

COUNCIL ITEM 10K  
DATE 11/28/16

COUNCIL ITEM 8K  
DATE 12/12/16

**ORDINANCE 16-92**

**AN ORDINANCE REZONING PROPERTY LOCATED ON THE NORTH SIDE OF SOUTH NIEMEYER CIRCLE BETWEEN INDUSTRIAL BOULEVARD AND S.E. VILLAGE GREEN DRIVE FROM THE WAREHOUSE INDUSTRIAL ZONING DISTRICT (WI) TO THE PLANNED UNIT DEVELOPMENT ZONING DISTRICT (PUD) FOR A PROJECT KNOWN AS ROSS MIXING PUD (P16-164); PROVIDING FOR THE APPROVAL AND ADOPTION OF A CONCEPTUAL DEVELOPMENT PLAN; PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, Sabine Marcks of Land Design Associates, LLC, agent for Ross Mixing, Inc., hereinafter referred to as the Applicant, requested the rezoning of certain land located on the north side of South Niemeyer Circle between Industrial Boulevard and S.E. Village Green Drive and legally described as Lots 3, 4, 5, 6, and 7, Block 19, First Replat Port St. Lucie Industrial Park Unit One from the Warehouse Industrial Zoning District (WI) to the Planned Unit Development Zoning District (PUD); and

**WHEREAS**, the Applicant has presented firm evidence of unified control of the entire area within the proposed PUD, see the composite exhibit attached hereto as 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 Planned Unit Development Zoning (PUD) District; and

**WHEREAS**, the subject property is located with respect to arterial and collector streets so as to provide suitable access; and

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

**WHEREAS**, a conceptual development plan has been submitted consistent with the requirements of Section 158.175 (A) (3), et seq., Port St. Lucie City Code; and

## **ORDINANCE 16-92**

**WHEREAS**, the standards for internal PUD design as set forth in Section 158.174, et seq., Port St. Lucie City Code, will be complied with at the time of final development approval; and

**WHEREAS**, the City of Port St. Lucie Planning and Zoning Board held a public hearing on the 1<sup>st</sup> day of November, 2016 to consider the PUD rezoning application, notice of said hearing to adjoining property owners for a radius of seven hundred and fifty (750) feet having been given and advertising of the public hearing having been made; and

**WHEREAS**, the City Council held a public hearing on the 12<sup>th</sup> day of December, 2016, to consider the PUD 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 legally described as Lots 3, 4, 5, 6, and 7, Block 19, First Replat Port St. Lucie Industrial Park Unit One be zoned Planned Unit Development Zoning District (PUD) as defined by Port St. Lucie City Code.

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

**ORDINANCE 16-92**

**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_\_ day of December, 2016.

CITY COUNCIL

CITY OF PORT ST. LUCIE

BY: \_\_\_\_\_

Gregory J. Oravec, Mayor

ATTEST:

\_\_\_\_\_

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_

O. Reginald Osenton, City Attorney

# **ROSS MIXING PUD**

*Presented to:*  
*City of Port St. Lucie Planning and Zoning Department*  
*121 SW Port St. Lucie Boulevard*  
*Port St. Lucie, Florida 34984*

# **PLANNED UNIT DEVELOPMENT APPLICATION**

## **Ross Mixing**

For

**Ross Mixing, Inc.**  
**1249 SE Industrial Blvd**  
**Port St. Lucie, FL 34952**

September 2016

*Prepared by:*  
*Landscape Design Associates*  
*702 SW Port St. Lucie Blvd*  
*Port St. Lucie, FL 34953*

City of Port St. Lucie Project No: P16-164

# ROSS MIXING PUD

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# **ROSS MIXING PUD**

## **LIST OF EXHIBITS**

<b>Exhibit 1</b>	Application for P.U.D. Concept Plan Approval
<b>Exhibit 2</b>	Letter of Unified Control
<b>Exhibit 3</b>	Legal Description
<b>Exhibit 4</b>	Binding P.U.D. Agreement
<b>Exhibit 5</b>	Site Information
<b>Exhibit 6</b>	General Standards for District Establishment
<b>Exhibit 7</b>	Proposed Development Standards
<b>Exhibit 8</b>	P.U.D. Conceptual Master Plan

# ROSS MIXING PUD

## PROJECT PROFESSIONALS

**DEVELOPER:**

Ross Mixing, Inc  
John Paterson, Vice President  
1249 SE Industrial Blvd  
Port St. Lucie, FL 34952  
(772) 337-0900

**SURVEYING & ENGINEERING:**

Velcon Group  
Contact: Ernesto Velasco  
702 Port St. Lucie Blvd  
Port St. Lucie, FL 334953  
(772) 879-0477  
(772) 871-6659

**PLANNING:**

Landscape Design Associates  
Contact: Sabine Marcks  
702 Port St. Lucie Blvd  
Port St. Lucie, FL 34953  
(772) 971-6060

# ROSS MIXING PUD

## INTRODUCTION

Ross Mixing, Inc. opened its doors in Port St. Lucie in 1986. The company manufactures large industrial mixing, blending, drying and dispersion equipment. The parent company has been in business since 1842.

The company proposes to expand its manufacturing space and capabilities which will result in the creation of approximately 60 more jobs in this market.

The facility is not your typical small scale industrial operation. Due to the large size of components, the floor space for manufacturing is proportionally much larger than other operations. The site currently has about 44,000 sf but it only requires 37 employees to run the operations.

The facility sells to private companies both domestic and foreign. It is not open to the public. Customers visit the site by appointment only.

Once the expansion is complete, the company expects an average of one (1) customer group per day to visit the site and stay at a local hotel.

The company has an international customer base who very often come to the facility and combine this visit with a family vacation in Florida. This will have a positive impact on local hotels, car rental company etc.

The purposes of this P.U.D. rezoning application is to allow for a reduction of the overall parking requirements for a manufacturing facility and to allow for an increase in the maximum building height allowed under the Warehouse Industrial Zoning District.

As mentioned before, due to the large size of products produced, a smaller percentage of employees is required than would be in a different setting. The City of Port St. Lucie acknowledged that in 2008, when it granted a variance to reduce the required amount of parking by 35 spaces or 40%. (P08-180, approved 9.3.08). This P.U.D. document will apply the same rate of reduction to the additional buildings proposed.

Due to the configuration of the property the new manufacturing facility is at an angle to the existing building. The manufacturing process requires a crane to run the length of the building. In order of being able to transfer loads between cranes and to allow for production of larger equipment in the new building, the second crane has to be higher than the existing crane system. The increase in building height will be 10'.

# ROSS MIXING PUD

## EXHIBIT 1

### 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.: \_\_\_\_\_  
Fee (Nonrefundable)\$ \_\_\_\_\_  
Receipt # \_\_\_\_\_

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.

**PRIMARY CONTACT EMAIL ADDRESS:** smarcks@landscapeda.com

#### PROPERTY OWNER:

Name: Ross Mixing, Inc, John Paterson

Address: 1249 SE Industrial Drive, Port St. Lucie, FL 34952

Telephone No. 772-337-0900

FAX No. \_\_\_\_\_

#### AGENT OF OWNER (if any)

Name: Landscape Design Associates, LLC

Address: 702 Port St. Lucie Blvd, Port St. Lucie, FL 34953

Telephone No. 772-971-6060

Fax No. \_\_\_\_\_

#### PROPERTY INFORMATION

Legal Description: lots 3,4,5,6 & 7, Block 19, Plat Book 23, Pages 6.6A-6D  
(Include Plat Book and Page)

Parcel I.D. Number: 3435-601-0057-000-4, 3435-601-0054-000-3

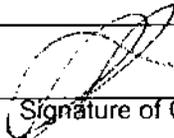
Current Zoning: WI

Proposed Zoning: PUD

Future Land Use Designation: LI/CS Acreage of Property: 5.27

Reason for rezoning request: \_\_\_\_\_

The expansion of the existing facility requires a deviation from existing parking requirements as well as an increase in building height

  
\_\_\_\_\_  
Signature of Owner

John Paterson  
\_\_\_\_\_  
Hand Print Name

8/22/16  
\_\_\_\_\_  
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:\P2\SHARED\APPLCTN\PUD-REZONE (06/23/11)

# ROSS MIXING PUD

## EXHIBIT 2

September 21, 2016

Ms. Patty Tobin  
Director of Planning and Zoning  
CITY OF PORT ST. LUCIE  
121 S.W. Port St. Lucie Boulevard  
Port St. Lucie, Florida 34984

**RE: PUD REZONING APPLICATION / ROSS MIXING, INC**

Dear Ms. Tobin:

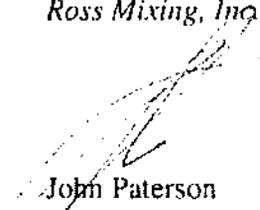
This letter is submitted as our Letter of Unified Control in compliance with the City of Port St. Lucie Zoning Regulations. The following entities are the owner of record of the subject property, pursuant to Corrective Special Warranty Deed recorded in Official Records Book 23, Page 6, 6A - 6D, Public Records of St. Lucie County, Florida, and copies of which are attached to this application.

Ross Mixing, Inc.  
1249 SE Industrial Blvd  
Port St. Lucie, FL 34952

If you should need anything further regarding this rezoning, please contact me.

Sincerely,

*Ross Mixing, Inc*

  
John Paterson  
Vice President

**ROSS MIXING PUD**

**EXHIBIT 3**

**LEGAL DESCRIPTION**

LOTS 3,4, 5, 6, AND 7, BLOCK 19, FIRST REPLAT IN PORT ST. LUCIE INDUSTRIAL PARK UNIT ONE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 23, PAGES 6, 6A - 6D OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

# ROSS MIXING PUD

## EXHIBIT 4

### BINDING P.U.D. AGREEMENT

The property, as described on Exhibit 8, is under the unified control of the undersigned petitioner who agrees to (1) proceed with the proposed development according to the provisions of the Port St. Lucie P.U.D. 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 owner's 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 seal  
this 7<sup>TH</sup> day of SEPT., 2016.

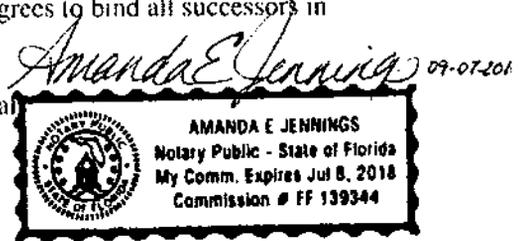
WITNESS:

ROSS MIXING, INC

BY: *[Signature]*

BY: *[Signature]*  
John Paterson  
Vice President

BY: *[Signature]*



# ROSS MIXING PUD

## EXHIBIT 5

### SITE INFORMATION

#### I. TOTAL ACREAGE

5.27 acres

#### II. WETLANDS IMPACTS

There are no existing wetlands on site

#### III. DEVELOPMENT AREA

Total Use Area Manufacturing: Up to 100,000 square feet

#### IV. NATIVE HABITAT

The site is partially developed with the existing manufacturing facility. The current development encompasses 2.6 ac. Pine flatwoods encompass 1.5 ac and the remainder of the site is disturbed open space mainly covered by non-native trees.

#### V. PROPOSED DENSITY

A maximum of 80 percent of the site can be impervious, and a maximum of 45 percent of total site area can be covered by structures.

