

ORDINANCE 12-57

COUNCIL ITEM 10C  
DATE 9/24/12

**AN ORDINANCE REZONING PROPERTY LOCATED ON THE NORTH SIDE OF LAKE WHITNEY PLACE, EAST OF N.W. PEACOCK BOULEVARD, SOUTH OF N.W. UNIVERSITY BOULEVARD, AND WEST OF WATER MANAGEMENT TRACT NO. 1, FROM CS (SERVICE COMMERCIAL) TO A PUD (PLANNED UNIT DEVELOPMENT) ZONING DISTRICT; PROVIDING FOR THE APPROVAL AND ADOPTION OF A CONCEPTUAL DEVELOPMENT PLAN; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, CREG-Lake Whitney, LLC, hereinafter referred to as the Applicant, requested the rezoning of certain land located on the north side of Lake Whitney Place, east of N.W. Peacock Boulevard, south of N.W. University Boulevard, and west of Water Management Tract No. 1, within the City of Port St. Lucie, and more particularly described in the composite exhibit attached hereto and by reference incorporated herein, from CS (Service Commercial) and to PUD (Planned Unit Development) Zoning District; and

**WHEREAS**, the Applicant has presented firm evidence of unified control of the subject property, see the composite exhibit attached hereto and by reference incorporated herein; and

**WHEREAS**, the subject property is of such a size to permit its design and development as a cohesive unit fulfilling the purpose of a PUD District; and

**WHEREAS**, the subject property is located so as to provide suitable access without generating traffic along minor streets in residential areas; and

**WHEREAS**, the Applicant will either provide private facilities, utilities and services for the subject property or obtain such facilities, utilities or services without creating a burden on the City; and

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

ORDINANCE 12-57

**WHEREAS**, the subject property is suitable for development in the proposed manner without hazard to persons or property on or off the subject property from possibility of flooding, erosion or other dangers, annoyances or inconveniences; and

**WHEREAS**, the Applicant has agreed to (1) proceed with the proposed development according to the provisions of these zoning regulations and such conditions as may be attached to the rezoning of the land to PUD; (2) provide agreements, contracts, deed restrictions and sureties acceptable to the City for completion of the development according to the plans approved at the time of rezoning to PUD, and for continuing operation and maintenance of such areas, functions and facilities as are not to be provided, operated or maintained at public expense; and (3) bind all successors in title to any commitments made under (1) and (2) preceding (see the composite exhibit); and

**WHEREAS**, a conceptual development plan has been submitted consistent with the requirements of Section 158.170, et seq., Port St. Lucie City Code; and

**WHEREAS**, the Applicant proposes no modification of zoning or other applicable City regulations; and

**WHEREAS**, the standards for internal PUD design as set forth in Section 158.170, et seq., Port St. Lucie City Code, will be complied with at the time of final development approval; and

**WHEREAS**, a surface water drainage system will be constructed at no cost to the City; and

**WHEREAS**, the City of Port St. Lucie Planning and Zoning Board held a public hearing on the 4th day of September, 2012, to consider the rezoning application, notice of said hearing to adjoining property owners for a radius of three hundred (300) feet having been given and advertising of the public hearing having been made; and

ORDINANCE 12-57

**WHEREAS**, the City Council held a public hearing on the 8th day of October, 2012, to consider the rezoning application, advertising of the public hearing having been made.

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

Section 1. That the property described in the composite exhibit, attached hereto and by reference incorporated herein, be zoned PUD (Planned Unit Development) Zoning District as defined by Port St. Lucie City Code.

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

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 8th day of October, 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

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

AGENDA ITEM REQUEST

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MEETING:                   REGULAR   X                     SPECIAL     

DATE:                      September 24, 2012 and October 8, 2012

---

ORDINANCE   X     RESOLUTION        MOTION        PUBLIC HEARING   X  

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ITEM:           PROJECT NO. P12-077  
                  LAKE WHITNEY AT ST. LUCIE WEST PUD AND CONCEPT PLAN  
                  PLANNED UNIT DEVELOPMENT REZONING APPLICATION

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RECOMMENDED ACTION: The Planning and Zoning Board reviewed the request on September 4, 2012 and unanimously recommended approval.

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EXHIBITS:

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

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SUMMARY EXPLANATION/BACKGROUND INFORMATION: The proposed project is for Residential, Institutional, and Service Commercial uses. For residential uses, the proposed maximum density per acre is 15 dwelling units, which would be a maximum of 159 dwelling units.

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

None.

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SUBMITTING DEPARTMENT: *Planning and Zoning*

DATE: 9/10/12



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

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**TO:** CITY COUNCIL - MEETING OF SEPTEMBER 24, 2012

**FROM:** KATHERINE H. HUNTRESS, PLANNER *KHH*

**RE:** PLANNED UNIT DEVELOPMENT REZONING APPLICATION  
PROJECT NO. P12-077  
LAKE WHITNEY AT ST. LUCIE WEST PUD AND CONCEPT PLAN

**DATE:** SEPTEMBER 11, 2012

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**APPLICANT:** Michael T. Redd, Redd and Associates, P.A.

**OWNER:** CREG-Lake Whitney, LLC

**LOCATION:** The subject property is located on the north side of Lake Whitney Place, east of N.W. Peacock Boulevard, south of N.W. University Boulevard, and west of Water Management Tract No. 1.

**LEGAL DESCRIPTION:** Lots 5 and 6, St. Lucie West Plat No. 143, a complete legal description is available in the Planning and Zoning Department.

**SIZE:** Approximately 10.6 acres.

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

**EXISTING USE:** Vacant land

**SURROUNDING USES:** North = zoning, existing. East = zoning, existing. South = zoning, existing. West = zoning, existing.

**REQUESTED ZONING:** PUD (Planned Unit Development).

**FUTURE LAND USE:** RH (Residential High Density), I (Institutional), and CS (Commercial Service).

**PROPOSED USE:** The proposed project is for Residential, Institutional, and Service Commercial uses. For residential uses, the proposed maximum density per acre is 15 dwelling units, which would be a maximum of 159 dwelling units.

**IMPACTS AND FINDINGS:**

**Land Use Consistency:** It is consistent with the direction and policies of the Comprehensive Plan. Policy 1.1.4.10 states that High Density Residential allows a maximum density of 15 dwelling units per acre. Policy 1.1.4.4 states that the city shall provide both public and private Institutional land uses. Policy 1.1.1.2 states that the city shall provide Commercial Service land uses.

**Sewer/Water Service:** St. Lucie West Services District will provide utilities.

**Environmental:** The site has previously been cleared. A clearing permit was issued for P04-569 Cumber Professional Park North at St. Lucie West Major Site Plan Application, and an upland mitigation fee in the amount of \$49,104.00 was paid on September 28, 2005 to mitigate for 7.427 acres of pine flatwoods on site that were removed.

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**Related Projects:**

P04-569 Cumber Professional Park North at St. Lucie West was approved by City Council on September 26, 2005.

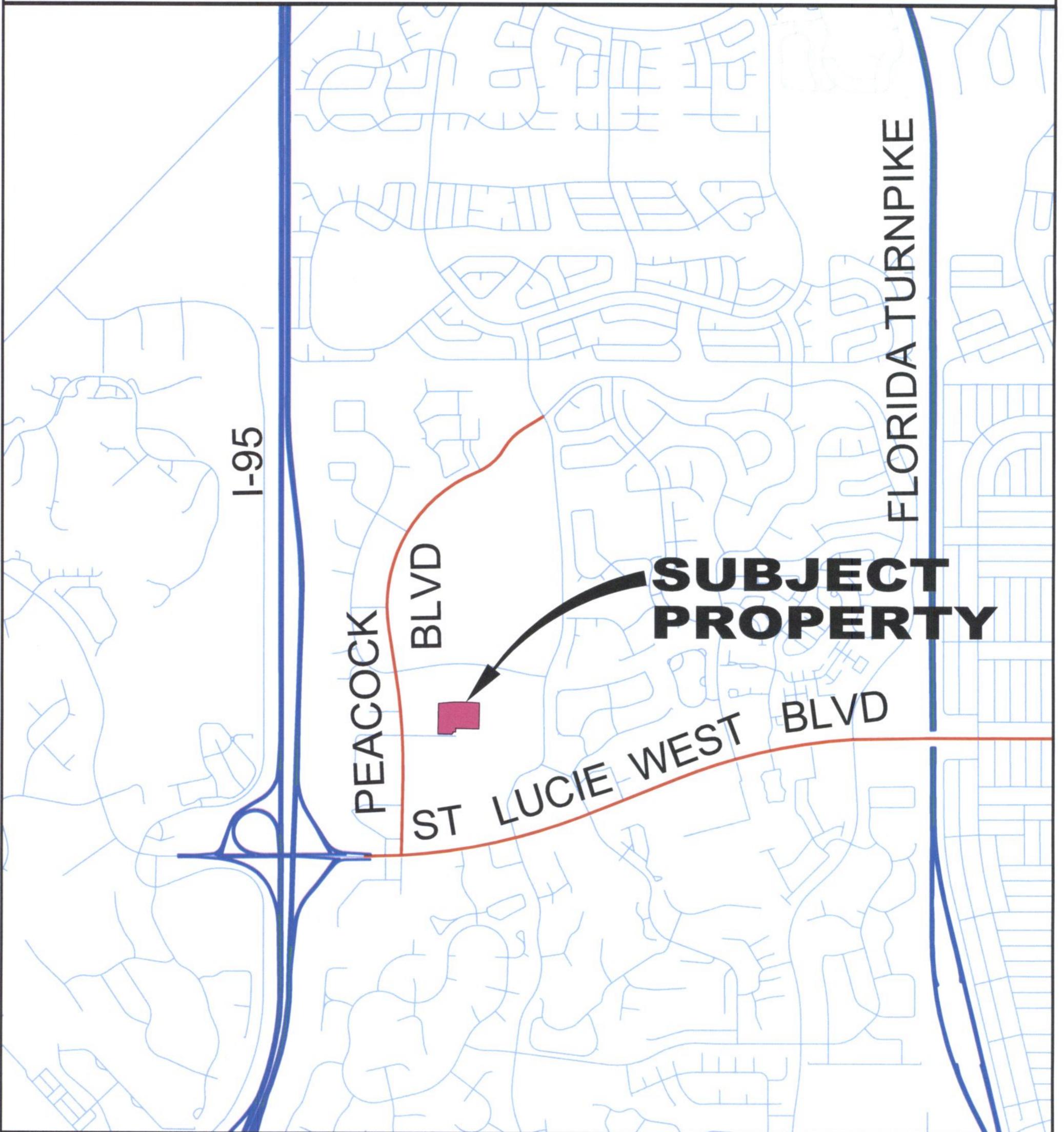
P12- 058 St. Lucie West DRI (Development of Regional Impact NOPC (Notice of Proposed Change) 16<sup>th</sup> Amendment to the Development Order was approved by City Council on July 23, 2012. The changes included a simultaneous decrease of 107,111 square feet of office use and an increase of 158 residential units.

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**STAFF RECOMMENDATION:**

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. The Planning and Zoning Board reviewed the request on September 4, 2012 and unanimously recommended approval.

# SITE LOCATION



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ 2012.DWG

PUD REZONING

LOTS 5 & 6 BLOCK 6 PARCEL 21D  
ST LUCIE WEST PLT 143 2ND RPLT

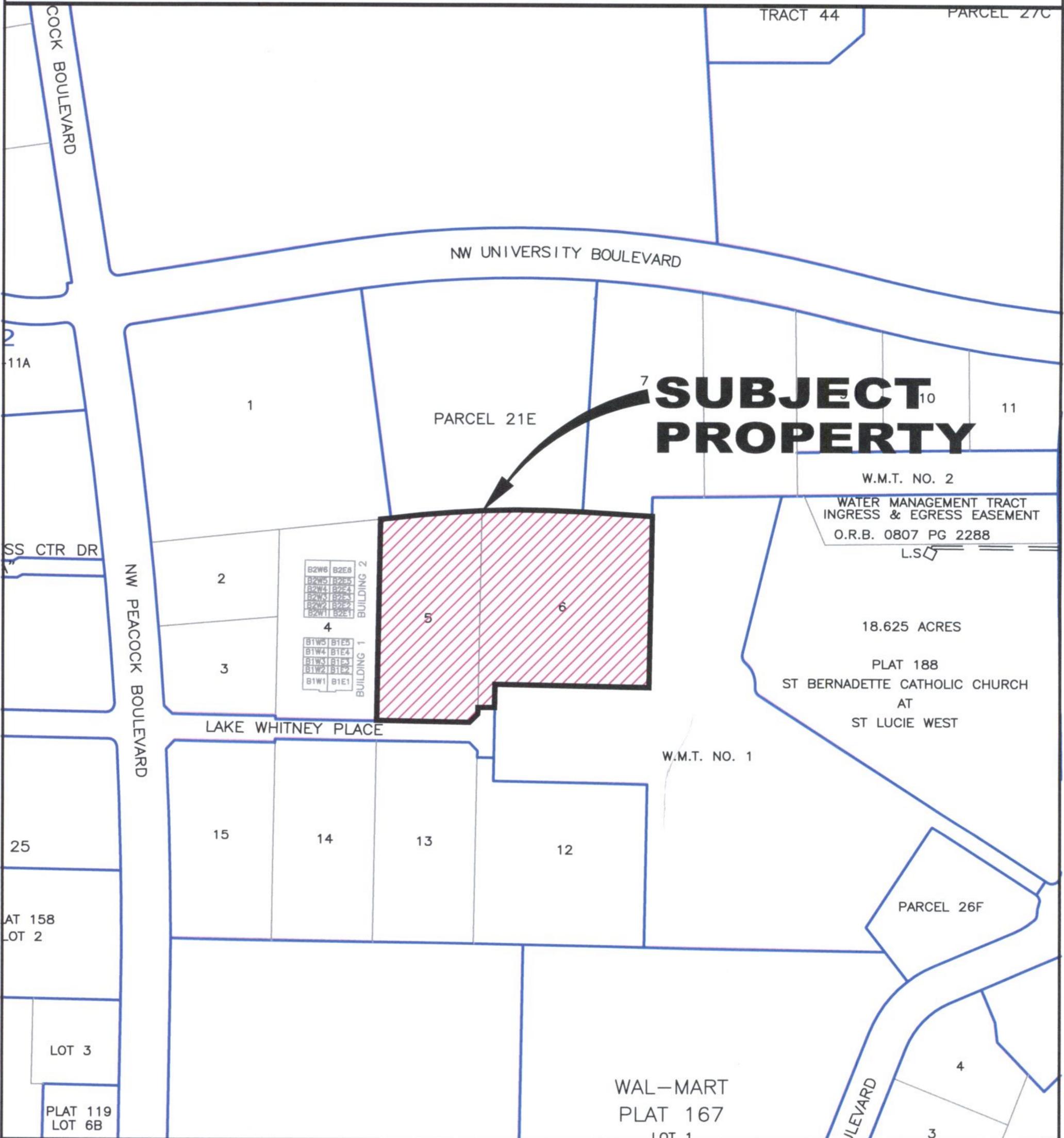
DATE: 6/26/2012

APPLICATION NUMBER:  
P12-077

CADD FILE NAME:  
P12-077L

SCALE: 1" = .5 MI.

