

**REVISED  
SEE MEMO FOR LIST OF  
REVISIONS**

ITEM 11B  
DATE 3/26/12

RESOLUTION 12-R34

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, MAKING FINDINGS OF FACT AND DETERMINING CONCLUSIONS OF LAW PERTAINING TO THE SOUTHERN GROVE DEVELOPMENT OF REGIONAL IMPACT, AND CONSTITUTING THIS RESOLUTION AS AN AMENDED AND RESTATED DEVELOPMENT ORDER BY THE CITY OF PORT ST. LUCIE IN COMPLIANCE WITH LAW; AND PROVIDING FOR AN EFFECTIVE DATE AND A TERMINATION DATE.

WHEREAS, an Application for Development Approval for the Southern Grove Development of Regional Impact ("DRI") was submitted on June 1, 2005 and was supplemented with additional information on December 16, 2005 and on April 19, 2006, in accordance with Section 380.06, Florida Statutes ("collectively the "ADA"); and

WHEREAS, the Southern Grove DRI is a proposed mixed-use master planned community on approximately 3,606 acres on the property legally described as Exhibit "A" of Exhibit "1" attached hereto ("DRI property") and

WHEREAS, the developer of the Southern Grove DRI is Horizon Acquisitions 5, LLC ("Developer"); and

WHEREAS, under contract to the City, the Treasure Coast Regional Planning Council ("TCRPC") prepared the Western Annexation Traffic Study (dated January, 2006) ("WATS") which included the Southern Grove DRI and other proposed developments within the area generally known as the Western Annexation Area, and

WHEREAS, on April 16, 2007, the Developer submitted a Notification of Proposed Change to a Previously Approved Development of Regional Impact ("NOPC") requesting certain changes to the transportation and affordable housing conditions; and

WHEREAS, the public notice requirements of the City of Port St. Lucie Code of Ordinances and Section 380.06(19), Florida Statutes, have been satisfied; and

WHEREAS, on July 3, 2007 the Planning and Zoning Board of the City of Port St. Lucie held a public hearing on the NOPC and recommended approval of the changes set forth as Exhibit "1" attached hereto; and

WHEREAS, on August 13, 2007, the City Council of the City of Port St. Lucie held a public hearing to consider the NOPC, the TCRPC recommendations, and the comments upon the record made at said public hearing, and afforded all interested persons an opportunity to be heard and present evidence.

WHEREAS, on September 21, 2009, an Application for Development Approval for a Substantial Deviation Modification to the Southern Grove DRI was submitted and

RESOLUTION 12-R34

was supplemented with additional information on July 6, 2010, June 29, 2011 and September 22, 2011, in accordance with Section 380.06, Florida Statutes ("collectively the "ADA"). The ADA is requesting certain changes to the transportation, environmental and natural resources, and human resource issues conditions; to increase the non-residential building square footage allowed; and to amend the Master Development Plan, Map H; and

WHEREAS, the public notice requirements of the City of Port St. Lucie Code of Ordinances and Section 380.06(19), Florida Statutes, have been satisfied; and

WHEREAS, on March 6, 2012 the Planning and Zoning Board of the City of Port St. Lucie held a public hearing on the Substantial Deviation Modification and recommended approval of the changes set forth as Exhibit "1" attached hereto; and

WHEREAS, on March 26, 2012, the City Council of the City of Port St. Lucie held a public hearing to consider the Substantial Deviation Modification, the TCRPC recommendations, and the comments upon the record made at said public hearing, and afforded all interested persons an opportunity to be heard and present evidence.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA:

Section 1. Findings of Fact.

The City Council, having considered all the documents, comments, testimony and evidence presented to it, finds as follows:

1. The above recitals are true and correct, and are incorporated into this Development Order by this reference.
2. The proposed development is consistent with the State Comprehensive Plan.
3. The proposed development is consistent with the TCRPC Strategic Regional Policy Plan.
4. The proposed development is consistent with the Port St. Lucie Comprehensive Plan and the Port St. Lucie Land Development Regulations.
5. The proposed development is consistent with the TCRPC regional report.

RESOLUTION 12-R34

6. The Southern Grove DRI is not located in an area of critical state concern designated pursuant to Section 380.05, Florida Statutes.
7. The Development Order includes adequate provisions for the public facilities needed to accommodate the impacts of the proposed development pursuant to the requirements of Section 380.06, Florida Statutes.

Section 2. Conclusions of Law

The City Council, having made the findings of fact set forth above, makes the following conclusions of law:

8. The City Council, as the governing body of the City of Port St. Lucie, has legal jurisdiction over the Southern Grove DRI and is authorized and empowered by Chapter 380, Florida Statutes, to issue this Development Order.
9. The Southern Grove DRI is approved for the development authorized in this Development Order, subject to the General Conditions of Approval set forth in Exhibit "1" attached hereto and incorporated into this Development Order by this reference, and the Equivalency Matrix attached as Exhibit "C" to Exhibit "1".

Section 3. General Conditions of Approval

10. The Southern Grove DRI shall be developed in accordance with the General Conditions of Approval set forth in Exhibit "1" attached hereto.
11. Development within the Southern Grove DRI shall be located substantially as depicted on the Revised Master Development Plan (Map H), attached as Exhibit "B" to Exhibit "1".
12. Development within the Southern Grove DRI shall be consistent with the Port St. Lucie Comprehensive Plan, the Port St. Lucie Land Development Regulations and this Development Order.
13. Within 10 days after adoption of this Development Order, the City Clerk shall render copies of this Development Order with all attachments, certified as complete and accurate, by certified mail (return receipt requested) to the Developer, the Department of Community Affairs ("DCA"), and the TCPRC as required by Rule 9J-2.025(5), F.A.C.

RESOLUTION 12-R34

14. This Development Order shall take effect upon its rendition to DCA. Any appeal of this Development Order shall: i) stay the effectiveness of this Development Order; and ii) extend the phase, buildout, and termination dates and the time in which the Developer must fulfill obligations imposed by the Development Order by a period of time equal to the length of time that the appeal proceedings remain pending.
15. Notice of the adoption of this Development Order or any amendment shall be recorded by the Developer, within 30 days after its effective date, in accordance with Sections 28.222 and 380.06(15)(f), Florida Statutes, with the Clerk of the Circuit Court of St. Lucie County, Florida. The notice shall specify that this Development Order runs with the land and is binding on the Developer, its agents, lessees, successors or assigns. A copy of such notice shall be forwarded to the Port St. Lucie Planning and Zoning Department within seven days after recordation.
16. The property within the Southern Grove DRI shall not be subject to downzoning, unit density reduction or intensity reduction or other reduction of approved land uses before the expiration date of this Development Order, unless either (a) the Developer consents to such a change, or (b) the City demonstrates that a substantial change in the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the City as essential to the public health, safety, or welfare.
17. This Development Order shall not preclude the City from requiring the payment of impact fees and/or other fees for development or construction within the Southern Grove DRI, provided such fees are assessed in accordance with a duly adopted ordinance and are charged to all similarly situated developers for the same activities within all other areas of the City.
18. In the event that the Developer violates any condition of this Development Order, or otherwise fails to act in substantial compliance with this Development Order, the City may stay the effectiveness of this Development Order on the identifiable tract or parcel, or portion of the tract or parcel owned by the person or entity violating the condition, and within the DRI Property described in Exhibit "A" attached to Exhibit "1", after a stated compliance date. The Developer shall be given a written notice of violation by the City and a reasonable period of time to cure the violation. The Developer may petition the City Council for review of the notice of violation, prior to the stated compliance date, and said review shall be conducted at a public hearing. Filing of a petition for review shall delay the effectiveness of the notice of violation until the review has been conducted. If the violation has not been cured or corrected by the stated compliance date, all

RESOLUTION 12-R34

further development permits, approvals and services for the development said tract or parcel, or portion of tract or parcel, shall be withheld until the violation is corrected. For the purposes of this condition, the terms "tract" and "parcel" shall mean "any quantity of land capable of being described with such definiteness that its boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, located within the DRI Property legally described in Exhibit "A" attached to Exhibit "1" and the Revised Master Development Plan (Map H) attached as Exhibit "B" to Exhibit "1".

19. Upon request, and in accordance with the City's adopted development review fee schedule, the City shall provide to the Developer a letter stating whether the portion of the development at issue is in compliance with applicable conditions of this Development Order.
20. Pursuant to Section 380.06(5)(c), Florida Statutes, the Southern Grove DRI shall be bound by the rules adopted pursuant to Chapters 373 and 403, Florida Statutes, in effect at the time of issuance of this Development Order.
21. Compliance with the Development Order shall be monitored through normal City permitting procedures, the procedures listed in specific conditions of approval, and review of the biennial report. The local official responsible for assuring compliance with this Development Order is the Director of Planning and Zoning.
22. The Development Order shall be binding upon the Developer and its assignees or successors in interest. Any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created and designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced government agency in existence on the effective date of this Development Order.
23. It is declared to be the City's intent that, if any section, subsection, sentence, clause, condition or provision of this Development Order is held to be invalid by a court of competent jurisdiction, the remainder of this Development Order shall be construed as not having contained said section, subsection, sentence, clause, condition or provision and shall not be affected by such holding.

RESOLUTION 12-R34

PASSED AND ADOPTED on this 26th day of March, 2012.

CITY COUNCIL OF THE CITY OF  
PORT ST. LUCIE, FLORIDA

\_\_\_\_\_  
JoAnn M. Faiella, Mayor

ATTEST:

\_\_\_\_\_  
Karen Phillips, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Roger G. Orr, City Attorney



# City of Port St. Lucie

## Planning and Zoning Department Memorandum

**TO:** CITY COUNCIL – MEETING OF MARCH 26, 2012

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

**RE:** P09-128. SOUTHERN GROVE DRI SUBSTANTIAL DEVIATION

**DATE:** MARCH 23, 2012

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Attached please find a revised Resolution 12-R34 for the March 26, 2012 City Council meeting. A few changes have been made from the resolution that was included in the packet as follows:

- Condition number 13 has been revised to include a reference to Exhibit F, the alignment for Community Boulevard.
- Exhibit F has been included.
- Condition 26(a) has been added addressing the four-laning of the Port St. Lucie Boulevard (Citrus Blvd.) – St. Lucie County line to SR 714 segment. This condition was previously stricken as 21(c).
- A new condition 30 was added to address the Florida Department of Transportation's concern as indicated in the attached letter and in previous correspondence attached to the staff report.



# Florida Department of Transportation

RICK SCOTT  
GOVERNOR

3400 West Commercial Boulevard  
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.  
SECRETARY

March 21, 2012

Anne Cox, AICP  
Assistant Director of Planning and Zoning City of Port St. Lucie  
City of Port St. Lucie  
121 SW Port St. Lucie Boulevard  
Port St. Lucie, FL 34984

**SUBJECT: Southern Grove Development of Regional Impact (DRI) Substantial Deviation  
City of Port St. Lucie, St. Lucie County**

Dear Ms. Cox:

The Department has received and reviewed the February 22<sup>nd</sup> letter from Fishkind & Associates responding to our January 19<sup>th</sup> request of the City to consider our monitoring recommendations for I-95 and the interchanges within the Southern Grove DRI study area. While Fishkind & Associates has expressed their reluctance to accept monitoring conditions as part of the approval of the Substantial Deviation, the Department continues to request that the City of Port St. Lucie consider our monitoring recommendations before finalizing its approval and Development Order (DO) conditions.

As noted in previous correspondence, the Florida Department of Transportation has the statutory responsibility to review and provide comments on DRIs and their transportation impacts upon Strategic Intermodal System (SIS) facilities, such as I-95. The Department does not believe that the Applicant has satisfactorily alleviated our concerns on the traffic impacts caused by the proposed addition of 7 million square feet of development. This position has been expressed in our previous comments along with requests for analysis of the impacts on I-95 and the nearby interchanges within the study area.

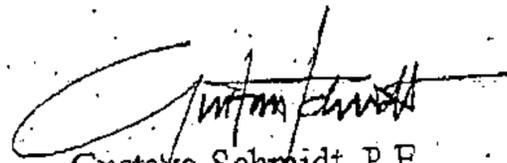
The requested monitoring provision in the DO results from the Applicant's insufficient answers to our questions; the additional traffic volume resulting from the proposed development; and our responsibility to protect the integrity of SIS facilities. Further, the three mitigation measures noted by Fishkind & Associates were already required in the original DO *prior* to the additional 7 million square feet of development requested in this Substantial Deviation. The Department has not treated Southern Grove differently from any other development that impacts SIS facilities, as implied in the February 22<sup>nd</sup> letter.

Ms. Anne Cox  
March 21, 2012  
Page 2 of 2

In the absence of sufficient data and analysis that identifies any adverse impacts to I-95 and its interchanges within the study area caused by Southern Grove's proposed development increase, the Department reiterates our request of the City to consider monitoring recommendations before finalizing its approval and Development Order conditions.

Thank you for your attention to this matter. If you have any questions, please contact Steve Braun at (954) 777-4143 or Chon Wong at (954) 777-4601.

Sincerely,



Gustavo Schmidt, P.E.  
District Planning and Environmental Engineer

GS: k&s/cw

cc: D. Ray Eubanks - Community Development, FDEO  
Michael Busba - Executive Director, TCRPC  
Kathleen Neill - Director, Office of Policy Planning, FDOT  
Gerry O'Reilly - Director of Transportation Development, FDOT  
Nancy Ziegler - District Modal Development Administrator, FDOT  
Steve Braun - Transportation Planning and Environmental Manager, FDOT  
Shi-Chiang Li - Systems Planning Manager, FDOT  
Chon Wong - Senior Transportation Specialist, FDOT  
Lisa Dykstra - SIS Coordinator, FDOT

# EXHIBIT 1

## CONDITIONS OF APPROVAL

### **Application for Development Approval**

1. The Southern Grove Development of Regional Impact Application for Development Approval is incorporated herein by reference. It is relied upon, but not to the exclusion of other available information, by the parties in discharging their statutory duties under Chapter 380, Florida Statutes. Substantial compliance with the representations contained in the Application for Development Approval, as modified by Development Order conditions, is a condition for approval.

For purposes of this condition, the Application for Development Approval shall include the following items:

- a. Application for Development Approval dated June 1, 2005;
- b. Supplemental information dated December 16, 2005; and April 19, 2006; and
- c. Western Annexation Traffic Study (WATS) Final Report dated January 2006;
- d. Annexation Agreement dated July 19, 2004 and revised May 16, 2005, and July 11, 2005, November 16, 2009, December 28, 2009 and April 8, 2010, and as such Annexation Agreement may be subsequently amended by the parties thereto ("Annexation Agreement").
- e. Application for Development Approval for a Substantial Deviation to Approved Development of regional Impact dated September 18, 2009 and supplemental information related thereto dated July 6, 2010; June 29, 2011 and September 22, 2011.