# **ROSS MIXING PUD**

## **EXHIBIT 6**

### **GENERAL STANDARDS FOR DISTRICT ESTABLISHMENT**

1. The area of Ross Mixing P.U.D. is 5.27 acres, exceeding the 2-acre minimum for the establishment of a P.U.D. within the City of Port St. Lucie.
2. Ross Mixing P.U.D. is located the corner of Industrial Blvd and Niemeyer Circle in Port St. Lucie. The site is currently accessed off Industrial Blvd and Niemeyer Circle, but additional access points onto Village Green Drive are proposed as depicted on the Conceptual Master Plan attached as Exhibit 9.
3. Ross Mixing P.U.D. will have a storm water management system in accordance with all applicable SFWMD rules and regulations as well as all applicable rules and regulations of the City of Port St. Lucie Engineering Department

Ross Mixing P.U.D. will be supplied with water and wastewater services by the City of Port St. Lucie Utility Systems Department and will abide by and comply with all applicable City Ordinances, policies, specifications and regulatory agencies governing such service. Furthermore, the P.U.D. will accept reclaimed water for irrigation from the Port St. Lucie utility system when it becomes available to the property.

4. The physical characteristics of Ross Mixing P.U.D. can be described as Light Industrial Manufacturing
5. This P.U.D. application is consistent with the City of Port St. Lucie Comprehensive Land Use Plan and the future land use designations of LI/CS.
6. The development will be built in phases. The exact building footprint, parking lot and internal driveway configurations, along with other detailed site improvements, will be defined and established when Final Development Plan and Construction Plan approval is sought for each phase within the P.U.D.

# ROSS MIXING PUD

## EXHIBIT 7

### PROPOSED DEVELOPMENT STANDARDS

#### A. PURPOSE:

The purpose of this P.U.D. is to establish an area of integrated and compatible land uses and services. The following standards shall be met in developing the P.U.D.

#### B. PERMITTED PRINCIPAL USES

1. Manufacturing, assembly, warehousing, storing, processing and packaging goods and materials
2. Research and Development Facility
3. Warehouse
4. Office space as needed in conjunction with a use listed above

#### C. PARKING REQUIREMENTS

Manufacturing Area and associates office uses: 1 space per 800 sf of floor area

A portion of the property, lots 5, 6 & 7, Block 19 PSL Industrial Park Unit 1 was granted a variance by the Planning and Zoning Board on September 3, 2008 for a reduction of 35 required spaces.

#### D. LOADING REQUIREMENTS

Loading requirements for manufacturing use will be provided by internal loading bay as well as existing loading ramps and truck well.

#### E. MINIMUM BUILDING SIZES

The minimum building size is pursuant to the requirements of sections 158.124, 158.125 and 158.126 of the City's Land Development Regulations. The minimum building size for an office is 1,000 square feet.

# ROSS MIXING PUD

## F. LANDSCAPING

All landscape and buffer areas, as well as all landscape materials, shall conform to minimum size and spacing requirements as set forth in Section 154.03 of the City's Land Development Regulations.

## G. MAXIMUM BUILDING HEIGHT

All maximum proposed structure heights are as follows:

Manufacturing - 45 feet

## H. MINIMUM BUILDING SETBACKS

Front setback:

    Along Village Green Drive 25 Feet

    Along Industrial and Niemeyer Circle: 25 Feet

Side Setback: 10 feet

Rear Setback: 15 feet

**ROSS MIXING PUD**

**EXHIBIT 8**

**P.U.D. CONCEPTUAL MASTER PLAN**



DATE	9.21.16
CLIENT	ROSS MIXING PUD
PROJECT NO.	16-028 MASTER PLAN
DRAWN BY	SKM
CHECKED BY	SKM
SCALE	1" = 30'



**LEGAL DESCRIPTION:**  
 LOT 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Ex Zoning: RMH  
 Ex. Land Use: RL  
 Ex. Use: Residential

Ex Zoning: WI  
 Ex. Land Use: LI/CS  
 Ex. Use: Commercial

Ex Zoning: WI  
 Ex. Land Use: LI/CS  
 Ex. Use: Commercial

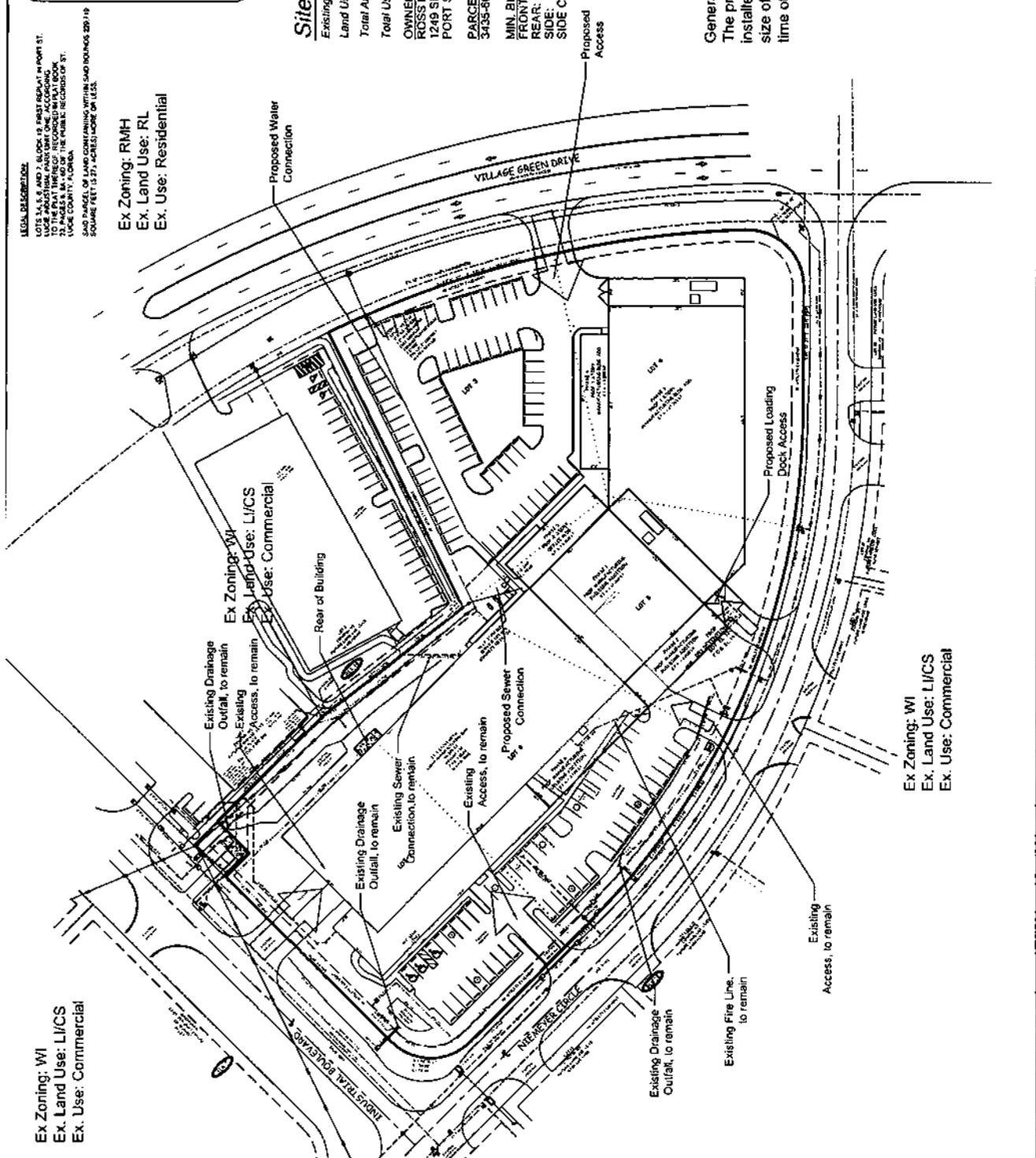
**Site Data:**  
 Existing Zoning: WI  
 Land Use Designation: LI/CS  
 Total Area: 5.27 ac  
 Total Use Area: up to 100,000 sf

OWNER/DEVELOPER:  
 ROSS MIXING, INC.  
 1249 SE INDUSTRIAL BLVD.  
 PORT ST. LUCIE, FL 34952

PARCEL IDENTIFICATION NUMBERS:  
 3435-601-0057-000-4, 3435-601-0054-000-3

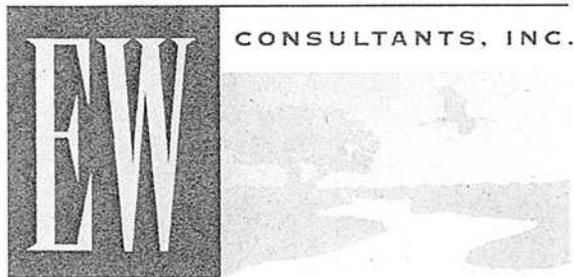
MIN. BUILDING SETBACKS:  
 FRONT: 25 FEET  
 REAR: 20 FEET  
 SIDE: 10 FEET  
 SIDE CORNER: 25 FEET

**General Notes:**  
 The proposed improvements will be installed in phases. Exact location and size of phases to be determined at time of site plan application.



EW Consultants, Inc.

Natural Resource Management, Wetland, and Environmental Permitting Services



## ROSS PUD

# ENVIRONMENTAL ASSESSMENT REPORT

Prepared for:

**VELCON GROUP, INC.**

Prepared by:

**EW Consultants, Inc.**

November 2016

© 2016 EW Consultants, Inc.

## **INTRODUCTION**

The Ross PUD project site is ±5.3 acres and is located west of and adjacent to Village Green Drive, with access from Industrial Boulevard and South Niemeyer Circle in the City of Port St. Lucie. Approximately 50% of the project site is improved as an industrial facility. The project is located within Section 36, Township 36 South, and Range 40 East, and is surrounded by industrial uses and the Spanish Lakes development east of Village Green Drive. A location map and USGS Quadrangle Map are provided in Appendix A as Figures 1 and 2, respectively.

## **GENERAL PROPERTY DESCRIPTION**

Current improved land cover types include built and grassed areas along Industrial Boulevard and South Niemeyer Circle. These improvements consist of the existing industrial building, associated parking lot, landscaping along Industrial Boulevard and South Niemeyer Circle, and a dry detention area. The remainder of the project site is vacant and wooded, consisting of native and exotic vegetative assemblages discussed in further detail below. Figure 3 in Appendix A is a recent aerial photograph of the project site showing surrounding conditions.

## **SOILS**

A soils report for the project site has been generated by the U.S. Department of Agriculture/Natural Resource Conservation Service and can be found in Appendix B of this report. Due to the improved condition of the industrial portion of the project site, the soils report focuses on the vacant wooded areas on-site. The one soil found on-site, Waveland and Immokalee fine sands, is sand-based, poorly drained and typically associated with pine flatwood communities.

## **NATURAL COMMUNITIES AND LAND COVERS**

The following is a summary of the land covers and vegetative communities found on the subject site. Land cover and vegetative community classifications are mapped based on the Florida Land Use, Cover and Forms Classification System (FLUCCS) developed by the Florida Department of Transportation.

The vegetative community descriptions include discussions of potential wildlife habitat provided by the various resources available in those communities. A land cover map of the observed community types with acreage is included as Figure 4 in Appendix A of this report. The land cover types observed on the subject site are described as follows:

### **#150 - Industrial**

The western portion of the project site is comprised of an industrial structure, associated parking, street trees, and a dry detention area. Given the high percentage of impervious surface within this land cover category, wildlife usage is expected to be very low. However, song birds may use the landscape trees (mainly laurel oaks with scattered queen palms and weeping bottle brush) for perching and nesting. The open grass of the dry detention area could possibly be used by the state threatened gopher tortoise for foraging.

