

COUNCIL ITEM *PD*
DATE *10-8-12*

ORDINANCE 12-58

COUNCIL ITEM ~~10D~~
DATE 9/24/12

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF PORT ST. LUCIE TO INCLUDE A SMALL SCALE AMENDMENT TO THE FUTURE LAND USE MAP FOR FLORIDA POWER AND LIGHT TREASURE SUBSTATION (P12-103) TO CHANGE THE FUTURE LAND USE DESIGNATION FROM ST. LUCIE COUNTY AGRICULTURAL 2.5 TO CITY OF PORT ST. LUCIE UTILITY FUTURE LAND USE FOR A PARCEL LEGALLY DESCRIBED IN EXHIBIT "A" AND LOCATED ALONG THE WEST SIDE OF GLADES CUT-OFF ROAD AND APPROXIMATELY 1200 FEET NORTH/NORTHEAST OF RESERVE BOULEVARD; PROVIDING THE INVALIDITY OF ANY PORTION SHALL NOT AFFECT THE REMAINING PORTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has adopted a comprehensive plan known as the City of Port St. Lucie Comprehensive Plan adopted by Ordinance 97-50, as subsequently amended; and

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, for a small scale amendment to change the Future Land Use Map of the City of Port St. Lucie Comprehensive Plan, in accordance with Section 163.3187 (1) (c), Florida Statutes, for property consisting of approximately 9.997 acres and legally described in Exhibit "A", attached hereto and made a part hereof, from the future land use designation of St. Lucie County Agricultural 2.5 (AG -2.5) to the future land use designation of City of Port St. Lucie Utility (U) as depicted in Exhibit "B"; attached hereto and made a part hereof, and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board having been duly designated as the local planning agency pursuant to Section 163.3174 et seq., Florida

ORDINANCE 12-58

Statutes, and having held a public hearing thereon, has considered this proposed small scale amendment (P12-103) to the Comprehensive Plan and submitted its recommendations thereon to the City Council; and

WHEREAS, having considered the recommendations of the Planning and Zoning Board, the Port St. Lucie City Council held a public hearing on October 8, 2012 advertising of the public hearing having been made; and

WHEREAS, the Port St. Lucie City Council desires to hereby formally adopt this amendment (P12-103) to the City's Comprehensive Plan.

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

Section 1. The Comprehensive Plan of the City of Port St. Lucie is hereby amended in the following respect:

1. The Future Land Use Map is hereby amended to designate approximately 9.997 acres of property legally described in Exhibit "A", from St. Lucie County Agricultural (AG - 2.5) to the City of Port St. Lucie Utility (U) future land use designation as depicted in Exhibit "B".

Section 2. The provisions of the Ordinance are severable and, if any section, sentence, clause, or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Council's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion or portions.

ORDINANCE 12-58

Section 3. The effective date of this plan amendment shall be thirty-one (31) days after the adoption, pursuant to Section 163.3187(3) (c), Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

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, FLORIDA

BY: _____
JoAnn M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

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;

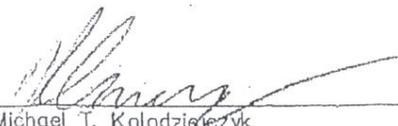
Commence at the North 1/4 corner of said Section 21, Township 36 South, Range 39 East; thence North 89°21'07" East, along the North line of said Section 21, a distance of 1140.44 feet to the POINT OF BEGINNING of the following described parcel;

