COUNCIL ITEM 8B
DATE 10-10-11

COUNCIL ITEM 10B
DATE 9/26/11

ORDINANCE 11-76

AN ORDINANCE TO REZONE 2.031 ACRES OF PROPERTY, LOCATED ON THE SOUTH SIDE OF PRIMA VISTA BOULEVARD, BETWEEN AILEEN STREET AND DOREEN STREET FROM RS-2 (SINGLE-FAMILY RESIDENTIAL) TO I (INSTITUTIONAL) ZONING FOR LOTS 1-3, AND 10-14, BLOCK 90, PORT ST. LUCIE SECTION 27 (P11-100); PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Creative Realty Management, Inc., hereinafter referred to as the owner, seek to rezone 2.031 acres of property located on the south side of Prima Vista Boulevard, between Aileen Street and Doreen Street, within the City of Port St. Lucie, from the zoning designation of RS-2 (Single-Family Residential) to I (Institutional) zoning district; and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board held a public hearing on the 6th day of September 2011, to consider the rezoning application (P11-100), notice of said hearing to adjoining property owners for a radius of three-hundred (300) feet having been given and advertising of public hearing having been made; and

WHEREAS, the City Council held a public hearing on the 10th day of October, 2011 to consider the rezoning application (P11-100), advertising of the public hearing having been made; and

WHEREAS, the proposed zoning is consistent with all applicable elements of the City's adopted Comprehensive Plan; and

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

Section 1: That the property legally described as Lots 1-3, and 10-14, Block 90, Port St. Lucie Section 27 be rezoned from the zoning designation of RS-2 (Single-Family Residential) to I (Institutional) zoning district.

Section 2: That this Ordinance shall become effective ten (10) days after its final adoption.

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

CITY OF PORT ST. LUCIE, FLORIDA

BY:_____
JoAnn M. Faiella, Mayor

ATTEST:

_____
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

BY:_____
Roger G. Orr, City Attorney

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

AGENDA ITEM REQUEST

MEETING: *REGULAR* X *SPECIAL* ____

DATE: SEPTEMBER 26, 2011 AND OCTOBER 10, 2011

ORDINANCE X *RESOLUTION* ____ *MOTION* ____ *PUBLIC HEARING* ____

ITEM : Rezoning Application (P11-100)
Creative Realty Management, Inc.

RECOMMENDED ACTION:

On September 6, 2011 the Planning and Zoning Board unanimously recommended approval of the Rezoning, as recommended by the staff.

EXHIBITS:

A. Ordinance
B. Staff Report
C. Support Materials

SUMMARY EXPLANATION/BACKGROUND INFORMATION:

Requests a change in zoning from RS-2 (Single Family Residential) to I (Institutional).

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

None

SUBMITTING DEPARTMENT: PLANNING and ZONING *DATE: 09/16/11*

ITEM # 7G

City of Port St. Lucie

Planning and Zoning Department Memorandum

TO: **PLANNING AND ZONING BOARD MEETING – SEPTEMBER 6, 2011**

FROM: **THRESIAMMA KURUVILLA, PLANNER**

RE: **REZONING APPLICATION (P11-100)**
CREATIVE REALTY MANAGEMENT, INC.

DATE: **AUGUST 26, 2011**

APPLICANT: Joseph T. Friscia, P.E. Authorization letter is attached.

OWNER: Creative Realty Management, Inc.

LOCATION: The property is located on the south side of Prima Vista Boulevard, between Aileen Street and Doreen Street.

LEGAL DESCRIPTION: Lots 1-3, and 10-14, Block 90, Port St. Lucie Section 27.

SIZE: 2.031 acres (88,470 square feet).

EXISTING ZONING: RS-2 (Single Family Residential) zoning

EXISTING USE: Vacant.

SURROUNDING USES: North = RS-2 (Single Family Residential), zoning, vacant; South = OSR (Open Space Recreational) zoning, City of Port St. Lucie Deep Well 29; East = RS-2 (Single Family Residential) zoning, houses; and West = RS-2 (Single Family Residential) zoning, vacant.

REQUESTED ZONING: I (Institutional) zoning

FUTURE LAND USE: ROI (Residential/Office/Institutional) and RL (Low Density Residential)

PROPOSED USE: Requests a change in zoning from RS-2 (Single Family Residential) zoning to I (Institutional) zoning to accommodate a church.

IMPACTS AND FINDINGS:

Land Use Consistency: Staff finds that the rezoning application is consistent with the direction and policies of the Comprehensive Plan's Future Land Use Element.

