

ROSS EARLE BONAN & ENSOR, P.A.
ATTORNEYS AT LAW

DEBORAH L. ROSS*
DAVID B. EARLE +*
ELIZABETH P. BONAN*
JACOB E. ENSOR*

ROYAL PALM FINANCIAL CENTER
SUITE 101
789 SW FEDERAL HIGHWAY
STUART, FLORIDA 34994
(772) 287-1745

TRANSOCEAN BUILDING
SUITE 220
1701 HIGHWAY A1A
VERO BEACH, FLORIDA 32963
(772) 563-9555

JOHN P. CARRIGAN*
LAUREN A. CARROLL
JAMES A. ALDERMAN
GARY E. SIMMONS, JR.

+CERTIFIED CIRCUIT CIVIL MEDIATOR

BOARD CERTIFIED IN CONDOMINIUM*
& PLANNED DEVELOPMENT LAW

July 14, 2022

City of Ft. Pierce, City Commission

Resolution 19-R35

V. Party Intervenors

B. "... (T)he person shall submit a written Request to Intervene including:

1. a detailed outline of his or her interest in the application and argument in favor or against it,
2. copies of all exhibits which will be presented at the hearing; and
3. the names and addresses of all witnesses who will be called to testify on their behalf (including resumes for any witness the person intends to qualify as an expert)."

REQUEST TO INTERVENE
(City Commission Quasi-Judicial Proceeding July 18, 2022)

Agenda Item #12.b.: Quasi-Judicial Hearing Postponed from June 21, 2022 and July 5, 2022 - Review and approval of an application for Preliminary Plat, submitted by Property Owner(s) Karma Capital Investments, LP and Applicant, Kolter Land Partners, LLC (Culpepper & Terpening, Inc.), to subdivide approximately 132.7 acres of land (more or less) for The Preserve at Savannah Lakes Planned Development located at or near the east side of S US Highway 1 at the intersection of Dickson Drive and lying North of the existing Gator Trace Planned Development in Fort Pierce, FL. The Developer/Applicant is required to enter into an agreement with the City of Fort Pierce and post the appropriate bond regarding the completion of the outstanding site work during the Final Plat approval process. The property is currently zoned General Commercial (C-3) and Planned Development (PD) Parcel Control Numbers: 2427-433-0002-000-1, 2427-433-0001-000-4, 2434-121-0001-000-8, 2426-333-0015-000-5.

1. Our firm serves as counsel for High Point of Fort Pierce Condominium Section II Association, Inc. regarding the above referenced application for preliminary plat currently pending in your department. High Point Section II is a residential community comprised of 264 units and is located immediately adjacent to the proposed Preserve at Savannah Lakes site.
2. In accordance with Chapter 121 of the City Code, the applicant is requesting review and approval of a Preliminary Plat for approximately 132.7 acres of land. The applicant is requesting all applications so that they may develop a residential subdivision known as The Preserve at Savanna Lakes, that will have 650 platted lots consisting of single-family homes, villas, and townhomes. The subject site was previously approved as a Planned Development by the name The Preserve at Gator Trace in 2006. The previously approved Planned Development has since expired.

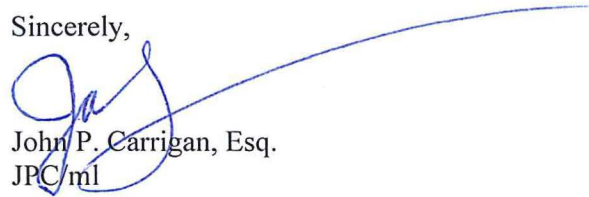
The Application for Preliminary Plat should be rejected at this time and only revisited when the following conditions are addressed:

1. As required by the City Code, that Preserve at Savannah Lakes provides evidence, in the form of written reports and verbal testimony, that the proposed development will not adversely affect the health, safety, and general welfare of High Point II and its residents.
2. Preserve at Savannah Lakes provides evidence of a written contract with St. Lucie County allowing the perpetual use of the waterway proposed to handle the outflow from Preserve at Savannah Lakes.
3. Preserve at Savannah Lakes provides evidence of a written contract with St. Lucie County detailing who will maintain the waterway proposed to handle the outflow from Preserve at Savannah Lakes, and how the funding for such maintenance will be provided.
4. Preserve at Savannah Lakes provides evidence, in the form of written reports and verbal testimony, that a qualified engineer has reviewed the plans and confirms the proposed use of the waterway for the outflow from Preserve at Savannah Lakes, already being used as an outflow waterway by High Point II, can handle the stresses of the proposed additional outflow.
5. Preserve at Savannah Lakes provides evidence, in the form of written reports and verbal testimony, that a qualified engineer has reviewed the plans and confirms the development proposed by Preserve at Savannah Lakes, including but not limited to the outflow waterway, will not cause flooding or any other damage to High Point II and its residents.
6. Preserve at Savannah Lakes provides evidence, in the form of written reports and verbal testimony, that a qualified engineer that additional traffic from the proposed development will not materially impede the accessibility or create undue safety hazards related to accessing U.S. 1.

We request that evidence of these conditions being met be provided prior to a hearing to approve the proposed plat.

We thank you and look forward to working with you.

Sincerely,



John P. Carrigan, Esq.
JPC/ml

cc: Association