructure.

The proposed modifications will increase the nonresidential land use as follows:

- 3,675,075 sq. ft. - Commercial Retail*
- 2,430,728 sq. ft. - Office*
- 2,498,602 sq. ft. - Research & development*
- 4,583,338 sq. ft. - Industrial*
- 791 hotel rooms*
- 300 hospital beds*

The project currently includes a 100,000 square foot building occupied by Torrey Pines Institute for Molecular Studies, a 111 room hotel, and a 130,000 square foot building is under construction for the Vaccine and Gene Therapy Institute. Three roads have been constructed and completed; specifically Village Parkway from Tradition Parkway to Becker Road; Community Boulevard from Tradition Parkway to Discovery Way; and Discovery Way from Village Parkway to Community Boulevard. An interchange with Interstate 95 has also been constructed at Becker Road. These roads provide access to all of the properties in Southern Grove.

The project will provide large scale employment and retail opportunities lacking in the Treasure Coast area. The lack of nonresidential land in Port St. Lucie is well documented. A Land Use Demand Study prepared for the City by Thompson Consulting in 1999, the Martin and St. Lucie Counties Regional Land Use Study (2002) and the Urban Land Institute (ULI) Advisory Services Panel Report (2004), all identified the need for properties for industrial, commercial and office development due to the following challenges to land development patterns and transportation within this region.

- Development patterns within the US 1 and I-95 corridors include a mixture of small platted lots that limits the ability to assemble land for significant development and promotes piecemeal development patterns, which are not conducive to sound growth management;*
- A sizable imbalance in the location of housing and jobs resulting in long work commutes;*
- Physical and environmental features that limit roadway connectivity and allow for only few, increasingly congested, continuous routes serving the area; and*
- Prevailing market demand from the western portion of the Urban Services Area.*

The reports concluded that local governments should work cooperatively to concentrate future residential and commercial development in compact mixed-use centers spread throughout the region to sustain the local economy, expand travel choices and avoid costly road improvements by reducing trip lengths and encouraging interaction between uses. To some degree, this cooperative effort has already begun with the Tradition and Southern Grove DRI developments.

Southern Grove NCD – Comprehensive Plan Amendment

The 4-mile stretch along I-95 between Gatlin Boulevard/Tradition Parkway and Becker Road is commonly referred to as the Jobs Corridor. The Jobs Corridor will provide land for employment opportunities currently not available in Port St. Lucie and allow the city to begin to reverse the trend of residents traveling outside of the city for jobs.

Mixed Use, Regional Business and Employment Center areas will contain commercial, personal service and office uses conveniently located to the residents and within easy access to all of the Treasure Coast as shown on Exhibit A, Conceptual Development Plan. This design will have a positive impact on energy resource consumption, because residents will enjoy shorter shopping and work trips, as well as provide opportunities for utilization of combined heat and power, and smart grid technologies. In some cases, residents will be able to walk or bike to neighborhood stores.

A Needs Analysis prepared by Dr. Henry Fishkind of Fishkind & Associates, included in response to Question 10 of the Southern Grove DRI Substantial Deviation ADA and subsequent sufficiency responses, indicates that the density and intensity proposed within the Southern Grove NCD District is appropriate given the projected future population growth of the City. A Fiscal Impact Analysis also prepared by Dr. Fishkind, included in response to Question 11 of the Southern Grove DRI Substantial Deviation ADA and subsequent sufficiency responses, provides evidence that the necessary funding for the anticipated services will be generated by the development contemplated within the Southern Grove NCD District.

The proposed NCD District will facilitate a private/public partnership to manage growth within a predictable framework over the next 25 years. In addition, it will provide the foundation for a powerful economic development initiative, which will have long-term beneficial results for the City of Port St. Lucie, St. Lucie County and the region.

Section III: Port St. Lucie CPA

A. Land Use Amendment Application Summary

Application No.: _____ **Receipt Number:** _____ **Fee:** \$ _____

Location:

See attached Legal Description and Location Map.

Plat:

Unplatted

Block:

N/A

Lot:

N/A

Owner's Name:

PSL Acquisitions 1, LLC

Address:

4333 Edgewood Rd. NE
Cedar Rapids, IO, 52499

Telephone No.:

(319) 355-2304

(Attach verification of ownership)

Please see Authorization Letter.

Agent's Name:

Wes McCurry
Fishkind & Associates

Address:

10489 SW Meeting Street
Port St. Lucie, FL 34987

Telephone No.:

772-340-3500

Fax No.:

772-340-3718

Acreage:

N/A (text and figure amendments)

Existing Land Use Designation:

N/A (text and figure amendments)

Existing Zoning:

N/A (text and figure amendments)

Proposed Port St. Lucie Land Use Designation:*

N/A (text and figure amendments)

Surrounding Land Use Designation:

N/A (text and figure amendments)

Surrounding Zoning:

N/A (text and figure amendments)

Surrounding Existing Uses:

N/A (text and figure amendments)

Nearest public water and facility:

N/A (text and figure amendments)

Nearest sanitary sewer and facility:

N/A (text and figure amendments)

Flood Zone:

N/A (text and figure amendments)

New Community Development District – Comprehensive Plan Amendment

Wetlands:

N/A (text and figure amendments)

Existing Structures:

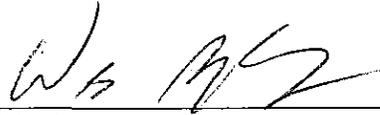
N/A (text and figure amendments)

Existing Vegetation:

N/A (text and figure amendments)

Reason for comprehensive plan amendment:

Text modifications to Future Land Use Element policies to allow for an increased non-residential development program for the Southern Grove NCD District as supported by the Southern Grove Development of Regional Impact Substantial Deviation ADA. The increase in the non residential development program will establish a compact, mixed-use, master-planned community center that will (i) provide for a greater diversity of employment opportunities in proximity to a variety of housing types; (ii) improve the jobs/housing balance through complementary land uses in closer proximity to residential areas; (iii) create sustainable development and increased property values. As a bi-product of creating such an area, it is expected that the number and length of automobile trips shall be in greater balance.



