

ORDINANCE 12-31

COUNCIL ITEM 10B
DATE 6/25/12

AN ORDINANCE PROVIDING FOR THE FIRST AMENDMENT OF THE PLANNED UNIT DEVELOPMENT DOCUMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR PRIMA VISTA PROPERTIES (TO BE KNOWN AS SHOPPES @ PRIMA VISTA) P12-046, LOCATED IN A PLANNED UNIT DEVELOPMENT DISTRICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Ordinance 04-101, City of Port St. Lucie, the City of Port St. Lucie City Council approved a Planned Unit Development Document and Conceptual Development Plan for Prima Vista Properties, P04-093, a development located in a Planned Unit Development Zoning District, and

WHEREAS, the proposed changes to the Planned Unit Development Document and Conceptual Development Plan are consistent with Sections 158.170, et seq., Port St. Lucie City Code.

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

Section 1. That the Planned Unit Development Document and Conceptual Development Plan for Prima Vista Properties, P04-093, as approved by Ordinance 04-101 City of Port St. Lucie, is amended as reflected in the Planned Unit Development Document labeled Exhibit "A" and attached hereto.

Section 2. That the provisions of Ordinance 04-101 City of Port St. Lucie, not inconsistent with the provisions of Section 1 herein shall remain in full force and effect.

Section 3. This Ordinance shall become effective ten (10) days after its final adoption.

ORDINANCE 12-31

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this
_____ day of _____, 2012.

CITY COUNCIL
CITY OF PORT ST. LUCIE

BY: _____
JoAnn M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM: _____
Roger G. Orr, City Attorney

Prima Vista Shops PUD
Project No. P12-046

Exhibit A

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Prima Vista Shops PUD

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SECTION A

Summary of PUD Amendment No.1 Revisions from Original PUD

Prima Vista Shops

Port St. Lucie Project No. P12-046

Summary of PUD Amendment No.1 Revisions from Original PUD

A. Permitted Principal Uses and Structures

Both the original PUD and the PUD Amendment allow all permitted uses as specified in the CG Zoning District.

B. Special Exception Uses

The original PUD allowed all of the uses listed in the CG Zoning District as special exception uses following the review and specific approval thereof by the City Council except as follows:

1. Car wash
2. Automotive, boat, farm equipment or truck sales or repairs.
3. Automotive gasoline services or repairs, including oil lubrication business.
4. Restaurants with drive-through services

The PUD amendment allows all of the uses listed in the CG Zoning District as special exception uses following the review and specific approval thereof by the City Council except as follows:

1. Car wash
2. Kennel, enclosed
3. Bars, lounges, and night clubs
4. Automotive, boat, farm equipment or truck sales
5. Automotive fuel services
6. Any use set forth in Subsection B: "Permitted Principal Uses and Structures" that include drive-through service.

C. Accessory Uses. No change

D. Minimum Lot Requirements. Eliminates the Conversion Area Manual requirement. Specifies that the property may be subdivided into a maximum of three (3) lots.

E. Maximum Building Coverage. No change.

F. Maximum Building Height. No change.

G. Minimum Building Size and Minimum Living Area. No change.

H. Setback Requirements and Buffering. No change.

I. Off-Street Parking and Service Requirements. No change.

- J. **Site Plan Review.** No change.
- K. **Vehicular and Pedestrian Access and Circulation.** Provides specific criteria for these items.
- L. **Signage.** No change except it is specified that there will not be a master sign program.
- M. **Native Habitat Preservation/Mitigation.** Specifies that trees will be preserved and mitigated in accordance with Landscape Code Section 153.16 Tree Protection and Mitigation and that no trees will be preserved on site.
- N. **Landscaping.** No change except that:
1. Where a loading space (or area) is located in the rear of a building and the rear property line is buffered by a landscape wall from the abutting right-of-way, no landscape strip is required between the loading space (or area) and the building.
 2. Following platting, perimeter landscape strips are not required between interior lot lines.
- O. **Stormwater Management.** No change. A statement is made that the operation and maintenance of the common elements of stormwater system will be the responsibility of the property owners association.
- P. **Citywide Design Standard.** No change except that "Horizontal and vertical building articulation will be achieved by varying wall offsets or other architectural features. Articulation is required to meet the intent of the City Design objectives and must be approved by the Director of Planning and Zoning."
- Q. **Unity of Title.** Specified that subdivision of the property shall be permitted and that the Unity of Title will be terminated by City Council after the recording of a plat.

SECTION B

Proposed Zoning District Regulations

Proposed Zoning District Regulations

Prima Vista Shops PUD
Project No P12-046
Page 1

Prima Vista Shops Port St. Lucie Project No. P12-046

The provisions of the General Commercial (CG) Zoning District as set forth in the City Code for the City of Port St. Lucie shall apply to this PUD, except as specifically provided otherwise hereinbelow. In the event of a conflict between the provisions of the General Commercial Zoning District set forth in the City Code for the City of Port St. Lucie and the regulations set forth in this PUD Application, then and in that event, the provision of this PUD Application shall supersede any such conflict with the provisions of the General Commercial Zoning District.

- A. **Permitted Principal Uses and Structures.** The following principal uses and structures are permitted:
- (1) Any retail, business, or personal service use (including repair of personal articles, furniture, and household appliances) conducted wholly within an enclosed building, where repair, processing, or fabrication of products is clearly incidental to and restricted to on-premises sales;
 - (2) Horticultural nursery, garden supply sales;
 - (3) Office for administrative, business, or professional use;
 - (4) Public facility or use;
 - (5) Restaurants;
 - (6) Retail sales of alcoholic beverages for incidental on and off premises consumption in accordance with Chapter 110
 - (7) Park or playground or other public recreation;
 - (8) Motel, hotel, or motor lodge
- B. **Special Exception Uses.** The following uses may be permitted only following the review and specific approval thereof by the City Council:
- (1) Apartment-type living quarters for the owner or manager of a business, and his immediate family, when such use is incidental to and designed as an integral part of the principal structure; provided, however, that only one (1) such residence may be approved for each business and required land area;
 - (2) Enclosed assembly area;
 - (3) Public utility facility, including water pumping plant, reservoir, and electrical substation, and sewage treatment plant;
 - (4) Semi-public facility or use;
 - (5) Catalog showrooms with more than twenty (20%) percent of gross floor

area devoted to storage;

- (6) ~~Car wash (full or self service);~~
- (7) ~~Kenel, enclosed;~~
- (8) ~~Bars, lounges, and night clubs;~~
- (9) Schools (private or parochial), meeting the requirements of the State Board of Education, or technical or vocational schools;
- (10) Automobile, boat, farm equipment or truck sales and repairs with repairs conducted entirely within an enclosed building.
- (11) Automobile fuel services or repairs, including oil lubrication businesses;
- (12) Retail convenience stores;
- (13) Hospitals, nursing, or convalescent homes;
- (14) ~~Any use set forth in Subsection B: "Permitted Principal Uses and Structures" that include drive-through service.~~
- (15) Pain management clinic.
- (16) Recreational amusement facility.

