A. Application Information

WEST JENSEN PUD/DRI PHASE 1B PARCELS 10.2, 17.1, 17.2, 17.3
REVISED PUD ZONING AGREEMENT AND
REVISED MASTER SITE PLAN

Applicant: Jensen Beach Land Company Ltd
Property Owner: Jensen Beach Land Company Ltd
Contract Purchaser: D.R. Horton, Inc.
Agent for the Applicant: Morris A. Crady, AICP, Lucido & Associates
County Project Coordinator: Paul Schilling, Principal Planner
Growth Management Director: Nicki van Vonno, AICP
Project Number: W038-077
Application Type and Number: D062 201500088
Report Number: 2017_0227_W038-077_DRT_Staff_FINAL
Application Received: 03/05/2015
Transmitted: 03/05/2015
Date of Staff Report: 06/04/2015
Joint Workshop: 06/18/2015
Resubmittal Received: 11/02/2015
Transmitted: 11/02/2015
Date of Staff Report: 01/29/2016
Joint Workshop: 02/04/2016
Resubmittal Received: 03/10/2016
Transmitted: 03/10/2016
Date of Staff Report: 05/20/2016
Resubmittal Received: 06/28/2016
Transmitted: 06/28/2016
Date of Staff Report: 08/19/2016
Joint Workshop: 09/01/2016
Resubmittal Received: 12/28/2016
Transmitted: 12/28/2016
Date of Staff Report: 02/27/2017

B. Project description and analysis

Requesting approval of the 11th Amendment to the West Jensen PUD Zoning Agreement and Revised Master Site Plan for Phase 1B, Parcels 10.2, 17.1, 17.2, 17.3 (Charleston Place). The proposed change is to decrease the number of previously approved residential units from 247 units (210 multi-family and 37 single family units) to a total of 130 single family units. Included in this application is a request for a
Certificate of Public Facilities Exemption. The subject site is approximately 61.52 acres in size and located on the east side of NW Federal Hwy (US 1) adjacent to the County line.

Parcels 10.2, 17.1, 17.2, and 17.3 are located within Phase 1B of the West Jensen PUD/DRI.

**Parcel 10.2**
This parcel was originally approved for commercial use around a wetland preserve area and proposed lake. By way of the 9th Amendment, the commercial use was converted to open space. The current proposal is to realign the extension of NW Golden Oak Trail from NW Fennel Avenue to NW Federal Hwy (US 1), reconfiguration of proposed lake #10, expansion of the upland preserve area adjacent to the wetland preserve buffer and the addition of entry landscape area.

**Parcels 17.2 and 17.3** are collectively known as Charleston Place. In 2006, a final site plan was approved for 210-unit multi-family development. However, the project did not move forward with construction. The current proposal is to reduce the number of units from 210 multi-family units to 89 single family units. (net decrease of 121 units), to realign the extension of NW Golden Oak Trail from NW Fennel Avenue to NW Federal Hwy (US 1) and reconfiguration of proposed lake #5 and #6.

**Parcel 17.1**
This parcel has not been developed and is approved for 37 single family units. The current proposal seeks to increase the number of single family units from 37 to 41. (net increase of 4 single family units), increase in single family lot size from 4,000 square feet to 5,000 square feet. Realign the extension of NW Golden Oak Trail from NW Fennel Avenue to NW Federal Hwy (US 1) and reconfiguration of proposed lake #7.

The proposed 11th Amendment to the PUD Zoning Agreement and Revised Master Site Plan would decrease the number of previously approved residential units from 247 units (210 multi-family and 37 single family units) to a total of 130 single family units.

A Revised Final Site Plan must be approved prior to the commencement of any development activity. The Revised Final Site Plan for Phase 1B, Parcels 10.2, 17.1, 17.2, 17.3 is currently being reviewed under application number W038-079.

