



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

RIO MARINE VILLAGE PARKING LOT WEST REVISED MINOR FINAL SITE PLAN

Applicant/Property Owner:	Rio West Dixie, LLC
Agent for the Applicant:	Cotleur & Hearing
County Project Coordinator:	John Sinnott, Senior Planner
Growth Management Director:	Paul Schilling
Project Number:	S241-020
Record Number:	DEV2023090013
Report Number:	2024_0131_S241-020_Staff_Report_Final
Application Received:	12/12/2023
Transmitted:	12/13/2023
Date of Report:	01/31/2024

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B. Project description and analysis

This is a request by Cotleur & Hearing on behalf of Rio West Dixie, LLC, for a revised minor final site plan approval to develop a 116-space parking lot on an approximately 1.68-acre site. The subject site currently consists of paved driveways/parking areas. The subject site is located at 1012 NE Dixie Highway, generally on the south side of NE Dixie Highway, west of the proposed Rio Marine Village development, in the Core subdistrict of the Rio CRA. Included is a request for a Certificate of Public Facilities Reservation.

The project is located inside the Primary Urban Services District.

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:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comp Planning Review	John Sinnott	772-320-3047	Non-Comply
G	Site Design Review	John Sinnott	772-320-3047	Non-Comply
H	Community Redevelopment Review	John Sinnott	772-320-3047	N/A
H	Commercial Design Review	John Sinnott	772-320-3047	N/A
I	Property Mgmt Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Shawn McCarthy	772-288-5508	Comply
J	Landscaping Review	Karen Sjöholm	772-288-5909	Non-Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Comply
L	County Surveyor Review	Tom Walker	772-288-5928	N/A
M	Engineering Services Review	Stephanie Piche	772-223-4858	Non-Comply
N	Addressing Review	Emily Kohler	772-288-5400	Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5400	Non-Comply
O	Wellfield Review	James Christ	772-320-3034	Comply
O	Water and Wastewater Review	James Christ	772-320-3034	Comply
P	Emergency Mgmt Review	Sally Waite	772-285-2298	N/A
P	Fire Prevention Review	Doug Killane	772-419-5396	N/A
Q	ADA Review	Stephanie Piche	772-223-4858	Non-Comply
R	Health Review	Nick Clifton	772-221-4090	N/A
R	School Board Review	Mark Sechrist	772-219-1200	N/A
S	County Attorney Review	Elysse Elder	772-288-5925	Ongoing
T	Adequate Public Facilities	John Sinnott	772-320-3047	Pending

D. Review Board action

This application complies with the threshold for processing as a minor development, pursuant to Table 10.2.C.1., Section 10.2.C., LDR, Martin County, Fla. (2023). As such, final action will be taken by the Growth Management Director.

Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (2023), 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: 33-37-41-000-000-00011-4

