

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

AGENDA ITEM REQUEST

MEETING: REGULAR X SPECIAL

DATE: MAY 29, 2012

ORDINANCE RESOLUTION MOTION X PUBLIC HEARING

ITEM: P12-032 CROSSTOWN TOWER
 MINOR SITE PLAN APPLICATION

RECOMMENDED ACTION:

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

EXHIBITS:

- A. Staff Report
- B. Support Materials

SUMMARY EXPLANATION/BACKGROUND INFORMATION:

Lease 4,000 square feet of an existing storage yard to PJ Development to construct a 150' monopole wireless communication tower.

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

None.

SUBMITTING DEPARTMENT: PLANNING and ZONING DATE: 5/7/2012

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.

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, 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



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

TO: PLANNING AND ZONING BOARD - MEETING OF MAY 1, 2012
FROM: JOHN FINIZIO, PLANNER J.F.
RE: MINOR SITE PLAN APPLICATION (PROJECT NO. P12-032)
CROSSTOWN TOWER
DATE: APRIL 19, 2012

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

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.

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

IMPACTS AND FINDINGS:

The project has been reviewed for compliance with Chapter 160, City Code, regarding provision of adequate public facilities and documented as follows:

Sewer/Water Service: The City of Port St. Lucie Utility Department is the service provider. There will be no water or sewer hook up required.

Transportation: The use of this site as a wireless communication tower is not a land use that is included in the ITE Trip Generation Manual. There will be approximately three to five trips per month per carrier once the site is operational. With a total of 5 potential carriers, the expected number of trips will be between 15-25 trips per month for this facility. This is minimal and is not expected to adversely impact the level of services of the adjacent road.

Parks/Open Space: Not applicable as this is a commercial project.

Stormwater: The project includes a paving and drainage plan that is in compliance with the adopted level of service standard.

Solid Waste: Solid waste impacts are measured and planned based on population projections on an annual basis. There is adequate capacity available.

Fire District: The access location (external and internal) has been approved by the Fire District for safety purposes.

Environmental: This is an existing development, and all environmental issues had been handled during the original site plan review process.

Architectural Design Standards: This is not applicable for this type of project.

Public School Concurrency Analysis: Not applicable as this is a commercial project.

Related Projects:

P12-031 - Crosstown Tower Special Exception Use Application. This SEU application, which is being reviewed concurrently with P12-032, will permit the wireless communication tower in the CS (Service Commercial) Zoning District, if approved. Wireless communication towers are allowed a special exception use in CS Zoning district as outlined in §158.126 (D) (4).

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 the direction and intent of the City's Land Development Regulations and policies of the Comprehensive Plan. The Site Plan Review Committee reviewed the request on March 28, 2012 and recommended approval with the following conditions:

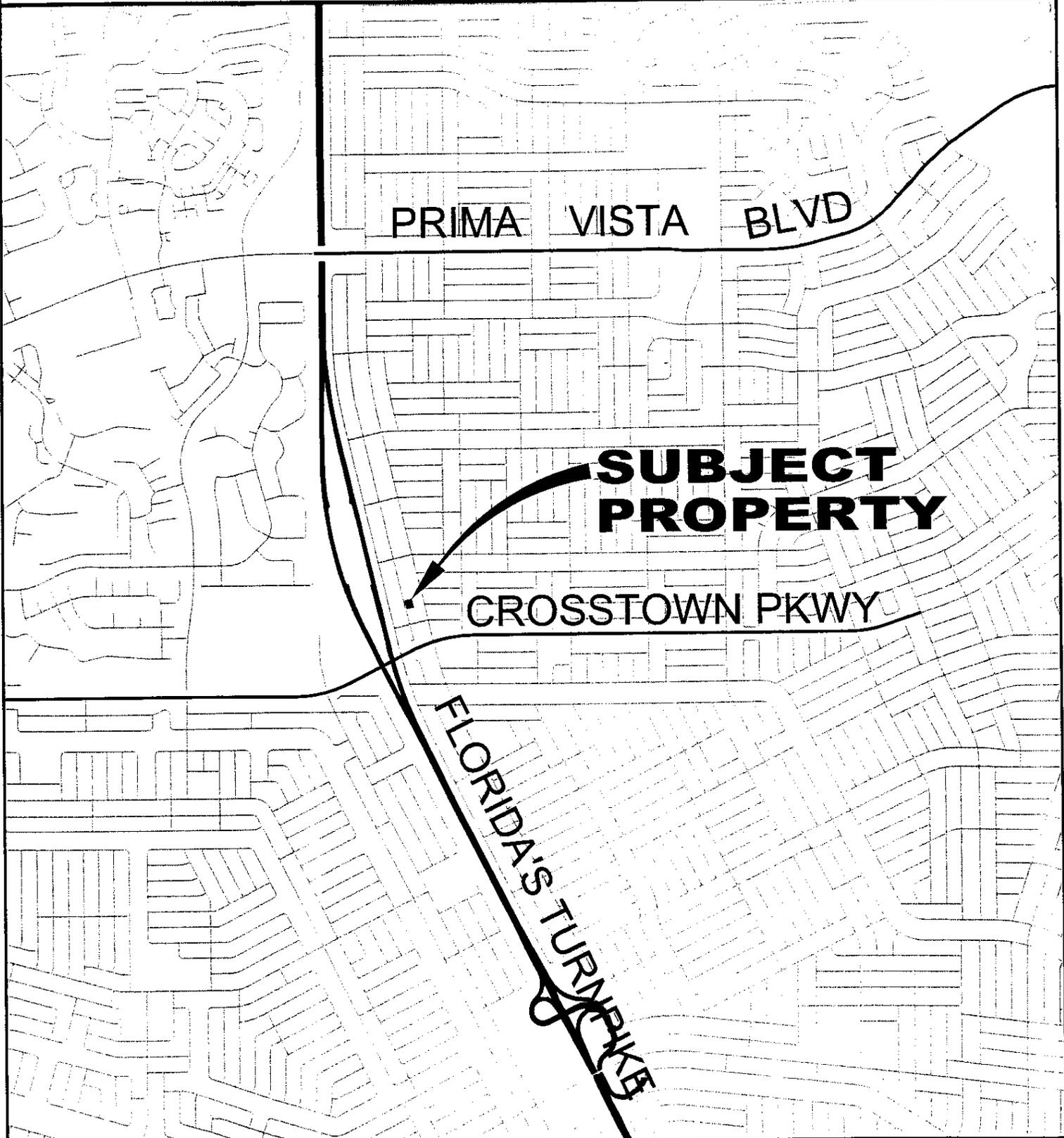
1. The applicant shall provide certification from a Florida-registered professional engineer stating that the tower would collapse within the designed and specified fall radius depicted in the plans. Further, the engineer shall certify that it is documented that the tower shown in the plan can withstand 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.
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