**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:

<table>
<thead>
<tr>
<th>Section</th>
<th>Division or Department</th>
<th>Reviewer</th>
<th>Phone</th>
<th>Assessment</th>
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<tr>
<td>F</td>
<td>Comprehensive Plan</td>
<td>Paul Schilling</td>
<td>288-5473</td>
<td>Comply</td>
</tr>
<tr>
<td>F</td>
<td>ARDP</td>
<td>Samantha Lovelady</td>
<td>288-5664</td>
<td>Comply</td>
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<tr>
<td>G</td>
<td>Development Review</td>
<td>Paul Schilling</td>
<td>288-5473</td>
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<td>H</td>
<td>Urban Design</td>
<td>Paul Schilling</td>
<td>288-5473</td>
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<tr>
<td>H</td>
<td>Community Redevelopment</td>
<td>Paul Schilling</td>
<td>288-5473</td>
<td>N/A</td>
</tr>
<tr>
<td>I</td>
<td>Property Management</td>
<td>Colleen Holmes</td>
<td>288-5793</td>
<td>N/A</td>
</tr>
<tr>
<td>J</td>
<td>Environmental</td>
<td>Shawn McCarthy</td>
<td>288-5508</td>
<td>Comply</td>
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<tr>
<td>J</td>
<td>Landscaping</td>
<td>Karen Sjoholm</td>
<td>288-5909</td>
<td>Comply</td>
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<tr>
<td>K</td>
<td>Transportation</td>
<td>Stephanie Piche</td>
<td>288-5927</td>
<td>Comply</td>
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<tr>
<td>L</td>
<td>County Surveyor</td>
<td>Michael O’Brien</td>
<td>288-5418</td>
<td>N/A</td>
</tr>
</tbody>
</table>
D. Review Board action

This application is classified as a major development. As such, final action on this request for approval is required by the Board of County Commissioners at a public meeting pursuant to Section 10.5.A.2., Land Development Regulations, Martin County, Fla., (2016).

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.

The applicant addressed the non-compliance findings from the staff report dated August 19, 2016 with its resubmittal dated December 28, 2016. The previous staff reports and resubmittals are incorporated herein by reference.

E. Location and site information

Location: East side of NW Federal Hwy (US 1) adjacent to the County line.
Parcel number(s) and address: N/A
Site area: 61.52 acres
Commission district: 1
Existing Zoning: PUD – WJ
Future land use: Medium Density, Estate Density 2UPA, Comm. General
Municipal service taxing unit: Northern MSTU
Planning area: North County
Taxing district: A
Traffic analysis zone: 4

General features of the proposed development site:
Gross area of site: 61.52 acres
Proposed use(s): 130 single family lots
Gross residential density: 2.11 units/acre
Minimum lot size: 5000 sq. ft.
Minimum open space: 20%
Maximum height: 2 stories or 35 ft.
Wetlands: 12.36 acres
Wetland buffer: 4.13 acres

LOCATION MAP
ZONING MAP

Existing Zoning: PUD – WJ

FUTURE LAND USE MAP

Future land use: Medium Density, Estate Density 2UPA, Comm. General
PROPOSED REVISED PHASE 1B MASTER SITE PLAN EXTRACT
F. Determination of compliance with Comprehensive Growth Management Plan 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 Comprehensive Growth Management Plan requirements issues associated with this application.

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, site design standards, zoning or procedural requirement issues associated with this application.

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

Commercial Design

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 for consistency with the Martin County Codes for the commercial design requirements of the Land Development Regulations. MARTIN COUNTY, FLA., LDR, § 4.871.B.

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. MARTIN COUNTY, FLA., LDR, Division 6

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

**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.

The Revised Master Site Plan (MSP) proposes to change the upland preserve design configuration from the previously approved MSP by adding additional upland preservation areas. The documentation provided by the applicant shows the overall acreage of upland preserve for this phase will be greater than the previously approved upland preserve acreage. This has been shown on the revised MSP and the PUD public benefits analysis. Any required preserve area restoration and revised PAMP documents will be addressed with the application requesting Revised Final Site Plan (FSP) approval as these changes will require construction level detail and analysis.

#### Landscape

**Findings of Compliance:**
The Growth Management Department staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations regarding landscaping.

This project is a comply for landscaping. No landscape plans are being reviewed in association with this application for Revised Zoning and Master Site Plan. Landscape plans will be submitted and reviewed at time of Final Site Plan Review. It appears that areas provided on the Master Site Plan will provide for required landscape areas in accordance with applicable requirements contained in Article 4, Division 15, LDR, Martin County, Fla.

#### Additional Information:

**Information #1:**
The applicant is required to incorporate the following criteria into the landscape design and such criteria shall be noted on the plans for development adjacent to utilities:

1. This plan has been designed to meet with the tree planting requirements contained within the FPL document entitled 'Plant the Right Tree in the Right Place.'
2. For existing or proposed utilities, no tree shall be planted where it could, at mature height, conflict with overhead power lines. Large trees [height at maturity of more than thirty (30) feet] shall be planted no closer than a horizontal distance of thirty (30) feet from the nearest overhead power line. Medium height tree [height at maturity between twenty (20) and thirty (30) feet] shall be offset at least twenty (20) feet and small trees [height at maturity of less than (20) feet] require no offset.
3. No tree, shrubs, hedges or vines shall be planted within five (5) feet of any existing or proposed utility pole, guy wire or pad mounted transformer. Palms should be planted at a distance equal to or greater than the average front length plus two (2) feet from power lines.