### **Commencement and Process of Development**

- ~~2. In the event (The Developer fails to~~ has commenced significant physical development ~~within three years from the effective date of the Development Order, development approval shall terminate and the development shall be subject to further Development of Regional Impact review by the Treasure Coast Regional Planning Council, Florida Department of Community Affairs, and City of Port St. Lucie pursuant to Section 380.06, Florida Statutes. However, this time period shall be tolled during the pendency of any appeal pursuant to Section 380.07, F.S. For the purpose of this paragraph, construction shall be deemed to have initiated after placement of permanent evidence of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation or land clearing, such as the construction of roadways or other utility infrastructure.~~

### **Plan of Development**

3. a) The phasing of the Southern Grove Development of Regional Impact is approved and the Developer is authorized to develop the DRI Property as follows:

# EXHIBIT 1

Phase	Years*	Residential (DU)	Retail (SF)	Office (SF)	Warehouse/ Distribution/ Industrial (SF)	Hotel (Rooms)
1	2006-2010	1000	78,408	36,590	0	0
2	2011-2015	2950	519,235	503,336	525,334	100
3	2016-2020	2457	678,665	663,854	603,742	300
4	2021-2025	981	887,753	869,458	870,329	100
Total	2006-2025	7,388	2,164,061	2,073,238	1,999,405	500

\* The years are specified in the Application for Development Approval.

Phase	Years	Residential (DU)	Retail (SF)	Office (SF)	Research & Development (SF)	Warehouse/ Industrial (SF)	Hotel (Rooms)	Hospital (Beds)
1	2006-2017	900	465,000	350,000	915,000	450,000	371	300
2	2018-2022	2,000	1,210,075	693,576	527,867	1,411,112	250	0
3	2023-2027	2,018	1,000,000	693,576	527,867	1,361,112	170	0
4	2028-2032	2,470	1,000,000	693,576	527,868	1,361,112	0	0
Total	2006-2032	7,388	3,675,075	2,430,728	2,498,602	4,583,336	791	300

Provided, however, that The development of a use in any phase may commence prior to completion of development in the preceding phase so long as all specific conditions for mitigation of transportation impacts are implemented according to the schedule in the Development Order, as it may be modified from time to time, and all other conditions of this Development Order are satisfied.

In addition to those uses described above, the Developer is authorized to develop ancillary and support uses including but not limited to adult congregate living facilities, wireless communication and cable television towers, digital network facilities, civic buildings, community centers, irrigation treatment plant and pumping facilities, libraries, places of worship, public service facilities, recreational facilities and schools as permitted within the New Community Development District.

- b) In order to accommodate changing market demands, at the Developer's request in an application for a specific development permit, and without the Developer filing a notification of proposed change pursuant to Section 380.06 (19), F.S., the City may increase or decrease the amount of an approved land use by applying the Equivalency Matrix attached as Exhibit "C", which is incorporated into this development order by this reference. The use of the Equivalency Matrix does not allow impacts to water, wastewater, solid waste, transportation or affordable housing to exceed the aggregate impacts projected in the ADA. In addition, to ensure the basic character of the Southern Grove DRI is not altered, no land use may exceed the specified maximum in the Equivalency Matrix, and no land use may fall below the specified minimum. Further the Equivalency Matrix may not be used to reduce the aggregate amount of non-residential uses within the Property below the minimum established for the Property by the Annexation Agreement. The mix of uses shall be consistent with that allowed in the Port St. Lucie Comprehensive Plan. The Developer shall report in each biennial report use of

# EXHIBIT 1

the Equivalency Matrix to increase the amount of one land use with a concurrent reduction in one or more land uses.

## **Buildout Date**

4. The Southern Grove Development of Regional Impact shall have a buildout date of ~~December 31, 2025~~ November 6, 2033, unless otherwise amended pursuant to the conditions of this Development Order and Section 380.06, Florida Statutes.

## **Expiration and Termination Date**

5. This Development Order shall expire and terminate on December 31, ~~2032~~ 2039, unless extended as provided in Section 380.06(19)(c), Florida Statutes.

## **Biennial Report**

6. The biennial report required by subsection 380.06(18), Florida Statutes, shall be submitted every two years, until the expiration of this Development Order on the anniversary date of the adoption of the Development Order to the City of Port St. Lucie, Treasure Coast Regional Planning Council, Florida Department Community Affairs, and such additional parties as may be required by law. The contents of the report shall include those items required by this Development Order and Rule 9J-2.025(7), Florida Administrative Code. The City of Port St. Lucie Planning and Zoning Director shall be the local official assigned the responsibility for monitoring the development and enforcing the terms of the Development Order. Notice of transfer of all or a portion of the Property shall be filed with the City of Port St. Lucie and included in the biennial report.

## **General Provisions**

7. Any modifications or deviation from the approved plans or requirements of this Development Order shall be made according to and processed in compliance with the requirements of Section 380.06(19), Florida Statutes and Rule 9J-2, Florida Administrative Code.
8. The definitions found in Chapter 380, Florida Statutes shall apply to this Development Order.
9. Reference herein to any governmental agency shall be construed to mean any future instrumentality that may be created or designated as a successor in interest to, or which otherwise possesses the powers and duties to any referenced governmental agency in existence on the effective date of this Development Order.
10. This Development Order shall be binding upon the Developer and its assignees or successors in interest.

## REGIONAL PLANNING

### **Master Development Plan**

# EXHIBIT 1

11. Prior to final approval of any zoning application in the Southern Grove Development of Regional Impact, the City will require the developer to prepare a conceptual master plan to provide long-term guidance and direction for the project by showing the general location of all residential and non-residential land uses, arterial and collector roads, potable water, wastewater and reclaimed water infrastructure, stormwater facilities, school sites, civic and institutional sites, other major facilities, major access points and multi-use trails and greenways. The conceptual master plan shall demonstrate consistency with the NCD (New Community Development) land use category. The conceptual master plan shall be consistent with Revised Master Development Plan Map "H" attached to this development order as Exhibit "B" but may be amended without an amendment to this Development Order. The conceptual master plan prepared by Developer shall be presented to the City's Planning & Zoning Board and the City Council for consideration and approval; provided however, that notwithstanding the foregoing, the conceptual master plan shall only be a generalized reference tool which is not regulatory but is rather a planning reference to provide long range guidance related to those lands being considered for development approval. The conceptual master plan shall be revised by the Developer from time to time as needed to show approved and proposed development and the City and the Developer shall agree on the mutually acceptable process for doing so.

## TRANSPORTATION

### **Rights of Way**

12. ~~No building permits for Southern Grove Development of Regional Impact shall be issued after January 1, 2007 until right-of-way within the project along~~ The Developer has dedicated the following road rights-of-way within the project to the City: Village Parkway, N/S C (Community Boulevard), Becker Road, E/W 1 (Road A), E/W 2, E/W 3 (Road B), E/W 4 (Paar Drive), , and all intersections including the I-95/Becker interchange thereof, has been dedicated free and clear of all liens and material encumbrances to the City of Port St. Lucie with a reservation unto the developer or community development district, for purpose of constructing and thereafter maintaining roads and other improvements, until acceptance by the City of Port St. Lucie, subject to the requirements of the Annexation Agreement.

In addition to the aforementioned roadway networks, the Developer shall further enhance the transportation network by providing a system which shall include but not be limited to public collector roads. The roads identified herein shall not include internal networks for gated communities.

13. The Developer shall convey free and clear of all liens and material encumbrances to the City of Port St. Lucie additional road right-of-way within the project for N/S C (Community Boulevard) between E/W 1 (Road A) and Becker Road, in accordance with the attached Exhibit "F", including an extension of 660 feet south of Becker Road, with a reservation unto the Developer or community development district, for purpose of constructing and thereafter maintaining roads and other improvements, until acceptance by the City of Port St. Lucie. The developer shall have no obligation to construct N/S C (Community Boulevard) within the extension south of Becker Road. The right-of-way alignment shall be agreed upon by the Developer and the City for conveyance prior to December 31, 2012.

# EXHIBIT 1

~~13.~~ 14. Right-of-way within the Property for the E/W 3 (Road B) interchange, including flowage easements to accommodate drainage, shall be conveyed free and clear of all liens and material encumbrances to the City of Port St. Lucie within 6 months after the acreage needed for the interchange is determined by the City, consistent with the Annexation Agreement prior to December 31, 2015 and upon agreement of the right-of-way area by the City's Engineering Department. Once the right-of-way requested by the City is conveyed, this condition shall terminate.

15. Right-of-way within the property for the E/W 4 (Paar Dr.) bridge shall be conveyed free and clear of all liens and material encumbrances to the City of Port St. Lucie within 6 months after the acreage is determined by the City. In the event the right-of-way acreage needed for the bridge has not been determined by December 31, 2013, this condition shall terminate.

## **Phasing and Development Plan**

### **Monitoring**

~~14.~~ 16. At any time the Developer may undertake monitoring to ascertain the level of service on any facility where the Property has a regionally significant impact (estimated to contribute traffic equal to or greater than 5 percent of the maximum service volume under the adopted level of service standard) in order to determine whether the date or trip threshold by which a transportation improvement is required by the Development Order may be extended. If monitoring demonstrates that the facility will operate at the adopted level of service standard without the improvement at the date or trip threshold by which this Development Order would otherwise require such improvement, then, notwithstanding any other provisions of this Development Order, the date for completion of such improvement shall be extended on terms approved pursuant to the procedure in Condition 18. The methodology for the monitoring shall be agreed upon by the City, Florida Department of Transportation, and the Treasure Coast Regional Planning Council. In the event that a methodology cannot be agreed upon among all parties, the City of Port St. Lucie shall be the final arbiter. No new mitigation measures and/or modifications to the road network shall be required on account of such monitoring.

~~15.~~ 17. The City of Port St. Lucie may require the Developer to undertake monitoring to ascertain the level of service on the transportation facilities within the Property as specified in Table 1 and or Table 2 ~~DRI properties that participated in the WATS ("WATS Area")~~ in order to determine whether the date or trip threshold by which a transportation improvement, ~~within the DRI developments that participated in the WATS Area,~~ required by this Development Order, should be accelerated. If the monitoring demonstrates that a facility or facilities will operate below the adopted level of service standard prior to the date or trip threshold by which this Development Order would otherwise require such improvement, then the date ~~for~~ by which such improvement is required shall be accelerated on terms approved pursuant to the procedure in Condition ~~16~~ 18. If the monitoring demonstrates that a facility or facilities will operate below the adopted level of service standard prior to the date or trip threshold by which this Development Order would otherwise require such improvement, ~~and,~~ then the date for such improvement shall be accelerated based on the results of such monitoring, provided that the accelerated schedule for the improvement shall allow 24 months for engineering, permitting and construction of the improvement. The methodology of the monitoring shall be

# EXHIBIT 1

agreed upon by the City of Port St. Lucie, Florida Department of Transportation, and Treasure Coast Regional Planning Council. In the event that a methodology cannot be agreed upon among all parties, the City of Port St. Lucie shall be the final arbiter. No new mitigation measures and/or modifications to the road network within the WATS Area identified in Tables 1 and 2 shall be required on account of such monitoring.

~~16.~~ 18. In accordance with Section 380.06(15) (c) 5 and Rule 9J-2.0245(7) (a) 1.b., F.A.C., Florida Statutes, changes to roadway improvement conditions which are subject to the monitoring program outlined in Conditions ~~14~~ 16 or ~~15~~ 17 if applicable shall not be subject to the substantial deviation determination/notice of proposed change process, unless otherwise required by the criteria listed in Section 380.06(19) (b), Florida Statutes. Changes to roadway improvements conditions shall be transmitted for approval to the Florida Department of Transportation, Florida Department of Community Affairs, and Treasure Coast Regional Planning Council. The agencies should complete the review within 90 days after submittal by the Developer.

19. A trip generation analysis shall be prepared by the applicant and approved by the City of Port St. Lucie prior to each site plan and residential subdivision approval. The trip generation analysis shall present calculation for the p.m. peak hour and shall be performed using trip generation rates and equations included in the Institute of Transportation Engineers Trip Generation Report, 8<sup>th</sup> Edition, for the ITE land use categories outlined in Exhibit "E". The trip generation rates and equations included in Exhibit "E" are consistent with those used in the Southern Grove Substantial deviation Traffic Study. The trip generation analysis shall be based on the land data included with each site plan and residential subdivision and include internal capture and passer-by, if appropriate, to determine net trips generated by the development. The Biennial Report shall include a cumulative calculation of the trip generation for all previous site plan approvals, residential subdivision approvals and building permits. Development order conditions shall be evaluated using the trip generation analysis for building permits to determine triggering of any transportation conditions. The City may, at its discretion, require the developer to submit the cumulative trip generation analysis on an annual basis based on development activity within the DRI. An Excel spreadsheet file or other acceptable digital format shall be submitted by the developer with the cumulative trip generation analysis report.

## Access Road Improvements

20. No building permits shall be issued for development that generates more than the total net external p.m. peak hour trip threshold identified in Table 1 or after December 31 of the year identified in Table 1, whichever comes last, until: 1) contracts have been let to construct the lane geometry shown below in Table 1; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 16 and 17, if applicable, does not require these improvements; or 4) the improvement is scheduled in the first three years of the City's adopted Capital Improvements Program or FDOT's adopted work program.

# EXHIBIT 1

**Table 1**  
**Southern Grove DRI**  
**Required Access Road Improvements**

<u>Roadway</u>	<u>Existing Lanes</u>	<u>Required Improvement</u>	<u>Status</u>
<i>Phase I (2012) – 2,000 Trips (1)</i>			
<b><i>Tradition Parkway</i></b>			
Interstate I-95	-	Ramps	Satisfied
Village Pkwy to I-95	4LD	Widen to 6LD	Satisfied
<b><i>Becker Road</i></b>			
Interstate I-95	-	New Interchange	Satisfied
Village Pkwy to I-95	0	Construct 4LD	Satisfied
<b><i>Village Parkway</i></b>			
Tradition Parkway to E/W 1	0	Construct 4LD	Satisfied
E/W 1 to E/W 3	0	Construct 4LD	Satisfied
E/W 3 to E/W 4	0	Construct 4LD	Satisfied
E/W 4 to Becker Rd	0	Construct 4LD	Satisfied
<i>Phase II (2018) – 3,979 Trips (1)</i>			
<b><i>Becker Road</i></b>			
Village Pkwy to I-95	4LD	Widen to 6LD	Satisfied
Community Blvd to Village Pkwy (2)	2LD	Widen to 4LD	
<b><i>Village Parkway</i></b>			
Tradition Parkway to E/W 1	4LD	Widen to 6LD	Satisfied
<i>Phase III (2023) – 9,948 Trips (1)</i>			
<b><i>Becker Road</i></b>			
Community Blvd to Village Pkwy	4LD	Widen to 6LD	
<i>Phase IV (2028) – 14,718 Trips (1)</i>			
<b><i>Village Parkway</i></b>			
E/W 1 to E/W 3	4LD	Widen to 6LD	
E/W 3 to E/W 4	4LD	Widen to 6LD	
E/W 4 to Becker Rd	4LD	Widen to 6LD	

L=Lane; D=Divided E/W 1 = Discovery Way; E/W 4 = Paar Dr.

(1) Southern Grove Net External p.m. Peak Hour Trips

(2) The construction of the initial 2-lane divided roadway is the responsibility of others. The developer is responsible for widening the roadway from 2LD to 4LD. In the event the developer of the Southern Grove property constructs or provides funding for the initial 2-lane divided roadway, this condition shall terminate.

## **Internal Road Improvements**

21. No building permits shall be issued for development that generates more than the total net external p.m. peak hour trip threshold or after December 31 of the year identified in Table 2, whichever comes last, until: 1) contracts have been let to construct the lane geometry shown below in Table 2; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 16 and 17, if applicable, does not require these improvements; or 4)

# EXHIBIT 1

the improvement is scheduled in the first three years of the City's adopted Capital Improvements Program or FDOT's adopted work program.

