

**A RESOLUTION GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.126 (D) (4) TO ALLOW A WIRELESS COMMUNICATION TOWER IN THE CS (SERVICE COMMERCIAL) ZONING DISTRICT FOR PJ DEVELOPMENT, PORT ST. LUCIE SECTION 28, BLOCK 238, LOTS 11 AND 12, P12-031; PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Port St. Lucie, Florida, has been requested by PJ Development, to grant a special exception use of a wireless communication tower on property presently zoned CS (Service Commercial); and legally described as Port St. Lucie Section 28, Block 238, Lots 11 and 12; and

**WHEREAS**, the City Council determines that the granting of this special exception use is authorized by Section 158.255, et seq., and Section 158.126 (D) (4), Code of Ordinances, City of Port St. Lucie, and further that the granting of this special exception use will not adversely affect the public interest; and

**WHEREAS**, the subject application has been reviewed in accordance with Section 158.260, and meets the special exception use requirements as stipulated; and

**WHEREAS**, the Planning and Zoning Board on May 1, 2012 made a recommendation on P12-031.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Port St. Lucie as follows:

Section 1. That the City of Port St. Lucie hereby grants a special exception use to PJ Development, LLC, P12-031, to allow a wireless communication tower, pursuant to Section 158.255, et seq., and Section 158.126

## RESOLUTION NO. 12-R48

(D) (4), Code of Ordinances, City of Port St. Lucie, said special exception use is depicted on the conceptual plan which is hereby formally adopted and attached as Exhibit 'A', to be located at 1365-TW SW Biltmore Street (the main address for this property is 1361 SW Biltmore St., however the address 1365 TW SW Biltmore St. was created by the City's GIS Department specifically to identify the tower compound that will be developed on this property) and legally described as Port St. Lucie Section 28, Block 238, Lots 11 and 12 subject to the following conditions:

1. The applicant shall provide certification from a Florida-registered professional engineer stating that the tower would collapse within the designed and specified fall radius depicted in the plans. Further, the engineer shall certify that it is documented that the tower shown in the plan can withstand winds of Category 3 hurricane intensity prior to issuance of a building permit.
2. Any obsolete or unused tower shall be removed after 12 months of non-use. A removal bond or irrevocable letter of credit equal to \$15,000 for a tower up to 150' in height shall be required prior to obtaining final site development permits.
3. Any proposed tower or antennae shall not cause interference with the use of radio, television, or telephone broadcasting and reception. Interference as a result of any approved tower or antennae shall be considered a violation of the special exception approving the tower and may result in the revocation of the special exception. Such interference may further be considered a public nuisance, and the city may order abatement of the same, including but not limited to requiring removal of the tower.

**RESOLUTION NO. 12-R48**

4. All landscaping, as it appears on the last approved landscape plan (Exhibit B), shall be installed within 60 days of approval.
5. Screening shall be reapplied to the perimeter fence to ensure the fence's opacity.

Section 2. This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida, this 29TH day of MAY, 2012.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

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

ATTEST:

\_\_\_\_\_  
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

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Roger G. Orr, City Attorney

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

AGENDA ITEM REQUEST

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MEETING:                   REGULAR   X                     SPECIAL     

DATE:                      MAY 29, 2012

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ORDINANCE      RESOLUTION   X   MOTION      PUBLIC HEARING   X  

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ITEM:                   P12-031 CROSSTOWN TOWER  
                          SPECIAL EXCEPTION USE APPLICATION

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**RECOMMENDED ACTION:**

On May 1, 2012, the Planning and Zoning Board with a vote of 5-1 recommended approval of this special exception use application. Minutes from the May 1, 2012 Planning and Zoning Board meeting are included with the staff report.

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**EXHIBITS:**

- A. Resolution
  - B. Staff Report
  - C. Support Materials
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**SUMMARY EXPLANATION/BACKGROUND INFORMATION:**

To construct a 150 foot monopole communication tower in the CS (Service Commercial) Zoning District, as allowed by §158.126 (D) (4).

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

None.

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SUBMITTING DEPARTMENT: PLANNING and ZONING

DATE: 5/7/12

survive off of it. He offers 36 pumps, and the average gas station offers eight to twelve pumps. With that being said, I'm submitting a petition signed by most of my customers who also agree with what I'm saying. I wish that you would look into that."

There being no further comments, Chair Blazak closed the Public Hearing. Vice Chair Martin **moved** to recommend approval of the Special Exception Use Application, P11-167. Mr. Garrett **seconded** the motion, which **passed unanimously** by roll call vote.

**E. P11-168 RACETRAC RETAIL CONVENIENCE STORE - SPECIAL EXCEPTION USE**

Ms. Huntress said, "The details are the same as the previous project. The Conceptual Plan shows the convenience store. The request for Special Exception is to allow a retail convenience store per Section 158.124(C)(12) of the Zoning Code. The Site Plan Review Committee reviewed the request on January 11, 2012, and unanimously recommended approval. The Planning and Zoning Department staff finds the request to be consistent with Special Exception criteria as stipulated in Section 158.260 of the Zoning Code and recommends approval." Mr. Garrett stated, "I understand that this is a Concept Plan, so it's not the final Site Plan, and I'm assuming that will come through the Site Plan Review process as well. However, in reviewing it, it seems just to the north area where we say that there's a ten-foot landscape buffer being proposed, within that is there a wall as well? It jogs both north and south along that same buffer. In sections along that northern property line where the wall jogs closest to the adjacent residential street, you have less than two feet. I would encourage staff and possibly the applicant to look at that and see if there's any way of getting land back in that area, either by making that wall consistently at. . . . I think it's over five feet in width, so the buffering can take place and the adjacent neighborhood can be adequately protected and screened." Ms. Huntress noted, "We will make note of that. I know that the Site Plan is just conceptual. I think they're still working on the details of it." Mr. Oates commented, "That's an existing wall, so we're leaving it as is."

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing. Mr. Garrett **moved** to recommend approval of P11-168, RaceTrac Retail Convenience Store for a Special Exception Use. Secretary Ojito **seconded** the motion, which **passed unanimously** by roll call vote.

**F. P12-031 SPECIAL EXCEPTION APPLICATION - CROSSTOWN TOWER**

Mr. Finizio said, "The applicant is PJ Development, LLC, and the owners of the property are Jesus Lara and Paulita Martinez. The property is located on the east side of Biltmore Street between Grove and Eyerly Avenues, and the existing zoning is Service Commercial. The existing use is a storage yard, and the proposed use is a storage yard with 4,000 square feet leased to PJ Development, LLC, to construct a 150-foot monopole wireless communication tower. The requested Special Exception Use is to construct a 150-foot monopole communication tower as allowed by Section 158.126(D)(4) of the Zoning Code. There is adequate access and parking to the site. The main issues facing this site are screening and buffering, which is currently inadequate. The site does include an approved Landscape Plan; however, most of the landscape is missing and will need to be replaced. Also, the screening on the existing perimeter fence is missing. All fencing surrounding open storage yards are required to be opaque, and it's clear that the screening on this fence is currently missing and damaged in places as well. Therefore, to meet the intent of the Code the screening will need to be reapplied to ensure that the fence is opaque. By conforming to all provisions of the City's Land Development Regulations, a communication tower on this site should not impair the health, safety, welfare, or constitute a nuisance or hazard to the residents or workers in the City. The site is located in a significant warehouse industrial area, is surrounded by other warehouse-zoned property, and should not pose a compatibility issue with the site itself or with adjacent properties."

Mr. Finizio continued, "The proposed use complies with Section 158.213, Wireless Communication, Antennas, and Towers, and the Special Use requirements as outlined in 158.255 through 158.262. Therefore, the Planning and Zoning staff finds the request to be consistent with Special Exception criteria as stipulated in Section 158.260 of the Zoning Code, and recommends approval with conditions as follows: 1) The applicant shall provide certification from a Florida-registered professional engineer stating that the tower would collapse within the designed and specified fall radius depicted in the plans. Further, the engineer shall certify that it is documented that the tower shown in the plan can withstand winds of Category 3 hurricane intensity prior to issuance of a building permit; 2) Any obsolete or unused tower shall be removed after 12 months of non-use. A removal bond or irrevocable letter of credit equal to \$15,000 for a tower up to 150 feet in height shall be required prior to obtaining final site development permits; 3) Any proposed tower or antennae shall not cause interference with the use of radio, television, or telephone broadcasting and reception. Interference as a result of any approved tower or antennae shall be considered a violation of the special

exception approving the tower and may result in the revocation of the special exception. Such interference may further be considered a public nuisance, and the City may order abatement of the same, including but not limited to requiring removal of the tower; 4) All landscaping as it appears on the last approved Landscape Plan shall be installed within 60 days of approval; and 5) Screening shall be reapplied to the perimeter fences to ensure the fence's opacity. I did receive one letter from a surrounding property owner opposing this application; however, I directed this call to the applicant, and the applicant spoke with the property owner. I'm assuming everything went well, because I never received a letter of objection or complaint from her." Mr. Battle asked, "Is this tower taking over two towers?" Mr. Finizio replied, "According to the Code, wireless communication towers need to be at least 1,500 feet apart, and this definitely meets that criteria. As far as the technology behind that I don't feel I can answer that question adequately. However, the nearest tower is over one mile away."

Mr. Battle asked, "Is the second tower going to be taken down?" Mr. Finizio replied, "Not as far as I know." Vice Chair Martin stated, "I didn't see on your maps where you had the communication tower on the service center, and that's an emergency tower if I'm not mistaken. I brought a couple of things up during the Site Plan Review Committee." Mr. Finizio noted, "That is correct." Vice Chair Martin commented, "Since it is a life and safety tower it may exceed 1,500 feet. I pulled up a GIS map, and the proposed site may be just outside 1,500 feet. Regardless of who owns it, the service center has a tower there. My understanding is that it's FDOT's life and safety tower as well as the Highway Patrol. Several years ago we had a case before us that also involved the potential for cross interference. I'm not suggesting that there would be, but there was a legitimate concern before. I believe it was the Knights of Columbus where that concern became very important. I'm also looking at Apache Park. I'm looking at the maps and the coverage ratio, which we just got today, and nowhere on these coverage areas that AT&T provided documentation for does it show the Apache Park site. I know that it's outside of that 1,500-foot radius for sure, but the City has already approved Apache Park, and now we're asked to approve another tower. Is it necessary? We already have Apache Park, and now we're proposing one on Biltmore. My first concern is why we're building another tower so close to Apache Park, and my second concern is the potential for cross interference with life and safety towers."

Ms. Booker pointed out, "The Apache Tower site is not finalized, nor has it been constructed. That is scheduled to come back to the City Council. That did come before this Board, but it's not

complete, and there's language in our ordinance that if there is interference they have to address it and remove it or remove the tower. These distances are safe even though it may look like there are enough towers there. It's a safe enough distance to prevent interference, and that's something that they test and check for. The applicants can certainly address that." Vice Chair Martin asked, "For clarity, has Apache Park been approved or not?" Ms. Booker replied, "It has not. It has to come back before the City Council. I'm working with the applicant on revising that lease. It has been over two years since that came back before the City Council. It never made it back to second reading. It's coming back for first reading, because there have been changes to that lease since that time, so it has never been constructed."

**TOM MACKIEWICZ**, PJ Development, LLC, remarked, "Some additional information was supplied by AT&T who actually has signed a lease on the new tower that we're proposing at Crosstown. As soon as we get it approved and get it through permitting, we will construct it, and AT&T will go on that tower. They have reviewed all of the existing towers, including the towers that are proposed and not constructed. None of those existing towers will work, and they have determined that this is the tower that will satisfy their needs as far as their service." Vice Chair Martin asked, "If we have the Apache tower approved, are you saying that AT&T doesn't believe that tower is in a sufficient location?" Mr. Mackiewicz replied, "They've identified that tower and that tower will not work for their coverage needs." Secretary Ojito asked, "Could other providers use that tower?" Mr. Mackiewicz replied, "I can't speak for the other providers."

Chair Blazak opened the Public Hearing.

**MARY ANN HUGHES** stated, "I live on Prineville Street, and I came today for the tower that's going up on Prineville, but this sounds like the same thing. There have been surveys to prove that people who live within seven miles of one of these towers is subject to leukemia. My next door neighbor who also opposes that tower going up next to us says that children living near TV and FM broadcast towers, which emit similar radiation as cell towers, develop leukemia at three times the rate of children living over seven miles away. I wouldn't want this in my neighborhood. I'm opposing the one going on Greenway. If you live within a quarter mile, you may be at serious risk and harm to your health according to a German study. These things are cited from [www.emf-health.com](http://www.emf-health.com), a site devoted to exposing hazards associated with electromagnetic frequencies from cell phone towers and other sources. The cancer rate has more than tripled among people living within 400 meters of a cell phone

tower or an antenna. This is from a German study. Those within 100 meters were exposed to radiation at 100 times the normal level. An Israeli study found that the risk of cancer quadrupled among people living within 350 meters of a cell phone transmitter, and seven out of eight cancer victims were women. Both studies focused on only people who had lived at the same address for many years. Are you going to approve a tower that's going to let this happen? I find that offensive." (**Clerk's Note:** Ms. Hughes submitted her paperwork to the Board). Ms. Booker noted, "The Federal Communications Act prevents local governments from considering any health issues related to the placement of telecommunication towers. We are aware that those studies are out there, but federal regulations prohibit us from not approving towers because of those health issues. That's against the federal law."