# SITE LOCATION



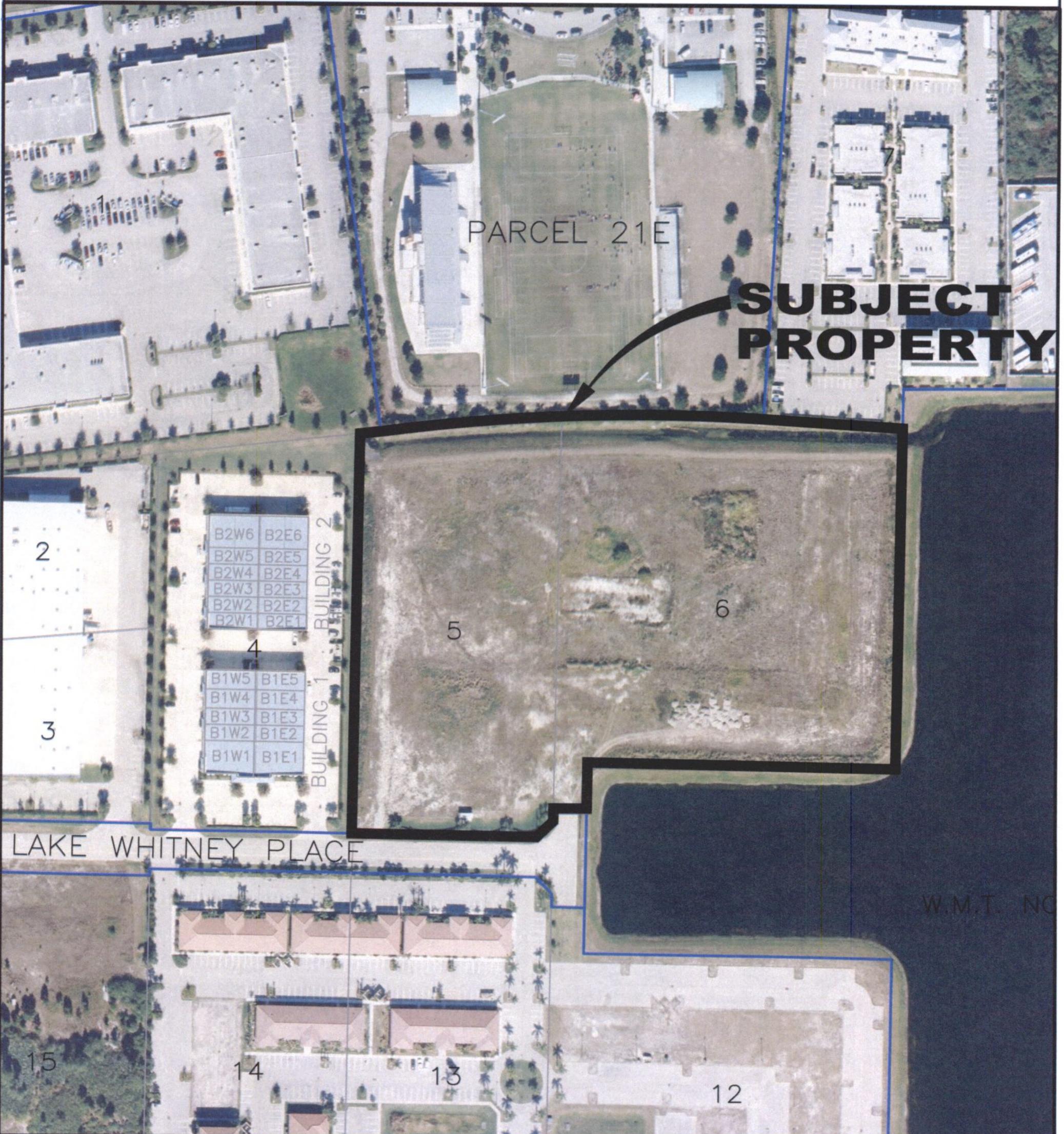
CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

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

PUD REZONING  
LOTS 5 & 6 BLOCK 6 PARCEL 21D  
ST LUCIE WEST PLAT 143 2ND RPLT

DATE: 6/26/2012  
APPLICATION NUMBER:  
P12-077  
CADD FILE NAME:  
P12-077M  
SCALE: 1"=400'

# SITE LOCATION



PARCEL 21E

**SUBJECT  
PROPERTY**

B2W6 B2E6  
B2W5 B2E5  
B2W4 B2E4  
B2W3 B2E3  
B2W2 B2E2  
B2W1 B2E1

B1W5 B1E5  
B1W4 B1E4  
B1W3 B1E3  
B1W2 B1E2  
B1W1 B1E1

BUILDING 2  
BUILDING 1

LAKE WHITNEY PLACE

W.M.T. NO



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ 2012.DWG

PUD REZONING

LOTS 5 & 6 BLOCK 6 PARCEL 21D  
ST LUCIE WEST PLAT 143 2ND RPLT

AERIAL DEC 2010

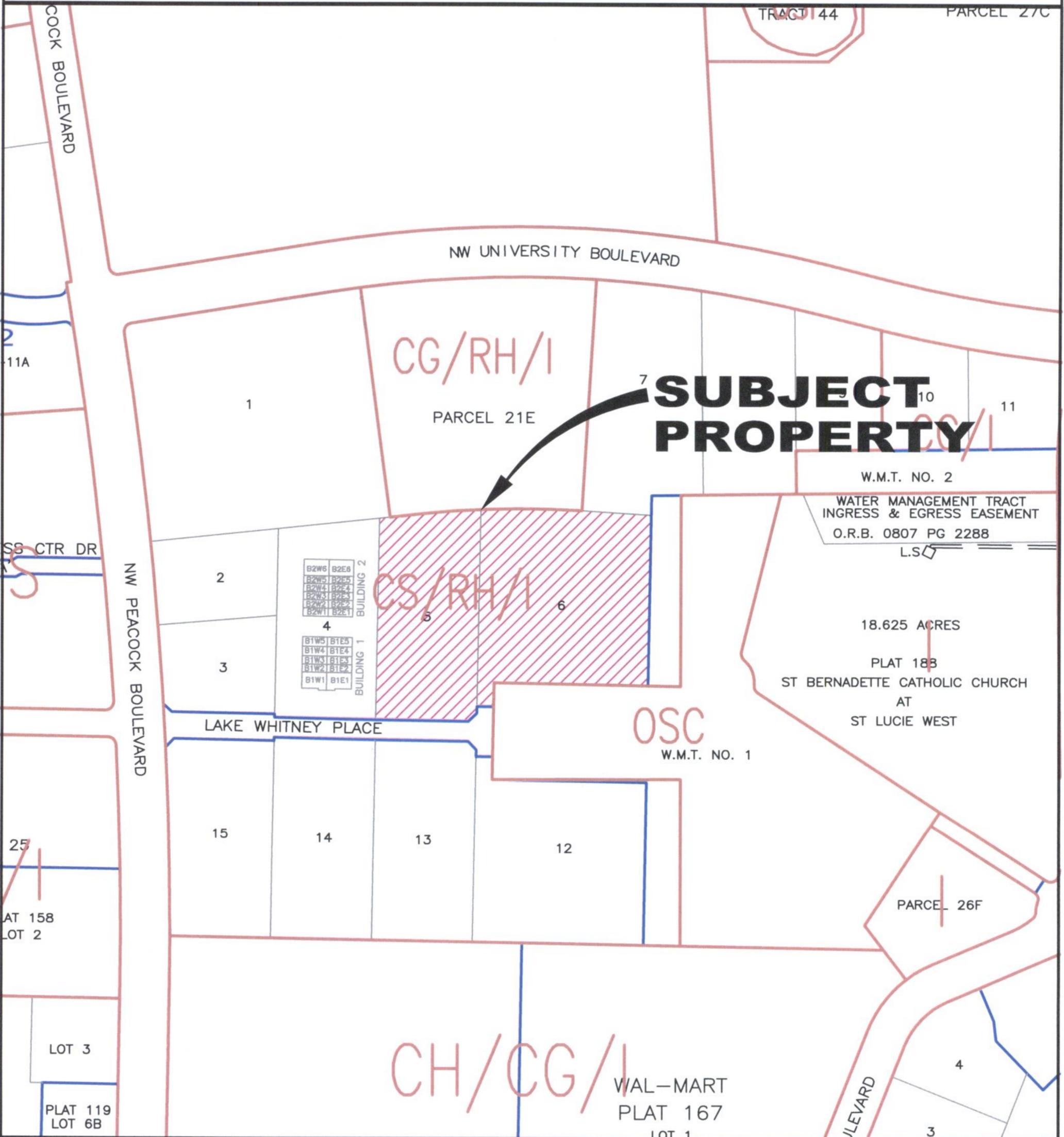
DATE: 6/26/2012

APPLICATION NUMBER:  
P12-077

CADD FILE NAME:  
P12-077A

SCALE: 1"=200'

# FUTURE LAND USE



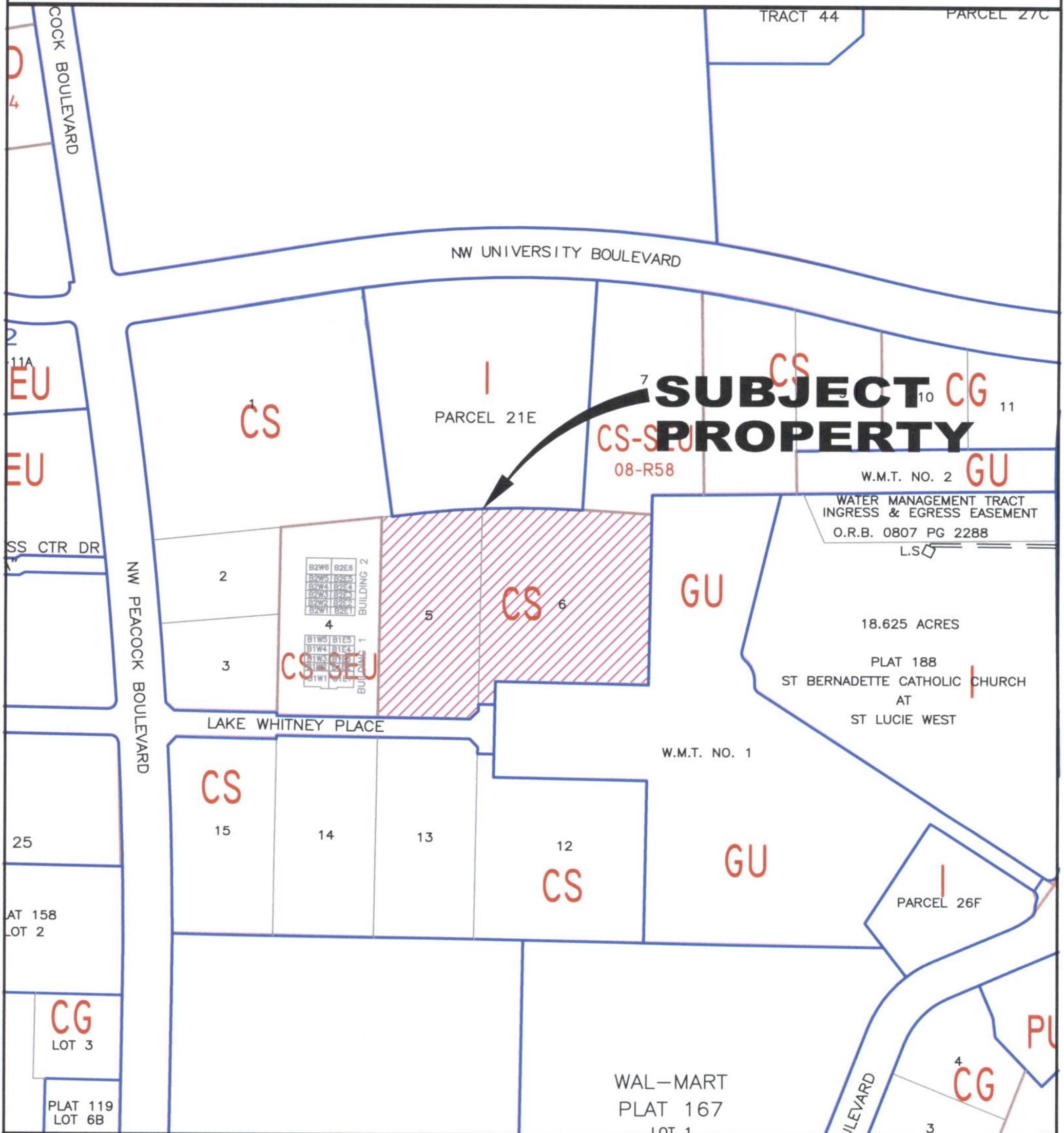
CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

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

PUD REZONING  
LOTS 5 & 6 BLOCK 6 PARCEL 21D  
ST LUCIE WEST PLAT 143 2ND RPLT  
FUTURE LAND USE

DATE: 6/26/2012  
APPLICATION NUMBER:  
P12-077  
CADD FILE NAME:  
P12-077M  
SCALE: 1"=400'

# EXISTING ZONING



CITY OF PORT ST. LUCIE  
 PLANNING & ZONING DEPT.  
 Prepared by:  
 M.I.S. DEPARTMENT

PUD REZONING  
 LOTS 5 & 6 BLOCK 6 PARCEL 21D  
 ST LUCIE WEST PLAT 143 2ND RPLT  
 EXISTING ZONING

DATE: 6/26/2012  
 APPLICATION NUMBER:  
 P12-077  
 CADD FILE NAME:  
 P12-077M  
 SCALE: 1"=400'

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SEP 13 2012

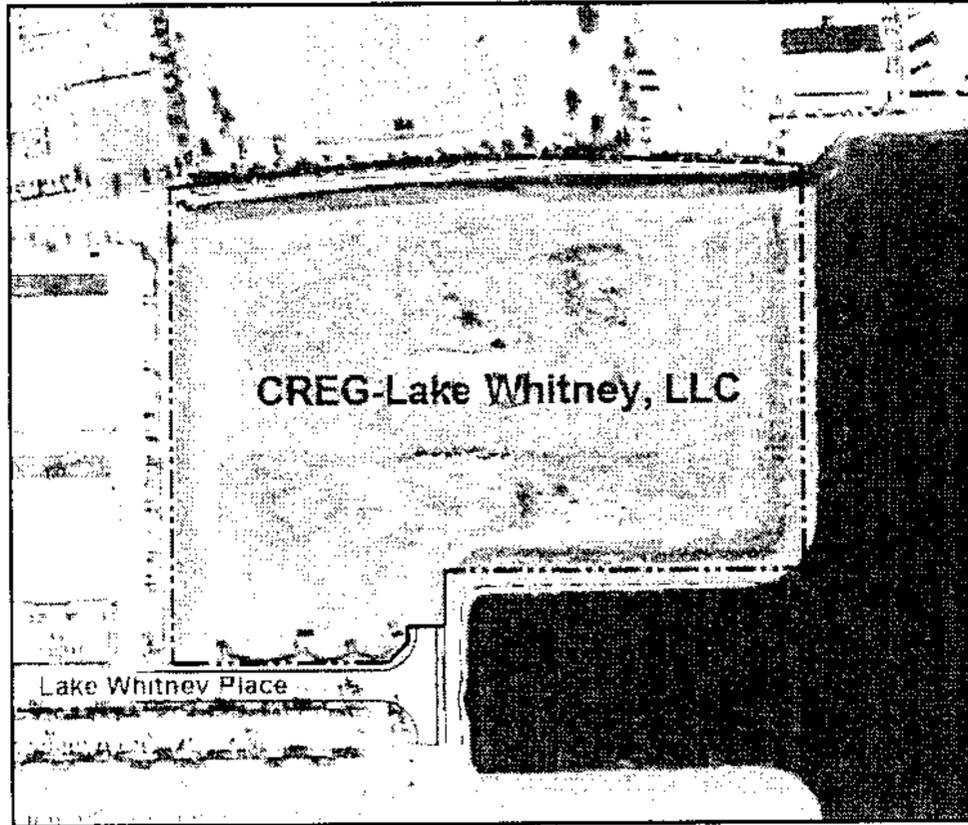
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Project # 12-077

# P.U.D. REZONING APPLICATION

## ST. LUCIE WEST DRI

### PORT ST. LUCIE, FLORIDA



Submitted to:

**City of Port St. Lucie**  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984-5099  
O: (561) 871-5212  
F: (561) 871-5124

Prepared for:

**CREG-Lake Whitney, LLC**  
Mr. James Pennington  
Mr. Eric Jackson  
30 Temple Street, Suite 400  
Nashua, New Hampshire 03060  
O: (603) 672-0300  
F: (603) 672-0075

Prepared by:

Michael Redd & Associates, PA  
The Velcon Group, Inc.  
Susan O'Rourke, P.E., Inc.  
EW Consultants, Inc.