Address: 1012 NE Dixie Highway, Jensen Beach

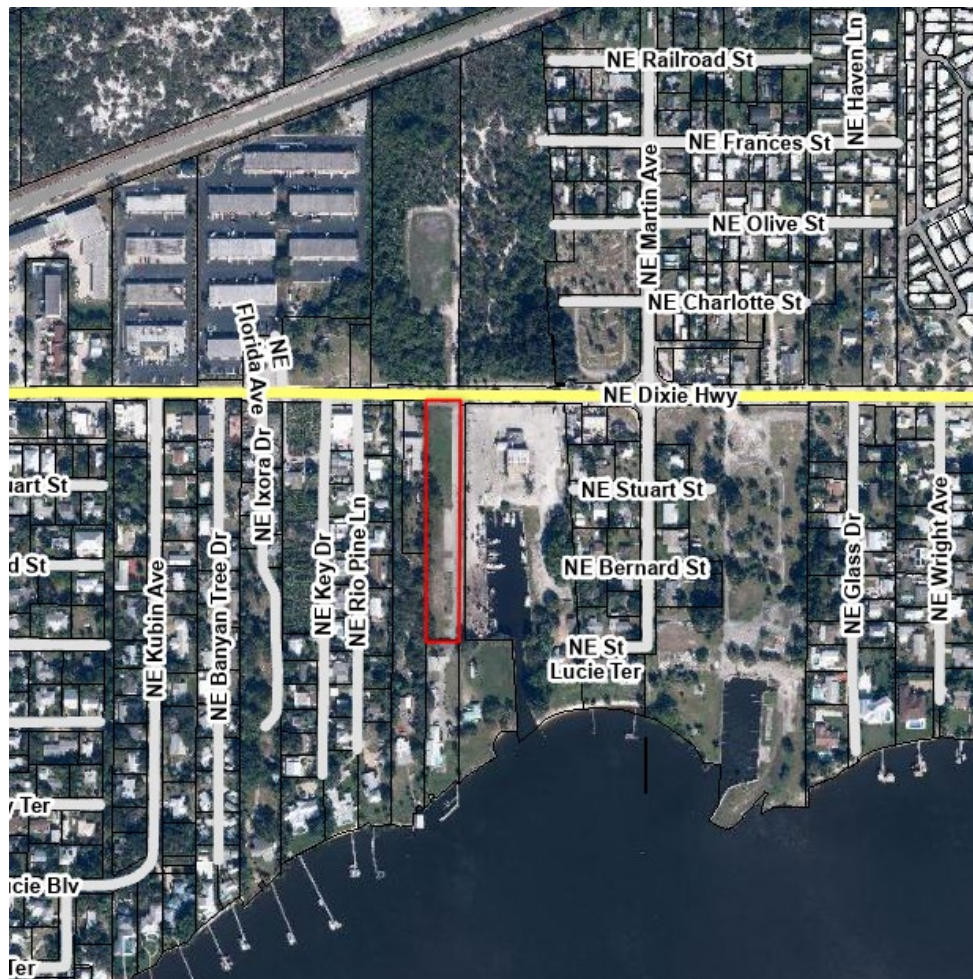
Existing Zoning: Rio Redevelopment Zoning District