**Table 2**  
**Southern Grove DRI**  
**Required Road Improvements**

<u>Roadway</u>	<u>Existing Lanes</u>	<u>Required Improvement</u>	<u>Status</u>
<i>Phase I (2012) – 2,000 Trips (1)</i>			
<i>Community Blvd</i>			
Tradition Pkwy to E/W 1	0	Construct 2LD	Satisfied
<i>E/W 1</i>			
Community Blvd to Village Pkwy	0	Construct 2LD	Satisfied
<i>Phase II (2018) – 3,979 Trips (1)</i>			
<i>E/W 1</i>			
Community Blvd to Village Pkwy	2LD	Widen to 4LD	
<i>E/W 4</i>			
Community Blvd to Village Pkwy	0	Construct 4LD	
Village Pkwy to West of I-95	0	Construct 4LD	
<i>Phase III (2023) – 9,948 Trips (1)</i>			
<i>E/W 3</i>			
Community Blvd to Village Pkwy	0	Construct 2LD	
Village Pkwy to West of I-95	0	Construct 2LD	
<i>E/W 4 (Paar Dr)</i>			
Rosser Road to Port St Lucie Blvd	2	Widen to 4LD	
<i>Community Blvd</i>			
Tradition Pkwy to E/W 1	2LD	Widen to 4LD	
Becker Road to E/W 4 (2)	2LD	Widen to 4LD	
<i>Phase IV (2028) – 14,718 Trips (1)</i>			
<i>E/W 3</i>			
Community Blvd to Village Pkwy	2	Widen to 4LD	
Village Pkwy to West of I-95	2	Widen to 4LD	

L=Lane; D=Divided E/W 1 = Discovery Way; E/W 4 = Paar Dr.

(1) Southern Grove Net External p.m. Peak Hour Trips

(2) The construction of the initial 2-lane divided roadway is the responsibility of others. The developer is responsible for widening the roadway from 2LD to 4LD.

22. No building permits shall be issued upon Becker Road reaching the level of service "E" pm peak hour threshold for a 6 lane divided roadway from Village Parkway to I-95, until: 1) contracts have been let to build Paar Drive from west of I-95 to Rosser Road as a 4 Lane-divided bridge overpass; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed to provide for the improvement; 3) the monitoring program included in Conditions 16 and 17 if applicable, does not require the improvement; or 4) the road is in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program. As part of its annual traffic count program, the City shall notify the developer upon Becker Road reaching the level of service "D" pm peak hour threshold for a 6 lane divided roadway from Village Parkway to I-95.

# EXHIBIT 1

## External Road Improvements – West of I-95

23. No building permits shall be issued for development that generates more than the total net external p.m. peak hour trips indicated in Table 3 or after December 31 of the year indicated in Table 3, whichever comes last, until: 1) contracts have been let to build the following roadways with the lane geometry presented below; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 16 and 17 if applicable, does not require these improvements; or 4) the roads are in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program.

**Table 3**  
**External Road Improvements – West of I-95**

<i>Phase</i>	<i>I</i>		<i>II</i>		<i>III</i>		<i>IV</i>	
<i>Year</i>	<i>2012</i>		<i>2018</i>		<i>2023</i>		<i>2028</i>	
<i>Net External P.M. Peak Hour Trip</i>	<i>2,000</i>		<i>3,979</i>		<i>9,948</i>		<i>14,718</i>	
<i>Roadway</i>	<i>Lanes</i>	<i>Status</i>	<i>Lanes</i>	<i>Status</i>	<i>Lanes</i>	<i>Status</i>	<i>Lanes</i>	<i>Status</i>
<i>N/S A</i>								
Tradition Pkwy to Crosstown							4LD	
Crosstown Pkwy to Glades Cut-off							2LD	
<i>Tradition Parkway</i>								
N/S A to Community Blvd	-				-		4LD	
Community Blvd to Village Pkwy	-		4LD	Satisfied	-		-	
<i>Westcliffe Lane</i>								
N/S A to Village Parkway							2LD	
<i>Crosstown Parkway</i>								
Village Parkway to N/S A							4LD	
Commerce Center Pkwy to Village							6LD	
N/S A to Range Line Road							2LD	
<i>St Lucie West Boulevard</i>								
Commerce Center Pkwy to I-95							4LD	

L= Lane; D = Divided

### **External Roadways**

~~17. Based on the results of the WATS, no building permits shall be issued after December 31, 2010 until: 1) contracts have been let to build the following roadways with the lane geometry presented below; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 14 and 15 if applicable, does not require these improvements; or 4) the roads are in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program. For improvements constructed by the developer, surety or other acceptable evidence shall be provided to the satisfaction of the City of Port St. Lucie, and per the Annexation Agreement, that sufficient funds will be available to complete the following roadways:~~

# EXHIBIT 1

~~Village Parkway from Tradition Parkway (Gatlin Boulevard) to Crosstown Parkway: 4 Lane-divided~~

~~Tradition Parkway (Gatlin Boulevard) from Community Boulevard to Village Parkway: 4 Lane-divided~~

~~Community Boulevard from Tradition Parkway (Gatlin Boulevard) to Westeliffe Lane (E/W XY): 2 Lanes~~

~~Westeliffe Lane (E/W XY) from N/S A to Village Parkway: 2 Lanes~~

~~18. Based on the results of the WATS, no building permits shall be issued after December 31, 2014 until: 1) contracts have been let to build the following roadways with the lane geometry presented below; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 14 or 15 if applicable, does not require these improvements; or 4) the roads are in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program. For improvements constructed by the developer, surety or other acceptable evidence shall be provided to the satisfaction of the City of Port St. Lucie, and per the Annexation Agreement, that sufficient funds will be available to complete the following roadways:~~

~~Crosstown Parkway from N/S A to Village Parkway: 4 Lane-divided~~

~~Crosstown Parkway from Village Parkway to I-95: 6 Lane-divided~~

~~Tradition Parkway (Gatlin Boulevard) from N/S A to Village Parkway: 4 Lane-divided~~

~~N/S A from Crosstown Parkway to Glades Cut-Off Road: 2 Lanes~~

~~19. Based on the results of the Western Annexation Traffic Study, no building permits shall be issued after December 31, 2018, until: 1) contracts have been let to build the following roadways with the lane geometry presented below; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order; 3) the monitoring program included in Conditions 14 or 15 does not require these improvements; or 4) the improvement is scheduled in the first three years of the City's adopted Capital Improvements Program or FDOT's adopted work program. For improvements constructed by the Developer, surety or other acceptable evidence shall be provided to the satisfaction of the City of Port St. Lucie that sufficient funds will be available to complete the following roadways:~~

~~Crosstown Parkway from Range Line Road to N/S A: 4 Lane-divided~~

~~20. Based on the results of the WATS, no building permits shall be issued for development that generates more than the net external p.m. peak hour trip threshold identified in Table 1 or after December 31 of the year of failure identified in Table 1, whichever comes last, until either: 1) contracts have been let for the roadway widening or construction projects identified in Table 1 under "Improvements"; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 14 or 15 if applicable, does not require these improvements; or 4) the roads are in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program. The City will use its best efforts to undertake the road improvements in Table 1 by the dates and trip thresholds indicated. For improvements constructed by the developer surety or other acceptable evidence shall be provided to the~~

# EXHIBIT 1

satisfaction of the City of Port St. Lucie, and per the Annexation Agreement, that sufficient funds will be available to complete the roadway widening or construction projects included in Table 1.

**Table 1  
Southern Grove DRI  
Roadway Improvements**

Road Segment	Trip Threshold	Year of Failure	Improvement
Tradition Parkway (Gatlin Boulevard) — Village Parkway to I-95	303	2010	6LD
Tradition Parkway (Gatlin Boulevard) — Village Parkway to I-95	1,523	2013	8LD
Village Parkway — Tradition Parkway to Westcliffe Lane (E/W XY)	1,292	2020	6LD
Village Parkway — Westcliffe Lane (E/W XY) to Crosstown Parkway	2,717	2022	6LD

21. Based on the results of the WATS, no building permits shall be issued for development that generates more than the net external p.m. peak hour trip threshold identified in Table 2 or after December 31 of the year of failure identified in Table 2, whichever comes last, until either: 1) contracts have been let for the roadway widening or construction projects identified in Table 2 under “Improvements”; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 14 or 15 if applicable, does not require these improvements; or 4) the roads are in the first three years of the City’s adopted Capital Improvement Program or FDOT’s adopted work program. The City will use its best efforts to undertake the road improvements in Table 2 by the dates and trip thresholds indicated. The City of Port St. Lucie will use its best efforts to undertake the road improvements in Table 2 by the dates and trip thresholds indicated.

**Table 2  
Southern Grove DRI  
External Roadway Improvements**

Road Segment	Trip* Threshold	Year of Failure	Improvement
Paar Drive — Rosser Blvd. to Savona Blvd.	882	2016	4LD****
Paar Drive — Savona Blvd. to Port St. Lucie Blvd.	948	2016	4LD
Rosser Boulevard — E/W 3 in WATS to Tradition Parkway (Gatlin Blvd.)	1,725	2013	4LD
Rosser Boulevard — Becker Rd. to Paar Dr.	1,864	2015	4LD
Rosser Boulevard — Paar Dr. to E/W 3 in WATS	2,235	2018	4LD
Port St. Lucie Boulevard — Paar Dr. to Darwin Blvd.	2,384	2021	4LD
Becker Road — Florida’s Turnpike to Southbend Blvd.	2,590	2010	4LD
Becker Road — I-95 to Rosser Blvd.	3,114	2015	6LD
Port St. Lucie Boulevard — Becker Rd. to St. Lucie County line	3,636	2011	2-4LD
St. Lucie West Boulevard — Peacock Blvd. to California Blvd.	5,114	2015	6LD
Port St. Lucie Boulevard — Darwin Blvd. to Tradition Parkway (Gatlin Blvd.)	5,833	2022	6LD
Bayshore Boulevard — Oakridge Blvd. to Port St. Lucie Blvd.	7,939	2015	4LD
Oakridge Boulevard — Bayshore Blvd. to Southbend Blvd.	8,807	2015	4LD
Becker Road — Southbend Blvd. to Gilson Rd.	10,480	2017	4LD
Bayshore Boulevard — St. Lucie West Blvd. to Selvitz Rd.	10,805	2020	4LD
St. Lucie West Boulevard — California Blvd. to Cashmere Blvd.	10,890	2020	6LD
California Boulevard — Crosstown Pkwy. to St. Lucie West	11,229	2017	4LD

# EXHIBIT 1

<del>Blvd.</del>			
<del>Gashmere Boulevard - Crosstown Pkwy. to St. Lucie West Blvd.</del>	16,208	2020	4LD
<del>St. Lucie West Boulevard - Airose Blvd. to Floresta Dr.</del>	16,874	2020	6LD
<del>EAW 3 - I-95 to Rosser Road ***</del>	NA	2014	2-lanes
<del>Paar Drive - I-95 to Rosser Road ***</del>	NA	2014	4LD
<del>EAW 3 - I-95 to Rosser Road ***</del>	NA	2018	4LD
<del>Paar Drive - I-95 to Rosser Road ***</del>	NA	2018	6LD
<del>EAW 3 - I-95 to Rosser Road ***</del>	NA	2022	6LD
<del>Crosstown Parkway - I-95 to Bayshore Blvd</del>	NA	2015	6LD
<del>Crosstown Parkway - Bayshore Blvd. to U.S. #1</del>	NA	2020	6LD**
<del>Becker Road - I-95 to Florida's Turnpike</del>	NA	2010	4LD

\* Southern Grove DRI Net External PM Peak Hour Trips

\*\* Based on permitability

\*\*\* These segments include a bridge over I-95, provided, however, that the bridge over I-95 shall be subject to monitoring every three years, commencing at the start of Phase 3 in 2016 to evaluate the need for the improvement.

\*\*\*\* Means lane divided

a. ~~A new traffic study shall be undertaken by the Developer and submitted to the City and FDOT if, by December 31, 2020, the six-laning of the Crosstown Parkway - Bayshore Blvd. to US-1 segment is: 1) not under contract; 2) not included in a local government development agreement consistent with sections 163.3220 through 163.3243, F.S.; 3) required by the monitoring program included in Conditions 14 and 15, if applicable; or 4) not scheduled in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program. The traffic study shall be prepared in a manner consistent with the methodology utilized in the WATS, or at the election of the Developer, utilizing an alternative methodology acceptable to the City, DCA, and FDOT. If the traffic study shows that the incomplete segment will result in additional or increased significant impacts to state or regionally significant roads as identified in the WATS, no building permits shall be issued after December 31, 2020, until the Development Order has been amended to include mitigation to address such additional or increased significant impacts consistent with Rule 9J-2.045, F.A.C.~~

b. ~~Based on the results of the WATS, no building permits shall be issued for development that generates more than the net external p.m. peak hour trip threshold identified in Table 3 or after December 31 of the year of failure identified in Table 3, whichever comes last, until: 1) contracts have been let for the roadway widening or construction projects identified in Table 3 under "Improvements"; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 14 or 15 if applicable, does not require these improvements, or 4) the improvement is scheduled in the first three years of the City's adopted Capital Improvements Program or FDOT's adopted work program.~~

**Table 3**  
**Southern Grove DRI**  
**Roadway Improvements Outside the City of Port St. Lucie**

<del>Road Segment</del>	<del>Trip * Threshold</del>	<del>Year of Failure</del>	<del>Improvement</del>
<del>Port St. Lucie Blvd - St. Lucie County Line to SR 714 **</del>	3,636	2011	4-Lanes
<del>SR 714/Martin Hwy. - Port St. Lucie Blvd. to Florida's Turnpike</del>	8,332	2013	4LD

# EXHIBIT 1

GR 714/Martin Hwy. — Florida's Turnpike to High Meadows Av.	5,139	2010	4LD
GR 714/Martin Hwy. — High Meadows Av. to Berry Av.	5,995	2011	4LD
Midway Road — Torino Pkwy. to Selvitz Rd.	9,412	2011	4LD
Midway Road — Selvitz Rd. to 25th St.	10,814	2016	4LD
Midway Road — 25 <sup>th</sup> St. to Oleander	NA	2020	4LD
Range Line Road — SR 714 to Becker Road	NA	2022	4LD

\* — Total Southern Grove DRI Net External PM Peak Hour Trips

\*\* — Provided sufficient right of way exists for the improvement

~~e. A traffic reanalysis shall be undertaken by the Developer and submitted to the City, TCRPC, DCA, and FDOT if, by December 31, 2011, the four laning of the Port St. Lucie Boulevard — St. Lucie County Line to SR 714 segment is: 1) not under contract to construct the roadway; 2) not included in a local government development agreement consistent with sections 163.3220 through 163.3243, F.S.; 3) required by the monitoring program included in Conditions 14 and 15, if applicable; or 4) not scheduled in the first three years of an adopted Capital Improvements Program or FDOT's adopted work program. The traffic reanalysis shall be prepared in a manner consistent with the utilized in the WATS, or at the election of the Developer, utilizing an alternative methodology acceptable to the City, DCA, FDOT, and TCRPC, and shall be limited to a determination of the effect, if any, of the delay in four laning the segment of Port St. Lucie Blvd. — St. Lucie County Line to SR 714 on roads external to the WATS area. If the traffic reanalysis shows that the delay will result in additional or increased significant impacts to state or regionally significant roads as identified in the WATS, no building permits shall be issued after December 31, 2011, until the Development Order has been amended to include mitigation to address such additional or increased significant impacts consistent with Rule 9J-2.045, F.A.C.~~

