

ORDINANCE 12-59

COUNCIL ITEM 10E
DATE 9/24/12

AN ORDINANCE TO REZONE 9.997 ACRES OF PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A" AND LOCATED ALONG THE WEST SIDE OF GLADES CUT-OFF ROAD APPROXIMATELY 1200 FEET NORTH/NORTHEAST OF RESERVE BOULEVARD FROM ST. LUCIE COUNTY AGRICULTURAL 2.5 ZONING DISTRICT TO CITY OF PORT ST. LUCIE UTILITY ZONING DISTRICT FOR A PROJECT KNOWN AS FLORIDA POWER AND LIGHT COMPANY TREASURE SUBSTATION (P12-104); PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie has received an application from Florida Power and Light Company, contract purchaser, as the authorized representative of Rheba Cooper, property owner, to rezone 9.997 acres of property legally described in Exhibit "A", attached hereto and made a part hereof, and located along the west side of Glades Cut-Off Road, approximately 1,200 feet north/northeast of Reserve Boulevard, and within the City of Port St. Lucie, from the zoning classification of St. Lucie County Agricultural-2.5 (AG-2.5) to the zoning classification of City of Port St. Lucie Utility (U); and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board held a public hearing on September 4, 2012 to consider the rezoning application (P12-104), notice of said hearing to adjoining property owners for a radius of three-hundred (300) feet having been given and advertising of public hearing having been made; and

WHEREAS, the City Council held a public hearing on October 8, 2012 to consider the rezoning application (P12-104), advertising of the public hearing having been made; and

ORDINANCE 12-59

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

Section 1: That the property legally described in Exhibit "A" and, and within the City of Port St. Lucie be rezoned from the zoning classification of St. Lucie County Agricultural-2.5 (AG-2.5) to the zoning classification of City of Port St. Lucie Utility (U).

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

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

CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
JoAnn M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

BY: _____
Roger G. Orr, City Attorney

LEGAL DESCRIPTION

Being a parcel of land lying in Section 21, Township 36 South, Range 39 East St. Lucie County, Florida, being more particularly described as follows;

Commence at the North 1/4 corner of said Section 21, Township 36 South, Range 39 East; thence North 89°21'07" East, along the North line of said Section 21, a distance of 1140.44 feet to the POINT OF BEGINNING of the following described parcel;

Thence North 89°21'07" East, a distance of 915.76 feet; thence South 44°45'15" West, a distance of 1,149.86 feet; thence North 45°14'45" West, a distance of 264.40 feet; thence North 07°30'02" East, a distance of 625.39 feet to the POINT OF BEGINNING.

Containing 9.997 acres, more or less

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.


Michael T. Kolodziejczyk
Professional Surveyor & Mapper
Florida Certificate No. 3864
Date 8/1/2012