Vice Chair Martin commented, "My concern is that we're starting to see towers come up. . . . At the rate we're going, ten years from now everywhere you turn you will see a tower. I firmly believe that the rules put in place as far as the radius for these towers are good sound rules. You have to have a tower that's completely full, so that you've made an effort to collocate. I now understand that the Apache site has not been approved formally, but we're moving in that direction. If there's already a lease out, I suspect that it will come to fruition. Now we're going to have a tower at Apache, another one on Biltmore, which is a mile and a half away, and a mile north of there we have another one on Biltmore. These things are going to be everywhere, so I would urge some caution that we look hard and do collocation on existing towers where they're proposed and working through the pipeline or they're already approved and they just need to go vertical. I understand that we may or may not be able to vote according to the perceived risk of life and safety towers, but why would we discuss something that might have potential to have a negative impact on public safety? I'm personally not satisfied whatsoever with the explanation, so I'm absolutely not in favor of this." Chair Blazak asked, "As we see these towers come before us, do we have a composite map of the City that we could reference as each one is added, kind of showing a GIS location, a dot where all of these towers are to give us a better perspective of where these towers are within the City?" Mr. Holbrook replied, "Yes. It's actually part of the report exhibit. If you look at the wireless communication tower sites map, there is a map showing the tower locations within the City and the status of the tower, whether they exist or just approved. For the vast majority of them, distance separation is sufficient."

Mr. Holbrook continued, "We have approximately 27 tower locations or proposed locations in the City, and over 24 of those are existing construction. The City is approximately 116 square miles, so the City is a very large City. I think some additional information that may be helpful for the Board is really what the technology is, the distance, and what they need. I know we've seen maps in the past that have been provided, and I don't know if that technology is changing and what the future really is." Mr. Battle remarked, "The reason that they're increasing the towers is due to the Smart Phones and data usage. They want to make sure that they cover everyone. The more Smart Phones available and the smarter they get, the more towers they're going to need and require. I agree and I would rather not have them, but I know that AT&T has to provide a service. I think they are dangerous even though we can't use that as part of our judgment; I have to agree with Ms. Hughes." Secretary Ojito asked, "Does the City have a limit on the number of towers or is it basically supply and demand?" Mr. Holbrook replied, "The City has rules that deal primarily with separation of towers. For the most part, towers less than 100 feet have to be located more than 1,000 feet apart, and towers that are greater than 100 feet have a 1,500-foot separation requirement. We do have some additional limitations, but I'm not going through all of the specifics. We have an entire section of the Zoning Code dealing with wireless communication towers that do deal with the height, and for some of the zoning districts a minimum acreage size. If that's a concern for anyone or for this Board, we could provide this information to you. This is all found in the Zoning Code, Chapter 158.213, Wireless Communication Antennas and Towers. They also have a variety of definitions as well."

There being no further comments, Chair Blazak closed the Public Hearing. Mr. Garrett **moved** to recommend approval of P12-031, Crosstown Tower Special Exception Use. Secretary Ojito **seconded** the motion, which **passed** by roll call vote, with Mr. Battle, Mr. Garrett, Secretary Ojito, and Chair Blazak voting in favor, and Vice Chair Martin voting against.

**G. P12-041 MRS. P'S DANCE AND ACROBATIC STUDIOS - SPECIAL EXCEPTION USE**

Ms. Kuruvilla said, "The owner is Tuckpoint Properties, LLC, and the applicant is Lorraine Giannini of Mrs. P's Dance and Acrobatic Studios. The property is located at 660 NW Enterprise Drive, north of NW Mercantile Place and west of NW Enterprise Drive, and the legal description is Lots 1 and 2, St. Lucie West Plat 166. Tuckpoint Business Park contains a total of 5.8 acres, consisting of three buildings with a total area of 53,400 square feet of warehouse and offices. The proposed dance and acrobatic

opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing. Mr. Garrett **moved** to recommend approval of P12-043, Cupcake Fitness Special Exception. Mr. Battle **seconded** the motion, which **passed unanimously** by roll call vote.

**CONSENT AGENDA**

**P12-032 CROSSTOWN TOWER - MINOR SITE PLAN**

Ms. Booker said, "We need to return to the Consent Agenda. The Board tabled the Crosstown Tower." Chair Blazak stated, "That's correct. It was pulled for a separate vote." Mr. Garrett **moved** to recommend approval of P12-032, Minor Site Plan Application, Crosstown Tower. Secretary Ojito **seconded** the motion, which **passed** by roll call vote, with Secretary Ojito, Chair Blazak, Mr. Battle, and Mr. Garrett voting in favor, and Vice Chair Martin voting against.

**8. DISCUSSION ITEMS/NEW BUSINESS**

**A. DETERMINATION OF EXCUSED ABSENCE**

Vice Chair Martin **moved** to approve the excused absence of Chair Blazak from the Special Planning and Zoning Board Meeting. Mr. Garrett **seconded** the motion, which **passed unanimously** by voice vote.

**B. PLANNING AND ZONING BOARD INTERVIEWS**

**RALPH ANNUNZIATA** said, "I've been a licensed contractor and a resident of the City of Port St. Lucie for 34 years." Chair Blazak asked, "Where do you live in the City?" Mr. Annunziata replied, "Off of Floresta. It has been five years since I last served in a public capacity. I just feel that at this time it's time for me to get involved again with the present and future planning of the City. That's one of the reasons I would like to be on the Board." Chair Blazak asked, "Do you know the purpose?" Mr. Annunziata replied, "Yes. It's to work with the City Planning Department to review, approve, and provide the community with the proper mixture of growth and leisure areas while encouraging future employers to relocate to Port St. Lucie, creating employment for all of our citizens, to hear zoning violations and variances, and adjudicate the cases to a fair resolution." Chair Blazak noted, "The meetings are held on the first Tuesday of each month beginning at 1:30 p.m., or the first Wednesday if Monday is a holiday. Will you be able to attend all of the Planning and Zoning Board meetings and thoroughly review the agenda items before each meeting?" Mr.



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

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**TO:** PLANNING AND ZONING BOARD - MEETING OF MAY 1, 2012  
**FROM:** JOHN FINIZIO, PLANNER *JF*  
**RE:** SPECIAL EXCEPTION APPLICATION (PROJECT NO. P12-031)  
CROSSTOWN TOWER  
**DATE:** APRIL 19, 2012

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**APPLICANT:** PJ Development LLC. The authorization letter is attached to the staff report.

**OWNER:** Jesus Lara and Paulita Martinez.

**LOCATION:** East side of Biltmore Street, between Grove and Eyerly Avenues.

**LEGAL DESCRIPTION:** Port St. Lucie Section 28, Block 238, Lots 11 and 12.

**SIZE:** 0.46 acres, or 20,000 square feet.

**EXISTING ZONING:** CS (Service Commercial)

**EXISTING USE:** A storage yard

**PROPOSED USE:** A storage yard with 4,000 square feet leased to PJ Development to construct a 150' monopole wireless communication tower.

**REQUESTED SPECIAL EXCEPTION:** To construct a 150 foot monopole communication tower, as allowed by §158.126 (D) (4).

**SURROUNDING USES:** North = CS (Service Commercial) zoning, with a residential building converted to a commercial development. South = CS (Service Commercial) zoning, with an existing service commercial building. East = CG (General Commercial) zoning, with an existing commercial building. West = WI (Warehouse Industrial) zoning, with an existing warehouse building.

**IMPACTS AND FINDINGS:**

**Evaluation of Special Exception Criteria (Section 158.260)**

(A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.

*Applicant:* "A non-exclusive easement access to the lease property extending to the nearest public right-of-way being S.W. Biltmore Street. Once the tower is completed and the tower is colocated with the maximum 5 service providers the maximum traffic impact will be five (5) visits per months."

*Staff:* Yes, adequate access is available to the site. The property has one access point on Biltmore St., which is fine considering that the main function of this site is a storage yard. Typically storage yards do not generate a lot of traffic, and there is no indication that this particular storage yard would be any different. Also, the owner has granted PJ Development a non exclusive easement to the leased property, so they will always have access to Biltmore St.

Communication towers also do not generate much traffic, and according to the applicant, once the tower is constructed, there will be a maximum of five (5) vehicle trips per month.

(B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

*Applicant:* "Once constructed there will be no more than 5 vehicular visits per month. A parking space will be provided in the access easement for the facility."

*Staff:* Yes, there is adequate off-street parking and loading for the proposed use. This site was approved for a storage yard; which does not generate the need for any off-street parking. That being said, communication towers also are not known to generate any off-street parking. At times when the tower is being serviced, parking is provided in the access easement, which is located within the storage yard behind an opaque fence.

(C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

*Applicant:* "Source of electric and telephone facilities extending to the Ground Space from the nearest public electric and telephone utility easements."

*Staff:* There are no utilities servicing the existing storage yard, they simply are not needed. Conversely, for the communication tower, the only utilities required will be electric and telephone service which will be provided from the nearest electric and telephone utility easements, which are available.

(D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.

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Applicant: "PJD will meet all requirements for this commercial environment."

Staff: Currently, the site is not providing the adequate buffering or screening required for the proposed use. A recent visit to the site confirmed that most of the required landscaping is missing, and the screening on the existing perimeter fence is also missing.

Landscaping: the site plan (P06-036 Waterway Storage Yard) has an approved landscape plan (see landscape plan attached), and it is evident that this landscaping, if it was installed, has been neglected and most is now missing. As a condition of approval, the applicant is responsible to ensure that the landscaping be installed as identified on the approved landscape plan. Considering that the communication compound is located within an open storage yard, which will be screened from view by an eight (8) foot high opaque fence, the required landscaping should be adequate to help screen and buffer this site.

The fencing surrounding all open storage yards is required to be opaque (§158.126 (C) (8)), and a visit to this site shows that at one time this perimeter fence did have such screening. However, it is also clear that this screening is now missing in many places and damaged in others. Therefore, to meet the intent of the code, the screening will need to be reapplied to the perimeter fence to ensure that this eight (8) foot fence surrounding the storage yard is truly opaque.

(E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

Applicant: "Safety signs will be mounted to the security fence surrounding the facility. There will be no lighting."

Staff: Except for safety signs which will be mounted on the security fence surrounding the communication compound (which is a requirement of the FCC), additional signage and lighting is not being proposed at this time. If additional signs and/or lighting are considered at a future time, they will have to meet requirements as identified in the City of Port St. Lucie's Land Development Regulations.

(F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

Applicant: "The site is being developed in an existing paved storage area. The site will meet all surrounding development requirements and improve the current condition of the lease parcel."

Staff: This is an existing site plan, and all yards and open space requirements have been addressed during the initial site plan review. The applicant will be leased 4,000 square feet for a wireless communication tower and compound, which will be located on already existing impervious surface. There will be no change in the percentage of impervious and pervious surfaces with the proposed use, in fact there might be an increase in the percentage of pervious surface area

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*as the existing asphalt (in the tower compound) is removed and replaced with marifi and gravel.*

(G) The use as proposed will be in conformance with all stated provisions and requirements of this chapter.

Applicant: *"The Wireless Communications Tower will be constructed in accordance with Port St. Lucie Code of Ordinances and will meet all requirements of sections 158.255 through 158.262."*

Staff: *The proposed Special Exception Use (wireless communication tower) is permitted as defined by §158.126 (D) (4) Service Commercial Zoning District, and should conform to all provisions of the City's Land Development Regulations.*

(H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.

Applicant: *"Improve service to residents; business and mobile phone users traveling in the areas heavily trafficked nearby arteries in this area. The site will also enhance emergency 911 services in the area; ensuring calls made in cases of emergency will be delivered and responded to by the emergency services agencies."*

Staff: *The applicant has indicated that the proposed tower will have a 50 foot setback from the southern property line, a 60 foot setback from the eastern property line, a 65 foot setback from the western property line, and a 110 foot setback from the northern property line. The applicant has also identified that the 50 foot fall radius completely falls within the boundaries of the site. This and the entire findings in this report should ensure that the health, safety, welfare, and convenience of the residents and workers in the City are not impaired.*

(I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

Applicant: *"The proposed facility is unmanned and will require only household level electrical current and standard phone service."*

Staff: *The special exception is for an unmanned wireless communication tower. The tower compound will be located in an open storage yard, which will have an eight (8) foot high opaque perimeter fence surrounding the property. Also, there will be an eight (8) foot high fence surrounding the tower compound. As mentioned, the tower will be unmanned, therefore the use will not constitute a nuisance or hazard because of people attending or using this facility.*

(J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in the submittal and analysis of the

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request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

*Applicant:* "The telecommunications tower site is permitted by ordinance on this zoning designated property. It is not permitted on all surrounding property designations."

*Staff:* The proposed use complies with §158.213, Wireless Communication Antennas and Towers, and the special exception use requirements as outlined in §§158.255 through 158.262. The tower will be over 300 feet from the nearest residence, which is located east of Bayshore Blvd. The tower will be unmanned and will only generate between 10-15 trips per month. The nearest tower is 5,761 feet away, as confirmed by the City's GIS Department (Exhibit C).

*This site is located in a significant warehouse industrial area within the City, is surrounded by other warehouse zoned property, and should not pose a compatibility issue with the site itself, or with the adjacent properties.*

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

*Staff: Acknowledged.*

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

*Staff: Acknowledged.*

**Evaluation of Wireless Communication Antennas and Towers Criteria (Section 158.213)**

(D) Wireless communication antennas and towers shall be considered a special exception use in the following zoning districts and shall meet all requirements of §§ 158.255 through 158.262 Special Exception Use:

- (1) GU (General Use)
- (2) OSR (Open Space Recreational)
- (3) OSC (Open Space Conservation)
- (4) I (Institutional)
- (5) CS (Service Commercial)
- (6) WI (Warehouse Industrial)
- (7) IN (Industrial)
- (8) U (Utility)

ITEM 7 (F)

(9) Neighborhood Village/Commercial Areas, Town Center, Resort, Employment Center, and Mixed Use Sub-Districts in MPUD's (Master Planned Unit Development) in NCD (New Community District) future land use areas.

