

RESOLUTION NO. 18-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, TO AMEND THE PGA VILLAGE DEVELOPMENT OF REGIONAL IMPACT (DRI) APPROVED BY RESOLUTION 03-R68 ON OCTOBER 27, 2003, INCLUDING THOSE AMENDMENTS APPROVED BY RESOLUTION 03-R96 ON DECEMBER 15, 2003, RESOLUTION 09-R49 ON APRIL 13, 2009, RESOLUTION 09-R138 ON OCTOBER 26, 2009, RESOLUTION NO. 10-R31 ON JUNE 14, 2010, **AND RESOLUTION NO. 12-R102 ON OCTOBER 22, 2012, AND RESOLUTION NO. 18-R01 ON JANUARY 8, 2018** IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 380, FLORIDA STATUTES; MAKING FINDINGS OF FACT AND CONCLUSIONS OF LAW PERTAINING TO THE VERANO DRI; AND CONSTITUTING THIS RESOLUTION AS THE AMENDED DEVELOPMENT ORDER FOR THE VERANO DRI IN COMPLIANCE WITH LAW; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A TERMINATION DATE.

WHEREAS, Reserve Homes, Ltd., (the "**Developer**") has filed an Application for Development Approval (ADA) for the Professional Golf Association (PGA) Village Development of Regional Impact (DRI) with the City of Port St. Lucie, Florida, in accordance with Section 380.06, Florida Statutes; and

WHEREAS, the Developer proposes to construct 7,200 dwelling units; 300 vehicle space recreational vehicle park; 50 assisted living units; 848,500 sq. ft. retail/service; 100,000 sq. ft. office, 300 hotel rooms; up to 2 golf courses with 100,000 square feet of ancillary golf-related facilities such as a clubhouse, dining, pro shop, cart storage and maintenance facility; and to dedicate a 48 acre public school site (the "**Proposed Development**") on that real property located in the City of Port St. Lucie, Florida legally described in Exhibit "A" hereto (the "**Property**") in accordance with the Master Plan for the PGA Village DRI attached hereto as Exhibit "B"; and

WHEREAS, the Proposed Development constitutes a Development of Regional Impact (DRI) pursuant to the standards set forth in Chapter 380, Florida Statutes and the Florida Administrative

RESOLUTION 18-

Code; and

WHEREAS, the City Council, as the governing body of the City of Port St. Lucie with jurisdiction over the Property pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider Applications for Development Approval for Developments of Regional Impact (DRI); and

WHEREAS, on October 6th, 2003, the City Planning and Zoning Board held a duly noticed public hearing on the Application for Development Approval (ADA) for the PGA Village DRI and recommended that the City Council approve the ADA; and

WHEREAS, on the 27th day of October, 2003, the City Council adopted the PGA Village DRI Development Order by Resolution 03-R68; and

WHEREAS, on the 8th and 15th day of December, 2003, the City Council held a duly noticed public hearing on this Amended and Restated Development Order for the PGA Village DRI and heard and considered the testimony taken at said hearing, where at the conclusion of that hearing adopted Resolution 03-R96 providing for the first amendment to the PGA Village Development Order and determined that the proposed amendments did not constitute a substantial deviation to the original Development Order; and

WHEREAS, on the 13th of April 2009, the City Council held a duly noticed public hearing on this Amended and Restated Development Order for the PGA Village DRI and heard and considered the testimony taken at said hearing, where at the conclusion of that hearing adopted Resolution 09-R49 providing for the second amendment to the PGA Village Development Order and determined that the proposed amendments did not constitute a substantial deviation to the original Development Order; and

WHEREAS, on the 26th of October 2009, the City Council held a duly noticed public hearing on this Amended and Restated Development Order for the PGA Village DRI and heard and considered the testimony taken at said hearing, where at the conclusion of that hearing adopted Resolution 09-R138 providing for the third amendment to the PGA Village Development Order and determined that the proposed amendments did not constitute a substantial deviation to the original Development Order; and

WHEREAS, the City Council has received and considered the assessment report and recommendations of the Treasure Coast Regional Planning Council (TCRPC); and

WHEREAS, the Developer submitted an application for, and the City processed and approved, a concurrent land use plan amendment for the Property in accordance with the requirements of

RESOLUTION 18-

Section 380.06(6), F.S. (the "LUPA"); and

WHEREAS, the Developer, has assigned its ownership interests in the Professional Golf Association (PGA) Village Development of Regional Impact to the Verano Development, LLC and the PSL Commercial Holdings, LLC; and

WHEREAS, the Verano Development, LLC and the PSL Commercial Holdings, LLC; have assumed the role and responsibilities of the "Developer" as related to the administration and implementation of this Development Order; and

WHEREAS, in order to avoid unnecessary levels of confusion with a similar named residential project in the immediate area of the PGA Village DRI, the Developer has amended the name of the PGA Village DRI so that it is now to be referred to as the Verano Development of Regional Impact; and

WHEREAS, Section 380.06(19)(c), F.S. provides a 3-year extension to DRI phase, buildout, and expiration dates and is not subject to further development-of-regional-impact review; and

WHEREAS, the Developer has submitted a fourth Notice of Proposed Change to the existing Development of Regional Impact previously known as Professional Golf Association (PGA) Village Development of Regional Impact (DRI) and now known as the Verano Development of Regional Impact; and

WHEREAS, on the 24th of May, 2010, the City Council held a duly noticed public hearing on this Amended Development Order for the Verano DRI and heard and considered the testimony taken at said hearing, and continued the hearing on this item until June 14, 2010, and.

WHEREAS, on the 14th of June, 2010, the City Council reconvened the public hearing on this Amended Development Order for the Verano DRI and heard and considered the testimony taken at said hearing, where at the conclusion of that hearing adopted Resolution 10-R31 providing for the fourth amendment to the PGA Village Development Order and determined that the proposed amendments did not constitute a substantial deviation to the original Development Order; and

WHEREAS, the Developer has submitted a fifth Notice of Proposed Change to the existing Development of Regional Impact previously known as Professional Golf Association (PGA) Village Development of Regional Impact (DRI) and now known as the Verano Development of Regional Impact; and

WHEREAS, Section 380.06(19)(c), F.S. provides a 4 year extension to DRI phase, buildout, and expiration dates and is not subject to further development-of-regional-impact review; and

RESOLUTION 18-

WHEREAS, the City Council has received and considered the assessment report and recommendations of the Treasure Coast Regional Planning Council (TCRPC); and

WHEREAS, an application to amend the Reserve DRI was filed on October 3, 2011 (the “Reserve Amendment”), which proposes a reduction in land use intensities that will result in a corresponding reduction in p.m. peak hour external trips sufficient to more than offset the increase in p.m. peak hour external trips proposed by this Verano DRI amendment; and

WHEREAS, on the 22th of October, 2012, the City Council held a duly noticed public hearing on Amended Development Order for the Verano DRI and heard and considered the testimony taken at said hearing, where at the conclusion of that hearing adopted Resolution 12-R102 providing for the fifth amendment to the PGA Village Development Order and determined that the proposed amendments did not constitute a substantial deviation to the original Development Order; and

WHEREAS, the Developer has submitted a sixth amendment per section 380.19(e)(2).m, requesting to amend Map H, the preliminary master plan, of the existing Development of Regional Impact previously known as Professional Golf Association (PGA) Village Development of Regional Impact (DRI) and now known as the Verano Development of Regional Impact; and

WHEREAS, the sixth amendment proposes to amend Map H, Verano Preliminary Master Plan, by removing the hatching that currently designates the commercial and residential uses identified on the current master plan; and

WHEREAS, on December 6, 2017, the Planning and Zoning Board of the City of Port St. Lucie held a public hearing on the proposed sixth amendment and recommended approval of the changes; and

WHEREAS, on January 8, 2018, the City Council held a duly noticed public hearing for the City of Port St. Lucie to consider adoption of the sixth amendment and heard and considered the testimony taken at said hearing, and afforded all interested persons an opportunity to be heard and present evidence, and

WHEREAS, THE City Council received and considered the opinion and recommendations of Department of Economic Opportunity (DEO) and the Treasure Coast Regional Planning Council (TCRPC); and

WHEREAS, the City believes that approving this sixth amendment to the Final Development Order for Verano Development of Regional Impact (DRI), is in the best interest of the public

RESOLUTION 18-

health, safety and public welfare of the citizens of Port St. Lucie, and further that the proposed amendment does not constitute a substantial deviation to the original Development Order, as amended, and that the proposed changes do not create additional unmitigated regional impacts on regional resources and facilities that were not previously reviewed, and

WHEREAS, the Developer has submitted a seventh amendment per section 380.06 (7), Florida Statutes, requesting to amend the existing Development of Regional Impact previously known as Professional Golf Association (PGA) Village Development of Regional Impact (DRI) and now known as the Verano Development of Regional Impact; and

WHEREAS, the seventh amendment proposes to amend Condition 50 and delete Condition 51 and Exhibits “E”, “E1”, and “E2”, which refer to a previous version of Map H and design criteria; and

WHEREAS, on _____ the Planning and Zoning Board of the City of Port St. Lucie held a public hearing on the proposed seventh amendment and recommended approval of the changes; and

WHEREAS, on _____ the City Council held a duly noticed public hearing for the City of Port St. Lucie to consider adoption of the sixth amendment and heard and considered the testimony taken at said hearing, and afforded all interested persons an opportunity to be heard and present evidence, and

WHEREAS, the City believes that approving this seventh amendment to the Final Development Order for Verano Development of Regional Impact (DRI), is in the best interest of the public health, safety and public welfare of the citizens of Port St. Lucie, and

WHEREAS, the City Council has made the following FINDINGS OF FACT and CONCLUSIONS OF LAW with regard to the Application for Development Approval and proposed amendments to the Verano DRI Development Order:

FINDINGS OF FACT

1. The Proposed Development is not in an area of critical state concern designated pursuant to the provisions of Section 380.06, Florida Statutes.
2. On June 20, 2003, the Treasure Coast Regional Planning Council issued a report and recommendation on the PGA Village DRI (now known as Verano DRI) pursuant to

RESOLUTION 18-

Section 380.06(12)(a), Florida Statutes.