- C. **Accessory Uses.** As set forth within section 158.217
- D. **Minimum Lot Requirements.** Twenty thousand (20,000) square feet and a minimum width of one hundred (100) feet. More than one (1) permitted, or special exception use may be located upon the lot as part of a totally-designed development. ~~Properties located within conversion areas as defined by this chapter shall meet the requirements contained within the City of Port St. Lucie Land Use Conversion Manual. The property may be subdivided into a maximum of three (3) lots.~~
- E. **Maximum Building Coverage.** Forty (40%) percent, provided that the combined area coverage of all impervious surfaces shall not exceed eighty (80%) percent.
- F. **Maximum Building Height.** Thirty-five (35) feet. (See subsection 158.174(E) for height variations allowed through PUD zoning.)
- G. **Minimum Building Size and Minimum Living Area.** Commercial and office buildings shall have a minimum total gross floor area of one thousand two hundred (1,200) square feet. For automobile service stations: nine hundred (900) square feet. Apartment-type unit: Six hundred (600) square feet.
- H. **Setback Requirements and Buffering.**
 - (1) **Front Setback.** Each lot shall have a front yard with a building setback line of twenty-five (25) feet.
 - (2) **Side Setback.** Each lot shall have two (2) side yards, each of which shall have a building setback line of ten (10) feet. A building setback line of

twenty-five (25) feet shall be required when the yard adjoins a residential use or a public right-of-way.

(3) **Rear Setback.** Each lot shall have a rear yard with a building setback line of ten (10) feet. A building rear setback line of twenty (20) feet shall be required when it abuts a residential use, public right-of-way or drainageway.

(4) **Buffering.** All mechanical equipment shall be screened from property zoned residential. This screening shall be designed as both a visual barrier and a noise barrier. Buffering shall be provided in accordance with the landscaping requirements of subsection 153.04(G). Additional buffering may also be required if called for in the appropriate neighborhood plan.

I. **Off-Street Parking and Service Requirements.** As set forth in section 158.221.

J. **Site Plan Review.** All permitted and special exception uses shall be subject to the provisions of section 158.235 through 158.245.

K. **Vehicular and Pedestrian Access and Circulation.**

(1) Cross-access easements will provide access to Prima Vista Boulevard, Friar Street, and the abutting property to the east. Access shall be limited to Prima Vista Boulevard and Friar Street. There shall be no access from Billiar Avenue. One driveway only each is permitted on Prima Vista Boulevard. The driveway on Prima Vista shall be a minimum of 250 feet from the nearest intersection measured from the property line abutting Friar to the centerline of the driveway. The driveway on Friar shall be as located on the PUD conceptual plan.

(2) A 5-foot wide concrete sidewalk shall be installed on the Friar Street and Billiar Avenue rights-of-way from the existing sidewalk on Prima Vista Boulevard. Pedestrian access shall be linked throughout the lots and to the Prima Vista Boulevard sidewalk. There will be no direct connection to the Billiar Avenue sidewalk from the site.

L. **Signage.** Signage will be in accordance with the Sign Code Section 155. Each lot will have its own signage. There will not be a master sign program.

M. **Native Habitat Preservation/Mitigation.** Trees will be preserved and mitigated in accordance with Landscape Code Section 153.16 Tree Protection and Mitigation. Prior to clearing, a contribution will be made to the Tree Preservation Fund for all trees requiring mitigation. No trees will be preserved on site.

- N. **Landscaping.** The City of Port St. Lucie Landscaping Code Section 153 shall apply to the PUD except:

Where a loading space (or area) is located in the rear of a building and the rear property line is buffered by a landscape wall from the abutting right-of-way, no landscape strip is required between the loading space (or area) and the building.

Following platting, perimeter landscape strips are not required between interior lot lines.

- O. **Stormwater Management.** The stormwater system will meet all of the requirements of the City of Port St. Lucie and the South Florida Water Management District (SFWMD). A SFWMD General Permit will be required. The operation and maintenance of the common elements of stormwater system will be the responsibility of the property owners association.
- P. **Citywide Design Standard.** The City of Port St. Lucie Citywide Design Standards Manual shall be applicable in the PUD except as follows: Horizontal and vertical building articulation will be achieved by varying wall offsets or other architectural features. Articulation is required to meet the intent of the City Design objectives and must be approved by the Director of Planning and Zoning.
- Q. **Unity of Title.** Subdivision of the property shall be permitted provided the lots meet the minimum lot requirements of the CG zoning district of the City Code. The Unity of Title (recorded in OR Book 2867, Page 2277) will be terminated by City Council after the recording of a plat.

SECTION C

Warranty Deeds

This Document Prepared By and Return to:
Stephen Navaretta, Esq
Navaretta & Navaretta, P.A.
1100 SW St. Lucie West Blvd., Ste. 203
Port St. Lucie, FL 34986

Parcel ID Number: 3420-630-1105-000/7

Warranty Deed

This Indenture, Made this 27th day of August, 2004 A.D. Between
Larry W. Hice also known as Larry Hice and Helen G. Hice, husband and
wife
of the County of Alachua, State of Florida, grantors, and
The Shoppes at Prima Vista, LLC, a Florida limited liability company
whose address is: 7485 Bondsberry Court, Boca Raton, FL, Boca Raton, FL 33434
of the County of Palm Beach, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of
-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have
granted, bargained and sold 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 1,2,3,4,5,36,37,38,39,40 AND 41, Block 115, Port St. Lucie
Section Twenty Seven, according to the Plat thereof, recorded in Plat
Book 14, page 5, Public Records of St. Lucie County, Florida.