### **#411 – Pine Flatwoods**

The wooded eastern portion of the site is dominated by a native upland FLUCCS classification cover described as Pine Flatwoods. This vegetative community consists of mature slash pines in the canopy, with an understory dominated by saw palmetto. Other native plants include gallberry, fetterbush, rusty fetterbush, red bay, dahoon holly, grapevine and smilax vine. Exotic plants within the pine flatwood area include earleaf acacia and Brazilian pepper.

This habitat is very low quality due to the suppression of wildfire and the lack of other land management efforts for what appears to be several decades. As a result, the forest floor contains no native groundcover (such as grasses and herbs), and instead is covered by a dense layer of pine needles and acacia leaves. The lack of open grass areas greatly reduce the likelihood that the pine flatwood area is used by wildlife. Although not ideal habitat for the state protected gopher tortoise, the margins of this habitat provide potential burrowing opportunities for this species. The mature pine trees could provide nesting and foraging opportunities for songbirds and raptors, as well.

### **#422 – Brazilian Pepper**

There is a sliver of Brazilian pepper behind the existing industrial building as well as along the northeast property line. The Brazilian pepper tree is a very aggressive plant not native to Florida. It typically dominates a landscape, preventing more desirable native vegetation from establishing. The opportunity for wildlife to inhabit the Brazilian pepper areas on-site is very low.

### **#740 – Disturbed Lands**

This FLUCCS category is typically reserved for areas which have been impacted by anthropogenic activities. In the case of the Ross PUD site, this category is being used to classify those area within the wooded portion of the site that are dominated by the exotic earleaf acacia tree. This tree, like the Brazilian pepper, tends to dominate the landscape and shade out the forest floor, preventing more desirable native species from establishing. Some of the 740 area possess this characteristic, but the majority of it contains a native understory component, as well, consisting of saw palmetto. Therefore, wildlife opportunities within this land cover category are limited, but not completely

eliminated. As with the pine flatwoods, gopher tortoises may use these areas for burrowing and foraging.

#### **LISTED WILDLIFE SPECIES -**

As mentioned above, due the types of upland areas found on-site, observations were made for the presence and/or potential presence of listed species on-site. Specifically, observations for gopher tortoises, a state threatened species, and their potentially active burrows were made during the November 2016 investigation of the project site. One (1) potentially occupied gopher tortoise burrow was observed within the eastern edge of the project site. A gopher tortoise survey covering 100% of the habitat found on-site must be conducted within 90 days prior to proposed land alterations. All potentially occupied burrows must be excavated and the captured tortoises relocated in accordance with current Florida Fish and Wildlife Conservation Commission (FWC) rules.

The subject property contains mature slash pines that could provide potential nesting opportunities for the bald eagle and is located within a few miles of major foraging areas, such as the North Fork of the St. Lucie River and numerous regional and local waterways. However, no bald eagles were observed perched on-site or flying in the vicinity of the site and no bald eagle nests were observed on-site at the time of the field investigation.

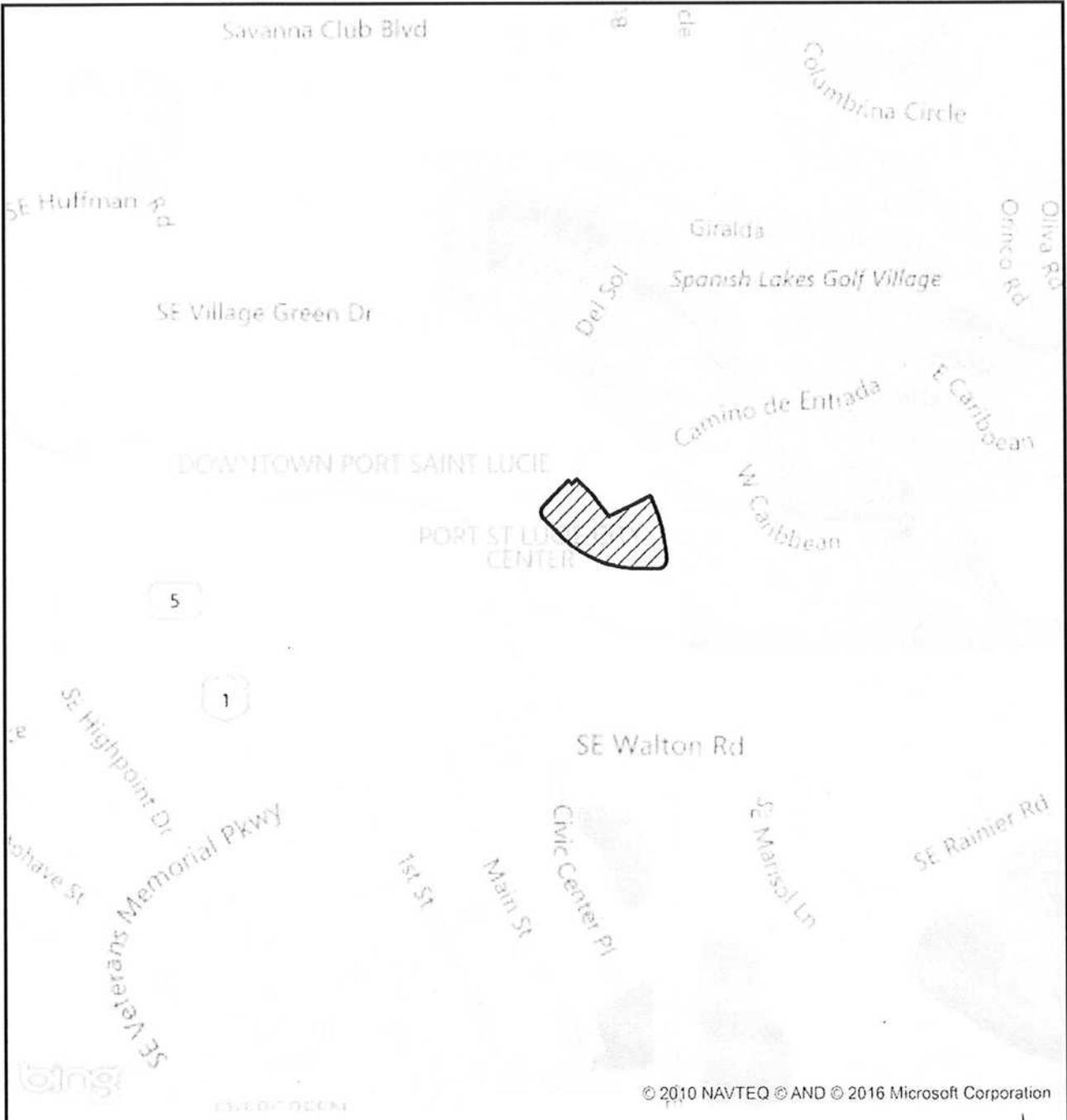
Although the site is within core foraging areas for several listed wading birds, there is no foraging habitat (aquatic resources) on-site.

Non-listed wildlife observed within the project site included mockingbirds and blue jays within the laurel oaks and slash pines.

## **APPENDIX A**

### Maps and Figures:

- Figure 1: Location Map
- Figure 2: USGS Quadrangle Map
- Figure 3: Aerial Photograph
- Figure 4: FLUCCS Map



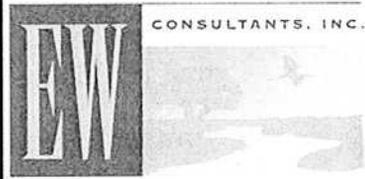
**LEGEND**

 - SITE (5.3+/- AC)

0 1,000 Feet

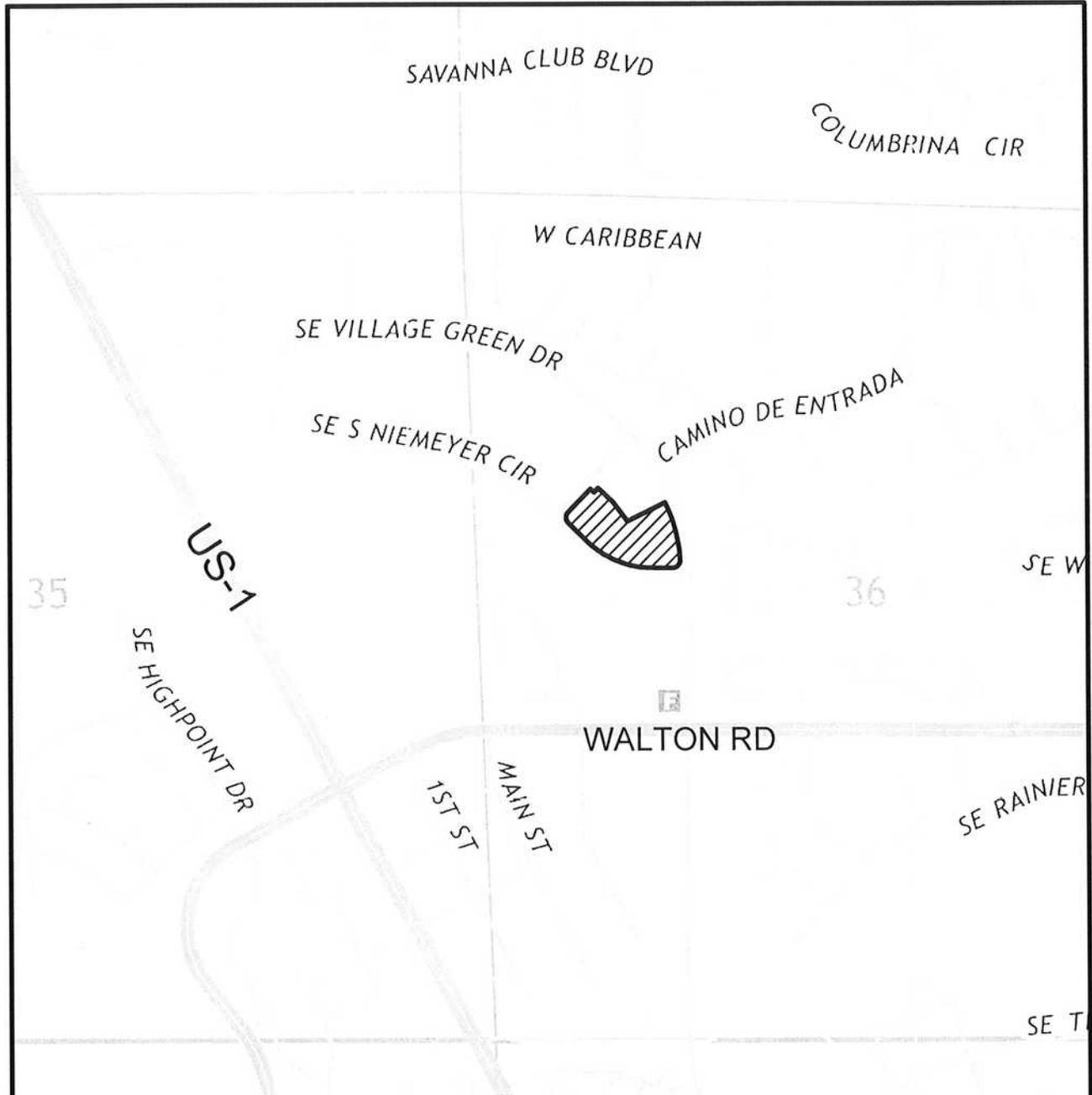


**ROSS PUD  
LOCATION MAP**



**EW CONSULTANTS, INC.**  
 1000 SE MONTEREY COMMONS BLVD., SUITE 208  
 STUART, FL 34996  
 772-287-8771 FAX 772-287-2988  
 WWW.EWCONSULTANTS.COM