Lots 1-2 and 11-14 are within the conversion area with future land use ROI (Residential/Office/Institutional) and lots 3 and 10 are outside the conversion area with future land use RL (Low Density Residential). Institutional zoning is compatible with the RL future land use.

School Concurrency: Staff finds that the rezoning application is consistent with the direction and policies of the Comprehensive Plan's PSFE (Public School Facility Element). Since Institutional zoning does not permit residential development it will not impact LOS standards.

Compliance With Conversion Area Requirements:

Planning Area location per conversion manual: 16 A
The property is totally within planning area: No, lots 1-2 and 11-14 are within the conversion area with future land use ROI (Residential/Office/Institutional) and lots 3 and 10 are outside the conversion area with future land use RL (Low Density Residential).
Minimum Frontage: Yes
Minimum Depth: Yes
Does the request isolate lots: No
Has a Unity of Title been submitted: No
Buffer required: A landscaped buffer and wall is required: Yes

Sewer/Water Service: City of Port St. Lucie Utilities System will provide water and sewer service.

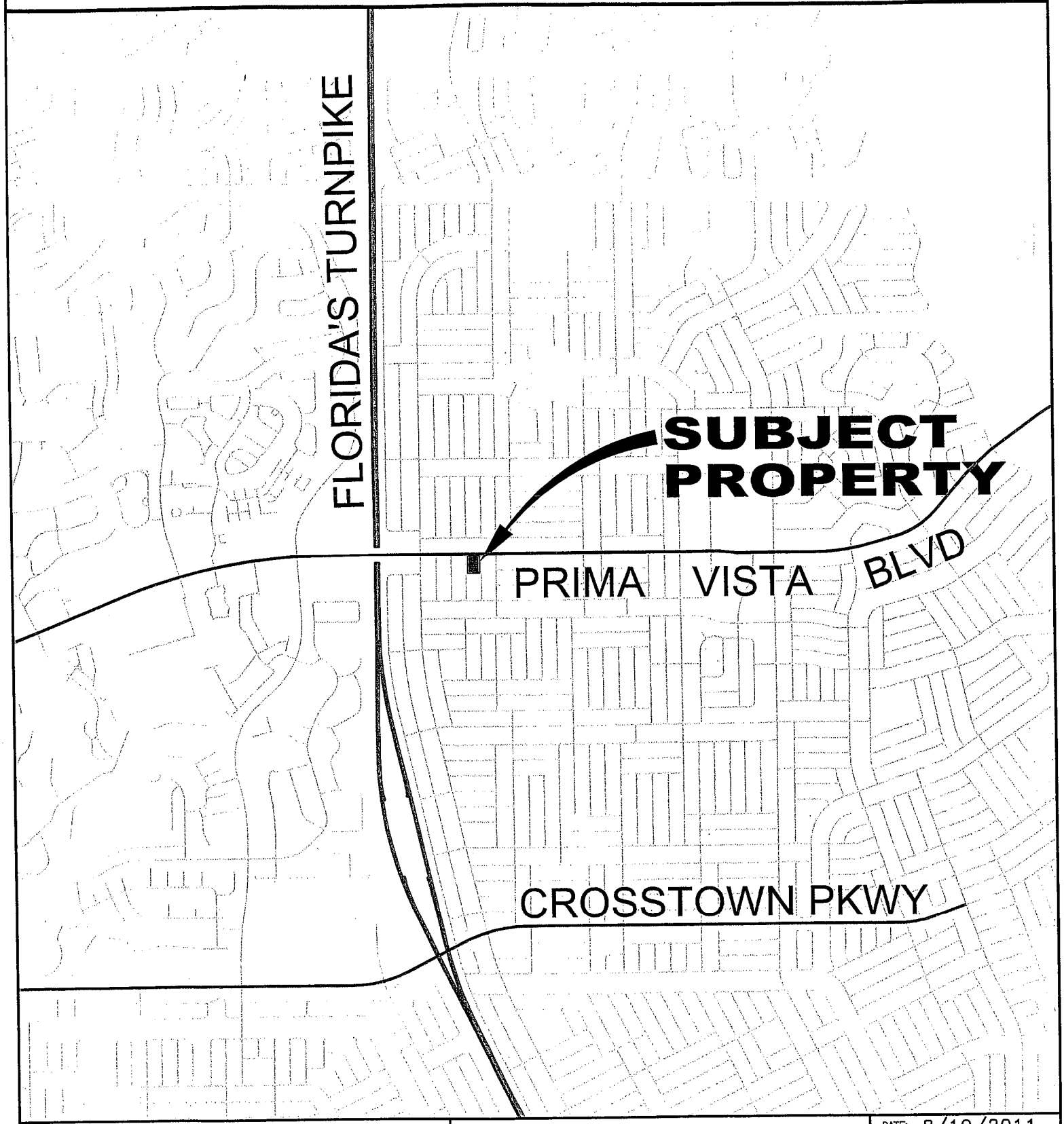
Environmental: Not applicable. The site is already cleared.