3. Upon approval of the LUPA, the Proposed Development will be consistent with the local Comprehensive Plan of the City.
4. The mitigation of impacts on public facilities and services required by this Development Order ensures that the Proposed Development meets concurrency with respect to all public facilities and services for which concurrency is required.
5. The City of Port St. Lucie has no objection to the development of the 136-acre reservoir described, as documented in the application for development approval, provided any such development satisfies all applicable environmental permitting requirements.
6. According to the Consolidated DRI Traffic Analysis prepared by MacKenzie Engineering and Planning, Inc. and Kimley Horn & Associates, Inc., the improvements described in Exhibit "C" of this Development Order reflect those regionally significant roadways which are significantly impacted by the Proposed Development.

As set forth therein, the Developer's proportionate share of the cost of those improvements is \$33,351,288.00 as summarized in Table A of Exhibit "C" of this Development Order. Pursuant to Section 163.3180(5)(h), Florida Statutes and Policy 1.1.4.1.d (as amended 2003), City of Port St. Lucie Comprehensive Plan Land Use Element, the City is exercising its discretion to accept a proportionate share contribution for local and regionally significant traffic impacts sufficient to pay for one or more required improvements that will benefit a regionally significant transportation facility through the transportation conditions set forth in this Development Order.

The City finds that the transportation conditions set forth in this Development Order adequately mitigate the traffic impacts of the Proposed Development together with a total Developer proportionate share contribution in the amount of \$37,044,395 as summarized in Table A of Exhibit "C" and comprised of (i) the estimated cost of constructing Village Parkway from PGA Village Learning Center to the PGA Village entrance of \$17,597,365.00; and (ii) a lump sum payment to the City in the amount of \$3,000,000.00 pursuant to that Capacity Agreement by and between the City and the Developer dated February 24, 2003; (iii) proportionate share payments to St. Lucie County in the amount of \$275,454.00 for roadway improvements to Midway Road; (iv) the estimated cost of a 135-foot wide right-of-way for the extension of Crosstown Parkway along the southerly DRI property line together with the right-of-way for an interchange at the intersection of Crosstown Parkway and I-95 in the amount of \$3,855,000.00; (v) a proportionate share payment to the City of Port St. Lucie in the amount of \$3,595,076.00 for roadway and

RESOLUTION 18-

interchange improvements to St. Lucie West Boulevard and I-95; (vi) the estimated cost of an 80-foot wide right-of-way for North-South (N/S) A from Crosstown Parkway to Glades Cut-Off Road of \$727,273, (vii) the estimated proportionate share cost of constructing two-lanes of Crosstown Parkway from Village Parkway to the Proposed North-South A of \$4,561,586, (viii) the estimated proportionate share cost of constructing widening Crosstown Parkway from Village Parkway to Commerce Center Drive of \$977,007, and (ix) the estimated cost of constructing two-lanes of North-South Road A from Crosstown Parkway to the first residential Verano Entrance of \$2,455,634. The City of Port St. Lucie has no obligation to construct any of the improvements listed in Exhibit “C”, unless otherwise noted in Development Order. Additional site related specific and internal roadway network improvements may also be required to provide safe and adequate access.

7. The Proposed Development does not create an Adequate Housing Need within the meaning of Rule 9J-2.048, F.A.C. and, therefore, no mitigation is required for affordable housing.
8. The ad valorem tax, sales tax, and gas tax revenue to be generated by the Proposed Development, together with the permit fees, license fees and impact fees, and the conditions set forth in this Development Order, will be sufficient to fund the police, fire, parks/recreation, emergency management services, and library demands of the Proposed Development.
9. The 48-acre school site to be dedicated by the Developer to the St. Lucie County School Board meets the school needs of the Proposed Development (per the requirements of condition No. 56 of this Development Order) and an agreement shall be entered with the St. Lucie School County School Board based on said dedication.
10. ~~On October 17, 2017, the DEO issued a finding determining that pursuant to Section 380.06(19)(c)2.m, Florida Statutes, the proposed sixth amendment will not create the likelihood of any additional regional impacts and that the changes can proceed without the filing of a notice of proposed change pursuant to section 280.06(10), Florida Statutes, but require an application to the local government to amend the development order in accordance with the local government's procedures for a amendment of a development order. Further on October 24, 2017, the Treasure Coast Regional Planning Council issued a finding deferring to the DEO's finding that the proposed change will not create the likelihood of any additional regional impacts.~~

CONCLUSIONS OF LAW AND

RESOLUTION 18-

CONDITIONS OF APPROVAL

NOW, THERE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, in a public meeting, duly constituted and assembled this (date to be determined), that the PGA Village DRI (now known as Verano DRI) Application for Development Approval submitted by Verano Development LLC/ PSL Commercial Holdings, LLC, is APPROVED, and is hereby amended subject to the following conditions, restrictions, and limitations:

APPLICATION FOR DEVELOPMENT APPROVAL:

1. The PGA Village DRI Application for Development Approval (now referred to as the Verano Development of Regional Impact) is incorporated herein by reference. It is relied upon, but not to the exclusion of other available information, by the parties in discharging their statutory duties under Chapter 380, Florida Statutes. Substantial compliance with the representations contained in the ADA, as modified by Development Order conditions, is a condition for approval.

For purposes of this condition, the ADA shall include the following items:

- a) Application for Development approval (ADA) dated October 18, 2002, and
- b) Supplemental information submitted February 4, 2003, April 1, 2003, August 2003, and final revisions submitted in September 2003.

Commencement and Progress of Development:

2. In the event the Developer fails to commence significant physical development within three years from the effective date of the Development Order, development approval shall terminate and the development shall be subject to further Development of Regional Impact (DRI) review by the Treasure Coast Regional Planning Council (TCRPC) pursuant to Section 380.06, Florida Statutes. For the purposes of this paragraph, construction shall be deemed to have been initiated after placement of permanent evidence of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation of land clearing, such as the construction of roadways or other utility infrastructure.

SATISFIED

PHASING AND MASTER PLAN:

RESOLUTION 18-

3. The Verano DRI project shall be developed in four phases as follows pursuant to the phasing schedule set forth below:

Phasing Schedule

Land Use*	Phase I 2003 to 2019 2020	Phase II 2011 to 2024 2025	Phase III 2016 to 2029 2030	Phase IV 2021 to 2034 2035	Cumulative Total
Residential	1,200 Units	2,400 Units	1,920 Units	1,680 Units	7,200 Units
Assisted Living	0 Units	0 Units	0 Units	50 Units	50 Units
Recreational Vehicle Park	0 Spaces	150 Spaces	150 Spaces	0 Spaces	300 Spaces
Retail / Service	150,000 s.f	273,500 s.f.	175,000 s.f	250,000 s.f.	848,500 s.f.
Office	0	20,000 s.f.	30,000 s.f.	50,000 s.f.	100,000 s.f.
Hotel	100 Rooms	200 rooms	0	0	300 rooms
Attraction and Recreation Facilities	1 full-size golf course, and 60,000 s.f. of ancillary uses	1 full-size golf course and 40,000 s.f. of ancillary uses	0	0	2 full-size golf course and 100,000 s.f. of ancillary uses.
Institutional	0	48-Acre school site	0	0	48-Acre school site

* Uses include those permitted under the ITE Trip generation Manuel, 8th Edition, Land Use:
820 Shopping Center

All development, except agricultural uses, shall be consistent with the Verano Master Plan Map H, attached as Exhibit “B”. Agriculture and agriculture related activities, such as citrus, cash crops and ranching, shall be permitted on all parcels within the Verano DRI until such parcel is platted for non-agricultural uses. Parcel lines and golf course boundaries as depicted on Map H are illustrative only and may be shifted without amending this Development Order within the permitted land use boundaries.

BUILDOUT DATE:

4. The build-out date for the Verano DRI shall be December 31, 2034³⁵

EXPIRATION DATE:

5. This Development Order shall expire on December 31, 2030⁵, unless extended as provided in Section 380.06(19)(c), Florida Statutes.

UPLAND PRESERVATION:

- 6A. The Developer shall comply with the 25% upland preservation set aside requirement of the City of Port St. Lucie Code Section 157.39, Required Preservation of Habitat. At the time of the first Planned Unit Development (PUD) rezoning request, the Developer shall provide the City and the Florida Fish and Wildlife Conservation Commission (FWWCC) a Conservation Area Management Plan for review. The plan shall provide for the protection or relocation of gopher tortoises as needed.

This required upland preservation set aside may be met by upland habitat creation within the buffer area along the western perimeter of the project as depicted on the DRI master plan. The buffer area shall be a minimum of 200 feet in width, an average 500 feet in width, and a maximum 1,000 feet in width. No development shall occur within this area with the exception of road connections. The Developer shall provide evidence of approval from FPL to plant in any area located within the FPL right of way.

The western perimeter buffer may be permitted as an upland mitigation site for meeting upland preservation requirements of the Verano DRI provided the buffer is planted with native vegetation that includes native canopy trees, understory trees, shrubs, and groundcover and is planted in accordance with Section 153.25 of the City's Land Clearing Code. With City approval, the western perimeter buffer located in the Verano DRI may be used as a mitigating site for upland preserve located in The Reserve DRI and located within the City. The mitigation ratio for replanting the buffer shall be 1.5 acres of created upland vegetation to 1 acre of removed existing upland vegetation.

- 6B. As an alternative to providing additional upland preservation on the Peacock Parcel being added to the Verano DRI, the city acknowledges that the developer has previously exceeded the 25% upland preservation requirement of the City of Port St Lucie Code Section 157.39 (Upland Preservation) for the Verano DRI. The existing Verano Conservation Area Management Plan and conservation easement includes a surplus 11.4 acres of protected upland habitat beyond what was required for the original Verano development order.

Any rezoning and/or site plan application for the southeastern quadrant of the Peacock parcel, as depicted on Exhibit F, shall incorporate the preservation and relocation of significant Live oak trees, greater than 12 inches in caliper, into the site plan. A tree survey reflecting the locations of the existing Live Oak trees shall be prepared to provide for the preservation of the most significant trees in situ. The relocation of oak trees, Sabal Palms and other significant vegetation from the hammock area shall be incorporated into the open space and landscape areas visible to the public along Crosstown parkway and Village Parkway extending into the project.

RESOLUTION 18-

In addition to the original conservation area, developer shall upon adoption of the fifth amendment to Resolution 03-R68 deed to the City of Port St. Lucie 22.86 acres of land for open space conservation purposes as shown on Exhibit G. All upland habitat portion of said 22.86 acre parcel of land shall count toward the required upland habitat within the Reserve DRI. Should the City develop this land for non-conservation uses(s) the City shall be required to mitigate for the loss of the upland habitat.