*Staff: This is privately owned property and has a zoning designation of CS (Service Commercial). The request meets all of the special exception use requirements.*

(E) Wind Load. Certification from a Florida-registered professional engineer stating that the tower would collapse within the designed and specified fall radius depicted in the plans is required. Further, the engineer shall certify that it is documented that the tower shown in the plan can withstand winds of Category 3 hurricane intensity.

*Staff: The applicant shall provide certification from a Florida-registered professional engineer stating that the tower would collapse within the designated and specified fall radius depicted in the plans prior to issuance of a building permit. Further, the engineer shall certify that it is documented that the tower shown in the plan can withstand winds of Category 3 hurricane intensity prior to issuance of a building permit. The site plan depicts a 50 foot fall radius that falls within the boundaries of the site.*

(F) Height Limits. Wireless communication towers located in the CS, WI, GU, and U Zoning Districts; Mixed Use, and Employment Center Sub-Districts in MPUD's in NCD future land use areas: up to 300 feet.

*Staff: The applicant has provided an elevation of the tower that indicates the tower will not exceed 150 feet above ground level.*

(G) Co-Location. To discourage the proliferation of communication towers, shared use of tower structures is both permitted and encouraged. As part of special exception applications, applicants shall be required to verify that they have attempted to co-locate any proposed antenna on an existing tower within the proposed service area prior to approval of new towers. Applicants shall also provide evidence that they have mailed a "notice of intent" letter to all known telecommunication providers within the city to determine if any providers can co-locate on the proposed tower.

*Staff: The applicant has provided certified mail receipts to telecommunication providers and a copy of the letter sent.*

(H) Fencing. A chain-link fence, with or without barbed wire, or solid wood or masonry wall at least six feet in height, shall be constructed and maintained around the perimeter of the tower and associated structures and equipment. Access shall be through a locked gate.

*Staff: The applicant has provided a site plan that identifies an eight foot high chain link fence around the perimeter of the leased area.*

ITEM 7 (F)

(I) Landscaping. Landscaping for sites either in or adjacent to residential land use areas shall be as follows: a row of trees, a minimum of eight feet tall, set 20 feet apart, shall be planted around the outside perimeter of the fence, plus a hedge a minimum of three feet in height and spaced three feet apart to be planted on the outside of the fence and tree row. Plantings shall be from the approved list in the landscaping code. Landscaping for sites in commercial and industrial areas shall follow the city's landscaping code for those land uses.

*Staff: The applicant is aware that the required landscaping is not sufficient and has agreed to install all the landscaping as identified on the approved landscape plan.*

(J) Signs. No advertising signage of any type is permitted on a wireless communication antenna, tower, or equipment storage area. Safety and cautionary signs shall be attached to the fence or structure for those facilities using more than 220 voltage. The following signage shall be in large bold letters: "HIGH VOLTAGE – DANGER"

*Staff: The applicant has stated that proper FCC signs will be attached to the gates surrounding the tower compound.*

(K) Lighting. For the placement and use of any lights on such towers or antennas, the applicant shall submit a lighting plan which includes methods for shielding adjacent properties from glare.

*Staff: The applicant has stated that there will be no lighting .*

(L) Site Plan Review. All proposals for towers are required to follow the site plan review regulations set forth under §§ 158.235 through 158.245. Site plan reviews are to be processed as a part of the special exception application.

*Staff: The applicant has submitted Project P12-032 Crosstown Tower Site Plan Application to run concurrently with this special exception use application.*

(M) Any obsolete or unused tower shall be removed after 12 months of non-use. A removal bond or irrevocable letter of credit equal to \$15,000 for a tower up to 150' in height shall be required prior to obtaining final site development permits.

*Staff: The applicant has stated that a removal bond in the amount of \$15,000 will be provided prior to obtaining final site development rights.*

(N) Towers greater than 100' in height shall locate a minimum of 1,500 feet apart.

*Staff: The proposed tower is not located within 1,500 feet of any existing or proposed tower. The location of the towers are shown on the attached map.*

ITEM 7 (F)

(O) As a condition of approval, any proposed tower or antennae shall not cause interference with the use of radio, television, or telephone broadcasting and reception. Interference as a result of any approved tower or antennae shall be considered a violation of the special exception approving the tower and may result in the revocation of the special exception. Such interference may further be considered a public nuisance, and the city may order abatement of the same, including but not limited to requiring removal of the tower.

*Staff: The applicant has stated that the Telecommunication Service Providers co-locating on this tower are using frequencies authorized by the FCC and will not cause interference with any radio, television, or telephone broadcasting reception.*

(P) For City owned property, a lease agreement shall be included as a part of the special exception application.

*Staff: This is not City owned property.*

Compatibility with special exception criteria: §158.126 (D) (4): "Special Exception Uses" allows wireless communication antennas and towers in the CS (Service Commercial) Zoning District.

Also, the proposed use is compatible with all the special exception criteria as identified in the zoning code.

Notice to Property Owners: On April 13, 2012 a notice was sent to all neighbors within a 300 foot radius.

**Related Projects:**

P12-032 - Crosstown Tower Site Plan Amendment. This application, which is being reviewed concurrently, amends the existing site plan to show the location of the 4,000 SF compound, and the location of the tower and all ancillary buildings.

P06-036 - Waterway Storage Yard Site Plan Amendment. This amendment relocated the fence on the site. This application was approved by the Site Plan Review Committee on February 22, 2006.

P04-565 - Waterway Storage Yard Site Plan Application. The project consisted of developing a storage yard on this site. This application was approved by City Council on June 27, 2005.

---

**STAFF RECOMMENDATION:**

The Planning and Zoning Department staff finds the request to be consistent with special exception criteria as stipulated in Section 158.260 of the Zoning Code and recommends approval with conditions as follows:

1. The applicant shall provide certification from a Florida-registered professional engineer stating that the tower would collapse within the designed and specified fall radius depicted in the plans. Further, the engineer shall certify that it is documented that the tower shown in the plan can withstand winds of Category 3 hurricane intensity prior to issuance of a building permit.
2. Any obsolete or unused tower shall be removed after 12 months of non-use. A removal bond or irrevocable letter of credit equal to \$15,000 for a tower up to 150' in height shall be required prior to obtaining final site development permits.
3. Any proposed tower or antennae shall not cause interference with the use of radio, television, or telephone broadcasting and reception. Interference as a result of any approved tower or antennae shall be considered a violation of the special exception approving the tower and may result in the revocation of the special exception. Such interference may further be considered a public nuisance, and the city may order abatement of the same, including but not limited to requiring removal of the tower.
4. All landscaping, as it appears on the last approved landscape plan, shall be installed within 60 days of approval.
5. Screening shall be reapplied to the perimeter fence to ensure the fence's opacity.

**Planning and Zoning Board Action Options:**

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions
- Motion to recommend denial to the City Council

Note: Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to *table* or *continue* the hearing or review to a future meeting.

# SITE LOCATION



PRIMA VISTA BLVD

**SUBJECT  
PROPERTY**

CROSSTOWN PKWY

FLORIDA'S TURNPIKE



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ 2012.DWG

SPECIAL EXCEPTION USE  
LOTS 11 & 12 BLOCK 238  
PORT ST LUCIE SECTION 28

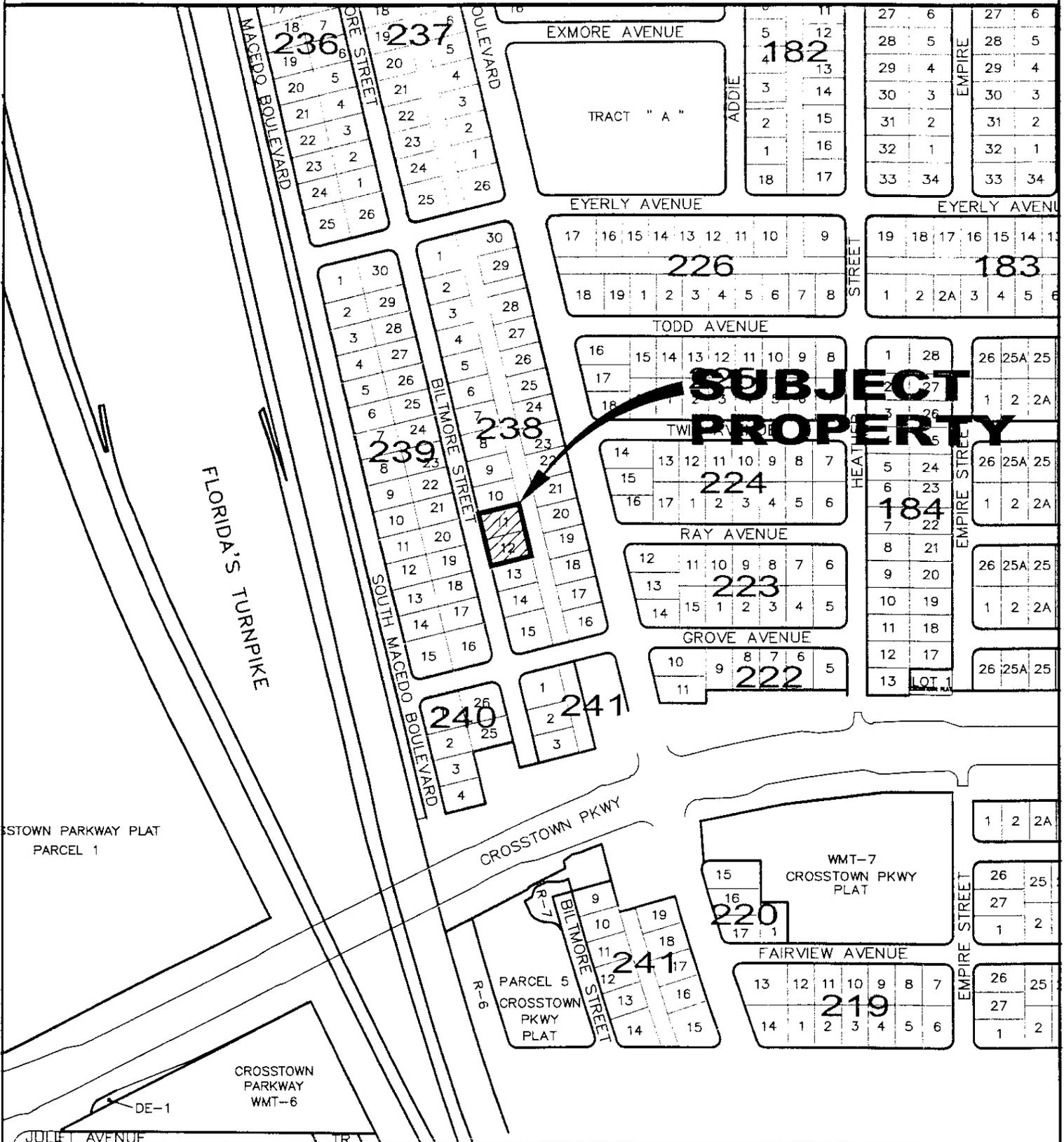
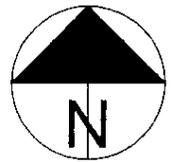
DATE: 3/9/2012