Sheet 1 of 2

DESCRIPTION

OF
FP&L PARCEL

File: 12-121s&d
fpl.dwg
Date: 7-20-2012

Tech: GLM



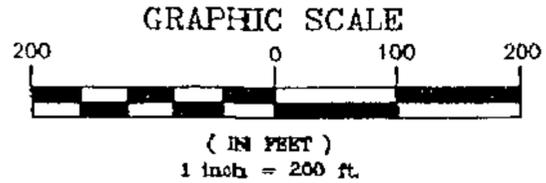
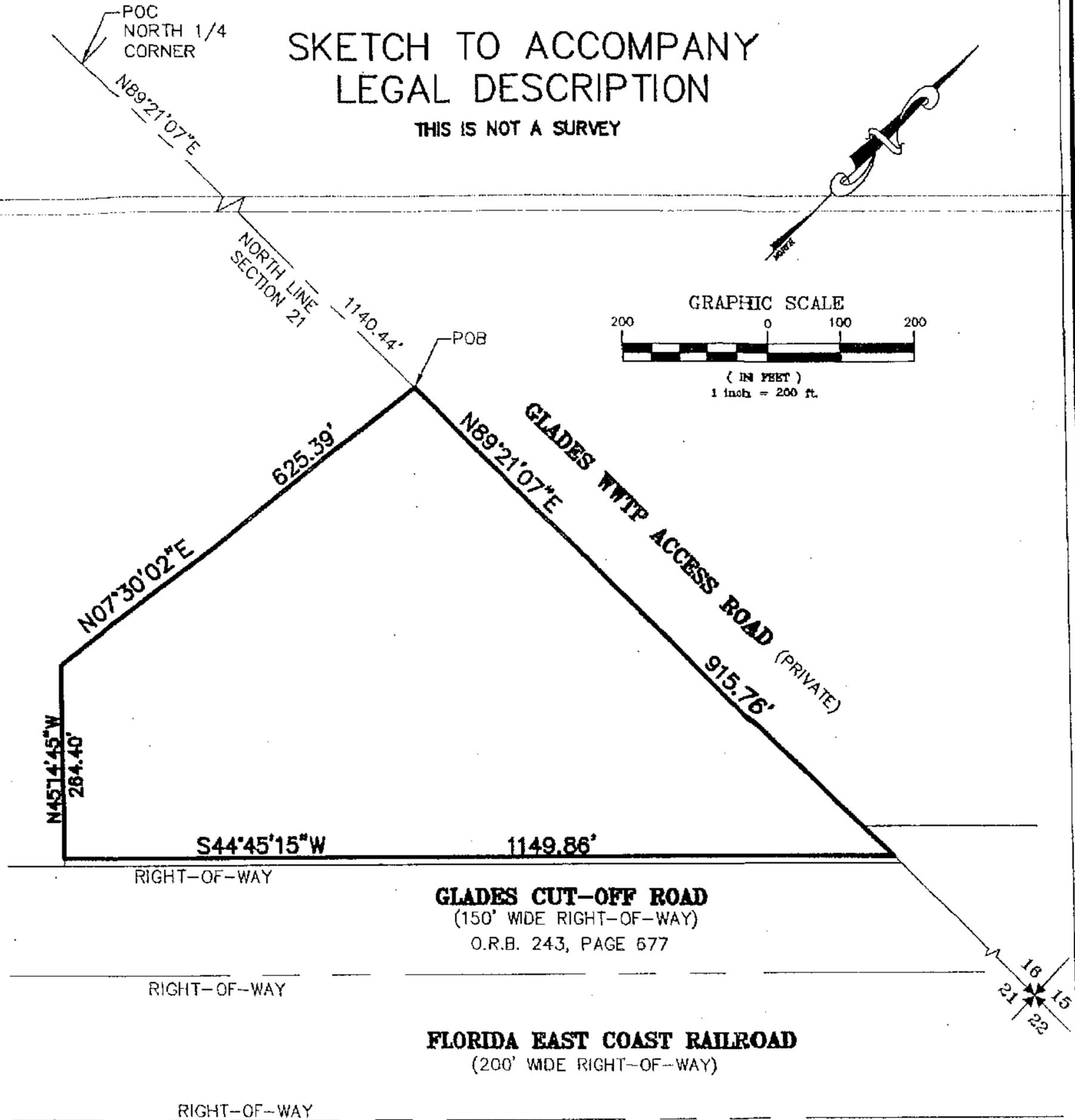
CULPEPPER & TERPENING, INC

CONSULTING ENGINEERS | LAND SURVEYORS
2980 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981
PHONE 772-464-3557 • FAX 772-464-9497 • www.ct-eng.com
151 SW FLAGLER AVENUE • STUART, FLORIDA 34994
PHONE 772-220-3376 • FAX 772-464-9497 • www.ct-eng.com
STATE OF FLORIDA CERTIFICATION No. LR 024

C:\proj-2012\12-121 FPL - Treasure Substation - Grades Cul-Off Road\Survey\12-121s&d fpl 10 ac comp plan parcel.dwg, 8/1/2012 1:58:10 PM