SATISFIED

LISTED SPECIES:

7. The Developer shall comply with the permitting requirements of the Florida Fish and Wildlife Conservation Commission (FWWCC).
8. In the event that it is determined that any additional representative of a state or federally listed plant or animal species is resident on, or otherwise is significantly dependent upon the project site, the Developer shall cease all activities which might negatively affect that individual population and immediately notify City of Port St. Lucie. The Developer shall provide proper protection to the satisfaction of City of Port St. Lucie in consultation with the U.S. Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission. Mitigation may include relocation offsite, provided such sites exist and provided approval is obtained from applicable environmental agencies.

WETLANDS:

9. The Developer shall preserve and enhance the 6.45 acres of wetlands proposed for preservation on Map F-1, Vegetation Map, contained in the ADA, to the extent required by South Florida Water Management District and the U.S. Army Corps of Engineers. Other wetland areas shall be preserved or mitigated for to the extent as required by applicable environmental agencies. Offsite mitigation or onsite mitigation within the western perimeter buffer shall be permitted provided approval is obtained from applicable environmental agencies.

SATISFIED

10. The Developer shall preserve or create a buffer zone of native upland edge vegetation around all preserved and created wetlands on site as may be required pursuant to applicable environmental permits. The upland buffers shall be designed to be consistent with the buffer requirements of the SFWMD and the City of Port St. Lucie. Preserved buffer zones shall consist of existing native canopy trees, under-story trees, shrubs, and groundcover, unless additional native vegetation is required by applicable environmental agencies. Created upland buffer zones shall consist of native canopy trees, under-story trees, shrubs, and ground cover. Created upland buffers shall be planted in accordance

RESOLUTION 18-

with Section 153.25 of the City's Land Clearing Code. The upland buffers are to be maintained according to the details provided in a Conservation Area Management Plan to be approved by the City of Port St. Lucie.

EXOTIC SPECIES:

11. Prior to obtaining a Certificate of Occupancy (CO) for a structure located on a particular development parcel on the project site, the Developer shall remove from that particular parcel all Brazilian Pepper and any other nuisance and invasive exotic vegetation such as Melaleuca, Australian Pine, Old World Climbing Fern, Downy Rose-myrtle, and exotic vegetation listed by the Florida Exotic Pest Plant Council and the City of Port St. Lucie. Removal shall be in a manner that avoids seed dispersal by any of these species. There shall be no planting of these species on site. Methods and a schedule for the removal of exotic and nuisance species shall be approved by the City of Port St. Lucie. The entire site, including wetlands and conservation areas, shall be maintained free of these species in perpetuity.

DRAINAGE:

12. The Developer shall design and construct the surface water management system to detain the maximum volumes of water consistent with SFWMD criteria for flood control.

Post-development runoff volumes and rates shall not exceed pre-development runoff volumes and rates. Required detention volumes may be accommodated in a combination of vegetated swales, dry retention areas, lakes, or other suitable detention/retention structures. All discharges from the surface water management system shall meet the water quality standards of FAC Rule 17-3. If lakes are permitted to be used as mitigation for existing wetlands, they shall be landscaped in accordance with the City of Port St. Lucie, SFWMD, and other applicable jurisdiction's requirements. Minimum landscape requirements around lakes shall be determined at time of PUD review.

13. All elements of the surface water management system shall be designed to minimize negative impacts to adjacent areas and to the receiving bodies of water. The Developer shall establish a permanent water quality monitoring system to demonstrate that the C-24 Canal and adjacent properties will not be negatively impacted by water from the project site. The Developer shall address all of the National Pollution Discharge Elimination System (NPDES) requirements. The proposed plans for the water quality monitoring system shall be approved by the City of Port St. Lucie prior to construction of the surface water management system. Reporting of findings shall be included in the Biennial reports of the DRI.

RESOLUTION 18-

14. The Developer shall design and construct the surface water management system to provide stormwater treatment and attenuation/storage, per SFWMD requirements, for a 135-foot road right-of-way located along the southern boundary of the project.
15. The Developer shall work with the City of Port St. Lucie to minimize the amount of impervious surface constructed for automobile parking on the project site. The Developer and the City will consider the use of pervious parking lot materials where feasible.
16. Maintenance and management efforts required to assure the continued viability of all components of the surface water management system shall be the financial and physical responsibility of the Developer or their assigns. Any entities subsequently replacing the Developer shall be required, at a minimum, to assume the responsibilities outlined above.

WATER:

17. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the Developer has provided written confirmation from the providing utility that adequate capacity of treated potable water is available to serve such development parcel and that the providing utility has service/distribution infrastructure that is either operational or guaranteed through surety, in a form acceptable to the City, to serve such development parcel.
18. The preferred source of irrigation water shall be treated wastewater effluent at such time as this source is made available to the site. The project shall be equipped with an irrigation water distribution system to provide reclaimed water to all domestic residential lots when it becomes available. No individual home wells shall be constructed on the project site. Prior to availability of a sufficient supply of reclaimed water, other water supply sources may be used for landscape irrigation subject to meeting SFWMD permitting criteria in effect at the time of permit application.
19. In order to reduce irrigation water demand, xeriscape landscaping meeting the requirements of the City of Port St. Lucie shall be implemented throughout the project.
20. The project shall use water-saving plumbing fixtures and other water conserving methods that meet the criteria outlined in the water conservation plan of the public water supply permit issued to the City of Port St. Lucie by the SFWMD.
21. At the time of the first PUD review, the Developer shall indicate the location of two 50' x 50' well sites along with access to such sites. The exact location shall be coordinated with the City Utility Department. The well sites shall be reserved for the City. At the time of platting the property, two 50' x 50' perpetual easements and a 20-foot wide ingress/egress

RESOLUTION 18-

easement for each site shall be indicated.

WASTE WATER MANAGEMENT:

22. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the Developer has provided written confirmation from the providing utility that adequate capacity for wastewater treatment is available to serve such development parcel and that the providing utility has service/distribution infrastructure that is either operational or guaranteed through surety, in a form acceptable to the City, to serve such development parcel.

SOLID WASTE AND HAZARDOUS MATERIALS:

23. Development shall only occur concurrently with the provision of adequate solid waste disposal services and facilities. Prior to issuing site plan approvals for any phase of development, the Developer shall provide written evidence from St. Lucie County that adequate facilities will be available when needed.

AIR QUALITY:

24. Within 180 days of the effective date of this Development Order, the Developer shall complete a carbon monoxide air quality study. Before conducting the study the Developer shall meet with the Florida Department of Environmental Protection (FDEP) and the Treasure Coast Regional Planning Council (TCRPC) to establish parameters for the study. This study is to be submitted to the FDEP and to the TCRPC within fifteen days of its completion and shall be completed to the satisfaction of the FDEP in consultation with the TCRPC. The study results shall be provided to the City of Port St. Lucie. Remediation for any problems projected by the study shall be undertaken consistent with the Department of Community Affairs (DCA) Air Quality Uniform Standard Rule 9J-2.046, FAC. Approval of the study by the FDEP must be obtained before receiving any final Site Plan approval beyond Phase 1 development. SATISFIED
25. During land clearing and site preparation, soil treatment techniques appropriate for controlling unconfined particulate emissions shall be undertaken. If construction on a parcel will not begin within thirty days of clearing, the soil shall be stabilized until construction on the parcel begins. Cleared areas may be sodded, seeded, landscaped, or mulched to stabilize the soil. Minimal clearing for access roads, survey lines, fence installation, or construction trailers and equipment staging areas is allowed without the need for soil stabilization. The purpose of this condition is to minimize dust production and soil erosion during land clearing and to prevent soil particulates from becoming airborne between the time of clearing and construction. Proposed development shall

RESOLUTION 18-

comply with all NPDES requirements.

TRANSPORTATION:

26. The applicant shall donate land located within the Verano DRI that is required to build the Crosstown Parkway/I-95 interchange, street ROW, and other associated infrastructure (hereinafter "the Crosstown Parkway Interchange") to the City or other appropriate public agency or division. The Crosstown Parkway Interchange shall be constructed generally within the area identified on Exhibit "D". The areas of the Verano site that potentially may be affected by the construction of the Crosstown Parkway Interchange shall be designated on the applicable PUD Plans. Until the results of the Interchange Justification Report ("IJR") have been issued, no subdivision plats or site plans shall be approved within the area identified on Exhibit "D". Notwithstanding the foregoing, this limitation shall expire if the results of the IJR have not been received by the City by January 1, 2013.

SATISFIED

- 27A. Road Donation: By January 1st, 2005, the Developer shall dedicate to the City a 135-foot wide strip of land for a public street right-of-way (ROW) along the southern boundary of Verano to be used for transportation purposes and for the future westward extension of the Crosstown Parkway corridor. The Developer shall be prohibited from constructing any permanent structures within the 135-foot wide side strip of land prior to the land being dedicated. The City may determine that for reasons other than the results of the IJR that the 135-foot wide street ROW is necessary. The City shall not construct the westerly extension of Crosstown Parkway or allow its construction by others for a period of ten (10) years from the effective date (October 27, 2003/ 03-R68) of this Development Order. Developer shall retain the right, but not the obligation, to construct the westerly extension of Crosstown Parkway and provide access to Verano at any time prior to expiration of this Development.

SATISFIED

- 27B. The Developer acknowledges the need for the extension of Crosstown Parkway west of Village Parkway (refer to Map H for location reference). The "Peacock Property" which generally forms a triangular shape by the Verano DRI and Crosstown Parkway located just north and west of Village Parkway, has been acquired by Verano and is being incorporated into the DRI. In consideration of this, the Developer will transfer the right-of-way needed to complete Crosstown Parkway to the City prior to October 31, 2013. Prior to October 31, 2013, the developer agrees to work with the City and adjacent landowners to create an alignment for Crosstown Parkway from Village Parkway to the eastern terminus of the land previously deeded to the City for road right-of-way.