### **~~Roadways within WATS Area (Internal)~~**

~~22. Based on the results of the WATS, no building permits shall be issued after December 31, 2010 until: 1) contracts have been let to build the following roadways with the lane geometry presented below; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 14 or 15 if applicable, does not require these improvements; or 4) the roads are in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program. For improvements constructed by the developer surety or other acceptable evidence shall be provided to the satisfaction of the City of Port St. Lucie, and per the Annexation Agreement, that sufficient funds will be available to complete the following roadways:~~

- ~~Becker Road from Range Line Road to N/S A: 2 Lanes~~
- ~~Becker Road from N/S A to I-95: 4 Lane divided~~
- ~~E/W 3 from N/S A to Community Boulevard: 2 Lanes~~
- ~~N/S A from Becker Road to E/W 3: 2 Lanes~~
- ~~Community Boulevard from Becker Road to E/W 1: 2 Lanes~~
- ~~Community Boulevard from E/W 1 to Gatlin Boulevard: 4 Lane divided~~
- ~~Village Parkway from Becker Road to Gatlin Boulevard: 4 Lane divided~~

~~23. Based on the results of the WATS, no building permits shall be issued after December 31, 2014 until: 1) contracts have been let to build the following roadways with the lane geometry presented below; 2) a local government development agreement consistent with sections~~

# EXHIBIT 1

~~163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 14 or 15 if applicable, does not require these improvements; or 4) the roads are in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program. For improvements constructed by the developer surety or other acceptable evidence shall be provided to the satisfaction of the City of Port St. Lucie, and per the Annexation Agreement, that sufficient funds will be available to complete the following roadways:~~

~~Becker Road from Range Line Road to N/S A: Widen to 4 Lane-divided  
Becker Road from N/S AB to I-95: Widen to 6 Lane-divided  
Paar Drive from Range Line Road to N/S BC: 2 Lanes  
Paar Drive from N/S BC to I-95 western right-of-way: 4 Lane-divided  
E/W 3 from Range Line Road to N/S A: 2 Lanes  
E/W 3 from Community Boulevard to I-95 western right-of-way: 2 Lanes  
E/W 1 from Range Line Road to Community Boulevard: 2 Lanes  
E/W 1 from Community Boulevard to Village Parkway: 4 Lane-divided  
N/S A from E/W 3 to E/W 1: 2 Lanes  
N/S A from E/W 1 to Tradition Parkway (Gatlin Boulevard): 4 Lane-divided  
N/S A from Tradition Parkway (Gatlin Boulevard) to Crosstown Parkway: 2 Lane (May be constructed concurrently, but no later than, with the construction of Crosstown Parkway from N/S A to Village Parkway.)  
N/S AB from Becker Road to Paar Drive: 2 Lanes  
N/S B from Becker Road to E/W 1: 2 Lanes  
N/S BC from Becker Road to Paar Drive: 2 Lanes  
Village Parkway from E/W 1 to Gatlin Boulevard: Widen to 6 Lane-divided  
Tradition Parkway (Gatlin Boulevard) from N/S A to Range Line Road: 4 Lane-divided~~

~~24. Based on the results of the WATS, no building permits shall be issued after December 31, 2018 until: 1) contracts have been let to build the following roadways with the lane geometry presented below; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 14 or 15 if applicable, does not require these improvements; or 4) the roads are in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program. For improvements constructed by the developer surety or other acceptable evidence shall be provided to the satisfaction of the City of Port St. Lucie, and per the Annexation Agreement, that sufficient funds will be available to complete the following roadways:~~

~~Paar Drive from N/S A to N/S BC: Widen to 4 Lane-divided  
Paar Drive from Village Parkway to I-95 western right-of-way: Widen to 6 Lane-divided  
E/W 3 from Community Boulevard to I-95 western right-of-way: Widen to 4 Lane-divided  
E/W 1 from N/S B to Community Boulevard: Widen to 4 Lane-divided  
N/S A from Becker Road to E/W 1: Widen to 4 Lane-divided  
Community Boulevard from Becker Road to E/W 1: Widen to 4 Lane-divided  
Village Parkway from E/W 1 to Gatlin Boulevard: Widen to 8 Lane-divided\*~~  
\*If required by the City.

# EXHIBIT 1

~~25. Based on the results of the WATS, no building permits shall be issued after December 31, 2022 until: 1) contracts have been let to build the following roadways with the lane geometry presented below; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 14 or 15 if applicable, does not require these improvements; or 4) the roads are in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program. For improvements constructed by the developer surety or other acceptable evidence shall be provided to the satisfaction of the City of Port St. Lucie, and per the Annexation Agreement, that sufficient funds will be available to complete the following roadways:~~

~~E/W 3 from N/S A to Village Parkway: Widen to 4 Lane divided  
E/W 3 from Village Parkway to I-95: Widen to 6 Lane divided  
N/S AB from Becker Road to Paar Drive: Widen to 4 Lane divided  
N/S B from Paar Drive to E/W 1: Widen to 4 Lane divided  
N/S BC from Becker Road to Paar Drive: Widen to 4 Lane divided  
Village Parkway from Becker Road to E/W 1: Widen to 6 Lane divided~~

## External Road Improvements – East of I-95

24. No building permits shall be issued for development that generates more than the total net external p.m. peak hour trip threshold identified in Table 4 or after December 31 of the year of failure identified in Table 4, whichever comes last, until either: 1) contracts have been let to build the following roadways with the lane geometry presented below; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 16 or 17 if applicable, does not require these improvements; 4) the roads are in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program; or 5) the City has determined the roads are either physically or policy constrained.

# EXHIBIT 1

**Table 4**  
**External Road Improvements – East of I-95**

<u>Roadway</u>		<u>Existing Lanes</u>	<u>Required Improvement</u>	<u><sup>(1)</sup>Trip Threshold</u>	<u>Year of Failure</u>	<u>Status</u>
<u>From</u>	<u>To</u>					
<b>Port St. Lucie Blvd</b>						
Paar Dr	Darwin Blvd	2	Add 2-Lanes	14,718	-	
Darwin Blvd	Gatlin Blvd	4	Add 2-Lanes	14,718	2013	
Paar Dr	Darwin Blvd	4	Add 2-lanes	14,718	2022	
<b>Becker Road</b>						
East of Interstate 95	Savona Blvd	4	Add 2-Lanes	14,718	2019	
Savona Blvd	Port St. Lucie Blvd	4	Add 2-Lanes	14,718	2020	
<b>Savona Boulevard</b>						
Gatlin Blvd	California Blvd	2	Add 2-Lanes	14,718	2021	
Paar Dr	Gatlin Blvd	2	Add 2-Lanes	14,718	2022	
<b>St. Lucie West Boulevard</b>						
California Blvd	Cashmere Blvd	4	Add 2-Lanes	14,718	2018	
Interstate 95	Peacock Blvd	4	Add 2-Lanes	14,718	2013	
Peacock Blvd	California Blvd	4	Add 2-Lanes	14,718	2023	
<b>Cashmere Boulevard</b>						
Crosstown Pkwy	St. Lucie West Blvd	2	Add 2-Lanes	14,718	2023	
<b>California Boulevard</b>						
Savona Blvd	Del Rio Blvd	2	Add 2-Lanes	14,718	2018	
<b>Bayshore Boulevard</b>						
Prima Vista Blvd	Selvitz Rd	2	Add 2-Lanes	14,718	2018	
<b>Darwin Boulevard</b>						
Paar Dr	Port St. Lucie Blvd	2	Add 2-Lanes	14,718	2018	
<b>Crosstown Parkway(2)</b>						
Manth Ln	US 1	0	Add 6-Lanes	3,979	2013	<i>Satisfied- 3 yr. CIP</i>

(1) Southern Grove DRI Next External Peak Hour PM Trip

(2) Based on permissibility

25. A new traffic study shall be undertaken by the Developer and submitted to the City, TCRPC, and FDOT if by for any development that generates more than 2,000 total net external p.m. peak hour trips or by December 31, 2013, whichever comes last, if the six laning of the Crosstown Parkway- Manth Lane. to US 1 segment is: 1) not under contract; 2) not included in a local government development agreement consistent with sections 163.3220 through 163.3243, F.S.; 3) required by the monitoring program included in Conditions 16 and 17, if applicable; or 4) not scheduled in the first three years of the City's adopted Capital Improvement Program or FDOT's adopted work program. The traffic study shall be prepared in a manner consistent with the methodology utilized in the Traffic Study included in the Application for Development Approval (ADA), or at the election of the Developer, utilizing an alternative methodology acceptable to the City, TCRPC, and FDOT. In the event that a methodology cannot be agreed upon among all parties, the City of Port St Lucie shall be the final arbiter. If the traffic study shows that the

# EXHIBIT 1

incomplete segment will result in additional or increased significant impacts to state or regionally significant roads no building permits shall be issued for any development that generates more than 2,000 total net external p.m. peak hour trips or, after December 31, 2013, whichever comes last, until the Development Order has been amended to include mitigation to address such additional or increased significant impacts consistent with Rule 9J-2.045, F.A.C Satisfied – 3 yr. CIP.

## Road Improvements Outside the City of Port St Lucie

26. No building permits shall be issued for development that generates more than the total net external p.m. peak hour trip threshold identified in Table 5 or after December 31 of the year of failure identified in Table 5, whichever comes last, until: 1) contracts have been let for the roadway widening or construction projects identified in Table 5 under “Improvements”; 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed; 3) the monitoring program included in Conditions 16 or 17 if applicable, does not require these improvements, or 4) the improvement is scheduled in the first three years of the City’s or County’s adopted Capital Improvements Program or FDOT’s adopted work program.

**Table 5**  
**Road Improvements Outside the City of Port St. Lucie**

<u>Road</u>	<u>(1) Trip Threshold</u>	<u>Year Of Failure</u>	<u>Required Lanes</u>	<u>Status</u>
<u>Citrus Highway</u> St Lucie County Line to SR 714 (2)	<u>3,636</u>	<u>2014</u>	<u>Widen to 4LD</u>	
<u>Martin Highway (SR 714)</u> Citrus Highway to Florida’s Turnpike	<u>8,332</u>	<u>2016</u>	<u>Widen to 4LD</u>	
<u>Martin Highway (CR 714)</u> Florida’s Turnpike to High Meadows	<u>5,139</u>	<u>2013</u>	<u>Widen to 4LD</u>	
<u>Martin Highway (CR 714)</u> High Meadows Avenue to Berry Avenue	<u>5,995</u>	<u>2014</u>	<u>Widen to 4LD</u>	
<u>Midway Road</u> Torino Parkway to Selvitz Road	<u>9,412</u>	<u>2014</u>	<u>Widen to 4LD</u>	
<u>Midway Road</u> Selvitz Road to 25 <sup>th</sup> Street	<u>10,814</u>	<u>2019</u>	<u>Widen to 4LD</u>	<u>Satisfied- 3 yr. CIP(County)</u>
<u>Midway Road</u> 25 <sup>th</sup> Street to Oleander	<u>NA</u>	<u>2023</u>	<u>Widen to 4LD</u>	<u>Satisfied- 3 yr. CIP(County)</u>
<u>Range Line Road</u> SR 714 to Becker Road	<u>NA</u>	<u>2025</u>	<u>Widen to 4LD</u>	

- (1) Total Southern Grove DRI Net External PM Peak Hour Trips  
 (2) Provided sufficient right of way exists for the improvement

# EXHIBIT 1

(a) A traffic re-analysis shall be undertaken by the Developer and submitted to the City, TCRPC, DCA, and FDOT if, by the date that development within the Southern Grove DRI generates more than 3,636 total net p.m. peak hour trips or December 31, 2014, whichever comes last, the four-laning of the Port St. Lucie Boulevard – St. Lucie County Line to SR 714 segment is: 1) not under contract to construct the roadway; 2) not included in a local government development agreement consistent with section 163.3220 through 163.3243, F.S.; 3) required by the monitoring program included in Conditions 16 and 17, if applicable; or 4) not scheduled in the first three years of an adopted Capital Improvements Program or FDOT's adopted work program. The traffic re-analysis shall be prepared in a manner consistent with the methodology utilized in the Traffic Study included in the Application for Development Approval (ADA), or at the election of the Developer, utilizing an alternative methodology acceptable to the City, DCA, FDOT and TCRPC, and shall be limited to a determination of the effect, if any, of the delay in four laning the segment of Port St. Lucie Boulevard (S.W. Citrus Blvd.) – St. Lucie County Line to SR 714 on roads external to the WATS area. If the traffic re-analysis shows that the delay will result in additional or increased significant impacts to state or regionally significant roads as identified in the Traffic Study included in the Application for Development Approval (ADA), no building permits shall be issued after development within the Southern Grove DRI generates more than 3,636 total net p.m. peak hour trips or December 31, 2014, whichever comes last, until the Development Order has been amended to include mitigation to address such additional or increased significant impacts consistent with Rule 9J-2.045, F.A.C

## E/W 3 and I-95 Interchange

27. Upon Becker Road and Tradition Parkway exceeding the level of service "D" pm peak hour threshold for a 6 lane divided roadway from Village Parkway to I-95, an interchange justification traffic report ("IJR") shall be prepared to evaluate the need for an interchange along I-95 with E/W 3. The IJR shall be funded by the developer at a cost not to exceed two million dollars. The methodology for this traffic study shall be agreed upon by the Developer, City of Port St. Lucie, and Florida Department of Transportation. In the event that a methodology cannot be agreed upon among all parties, the City of Port St Lucie shall be the final arbiter.

28. If the study required by Condition 25 justifies an interchange along I-95 with E/W 3, and such interchange has been authorized by the Federal Highway Administration and/or FDOT, then no building permits shall be issued upon Becker Road and Tradition Parkway exceeding the level of service "E" pm peak hour threshold for a 6 lane divided roadway from Village Parkway to I-95, until the development order has been amended to include provisions for such an interchange. Such amendment to the Development Order shall not be subject to a substantial deviation determination, unless otherwise required by criteria in Section 380.06(19)(b), F.S.

## **Other Issues**

26. 29. Intersection lane geometry for all arterial roads between I-95 and Range Line Road/Glades Cut-Off Road included in the Revised Master Development Plan (Map H, Exhibit B) shall for all 6 lane by 6 lane, 4 lane by 6 lane and 4 lane by 4 lane intersections, within rights-of-way greater than than 100 feet, include dual left-turn lanes and exclusive right-turn lanes in all

# EXHIBIT 1

approaches. For all other arterial road intersection types, the Developer shall submit to the City for approval, an intersection analysis to designate the lane geometry for each intersection.

30. Monitoring of the transportation conditions of the Tradition Parkway/Gatlin Boulevard and I-95 interchange; the Becker Road and I-95 interchange and I-95 within the study area shall commence prior to the development exceeding 17,601 external P.M. peak hour trips.

