



City of Port St. Lucie

Planning and Zoning Department Memorandum

COUNCIL ITEM 11A
DATE 10/22/12

TO: KAREN PHILLIPS, CITY CLERK

FROM: BRIDGET KEAN, PRINCIPAL PLANNER BK

RE: RE: RESERVE DEVELOPMENT OF REGIONAL IMPACT (DRI) –
8th AMENDMENT TO THE DEVELOPMENT ORDER (P11-135)

DATE: OCTOBER 17, 2012

Please add the following items to the staff report for the above referenced project.

1. Minutes from the October 2, 2012 Planning and Zoning Board meeting.
2. Public comment

Bridget Kean

From: Bruce Center [bpcenter33@gmail.com]

Sent: Tuesday, October 16, 2012 10:45 AM

To: Bridget Kean

Subject: Kolter

PLEASE make two additional lanes over the bridge and another turn lane at Peacock mandatory before any further expansion is allowed.

Bruce Center
PGA Village

P11-135 RESERVE DEVELOPMENT OF REGIONAL IMPACT - 8TH AMENDMENT TO THE DEVELOPMENT ORDER

Ms. Kean said, "Brian Nolan of Lucido and Associates is representing the applicant, which is Reserve Homes, LTD, and Kolter Group is the manager. The property is located west of Interstate 95, south of Glades Cut-Off Road, and north of the Crosstown Parkway and the C-24 Canal. The Reserve falls under the jurisdiction of the City of Port St. Lucie and St. Lucie County, and is approximately 2,680 acres. Approximately 229 of those acres are within the City of Port St. Lucie. Within the Reserve DRI, the land use in the St. Lucie County portion is predominantly a Master Plan Residential Community. Within the City of Port St. Lucie, the land uses are Industrial and Service Commercial. Right now, the Reserve is approved for 3,200 dwelling units, 500,000 square feet of industrial space, 290,000 square feet of retail space, 176,500 of office space, 250 hotel rooms, and four golf courses. This amendment changes the phasing, termination dates, the Master Development, and the thresholds as shown on the Master Development Plan Map. The proposal is to extend the termination date by seven years. That is consistent with state statute and law. The changes that were made to state statute were to increase the amount of time for development due to the slowdown in development that's going on right now. In addition, the applicant is proposing to delete 105,400 square feet of office use, delete 300 residential units, delete 140,000 square feet of Commercial/Retail use, and increase hotel use by an additional 60 rooms. The change will result in the DRI being approved for 2,900 residential units, 500,000 square feet of industrial space, 150,000 square feet of retail space, 71,000 square feet of office space, and 310 hotel rooms with four golf courses."

Ms. Kean continued, "The proposed amendment was reviewed by the TCRPC and the Department of Economic Opportunity. Both have agreed that this is not a substantial deviation and will not create additional regional impact on regional resources and facilities in the area. In addition, FDOT has reviewed the changes to the Reserve DRI and has provided a letter stating that the proposed development intensity reductions will generate fewer peak hour trips, and will not have a detrimental impact on the strategic intermodel system or adjacent I-95 interchanges. Kolter Group is the master development for the Reserve and for the Verano DRI. At the same time they are increasing the development in the Verano DRI, and have provided a traffic study showing that development demonstrates that the reduction in trip generation associated with the reduction in development intensities in the Reserve will offset the increase in the trip generation to the Notice of Proposed Change in the Verano DRI.

The Planning and Zoning Department has reviewed the application, met with the TCRPC, and talked to DEO. We do feel that the changes will not create additional significant impacts on the regional resources in the area, and we recommend approval."

BRIAN NOLAN, Lucido and Associates, representing the applicant, said, "The proposed modifications to the DO include extending the termination date by seven years in accordance with legislation recently passed. We're reducing certain existing approved entitlements while increasing the number of hotel rooms. We're adding Condition 15A to reflect the land donation from Verano, which is within the Reserve. A recent addition or modification to the DO is to add a note to the Conservation Matrix stating that residential units can't be increased by more than 10% in accordance with state statute. I would like to note that there's no reduction in open space or conservation areas proposed. There have been seven previous amendments. The proposed modifications were originally submitted in October 2011. On July 1, 2012, Section 380 of 619 E through K became effective, which basically said that these proposed changes, if they do not increase traffic but reduce traffic, are not considered a substantial deviation, and a Notice of Proposed Change is not required. We submitted a letter to the City requesting that these proposed amendments be reviewed in accordance with state statute. As staff indicated, FDOT in their letter dated March 29 determined that the number of peak hour trips has decreased. The proposed changes will not have a detrimental impact on the SIS. The TCRPC in their letter dated July 3 determined that the proposed changes did not create additional regional impacts. The proposed changes do not constitute a substantial deviation, and that they did not have an objection with the City processing the proposed changes in accordance with recently amended 3800619(E)(2)."

