



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

## STAFF REPORT

### *A. Application Information*

## HIGHPOINTE PUD, PHASE 2 PLAT

Applicant:	Pulte Home Company LLC
Property Owner:	Christ Fellowship Church Inc.
Agent for Applicant:	Cotleur & Hearing (Daniel Sorrow)
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	C148-015
Record Number:	DEV2023040016
Report Number:	2023_1228_C148-015_DRT_STAFF_FINAL
Application Received:	09/15/2023
Transmitted:	05/23/2023
Date of Report:	06/04/2023
Application Received:	09/19/2023
Transmitted:	09/22/2023
Date of Report:	10/26/2023
Application Received:	11/20/2023
Transmitted:	11/27/2023
Date of Report:	12/28/2023

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### *B. Project description and analysis*

This is a request by Cotleur & Hearing, on behalf of Pulte Home Company LLC, for approval of the Highpointe PUD Phase 2 Plat. The proposed plat is to be consistent with the Phase 2 final site plan which includes 190 residential lots on approximately 145-acres. The site is located on the east side of SW Pratt-Whitney Road north of SW Bulldog Way at 10205 SW Pratt-Whitney Road in Stuart. Included with this application is a request for a Certificate of Public Facilities Exemption.

### **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	Non-Comply
F	ARDP	Samantha Lovelady	772-288-5664	N/A
G	Development Review	Brian Elam	772-288-5501	Non-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	Non-Comply
K	Transportation	Lukas Lambert	772-221-2300	N/A
L	County Surveyor	Tom Walker	772-288-5928	Non-Comply
M	Engineering	Stephanie Piche	772-223-4858	N/A
N	Addressing	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission	Emily Kohler	772-288-5692	N/A
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	N/A
P	Emergency Management	Sally Waite	772-219-4942	N/A
Q	ADA	Stephanie Piche	772-223-4858	N/A
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	Review Ongoing
T	Adequate Public Facilities	Brian Elam	772-288-5501	Exempt

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

This application is for a plat. As such, final action on this request is required to be heard at a public meeting. The public meeting shall be before the Board of County Commissioners (BCC), who will take final action on the request pursuant to Table 10.5.F.9., LDR, Martin County, Florida (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 is required to re-submit materials in response to the non-compliance findings within this report. Upon receipt, the re-submitted materials will be transmitted for review to the appropriate review agencies and individuals that participate in the County's review process. A revised staff report will be created once the next review cycle has been completed.

### E. Location and site information

Parcel number:	173941000008000107
Parcel number:	173941000008000205
Parcel number:	173941000007000109
Address:	10205 SW Pratt-Whitney Road, Stuart
Existing zoning:	PUD (Resolution 21.4-14)
Future land use:	Estate Density 1UPA
Nearest major road:	SW Pratt Whitney Road

