To: Council Members

From: Staff

Date: February 20, 2009 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Martin County Comprehensive Plan
DCA Reference No. 09D1

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes, requires that Council review local government comprehensive plan amendments prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed amendment only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If an ORC Report is to be prepared, then Council must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed amendment within 30 days of its receipt.

Background

Martin County has proposed a Future Land Use Map (FLUM) amendment to the County Comprehensive Plan. The amendment is directly related to the Treasure Coast Square Mall Development of Regional Impact (DRI). Under the provisions of Chapter 163.3187(1)(b), Florida Statutes, the amendment is exempt from the twice per year limitation on comprehensive plan amendments. The County has requested a formal review of the amendment by the DCA.

Evaluation

The Treasure Coast Square Mall DRI, originally approved on February 11, 1986, is located on the west side of US1 at Jensen Beach Boulevard in Martin County (see Exhibits 2-5). The existing mall and peripheral development currently includes
approximately 1.1 million square feet of gross leasable area. The DRI is approved for 1,477,000 square feet of commercial land use.

There are currently three out parcels (Tracts B, G and H) of the Treasure Coast Square Mall Planned Unit Development (PUD) as approved by Martin County. These tracts are shown on Exhibit 4. The original PUD anticipated that all three parcels would be used for commercial development. However, the developer now proposes to utilize Tracts G and H, totaling approximately 11.5 acres, for a 267 bed residential care facility.

A Notice of Proposed Change to the approved DRI was reviewed by the Treasure Coast Regional Planning Council on August 25, 2008 (see Attachment A). The County is proposing to assign a FLUM designation of High Density Residential to the property. The current FLUM designation is General Commercial. The existing land uses on surrounding properties include the mall to the north, a utility site to the east, vacant land and residential development to the south, and preserve land and residential development to the west. The FLUM designations on surrounding properties are General Commercial to the north, General Institutional to the east, and Low Density Residential to the south and west.

The County indicates that both existing and proposed FLUM designations are compatible with surrounding uses, especially given the extensive buffering provided. The proposed designation may improve the compatibility with the Falls of Jensen Beach residential development (see Exhibit 3).

**Extrajurisdictional Impacts**

Under the informal agreement facilitated by the Treasure Coast Regional Planning Council (TCRPC), local governments in the northern three counties of the region are to provide copies of amendment materials to other local governments that have expressed an interest in receiving such materials. The County provided copies of the amendment materials to adjacent local governments, as well as to the Martin Metropolitan Planning Organization and Martin County School Board. The TCRPC also provided a copy of the amendment materials to the St. Lucie Transportation Planning Organization. The TCRPC sent out a memorandum dated January 5, 2009 to these local governments and agencies seeking comments on the proposed amendment. As of the date of the preparation of this report, no comments have been received.

**Effects on Significant Regional Resources or Facilities**

Analysis of the proposed amendment indicates that they would not have adverse effects on significant regional resources or facilities.

**Analysis of Consistency with Strategic Regional Policy Plan**

Council has no comments/recommendations for modification to the proposed amendment. The amendment is considered to be consistent with the SRPP.
Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the TCRPC requires Council to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. Council finds the proposed amendment to be CONSISTENT with the SRPP.

Recommendation

Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

Attachments
List of Attachments

Attachments

August 25, 2008

Ms. Nicki van Vorno, AICP
Planning & Development Director
Martin County
2401 SE Monterey Road
Stuart, FL 34996

Subject: Treasure Coast Square Mall Development of Regional Impact Notice of Proposed Change (NOPC) dated April 22, 2008

Dear Nicki:

In accordance with the requirements of Section 380.06(19), Florida Statutes, Council has reviewed the "Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI)" for the Treasure Coast Square Mall DRI dated April 22, 2008.

The Treasure Coast Square Mall DRI is a commercial development located on the west side of US 1 across from Jensen Beach Boulevard in Martin County. The proposed amendment modifies the use of Tracts G & H from commercial to residential care facility.

Council reviewed the following documents:

- NOPC Application;
- Attachment to Substantial Deviation Determination Chart;
- Traffic Equivalency prepared by Kimley-Horn & Associates, Inc. dated April 11, 2008;
- Master Site Plan (referred to as Exhibit D in the Twelfth Amendment to Treasure Coast Square Mall PUD Zoning Agreement) prepared by Kimley-Horn & Associates, Inc. dated 4-15-08; and
- Revised Timetable of Development and Development Construction Schedule (referred to as Exhibit E in the Twelfth Amendment to Treasure Coast Square Mall PUD zoning Agreement).
Council offers the following comments:

1. Land uses presented in the following documents included in the application are inconsistent as shown in the following table:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Exhibit E</th>
<th>Substantial Deviation Determination Chart</th>
<th>Master Site Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mall</td>
<td>888,670 SF</td>
<td>887,751 SF</td>
<td>887,751 SF</td>
</tr>
<tr>
<td>Peripheral Commercial</td>
<td>582,725 SF</td>
<td>450,305 SF</td>
<td>300,000 SF</td>
</tr>
<tr>
<td>Residential Care Facility</td>
<td>55,707 SF</td>
<td>55,707 SF</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,527,102 SF</strong></td>
<td><strong>1,338,056 SF</strong></td>
<td><strong>1,243,458 SF</strong></td>
</tr>
</tbody>
</table>

The inconsistencies above need to be revised.

2. While Exhibit E indicates the combined size of the regional mall and the peripheral tracts, together, shall not exceed 1,364,641 square feet, the areas presented in the exhibit exceed that number.

3. The Master Site Plan should be revised as follows:
   a. Tracts B, C, D, E, and F are shown as “not included.” The “not included” note needs to be deleted as those tracts are part of the DRI.
   b. Statistical data needs to show the proposed residential care facility (nursing home).
   c. It is assumed that the areas presented in Phases 1 through 4 are cumulative. Therefore, the peripheral commercial presented in Phase 1 needs to be included in Phases 2 through 4.

4. The traffic study uses nursing home to estimate traffic generation for the “residential care facility.” However, the proposed 267 beds have been referred to and analyzed as 267 units. In order to avoid misinterpretation in the future, the 267 beds shall be referred as such in all documents including the Master Site Plan and the Traffic Study.

In conclusion, it is not anticipated that the proposed changes will create additional or unreviewed regional impacts on regional resources and facilities in the area. The proposed change is not a substantial deviation under Chapter 380.06(19), Florida Statutes.

Please copy Council on all correspondence concerning this NOPC. If the development order is amended, please transmit a certified copy of the adopted development order amendment pursuant to this notice of proposed change.
Ms. Nicki van Vonno, AICP
August 25, 2008
Page Three

If you have any questions please contact me.

Sincerely,

[Signature]

Michael J. Busha, AICP
Executive Director

cc: Bob Dennis, DCA
    Daniel Holbrook, PSL
    Gustavo Schmidt, FDOT
    Chon Wong, FDOT

    Ann Perotta, Martin County MPO
    Maria Tejera, MTP Group
    Carolyn Bortz, Gunster Yoakley
August 25, 2008

Mr. Michael J. Busha, AICP  
Executive Director  
Treasure Coast Regional Planning Council  
421 SW Camden Avenue  
Stuart, FL 34994

Re: Treasure Coast Square Mall Development of Regional Impact  
Notice of Proposed Change

Dear Michael:

The City of Port St. Lucie staff has reviewed the Notification of a Proposed Change for the Treasure Coast Square Mall DRI. Attached please find comments from the City's Engineering Department regarding the proposed revisions. If you have any questions, please do not hesitate to contact me.

Sincerely,

Anne M. Cox, AICP  
Assistant Director of Planning and Zoning

C: Daniel Holbrook  
Bob Dennis, DCA

Enc.
Anne Cox - Treasure Coast Mall NOPC

From: Roxanne Chestor
To: Anne Cox
Date: 8/22/2008 1:48 PM
Subject: Treasure Coast Mall NOPC

Anne,

The Engineering Department has received the subject project and we offer the following comments:

1. Cross access to the shopping along US-1, Target, and Britz Road would greatly benefit the traffic circulation and help relieve traffic on US-1.
2. What is being done to address the stormwater ponding issues in the vicinity of the mall as demonstrated earlier this week?
**List of Exhibits**

<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>General Location Map</td>
</tr>
<tr>
<td>2</td>
<td>Treasure Coast Mall PUD/DRI – Location Map</td>
</tr>
<tr>
<td>3</td>
<td>Treasure Coast Mall PUD/DRI – Aerial</td>
</tr>
<tr>
<td>4</td>
<td>Treasure Coast Mall PUD/DRI – Parcel Map</td>
</tr>
<tr>
<td>5</td>
<td>Treasure Coast Mall PUD/DRI – Future Land Use Map</td>
</tr>
</tbody>
</table>
Exhibit 1
General Location Map

[Map showing the location of Indian River County, St. Lucie County, Martin County, and Palm Beach County, with Lake Okeechobee and the Atlantic Ocean indicated.]
Exhibit 2
Treasure Coast Mall PUD/DRI – Location Map
Exhibit 3
Treasure Coast Mall PUD/DRI – Aerial
Exhibit 5
Treasure Coast Mall PUD/DRI – Future Land Use Map