



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

## **A. Application Information**

### **SHOWCASE PUD PUD ZONING AGREEMENT AND MAJOR MASTER SITE PLAN**

Applicant:	Cove/ Salerno Partners, LLC
Property Owner:	Cove/ Salerno Partners, LLC
Agent for the Applicant:	Morris A. Crady, AICP, Lucido & Associates
County Project Coordinator:	Peter Walden, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	C140-007
Application Type and Number:	DEV2019030003
Report Number:	2020_0410_C140-007_Staff_Report_Final
Application Received:	04/15/2019
Transmitted:	04/15/2019
Date of Staff Report:	06/14/2019
Resubmittal Received:	09/17/2019
Transmitted:	09/19/2019
Date of Report:	11/13/2019
Resubmittal Received:	02/06/2020
Transmitted:	02/06/2020
Date of Report:	04/10/2020

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## **B. Project description and analysis**

Request approval for Planned Unit Development (PUD) zoning and Major Master Site plan approval for the development of 88 townhomes (12 buildings) and 79 detached single family homes for a total of 167 residential units. The project is located on an approximate 47 acre undeveloped parcel that fronts SE Salerno Road to the north and SE Cove Road to the south just east of SW Kanner Highway in Stuart. Included with this application is a request for deferral of Public Facilities Reservation.

On February 18, 2020, the Board of County Commissioners approved an amendment to the future land Use Map changing the existing future land use on the parcel from Estate Density 2UPA (allowing up to 2 units per acre) to Low Density Residential allowing up to 5 units per acre. The 167 proposed residential units developed on the 47 acres results in a net density of 3.5 units per acre.

The property was utilized as a fish farm for many years. The farm produced tropical fish for aquariums growing them in more than 50 small ponds that dotted the parcel. The operation ceased in the late 1990's and only 2 single family homes exist today on the property.

In 2010 a major site plan was approved to fill in the ponds and reclaim the parcel as improved pasture. The plan proposed to haul over 180,000 cu yds of fill to the site to bring it up to a sustainable grade. The project was not completed, and several ponds remain today. A non-administrative amendment to the development order has been approved to finish the project requiring approximately 50 thousand cu. yds. of fill to complete the original process.

The master site plan application in review proposes the excavation of several lakes to accommodate development and stormwater requirements, no fill is proposed to leave the site during development. Two access points are proposed, one located on SE Salerno Road and the other on SE Cove Road. The project is within the Primary Urban Services District, Potable water and wastewater treatment service lines are in place on Salerno Road and Cove Road.

The project is proposed to be completed in 2 phases. Phase one will consist of the single family homes and adjacent lakes and supporting infrastructure including the access to SE Salerno Road. Phase 2 will consist of the townhomes, supporting infrastructure and the access to SE Cove Road.

The application is for a Master site plan and phasing plan approval, no construction is authorized until a final site plan has been approved for the site.

### **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:

<b>Section</b>	<b>Division or Department</b>	<b>Reviewer</b>	<b>Phone</b>	<b>Assessment</b>
F	Comprehensive Plan	Pete Walden	219-4923	Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Pete 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	Comply
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjöholm	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	419-5396	Comply
P	Emergency Management	Michele Jones	219-4941	N/A
Q	ADA	David Moore	320-3057	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	Ongoing
T	Adequate Public Facilities	Pete Walden	219-4923	Deferral

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

This application meets the threshold requirements for processing as a major development. As such, a review of this application is required by the Local Planning Agency (LPA) and final action by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be public hearings.

Pursuant to Section 10.1.F, Land Development Regulations, Martin County, Fla., (2016) 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.