Wes McCurry
Fichkind & Associates

2/23/11

Date

New Community Development District – Comprehensive Plan Amendment

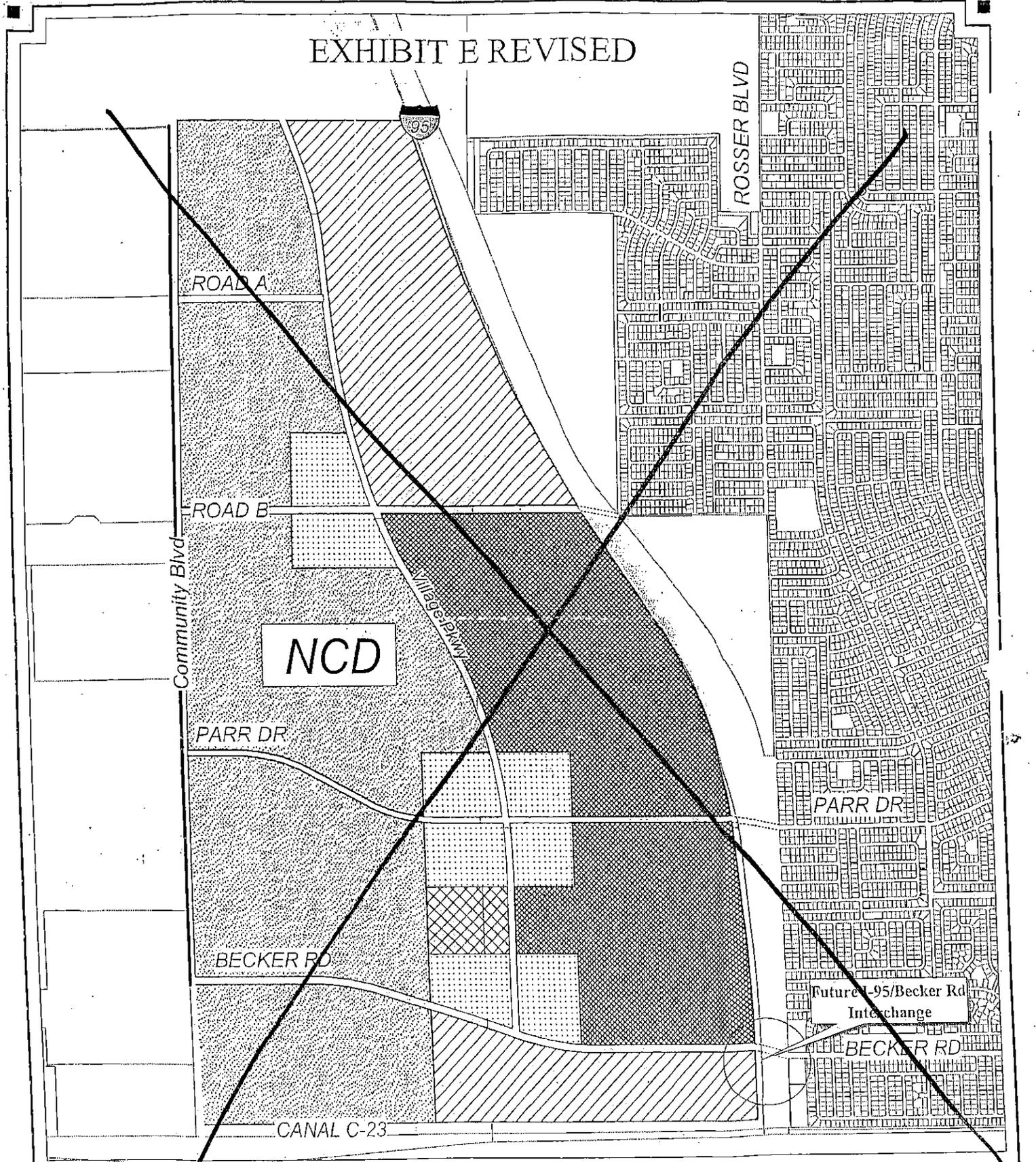
B. Public Facilities Analysis

A full analysis was conducted to determine the maximum public facilities impacts that could be expected from development of the property at the uses proposed under Policy 1.2.9.1. as part of the Southern Grove DRI Substantial Deviation ADA and subsequent sufficiency responses. Please refer to the responses to the following Questions contained in the Southern Grove DRI Substantial Deviation ADA and subsequent sufficiency responses: Question 17, Water Supply; Question 18, Wastewater Management; Question 20, Solid Waste/Hazardous Waste/Medical Waste; Question 21, Transportation; and Question 25, Emergency Services.

C. Consistency with the Policies of the Port St. Lucie Comprehensive Plan

The Southern Grove DRI is consistent with the City of Port St. Lucie Comprehensive Plan. The property has a New Community Development (NCD) land use and a portion of it has been rezoned to Master Planned Unit Development (MPUD) to allow for development. The Southern Grove DRI Substantial Deviation ADA proposes to increase the non-residential portions of the approved Southern Grove DRI Development Program. The text amendment proposed in this application is intended to accompany the Substantial Deviation ADA so that Policy 1.2.9.1 is consistent with the development program proposed in the Substantial Deviation ADA.

EXHIBIT E REVISED



- Planning Area
- Conceptual Land Uses
- Employment Center - 780 acres
- Neighborhood Village Center - 120 acres
- MXD - 575 acres
- Residential - 1,473 acres
- Area Reserved for Multi-Family Development - 40 Acres (min. density 10 du/ac)
- Right of Way & Open Space - 168 acres
- Conceptual Roadways
- Total Site 3,150 acres

CITY OF PORT ST. LUCIE
 SOUTHERN GROVE NCD DISTRICT
 COMPREHENSIVE PLAN FUTURE
 LAND USE ELEMENT FIG. 20
 CONCEPTUAL LAND USE PLAN

CONVOLUTIONS
 1000 S. ...
 ...
 ...

