



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

A. Application Information

COVE ROYALE PUD 1st AMENDMENT TO THE PUD AND MASTER, PHASING AND FINAL SITE PLAN

Applicant:	TLH-82 DOT LLC
Property Owner:	TLH-82 DOT LLC
Agent for the Applicant:	Evans Land Consulting
County Project Coordinator:	Peter Walden, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	C165-003
Application Type and Number:	DEV2019080008
Report Number:	2020_0408_C165-003_Staff_Report Final
Application Received:	11/21/2019
Transmitted:	11/21/2019
Staff Report Issued:	01/13/2020
Resubmittal Received:	03/13/2020
Transmitted:	03/13/2020
Date of Report:	04/08/2020

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B. Project description and analysis

This is a request for the 1st PUD amendment and master and phasing plan and final site plan approval for Phase one of the Cove Royale project. The project received PUD zoning and master and final site plan approval on March 26, 2019. The applicant is requesting a revised master plan approval with phasing of the 118 single family detached residential Project. The Phase one final site plan consists of 81 single family units on the western portion of the site. The project is situated on an approximate 97 acre parcel located on the south side of SE Cove Road approximately 1.75 miles west of US Highway one in Stuart. Included with this application is a request for a Certificate of Public Facilities Reservation for phase one.

The projects' buildout would have a density of 1.22 units per acre. On November 14, 2017 a future land use designation change was approved by the Martin County Board of County Commissioners for the property to change the existing land use of Rural Density, one unit per two acres to Residential Estate

density, allowing up to two units per acre.

The property has approximately 35 acres of wetlands. The upland vegetation consists mostly of Pine Scrub land. The parcel borders the Seabranh State Preserve lands to the south. The proposed project is within the Primary Urban Services Boundary and water and waste water services will be provided by Martin County Utilities.

Public benefits are proposed by the applicant and include a sidewalk connecting the development to the Dr. David L. Anderson Middle School located about 1,800 feet to the west on Cove Road and the donation of a passenger van to the Good Samaritan House for Boys which has been finalized. The donation of the passenger van has been completed.

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	Comply
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	Colleen Holmes	288-5793	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	David Moore	320-3057	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	Dan Wouters	219-4942	N/A
Q	ADA	David Moore	221-1396	Comply
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	219-1200	Comply
S	County Attorney	Krista Storey	288-5923	Review Ongoing
T	Adequate Public Facilities	Peter Walden	219-4923	Comply

D. Review Board action

This application meets the threshold requirements for processing as an approved major development. As such, a review of this application is required by County staff and final action by the Board of County Commissioners (BCC) at a public meeting.

Pursuant to Section 10.1.F, Land Development Regulations, Martin County, Fla., 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(s) and address: 34-38-41-001-000-00090-3
Existing Zoning: PUD, Planned Unit Development
Future land use: FLU-RE, Future Land Use Rural Estate Density 2UPA
Commission district: 4
Planning area: South County