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

THIS IS NOT A SURVEY



POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 PLS = PROFESSIONAL LAND SURVEYOR

BEARINGS SHOWN HEREON ARE RELATIVE TO THE
 NORTH LINE OF SECTION 21 HAVING A BEARING OF
 N89°21'07"E

\Proj-2012\12-121 FFU - Treasure Substation - Glades Cut-Off Road\Survey\12-121s&d fpl 10 ac comp plan parcel.dwg, 8/1/2012 1:58:46 PM

SKETCH OF DESCRIPTION
 OF
FP&L PARCEL

File: 12-121s&d
 fpl.dwg
 Date: 7-20-2012
 Tech: GLM



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 STATE OF FLORIDA CERTIFICATION No. LR 106

PORT ST. LUCIE CITY COUNCIL
AGENDA ITEM REQUEST

MEETING: REGULAR X SPECIAL ___

DATE: September 24, 2012

ORDINANCE X RESOLUTION __ MOTION

PUBLIC HEARING October 8, 2010 LEGAL AD PUBLISH DATE: (Clerk's Office)

NAME OF NEWSPAPER St. Lucie News Tribune

ITEM: P12-104 – FPL Treasure Substation Rezoning Application

RECOMMENDED ACTION: The public hearing before the Planning and Zoning Board was held on September 4, 2012. The Planning & Zoning Board recommended approval of the proposed amendment by a vote of 6-0 with Chair Blazak abstaining.

=====

EXHIBITS: A. Staff Analysis & Recommendation
B. Ordinance

SUMMARY EXPLANATION/BACKGROUND INFORMATION: This is an application to rezone 9.97 acres of property from St. Lucie County Agricultural-2.5 to City of Port St. Lucie Utility Zoning District to develop the site as an electrical substation.

IF PRESENTATION IS TO BE MADE, HOW MUCH TIME WILL BE REQUIRED? None

SUBMITTING DEPARTMENT: Planning Department

DATE: 9/11/12



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

TO: CITY COUNCIL - MEETING OF SEPTEMBER 24, 2012

FROM: BRIDGET KEAN, PRINCIPAL PLANNER *BK*

RE: PROJECT NO. P12-104 – REZONING APPLICATION
FLORIDA POWER AND LIGHT TREASURE SUBSTATION

DATE: SEPTEMBER 11, 2012

BACKGROUND:

This is one of three applications the City has received for a proposal from the Florida Power and Light Company (FPL) to build a regional electrical substation within an existing electrical transmission corridor along Glades Cut-Off Road. The electrical substation will be unmanned and visited by field service crews on a biweekly basis.

FPL is seeking voluntary annexation for a 49.32 acre parcel located along the west side of Glades Cut-Off Road just opposite the west end entry into PGA Village master planned community. The request is to annex the property and develop the northern portion of the property, approximately 10 acres, as an electrical substation. The remaining 40 acres will maintain St. Lucie County agricultural land use and zoning. As set forth in Policy 1.1.9.9 of the Future Land Use Element, the applicant must submit a future land use amendment for the remaining 40 acres within one year of annexation. The applications are listed below:

1. P12-102 Florida Power and Light Treasure Substation – Application for voluntary annexation.
2. P12-103 Florida Power and Light Treasure Substation – Application for a small scale comprehensive plan.
3. P12-104 Florida Power and Light Treasure Substation – Application for rezoning.

APPLICANT: Patrick J. Ferland, P.E., Culpepper and Terpening, Inc. Notarized letter of authorization is included in application packet.

OWNER: Florida Power and Light Company is under contract to purchase property from Rheba Cooper, property owner. Notarized letter of authorization is included in the application packet.

LOCATION: The property is located along the west side of Glades Cut-Off Road, approximately 1,200 feet north/northeast of Reserve Boulevard.

LEGAL DESCRIPTION: The property is legally described as being a parcel of land lying in Section 21, Township 36 South, Range 39 East St. Lucie County, Florida. A full legal description is included in the submittal packet.

SIZE: 9.997 acres.