Mr. Nolan continued, "The Florida Department of Economic Opportunity in their letter dated July 12 stated that the proposed changes do not constitute a substantial deviation, and a Notice of Proposed Change is not required. The proposed changes should be considered in accordance with the local procedures. It does not require a public hearing for determination of a substantial deviation. Our entitlement shows 500,000 square feet of industrial, 290,000 square feet of retail/commercial, 176,500 of office, 3,200 residential units, 250 hotel rooms and four golf courses, and one PGA Learning Center. We're proposing to amend those entitlements by decreasing by 140,000 to 150,000 square feet of retail/commercial; decreasing by 105,400 square feet of office bringing that threshold 71,100; removing 300 residential units bringing that total to 2,900 units; and adding 60 hotel rooms bringing that to 310 hotel rooms. The golf course and learning

center will stay the same. The maximum external p.m. hour trips will decrease by 1,730 trips. The maximum total p.m. peak hour trips will decrease by 2,282 trips, and the daily trips will have a total reduction of 20,271 trips."

Chair Blazak opened the Public Hearing.

MARCIE OPPENHEIMER NOLAN, representing the PGA POA, said, "I would like to place into the record all of the prior comments and presentations that were done under the Verano DRI DO. The property owners within the Reserve are who comprise the PGA Village Property Owners' Association. They consist of 2,509 homeowners, and five members of the Board of Directors are present. We agree with the staff report and most of their analysis that this is a reduction in trips. Obviously, this is a reduction in density and intensity. From a planning perspective, Mr. Sanders, I believe that the Board would like to see the Reserve build out in a way that it was master planned for. Going back to Vice Chair Martin's comments, I think we will have to wait a while to see that, but I think that is their ultimate vision. They bought into a beautiful community, and it's unfortunate that after nine amendments to the DO, we keep reducing the intensity when it should be a vibrant community similar to its sister communities to the south. We're going back to the St. Lucie West Boulevard bridge. I'm going to focus on the existing DO condition in the Reserve. Currently in the Reserve there is a DO condition that the bridge be widened to six lanes. That trip threshold is approximately 3,000 vehicular trips. Currently, the Reserve is at about 1,000 to 1,500 trips. We haven't been able to get an accurate count on that even though that's part of their annual report that they're supposed to submit to both the City and the county, as well as the Regional Planning Council. You can go from a two lane to a six lane, but there's also an intermediate, and that would be a four lane. If the bridge is no longer functioning properly and we do have capacity issues, and we know what those are, I think it behooves us all to look at creative ways to solve those. I request again to construct the eastbound turn lane that we all agree is an improvement within the 18 months. We also would like the westbound through lane constructed within the 18-month time period. This DO condition currently exists in the Reserve DRI. It's not a new condition. It is even a condition from the prior DRI's when Verano was built. This is something that all of the agencies have said all along that it's a bridge improvement that needs to happen even after the Crosstown Parkway was built. That being said, the Board is committed to working with Kolter over the next couple of weeks to see how we can better fund these improvements, so that the timing of the bridge improvements, both the westbound lane as well as that 1,000 feet of eastbound

lane. . . . It would be wonderful to get a four lane cross section for St. Lucie West Boulevard. We have some issues with the existing construction of the bridge. The bridge would not meet DOT's criteria based upon its cross section, or its width even with the twelve feet additional proposed."