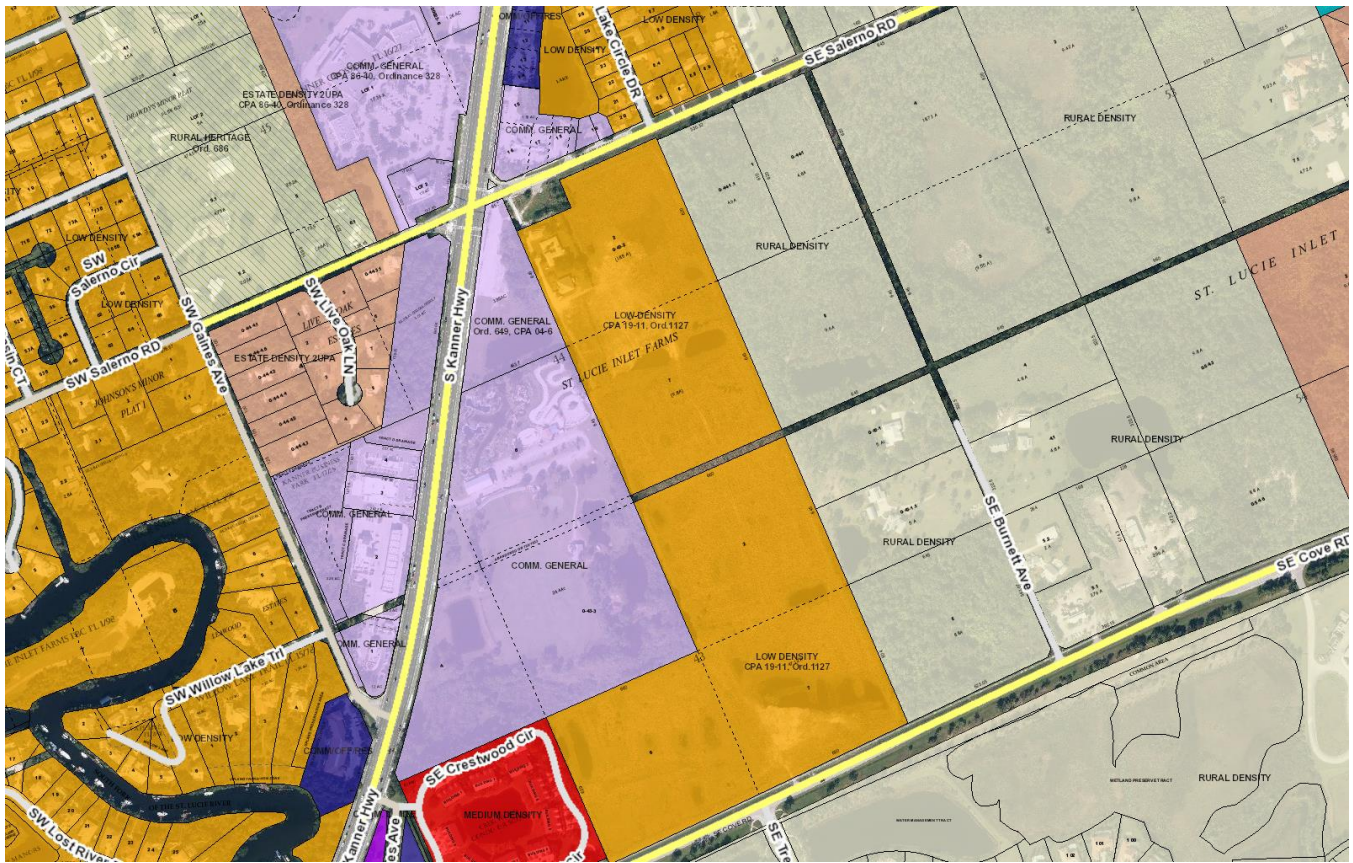
The applicant addressed the non-compliance findings from the staff report dated November 13, 2019 with its resubmittal dated February 6, 2020. The previous staff reports, and resubmittals are incorporated herein by reference. It shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