Submittal Date: June 8, 2012

Resubmittal Date: July 18, 2012

Resubmittal Date: August 9, 2012 (rev. September 13, 2012)

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The CREG-Lake Whitney, LLC Parcel

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JUN 18 2012

PLANNING DEPARTMENT  
CITY OF PORT ST. LUCIE, FL

**Section I: PUD Rezoning Application**

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

**FOR OFFICE USE ONLY**

Planning Dept.: P12-077  
Fee (Nonrefundable)\$ 4,389.00  
Receipt # 11791

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 can not be processed. Attach proof of ownership: two copies of deed. Please type or print clearly in **BLACK** ink.

**PROPERTY OWNER:**

Name: CREG-Lake Whitney, LLC  
Address: 30 Temple Street, Nashua, NH 03060  
Telephone No. (603) 672-0300 FAX No. (603) 672-0075

**AGENT OF OWNER (if any)**

Name: Michael Redd & Associates, PA  
Address: 2655 North Ocean Drive, Suite 400, Singer Island, FL 33404  
Telephone No. (561) 863-2500 FAX No. (561) 863-2505

**PROPERTY INFORMATION**

Legal Description: LOTS 5 AND 6 UNIVERSITY PARK, ST. LUCIE WEST PLAT NO. 143, SECOND REPLAT IN PARCEL 21D, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 41, PAGE 29, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

(Include Plat Book and Page)

Parcel I.D. Number: 3325-600-0008-000-5 / 3325-600-0009-000-2

Current Zoning: CS - Commercial Service

Proposed Zoning: PUD - Planned Unit Development

Future Land Use Designation: CS/RH/I Acreage of Property: +/- 10.6 ac.

Reason for rezoning request:

To develop the property as a unified multi-family residential community within the St. Lucie West DRI.



Michael T. Redd

Signature of ~~Owner~~ AGENT

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.

H:\PZ\SHARED\APPLCTN\PUD-REZONE (05/21/08)

**List of Consultants**

- 1. Client /Applicant:** CREG-Lake Whitney, LLC  
30 Temple Street, Suite 400  
Nashua, New Hampshire 03060  
Tampa, FL 33606  
O: (603) 672-0300  
Contact: Mr. James Pennington  
E: james.pennington@rjfinlayco.com  
Mr. Eric Jackson  
E: ejackson@rjfinlayco.com
- 2. Planning/  
Landscape Architect:** Michael Redd & Associates, PA  
2655 North Ocean Drive, Suite 400  
Singer Island, FL 33404  
O: (561) 863-2500  
Contact: Mr. Michael Redd  
E: mtr@reddplan.com  
Mr. Patrick Cunningham  
E: patrick@reddplan.com
- 3. Civil Engineer/Surveyor:** The Velcon Group, Inc.  
702 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34953  
O: (772) 879-0477  
Contact: Mr. Ernesto Velasco  
E: ernestov@velcongroup.com
- 4. Traffic Engineer:** Susan E. O'Rourke PE, Inc.  
428 SW Akron Avenue, Ste. 1A  
Stuart, Florida 34994  
O: (772) 781-7918  
Contact: Ms. Susan O'Rourke  
E: seorourke@comcast.net
- 5. Environmental Consultant:** EW Consultants, Inc.  
1000 SE Monterey Commons Blvd, Suite 208  
Stuart, Florida 34996  
O: (772) 287-8771  
Contact: Mr. Paul Ezzo  
E: pezzo@ewconsultants.com

The CREG-Lake Whitney, LLC Parcel

**Agent Authorization**

**CREG-Lake Whitney, LLC**

**Agent Authorization**

July 17, 2012

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

Re: Authorization of agent representation for CREG-Lake Whitney, LLC Parcel

To Whom It May Concern:

This document serves as authorization of the listed consultants to act as agents/representatives for CREG- Lake Whitney, LLC for various project meetings, municipal approvals and submittals regarding the CREG-Lake Whitney, LLC Parcel in St. Lucie West.

<u>Name</u>	<u>Firm</u>
	R.J. Finlay & Co.
Michael Redd	Michael Redd & Associates, PA
Patrick Cunningham	Michael Redd & Associates, PA
Ernesto Velasco	The Velcon Group, Inc.
Susan O'Rourke	Susan O'Rourke PE, Inc.
Paul Ezzo	EW Consultants, Inc.

If you have any questions regarding the information provided above, please do not hesitate to contact me at (603) 672-0300.

Thank you very much,

Sincerely,

*Simone V. Cournoyer*  
Simone V. Cournoyer  
Chief Operating Officer  
CREG - Lake Whitney LLC

The foregoing instrument was acknowledged before me this 17 day of July 2012, by Simone V. Cournoyer who is personally known to me or has produced \_\_\_\_\_, as identification.

State of NH  
County of HILLSBOROUGH

*Martha J. Zogopoulos*  
(Signature of Notary Public) State of NH

MARTHA J. ZOGOPoulos, Notary Public  
(Print, My Commission Expires March 11, 2015  
Notary Public)

**MICHAEL REDD  
& ASSOCIATES, P.A.**  
*Michael T. Redd, President  
Frank G. Baynham, Vice President*

June 11, 2012

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

**RECEIVED**

**JUN 12 2012**

PLANNING DEPARTMENT  
CITY OF PORT ST. LUCIE, FL

Re: PUD Rezoning Application  
CREG-Lake Whitney, LLC Parcel  
City of Port St. Lucie Project # \_\_\_\_\_

Dear Mr. Holbrook,

On behalf of our client, CREG-Lake Whitney, LLC we are pleased to submit to the required PUD Rezoning Application and supplemental materials to the City of Port St. Lucie for your review/approval. Please note that this request is for the approval of a proposed multi-family residential community consisting of approximately 158 units on 10.6 acres of land. (<15.0 du/ac). Enclosed are the required application and supplemental materials, to include the following:

- PUD Rezoning Application
- Agent Authorization
- Legal Description
- Warranty Deed
- PUD Justification
- Traffic Statement
- Environmental Assessment
- St. Lucie West DRI (Map H)
- Future Land Use Map
- Existing Zoning Map
- Proposed Zoning Map
- Proposed PUD Conceptual Plan

Please note, that a Notice of Proposed Change (NOPC) is concurrently being reviewed by the City, Treasure Coast Regional Planning Council, and the Department of Economic Opportunity to increase the available capacity of the St. Lucie West DRI by 158 residential units. We understand that approval of the NOPC would be required prior to final action on this request.

We have enclosed one (1) original and fifteen (15) copies of the required materials.

Thank you for your assistance. If you have any questions, please do not hesitate to contact our office.

Respectfully,



Michael T. Redd  
President

/pdc

Enclosures: PUD Application (dated June8, 2012)

**Legal Description**

PER SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 3273, PAGE 2317, PUBLIC RECORDS OF SAINT LUCIE COUNTY FLORIDA. (See Attachment B)

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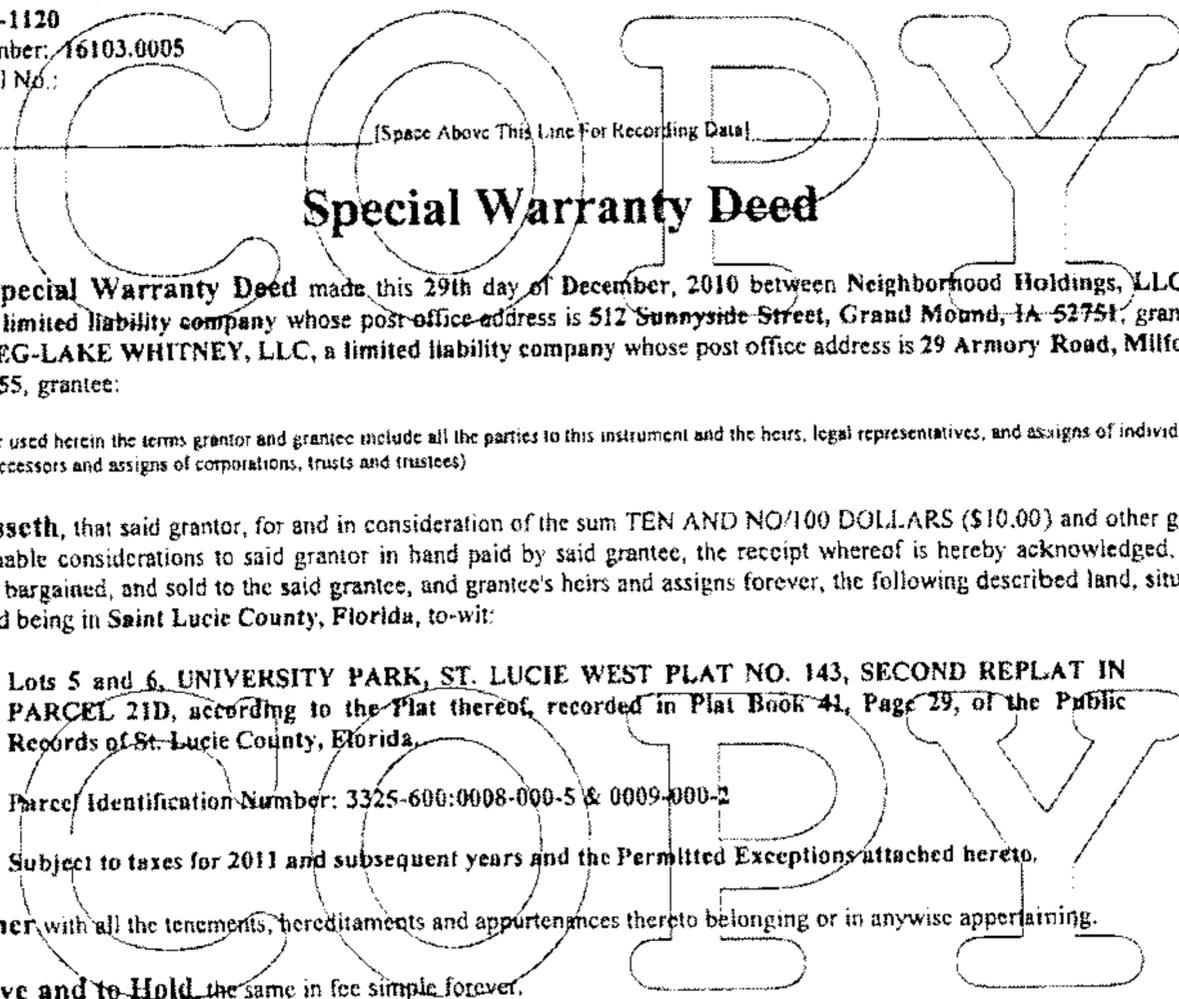
LOTS 5 AND 6 UNIVERSITY PARK, ST. LUCIE WEST PLAT NO. 143, SECOND REPLAT IN PARCEL 21D, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 41, PAGE 29, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

The CREG-Lake Whitney, LLC Parcel

**Warranty Deed**

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY  
FILE # 3567956 OR BOOK 3273 PAGE 2317, Recorded 03/04/2011 at 11:29 AM  
Doc Tax: \$20300.00

Prepared by and return to:  
David Weisman, Esquire  
Attorney at Law  
GREENSPOON MARDER, P.A.  
TRADE CENTRE SOUTH, Ste. 700 100 West Cypress Creek Road  
Fort Lauderdale, FL 33309  
954-491-1120  
File Number: 16103.0005  
Will Call No.:



[Space Above This Line For Recording Data]

**Special Warranty Deed**

This Special Warranty Deed made this 29th day of December, 2010 between Neighborhood Holdings, LLC, a Florida limited liability company whose post-office address is 512 Sunnyside Street, Grand Mound, IA 52751, grantor, and CREG-LAKE WHITNEY, LLC, a limited liability company whose post office address is 29 Armory Road, Milford, NH 03055, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Saint Lucie County, Florida, to-wit:

Lots 5 and 6, UNIVERSITY PARK, ST. LUCIE WEST PLAT NO. 143, SECOND REPLAT IN PARCEL 21D, according to the Plat thereof, recorded in Plat Book 41, Page 29, of the Public Records of St. Lucie County, Florida.

Parcel Identification Number: 3325-600:0008-000-5 & 0009-000-2

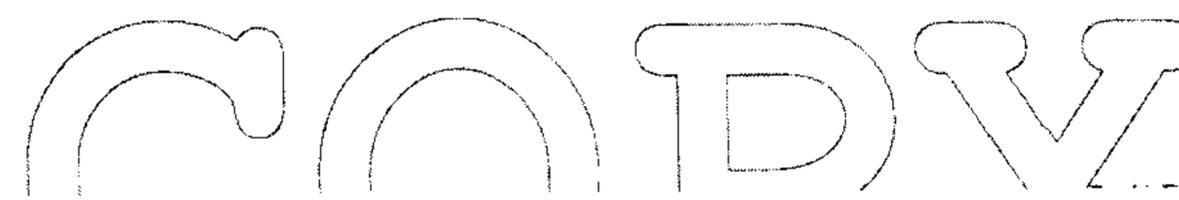
Subject to taxes for 2011 and subsequent years and the Permitted Exceptions attached hereto.