**Figure 1: Location Map**

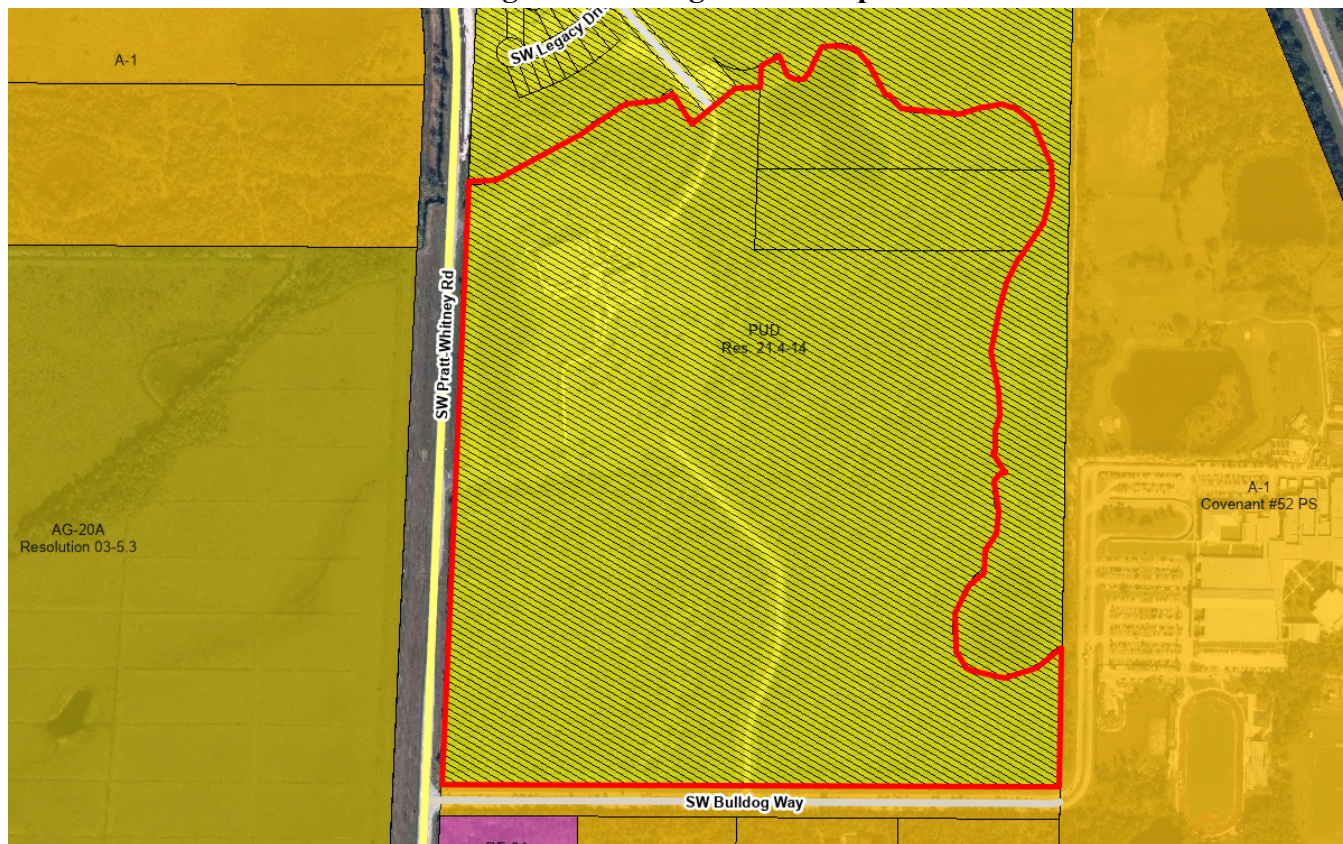




Figure 2: Aerial

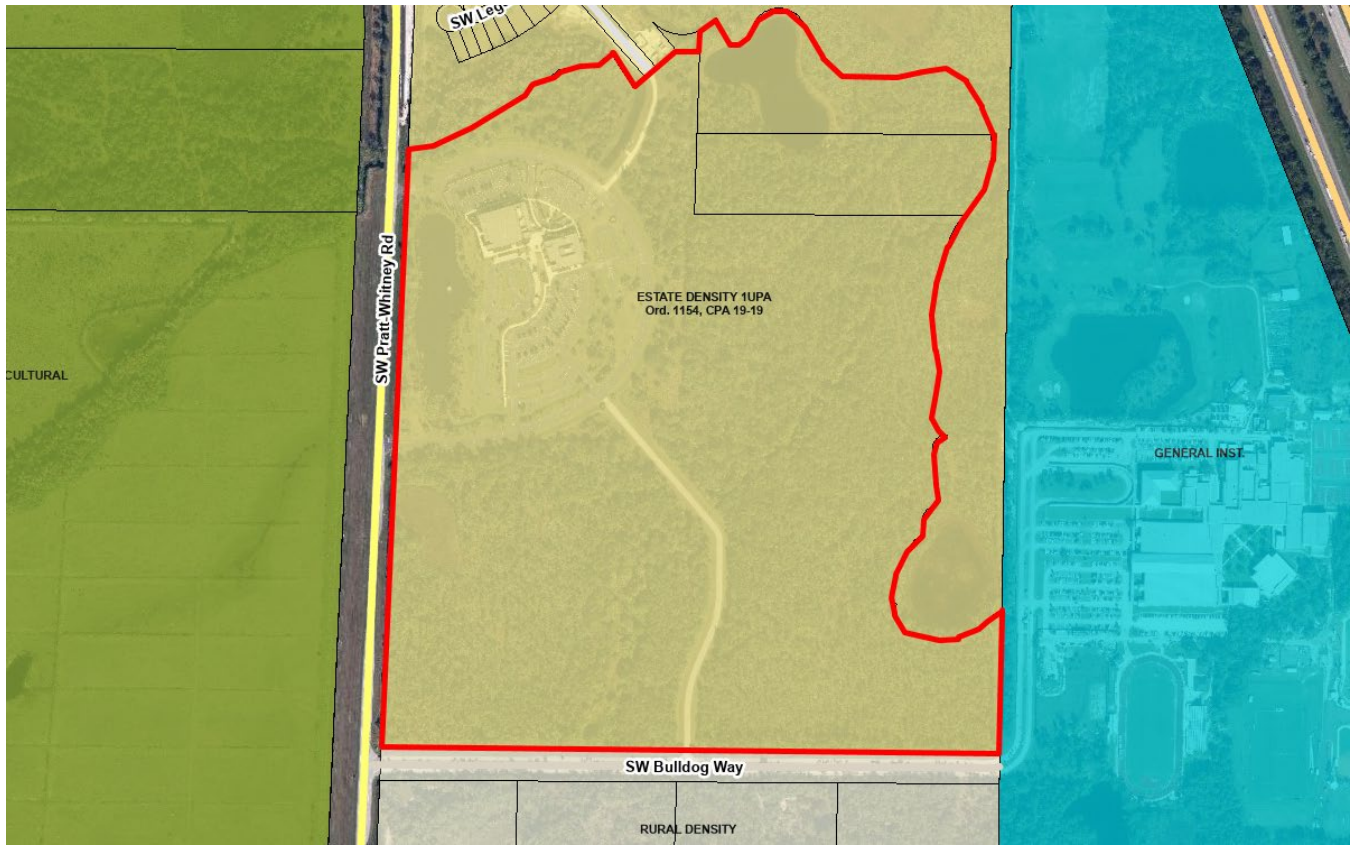


Figure 3: Zoning Atlas Except





**Figure 4: Future Land Use Map**



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

**Unresolved Issues:**

**Generic Comp Plan Compliance**

This application cannot be deemed to be in compliance with the Martin County Comprehensive Growth Management Plan (CGMP) until the issues identified in this report have been satisfactorily resolved MARTIN COUNTY, FLA., CGMP §1.3.

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

**Unresolved Issues:**

**Plat Dedications**

Paragraph 12 needs to be revised to read as follows:

PARCEL CF AS SHOWN ON THIS PLAT OF HIGHPOINTE PUD PHASE 2 PLAT IS ~~HEREBY RESERVED TO~~ OWNED BY CHRIST FELLOWSHIP CHURCH, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PURPOSES CONSISTENT WITH THE ZONING REGULATIONS OF MARTIN COUNTY, FLORIDA, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID CHRIST FELLOWSHIP CHURCH, INC.,

A FLORIDA NOT-FOR-PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO MARTIN COUNTY.

**Information #1:**

**Payment Of The Taxes**

No land shall be divided or subdivided and no drawing or plat of the division or subdivision of any land, or declaration of condominium of such land, shall be filed or recorded in the public records of any court until all taxes have been paid on the land SECTION 197.192, FLA. STAT. (2016).