Subject to restrictions, reservations and easements of record, if
any, and taxes subsequent to December 31, 2003.

* DOC ASSUMP: \$ 0.00
* DOC Tax : \$ 6,034.00
* Int Tax : \$ 0.00

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Printed Name: JACK KRIEGER
Witness

Printed Name: S. NAVARETTA
Witness

Larry W. Hice (Seal)
Larry W. Hice also known as Larry
Hice

P.O. Address: 7910 SW 103 Avenue, Gainesville, FL 32608

Helen G. Hice (Seal)
Helen G. Hice

P.O. Address: 7910 SW 103 Avenue, Gainesville, FL 32608

STATE OF Florida
COUNTY OF Alachua

The foregoing instrument was acknowledged before me this 27th day of August, 2004 by
Larry W. Hice also known as Larry Hice and Helen G. Hice husband and
wife
who are personally known to me or who have produced their Florida driver's license as identification.

S. Navaretta
My Commission DC224076
Expires July 21, 2007

Printed Name: _____
Notary Public
My Commission Expires: _____

This Document Prepared By and Return to:
Stephen Navaretta, Esq.
Navaretta & Navaretta, P.A.
1100 SW St. Lucie West Blvd., Ste. 203
Port St. Lucie, FL 34986

Parcel ID Number:

Warranty Deed

This Indenture, Made this 27th day of August 2004 A.D. Between
Prima Vista Properties, LLC, a Connecticut limited liability company
of the County of New Haven, State of Connecticut, grantor, and
The Shoppes at Prima Vista, LLC, a Florida limited liability company
whose address is: 7485 Bondsberry Court, Boca Raton, FL 33434
of the County of Palm Beach, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of State of Florida to wit:

Lots 34 and 35, Block 115, Port St. Lucie Section Twenty-Seven
according to the Plat thereof, recorded in Plat Book 14, page 05 of
the Public Records of St. Lucie County, Florida.

Subject to restrictions, reservations and easements of record, if
any, and taxes subsequent to December 31, 2003.

* Doc Assump: \$ 0.00
* Doc Tax : \$ 764.40
* Int Tax : \$ 0.00

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever

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

Signed, sealed and delivered in our presence:

Prima Vista Properties, LLC, a
Connecticut limited liability
company

Printed Name: S. NAVARETTA
Witness

By: [Signature] (Seal)
Mark Engengro, Sr.
Member Manager
P.O. Address: 3074 Whitney Avenue, Bldg 1, Ste. 1
Hamden, CT 06518

Printed Name: Maria A. Casabona
Witness

STATE OF Connecticut
COUNTY OF New Haven

The foregoing instrument was acknowledged before me this 27th day of August, 2004 by
Mark Engengro, Sr., Member Manager of Prima Vista Properties, LLC, a
Connecticut limited liability company
he is personally known to me or he has produced his Florida driver's license as identification.

[Signature]
Printed Name
Notary Public

OFFICIAL NOTARY SEAL
MARIA A. CASABONA
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. DD107517
MY COMMISSION EXP. APR. 9, 2006

SECTION D

Unity of Title

This instrument was prepared by:
Pam Hakim, Assistant City Attorney
City of Port St. Lucie
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984
3420-630-1105-000/4; 3420-630-1107-000/4;
3420-630-1138-000/7; 3420-630-1139-000/4; 3420-630-1140-000/4;
3420-630-1141-000/1; 3420-630-1142-000/8; 3420-630-1143-000/5 and 3420-630-1145-000/9
P07-018

UNITY OF TITLE

In consideration of the issuance of a Permit to **THE SHOPPES AT PRIMA VISTA, LLC**, a Florida limited liability company, as "Owner" in Port St. Lucie, Florida, and for other good and valuable considerations, the undersigned hereby agrees to restrict the use of lands described as follows, to-wit:

Lots 1 through 5 and 34 through 41, Block 115, 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.

in the following manner:

1. That said property shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised, or assigned separately except in its entirety as one plot or parcel of land.
2. The undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their heirs, successors and/or assigns until such time as the same may be released in writing by the City Council.
3. The undersigned further agrees that this instrument shall be recorded in the Public Records of St. Lucie County.

Signed, sealed, and acknowledged on the 3rd day of August, 2007, in ~~St Lucie County, Florida~~ New Haven County, Connecticut.

THE SHOPPES AT PRIMA VISTA, LLC
a Florida limited liability company

By: *[Signature]*

[Signature]
Witness
(Print Name): Carol De Voe

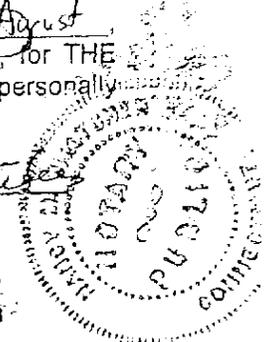
[Signature]
Witness
(Print Name): Nancy M Thatcher

STATE OF Connecticut
COUNTY OF New Haven

The foregoing instrument was acknowledged before me this 3rd day of August, 2007, by Kenneth S Ginsberg as manager for THE SHOPPES AT PRIMA VISTA, LLC, a Florida limited liability company, who is personally known to me, or produced _____ as identification.

[Signature]
Notary Public

Nancy M. Thatcher
Notary Public
New Haven County, CT
My Commission Expires
11/30/2011



SECTION E

Letter of Authorization

The Shoppes at Prima Vista, LLC
7485 Bondsberry Court
Boca Raton, FL 33434

Letter of Authorization

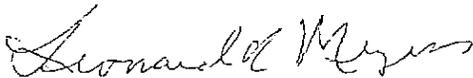
To Whom It May Concern:

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, 4, 5, 34, 35, 36, 37, 38, 39, 40, & 41, BLOCK 115, PORT ST. LUCIE SECTION TWENTY-SEVEN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGES 5, 5A-5I, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

If you have any questions, please call me at (561) 483-6705.

Sincerely,



Leonard R. Meyers, Member

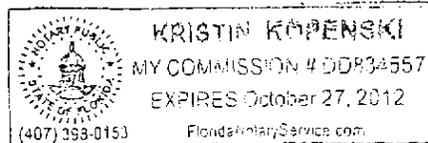
State of: FLORIDA
County of: PALM BEACH

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 3rd day of April, 2012, by Leonard R. Meyers who is () personally known to me or () has produced _____ as identification.