Unity of Title: All properties to be combined by Unity of Title under one ownership prior to final rezoning.

STAFF RECOMMENDATION:

The Planning and Zoning Department staff finds the rezoning request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and recommends approval.

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ2011.DWG

REZONING

LOTS 1-3 AND 10-14 BLOCK 90
PORT ST LUCIE SECTION 27

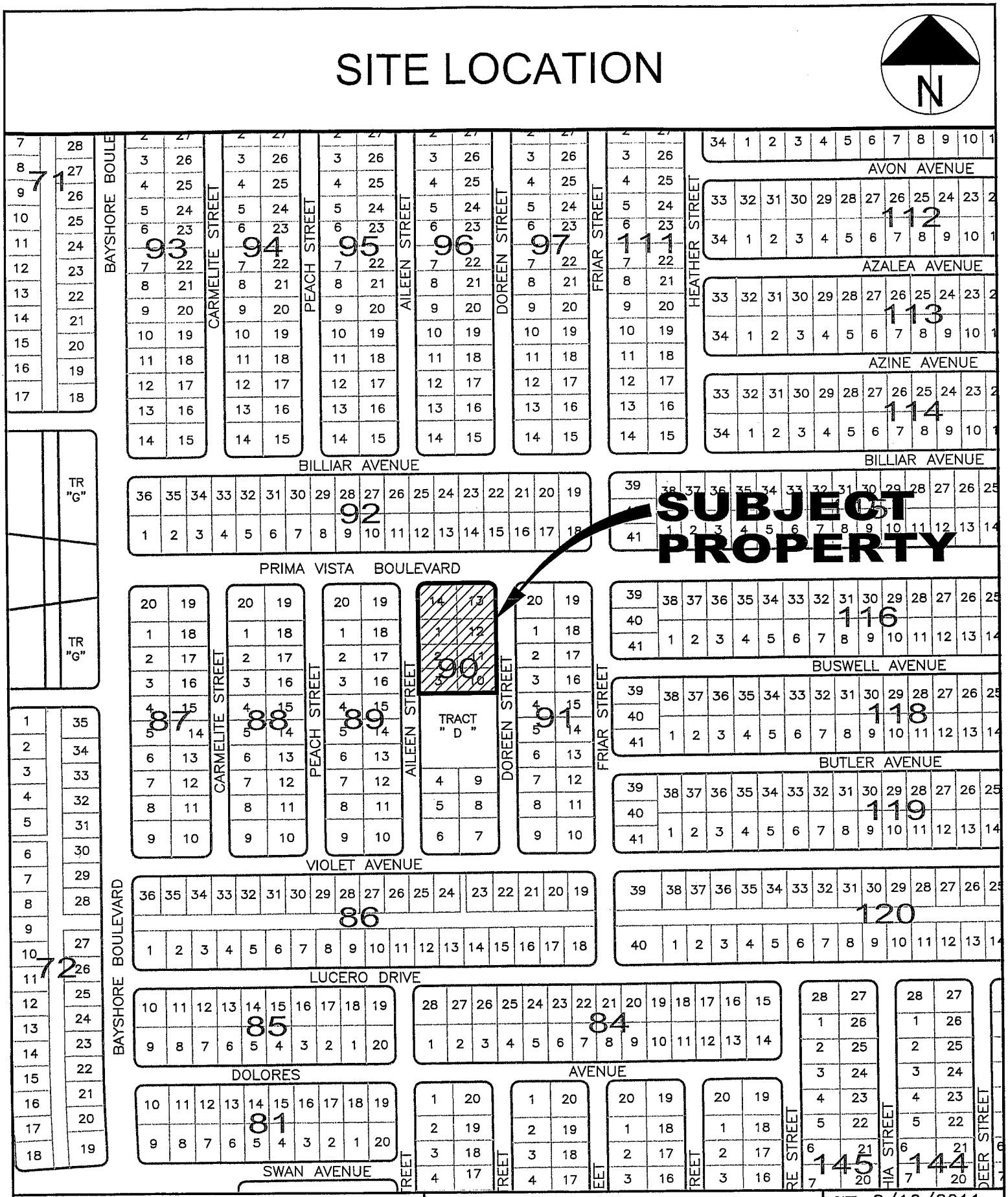
DATE: 8/10/2011

APPLICATION NUMBER:
P11-100

CADD FILE NAME:
P11-100L

SCALE:1"=.5 MI

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ2011.DWG

REZONING

LOTS 1–3 AND 10–14 BLOCK 90
PORT ST LUCIE SECTION 27

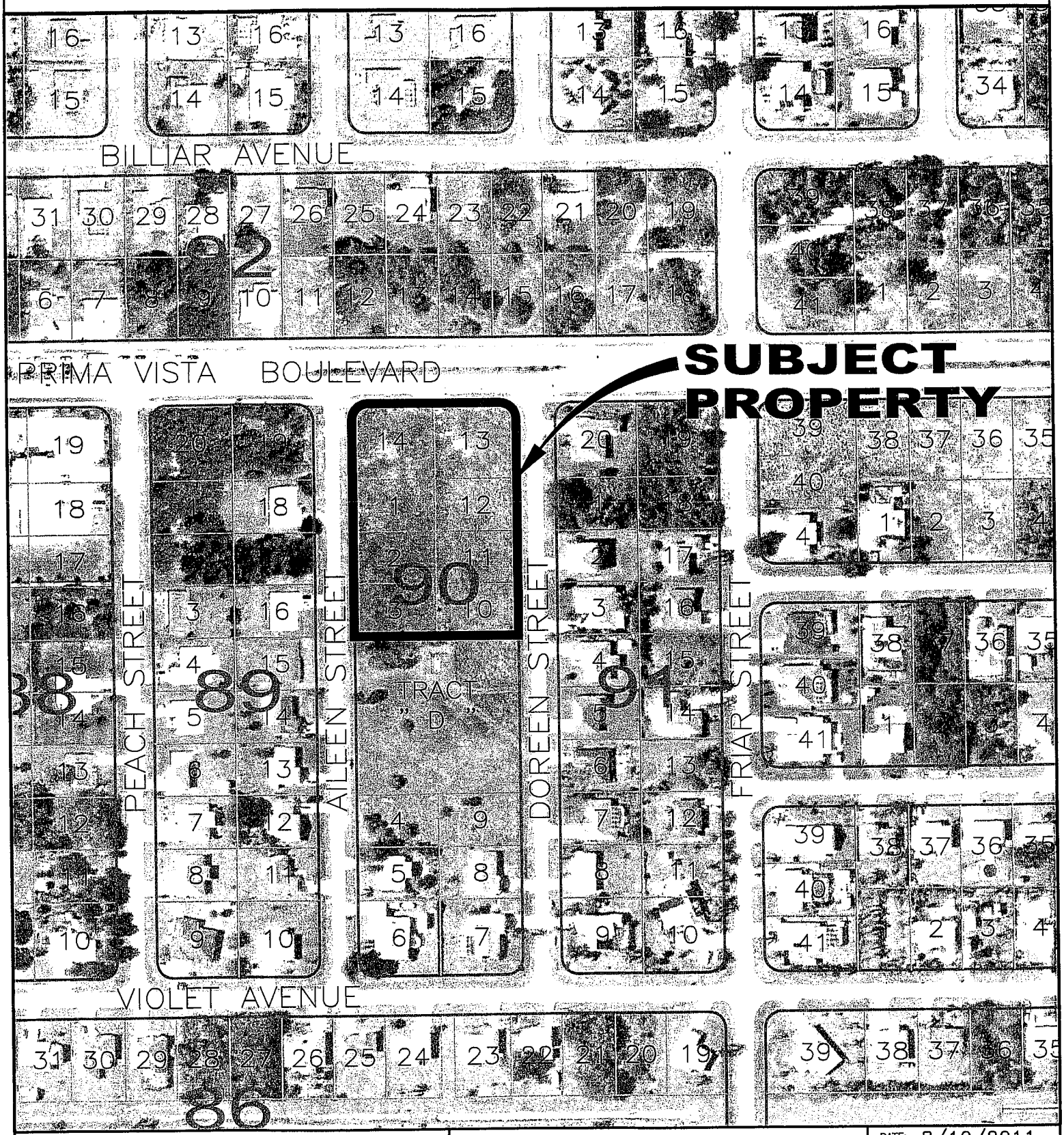
DATE: 8/10/2011

APPLICATION NUMBER:
P11–100

CADD FILE NAME:
P11–100M

SCALE:1"=400'