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

SITE PLAN REVIEW
LOTS 11 & 12 BLOCK 238
PORT ST LUCIE SECTION 28

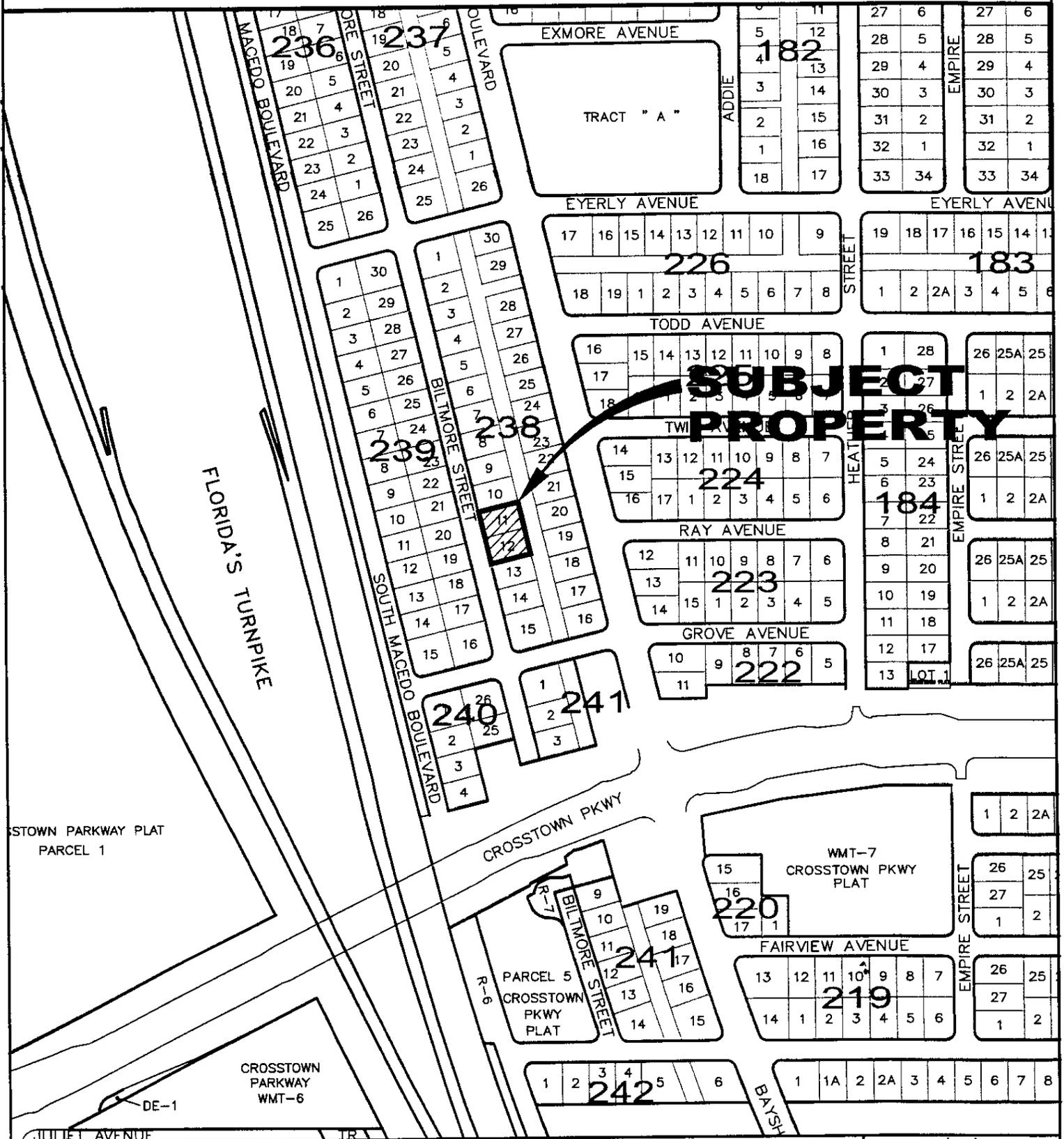
DATE: 3/9/2012

APPLICATION NUMBER:
P12-032

CAAD FILE NAME:
P12-032L