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 grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

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



OR BOOK 3273 PAGE 2318

Signed, sealed and delivered in our presence:

Wanda Depluis  
Witness Name: Nancy Depluis  
Kelisa Klemme  
Witness Name: Kelisa Klemme

Neighborhood Holdings, LLC, a Florida limited liability company

By: Richard C. Mineck, Manager  
RICHARD C. MINECK, Manager

State of Iowa  
County of Scott

The foregoing instrument was acknowledged before me this 29 day of December, 2010 by RICHARD C. MINECK, Manager on behalf of Neighborhood Holdings, LLC, a Florida limited liability company. He  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]

Dawn Shaw  
Notary Public

Printed Name: Dawn Shaw

My Commission Expires: 11-24-13

COPY



COPY

OR BOOK 3273 PAGE 2319

**PERMITTED EXCEPTIONS**

1. Restrictions, dedications, conditions, reservations, easements and other matters shown on the Plat of UNIVERSITY PARK, ST. LUCIE WEST PLAT NO. 143, SECOND REPLAT IN PARCEL 21D, as recorded in Plat Book 41, Page 29, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
2. The right-of-ways in UNIVERSITY PARK, ST. LUCIE WEST PLAT NO. 143, SECOND REPLAT IN PARCEL 21D, as recorded in Plat Book 41, Page 29, are private, not dedicated to the public and not maintained by any governmental agency.
3. Declaration of Covenants, Conditions, and Restrictions For St. Lucie West Prima Vista Association, including any amendments or modifications thereto, which contains provisions for a private charge or assessments, recorded in Book 636, Page 1687 , but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin, to the extent such covenants, conditions or restrictions violate 42 USC 3604(c). Said Declaration has been modified by instruments recorded as follows: Book 649, Page 1363; Book 678, Page 1375 re-recorded in Book 680, Page 1046; Book 691, Page 1619 re-recorded in Book 693, Page 702; Book 715, Page 354; Book 719, Page 263; Book 722, Page 525; Book 749, Page 2355; Book 808, Page 2078; Book 937, Page 1073; Book 937, Page 1077; Book 962, Page 1630; Book 978, Page 1611; Book 1082, Page 190; Book 1082, Page 193; Book 1164, Page 1562; Book 1192, Page 1787; Book 1198, Page 2457; Book 1215, Page 787; Book 1343, Page 2497; Book 1520, Page 1086; as further modified by Assignment of Declarant's Rights recorded in Book 898, Page 1761 and Book 1016, Page 2257.
4. Development of Regional Impact Agreement recorded in Book 483, Page 885, as modified by instruments recorded in Book 503, Page 676; Book 571, Page 833; Book 616, Page 2718; Book 627, Page 554; Book 640, Page 176; Book 703, Page 1189; and, Book 840, Page 2326.
5. Agreement on Interim Road Impact Fee Credit for St. Lucie West Development of Regional Impact recorded in Book 573, Page 303, as modified by instruments recorded in Book 579, Page 2706; Book 663, Page 2607; Book 718, Page 1876; Book 872, Page 555; Book 898, Page 1796; Book 1016, Page 2297; Book 1211, Page 504; and, Book 1259, Page 2766.
6. Restrictive Covenant recorded in Book 819, Page 2477, as affected by Assignment of Declarant's Rights recorded in Book 1016, Page 2263.

OR BOOK 3273 PAGE 2320

7. Restrictive Covenant recorded in Book 884, Page 2225, as affected by Assignment of Declarant's Rights recorded in Book 1016, Page 2263.
8. Ordinance No. 95-039 recorded in Book 981, Page 1615 and Book 992, Page 2862.
9. School Impact Fee Credit Agreement SIF 96-001 recorded in Book 1033, Page 2199.
10. Ordinance No. 99-001 recorded in Book 1203, Page 1026.
11. Notice of Establishment of the St. Lucie West Services District recorded in Book 1250, Page 1737.
12. Notice of Water and Sewer Utility Operating Policy recorded in Book 1285, Page 2156.
13. Ordinance No. 00-002 recorded in Book 1301, Page 2302.
14. Resolution No. 01-142 accepting an Easement on behalf of St. Lucie County, Florida recorded in Book 1404, Page 1485.
15. Restrictions as set forth in Special Warranty Deed recorded in Book 2071, Page 903.
16. Notice of Approval recorded in Book 2256, Page 996.
17. Notice of Adoption of the Modified Development Order for the St. Lucie West Development of Regional Impact recorded in Book 2496, Page 1496.
18. Non-Exclusive Utility Easement recorded in Book 2574, Page 507.
19. Non-Exclusive Ingress and Egress Easement recorded in Book 2574, Page 512.
20. Any retroactive fees and/or assessments that may be imposed by the City of St. Lucie in the future for storm water utilities and/or to recoup refunds of storm water utility assessments/fees for tax years 1993/94 - 1997/98 pursuant to *Zlinkoff v. City of Port St. Lucie*.

**Binding PUD Agreement**

The property, as described in the legal description, is under unified control of the undersigned petitioner who agrees to (1) proceed with the proposed development according to the provisions of the Port St. Lucie PUD Zoning Regulations; and (2) provide such agreements, contracts, deed restrictions and sureties as are acceptable to the City of Port St. Lucie for the completion of the development in accordance with the plan approved by the City. In addition, the said petitioner shall be responsible for the continuing operations and maintenance of such areas, functions and facilities until such time as a private property owners association, yet to be established, agrees to accept the same responsibilities. Such responsibilities are not to be provided or maintained at public expense. The petitioner further agrees to bind all successors in title to the commitments herein in this paragraph made.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 29<sup>th</sup> day of August, 2012.

WITNESS:

CREG-Lake Whitney, LLC

BY: John Beaudette

BY: 

BY: Patricia E. Gray

## Section II: PUD Justification

This PUD application is for the development of the CREG-Lake Whitney, LLC property generally located along the NW Peacock Loop, on the north side of Lake Whitney Place, within the St. Lucie West DRI. The project consists of approximately 10.6-acres of land and 158 proposed dwelling units, at a density fewer than fifteen (15) units per acre.

The project is being developed by R. J. Finlay & Co., one of the nation's largest builders and community developers. When completed, CREG-Lake Whitney, LLC will fill a city-wide need for rental apartments addressing the regional context of the property and its role in building a well-planned central area for the City. To maintain maximum economic, design, and development flexibility for this project, the PUD has been planned to permit commercial and institutional uses as well.

Although not intended to be a mixed-use community, the planning of this PUD illustrates many of the City-wide planning principles that are being utilized in the St. Lucie West DRI. Those planning principles include:

- Provide a wide range of housing choices including size, price, type and style.
- Create a community that provides housing, shopping, office, recreation, and civic uses in close proximity to one another.
- Design neighborhood streets that encourage pedestrian and bicycle travel by providing convenient routes between residential and commercial services, schools and parks and other neighborhood facilities.
- Create local and regional pedestrian and bicycle networks within the community and in the surrounding area.
- Provide clearly recognizable civic spaces in each neighborhood including neighborhood parks, community green, community squares and plazas.
- Provide for missed sidewalk connections within the Lake Whitney Place right-of-way adjacent to vacant parcels.
- Provide a bus shelter for either school or public transit users adjacent to the property.
- Provide for pedestrian safety utilizing crosswalk markings, signage, and lighting if warranted.

### A. District Establishment

1. The area of CREG-Lake Whitney PUD is 10.6 acres, which exceeds the 2-acre minimum establishment of a PUD within the City of Port St. Lucie.
2. The CREG-Lake Whitney PUD is located on the north side of Lake Whitney Place just east of NW Peacock Blvd. within the City of Port St. Lucie. Access to the property will be along St. Lucie West Blvd. to NW Peacock Blvd. to Lake Whitney Place. An existing signalized median opening at NW Peacock Blvd. and Lake Whitney Place provides full traffic turning movements for all vehicular traffic. PUD access is provided by Lake Whitney Place.
3. The CREG-Lake Whitney PUD has stormwater management provided by an existing stormwater management system operated by the St. Lucie West Service District Utility System.

The CREG-Lake Whitney PUD is supplied with Water and Wastewater Services by the St. Lucie West Service District Utility System. Furthermore, the PUD is supplied water for irrigation from the St. Lucie West Service District Utility System.

4. The physical characteristics of The CREG-Lake Whitney PUD can be described as approximately 10.6 acres of land formerly overgrown with exotics and cleared, which is now vacant.
5. This PUD application is consistent with the City of Port St. Lucie Comprehensive Land Use Plan.
6. The exact building footprint, parking and drive configuration, along with other defining site improvements will be defined and established during the site plan review process.

#### **B. Community Vision**

The PUD Conceptual Master Plan envisions either multifamily housing, commercial or institutional uses within walking distance of the major commercial and recreational uses in the area. A series of paths, sidewalks and local streets will connect the community to these surrounding uses minimizing conflicts between pedestrians, bicyclists and automobiles. Linking the project to recreation, commercial, and natural features, the automobile becomes less of a necessity for internal circulation. Convenience will come from the close proximity to commercial shopping centers, employment centers, natural features, and parks. The residential offered in this community promotes a living environment consistent with the emerging market demand, and the commercial and industrial uses outlined here-in allow for market flexibility. Paths and sidewalks shall be an integral part of the overall design of the PUD. They will provide connections between parcels, and allow opportunities for seating areas, active recreation, and passive recreation. Pedestrian connections shall also provide for access off site enabling adjacent development within the DRI, the same opportunity to utilize neighboring commercial and amenity areas, reducing the need to rely on the automobile.

#### **C. Proposed Development Use**

The PUD Conceptual Master plan is the development of a project comprising of 10.6-acres of land, within the 4,614-acre St. Lucie West DRI. (less than 1% of the overall community)

The primary development scenario for the PUD comprises of residential housing tailored to meet the needs of the rental community consisting of 1 to 3 bedroom apartments. Total units proposed for PUD are +/- 158 at an overall density of 14.9 units per acre.

Alternatively, for maximum flexibility in development, commercial or institutional uses are permitted within this PUD. This project is not intended to be a mixed-use development, however the same planning principles used for designing a residential community with regard to connectivity would be used for non-residential end use. The maximum intensity for the project would be as permitted by the City's Land Development Regulations.

**D. Site Density/Intensity**

1. TOTAL SITE AREA		10.6 AC.	
2. WETLANDS TO BE MITIGATED		0.0 AC.	
3. DEVELOPMENT AREA		10.6 AC.	
4. UPLAND HABITAT		0.0 AC.	
5. DENSITY			
	Max. Permitted	159 Units	15.0 DU/AC.
	Max. Proposed	158 Units	14.9 DU/AC.

**E. Drainage Statement**

The proposed 10 +/- acre project falls under the existing South Florida Water Management District (SFWMD), the St. Lucie West Services District and the City of Port St. Luce Engineering Department jurisdiction. The SFWMD issued a master drainage plan for the entire 3000 plus acre development in its inception, and any work done inside the boundaries of St. Lucie West requires a modification to the master permit. Likewise, St. Lucie West has to review and administer all work done under this permit.

The City of Port St. Lucie will also review our paving, grading and drainage plans and calculations to ensure that we meet the City's established design criteria.

In essence, the project is required to treat a certain amount of water onsite and then discharge to the existing water management system. All design and calculations will be in accordance with all existing permit criteria and City standards.

**F. Utility Statement**

The St. Lucie West Services District Utilities Department is the entity that will provide water, sewer and reuse water to this project. Existing information reported to the Department of Environmental Protection show that both the water treatment plant and the sewerage treatment plant have excess capacity to handle the flows this project is capable of producing.

It is anticipated that the project will contain 158 units and this is equivalent to a daily maximum consumption of 39,500 gallons.

All phases of this project will be supplied by SLW utilities. All plans, specifications and construction will abide by all District and Florida Department of Environmental protection rules and regulations.

Since St. Lucie West does have reuse water available for all landscaping irrigation purposes, this project will also be serviced by the SLW Utilities Department for their irrigation needs.

**G. Traffic Statement**

Susan E. O'Rourke, P.E., Inc. was retained to prepare a traffic analysis for the proposed St. Lucie West apartments which would consist of a 158 unit apartment complex to be located north of St.

Lucie West Boulevard, and east of Peacock Boulevard in St. Lucie County, Florida. The project will take access to Peacock Boulevard. The purpose of this report is to determine the project's impact on the surrounding roadway system.

The project is expected to be complete in 2014.

STUDY AREA. The study area was determined using a two-mile driving radius from the project's access and applying a 1% significance level. The roads to be included are St Lucie West Boulevard and Peacock Boulevard.

- St. Lucie West Boulevard is a four-lane divided urban principal arterial roadway west of Cashmere Boulevard and a six-lane divided urban principal arterial roadway east of Cashmere Boulevard.
- Peacock Boulevard is a four-lane divided urban collector roadway south of University Drive and a two-lane undivided urban collector north of University Drive.

PROJECT TRAFFIC. To estimate traffic generated by the apartment complex, the ITE Trip Generation, 8<sup>th</sup> Edition trip rates were applied. The project will generate approximately 1,081 daily trips, 81 new AM peak hour trips with 16 entering and 65 exiting, and 105 PM peak hour trips with 68 entering and 37 exiting the project.

TOTAL TRAFFIC/ CONCURRENCY REVIEW. To estimate the 2014 total traffic in the study area, the project traffic was added to the existing plus growth plus other projects. The total traffic was then compared to the available capacity to determine if the project causes the capacity to be exceeded. The capacity on St Lucie West Boulevard and Peacock Boulevard is not exceeded.

INTERSECTION ANALYSIS. The intersections of St Lucie West Boulevard and Peacock Boulevard and Peacock Boulevard and Commerce Park Drive were analyzed using Highway Capacity Manual analysis. Both of the intersections will operate at LOS D during the AM and PM peak hours for the existing and 2014 scenarios. Although the intersection of St. Lucie West and Peacock has delays on turn lanes to and from the north, it has an overall operation of LOS D.

CONCLUSION. The apartment complex would have a traffic impact of 1,081 daily trips and 81 AM peak hour trips and 105 PM peak hour trips when the project is built out. The project trips would not cause the capacity of the roadway to be exceeded. The roadway links and intersections will operate at acceptable levels of service with the total traffic at the time of project buildout without additional roadway improvements.

## **H. Environmental Statement**

The St. Lucie West Apartments project site consists of a ±10.6-acre parcel located within the St. Lucie West DRI, in the City of Port St. Lucie, Florida. In general, the project site is bounded on the west by light industrial space, on the east by Lake Whitney, on the north by parking areas and a recreational complex, and on the south by a single-story office complex.

