

ADDITIONAL INFORMATION

COUNCIL ITEM 11B
DATE 10-22-12



Engineering & Planning, Inc.

10795 SW Civic Lane • Port Saint Lucie • Florida • 34987

(772) 345-1948 • www.mackenzieengineeringinc.com

RE: PROPOSED
CHANGES
REQUESTED
BY APPLICANT

October 17, 2012

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

Dear Daniel:

MacKenzie Engineering and Planning, Inc. is submitting two changes to the proposed Verano Development of Regional Impact Development Order on behalf of Verano Development, LLC, the applicant. Conditions 29 and 32(C) are proposed for modification. Staff found the changes to be acceptable. Please find attached the proposed changes and staff acknowledgement of the changes.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Shaun G. MacKenzie, P.E.

Attachments:

Condition 29 – Proposed
Condition 32(C) – Proposed
Staff Acknowledgement of changes

cc:

Roxanne Chesser (City of PSL Engineering)
John Finizio (City of PSL Planning)
Scott Morton (Verano Development, LLC)
John Csapo (Verano Development, LLC)
Ken Metcalf (Greenburg-Traurig, P.A.)
Don Hearing (Cotleur & Hearing)

Proposed Condition 29

29. No building permits shall be issued for development adjacent to the Commerce Centre Drive right-of-way and all intersections thereof until the necessary 120-foot wide right-of-way for the four-laning of Commerce Centre Drive from Crosstown Parkway to the Project Entrance has been dedicated to the City of Port St. Lucie. Except for golf course construction and related ancillary facilities, no building permits for the portion of the development south of the C-24 Canal shall be issued after December 30, 2006 until Commerce Centre Drive from St. Lucie West/Reserve Boulevard to the Verano entrance, has been constructed as a four-lane divided roadway. The roadway shall include the appropriate lane geometry, signalization, lighting and associated improvements.
- 29a. The Developer shall work with the City of Port St Lucie, The Reserve Master Association and St. Lucie County to convey Commerce Centre Drive, from the Project Entrance to St. Lucie West Boulevard, right-of way and the completed four-lane divided roadway to the City.

Proposed Condition 32.C)

32.C) The Developer has voluntarily agreed to prioritize and advance the following mobility improvements ("Priority Improvements"), subject to the ability to obtain requisite permits:

1. Within 18 months from the effective date of this fifth amendment to Resolution 03-R68 the Developer shall let contracts for the construction of the following improvements including the appropriate lane geometry, signalization, lighting and associated improvements:

- a. Dual eastbound left-turn lanes on St. Lucie West Boulevard at Peacock Boulevard;
- b. Including signal coordination between the I-95 west ramp, I-95 east ramp and Peacock intersection

2. Within 5 years from the effective date of this fifth amendment to Resolution 03-R68, or by 1,037 total P.M. peak hour trips, whichever occurs earlier, the Developer shall let contracts for construction the following improvements including the appropriate lane geometry, signalization, lighting and associated improvements:

- a. Construction of a second westbound lane on St. Lucie Boulevard from the I-95 and St. Lucie West Boulevard northbound ramps to the St. Lucie West Boulevard WB to I-95 SB ramp; and;
- b. Conversion of the Peacock Boulevard, southbound through lane to a shared through and right-turn lane.

3. The Developer shall execute a binding agreement with the City of Port St. Lucie for the Priority Improvements, subject to permitting. The design, permitting, construction and inspection costs for the Priority Improvements shall be credited toward the \$3,595,076.00 proportionate share contribution as set forth in Condition 32B, including credits for design and permitting costs for any Priority Improvement component that is not permitted. The binding agreement shall specify options for how any balance of the \$3,595,076.00 proportionate share that is not expended on the Priority Improvements ("Remaining Proportionate Share") shall be applied to achieve a mobility improvement to St. Lucie West Boulevard, which shall be prioritized in the following order:

- a. utilizing the Remaining Proportionate Share, in conjunction with sufficient funding from other sources, to widen St. Lucie West Boulevard to four lanes through all or part of the segment between the east end of St. Lucie West Overpass and Peacock Boulevard and/or to construct additional improvements to the St. Lucie West/Peacock Boulevard intersection; or
- b. utilizing the Remaining Proportionate Share to construct improvements to St. Lucie West Boulevard within one mile to the east of the bridge.

Proposed Condition 32.C)

The above options in Condition (32)(C)3.a. and b. shall be credited in the same manner as described for the Priority Improvements. The developer and City also have the option to execute a binding agreement to implement only Condition (C)1 rather than Condition (C)2 and utilize the Remaining Proportionate Share, in conjunction with funding from FDOT or any other available funding source, to expedite all or a part of the improvements described in Condition (C)3.a. If this option is utilized, the Remaining Proportionate Share payment would be due within 5 years from the effective date of this fifth amendment to Resolution 03-R68, or by 1,037 total P.M. peak hour trips, whichever occurs earlier. Implementation of Condition 32(C) shall fully satisfy mitigation requirements for impacts to St. Lucie West Boulevard.