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

SITE PLAN REVIEW

LOTS 11 & 12 BLOCK 238
PORT ST LUCIE SECTION 28

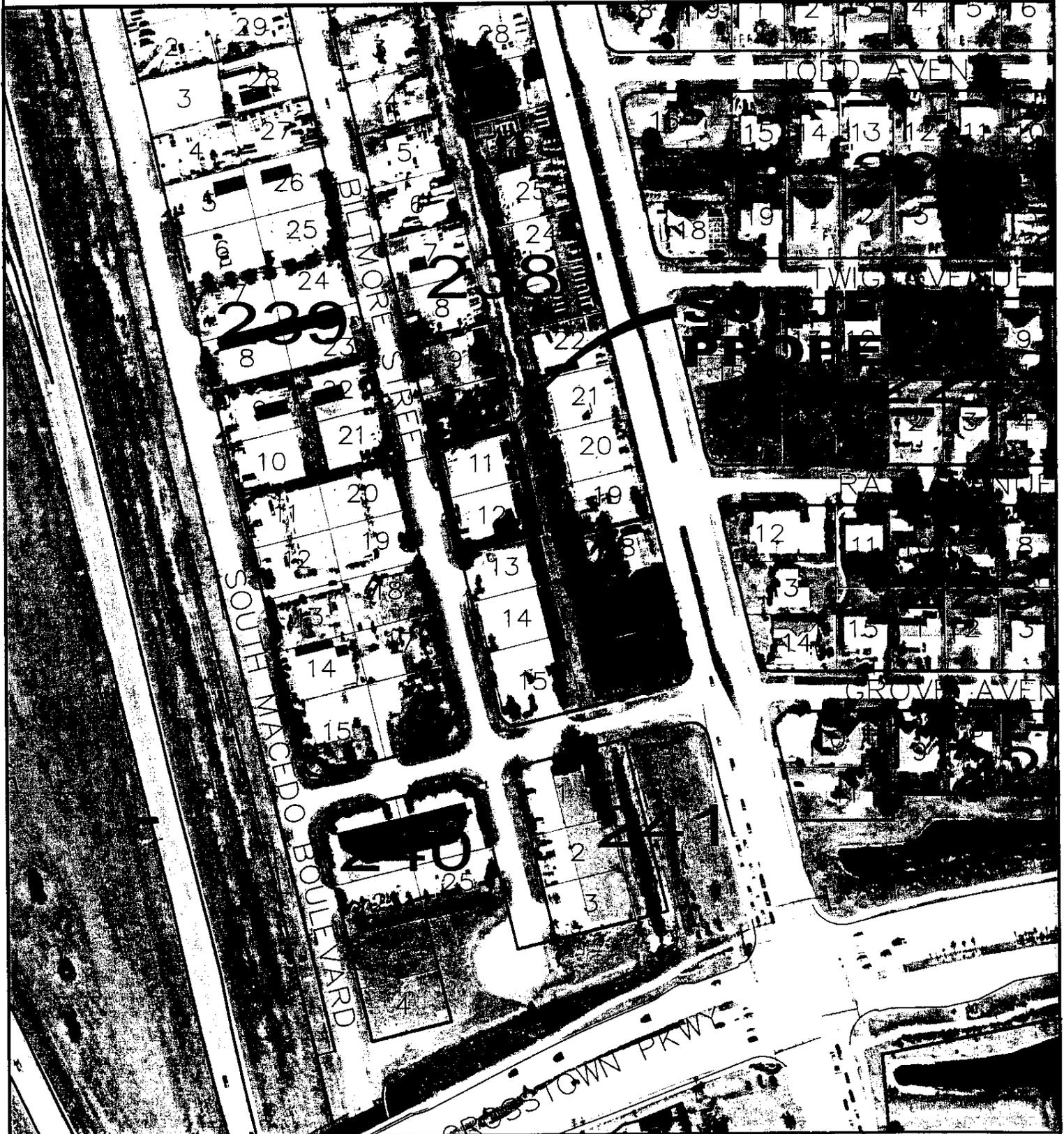
DATE: 3/9/2012

APPLICATION NUMBER:
P12-032

CADD FILE NAME:
P12-032M

SCALE: 1" = 400'