NOTARY PUBLIC

Name Printed: _____
State of _____ at-large
My Commission expires: _____

cc: File 121293aut.doc



SECTION F

Binding PUD Agreement

BINDING PUD AGREEMENT

The property, as described on Exhibit A hereto, is under the unified control of the undersigned petitioner who agrees to (1) proceed with the proposed development of the property according to the provisions of the Port St. Lucie PUD Zoning Regulations and (2) provide for such agreements, contracts, deed restrictions and sureties as are appropriate and acceptable to the City of Port St. Lucie for the completion of the development of the property in accordance with the PUD plan approved by the City. In addition, the petitioner shall be responsible for the continuing operations and maintenance of the property and improvements until such time as the property is subdivided. When subdivided an appropriate declaration shall be recorded in the public records of St Lucie County, Florida. The declaration shall provide for operations and maintenance, neither of which shall be provided or maintained at public expense. The petitioner further agrees to bind its successors in title to this Agreement.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal this 14 day of May, 2012.

WITNESS:

Maia Minor
Name: MAIA E. MINOR

Martha Schiemann
Name: MARTHA SCHIEMANN

PETITIONER:
SHOPPES AT PRIMA VISTA, LLC

By: Leonard Meyers
Leonard Meyers
Manager

EXHIBIT 'A'

PRIMA VISTA SHOPS

LEGAL DESCRIPTION

LOTS 1, 2, 3, 4, 5, 34, 35, 36, 37, 38, 39, 40, & 41, BLOCK 115, PORT ST. LUCIE SECTION TWENTY-SEVEN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGES 5, 5A-5I, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

SECTION 29, TOWNSHIP 36 SOUTH, RANGE 40 EAST

PARCEL CONTROL NUMBERS:

LOT 1	342063011050007
LOT 2	342063011060004
LOTS 3, 4, & 5	342063011070001
LOT 34	342063011380007
LOT 35	342063011390004
LOT 36	342063011400004
LOT 37	342063011410001
LOT 38	342063011420008
LOTS 39 & 40	342063011430005
LOT 41	342063011450009

FILE: 12-1293 1d.DOC

SECTION G

Conceptual Development Plan

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

AGENDA ITEM REQUEST

MEETING: REGULAR X SPECIAL

DATE: JUNE 25, 2012 AND JULY 9, 2012

ORDINANCE X RESOLUTION MOTION PUBLIC HEARING X

ITEM: P12-046 SHOPPES @ PRIMA VISTA
 PUD AMENDMENT APPLICATION

RECOMMENDED ACTION:

On June 5, 2012, the Planning and Zoning Board unanimously voted to recommend approval of this PUD amendment application.

EXHIBITS:

- A. Ordinance
 - B. Staff Report
 - C. Support Materials
-

SUMMARY EXPLANATION/BACKGROUND INFORMATION:

The proposal is to amend the permitted and special exception uses in the existing PUD document which will closely mirror the General Commercial (CG) Zoning District, §158.124. This will allow more flexibility in the allowable uses in this future commercial center.

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

None.

SUBMITTING DEPARTMENT: PLANNING and ZONING

DATE: 6/12/12



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

TO: PLANNING AND ZONING BOARD - MEETING OF JUNE 5, 2012
FROM: JOHN FINIZIO, PLANNER *JF.*
RE: PUD AMENDMENT APPLICATION
PROJECT NO. P12-046
SHOPPES @ PRIMA VISTA PUD AMENDMENT AND CONCEPT PLAN
DATE: MAY 21, 2012

APPLICANT: Joseph T. Friscia, P.E. The authorization letter is attached to the staff report.

OWNER: Shoppes @ Prima Vista, LLC, Leonard R. Mayers

LOCATION: Northeast corner of Prima Vista Boulevard and Friar Street.

LEGAL DESCRIPTION: Port St. Lucie Section 27, Block 115, Lots 1 through 5, and 34 through 41.

SIZE: 3.15 acres, or approximately 137,150 square feet. The property has approximately 380 feet of frontage on Prima Vista Boulevard.

EXISTING ZONING: PUD (Prima Vista Properties Planned Unit Development).

EXISTING USE: The land is currently vacant.

SURROUNDING USES: North = RS-2 (Single Family Residential) zoning, with existing residential homes and vacant lots. East and west = RS-2 (Single Family Residential) zoning (located within the City's Conversion Area), with vacant residential lots and building. South = Prima Vista Boulevard, beyond is RS-2 (Single Family Residential) zoning (located within the City's Conversion Area), with existing residential lots currently vacant.

FUTURE LAND USE: CG (General Commercial).

PROPOSED USE: The proposal is to amend the permitted and special exception uses in the existing PUD document to closely mirror the General Commercial (CG) Zoning District, §158.124. This will allow more flexibility in the allowable uses in this future commercial center.

IMPACTS AND FINDINGS:

Sewer/Water Service: Port Saint Lucie Utility Systems will provide utilities.

Transportation: The staff review indicates that this project will generate approximately 2,118 daily vehicle trips (ITE Trip Generation Manual, 8th Edition; Land Use Codes 813 (Free-Standing Discount Superstore)) on the roads adjacent to the project. This section of Prima Vista is currently operating at a LOS (Level of Service) of C (All traffic volumes from St. Lucie TPO Fall 2011 Traffic Counts).

The proposed increase should not have an adverse impact on the traffic conditions on the roads surrounding the site (Prima Vista Boulevard).

Environmental: The property consists of 3.15 acres, is currently vacant, and contains native upland habitat (pines and oaks). As outlined in the PUD amendment document, the applicant is proposing that "trees will be preserved and mitigated in accordance with Landscape Code Section 153.16 Tree Protection and Mitigation. Prior to clearing, a contribution will be made to the Tree Preservation Fund for all trees requiring mitigation. No trees will be preserved on site."

School Concurrency: As this is a commercial development, school concurrency will not be attached to this project.

Public Art: This project will be required to provide public art as outlined in Ordinance 09-100, Art in Public Places, which was approved by City Council on January 11, 2010. The public art requirement will be addressed during the site plan review process.

Land Use Consistency: The proposed PUD and concept plan is consistent with the direction and policies of the Comprehensive Plan as identified by Objective 1.1.4 and Policy 1.1.8.4.

