



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

## STAFF REPORT

### A. *Application Information*

## DISCOVERY PUD PUD ZONING AGREEMENT AND MASTER SITE PLAN

Applicant:	Becker-14 Grove, Ltd. And Hobe Sound Equestrian, LLC
Property Owner:	Becker-14 Grove, Ltd. And Hobe Sound Equestrian, LLC
Agent for the Applicant:	Lucido and Associates, Morris A. Crady, AICP
County Project Coordinator:	Peter Walden, AICP, Deputy Growth Management Director
Growth Management Director:	Paul Schilling
Project Number:	H123-022
Record Number:	DEV2021050016
Report Number:	2022_0325_H123-022_Staff_Final
Application Received:	06/14/2021
Transmitted:	06/16/2021
Staff Report:	08/27/2021
Resubmittal Received:	10/26/2021
Transmitted:	10/27/2021
Staff Report:	12/22/2021
Resubmittal Received:	01/26/2022
Transmitted:	01/26/2022
Date of Report:	03/25/2022
LPA Hearing:	04/07/2022
BCC Hearing:	04/19/2022 (tabled)
BCC Hearing:	06/21/2022

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### B. *Project description and analysis*

Request for Planned Unit Development (PUD) zoning and master site plan approval for an approximate 1,530 acre parcel located on the north side of SE Bridge Road approximately one mile east of the Interstate I-95 interchange in Hobe Sound. Included is a deferral of public facilities reservation.

The subject property includes all of the existing Hobe Sound Polo club recorded plat which consists of approximately 1,307 acres. The Hobe Sound Polo club was platted in 2009 as 20 acre parcels and tracts for polo fields and rights-of-way. The master site plan also includes Tract D of the Grove XXIII Golf Club recorded plat which consists of approximately 223 acres. Tract D is undeveloped and was not a part of the

final site plan for the adjacent Grove XXIII Golf Club. The proposed PUD agreement intends to terminate the existing final site plan approval for the Hobe Sound Polo Club and the project will be re-platted prior to any conveyance of lots.

The majority of the project has the future land use designation of Agriculture with the AG-20, General Agricultural zoning district designation. Approximately 37 acres along the north property boundary has the Rural Density future land use with the RE-2A, Rural Estate zoning district. The RE-2A property is also in the Secondary Urban Service District. The proposed project includes a comprehensive plan amendment to change the agricultural future land use to Agricultural Ranchette land use. Site specific text amendments are also proposed that will address the extension of water and sewer service to the property. The project cannot move forward until the comprehensive plan amendments are approved.

Proposed development includes 317 residential units the 1,530 acres, resulting in a residential density of approximately 1 unit per 5 acres. The project will also include an 18 hole golf course, 10 golf cottages, equestrian facilities, and resort style club amenities.

The project is to include several public benefits. The site is adjacent to the Atlantic Ridge State park and an existing 10,000 sq. ft. stable with grooms quarters and parking is proposed to be donated along with the construction of an access road from SE Bridge Road to the stable for public use as an access to the state park area. Approximately 140 acres of undeveloped land adjacent to the park is planned to be converted back into native wetlands and upland habitat.

### C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The current review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Peter Walden	219-4923	Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Peter Walden	219-4923	Comply
H	Urban Design	Santiago Abasolo	288-5485	N/A
H	Community Redevelopment	Santiago Abasolo	288-5485	N/A
I	Property Management	Ellen MacArthur	288-5794	N/A
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjolholm	288-5909	Comply
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Tom Walker	288-5928	N/A
M	Engineering	Clark Bridgman	288-5416	Comply
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	Comply
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	Comply
P	Emergency Management	Sally Waite	219-4942	N/A
Q	ADA	Clark Bridgman	288-5416	N/A
R	Health Department	Nicholas Clifton	221-4090	N/A
R	School Board	Kimberly Everman	223-3105	Comply

S	County Attorney	Krista Storey	288-5443	Review Ongoing
T	Adequate Public Facilities	Peter Walden	219-4923	Deferral

**D. Review Board action**

This application meets the threshold criteria for a major development, pursuant to Table 10.2.C.1.B., LDR, Martin County, Fla. (2019), and requires two public hearings. The two hearings will provide the public an opportunity to participate in the review and decision making process.