The submittal of documentation to demonstrate compliance with this requirement is required prior to recordation of the plat. Please submit or verify that the applicant proposes to submit this documentation during the post-approval process.

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

**Urban Design**

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

**Community Redevelopment Area**

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

***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**

**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.

**Landscaping**

**Unresolved Issues:**

**Item #1.**

Clarify:

**Dedication #4:**

Identification of Tracts O-16, O-17, O-18. & O-19 as 50' & 80' Native Landscape Buffers to consist of preserved native vegetation and to be maintained in accordance with the approved PAMP has been



corrected on the plans. However, Tract O-16 has been omitted in Dedication #4 language and needs to be included within this dedication.

Also, the dedication still calls out these areas as being Preservation Areas – Additional Upland Preserve.

Strike thru Preservation Areas Additional Upland Preserve. Instead, dedication should read 4. Tracts O-16, O-17, O-18, O-19, shown on etc.

**Dedication #7:**

Since included above, Remove reference to O-16, O-17, O-18, O-19 in this dedication item.

**Dedication #8:**

Tracts O-1 & O-4 should be included in Dedication #7 as open space tracts.

This dedication for Tract O-13 should be as a L.B. – Type 4 Landscape Buffer Tract that is dedicated to the HOA and conveyed by deed to the Association for landscape buffer, open space, and for pedestrian access purposes and shall be maintained by the Association.

***K. Determination of compliance with transportation 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.

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

**Unresolved Issues:**

**Item #2.**

Corners requiring certification must be filed in accordance with Ch 177, Part III, F. S., for public land corners identified, recovered, re-established, re-monumented, restored or used as controls in the preparation of the plat. The original certified corner record must be submitted to the Florida Department of Environmental Protection (FDEP), Bureau of Surveying and Mapping, and shall be provided to the county surveyor and mapper in the plat application.

Each certified corner must indicate the State Plane Coordinate value of the corner, based upon the geodetic tie-in requirement of this section.

Upon approval of the certified corner record by FDEP, the certificate number of the public land corner shall be shown on the plat prior to recordation.

[Sec. 4.912.C.18, M. C. Code Vol 2]

**Remedy/Suggestion/Clarification:**

1. Show the East ¼ corner of Section 17 with a measured tie to the Southeast corner thereof.
2. Show the ¼ Section line from said East ¼ corner to the West ¼ of Section 17.
3. Tie the Section line at each intersection with the perimeter boundary lines of the subject plat from PRM's in both directions.

4. Revise the plat and survey pursuant to the above stated rules as required.

**Item #3.**

The plat shall be consistent with an approved final site plan.

**Remedy/Suggestion/Clarification:**

There are inconsistencies between the plat and site plan. Address the noted issue and revise the plat and/or site plan accordingly.

**Item #4.**

A boundary survey, signed and sealed by the surveyor and mapper whose signatures and seals appear on the plat, must be submitted. The survey shall:

1. Have been completed within 180 days of the date of the initial staff review of the plat,
2. Be certified to meet the standards of practice recognized by Florida Board of Professional Land Surveyors, as set forth in Chapter [DOACS 5J-17.050, 051, 052 and Chapter 177.041 061] and established pursuant to Ch 472, F. S., as amended, and
3. Include a title opinion of an attorney or certification by an abstractor.

[Ch 177.041.(1) and (2), F. S.]

A specific purpose survey may be submitted in the circumstance in which a safe upland line is used to approximate the boundary adjacent to a navigable water body.

[Ch. 177.04, Part I, F. S.; Sec. 4.912.C.14, M.C. Code, Vol 2]

**Remedy/Suggestion/Clarification:**

Ensure the legal description is consistent between the title certification, boundary survey and plat including the total acreage.

Provide a revised and updated title report/opinion to this office for review.

