



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

PEPPERWOOD ASSEMBLAGE

PUD ZONING AGREEMENT MASTER AND FINAL SITE PLAN

Applicant:	JAMSZ Properties, Inc.
Property Owner:	JAMSZ Properties, Inc.
Agent for Applicant:	HJA Design Studio, LLC
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	P178-002
Record Number:	DEV2022050004
Report Number:	2024_0103_P178-002_DRT_STAFF_FINAL
Application Received:	06/09/2022
Transmitted:	06/10/2022
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Transmitted:	06/09/2023
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B. Project description and analysis

This is an application by JAMSZ Properties Inc., for approval of a Planned Unit Development (PUD) agreement Master and Final site plan to develop 43 detached single-family lots on an approximate 29.23 acre property consisting of three (3) undeveloped parcels of land located between SE Cove Road and SE Salerno Road, west of Legacy Cove and south of Fern Creek. Included is a request for a Certificate for Public Facilities Reservation.

The typical single family lot size is 60' x 125' and/or 7,500 square feet. The two parcels to the west have 22 lots with access proposed off SE Cove Road. The east parcel has a total of 21 lots with access from SE Pepperwood Drive off SE Salerno Road. Wetlands and a 50 foot wetland buffer separate the east and west residential lots. A 50 foot type 5 landscape buffer is proposed along Cove Road.

The parcel abuts two single-family lots on the southeast, one of which has a home and undeveloped land to the west. The north side of the parcels abut SE Martin Cove Place which is only partially opened across the two northern parcels. The east side of the property abuts the unopened SE Pepperwood Drive right-of-way that this application proposes opening a distance sufficient to provide access to the east side lots.

The property has the Estate Density 2 UPA Future Land Use designation and RE-1/2A, Residential Estate District zoning which is consistent with the future land use. The requested change to PUD zoning of 43 single-family lots results in a gross site density of 1.47 unit per acre that is less than the 2 unit per acre maximum density allowed by Estate Density 2UPA future land use.

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:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Brian Elam	772-288-5501	Non-Comply
F	ARDP	Samantha Lovelady	772-288-5664	N/A
G	Site Design	Brian Elam	772-288-5501	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	Non-Comply
J	Environmental	Shawn McCarthy	772-288-5508	Non-Comply
J	Landscaping	Karen Sjoholm	772-288-5909	Comply
K	Transportation	Lukas Lambert	772-221-2300	Comply
L	County Surveyor	Tom Walker	772-288-5928	Non-Comply
M	Engineering	Stephanie Piche	772-223-4858	Non-Comply
N	Addressing	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission	Emily Kohler	772-288-5692	Non-Comply
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	Comply
P	Emergency Management	Sally Waite	772-219-4942	N/A
Q	ADA	Stephanie Piche	772-223-4858	Non-Comply
R	Health Department	Nicholas Clifton	772-221-4090	Comply
R	School Board	Mark Sechrist	772-219-1200	N/A
S	County Attorney	Elysse A. Elder	772-288-5925	Ongoing
T	Adequate Public Facilities	Brian Elam	772-288-5501	Pending

D. Review Board action

This is an application for a PUD Zoning Agreement Master and Final Site Plan. Review of this application is required by the Local Planning Agency (LPA) and final action by the Board of County Commissioner (BCC). Both the LPA and the BCC reviews must be public hearings MARTIN COUNTY, FLA., LDR, §10.5.F.9. (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:	553841000054000700	9.17 Acres	Parcel 1
Parcel number:	553841000054000201	9.77 Acres	Parcel 2
Parcel number:	553841000054000103	9.55 Acres	Parcel 3
Existing Zoning:	RE-1/2A, Residential Estate District		
Future Land Use:	Estate Density 2UPA		
Nearest Major Road:	SE Cove Road		
Gross Area of Site:	28.49 (29.23)		

Table 1: Abutting Properties Details

Direction	Development	Future Land Use	Zoning
North	Single Family	Rural Density, Estate Density 2UPA	PUD-R (Fern Creek), A-1A
South	Single Family	Estate Density 2UPA	RE-1/2A
East	Single Family	Estate Density 2UPA	PUD-R (Cove Isle)
West	Vacant	Rural Density	A-1A