APPLICATION NUMBER:  
P12-031

CADD FILE NAME:  
P12-031L

SCALE: 1" = .5 MI

# SITE LOCATION



CROSSTOWN PARKWAY PLAT  
PARCEL 1

CROSSTOWN  
PARKWAY  
WMT-6



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ 2012.DWG

SPECIAL EXCEPTION USE  
LOTS 11 & 12 BLOCK 238  
PORT ST LUCIE SECTION 28

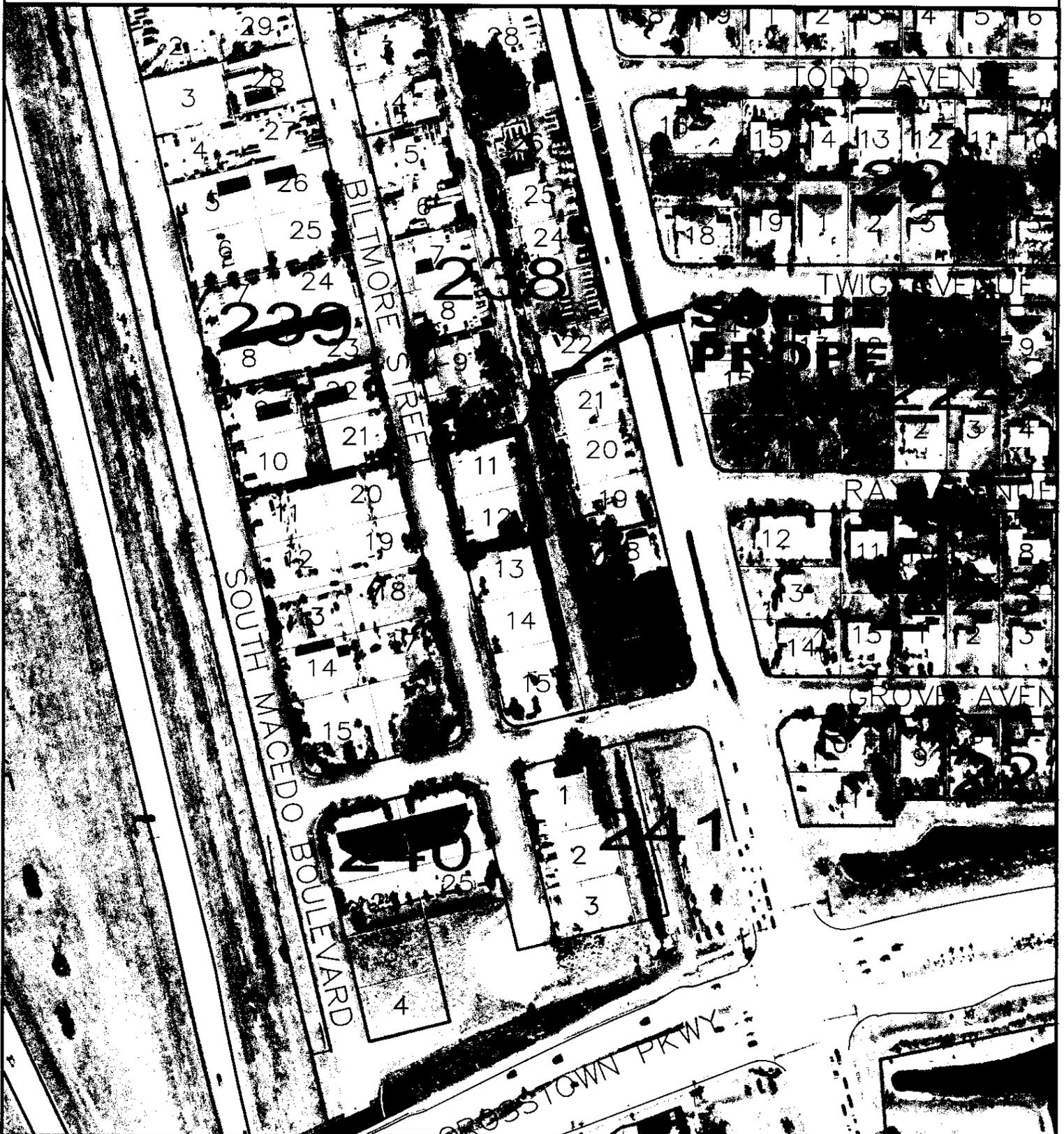
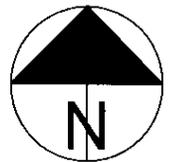
DATE: 3/9/2012

APPLICATION NUMBER:  
P12-031

CADD FILE NAME:  
P12-031M

SCALE: 1" = 400'

# SITE LOCATION



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ 2012.0WG

SPECIAL EXCEPTION USE  
LOTS 11 & 12 BLOCK 238  
PORT ST LUCIE SECTION 28  
AERIAL DEC 2010

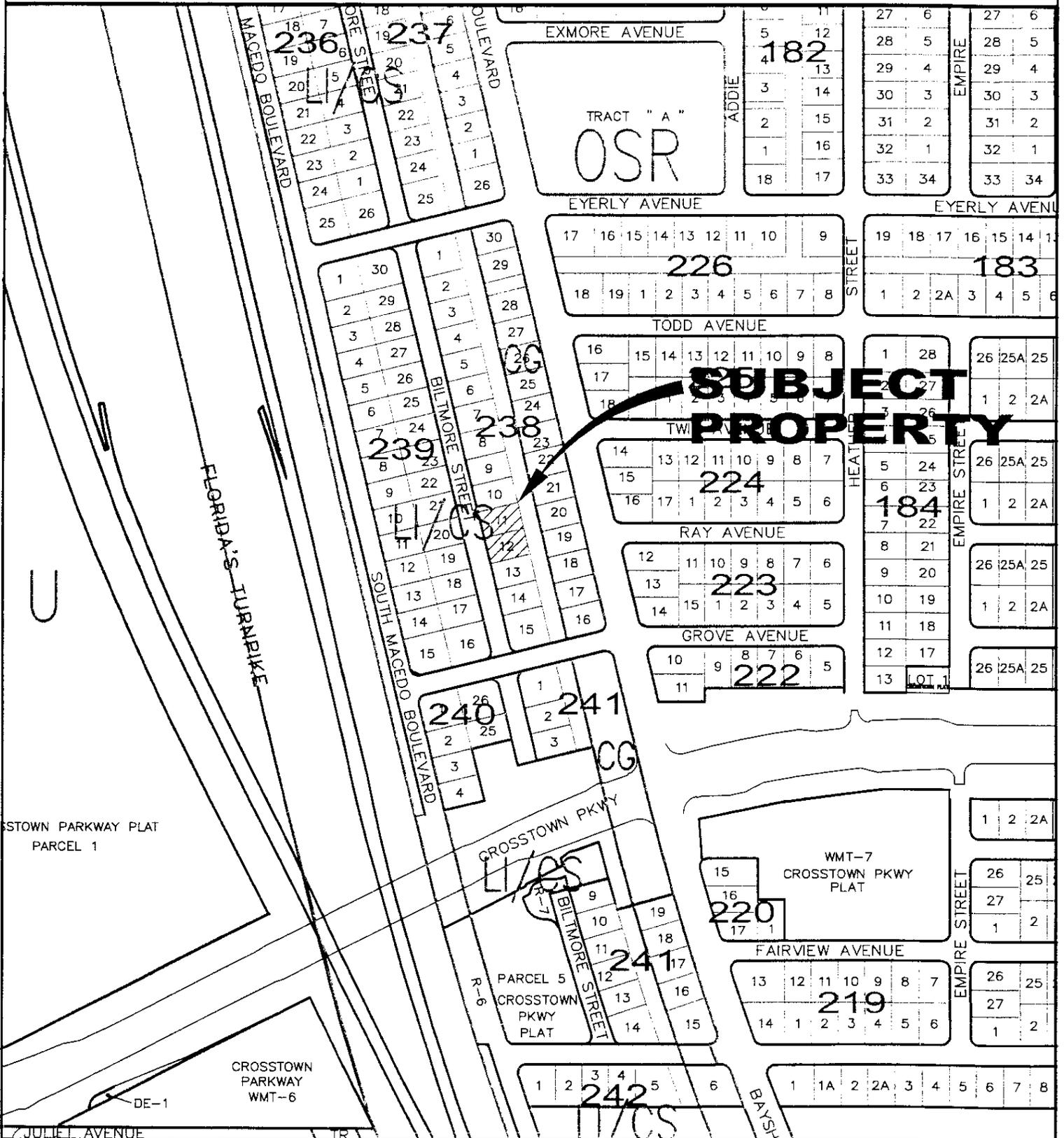
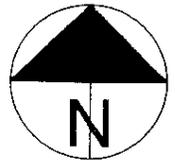
DATE: 3/9/2012

APPLICATION NUMBER:  
P12-031

CADD FILE NAME:  
P12-031A

SCALE: 1"=200'

# FUTURE LAND USE



CROSSTOWN PARKWAY PLAT  
PARCEL 1

CROSSTOWN  
PARKWAY  
WMT-6



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ 2012.DWG

SPECIAL EXCEPTION USE  
LOTS 11 & 12 BLOCK 238  
PORT ST LUCIE SECTION 28

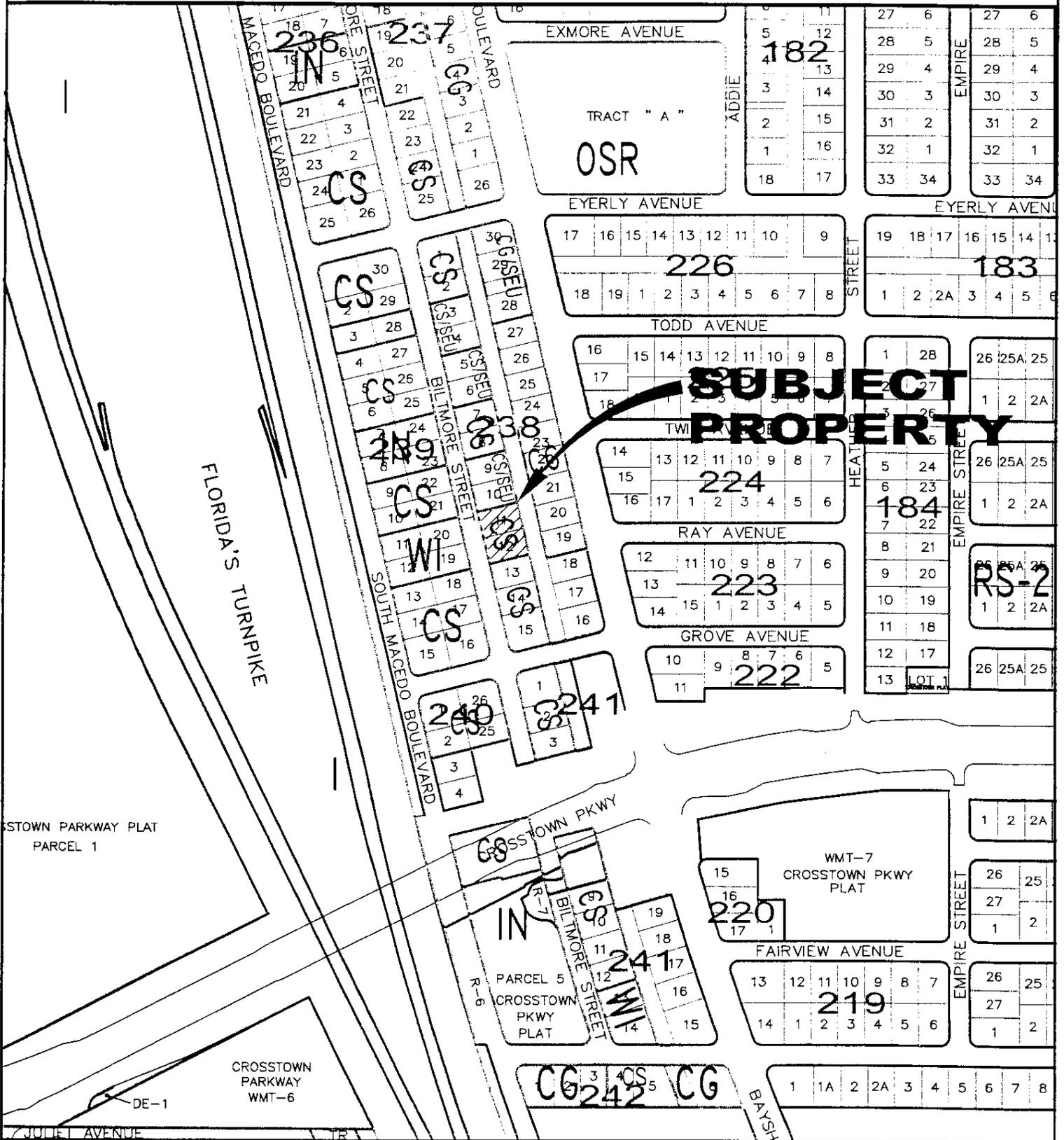
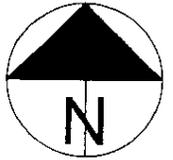
DATE: 3/9/2012

APPLICATION NUMBER:  
P12-031

CADD FILE NAME:  
P12-031M

SCALE: 1" = 400'

# EXISTING ZONING



CROSSTOWN PARKWAY PLAT  
PARCEL 1

CROSSTOWN  
PARKWAY  
WMT-6



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ 2012.DWG

SPECIAL EXCEPTION USE  
LOTS 11 & 12 BLOCK 238  
PORT ST LUCIE SECTION 28

DATE: 3/9/2012

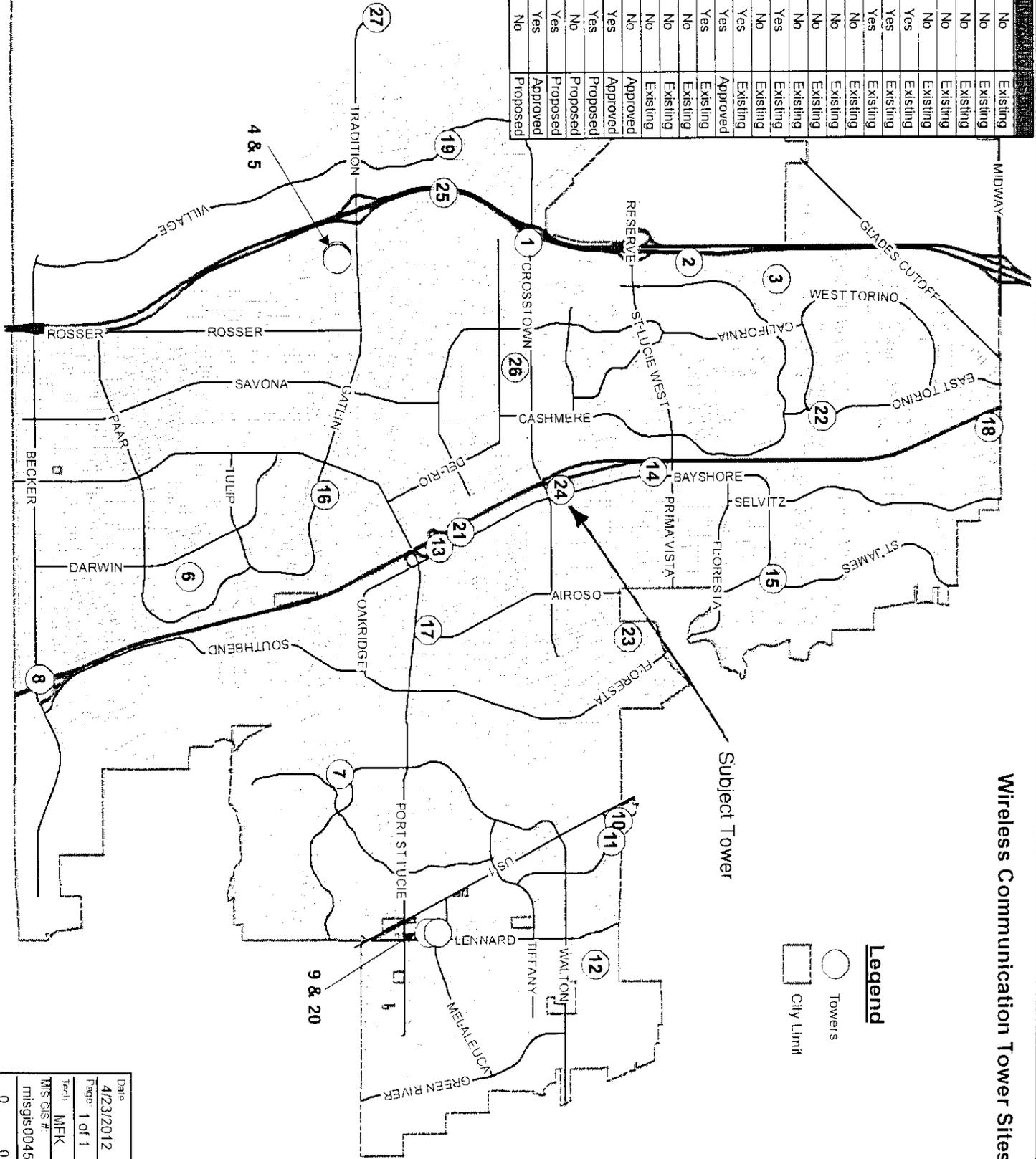
APPLICATION NUMBER:  
P12-031

CADD FILE NAME:  
P12-031M

SCALE: 1" = 400'