Tree species and placement shall be selected so as to minimize conflicts with existing or proposed utilities.

**K. Determination of compliance with transportation requirements - Engineering Department**

**Findings of Compliance:**
The Traffic Division of the Engineering Department finds this application in compliance.

**Compliance with Adequate Public Facilities Ordinance:**
As evidenced by the 1st amendment to the West Jensen Planned Unit Development Zoning Agreement (OR BK 1172 PG 2309-2310), the originally approved residential units for parcels 10.2, 17.1, 17.2 and 17.3 included 80,000 square feet of general commercial, 50 single family residential units and 242 multi-family units. This application proposes a reduction to 130 single family units.

This application satisfies the Adequate Public Facilities Standard; it is exempt as it is a reduction of the approved development that does not create additional impact on the roadway network. MARTIN COUNTY, FLA., LDR § 5.32.D.3.f

**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:**
Construction is not proposed with the application. The application was reviewed for compliance with Division 9 of the Land Development Regulations. The applicant determined the predevelopment discharge rate for the proposed stormwater management system is consistent with the previously permitted Master Stormwater Management System for West Jensen PUD. The applicant provided a narrative of the proposed water quality treatment methods to meet Martin County's requirements. Determination of compliance for water quality and attenuation is determined during the Final Site Plan review. Staff will determine compliance with Divisions 8, 10, 14, and 19 during the Final Site Plan review.

**Compliance with Adequate Public Facilities Ordinance:**
This project will provide the proposed development sufficient services based upon the adopted LOS for stormwater management facilities.

**Additional Information:**
Information #1:
Prior to the start of excavation that creates an open body of water, the applicant shall post signs warning of the potential hazard created by the excavation. The size, color, location and wording of the signs shall be shown on the final site plan for the project. MARTIN COUNTY, FLA., LDR § 4.348.A

**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 meet all street naming Land Development Regulations in Article 4, Division 17, Land Development Regulations, Martin County, Fla. (2016).

**Electronic File Submittal**

Findings of Compliance:
The Information Services Department staff has reviewed the electronic file submittal and finds it in compliance with the applicable requirements of Section 10.2.B.5., LDR, Martin County, Fla. (2016).

**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, Division 6 and 7

**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, Division 5

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

**Fire Prevention**

Findings of Compliance:
The Fire Prevention Bureau finds this submittal to be in compliance with the applicable provisions governing construction and life safety standards. 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.
Additional Information:

Information #1:
Martin County Code of Laws and Ordinances, Section 79.121, adopts NFPA 1 and NFPA 101 as the county's fire prevention code. The Code is to prescribe minimum requirements necessary to establish a reasonable level of fire and life safety and property protection from the hazards created by fire, explosion, and dangerous conditions. 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 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.

Information #2:
The AHJ shall have the authority to:

- Require fire department access be provided to gated subdivisions or developments through the use of an approved device or system [NFPA 1, Chapter 18, Section 2.2.2].

- Requires an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security. [NFPA 1, Chapter 18, Section 2.2.1].

Martin County Fire Rescue utilizes and required the Knox access system. You may contact www.knoxbox.com to order the Knox system.

Information #3:
The following fire suppression water flow is the minimum for residential use:

- 1000 gpm for single family homes/duplexes

These are the minimum requirements. Additional water flow may be required to supplement fire sprinkler systems or to support other hazardous uses. The developer is responsible to meet any additional flow requirements beyond that which is within the capacity of the utility provider [NFPA 1 and 2].

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.

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 School Board**

**Findings of Compliance:**
The Martin County School Board has reviewed this application for school concurrency evaluation and has no objection. Further review will be conducted as part of the Revised Final Site Plan application W038-079.

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

On-going

**T. Determination of compliance with the 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, Martin County, Fla. Exempted development will be treated as committed development for which the County assures concurrency.

**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. MARTIN COUNTY, FLA., LDR §10.9 (2012)

**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:

Original approved revised master site plan on Mylar or other plastic, stable material.

Item #6:

Six (6) copies 24" x 36" of the approved revised master site plan and one (1) reduced copy 8 1/2" x 11".

Item #7:

Original approved revised master site plan on Mylar or other plastic, stable material.

Item #8:

One (1) digital copy of revised master site plan in AutoCAD 2006 or 2007 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

Item #9:

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

V. Local, State, and Federal Permits

N/A

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:

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<th>Fee type</th>
<th>Fee amount</th>
<th>Fee payment</th>
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<td>Recording fees**</td>
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* 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: Jensen Beach Land Company, Ltd

Alberto Micha
336 E. Dania Beach Boulevard
Dania, FL 33004
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