CRA Subdistrict: Core

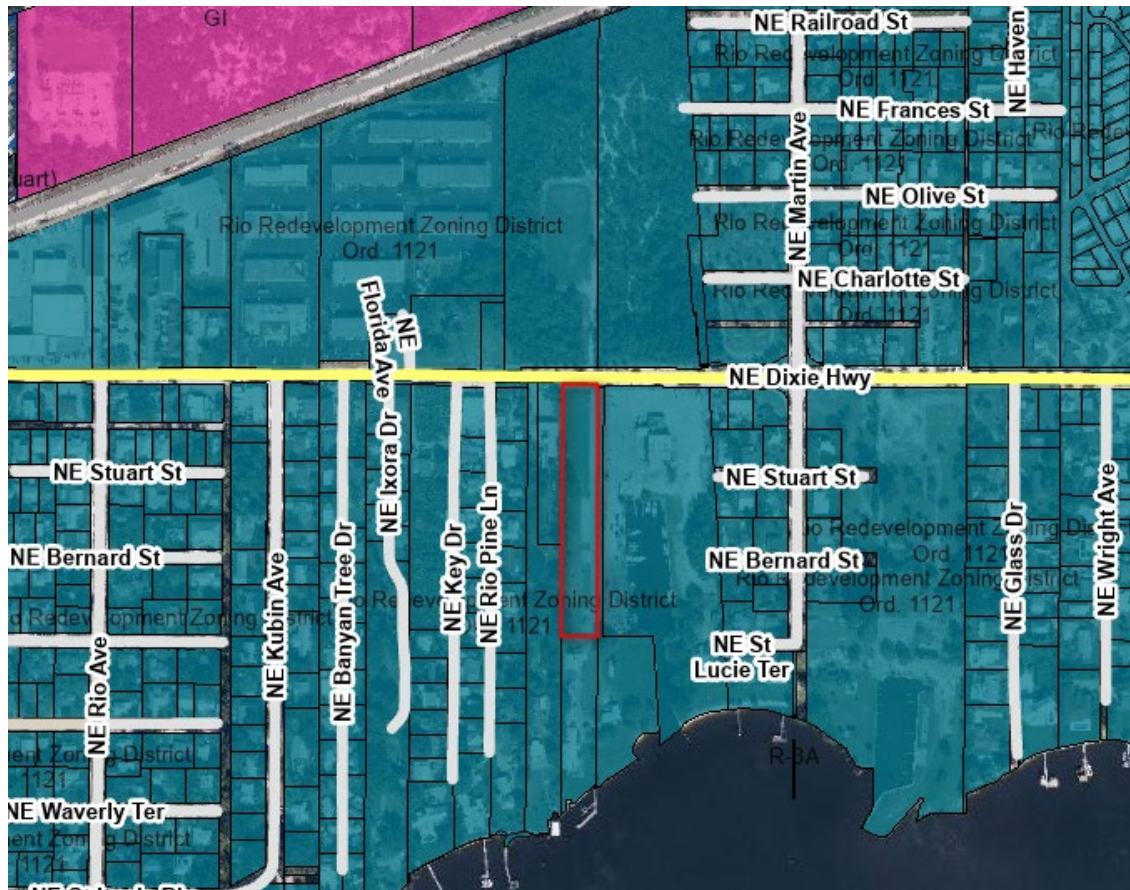
Future Land use: CRA Center

Gross area of site: 1.68 acres

**Figure I:
Location Map**