SOUTHERN GROVE NCD

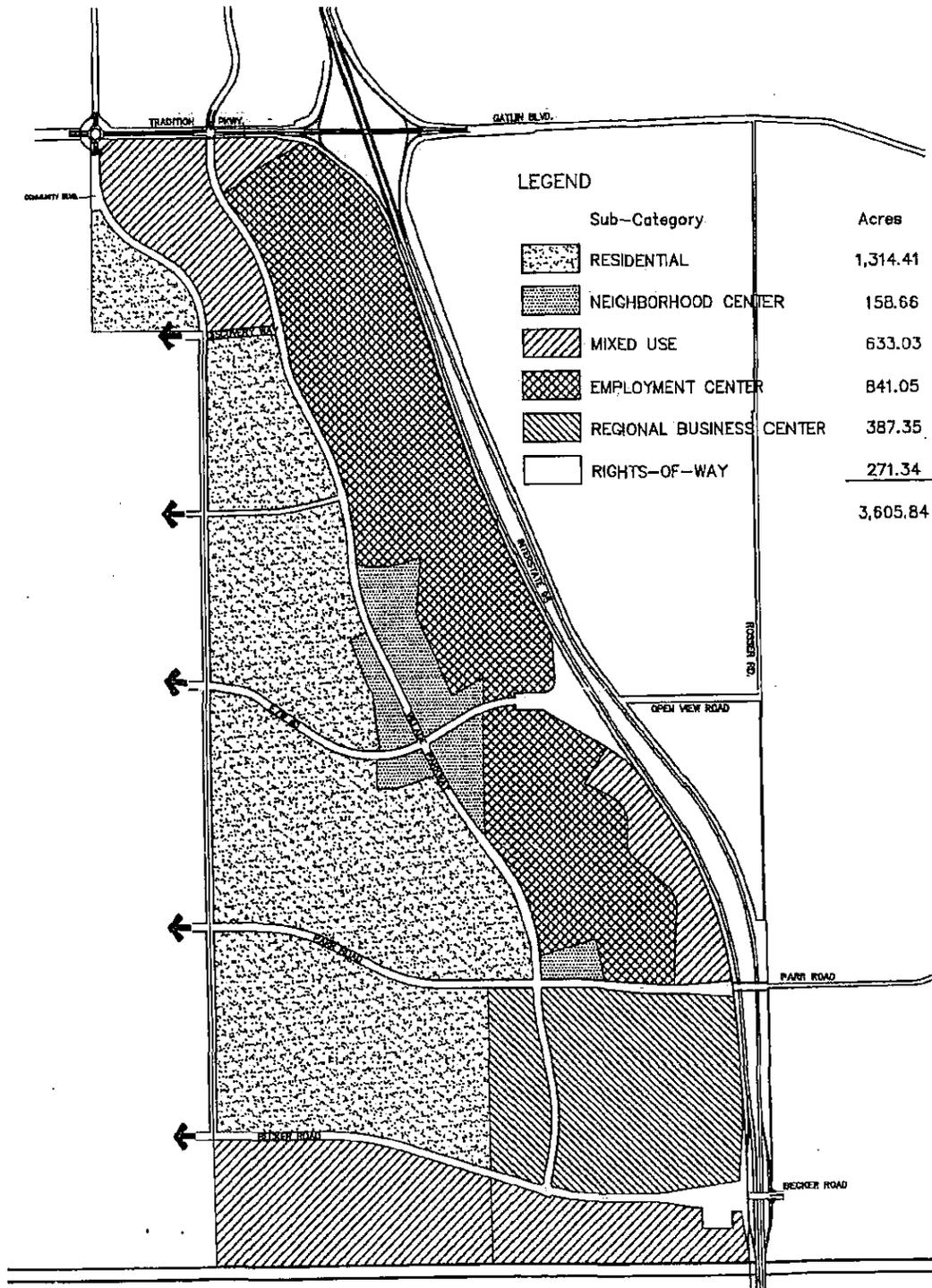


Figure 20
Conceptual Land Use Plan

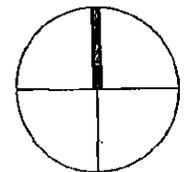


EXHIBIT G - Revised

NCD

GLADES CUTOFF RD

RANGE LINE RD

PEACOCK CANAL

4

3

1

2

95

LEGEND

- Planning Area
- City of Port St. Lucie Boundary
- NCD - 5,713.26 acres
- OSKOSR - 1,468.00 acres

NCD District	Subarea	Upland Acres	DU	SP	Hotel
1	Subarea 1	7,697.87	9,023	2,271,079	739
	Subarea 2	467.55	2,130	3,014,331	739
3	Subarea 3	751.52	1,445	150,000	
	Subarea 4	1,486.81	3,000	200,000	
TOTAL		5,713.26	14,600	6,400,000	500

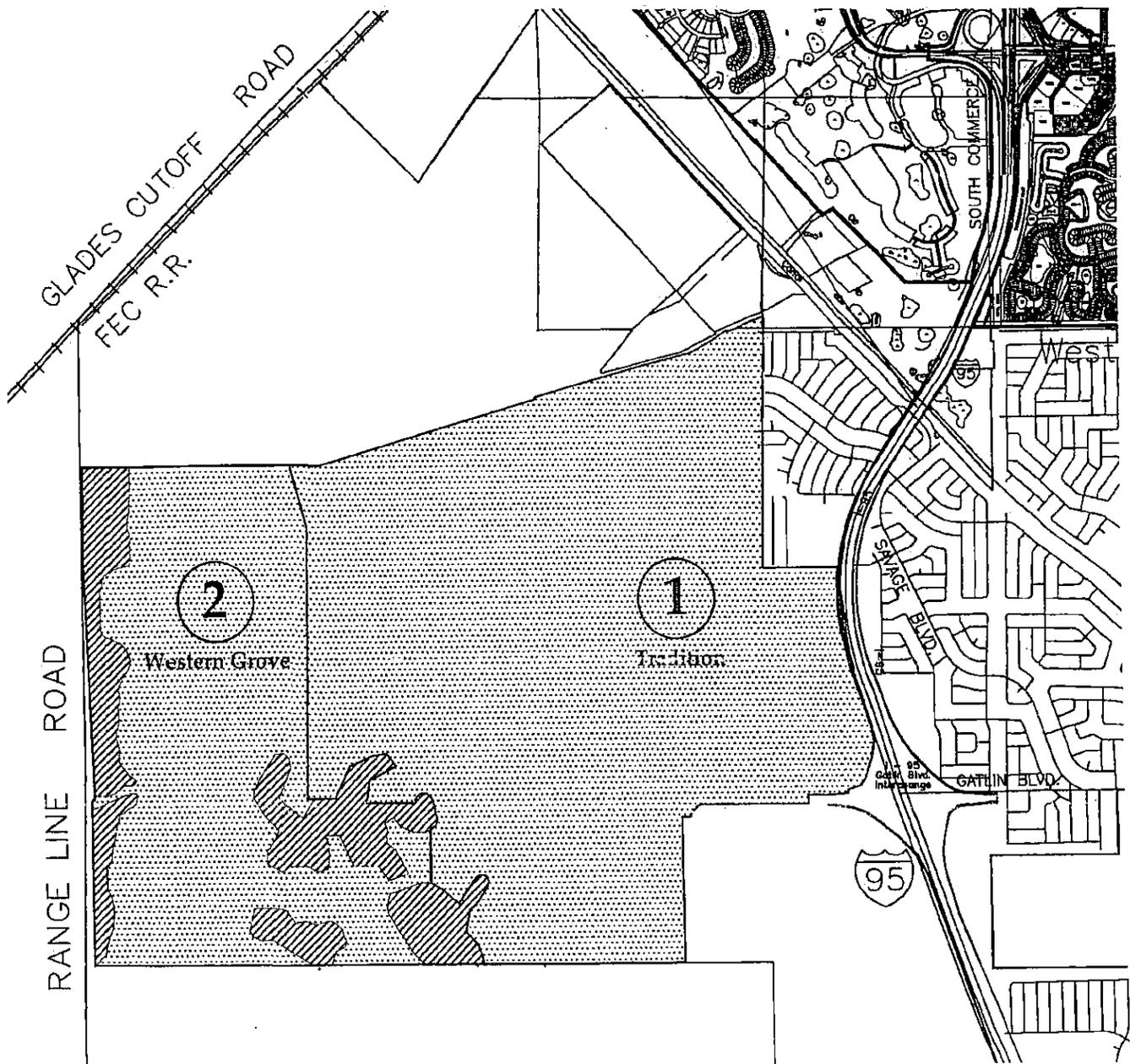
CITY OF PORT ST. LUCIE
GATLIN/I-95 NCD DISTRICT
PROPOSED FUTURE LAND USE

0 3000 Feet

CMH ASSOCIATES
Urban & Environmental Planning - Landscape Architecture
500 Gateway Avenue, Orléans, LA 70655-3200 (504) 774-0400
DATE: December 2003 FILE # 02-143
DRAWN BY: J. J. J. CMH ASSOCIATES, INC.
FILE # 02-143-1005 PL 3/24/04

ORD 02-143

TRADITION/WESTERN GROVE NCD



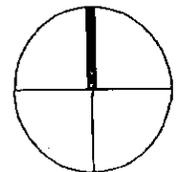
LEGEND

-  NCD +/- 4,233.44 acres
-  OSC/OSR +/- 374.68 acres

NCD Districts	Acres	DU	SF	Hotel
1 Sub-district 1	3,014.82	7,245	1,740,000	150
2 Sub-district 2	1,593.30	4,062	618,810	
Total	4,608.15	11,307	2,358,810	150

Figure 21

Tradition/ Western Grove Conceptual Land Use Plan



4.0 Office/Industrial Market Summary

The office/industrial market analysis estimates a supportable demand for office and industrial space in each Submarket. This supportable demand is based on the current employment concentration by category within each Submarket. The employment data is obtained by the State of Florida agency for Workforce Innovation, which monitors employment by category. The categories are first separated between White Collar and Blue Collar jobs, and then further delineated by the type of business. This analysis estimates the number of jobs for each category to which the Consultant applies an average square footage per job to estimate the supportable demand for office/industrial space within a Submarket. The inventory of office/industrial space is again obtained from CoStar with the western, less populated Submarket, supply obtained from the county property appraiser database.