SATISFIED

RESOLUTION 18-

28. In the event the Developer proposes to modify the amount of permitted uses within the Proposed Development, the Developer shall include in an application for PUD zoning for the PUD pod or phase within which such change is contemplated an analysis showing the proposed change and how it conforms to the conversion methodologies set forth below and the resulting impacts of the conversion in terms of potable water usage, wastewater capacity, and solid waste capacity. A letter shall be included in the PUD application at the time of the proposed conversion verifying that potable water, wastewater, and solid waste capacity are available to accommodate the impacts resulting from the conversion. In addition, the DRI Biennial Report shall include information indicating the cumulative number of single-family dwelling units, multi-family dwelling units, hotel units, and retail square footage that have been approved by the City as of the date of the Biennial Report, but in no event, shall the retail/service/office square footage be converted and reduced by more than 50,000 square feet or increased by more than 100,000 square feet. Additionally, in no event shall the hotel rooms be converted and reduced or increased by more than 100 rooms. Conversion between non-residential uses is not restricted. Conversion between residential uses is not restricted.

The following conversion matrix shall be used to allow land use conversions within the Proposed Development:

Land Use		Trade Off	Single Family	Multi-Family	Hotel	Retail / Service	Office	Age-Restricted Single Family	Age-Restricted Multi-Family	RV Campgrnd	Continuing Care Retirement Community	
TRADE OFF FROM THIS LAND USE		TO GET THIS LAND USE										
	Single-Family	1 DU	-- DU	2.09 DU	1.19 RM	207 SF	580 DU	2.33 DU	3.93 DU	1.70 Site	2.17 Units	
	Multi-Family	1 DU	0.48 DU	-- DU	0.57 RM	99 SF	278 DU	1.12 DU	1.88 DU	0.81 Site	1.04 Units	
	Hotel	1 RM	0.84 DU	1.75 DU	-- RM	174 SF	487 DU	1.96 DU	3.30 DU	1.43 Site	1.82 Units	
	Retail/Service	1000 SF	4.84 DU	10.10 DU	5.76 RM	-- SF	2,804 DU	11.27 DU	19.03 DU	8.23 Site	10.50 Units	
	Office	1000 SF	1.72 DU	3.60 DU	2.05 RM	357 SF	-- DU	4.02 DU	6.79 DU	2.93 Site	3.74 Units	
	Age Restricted Single-Family	1 DU	0.43 DU	0.90 DU	0.51 RM	89 SF	249 DU	-- DU	1.69 DU	0.73 Site	0.93 Units	
	Age Restricted Multi-Family	1 DU	0.25 DU	0.53 DU	0.30 RM	53 SF	147 DU	0.59 DU	-- DU	0.43 Site	0.55 Units	
	RV Campground	1	0.59 DU	1.23 DU	0.70 RM	122 SF	341 DU	1.37 DU	2.31 DU	-- Site	1.28 Units	
	Continuing Care Retirement Community	1 DU	0.46 DU	0.96 DU	0.55 RM	95 SF	267 DU	1.07 DU	1.81 DU	0.78 Site	-- Units	

29. No building permits shall be issued for development adjacent to the Commerce Centre Drive right-of-way and all intersections thereof until the necessary 120-foot wide right-of-way for the four-laning of Commerce Centre Drive has been dedicated to the City of Port St. Lucie. Except for golf course construction and related ancillary facilities, no building permits for the portion of the development south of the C-24 Canal shall be issued after

RESOLUTION 18-

December 30, 2006 until Commerce Centre Drive from St. Lucie West/Reserve Boulevard to the Verano entrance, has been constructed as a four-lane divided roadway. The roadway shall include the appropriate lane geometry, signalization, lighting and associated improvements.

- 29a. The Developer shall work with the City of Port St. Lucie, The Reserve Master Association and St. Lucie County to convey Commerce Centre Drive, from the project Entrance to St. Lucie West Boulevard, right-of-way and the completed four-lane divided roadway to the City.
30. Prior to the issuance of any construction permit for any public infrastructure improvement specifically required to be constructed by the Developer pursuant to this Development Order, a time frame for the construction or installation of the improvement required by the Development Order for the funding and letting of contracts shall be approved by the City. Such approval shall not be unreasonably withheld. Failure to complete the construction or installation of an improvement within such specified time frame shall result in the City withholding the issuance of building permits or other development approvals. The Developer may petition the City Council for relief from this provision and upon a showing of good cause. The City Council may extend the time frame established for the construction or installation of an improvement, allow the Developer to bond the required improvement, or provide such other relief as the City Council deems appropriate.
31. No certificates of occupancy shall be issued for development within the project until contracts have been funded and let by the Developer to construct the following listed improvements (i and ii):
- i. Signalization and necessary roadway improvements at St. Lucie West Boulevard and I-95 West Ramps intersection; and,
 - ii. Extend the southbound right-turn lane, including the deceleration distance, to a minimum of 600 feet back from the STOP bar for the southbound left-turn lane and all other associated improvements. The Developer assumes these responsibilities beyond the terms of the Capacity Agreement between the City and the Developer dated February 24, 2003

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32. Except as provided for in paragraphs A, B, and C below, no building permits shall be issued for development that cumulatively generates more than 1,037 total PM peak-hour trips until contracts have been funded and let by the Developer for improvements to obtain the following intersection geometries and roadway configuration listed below including the appropriate lane geometry, signalization, lighting and associated

RESOLUTION 18-

improvements (i)

i) Six-lane St. Lucie West/Reserve Boulevard from Commerce Centre Drive to NW Peacock Boulevard. This improvement includes the construction of a six-lane bridge over I-95. The Developer assumes these responsibilities beyond the terms of the Capacity Agreement between the City and the Developer dated February 24, 2003.

A) The Developer may provide for the construction of this improvement through a jointly funded undertaking among private and / or public entities and such construction and funding shall satisfy this condition provided it is the subject of a binding executed developer's agreement or contract.

B) As an alternative to constructing this improvement, the Developer may make a separate proportionate share payment for the improvements described in (i) above, with said payment being made payable to the City of Port St. Lucie in the amount of \$3,595,076.00 for the construction of a six-lane road and six-lane bridge.

Following payment of the proportionate share by the Developer, the City shall include this improvement in the City's Capital Improvement Program. The proportionate share payment and earned interest shall be applied to the listed improvement; or,

C) The Developer has voluntarily agreed to prioritize and advance the following mobility improvements ("Priority Improvements"), subject to the ability to obtain requisite permits:

1. Within 18 months from the effective date of the fifth amendment to Resolution 03-R96 the Developer shall let contracts for the construction of the following improvements including the appropriate lane geometry, signalization, lighting and associated improvements:

- a. Dual eastbound left-turn lanes on St. Lucie West at Peacock Boulevard;
- b. Including signal coordination between I-95 west ramp, I-95 east ramp and Peacock intersection

2. Within 5 years from the effective date of the fifth amendment to Resolution 03-R96, or by 1,037 total P.M. peak hour trips, whichever occurs earlier, the Developer shall let contracts for construction the following improvements including the appropriate lane geometry, signalization, lighting and associated improvements:

- a. Construction of a second westbound lane on St. Lucie Boulevard from I-95 and St.

RESOLUTION 18-

Lucie West Boulevard northbound ramps to the St. Lucie West Boulevard WB to I-95 SB ramp;

- b. Conversion of the Peacock Boulevard, southbound through lane to a shared through and right-turn lane.
3. The Developer shall execute a binding agreement with the City of Port St. Lucie for the Priority Improvements, subject to permitting. The design, permitting, construction and inspection costs for the Priority Improvements shall be credited toward the \$3,595,076.00 proportionate share contribution as set forth in Condition 32(B), including credits for design and permitting costs for any Priority Improvement component that is not permitted. The binding agreement shall specify options for how any balance of the \$3,595,076 proportionate share that is not expended on the Priority Improvements (“Remaining proportionate Share”) shall be applied to achieve a mobility improvement to St. Lucie West Boulevard, which shall be prioritized in the following order:
- a. utilizing the Remaining Proportionate Share, in conjunction with sufficient funding from other sources, including FDOT, to widen St. Lucie West Boulevard to four lanes through all or part of the segment between the east end of St. Lucie West Overpass and Peacock Boulevard and/or to construct additional improvements to the St. Lucie West/Peacock Boulevard intersection; or
 - b. utilizing the Remaining proportionate Share to construct improvements to St. Lucie West Boulevard within one mile to east of the bridge.

The above options in Condition 32(C)3.a and b. shall be credited in the same manner as described for the Priority Improvements. The developer and City, in consultation with St. Lucie County, also have the option to execute a binding agreement to implement only Condition 32(C)1 rather than Condition 32(C)2 and utilize the Remaining Proportionate Share, in conjunction with funding from FDOT or any other available funding source, to expedite all or a part of the improvements described in Condition 32(C)3.a. If this option is utilized, the Remaining proportionate Share payment would be due within 5 years from the effective date of the fifth amendment to Resolution 03-R96, or by 1,037 total P.M. peak hour trips, whichever occurs earlier. Implementation of Condition 32(C) shall fully satisfy mitigation requirements for impacts to St. Lucie West Boulevard.

One year after Phase 1 improvements (1.a and 1.b) are completed the developer shall conduct an analysis of St. Lucie West Boulevard between the southbound off ramp and Peacock Boulevard. If said analysis indicates operational improvements are warranted then developer shall coordinate a meeting with FDOT, City of port St. Lucie, St. Lucie County and the TPO with the goal of advancing any of the improvements specified in the condition or otherwise agreed to in a binding agreement

RESOLUTION 18-

provided that governmental funding sources are sufficient to match the developer's contribution at no less than 60% toward the selected improvements. In no case shall this condition be construed to require the developer to contribute funding and improvements that collectively exceed a value of \$3,595,076.

33. No building permits shall be issued for development that cumulatively generates more than 742 total PM peak-hour trips until one of the following (A, B, C, D, or E) has occurred for the following listed improvement (i):

- A) Contracts have been funded and let by the Developer for improvement(s) to obtain the following intersection geometry; or,
- B) St. Lucie County includes within the first three years of their adopted Capital Improvements Program roadway improvements to obtain the following intersection geometry; or,
- C) An analysis has been conducted that demonstrates the intersection geometry specified below is not needed. The analysis shall also identify the new intersection geometry and a new trip threshold when such improvements will be needed. The methodology for such analysis and the study results shall be provided to the TCRPC and the Florida Department of Transportation (FDOT) for review and shall be approved by the DCA; or,
- D) A local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order; or,
- E) The Developer has made a proportionate share payment to St. Lucie County of \$8,500.

i) West Midway Road and Selvitz Road

Northbound Selvitz Rd

One approach lanes

Southbound Selvitz Rd.