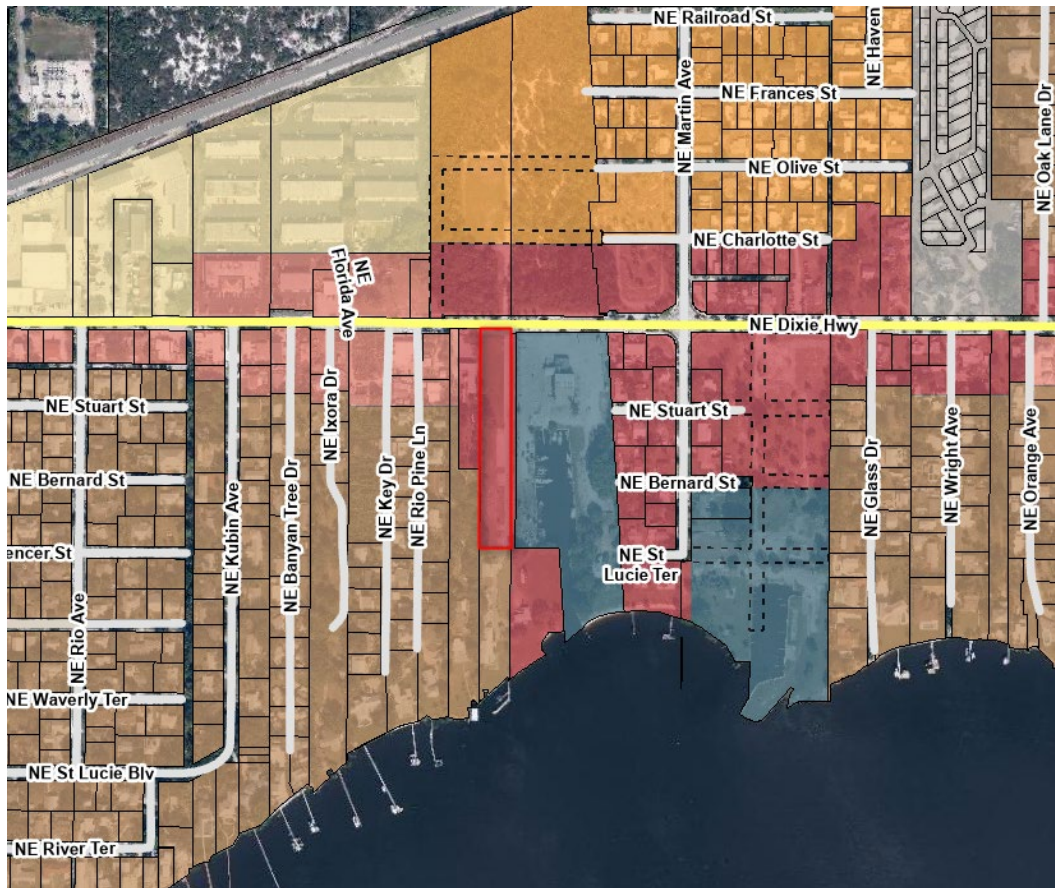


**Figure II:
Zoning Map**



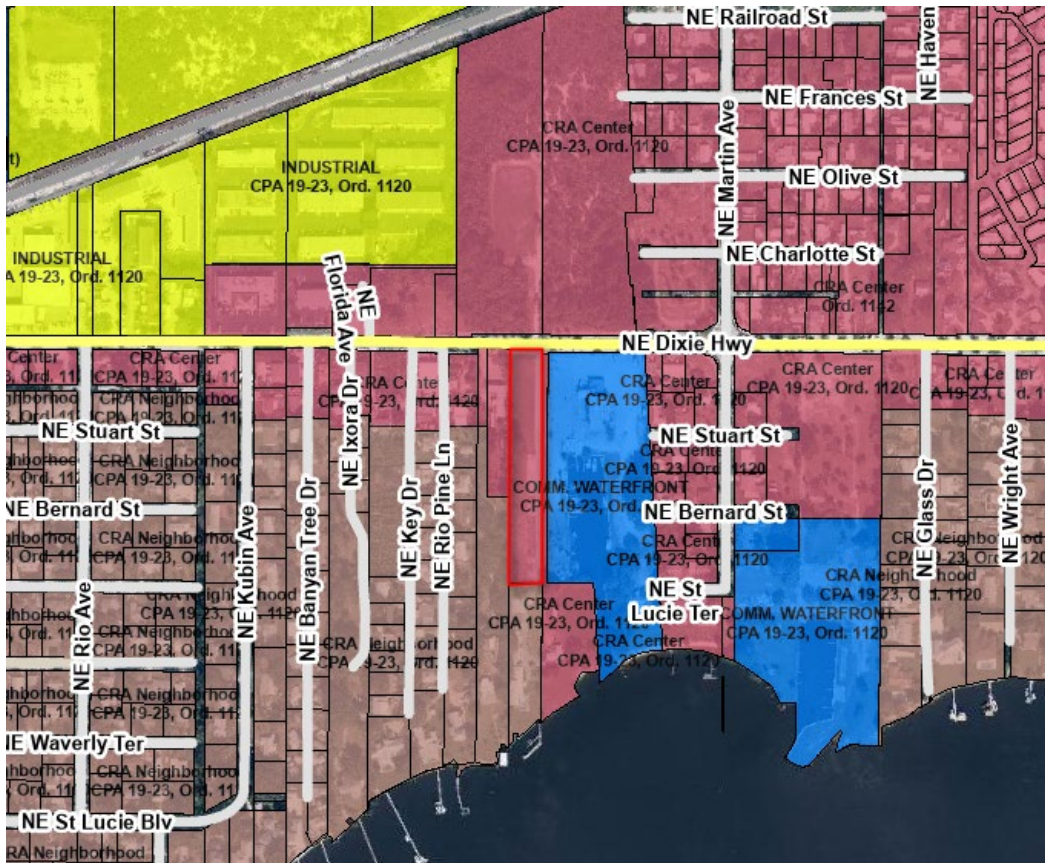
Zoning district of abutting properties: Rio Redevelopment Zoning District