# Wireless Communication Tower Sites Map

1	P92-87	No	Existing
2	P96-139	No	Existing
3	P87-147	No	Existing
4	P96-136	No	Existing
5	P93-14	No	Existing
6	P98-017	Yes	Existing
7	P97-188	Yes	Existing
8	P97-230	Yes	Existing
9	P88-56	No	Existing
10	P85-25 & P86-93	No	Existing
11	P94-68	No	Existing
12	P99-22	No	Existing
13	P98-43	Yes	Existing
14	P00-127 & 128	No	Existing
15	P01-241	Yes	Existing
16	P11-007	Yes	Approved
17	P02-185	Yes	Existing
18	P06-077	No	Existing
19	P03-167	No	Existing
20	P97-258	No	Existing
21	P98-044	No	Approved
22	P11-045	Yes	Approved
23	P11-071	Yes	Proposed
24	P12-031	No	Proposed
25	P11-060	Yes	Proposed
26	P11-155	Yes	Approved
27	P12-013	No	Proposed



**Legend**

- Towers
- City Limit

Date: 4/23/2012  
 Page: 1 of 1  
 Tech: MEK  
 MIS GIS #: misingis0045

0 0.75 1.5  
 Miles



# APPLICATION FOR SPECIAL EXCEPTION USE

CITY OF PORT ST. LUCIE  
Planning & Zoning Department  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984  
(772)871-5212 FAX: (772)871-5124

## FOR OFFICE USE ONLY

Planning Dept. P12-031  
Fee (Nonrefundable) \$ 2,115.00  
Receipt # 11607

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie". Fee is nonrefundable unless application is withdrawn prior to being scheduled for the Site Plan Review Committee meeting or advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g., warranty deed, affidavit), lease agreement (where applicable), approved Concept Plan or Approved Site Plan, and a statement addressing each of the attached criteria.**

### PROPERTY OWNER:

Name: Jesus Lara, Paulita Martinez  
Address: 2481 SE Mariposa Ave. Port St. Lucie, FL 3452  
Telephone No.: 772-260 3556 Fax No.: \_\_\_\_\_

### APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):

Name: PJ Development, LLC  
Address: 356 NW Alice Ave. Stuart, FL 34994  
Telephone No.: 772-692-4474 Fax No.: 772-692-4475

### SUBJECT PROPERTY:

Legal Description: Port St Lucie-Section28-BLK 238 Lots 11 and 12 (Map 34/31S) (OR 3182-2082)  
Parcel I.D Number: 3420-635-0580-000-8  
Address: 1361 SW Biltmore St. Port St. Lucie, FL Bays: N/A  
Development Name: CPSL2605 Crosstown (Attach Sketch and/or Survey)  
Gross Leasable Area (sq. ft.): 4000sq' Assembly Area (sq. ft.): 4000sq'  
Current Zoning Classification: CS SEU Requested: Communications Tower

Please state, as detailed as possible, reasons for requesting proposed SEU (continue on separate sheet, if necessary):

Ground Space will be used by PJD for the purpose of installing, maintaining and operating, a wireless communications facility composed of a 150' monopole tower structure. The site will be surrounded by a security fence, and landscaping if applicable. This facility will provide adequate coverage, relieve over capacity of adjacent cell sites, and improve service to residents, business, and mobile phone users traveling in the areas heavily trafficked arteries. This site will also enhance emergency 911 services in the area.

 THOMAS J. MACKIEWICZ 3/7/12  
Signature of Applicant Hand Print Name Date

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

H:\PZ\SHARED\APPLCTN\SEU\APPL (06/14/06)

**SPECIAL EXCEPTION USES**

The Planning and Zoning Board, and Zoning Administrator, may authorize the special exception use from the provisions of § 158.260. In order to authorize any special exception use from the terms of this chapter, the Planning and Zoning Board, or Zoning Administrator, will consider the special exception criteria in **§ 158.260 and consider your responses to the following when making a determination.**

(A) Please explain how adequate ingress and egress will be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control, and access in case of fire or other emergency.

A non-exclusive easement access to the lease parcel extending to the nearest public right-of-way being S.W. Biltmore Street.

Once the tower site is completed and the tower is colocated with the maximum 5 service providers the maximum traffic impact will be five (5)

visits per month.

(B) Please explain how adequate off-street parking and loading areas will be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.

Once constructed there will be no more than 5 vehicular visits per month. A parking space will be provided in the access easement for the facility.

(C) Please explain how adequate and properly located utilities will be available or will be reasonably provided to serve the proposed development.

source of electric and telephone facilities extending to the Ground Space from the nearest public electric and telephone utility easements

(D) Please explain how additional buffering and screening, beyond that which is required by the code, will be required in order to protect and provide compatibility with adjoining properties.

PJD will meet all requirements for this commercial environment.

(E) Please explain how signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

Safety signs will be mounted to the security fence surrounding the facility. There will be no lighting.

(F) Please explain how yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The site is being developed in an existing paved storage area. The site will meet all surrounding development requirements and improve the current condition of the lease parcel.

(G) Please explain how the use, as proposed, will be in conformance with all stated provisions and requirements of the City's Land Development Regulation.

The Wireless Communications Tower will be constructed in accordance with Port St. Lucie Code of Ordinances and will meet all requirements of sections 158.255 through 158.262.

(H) Please explain how establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the city.

Improve service to residents, business and mobile phone users traveling in the areas heavily trafficked nearby arteries in this area.

This site will also enhance emergency 911 services in the area; ensuring calls made in cases of emergency will be delivered and responded to by the emergency service agencies.

(I) Please explain how the proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

The proposed facility is unmanned and will require only household level electrical current and standard phone service.

(J) Please explain how the use, as proposed for development, will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access, location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

This telecommunications tower site is permitted by ordinance on this zoning designated property. It is not permitted on all surrounding property designations.

  
Signature of Applicant

THOMAS J. MACKIEWICZ  
Hand Print Name

3/7/12  
Date

**PLEASE NOTE:**

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

H:\PZ\SHARED\APPLCTN\SEUCRITERIA & QUESTIONS (04/26/05)

3/30/12

City of Port St. Lucie  
121 S.W. Port St. Lucie Blvd.  
Port St. Lucie, FL 34984-5099

RE: CPSL2605 Crosstown  
1361 SW Biltmore St  
Port St. Lucie, Florida  
Property ID: 3420-635-0580-000-8

To whom it may Concern:

We hereby authorize Tom Mackiewicz or Paul A. Scott, PJ Development, LLC to act as our authorized agent regarding the submittal of a Special Exception use application and Site-Plan-Review application relating to the Construction of a Communications Tower, located at the above referenced property.

Jesus Lara  
Jesus Lara

PAULITA MARTINEZ  
Paulita Martinez

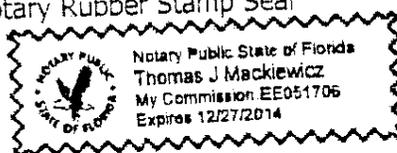
STATE OF FLORIDA  
COUNTY OF PALM BEACH

Sworn to and subscribed before me this 31 day of MARCH, 2012 by  
JESUS LARA & PAULITA MARTINEZ who is personally known to me.

Thomas J. Mackiewicz  
Notary Signature

THOMAS J. MACKIEWICZ  
Printed Notary Signature

Notary Rubber Stamp Seal



THIS INSTRUMENT PREPARED BY AND RETURN TO:  
Laura Griffin  
Andres Velez, P.A.  
522 SW Port St. Lucie Blvd.  
Fort St. Lucie, FL 34953  
Property Appraisers Parcel Identification (Folio) Numbers: 3426-635-0580-000/8

Space Above This Line For Recording Date

# WARRANTY DEED

**THIS WARRANTY DEED**, made the 5th day of March, 2010 by Jorge L. Mercado and Milagro C. Mercado, husband and wife, whose post office address is 1652 SW Schleicher Lane, Port St. Lucie, FL 34984 hereinafter called the Grantors, to Jesus Lara, a single man, and Paulita Marquez, a married woman, as joint tenants with rights of survivorship whose post office address is 2481 SE Mariposa Ave., Port St. Lucie, FL 34952, hereinafter called the Grantees.  
*(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)*

**WITNESSETH:** That the Grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in ST. LUCIE County, State of Florida, viz:

Lots 11 and 12, in Block 238, of Port St. Lucie Section Twenty Eight, according to the Plat thereof, as recorded in Plat Book 14, at Page 7, of the Public Records of St. Lucie County, Florida.

Subject to easements, restrictions and reservations of record and taxes for the year 2009 and thereafter.

**(NOTE:** Grantor warrants that at the time of conveyance, the subject property is not the grantor's homestead within the meaning set forth in the constitution of the State of Florida, nor is it contiguous to or a part of homestead property. Grantor's residence and homestead address is: 1652 SW Schleicher Lane, Port St. Lucie, FL 34984

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

**TO HAVE AND TO HOLD**, the same in fee simple forever.  
AND, the Grantors hereby covenant with said Grantees that the Grantors are lawfully seized of said land in fee simple, that the Grantors have good right and lawful authority to sell and convey said land, and hereby warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2009.

**IN WITNESS WHEREOF**, the said Grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Andres Velez  
Witness #1 Signature

Andres Velez  
Witness #1 Printed Name

Laura Griffin  
Witness #2 Signature

Laura Griffin  
Witness #2 Printed Name

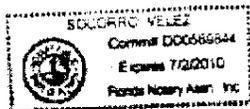
Jorge L. Mercado  
Jorge L. Mercado

Milagro C. Mercado  
Milagro C. Mercado

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 5th day of March, 2010 by Jorge L. Mercado and Milagro C. Mercado who are personally known to me, or, have produced FL Drivers License as identification.

SEAL



Socorro Velez  
Notary Public  
Socorro Velez  
Printed Notary Name

# PJ DEVELOPMENT, LLC

TREASURE COAST OFFICE  
856 Alice Avenue  
Stuart, Florida 34996

CORPORATE HEADQUARTERS  
7541 Westport Place  
West Palm Beach, Florida 33418

March 6, 2012

City of Port St Lucie  
121 SW Port St Lucie Blvd.  
Port St Lucie, Florida 34984-5099

RECEIVED

MAR 07 2012

PLANNING DEPARTMENT  
CITY OF PORT ST LUCIE, FL

**RE: Special Exception Use – Proposed Telecommunications Wireless Facility  
150' Monopole – Wireless Collocation Facility  
Location: 1361 SW Biltmore Street, City of Port St Lucie  
Property ID: 3420-635-0580-000-8**

Dear City Council Member & Planning and Zoning Official,

Please find the enclosed an Application for Special Exception Use with supporting materials and documentation for review.

The narrative is submitted for approval consideration of the construction of a one hundred fifty (150') foot tall Monopole to accommodate multiple five (5) Service Providers. Please see the attached aerials which show the site location. The first service provider to be placed on the facility will be AT&T. PJD expects to have additional Service Providers co-locate on this facility. The proposed collocation Telecommunications facility is to be located at 1361 SW Biltmore Street, Port St. Lucie.

## **Technology**

The Service Providers offer phone, e-mail, data, and messaging services that make communications easier, cost effective, and efficient to end users. The Service Providers systems operate in the frequency ranges from 700 MHz to 1900 MHz. All Service Providers to use this facility are licensed by the FCC to offer their services.