**Item #5.**

**General Comments.**

**Remedy/Suggestion/Clarification:**

1. The survey shall identify and note any easement slated for abandonment, partial abandonment and/or release, including those that are blanket in nature. Prior to the recording of the proposed plat, label the record evidence of abandonment and/or release thereof onto the supporting Boundary Survey.
2. Refer to the provided redlines of the plat and boundary survey and revise said documents accordingly.
3. Please provide Legal Descriptions and Sketches for those existing drainage and utility easements to be released, for County review.



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

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

***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**

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

***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 the Plat in compliance with Martin County's requirements for water and wastewater level of service.

**Wellfield and Groundwater Protection**

**Findings of Compliance:**

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

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

**Fire Prevention**

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

**Emergency 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***

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

***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 – Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

***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 review for compliance with the standards for a Certificate of Adequate Public Facilities Exemption for development demonstrates that no additional impacts on public facilities were created in accordance with Section 5.32.B., LDR. Exempted development will be treated as committed development for which the County assures concurrency.

Examples of developments that do not create additional impact on public facilities include:

- A. Additions to nonresidential uses that do not create additional impact on public facilities.
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more.
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan.

**D. Boundary plats which permit no site 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
5.	Approved Plat	Three (3) paper copies 24" x 36" of the approved plat.
6.	Declaration of Covenants and Restrictions	Original executed Declarations of Covenants and Restrictions for the homeowner's association.
7.	Executed Mylar	Original executed plat on Mylar or other plastic, stable material. All names, signatures, stamps, and related data must be inscribed in 'India' ink or similar indelible ink to assure permanent legibility.
8.	Executed Contract of Construction of Required Improvements	Original and one (1) copy of the executed Contract for Construction of Required Improvements including the current County-approved cost estimate labeled Exhibit A and corresponding executed surety labeled as Exhibit B.
9.	Paid Taxes	One (1) copy of Tax Collector's paid property tax receipt.
10.	Digital Copy of Plat	One (1) digital copy of the plat in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the plat must match the hardcopy version as submitted.

Item	Description	Requirement
11.	Approved Engineers Opinion of Probable Cost	One (1) copy of the approved Engineers Opinion of Probable Cost (EOPC) and, if changed, a revised EOPC with an explanation of its change signed and sealed by the Engineer of Record licensed in the State of Florida.
12.	Flash/Thumb Drive	One (1) blank USB flash/thumb drive, which will be utilized to provide the applicant with the approved stamped and signed project plans.

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

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:	\$16,600	\$16,600	\$0.00
Recording fees *:	TBD		

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



## **X. General application information**

Applicant: Pulte Home Company LLC  
Garrett Dinsmore  
1475 Centrepark Boulevard, Suite 140  
West Palm Beach, Florida 33401  
304-290-6022  
[Garrett.dinsmore@pulte.com](mailto:Garrett.dinsmore@pulte.com)

Owner: Christ Fellowship Church Inc.  
Stephen Austin  
5343 Northlake Boulevard  
Palm Beach Gardens, Florida 33418  
561-776-3209  
[Steve.austin@christfellowship.com](mailto:Steve.austin@christfellowship.com)

Agent: Cotleur & Hearing  
Daniel Sorrow  
1934 Commerce Lane, Suite 1  
Jupiter, Florida 33458  
561-757-6336  
[dsorrow@cotleur-hearing.com](mailto:dsorrow@cotleur-hearing.com)

Engineer of Record: EDC  
David Baggett  
10250 SW Village Parkway, Suite 201  
Port Saint Lucie, Florida 34987  
321-848-2851  
[davidbaggett@edc-inc.com](mailto:davidbaggett@edc-inc.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***

Attachment 1: 2023\_1227\_C148-015 Boundary Redlines

Attachment 2: 2023\_1227\_C148-015 Plat Redlines

Attachment 3: 2023\_1227\_C148-015 Site Plan Redlines