

Prepared by:
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**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

RESOLUTION NUMBER 18-

A RESOLUTION OF MARTIN COUNTY, FLORIDA, REGARDING AN APPLICATION BY SHADOW LAKE GROVES, INC., MARTIN GATEWAY ESTATES, LLC, AND MARTIN GATEWAY CENTER, LLC TO CHANGE THE ZONING DISTRICT ON ±3,411 ACRES LOCATED EAST AND WEST OF SW CITRUS BOULEVARD AND ADJACENT TO THE MARTIN COUNTY, FL BOUNDARY WITH ST. LUCIE COUNTY, FL FROM LI (LIMITED INDUSTRIAL), AR-5A (AGRICULTURAL RANCHETTE) AND A-2 (AGRICULTURAL) to PMUV (PLANNED MIXED-USE VILLAGE).

WHEREAS, this Board has made the following determinations of fact:

1. Shadow Lake Groves, Inc., Martin Gateway Estates, LLC, and Martin Gateway Center, LLC, the owners of the land that is the subject of this Resolution, submitted an application to change the zoning district on ±3,411 acres of land.
2. The 3,411 acres of land is described in Exhibit A, attached hereto.
3. More specifically, the Applicants requested:
 - (a) that the zoning of ±502 acres be changed from LI (Limited Industrial Zoning District) to PMUV (Planned Mixed-Use Village Zoning District);
 - (b) that the zoning of ±125 acres be changed from AR-5A (Agricultural Ranchette Zoning District) to PMUV (Planned Mixed-Use Village Zoning District); and,
 - (c) that the zoning of ±2,784 acres be changed from A2 (Agricultural Zoning District) to PMUV (Planned Mixed-Use Village Zoning District).
4. The Local Planning Agency heard the application at public hearings on February 28, 2018 and June 21, 2018, and recommended to the Board of County Commissioners that the zoning be changed to PMUV (Planned Mixed-Use Village Zoning District).
5. This Board has considered such recommendations.
6. Upon proper notice of hearing, this Board held a public hearing on the application on September 11, 2018.
7. At the public hearing, all interested parties were given an opportunity to be heard.
8. All conditions precedent to granting the change in zoning district classification have been met.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

- A. The zoning district of the subject land, described in Exhibit A, is hereby changed from LI (Limited Industrial), AR-5A (Agricultural Ranchette), and A-2 (Agricultural) to PMUV (Planned Mixed-Use Village Zoning District).
- B. Pursuant to Section 5.32.B.3.f., Land Development Regulations, Martin County Code, this rezoning action is hereby determined to meet the requirements for a Certificate of Public Facilities Exemption.
- C. Pursuant to Section 14.1C.5.(2), Comprehensive Growth Management Plan, Martin County Code, regarding preliminary development approvals, the property described in Exhibit A is subject to a determination of level of service capacity at final site plan approval and no rights to obtain final development orders, nor any other rights to develop the subject property have been granted or implied by this Board.
- D. The effective date of this Resolution, if Comprehensive Plan Amendment 18-3, Pineland Prairie FLUM is not timely challenged, shall be the date that the state land planning agency issues a notice of intent to find CPA 18-3 in compliance. If the plan amendment is timely challenged, this Resolution shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this Resolution may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this Resolution may nevertheless be made effective by adoption of a resolution affirming the effective status of CPA 18-3, a copy of which resolution shall be sent to the state land planning agency.
- E. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the Applicants by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 21st DAY OF AUGUST, 2018.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

**BY: _____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER**

**BY: _____
EDWARD V. CIAMPI, CHAIRMAN**

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

**BY: _____
KRISTA A. STOREY
SENIOR ASSISTANT
COUNTY ATTORNEY**

Exhibit A
Resolution _____
Legal Description

All of Sections 4, 5, 6, 8 and 9, Township 38 South, Range 40 East. LESS AND EXCEPT from the above, the right-of-way of Central and Southern Florida Flood Control District Canal No. C-23, and less the South 15 feet of Sections 8 and 9.

Less and Except

Those lands described in Official Records Book 1690, Page 2736. Said lands being more particularly described as follows:

A parcel of land lying in the Southwest Quarter of Section 8, Township 38 South, Range 40 East, Martin County, Florida, said parcel being more particularly described as follows:

Commence at the Southwest corner of said Section 8, Township 38 South, Range 40 East; Thence North 00°01'57" West along the West line of said Section 8 a distance of 15.00 feet to the Northerly right-of-way line of SW Busch Street and the Point of Beginning; Thence North 00°01'57" West along said West line of Section 8 a distance of 2190.08 feet; Thence South 89°41'32" East along a line that is parallel to the Southerly line of said Section 8 a distance of 1142.55 feet; Thence South 00°01'57" East along a line that is parallel to the Westerly line of said Section 8 a distance of 2190.08 feet to the Northerly right-of-way line of said SW Busch Street; Thence North 89°41'32" West along said Northerly right-of-way line of SW Busch Street said line being 15.00 feet Northerly of and parallel to the South line of said Section 8 a distance of 1142.55 feet to the Point of Beginning.