Figure 1: Location Map



Figure 2: Aerial 2021



Figure 3: Zoning Atlas

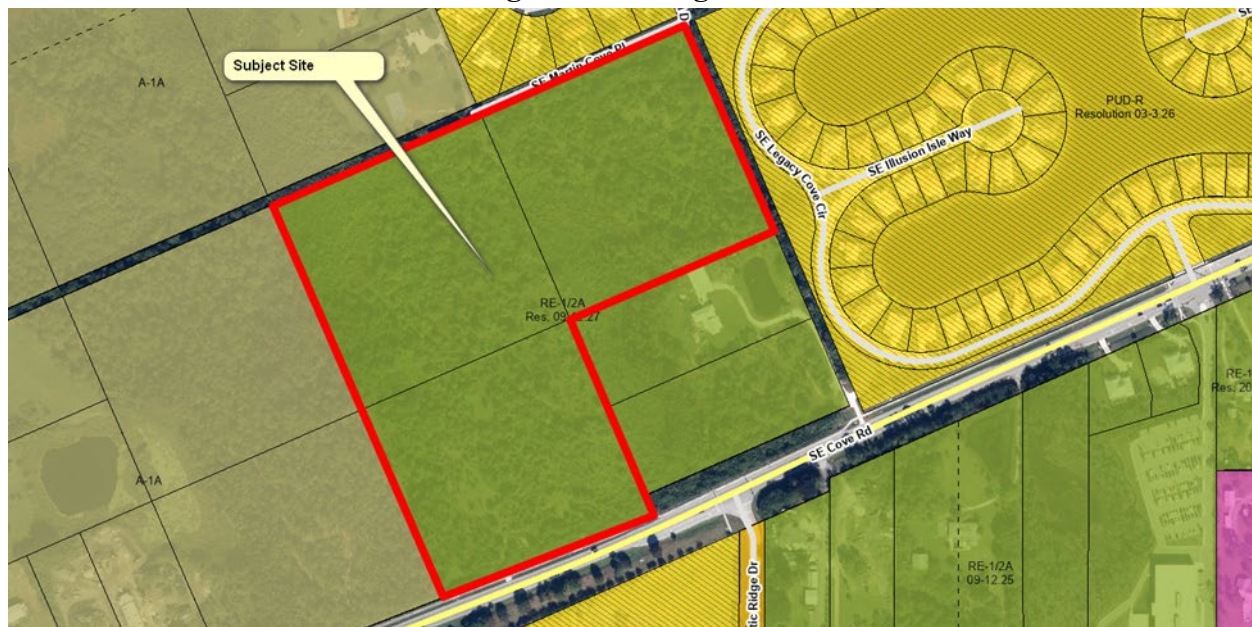
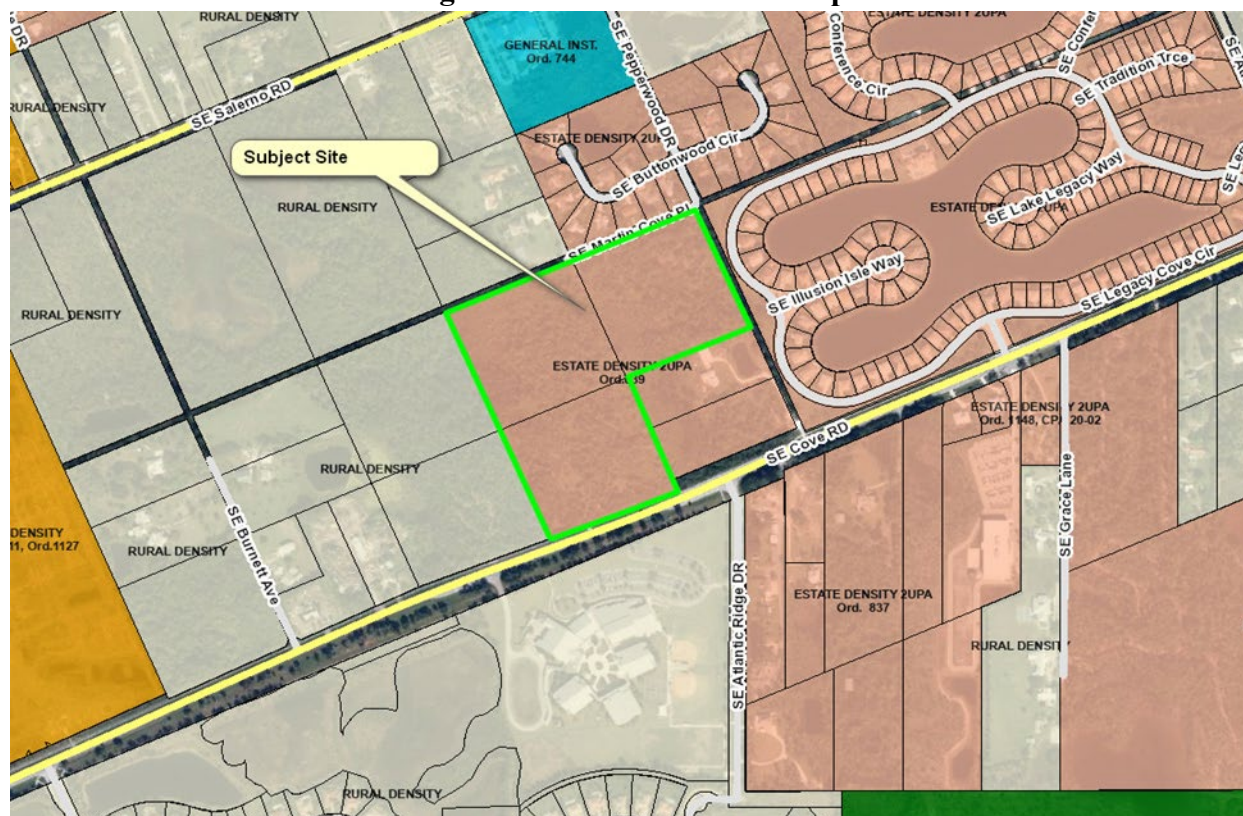