**NOV 2016**  
 FIGURE  
**1**



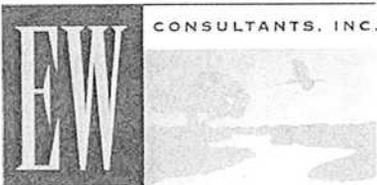
USGS 2015 QUAD MAP "ANKONA", SECTION 36, TOWNSHIP 36 SOUTH, RANGE 40 EAST, CITY OF

**LEGEND**



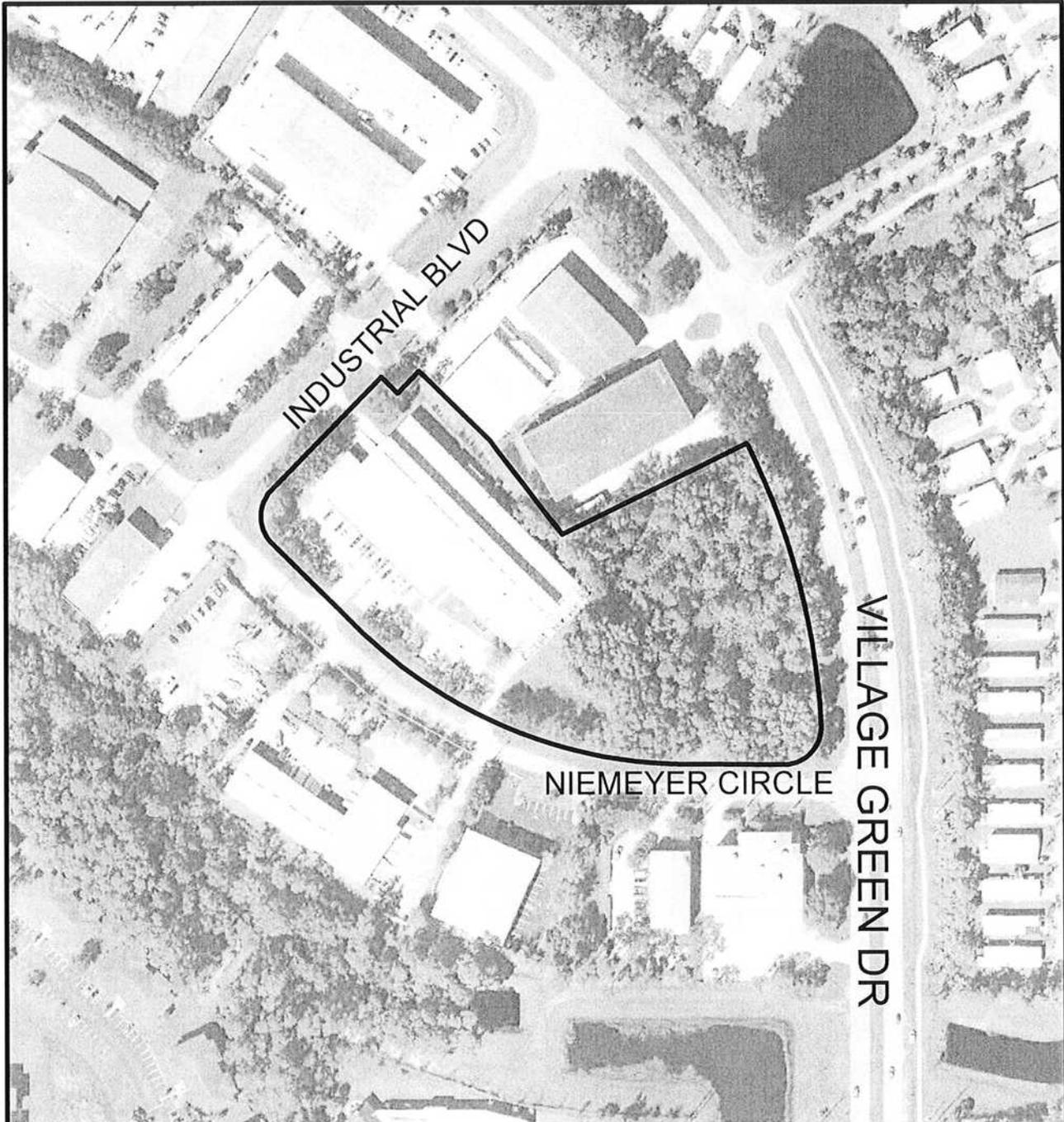
**ROSS PUD  
2015 QUAD**

ROSS PUD.dwg 2015 QUAD

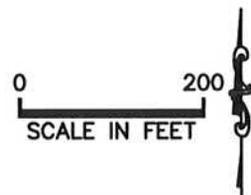


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**NOV 2016**  
**FIGURE**  
**2**



FDOT AERIAL DATED 2016



# ROSS PUD AERIAL

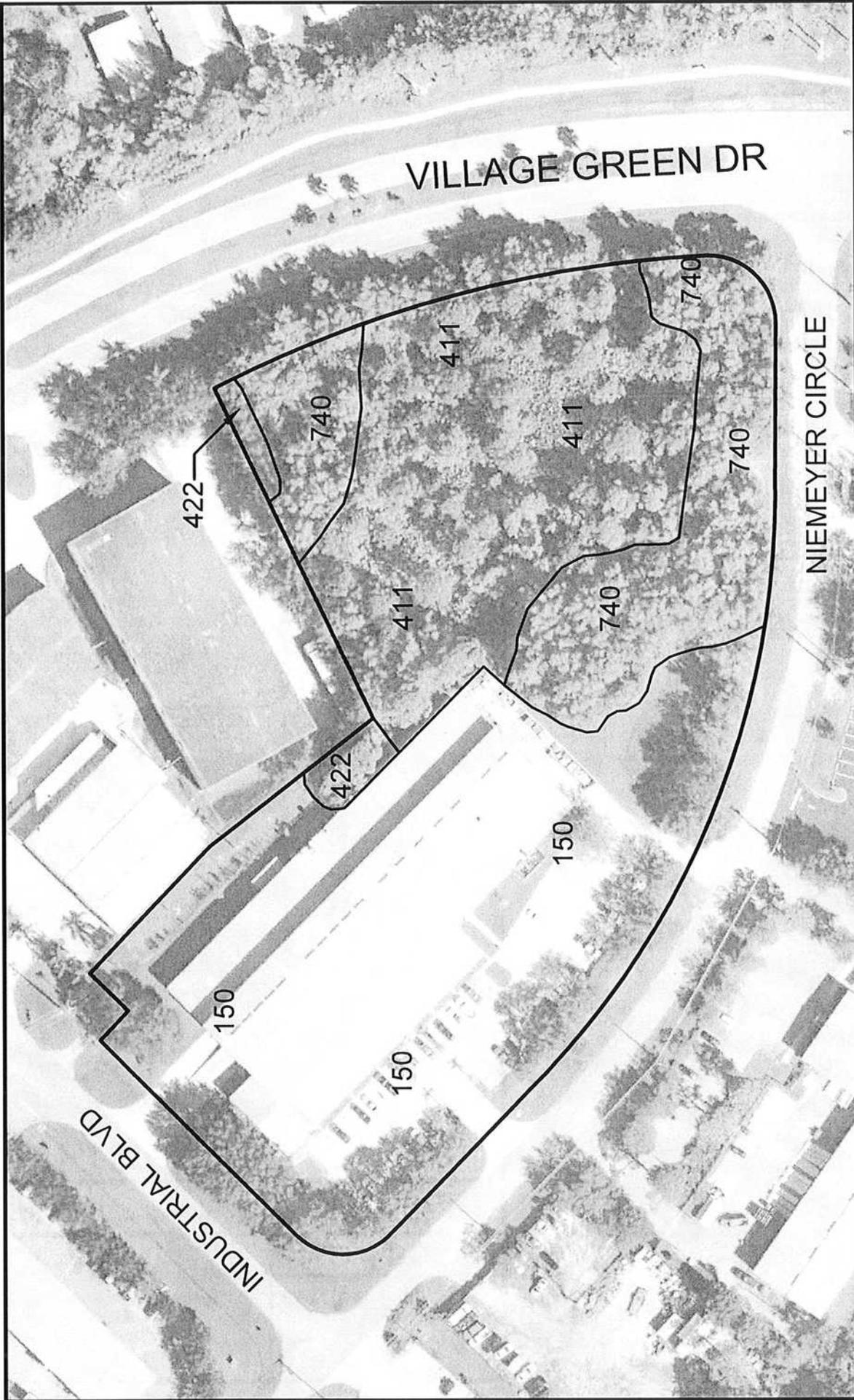
Ross\_PUD.dwg AERIAL



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**NOV 2016**  
**FIGURE**  
**3**

FDOT AERIAL DATED 2016



**ROSS PUD  
FLUCCS**

NOV 2016  
FIGURE  
**4**

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1000 DE MOORE ROAD, SUITE 200  
WILMINGTON, DE 19804  
773-287-7771 FAX 773-287-3288  
WWW.EWCONSULTANTS.COM

**LEGEND**

150 - INDUSTRIAL (2.7± AC)	422 - BRAZILIAN PEPPER (0.1± AC)
411 - PINE FLATWOODS (1.5± AC)	740 - DISTURBED LANDS (1.0± AC)
<b>TOTAL SITE (5.3± AC)</b>	

## **APPENDIX B**

### USDA/NRCS Soil Survey Report



A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

# Custom Soil Resource Report for St. Lucie County, Florida

Ross PUD



# Preface

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Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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# How Soil Surveys Are Made

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Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil scientists classified and named the soils in the survey area, they compared the

## Custom Soil Resource Report

individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

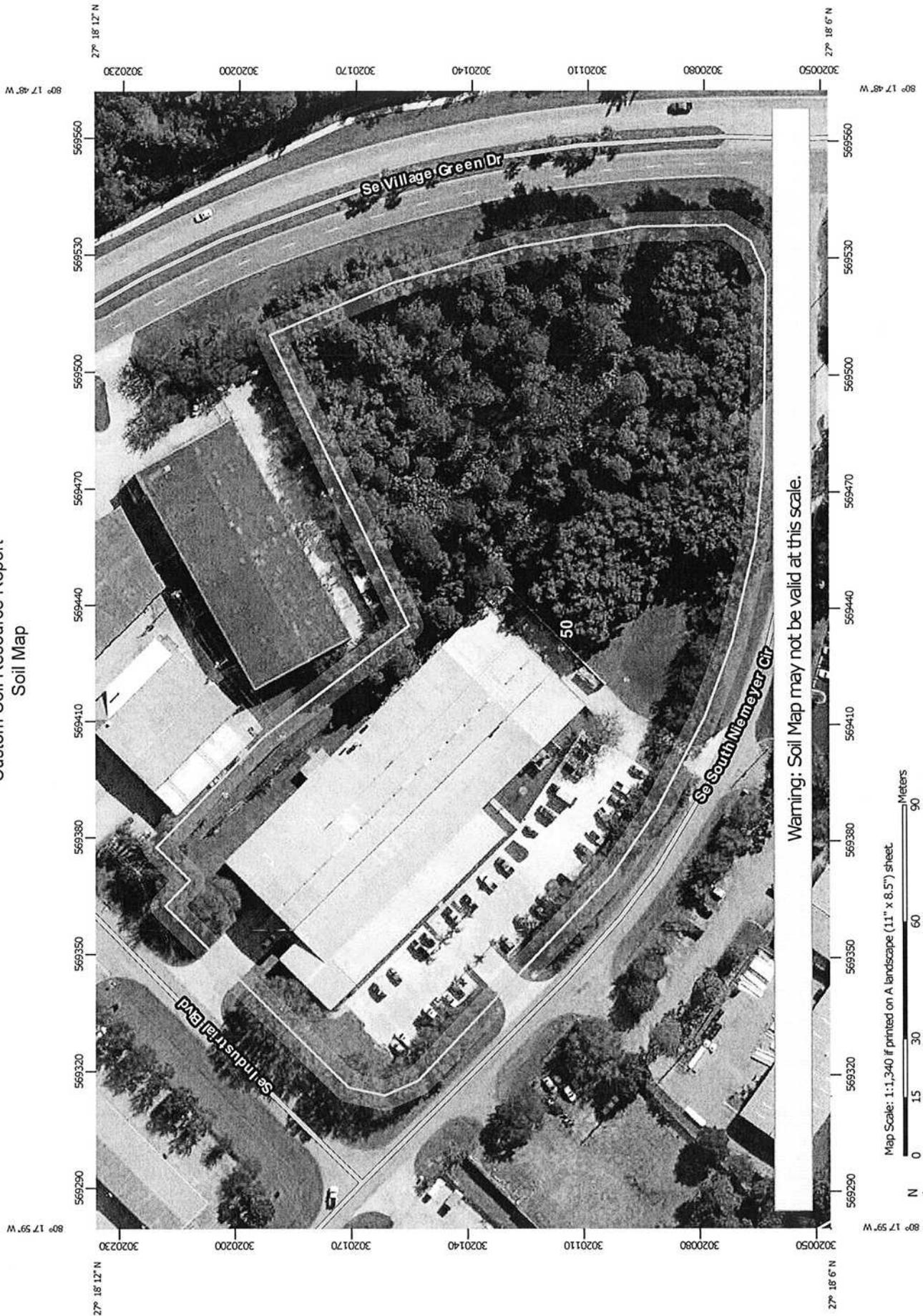
After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