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
8/1/2012
Date

DESCRIPTION
OF
FP&L PARCEL

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

Tech: GLM

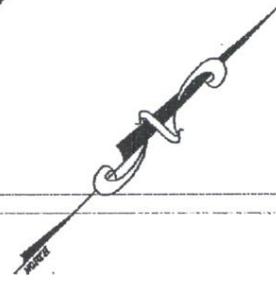
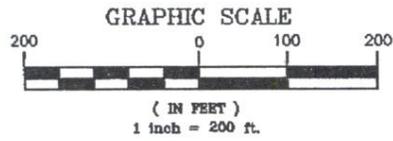
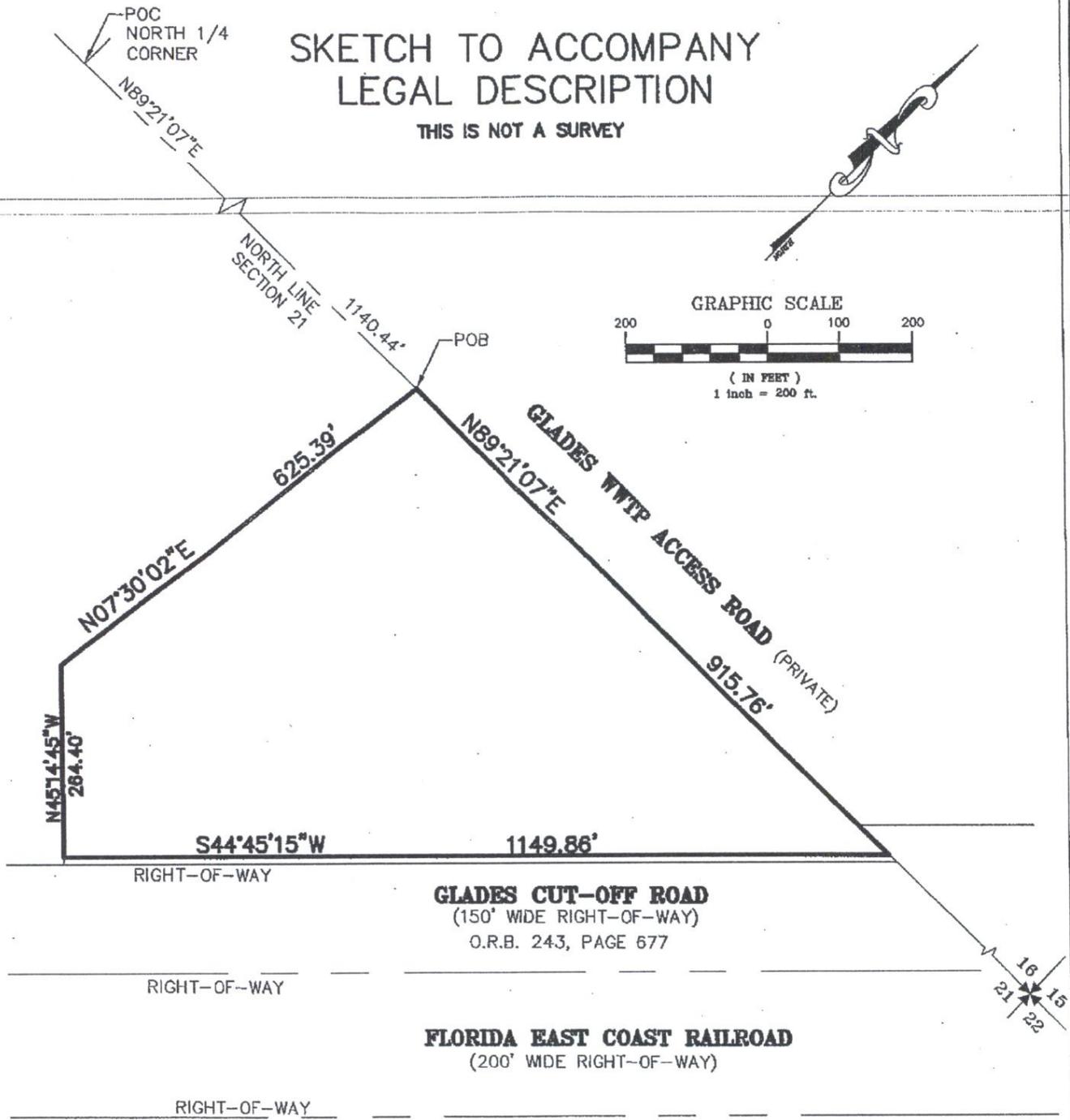


CULPEPPER & TERPENING, INC
CONSULTING ENGINEERS | LAND SURVEYORS
2080 SOUTH 25th STREET • FORT PIERCE, FLORIDA 34981
PHONE 772-464-3537 • FAX 772-464-9497 • www.ct-eng.com
151 SW FLAGLER AVENUE • STUART, FLORIDA 34994
PHONE 772-220-3376 • FAX 772-464-9497 • www.ct-eng.com
STATE OF FLORIDA CERTIFICATION No. 12, 034

\\Proj-2012\12-121 FPL - Treasure Substation - Grades Cut-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\"/>