Figure 4: Future Land Use Map



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

Unresolved Issues:

Item #1.

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.

Information #1:

Policy 4.1E.6. PUD

A planned unit development is a unified development that is (1) planned, approved and controlled according to provisions of a binding written document negotiated between the developer and the County as a special PUD zoning district and (2) approved at a public hearing. The purpose of PUD districts is to introduce flexibility into the strict zoning and development regulations in a manner that is mutually beneficial to the County and the development. It is also to encourage enlightened and imaginative approaches to community planning. Benefits to the developer may include incentives to encourage affordable housing (consistent with the Housing Element); transfer of density from wetlands (consistent with the Conservation and Open Space Element, Chapter 9); flexibility in density distribution; flexibility and variety in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as preservation zones, buffers, density transition zones and recreation facilities in excess of the County's minimum standards. Specific PUD district regulations are negotiated voluntarily by the developer and the County, and neither is guaranteed maximum benefits by right.

Information #2:

Policy 4.1E.8 Public Benefits.

Flexible Design: Martin County shall allow PUD zoning districts associated with a site and project specific PUD zoning agreement to allow flexibility in the land development regulations in a manner which mutually benefits the county and the developer and encourages innovative approaches to community planning. Specific PUD district regulations shall be negotiated voluntarily by both the developer and the county. Neither party to the agreement is guaranteed maximum benefits by right.

Benefits to the developer may include such items as incentives to encourage affordable housing; flexibility in density distribution; flexibility and variety in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as transportation, recreation or other public facility improvements, additional preservation of environmental resources, and additional density transition zones. The provision of affordable and/or workforce housing, shall be strongly encouraged as a public benefit for any residential PUD. Any public benefits offered by the developer must clearly be in excess of the County's minimum standards.

Information #3:

Policy 4.13A.7. Residential development (Excerpt)

The FLUM allocates urban residential density based on population trends; housing needs; and past trends in the character, magnitude and distribution of residential land consumption patterns. Consistent with the goals, objectives and policies of the CGMP, including the need to provide and maintain quality residential environments, it also preserves unique land and water resources and plans for fiscal conservancy.

1. General policies for all urban Residential development:

- a) All Residential development described in subsections (1) through (6) of this policy shall have a maximum building height of 40 feet.
- b) All Residential development shall maintain a minimum of 50 percent of the gross land area as open space, except as described under Goal 4.3. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space. This section shall not apply to construction of a single-family home on a lot of record.

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

Findings of Compliance:

Staff has reviewed this application and finds that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

Information #1:

Timetable Of Development – Master and Final

The timetable of development for concurrent master and final site plans shall be as specified in 10.2.D.1. and 10.2.D.2.

Master Site Plan

All final site plan approvals for a multi-phase or PUD development shall be obtained no later than five years after the date of the master site plan approval, provided that no certificate of public facilities reservation was issued with the master site plan approval. If a certification of public facilities reservation was issued with the master site plan approval, all final site plan approvals and construction shall be permitted and completed consistent with the requirements of article 5. Adequate Public Facilities and Transportation Impact Analysis of the LDR MARTIN COUNTY, FLA., LDR SECTIONS 10.2.D.1.d.(2021).

Information #2:

Notice Of A Public Hearing:

The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days (seven calendar days if the application is being expedited pursuant to section 10.5.E.) prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. In addition, notice shall be mailed to all homeowner associations, property owners associations, condominium associations and the

owners of each condominium unit within the notice area MARTIN COUNTY, FLA., LDR §10.6.E.1. (2019).

Information #3:

Land Clearing

No land clearing is authorized prior to the pre-construction meeting for the project. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for by applicable state agency permits may be granted by the Growth Management Department.