~~27. A traffic study shall be prepared no later than January 1, 2019 to evaluate the need for an interchange along I-95 with E/W 3. The methodology for this traffic study shall be agreed upon by the Developer, City of Port St. Lucie, and Florida Department of Transportation. The traffic study shall estimate traffic projections at buildout of all DRI developments that participated in the WATS area.~~

~~28. If the study required by Condition 27 justifies an interchange along I-95 with E/W 3, then no building permits shall be issued after December 31, 2020 until the development order has been amended to include provisions for such an interchange and such interchange has been authorized by the Federal Highway Administration and/or FDOT. Such amendment to the Development Order shall not be subject to a substantial deviation determination, unless otherwise required by criteria in Section 380.06(19)(b), F.S.~~

## **Other Issues**

~~29. 31.~~ All roads expressly addressed in the transportation conditions of this Development Order shall be open to the public.

~~30. 32.~~ Commencing in 2008 and continuing every other year thereafter, the Developer shall submit a Biennial Status Report indicating the status (schedule) of guaranteed transportation network modifications. This Biennial Status Report shall be submitted, attached to and incorporated into the Development of Regional Impact Biennial Report.

The Biennial Status Report shall list all roadway modifications needed to be constructed, the guaranteed date of completion for the construction of each needed modification, the party responsible for the guaranteed construction of each modification, and the form of binding commitment that guarantees construction of each modification. Except for improvements which are rescheduled or determined to be not needed pursuant to monitoring under Condition ~~4~~ 16 or ~~5~~ 17 if applicable, no further building permits for Southern Grove Development of Regional Impact shall be issued at the time the Biennial Status Report reveals that any needed transportation modification included in the Development Order is no longer scheduled or guaranteed, or has been delayed in schedule such that it is not guaranteed to be in place and operational, or under actual construction for the entire modification consistent with the timing criteria established in this Development Order.

~~31. 33.~~ In the event that a transportation improvement which the Developer is required to provide pursuant to this Development Order is instead provided by a dependent or independent special district, the improvement shall be deemed to have been provided.

34. The Developer is responsible for the mitigation of all environmental impacts of all right-of-ways within the Southern Grove DRI.

# EXHIBIT 1

## ENVIRONMENTAL AND NATURAL RESOURCES

### **Upland Preservation**

~~32.~~ 35. The Developer, ~~or~~ Property Owners Association created by the Developer ("Association"), or other acceptable entity shall protect and maintain a minimum of ~~8.68~~ 5.19 acres of native upland communities, ~~including upland hardwood forest (5.0 acres), temperate hardwoods (3.49 acres), and live oak (0.19 acres)~~ in the Conservation Areas 13 shown on the Southern Grove Revised Master Development Plan Map H. The continued viability and maintenance of the Conservation Areas shall be assured through conservation easements granted to the US Army Corps of Engineers South Florida Water Management District, a Community Development District, or other entity acceptable to the City of Port St. Lucie.

36. The Developer, Association, or other acceptable entity shall create 3.49 acres of temperate hardwood habitat (oak hammock) as mitigation in the event that such habitat is eliminated. The created habitat shall: 1) be accomplished concurrent with elimination of the existing habitat; 2) be comprised of native species including canopy, understory, and ground cover; 3) be consolidated in a single location within the greenspace conservation easement; and 4) be managed consistent with the requirements of the Mitigation, Monitoring, and Maintenance Plan included in the U.S. Army Corps of Engineers wetland permit applicable to such portion of the property.

~~33.~~ 37. The Developer, ~~or an~~ Association, or other acceptable entity shall install temporary fencing around the Conservation Areas prior to commencing site clearing adjacent to the conservation areas. The fencing shall clearly identify and designate the boundaries of the Conservation Areas and minimize the potential disturbance of the Conservation Areas during land clearing and construction. The temporary fencing shall be established at least 15 feet outside of the boundaries of the Conservation Areas and shall remain in place until the completion of the finish grading on the area adjacent to the fencing.

~~34.~~ 38. By January 1, 2008, the Developer, ~~or an~~ Association, or other acceptable entity shall prepare a Conservation Area Management Plan for the Conservation Areas, including upland buffers, wetlands, and mitigation areas identified on the Southern Grove Revised Master Development Plan Map H. The plan shall: 1) identify management procedures and provide a schedule for their implementation; 2) include procedures for maintaining suitable habitat for state and federally listed species; 3) relocation procedures for listed plant species, 4) include methods to remove nuisance and exotic vegetation and any other species that are determined to threaten the natural communities as specified in this Development Order; and 5) include plans to permanently mark the conservation areas and allow only limited access for passive recreation, education, or scientific study. The management plan shall be approved by the City of Port St. Lucie in consultation with the U.S. Fish and Wildlife Service and Florida Fish and Wildlife Conservation Commission.

### **Wetlands**

~~35.~~ 39. The Developer, Association, or other acceptable entity ~~or an Association~~ shall preserve and enhance the ~~105.38~~ 101.564 acres of wetlands proposed for protection in the Conservation

# EXHIBIT 1

Areas (Conservation Areas) shown on the Southern Grove Revised Master Development Plan Map H. Any wetland permit issued by the US Army Corps of Engineers for all or any portions of the Property shall be deemed to satisfy all City rules, regulations, codes, permitting and other requirements pertaining to wetlands and littoral plantings for the portion or portions of the Property subject to any such permits. The Developer shall comply with all wetland mitigation requirements of the U. S. Army Corps of Engineers. ~~Details of the wetland maintenance and enhancement procedures and management schedule shall be provided in the Conservation Area Management Plan.~~

~~36. 40.~~ The Developer, Association, or other acceptable entity shall preserve or create a buffer zone of native upland edge vegetation around all preserved and created wetlands on site. The upland buffers shall be designed to be consistent with the buffer requirements of the U. S. Army Corps of Engineers ~~and South Florida Water Management District wetland permit applicable to such portion of the Property.~~ The buffer zones shall include canopy, understory, and ground cover of native upland species. ~~Details of the upland buffer maintenance and management schedule shall be provided in the Conservation Area Management Plan.~~

## Listed Species

~~37. 41.~~ All spider-lilies, royal ferns, and any other listed species identified in wetlands to be eliminated shall be transplanted into wetlands to be preserved and enhanced on the project site consistent with the requirements of the U.S. Army Corps of Engineers wetland permit applicable to such portion of the Property. ~~Details of the relocation methods and monitoring schedule shall be provided in the Conservation Area Management Plan.~~

~~38. 42.~~ In order to protect the Florida Sandhill Crane, the Developer, Association, or other acceptable entity shall maintain suitable foraging habitat in the form of relatively open grassland with interspersed stands of native pine flatwoods surrounding wetlands in Conservation Areas CA-8, CA-9, CA-10, CA-11, CA-14, CA-15, CA-16, CA-19, CA-20, CA-21, CA-22, CA-23, CA-24, and CA-26, identified on the Southern Grove Revised Master Development Plan Map H consistent with the requirements of the U.S. Army Corps of Engineers wetland permit applicable to such portion of the Property. ~~Details of the maintenance procedures and management schedule shall be provided in the Conservation Area Management Plan.~~

~~39. 43.~~ The Developer, Association, or other acceptable entity, ~~or an Association~~ shall maintain Wood Stork foraging habitat on site consistent with the requirements of the U.S. Army Corps of Engineers wetland permit applicable to such portion of the Property by ensuring no additional net loss of wetland function and value. All surface waters created on the site, where appropriate, shall include features specifically designed to provide preferred foraging habitat for this species. The features should include areas designed to concentrate prey during dry down periods. The Developer shall comply with all U.S. Fish and Wildlife Service recommendations regarding the design and creation of foraging habitat for this federally endangered species. ~~Details of the wetland creation design, procedures, and management schedule shall be provided in the Conservation Area Management Plan~~

~~40. 44.~~ In the event that it is determined that any additional representative of a state or federally listed plant or animal species is resident on, or otherwise significantly dependent upon a development parcel, the developer of such parcel shall cease all activities which will negatively

# EXHIBIT 1

affect that individual population and immediately notify the City of Port St. Lucie. The Developer shall provide proper protection to the satisfaction of the City of Port St. Lucie in consultation with the U.S. Fish and Wildlife Service and Florida Fish and Wildlife Conservation Commission.

## **Exotic Species**

~~41.~~ 45. Prior to obtaining a certificate of occupancy for any future structure located on a particular development parcel, the developer of such parcel shall remove from that parcel all Melaleuca, Brazilian pepper, Old World climbing fern, Australian pine, downy rose-myrtle, and any other nuisance and invasive exotic vegetation listed under Category I of the Florida Exotic Pest Plant Council's 2005 List of Invasive Species. Removal shall be in a manner that minimizes seed dispersal by any of these species. There shall be no planting of these species on site. Methods and a schedule for the removal of exotic and nuisance species should be approved by the City of Port St. Lucie. The entire site, including wetlands and conservation areas, shall be maintained free of these species in perpetuity, in accordance with all applicable permits.

## **Stormwater Management**

~~42.~~ 46. The developer of each development parcel shall design and construct a stormwater management system to retain the maximum volumes of water consistent with South Florida Water Management District criteria for flood control. The stormwater management system shall be designed and constructed to provide stormwater treatment and attenuation/storage, in accordance with South Florida Water Management District requirements, for the ultimate buildout of all public rights-of-way located within such development parcel. All discharged water from the surface water management system shall meet the water quality standards of Florida Administrative Code Rule 17-3.

~~43.~~ 47. All elements of the stormwater management system shall be designed to prevent negative impacts to adjacent areas and to the receiving bodies of water. A water quality monitoring program shall be established if required by any applicable federal, state or local agency having jurisdiction.

~~44.~~ 48. The Developer shall work with the City of Port St. Lucie to minimize the amount of impervious surface constructed for automobile parking on the project site. The Developer and the City should consider the use of pervious parking lot materials where feasible.

~~45.~~ 49. The surface water management system shall utilize Best Management Practices to minimize the impact of chemical runoff associated with lawn and landscape maintenance. The Developer shall coordinate with the South Florida Water Management District to formulate and implement Best Management Practices to reduce the use of pesticides and fertilizers throughout the project.

~~46.~~ 50. Maintenance and management efforts required to assure the continued viability of all components of the surface water management system shall be the financial and physical responsibility of the Developer, a community development district, special assessment district, or other entity acceptable to the City of Port St. Lucie. Any entities subsequently replacing the Developer shall be required to assume the responsibilities outlined above.

# EXHIBIT 1

## **Water Supply**

~~47.~~ 51. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the Developer has been provided written confirmation from the City of Port St. Lucie Utility Systems Department that adequate capacity of treated potable water is available to serve that development parcel and the Developer has provided (or have provided surety in a form acceptable with the City) for the necessary water system extensions to serve such development parcel.

~~48.~~ 52. The preferred source of irrigation water shall be treated wastewater effluent at such time as this source is made available to the site. Developer shall connect each development parcel to the reclaimed water system when the system is within 300 feet of the development parcel. The Property shall be equipped with an irrigation water distribution system to provide reclaimed water to all domestic residential lots when it becomes available. No individual home wells shall be constructed on the Property. Prior to availability of a sufficient supply of reclaimed water, other water supply sources may be used for landscape irrigation subject to meeting South Florida Water Management District permitting criteria in effect at the time of permit application.

~~49.~~ 53. In order to reduce irrigation water demand, xeriscape landscaping shall be encouraged throughout the Property. At a minimum, the xeriscape landscaping shall meet the requirements of the City of Port St. Lucie.

~~50.~~ 54. The project shall utilize ultra-low volume water use plumbing fixtures, self-closing and/or metered water faucets, xeriscape landscape techniques, and other water conserving devices and/or methods specified in the Water Conservation Act, Section 553.14, Florida Statutes. These devices and methods shall meet the criteria outlined in the water conservation plan of the public water supply permit issued to the City of Port St. Lucie by the South Florida Water Management District.

## **Wastewater Management**

~~51.~~ 55. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the Developer has been provided written confirmation from the City of Port St. Lucie Utility Systems Department that: 1) adequate capacity for wastewater treatment is available to serve such development parcel and 2) the Developer or others have provided (or have provided surety, in a form acceptable by the City) for the necessary wastewater system extension to serve such development parcel.

## **Solid Waste and Hazardous Materials**

~~52.~~ 56. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the Developer has provided written confirmation from St. Lucie County or other provider approved by the City that adequate solid waste disposal services and facilities will be available when needed. Development shall only occur concurrently with the provision of adequate solid waste disposal services and facilities.

# EXHIBIT 1

## **Air Quality**

~~53.~~ 57. During land clearing and site preparation, soil treatment techniques appropriate for controlling unconfined particulate emissions shall be undertaken. If construction on a parcel will not begin within thirty days of clearing, the soil shall be stabilized until construction of the parcel begins. Cleared areas may be sodded, seeded, landscaped or mulched to stabilize the soil. Minimal clearing for access roads, survey lines, fence installation, or construction trailers and equipment staging areas is allowed without the need for soil stabilization. The purpose of this condition is to minimize dust production and soil erosion during land clearing and to prevent soil particulates from becoming airborne between the time of clearing and construction. The development shall comply with all applicable National Pollutant Discharge Elimination System requirements.

## HUMAN RESOURCE ISSUES

### **Housing**

~~54.~~ 58. The Port St. Lucie Comprehensive Plan does not require any affordable housing mitigation or contribution by the Developer. However, the Developer has offered to provide voluntary support for affordable housing by means of a local condition. The Developer shall pay a voluntary affordable housing assistance fee of \$500, or a mutually agreed upon amount for each residential unit constructed on the Property, payable at the time of building permit application, into an affordable housing trust fund or other dedicated account established by the City. The City shall determine how to disburse the moneys in such trust fund in order to encourage affordable housing through such means as (a) acquisition of land; (b) a program of down payment assistance; (c) prepaying of points for qualified homebuyers; (d) rehabilitation of existing affordable housing; (e) construction of new affordable housing by private developers or not-for-profit entities; or (f) other appropriate affordable housing strategies.

~~55.~~ 59. As an alternative to the above, the Developer at its option may choose to participate in a program developed by the City of Port St. Lucie that will meet the same goals and objectives of the condition to provide sufficient workforce housing, based upon a program of the City of Port St. Lucie upon its adoption in the City of Port St. Lucie comprehensive plan.

~~56.~~ 60. Prior to the beginning of each phase subsequent to Phase 1, the supply of affordable housing shall be re-calculated using the East Central Florida Regional Planning Council Housing Methodology (revised June 1999) or, at the election of the Developer, an alternative methodology acceptable to the City and ~~DCA~~ the State land planning agency. If the supply calculation for any subsequent phase shows that there is not an adequate supply of affordable housing reasonably accessible to the Southern Grove DRI to meet the demand from the non-residential development in that phase, the Development Order shall be amended to include measures to mitigate the unmet housing need consistent with Rule 9J-2.048, F.A.C. The voluntary affordable housing mitigation assistance fee provided for in Condition ~~54~~ 57 shall be credited against any required mitigation.

