



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

## *A. Application Information*

### **THE PRESERVE AT PARK TRACE PUD 2<sup>ND</sup> AMENDMENT**

Applicant:	DR Horton, Inc. (Karl Albertson)
Property Owner:	DR Horton, Inc.
Agent for Applicant:	Lucido and Associates, Morris A. Crady, AICP
County Project Coordinator:	Brian Elam, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	V038-005
Record Number:	DEV2022120012
Report Number:	2023_1023_V038-005_DRT_STAFF_FINAL
Application Received:	01/03/2023
Transmitted:	01/05/2023
Date of Report:	02/22/2023
Application Received:	07/17/2023
Transmitted:	07/17/2023
Date of Report:	09/07/2023
Additional Materials Received:	10/13/2023
Date of Report:	10/23/2023

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## *B. Project description and analysis*

This is an application by Lucido & Associates., on behalf of DR Horton, Inc., for approval of the 2nd Amendment to the Preserve at Park Trace PUD zoning agreement. The proposal includes revising the master/final site plan to remove lots 50 and 51, provide private recreation facilities and accommodate a stub out for a future private road/utility connection to the adjacent property owner/developer of the Cove Royale PUD, namely Kolter Homes. The property is located at 2320 SE Cove Road in Stuart and is south of Cove Road at the intersection of Willoughby Boulevard. Included with this application is a

request for an amended Certificate of Public Facilities Reservation consistent with the revised master/final site plan.

The Preserve at Park Trace PUD zoning agreement and master/final site plan were approved September 28th, 2021.

### **C. Staff recommendation**

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

<b>Section</b>	<b>Division or Department</b>	<b>Reviewer</b>	<b>Phone</b>	<b>Assessment</b>
F	Comprehensive Plan	Brian Elam	772-288-5501	Comply
F	ARDP	Samantha Lovelady	772-288-5664	N/A
G	Development Review	Brian Elam	772-288-5501	Comply
H	Urban Design	Brian Elam	772-288-5501	N/A
H	Community Redevelopment	Brian Elam	772-288-5501	N/A
I	Property Management	Ellen MacArthur	772-221-1334	N/A
J	Environmental	Shawn McCarthy	772-288-5508	Comply
J	Landscaping	Karen Sjoholm	772-288-5909	Comply
K	Transportation	Lukas Lambert	772-221-2300	Comply
L	County Surveyor	Tom Walker	772-288-5928	N/A
M	Engineering	Michael Grzelka	772-288-5920	Comply
N	Addressing	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission	Emily Kohler	772-288-5692	Comply
O	Water and Wastewater	James Christ	772-320-3034	Comply
O	Wellfields	James Christ	772-320-3034	Comply
P	Fire Prevention	Doug Killane	772-419-5396	Comply
P	Emergency Management	Sally Waite	772-219-4942	N/A
Q	ADA	Michael Grzelka	772-288-5920	Comply
R	Health Department	Nicholas Clifton	772-221-4090	N/A
R	School Board	Juan Lameda	772-219-1200	N/A
S	County Attorney	Elysse A. Elder	772-288-5925	Ongoing
T	Adequate Public Facilities	Brian Elam	772-288-5501	Comply

### **D. Review Board action**

This application meets the threshold criteria for a major development, with a previously approved master plan. Review of this application is required by the County Administrator and final action by the Board of County Commissioners (BCC) at a public meeting MARTIN COUNTY, FLA., LDR, §10.5.F.9. (2021).