One approach lane

Eastbound West Midway Road

One left turn/Through Lane

One right-turn lane*

Westbound West Midway Road

One approach lane

* - required intersection improvements

34. No building permits shall be issued for development that cumulatively generates more than 742 total PM peak-hour trips until an operational analysis of the Commerce Centre Drive / St. Lucie West/Reserve Boulevard roundabout is conducted. This analysis shall be

RESOLUTION 18-

completed annually and submitted to the City of Port St. Lucie and St. Lucie County with the annual report. The operational analysis shall include monitoring of current safety and operational conditions and shall project operation conditions for a three-year period. The methodology of such an analysis shall be reviewed and approved by the City of Port St. Lucie and St. Lucie County. In the event that the overall operating conditions of the roundabout are projected to be below level of service "D" or safety deficiencies are identified, operational or geometric improvements shall be implemented to provide level of service "D" or better. The roundabout / intersection shall be improved as necessary up to and including the intersection geometry identified in (i) below which replaces the roundabout with a standard intersection. Building permits shall not be issued 24 months after a need for an improvement has been identified by the operational study or projected until contracts have been funded and let by the Developer for the identified improvements. Such improvements may include additional turn lanes, warranted signalization, pavement markings, signage, lighting, and associated improvements (i):

Northbound Commerce Centre Drive

One left-turn lane
One left -turn lane
Two -right turn lanes

Southbound Commerce Centre Drive

Two left-turn lanes
Two through lanes
Two through lanes

Eastbound Reserve Boulevard

Two left -turn lanes
Two through lanes
One right-turn lane

Westbound St. Lucie West

Boulevard/Reserve Boulevard

Two left-turn lanes
Two through lanes
One right-turn lane

35. No building permits shall be issued for development that cumulatively generates more than 1,237 total PM peak-hour trips until one of the following (A, B, C, D, or E) has occurred for the following listed improvement (i):
- A) Contracts have been funded and let by the Developer for improvement(s) to obtain the following intersection geometry; or,
 - B) St. Lucie County includes within the first three years of their adopted Capital Improvements Program roadway improvements to obtain the following intersection geometry; or,
 - C) An analysis has been conducted that demonstrates the intersection geometry specified below is not needed. The analysis shall also identify the new intersection geometry and a new trip threshold when such improvements will be needed. The methodology for such analysis and the study results shall be provided to the

RESOLUTION 18-

TCRPC and the FDOT for review and shall be approved by the DCA; or,

- D) A local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order; or,
- E) The Developer has made a proportionate share payment to St. Lucie County of \$15,800:

i) West Midway Road and 25th Street

Northbound 25th Street

One left-turn lane
Two through lanes
One right-turn lane*

Eastbound Midway Boulevard

One left-turn/through lane
One right-turn lane*

Southbound 25th Street

One left-turn lane
Two through lanes
One right-turn lane*

Westbound West Midway Rd

One approach lane
Two through lanes
One right-turn lane

* - required intersection improvement

36. No building permits shall be issued for development that cumulatively generates more than 1,237 total PM peak-hour trips until contracts have been funded and let by the Developer for improvements to obtain the following intersection geometries and roadway configuration including appropriate lane geometry, signalization, lighting and associated improvements at the Glades Cut-Off Road and Commerce Centre Drive intersection (i):

i) Glades Cut-Off Road and Commerce Centre- Drive

Northbound Glades Cut-Off Rd.

One through lane
One right-turn lane

Westbound Commerce Centre Drive

One left-turn lane
One right-turn lane*

Southbound Glades Cut-Off Rd.

One left-turn lane
One through lane

* - required intersection improvement

RESOLUTION 18-

37. No building permits shall be issued for development that cumulatively generates more than 4,337 total PM peak-hour trips until one of the following (A, B, C, D, or E) has occurred for the following listed improvement (i):

- A) Contracts have been funded and let by the Developer for improvement(s) to obtain the following intersection geometry; or,
- B) St. Lucie County includes within the first three years of their adopted Capital Improvements Program roadway improvements to obtain the following intersection geometry; or,
- C) An analysis has been conducted that demonstrates the intersection geometry specified below is not needed. The analysis shall also identify the new intersection geometry and a new trip threshold when such improvements will be needed. The methodology for such analysis and the study results shall be provided to the TCRPC and the FDOT for review and shall be approved by the DCA; or,
- D) A local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order; or,
- E) The Developer has made a proportionate share payment to St. Lucie County of \$22,100:

i) West Midway Road and Selvitz Road

Northbound Selvitz Rd

One approach lane

Eastbound West Midway Road

One left-turn lane*

One through lane

One right-turn lane*

Southbound Selvitz Rd

One approach lane

Westbound West Midway Rd.

One left-turn lane*

One through/right-turn lane

* - required intersection improvement

38. No building permits shall be issued for development that cumulatively generates more than 4,337 total PM peak-hour trips until one of the following (A, B, C, or D) has occurred for the following listed improvement (i):

RESOLUTION 18-

- A) Contracts have been funded and let by the Developer for the following roadway improvement; or,
 - B) The following improvement has been included within the first three (3) years of St. Lucie County's Capital Improvements Program; or,
 - C) The Developer has made a proportionate share payment to St. Lucie County of \$176,500; or,
 - D) St. Lucie County has conducted an analysis and determined that the following improvement is not required.
 - i) Four-lane West Midway Road from East Torino Parkway to U.S. 1
39. No building permits shall be issued for development beyond December 31, 2020 until one of the following (A, B or C) has occurred for the following listed improvement (i):
- A) Contracts have been funded and let by the Developer for the following roadway improvements; or
 - B) The Developer may submit recent traffic counts completed during the peak season to show the traffic volumes do not exceed the adopted level of service. At the time of the Biennial Traffic Report, traffic projections for the following three years shall be performed to determine if any improvements are necessary.
 - C) An analysis has been conducted that demonstrates the roadway improvement specified below is not needed. The methodology for such analysis and the study results shall be provided to the City of Port St. Lucie and applicable agencies for review and approval. The analysis shall project operating conditions for a three-year period. In the event the projected operating condition falls below the adopted level of service building permits shall not be issued 24 months after a need for an improvement has been identified by the analysis until contracts have been funded and let by the Developer.
 - i) Four-lane of Commerce Centre Drive from Reserve Boulevard to the industrial section to the north, including appropriate lane geometry, signalization, lighting and associated improvements at the Glades Cut-Off Road and Commerce Centre Drive intersection.
40. No building permits shall be issued beyond December 31, 2020, until one of the following (A, B or C) has occurred for the following listed improvement (i):

RESOLUTION 18-

- A) Contracts have been funded and let by the Developer for the following roadway improvements; or
 - B) The Developer may submit recent traffic counts completed during the peak season to show the traffic volumes do not exceed the adopted level of service. At the time of the Biennial Traffic Report, traffic projections for the following three years shall be performed to determine if any improvements are necessary.
 - C) An analysis has been conducted that demonstrates the roadway improvement specified below is not needed. The methodology for such analysis and the study results shall be provided to the City of Port St. Lucie and applicable agencies for review and approval. The analysis shall project operating conditions for a three-year period. In the event the projected operating condition falls below the adopted level of service building permits shall not be issued 24 months after a need for an improvement has been identified by the analysis until contracts have been funded and let by the Developer.
 - i) Four-lane of Commerce Centre Drive from the industrial section to the north to Glades Cut-Off Road, including appropriate lane geometry, signalization, lighting and associated improvements at the Glades Cut-Off Road and Commerce Centre Drive intersection.
41. Beginning one year after the approval date of this Development Order, a PM peak-hour trip generation summary of the approved development shall be provided to the City of Port St. Lucie on a biennial basis and the Biennial Status Report shall include the most recently provided trip generation summary.
42. When constructed, the intersection of Commerce Centre Drive and the Verano entrance shall include the following intersection geometry:
- | | |
|------------|---|
| Eastbound | One left-turn lane
One right-turn lane |
| Northbound | One left-turn lane
Two through lanes |
| Southbound | Two through lanes
One right-turn lane |
- SATISFIED by construction of a roundabout at this location.
43. The Developer shall conduct a signal warrant analysis at the following intersections

RESOLUTION 18-

beginning January 2008. The signal warrant analysis shall be continued on a biennial basis until all signals are warranted, or until the completion of the Verano DRI, whichever occurs first.

- A) Crosstown Parkway and Verano main entrance,
- B) Glades Cut-off Road and Commerce Centre Drive ,

The analyses shall be performed during the peak season and presented and approved by the City of Port St. Lucie and/or St. Lucie County, as applicable. The analysis may be limited to providing traffic volume counts only when agreed to by either the City of Port St. Lucie and/or St. Lucie County, as applicable. The signal warrant analysis shall project warrants for a one-year period.

Additional certificates of occupancy shall not be issued nine months after the analysis showing a traffic signal is warranted until either (i or ii):

- i) Contracts have been funded and let by the Developer for the installation of the traffic signal and applicable intersection improvements including appropriate lane geometry, signalization, pavement markings, signage, lighting and associated improvements; or,
- ii) Within sixty (60) days after a signal is warranted, a letter of credit equivalent to 120% of the design and construction costs of the applicable signal and intersection improvements shall be posted assuring that the applicable signal will be installed within 12 months after the signal is warranted.

44. The Commerce Centre Drive (Village Parkway) bridge that is planned to span the C-24 canal shall be built to allow for the Crosstown Parkway Interchange with the location and the timing of the construction to be approved by the City Engineer. The bridge shall be open for public use by the end of 2006.