The first public hearing shall be before the Local Planning Agency, who will make a recommendation on the request, pursuant to Table 10.5.F.9., LDR, Martin County, Fla. (2019).

The second public hearing shall be before the Board of County Commissioners, who will take final action on the request, pursuant to Table 10.5.F.9., LDR, Martin County, Fla. (2019).

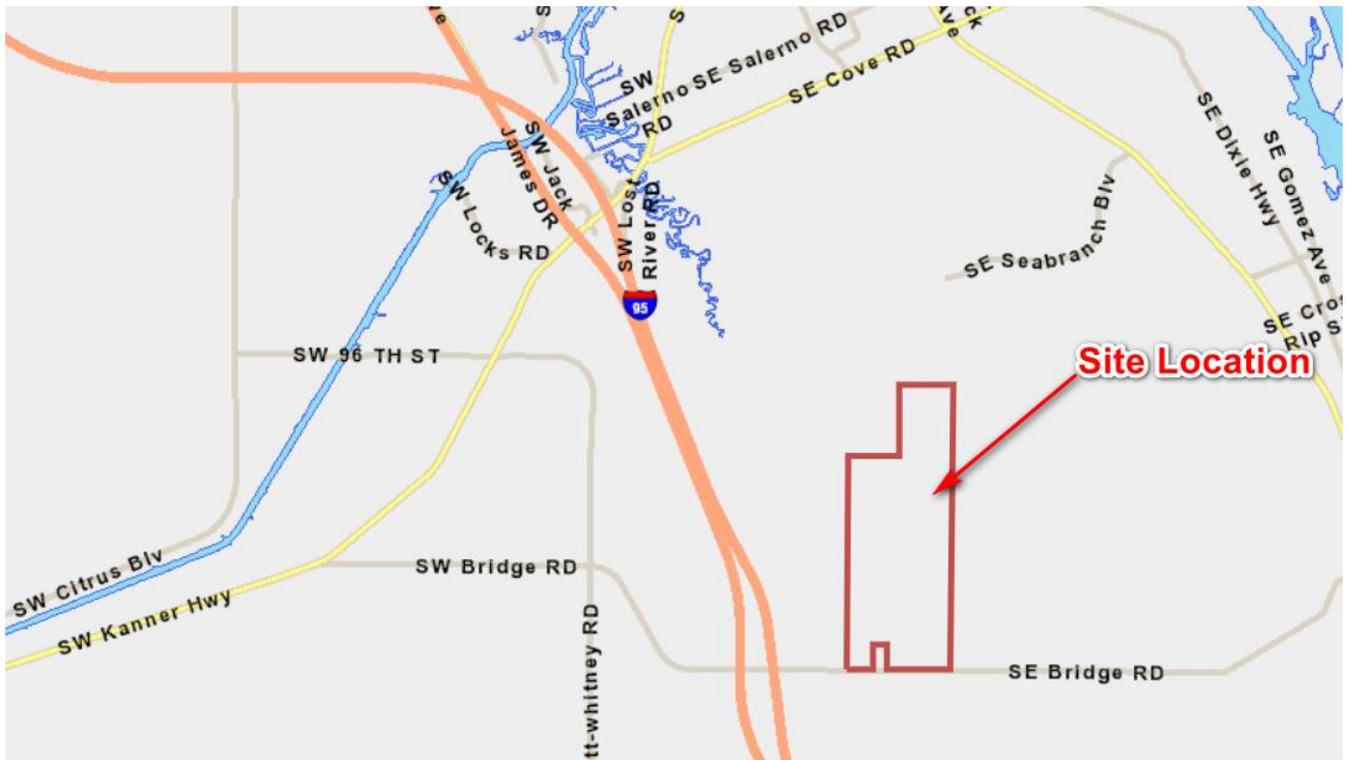
The applicant addressed the non-compliance findings from the staff report dated December 22, 2021 with its resubmittal dated January 26, 2022. The previous staff reports and resubmittals are incorporated herein by reference.