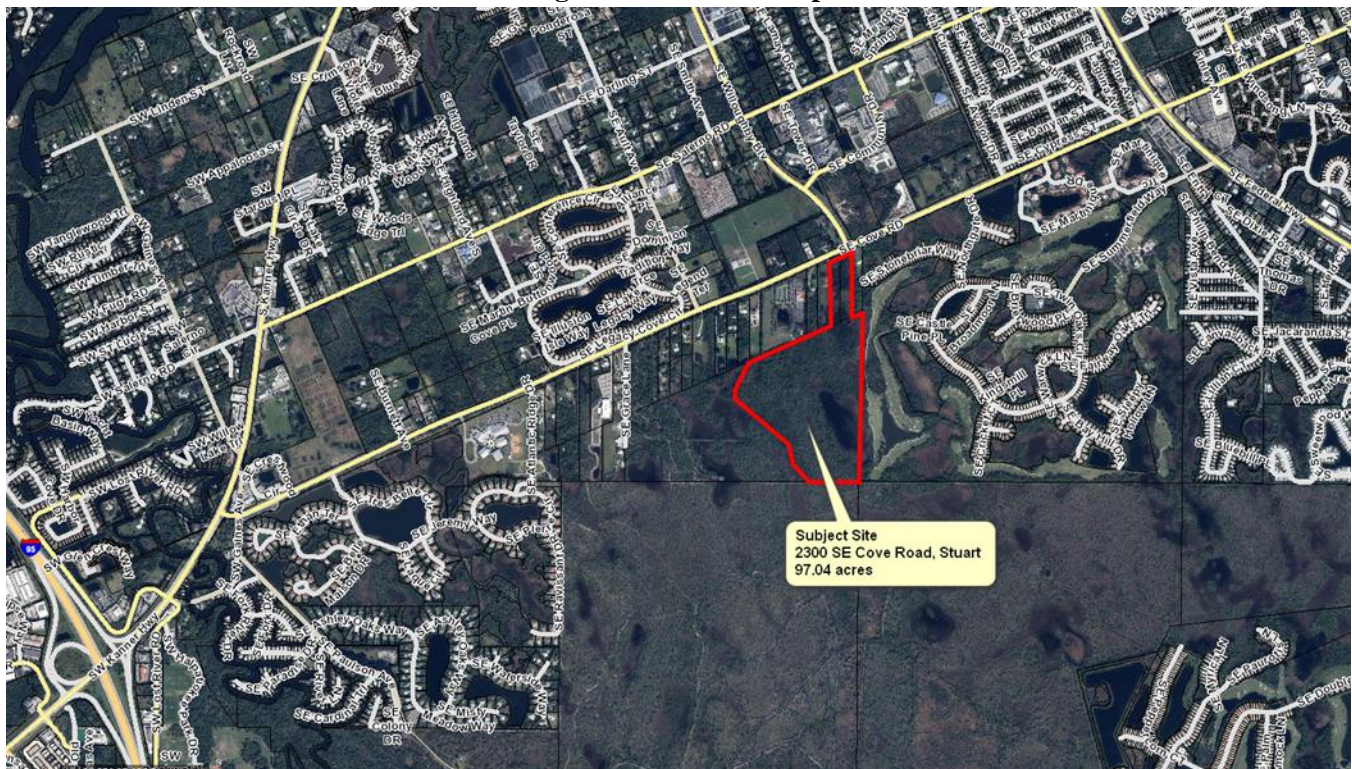
Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (2021), it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

The applicant addressed the non-compliance findings from the staff report dated, September 07, 2023. The previous staff reports, and resubmittals are incorporated herein by reference. It shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