# Soil Map

---

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report  
Soil Map



Warning: Soil Map may not be valid at this scale.

Map Scale: 1:1,340 if printed on A landscape (11" x 8.5") sheet



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

## MAP LEGEND

	Area of Interest (AOI)		Spoil Area
	Soils		Stony Spot
	Soil Map Unit Polygons		Very Stony Spot
	Soil Map Unit Lines		Wet Spot
	Soil Map Unit Points		Other
	Special Point Features		Special Line Features
	Blowout		
	Borrow Pit		
	Clay Spot		
	Closed Depression		
	Gravel Pit		
	Gravelly Spot		
	Landfill		
	Lava Flow		
	Marsh or swamp		
	Mine or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		
			Water Features
			Streams and Canals
			Transportation
			Rails
			Interstate Highways
			US Routes
			Major Roads
			Local Roads
			Background
			Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: St. Lucie County, Florida  
 Survey Area Data: Version 8, Nov 19, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 14, 2015—May 8, 2015

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

St. Lucie County, Florida (FL111)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
50	Waveland and Immokalee fine sands	5.3	100.0%
<b>Totals for Area of Interest</b>		<b>5.3</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

## Custom Soil Resource Report

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## St. Lucie County, Florida

### 50—Waveland and Immokalee fine sands

#### Map Unit Setting

*National map unit symbol:* 1jpwd  
*Elevation:* 20 to 200 feet  
*Mean annual precipitation:* 49 to 58 inches  
*Mean annual air temperature:* 70 to 77 degrees F  
*Frost-free period:* 350 to 365 days  
*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Immokalee and similar soils:* 44 percent  
*Waveland and similar soils:* 44 percent  
*Minor components:* 12 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Immokalee

##### Setting

*Landform:* Flatwoods on marine terraces  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Convex  
*Across-slope shape:* Linear  
*Parent material:* Sandy marine deposits

##### Typical profile

*A - 0 to 6 inches:* fine sand  
*E - 6 to 35 inches:* fine sand  
*Bh - 35 to 54 inches:* fine sand  
*Cg - 54 to 72 inches:* fine sand

##### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Poorly drained  
*Runoff class:* High  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.57 to 1.98 in/hr)  
*Depth to water table:* About 6 to 18 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Sodium adsorption ratio, maximum in profile:* 4.0  
*Available water storage in profile:* Low (about 5.3 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 4w  
*Hydrologic Soil Group:* B/D  
*Other vegetative classification:* Sandy soils on flats of mesic or hydric lowlands (G156BC141FL)  
*Hydric soil rating:* No

## Custom Soil Resource Report

### Description of Waveland

#### Setting

*Landform:* Flatwoods on marine terraces  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Convex  
*Across-slope shape:* Linear  
*Parent material:* Sandy marine deposits

#### Typical profile

*A - 0 to 4 inches:* fine sand  
*Eg - 4 to 32 inches:* sand  
*Bh1 - 32 to 40 inches:* loamy sand  
*Bh2 - 40 to 53 inches:* sand  
*Cg1 - 53 to 66 inches:* sand  
*Cg2 - 66 to 80 inches:* sand

#### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* 31 to 50 inches to ortstein  
*Natural drainage class:* Poorly drained  
*Runoff class:* High  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)  
*Depth to water table:* About 6 to 18 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Sodium adsorption ratio, maximum in profile:* 4.0  
*Available water storage in profile:* Very low (about 0.8 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 4w  
*Hydrologic Soil Group:* C/D  
*Other vegetative classification:* Sandy soils on flats of mesic or hydric lowlands (G156BC141FL)  
*Hydric soil rating:* No

### Minor Components

#### Lawnwood

*Percent of map unit:* 3 percent  
*Landform:* Marine terraces on flatwoods  
*Landform position (three-dimensional):* Talf  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Other vegetative classification:* Sandy soils on flats of mesic or hydric lowlands (G156BC141FL)  
*Hydric soil rating:* No

#### Electra

*Percent of map unit:* 3 percent  
*Landform:* Knolls on marine terraces, rises on marine terraces  
*Landform position (three-dimensional):* Interfluvium  
*Down-slope shape:* Convex

## Custom Soil Resource Report

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises and knolls of mesic uplands  
(G156BC131FL)

*Hydric soil rating:* No

### **Jonathan**

*Percent of map unit:* 3 percent

*Landform:* Knolls on marine terraces, ridges on marine terraces

*Landform position (three-dimensional):* Interfluve

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on rises, knolls, and ridges of mesic  
uplands (G156BC121FL)

*Hydric soil rating:* No

### **Salerno**

*Percent of map unit:* 3 percent

*Landform:* Flatwoods on marine terraces

*Landform position (three-dimensional):* Talf

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Other vegetative classification:* Sandy soils on flats of mesic or hydric lowlands  
(G156BC141FL)

*Hydric soil rating:* No

# References

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American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

National Research Council. 1995. Wetlands: Characteristics and boundaries.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service, U.S. Department of Agriculture Handbook 18. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_054262](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262)

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053577](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577)

Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053580](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580)

Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.

United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.

United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2\\_053374](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374)

United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelp2db1043084>

## Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2\\_054242](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242)

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053624](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624)

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. [http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/nrcs142p2\\_052290.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf)



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

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**TO:** PLANNING AND ZONING BOARD - MEETING OF NOVEMBER 1, 2016  
**FROM:** BRIDGET KEAN, CRA DIRECTOR *BK*  
**RE:** REZONING APPLICATION  
PROJECT NO P16-164  
ROSS MIXING PUD REZONING  
**DATE:** OCTOBER 19, 2016

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**APPLICANT:** Sabine Marcks of Land Design Associates, LLC, is acting as the agent for the property owner.

**OWNERS:** Ross Mixing, Inc.

**LOCATION:** The property is located at the north side of South Niemeyer Circle between Industrial Boulevard and S.E. Village Green Drive.

**LEGAL DESCRIPTION:** The legal description is Lots 3, 4, 5, 6, and 7, Block 19, First Replat Port St. Lucie Industrial Park Unit One.

**SIZE:** 5.27 acres, more or less

**EXISTING ZONING:** Warehouse Industrial Zoning District (WI)

**EXISTING USE:** Existing 44,307 square foot manufacturing facility and vacant undeveloped land

**REQUESTED ZONING:** Planned Unit Development (PUD) Zoning District

**FUTURE LAND USE:** LI/SC (Light Industrial and Service Commercial)

**SURROUNDING USES:**

	Existing Use	Future Land Use	Zoning
North	Warehouse buildings	LI/CS	WI
South	Commercial Office building, auto repair, plumbing supply company, pool and fence business	LI/CS	WI and CS
East	Spanish Lakes Golf Village Mobile Home Community	LI/CS	RMH
West	Warehouse building	LI/CS	WI

**PROPOSED USE:** The proposed PUD will incorporate an existing manufacturing facility located on lots 5, 6, and 7 of Block 19, First Replat PSL Industrial Park Unit One with adjacent lots 3 and 4 of Block 19, First Replat PSL Industrial Park Unit One. All of the lots are currently zoned Warehouse Industrial. To accommodate future expansion, the property owner is applying to rezone the properties to PUD.

The existing Ross Mixing, Inc. manufacturing operation is located at 1249 SE Industrial Boulevard and has been in business at that location since 1987. In 1992, Ross Mixing, Inc. purchased the adjacent vacant lots 3 and 4 for future expansion. The company manufactures large industrial mixing, blending, drying and dispersion equipment. It represents a specialized type of manufacturing that is highly automated, requires large space for components, storage of inventory, and the use of cranes that run the length of the building in the manufacturing process. The company sells to private companies both domestic and foreign and the facility is not open to the public.

The purposes of the PUD rezoning designation are to allow for a reduction in the parking requirements and an increase in the maximum building height allowed by the Warehouse Industrial (WI) zoning designation. Section 158.135 (G) of the Zoning Code sets a maximum height of thirty-five (35) feet for property zoned WI. Section 158.221 (C) (12) of the Zoning Code requires one parking space for each five hundred (500) square feet of gross floor area for manufacturing and industrial activities.

The proposed PUD would allow for a parking ratio of 1 space for each 800 square feet of gross floor area for new development and a maximum height of forty-five (45) feet. A height increase is necessary to allow for the manufacturing of larger equipment and the transfer of loads between cranes.

The proposed permitted uses are: (1) Manufacturing, assembly warehousing, storing, processing and packaging goods and materials; (2) Research and Development Facility; (3) Warehouse; (4) Office space as needed in conjunction with the permitted uses. The proposed PUD would allow for up to 100,000 S.F. of manufacturing or an additional 55,695 square feet of building space.

**HISTORY:**

In 2008, Ross Mixing, Inc. applied for a site plan amendment to add an additional 11,400 square feet of manufacturing space in two phases. The additions brought the total square footage to 44,305 S.F. It includes 42,600 square feet dedicated to manufacturing and 1,705 square feet dedicated to associated office uses. The company has stated that its current operation in 44,305 S.F. of building space requires 37 employees.

On September 3, 2008, the Planning and Zoning Board approved a request for a variance of 35 parking spaces to the parking requirements set forth in Section 158.221 (C) (12) of the Zoning Code for the existing 44,305 S.F. building. The variance brought the required parking for the site plan amendment (P08 – 201) from 89 required parking spaces to 54 required parking spaces.

As stated under Section 158.170 (B) of the Zoning Code, planned unit developments are intended to be sufficiently flexible in structure so as to encourage creative and imaginative design in planning and development. Where there are conflicts between the requirements of the general provisions of the City's Land Development Regulations and the requirements established by official action in the PUD, the PUD requirements shall govern.

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**IMPACTS AND FINDINGS:**

**Land Use Consistency:** As set forth in Policy 1.1.4.13 of the Future Land Use Element of the Comprehensive Plan, a Planned Unit Development Zoning District is compatible with all Future Land Use classifications depending on the range of permitted uses as part of the PUD Concept Plan. Section 158.172 (A) of the Zoning Code sets a minimum size of two acres for the establishment of a PUD. The proposed Ross Mixing PUD is approximately 5.27 acres.