Ms. Nolan continued, "The eastbound that we're talking about is not 2,000 feet, it's not a mile length. It's literally 1,000 feet to get that three lanes to get the people moving across the bridge and through. That's what we're talking about for that east lane improvement. We would like those done consistent with the dual turn lanes as part of that 18-month time frame." Mr. Vargas stated, "The same comments I made before for the Verano DRI are also applicable to the Reserve DRI." Ms. Nolan commented, "We have no objections except to increase the timing of the westbound lane as well as to add that additional 1,000 feet of the eastbound lane within the 18 months. We also would like to add, based upon the presentations today, that we ensure that when that acreage is dedicated to the City that the City deed restricts it for open space, which was the intent of the transfer all along going from the Verano space requirement to the Reserve. We also want to make sure that any of the Commerce Center Drive roadway maintenance responsibilities are transferred appropriately and they're not passed on to the PGA Homeowners' Association, which has been done in the past and is something that Kolter has agreed to work with us on. We also want to make sure that Map H has a date on it, so that when we refer to Map H we know which Map H we're referring to. We also want to make sure that we maintain the Clock Tower. There is a condition in the existing DO for the Reserve that talks about improvements that would remove the Clock Tower, and we just want to go on record stating that the Clock Tower has become kind of the central focal point of PGA, and we would like to make sure we maintain it at all costs." Ms. Kean noted, "This is the 8th Amendment to the City's DO. It's the 10th Amendment to the county DO."

PAMELA HAMMER, member of the Board of Directors at the PGA Village POA, said, "I'm not speaking as a member of the Board. We have a rule. If you're going to speak for the Board, you had better have approval of the entire Board to speak. I just speak as a driver and a resident in that area. My past experiences show that a lot a traffic reports come in, and the traffic engineers come in with that green edition of the trips that are supposed to occur. A very wise person told me that if you're getting into court, you can have traffic engineers testify, and all of these other people testify, but a person who's an eyewitness of that incident is the best witness to what's happening. As a witness to someone who is driving westbound on

St. Lucie West Boulevard to the light at Peacock Boulevard, I have to tell you that in off season time you can get to where TGIFridays is and be backed up to there. Maybe you finally get to the light at Peacock, but you can sit there even though the traffic signal has turned green. If you go through the intersection, you can't go anywhere. The traffic is backing up through that intersection and you have gridlock. When we get into season, it becomes worse. When it's Mets season time, forget it. We look for other ways out, because you can't get through that gridlock. My objection is to five years out. We can't live with five more years of the traffic backing up as far as it does through the intersection. Fortunately or unfortunately, in the last six months in our community 160 homes have sold, and they were mostly foreclosures. The people who are buying them aren't seasonal. They are people who are going to live there. The good news is that the houses are selling. We're getting people who are paying the bills moving in. The bad news is that they also bring cars with them, and they will add to the traffic. I would implore you in your ability as an advisory body to please speed up the westbound improvements, so that we have those in conjunction. We can't wait five years."

STEVE COLLINS stated, "I'm a resident of PGA Village. I just want to respond to one point that has been discussed, and that is whether or not this improvement to the bridge by Kolter is essentially an act of generosity. In fact, it's not. It was pointed out previously that they're required under both DRI's to improve that bridge at some point. Unfortunately, the development didn't go as they had planned, and their date under the Reserve DRI may never be met. A lot of the traffic coming from Verano is going through that intersection, because the people get on the Crosstown Parkway, they get on northbound I-95, they get off the off ramp at St. Lucie West, and are right back into that same intersection regardless of whether or not they actually come through the Reserve itself. The concept that the traffic from Verano and from the Reserve isn't being increased through the intersection is just not accurate." Mr. Nolan said, "We're not denying that Verano has an impact into St. Lucie West, and there are conditions of approval that require improvements at this time. We're advancing that at the request of the City and looking at making some kind of improvements sooner than what we would normally have triggered it as a result of the Verano development. That is being taken care of early. The current backups that are out there aren't the fault of anything in the Reserve that Kolter has built or in Verano. It has its vested rights and has never met those triggers. The improvements that we're proposing to make we think will go a long way to improve the area as you've heard from the

traffic engineer, the City Engineer, and even the resident's engineer."

There being no further comments, Chair Blazak closed the Public Hearing. Vice Chair Martin noted, "Just cut and paste what I said in my last comments." Chair Blazak said, "I would like your concurrence that you've looked through this and that you're comfortable with the proposed resolutions for everyone involved." Ms. Chesser stated, "For the Reserve's DO, yes, they are removing development, so it's having an impact of good for the travelling public. We have no issue with this one." Vice Chair Martin **moved** to approve P11-135, with no conditions. Mr. Battle **seconded** the motion, which **passed** by roll call vote, with Ms. Skurka, Mr. Battle, Mr. Ojito, Vice Chair Martin, and Chair Blazak voting in favor, Ms. MacKenzie abstaining, and Ms. Parks voting against, and stating, "The reason is lack of details in working out specific items."

ADJOURN

Ernie Ojito, Secretary