The CREG-Lake Whitney, LLC Parcel

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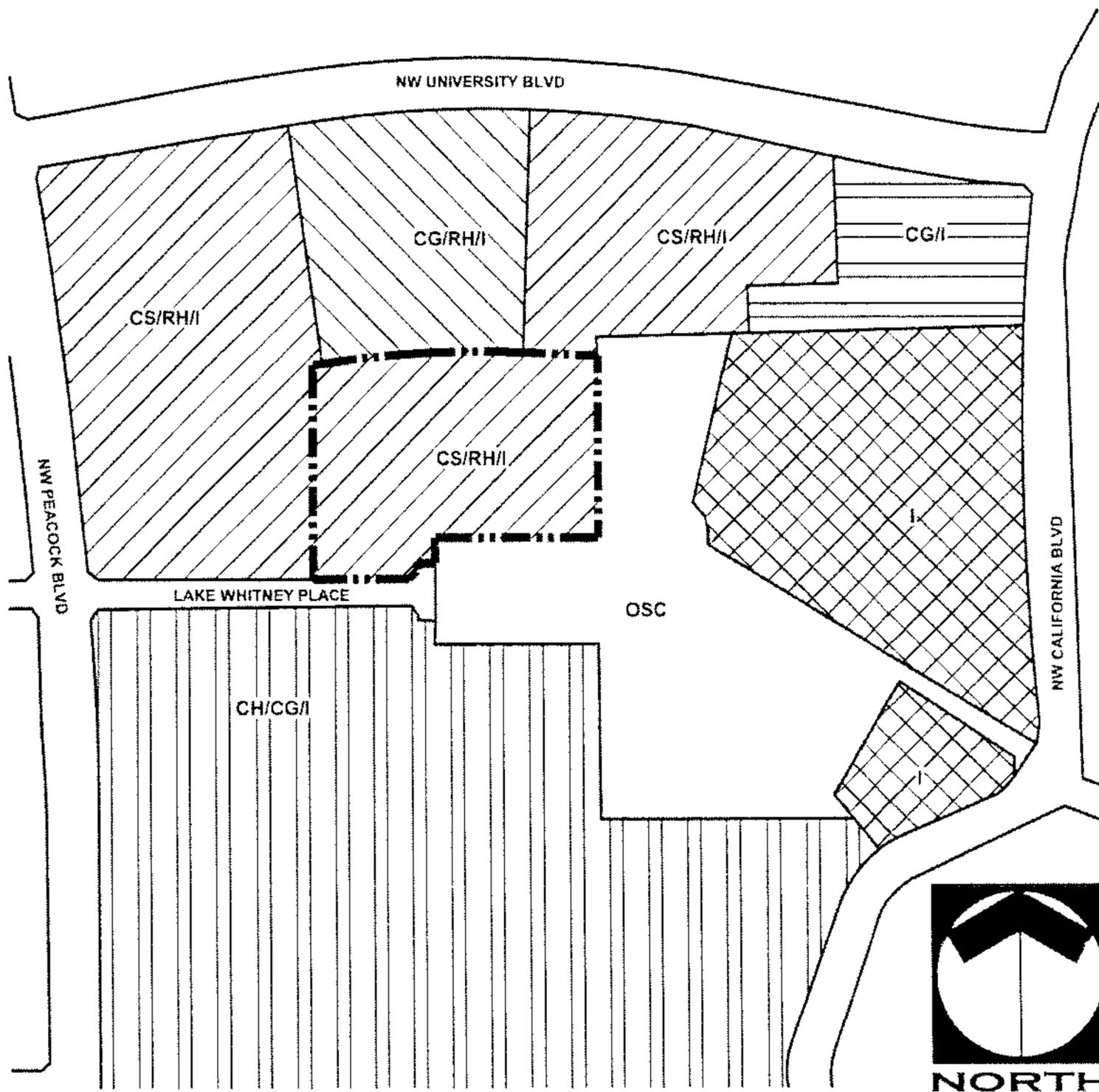
The site contains no intact native wetland or upland vegetative communities. It has been cleared and filled and is now regularly maintained. There is a ditch located along the north portion of the site that is regularly maintained, as well. There will be no impacts to listed species or state/federal jurisdictional wetlands or Other Surface Waters as a result of this project.

The site has previously been cleared. A clearing permit was issued for P04-569 Cumber Professional Park North at St. Lucie West Major Site Plan Application, and an upland mitigation fee in the amount of \$49,104.00 was paid on September 28, 2005 to mitigate for 7.427 acres of pine flatwoods on site.

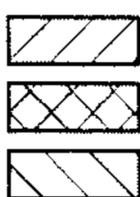




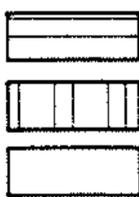
Map 3: Future Land Use Map



LEGEND



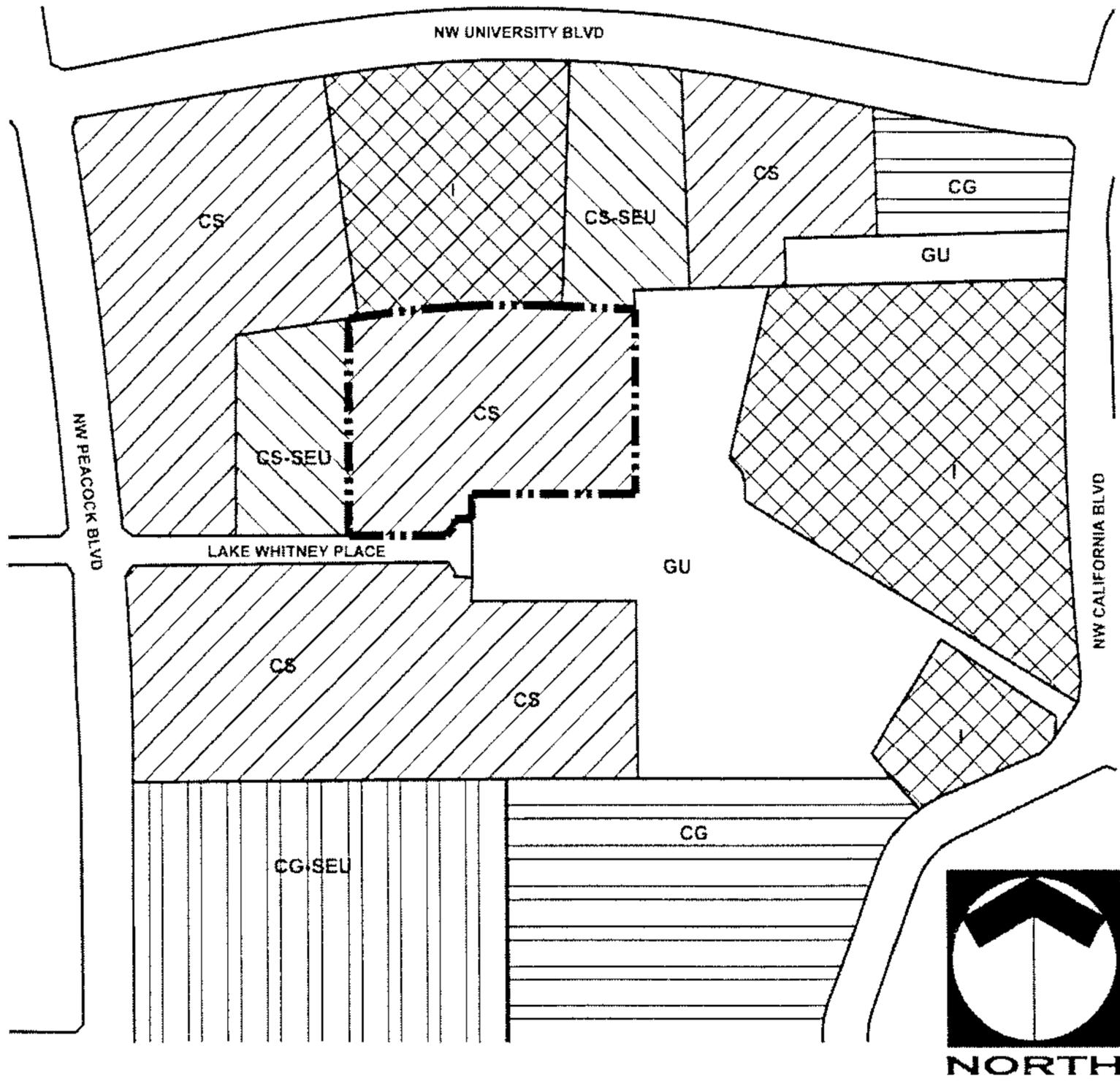
CS/RH/I - COMMERCIAL SERVICE/  
 RESIDENTIAL/INSTITUTIONAL  
 I - INSTITUTIONAL  
 CG/RH/I - COMMERCIAL LIMITED  
 RESIDENTIAL/INSTITUTIONAL



CG/I - GENERAL COMMERCIAL/  
 INSTITUTIONAL  
 CH/CG/I - COMMERCIAL SERVICE/  
 COMMERCIAL LIMITED/INSTITUTIONAL  
 OSC - PRESERVATION

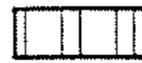
The CREG-Lake Whitney, LLC Parcel

Map 4: Existing Zoning Map

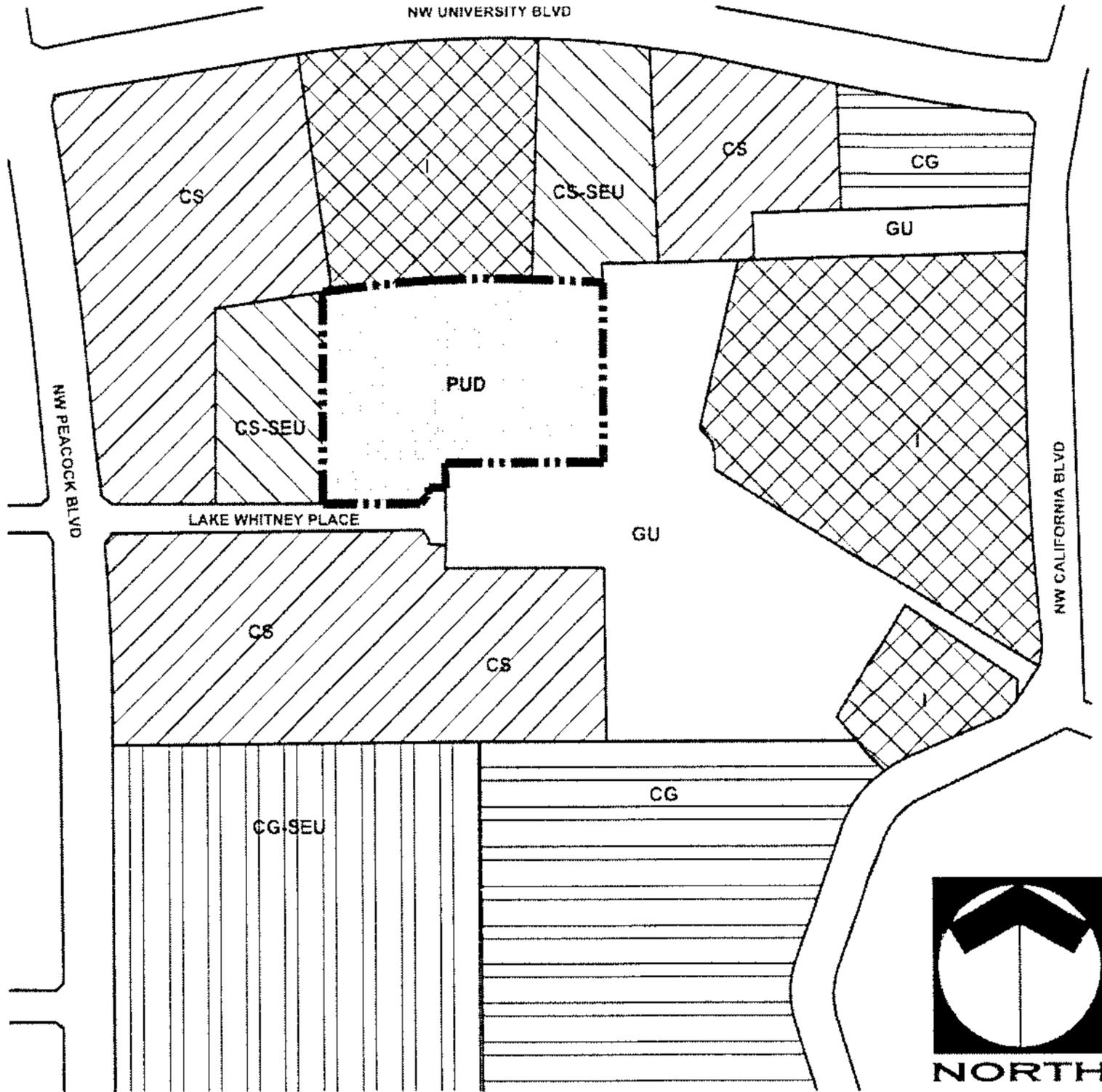


LEGEND

-  CS - SERVICE COMMERCIAL
-  I - INSTITUTIONAL
-  CS-SEU - SERVICE COMMERCIAL SPECIAL EXEPTION USE
-  PUD - PLANNED UNIT DEVELOPMENT

-  CG - GENERAL COMMERCIAL
-  CG-SEU - GENERAL COMMERCIAL SPECIAL EXEPTION USE
-  GU - GENERAL USE

Map 5: Proposed Zoning Map

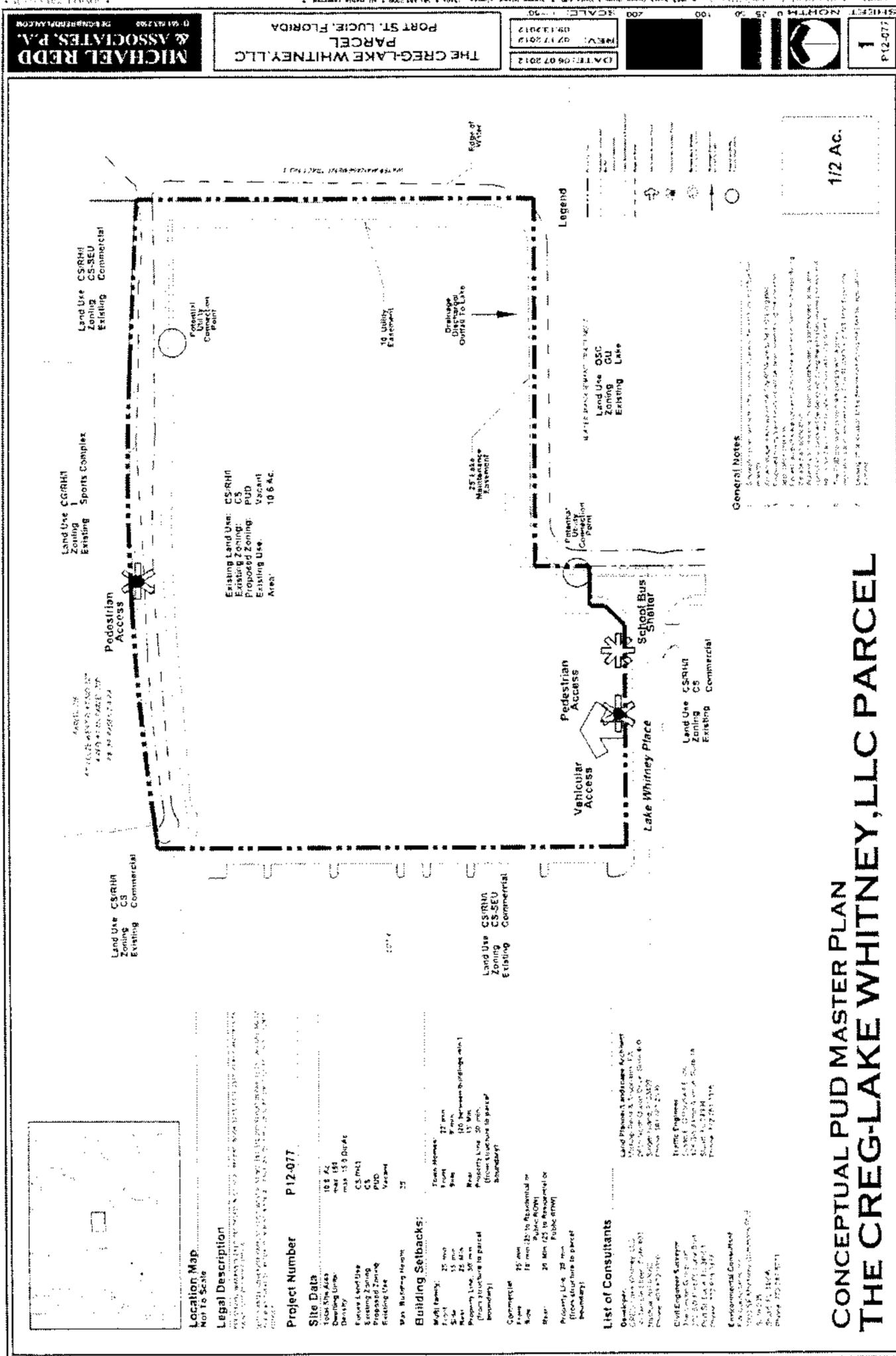


LEGEND

	CS - SERVICE COMMERCIAL		CG - GENERAL COMMERCIAL
	I - INSTITUTIONAL		CG-SEU - GENERAL COMMERCIAL SPECIAL EXCEPTION USE
	CS-SEU - SERVICE COMMERCIAL SPECIAL EXCEPTION USE		GU - GENERAL USE
	PUD - PLANNED UNIT DEVELOPMENT		