# PJ DEVELOPMENT, LLC

TREASURE COAST OFFICE  
356 Alice Avenue  
Stuart, Florida 34996

CORPORATE HEADQUARTERS  
7541 Westport Place  
West Palm Beach, Florida 33413

---

## **Site Requirements and Necessity**

The placement of the propose facility and related radio equipment is necessary to provide the Service Providers continuous coverage in a high cell phone usage area where capacity is lacking. We have searched and reviewed the area for Buildings or other Towers within the AT&T search area and have concluded there are no other wireless communications facilities that can be used for adequate capacity and or coverage. No other parcel has been found within this coverage area that is suitable or leasable to provide the required coverage's.

The closest tower locations to this site are;

NORTH 1.15-miles  
West 2.85 -miles  
SOUTH WEST 2.18 -miles  
SOUTH 1.16 -miles

AT&T (RF) Engineers have identified this site as critical to meet coverage requirements mandated by their FCC license and provide adequate coverage in an area currently experiencing insufficient coverage and or capacity to handle the current volume of calls. Customers in the area are experiencing dropped or incomplete calls, as well as spotty coverage.

This facility will provide adequate coverage, relieve over capacity of adjacent cell sites, and improve service to residents; business and mobile phone users traveling in the areas heavily trafficked nearby arteries. This site will also enhance emergency 911 services in the area; ensuring calls made in cases of emergency will be delivered and responded to by the emergency service agencies.

## **Details about the Site Location**

The subject property is located at 1361 SW Biltmore Street, Port St. Lucie and is owned by Jesus Lara and Paulita Martinez the property appraiser's ID number of 420-635-0580-000-8.

PJ Development has entered into a lease agreement for the placement of a Telecommunications Tower. The zoning allows for the construction of a 150' Monopole.

The proposed facility will be located on a 160' X 125', .46 acre parcel with CS Zoning in a commercial/ Industrial section of Port St. Lucie. All design and construction of the

Telephone 772-692-4474 \* Facsimile 772-692-4475

# PJ DEVELOPMENT, LLC

TREASURE COAST OFFICE  
356 Alice Avenue  
Stuart, Florida 34996

CORPORATE HEADQUARTERS  
7541 Westport Place  
West Palm Beach, Florida 33413

---

facility will be done in compliance with the City of Port St Lucie Building and Zoning ordinances relating to this type of facility. The Monopole will be designed and engineered in accordance with City of Port St Lucie, State of Florida Building Code, and all Federal Guidelines.

## Traffic

Once the Telecommunications Site is completed and four Service Providers have co-located on the Tower, the maximum traffic impact will be four (4) visits per month, one visit per Service Provider.

## Site Design

The site will be comprised of a 150 foot Monopole, enclosed by a fenced area in which radio shelters and cabinets will be enclosed.

Landscaping not required as landscaping exists around the fence of parent parcel.

The Monopole structure will be designed to accommodate up to Five (5) Service Providers. The facility has been presented to all FCC licensed Service Providers.

Only household level electrical current and standard phone service will be used. **The proposed unmanned Telecommunications facility will not utilize any water or sanitary sewer services.** Thus it will not overburden existing public services of facilities such as schools, public safety, water, sanitary sewer, roads, storm drainage, or other public improvements nor create any hazard of any type. PJD intends to have a well permit issued for irrigation only.

## Public Benefit

The area's personal and business communications will be served by this facility thus enabling many of the service providers to vastly improve their coverage by collocating at this site. The community will also benefit by having these Service Providers with improved coverage thus providing the consumers a viable choice among the carriers.

The Service Providers systems at this collocation facility will be a vital link for everyday personal communications, as well as emergency communications needs related to civil defense in times of natural disasters and the daily reporting of accidents, emergencies and crime.

Telephone 772-692-4474 \* Facsimile 772-692-4475

# PJ DEVELOPMENT, LLC

TREASURE COAST OFFICE  
356 Alice Avenue  
Stuart, Florida 34996

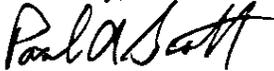
CORPORATE HEADQUARTERS  
7541 Westport Place  
West Palm Beach, Florida 33415

---

This **unstaffed facility** use will not adversely affect population density, activity, traffic or parking. The proposed use will have no detrimental impact on the surrounding property or community.

If you have any questions or require additional information please contact me at 772-692-4474 or e-mail your request to [pスコット@pjdevl.com](mailto:pスコット@pjdevl.com).

Sincerely,



Paul A. Scott  
Managing Partner  
PJ Development, LLC



AT&T Mobility  
5201 Congress Avenue  
Boca Raton, FL 33487

Date: April 9<sup>th</sup>, 2012

To:

From: Sharon Dinges, AT&T Mobility RF Engineer

Re: Proposed AT&T Antenna Facility to be Located at 1361 Biltmore Street in Port Saint Lucie, FL 34952

Please review the following information regarding the proposed AT&T site to be called FP54 (CROSSTOWN). AT&T is requesting permission to co-locate on an existing 150' AGL antenna facility site located at 1361 SW Biltmore Street in Port Saint Lucie. The proposed FP54 site (@ 130' AGL) is needed in order for AT&T to significantly enhance their existing coverage along a stretch of the Florida Turnpike in Port Saint Lucie (starting around Prima Vista Boulevard south to Port Saint Lucie Boulevard) and to substantially improve the existing customer experience in the dense residential neighborhoods immediately surrounding the intersection (overpass) of Crosstown Parkway and the Florida Turnpike: please see the attached aerial map view of the target area. Deploying a new cell site at this particular location would significantly improve the voice quality and data throughput values currently experienced in the target area, thus, significantly improving the overall customer experience in the target area. In addition, a new cell site deployed at this location would be able to provide needed capacity offloads to neighboring sites: the closest AT&T neighbor site from the proposed site is over 1.1 miles away to the north and the next closest neighbor is over 1.5 miles away to the southeast.

AT&T has studied the area thoroughly and determined that the proposed site at this location with an antenna tip elevation of 130' AGL will fulfill both the coverage and capacity requirements that it is designed to provide. AT&T will deploy UMTS (3G) equipment at this site with plans to launch LTE (4G) at a later date in the near future. AT&T plans to install 850 MHz UMTS, 1900 MHz UMTS, and future 700 MHz LTE antenna systems at approximately 127' AGL antenna radiation centerline. The proposed FP54 antenna facility would allow AT&T to support their capacity, coverage, and technology needs and still allow for other wireless companies to collocate on the tower at heights below their installation.

The attached system plots (prediction/propagation maps) illustrate the 1900 MHz UMTS coverage signal strength levels in the target area as they exist today as well as a view of the proposed future coverage signal strength levels with the new site FP54 on-air. The desired in-building coverage level for this residential area is -74dBm, depicted in Green in the maps. Coverage depicted in Blue, Yellow, and Red are below the standard threshold for optimal in-building service.

AT&T certifies that all of its equipment will be installed and operated in keeping with applicable FAA and FCC rules and regulations and appropriate industry standards. The construction of this tower, including Cingular's installation of transmitter/receiver equipment, will not interfere with the usual and customary transmission or reception of radio, television, etc service enjoyed by adjacent properties.

Should you need additional information, please contact me at the following number, (954) 980-0009.

Respectfully,

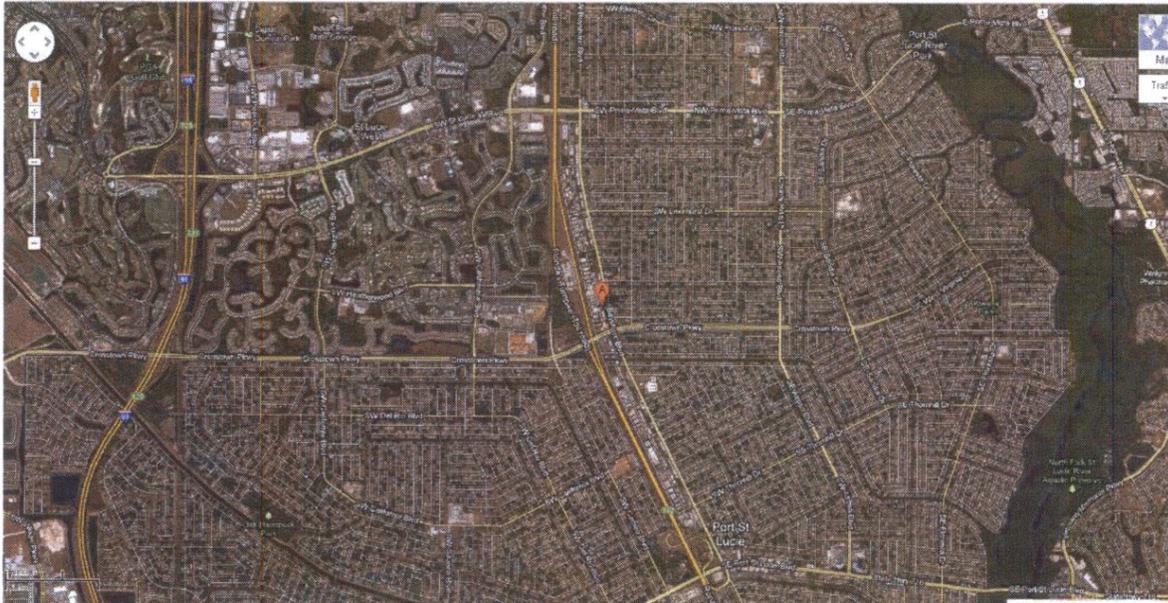
Sharon Dinges  
RF Engineer  
at&t Mobility





AT&T Mobility  
5201 Congress Avenue  
Boca Raton, FL 33487

Google Maps Aerial View

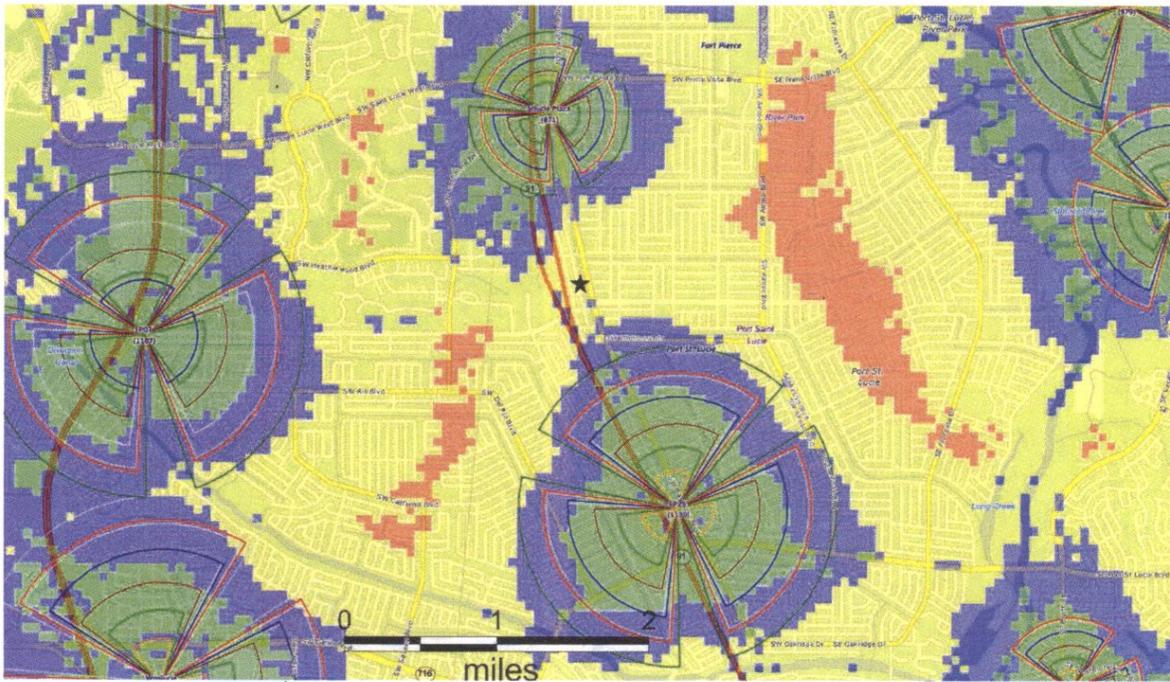




AT&T Mobility  
5201 Congress Avenue  
Boca Raton, FL 33487

-  Best Signal Level (dBm)  $\geq -74$
-  Best Signal Level (dBm)  $\geq -82$
-  Best Signal Level (dBm)  $\geq -92$
-  Best Signal Level (dBm)  $\geq -104$