**Figure III:
CRA Subdistrict Map**



Property to the East: Core, Waterfront
Property to the North: Core
Property to the West: Core, Detached
Property to the South: Detached

**Figure IV:
Future Land Use Map**



Property to the East: CRA Center, Commercial Waterfront

Property to the North: CRA Center

Property to the West: CRA Center, CRA Neighborhood

Property to the South: CRA Neighborhood

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

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

Unresolved Issues:

Item #1:

General

1. The owner on the letter of authorization should be Rio West Dixie, LLC. Please provide an updated letter.

Item #2:

Site Plan

1. Title block should be “Revised Minor Final Site Plan.”
2. The provided standard and ADA parking detail does not match the proposed site layout. There appears to be no sidewalk shown on the overall site plan graphic. See engineering comments in Section M of this report.
3. Per the parking detail, the proposed 2-foot vehicle overhang over the 7-foot wide sidewalk results in an unobstructed sidewalk width of 5 feet. Please revise. Wheel stops may be used to provide a two-foot overhang onto grassed areas or sidewalks; however, the unobstructed sidewalk width must be at least six feet. [MARTIN COUNTY, FLA., LDR §4.627.A (2009)].
4. Parking lots and structures shall provide pedestrian and bicycle access directly from a street. Please provide a sidewalk connection from the parking lot to NE Dixie Highway. [MARTIN COUNTY, FLA., LDR §12.1.07.6(a) (2021)].
5. Pursuant to MARTIN COUNTY, FLA., LDR §12.1.07.3 (2021), the parking design standards in Section 4.627, Div. 14, Article 4 apply to off-street parking in Redevelopment Zoning Districts, unless specifically modified in a particular Redevelopment Zoning District.
 - a. Please depict the front setback (from the right-of-way line of NE Dixie Highway) of the parking area. The minimum front yard setback is 25 feet. [MARTIN COUNTY, FLA., LDR §4.627.C.2(a) (2009)].
 - b. The minimum side setback for off-site parking lots is stipulated in MARTIN COUNTY, FLA., LDR §4.627.C.2(b) (2009). Portions of the west property line adjacent to 1002 NE Dixie Highway would be subject to the 10-foot side setback, while the portions adjacent to 978 NE Dixie Highway would be subject to the 15-foot side setback due to the abutting residential subdistrict. Alternative compliance may be considered.
6. Provide abutting property land use and zoning information outside the perimeter boundary of the site for all abutting land to the west, south, and east. Example for west abutting property:
FLU: CRA Center
Zoning: Rio Redevelopment Zoning District
Existing Use: Commercial
7. Site Data:
 - a. Existing zoning should be “Rio Redevelopment Zoning District.”

- b. Provide the open space (separate from pervious area data) in a table. Include both required and provided amounts. Minimum open space required is 20%. Include amounts in square feet, acres, and percent of total site area.
 - c. Remove the “Not Including Submerged Land in Boat Basins” language.
8. Please remove the general notes referencing preserve areas and the shoreline protection zone.
9. Please include the revision date on subsequent submittals.

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

Community Redevelopment

N/A – As there are no habitable structures proposed, the architectural standards of Article 12, Community Redevelopment Code, are not applicable to this project.

Commercial Design

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

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

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

Environmental

Finding 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 environmental assessment submitted by the applicant shows that no wetlands or upland habitat exist on the property and these findings have been verified by county environmental staff. In addition, the wildlife survey shows that no listed species exist on the property. Therefore, the preservation requirements under Article 4, Division 1 and Article 4, Division 2 of the Land Development Regulations do not apply.

Landscaping

Unresolved Issues:

Item #1:

Section 12.3.09 Interior landscaping.