EXISTING ZONING: The existing zoning is St. Lucie County Agricultural-2.5 (AG-2.5), which yields one dwelling unit per two and one-half (2.5) gross acres.

EXISTING USE: The land is vacant and leased for livestock grazing.

SURROUNDING USES: The property abuts the entry road to the City of Port St. Lucie Glades Wastewater Treatment Plant to the north. The property to the north of the entrance road is located within the LTC Ranch DRI. The future land use classification is ROI (Residential, Office, and Institutional). The land is vacant and the zoning is St. Lucie County agricultural. The property is adjacent to the FEC right-of-way and PGA Village master planned community (St. Lucie County) to the east and southeast. The use is residential golf community. The property borders the 464.5 acre proposed Lulfs Grove Business Park to the west. Lulfs Grove was annexed into the City in 2008 and has a mix of ROI (Residential, Office, and Institutional), CS (Service Commercial), CG (General Commercial) and HI/LI (Industrial) future land uses. The land is vacant and the zoning is St. Lucie County agricultural.

REQUESTED ZONING: The request is to rezone 9.997 acres to the City of Port St. Lucie Utility Zoning District (U).

FUTURE LAND USE DESIGNATION: The existing future land use classification is St. Lucie County Agricultural-2.5 (AG-2.5) which yields one dwelling unit per two and one-half (2.5) gross acres. There is an associated small scale future land use map amendment. The associated small scale future land use map amendment (Project P12-104) will change the future land use classification on the 9.997 acres from St. Lucie

County Agricultural – 2.5 (AG - 2.5) to City of Port St. Lucie Utility (U) future land use classification.

PROPOSED USE: The proposal is to develop the 9.997 acres as a regional electrical substation. The substation will be unmanned and visited by field service crews on a biweekly basis.

IMPACTS AND FINDINGS:

Land Use Consistency: The property is located within the Port St. Lucie Utility Systems Department's service area and the City's northwest annexation area as depicted on maps INF-1 and TRN-13 of the Comprehensive Plan. The purpose of the Utility Zoning District is to locate and establish areas within the city that are deemed to be uniquely suited for the accommodation of major public and private utilities. The electrical substation is proposed for development along an existing electrical transmission corridor.

Sewer/Water Service: Currently, the site is served by individual well and septic. Both potable water distribution and sanitary sewer collection services are available to be brought to the site. A utility service agreement is required.

Transportation: Based on the data and analysis provided, there will be minimal impacts to the transportation system from the development of an unmanned electrical substation.

Environmental: An Environmental Assessment Report for the entire 49.34 acre site was submitted as part of the application for annexation. The Report did not identify any threatened or endangered species nesting on site. The 9.997 acres is adjacent to a wetland. Wetland boundary lines and buffering will be addressed at the site plan or subdivision stage when the project is reviewed by the regulatory agency for permitting. The City's tree preservation requirements will be addressed at the site plan or subdivision stage.

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.