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ2011.DWG

REZONING

LOTS 1-3 AND 10-14 BLOCK 90

PORT ST LUCIE SECTION 27

AERIAL JAN 2009

DATE: 8/10/2011

APPLICATION NUMBER: P11-100

CADD FILE NAME: P11-100A

SCALE:1"=200'

FUTURE LAND USE

CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ2011.DWG

REZONING

LOTS 1–3 AND 10–14 BLOCK 90
PORT ST LUCIE SECTION 27

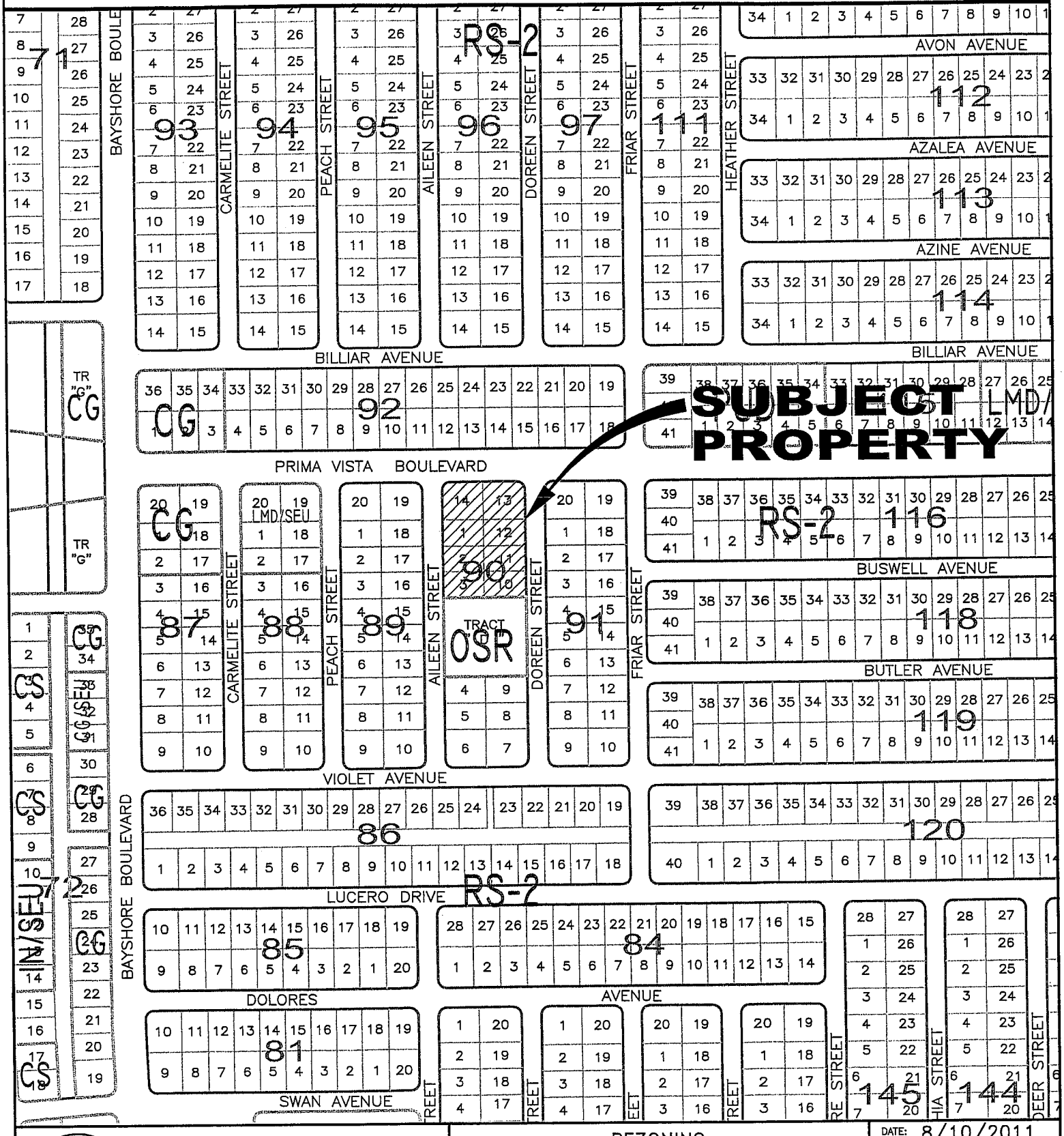
DATE: 8/10/2011

APPLICATION NUMBER:
P11–100

CADD FILE NAME:
P11–100M

SCALE:1"=400'