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

SITE PLAN REVIEW

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

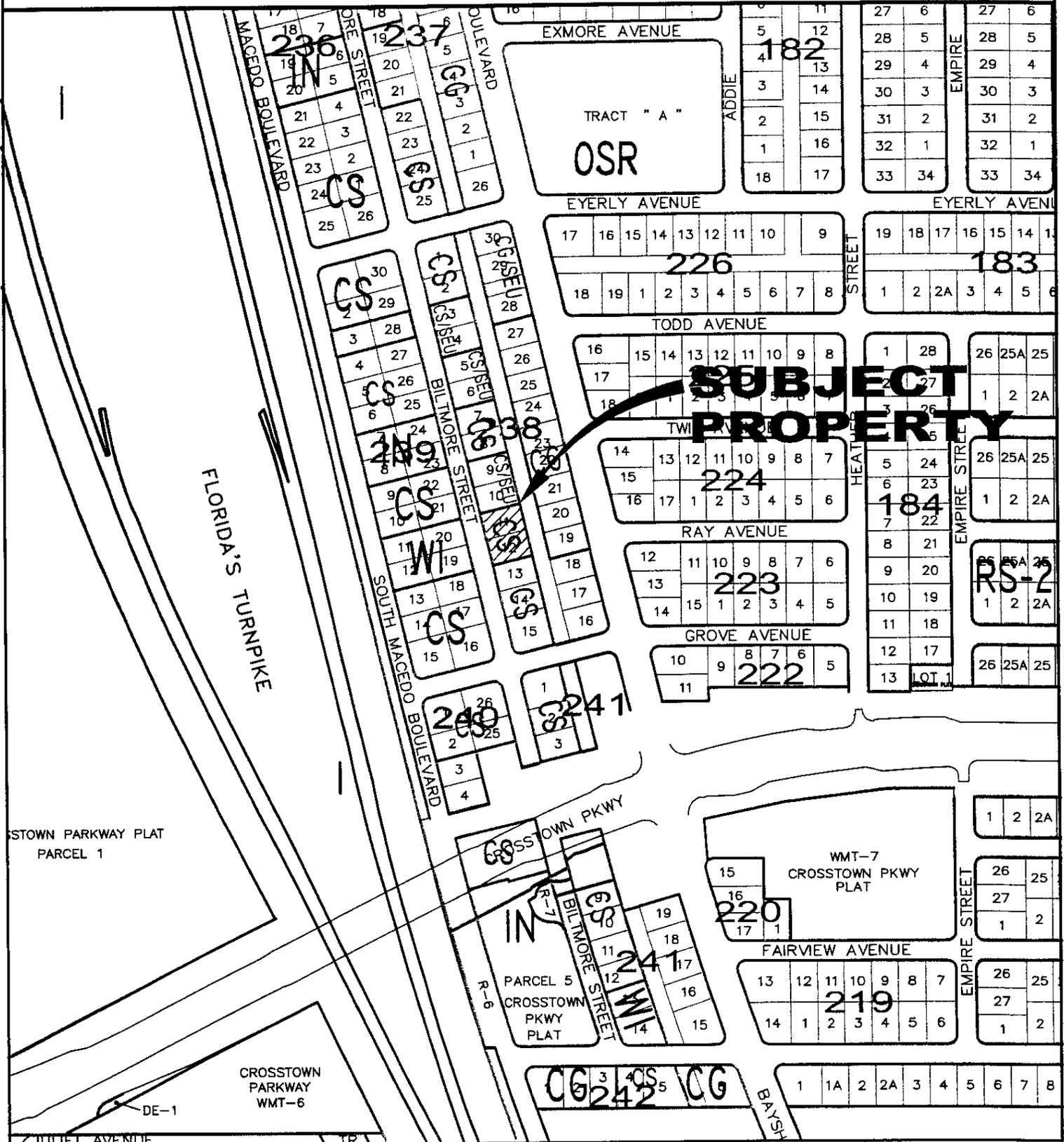
DATE: 3/9/2012

APPLICATION NUMBER:
P12-032

CADD FILE NAME:
P12-032A

SCALE: 1"=200'

EXISTING ZONING



CROSSTOWN PARKWAY PLAT
PARCEL 1

CROSSTOWN
PARKWAY
WMT-6

DE-1



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

SITE PLAN REVIEW
LOTS 11 & 12 BLOCK 238
PORT ST LUCIE SECTION 28

DATE: 3/9/2012

APPLICATION NUMBER:
P12-032

CADD FILE NAME:
P12-032M

SCALE: 1" = 400'

APPLICATION FOR SITE PLAN REVIEW

ONLY COMPLETE SUBMISSIONS WILL BE PROCESSED

CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPARTMENT
(772) 871-5212 FAX: (772) 871-5124

P&Z File No. P12-032
Fees (Nonrefundable) \$ 1,890.00 Arch.: \$ _____
Receipt #'s: 11608

PROJECT NAME: CPSL2605 Crosstown
LEGAL DESCRIPTION: Port St Lucie-Section28-BLK238 Lots 11 and 12 (Map 34/32S)(OR 3189-2082)
LOCATION OF PROJECT SITE: 1361 SW Blitmore St. Port St. Lucie, FL.
PROPERTY TAX I.D. NUMBER: 3420-635-0580-000-8
STATEMENT DESCRIBING IN DETAIL: The ground space will be used for the installation of a 150' monopole.
THE CHARACTER AND INTENDED USE OF THE DEVELOPMENT: Wireless Communications Tower
GROSS SQ. FT. OF STRUCTURE (S): N/A
NUMBER OF DWELLING UNITS & DENSITY FOR MULTI-FAMILY PROJECTS: N/A
UTILITIES & SUPPLIER: AT&T Phone Service/ FPL Power
GROSS ACREAGE & SQ. FT. OF SITE: 4000 sq' **ESTIMATED NO. EMPLOYEES: 1
FUTURE LAND USE DESIGNATION: LI/CS ZONING DISTRICT: CS
OWNER(S) OF PROPERTY: Jesus Lara Paulita Martinez
Name, Address, Telephone & Fax No.: 2481 SE Mariposa Ave. Port St. Lucie, FL 34952
772-260-3556
APPLICANT OR AGENT OF OWNER: Paul Scott / Tom Mackiewicz
Name, Address, Telephone & Fax No.: P.I Development LLC, 356 NW Alice Ave. Stuart, FL. 34994
772-692-4474 / 772-692-4475
PROJECT ARCHITECT/ENGINEER: John Andrew Minich, P.E.
(Firm, Engineer Of Record, Florida Registration No., Contact Person, Address, Phone & Fax No.) Minich Engineerng & Design Company
#60186, John Minich, 142 Pennock Trace Drive, Jupiter, FL. 33458
561-575-2066, 561-743-1843

- I hereby authorize the above listed agent to represent me. I grant the planning department permission to access the property for inspection.
- I fully understand that prior to the issuance of a building permit and the commencement of any development, all plans and detail plans must be reviewed and approved by the City pursuant to Sections 158.237 through 158.245, inclusive, of the zoning ordinance.
***When a corporation submits an application, it must be signed by an officer of the corporation.** Corporation signatures must be accompanied with an approved resolution authorizing the individual to sign such applications.
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.