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

Unresolved Issues:

It has been determined that the Applicant will be required to dedicate right of way on SE Pepperwood Drive, on SE Martin Cove Place and on SE Cove Road. Please see the comments in the Engineering Section for specifics for each.

The following is a list of the required due diligence materials that are required for these dedications:

TITLE COMMITMENT

1. Original Title Commitment for the proposed dedication site(s).
2. The Proposed Insured is Martin County, a political subdivision of the State of Florida
3. The Insurable Amount is subject to approval by the Real Property Division.
4. Legible copies of all documents listed on the Title Commitment as B-II Exceptions must be provided with the Title Commitment.

Note: The applicant has complied with this requirement.

SURVEY – SKETCH AND LEGAL DESCRIPTION

1. Two (2) original signed and sealed Surveys of the dedication site (s).
2. The Survey must be certified to Martin County, a political subdivision of the State of Florida and to the Title Company.
3. The Survey must be prepared with the benefit of the Title Commitment and include the Commitment Number, Name of the Title Company and Date and Time of the Commitment.

4. Parcel ID number(s) must be included.
5. All title exceptions that can be plotted must be shown on the Survey.
6. The legal description for the dedication site(s) on the Survey must match the legal description on the proposed Plat or Planned Unit Development (PUD), if applicable.
7. Two (2) original 8 ½” by 11” signed and sealed Sketch and Legal Descriptions of the dedication site(s) must be provided.

Note: The applicant provided sketch and legal description which has been reviewed by the County Surveying Division and requires changes. Please see the Engineering section of the staff report for updated ROW dedication requirements. The applicant did not provide a boundary survey of the dedication sites.

ENVIRONMENTAL SITE ASSESSMENT

1. A Phase I Environmental Site Assessment must be provided stating that there are No Recognized Environmental Conditions in accordance with the current standards of the American Society for Testing Material (ASTM15271).
2. The Phase I report must be dated within 180 days of submission or include a current updated letter from the ESA firm.
3. The Phase I Environmental Site Assessment and/or the update letter must state that Martin County, a political subdivision of the State of Florida can rely on the results of the report.

Note: The applicant provided a Phase I, however, the report does not state that Martin County can rely on the results. Have Solutech Environmental Consultants provide a letter stating that Martin County, a political subdivision of the State of Florida, can rely on the results of the report.

J. Determination of compliance with environmental and landscaping requirements – Growth Management Department

Environmental

Unresolved Issues:

Item #1.

Site Plan

The thirty-foot defensible space added and now shown on the final site plan encompasses the entire wetland buffer. Based on site design, there is a stormwater berm/swale between most lots or dry detention and roadway adjacent to lots. The defensible space is only required for lots that directly abut the preserve areas. The purpose of the defensible space is to provide access behind those lots for emergency/fire crews. Preserve areas abutting open space areas where stormwater features exists would give fire crews access without impacting the preserve so no defensible space use would need to be shown within the preserves in these areas. It appears only a limited number of lots directly abut the preserve area so only those lots is where the defensible space within the preserve area needs to be shown on the plan. Please revise accordingly.

Informational Comments Only:

Environmental Assessment and PAMP

- 1) Please be aware in accordance with Section 4.2.G.2, LDR, a bond for 100 percent of the cost of exotic vegetation removal, replanting, maintenance and monitoring shall be required for a period of two years from the date the planting was completed. The bond shall be submitted prior to receiving a certificate of occupancy of the first building permit.
- 2) After a county development order is issued, the property owner and/or agent is responsible for obtaining a gopher tortoise relocation permit from Florida Fish and Wildlife Conservation Commission (FWC). All necessary permits, or a current 100% gopher tortoise survey showing no gopher tortoises exist onsite, shall be submitted to the growth management department, environmental division for review. The gopher tortoise survey shall be no greater than 90 days old at the time of review. No land clearing will be authorized until this information is received. No land clearing, including installation of erosion control barricades, can take place prior to the pre-construction meeting.

Landscaping

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 Article 4, Division 15 - Landscaping, Buffering, and Tree Protection. [2013]. Within this project phase the applicant has proposed construction of a 43-lot subdivision. The applicant has submitted landscape plans that provide 2.77 acres of landscape area which equates to 38.6% of the development area to document compliance with Section 4.663.A.1., Land Development Regulations, Martin County, Fla. (2013). Pursuant to this regulation a minimum of 20% of the total development area shall be landscaped.

Landscaped buffer yards are required between differing land uses and along certain transportation corridors. It is the intent of the code to encourage the preservation of existing vegetation for use in buffers as opposed to clearing and replanting designed landscapes. Section 4.663.B., Land Development Regulations, Martin County, Fla. (2013).