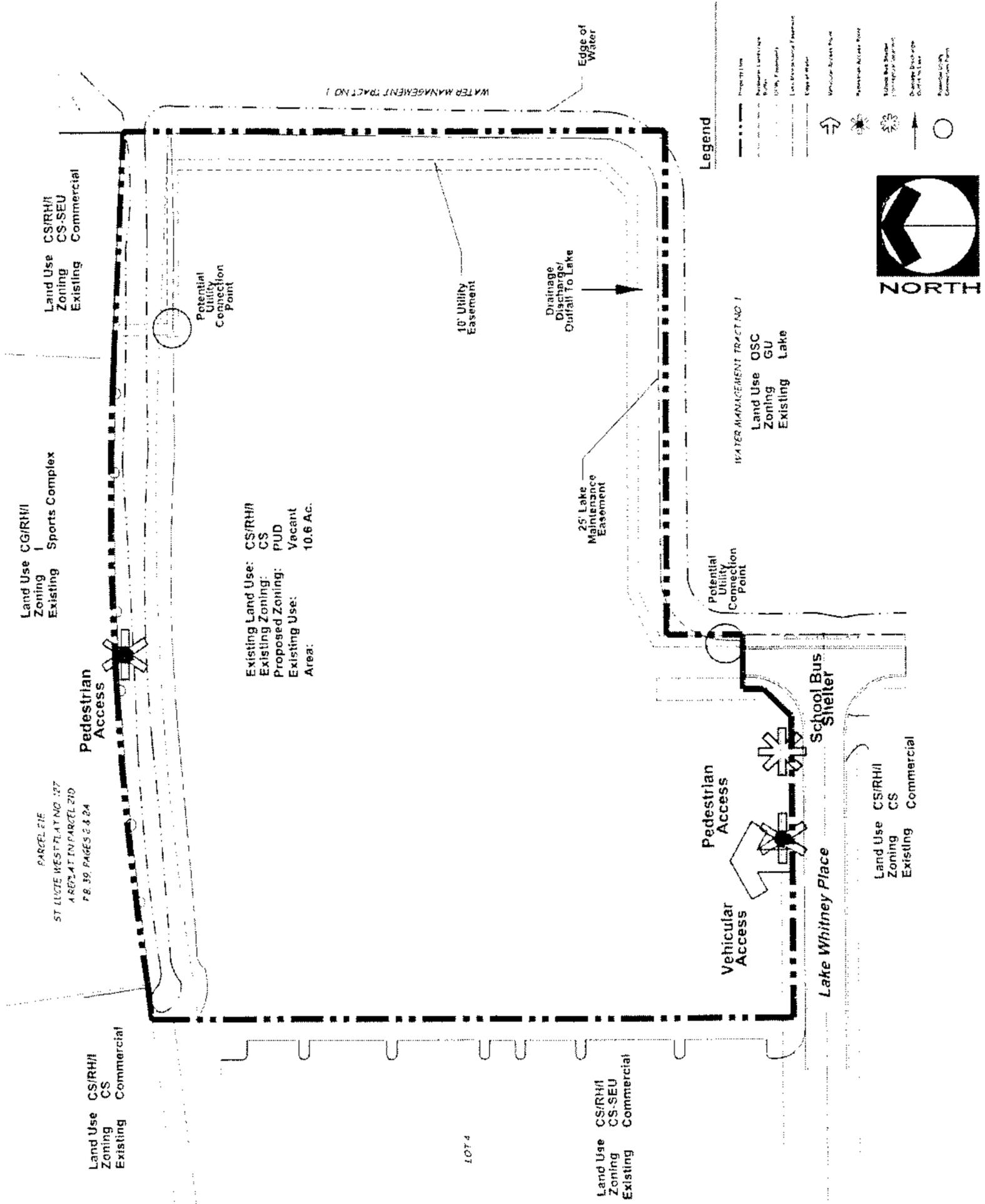
The CREG-Lake Whitney, LLC Parcel

Map 6: Proposed PUD Conceptual Plan



The CREG-Lake Whitney, LLC Parcel

Map 7: Proposed PUD Conceptual Plan (close-up)



**Map 8: Proposed PUD Conceptual Plan (Site Data)**

## **Legal Description**

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PER SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 3273, PAGE 2317, PUBLIC RECORDS OF SAINT LUCIE COUNTY FLORIDA.

LOTS 5 AND 6 UNIVERSITY PARK, ST. LUCIE WEST PLAT NO. 143, SECOND REPLAT IN PARCEL 21D, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 41, PAGE 29, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

## **Project Number P12-077**

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### **Site Data**

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Total Site Area:	10.6 Ac.
Dwelling Units:	max. 159
Density:	max. 15.0 Du/Ac
Future Land Use:	CS/RH/I
Existing Zoning:	CS
Proposed Zoning:	PUD
Existing Use:	Vacant
Max. Building Height:	35'

### **Building Setbacks:**

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#### Multi-family:

Front: 25' min.  
Side: 15' min.  
Rear: 25' Min.  
Property Line: 30' min.  
(from structure to parcel boundary)

#### Town Homes:

Front: 22' min.  
Side: 0' min.  
(20' between buildings min.)  
Rear: 15' Min.  
Property Line: 30' min.  
(from structure to parcel boundary)

#### Commercial:

Front: 25' min.  
Side: 10' min.(25' to Residential or Public ROW)  
Rear: 20' Min. (25' to Residential or Public ROW)

Property Line: 30' min.  
(from structure to parcel boundary)

## Section III: Development Guidelines

### A. Permitted Principal Uses & Structures

#### 1. Residential

- a. Uses permitted by right within these tracts shall be any or all of those uses included Permitted Principal Uses of the RM-15: Multiple-Family Residential Zoning District (Section 158.080)
- b. Multi-family: (See Exhibits 1-2)
  - 1) Multi-family
  - 2) Townhouse
- c. Model homes: Model Homes are allowed within each residential parcel, and include a mix of lot sizes, sales and design centers, parking, and office. A temporary road to the sales pavilion and models may be included with model homes construction. Construction trailers may also be located in this area.
- d. Home Occupation: Home occupation is not permitted within the PUD.

#### 2. Commercial: (See Exhibit 3)

- a. Uses permitted by right shall be any or all of those uses included in the Permitted Principal Uses of the following zoning districts:
  - 1) Institutional, Section 158.110
  - 2) Service Commercial, Section 158.126
- b. Residential: Uses permitted in Section 158.076 –158.080 are permitted within the PUD.
  - 1) Permitted residential uses within the commercial uses are intended to provide an alternative to the housing types specified for the community. Residential uses which may be developed shall be integrated into the overall design for the tracts such that the integral nonresidential use is not diminished or inhibited.
  - 2) Residential uses may include apartments located above retail or nonresidential use if primarily developed as commercial.
- c. Design and development of the commercial uses shall be consistent with the regulations of Section 158.126 of the City's Land Development Regulations, unless expressly modified herein.

The CREG-Lake Whitney, LLC Parcel

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- d. Design and development of the institutional uses shall be consistent with the regulations of Section 158.110 of the City's Land Development Regulations, unless expressly modified herein.

3. Recreation

- a. Common recreation areas, including swimming pools will be developed within the PUD.
- b. Clubhouses. Permitted uses reflect common uses associated within a clubhouse to include but are not limited to, reception area, meeting rooms, kitchen/dining area, office, swimming pool, tennis courts, card rooms, fitness facility, theater/auditorium, and computer rooms.

4. General: The following general uses are permitted within the PUD.

- a. Guardhouses, gatehouses, and access control structures.
- b. Neighborhood parks and recreational facilities.
- c. Landscape features such as buffers, berms, fences and walls.
- d. Benches, gazebos, and other open space uses.
- e. Lakes, including lakes with bulkheads or other architectural or structural bank treatments.
- f. Temporary construction, sales, and administrative offices for the authorized contractors and consultants, including necessary access ways, parking areas and related uses.

**B. Special Exception Uses**

1. Residential: The Special Exception Uses in the following zoning districts may be permitted only following the review and specific approval thereof by the City Council.

- a. Multi-Family Residential (RM-5), Section 158.076
- b. Multi-Family Residential (RM-8), Section 158.077
- c. Multi-Family Residential (RM-11), Section 158.078
- d. Multi-Family Residential (RM-15), Section 158.080

2. Commercial: The Special Exception Uses in the following zoning districts may be permitted only following the review and specific approval thereof by the City Council:

- a. Institutional, Section 158.110
- b. Service Commercial, Section 158.126

**C. Maximum Residential Density / Minimum Lot Requirements**

1. Residential

a. Multi-family

- 1) The maximum gross density is fifteen (15) dwelling units per acre.

2) The minimum lot size is thirty thousand (30,000) square feet and a width of one hundred and fifty (150) feet.

2. Commercial: Minimum lot size for commercial uses is 20,000 square feet.
3. All other permitted and special exception uses to have a minimum lot size of twenty thousand (20,000) square feet, and a width of one hundred (100) feet.

#### D. Building Coverage

1. Residential: The maximum building coverage is thirty-five (35%) percent provided that the maximum impervious area per residential parcel is fifty (50%) percent.
2. Commercial: The maximum building coverage is forty (40%) percent provided that the maximum impervious area per commercial parcel is eighty (80%) percent.

#### E. Building Height

1. The maximum building height is (35) thirty-five feet.
2. Building height is defined as per the City's Land Development Regulations as follows:

"The vertical distance measure from the mean finished ground level adjoining the front of a building to the level of the highest point of the roof or top surface on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip and gambrel roofs. The portions of gable, hip and gambrel roofs that extend beyond the average distance between the eaves and the ridge shall not contain habitable space. See Sec. 158.215 for exclusions from height limits."

#### F. Minimum Living Area

1. The minimum living area for any residential dwelling shall be as per the City of Port St. Lucie's Land Development Regulations. (Section 158.080.H)

#### G. Setbacks and Buffering

1. Residential
  - a. Multi-family: Structure setbacks (see Exhibit 2)
    - 1) Front: 25' min.
    - 2) Side: 15' min.
    - 3) Rear: 25' min.
    - 4) Property Line: 30' min. (from structure to parcel boundary)
    - 5) Building Separation: Where two or more buildings are situated upon a lot, any two buildings shall be separated by a minimum distance equal to three fourths (3/4) of the

The CREG-Lake Whitney, LLC Parcel

sum of the combined heights of said buildings, provided that in no case shall said distance be less than (20) twenty feet.

- 6) Building Mass: No building shall have an effective length of mass exceeding 300 feet, measured as a straight line distance between any two corners or outside edges of said building.

b. Townhouse: Lot Setbacks (see Exhibits 3)

- 1) Front: 22' min.
- 2) Side: 0 (20' between buildings min.)
- 3) Rear: 15' (rear yard)
- 4) Property Line: 30' min. (from structure to parcel boundary)
- 5) Building Separation: 20' min.
- 6) Building Mass: Townhouse structures shall be limited to not more than ten (10) contiguous townhouse dwellings. The maximum length of any townhouse structure shall 300 feet.

	Front Setback	Side Setback	Rear Setback	Property Line:	Building Separation	Building Mass
Multi-family	25'	15'	25'	30'	¼ of sum of bldgs. 20' min.	300'
Townhouse	22'	0' 20' bldg.-bldg.	15'	30'	20' min.	300'

2. Commercial: Structure Setbacks (See Exhibit 4)

- 1) Front: 25' min.
- 2) Side: 10' min. (25' to residential)
- 3) Rear: 20' min. (25' to residential or public right-of-way)
- 4) Property Line: 30' min. (from structure to parcel boundary)
- 5) Building Separation: 20' min.
- 6) Building Mass: The maximum length of any commercial structure shall not exceed 300 feet.

Min Lot Area	Lot Width at Bldg. Line	Min. Road Frontage	Front Setback	Rear Setback	Side yard Setback
20,000 s.f.	100'	60'	25'	20' 25' to residential or r.o.w	10' 25' to residential

The CREG-Lake Whitney, LLC Parcel

3. Accessory Structure: Setbacks for accessory structures such as pools, spas, screen enclosures or patio structures shall not be less than two (2) feet. No accessory structures shall be located in the area extending forward from the front building line, except a covered entryway which will adhere to all building setbacks.
4. Roofs overhangs two (2) feet or less in width are permitted in all setbacks and shall not be considered in calculating setbacks.
5. The following areas are excluded from setback requirements:
  - a. Parking areas
  - b. Steps, walks, driveway access
  - c. Landscape berms, irrigation or lighting
  - d. Planters less than four (4) feet in height

**H. Off-Street Parking and Service**

1. A (25) twenty-five foot minimum setback shall be provided between the Lake Whitney Place right of way and parking/vehicular areas.
2. A (10) foot minimum setback shall be provided between all right of ways or boundary lines and parking/vehicular areas.
3. Parking shall be designed as per the minimum standards set forth within the City Land Development Regulations, Section 158.221 except where expressly modified herein.
4. Parking requirements

Use	Parking Spaces Required	Parking Space Size	Aisle Width Size	Overhang
Multi Family	2 spaces per dwelling unit with two or more bedrooms.	9.5' x 18'	26'	2'
	1.5 spaces per dwelling unit for one bedroom			
	Guests: 1 space / 5 units			
Clubhouse	1 space per 200 sf of gross floor area	9.5' x 18'	26'	2'
Commercial	5 spaces per 1,000 sf of net building area	9.5' x 18'	26'	2'

**I. General Development Standards**

1. Walkways/Pedestrian Connections
  - a. The front entrance to each building on a site shall have a direct sidewalk connection to sidewalks adjacent to parking or vehicular use areas.