4.1 Office Development Summary

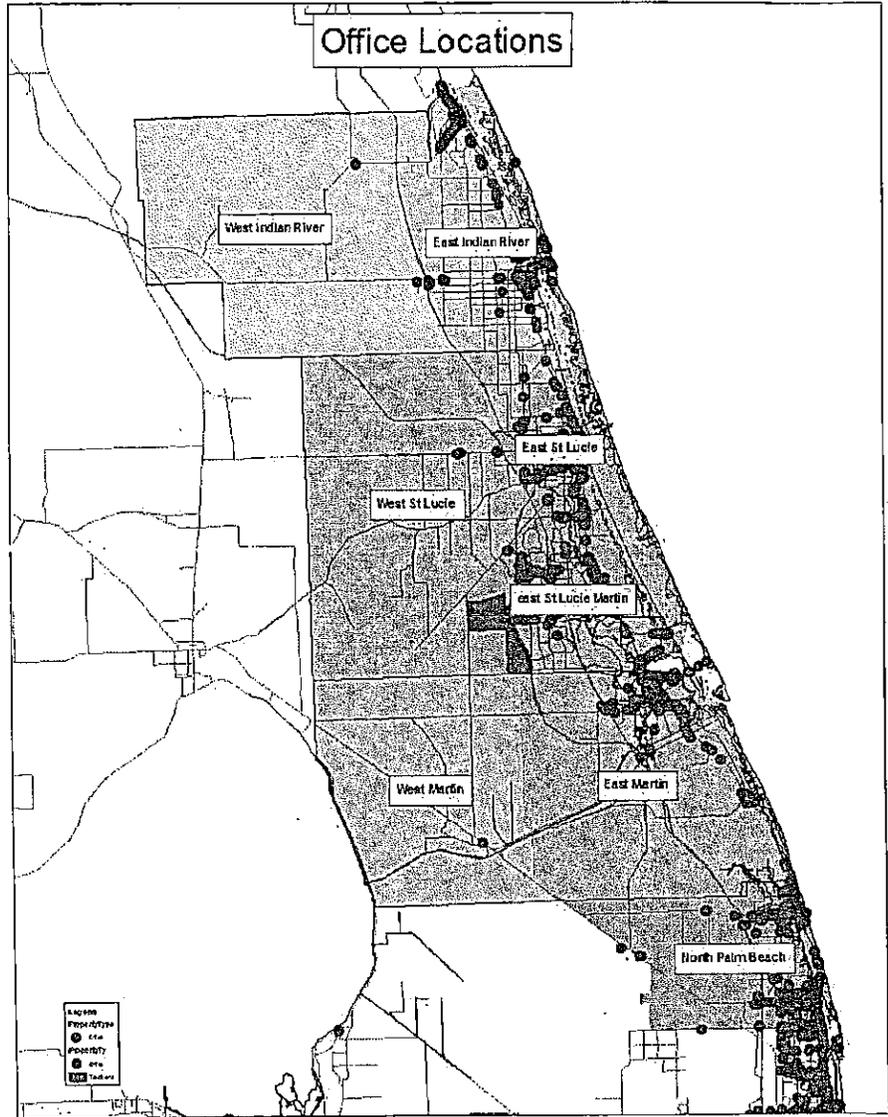
The matrix below shows the number of office properties, rentable building area, average building size, average rent, and occupancy within each Office/Industrial Submarket.

Submarket	# of Properties	Rentable Bldg Area	AVG Bldg Size (sqft)	AVG Weighted Rent	% Leased
N. Palm Beach	305	8,504,270	27,883	\$21.98	86.98
W. Martin	1	2,596	2,596	—	N/A
E. Martin	342	3,869,551	11,314	\$18.70	87.73
E. St. Lucie/Martin	331	4,241,201	12,813	\$19.92	86.11
W. St. Lucie	4	13,269	3,317	—	N/A
E. St. Lucie	176	1,835,209	10,427	\$15.47	95.65
W. Indian River	3	10,498	3,499	—	N/A
E. Indian River	188	1,931,642	10,275	\$21.78	83.95
Grand Total	1,350	20,408,236	15,117	\$19.64	87.15

Source: CoStar Commercial Real Estate Information Services

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Located below is a map showing the location of office space within the study area.



From our analysis, we find that the North Palm Beach Submarket has the highest concentration of office space within the region, followed by the East St Lucie/Martin Submarket (Tradition's Location). The fact housing is more affordable in the St Lucie/Martin Submarket has begun to attract more office uses to this area. That coupled with the development of large office, commerce and research parks within the Tradition community has begun to diversify the region's economy of which the St Lucie/Martin Submarket is the becoming the center.