Surrounding land use is residential so non-compatibility buffers are not required. Section 4.663.B.1.a, Land Development Regulations, Martin County, Fla. (2013). However, large areas of wetland and upland preserves provide buffers on most of the surrounding boundaries.

Wherever new residential dwelling units are proposed to be located along any minor or major arterial road, excluding Community Redevelopment Overlay Districts, a Type 5 bufferyard shall be required to screen the view of the dwelling units from the street Section 4.663.B.2., Land Development Regulations, Martin County, Fla. (2013). A Type 5 buffer is provided along SE Cove Road.

Section 4.666.E., Land Development Regulations, Martin County, Fla. (2013) requires that development activity preserve at least ten percent of the total number of protected trees on the site unless it can be

shown that the property would be precluded of reasonable use if the trees are not removed. The applicant is has proposed to protect 20% protected trees on site There are 97 protected trees on site; 19 are proposed to be protected. The applicant has proposed to establish 102 – 2” caliper and 173 – 3” caliper trees to mitigate for the necessary removal.

Alterations cannot be made to the plans after final site plan approval. Any alteration may require an application to amend the affected approved plans.

The applicant is cautioned to consider the placement of utilities and any underground or above ground site improvement that could cause a conflict with the landscaping and possibly cause a change or amendment.

As-built landscape plans submitted prior to the release of a certificate of occupancy will be checked against the approved drawings. Inconsistencies may block the issuance of the certificate of occupancy and cause the applicant to begin the application process for a change or an amendment to the development order.

Note: Tree #162 is shown to be protected on the tree disposition table but is not identified on the clearing plan to be protected. Add this tree to be barricaded.

K. Determination of compliance with transportation requirements – Engineering Department

Findings of Compliance:

The Traffic Division of the Public Works Department finds this application in compliance.

Compliance with Adequate Public Facilities Ordinance:

Staff has reviewed the Traffic Statement prepared by the MilCor Group, dated March 2022. MilCor Group stated that the site's maximum impact was assumed to be 8 directional trips during the PM peak hour. Staff finds that SE Cove Road is the recipient of a majority of the generated trips. The generalized service capacity of SE Cove Road is 880. The project impact is 0.86% of the maximum volume of that roadway.

This application satisfies the Adequate Public Facilities Standard; it has a De Minimis impact (an impact that would not affect more than one percent of the maximum volume at the adopted level of service of the affected road facility) (Article 5, Division 1, Section 5.3).

L. Determination of compliance with county surveyor – Engineering Department

Unresolved Issues:

Release of TIITF Reservation

The applicant needs to apply for a Release of Reservation from the Florida Department of Environmental for the portion of the TIITF Reservation recorded in DB 35/306 on parcels 55-38-41-000-054-00010-3 and 55-38-41-000-054-00020-1. Release of the TIITF Reservation is initiated through FDEP and then approved by FDOT and subsequently approved by the County Engineer, Lisa Wichser.

Brad Richardson is the FDEP contact for the release application. His telephone number is 850-245-2563 and his email is Brad.Richardson@floridadep.gov

Jeffrey D. Smith is the FDOT contact for District 4. His telephone contact number is 954-777-4560 and his email is Jeffrey.Smith@dot.state.fl.us

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

Unresolved Issues:

Item #1.

Right-of-Way Improvements

1. As previously stated, please add street names to Construction Plans. It appears that in some locations, streets are mislabeled. Additionally, specify ownership and maintenance responsibility next to street names on Final Site Plan and Construction Plans. Provide additional detail to note on Final Site Plan since some roads are Martin County right-of-way and some will be private.
2. As previously stated, along SE Martin Cove Place, revise the proposed right-of-way dedication to reflect a 60-foot minimum right-of-way width. As shown, the 30-foot dedication does not extend to the western parcel boundary.
3. As previously stated, the proposed northern right-of-way limit for SE Cove Road shall be created by offsetting the baseline of survey 90 feet north to provide an overall width of 180 feet as required in Table 4.19.1 in Section 4.843.B of the LDRs. Although the baseline of survey is now shown on the Plans, it was not utilized to create the northern limit of the right of way dedication.
4. As previously stated, remove light pole within SE Cove Road right-of-way.
5. Add stop sign and stop bar to SE Martin Cove Place. Remove both stop signs and stop bars from SE Pepperwood Drive.
6. As previously stated, please revise extension of SE Pepperwood Drive to provide required shoulder with a 6% slope per Martin County Standard Detail R-10.
7. Remove monument sign locations from Final Site Plan and Construction Plans.

Item #2.

Right of Way Improvements – SE Cove Road

IN GENERAL

1. Provide documentation that FPL will relocate power poles at applicant's sole expense
2. Ensure that the details provided have not been altered from those that are provided by the County

SHEET 9

Paving, Grading, and Drainage Plan

1. This view should be in the middle of the sheet.
2. Remove proposed pavement markings from this view.
3. Include existing underground utilities in this view.