PLANNING AND ZONING BOARD ACTION OPTIONS:*

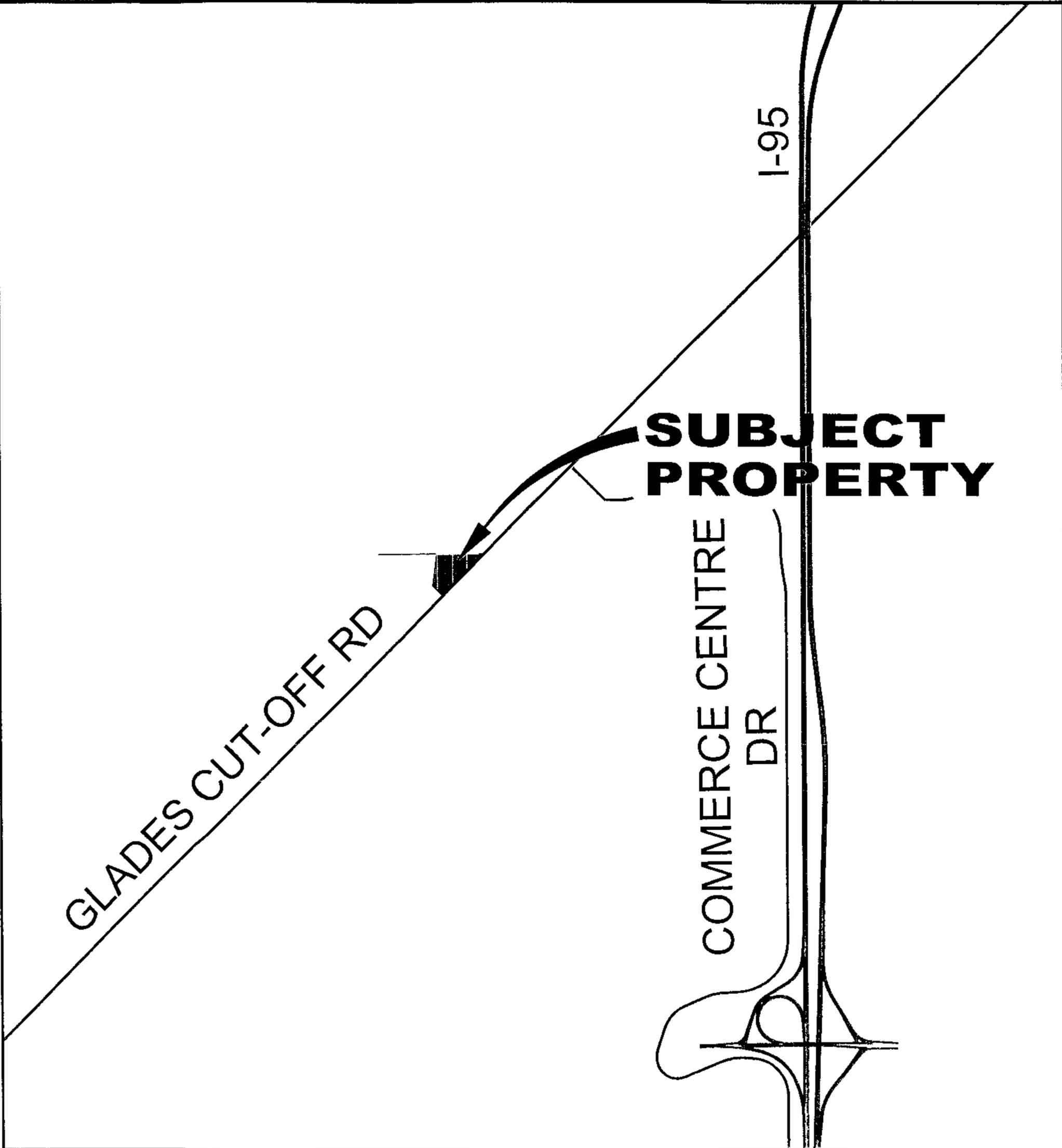
- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions
- Motion to recommend denial to the City Council

*Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to table or continue the hearing or review to a future meeting.

PLANNING AND ZONING BOARD RECOMMENDATION:

On September 4, 2012, the Planning and Zoning Board voted 6-0 to recommend approval of the petition with Chair Blazak abstaining from the vote.

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

REZONING

PART OF SEC 21/TWP 36S/R39E
3321-112-0000-0009

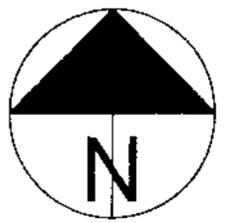
DATE: 8/3/2012

APPLICATION NUMBER:
P12-104

CADD FILE NAME:
P12-104L

SCALE: 1" = .5 MI

SITE LOCATION



TRACT "A"