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

<h2>SKETCH OF DESCRIPTION</h2> <p>OF</p> <h3>FP&L PARCEL</h3>	File: 12-121s&d fpl.dwg Date: 7-20-2012 Tech: GLM	CULPEPPER & TERPENING, INC CONSULTING ENGINEERS LAND SURVEYORS 2980 SOUTH 25th STREET • PORT PIERCE, FLORIDA 34981 PHONE 772-464-3537 • 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 <small>STATE OF FLORIDA CERTIFICATION No. LS 426</small>
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(PROPOSED) FUTURE LAND USE



TRACT "A"

UNPLATTED
NOT A PART OF
THIS PLAT

GLADES CUT-OFF ROAD

U

3321-112-0000-0009

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

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

DATE: 8/3/2012

APPLICATION NUMBER:
P12-103

CADD FILE NAME:
P12-103M

SCALE: 1" = 500'

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: P12-103 – FPL Treasure Substation Small Scale Comprehensive Plan
Amendment

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 for a small scale future land use map amendment to change the land use on 9.97 acres from St. Lucie County Agricultural-2.5 to City of Port St. Lucie Utility future land use 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 Memorandum

TO: CITY COUNCIL - MEETING OF SEPTEMBER 24, 2012

FROM: BRIDGET KEAN, PRINCIPAL PLANNER BK

RE: PROJECT NO. P12-103 - SMALL SCALE COMPREHENSIVE PLAN AMENDMENT APPLICATION – FLORIDA POWER AND LIGHT TREASURE SUBSTATION

DATE: SEPTEMBER 12, 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 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.

REQUESTED LAND USE DESIGNATION: The requested future land use classification is City of Port St. Lucie U (Utility) land use. It allows a maximum site coverage of thirty (30) percent and a maximum building height of fifty (50) feet. The compatible zoning district is the Utility Zoning District (U).

PROPOSED PROJECT: The proposal is to develop the 9.97 acres as a regional unmanned electrical substation that will be monitored remotely through FPL's management network and visited by field service crews on a biweekly basis.

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. There is one single-family dwelling unit adjacent to the boundary line for the proposed land use change. The dwelling unit is within the 49.3 acres proposed for annexation.

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.

IMPACTS AND FINDINGS:

Sewer/Water Service: The property is located within the Port St. Lucie Utility Systems Department's service area. 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. An assessment of the impact of the development of 6,500 square feet of habitable space for storage and restroom facilities was provided. Estimated water consumption is 975 gallons per day and estimated wastewater generation is 829 gallons per day based on the city's adopted level of service standards for industrial use. There is adequate capacity available to meet the demands.

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.

Parks/Open Space: Not applicable

Schools: Not applicable

Stormwater: The project will be required to provide paving and drainage plans that are in compliance with adopted level of service standards.

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

Environmental: An Environmental Assessment Report for the entire 49.34 acre site was submitted as part of the applications for annexation, small scale future land use map amendment, and rezoning. The Report did not identify any threatened or endangered

species nesting on site. The majority of the site is upland improved pasture with approximately 8.6 acres of jurisdictional wetlands and other surface waters. Wetland jurisdictional determinations and any related wetlands mitigation will follow the rules and regulations of the Florida Department of Environmental Protection; South Florida Water Management District, and the Army Corps of Engineers, as applicable. The boundary line for the proposed 9.997 acre land use amendment is adjacent to wetlands. 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.

Flood Zone: The property is located in Flood Zone X as identified by FEMA Maps 12111-C-0254-J and 12111-C-0260-J.

Police: The department's response time is approximately 6-10 minutes for emergency calls. The proposed comprehensive plan amendment is not expected to adversely impact adequate service delivery.

Fire/EMS: The nearest fire station is Station No. 14 at 300 NW California Boulevard and is 3 miles from the subject property. The St. Lucie County Fire District does not list response times for each individual station because of the necessity of responding with another station. The proposed comprehensive plan amendment is not expected to adversely impact adequate service delivery.

Compatibility Analysis: The property abuts the entry road to the Glades Wastewater Treatment plant to the north, the proposed Lulfs Grove Business Park to the west, and the FEC right-of-way to the east. Adequate buffering is required by the Landscape Code and will be addressed at the site plan or subdivision stage.