4. Identify and clarify the start of pavement widening is at the end of the westbound turn lane taper for the school bus entrance (baseline station 208+33±).
5. Revise curb inlet tops to appropriate curb inlet top 5 or 6 (see note 2 of detail R-50).
6. Identify drainage structures and/or pipes (or portions of pipes) that will be removed.
7. Identify the grate elevation (13.01) of the at baseline of survey station 207+25±.
8. Show the roadside swale profile slopes from proposed structure T-1 to the existing ditch bottom inlet at baseline of survey station 207+25±.
9. Show the existing ditch bottom inlet (grate elevation 12.99) to be modified and the existing 18-inch RCP cross drain near baseline of survey station 211+00±.
10. Revise edge of pavement elevations (grate elevations) of structures T-2 and T-3 to match the edge of pavement profile on plan (13.55 and 14.62, respectively).
11. Show the existing 18-inch RCP and mitered end sections under the sidewalk and the existing 18-inch RCP cross drain near baseline of survey station 213+90±; identify how the two pipes are to meet.

Striping Plan

1. This view should be at the bottom of the sheet.
2. Retitle as Signing and Pavement Marking Plan.
3. Remove existing underground utilities and existing topography from this view.
4. Remove the proposed WHITE 2-4 SKIP STRIPE (TYP.) from the turning radii.
5. Ensure the contractor is required to mill the existing lane line adjacent to the eastbound through lane.
6. Ensure all pavement marking is thermoplastic.
7. Correct the color of the 6-inch stripe between the eastbound turn lane and the eastbound through lane.
8. Include existing and proposed signage (with location, MUTCD sign type, and size).

Horizontal Control Plan

1. This view should be at the top of the sheet.
2. Remove existing underground utilities and existing topography from this view.
3. Remove proposed pavement markings from this view.
4. Provide the horizontal geometry of the baseline of survey consistent with the baseline used for the County's recent resurfacing project; the bearing is N 66°04'09" E (there is not curve); provide the state plane coordinate Northing and Easting for station 206+00 (N: 1013652.3458, E: 902827.6310) and station 216+00 (N: 1014057.9771, E: 903741.6675).
5. Provide the horizontal geometry for the centerline of construction consistent with the construction plans prepared for the entrances to David Anderson Middle School, prepared by LBF&H in 2007; include curve data (stations and offsets of PC, PI, and PT, radius, degree of curve, length of curve, and central angle); tie the centerline of construction to the baseline of survey.
6. Identify the equation station where the centerline of SE Helmsman Court intersects the centerline of construction of SE Cove Road and provide either the angle between the centerlines or the bearing of the side street centerline.

7. Show and label the turning radii (minimum 50 feet) into and out of SE Helmsman Court.
8. Provide a proposed typical section consisting of two 5-foot bicycle lanes, two 11-foot through lanes, and one 12-foot left turn lane throughout; the right turn lane should be 11-foot; the centerline should be at the center of the left turn lane; show that the offset from the centerline of construction to the baseline of survey varies.
9. Provide and label dimensions from the centerline of construction to the edge of travel way and from the edge of travel way to the edge of shoulder / bicycle lane at the start of construction, where the pavement width changes, and at the end of construction.
10. Dimension curb and sidewalk radii.
11. Identify type of proposed curb ramp.

SHEET 9A

1. Show cross sections with centerline stations increasing from the bottom to the top of the sheet and multiple columns placed from the left to the right; use centerline of construction stationing and not baseline of survey.
2. Show each section facing the upstream station.
3. Include a background grid at the appropriate scale for each section; display (in feet) the horizontal offset from centerline of construction along the bottom of the grid; display the vertical elevation along both sides of the grid.
4. Show below ground portions of existing features, including curbs and sidewalk.
5. Show the distance between the baseline of survey, the centerline of construction, and the existing and proposed rights-of-way line on each section.
6. Show and label existing and proposed parallel underground utilities.
7. Show the proposed roadway template, including the subgrade and base (widening starts at baseline station 208+33±); the typical section should consist of two 5-foot bicycle lanes, two 11-foot through lanes, and one 12-foot left turn lane throughout; the crown should be at the center of the left turn lane; identify the width of widening on each section.
8. Identify limits and depth of proposed milling and overlay.
9. Demonstrate that the roadside swale profile slopes from proposed structure T-1 to the existing ditch bottom inlet at baseline of survey station 207+25±; verify and demonstrate that the swale side slopes do not exceed 4:1.

Item #3.