#### ***E. Location and site information***

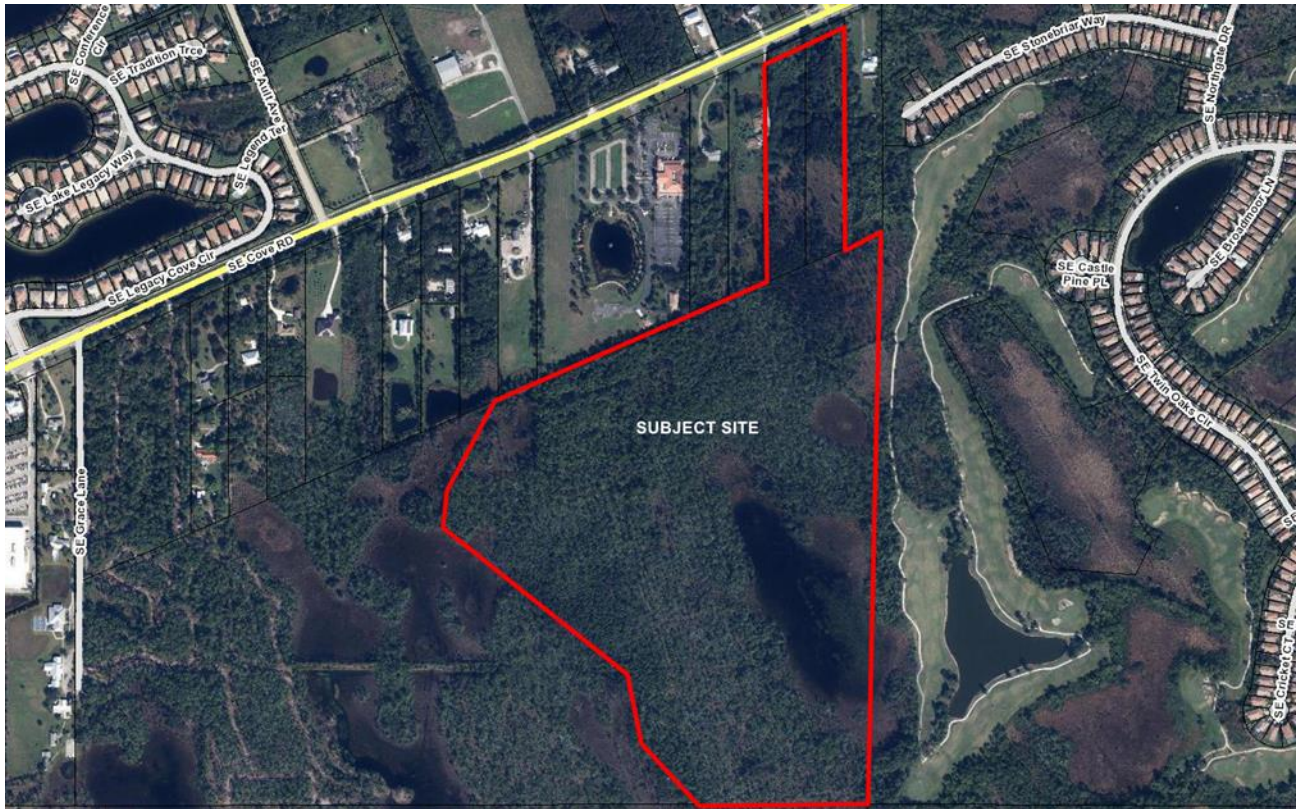
Parcel number:	343841000000000110	87.87 acres	Parcel 1
Parcel number:	3438410010000002705	4.59 acres	Parcel 2
Parcel number:	3438410010000002803	4.59 acres	Parcel 3
Address:	2320 SE Cove Road, Stuart		
Existing Zoning:	PUD (Resolution 21-9.91; September 28 <sup>th</sup> , 2021)		
Future Land Use:	Estate Density 2UPA		
Nearest Major Road:	SE Cove Road		
Gross Area of Site:	97.04 acres		

**Figure 1: Location Map**





**Figure 2: Aerial**



***F. Determination of compliance with Comprehensive Growth Management Plan requirements – Growth Management Department***

**Findings of Compliance:**

Staff has reviewed this application and finds that that it complies with the LDR, 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:**

Staff has reviewed this application and finds that it complies with the LDR, 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.

**Information #1:**

Timetable Of Development – Master and Final

The timetable of development for concurrent master and final site plans shall be as specified in 10.2.D.1. and 10.2.D.2.