Objective 1.1.4 states that the City shall initiate and utilize planning and development controls to discourage the proliferation of urban sprawl, encourage innovative development, greater diversity of land uses, and to improve community appearance.

Policy 1.1.8.4 calls for the City to expand and define commercial nodes where appropriate and utilize urban design standards and techniques to beautify and enhance community appearance along major corridors.

Other: The main entry for this development will be off of Prima Vista Boulevard, with a secondary access point off of Friar Street (please see concept plan included in the PUD document). Prior to submitting any site plan applications, the applicant has indicated that a subdivision plat application will be submitted to subdivide this property into individual commercial lots (for a maximum of three (3)). All lots created by this plat will be connected to these access points via a cross access easement which is identified on the concept plan, and will be formalized during the subdivision plat application.

A subdivision plat application showing access easements will be required to be submitted and approved prior to any site plan applications being submitted.

Due to the proximity of residentially zoned property surrounding this site, a landscape buffer strip that is at least 10 feet in depth having an architectural wall shall be located along the north side of the property (along Billiar Avenue), and an opaque fence will need to be installed along the eastern property line as a buffer to the residentially zoned property to the east of this site.

Related Projects:

P04-093 Prima Vista Properties Rezoning Application. This application rezoned 13 lots located on Prima Vista Boulevard from RS-2 (Single Family Residential) to PUD. This rezoning application was approved by City Council on August 23, 2004. A Unity of Title was completed as a condition of approval.

STAFF RECOMMENDATION:

The Site Plan Review Committee reviewed this PUD amendment application at their meeting of April 25, 2012 and recommended approval. The Planning and Zoning Department staff finds the 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



FLORIDA'S TURNPIKE

**SUBJECT
PROPERTY**

PRIMA VISTA BLVD

CROSSTOWN PKWY



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

PUD AMENDMENT

LOTS 1-5 & 34-41 BLOCK 115

PORT ST LUCIE SECTION 27

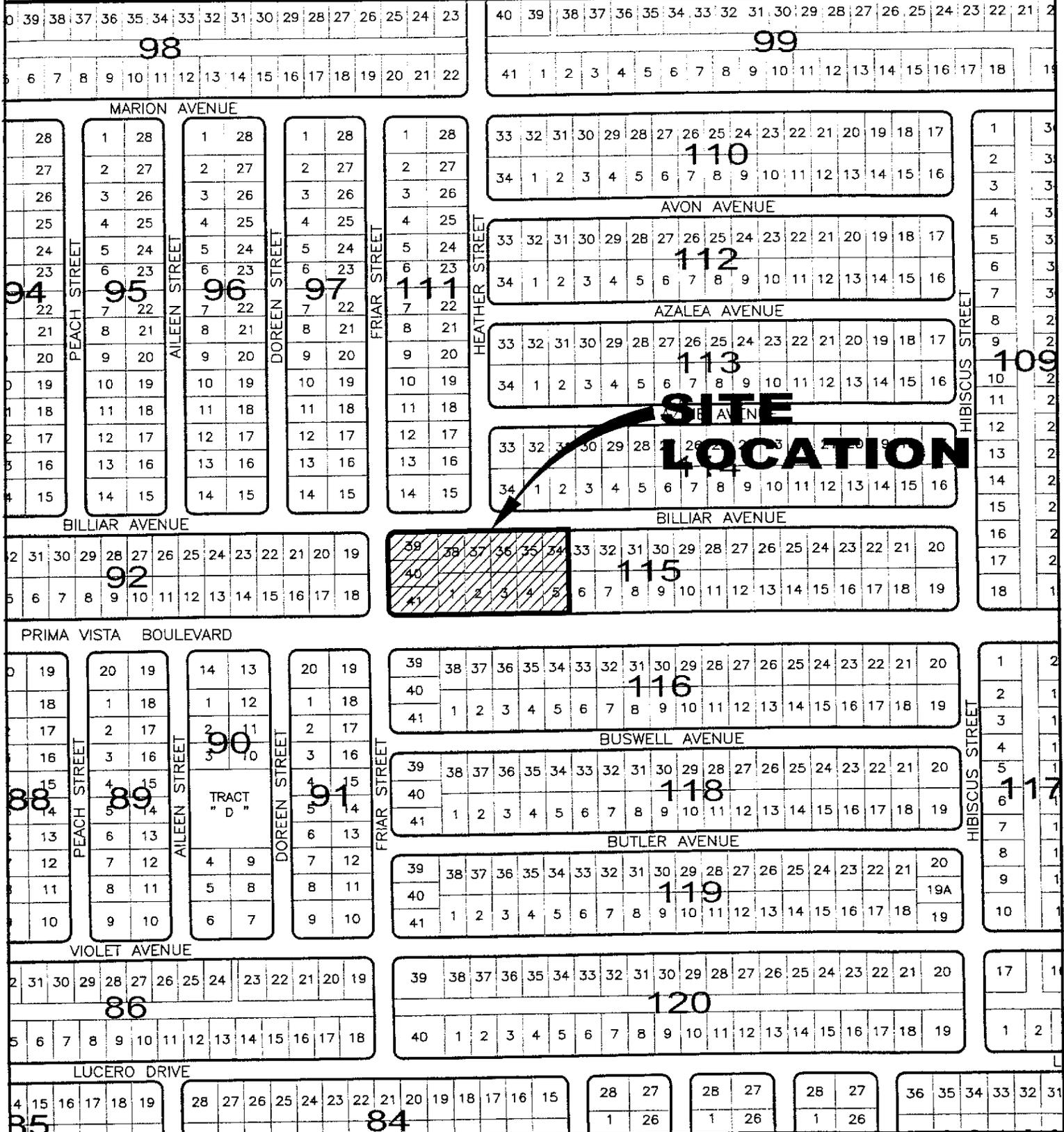
DATE: 4/9/2012

APPLICATION NUMBER:
P12-046

CADD FILE NAME:
P12-046L

SCALE: 1" = .5 MI

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

PUD AMENDMENT
LOTS 1-5 & 34-41 BLOCK 115
PORT ST LUCIE SECTION 27

DATE: 4/9/2012

APPLICATION NUMBER:
P12-046

CADD FILE NAME:
P12-046M

SCALE: 1"=400'