If a vehicular use area is larger than 15,000 square feet, landscaping shall be provided within its interior in accordance with Section 4.663.A.4, Div. 15, Article 4, except that these interior landscape areas may also be used as stormwater management and conveyance facilities. If a vehicular use area is equal to or smaller than 15,000 square feet, no interior landscaping, terminal islands, interior medians, or interior islands are required.

Interior Vua Requirements-Non-Res Sites

Please demonstrate compliance with the following criteria for interior vehicular use areas [Section 4.663.A. 4.b., LDR]. The interior area includes the entire parcel to be developed exclusive of the required front, rear, and side perimeter landscape areas. As an incentive to preserving native areas, up to one-half of the required interior landscape area may be waived when an equal area (at least 800 square feet) within the vehicle use area is preserved in a native state.

In vehicular use areas within the interior of a site, one 500 square foot planting area shall be required for every 5,000 square feet of vehicular use area, or major portion thereof, and at least three two-inch, or two three-inch caliper shade trees together with other landscape material shall be planted within each such planting area.

Remedy/Suggestion/Clarification:

No interior vehicular use area planting areas have been provided. The tree survey identifies a number of large existing sand pines, both on-site and off-site very close to the property line. These trees and the adjacent areas appear to be workable with proposed grades and should be protected. These trees can count towards both required trees and tree mitigation. Suggested trees for preservation include #851-858 (#854-856 off-site) and #885-887.

Item #2:

Landscape Material Standards-General

Please demonstrate compliance with the following requirements (Section 4.664, LDR):

a. At least 75 percent of all required landscaping, by category, in the form of trees and shrubs shall consist of native vegetation.

b. Shrubs shall be a minimum height of 24 inches at the time of planting. In addition, shrubs shall at a minimum be in a three-gallon container or be an equivalent ball and burlapped plant- identify compliance with this requirement for required shrubs.

c. Identify the spread and proposed plant spacing for required shrubs. Shrubs with 15 to 23 inches of spread shall be planted on three-foot centers; shrubs with greater than 23 inches of spread shall be planted on five-foot centers. In no event shall spacing exceed five feet on center, nor shall plants be closer than two feet to the edge of any pavement.

Remedy/Suggestion/Clarification:

The proposed hedge material, *Clusia guttifera*, is not native species. Suggested replacement species include *Myrcianthes*, *Forestiera*, *Ardisia*, or *Eugenia foetida*.

Palm trees are not identified on the plan. Add plant leaders.

K. Determination of compliance with transportation requirements - Engineering Department

Traffic

Finding of Compliance:

CRA's are designated Transportation Concurrency Exception Areas (TCEA). Development within the TCEAs shall be exempt from the County's transportation concurrency requirement. [Martin County Comprehensive Growth Management Plan, Policy 18.4D.1. (2018)]

L. Determination of compliance with county surveyor - Engineering Department

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

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

Engineering

Unresolved Issues:

Division 8: Excavating, Filling, and Mining

1. The minimum depth of a swale shall be eight inches, unless approved by the County Engineer. (4.347.A.5)

Division 9: Stormwater Management

1. Provide proof of percolation rate/ k-value used for the exfiltration trench calculations (4.384.A.3.c.(3))
2. Please ensure half treatment volume is recovered between 24 hours and five days (4.385.F.4)
3. Please ensure 90 percent of 25-year 72-hour day runoff volume recovered in 12 days (4.385.F.4)
4. The access road / driveway leading to the private home slopes entirely towards the site. Please include this driveway in your drainage calculations and provide accommodations to interconnect the required system to serve the roadway to the exfiltration trench / storage chambers to ensure the water is treated for quantity and quality.
5. The proposed grades along the west property line (especially as you go further north) do not match the existing grades in this area. The two proposed grades here are 7.3 and 7.0 with the surrounding existing grades at about 6.0. Please revise the grading plan to match existing grades without shedding water offsite.
6. Structures before exfiltration need PRB baffles. Ensure structure A4 and A5 have PRB protection on the inverts leading to the exfiltration trench.
7. Please provide crossing information for the crossing between the exfiltration trench and the water utility assumed to be within the 2.0' water easement. Alternatively, if this easement is not in use, provide proof of coordination with the easement owner stating such.
8. Please provide a more detailed pipe layout/ conveyance into the StormTech chambers on the paving and drainage plan . The stormtech chamber details shall include the storage volume being relied upon.