1900 MHz UMTS COVERAGE BEFORE NSB FP54 TURNUP



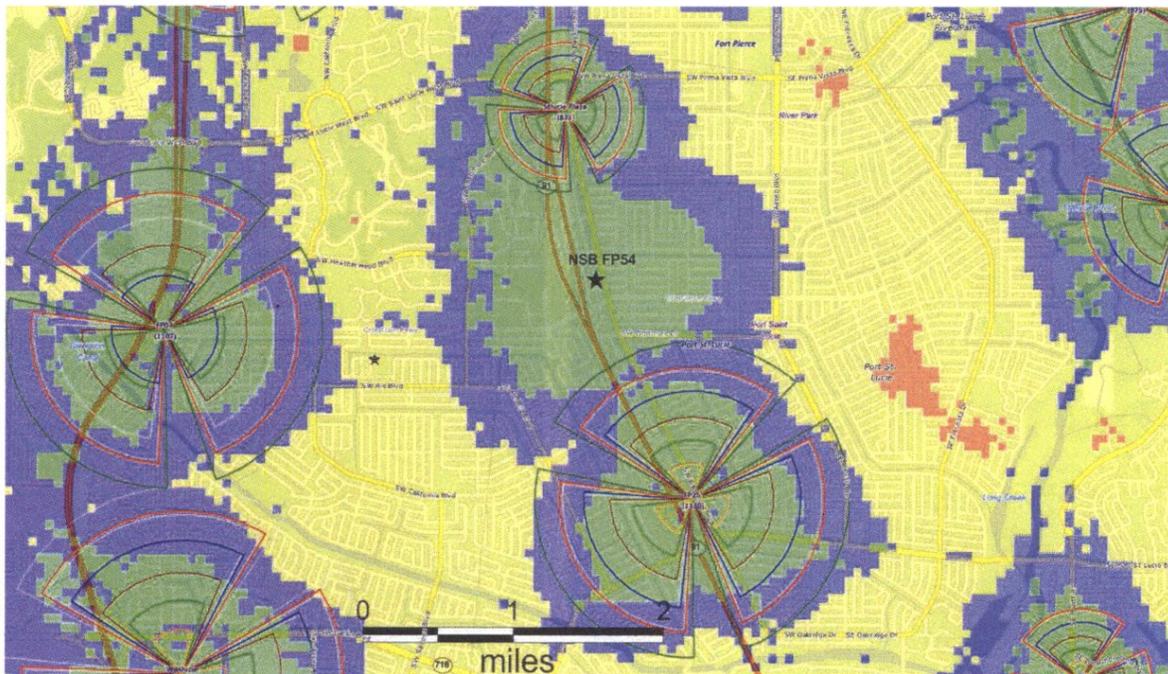


AT&T Mobility  
5201 Congress Avenue  
Boca Raton, FL 33487

-  Best Signal Level (dBm)  $\geq -74$
-  Best Signal Level (dBm)  $\geq -82$
-  Best Signal Level (dBm)  $\geq -92$
-  Best Signal Level (dBm)  $\geq -104$

1900 MHz UMTS COVERAGE AFTER NSB FP54 TURN UP

Kathrein 800-10722 (85 degree HBW) antennas with 3.4 degrees of e-tilt on all 3 1900 MHz UMTS sectors; 127' AGL rad center on all 3 sectors; Azimuths 320/80/215 degrees





Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 2601 Meacham Boulevard  
 Fort Worth, TX 76137

Aeronautical Study No.  
 2012-ASO-48-OE

Issued Date: 02/22/2012

Paul Scott  
 PJ Development, LLC  
 7341 Westport Place  
 Suite A  
 West Palm Beach, FL 33413

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Monopole CPSL2605 Crosstown  
 Location: Port St Lucie, FL  
 Latitude: 27-17-55.15N NAD 83  
 Longitude: 80-22-08.83W  
 Heights: 21 feet site elevation (SE)  
 150 feet above ground level (AGL)  
 171 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 08/22/2013 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (816) 329-2508. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2012-ASO-48-OE.

**Signature Control No: 156493000-159426024**

( DNE )

Vee Stewart  
Specialist

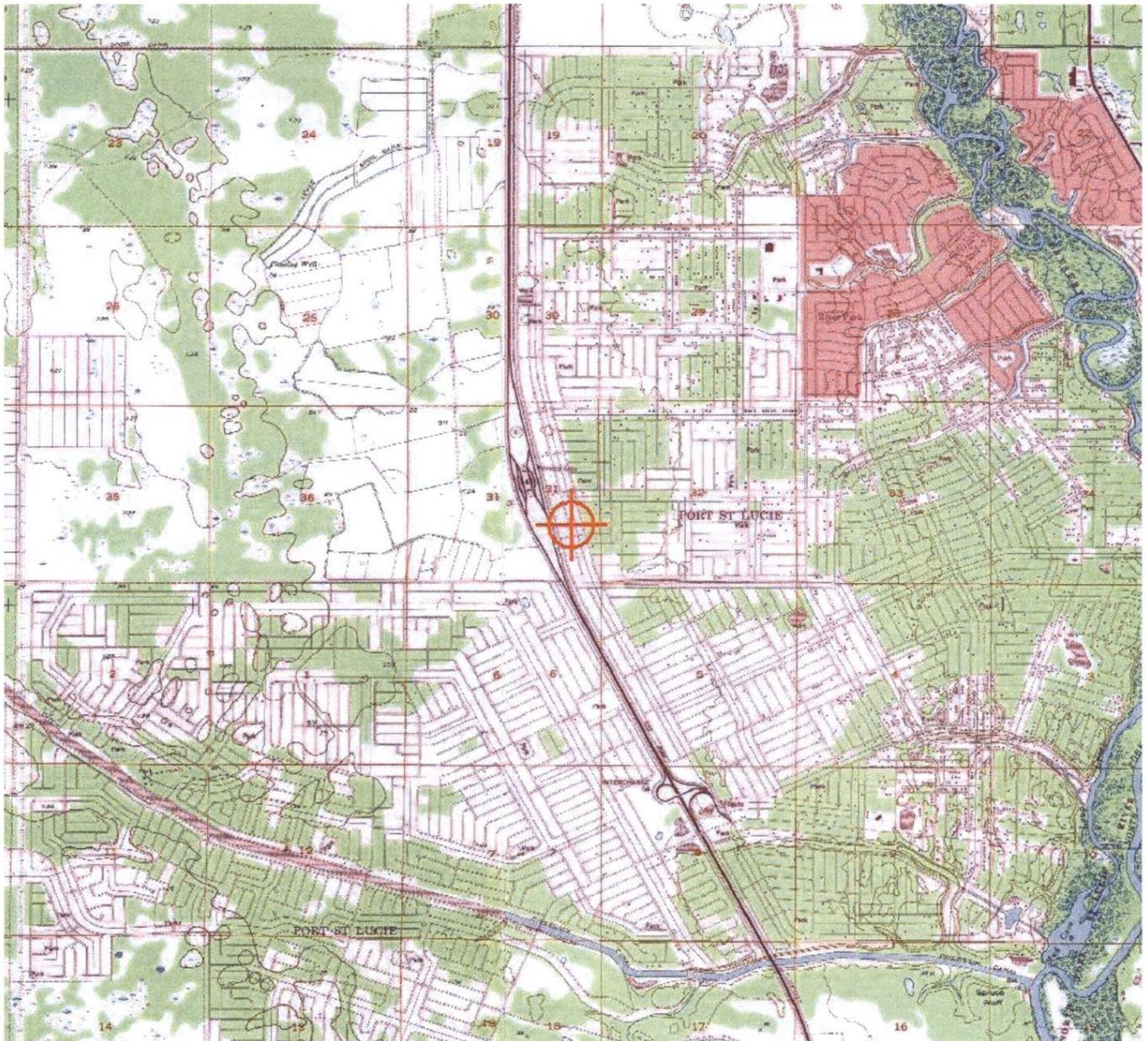
Attachment(s)  
Frequency Data  
Map(s)

cc: FCC

Frequency Data for ASN 2012-ASO-48-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

TOPO Map for ASN 2012-ASO-48-OE

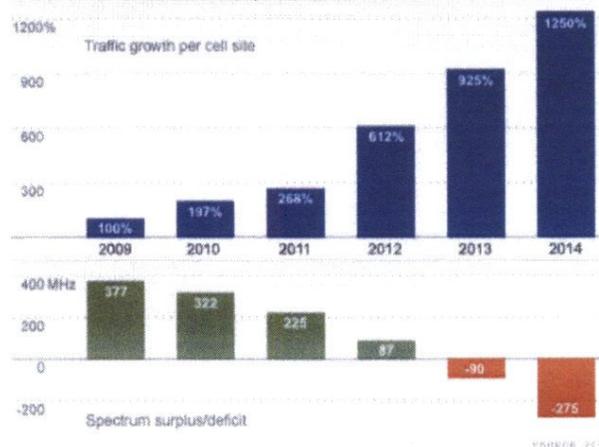


# Sorry, America: Your wireless airwaves are full

By **David Goldman**

February 21, 2012: 11:31 AM ET

## WIRELESS DATA GROWTH LEADS TO SPECTRUM DEFICIT



This is **part one of a week-long series** on the cell phone capacity crunch.

NEW YORK (CNNMoney) -- The U.S. mobile phone industry is running out of the airwaves necessary to provide voice, text and Internet services to its customers.

The problem, known as the "**spectrum crunch**," threatens to increase the number of dropped calls, slow down data speeds and **raise customers' prices**. It will also whittle down the nation's number of wireless carriers and create a deeper financial divide between those companies that have capacity and those that don't.

Wireless spectrum -- the invisible infrastructure over which all wireless transmissions travel -- is a finite resource. When, exactly, we'll hit the wall is the subject of intense debate, but almost everyone in the industry agrees that a crunch is coming.

The U.S. still has a slight spectrum surplus. But at the current growth rate, the surplus turns into a deficit as early as next year, according to the Federal Communications Commission's estimates.

"Network traffic is increasing," says an official at the FCC's wireless bureau. "[Carriers] can manage it for the next couple years, but demand is inevitably going to exceed the available spectrum."

How did we get here?

The number-one biggest driver is consumers' insatiable thirst for e-mail, apps and particularly video on their mobile devices -- anywhere, anytime. Global mobile data traffic is just about doubling every year, and will continue to do so through at least 2016, according to Cisco's (**CSCO**, **Fortune**

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## CNN Money.com

**500**) Mobile Visual Networking Index, the industry's most comprehensive annual study.

The iPhone, for instance, uses 24 times as much spectrum as an old-fashioned cell phone, and the iPad uses 122 times as much, according to the Federal FCC. AT&T says wireless data traffic on its network has **grown 20,000%** since the iPhone debuted in 2007.

### Video and mobile are breaking the Internet

"We got into this principally because technology and demand exploded at a rate that nobody had anticipated," says Rory Altman, director of technology consultancy Altman & Vilandrie.

Another catalyst is the way the U.S. government allocated spectrum. The bands that wireless companies hold were broken up into small chunks across various markets, which was helpful in increasing competition in the 1990s.

But the patchwork nature has proven problematic for new technologies like **high-speed 4G broadband**. Bigger swaths of uninterrupted spectrum provide the larger amounts of bandwidth needed for delivering faster speeds.

One more contributing factor is that TV broadcasters and government agencies like NASA and the Department of Defense hold some of the best spectrum -- relatively low-frequency radio waves that can travel long distances and penetrate buildings.

There are also businesses such as Dish

Network (**DISH, Fortune 500**) that have large spectrum allotments but aren't currently using them. (Dish is exploring its options for either using or selling its spectrum. A group of cable companies with unused spectrum recently struck a **\$3.6 billion pact to sell their holdings to Verizon** in a deal that's facing heavy regulatory scrutiny.)

The spectrum crunch is not an inherently American problem, but its effects are magnified here, since the United States has an enormous population of connected users. This country serves more than twice as many customers per megahertz of spectrum as the next nearest spectrum-constrained nations, Japan and Mexico.

When spectrum runs short, service degrades sharply: calls get dropped and data speeds slow down.

That's a nightmare scenario for the wireless carriers. To stave it off, they're turning over rocks and searching the couch cushions for excess spectrum.

They have tried to limit customers' data

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## CNNMoney.com

usage by **putting caps in place, throttling speeds** and **raising prices**. Carriers such as Verizon (**VZ, Fortune 500**), AT&T (**T, Fortune 500**), Sprint (**S, Fortune 500**), T-Mobile, MetroPCS (**PCS**) and Leap (**LEAP**) have been spending billions to **make more efficient use** of the spectrum they do hold and billions more **to get their hands on new spectrum**. And they have **tried to merge with one another** to consolidate resources.

The FCC has also been working to **free up more spectrum** for wireless operators. Congress reached a tentative deal last week, approving voluntary **auctions that would let TV broadcasters' spectrum licenses** be repurposed for wireless broadband use.

But freeing up more spectrum won't be enough to solve the problem.

"There is no one solution that will address all the needs of the wireless industry," says Dan Hays, a partner at PricewaterhouseCoopers who specializes in telecom issues.

The good news is that there are ways to buy time. Several innovative approaches are in the works, and there's a decent amount of spectrum out there that could be turned over to the carriers' possession.

The bad news is that none of the fixes are quick, and all are expensive. For the situation to improve, carriers -- and, therefore, their customers -- will have to pay more.

"For a while we won't notice the quality of service changes, but over time as devices get better and use more data, we'll start to take notice," Altman says. "Consumers will notice it, and the burden will fall on the

carriers to fix it."

*Coming Wednesday: Why the capacity crunch means there will soon be fewer wireless players.*

First Published: February 21, 2012: 5:16 AM ET

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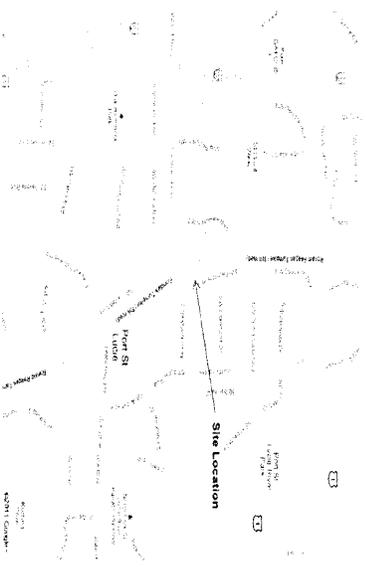
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# Crosstown Tower CPSL 2605

## Project P12-031

1361 SW Biltmore Street  
Port St. Lucie, Florida 34983

### Exhibit A



**PROJECT DESCRIPTION:**  
THE PROPOSED PROJECT CONSISTS OF THE INSTALLATION OF NEW TELECOMMUNICATIONS TOWER WITH NEW 150' HANDPOLE TOWER.