### **Master Site Plan**

All final site plan approvals for a multi-phase or PUD development shall be obtained no later than five years after the date of the master site plan approval, provided that no certificate of public facilities reservation was issued with the master site plan approval. If a certification of public facilities reservation was issued with the master site plan approval, all final site plan approvals and construction shall be permitted and completed consistent with the requirements of article 5. Adequate Public Facilities and Transportation Impact Analysis of the LDR MARTIN COUNTY, FLA., LDR SECTIONS 10.2.D.1.d.(2021).

### **Final Site Plan**

The timetable of development for final site plans requires all construction be permitted and completed consistent with the requirements of article 5, Adequate Public Facilities and Transportation Impact Analysis MARTIN COUNTY, FLA., LDR §10.2.D.2.e. (2021). Permits and construction shall be completed within 2 years MARTIN COUNTY, FLA., LDR §5.32.D.4.a.(1) (2021).

### **Information #2:**

#### **Land Clearing**

No land clearing is authorized prior to the pre-construction meeting for the project. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for by applicable state agency permits may be granted by the Growth Management Department.

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

##### **Urban Design**

N/A - This is a residential subdivision located on land that is not subject to Commercial Design standards. Commercial Design review is not required Martin County, Fla., LDR §4.871.B. (2002).

##### **Community Redevelopment Area**

N/A - The proposed project is not located within a Community Redevelopment Area. Therefore, the Community Redevelopment Area reviewer was not required to review this application.

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

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

#### ***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.

### **Environmental Waiver - Informational**

The future connection to Phase 2 of the Cove Royale PUD will require an environmental waiver to impact established wetland buffer/upland preserve areas. The Cove Royale PUD currently has an approved access to Phase 2 which will need to be removed through a revised site plan application since the waiver criteria does not contemplate more than one access that would impact additional preserve areas.

The applicant has stated a PUD amendment for Cove Royale will be submitted at a future date to eliminate the currently permitted access through this project.

The general requirements for waivers under Section 4.3. discusses the least damaging alternative of wetland alterations/impacts. The applicant has submitted a wetland impact option scenario where proposed access through Preserve at Park Trace will result in less impacts than constructing the permitted access through Cove Royale.

Environmental waivers also require mitigation to offset secondary impacts to wetlands and impacts to wetland buffers. The applicant also proposes to remove the entire existing berm/dirt road east and west of the Cove Royale Phase 2 site.

Since there are no proposed preserve impacts with this application and only a stub-out shown on the site plan, an environmental waiver isn't required at this time. Future proposed impacts for access would require an environmental waiver and concurrent applications for Cove Royale PUD and this development to consider a change to the access to Phase 2 of Cove Royale.

## **Landscaping**

### **Findings of Compliance:**

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations Article 4, Division 15 - Landscaping, Buffering, and Tree Protection. [2013]. The applicant has proposed construction of a 114-lot subdivision. The applicant has submitted landscape plans that provide 7.45 acres of landscape area which equates to 21.7% of the development area to document compliance with Section 4.663.A.1., Land Development Regulations, Martin County, Fla. (2013). Pursuant to this regulation a minimum of 20% of the total development area shall be landscaped.

Landscaped bufferyards are required between differing land uses and along certain transportation corridors. It is the intent of the code to encourage the preservation of existing vegetation for use in

buffers as opposed to clearing and replanting designed landscapes. Section 4.663.B., Land Development Regulations, Martin County, Fla. (2013).

A Type 2 buffer is required on the south property line adjacent to the State Park. Section 4.663.B.10, Land Development Regulations, Martin County, Fla. (2013). This buffer is being satisfied by proposed preserve areas.

Wherever new residential dwelling units are proposed to be located along any minor or major arterial road, excluding Community Redevelopment Overlay Districts, a Type 5 bufferyard shall be required to screen the view of the dwelling units from the street Section 4.663.B.2., Land Development Regulations, Martin County, Fla. (2013). This project has frontage on Cove Road therefore a Type 5 buffer is required and has been provided by proposed preserve areas.