SATISFIED

45. Developer shall dedicate right-of-way for a two-lane public access roadway (North-South Road A) (80 feet wide) through the Verano DRI. The right-of-way shall be located west of the Florida Power and Light (FPL) power transmission line and extend northerly from the southern boundary of Verano to Glades Cut-off Road. This right-of-way shall be dedicated on or before the commencement of any proposed residential development or PUD approval located west of the FPL easement. Prior to the first residential Certificate of Occupancy west of North-South A, the developer shall construct a 2-lane roadway from Crosstown Parkway to the southernmost residential access.
46. During the Site Plan Review Process, a traffic study may be requested for any development

RESOLUTION 18-

within the Verano DRI. The traffic study shall be submitted to the City of Port St. Lucie for review and approval to determine, as a minimum (i and ii):

- i.) Lane geometry of access driveways on the internal roadway system, turn lanes and signal improvements.
 - ii.) Need for signalization improvements, including coordination (timing) of the traffic signals.
47. No building permits shall be issued for development that cumulatively generates more than 5,518 total PM peak-hour trips until one of the following (A, B, C, D, or E) has occurred for the following listed improvement (i):
- A) Contracts have been funded and let for the following roadway improvements; or
 - B) The Developer has submitted recent traffic counts completed during the peak season and shown that the traffic volumes do not exceed the adopted generalized service volume. At the time of the Biennial Traffic Report, traffic projections for the following three years shall be performed to determine if any improvements are necessary; or
 - C) An analysis has been conducted that demonstrates the roadway improvement specified below is not needed. The methodology for such analysis and the study results shall be provided to the City of Port St. Lucie, TCRPC, Martin County, and the FDOT for review and shall be approved by the DCA; or
 - D) The following improvement has been included within the first three years of the either the Martin County adopted Capital Improvements Program or the Florida Department of Transportation's adopted Work Program; or
 - E) A local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order.
 - i) Four-lane S.R. 714 from C.R. 76A to 42nd Avenue (Martin County).
48. Any transportation analysis provided by the Developer for roadways owned by St. Lucie County shall be jointly submitted to the City and St. Lucie County.
- 49A. The developer shall be entitled to receive traffic impact fee credits in the amount of \$21,804,608.00 (Impact Fee Credit) for transportation improvements, including design, right of way contributions and construction, and proportionate share payments required by

RESOLUTION 18-

this development order ("Creditable Contributions"). Creditable Contributions provided by the Developer through August 1, 2012, exceed a value of \$22,000,000.00, and total Creditable Contributions required by this Development Order will substantially exceed the Impact Fee Credit. In consideration for limiting the Impact Fee Credit to \$21,804,808.00 for previous and future Creditable Contributions, the Developer shall be entitled to utilize the Impact Fee Credit immediately and henceforth upon the effective date of this Development Order.

- 49B. The Developer shall by December 31, 2010, submit an access management plan for that portion of the project lying adjacent to the Crosstown Parkway to the City for review and approval.

SATISFIED

- 49C. Except as provided for in paragraphs A, B, C and D below, no building permits shall be issued for development that cumulatively generates more than 5,023 total PM peak-hour trips until contracts have been funded and let by for improvements to obtain the following intersection geometries and roadway configuration listed below including the appropriate lane geometry, signalization, lighting and associated improvements (i)

i) Two-lane Crosstown Parkway from Village Parkway to North-South A right-of-way.

- A) The Developer may provide for the construction of this improvement through a jointly funded undertaking among private and / or public entities and such construction and funding shall satisfy this condition provided it is the subject of a binding executed developer's agreement or contract.
- B) The following improvement has been included within the first three years of the either a local government adopted Capital Improvements Program or the Florida Department of Transportation's adopted Work Program.
- C) As an alternative to constructing this improvement, the Developer may make a separate proportionate share payment for the improvements described in (i) above, with said payment being made payable to the City of Port St. Lucie in the amount of 51.6 percent of the engineering, construction, and inspection for the improvements described in (i) above based on City or FDOT cost estimates.

The Developer shall execute a binding agreement with the City of Port St. Lucie to apply the proportionate share payment toward the listed improvement to allow for a future connection to a roadway planned to extend from the south and connect to Crosstown parkway approximately halfway between Village Parkway and North

RESOLUTION 18-

South A.

49D Except as provided for in paragraphs A, B, C, D, E, and F below, no building permits shall be issued for development that cumulatively generates more than 5,375 total PM peak-hour trips until contracts have been funded and let by for improvements to obtain the following intersection geometries and roadway configuration listed below including the appropriate lane geometry, signalization, lighting and associated improvements (i)

- i) Six-lane Crosstown Parkway from Village Parkway to the End of the six-lane section west of the C-24 Canal Bridge.
- A) The Developer may provide for the construction of this improvement through a jointly funded undertaking among private and / or public entities and such construction and funding shall satisfy this condition provided it is the subject of a binding executed developer's agreement or contract.
- B) The following improvement has been included within the first five years of the either a local government adopted Capital Improvements Program or the Florida Department of Transportation's adopted Work Program.
- C) As an alternative to constructing this improvement, the Developer may make a separate proportionate share payment for the improvements described in (i) above, with said payment being made payable to the City of Port St. Lucie in the amount of 29.2 percent of the engineering, construction, and inspection costs for the improvements described in (i) above based on City or FDOT cost estimates. The Developer shall enter into a binding agreement with the City of Port St. Lucie to apply the proportionate share payment and earned interest to construct a portion of the six lane improvement; or,
- E) The Developer has submitted recent traffic counts completed during the peak season and shown that the traffic volumes do not exceed the adopted generalized service volume. At the time of the Biennial Traffic Report, traffic projections for the following three years shall be performed to determine if any improvements are necessary; or
- F) An analysis has been conducted that demonstrates the roadway improvement described in (i) above is not needed. The methodology for such analysis and the study results shall be provided to the City of Port St. Lucie, TCRPC, and the FDOT for review and shall be approved by the DCA. If resolution on the methodology cannot be reached by all parties, the City of Port St. Lucie shall be the final arbiter.

PUD ZONING AND DRI MASTER PLAN

RESOLUTION 18-

50. All development within the project shall be in the form of a Planned Unit Development (PUD) Zoning district. ~~The configuration and location of the roadways, residential pods, hotel, and golf courses in the Master Plan for the DRI, Exhibit "B" hereto, is considered to be conceptual and components may be shifted as needed within the associated land use boundaries as needed in order to obtain final Development Orders from the City and other reviewing agencies.~~

At the time of submitting a PUD zoning application for the area south of the C-24 canal, the Developer shall provide the following:

- a) ~~A Master Plan that indicates that indicates an alternate location for the commercial land use area depicted in Exhibit "B". The proposed commercial land use area may be needed for a future Crosstown Parkway right-of-way or interchange.~~
- b) An Internal Roadway Network Circulation Plan and Capacity Analysis.

SITE DEVELOPMENT STANDARDS

51. ~~The Central Mixed-Use Area together with Pod A as depicted on Map H, shall be developed utilizing principles of "New Urbanism" design, including, but not limited to the design criteria set forth in Exhibit "E" attached hereto and shall be designed substantially in accordance with the Conceptual Plan attached hereto as Exhibits "E-1" and "E-2". The PUD Master Plan for the Central Mixed-Use Area and Pod A may vary from the Conceptual Plan attached hereto, Exhibits "E-1" and "E-2", without the necessity of amending the Development Order so long as the PUD Master Plan maintains the design integrity of the Conceptual Plan and conforms to the design guidelines attached hereto as Exhibit "E".~~

~~To encourage pedestrian or other non-automotive modes of transportation for the remainder of the project, the Project Wide Standards articulated in Exhibit "E" shall be utilized as guidelines in designing other parts of the Verano DRI that are outside of the Mixed-Use Area and Pod "A".~~

~~This condition was deleted by Resolution 20R- .~~

BIENNIAL STATUS REPORT

52. The Biennial Status Report shall be submitted to the City of Port St. Lucie for the preceding two calendar year beginning on July 31, 2005 until build out. ~~This status report shall be submitted to the City of Port St. Lucie, St. Lucie County, the Treasure Coast Regional Planning Council, and the Department of Community Affairs. The report shall include the information required by Rule 9J-2.025(7), FAC. If no additional development~~

RESOLUTION 18-

pursuant to the Development Order has occurred since the submission of the previous report, a letter from the Developer stating that no development has occurred shall satisfy the requirement for a biennial report.

No further building permits for Verano Development of Regional Impact shall be issued at the time the Biennial Status Report reveals that any needed transportation improvement specifically required to be constructed by the Developer pursuant to this Development Order is no longer scheduled or guaranteed, or has been delayed in schedule such that it is not guaranteed to be in place and operational, or under actual construction for the entire improvement consistent with the timing criteria established in this development order.

HOUSING

53. Prior to the commencement of Phase II of the development, the Developer shall provide a new analysis of affordable housing demand, supply and need based upon the methodology utilized in the ADA. The analysis shall be for the entire Verano DRI plan of development. The analysis will be submitted to the City of Port St. Lucie, the Department of Community Affairs, and Treasure Coast Regional Planning Council for review. If an adequate housing need, as defined in Rule 9J-2.048, F.A.C., is identified, then the City of Port St. Lucie shall require the necessary remedial actions to mitigate the need consistent with Rule 9J-2.048, F.A.C.

OTHER URBAN SERVICES

Fire/EMS: Prior to January 1, 2005, the Developer shall provide a plan for the provision of Fire and Emergency Medical Service to meet the demand created as a result of permanent employment and residential development for the project. The methodology used to determine the demand and the standards used to determine adequate services shall be agreed upon by the Developer and the St. Lucie County Fire District. The plan shall be subject St. Lucie County Fire District approval. Such Fire and Emergency Medical Service facilities shall be available to serve projected demand in accordance with the approved plan.

SATISFIED

The Developer shall provide a 12-foot wide emergency access route including a bridge capable of supporting the weight of the Fire District's heaviest apparatus across the SFWMD C-24 canal that is operational. The approved route shall provide for a connection from Plantation Lakes Drive located within the existing Reserve DRI community to the proposed loop road located within Verano south of the canal. No building permits shall be issued for development that cumulatively generates more than 5,023 total PM peak hour trips until the bridge is constructed.

RESOLUTION 18-

55. **Police Service:** Prior to January 1, 2005, the Developer shall provide a plan for the provision of police protection to meet the demand created as a result of permanent employment and residential development for the project. The methodology used to determine the demand and the standards used to determine adequate protection shall be agreed upon by the Developer and the City of Port St. Lucie and shall include a provision to allow for mini-substation located within a commercial area, if needed, in the Verano DRI. The plan shall be subject to City approval. Such police protection facilities shall be available to serve projected demand in accordance with the approved plan.
56. **Education:** Prior to January 1, 2005, the Developer shall provide the City of Port St. Lucie and the St. Lucie County School Board an agreement for the provision of necessary school facilities concurrent with the development of the residential portion of the Verano DRI. The agreement shall be subject to approval from the School Board and the City of Port St. Lucie. School facilities shall be available to serve projected demand in accordance with the approved agreement. If requested by the City, the Developer shall provide written evidence from the St. Lucie County School Board that the Developer has met its obligations as identified in the agreement at the time of each PUD or Site Plan approval as needed. Prior to the completion of the 6,000th residential unit, the developer shall re-evaluate the project's student generation rate. If the re-analysis estimates that 8,300 residential units will generate 2501 students or greater, the developer shall dedicate an additional 25 acres of land for a K-8 school site contiguous to the proposed 48 acre high school site.
- 57 **Parks and Recreation:** No later than two years from the effective date of this resolution, the Developer shall submit a subdivision plat that includes dedication of at minimum 50 contiguous acres of property to the City of Port St. Lucie to be used as an active recreation park site. The property shall contain no more than 2.5 acres of wetlands and be 95% usable land. The Developer may consider off-site donation or mitigation. A site may be provided on Developer owned land that is located adjacent to the DRI if approved by the City Council.