**Sewer/Water Service:** The Port St. Lucie Utility Systems will provide water and sewer service.

**Transportation:** The site is currently accessed off Industrial Boulevard and Niemeyer Circle. An additional access point onto Village Green Drive is proposed as depicted on the Ross Mixing PUD Concept Plan. Transportation impacts and level of service requirements will be reviewed with the submittal of site plan application.

**Environmental:** The property is over two acres and an environmental assessment report is required prior to site plan approval. A preliminary environmental assessment report is included in the submittal packet. It identifies that the site contains approximately 0.92 acres of Pine Flatwoods, 1.75 acres of disturbed woods/open area, and no wetlands. The information will have to be confirmed in a revised environmental

assessment report prepared by a qualified ecologist, biologist, or equally qualified individual as set forth in Section 157.04 (A) of the Natural Resources Code. Such report will include a site survey for gopher tortoise and other endangered, threatened, or listed species. The revised environmental assessment report will identify the acreage subject to the City's upland habitat preservation requirements.

**Other.** The property is located in the City of Port St. Lucie Community Redevelopment Area (CRA) in the Port St. Lucie Industrial Park within the vicinity of U.S. 1 and S.E. Village Green Drive. The proposed PUD is consistent with Goal 8.2 of the Economic Development Element of the City's Comprehensive Plan. Goal 8.2 states that the City shall support the retention and growth of the industrial sector, the retaining of existing businesses and small firms, and actively seek to attract new industrial businesses.

**STAFF RECOMMENDATION:**

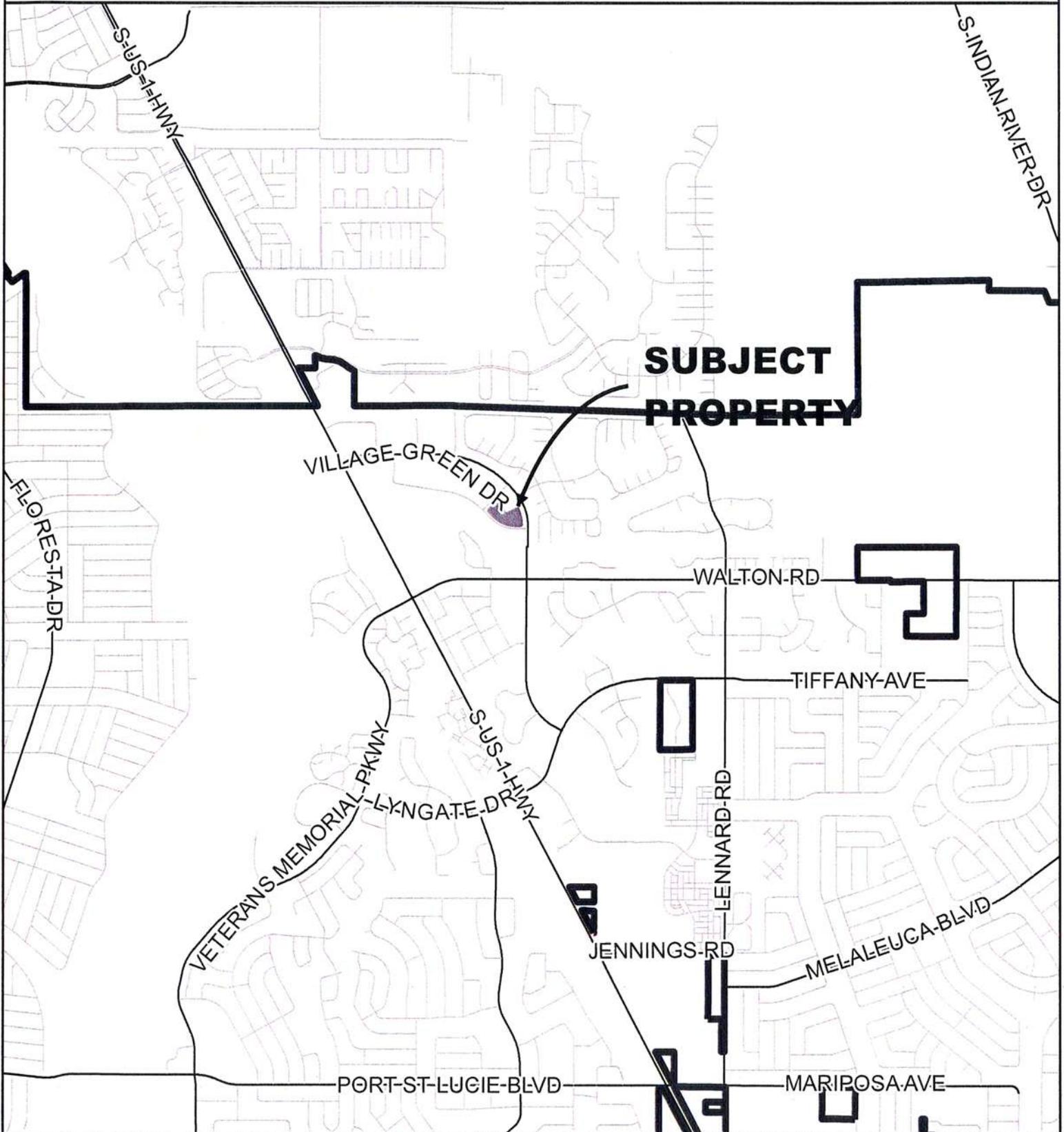
The Site Plan Review Committee reviewed the request at their meeting of October 12, 2016 and recommended approval. The Planning and Zoning Department finds the request to be consistent with the direction and intent of the City's Comprehensive Plan and the Planned Unit Development rezoning requirements of Article 10 of the Zoning Code 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 changes
- 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.

# GENERAL LOCATION

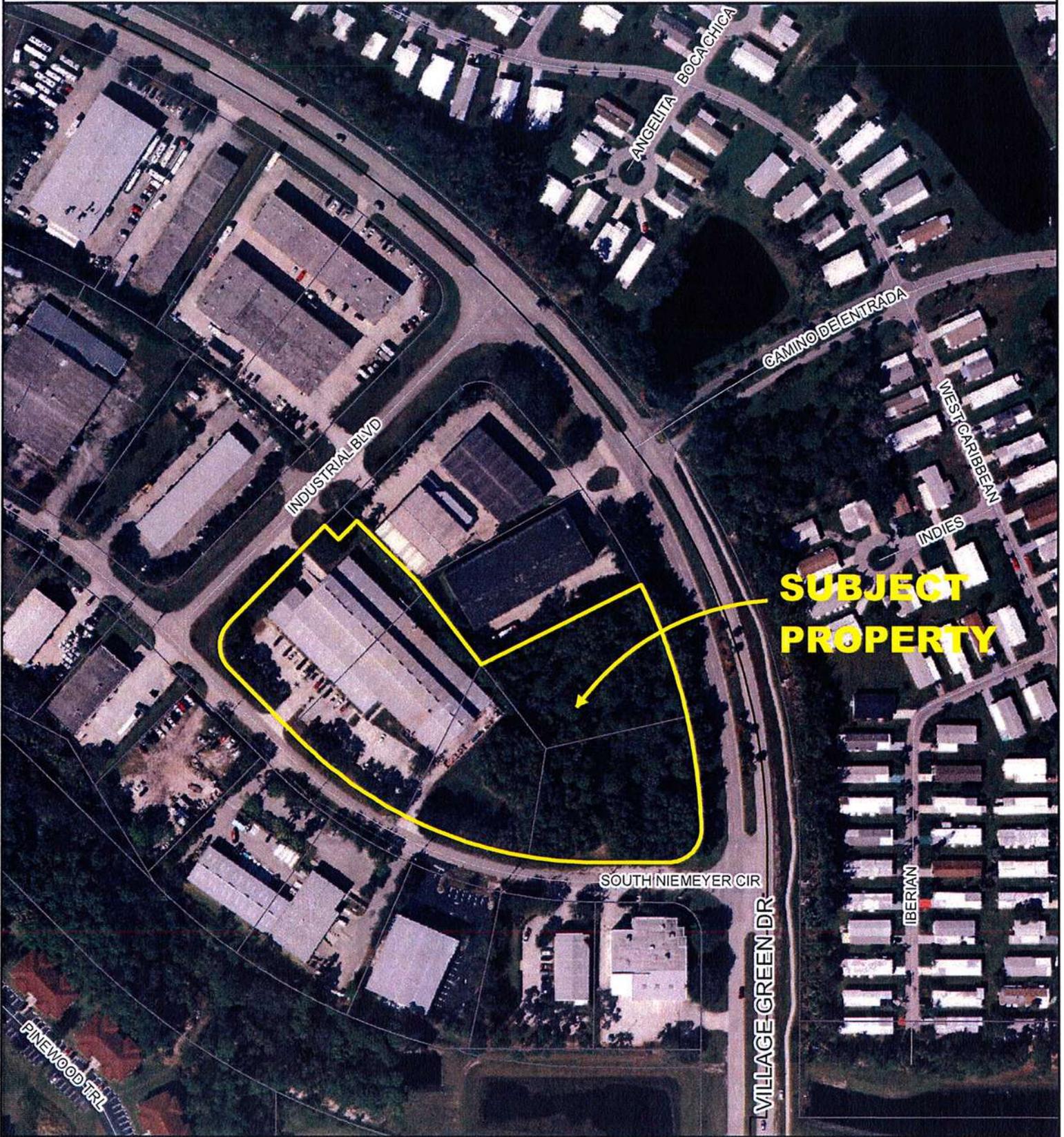


CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

PUD REZONING  
ROSS MIXING, INC.  
1ST REPLAT PSL IND. PK., BL. 19, LOTS 3-7, U-1

DATE:	10/10/2016
APPLICATION NUMBER:	P16-164
USER:	patricias
SCALE:	1 in = 0.5 miles