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

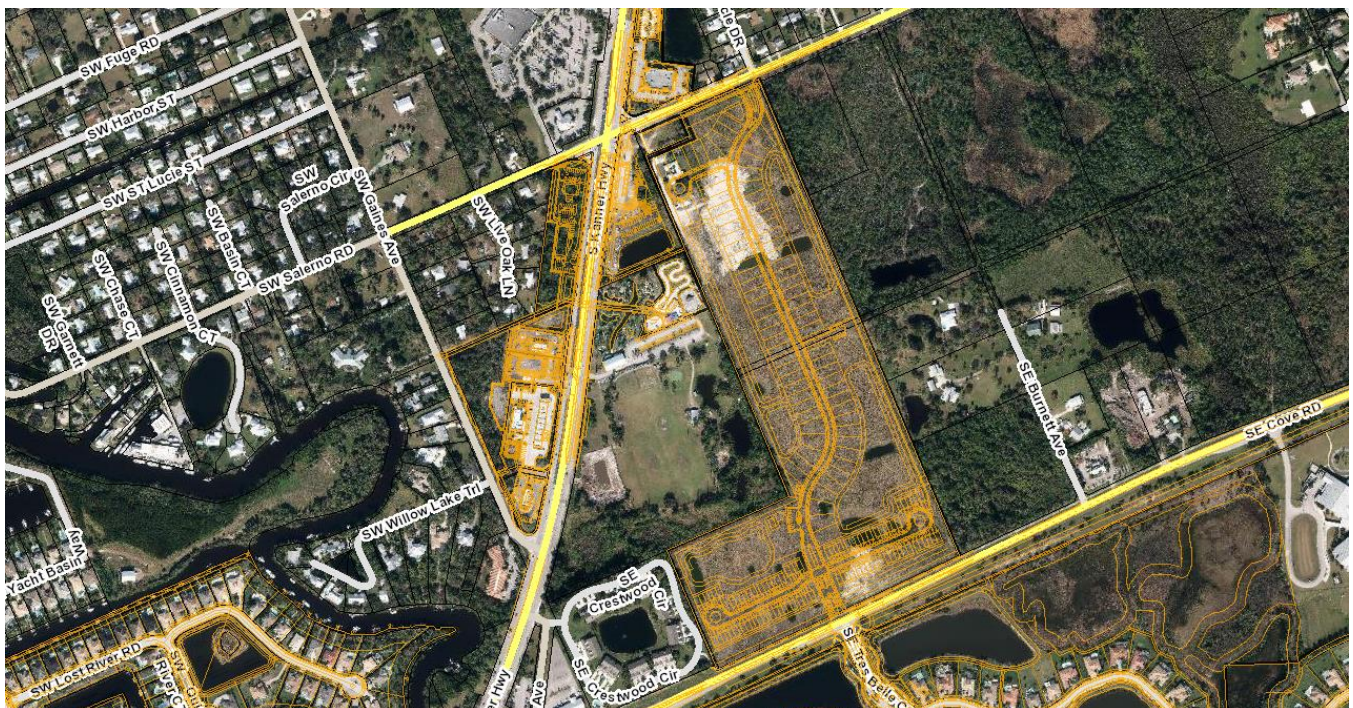
Parcel number(s):	55-38-41-000-043-00020-4
Existing Zoning:	RE-1/2A, Residential Estate District
Future land use:	Estate Density 2UPA
Commission district:	2

#### **LOCATION MAP**





**Proposed Development Overlay**



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

- **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.

**Low Density Residential development.** The Low Density Residential designation is reserved for land in the Primary Urban Service District. Densities shall not exceed five units per gross acre. In reviewing specific densities, the aim shall be to preserve the stability and integrity of established residential development and provide equitable treatment to lands sharing similar characteristics. Landscaping, screening, buffering and similar design techniques shall be used to assure a smooth transition between residential structure types and densities.

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.

#### ***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.

#### ***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.

The project is not located within a Community redevelopment area therefore the review of the application is not necessary for CRA developments.

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

It has been determined that the Applicant will be required to donate 30 feet of right-of-way on SE Cove Road and 25 feet of right of way on SE Salerno Road. These donations must be shown on the Master Plan.

**The dedications must be made at the time of Plat approval.** The dedications must be included on the Plat and the conveyances will be recorded simultaneously with the Plat.

**NOTE: The donations are shown on the Master Plan as requested**

Also note that road abandonment applications are handled through Tom Walker, County Surveyor. Release of TIITF reservations are initiated through the State and then approved by Tom Walker, County Surveyor.

When the Applicant submits the Plat application, the following due diligence must be submitted:

**ITEM 1: TITLE COMMITMENT**

1. Original Title Commitment for the proposed dedication site(s).
2. The Proposed Insured is: Martin County, a political subdivision of the State of Florida
3. The Insurable Amount is subject to approval by the Real Property Division.
4. Legible copies of all documents listed on the Title Commitment as B-II Exceptions must be provided with the Title Commitment.

**ITEM 2: SURVEY – SKETCH AND LEGAL DESCRIPTION**

1. Two (2) original signed and sealed Surveys of the dedication site (s).
2. The Survey must be certified to Martin County, a political subdivision of the State of Florida and to the Title Company.
3. The Survey must be prepared with the benefit of the Title Commitment and include the Commitment Number, Name of the Title Company and Date and Time of the Commitment.
4. Parcel ID number(s) must be included.
5. All title exceptions that can be plotted must be shown on the Survey.
6. The legal description for the dedication site(s) on the Survey must match the legal description on the proposed Plat or Planned Unit Development (PUD), if applicable.

7. Two (2) original 8 ½” by 11” signed and sealed Sketch and Legal Descriptions of the dedication site(s) must be provided.