4.2 Industrial Development Summary

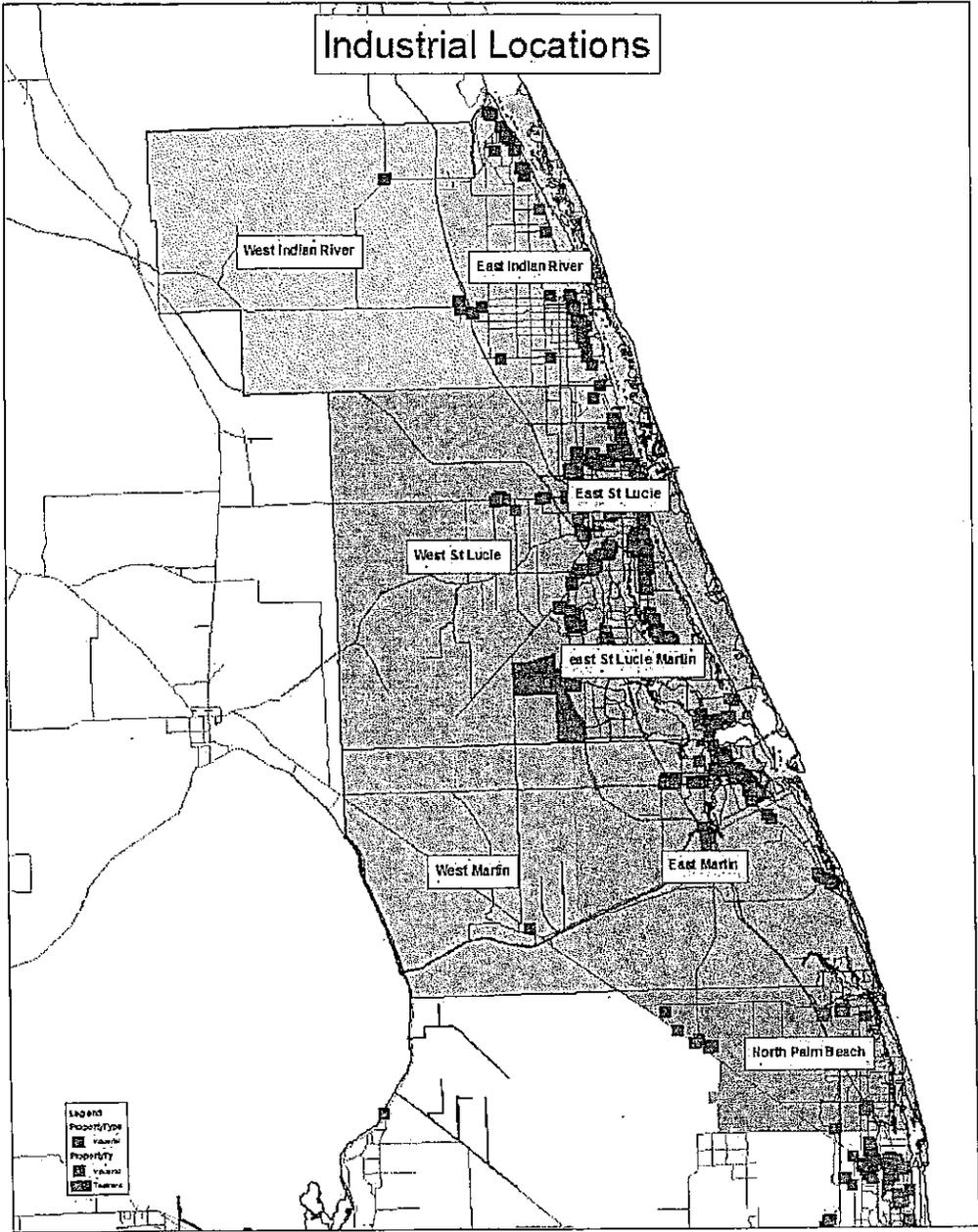
The matrix below shows the number of industrial properties, rentable building area, average building size, average rent, and occupancy within each Office/Industrial Submarket.

Submarket	# of Properties	Rentable Bldg Area	AVG Bldg Size (sqft)	AVG Weighted Rent	% Leased
N. Palm Beach	19	1,660,551	87,397	\$9.75	70.84
W. Martin	1	4,351	4,351	---	N/A
E. Martin	368	8,997,519	24,450	\$9.86	91.66
E. St. Lucie/Martin	222	4,607,959	20,757	\$10.92	88.71
W. St. Lucie	27	720,150	26,672	\$8.50	93.91
E. St. Lucie	411	8,280,756	20,148	\$8.13	95.99
W. Indian River	4	501,360	125,340	\$8.00	93.29
E. Indian River	93	1,206,887	12,977	\$8.80	78.87
Grand Total	1,145	25,979,533	22,690	\$9.31	91.23

Source: CoStar Commercial Real Estate Information Services

As the market moves east with development like Traditions, office demand will follow. It is evident the office and industrial development is moving toward I-95 and the Florida turnpike to take advantage of easy access for employees and to provide access to a wider regional market, primarily south into Palm Beach County.

Located below is a map showing the location of industrial space within the study area.



The industrial supply is concentrated in the East St Lucie and East Martin Submarkets which are Fort Pierce and Stuart respectively. These areas are within close proximity to airports and are older in nature.

5.0 Office/Industrial Capture Analysis

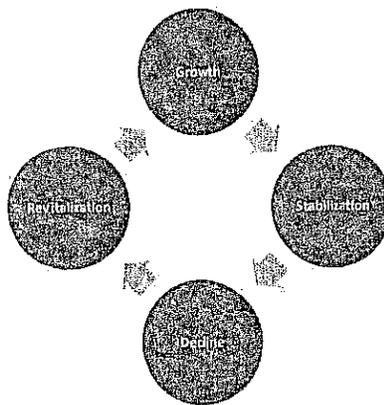
As mentioned above, the Consultant prepared a demand forecast for office and industrial space for each Submarket (section 7.0 of report) based on employment-by-industry growth. The next step is for the Consultant to estimate what share of the demand forecast Tradition can reasonably expect to capture.

Because office and industrial space is destination-oriented (as opposed to convenience-oriented e.g. retail space), Tradition has potential to capture demand from the entire study area rather than a smaller trade area or particular Submarket.

5.1 Community Life Cycle

The first step in the capture rate analysis is to examine where Tradition is in its community life cycle. The life cycle is characterized by four distinct stages. A figure of the Community Life Cycle is shown below. Tradition is currently in the Growth Stage of the life cycle.

Community Life Cycle



This assessment is important because a Project's ability to effectively capture growth is affected by its position in the life cycle when compared to other competing projects. Properties in the earlier stages of the life cycle tend to have higher capture rates for a number of reasons:

- They are vacant and have more space to offer the user market;
- New properties usually have the best current location in the area;
- New buildings have less functional obsolescence.

Tradition is a newer community in the growth stage of its life cycle. Roughly 2,700 dwelling units are currently constructed out of a planned +/- 18,000 with commercial development having commenced in 2005. The table below shows a summary of Tradition's onsite commercial development to date.

	2005	2006	2007	2008	2009	Total to Date
Retail (sqft)	2,500	55,631	496,264	13,011	---	567,406
Office (sqft)	53,464	---	---	9,492	---	62,956
Indus. (sqft)	---	---	---	---	100,000	100,000
Hotel (rooms)	---	---	---	---	111	111

Source: Client Information

5.2 Structural Impact Effects

The next step in the capture analysis is to recognize the effect significant structural impacts like the location of major R&D/medical/institutional entities and the opening of two new interchanges will have on Tradition's office/industrial capture prospects.

Torrey Pines, Oregon Health and Science University's Vaccine and Gene Therapy Institute ("VGTI"), Martin Memorial, and the Mann Institute have purchased land in Tradition. Torrey and VGTI are currently under construction and Martin Memorial expects to receive all of its approvals and to break ground for a 300-bed hospital in 2011. Mann is planning a major medical office park adjacent to Martin and is planning a major medical devices manufacturing plant for the area. Furthermore, there are two new interchanges slated for opening in the Tradition area.

A critical mass of R&D/medical/institutional properties with superb access within Tradition is a compelling attractor to secondary businesses seeking to capitalize on potential synergies. This would include businesses that provide services, support, and amenities to the primary facilities.

Taken together, these are transforming developments which render analysis of historic capture rates in comparable area communities ineffective. Tradition will be able to achieve and maintain critical mass more rapidly than comparable projects.

The question then becomes, 'how to estimate office and industrial capture rates within the framework of the structural impacts recognized above?' An instructive approach is to examine each surrounding Submarket's capacity to accommodate new demand.

5.3 Capacity Analysis

Having established Tradition's position in the community life cycle and recognized the structural impacts of large R&D/medical/institutional prospects and the opening of two new interchanges, the next step in the capture rate analysis is to quantify each Submarket's capacity to accommodate new demand. This exercise is important because these capacity estimates will be compared to demand estimates for each Submarket to assess where the most optimal capture opportunities may lie. That is, some Submarkets may simply not have as adequate a supply of suitable, functional land available to support a variety of unique demand opportunities as other Submarkets.