Justification/Mitigation: Policy 1.1.7.1 of the Future Land Use Element establishes criteria for the review of future land use map amendments. Amendments will be reviewed based on consistency with the Goals, Objectives, and Policies of all Elements of the Comprehensive Plan and other considerations such as:

- satisfy a deficiency or mix of uses in the Plan map;
- accommodate projected population or economic growth of the City;
- diversify the housing choices in the City;
- enhance or impede provision of services at adopted LOS Standards;
- compatibility with abutting and nearby land uses;
- enhance or degrade environmental resources;

- job creation within the targeted industry list.

The purpose of the small scale amendment is to construct an electrical substation along an existing transmission corridor to enhance reliability of the electrical system that serves the City of Port St. Lucie and St. Lucie County.

STAFF RECOMMENDATION:

The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's Comprehensive Plan and recommends approval.

PLANNING AND ZONING BOARD ACTION OPTIONS:*

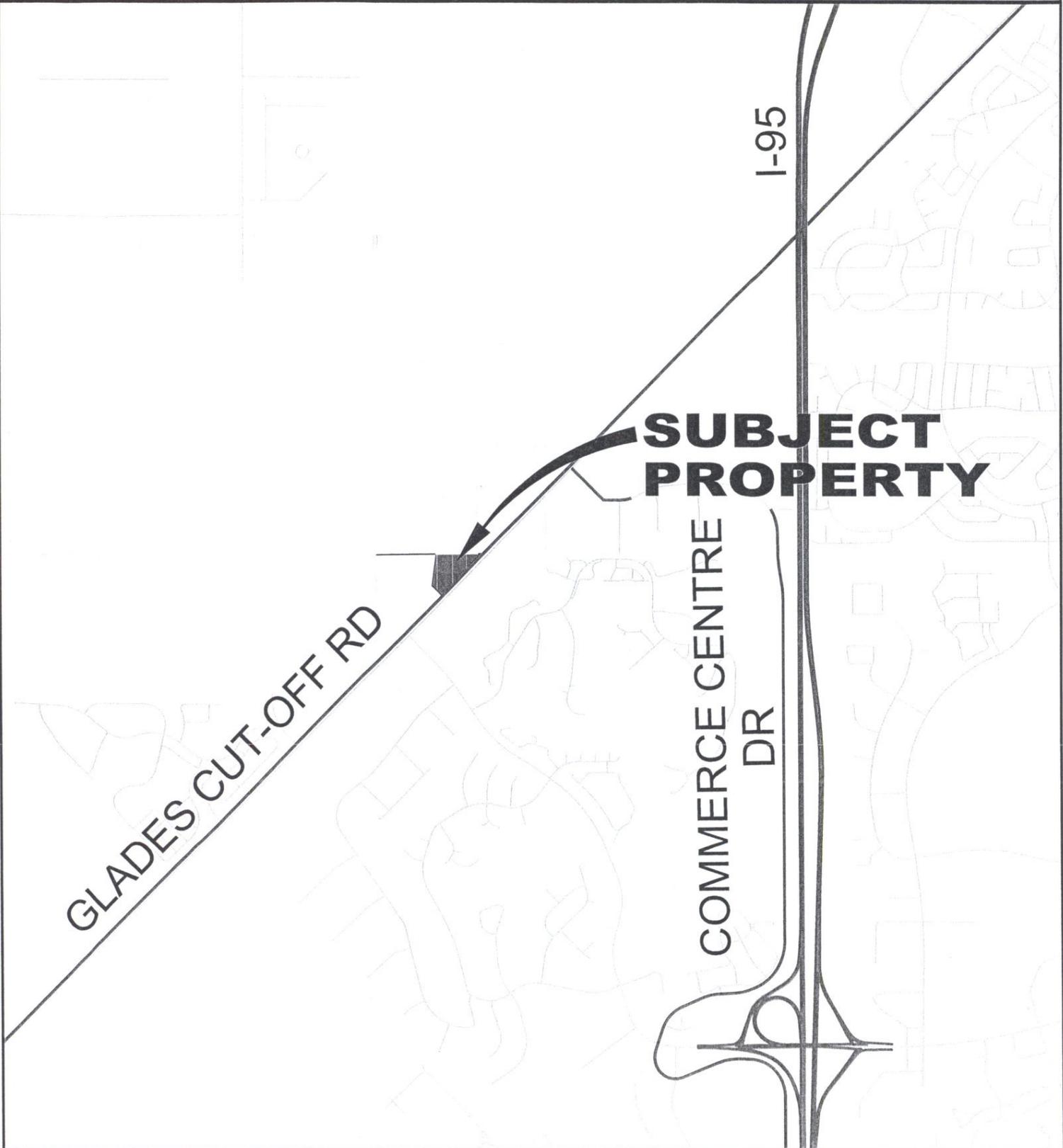
- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions
- Motion to recommend denial to the City Council