Jesus Lara
OWNER'S SIGNATURE JESUS LARA INDIVIDUAL 3/31/12
HAND PRINT NAME TITLE DATE

APPLICATION FOR SITE PLAN REVIEW

ONLY COMPLETE SUBMISSIONS WILL BE PROCESSED

CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPARTMENT
(772) 871-5212 FAX: (772) 871-5124

P&Z File No. _____
Fees (Nonrefundable) \$ _____ Arch.: \$ _____
Receipt #'s: _____

PROJECT NAME: CPSL2605 Crosstown

LEGAL DESCRIPTION: Port St Lucie-Section28-BLK238 Lots 11 and 12 (Map 34/32S)(OR 3189-2082)

LOCATION OF PROJECT SITE: 1361 SW Biltmore St. Port St. Lucie, FL.

PROPERTY TAX I.D. NUMBER: 3420-635-0580-000-8

STATEMENT DESCRIBING IN DETAIL: The ground space will be used for the installation of a 150' monopole.

THE CHARACTER AND INTENDED USE OF THE DEVELOPMENT: Wireless Communications Tower

GROSS SQ. FT. OF STRUCTURE (S): N/A

NUMBER OF DWELLING UNITS & DENSITY FOR MULTI-FAMILY PROJECTS: N/A

UTILITIES & SUPPLIER: AT&T Phone Service/ FPL Power

GROSS ACREAGE & SQ. FT. OF SITE: 4000 sq' **ESTIMATED NO. EMPLOYEES: 1

FUTURE LAND USE DESIGNATION: LI/CS ZONING DISTRICT: CS

OWNER(S) OF PROPERTY: Jesus Lara Paulita Martinez
Name, Address, Telephone & Fax No.: 2481 SE Marposa Ave. Port St. Lucie, FL 34952
772-260-3556

APPLICANT OR AGENT OF OWNER: Paul Scott / Tom Mackiewicz
Name, Address, Telephone & Fax No.: PJ Development LLC, 356 NW Alice Ave. Stuart, FL 34994
772-692-4474 / 772-692-4475

PROJECT ARCHITECT/ENGINEER: John Andrew Minich, P.E.
(Firm, Engineer Of Record, Florida Registration No., Contact Person, Address, Phone & Fax No.): Minich Engineering & Design Company
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- I hereby authorize the above listed agent to represent me. I grant the planning department permission to access the property for inspection.
- I fully understand that prior to the issuance of a building permit and the commencement of any development, all plans and detail plans must be reviewed and approved by the City pursuant to Sections 158.237 through 158.245, inclusive, of the zoning ordinance.
***When a corporation submits an application, it must be signed by an officer of the corporation.** Corporation signatures must be accompanied with an approved resolution authorizing the individual to sign such applications.
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.

Paulita Martinez
OWNER'S SIGNATURE

PAULITA MARTINEZ
HAND PRINT NAME

INDIVIDUAL
TITLE

3/31/12
DATE

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

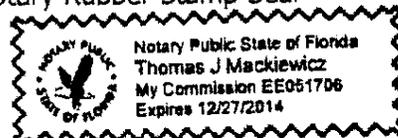
**STATE OF FLORIDA
COUNTY OF PALM BEACH**

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.
Port St. Lucie, FL 34953
Property Appraisers Parcel Identification (Folio) Numbers: 3420-635-0580-000/8

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; herein called the Grantors, to Jesus Lara, a single man, and Paulita Martinez, a married woman, as joint tenants with rights of survivorship whose post office address is 2491 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, alien, 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 Grantee 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

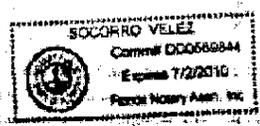
Jorge L. Mercado
Jorge L. Mercado

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
356 Alice Avenue
Stuart, Florida 34996

CORPORATE HEADQUARTERS
7341 Westport Place
West Palm Beach, Florida 33413

March 6, 2012

RECEIVED

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

MAR 07 2012

PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE FL

**RE: Site Plan Review – 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 a Site Plan Review 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
7341 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
7341 Westport Place
West Palm Beach, Florida 33413

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 pscott@pjdevl.com.