Less and Except

Those lands described in Official Records Book 840, Page 220. Said lands being more particularly described as follows:

Being a parcel of land lying in Section 6, Township 38 South, Range 40 East, Martin County, Florida and being more particularly described as follows:

Begin at the Southwest corner of said Section 6, thence N 00°16'50" E, along the West line of said Section 6 a distance of 600.00 feet; thence departing said West line of said Section 6, S 88°42'06" E a distance of 467.18 feet to a 3/4" iron pipe;

Thence N 42°16'23" E a distance of 244.74 feet to a 3/4" iron pipe;
Thence N 54°50'17" E a distance of 208.29 feet to a 3/4" iron pipe;
Thence N 47°33'43" E a distance of 182.81 feet to a 3/4" iron pipe;
Thence S 72°33'40" E a distance of 217.74 feet to a 3/4" iron pipe;
Thence N 44°24'12" E a distance of 124.37 feet to a 3/4" iron pipe;
Thence S 87°45'20" E a distance of 221.94 feet to a 3/4" iron pipe;
Thence S 82°12'28" E a distance of 252.79 feet to a 3/4" iron pipe;
Thence S 09°01'12" E a distance of 169.17 feet to a 3/4" iron pipe;
Thence S 88°57'05" E a distance of 47.28 feet to a 3/4" iron pipe;
Thence S 67°56'28" E a distance of 236.90 feet to a 3/4" iron pipe;
Thence S 88°52'42" E a distance of 178.83 feet to a 3/4" iron pipe;
Thence N 73°24'16" E a distance of 230.46 feet to a 3/4" iron pipe;
Thence N 52°46'35" E a distance of 161.72 feet to a 3/4" iron pipe;
Thence N 64°55'30" E a distance of 261.40 feet to a 3/4" iron pipe;
Thence S 44°05'55" E a distance of 255.04 feet to a 3/4" iron pipe;
Thence S 47°01'28" E a distance of 185.29 feet to a 3/4" iron pipe;
Thence S 34°03'49" E a distance of 171.00 feet to a 3/4" iron pipe;
Thence S 30°35'28" E a distance of 128.84 feet to a 3/4" iron pipe;
Thence S 60°15'03" E a distance of 140.23 feet to a 3/4" iron pipe;
Thence S 85°04'44" E a distance of 276.69 feet to a 3/4" iron pipe;
Thence S 86°46'51" E a distance of 130.00 feet to a 3/4" iron pipe;
Thence S 82°52'47" E a distance of 270.78 feet to a 3/4" iron pipe;
Thence S 83°12'53" E a distance of 1628.39 feet to a 3/4" iron pipe;

Thence S 01°53'38" W, to the intersection with the South line of Section 6, Township 38 South, Range 40 East, a distance of 314.94 feet; thence N 89°13'28" W along the South line of said Section 6, a distance of 2085.84 feet; thence N 88°42'07" W along the South line of said Section 6, a distance of 2663.54 feet to the Point of Beginning.

Less and Except

Those lands described in Official Records Book 2180, Page 120. Said lands being more particularly described as follows:

A parcel of land lying in Section 4, Township 38 South, Range 40 East, Martin County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of the said Section 4, thence S00°07'39"W, along the East line of said Section 4, 300.00 feet; thence N89°54'32"W, 50.00 feet to the West right-of-way line of S.W. 60th Avenue and the South right-of-way line of C-23 Canal, and also being the Point of Beginning; thence continue N89°54'32"W along the South right-of-way line of the C-23 Canal 1600.00 feet; thence leaving said South right-of-way, S00°07'39"W, parallel to the East line of said Section 4, 3450.00 feet; thence S89°54'32"E, parallel to the South right-of-way line of said C-23 Canal, 1600.00 feet to the West right-of-way line of S.W. 60th Avenue; thence N00°07'39"E along said West

right-of-way line, 3450.00 feet back to the Point of Beginning.

Together with:

Agriculture Area O.R.B. 2344, Page 1533

Being a parcel of land lying in Sections 3 and 10, Township 38 South, Range 40 East, Martin County, Florida. Said parcel being more particularly described as follows:

The East 610.00 feet of the West 660.00 feet of said Section 3.

Less and excepting therefrom:

Road right of way as described in Deed Book 59, Page 437 of the public records of Martin County, Florida, and South Florida Water Management District Canal C-23 right-of-way.

Together With:

The East 610.00 feet of the West 660.00 feet of said Section 10.

Less and excepting therefrom:

The South 1320.00 feet thereof.

Containing 127.26 acres, more or less.

Together with:

Industrial Area O.R.B. 2344, Page 1536

Being a parcel of land lying in Sections 3, 10 and 11, Township 38 South, Range 40 East, Martin County, Florida. Said parcel being more particularly described as follows:

All of that portion of said Sections 3, 10 and 11 lying Westerly of the Westerly right-of-way line of the Sunshine State Parkway (Floridas Turnpike).

Less and excepting therefrom the following:

Less the West 660.00 feet of said Sections 3 and 10.

Also less the South 1320.00 of said Section 10

Also less the right-of-way for the South Florida Water Management District Canal C-23

Also less the road rights-of-way as recorded on Deed Book 59, Page 437 and Deed Book 56, Page 278, of the public records of Martin County, Florida.

Containing 492.27 acres, more or less.

Less and Except

SW Citrus Boulevard Right-of-Way as recorded in O.R.B. 2187, Page 2455, also Martin County Right-of-Way Map "Palm City Corridor".