**E. Location and site information**

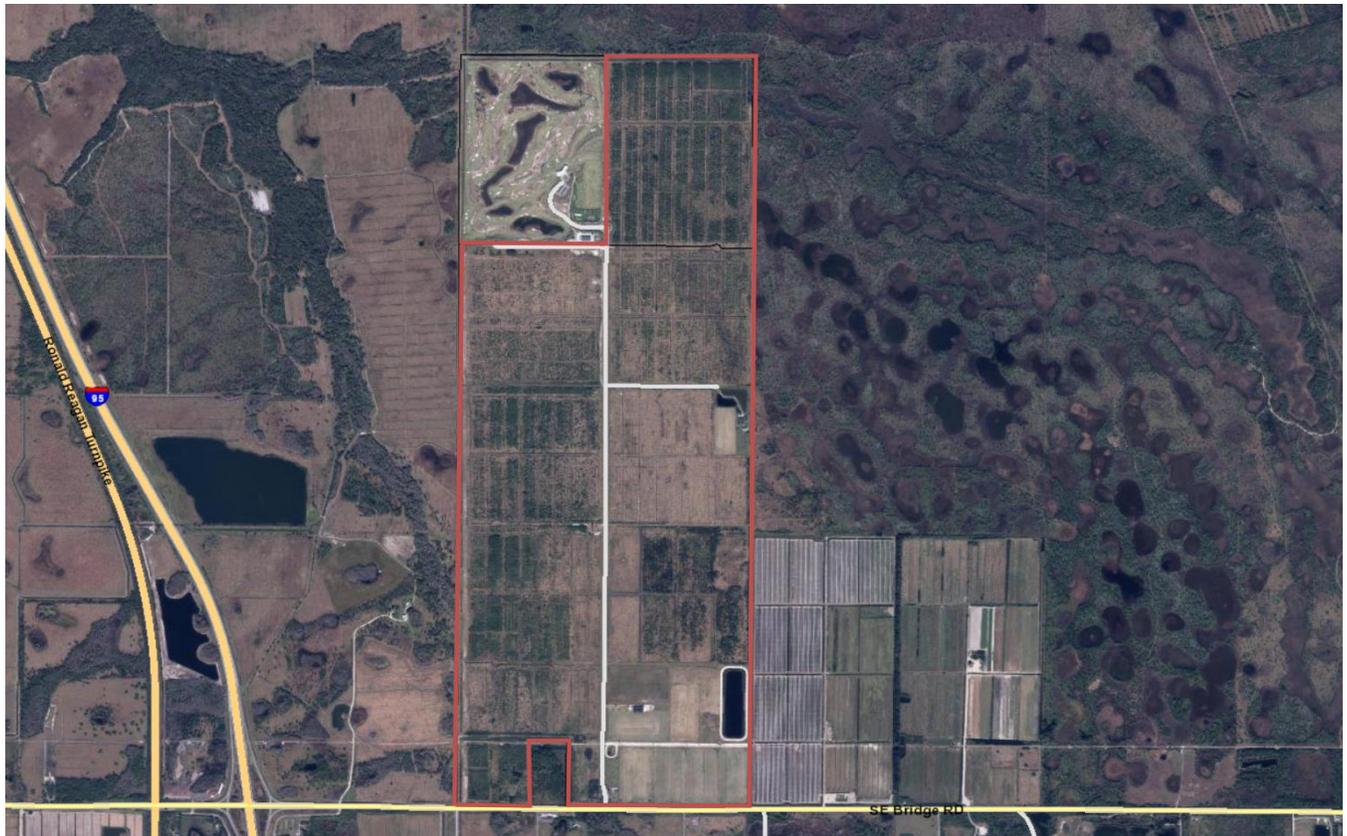
PCNs:

Existing Zoning:	AG-20A, General Agricultural and RE-2A, Rural Estate District
Future land use:	Agricultural, and Rural Density
Total Site Area:	1,530 acres +-

**Location Map**



Aerial





according to provisions of a binding written document negotiated between the developer and the County as a special PUD zoning district and (2) approved at a public hearing. The purpose of PUD districts is to introduce flexibility into the strict zoning and development regulations in a manner that is mutually beneficial to the County and the development. It is also to encourage enlightened and imaginative approaches to community planning. Benefits to the developer may include incentives to encourage affordable housing (consistent with the Housing Element); transfer of density from wetlands (consistent with the Conservation and Open Space Element, Chapter 9); flexibility in density distribution; flexibility and variety in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as preservation zones, buffers, density transition zones and recreation facilities in excess of the County's minimum standards. Specific PUD district regulations are negotiated voluntarily by the developer and the County, and neither is guaranteed maximum benefits by right.

