

**INDIAN RIVER COUNTY, FLORIDA
M E M O R A N D U M**

TO: Jason E. Brown; County Administrator

THROUGH: Phillip J. Matson, AICP; Community Development Director

THROUGH: Ryan Sweeney; Chief, Current Development

FROM: Patrick J. Murphy, Senior Planner, Current Development

DATE: April 29, 2022

SUBJECT: GRBK GHO Bent Pine, LLC's Request for Final Plat Approval for Bent Pine Preserve Phase 2 [SD-15-01-01 / 96010108-90187]

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of May 10, 2022.

DESCRIPTION & CONDITIONS:

The Bent Pine Preserve Phase 2 final plat represents the second and final phase of the Bent Pine Preserve subdivision. Phase 1 consists of 79 lots on 79.2 acres, resulting in a density of 1 unit/acre, and was approved by the Board of County Commissioners on June 4, 2019. The plat for Phase 1 was subsequently recorded in Plat Book 30, Pages 67-76. Phase 2 consists of 56 lots on 20.06 acres resulting in a density of 2.79 units/acre for Phase 2, and an overall project density of 1.69 units/acre. The site is located on the east side of 58th Avenue, just north of 57th Street/Bent Pine Drive (see attachment 1). The property is zoned RM-4, Residential Multi-Family (up to 4 units/acre), and has an L-2, Low-Density Residential-2 (up to 6 units per acre) future land use designation.

On February 26, 2015, the Planning & Zoning Commission granted a phased preliminary plat approval for the Bent Pine Preserve subdivision. Phased approval was given to construct 134 single-family lots along with tracts for recreation, conservation, stormwater, landscape, and buffers, on 79.2 acres. After preliminary plat approval, a previous developer (BP Preserve Partners, LLC) obtained a land development permit (LDP) and commenced construction on Phase 1. On May 24, 2019, Public Works issued a certificate of completion for Phase 1, and the Board of County Commissioners granted final plat approval on June 4, 2019.

On February 13, 2020, the Planning & Zoning Commission approved an extension of the Phase 2 preliminary plat and LDP approvals, with conditions, and an expiration of February 26, 2023 for both approvals. Subsequently, construction of the Phase 2 site improvements commenced and has proceeded in accordance with the project's overall phased approval. As of this time, the developer has constructed 76.7% of the required project improvements for Phase 2, and proposes to "bond out" the remaining 23.3% of the required improvements. The applicant has coordinated with staff to provide the following:

1. A final plat in conformance with the approved preliminary PD plan/plat (see attachment 2);

2. An approved Engineer's Certified Cost Estimate for the remaining required improvements for Phase 2; and
3. An executed Contract for Construction of the remaining required improvements for Phase 2, with a cash deposit and escrow agreement for 125% of the cost of construction for the remaining required improvements.

The Board of County Commissioners (BCC) is now to consider granting final plat approval for Bent Pine Preserve Phase 2.

ANALYSIS:

Most, but not all, of the required project improvements have been completed. As provided for under the County Land Development Regulations applicable to this final plat application, the applicant will be "bonding-out" the remaining 23.3% of required project improvements (drainage, landscaping, roadways, utilities). Public Works, Utility Services, and Planning have reviewed and approved the submitted Engineer's Certified Cost Estimate for the remaining project improvements. The County Attorney's Office has reviewed and approved the submitted Contract for Construction of Required Improvements. The County Attorney's Office has received a cash deposit and escrow agreement with supporting security in the amount of \$330,561.64 to guarantee construction of the remaining required improvements.

All improvements within Bent Pine Preserve Phase 2 will be private, with the exception of certain utility facilities. Those utility facilities will be dedicated to and guaranteed to Indian River County as required through the final plat and certificate of completion process.

RECOMMENDATION:

Staff recommends that the Board of County Commissioners grant final plat approval for Bent Pine Preserve Phase 2.

ATTACHMENTS:

1. Location Map
2. Final Plat Layout