# EXHIBIT 1

## **Schools**

~~56. 61. No residential subdivision plat shall be recorded nor final residential site plan approved for any development parcel after July 1, 2007 until~~ The Developer has secured entered into a development agreement with the St. Lucie County School District as recorded in Official records Book 2889, Page 650, Public records of St. Lucie County, Florida, as may be amended from time to time, that which assures the following:

a. The dedication to the City of Port St. Lucie, pursuant to the Annexation Agreement, of two K-8 school sites of not less than 25 acres each (totaling 50 acres) provided that drainage (after all required water quality pretreatment is provided on site at no cost to the Developer) for both K-8 school sites can be accommodated off-site as part of a larger master stormwater system. The net acreage must not include any required upland or wetland preservation areas. Alternatively if collocated with a park site, and recreational areas can be shared, the site can be reduced to 20 acres, provided that drainage for both K-8 school sites can be accommodated off-site.

b. For the proposed total development program of 7,388 dwelling units (excluding age restricted units), and with current student generation rates for St. Lucie County, the developer shall contribute a proportionate share of all costs necessary to construct, according to State of Florida and St. Lucie County School District standards, the school facilities for the sites identified in this condition, not to exceed the total amount of educational facilities impact fees for the Property based upon general applicable St. Lucie County Educational Impact Fee in effect from time to time, so that there will be adequate school facilities to accommodate the impacts of the development. Such facilities shall be operated and maintained by the St. Luce County School District.

c. The development agreement with the St. Lucie County School District shall provide for a formula for the reimbursement of educational impact fees that would normally be assessed of dwelling units within the proposed development in exchange for the conveyance of the school sites described in subparagraphs (a) above.

~~d. The City will use good faith efforts to enter into an appropriate interlocal agreement with the St. Lucie County School District pursuant to which the City will convey the school sites described in subparagraph (a) above to the St. Lucie County School District as and when needed by the St. Lucie County School District, which shall satisfy the provisions of 58(a).~~

## **Police and Fire Protection**

~~57. 62. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the Developer has received a statement from the City of Port St. Lucie Police Department indicating that adequate facilities and police protection are in place to serve such development parcel. The methodology used to determine the demand created as a result of the Property and the standards used to determine adequate police protection shall be approved by the City of Port St. Lucie Police Department.~~

# EXHIBIT 1

~~58. 63. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel after July 1, 2007 until the Developer has entered into that certain a mutually agreed upon Developer's Agreement with the St. Lucie County Fire District for improvements necessary to provide Fire and Emergency Medical Services to the Property as recorded in Official records Book 2916, Page 661, Public Records of St. Lucie County, Florida, and the amendment to the agreement recorded in Records Book 3062, Page 938, Public records of St. Lucie County, Florida, as may be further amended from time to time. The methodology used to determine the demand created as a result of the project and the standards used to determine adequate fire rescue services shall be approved by the St. Lucie County Fire District.~~

## **Hurricane Preparedness**

~~59. 64. The Developer shall pay a proportionate share payment to the City of Port St. Lucie, or construct one or more on-site buildings to provide a minimum 14,780 square feet of public hurricane evacuation shelter space for the residents of the Southern Grove Development of Regional Impact. If the space is constructed by the Developer, construction will commence before the start of hurricane season during the year that each phase is scheduled to end. If the Developer is to construct same, then a minimum of 2,000 square feet of public hurricane evacuation shelter space shall be under construction by the end of Phase 1; a minimum of 5,900 square feet of public hurricane evacuation shelter space shall be under construction by the end of Phase 2; a minimum of 4,920 square feet of public hurricane evacuation shelter space shall be under construction by the end of Phase 3; and a minimum of 1,960 square feet of public hurricane evacuation shelter space shall be under construction by the end of Phase 4. Emergency shelter requirements may be accomplished through providing a combination of safe spaces within home(s) and/or constructing community hurricane shelter spaces or dual use of a facility constructed or retrofitted to State of Florida hurricane code (including public schools) or other some combination thereof. The hurricane shelter mitigation techniques provided shall be approved by the City of Port St. Lucie and be consistent with Chapter 9J-2.0256(5) (a), Florida Administrative Code and with Red Cross Standard 4496. If the Development Order is changed to allow an alternate number of residential units, then the numbers in this condition would change proportionately.~~

~~60. 65. The developer shall pay a proportionate share payment to the City of Port St. Lucie, for 5,400 square feet of special needs public hurricane evacuation shelter space for the residents of the Southern Grove Development of Regional Impact. The proportionate share payment methodology shall be as set forth in Exhibit "D". Any prior contributions made to the City's special needs shelter shall be credited towards this proportionate share payment. In order to ensure that shelter space is available at all times to meet demand, a proportionate share payment for a minimum of 720 square feet of special needs public hurricane evacuation shelter space shall be provided within one year of commencing Phase 1; a proportionate share payment for a minimum of 2,160 square feet of special needs public hurricane evacuation shelter space shall be provided within one year of commencing Phase 2; a proportionate share payment for a minimum of 1,800 square feet of special needs public hurricane evacuation shelter space shall be provided within one year of commencing Phase 3, and a proportionate share payment for a minimum of 720 square feet of special needs public hurricane evacuation shelter space shall be provided within one year of commencing Phase 4. The amount of special needs public hurricane evacuation shelter space shall be recalculated to the satisfaction of the City of Port St. Lucie if age restrictions are established in any part of the Southern Grove Development of Regional~~

# EXHIBIT 1

Impact. Special needs shelter space requirements may be accomplished through the developer paying a proportionate share payment to mitigate its projected demand on special needs shelters. The special needs hurricane shelter mitigation techniques provided shall be approved by the City of Port St. Lucie and be consistent with ~~Chapter~~ Rule 9J-2.0256(5) (a), Florida Administrative Code and with Red Cross Standard 4496. If the Development Order is changed to allow an alternate number of residential units, then the numbers in this condition would change proportionately.

## **Parks and Recreation**

~~61.~~ 66. ~~Prior to January 1, 2008~~ Within six (6) months after the effective date of this development order, the Developer shall prepare a plan to be approved by the City of Port St. Lucie Parks and Recreation Department for the provision of neighborhood and community recreational sites and facilities to meet the demand created by residential development in the Property. At a minimum, the plan shall 1) provide for a minimum of ~~92~~ 80 acres of net usable area for recreation (~~of which 80 acres shall be public and conveyed to the City, in parcels of no less than 10 acres, pursuant to the Annexation Agreement~~); 2) show the locations of proposed parks and recreational facilities; 3) provide a schedule for conveyance of the public parks, ~~with conveyance of all park sites no later than January 1, 2017~~; and 4) comply with a requirement of 5 acres of parks per 1,000 population, consistent with the level of service required for parks and recreational facilities in the City of Port St. Lucie Comprehensive Plan at the time of adoption of the original development order. Neighborhood and community recreational facilities shall be available to serve projected demand in accordance with the plan approved by the City of Port St. Lucie Parks and Recreation Department.

~~62.~~ 67. The provision of public beach access and boat ramp facilities is a local issue which the City of Port St. Lucie and St. Lucie County address through impact fees, taxes, grants, and other assessments. With those funding sources, the City and ~~St. Lucie~~ County can expand existing or construct new public beach access and boat ramp facilities which may be needed to accommodate the residential development approved by this Development Order.

## **Historic and Archaeological Sites**

~~63.~~ 68. The Developer shall protect and set aside from development the archaeological site known as the otter site, 8SL1717, in accordance with the recommendations from the Florida Department of State, Division of Historical Resources. The otter site is located in a hammock in the south central portion of the property identified as conservation area CA-32 shown on Revised Master Development Plan Map "H". ~~Map H, Revised Master Development Plan.~~

~~64.~~ 69. In the event of discovery of any archaeological artifacts during construction of the project, construction shall stop within a 30-foot radius/buffer and immediate notification shall be provided to the City of Port St. Lucie and the Division of Historical Resources, Florida Department of State. Construction may resume within the affected area after the City and the Division of Historical Resources have determined the appropriate mitigation pursuant to Rule 9J-2.043, F.A.C., if any are warranted, and such measures have been implemented by the Developer.

# EXHIBIT 1

## **Energy**

~~65.~~ 70. The final site and building designs shall comply with Florida Thermal Efficiency Code Part VII, Chapter 553, Florida Statutes. Where practical, the Property shall also incorporate measures identified in Council's energy plan guide entitled, Energy Planning in the Twenty-First Century: A Guide for Florida Communities, updated January 2003.



## Florida Department of Transportation

RICK SCOTT  
GOVERNOR

3400 West Commercial Boulevard  
Fort Lauderdale, FL 33309

ANANTH PRASAD, P.E.  
SECRETARY

March 21, 2012

Anne Cox, AICP  
Assistant Director of Planning and Zoning City of Port St. Lucie  
City of Port St. Lucie  
121 SW Port St. Lucie Boulevard  
Port St. Lucie, FL 34984

**SUBJECT: Southern Grove Development of Regional Impact (DRI) Substantial Deviation  
City of Port St. Lucie, St. Lucie County**

Dear Ms. Cox:

The Department has received and reviewed the February 22<sup>nd</sup> letter from Fishkind & Associates responding to our January 19<sup>th</sup> request of the City to consider our monitoring recommendations for I-95 and the interchanges within the Southern Grove DRI study area. While Fishkind & Associates has expressed their reluctance to accept monitoring conditions as part of the approval of the Substantial Deviation, the Department continues to request that the City of Port St. Lucie consider our monitoring recommendations before finalizing its approval and Development Order (DO) conditions.

As noted in previous correspondence, the Florida Department of Transportation has the statutory responsibility to review and provide comments on DRIs and their transportation impacts upon Strategic Intermodal System (SIS) facilities, such as I-95. The Department does not believe that the Applicant has satisfactorily alleviated our concerns on the traffic impacts caused by the proposed addition of 7 million square feet of development. This position has been expressed in our previous comments along with requests for analysis of the impacts on I-95 and the nearby interchanges within the study area.

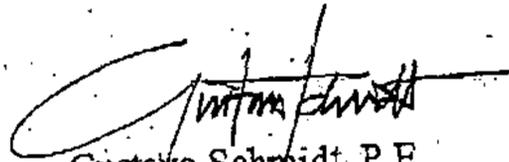
The requested monitoring provision in the DO results from the Applicant's insufficient answers to our questions; the additional traffic volume resulting from the proposed development; and our responsibility to protect the integrity of SIS facilities. Further, the three mitigation measures noted by Fishkind & Associates were already required in the original DO *prior* to the additional 7 million square feet of development requested in this Substantial Deviation. The Department has not treated Southern Grove differently from any other development that impacts SIS facilities, as implied in the February 22<sup>nd</sup> letter.

Ms. Anne Cox  
March 21, 2012  
Page 2 of 2

In the absence of sufficient data and analysis that identifies any adverse impacts to I-95 and its interchanges within the study area caused by Southern Grove's proposed development increase, the Department reiterates our request of the City to consider monitoring recommendations before finalizing its approval and Development Order conditions.

Thank you for your attention to this matter. If you have any questions, please contact Steve Braun at (954) 777-4143 or Chon Wong at (954) 777-4601.

Sincerely,



Gustavo Schmidt, P.E.  
District Planning and Environmental Engineer

GS: k&s/cw

cc: D. Ray Eubanks - Community Development, FDEO  
Michael Busha - Executive Director, TCRPC  
Kathleen Neill - Director, Office of Policy Planning, FDOT  
Gerry O'Reilly - Director of Transportation Development, FDOT  
Nancy Ziegler - District Modal Development Administrator, FDOT  
Steve Braun - Transportation Planning and Environmental Manager, FDOT  
Shi-Chiang Li - Systems Planning Manager, FDOT  
Chon Wong - Senior Transportation Specialist, FDOT  
Lisa Dykstra - SIS Coordinator, FDOT

## EXHIBIT "A" to EXHIBIT "1"

### LEGAL DESCRIPTION

#### DESCRIPTION:

A PARCEL OF LAND LYING IN SECTIONS 15, 22, 23, 26, 27, 34 AND 35 TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF GATLIN BOULEVARD, ALSO BEING THE NORTH LINE OF SAID SECTION 15, AS SHOWN ON THE PLAT OF TRADITON PLAT NO. 6, RECORDED IN PLAT BOOK 42, PAGES 5, 5A THROUGH 5F, PUBLIC RECORDS OF SAID ST. LUCIE COUNTY, FLORIDA AND THE WESTERLY LIMITS OF THOSE LANDS DESCRIBED IN AN ORDER OF TAKING DATED JULY 4, 1979 AND RECORDED IN OFFICIAL RECORDS BOOK 311, PAGES 2946 THROUGH 2952, INCLUSIVE PUBLIC RECORDS OF SAID ST. LUCIE COUNTY, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS FOR STATE ROAD NO. 9 (I-95), SECTION 94001 - 2412, DATED 06/02/77, WITH LAST REVISION OF 09/11/79; THENCE SOUTH 00°01'45" WEST AS A BASIS OF BEARINGS, A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID GATLIN BOULEVARD, ALSO BEING THE WESTERLY LINE OF SAID STATE ROAD NO. 9 (I-95) AND ALSO BEING THE SOUTHEAST CORNER OF SAID TRADITION PLAT NO. 6 AND TO THE POINT OF BEGINNING; THENCE TRAVERSING THE SAID WESTERLY LINE BY THE FOLLOWING TWENTY-FOUR (24) COURSES:

1. SOUTH 89°58'15" EAST, A DISTANCE OF 242.61 FEET;
2. SOUTH 00°01'45" WEST, A DISTANCE OF 20.00 FEET;
3. SOUTH 89°58'15" EAST, A DISTANCE OF 318.60 FEET;
4. SOUTH 81°56'34" EAST, A DISTANCE OF 515.34 FEET;
5. SOUTH 69°58'48" EAST, A DISTANCE OF 276.75 FEET;
6. SOUTH 52°20'12" EAST, A DISTANCE OF 908.27 FEET;
7. SOUTH 43°16'30" EAST, A DISTANCE OF 590.74 FEET;
8. SOUTH 27°42'53" EAST, A DISTANCE OF 590.97 FEET;
9. SOUTH 19°56'04" EAST, A DISTANCE OF 1197.74 FEET;
10. SOUTH 18°47'19" EAST, A DISTANCE OF 2565.69 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 24749.33 FEET;
11. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°11'10", AN ARC DISTANCE OF 1376.21 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A LINE (THE RADIUS POINT OF SAID CURVE BEARS NORTH 68°01'31" EAST FROM THIS POINT);
12. NORTH 00°02'34" EAST ALONG SAID LINE, A DISTANCE OF 53.48 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 24729.33 FEET (THE RADIUS POINT OF SAID CURVE BEARS NORTH 68°08'25" EAST FROM THIS POINT);
13. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°31'59", AN ARC DISTANCE OF 661.68 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A LINE (THE RADIUS POINT OF SAID CURVE BEARS NORTH 66°36'26" EAST FROM THIS POINT);
14. SOUTH 65°16'33" EAST ALONG SAID LINE, A DISTANCE OF 59.98 FEET;
15. SOUTH 23°27'14" EAST, A DISTANCE OF 5.99 FEET;
16. SOUTH 10°06'31" WEST, A DISTANCE OF 72.11 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 24729.33 FEET (THE RADIUS POINT OF SAID CURVE BEARS NORTH 66°21'02" EAST FROM THIS POINT);
17. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°31'35", AN ARC DISTANCE OF 4543.28 FEET TO A POINT OF TANGENCY WITH A LINE;