**Policy 4.1E.7 Blended Densities** applies to the proposed project, which allows the cumulative density to be apportioned project wide without regard to the specific future land use.

**Policy 4.1E.8 Public Benefits** provides flexibility of the land development regulations to mutually benefit the county and developer.

**Policy 4.5F.6.(2)Site specific PUD benefits.** Significant site-specific benefits may include restoring the hydrology of the land and the connectivity of natural systems

### **Contingency on future land use change**

#### **Item #1:**

The majority of the subject property is currently zoned AG-20A with a land use of Agriculture. The proposed development and PUD agreement are contingent on the approval of a Future land use amendment to change the landuse to Rural Lifestyle, an new future land use designation. This change, along with the existing land use of Rural Density that is on approximately 37 acres of the project will provide the density for the proposed 317 residential units.

#### **Findings of Compliance:**

Staff has reviewed this application and finds that it complies with the Land Development Regulations and the proposed Rural Lifestyle land use, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

### ***G. Determination of compliance with land use, site design standards, zoning, and procedural requirements - Growth Management Department***

#### **Findings of Compliance:**

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations of Article 3 and Article 10 of the Martin County Land Development Regulations and the provided PUD agreement. There are no unresolved land use, zoning, or procedural requirements issues associated with this application.

#### **Additional Information:**

**Information #1:**

Notice Of A Public Hearing

The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days (seven calendar days if the application is being expedited pursuant to section 10.5.E.) prior to the public hearing by the applicant to all owners of real property located within a distance of 1000 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. In addition, notice shall be mailed to all homeowner associations, condominium associations and the owners of each condominium unit within the notice area. MARTIN COUNTY, FLA., LDR SECTION 10.6.E.1. (2019)

***H. Determination of compliance with the urban design and community redevelopment requirements – Community Development Department***

**Commercial Design**

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

**Community Redevelopment Area**

The proposed project is not located within a Community Redevelopment Area. Therefore, the Community Redevelopment Area reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR ARTICLE 3, DIVISION 6 (2016)

***I. Determination of compliance with the property management requirements – Engineering Department***

No dedication of additional right of way is required or proposed by the Applicant pursuant to the Roadway Classifications set forth in Section 4.843.B, Land Development Regulations, Martin County, Fla. [2001] which includes Table 4.19.1 that lists the minimum right of way requirements. Therefore, the Applicant is not required to submit due diligence materials for review by the Martin County Real Property Division.

***J. Determination of compliance with environmental and landscaping requirements - Growth Management Department***

**Environmental**

**Finding of Compliance:**

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations.

The approximate 125 acre Habitat Restoration Area (HRA) will be constructed as part of Phase 1B and in accordance with the timetable specified in the PUD Agreement. The HRA Restoration and Maintenance Plan will be reviewed and approved in coordination with the Atlantic Ridge Preserve State Park and with the final site plan for Phase 1B.

**Informational Comment:**

As stated in the environmental assessment, a 100% gopher tortoise survey of the property will be required prior to commencement of construction and land clearing. If the survey shows that tortoises

exist onsite, then a gopher tortoise relocation permit from the Florida Fish and Wildlife Conservation Commission (FWC) will be necessary before the county will authorize land clearing.

Staff also agrees with the requirement to provide standardized and specific construction awareness and notification procedures for the eastern indigo snake during construction as this species may potentially occur onsite although none was observed.