EXISTING ZONING



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ2011.DWG

REZONING

LOTS 1–3 AND 10–14 BLOCK 90
PORT ST LUCIE SECTION 27

DATE: 8/10/2011

APPLICATION NUMBER:
P11–100

CADD FILE NAME:
P11–100M

SCALE:1"=400'

REZONING APPLICATION

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

FOR OFFICE USE ONLY

Planning Dept. P11-100
Fee (Nonrefundable)$ 2,195.00
Receipt # 11211

Refer to "Fee Schedule" for application fee. Make checks payable to the "City of Port St. Lucie". Fee is nonrefundable unless application is withdrawn prior to the Planning and Zoning Board Meeting. **All** items on this application should be addressed, otherwise it cannot be processed. Attach proof of ownership: two copies of recorded deed. If the application includes more than one (1) lot, our Legal Department will contact you regarding execution of the required Unity of Title. Please type or print clearly in **BLACK** ink.

PROPERTY OWNER:

Name: Louise Pine-Flanzbaum, President
Creative Realty Management, Inc.

Address: P.O. Box 8135, Port St. Lucie, FL 34985

Telephone No.: 772-343-0726 FAX No.:

AGENT OF OWNER (if any)

RECEIVED
JUL 29 2011
PLANNING & ZONING
CITY OF PORT ST. LUCIE, FL

Name: Joseph T. Friscia, P.E.

Address: 459 NW Prima Vista Blvd., Port St. Lucie, FL 34983

Telephone No.: 772-340-4990 FAX No: 772-340-7996

PROPERTY INFORMATION

Legal Description: Lots 1, 2, 3, 10, 11, 12, 13, & 14. Block 90, PSL Sect. 27, according to the plat thereof, as recorded in Plat Book 14, Pages 5, 5A through 5I, of the Public Records of St. Lucie County, Florida.

Parcel I.D. Number:
Lot 1: 3420-630-0389-000-4
Lot 2: 3420-630-0390-000-4
Lot 3: 3420-630-0391-000-1
Lot 10: 3420-630-0398-000-0
Lot 11: 3420-630-0399-000-7
Lot 12: 3420-630-0400-000-8
Lot 13: 3420-630-0401-000-5
Lot 14: 3420-630-0402-000-2

Current Zoning: RS-2

Proposed Zoning: I

Future Land Use Designation: RL & ROI, Lots 3 & 10 are RL Acreage of Property: 2.031

Reason for Rezoning Request: To construct a church

*Signature of Owner

Joseph T. Friscia, P.E., Agent
Hand Print Name

7/29/11
Date

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

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

Creative Realty Management, Inc.
P.O. Box 8135
Port St. Lucie, FL 34985

Letter of Authorization

To Whom It May Concern:

This letter authorizes Friscia Engineering to act as agent for the purposes of obtaining permits and approvals from state and local government agencies for the property described below:

Lots 1, 2, 3, 10, 11, 12, 13, & 14, Block 90, Port St. Lucie Section 27, Public Records of St. Lucie County

If you have any questions, please call me at 772-343-0726.
772- 461-1504

Sincerely,

Louis Pine Flanz

Louis Pine-Flanzbaum
President
Creative Realty Management, Inc.

7/29/11
Date

PAGE 2692, Recorded 09/03/2009 at 02:13 PM
Doc Tax: $0.70

Prepared by and return to:

Stuart-Martin Title, LLC
508 E. Osceola Street
Stuart, Fl 34994

Parcel ID Number:

Quitclaim Deed

This Quitclaim Deed, Made the 16th day of September 2008, **Between Oliver McKenna, LLC., grantor,** to **Creative Realty Management, Inc., a Florida Corporation,** whose address is P.O. Box 8135, Pt. St. Lucie, Florida 34985, **grantee and this Quitclaim Deed is being prepared in lieu of foreclosure.**

Witnesseth that the GRANTOR, for and in consideration of the sum of $10.00 , TEN DOLLARS, and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and quitclaimed to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of St. Lucie, State of Florida, to wit:

Lots 1,2,3,10,11,12,13 and 14, Block 90, PORT ST. LUCIE SECTION TWENTY SEVEN, ACCORDING TO THE Plat thereof, as recorded in Plat Book 14, Pages 5, 5A through 5I, of the Public Records of St. Lucie County, Florida.