18. SOUTH 34°10'33" EAST ALONG SAID LINE, A DISTANCE OF 1712.58 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 6987.97 FEET;
19. SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°45'21", AN ARC DISTANCE OF 3629.11 FEET TO A POINT OF TANGENCY WITH A LINE;
20. SOUTH 04°25'12" EAST ALONG SAID LINE, A DISTANCE OF 1751.36 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 24381.33 FEET;
21. SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°30'14", AN ARC DISTANCE OF 1916.56 FEET TO A POINT OF TANGENCY WITH A LINE;
22. SOUTH 00°05'02" WEST ALONG SAID LINE, A DISTANCE OF 724.96 FEET;
23. SOUTH 09°10'27" WEST, A DISTANCE OF 101.27 FEET;
24. SOUTH 00°05'02" WEST, A DISTANCE OF 483.47 FEET TO A POINT ON THE NORTHERLY LINE OF LAND DESCRIBED IN DEED DATED MAY 12, 1951 TO CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT AND RECORDED IN DEED BOOK 165, PAGES 361 THROUGH 362, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, ALSO BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT CANAL C-23;

THENCE DEPARTING SAID STATE ROAD NO. 9 (I-95) AND TRAVERSING ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE OF CANAL C-23 BY THE FOLLOWING TWO (2) COURSES:

1. NORTH 89°54'36" WEST, A DISTANCE OF 4896.74 FEET;
2. NORTH 89°54'26" WEST, A DISTANCE OF 5221.40 FEET TO A POINT ON THE EASTERLY LINE OF A 30 FOOT WIDE PARCEL DESCRIBED IN SPECIAL WARRANTY DEED DATED SEPTEMBER 1, 1987 TO METROPOLITAN LIFE INSURANCE COMPANY AND RECORDED IN OFFICIAL RECORD BOOK 557, PAGES 676 THROUGH 680, INCLUSIVE, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA;

THENCE NORTH 00°05'34" EAST, DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE OF CANAL C-23 AND ALONG THE SAID EASTERLY LINE, A DISTANCE OF 17341.94 FEET; THENCE NORTH 89°50'39" WEST, A DISTANCE OF 2096.15 FEET; THENCE NORTH 00°02'55" WEST, A DISTANCE OF 3277.25 FEET; THENCE NORTH 89°57'05" EAST, A DISTANCE OF 200.00 FEET; THENCE NORTH 00°02'55" WEST, A DISTANCE OF 12.70 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 175.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 54°37'24", AN ARC DISTANCE OF 166.84 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID TRADITION PLAT NO. 6 AND BEING A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 300.00 FEET; THENCE TRAVERSING THE SAID SOUTHERLY LINE OF SAID TRADITION PLAT NO. 6 BY THE FOLLOWING THREE (3) COURSES:

1. NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 19°14'49", AN ARC DISTANCE OF 100.78 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 175.00 FEET;
2. NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 54°37'24", AN ARC DISTANCE OF 166.84 FEET TO A POINT OF TANGENCY WITH A LINE;
3. NORTH 89°57'05" EAST ALONG SAID LINE, A DISTANCE OF 2427.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 3606.173 ACRES, MORE OR LESS.

## EXHIBIT "C" TO EXHIBIT "I"

### SOUTHERN GROVE DRI TRIP CONVERSION MATRIX TOTAL BUILDOUT PM PEAK HOUR

TO	ITE Code	Residential SF Unit	Residential MF Unit	Hotel Unit	1000 SF Industrial	1000 SF Office	1000 SF Retail	Hospital Bed
<b>FROM</b>		<b>PM Total Trip Rate</b>						
Residential SF Unit	210	1.01	0.52	0.70	0.86	1.49	3.73	1.31
Residential MF Unit	230	1.00	1.94	1.44	1.17	0.68	0.27	0.77
Hotel Unit	310	0.51	1.00	0.74	0.60	0.35	0.14	0.40
1000 SF Industrial	110	0.69	1.35	1.00	0.81	0.47	0.19	0.53
1000 SF Office	710	0.85	1.65	1.23	1.00	0.58	0.23	0.66
1000 SF Retail	820	1.48	2.87	2.13	1.73	1.00	0.40	1.14
Hospital Bed	610	3.69	7.17	5.33	4.34	2.50	1.00	2.85
		1.30	2.52	1.87	1.52	0.88	0.35	1.00

Land Use	ADA	Minimum	Maximum
Residential (DU)	7,388	5,541	9,235
Retail (SF)	3,675,075	2,756,306	4,593,844
Office (SF)	2,430,728	1,823,046	3,038,410
R&D (SF)	2,498,602	1,873,952	3,123,253
WD & I (SF)	4,583,338	3,437,504	5,729,173
Hospital (beds)	300	225	375
Hotel (rooms)	791	593	989

**EXHIBIT "D" to EXHIBIT "1"**

**Southern Grove DRI**  
**Special Needs Shelter Proportional Share Calculation**

The developer shall pay a proportionate share payment to mitigate its projected demand on special needs shelters. The proportionate share payment is calculated based on the following formula:

	5,400	Special Needs Square Footage*
\$	150	Cost per Square Foot to Build Non-Shelter Building
\$	810,000	Total Cost of Non-Shelter Building
	10%	% Increase in Cost to Build Shelter building
\$	81,000	Proportionate Share Payment

The cost of constructing a normal building is assumed to be \$150 per square foot, and the difference in cost between a normal and shelter building is assumed to be 10%. Based on these figures, the mitigation fee shall be \$81,000. This calculation is based on the PGA Village DRI Hurricane Evacuation Shelter Mitigation Plan methodology approved by the City of Port St. Lucie City manager on January 9, 2006.

\*Required by Condition 61 of Exhibit 1 f the Southern Grove Development Order.

# EXHIBIT "E" to EXHIBIT "1"

## Southern Grove Development of Regional Impact Trip Generation/Pass-By Rates and Equations

PM Peak Hour Trip Generation Rates and Equations			
Land Use	ITE CODE	Unit	PM Peak Hour Trip Rate/Equation
Single-Family Residential	[210]	d.u.	$\ln(T) = 0.90 \cdot \ln(X) + 0.51$ ; (63% in)
Multi-Family Residential	[230]	d.u.	$\ln(T) = 0.82 \cdot \ln(X) + 0.32$ ; (67% in)
Age-Restricted Single-Family	[251]	d.u.	$\ln(T) = 0.75 \cdot \ln(X) + 0.35$ ; (61% in)
Age-Restricted Multi-Family	[252]	d.u.	$T = 0.24 \cdot (X) - 16.45$ ; (61% in)
Hotel	[310]	rooms	$T = 0.70 \cdot (X)$ ; (49% in)
Industrial Park	[130]	s.f.	$T = 0.86 \cdot (X/1000)$ ; (21% in)
Commercial Retail	[820]	s.f.	$\ln(T) = 0.67 \cdot \ln(X/1000) + 3.37$ ; (49% in)
Service & Office (<500,000 s.f.)	[710]	s.f.	$T = 1.49 \cdot (X/1000)$ ; (17% in)
Service & Office (≥500,000 s.f.)	[710]	s.f.	$T = 1.12 \cdot (X/1000) + 78.81$ ; (17% in)
Research & Development (≤1,800,000 s.f.)	[760]	s.f.	$\ln(T) = 0.82 \cdot \ln(X/1000) + 1.09$ ; (15% in)
Research & Development (>1,800,000 s.f.)	[760]	s.f.	$T = 1.07 \cdot (X/1000)$ ; (15% in)
Hospital	[610]	beds	$T = 1.31 \cdot (X)$ ; (36% in)
Civic Use <sup>(1)</sup>	na	s.f.	$T = 5.45 \cdot (X/1000)$ ; (50% in)
Institutional Use <sup>(2)</sup>	na	s.f.	$T = 3.05 \cdot (X/1000)$ ; (40% in)
Park	[412]	acres	$T = 0.06 \cdot (X)$ ; (41% in)
Elementary School	[520]	students	$T = 0.15 \cdot (X)$ ; (49% in)
K-8 School	[522]	students	$T = 0.16 \cdot (X)$ ; (49% in)
High School	[530]	students	$T = 0.13 \cdot (X)$ ; (47% in)
University	[550]	students	$T = 0.21 \cdot (X)$ ; (30% in)

(1) Civic uses include libraries, governmental buildings, cultural buildings, or other uses of public and social importance.

(2) Institutional uses include daycare facilities, places of worship, lodges, or fraternal/veterans organizations.

Pass-By Capture Percentages	
Category	Methodology
Commercial Retail	Use the following sequence to determine the pass-by capture percentage for the proposed commercial retail trips: <ul style="list-style-type: none"> <li>• if (75% x Proposed Square Footage) ≤ 50,000, use 25% pass-by</li> <li>• if (75% x Proposed Square Footage) ≤ 200,000, use 15% pass-by</li> <li>• if (75% x Proposed Square Footage) &gt; 200,000, use 10% pass-by</li> </ul>

## Southern Grove Development of Regional Impact Internal Capture Details

TABLE 1	
Internal Capture Percentages between Various Uses within the Same Development	
Category	Internal Capture Percentage <sup>a</sup>
from Residential to Office // to Office from Residential	1% // 1%
from Office to Residential // to Residential from Office	2% // 3%
from Residential to Commercial // to Commercial from Residential	38% // 9%
from Commercial to Residential // to Residential from Commercial	11% // 33%
from Residential to Industrial Pk // to Industrial Pk from Residential	1% // 1%
from Industrial Pk to Residential // to Residential from Industrial Pk	2% // 1%
from Residential to Civic/Inst. // to Civic/Inst. from Residential	2% // 20%
from Civic/Inst. to Residential // to Residential from Civic/Inst.	20% // 2%
from Office to Commercial // to Commercial from Office	22% // 4%
from Commercial to Office // to Office from Commercial	3% // 15%
from Office to Industrial Pk // to Industrial Pk from Office	2% // 2%
from Industrial Pk to Office // to Office from Industrial Pk	2% // 2%
from Office to Civic/Inst. // to Civic/Inst. from Office	1% // 5%
from Civic/Inst. to Office // to Office from Civic/Inst.	5% // 1%
from Commercial to Civic/Inst. // to Civic/Inst. from Commercial	2% // 20%
from Civic/Inst. to Commercial // to Commercial from Civic/Inst.	15% // 2%
from Commercial to Industrial Pk // to Industrial Pk from Commercial	3% // 15%
from Industrial Pk to Commercial // to Commercial from Industrial Pk	22% // 4%
from Civic/Inst. to Industrial Pk // to Industrial Pk from Civic/Inst.	1% // 1%
from Industrial Pk to Civic/Inst. // to Civic/Inst. from Industrial Pk	1% // 1%
from Hotel to Office // to Office from Hotel	5% // 1%
from Office to Hotel // to Hotel from Office	5% // 10%
from Hotel to Commercial // to Commercial from Hotel	15% // 10%
from Commercial to Hotel // to Hotel from Commercial	10% // 33%
from Hotel to Civic/Inst. // to Civic/Inst. from Hotel	1% // 1%
from Civic/Inst. to Hotel // to Hotel from Civic/Inst.	1% // 1%
from Hotel to Hospital // to Hospital from Hotel	5% // 1%
from Hospital to Hotel // to Hotel from Hospital	5% // 10%
from Hotel to R&D // to R&D from Hotel	5% // 1%
from R&D to Hotel // to Hotel from R&D	5% // 10%
from R&D to Civic/Inst. // to Civic/Inst. from R&D	1% // 5%
from Civic/Inst. to R&D // to R&D from Civic/Inst.	5% // 1%
from R&D to Office // to Office from R&D	2% // 2%
from Office to R&D // to R&D from Office	2% // 2%
from R&D to Commercial // to Commercial from R&D	15% // 3%
from Commercial to R&D // to R&D from Commercial	4% // 22%
from R&D to Hospital // to Hospital from R&D	2% // 2%
from Hospital to R&D // to R&D from Hospital	2% // 2%
from Hospital to Commercial // to Commercial from Hospital	15% // 3%
from Commercial to Hospital // to Hospital from Commercial	4% // 22%
from Hospital to Office // to Office from Hospital	2% // 2%
from Office to Hospital // to Hospital from Office	2% // 2%
from Hospital to Civic/Inst. // to Civic/Inst. from Hospital	1% // 5%
from Civic/Inst. to Hospital // to Hospital from Civic/Inst.	5% // 1%
from School to Office // to Office from School	2% // 1%
from Office to School // to School from Office	1% // 2%
from School to Residential // to Residential from School	50% // 3%
from Residential to School // to School from Residential	5% // 50%
from School to Commercial // to Commercial from School	5% // 2%
from Commercial to School // to School from Commercial	2% // 5%
from School to Civic/Inst. // to Civic/Inst. from School	1% // 1%
from Civic/Inst. to School // to School from Civic/Inst.	1% // 1%

<sup>a</sup> Note that these percentages should be incorporated into an internal capture matrix to establish an overall site's internal capture.

TABLE 2	
Internal Capture Percentages between Various Areas within Southern Grove	
Category	Internal Capture Percentage <sup>1</sup>
Phase 1	8.50%
Phase 2	14.70%
Phase 3	20.60%
Phase 4	24.40%

**ADDITIONAL NOTES:**

1. Table 1 percentages are for application between uses proposed on a single site plan (i.e. one development within Southern Grove)
2. Table 2 percentages are for application between different development areas within Southern Grove (i.e. interaction between multiple Southern Grove developments)

**Example 1:**

Proposed Use = 50 single family residential units  
 Rate/Eqn to use:  $\ln(T) = 0.90 \cdot \ln(X) + 0.51$ ; (63% in)  
 Proposed Phase: 1

Gross PM Peak Hour Trips		
Total	Inbound	Outbound
56	35	21

Internal Capture Trips*		
Total	Inbound	Outbound
5	3	2

\*considering internal capture among other development within Southern Grove (8.50% in proposed Phase 1)

Net New PM Peak Hour Trips		
Total	Inbound	Outbound
51	32	19
** Trips from outside of the Southern Grove DRI		

**Example 2:**

Proposed Use = 65,000 s.f. retail  
 Rate/Eqn to use:  $\ln(T) = 0.67 \cdot \ln(X/1000) + 3.37$ ; (49% in)  
 Proposed Phase: 2

Gross PM Peak Hour Trips		
Total	Inbound	Outbound
477	234	243

Pass-By Trips		
75% x 65,000 = 48,750 → Pass:By = 25%		
Total	Inbound	Outbound
119	59	60

Net New PM Peak Hour Trips		
Total	Inbound	Outbound
358	175	183

Internal Capture Trips*		
Total	Inbound	Outbound
53	26	27

\*considering internal capture among other development within Southern Grove (14.70% in proposed Phase 2)

Final Net New PM Peak Hour Trips**		
Total	Inbound	Outbound
305	149	156
** Trips from outside of the Southern Grove DRI		

**Example 3:**

Proposed Uses = 250,000 s.f. retail  
 50,000 s.f. office  
 150 multi-family residential units  
 Rate/Eqn to use:  $\ln(T) = 0.67 \cdot \ln(X/1000) + 3.37$ ; (49% in)  
 $T = 1.49 \cdot (X/1000)$ ; (17% in)  
 $\ln(T) = 0.82 \cdot \ln(X) + 0.32$ ; (67% in)  
 Proposed Phase: 3

Gross PM Peak Hour Trips			
	Total	Inbound	Outbound
retail	1,175	576	599
office	75	13	62
m.f. units	84	56	28
total	1,334	645	689