### **Landscaping**

No landscape plans have been reviewed and approved in association with this application for a revised PUD zoning designation and master site plan approval. Therefore, staff's review findings for this application have been entered as in compliance. Following this approval, final site plans will be reviewed for proposed construction, landscaping and development consistent with the approved master site plan and PUD agreement, and in accordance with the applicable land development regulations.

#### ***K. Determination of compliance with transportation requirements - Engineering Department***

##### **Findings of Compliance:**

The Traffic Division of the Public Works Department finds this application in compliance.

##### **Compliance with Adequate Public Facilities Ordinance:**

Staff has reviewed the Traffic Statement prepared by O'Rourke Engineering & Planning, dated January 2022. O'Rourke Engineering & Planning stated that the site's maximum impact was assumed to be 126 directional trips during the PM peak hour. Staff finds that SE Bridge Road is the recipient of a majority of the generated trips. The generalized service capacity of SE Bridge Road is 1200. The project impact is 10.5% of the maximum volume of that roadway. SW Bridge Road is currently operating at a level of service C; it is anticipated to operate at level of service C at buildout (year 2029).

O'Rourke Engineering & Planning completed detailed analyses on SE Bridge Road between SE Powerline Avenue and SE Federal Highway (US-1/SR-5) as well as SE Federal Highway (US-1/SR-5) between SE Bridge Road and SE Osprey Street. [Martin County, Fla., LDR Article 5, Division 3, Section 5.64.C.5.a (2009)] The detailed analyses confirm that both facilities will operate at an acceptable level of service at buildout.

#### ***L. Determination of compliance with county surveyor - Engineering Department***

The applicant has provided a certified boundary and topographic survey for the proposed development, pursuant to Section 10.1.E., LDR, Martin County, Fla. (2019). Therefore, the Engineering Department was not required to review this application for consistency with the Martin County Codes for survey requirements contained in Article 4, LDR, Martin County, Fla.

#### ***M. Determination of compliance with engineering, storm water and flood management requirements - Engineering Department***

**Findings of Compliance:**

The application was reviewed for compliance with the following Divisions of the Land Development Regulations. Staff's findings are summarized after each:

1. Division 8- Excavation, Fill, and Mining: This application is for a Master Site Plan approval; therefore, construction is not proposed at this time and compliance with Division 8 will be determined during the Final Site Plan approval. Division 8 is not applicable.
2. Division 9- Stormwater Management: The applicant has demonstrated that the proposed development will include a Master Stormwater Management System. The applicant has provided the allowable discharge rate for the entire development and described the proposed method for water quality; thereby, the applicant demonstrated compliance with Division 9 for a Master Site Plan.
3. Division 10 - Flood Protection: The applicant demonstrated the site does not fall within a FEMA Special Flood Hazard Area. The applicant demonstrated the minimum finished floor elevations will be set at or above the maximum stage of a 100-year 3-day storm event; therefore, the applicant demonstrated compliance with Division 10.
4. Division 14 - Parking and Loading: The applicant demonstrated compliance with the parking requirements set forth in Division 14 with the proposed parking lot configuration.
5. Division 19- Roadway Design: The applicant is proposing the existing roadway improvements to remain unchanged. No new roadways are included with this application; therefore the applicant demonstrated compliance with Division 19.

The Engineering Department finds this application in compliance provided the Development Order includes conditions for the following:

1. HAULING OF FILL: The OWNER agrees not to haul any fill off of the site of the Discovery PUD and to coordinate with the County Engineer the routes and timing of any fill to be hauled to the site of this project. The OWNER shall also comply with all COUNTY excavation and fill regulations. Lake littoral zones and upland buffers shall be maintained in accordance with a Lake Area Management plan approved by COUNTY.
2. DRAINAGE/STORMWATER MANAGEMENT: a) It shall be the OWNER'S sole responsibility to obtain the necessary drainage/stormwater management permits from South Florida Water Management District(SFWMD). In no event shall COUNTY bear the responsibility for aiding the OWNER in obtaining permits from the SFWMD or funding the improvements necessary to develop the Discovery PUD; b) In order to ensure that the PUD's drainage/stormwater management system functions as designed and permitted in perpetuity, HSLCD shall maintain the PUD's drainage/stormwater management system according to the Stormwater Management System Maintenance Plan to be submitted with the final site plan application. The Maintenance Plan will provide that the HSLCD shall be responsible for performing the specific inspections and maintenance operations on the stormwater management system on-site and off-site as approved by the Board of County Commissioners at final site plan approval in order to ensure it functions as intended and as approved by COUNTY. Neither COUNTY nor the SFWMD shall have any responsibility in maintaining the system.
3. SOIL EROSION AND SEDIMENTATION: Site clearing and vegetation removal shall be phased in accordance with the approved final site plan. Construction practices such as seeding, wetting and mulching which minimize airborne dust and particular emission generated by construction activity shall be undertaken within thirty (30) days of completion of clearing work. The slopes of constructed lakes from the top of the bank to the control water elevation (landward edge of littoral zone) shall be immediately stabilized and or sodded to the satisfaction of the Engineering Department upon completion of the lake construction.