The capacity analysis begins with an inventory of vacant commercial and industrial designated lands by Submarket utilizing tax record data. Based on the Consultant's experience, *total inventory* of vacant commercial/industrial lands does not represent *effective capacity*. This is due to a number of reasons such as: land ownership patterns, environmental or regulatory hindrances, locational issues, feasibility issues, functionality, potential for conversion to other uses, or the fact that these vacant lands may not be introduced to the market for development at all over the study horizon. To account for these realities, the Consultant has applied an adjustment factor to the vacant lands. To arrive at a square foot capacity for each Submarket, the Consultant then applied a floor-area ratio to the adjusted vacant lands. This is shown in the table below.

Submarket	Industrial			Office		
	Vacant Acres	Adj. Factor	Capacity (sqft)	Vacant Acres	Adj. Factor	Capacity (sqft)
No Palm Beach	731.72	25.0%	1,992,116	597.64	25.0%	1,301,652
West Martin	342.29	25.0%	931,885	111.98	25.0%	243,892
East Martin	625.54	25.0%	1,703,033	620.00	25.0%	1,350,363
E. St Lucie/Martin	322.10	25.0%	876,919	1,701.33	25.0%	3,705,499
West St Lucie	442.67	25.0%	1,205,180	52.14	25.0%	113,552
East St Lucie	2,348.89	25.0%	6,394,850	1,276.07	25.0%	2,779,276
West Indian River	159.13	25.0%	433,234	393.14	25.0%	856,253
East Indian River	502.42	25.0%	1,367,839	1,432.35	25.0%	3,119,659
Total	4,743		12,912,939	5,587.00		12,168,493

Note: FAR of .20 utilized for office, .25 for industrial

The table shows that the East St. Lucie Submarket has the most potential capacity for industrial space while the E. St. Lucie/Martin Submarket (Tradition) has the most potential capacity for office space. It should be noted that the total capacity planned for Tradition is not included in the above estimate.

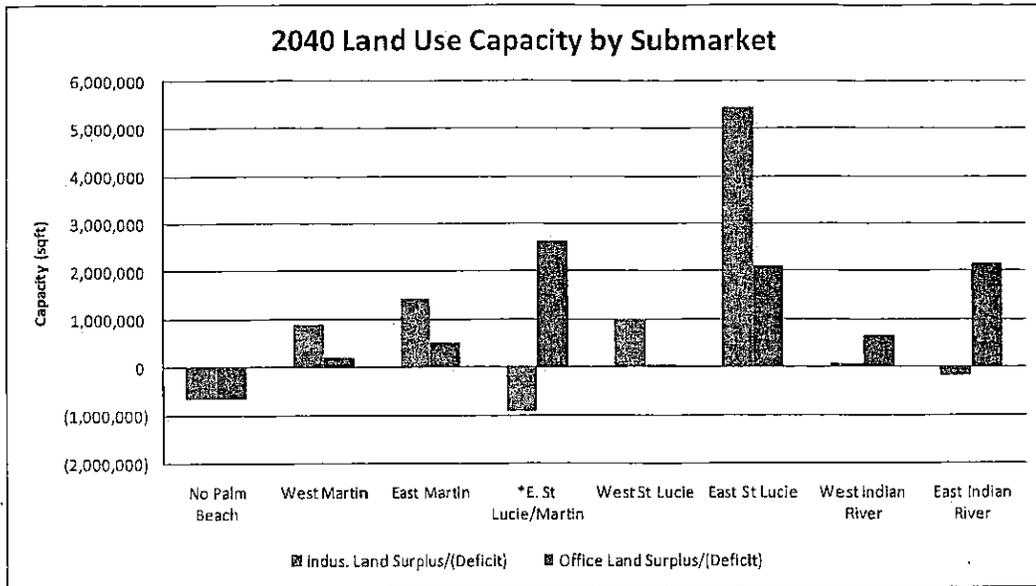
Now that office and industrial capacity have been estimated for each Submarket, it is useful to provide a comparison to projected demand for each Submarket. This is shown in the table below.

Submarket	Industrial Capacity	Industrial Demand 2008-2040	Capacity (-) Demand
No Palm Beach	1,992,116	2,640,623	(648,507)
West Martin	931,885	40,207	891,677
East Martin	1,703,033	271,011	1,432,021
*E. St Lucie/Martin	876,919	1,788,427	(911,508)
West St Lucie	1,205,180	200,890	1,004,290
East St Lucie	6,394,850	949,269	5,445,581
West Indian River	433,234	369,560	63,674
East Indian River	1,367,839	1,534,533	(166,693)
Total	14,905,055	7,794,520	7,110,535

*Doesn't include Tradition capacity

Submarket	Office Capacity	Office Demand 2008-2040 Dmd	Capacity (-) Demand
No Palm Beach	1,301,652	1,971,922	(670,270)
West Martin	243,892	29,364	214,528
East Martin	1,350,363	826,273	524,089
*E. St Lucie/Martin	3,705,499	1,067,075	2,638,423
West St Lucie	113,552	64,330	49,222
East St Lucie	2,779,276	668,900	2,110,375
West Indian River	856,253	174,995	681,258
East Indian River	3,119,659	960,523	2,159,136
Total	13,470,146	5,763,383	7,706,763

*Doesn't include Tradition capacity



The table and chart above show that some Submarkets will have entirely depleted their capacity of suitable vacant office and industrial lands within the study period. Examining the data in this fashion is useful because Submarkets that have a tight relationship between capacity and demand may not be as desirable because of the lack of choice and flexibility created. Furthermore, a lack of available capacity tends to cause price levels to rise relative to other locations. Submarkets with depleted or diminishing land capacities should be examined by Tradition as potential sending areas for demand.

5.4 Office/Industrial Capture Estimation

Located below is the Consultant's capture estimation for office/industrial space. The Consultant utilized the information in the sections above as a guide to estimate the capture of office and industrial space that the Tradition Community could expect to reasonably achieve. The table below assumes the depleted capture from the surrounding submarkets would move to Tradition due to its position in the community life cycle, the imminent positive structural impacts, and its unique and superior regional development offerings.

Located below is the office capture estimation which includes office parks and professional and medical office buildings:

OFFICE CAPTURE ANALYSIS	2008-2010	2010-2015	2015-2020	2020-2025	2025-2030	2030-2035	2035-2040
No Palm Beach Demand (sqft)	201,985	451,028	378,263	312,703	255,443	206,645	165,855
Tradition Capture Rate (%)	15%	25%	50%	50%	50%	50%	50%
Tradition Capture (sqft)	30,298	112,757	189,132	156,351	127,722	103,323	82,927
West Martin Demand (sqft)	3,185	6,959	5,680	4,592	3,683	2,936	2,329
Tradition Capture Rate (%)	90%	90%	90%	90%	90%	90%	90%
Tradition Capture (sqft)	2,866	6,263	5,112	4,133	3,315	2,643	2,096
East Martin Demand (sqft)	93,061	200,359	160,547	127,875	101,365	80,046	63,021
Tradition Capture Rate (%)	20%	25%	30%	40%	50%	25%	25%
Tradition Capture (sqft)	18,612	50,090	48,164	51,150	50,682	20,011	15,755
E. St Lucie/Martin Demand (sqft)	105,490	238,615	203,442	170,523	140,902	115,056	93,047
Tradition Capture Rate (%)	85%	85%	85%	85%	85%	85%	85%
Tradition Capture (sqft)	89,667	202,823	172,926	144,945	119,766	97,798	79,090
West St Lucie Demand (sqft)	6,207	14,161	12,209	10,330	8,603	7,071	5,749
Tradition Capture Rate (%)	85%	85%	85%	85%	85%	85%	85%
Tradition Capture (sqft)	5,276	12,037	10,377	8,790	7,313	6,010	4,886
East St Lucie Demand (sqft)	71,667	157,346	129,178	104,927	84,493	67,564	53,726
Tradition Capture Rate (%)	30%	35%	50%	50%	50%	50%	50%
Tradition Capture (sqft)	21,500	55,071	64,589	52,464	42,246	33,782	26,863
West Indian River Demand (sqft)	12,596	31,464	30,658	28,985	26,630	23,832	20,831
Tradition Capture Rate (%)	25%	25%	25%	25%	25%	25%	25%
Tradition Capture (sqft)	3,149	7,866	7,665	7,246	6,658	5,958	5,208
East Indian River Demand (sqft)	100,502	222,649	184,866	151,560	122,967	98,929	79,049
Tradition Capture Rate (%)	35%	35%	35%	35%	35%	35%	35%
Tradition Capture (sqft)	35,176	77,927	64,703	53,046	43,039	34,625	27,667
Total New Demand (sqft)	594,692	1,322,581	1,104,843	911,495	744,086	602,079	483,607
Total New Demand (cumulative sqft)	594,692	1,917,273	3,022,116	3,933,611	4,677,697	5,279,776	5,763,383
Total Tradition Capture New Demand (sqft)	206,544	524,834	562,667	478,115	400,741	304,150	244,493
Total Tradition Capture New Demand (cumulative sqft)	206,544	731,377	1,294,045	1,772,160	2,172,900	2,477,050	2,721,543
Total Existing Supply	20,408,236						
Tradition Capture Rate applied to Existing Supply	0.00%	0.75%	2.00%	2.00%	2.00%	2.00%	2.00%
Tradition Capture of Existing Supply	-	153,062	408,165	408,165	408,165	408,165	408,165
Tradition Total Capture (Cumulative)	206,544	884,439	1,702,209	2,180,324	2,581,065	2,885,214	3,129,708

Based on our analysis, we are estimating that 206,544 sqft of newly demanded office space could be located in Tradition by the end of 2010.

In a normal market and considering Tradition is offering newer and better quality product, we are also assuming that a percentage of the existing market would also relocate to Tradition. As the community matures, the market capture of

existing office space is expected to increase. We are estimating no outside capture at the beginning of the time horizon with it increasing to 2% over time.

Over the 30 year timeframe, we could expect Tradition to be home to approximately 3.1-million square feet of office space based on its capture of both newly demanded and existing space.

Located below is the industrial capture estimation which includes research and commerce parks along with industrial and warehouse uses.

INDUSTRIAL CAPTURE ANALYSIS	2008-2010	2010-2015	2015-2020	2020-2025	2025-2030	2030-2035	2035-2040
No Palm Beach Demand (sqft)	270,480	603,977	506,536	418,744	342,067	276,721	222,098
Tradition Capture Rate (%)	15%	25%	50%	50%	50%	50%	50%
Tradition Capture (sqft)	40,572	150,994	253,268	209,372	171,033	138,360	111,049
West Martin Demand (sqft)	4,360	9,529	7,777	6,287	5,043	4,021	3,189
Tradition Capture Rate (%)	90%	90%	90%	90%	90%	90%	90%
Tradition Capture (sqft)	3,924	8,576	7,000	5,659	4,539	3,619	2,870
East Martin Demand (sqft)	30,523	65,716	52,658	41,942	33,247	26,254	20,671
Tradition Capture Rate (%)	25%	25%	25%	25%	25%	25%	25%
Tradition Capture (sqft)	7,631	16,429	13,165	10,485	8,312	6,564	5,168
E. St Lucie/Martin Demand (sqft)	176,803	399,920	340,971	285,799	238,152	192,835	155,947
Tradition Capture Rate (%)	85%	85%	85%	85%	85%	85%	85%
Tradition Capture (sqft)	150,282	339,932	289,825	242,928	200,729	163,910	132,555
West St Lucie Demand (sqft)	19,384	44,224	38,125	32,259	26,866	22,081	17,952
Tradition Capture Rate (%)	85%	85%	85%	85%	85%	85%	85%
Tradition Capture (sqft)	16,476	37,590	32,406	27,420	22,836	18,769	15,259
East St Lucie Demand (sqft)	101,705	223,297	183,323	148,907	119,808	95,883	76,245
Tradition Capture Rate (%)	50%	50%	50%	50%	50%	50%	50%
Tradition Capture (sqft)	50,853	111,649	91,661	74,454	59,954	47,942	38,122
West Indian River Demand (sqft)	26,600	66,446	64,745	61,211	56,238	50,329	43,991
Tradition Capture Rate (%)	25%	25%	25%	25%	25%	25%	25%
Tradition Capture (sqft)	6,650	16,612	16,186	15,303	14,060	12,582	10,999
East Indian River Demand (sqft)	160,562	355,704	295,342	242,133	196,453	158,049	126,289
Tradition Capture Rate (%)	35%	35%	35%	35%	35%	35%	35%
Tradition Capture (sqft)	56,197	124,496	103,370	84,746	68,759	55,317	44,201
Total New Demand (sqft)	790,418	1,768,813	1,489,478	1,237,281	1,015,974	826,172	666,383
Total New Demand (cumulative sqft)	790,418	2,559,231	4,048,709	5,285,990	6,301,964	7,128,137	7,794,520
Total Tradition Capture New Demand (sqft)	332,585	806,278	806,881	670,367	550,222	447,062	360,223
Total Tradition Capture New Demand (cumulative sqft)	332,585	1,138,864	1,945,745	2,616,112	3,166,334	3,613,396	3,973,619
Total Existing Supply	31,632,225	31,632,225	31,632,225	31,632,225	31,632,225	31,632,225	31,632,225
Tradition Capture Rate applied to Existing Supply	0.00%	0.75%	2.00%	2.00%	2.00%	2.00%	2.00%
Tradition Capture of Existing Supply	-	237,242	632,645	632,645	632,645	632,645	632,645
Tradition Total Capture (Cumulative)	332,585	1,376,105	2,578,389	3,248,756	3,798,978	4,246,040	4,606,263

Based on our analysis, we are estimating that 332,585 sqft of newly demanded industrial space could be located in Tradition by the end of 2010.

In a normal market and considering Tradition is offering newer and better quality product, we are also assuming that a percentage of the existing market would also relocate to Tradition. As the community matures, the market capture of existing industrial and commerce park space is expected to increase. We are

estimating no outside capture at the beginning of the time horizon with it increasing to 2% over time.

Over the 30 year timeframe, we could expect Tradition to be home to approximately 4.6-million square feet of industrial and commerce parks based on its capture of both newly demanded and existing space.