Internal Capture Trips (calculated via matrix)			
	Total	Inbound	Outbound
retail	45	25	20
office	17	3	14
m.f. units	30	18	12
total	92	46	46

Pass-By Trips			
$75\% \times 250,000 = 187,500 \rightarrow \text{Pass By} = 15\%$			
	Total	Inbound	Outbound
retail	170	83	87

Net New PM Peak Hour Trips			
	Total	Inbound	Outbound
	1,072	516	556

Internal Capture Trips*			
	Total	Inbound	Outbound
	221	106	115

\*considering internal capture among other development within Southern Grove (20.60% in proposed Phase 3)

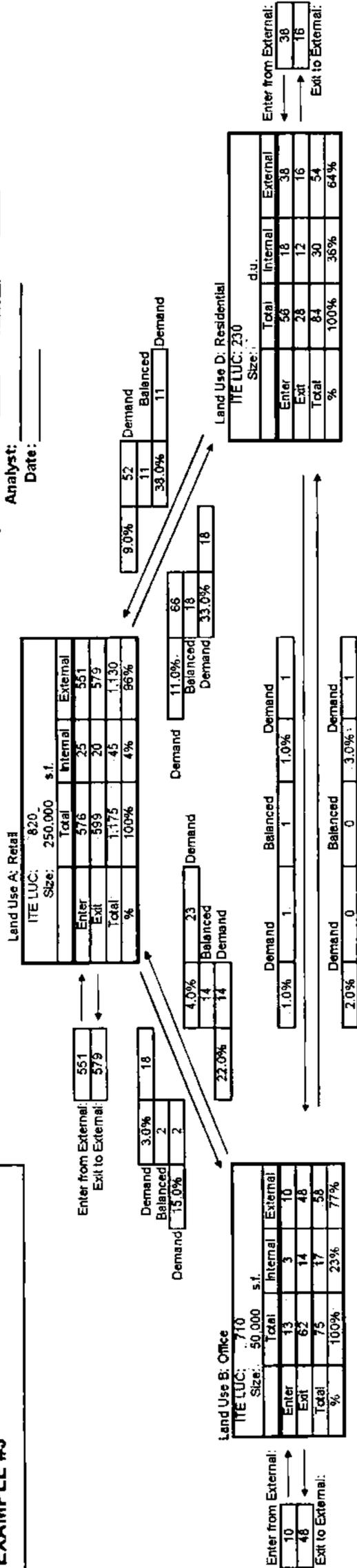
Final Net New PM Peak Hour Trips**			
	Total	Inbound	Outbound
	851	410	441

\*\*Trips from outside of the Southern Grove DRI

**ITE MULTI-USE PROJECT INTERNAL CAPTURE WORKSHEET**  
 (ITE, Chapter 7, Trip Generation Handbook, 2nd Edition, June 2004)

Project Number: \_\_\_\_\_ Task Number: \_\_\_\_\_  
 Project Name: Southern Grove  
 Scenario: \_\_\_\_\_  
 Analysis Period: PM\_X Daily, AM \_\_\_\_\_  
 Analyst: \_\_\_\_\_  
 Date: \_\_\_\_\_

**NOTE THAT THIS MATRIX APPLIES TO EXAMPLE #3**

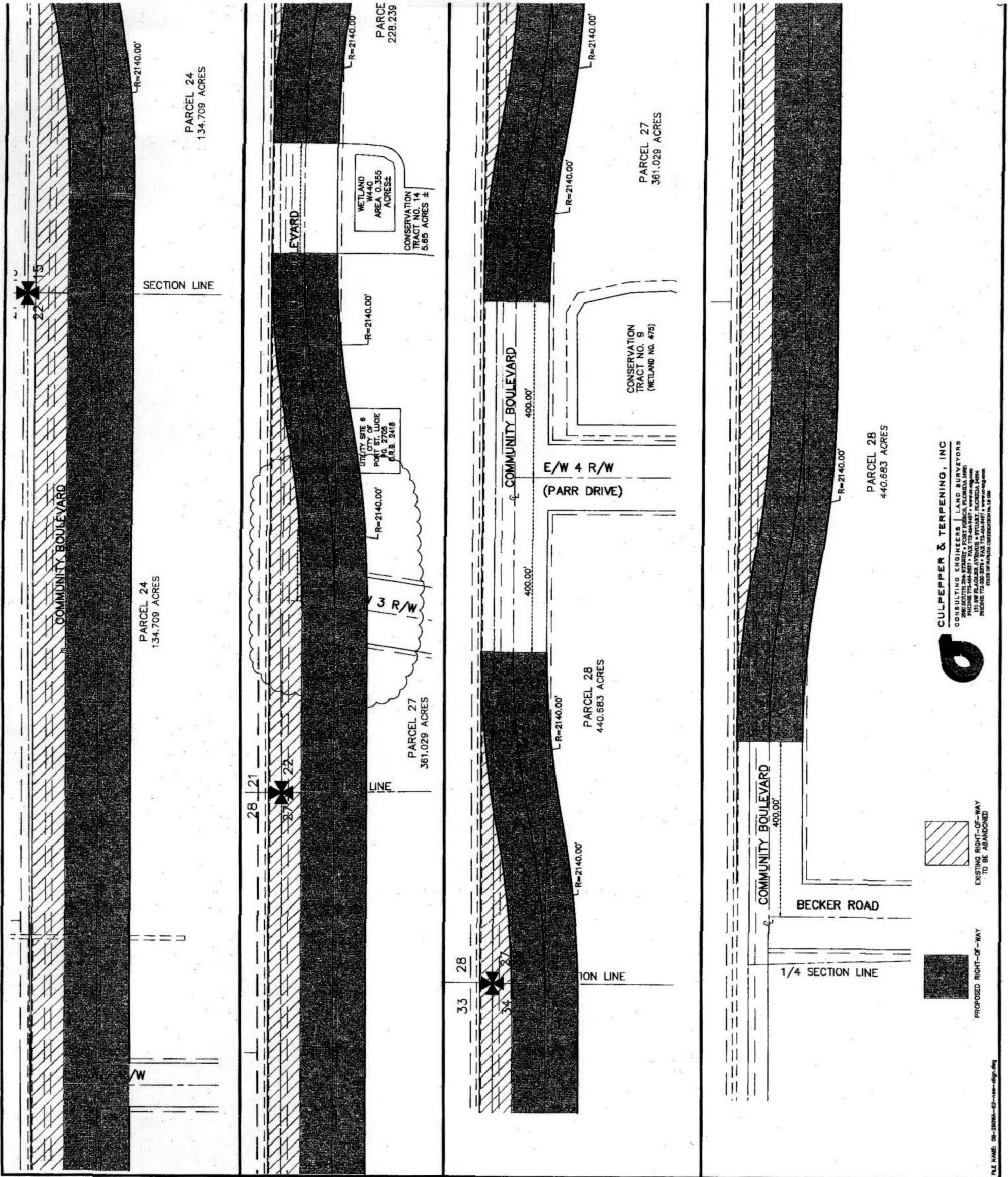


**NET EXTERNAL TRIPS FOR MULTI-USE DEVELOPMENT**

Category	Land Use			Total
	A	B	D	
Retail	551	10	38	599
Office	579	48	16	643
Residential	1,130	58	54	1,242
Single Use Trip Gen Estimate	1,175	75	84	1,334
	3.83%	22.67%	35.71%	
Internal Capture =				6.90%

File Name = \\wpbf02\data\project\slu\_dev\0411041386000\_southern\_s  
 Print Date = 02/03/12  
 Print Time = 8:31 AM

Exhibit F



**CULPEPPER & TERPENING, INC.**  
 CONSULTING ENGINEERS | LAND SURVEYORS  
 290 SOUTH 20th STREET • FORT PIERCE, FLORIDA 34981  
 PHONE 888.243.8333 • FAX 772.464.4477 • WWW.C&T-INC.COM  
 STATE OF FLORIDA CERTIFICATION NO. 18 000

# EXHIBIT "B" TO EXHIBIT "1"

## SOUTHERN GROVE

SOUTHERN GROVE Conservation Areas			
ID		Wetland (ac)	Upland Buffer / Upland (ac)
CA2	W420	0.304	0.200
CA3	W421	3.453	0.610
CA4	W422	1.071	0.520
CA6	W436	0.860	0.450
CA7	W444	0.577	0.400
CA8	W433	1.542	
CA9	W439	0.698	
	W440	0.380	
	W441	0.570	
CA10	W442	1.101	
CA11	W443	0.588	
CA12	W447	1.845	0.640
CA13	Live Oak Hammock		5.120
CA14	W452	4.857	
CA15	W455	0.763	
CA16	W463	6.000	
CA17	W475	2.246	0.750
CA18	W456	1.557	
CA19	W462	3.863	
CA20	W466	1.021	0.450
CA21	W467	0.715	0.360
CA22	W461	6.789	
CA23	W468	3.368	
CA24	W469	2.083	
	W470	0.670	
CA25	W458	0.419	0.350
CA26	W471	5.052	
CA28	W481	41.302	3.680
CA32	W483	3.965	1.320
	W457	0.829	0.400
	W465	3.096	
Total		101,564	15,250

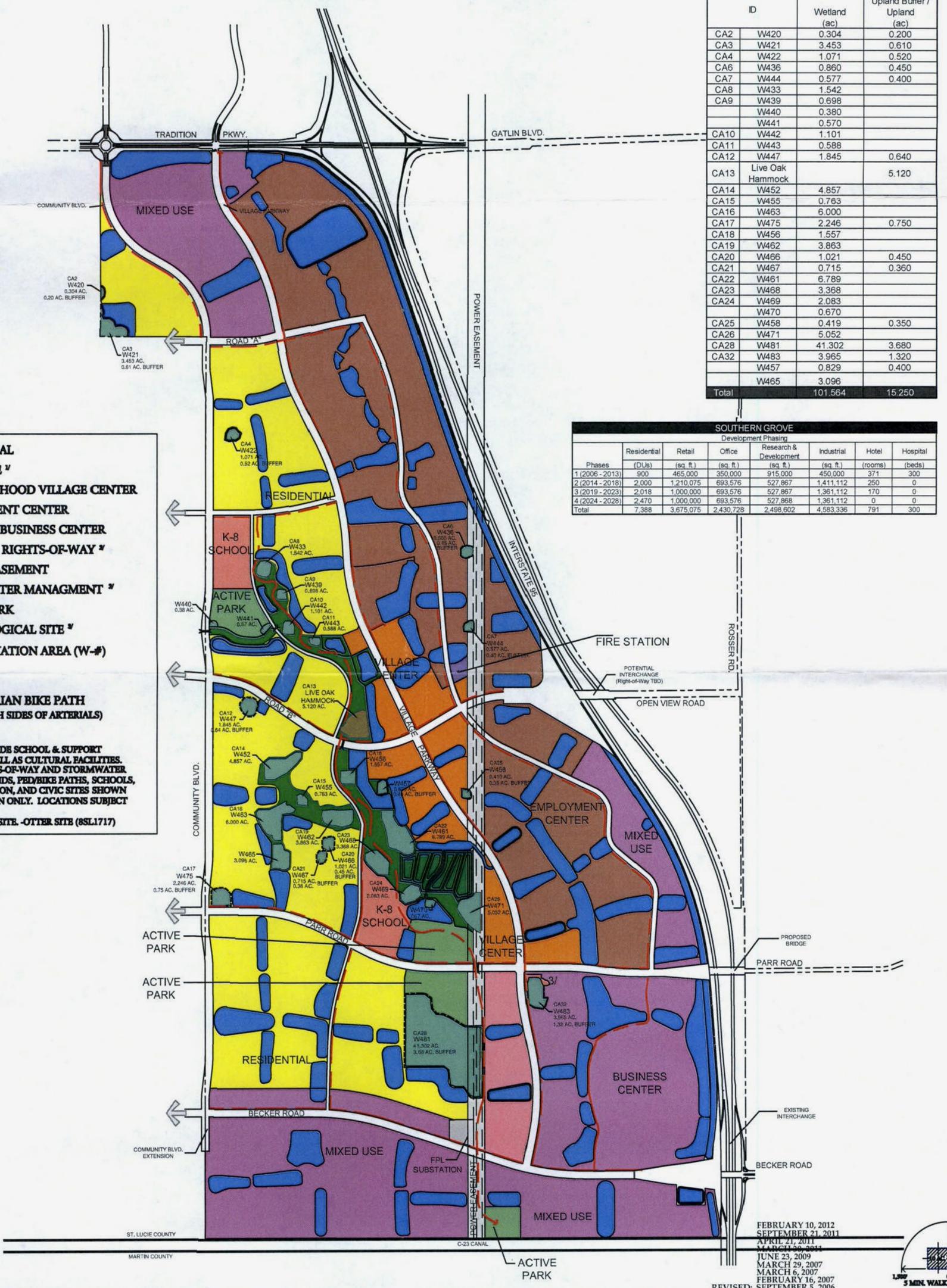
SOUTHERN GROVE Development Phasing							
Phases	Residential (DUs)	Retail (sq. ft.)	Office (sq. ft.)	Research & Development (sq. ft.)	Industrial (sq. ft.)	Hotel (rooms)	Hospital (beds)
1 (2006 - 2013)	900	465,000	350,000	915,000	450,000	371	300
2 (2014 - 2018)	2,000	1,210,075	693,576	527,867	1,411,112	250	0
3 (2019 - 2023)	2,018	1,000,000	693,576	527,867	1,361,112	170	0
4 (2024 - 2028)	2,470	1,000,000	693,576	527,867	1,361,112	0	0
Total	7,388	3,675,075	2,430,728	2,498,602	4,583,336	791	300

**LEGEND:**

- RESIDENTIAL
- MIXED USE \*
- NEIGHBORHOOD VILLAGE CENTER
- EMPLOYMENT CENTER
- REGIONAL BUSINESS CENTER
- PROPOSED RIGHTS-OF-WAY \*
- UTILITY EASEMENT
- STORMWATER MANAGEMENT \*
- ACTIVE PARK
- ARCHEOLOGICAL SITE \*
- CONSERVATION AREA (W-#)

**NOTES:**

- \* CIVIC USES INCLUDE SCHOOL & SUPPORT FACILITIES AS WELL AS CULTURAL FACILITIES.
- \* PROPOSED RIGHTS-OF-WAY AND STORMWATER MANAGEMENT PONDS, PED/BIKE PATHS, SCHOOLS, PARKS, FIRE STATION, AND CIVIC SITES SHOWN FOR ILLUSTRATION ONLY. LOCATIONS SUBJECT TO CHANGE.
- \* ARCHEOLOGICAL SITE - OTTER SITE (8SL1717)



FEBRUARY 10, 2012  
 SEPTEMBER 21, 2011  
 APRIL 21, 2011  
 MARCH 30, 2011  
 JUNE 23, 2009  
 MARCH 29, 2007  
 MARCH 6, 2007  
 FEBRUARY 16, 2007  
 REVISED: SEPTEMBER 5, 2006

**PSL Acquisitions I, L.L.C**  
 Owner  
**Kimley-Horn & Associates**  
 Traffic

**Canin Associates, Inc.**  
 Planning & Landscape Architecture  
**Bill Hamilton & Associates**  
 Environmental

**Ruden McClosky**  
 Legal  
**Fishkind & Associates, Inc.**  
 Economics, Planning & Development

**Map H**  
**Master Development Plan**  
**(Substantial Deviation)**