SATISFIED

HISTORIC AND ARCHAEOLOGICAL SITES:

58. In the event of discovery of any archaeological artifacts during project construction, construction shall stop in the area of discovery and immediate notification provided to the City of Port St. Lucie and the Division of Historical Resources in the Florida Department of State.

RESOLUTION 18-

ENERGY:

59. The Developer shall incorporate energy conservation measures into the design and operation of the development. At minimum, the Developer shall construct all development so that it is conformance with the specifications of the State of Florida Energy Efficiency Code for Building Construction (State Energy Code).

HURRICANE PREPAREDNESS:

60. Prior to January 1, 2005, the Developer shall provide a plan for provision of usable emergency shelter space which meets the minimum requirements of American Red Cross Standard 4496. The methodology used to project demand shall be agreed upon by the Developer and the City of Port St. Lucie, in consultation with the St. Lucie County Division of Emergency Management and the Treasure Coast Regional Planning Council prior to plan initiation and shall be submitted as part of the complete plan. The City of Port St. Lucie shall approve the plan, in consultation with the St Lucie County Division of Emergency Management and the Treasure Coast Regional Planning Council. The intent of this condition is to ensure that adequate public shelter space is available at all times to meet the demand of Verano residents.
61. Should at anytime beyond 2007, a biennial status report shows that the plan approved by the City is not being implemented, no further residential building permits for the Verano DRI shall be issued. Issuance of building permits for the Verano DRI shall resume when either, (a) compliance with the plan is achieved, or (b) assurances are provided by the City that alternative measures are being implemented to provide adequate public shelter space for residents of the Verano DRI.

MISCELLANEOUS:

62. It shall be the Developer's own financial responsibility to construct, or cause to be constructed through an independent special district or other governmental entity, acceptable to the City, the following capital facilities to serve the dwelling units as they are constructed within a phase:
- internal potable water distribution and fire hydrant system,
 - wastewater collection system,
 - surface water management system,
 - project roads, landscaping, streetscape and recreational facilities.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, AS FOLLOWS:

- A. Any modification or deviations from the approval plans or requirements of this

RESOLUTION 18-

Development Order shall be submitted to the Planning & Zoning Department Director for a determination by the City of Port St. Lucie City Council as to whether the change constitutes a substantial deviation as provided in Section 380.06 (19), Florida Statutes. The City Council of the City of Port St. Lucie shall make its determination of substantial deviation at a public hearing after notice to the Developer.

- B. The City of Port St. Lucie shall monitor the development of the project to ensure compliance with this Development Order. The City of Port St. Lucie City Manager shall be the local official assigned the responsibility for monitoring the development and enforcing the terms of the Development Order.
- C. The Developer shall make a biennial report as required by Section 380.06(18), Florida Statutes. The biennial report shall be submitted one year after the anniversary date of the adoption of this Development Order (October 27, 2003) and every other year thereafter and shall include the following:
- 1.) Any changes in the plan of development, or in the representations contained in the ADA, or in the phasing for the reporting years and for the next year;
 - 2.) A summary comparison of development activity proposed and actually conducted for the two year period;
 - 3.) Undeveloped tracts of land that have been sold, transferred, or leased to a successor developer;
 - 4.) Identification and intended use of lands purchased, leased, or optioned by the Developer adjacent to the original site since the Development Order was issued;
 - 5.) An assessment of the Developer's and local government's compliance with the conditions of approval contained in this Development Order and the commitments specified in the ADA for the development undertaken;
 - 6.) Any request for a substantial deviation determination that was filed in the reporting years or is anticipated to be filed during the next year;
 - 7.) An indication of a change, if any, in local government jurisdiction for any portion of the development since the Development Order was issued;
 - 8.) A list of significant local, State, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;
 - 9.) The biennial report shall be transmitted to the City of Port St. Lucie, the Treasure

RESOLUTION 18-

Coast Regional Planning Council (TCRPC), the Florida Department of Community Affairs (DCA), the Florida Department of Environmental Protection (FDEP), the South Florida Water Management District (SFWMD), and such additional parties as may be appropriate or required by law;

- 10.) A copy of any recorded notice of the adoption of a Development Order or the subsequent modification of an adopted Development Order that was recorded by the Developer pursuant to Subsection 380.06 (15), Florida Statutes; and
 - 11.) Any other information requested by the City of Port St. Lucie City Council or the City of Port St. Lucie City Manager to be included in the biennial report.
- D. The definitions found in Chapter 380, Florida Statutes, shall apply to this Development Order.
 - E. The City of Port St. Lucie hereby agrees that prior to December 31, 2030, the Verano DRI shall not be subject to down zoning, unit density reduction, or intensity reduction, unless the City demonstrates that substantial changes in the conditions underlying the approval of the Development Order have occurred, or that the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the City of Port St. Lucie to be essential to the public health, safety, or welfare.
 - F. This Development Order shall be binding upon the Developer and its assignees or successors in interest. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created and designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced government agency in existence on the effective date of this Development Order.
 - G. The approval granted by this Development Order shall not be construed to obviate the duty of the Developer to comply with all other applicable local, State, and federal permitting requirements.
 - H. In the event that any portion or section of this amended Development Order is deemed to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner effect the remaining portions or sections of this amended Development Order, which shall remain in full force and effect.
 - I. This Development Order shall become effective upon enactment.
 - J. Certified copies of this Development Order, including any amendments thereto, shall be

RESOLUTION 18-

transmitted immediately by certified mail to the Department of Community Affairs, the Treasure Coast Regional Planning Council, and the Developers.

- K. Within 21 days of the effective date of this Resolution, the Developer, shall record a notice of adoption of this Order in compliance with Chapter 380.06(15)(f), Florida Statutes, with copies of said notice being provided to the Florida Department of Community Affairs, Treasure Coast Regional Planning Council, St. Lucie County and the City of Port St. Lucie.
- L. In the event the Developer, its successors, grantees or assigns, violates any of the conditions of the Development Order, as amended, or otherwise fails to act in substantial compliance with the Development Order, as amended, the City of Port St. Lucie may stay the effectiveness of the Development Order, as amended, on the identifiable tract or parcel, or the portion of a tract or parcel owned by the person or entity violating a condition of the Development Order, as amended, and within the property described in Exhibit "A" attached hereto, and all further development permits, approvals and services for the development of said tract or parcel, or portion of tract or parcel shall be withheld until the violation is corrected. For purposes of this section, the term "tract" and "parcel" shall be defined to mean:

Any quantity of land capable of being described with such definiteness that its boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit, located within the legal description set out in Exhibit "A" attached hereto and the Master Development Plan (Map H) attached as Exhibit "B".

The Developer, its successors, grantees, or assignees shall be given a written notice of violation by the City of Port St. Lucie and a reasonable period of time to cure the violation. The Developer may petition the City Council for review of the notice of violation, prior to the stated compliance date, and said review shall be conducted at a public hearing. Filing of a petition for review shall delay the effectiveness of the notice of violation until the review has been concluded.

Compliance Letters

- M. Upon the request of the Developer and in accordance with the City's development review fee schedule, the City of Port St. Lucie shall provide the Developer, its successors, assignees, grantees, or designee, a letter stating whether the portion of the Verano DRI at issue is in compliance with the applicable Development Order conditions.

Rules

- N. Pursuant to Section 380.06(5)(c), Florida Statutes, the Verano DRI shall be bound by the

RESOLUTION 18-

rules adopted pursuant to Chapters 373 and 403, Florida Statutes, in effect at the time of issuance of this Development Order.

Go to next page

PASSED AND ADOPTED in a public hearing held on this _____ day of
_____, 2027.

**CITY COUNCIL
CITY OF PORT ST. LUCIE**

By: Gregory J. Oravec, Mayor

ATTEST:

APPROVED AS TO FORM:

Karen A. Phillips, City Clerk

James Stokes, City Attorney

RESOLUTION 18-

RESOLUTION 03-R96

EXHIBIT "E" DESIGN CRITERIA

~~1. Central Mixed-Use Area and Pod "A" Standards~~

~~To provide a mixed-use, compact, and pedestrian/bicycle-friendly environment while encouraging other non-automotive modes of transportation, the following standards will be met in designing the PGA Village Central Mixed-Use Areas and Pod "A":~~

~~The Central Mixed-Use Area and Pod "A" in PGA Village, at a minimum, shall include: 2,000 residential units and 225,000 square feet of retail space. However, the ultimate number of dwelling units may be adjusted either up or down by up to ten percent (10%) in order to promote a greater diversification of housing types and public space within this area. The development shall be contained within a variety of building types capable of accommodating a complete mix of uses. These uses include, but are not limited to: retail, office, restaurants, hotels, institutional uses, public facilities (including utilities), assisted living facilities, recreational facilities, and residential. These uses are intended to meet the needs of residents, guests of PGA Village, and the general public. The Central Mixed-Use Area and Pod "A" in PGA Village will be developed in a manner consistent with, and supportive of, the tenets of the "New Urbanism" as outlined below:~~

~~I. Neighborhood Size~~

~~a. The neighborhood is scaled upon a five-minute walking radius (1,350 feet) as measured from the approximate center of the neighborhood.~~

~~a. In general the neighborhood has well-defined edges, and should range between 40-150 acres in size.~~

~~b. Adjacent neighborhoods are connected with a series of streets detailed to encourage pedestrian and bicycle traffic.~~

~~H. Neighborhood Center~~

~~a. Each neighborhood has a recognizable center in the form of a public square; a park, a green, or a plaza.~~

~~b. The neighborhood center is faced by the fronts of buildings, which are sited to best define the public open space. A minimum of 80% of these buildings has a minimum height of 2 stories.~~