- b. Walkways are to be a minimum of (5) five feet in width. A (5) five feet minimum landscape strip shall be provided between sidewalks and buildings.
  - c. Sidewalks located within the entrance road right-of-way shall be a minimum (5) five feet.
  - d. All pedestrian circulation areas are to be adequately lighted.
  - e. Pedestrian crossings shall be clearly delineated by the use of striping, or decorative concrete pavers.
  - f. The clubhouse area shall provide a minimum of five (5) bicycle parking spaces.
2. Site Lighting Standards
- a. All lighting shall comply with Section 158.221(B)(7) of the Land Development Code.
  - b. Lighting shall be shielded and directed toward buildings to minimize glare and intrusion to adjacent uses.
  - c. Lighting shall be provided on walkway connections and pedestrian areas along building frontages. Pedestrian lighting shall not exceed 25' in height.
3. Decorative Paving Standards: All decorative paving shall be designed so as to provide a unified design for the overall PUD. All paving in the City's rights-of-way is to be reviewed and approved as per the City's regulations.
4. Storage Areas and Site Utilities
- a. All service areas shall be designed and located so as to be unobtrusive and architecturally integrated into the building's overall design. All infrastructures, pipes, equipment and other mechanical equipment shall be screened to ensure unique and visually appealing buildings.
  - b. Locations of aboveground utility elements, such as transformers, shall be screened with a minimum 3-foot high-planted hedge at the time of planting, unless the utility element is less than 3-feet in which case the hedge may be reduced to a comparable height. The hedge must be 50% opaque at time of planting.
  - c. Dumpster areas must be located to minimize visibility from adjacent streets and properties with landscape screening to include but not limited to, a 6 foot wall with a hedge to be maintained at 4 feet, 2 years after installation.
  - d. Dumpster areas shall be located at the rear or side of the building and screened with a masonry wall including opaque gates constructed of a solid material with the option of using wood, metal or other "solid" material.
  - e. New power lines will be underground.

5. Lake Areas: All lake areas located in the PUD are intended for the purposes of storm water retention.
6. Fences: Fences/Walls shall be a minimum of five (5') feet high and a maximum of eight (8') feet high. All fences shall be reinforced vinyl or aluminum and are to be used for the purposes of screening or privacy. Walls are to be a concrete, column and panel system.
7. Gatehouse/Guardhouse/Access Control Structure
  - a. Gatehouses/guardhouses may be located on any private roadway. The gatehouses, which may be manned or secured by control devices such as card entry, shall be located and designed to ensure safe and convenient traffic flow, and to provide unimpeded access by emergency service vehicles.
  - b. Details of the design of any access control element shall be submitted with an application for site plan approval.

#### J. Drainage

1. The CREG-Lake Whitney, LLC PUD is comprised of approximately 10 +/- acre and falls under the existing South Florida Water Management District (SFWMD), the St. Lucie West Services District and the City of Port St. Luce Engineering Department jurisdiction. The SFWMD issued a master drainage plan for the entire 3000 plus acre development in its inception, and any work done inside the boundaries of St. Lucie West requires a modification to the master permit. Likewise, St. Lucie West has to review and administer all work done under this permit.
2. The City of Port St. Lucie shall review the paving, grading and drainage plans and calculations to ensure that the project meet the City's established design criteria.
3. The PUD is required to treat a certain amount of water onsite and then discharge to the existing water management system. All design and calculations will be in accordance with existing permit criteria and City standards.

#### K. Utilities

1. The St. Lucie West Services District Utilities Department will provide water, sewer and reuse water to this project. Existing information reported to the Department of Environmental Protection show that both the water treatment plant and the sewerage treatment plant have excess capacity to handle the flows this project is capable of producing.
2. The PUD will contain 158 units and this is equivalent to a daily maximum consumption of 39,500 gallons.

3. All phases of this project will be supplied by SLW Utilities. All plans, specifications and construction will abide by all District and Florida Department of Environmental protection rules and regulations.
4. If available, all landscaping irrigation is to utilize reuse water, being serviced by the SLW Utilities Department for their irrigation needs.

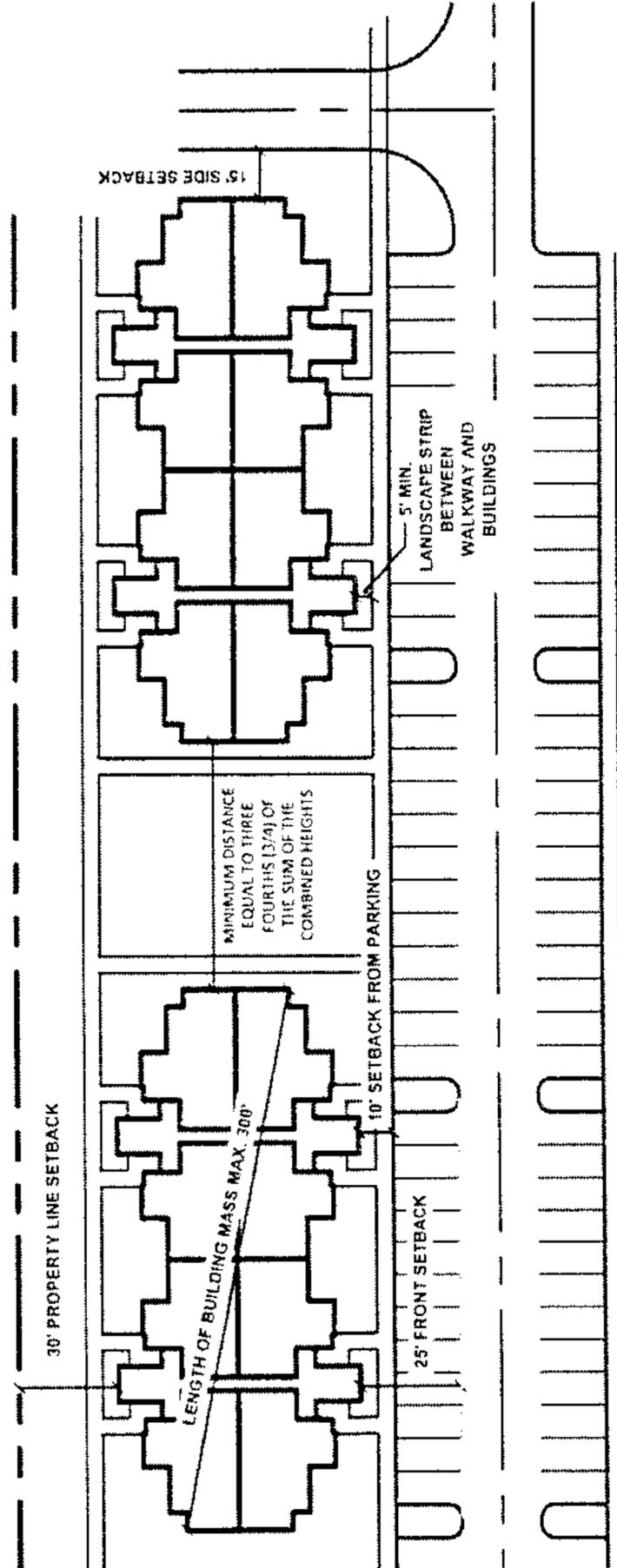
**L. Natural Resource Protection**

The PUD shall comply with Chapter 157 of the Land Development Regulations for natural resource protection and comply with Chapter 152 of the City Code of Ordinances, FLOODPLAIN REGULATIONS.

The CREG-Lake Whitney, LLC Parcel

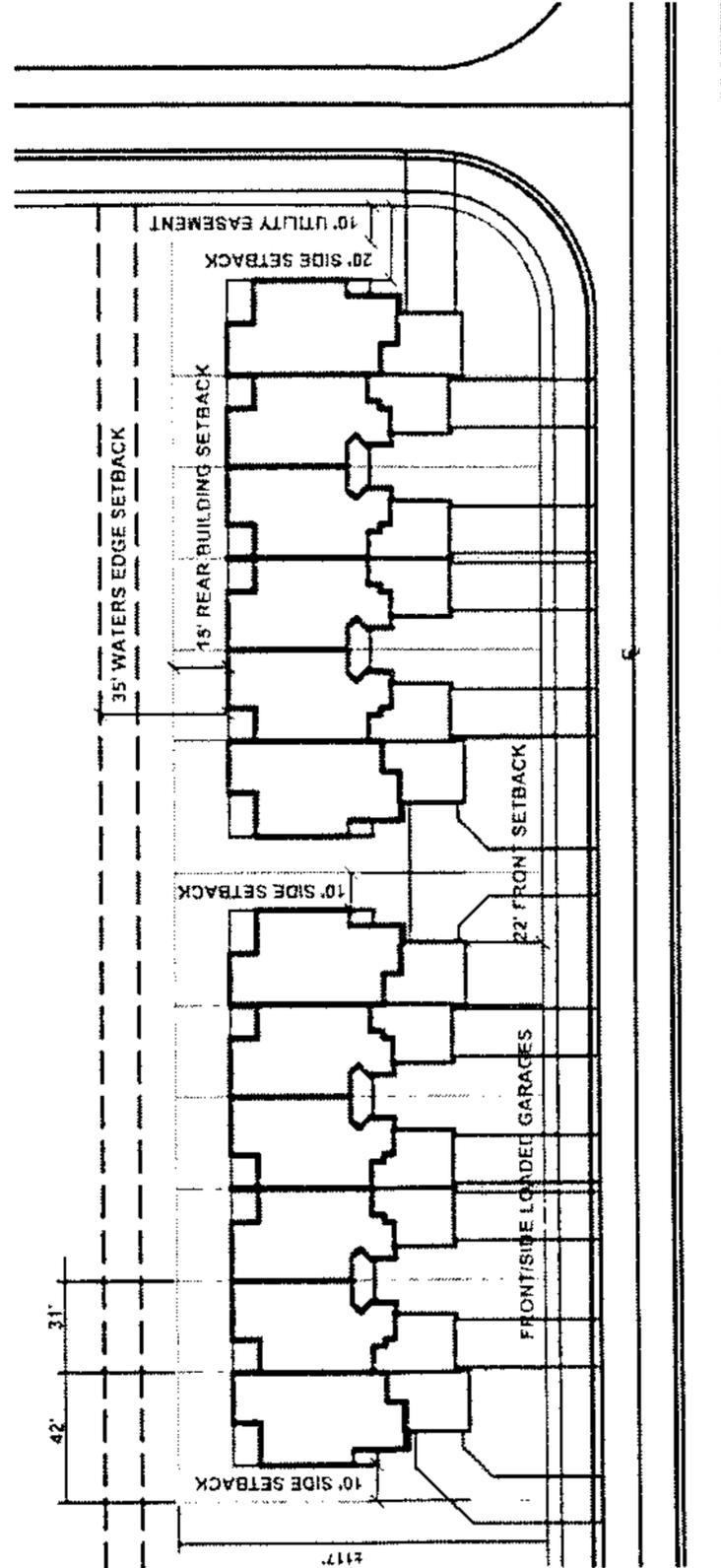
**Exhibit 1: Multi-family Structure Setbacks**

- a. Front: 25' min.
- b. Side: 15' min.
- c. Rear: 25' min.
- d. Property Line: 30' min.  
(from structure to parcel boundary)
- e. Building Separation: Where two or more buildings are situated upon a lot, any two buildings shall be separated by a minimum distance equal to three fourths (3/4) of the sum of the combined heights of said buildings, provided that in no case shall said distance be less than (20) twenty feet.
- f. Building Mass: No building shall have an effective length of mass exceeding 300 feet, measured as a straight line distance between any two corners or outside edges of said building.



**Exhibit 2: Townhouse Structure Setbacks**

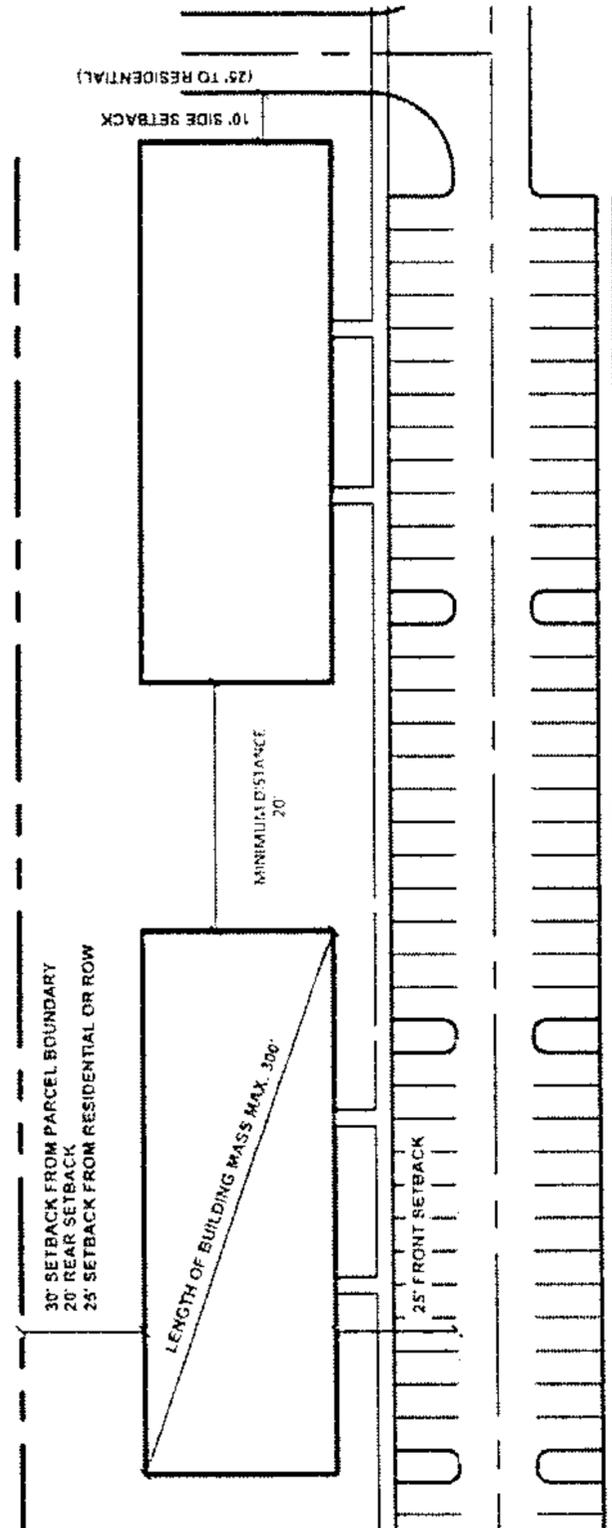
- a. Front: 22' min.
- b. Side: 0 (20' between buildings min.)
- c. Rear: 15' (rear yard)
- d. Property Line: 30' min.  
(from structure to parcel boundary)
- e. Building Separation: 20' min.
- f. Building Mass: Townhouse structures shall be limited to not more than ten (10) contiguous townhouse dwellings. The maximum length of any townhouse structure shall 300 feet.