6.0 Conclusions Concerning Capture Analysis

Based on the analysis prepared in the original report and the additional analysis prepared in this executive summary, there is sufficient demand to support the planned uses at Tradition. The diminishing supply of large newly developed Master Planned communities offering employment, recreation and housing opportunities allows the community to attract to potential businesses. The existing and planned facilities in Tradition will continue to attract high quality, high wage jobs to this area of Florida.

It is our opinion that Tradition's retail strategy focus on fostering and retaining its internally generated demand for convenience-oriented retail. A proper mix of tenants that caters to a wide variety of retail needs will decrease the likelihood that residents will travel offsite to shop. Furthermore, the Project's superior access and visibility along Interstate-95 will enhance the viability of its larger community and regional retail offerings.

The development of neighborhood centers should be strategically timed and placed to provide support for new development. Neighborhood retail in and around the Tradition community should be developed after community centers are in place, thereby increasing the marketability and sustainability of the center.

The development of community retail centers are the most important as they provide the most community support offering the goods and services needed, ie grocery, pharmaceutical, personal services. The development of community centers is driven by the business plans of the grocers and other anchor tenants. Therefore sites for community centers must provide adequate demographics and good locations. Based on the current locations of community centers, parcels between Fort Pierce and Vero Beach may offer good future opportunities outside of Tradition.

The development of regional retail centers offers the largest concentration of goods and services in a destination based center which also may offer entertainment. The development of neighborhood centers is driven by the business plans of the anchor tenants which will locate in the centers.

It is important to note that to establish the project strategically, the project will need to offer for-sale and leasing rates in-line with current market averages or below market averages to generate initial project absorption. Over time it is believed the project can achieve 10 percent premiums above and beyond the market average.

The Client's vision for the project is consistent with the project location and access and the overall emerging nature of the Treasure Coast market. The mix of uses also takes into account the overall residential growth prospects and demand for nearby office space in the market.

At this time, the Consultant recommends that the Client's office/industrial strategy should focus on exploiting the critical mass of R&D/medical properties planned for the community. By strongly promoting the internal synergies available to ancillary and support businesses, the Client can create a clustering of office, research and higher education services unique to the market. In addition, the Client could focus on marketing to businesses that utilize showroom space as the property has superb Interstate access and visibility.

* includes beds (hospital) and rooms (hotel)

**students

C. Briefly describe previous and existing activities on site. Identify any constraints or special planning considerations that these previous activities have with respect to the proposed development.

The project site has been used for agricultural activities including sod farm, citrus and cattle. A series of impoundments provides irrigation and drainage for these agricultural uses. The existing drainage ditch parallel to the site on the east has also contributed to the poor quality wetlands that exist on parts of the site. Table 10-1, existing Land Uses, Map B, Aerial Photograph and Map D, Land Use Map provide an overview of the existing site conditions.

There is one building (100,000 sq. ft.) currently occupied by Torrey Pines Institute of Molecular Science and another building under construction (111 room hotel). Village Parkway, Community Boulevard and Discovery Way are all currently under construction.

D. If the development is proposed to contain a shopping center, describe the primary and secondary trade areas which the proposed shopping center will serve.

The development will contain shopping centers ranging from neighborhood centers to regional centers.

The project retail demand stems from the proportion of household income spent on retail goods, the visitor-related expenditures associated with the residential and hotel, and the employee expenditures. Utilizing the St. Lucie County median household income of \$59,800 for the residents of the project's 7,388 primary households, Fishkind estimates there will be an aggregate household income of \$441.8 million. Lastly, the employment component of the project (28,301 employees) generates retail demand in the form of convenience shopping as well as restaurant expenditures. Assuming \$3/day for each employee, Fishkind estimates nearly \$31.3 million in employee expenditures.

The next step in the analysis was to determine what portion of that income will be spent locally and subsequently on retail. Based on previous analyses regarding this topic, Fishkind estimated that approximately 35 percent of the household income will be spent on retail expenditures, which translates to \$154.6 million dollars. This estimate is consistent with the U.S. Department of Commerce's Consumer Expenditure Survey estimates that 35 percent of household expenditures are spent on retail goods and services. Table D1 summarizes the estimates of retail spending.

The primary trade area in this case is the development and households within a 30 minute drive time radius of the project. The residential component (7,388 units) is estimated to support 700,000 retail square footage. The project is estimated to generate 28,301 employees at buildout which will support an estimated 104,289 square feet of commercial square footage within the project in the form of ancillary lunch, dinner and other assorted retail purchases. The employees represent another source of retail expenditures.

Table D1. Spending as a Share of Aggregate HH Income

Project Employment 28,301

<i>Annual Local Expenditures per Employee</i>	\$1,106
<i>Est. Employment Local Retail Expenditures</i>	\$31,300,906
<i>ULI Conversion (\$/sq ft)</i>	\$300
<i>Retail Demand (sq ft)</i>	104,336
	<i>Primary Households</i>
<i>Residential Units</i>	7,388
<i>2008 HUD Median HH Income</i>	\$59,800
<i>Cumulative HH Income</i>	\$441,802,400
<i>% of HH Income Used For Retail Expenditures</i>	35%
<i>Retail Expenditures</i>	\$154,630,840
<i>ULI Conversion (\$/sq ft)</i>	\$260
<i>Retail Demand (sq ft)</i>	594,734
<i>Retail Demand (sqft)/Household</i>	80.5
<i>Primary TA - Total Retail Demand (sq ft)</i>	699,070
<i>Neighborhood Demand (sq ft) (15%)</i>	104,860
<i>Community Demand (sq ft) (50%)</i>	349,535
<i>Regional Demand (sq ft) (35%)</i>	244,674

Source: Fishkind and Associates, Inc.

Census estimates for a 30-minute drive-time radius from the project indicate total households of 133,841 and household growth from 133,841 units in 2008 to an estimated 258,439 households in 2029. Map D1 shows the 30-minute market for the project.

Map D1. Project 30-Minute Drive-Time Market

GIFT/SPECIALTY	87,307	103,228	123,457	146,705	171,608
JEWELRY	13,103	15,492	18,528	22,017	25,755
LIQUOR			WITH FOOD SERVICE		
DRUGS	4,861	5,747	6,873	8,167	9,554
OTHER RETAIL	52,679	62,286	74,491	88,518	103,545
PERSONAL SERVICES	17,392	20,563	24,593	29,224	34,185
ENTERTAINMENT	1,365,805	1,614,880	1,931,329	2,295,016	2,684,597
TOTAL	4,067,271	4,809,865	5,752,707	6,835,944	7,996,146
EXISTING COMPETING SUPPLY	(4,549,392)	(4,549,392)	(4,549,392)	(4,549,392)	(4,549,392)
NET NEED	(482,121)	260,473	1,203,315	2,286,552	3,446,754

Source: Fishkind and Associates, Inc.

The retail net demand for the project at buildout is estimated at 3.5 million square feet which corresponds with the 3.7 million square feet planned for the project. As designed, the project will support regional retail needs for the emerging market.

E. Describe in general terms how the demand for this project was determined.

As noted in Part D, the retail net demand for the project at buildout is estimated at 3.5 million square feet which corresponds with the 3.7 million square feet planned for the project. As designed, the project will support regional retail needs for the emerging market.