UNPLATTED
NOT A PART OF
THIS PLAT

GLADES CUT-OFF ROAD

**SUBJECT
PROPERTY**

3321-112-0000-0009

RESERVE BOULEVARD

MARSH TER
MARSH TER
LEGENDS DR
MYSTIC WY
MARSH LANDINGS
MYSTIC PINES



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

REZONING

PART OF SEC 21/TWP 36S/R39E
3321-112-0000-0009

DATE: 8/3/2012

APPLICATION NUMBER:
P12-104

CADD FILE NAME:
P12-104M

SCALE: 1"=500'

SITE LOCATION



UNPLATTE
NOT A PART
THIS PLA

**SUBJECT
PROPERTY**

GLADES CUT-OFF ROAD

3321-112-0000-0009



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

REZONING

PART OF SEC 21/TWP 36S/R39E

3321-112-0000-0009

AERIAL DEC 2010

DATE: 8/3/2012

APPLICATION NUMBER:
P12-104

CADD FILE NAME:
P12-104A

SCALE: 1"=300'

FUTURE LAND USE



CG/ROI

TRACT "A"

ROI

UNPLATTED
NOT A PART OF
THIS PLAT

GLADES CUT-OFF ROAD

**SUBJECT
PROPERTY**

AG 2.5
3321-112-0000-0009
(CO.)

RESERVE BOULEVARD

MARSH TER

LEGENDS DR

MYSTIC WY

MARSH TER

MARSH
LANDINGS

MYSTIC
PINES



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

REZONING

PART OF SEC 21/TWP 36S/R39E
3321-112-0000-0009

DATE: 8/3/2012

APPLICATION NUMBER:
P12-104

CADD FILE NAME:
P12-104M

SCALE: 1"=500'

EXISTING ZONING



TRACT "A"

UNPLATTED
NOT A PART OF
THIS PLAT

TBD

GLADES CUT-OFF ROAD

**SUBJECT
PROPERTY**

3321-112-0000-0009
AG 2-5
(CO.)

RESERVE BOULEVARD

MARSH TER

LEGENDS DR

MYSTIC WY

MARSH LANDINGS

MYSTIC PINES

MARSH TER



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

REZONING

PART OF SEC 21/TWP 36S/R39E
3321-112-0000-0009

DATE: 8/3/2012

APPLICATION NUMBER:
P12-104

CADD FILE NAME:
P12-104M

SCALE: 1"=500'

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. P12-104
Fee (Nonrefundable) \$2,515.00 + 1,285.00
Receipt # 11891 + 11892

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

PRIMARY CONTACT EMAIL ADDRESS: pferland@ct-eng.com

PROPERTY OWNER:

Name: Florida Power & Light Company Attn: Jack McNeal
Address: P.O. Box 14000 Dept. TS4-JW, Juno Beach, FL 33408-0420
Telephone No.: 561-904-3632 FAX No.: 561-904-3710

AGENT OF OWNER (if any)

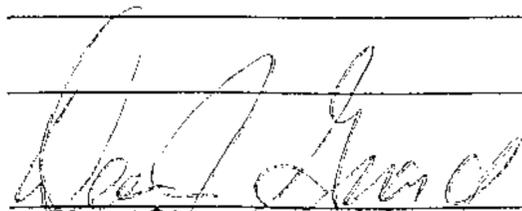
Name: Culpepper & Terpening, Inc. Attn: Patrick Ferland, PE
Address: 2980 South 25th Street, Ft. Pierce, FL 34981
Telephone No.: 772-464-3537 FAX No.: 772-464-9497

PROPERTY INFORMATION

Legal Description: See attached
(Include Plat Book and Page)
Parcel I.D. Number: 3321-112-0000-000/9
Current Zoning: AG 2.5
Proposed Zoning: U (Utility)
Future Land Use Designation: U (Utility) Acreage of Property: 10.0

Reason for Rezoning Request: _____

The petitioned property is to be referred to as the FPL/Treasure Substation Site. Use on this property will be the construction of a regional electric substation. The use proposed for this property is consistent with the proposed Future Land Use and Zoning designation that has been requested to be applied to this property.



*Signature of Owner

Dean J. Girard

Hand Print Name

7/24/12

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.