Location Map



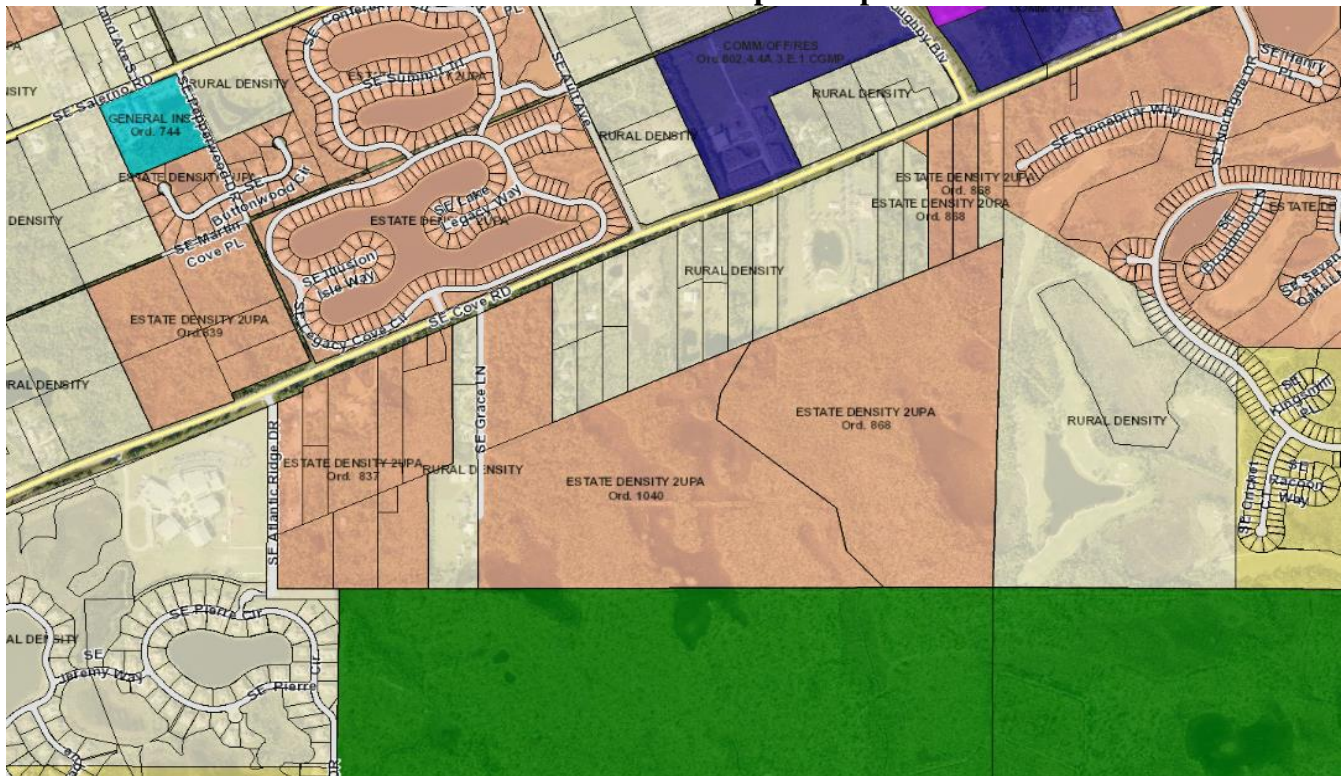
Aerial



Proposed Development Overlay



Future Land Use Map Excerpt

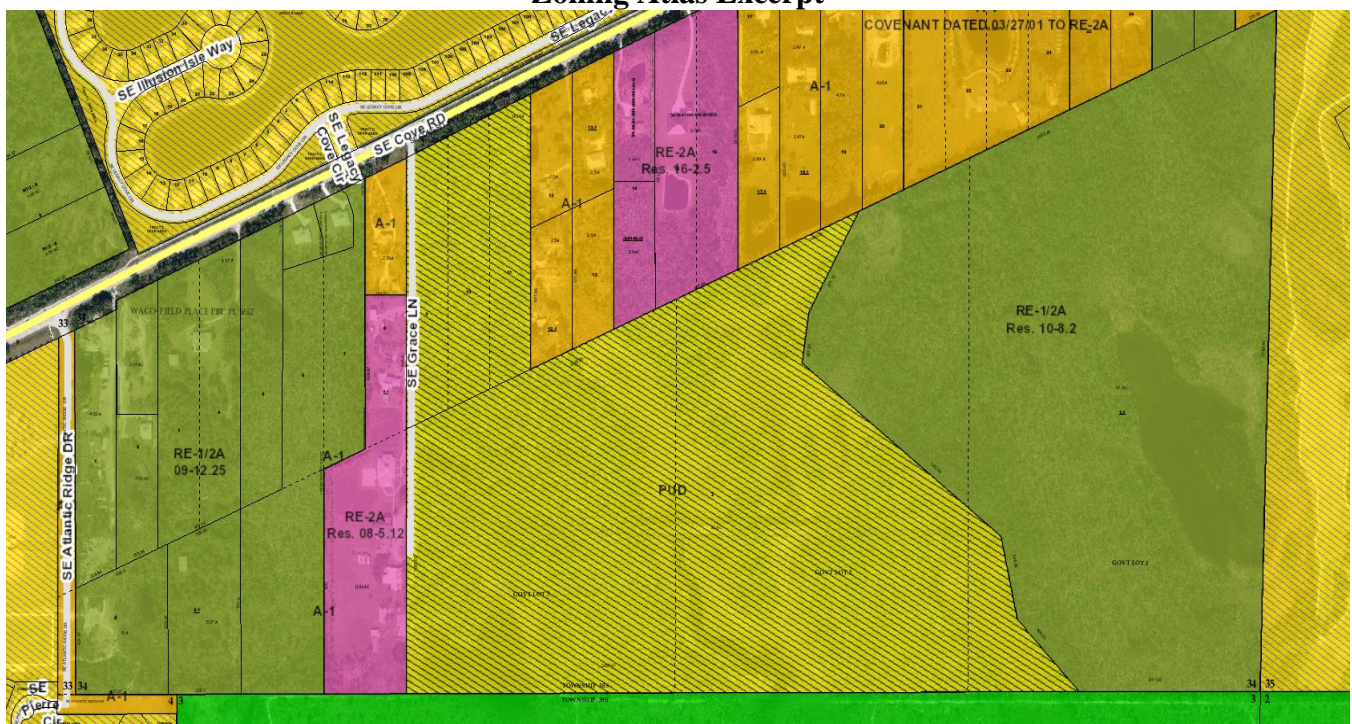


Adjacent land uses:

North: Rural Density, Estate Density
East: Rural Density, Estate Density

South: Recreational
West: Rural Density

Zoning Atlas Excerpt



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

Policy 4.1E.6. PUD

A planned unit development is a unified development that is (1) planned, approved and controlled 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 4.13A.7. Residential development.

The FLUM allocates urban residential density based on population trends; housing needs; and past trends in the character, magnitude and distribution of residential land consumption patterns. Consistent with the goals, objectives and policies of the CGMP, including the need to provide and maintain quality residential environments, it also preserves unique land and water resources and plans for fiscal conservancy.

(1) General policies for all urban Residential development:

(a) All residential development described in subsections (1) through (6) of this policy shall have a maximum building height of 40 feet.

(b) All Residential development shall maintain a minimum of 50 percent of the gross land area as open space, except as described under Goal 4.3. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space. This section shall not apply to construction of a single-family home on a lot of record.

Total area of site	97.06 acres
Open space provided	74.06 acres or 76%
Total upland area	61.87 acres, 40%= 24.75 acres required
Upland pervious/open area	39.37 acres; approximately 64% upland open space provided

Policy 9.1G.2.(8) Density Transfer: ½ of wetland acreage multiplied by Gross density (2) would allow 157 total units. Density transfer was not needed due to the 123 units allowed on the upland acreage.

Policy 4.1E.8 Public Benefits. Flexible Design: Martin County shall allow PUD zoning districts associated with a site and project specific PUD zoning agreement to allow flexibility in the land development regulations in a manner which mutually benefits the county and the developer, and encourages innovative approaches to community planning. Specific PUD district regulations shall be negotiated voluntarily by both the developer and the county. Neither party to the agreement is guaranteed maximum benefits by right.

The PUD zoning on the property will allow reduced lot size, making the proposed 118 lots feasible.

The applicant has proposed the following public benefits;

1. Construct a sidewalk to connect the projects road frontage westward to Anderson Middle School (approximately 1,850 feet).
2. The applicant has provided a passenger van for the Samaritan House for boys as required by the previous site plan approval.

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:

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved land use, zoning or procedural requirements issues associated with this application.

Additional Information:

Information #1:

No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre-construction meeting. 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 on state agency permits, may be granted by the Growth Management Department upon review of required permit materials. [Section 4.3.7., LDR, MCC]

Information #2:

All septic permits, if needed for model homes, require Florida Department of Health permitting prior to construction.

Information #3:

Timetable Of Development - Final

The timetable of development for final site plans require all permits to be obtained within one year of approval and require all construction of infrastructure for phase one to be completed within two years of approval. MARTIN COUNTY, FLA., LDR, § 10.2.D.2

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

N/A

The proposed project is not located within the General Commercial, Limited Commercial, Commercial Office/Residential or Waterfront Commercial Future Land Use Designations. Therefore, the Commercial Design reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR, § 4.871.B.

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

N/A

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., (2010) 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.

Landscaping

N/A - The only modification to the approved plans are related to project phasing. Staff review for compliance requirements associated with this area of regulations is not applicable to this application as currently proposed, pursuant to Section 10.1.F., LDR, Martin County, Fla. (2016)

K. Determination of compliance with transportation requirements - Engineering Department

Staff has reviewed the Traffic Statement prepared by O'Rourke Engineering and Planning, dated March 2020. The site's maximum impact was estimated to be 38 directional trips during the PM peak hour. SE Cove Road is the recipient of a majority of the generated trips. The generalized service capacity of Cove Road is 880. The project impact is 4.32% of the generalized volume of that roadway. SE Cove Road is currently operating at a level of service C; it appears the generalized volume will be exceeded with the addition of the project trips at buildout (year 2022).