Stormwater Management Report

1. As previously stated, demonstrate the wet season water table elevation (WSWT) provided of 11.50 NAVD page 4 of 7 of the Stormwater Management Report is the highest described in the USDA Soil Survey of Martin County or provide competent evidence to demonstrate the WSWT is different from that shown in the soil survey. Although a technical report was provided, the borings were taken outside of the wet season, and the report did not substantiate a wet season water table for the subject site. Additionally, the seasonal high water table elevation of the wetland is at 12.8-feet NAVD, so it is unclear how the WSWT for the project can be substantiated at 11.5-feet NAVD. [MARTIN COUNTY, FLA., LDR SECTION 4.348.B.6 (2015)]

2. As previously stated, the pre-development rate is significantly higher than historical discharge rates in Martin County and the permitted projects in the vicinity. Although the post-development discharge rates are lower than the pre-development rates provided, the post-development discharge rate is higher than acceptable. Historical rates are approximately 0.25 cfs/acre.

Item #4.

Stormwater Management Construction Plans

1. Revise side lot swales on plan view for consistency with typical lot grading detail. As shown, the midpoints of the side lot swales are higher than the FFE in some locations. Additionally, all side lot swales should include drainage easements.
2. As previously stated, include the boundary annotations for all lot lines including the right-of-way tracts, water management tracts, the on the Site Plan and Construction Plans.
3. Revise street name on Section I for consistency with the Plan View.

Development Order Conditions:

As previously stated, please include these conditions into the PUD agreement:

1. Within sixty (60) days of final site plan approval, the Owner shall dedicate the following right-of-way to the County along the Parcel frontage:
 - a. 45-feet along SE Martin Cove Place.
 - b. 45-feet along SE Pepperwood Drive.
 - c. Sufficient right-of-way along SE Cove Road to meet a minimum of 90-feet from the baseline of construction.
2. The Owner is not authorized to haul fill off the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.

N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments

Addressing

Unresolved Issues:

Issues still unresolved from the last round:

1. The street type/suffix of “Court” for the name SE Mandy Lane is incorrect. The street type/suffix is determined by the direction of the street. SE Mandy Ln is considered an east/west running street. You are allowed to pick the street type/suffix name. Please use the code below to choose the new correct street type/suffix for SE Mandy Ln.
2. 4.768.B. East/West running streets shall be designated "STREET," "TERRACE," "PLACE," "WAY" or some other designation beginning with a letter in the second half of the alphabet (N through Z).

Electronic File Submittal

Findings of Compliance:

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2022)

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, Article 4, Division 6 and 7, (2016)]

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

Unresolved Issues:

As previously stated, provide sufficient proposed sidewalk elevations (and/or cross sections), that demonstrate that the sidewalks do not exceed a 5% running slope and 2% cross slope.

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

P178-002

DEV2022050004

Attachment 1

Martin County School District CIP School Concurrency Determination

Project: **Pepperwood Assemblage PUD**
 Project #: **P178--002 Master / Final Site Plan Application**
 Owner/Applicant: **JAMSZ Properties, LLC**
 Location: **N. side of Cove Rd. directly across from Anderson Middle School. 29.23 ac.**

Planned Project Units: **43 Single Family**

Project Unit Yield by Type of School

School Type	Rate	Students
Elementary:	.0997	4
Middle School:	.0510	2
High School:	.0709	3
SGR =	.2216	9

Service Area Analysis:

CSA ANALYSIS	A	B	C	D	E	F	G	H
SCHOOLS	LOS CAPACITY	3 YR. ADDED CAPACITY	TOTAL LOS CAPACITY (A+B)	OCT. 15TH DATE CERTAIN 2021	PROJECTS w/RESERVED CAPACITY	THIS PROJECT DEMAND	TOTAL DEMAND (D+E+F)	AVAILABLE LOS CAPACITY (C - G)
Elementary (Stuart CSA)								
JD Parker Elem	703	0	703	566	50	0	616	87
Pinewood Elem - (Z)	750	0	750	747	8	4	759	-9
Port Salerno Elem	750	0	750	749	32	0	781	-31
Totals	2203	0	2203	2062	90	4	2156	47
Middle (South CSA)								
Anderson Middle - (Z)	1423	0	1423	1044	65	2	1111	312
Murray Middle	1094	0	1094	545	17	0	562	532
Total	2517	0	2517	1589	82	2	1673	844
High (Stuart CSA)								
Martin County High	2107	0	2107	2327	5	3	2335	-228
Adjacent North CSA	1914	0	1914	1428	170	3	1601	313

Concurrency Availability: Pursuant to the City, County, School District Interlocal Agreement for School Planning and Siting, Section 6.2.7 and Article 5 of the Martin County Land Development Regulations, Division 5, Section 5.83, the School District has determined that sufficient school capacity exists to serve the change in residential dwelling units proposed in this application to meet the school concurrency requirements under Florida Statute 163.3180.