To demonstrate compliance with Section 4.663.E.1. Land Development Regulations, Martin County, Fla. (2013) the applicant has proposed that the stormwater retention area adjacent to the on-site preserve be planted with native grasses and trees.

Section 4.666.E. Land Development Regulations, Martin County, Fla. (2013) requires that development activity preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed. To meet this requirement the applicant has submitted Landscape and Construction Plans to provide for preservation of pines, oaks, and sabal palms within the proposed landscape buffers. The applicant has submitted plans that remove 9 protected trees and preserve 10 trees that are located in buffer areas.

PUD streetscaping standards for sustainable streets include the planting of shade trees along walkways and access roads to avoid the "sea of asphalt" and "line of cars" affect and to provide a more meaningful balance between green spaces and dwellings.

The applicant has proposed to plant trees along the street to provide these benefits. Due to narrow width of available planting area, it was agreed it would be acceptable that the trees consist of Sabal palms and where space was available large shade trees be specified. The submitted plans provide for these plantings along the street section.

Alterations cannot be made to the plans after final site plan approval. Any alteration may require an application to amend the affected approved plans.

The applicant is cautioned to consider the placement of utilities and any underground or above ground site improvement that could cause a conflict with the landscaping and possibly cause a change or amendment.

As-built landscape plans submitted prior to the release of a certificate of occupancy will be checked against the approved drawings. Inconsistencies may block the issuance of the certificate of occupancy

and cause the applicant to begin the application process for a change or an amendment to the development order.

***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:**

This application satisfies the Adequate Public Facilities Standard; it is exempt as it is a development, a development alteration, or an expansion that does not create additional impact on the roadway network. [Martin County, Fla., LDR Article 5, Division 2, Section 5.32 (2009)]

***L. Determination of compliance with county surveyor – Engineering Department***

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

***M. Determination of compliance with engineering, storm water and flood management requirements – Engineering Services Division***

**Findings of Compliance:**

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

1. Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that the amount of proposed excavation is less than the amount of fill needed for the site; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.
2. Division 9- Stormwater Management: The applicant has demonstrated the proposed development is included in the Master Stormwater Management System and the proposed development is consistent with the approved existing system; thereby, the required attenuation and water quality treatment is in compliance with Division 9.
3. Division 10 - Flood Protection: This site does not fall within a Special Flood Hazard Area. The applicant demonstrated that the minimum finished floor elevation is set at or above the maximum predicted stage of the 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 design and layout of the proposed on-site parking locations.
5. Division 19- Roadway Design: The applicant's proposed modifications to SE Cove Road for the project entrance meets Martin County's roadway requirements; therefore, the proposed design meets the requirements in Division 19.

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



Hauling of fill from the site is prohibited. The routes and timing of any fill to be hauled to the site shall be coordinated with the County Engineer. Compliance with all County excavation and fill regulations is required.

***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. (2023).

**Electronic File Submittal**

**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. (2023)

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

**Water and Wastewater Service**

**Findings of Compliance:**

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds it in compliance with Martin County's requirements for water and wastewater level of service. [Martin County, Fla., LDR, Article 4, Division 6 and 7, (2016)]

**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**

**Findings of Compliance:**

The Fire Prevention Division finds this submittal to be in compliance with the applicable provisions governing construction and life safety standards of the Florida Fire Prevention Code. This occupancy shall comply with all applicable provisions of governing codes whether implied or not in this review, in addition to all previous requirements of prior reviews.

**Informational:**

Needed Fire Flow must still be documented.

## **Emergency Management**

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:**

The Public Works Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements. [2020 Florida Building Code, Accessibility, 7th Edition]

### ***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 Board**

N/A – School concurrency determination was established with the approval of the PUD Zoning and Master/Final Site plan approval during review of project V038-002.

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

Review ongoing.