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantor, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, the grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Signature:
Printed Name
Witness Signature
Printed Name

Oliver McKenna, Individually and as
Managing Member of Oliver McKenna, LLC.

STATE OF FLORIDA
COUNTY OF St. Lucie

The foregoing instrument was acknowledged before me this 18th day of July, 2008, by Oliver McKenna, Individually and as Managing Member
of Oliver McKennaLLC who is personally known to me or who has produced Ireland DL as identification.

KATHLEEN PITTMAN
MY COMMISSION # DD 590513
EXPIRES: September 24, 2010
Bonded Thru Notary Public Underwriters

Notary Public
Printed Name
My Commission Expires
(seal)

This Quit CLaim Deed is prepared in lieu of foreclosure

COPY COPY COPY

Lorraine Prussing

From: Yvette Cruz

Sent: Thursday, September 08, 2011 11:59 AM

To: Michelle Berger; Lorraine Prussing

Cc: Bonnie Cruz

Subject: Eddie Croke 878-7330

Citizen is opposed to church that is being constructed across street from his address, 412 sw Aileen Street.

RECEIVED
SEP 16 2011
PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE, FL

Harold D. & Connie S. Hall
401 S. W. Doreen Street
Port St. Lucie, Florida 34983
772-336-0327

September 12, 2011

Re: File No. (P-11-100)

City of Port Saint Lucie
Planning & Zoning Department
121 S. W. Port St. Lucie Blvd.
Port Saint Lucie, Florida 34984-5099

Please be advised that I am in receipt of your letter regarding the aforementioned property and the possible rezoning of this property from (Single Family Residential) to (Institutional).

I have the following concern that I would like to have addressed. Since we live at 401 S. W. Doreen Street and exit our driveway it is difficult to turn right on Prima Vista due to the large volume of oncoming traffic. We would like to request that the entrance and exit for the parking lot for this church (if passed by City Council) be placed on Aileen Street to eliminate heavy traffic on Doreen Street.

I plan to attend the September 26, 2011 meeting.

If you have any questions I can be reached at 772-336-0327.

Very truly yours,

Harold D. Hall

PROPERTY RECORD CARD

Property Identification

Site Address:	401 SW DOREEN ST	ParcelID:	3420-630-0422-000-8
Sec/Town/Range:	30 :36S :40E	Account #:	128299
Map ID:	34/30N	Land Use:	SF Res
Zoning:	RS-2	City/Cnty:	Port St Lucie

Ownership and Mailing

Owner: Harold D Hall Connie S Hall
Address: 401 SW Doreen St
Port St Lucie FL 34983-1813

Legal Description
PORT ST LUCIE-SECTION 27- BLK 91LOT 20 (MAP 34/30N) (OR 1094-2568)

Sales Information

Date	Price	Code	Deed	Book/Page
8/18/1997	125000	00	WD	1094 / 2568
6/30/1989	22500	05	WD	0647 / 1253

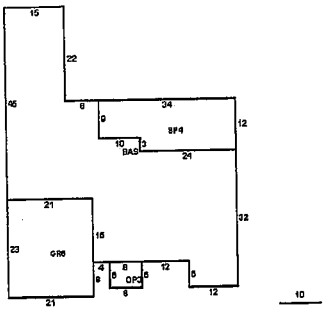
Assessment 2009 Final

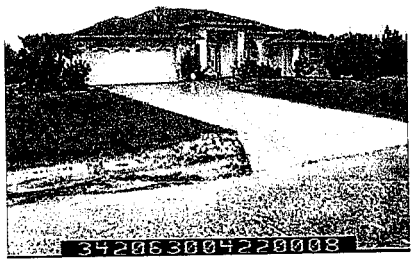
2009 Final:	103300
Assessed:	103300
Ag.Credit:	0
Exempt:	50000
Taxable:	53300
Taxes:	1417.08

Total Land and Building

Land Value:	16100 Acres: 0.33
Building Value:	87200
Finished Area:	1875 SqFt

BUILDING INFORMATION





Exterior Features

View:	-	RoofCover:	SA - Asph Shingle	RoofStruct:	HP - Hip
ExtType:	HC - HC	YearBlt:	1995	Frame:	-
Grade:	C - C	EffYrBlt:	1995	PrimeWall:	BS - CB Stucco
StoryHght:	0010 - 1 Story	No.Units:	1	SecWall:	-

Interior Features

BedRooms:	3	Electric:	MX - MAXIMUM	PrmIntWall:	DW - Drywall
FullBath:	2	HeatType:	FHA - FrcdHotAir	AvgHt/Fl:	STD
1/2Bath:	0	HeatFuel:	ELEC - Electric	Prm.Flors:	CU - Carpet
%A/C:	100	%Heated:	100	%Sprinkled:	0