***N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments***

**Addressing**

**Findings of Compliance**

The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan / plat complies with applicable addressing regulations. All street names are in compliance. They meet all street naming regulations in Article 4, Division 17, Land Development Regulations, Martin County, Fla. (2022).

**Electronic Files**

**Findings of Compliance:**

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2021)

Both AutoCAD site plan and boundary survey were in State Plane coordinates and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2021)

***O. Determination of compliance with utilities requirements - Utilities Department***

**Water and Wastewater**

**MASTER PLANS:**

**CONCURRENCY:**

The applicant is requesting a deferral of Adequate Public Facilities Reservation. Therefore, concurrency evaluation for water and wastewater level of service is not required for Master Site Plan approval. Concurrency for water and wastewater level of service will be evaluated during the final site plan review [ref. Code, LDR, s.5.32.C. Art. 5, Div. 2, Code, LDR, Art.5, Div.2].

**Wellfield and Groundwater Protection**

**Findings of Compliance:**

The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR, Article 4, Division 5] (2016)

***P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department***

**Fire Prevention**

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

**Emergency Preparedness**

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

**Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department**

**Findings of Compliance:**

This application is for a PUD zoning agreement, master site plan, and phasing plan approval only. Compliance with the applicable Americans with Disability Act requirements is required to be demonstrated as part of a final site plan approval, and a review for compliance will be done in conjunction with the final site plan application(s). (2014 FBC, FIFTH EDITION\ACCESSIBILITY)

**R. Determination of compliance with Martin County Health Department and Martin County School Board**

**Martin County Health Department**

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

**Martin County School District**

**General School Capacity Analysis**

This general analysis is completed to meet the development review policies specified in Section 6.2.6 of the Martin County, City of Stuart and Martin County School Board Interlocal Agreement for School Facilities Siting and Planning, and Section 17.7 Public School Facilities Element of the Martin County Comprehensive Plan.

Applicant/Project: Discovery Land Company, Discovery PUD (Lucido & Assoc.)  
Project#: H123-22 – Discovery PUD, PUD Zoning Request & Master /Phasing Plans

DEV20210500016 - Round 1

Date: 6/29/2021

Applicant Request: Discovery PUD, PUD Zoning Request & Master /Phasing Plans, on a 1,530 ac. property located north of Bridge Rd., approx. one mile east of the I-95 Interchange

Student Generation Calculation:

Residential Units	317
Current Student Generation Rate	.2216
Elementary	32
Middle	16
High	22
Total Forecasted	70

School Zone Enrollment & Permanent Capacity:

CSA	2020-2021 (as of 10/9/2020) Enrollment	2024-2025 COFTE Projected Enrollment	2024-2025 LOS Concurrency Capacity
South CSA Zone – Elementary (Seawind- Z, Hobe Sound, Crystal Lake)	1482	1515	2224
South CSA Zone – Middle (Murray – Z, Anderson)	1624	1733	2297
South CSA – High School (South Fork High)	1901	1892	2114

Note: Enrollment reported from FOCUS, Projections through School District CIP Application

Comments:

This General School Capacity Analysis shall be used in the evaluation of a development proposal, but shall not provide a guarantee that the students from the above referenced project will be assigned to attend the particular school(s) listed. The analysis indicates that all three grade levels are projected to meet the Concurrency (LOS) Level of Service capacity, with a 3-year outlook.