*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

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

DATE: 8/3/2012

APPLICATION NUMBER:
P12-103

CADD FILE NAME:
P12-103L

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



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

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

DATE: 8/3/2012

APPLICATION NUMBER:
P12-103

CADD FILE NAME:
P12-103M

SCALE: 1"=500'

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

COMPREHENSIVE PLAN AMENDMENT
PART OF SEC 21/TWP 36S/R39E
3321-112-0000-0009
AERIAL DEC 2010

DATE: 8/3/2012

APPLICATION NUMBER:
P12-103

CADD FILE NAME:
P12-103A

SCALE: 1" = 300'

FUTURE LAND USE



TRACT "A"

ROI

CG/ROI

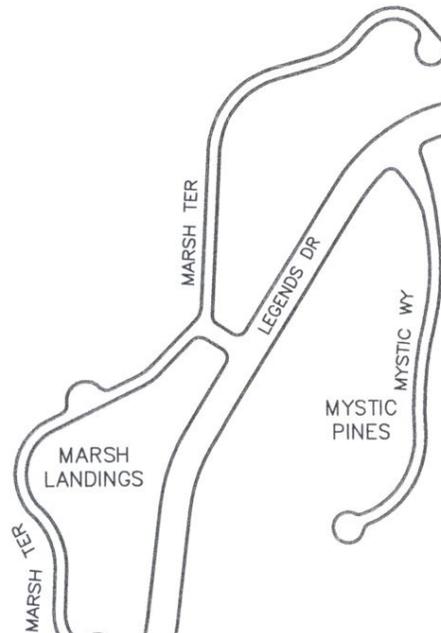
UNPLATTED
NOT A PART OF
THIS PLAT

GLADES CUT-OFF ROAD

**SUBJECT
PROPERTY**

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

RESERVE BOULEVARD



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

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

DATE: 8/3/2012

APPLICATION NUMBER:
P12-103

CADD FILE NAME:
P12-103M

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

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

DATE: 8/3/2012

APPLICATION NUMBER:
P12-103

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P12-103M

SCALE: 1" = 500'

(PROPOSED) FUTURE LAND USE



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GLADES CUT-OFF ROAD

3321-112-0000-0009

U

RESERVE BOULEVARD

MARSH TER

LEGENDS DR

MYSTIC WY

MARSH LANDINGS

MYSTIC PINES

MARSH TER



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
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PZ 2012.DWG

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

DATE: 8/3/2012

APPLICATION NUMBER:
P12-103

CADD FILE NAME:
P12-103M

SCALE: 1" = 500'

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

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 P12-103
Fee (Nonrefundable) \$ 4360.00 + 1,285.00
Receipt # 11893 + 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 advertising for 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.

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, Florida 33408-0420
Telephone No.: 561-904-3632 Fax No.: 561-904-3710

IF PROPERTY IS IN MULTIPLE OR CORPORATE OWNERSHIP, PLEASE PROVIDE ONE CONTACT PERSON.

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

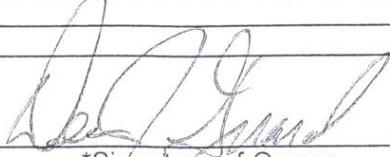
AGENT OF OWNER (if any)

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

PROPERTY INFORMATION

Boundary Description See attached
(attach map) _____
Property Tax I.D. Number 3321-112-0000-000/9
Current Land Use AG 2.5 (St. Lucie County) Proposed Land Use U (Utility) PSL
Current Zoning AG 2.5 (St. Lucie County) Acreage of Property 10.00 (mol)

Reason for Comprehensive Plan Amendment: _____
Bring property into suitable Land Use within the City, in combination with proposed annexation.



*Signature of Owner

Dean J. Girard

Hand Print Name

7/24/10

Date

*If signature is not that of 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.