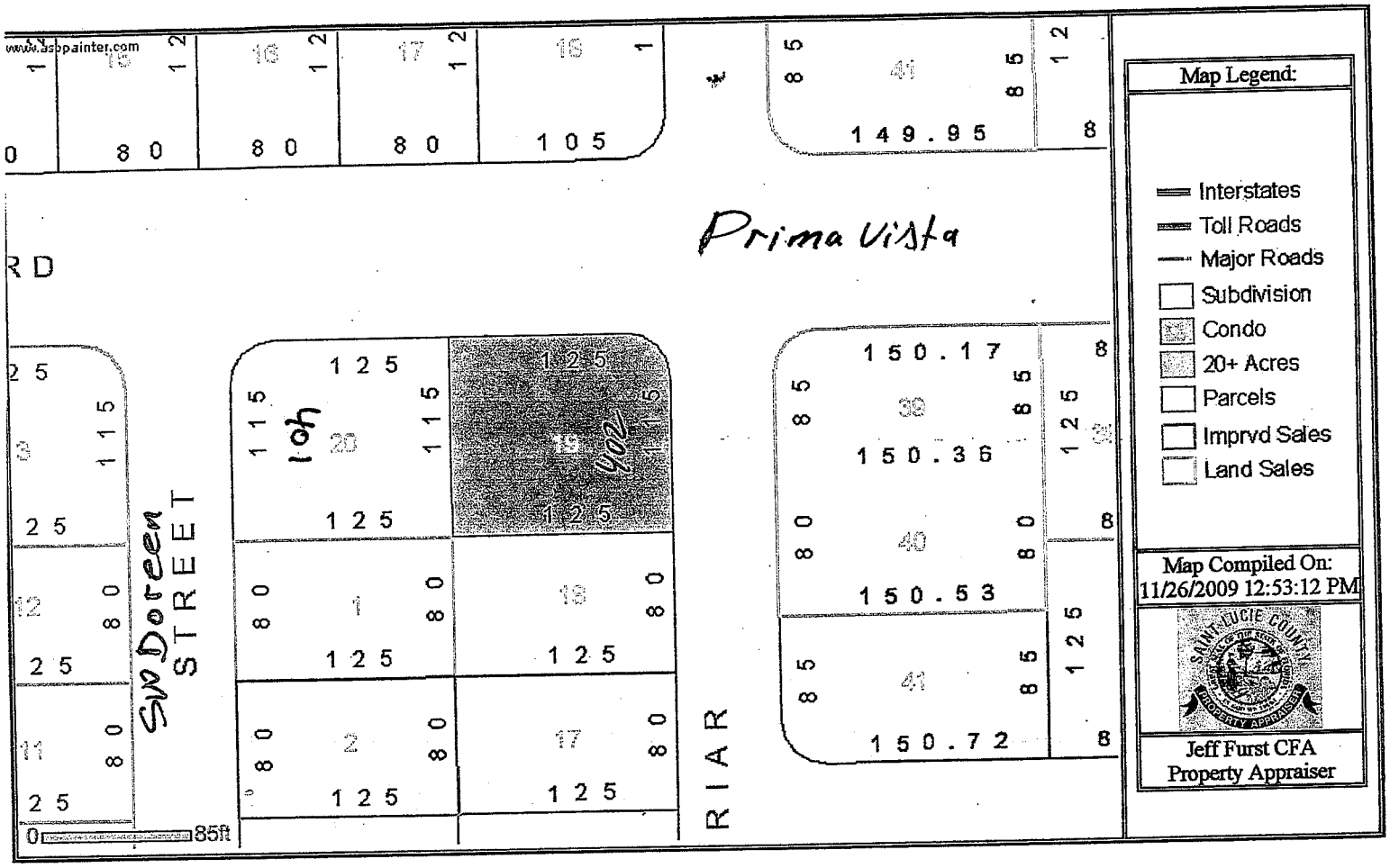
Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
5CFT - 5CFT	S	1	1	AV	AV	1995
3CFT - 3CFT	S	1	1	AV	AV	1995
SDSF - SITE DEV S-F	Y	1	1	AV	AV	2001

Land Information

No.	Land Use	Type	Measure	Depth
1	0100-SF Res	BCO -Front Ft	115	125

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

Saint Lucie County, Florida

Property Appraiser's - Internet Mapping Print Service