Therefore, as required by the Martin County Land Development Regulations, O'Rourke Engineering and Planning completed a detailed analysis of SE Cove Road. [Martin County, Fla., LDR Article 5, Division 3, Section 5.64.C.5.a (2009)] The detailed analysis confirms that SE Cove Road will operate at an acceptable level of service D in 2022.

The Martin Metropolitan Planning Organization (MPO) has prioritized the two to four lane widening of SE Cove Road from SR-76 (SW Kanner Highway) to SR-5 (SE Federal Highway) and subsequently a fully funded Project Development and Environmental (PD&E) Study has been identified in the Florida

Department of Transportation's Five Year Work Program. The Martin County Public Works Department is committed to working with the MPO to see the project completion as soon as possible.

L. Determination of compliance with county surveyor - Engineering Department

N/A

The applicant has indicated that there are no proposed changes to the approved project boundary as part of the current application. 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 of the Land Development Regulations. MARTIN COUNTY, FLA., LDR §10.1.F

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

Engineering - Compliance Determination

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 amounts 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 proposes a stormwater management system consisting of an interconnected system of inlets and culverts connected to a series of dry retention/detention areas which will discharge through drainage control structures to existing onsite wetlands and ultimately to the Atlantic Ridge Preserve State Park to the south of the development. The applicant has demonstrated the proposed development will retain the required 25- year, 3 day storm event prior to discharging into the existing onsite wetlands. The applicant demonstrated the water quality volume is being met in the proposed dry retention/detention areas prior to discharging into the existing onsite wetlands; thereby, the required attenuation, flood protection, 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 elevations will be constructed 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 for the proposed use.
5. Division 19- Roadway Design: The applicant has demonstrated compliance with the design of the offsite improvements to SE Cove Road, including the construction of a driveway connection and right and left turn lanes for the proposed development; 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.

Compliance with Adequate Public Facilities Ordinance:

This project will provide the proposed development sufficient services based upon the adopted LOS for stormwater management facilities.

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. (2018).

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. (2019)

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. (2019)

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

Finding of Compliance;

The Fire Prevention Bureau finds this submittal to be in compliance with the applicable provisions governing construction and life safety standards of the Florida Fire Prevention Code and referenced publications. 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

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

Findings of Compliance:

The General Services Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements.
(2014 FBC, FIFTH EDITION\ACCESSIBILITY)

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

Health Department

N/A The Martin County Health Department will review any interim onsite sewage disposal systems for model homes at time of building permit if needed.

School Board

The School Board has vested the student stations required for this application with the prior approval on March 26, 2019.

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

Review Ongoing

T. Determination of compliance with the 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)

Service 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 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

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

Findings –in place

Source - Engineering Department

Reference - see Section K of this staff report

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

Findings –in place

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

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.

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. The applicant will return the Post Approval Requirements List along with the required documents in a packet with the documents arranged in the order shown on the 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 letter stating that no title transfer has occurred.

Item #5:

One (1) copy 24" x 36" of the approved master and final site plans.

Item #6:

One (1) Copy 24" x 36" of the Construction drawings. (rolled)

Item #7:

One (1) digital copy of master and final site plan in AutoCAD 2010 - 2018 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

Item #8:

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

Item #9:

One (1) 24" x 36" copies of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida. (rolled)

Item #10:

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.

Item #11:

Two (2) copies of the documents verifying that the right-of-way, property, or easements have been

adequately dedicated to the Board of County Commissioners and recorded in the public records of Martin County within sixty (60) calendar days of the project approval

Item #12:

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.

Item #13:

An Original of the construction schedule.

Item #14:

Include one (1) blank flash/thumb drive which will be utilized to provide the applicant with the approved stamped and signed plans.

V. Local, State, and Federal Permits

Permits:

The following permits must be obtained prior to scheduling a Pre-Construction meeting:

1. Martin County Right-of-Way Use Permit
2. South Florida Water Management District (SFWMD) Environmental Resource Permit
3. South Florida Water Management District (SFWMD) Dewatering Permit if applicable
4. Florida Department of Environmental Protection (FDEP) NPDES Generic Permit for Stormwater Discharge for Large and Small Construction Activities

WATER AND WASTEWATER

The applicant must provide a copy of all required Department of Environmental Protection permits prior to scheduling the Pre-Construction meeting.

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
Inspection Fees:	\$4,000.00		\$4,000.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory impact 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: TLH-82 DOT LLC
2240 West Woolbright Road, Suite 403
Boynton Beach, FL 33246

Agent: Cuzzo Planning Solutions, LLC
Donald Cuzzo
P. O. Box 338
Palm City, FL 34991
772-485-1600

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