School Capacity: This analysis is only used to serve as a review of the potential impact of the schools within the area of a future residential land use. School capacity shall be reserved for the above referenced project upon receipt of a final ordinance approval by MC BOCC. This concurrency reservation shall expire **three (3)** years from the date of issuance.

Comments: This determination does not guarantee that the student from the above referenced project will be assigned to attend a particular school(s). Please note if capacity demand should exceed existing availability, students may be housed in relocatable units. **Letter of No Objection w/Conditions:**

1. High School Student Capacity transfer from Stuart CSA Zone to adjacent North CSA to accommodate LOS

School District Contact: Kimberly Everman, Capital Planner/Project Specialists

Date Issued: 6/16/2022

Telephone: 772- 219-1200, Ext.30220

email: evermak@martinschools.org

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 following is a summary of the review for compliance with the standards contained in Article 5.32.D of the Adequate Public Facilities, Land Development Regulations (LDR's), Martin County Code for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities (Section 5.32.D.3.a, LDR)

Service provider - Martin County

Findings - positive evaluation

Source – Martin County Utilities

Reference - see Section O of this staff report

Sanitary sewer facilities (Section 5.32.D.3.b, LDR)

Sewer provider - Martin County

Findings - positive evaluation

Source – Martin County Utilities

Reference - see Section O of this staff report

Solid waste facilities (Section 5.32.D.3.c, LDR)

Findings - in place

Source - Growth Management Department

Stormwater management facilities (Section 5.32.D.3.d, LDR)

Findings - pending

Source - Engineering Services Department

Reference - see Section M of this staff report

Community park facilities (Section 5.32.D.3.e, LDR)

Findings - in place

Source - Growth Management Department

Road facilities (Section 5.32.D.3.f, LDR)

Findings - positive evaluation

Source – Engineering Services Department

Reference - see Section K of this staff report

Mass transit facilities (Section 5.32.D.3.g, LDR)

Findings - pending

Source - Engineering Services Department

Reference - see section L of this staff report

Public safety facilities (Section 5.32.D.3.h, LDR)

Findings - in place

Source - Growth Management Department

Reference - see Section P of this staff report

Public school facilities (Section 5.32.D.3.i, LDR)

Findings - positive evaluation

Source - Growth Management Department

Reference - see Section R of this staff report

A timetable for completion consistent with the valid duration of the development is to be included in the Certificate of Public Facilities Reservation. The development encompassed by Reservation Certificate must be completed within the timetable specified for the type of 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.

Item	Description	Requirement
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 been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.
5.	Construction Plans	One (1) 24" x 36" copy of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Rolled.
6.	Approved Master and Final Site Plan	One (1) copy 24" x 36" of the approved master and final site plan.
7.	Approved Landscape Plan	One (1) 24" x 36" copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.
8.	Digital Copy of Site Plan	One (1) digital copy of site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
9.	Construction Schedule	Original of the construction schedule.
10.	Cost Estimate	Two (2) originals of the Cost Estimate, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.
11.	Engineer's Design Certification	Original of the Engineer's Design Certification, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.
12.	Water & Wastewater Service Agreement	Original and one (1) copy or two (2) copies of the executed and signed Water and Wastewater Service Agreement with Martin County Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.
13.	PUD Zoning Agreement	Original and one (1) copy of the executed approved PUD zoning agreement.
14.	Right-of Way Dedications	Two (2) copies of the documents verifying that the right-of-way, property, or easements have been adequately dedicated to the Board of County Commissioners and recorded in the public records of Martin County.
15.	Flash/Thumb Drive	One (1) blank flash/ thumb drive for digital file recording.

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:	\$12,000	\$12,000	\$0.00
Inspection fees:	\$4,000		\$4,000
Advertising fees *:			
Recording fees **:			
Impact fees***:	N/A		

* 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.

***Impact fees are required at building permit.

X. General application information

Applicant:	JAMSZ Properties Inc. Donald Barnes 3494 SE Fairway E Stuart, Florida 34997 561-756-5948
Owner:	JAMSZ Properties Inc. Donald Barnes 3494 SE Fairway E Stuart, Florida 34997 561-756-5948
Agent:	HJA Design Studio, LLC Michael Houston 50 SE Ocean Boulevard, Suite 101 Stuart, Florida 34994 772-678-7200 mhouston@hjastudio.com
Engineer of Record:	Haley Ward Kenneth Rau 10975 SE Federal Highway Hobe Sound, Florida 33455

772-223-8850
krau@haleyward.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