# AERIAL



**SUBJECT  
PROPERTY**

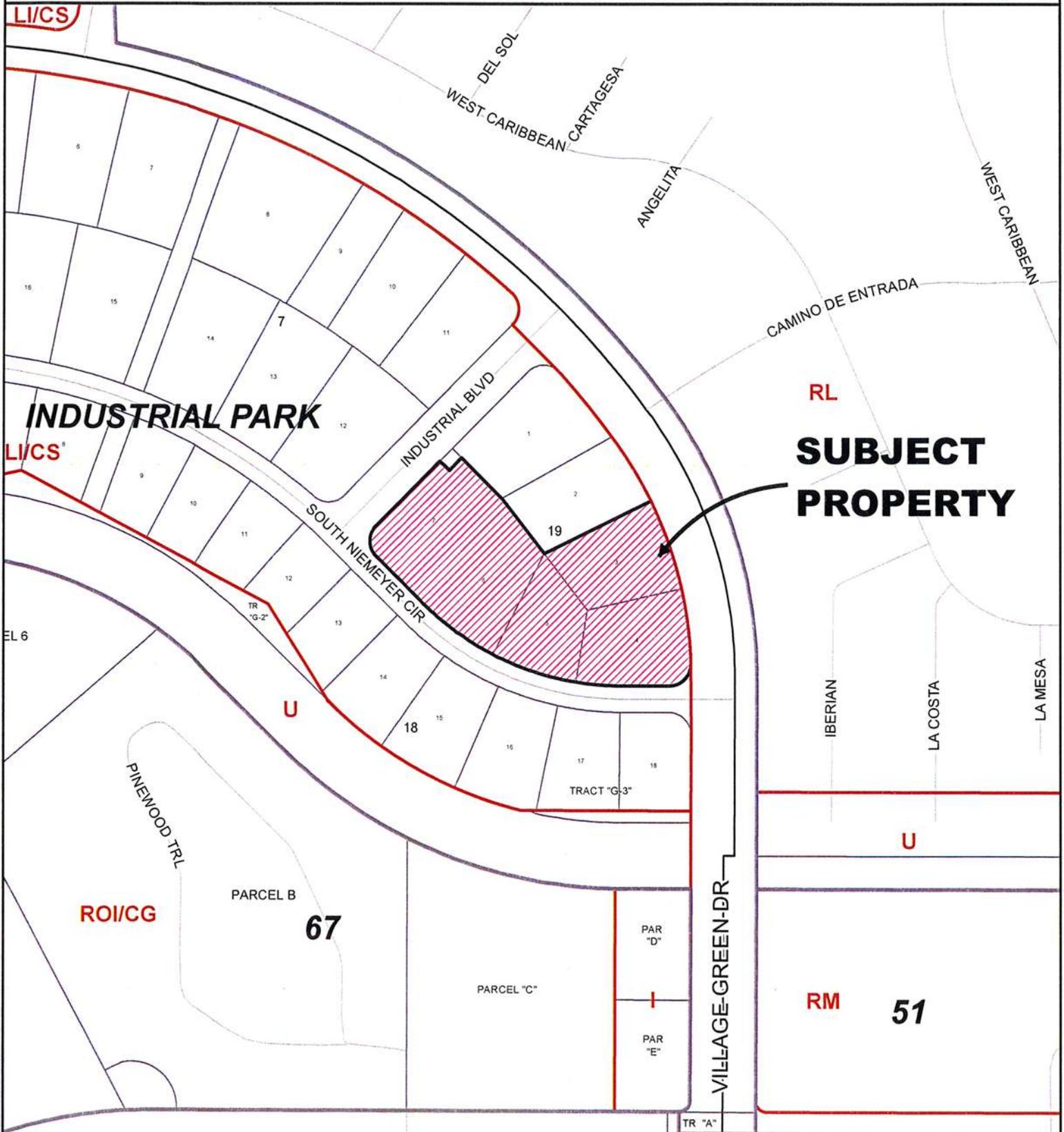


CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

PUD REZONING  
ROSS MIXING, INC.  
1ST REPLAT PSL IND. PK., BL. 19, LOTS 3-7, U-1  
AERIAL DATE 2014

DATE: 10/10/2016  
APPLICATION NUMBER:  
P16-164  
USER: patricias  
SCALE: 1 in = 200 ft

# FUTURE LAND USE

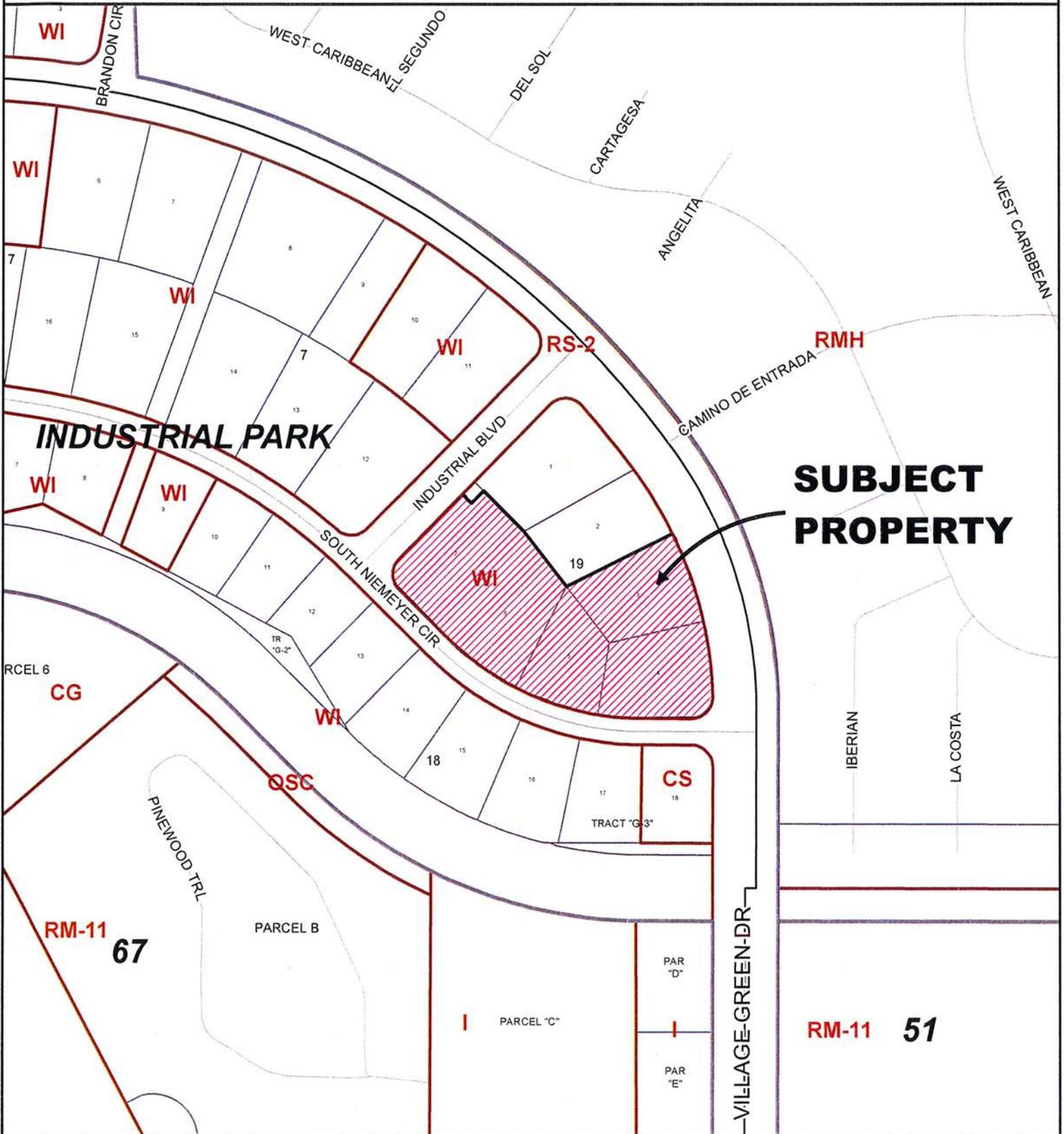


CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

PUD REZONING  
ROSS MIXING, INC.  
1ST REPLAT PSL IND. PK., BL. 19, LOTS 3-7, U-1

DATE: 10/10/2016  
APPLICATION NUMBER: P16-164  
USER: patricias  
SCALE: 1 in = 300 ft

# EXISTING ZONING

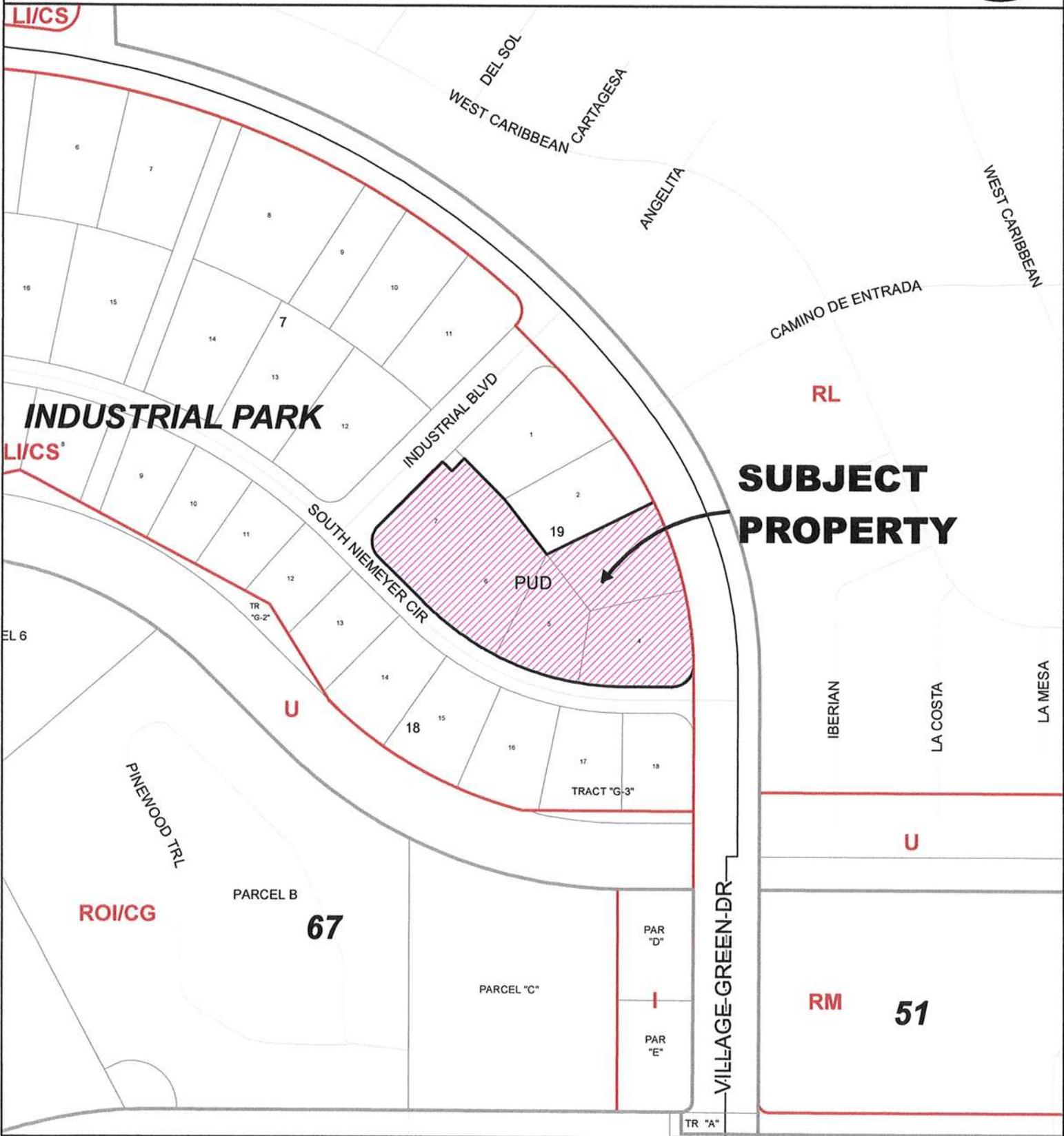


CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

PUD REZONING  
ROSS MIXING, INC.  
1ST REPLAT PSL IND. PK., BL. 19, LOTS 3-7, U-1

DATE: 10/10/2016  
APPLICATION NUMBER: P16-164  
USER: patricias  
SCALE: 1 in = 300 ft

# PROPOSED PUD ZONING



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

PUD REZONING  
ROSS MIXING, INC.  
1ST REPLAT PSL IND. PK., BL. 19, LOTS 3-7, U-1

DATE:	10/20/2016
APPLICATION NUMBER:	P16-164
USER:	patricias
SCALE:	1 in = 300 ft

901617

This instrument prepared by  
NED M. SHANDLOFF, ESQUIRE  
1111 So. Bayshore Drive  
Miami, Florida 33131

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED Made and entered this 20th day of June 1988 by GENERAL DEVELOPMENT CORPORATION, a corporation existing under the laws of Delaware, and having its principal place of business at 1111 South Bayshore Drive, Miami, Florida 33131, hereinafter called the Grantor to ROSS MIXING, INC., a Florida corporation, whose post office address is 6660 St. Harbor Circle, Southfish Point, Stuart, Florida 33994, hereinafter called the Grantee.