Division 10: Flood Protection

1. Ensure provided topographic survey includes delineation of all special flood hazard area boundaries and a minimum of two benchmarks referenced in NAVD 88.

Division 19: Roadway Design

1. How will pedestrian access be provided from this proposed parking lot to the main site? Will there be a cross walk across the access road?

Signed and Sealed Construction Plans

Development Order Conditions:

1. The Owner is not authorized to haul fill from 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

Electronic Files

Unresolved Issues:

Item #1

There are three x-ref AutoCAD dwg files that are missing from the site plan dwg file. Please provide these with your resubmittal.

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 are in compliance. They meet all street naming regulations in Article 4, Division 17, Land Development Regulations. Martin County, Fla. (2023).

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater

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 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 Rescue

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

ADA

Unresolved Issues:

1. Provide ADA accessible parking stalls.
2. Provide accessible connection to the perimeter sidewalk.
3. How will a pedestrian access be provided from this proposed parking lot to the main site? Will there be a cross walk across the access road?

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

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

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

Review Ongoing

T. Determination of compliance with the 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 LDR for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities service provider – Martin County Utilities

Findings – Positive Evaluation

Source - Martin County Utilities

Reference - see Section O of this staff report

Sanitary sewer facilities service provider – Martin County Utilities

Findings – Positive Evaluation

Source - Martin County Utilities

Reference - see Section O of this staff report

Solid waste facilities

Findings – In Place

Source - Growth Management Department

Stormwater management facilities

Findings – Pending Evaluation

Source - Engineering Services Department

Reference - see Section N of this staff report

Community park facilities

Findings – In Place

Source - Growth Management Department

Roads facilities

Findings – Pending Evaluation

Source - Engineering Services Department

Reference - see Section M of this staff report

Mass transit facilities

Findings – Positive Evaluation

Source - Engineering Services Department

Reference - see Section K of this staff report

Public safety facilities

Findings – In Place

Source - Growth Management Department

Reference - see Section P of this staff report

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.
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.	Unity of Title	Original and one (1) copy of the current Unity of Title in standard County format 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 so that no transfer has occurred.
6.	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.
7.	Approved Final Site Plan	One (1) copy 24" x 36" of the approved final site plan.
8.	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.
9.	Digital Copy of Site Plan	One (1) digital copy of the plat/site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
10.	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.

Item	Description	Requirement
11.	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.
12.	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 Martin County prior to scheduling the pre-construction meeting.

W. Fees

Public advertising fees for the development order will be determined and billed subsequent to the public meeting. 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:	\$8,750.00	\$8,750.00	\$0.00
Inspection fees:	\$4,160.00	\$0.00	\$4,160.00
Advertising fees*:	\$0.00	\$0.00	\$0.00
Recording fees**:	\$0.00	\$0.00	\$0.00
Impact fees***:	\$0.00	\$0.00	\$0.00

* 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/Owner: Rio West Dixie, LLC
 Josh Simon
 8985 SE Bridge Road
 Hobe Sound, FL 33455
 561-575-6454
joshsimon@flholdings.com

Agent: Coteleur & Hearing
George Missimer
1934 Commerce Lane #1
Jupiter, FL 33458
561-406-1008
gmissimer@coteleur-hearing.com

Engineer of Record: Simmons & White
Greg Bolen, P.E.
2581 Metrocentre Boulevard West, Suite 3
West Palm Beach, FL 33407
561-644-4312
bolen@simmonsandwhite.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

N/A