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

PUD AMENDMENT

LOTS 1-5 & 34-41 BLOCK 115

PORT ST LUCIE SECTION 27

AERIAL DEC 2010

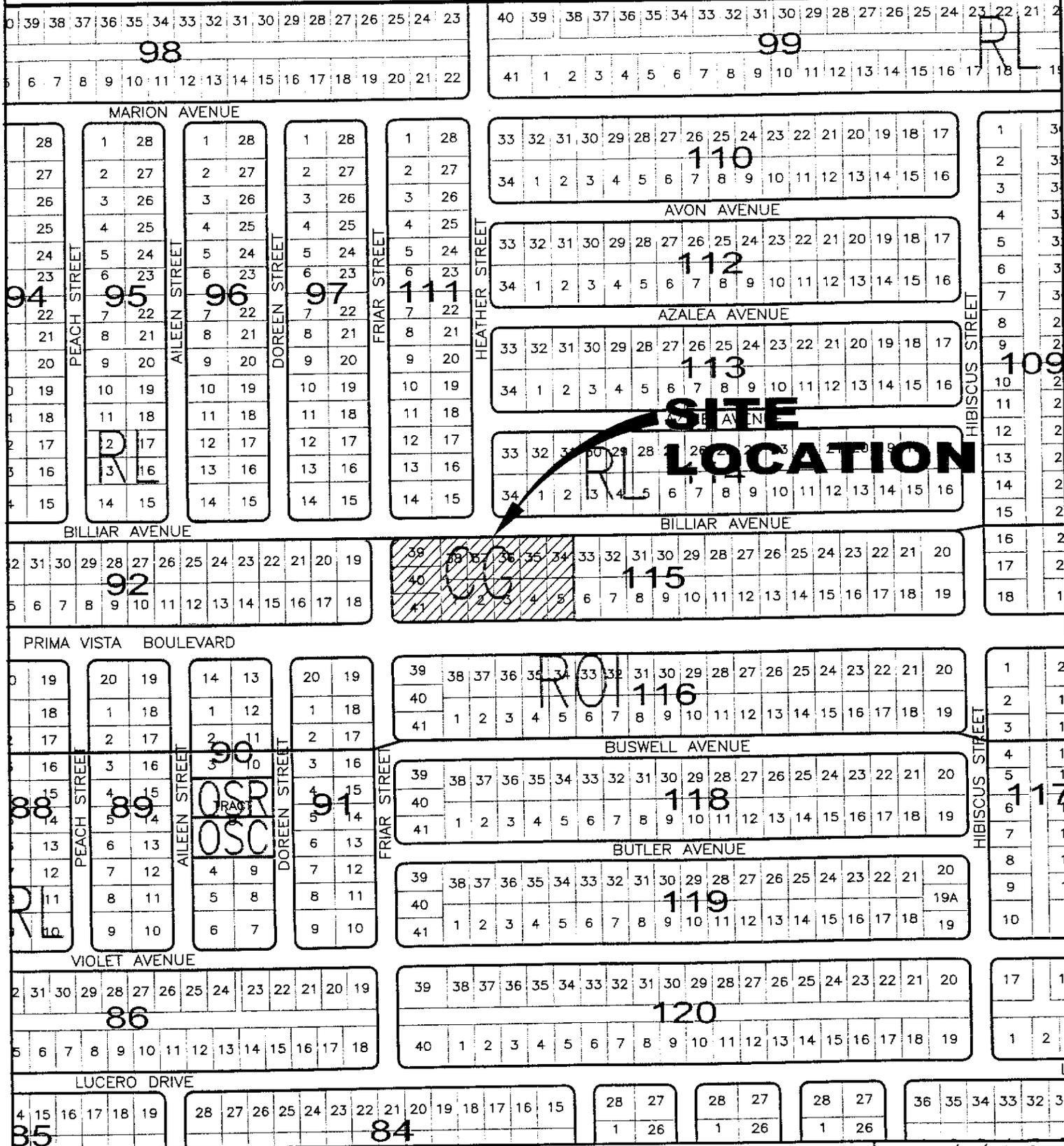
DATE: 4/9/2012

APPLICATION NUMBER:
P12-046

CADD FILE NAME:
P12-046A

SCALE: 1"=200'

FUTURE LAND USE



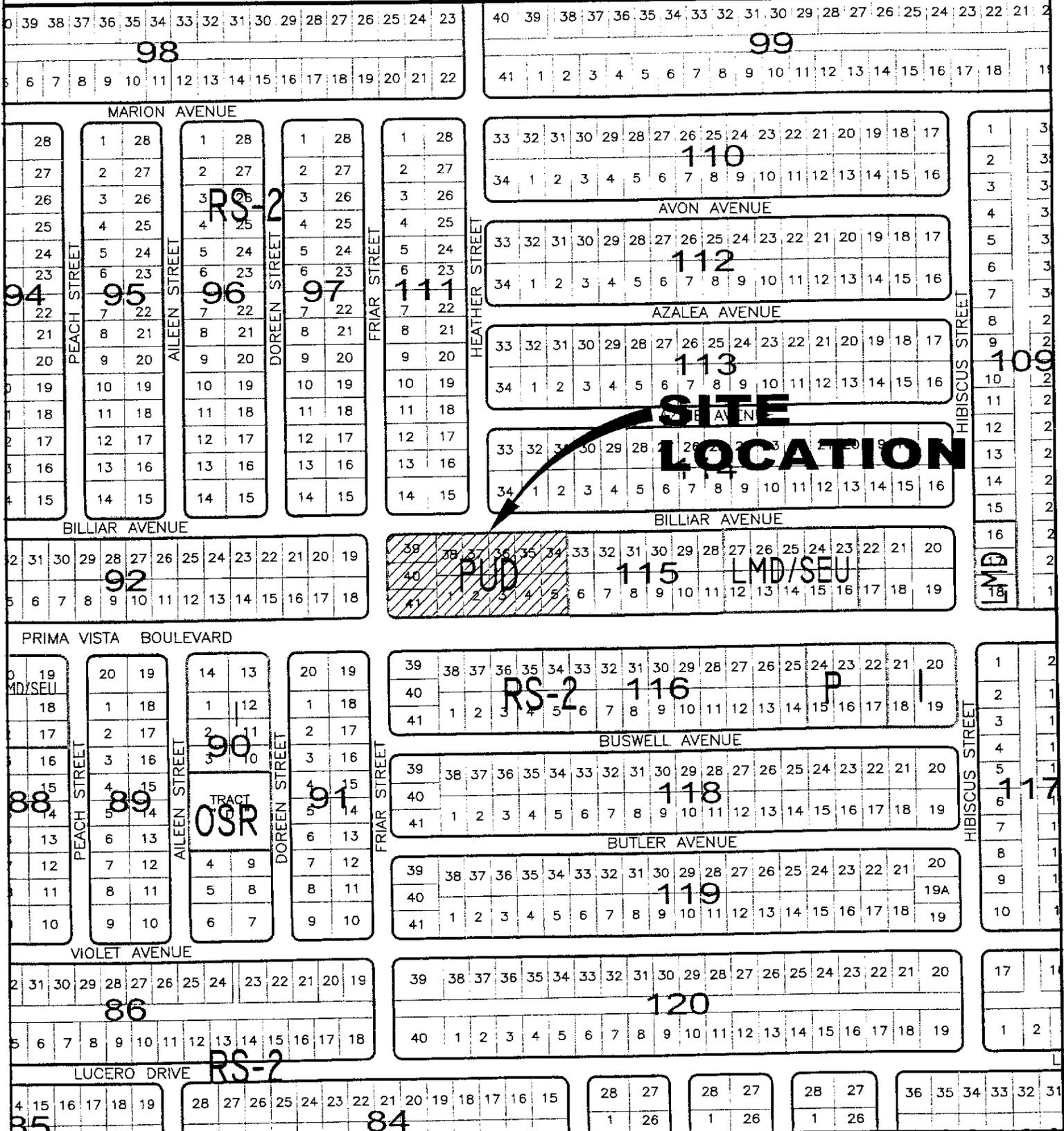
CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT PZ 2012.DWG