Sincerely,



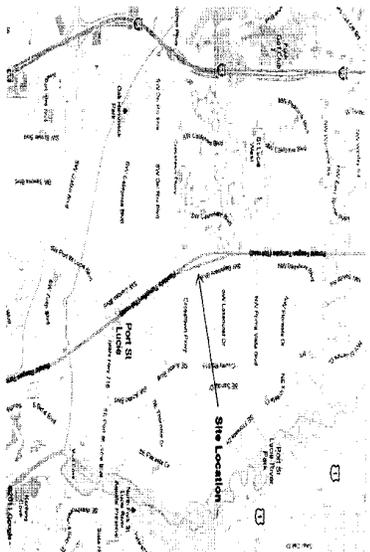
Paul A. Scott
Managing Partner
PJ Development, LLC

Crosstown Tower CPSL 2605

Project P12-032

1361 SW Biltmore Street

Port St. Lucie, Florida 34983



PROJECT DESCRIPTION
THE PROPOSED PROJECT CONSISTS OF THE INSTALLATION OF NEW TELECOMMUNICATIONS COMPOUND 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 MARLET & GRAVEL).

LANDSCAPE REQUIREMENTS
PERMIETER LANDSCAPING AROUND PARENT 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
STORMWATER RUNOFF TO BE DISCHARGED TO THE OVERALL MASTER DRAINAGE SYSTEM FOR THE PARENT TRACT.

UTILITIES
THIS PROJECT WILL REQUIRE POWER & TELEPHONE SERVICE, NO VET UTILITIES OR GARBAGE COLLECTION REQUIRED TO SUPPORT THIS PROJECT.

PARKING
TOWER COMPOUND WILL BE IN THE ACCESS EASEMENT IN FRONT OF GATE. AFTER COMPLETION OF CONSTRUCTION, THERE WILL BE MINIMAL TECHNICAL 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 SHELTERED FOOTPRINTS, EQUIPMENT PADS, 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
FUTURE LAND USE: SERVICE COMMERCIAL (CS)
ZONING: SERVICE COMMERCIAL (CS)

PROPERTY OWNER Contact:
JESUS LARA
2481 SE MARIPSA AVENUE
PORT ST LUCIE, FLORIDA 34952

TOWER OWNER
PJ DEVELOPMENT, LLC
7341 WESTPORT PLACE, UNIT A
WEST PALM BEACH, FL 33413
CONTACT: PAUL SCOTT
PHONE: (772) 692-4474

ENGINEER
JOHN ANDREW MINICH, P.E.
142 PENNICK TRACE DRIVE
JUPITER, FL 33458
PHONE: (561) 575-2066

INSPECTIONS DEPARTMENT
CITY OF PORT ST. LUCIE

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

NOTES:
1. LANDSCAPE PLAN NO MAJOR SERVICE REQUIRED.
2. MAX COVER = 10% FOR MAJOR PIPE SERVICE PROVIDED.