**IMPERVIOUS COVERAGE:**  
EXISTING IMPERVIOUS SURFACE COVERAGE IS ASPHALT (12,460 SQ-FT OF 20,000 SQ-FT ASPHALT AREA WILL BE REDUCED BY 3,000 SQ-FT WITH FUTURE BUILDING & TOWER FOOTPRINTS (1,000 SQ' EXISTING ASPHALT WILL BE REMOVED IN THE LEASE AREA AND REPLACED WITH HARBET & GRAVEL).

**LANDSCAPE REQUIREMENTS:**  
PERMITS FOR LANDSCAPING AROUND TOWER TRACT TO BE IN COMPLIANCE WITH CITY OF PORT ST LUCIE CODE. NO LANDSCAPING, OTHER THAN GRASSES SHALL BE PLANTED WITHIN 10' OF A UTILITY DEPARTMENT OWNED OR MAINTAINED PIPE OR FACILITY. SEE LANDSCAPE PLAN.

**DRAINAGE REQUIREMENTS:**  
DRAINAGE REQUIREMENTS DISCHARGE TO THE OVERALL MASTER DRAINAGE SYSTEM FOR THE PARENT TRACT.

**UTILITIES:**  
THIS PROJECT WILL REQUIRE POWER & TELEPHONE SERVICES, NO WET UTILITIES OR GARBAGE COLLECTION REQUIRED TO SUPPORT THIS PROJECT.

**PARKING:**  
THERE IS NO CURRENT SITE PLAN APPROVAL FOR THIS PARCEL. PARKING FOR TOWER COMPOUND WILL BE IN THE ACCESS EASEMENT IN FRONT OF GATE. AFTER COMPLETION OF CONSTRUCTION, THERE WILL BE MINIMAL TECHNICIAN ACCESS TO THE SITE ON A MONTHLY BASIS. EXPECTED NUMBER OF VEHICLES AT ANY GIVEN TIME AT SITE WILL BE ONE FOR EQUIPMENT SERVICE.

**TRAFFIC STATEMENT:**  
THERE WILL BE APPROXIMATELY 1 TRIP PER MONTH PER CARRIER ONCE THE SITE IS OPERATIONAL. WITH THE TOTAL OF 1 - 4 POTENTIAL CARRIERS THE EXPECTED NUMBER OF TRIPS WILL BE 4 TRIPS/MONTH FOR THE FACILITY.

**PROJECT DENSITY:**  
THERE ARE NO RESIDENTIAL UNITS FOR THIS PROJECT. PROJECT DENSITY IS N/A

**BUILDING COVERAGE:**  
PROPOSED FUTURE BUILDING (EQUIPMENT SHELTER) FOOTPRINTS, EQUIPMENT PADS, AND TOWER FOUNDATION FOOTPRINT 1000 SF OF 4000 SF COMPOUND AREA. TOTAL NON RESIDENTIAL FLOOR AREA (IN EQUIPMENT SHELTERS) WILL BE LESS THAN 1000 SF

**HANDICAP ACCESS:**  
FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION NO HANDICAP ACCESS WILL BE REQUIRED.

**Hazardous Waste Disposal:**  
All Hazardous Material, shall be disposed of in accordance with all Federal, State of Florida and City of Port St Lucie Regulations

**ZONING DISTRICT:** CITY OF Port St. Lucie  
**FOLIO NUMBER:** 3420-635-0580-000-8  
**FUTURE LAND USE:** SERVICE COMMERCIAL (CS)  
**ZONING:** SERVICE COMMERCIAL (CS)

**PROPERTY OWNER Contact:**  
JESUS LABA  
2481 SE VARIPOSA AVENUE  
PORT ST LUCIE, FLORIDA 34952

**TOWER OWNER**  
P.J DEVELOPMENT, LLC  
7341 WESTPORT PLAGE, UNIT A  
WEST PALM BEACH, FL 33413  
CONTACT: PAUL SCOTT  
PHONE: (772) 692-4474

**ENGINEER**  
JOHN ANDREW MINICH, P.E.  
142 PENNICK TRADE DRIVE  
JUPITER, FL 33408  
PHONE: (561) 575-2056

**INSPECTIONS DEPARTMENT**  
CITY OF PORT ST. LUCIE

**SURVEYOR**  
ADVANCED LAND SURVEYING & MAPPING  
CONTACT: KIRK B. MITCHELL P.S.M.  
P.O. BOX 560698  
DRI LAND, FL 32856-0698  
PHONE: (407) 509-2305

ADJACENT ZONING	ZONING LAND USE CLASSIFICATION	FUTURE LAND USE CLASSIFICATION
ZONING TARENT TRACT	SERVICE COMMERCIAL	LIGHT INDUSTRIAL
ZONING NORTH	SERVICE COMMERCIAL	SERVICE COMMERCIAL
ZONING WEST	WAREHOUSE Industrial	SERVICE COMMERCIAL
ZONING SOUTH	SERVICE COMMERCIAL	LIGHT INDUSTRIAL
ZONING EAST	GENERAL COMMERCIAL	GENERAL COMMERCIAL

TOWER SETBACKS	REQUIRED SETBACKS	PROPOSED SETBACKS
TOWER NORTH PROPERTY LINE - SIDE	10'	125'
TOWER WEST PROPERTY LINE - FRONT	25'	65'
TOWER SOUTH PROPERTY LINE - SIDE	10'	50'
TOWER EAST PROPERTY LINE - REAR	20'	60'

**CODE COMPLIANCE:**  
ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

- 2007 FLORIDA BUILDING CODE REVISION
- INTERNATIONAL MECHANICAL ELECTRICAL PLUMBING AND PIPEFITTERS ASSOCIATION (I-CODE) WITH LOCAL AMENDMENTS LATEST EDITION.
- ASST/IT/ETA APPLICABLE STANDARDS
- THE SAFETY CODE NFPA-701-2006
- ASTM A36-06
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION SPECIFICATIONS (AISC)
- UNDERWRITERS LABORATORIES (UL) APPROVED ELECTRICAL PRODUCTS
- LOCAL BUILDING CODE
- CITY/COUNTY ORDINANCES

**NOTES:**  
1. UNMANNED SITE, NO WET SIGN REQUIRED.  
2. MAX WINDS: 1 MPH FOR WINDS AND SURFACE WINDS.



General Notes

No.	Description/Issue	Date

**Prepared and Addressed:**  
P.J Development, LLC  
7341 Westport Place  
West Palm Beach,  
Florida, 33413

**Project Name and Address:**  
CROSSTOWN TOWER  
COVER SHEET  
SPECIAL EXCEPTION  
PROJECT P12-031

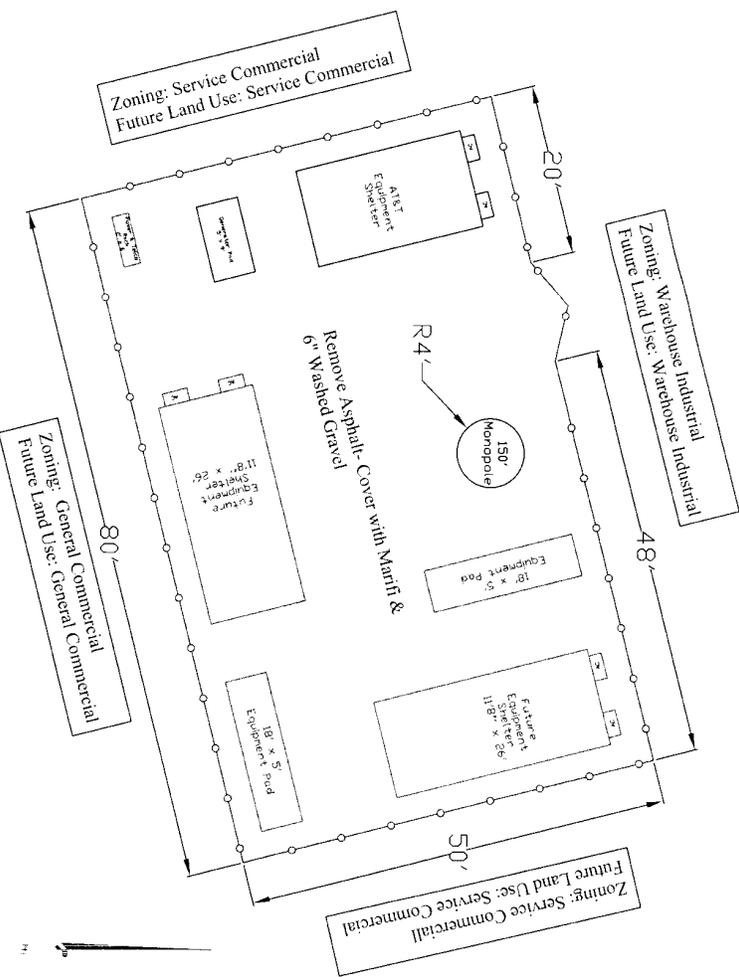
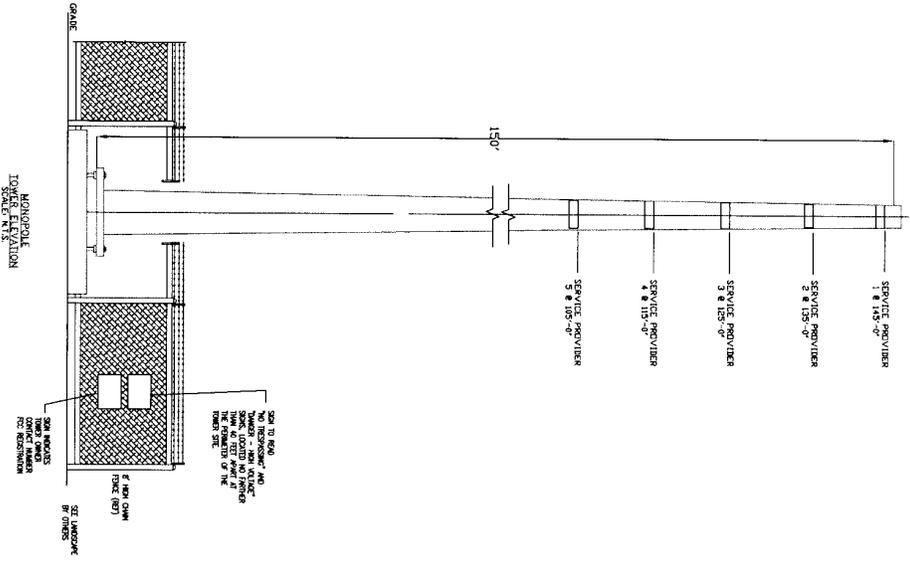
**Project No.:** CPSL2605  
**Date:** 04/06/2012  
**AS NOTED**

**Sheet No.:** 1  
**DF4**

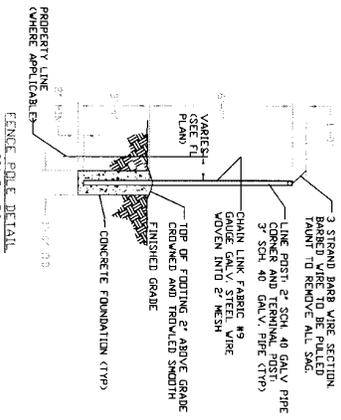
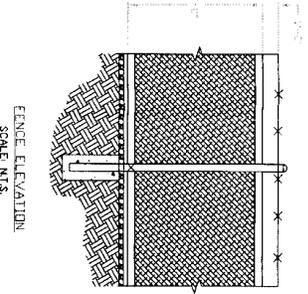




Tower is Designed in Accordance With  
 FBC 2010 For A Basic Wind Speed  
 of 130 MPH with 0" Of Radial Ice  
 In Accordance With ANSI/TIA-222-G,  
 Revision G Parameters:  
 Structural Class II  
 Exposure Category C  
 Topographic Category 1



**LEASE AREA DETAIL**  
 N.T.S.

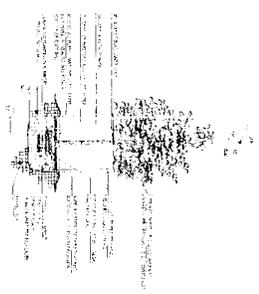


General Notes	
No.	Revision/Issue
Project Name and Address: PJ Development, LLC 7341 Westport Place West Palm Beach, Florida, 33413	
Project No: CBSL2605 Date: 04/06/2012 AS NOTED	Sheet No: <b>4</b>
Special Notes and Address: CROSSTOWN TOWER Site Layout & Details SPECIAL EXCEPTION PROJECT M12-031	

Exhibit B



THIS PLAN IS A PART OF THE RECORD MAP FOR THE PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE RECORD MAP. THE RECORD MAP IS THE ONLY AUTHORITY FOR THE LOCATION AND DEPTH OF THE DRAINAGE SYSTEM. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO OBSTRUCTIONS TO THE DRAINAGE SYSTEM. THE ENGINEER HAS ALSO CONDUCTED TESTS OF THE DRAINAGE SYSTEM AND HAS FOUND IT TO BE IN GOOD WORKING ORDER. THE ENGINEER HAS ALSO CONDUCTED TESTS OF THE DRAINAGE SYSTEM AND HAS FOUND IT TO BE IN GOOD WORKING ORDER.



<p>DATE: 10/10/10 DRAWN BY: [Name]</p>	<p>DATE: 10/10/10 CHECKED BY: [Name]</p>	<p>MARION COUNTY, IN SW 1/4 SEC 16 T12N R12E S10E</p>	<p>PROJECT NO. 101010 SHEET NO. 1 OF 1</p>
--	--	---	--