### ITEM 3: ENVIRONMENTAL SITE ASSESSMENT

1. A Phase I Environmental Site Assessment must be provided stating that there are No Recognized Environmental Conditions in accordance with the current standards of the American Society for Testing Material (ASTM15271).
2. The Phase I report must be dated within 180 days of submission or include a current updated letter from the ESA firm.
3. The Phase I Environmental Site Assessment and/or the update letter must state that Martin County, a political subdivision of the State of Florida can rely on the results of the report.

#### ***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.

### **Landscape**

This project is a N/A for landscaping. No landscape plans are being reviewed in association with this application for Revised Zoning and Masterplan. Landscape plans will be submitted and reviewed at time of Final Site Plan Review. It appears that areas provided on the Master Plan will provide for required landscape areas.

#### ***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 and Planning, dated February 2020. O’Rourke Engineering and Planning stated that the site's maximum impact was assumed to be 34 directional trips during the PM peak hour. Staff finds that SE Cove Road is the recipient of a majority of the generated trips. The generalized service capacity of SE Cove Road is 880. The project impact is 3.86% of the maximum 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 2027).

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 2027.

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***

#### **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: This application is for a Major 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 the proposed development will consist of 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.
5. Division 19- Roadway Design: This application is for a Major Master Site Plan approval; therefore, construction is not proposed at this time and compliance with Division 19 will be determined during the Final Site Plan approval. Division 19 is not applicable.

***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 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.

### Development Review Informational

Martin County Code of Laws and Ordinances, Section 79.121, adopts the Florida Fire Prevention Code (NFPA 1 and NFPA 101) as the County's fire prevention code. The Code is to prescribe minimum requirements for emergency vehicle access and water supply, necessary to establish a reasonable level of fire and life safety and property protection from the hazards created by fire, explosion, and dangerous conditions for site development. This is in accordance with Chapter 633, F.S. All construction, including, but not limited to, fire sprinklers, fire alarms and fire suppression systems, shall be subject to these codes. All documents including specifications and hydraulic calculations in accordance with FS 61G15-32 are required at the time of the application for a building permit for the property that is the subject of this application for site plan approval.

Buildings 3 or more stories in height and 3 or more units attached(townhouses) shall be equipped with a complete automatic fire sprinkler system. Completed engineered fire sprinkler drawings are required with construction document submittal.

### ***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. (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

There are no onsite potable wells or septic disposal systems, pursuant to Section 10.1.F, LDR, Martin County, Fla. Therefore, the Department of Health was not required to review this application for consistency with the Martin County Codes.

Martin County Preliminary School review

## 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:** Cove Salerno Partners  
**Project#:** CPA, 19-11  
**Date:** 5/29/19  
**Applicant Request:** A request for Preliminary Review and Comment

**Student Generation Calculation:**

Residential Units	<b>216</b>
Current Student Generation Rate	<b>.229</b>
<b>Elementary</b>	22
<b>Middle</b>	12
<b>High</b>	15
<b>Total Forecasted</b>	<b>49</b>

**School Zone Enrollment & Permanent Capacity:**

CSA	2019-2020 (as of 10/12/18) Enrollment	2022-2023 COFTE Projected Enrollment	2022-2023 Perm. FISH Capacity
Stuart Zone – Elementary (Pinewood, JD Parker, Port Salerno)	2213	1764	2328
South Zone – Middle (Anderson Middle, Murray Middle)	1784	1729	2251
Stuart Zone – High School (Martin County)	2183	2318	1838

Note: Current 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 the elementary and middle schools currently are projected to have capacity, but the high school level is projected to exceed the permanent capacity.

A School Concurrency Review is completed for Final Site Plan applications that include residential units. At that time mitigation to reach Level of Service (LOS) standards for the School District may need to be remedied.

Prepared by: **Kimberly Everman, Capital Projects Planning Specialist**  
 Phone: 772-223-3105, ext. 134  
 Email: evermak@martin.k12.fl.us

#### ***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***

##### **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.

##### **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:**

1 (10) 24" x 36" copies of the approved master and phasing plan (rolled)

**Item #6:**

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.

**Item #7:**

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

**Item #8:**

One (1) blank flash/ thumb drive to be used to back up approved plans and documents.

**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.

Permits to be supplied at final site plan.

**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		
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: Cove Salerno Partners, LLC  
Jim Mcnamara, manager  
3393 SW 42<sup>nd</sup> Avenue, Suite 1  
Palm City, FL 34990

Agent: Lucido & Associates  
Morris A. Crady, AICP  
701 East Ocean Blvd  
Stuart, FL 34994  
772-220-2100

## **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**