(Wherever 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.)

WITNESSETH That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged by these presents, does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate in St. Lucie County, Florida, viz:

Lot D, Block 40 of FIRST REEF IN PORE SE LUCIE INDUSTRIAL PARK UNIT ONE, according to the plat thereof, as recorded in Plat Book 23, Pages 6, 6a through 6d of the Public Records of St. Lucie County, Florida. Hereinafter the Subject Property.

Said Deed is executed subject to taxes and special assessments assessed for the year 1988 and all subsequent years and to conditions, easements, limitations and restrictions of record.

Grantee acknowledges that a Development of Regional Impact Scheduling Agreement dated February 10, 1978, and amended August 26, 1980, has been entered into between General Development Corporation and the Florida Division of State Planning. A Master Plan has been filed pursuant to said Agreement.

The Grantee's development and improvement of the Subject Property shall be in compliance with the Master Plan described above and on file with the Florida Division of State Planning as of the date of the recording of this Deed, or a revised Master Plan with which said Grantee is in agreement. Chapter 330, Florida Statutes, and Chapter 27 F., Florida Administrative Code, shall be applied to the Subject Property notwithstanding the existence of said Development of Regional Impact Scheduling Agreement, and said Grantee shall not be bound by any Development of Regional Impact filing commitments made by Grantor by virtue of said Agreement as distinguished from any legal responsibility imposed upon said Grantee by Chapter 330, Florida Statutes, and Chapter 27 F., Florida Administrative Code.

Further, the following restrictions shall remain in full force and effect for a period of twenty years from the date of recordation of this Deed:

1. Prior to the commencement of construction of any kind, including but not limited to original construction and subsequent or future alterations or modifications, Grantee agrees that all plans and specifications for architectural and landscaping improvements shall be submitted for approval to Grantor. Grantor shall review the data submitted as to aesthetic, functional and economic conformance with the area and its proposed development and Grantor agrees that such approval shall not be unreasonably withheld.

2. The parties acknowledge and agree that the premises shall be used for the sole purpose of light industrial use. Real estate sales offices are specifically prohibited. Any modification or change in such use will require the consent and approval of Grantor.

If Grantor commences legal proceedings to enforce the provisions of either or both of the above restrictions, Grantee, its successors or assigns, shall be obligated to pay Grantor's costs and legal expenses.

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 it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming through the Grantor, and that said land is free of all encumbrances except as above set forth.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered  
in the presence of

GENERAL DEVELOPMENT CORPORATION

*[Handwritten signature]*  
*[Handwritten signature]*

BY: *[Handwritten signature]*  
HAROLD W. FENNO, SR. VICE PRES.

(CORPORATE SEAL)

STATE OF FLORIDA  
COUNTY OF DADE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared HAROLD W. FENNO, Senior Vice President of the corporation named as Grantor in the foregoing deed and that he acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 20th day of June 1988.

My Commission Expires

*[Faint notary seal]*

*[Handwritten signature]*  
NOTARY PUBLIC  
State of Florida at Large

901617

'88 JUL -5 P3:34

FILED  
DOUGLAS  
ST. LOUIS

BOOK 593 PAGE 1812

835980

This instrument prepared by:  
NED M. SHANDLOFF, ESQUIRE  
1111 So. Bayshore Drive  
Miami, Florida 33131

1050

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED Made and entered this 6th day of July 1987 by GENERAL DEVELOPMENT CORPORATION, a corporation existing under the laws of Delaware, and having its principal place of business at 1111 South Bayshore Drive, Miami, Florida 33131, hereinafter called the Grantor, to ROSS MIXING, INC., a Florida corporation, whose post office address is P.O. Box 12308, Hauppauge, New York 11788-0615, hereinafter called the Grantee:

(Wherever 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.)

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate in St. Lucie County, Florida, vis:

1050

Lots 6 and 7, Block 19 of FIRST REPLAT IN PORT ST. LUCIE INDUSTRIAL PARK UNIT ONE, according to the plat thereof, as recorded in Plat Book 23, Pages 6, 6A through 6D of the Public Records of St. Lucie County, Florida.

This Deed is executed subject to taxes and special assessments assessed for the year 1987 and all subsequent years and to conditions, easements, limitations and restrictions of record.

Grantee acknowledges that a Development of Regional Impact Scheduling Agreement dated February 10, 1978, and amended August 26, 1985, has been entered into between General Development Corporation and the Florida Division of State Planning. A Master Plan has been filed pursuant to said Agreement.

The Grantee's development and improvement of this real property shall be in compliance with the Master Plan described above and on file with the Florida Division of State Planning as of the date of the recording of this Deed, or a revised Master Plan with which said Grantee is in agreement. Chapter 380, Florida Statutes, and Chapter 27-F, Florida Administrative Code, shall be applied to this real property notwithstanding the existence of said Development of Regional Impact Scheduling Agreement, and said Grantee shall not be bound by any Development of Regional Impact filing commitments made by Grantor by virtue of said Agreement as distinguished from any legal responsibility imposed upon said Grantee by Chapter 380, Florida Statutes, and Chapter 27-F, Florida Administrative Code.

Further, the following restrictions shall remain in full force and effect for a period of twenty years from the date of recordation of this Deed:

1. Prior to the commencement of construction of any kind, including but not limited to original construction and subsequent or future alterations or modifications, Grantee agrees that all plans and specifications for architectural and landscaping improvements shall be submitted for approval to Grantor. Grantor shall review the data submitted as to aesthetic functional and economic conformance with the area and its proposed development and Grantor agrees that such approval shall not be unreasonably withheld.
2. The parties acknowledge and agree that the premises shall be used for the sole purpose of light industrial use. Real Estate sales offices are specifically prohibited. Any modification or change in such use will require the consent and approval of Grantor, which consent will not be unreasonably withheld.

08 549 PAGE 2289

If Grantor commences legal proceedings to enforce the provisions of either or both of the above restrictions, Grantee, its successors or assigns, shall be obligated to pay Grantor's costs and legal expenses.

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 it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming through the Grantor, and that said land is free of all encumbrances except as above set forth.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in the presence of:

GENERAL DEVELOPMENT CORPORATION

*[Handwritten signature]*  
*[Handwritten signature]*

BY: *[Handwritten signature]*  
HAROLD W. FENNO, SR. VICE PRES

(CORPORATE SEAL)

STATE OF FLORIDA )  
COUNTY OF DADE )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared HAROLD W. FENNO, Senior Vice President of the corporation named as Grantor in the foregoing deed and that he acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 6th day of July 1987.

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA  
BY COMMISSION EXP. JULY 24, 1990  
BONDED THRU SERIAL 185, 190.

*[Handwritten signature]*  
NOTARY PUBLIC  
State of Florida at Large

835980

'87 JUL 14 10:40

FILED AND INDEXED  
DOUGLAS D. CLERK  
ST. LUCIE COUNTY, FL.

D.B. BOOK 549 PAGE 2290

## Bridget Kean

---

**From:** Thomas Mullin <TMullin@nasonyeager.com>  
**Sent:** Monday, November 14, 2016 12:47 PM  
**To:** Bridget Kean  
**Subject:** RE: Ross Mixing ordinance

Approved. No changes.  
Thanks.

---

### Thomas Mullin

Attorney at Law

Email: [tmullin@nasonyeager.com](mailto:tmullin@nasonyeager.com)

Tel: 561-982-7114 | Fax: 561-982-7116

[Profile](#)   [vCard](#)



750 Park of Commerce Blvd., Suite 210 | Boca Raton | FL | 33487  
[www.nasonyeager.com](http://www.nasonyeager.com)

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**Think Green!** Please do not print this e-mail unless absolutely necessary.

---

**From:** Bridget Kean [mailto:[BKean@cityofpsl.com](mailto:BKean@cityofpsl.com)]  
**Sent:** Monday, November 14, 2016 12:07 PM  
**To:** Thomas Mullin <TMullin@nasonyeager.com>  
**Subject:** Ross Mixing ordinance

Hi Tom,

This ordinance went to P&Z in November. I'm not sure if you reviewed already or I send to you directly. Thanks.

*Bridget Kean, AICP  
Community Redevelopment Agency Director  
City of Port St. Lucie  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, FL 34984-5099  
772-873-6489 (Phone) 772-871-5128 (Fax)*

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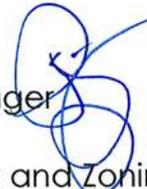


# CITY OF PORT ST LUCIE

## COUNCIL AGENDA MEMORANDUM

Agenda Item #: \_\_\_\_\_ 10K  
Meeting Date: **November 28, 2016**  
**and Quasi-Judicial hearing on:**  
**December 12, 2016**

TO: Mayor and City Council

THRU: Patricia Roebling, P.E., Interim City Manager 

FROM: Patricia A. Tobin, AICP, Director Planning and Zoning 

Agenda Item: Ordinance: Ross Mixing Planned Unit Development  
(PUD) Rezoning (P16-164)

Submittal Date: 11/16/2016 

---

**STRATEGIC PLAN LINK:** This item is consistent with Goal 2: Growing Local Economy and Goal 3: Balanced, Responsible and Sustainable Growth.

**BACKGROUND:** This is an application to rezone 5.27 acres located on the north side of South Niemeyer Circle between Industrial Boulevard and S.E. Village Green Drive in the Port St. Lucie Industrial Park. The subject property is owned by Ross Mixing, Inc. Ross Mixing is a specialized manufacturing company that has been in business in Port St. Lucie since 1987. The existing manufacturing operation is located at 1249 SE Industrial Boulevard on land legally described as lots 5-7, Block 19, First Replat PSL Industrial Park Unit One. The company also owns the adjacent lots 3 and 4. All of the lots are zoned WI (Warehouse Industrial). To accommodate future expansion, the property owner is applying to rezone the properties to PUD. The purposes of the PUD rezoning designation are to allow for a reduction in the parking requirements and an increase in the maximum building height allowed by the Warehouse Industrial (WI) zoning designation. Ross Mixing manufactures large industrial mixing, blending, drying and dispersion equipment. It represents a specialized type of manufacturing that is highly automated, requires large space for components, storage of inventory, and the use of cranes that run the length of the building in the manufacturing process. The company sells to private companies both domestic and foreign and the facility is not open to the public.

**ANALYSIS:** The analysis is included in the attached staff report. The submittal packet for the City Council public hearing includes a revised environmental assessment report. Approximately 1.5 acres are subject to the City's Upland Habitat preservation requirements.

**FINANCIAL INFORMATION:** N/A

**LEGAL INFORMATION:** This ordinance was approved as to form by attorney Thomas Mullin for City Attorney O. Reginald Osenton on November 14, 2016.

**NOTICE/ADVERTISING:** Legal notice shall be provided by the City Clerk's office in accordance with FSS 166.041(3)(a), "... shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the municipality..."

**PLANNING AND ZONING BOARD:** The Planning and Zoning Board unanimously recommended approval of this PUD rezoning application on November 1, 2016.

**SPECIAL CONSIDERATION:** N/A

**PRESENTATION INFORMATION:** Staff may provide a short presentation on this application.

**REQUESTED MEETING DATE:** 11/28/2016

**LOCATION OF PROJECT:** This property is located on the north side of S.E. Niemeyer Circle between Industrial Boulevard and S.E. Village Green Drive.

**ATTACHMENTS:** Ordinance including attachments A and B, staff report, and recommendation.

PT/BK

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