Shaun G. MacKenzie, P.E.

From: Roxanne Chesser <RoxanneC@cityofpsl.com>
Sent: Wednesday, October 17, 2012 1:10 PM
To: Shaun G. MacKenzie, P.E.
Cc: Daniel Holbrook; Anne Cox; John Finizio
Subject: RE: Verano Development Order Cond 29

fyi

From: Roxanne Chesser
Sent: Wednesday, October 17, 2012 1:09 PM
To: Roxanne Chesser; Daniel Holbrook; Anne Cox; John Finizio
Subject: RE: Verano Development Order Cond 29

Other than the previous statement, I'm ok with the revisions

From: Roxanne Chesser
Sent: Wednesday, October 17, 2012 1:08 PM
To: Daniel Holbrook; Anne Cox; John Finizio
Subject: RE: Verano Development Order Cond 29

We will need to get CM ok regarding the impact fee credit request.

From: Daniel Holbrook
Sent: Wednesday, October 17, 2012 12:20 PM
To: Roxanne Chesser; Anne Cox; John Finizio
Subject: RE: Verano Development Order Cond 29

Yes, I am ok with the proposed revisions. Are you ok with them?

From: Roxanne Chesser
Sent: Wednesday, October 17, 2012 11:43 AM
To: Anne Cox; Daniel Holbrook; John Finizio
Subject: FW: Verano Development Order Cond 29

Are you ok with the proposed revisions?
Thanks

From: Shaun G. MacKenzie, P.E. [<mailto:Shaun@mackenzieengineeringinc.com>]
Sent: Wednesday, October 17, 2012 9:47 AM
To: Roxanne Chesser
Cc: Scott Morton; dhearing@coteleur-hearing.com; MetcalfK@gtlaw.com; Daniel Holbrook
Subject: FW: Verano Development Order Cond 29

Roxanne,

Verano is proposing a minor change to Condition 29 (Commerce Centre Drive Turnover). The developer is still committed to completing the improvements as previously agreed upon, but does not control some of the right-of-way and roadway. Therefore, the developer would like to amend the condition as shown below:

29. No building permits shall be issued for development adjacent to the Commerce Centre Drive right-of-way and all intersections thereof until the necessary 120-foot wide right-of-way for the four-laning of Commerce Centre Drive from Crosstown Parkway to the Project Entrance has been dedicated to the City of Port St. Lucie. Except for golf course construction and related ancillary facilities, no building permits for the portion of the development south of the C-24 Canal shall be issued after December 30, 2006 until Commerce Centre Drive from St. Lucie West/Reserve Boulevard to the Verano entrance, has been constructed as a four-lane divided roadway ~~and turned over to the City of Port St. Lucie~~. The roadway shall include the appropriate lane geometry, signalization, lighting and associated improvements.

29a. The Developer shall work with the City of Port St Lucie, The Reserve Master Association and St. Lucie County to convey Commerce Centre Drive, from the Project Entrance to St. Lucie West Boulevard, right-of way and the completed four-lane divided roadway to the City.

Shaun G. MacKenzie, P.E.

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Shaun G. MacKenzie, P.E.

From: Shaun G. MacKenzie, P.E.
Sent: Wednesday, October 17, 2012 11:35 AM
To: 'Roxanne Chesser'
Subject: FW: Verano Conditions 29 and 32C
Attachments: amended condition 32 C Oct-5.docx; Condition 29 - Kolter Signoff.docx

Importance: High

Roxanne,

Could you please respond to this e-mail acknowledging that you have reviewed the Verano condition changes and find them to be acceptable?

Thank you!

Shaun G. MacKenzie, P.E.
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From: Shaun G. MacKenzie, P.E.
Sent: Wednesday, October 17, 2012 10:34 AM
To: John Finizio
Cc: dhearing@coteleur-hearing.com; 'Scott Morton'
Subject: FW: Verano Conditions 29 and 32C

John,

Attached are the conditions that are proposed for minor changes in Verano. I discussed this Roxanne and she is comfortable with the Condition changes (see below). Please call me to let me know we can best incorporate these into the packages.

Thank you,

Shaun G. MacKenzie, P.E.
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From: Shaun G. MacKenzie, P.E.
Sent: Wednesday, October 17, 2012 10:13 AM
To: 'Daniel Holbrook'
Cc: 'Roxanne Chesser'; MetcalfK@gtlaw.com; 'Scott Morton'; dhearing@coteleur-hearing.com
Subject: Verano Conditions 29 and 32C

Roxanne,

Based on our discussions, you are comfortable with the proposed changes to conditions 29 and 32C. We will coordinate with Planning to incorporate the changes into the final DO and Council packages.

Thank you!

Shaun G. MacKenzie, P.E.
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