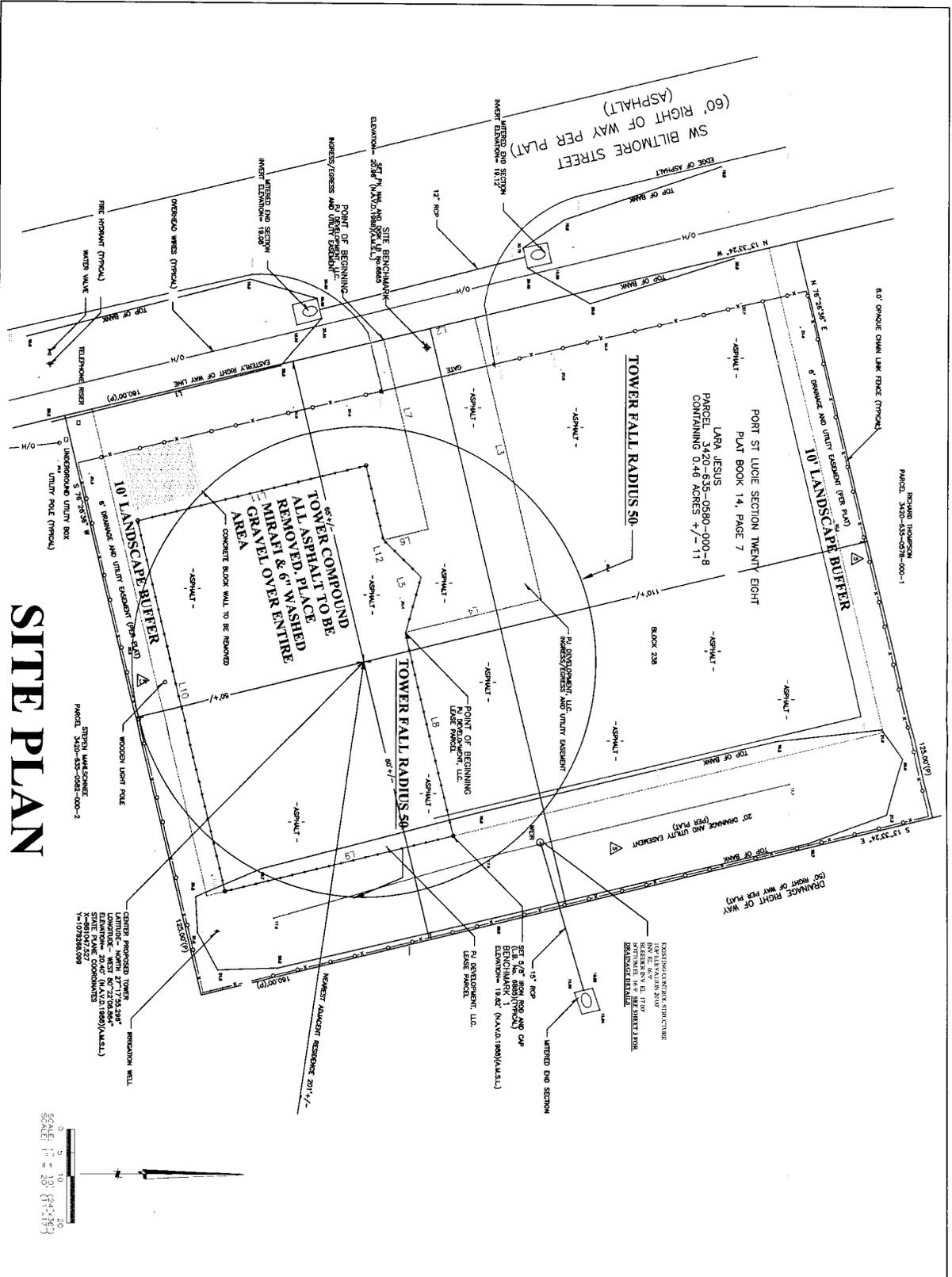
ADJACENT ZONING	ZONING LAND USE CLASSIFICATION	FUTURE LAND USE CLASSIFICATION
ZONING PARENT TRACT	SERVICE COMMERCIAL	LIGHT INDUSTRIAL
ZONING NORTH	SERVICE COMMERCIAL	GENERAL COMMERCIAL
ZONING WEST	WAREHOUSE INDUSTRIAL	SERVICE COMMERCIAL
ZONING SOUTH	SERVICE COMMERCIAL	WAREHOUSE INDUSTRIAL
ZONING EAST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

- 2001 FLORIDA BUILDING CODE DESIGN
- BASIC WIND SPEED = 140 MPH
- WIND IMPORTANCE FACTOR = 1.15 (CATEGORY IV)
- MAX EXPOSURE = C (ONE WIND WITH LOCAL AMENDMENTS LATEST EDITION)
- ASIST/TIA/ETA APPLICABLE STANDARDS
4. LIFE SAFETY CODE, NFPA-101-2006 & 906
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION SPECIFICATIONS (AISC)
- UNDERWRITERS LABORATORIES (UL) APPROVED ELECTRICAL PRODUCTS
- LOCAL BUILDING CODE
- CITY/COUNTY ORDINANCES

<p>Project Name and Address PJ Development, LLC 7341 Westport Place West Palm Beach, Florida, 33413</p>		<p>Project Name and Address CROSSTOWN TOWER COVER SHEET SITE PLAN REVIEW PROJECT P12-032</p>
<p>No. _____ Revised/Issue _____ Date _____</p>	<p>Project No. CPSL2605</p>	<p>Date 04/06/2012</p>
<p>AS NOTED</p>		<p>1 OF 4</p>



SITE PLAN

SCALE: 1" = 10' (1"=10')

<p>General Notes</p>	
<p>Project Name and Address</p> <p>CROSSTOWN TOWER Parent Parcel & Lease Area SITE PLAN REVIEW PROJECT P12-032</p>	<p>Sheet No.</p> <p>2</p>
<p>Prepared by and Address</p> <p>PJ Development, LLC 7341 Westport Place West Palm Beach, Florida, 33413</p>	<p>Date</p> <p>4/06/2012</p>
<p>Drawn by and Address</p> <p>AS NOTED</p>	<p>Scale</p> <p>DF4</p>