A School Concurrency Review is completed for Final Site Plan applications that include residential units. At that time a Final Concurrency Determination will be conducted. Mitigation to reach Level of Service (LOS) standards for the School District may need to be remedied based on Final analysis.

Prepared by: Kimberly Everman, Capital Projects Planning Specialist

[evermak@martinschools.org](mailto:evermak@martinschools.org) phone: 772-219-1200  
x30220

**S. Determination of compliance with legal requirements - County Attorney's Office**

**Review Ongoing**

The Martin County Legal Department is working with the applicant’s attorney with regards to the proposed PUD Zoning Agreement.

**T. Determination of compliance with the adequate public facilities requirements - responsible departments**

*5.32.C. Procedure to obtain an evaluation of adequate public facilities (nonbinding) and affidavit deferring adequate public facilities reservation.*

1. *Purpose.* An application for an evaluation of adequate public facilities and affidavit deferring public facilities shall be submitted with an application for a preliminary development order to ensure that the County and the developer plan together to meet concurrency at the preliminary development order stage. The evaluation provides a current view of the availability of public facilities for a proposed development based upon the concurrency evaluation and concurrency reservation tests of this article. Neither a positive nor a negative evaluation confers concurrency rights or is binding on the County pursuant to section 14.4.A.3.d(2) and (3) of the Comprehensive Plan.

**U. Post-approval requirements**

Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Please submit all of the following items in a single hard copy packet and in electronic pdf format (on disk or flash drive) with the documents arranged in the order shown in the list below. The 24" x 36" plans should be submitted rolled and in separate sets as itemized below.

**Item #1:**

Post Approval Requirements List: After approval the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. Submit a copy of the Post Approval Requirements List.

**Item #2:**

Post Approval Fees: The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.

**Item #3:**

Recording Costs: The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.

**Item #4:**

One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a certified letter stating that no title transfer has occurred.

**Item #5:**

One (1) 24" x 36" paper copy of the approved master site plan.

**Item #6:**

One (1) digital copy of master site plan in AutoCAD 2010 - 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

**Item #7:**

Original and one (1) copy of the executed approved PUD zoning agreement.

**Item #8:**

One (1) blank USB flash/thumb drive, which will be utilized to provide the applicant with the approved stamped and signed project plans.

***V. Local, State, and Federal Permits***

All permits will be required before the commencement of any construction.

***W. Fees***

Public advertising fees for the development order will be determined and billed subsequent to the public

hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$13,800.00	\$13,800.00	\$0.00
Advertising fees*:	TBD		
Recording fees**:	TBD		

\* Advertising fees will be determined once the ads have been placed and billed to the County.

\*\* Recording fees will be identified on the post approval checklist.

## **X. General application information**

Applicant: Becker B-14 Grove, Ltd.and Hobe Sound Equestrian, LLC  
Rick Melchiori  
1701 Highway A1A, Suite 204  
Vero Beach FL 32963

Owner: Same as above

Agent: Lucido and Associates  
Morris A. Crady  
701 SE Ocean Boulevard  
Stuart FL 34994  
772-220-2100  
mcrady@lucidodesign.com

## **Y. Acronyms**

ADA..... Americans with Disability Act  
AHJ ..... Authority Having Jurisdiction  
ARDP ..... Active Residential Development Preference  
BCC..... Board of County Commissioners  
CGMP ..... Comprehensive Growth Management Plan  
CIE ..... Capital Improvements Element  
CIP ..... Capital Improvements Plan  
FACBC ..... Florida Accessibility Code for Building Construction  
FDEP ..... Florida Department of Environmental Protection  
FDOT ..... Florida Department of Transportation  
LDR..... Land Development Regulations  
LPA ..... Local Planning Agency  
MCC..... Martin County Code  
MCHD..... Martin County Health Department  
NFPA ..... National Fire Protection Association  
SFWMD ..... South Florida Water Management District  
W/WWSA .... Water/Waste Water Service Agreement

## **Z. Attachments**