~~III. Streets, Blocks, and Alleyways~~

- ~~a. The basic building blocks of the neighborhood are the street, the block, and the alleyway. Each neighborhood has a fine grained network of streets and blocks. Alleyways are encouraged in residential areas (especially where higher densities occur) and are provided in the mixed use areas of the neighborhood.~~
- ~~b. Streets are detailed with sidewalks, on-street parallel parking, regularly spaced street trees and pedestrian scaled lighting. Street trees are placed between the pedestrian and the roadway in parkways or tree grates.~~
- ~~c. Blocks are scaled to accommodate a variety of building types and encourage pedestrian traffic. Typical block dimensions range between 300'—500' on a block face and do not exceed 750' on any single block face. Single blocks do not exceed a total perimeter distance of 2,500'.~~
- ~~d. Alleyways provide access for rear-loaded parking, municipal services, loading and unloading of goods, and allows the street face to be inhabited by buildings and people. In residential areas, alleyways provide private entrances and parking for rental units located behind single family homes.~~
- ~~e. Streets, blocks, and alleyways provide a continuous network of vehicular, pedestrian, and bicycle circulation and are designed to accommodate each in a meaningful way.~~
- ~~f. A hierarchy of streets is provided in the neighborhood. Larger streets have larger buildings and sidewalks; smaller streets have smaller buildings and sidewalks.~~
- ~~g. Streets are designed so the buildings facing a street are proportional to the width of that street. The preferred ratio of height to width proportion is 1:1.5 (1 unit in height to 1.5 units in width).~~
- ~~h. Sidewalks are continuous, provided on both sides of every street, and are a minimum dimension of 5'-0" wide on residential streets and a minimum of 10'-0" on mixed-use streets.~~
- ~~i. EXHIBITE 2 is a compendium of acceptable street sections, which may be expanded, to be considered in the development of PGA Village Central Mixed Use Area and Pod "A". These sections illustrate the street design principles outlined above.~~

~~IV. Public Open Spaces~~

- ~~a. Each neighborhood has at least one primary, centrally located public plaza, green, park, or square. This space is faced by the fronts of buildings and is detailed with pedestrian scaled street lighting, regularly spaced street trees, and street furnishings such as benches and fountains.~~
- ~~b. Streets and public open spaces are accessible to the public.~~

~~e. Public open spaces, including waterfronts, parkways, and golf courses have public edges so these amenities are not wholly privatized.~~

~~d. Each neighborhood has a series of secondary and tertiary public open spaces, which are linked to one another by streets and parkways. Every residential unit is within a five minute walk of a neighborhood park, green, square, or plaza.~~

~~V.~~ **Civic and Public Buildings**

~~a. Civic and public buildings are sited on locations of high public visibility and importance. These locations include street terminations, parkways and greens, squares, important intersections, and other special sites.~~

~~b. Civic and public buildings include, but are not limited to, municipal buildings, places of worship, meeting halls, hotels and clubhouses, gazebos and other forms of garden architecture.~~

~~VI.~~ **Mix of Uses**

~~Neighborhoods accommodate a mix of uses to support the daily needs of the neighborhood. Varying uses can occur in mixed-use buildings or within walkable distances of each other; not every building must have multiple uses. However, proximity alone is not enough. Streets must be detailed so that pedestrians will walk to different uses.~~

~~b. Mixed-use buildings are designed so they can accommodate a variety of uses over time as the local market dictates.~~

~~VII.~~ **Mix of Housing Prices**

~~a. Neighborhoods provide a variety of housing opportunities to accommodate varying housing prices.~~

~~c. The use of accessory or "out" buildings to provide dispersed rental housing, or other accessory uses, within the single family fabric is critical to the overall sustainability of the neighborhood. These buildings are allowed on a voluntary basis and will not be counted against the total allowable project unit count of 6,000 units.~~

~~VIII.~~ **Building Types**

~~a. Housing types are defined by building typologies (single family, multi-family, townhouse, mixed-use, etc.) so that they can be logically and fairly distributed throughout the neighborhood.~~

~~b. Building types of like scale, massing, and uses face one another on any given street. Differing building types may be placed back-to-back on a single block.~~

RESOLUTION 18-

- ~~c. The primary entrance of every building directly faces a street, a square, a park, a plaza, or green.~~

~~IX. Parking~~

- ~~a. All streets have on-street parking, which shall be counted towards meeting project parking requirements.~~
- ~~b. All surface parking lots are screened from the street view with buildings, garden walls, and/or landscaping.~~
- ~~c. Parking structures are located to the interior of the block and are completely screened by buildings with habitable uses for all floors.~~
- ~~d. All on-site parking is located behind the primary building f. de. Civic, cultural, and clubhouse buildings are exempted from this provision.~~
- ~~e. For residential lots 50' wide or less, parking is accessed from the rear alleyway.~~

~~2. Development Plan~~

~~A graphic representation of how the PGA Village Central Mixed-Use Area and Pod "A" might be designed to incorporate the tenets of the "New Urbanism", as listed above, is attached as **EXHIBIT "E1"**. This exhibit is meant to illustrate one design scenario and is by no means the only solution for this development. Instead, this graphic plan provides instructive examples of how to integrate a mix of uses and building types, public buildings and open spaces, and a continuous network of streets and greens into the PGA Village Central Mixed-Use Area and Pod "A".~~

~~3. Project-wide Standards~~

~~These standards are encouraged to create a better pedestrian environment within the project as a whole and to improve connectivity of the rest of the project to the Central Mixed-Use Area and Pod "A" as depicted on Map H. These standards do not apply to the Central Mixed-Use Area or Pod "A".~~

- ~~a. Residential areas shall be within a 2-mile radius of any, all, or a combination of shops, services, and other activities. The radius may be relaxed where natural or community facilities and services interrupt the design;~~
- ~~b. Provide access to a central public focal point consisting of any, all, or a combination of open space, recreational facilities, and public facilities such as places of worship, schools, or community centers;~~
- ~~c. Allow institutional uses and home office uses;~~

RESOLUTION 18-

- ~~d. The overall PGA Village development shall have a well-defined, designated edge that will be established through greenbelts or natural areas permanently protected from development or other physical separation;~~
- ~~e. Contain local streets and pathways that contribute to a system of fully connected routes from individual neighborhoods to neighborhood commercial uses, schools, and other neighborhoods. The arrangement and design of streets shall promote a pleasant, pedestrian and bicycle friendly environment with an emphasis on convenient access to surrounding neighborhoods and community amenities by including a network of pedestrian trails and golf cart and bicycle paths with shortcuts and alternatives to travel along high-volume streets provided within or in proximity to each residential area;~~
- ~~f. Gated communities are permitted provided they are integrated into the overall community via golf cart, pedestrian and bicycle connection; and~~

~~Have good access to the major road network while providing internal access to the adjoining neighborhoods through golf cart paths, bicycle and pedestrian paths. Accessways between and along golf course corridor greenways shall be direct, accessible, and visually obvious to the pedestrian; pedestrian walkways shall connect all residential pods to a unified system of pathways; the plan shall create a unique environment that invites pedestrian activity and exhibits visual and physical quality in design through landscape, lighting, and signage; pathway access locations incorporate golf cart crossings to greenways to allow residents a variety of opportunities to reach their destination and multiple routes of non-automotive conveyance (golf carts, bicycles, walking) shall be evenly distributed into the core area using wide pathways that encourage pedestrian access and non-automotive use.~~

4. Parcel "M-1" and "M-2"

For the development of these parcels, the following principles of EXHIBIT E apply:

- ~~a. Adjacent neighborhoods are connected with a series of streets and/or pathways and are detailed to encourage pedestrian and bicycle traffic.~~
- ~~b. Streets are detailed with sidewalks, on-street parallel parking, regularly spaced street trees and pedestrian-se led lighting. Street trees are placed between the pedestrian and the roadway in parkways or tree grates.~~
- ~~c. Blocks are scaled to accommodate a variety of building types and encourage pedestrian traffic. Typical block dimensions range between 300'—500' on a block face and do not exceed 750' on any single block face. Single blocks do not exceed a total perimeter distance of 2,500'.~~
- ~~d. Streets, blocks, and alleyways provide a continuous network of vehicular, pedestrian, and bicycle circulation and are designed to accommodate each in a meaningful way.~~
- ~~e. A hierarchy of streets is provided in the neighborhood. Larger streets have larger buildings and~~

RESOLUTION 18-

~~sidewalks; smaller streets have smaller buildings and sidewalks.~~

~~f. Streets are designed so the buildings facing a street are proportional to the width of that street. The preferred ratio of height to width proportion is 1:1.5 (1 unit in height to 1.5 s in width).~~

~~g. Sidewalks are continuous, provided on both sides of every street, and are a minimum dimension of 5'-0" wide on residential streets and a minimum of 10'-0" on mixed use streets.~~

~~h. EXHIBIT E2 is a compendiwn of acceptable street sections, which may be expanded, to be considered in the development of PGA Village Central Mixed Use Area and Pod "A". These sections illustrate the street design principles outlined above.~~

~~i. Neighborhoods accommodate a mix of uses to support the daily needs of the neighborhood. Varying uses can occur in mixed use buildings or within walkable distances of each other; not every building must have multiple uses.~~

~~However, proximity alone is not enough. Streets must be detailed so that pedestrians will walk to different uses.~~

~~f. Mixed use buildings are designed so they can accommodate a variety of uses over time as the local market dictates.~~

~~g. Building types of like scale, massing, and uses face one another on any given street. Differing building types may be placed back to back on a single block.~~

~~h. The primary entrance of every building directly faces a street, a square, a park, a plaza, or a green.~~

~~i. All streets have on street parking, which shall be counted towards meeting project parking requirements.~~

~~j. All surface parking lots are screened from the street view with buildings, garden walls, and/or landscaping.~~

~~k. Parking structures are located to the interior of the block and are completely screened by buildings with habitable uses for all floors.~~

~~l. All on site parking is located behind the primary building facade. Civic, cultural, and clubhouse buildings are exempted from this provision.~~

~~m. For residential lots 50' wide or less, parking is accessed from the rear alleyway.~~

~~These requirements will be implemented through the PUD zoning process.~~

RESOLUTION 18-

EXHIBIT E-1 DELETED

RESOLUTION 18-

EXHIBIT E-1 DELETED

RESOLUTION 18-

EXHIBIT E-1 DELETED