PUD AMENDMENT
LOTS 1-5 & 34-41 BLOCK 115
PORT ST LUCIE SECTION 27

DATE: 4/9/2012
APPLICATION NUMBER:
P12-046
CADD FILE NAME:
P12-046M
SCALE: 1"=400'

EXISTING ZONING



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT PZ 2012.DWG

PUD AMENDMENT
LOTS 1-5 & 34-41 BLOCK 115
PORT ST LUCIE SECTION 27

DATE: 4/9/2012
APPLICATION NUMBER:
P12-046
CADD FILE NAME:
P12-046M
SCALE: 1" = 400'

PUD AMENDMENT 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. P12-046
Fee (Nonrefundable)\$ 2,043.00
Receipt # 11698

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 deed. Please type or print clearly in **BLACK** ink.

PRIMARY CONTACT EMAIL ADDRESS: frisciaeng@comcast.net

PROPERTY OWNER:

Name: Shoppes at Prima Vista LLC, Leonard R. Meyers
Address: 7485 Bondsberry Ct., Boca Raton, FL 33434
Telephone No. 561-483-6705 FAX No. lrmmbm@aol.com

AGENT OF OWNER (if any)

Name: Joseph T. Friscia
Address: 459 NW Prima Vista Blvd., Port St. Lucie, FL 34983
Telephone No. 772-340-4990 FAX No. 772-340-7996

PROPERTY INFORMATION

RECEIVED

Legal Description: See Attachment
(Include Plat Book and Page)

APR 04 2012

Parcel I.D. Number: See Attachment

**PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE, FL**

Current Zoning: PUD Proposed Zoning: PUD

Future Land Use Designation: CG Acreage of Property: 3.149

Reason for amendment request:
The conceptual site plan has changed. We also plan to subdivide the parcel.

- 1) Applicant must list on the first page of the attached amendment all proposed changes with corresponding page number(s).
- 2) All proposed additions must be underlined and deleted text must have a strikethrough.
- 3) Where there are conflicts between the requirements of the general provisions of this chapter or other applicable codes of the city and the requirements established by official action upon a specific PUD, the latter requirements shall govern.

[Signature] L.R. MEYERS (MGR) 3/30/12
Signature of Owner Hand Print Name 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.

The Shoppes at Prima Vista, LLC
7485 Bondsberry Court
Boca Raton, FL 33434

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, 4, 5, 34, 35, 36, 37, 38, 39, 40, & 41, BLOCK 115, PORT ST. LUCIE SECTION TWENTY-SEVEN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGES 5, 5A-5I, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

If you have any questions, please call me at (561) 483-6705.

Sincerely,



Leonard R. Meyers, Member

State of: FLORIDA
County of: PALM BEACH

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 3rd day of April, 2012, by Leonard R. Meyers who is () personally known to me or () has produced _____ as identification.

NOTARY PUBLIC

Name Printed: _____
State of _____ at-large
My Commission expires: _____

cc: File 121293aut.doc



This Document Prepared By and Return to:
Stephen Navaretta, Esq.
Navaretta & Navaretta, P.A.
1100 SW St. Lucie West Blvd., Ste. 203
Port St. Lucie, FL 34986

Parcel ID Number: 3420-630-1105-000/7

Warranty Deed

This Indenture, Made this 27th day of August, 2004 A.D. Between
Larry W. Hice also known as Larry Hice and Helen G. Hice, husband and
wife, State of Florida, grantors, and
of the County of Alachua, a Florida limited liability company
The Shoppes at Prima Vista, LLC, whose address is: 7485 Bondsberry Court, Boca Raton, FL, Boca Raton, FL 33434
of the County of Palm Beach, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of
-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have
granted, bargained and sold 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:

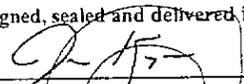
LOTS 1,2,3,4,5,36,37,38,39,40 AND 41, Block 115, Port St. Lucie
Section Twenty Seven, according to the Plat thereof, recorded in Plat
Book 14, page 5, Public Records of St. Lucie County, Florida.

Subject to restrictions, reservations and easements of record, if
any, and taxes subsequent to December 31, 2003.

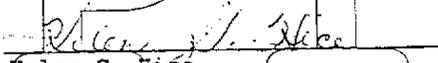
* DOC ASSUMP: \$ 0.00
* Doc Tax : \$ 6,034.00
* Int Tax : \$ 0.00

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.
In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:


Printed Name: JACK KRIEGER
Witness

Printed Name: S. NAVARETTA
Witness

Larry W. Hice also known as Larry Hice (Seal)
P.O. Address: 7910 SW 103 Avenue, Gainesville, FL 32608

Helen G. Hice (Seal)
P.O. Address: 7910 SW 103 Avenue, Gainesville, FL 32608

STATE OF Florida
COUNTY OF Alachua

The foregoing instrument was acknowledged before me this 27th day of August, 2004 by
Larry W. Hice also known as Larry Hice and Helen G. Hice, husband and
wife
who are personally known to me or who have produced their Florida driver's license as identification.