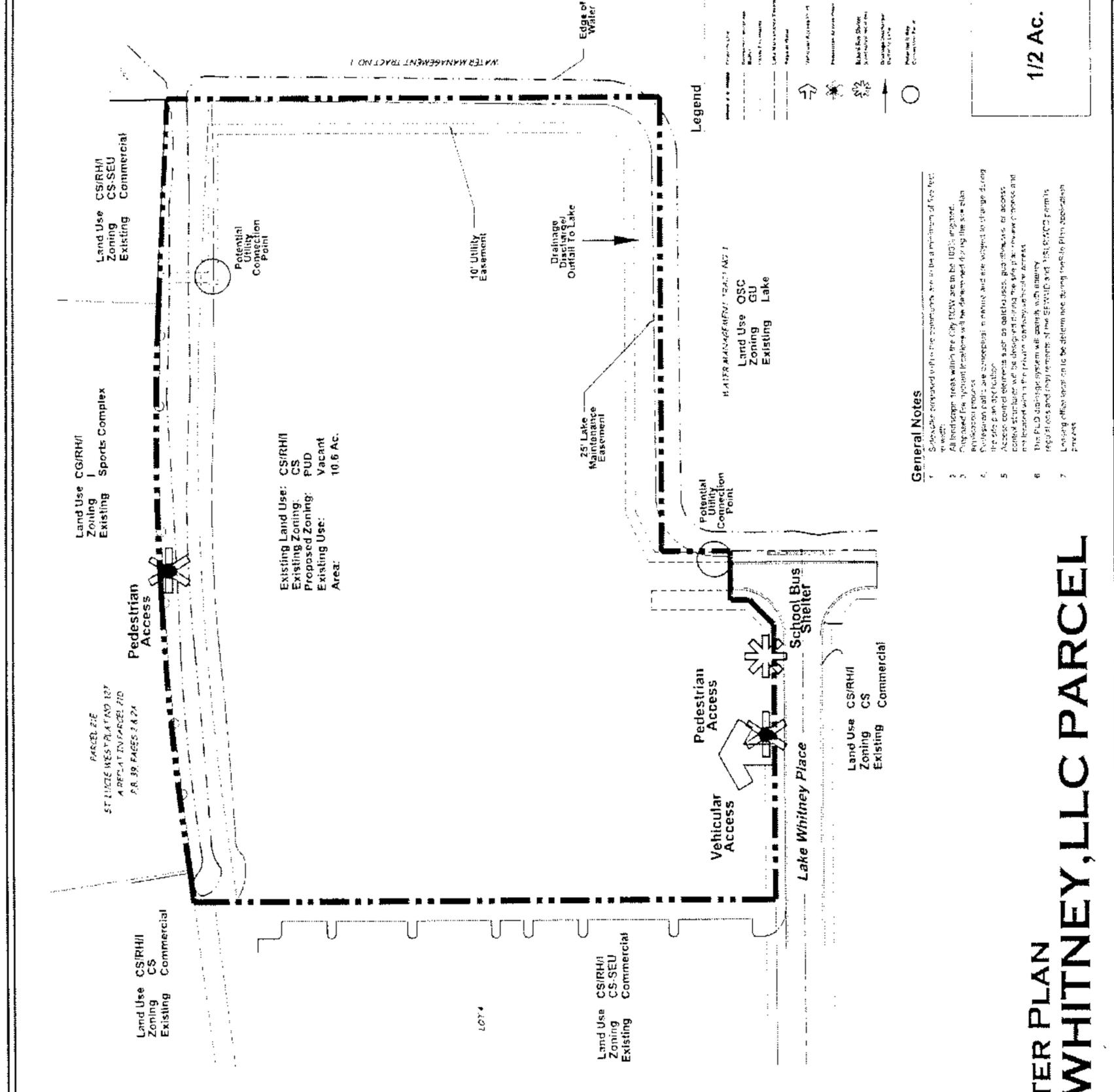
The CREG-Lake Whitney, LLC Parcel

**Exhibit 3: Commercial Structure Setbacks**

- a. Front: 25' min.
- b. Side: 10' min. (25' to residential)
- c. Rear: 20' min. (25' to residential or public right-of-way)
- d. Property Line: 30' min. (from structure to parcel boundary)
- e. Building Separation: 20' min.
- f. Building Mass: The maximum length of any commercial structure shall not exceed 300 feet.



MICHAEL REDD & ASSOCIATES, P.A. DESIGNER/PLANNER  
 O: 561.883.2500  
 2855 NORTH OCEAN DRIVE SUITE 400 PALM BEACH, FLORIDA 33480



**General Notes**

1. Schedule prepared with the assumption that the minimum of two feet of water.
2. All landscape trees within the City ROW are to be 100% protected.
3. Proposed Easement locations will be determined during the site plan preparation process.
4. Proposed easements are conceptual in nature and are subject to change during the site plan approval.
5. Access control elements such as gates, locks, padlocks, etc. are to be coordinated with the project's security system.
6. This PUD drainage system will comply with all applicable regulatory requirements of the City of St. Lucie and the State of Florida.
7. Landscaping location to be determined during the site plan approval process.

**Site Data**

Total Site Area: 10.6 Ac  
 max. 159 Dwelling Units  
 Density: 15.0 Du/Ac  
 Future Land Use: CS/RH/II  
 Existing Zoning: CS  
 Proposed Zoning: PUD  
 Existing Use: Vacant

**Building Setbacks:**

Multi-Family: 25 min Front, 15 min Side, 25 Min. Rear  
 Property Line: 30 min (from structure to parcel boundary)

Single Family: 22 min Front, 0(12) min Side, 15 Min. Rear  
 Property Line: 30 min (from structure to parcel boundary)

**Lot Dimensions:**

Front: 37 min  
 Side: 0 min (0' between buildings min.)  
 Rear: 15 Min.  
 Property Line: 30 min (from structure to parcel boundary)

**Commercial:**

Front: 25 min  
 Side: 10' min (25' to Residential or Public ROW)  
 Rear: 20' Min. (25' to Residential or Public ROW)  
 Property Line: 30 min (from structure to parcel boundary)

**List of Consultants**

**Developer:**  
 CREG Lake Whitney, LLC  
 30 Tampa Street, Suite 400  
 Nashua, NH 03060  
 Phone: 603.872.0000

**Land Planner/Landscape Architect:**  
 Michael Redd & Associates, PA  
 2855 North Ocean Drive, Suite 400  
 Singer Island, FL 33439  
 Phone: 561.883.2500

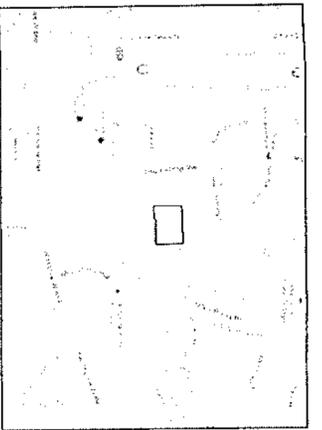
**Traffic Engineer:**  
 Susan E. Orourke PE Inc.  
 424 SW Akron Avenue, Suite 1A  
 Stuart, FL 34934  
 Phone: 772.781.7818

**Civil Engineer/Surveyor:**  
 The Valiron Group Inc.  
 702 SW Per. St. Lucie Blvd.  
 Port St. Lucie, FL 34953  
 Phone: 772.879.0177

**Environmental Consultant:**  
 EY Consultants, Inc.  
 1170 SE Monterey Commons Blvd.  
 Suite 200  
 Stuart, FL 34956  
 Phone: 772.287.8721

# CONCEPTUAL PUD MASTER PLAN THE CREG-LAKE WHITNEY, LLC PARCEL





**Location Map**  
Not To Scale

**Legal Description**

PER SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 3373, PAGE 2317, PUBLIC RECORDS OF SAINT LUCIE COUNTY, FLORIDA.  
 LOTS 5 AND 6 UNIVERSITY PARK, ST. LUCIE WEST PLAT NO. 127, SECOND REPLAT IN PARCEL 210, ACCORDING TO THE MAP THEREOF, RECORDED IN MAP BOOK 41, PAGE 29, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

**Project Number** P12-077

**Site Data**

**Total Site Area:** 10.6 Ac.  
**Dwelling Units:** max. 159  
**Density:** max. 15.0 Du/Ac  
**Future Land Use:** CS/RH/I  
**Existing Zoning:** CS  
**Proposed Zoning:** PUD  
**Existing Use:** Vacant  
**Max. Building Height:** 35'

**Building Setbacks:**

<b>Multi-Family:</b>	<b>Town Homes:</b>
Front: 25' min.	Front: 22' min.
Side: 15' min.	Side: 0' min.
Rear: 25' Min.	Side: 120' between buildings min.)
Property Line: 30' min.	Rear: 15' Min.
(from structure to parcel boundary)	Property Line: 30' min.
	(from structure to parcel boundary)

**Commercial:** 25' min.  
**Front:** 10' min. (25' to Residential or Public ROW)  
**Side:** 20' Min. (25' to Residential or Public ROW)  
**Rear:** 20' Min. (25' to Residential or Public ROW)  
 Property Line: 30' min.  
 (from structure to parcel boundary)

**List of Consultants**

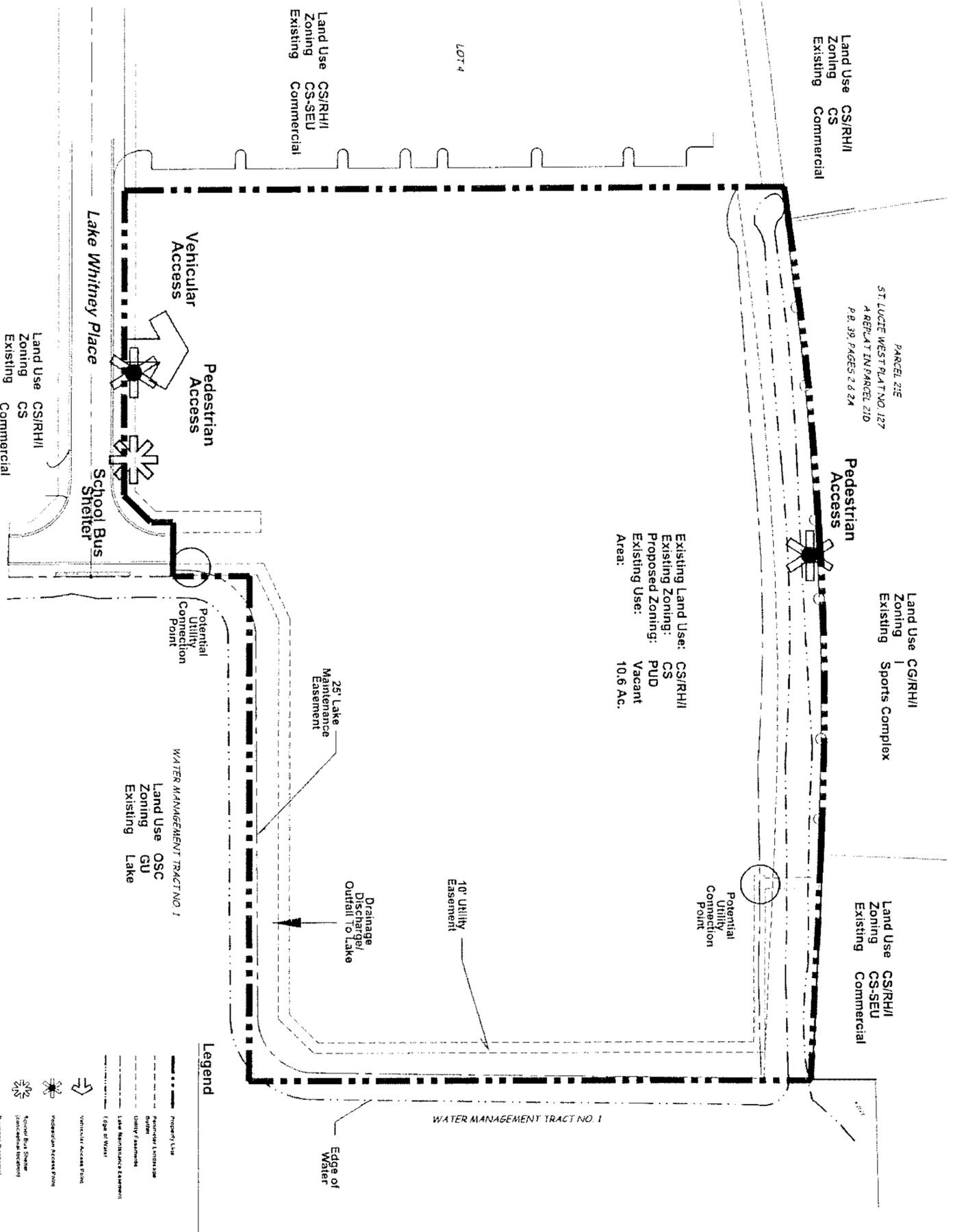
**Developer:**  
 CREG-Lake Whitney, LLC  
 30 Temple Street, Suite 400  
 Nashua, NH 03060  
 Phone: 603.872.0300

**Land Planner/Landscape Architect:**  
 Michael Reed & Associates, PA  
 2855 North Ocean Drive, Suite 400  
 Singer Island, FL 33409  
 Phone: 561.863.2500

**Civil Engineer/Surveyor:**  
 The Veicon Group, Inc.  
 702 SW Port St. Lucie Blvd.  
 Port St. Lucie, FL 34953  
 Phone: 772.879.0477

**Traffic Engineer:**  
 Susan E. O'Rourke PE, Inc.  
 428 SW Akron Avenue, Suite 1A  
 Stuart, FL 34994  
 Phone: 772.701.7918

**Environmental Consultant:**  
 EW Consultants, Inc.  
 1000 SE Monterey Commons Blvd.,  
 Suite 208  
 Stuart, FL 34996  
 Phone: 772.281.8771



**Existing Land Use:** CS/RH/I  
**Existing Zoning:** CS  
**Proposed Zoning:** PUD  
**Existing Use:** Vacant  
**Area:** 10.6 Ac.

**Land Use** CS/RH/I  
**Zoning** CS  
**Existing** Commercial

**Land Use** CG/RH/I  
**Zoning** I  
**Existing** Sports Complex

**Land Use** CS/RH/I  
**Zoning** CS-SEU  
**Existing** Commercial

**Land Use** OSC  
**Zoning** GU  
**Existing** Lake

**Legend**

- Property Line
- Principal Easement
- Other Easement
- Utility Easement
- Lake Maintenance Easement
- Sign of Water
- Vehicular Access Drive
- Pedestrian Access Drive
- School Bus Shelter
- Drainage Discharge Outfall to Lake
- Potential Utility Connection Point

1/2 AC.

**General Notes**

1. Sidewalks proposed within the community area to be a minimum of five feet in width.
2. All landscape areas within the City ROW are to be 100% irrigated.
3. Proposed fire hydrant locations will be determined during the site plan application process.
4. Precipitation paths are conceptual in nature and are subject to change during the site plan application.
5. Access control elements such as gateposts, guardhouses, or access control structures will be designed during the site plan review process and not located within the private roadway/vehicular access.
6. The PUD drainage system will comply with agency regulations and requirements of the SFMWD and NSLR/PCD permits.
7. Leasing office location to be determined during the site plan application process.

# CONCEPTUAL PUD MASTER PLAN THE CREG-LAKE WHITNEY, LLC PARCEL