### ***T. Determination of compliance with adequate public facilities requirements – responsible departments***

The following is a summary of the review for compliance with the standards contained in Article 5.32.D of the Adequate Public Facilities, Land Development Regulations (LDR's), Martin County Code for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities (Section 5.32.D.3.a, LDR)

Service provider - Martin County

Findings - positive evaluation

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Sanitary sewer facilities (Section 5.32.D.3.b, LDR)

Sewer provider - Martin County

Findings - positive evaluation

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Solid waste facilities (Section 5.32.D.3.c, LDR)

Findings - in place

Source - Growth Management Department

Stormwater management facilities (Section 5.32.D.3.d, LDR)

Findings - positive evaluation

Source - Engineering Services Department

Reference - see Section M of this staff report

Community park facilities (Section 5.32.D.3.e, LDR)

Findings - in place

Source - Growth Management Department

Road facilities (Section 5.32.D.3.f, LDR)

Findings - positive evaluation

Source - Engineering Department

Reference - see Section K of this staff report

Mass transit facilities (Section 5.32.D.3.g, LDR)

Findings - positive evaluation

Source - Engineering Department

Reference - see section K of this staff report

Public safety facilities (Section 5.32.D.3.h, LDR)

Findings - positive evaluation

Source - Growth Management Department

Reference - see Section P of this staff report

Public school facilities (Section 5.32.D.3.i, LDR)

Findings - positive evaluation

Source - Growth Management Department

Reference - see Section R of this staff report

A timetable for completion consistent with the valid duration of the development is to be included in the Certificate of Public Facilities Reservation. The development encompassed by Reservation Certificate must be completed within the timetable specified for the type of development.

#### ***U. Post-approval requirements***

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. 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	Description	Requirement
1.	Response to Post Approval Requirements List	The applicant will submit a response memo addressing the items on the Post Approval Requirements List.
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.
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.
4.	Warranty Deed	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 letter stating that no title transfer has occurred.
5.	Construction Plans	One (1) 24" x 36" copy of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Rolled.
6.	Approved Master and Final Site Plan	One (1) copy 24" x 36" of the approved master and final site plan.
7.	Approved Landscape Plan	One (1) 24" x 36" copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.
8.	Digital Copy of Site Plan	One (1) digital copy of site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
9.	Construction Schedule	Original of the construction schedule.

Item	Description	Requirement
10.	Cost Estimate	Two (2) originals of the Cost Estimate, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.
11.	Engineer's Design Certification	Original of the Engineer's Design Certification, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.
12.	Water & Wastewater Service Agreement	Original and one (1) copy or two (2) copies of the executed and signed Water and Wastewater Service Agreement with Martin County Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.
13.	PUD Zoning Agreement	Original and one (1) copy of the executed approved PUD zoning agreement.
14.	Flash/Thumb Drive	One (1) blank flash/ thumb drive for digital file recording.

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

Approval of the development order is conditioned upon the applicant's submittal of all required applicable Local, State, and Federal Permits, to the Growth Management Department (GMD), prior to the commencement of any construction. An additional review fee will be required for Martin County to verify that the permits are consistent with the approved development order.

#### ***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	\$13,800	\$0.00
Inspection fees:	\$4,000		\$4,000
Advertising fees *:			
Recording fees **::			
Impact fees***:	N/A		

\* 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.

\*\*\*Impact fees are required at building permit.

#### ***X. General application information***

Applicant: DR Horton, Inc.  
Karl Albertson  
6123 Lyons Road, Suite 100  
Coconut Creek, Florida 33073



954-949-3000 extension 4272  
kkalbertson@drhorton.com

Owner: DR Horton, Inc.  
Karl Albertson  
6123 Lyons Road, Suite 100  
Coconut Creek, Florida 33073  
954-949-3000 extension 4272  
kkalbertson@drhorton.com

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

Engineer of Record: Engineering Design and Construction, Inc.  
David Baggett  
10250 SW Village Parkway, Suite 201  
Port Saint Lucie, Florida 34987  
772-432-2455  
davidbaggett@edcinc.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**