 S. Navaretta
My Commission D0224076
Expires July 21, 2007

Printed Name: _____
Notary Public
My Commission Expires: _____

This Document Prepared By and Return to:
Stephen Navaretta, Esq.
Navaretta & Navaretta, P.A.
1100 SW St. Lucie West Blvd., Ste. 203
Port St. Lucie, FL 34986

Parcel ID Number:

Warranty Deed

This Indenture, Made this 27th day of August, 2004 A.D. Between
Prima Vista Properties, LLC, a Connecticut limited liability company
of the County of New Haven, State of Connecticut, grantor, and
The Shoppes at Prima Vista, LLC, a Florida limited liability company
whose address is: 7485 Bondsberry Court, Boca Raton, FL 33434
of the County of Palm Beach, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of
-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of State of Florida to wit:

Lots 34 and 35, Block 115, Port St. Lucie Section Twenty-Seven
according to the Plat thereof, recorded in Plat Book 14, page 05 of
the Public Records of St. Lucie County, Florida.

Subject to restrictions, reservations and easements of record, if
any, and taxes subsequent to December 31, 2003.

* DOC Assump: \$ 0.00
* DOC Tax : \$ 764.40
* Int Tax : \$ 0.00

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

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

Signed, sealed and delivered in our presence:

Prima Vista Properties, LLC, a
Connecticut limited liability
company

Printed Name: S. NAVARETTA
Witness

By: [Signature] (Seal)
Mark Engengro, Sr.
Member Manager
P.O. Address: 3074 Whitney Avenue, Bldg 1, Ste. 1
Hamden, CT 06518

Printed Name: Maria A. Casabona
Witness

STATE OF Connecticut
COUNTY OF New Haven

The foregoing instrument was acknowledged before me this 27th day of August, 2004 by
Mark Engengro, Sr., Member Manager of Prima Vista Properties, LLC, a
Connecticut limited liability company
he is personally known to me or he has produced his Florida driver's license as identification.

Printed Name: [Signature]
Notary Public

OFFICIAL NOTARY SEAL
MARIA A CASABONA
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. DD107517
MY COMMISSION EXP. APR. 9 2006

FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS



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Entity Name Search

[Events](#) [No Name History](#)

Detail by Entity Name

Florida Limited Liability Company

THE SHOPPES AT PRIMA VISTA, LLC

Filing Information

Document Number L04000061688
FEI/EIN Number 201526750
Date Filed 08/19/2004
State FL
Status ACTIVE
Last Event REINSTATEMENT
Event Date Filed 10/03/2006
Event Effective Date NONE

Principal Address

7485 BONDSBERRY CT
BOCA RATON FL 33434

Changed 01/04/2012

Mailing Address

7485 BONDSBERRY CT
BOCA RATON FL 33434

Changed 01/04/2012

Registered Agent Name & Address

MEYERS, LEONARD
7485 BONDSBERRY COURT
BOCA RATON FL 33434 US

Name Changed: 01/05/2008

Address Changed: 01/05/2008

Manager/Member Detail

Name & Address

Title MGRM
MEYERS, LEONARD
7485 BONDSBERRY COURT
BOCA RATON FL 33434

Title MGRM
PFH MORTGAGE, LLC
377 MAIN STREET
WEST HAVEN CT 06516

Annual Reports

Report Year Filed Date

2010	02/21/2010
2011	04/27/2011
2012	01/04/2012

Document Images

- [01/04/2012 -- ANNUAL REPORT](#)
- [04/27/2011 -- ANNUAL REPORT](#)
- [02/21/2010 -- ANNUAL REPORT](#)
- [01/11/2009 -- ANNUAL REPORT](#)
- [01/05/2008 -- ANNUAL REPORT](#)
- [03/19/2007 -- ANNUAL REPORT](#)
- [10/03/2006 -- REINSTATEMENT](#)
- [08/19/2004 -- Florida Limited Liability](#)

Note: This is not official record. See documents if question or conflict.

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State of Florida, Department of State

This instrument was prepared by:
Pam Hakim, Assistant City Attorney
City of Port St. Lucie
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

3420-630-1105-000/7; 3420-630-1106-000/4; 3420-630-1107-000/4;
3420-630-1138-000/7; 3420-630-1139-000/4; 3420-630-1140-000/4;
3420-630-1141-000/1; 3420-630-1142-000/8; 3420-630-1143-000/5 and 3420-630-1145-000/9
P07-018

UNITY OF TITLE

In consideration of the issuance of a Permit to **THE SHOPPES AT PRIMA VISTA, LLC**, a Florida limited liability company, as "Owner" in Port St. Lucie, Florida, and for other good and valuable considerations, the undersigned hereby agrees to restrict the use of lands described as follows, to-wit:

Lots 1 through 5 and 34 through 41, Block 115, 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.

in the following manner:

1. That said property shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised, or assigned separately except in its entirety as one plot or parcel of land.
2. The undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their heirs, successors and/or assigns until such time as the same may be released in writing by the City Council.
3. The undersigned further agrees that this instrument shall be recorded in the Public Records of St. Lucie County.

Signed, sealed, and acknowledged on the 3rd day of August, 2007, in ~~St. Lucie County, Florida~~ New Haven County, Connecticut.

THE SHOPPES AT PRIMA VISTA, LLC
a Florida limited liability company

By: [Signature]

[Signature]
Witness
(Print Name): Carol De Voe

[Signature]
Witness
(Print Name): Nancy M. Thatcher

STATE OF Connecticut
COUNTY OF New Haven

The foregoing instrument was acknowledged before me this 3rd day of August, 2007, by Kenneth S. Gussberg as manager for **THE SHOPPES AT PRIMA VISTA, LLC**, a Florida limited liability company, who is personally known to me, or produced _____ as identification.

[Signature]
Notary Public
Nancy M. Thatcher
Notary Public
New Haven County, CT.
My Commission Expires _____

