



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

## **A. Application Information**

### **THE PRESERVE AT SALERNO PUD ZONING AGREEMENT MASTER/FINAL SITE PLAN**

Applicant:	Rare Capital Partners, LLC
Property Owner:	Rare Capital Partners, LLC
Agent for the Applicant:	Cuozzo Design Group, Inc.
County Project Coordinator:	Peter Walden, AICP, Deputy Growth Management Director
Growth Management Director:	Paul Schilling
Project Number:	M215-005
Record Number:	DEV2021100016
Report Number:	2022_0622_Staff_Report_Final
Application Received:	11/17/2021
Transmitted:	11/17/2021
Staff Report:	01/26/2022
Resubmittal Received:	08/05/2022
Transmitted:	08/05/2022
Date of Report:	10/21/2022
Resubmittal Received:	03/14/2023
Transmitted:	03/14/2023
Date of Report:	06/22/2023

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## **B. Project description and analysis**

Request by Rare Capital Partners to change the existing RM-10, High Density Residential District to PUD, Planned Unit Development through a PUD Zoning Agreement including a master/final site plan. The approximate 8 acre undeveloped parcel is located east of SE Federal Highway at the terminus of SE Hydrangea Street. Included is a deferral of Public Facilities Reservation.

The proposed residential development consists of 79 townhome units resulting in a residential density of approximately 9 units per acre. Development of the site requires improvements to SE Hydrangea Street including turn lanes and median construction. A 1.75 acre upland preserve is proposed and a club house and pool are the proposed community amenities.

The site is within the Primary Urban Service District and water and wastewater service would be provided by Martin County Utilities.

### **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:

<b>Section</b>	<b>Division or Department</b>	<b>Reviewer</b>	<b>Phone</b>	<b>Assessment</b>
F	Comprehensive Plan	Peter Walden	219-4923	Non-Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Peter Walden	219-4923	Non-Comply
H	Urban Design	Peter Walden	219-4923	N/A
H	Community Redevelopment	Peter Walden	219-4923	N/A
I	Property Management	Ellen MacArthur	221-1334	Non-Comply
J	Environmental	Shawn McCarthy	288-5508	Non-Comply
J	Landscaping	Karen Sjöholm	288-5909	Non-Comply
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Tom Walker	288-5928	N/A
M	Engineering	Michael Grzelka	288-5920	Non-Comply
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	Comply
O	Water and Wastewater	James Christ	320-3034	Non-Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	Comply
P	Emergency Management	Sally Waite	219-4942	N/A
Q	ADA	Michael Grzelka	288-5920	Non-Comply
R	Health Department	Nicholas Clifton	221-4090	N/A
R	School Board	Kimberly Everman	223-3105	Comply
S	County Attorney	Elysse Elder	288-5925	Review Ongoing
T	Adequate Public Facilities	Peter Walden	219-4923	Pending

### **D. Review Board action**

This application meets the threshold criteria for a major development, pursuant to Table 10.2.C.1.B., LDR, Martin County, Fla. (2019), and requires two public hearings. The two hearings will provide the public an opportunity to participate in the review and decision making process.

The first public hearing shall be before the Local Planning Agency, who will make a recommendation on the request, pursuant to Table 10.5.F.9., LDR, Martin County, Fla. (2019).

The second public hearing shall be before the Board of County Commissioners, who will take final action on the request, pursuant to Table 10.5.F.9., LDR, Martin County, Fla. (2019).

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**

PCNs: 55-38-41-000-073-00030-9

Existing Zoning:

RM-10, Residential District

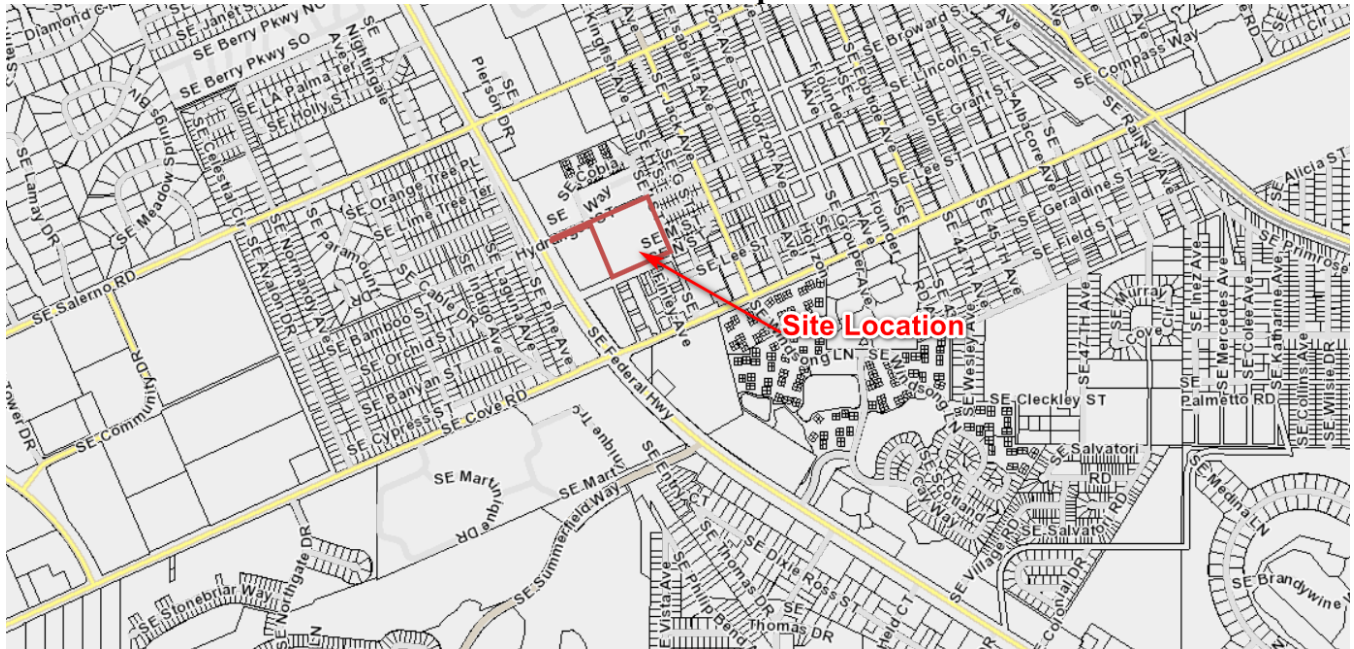
Future land use:

High Density

Total Site Area:

8.8 acres

**Location Map**

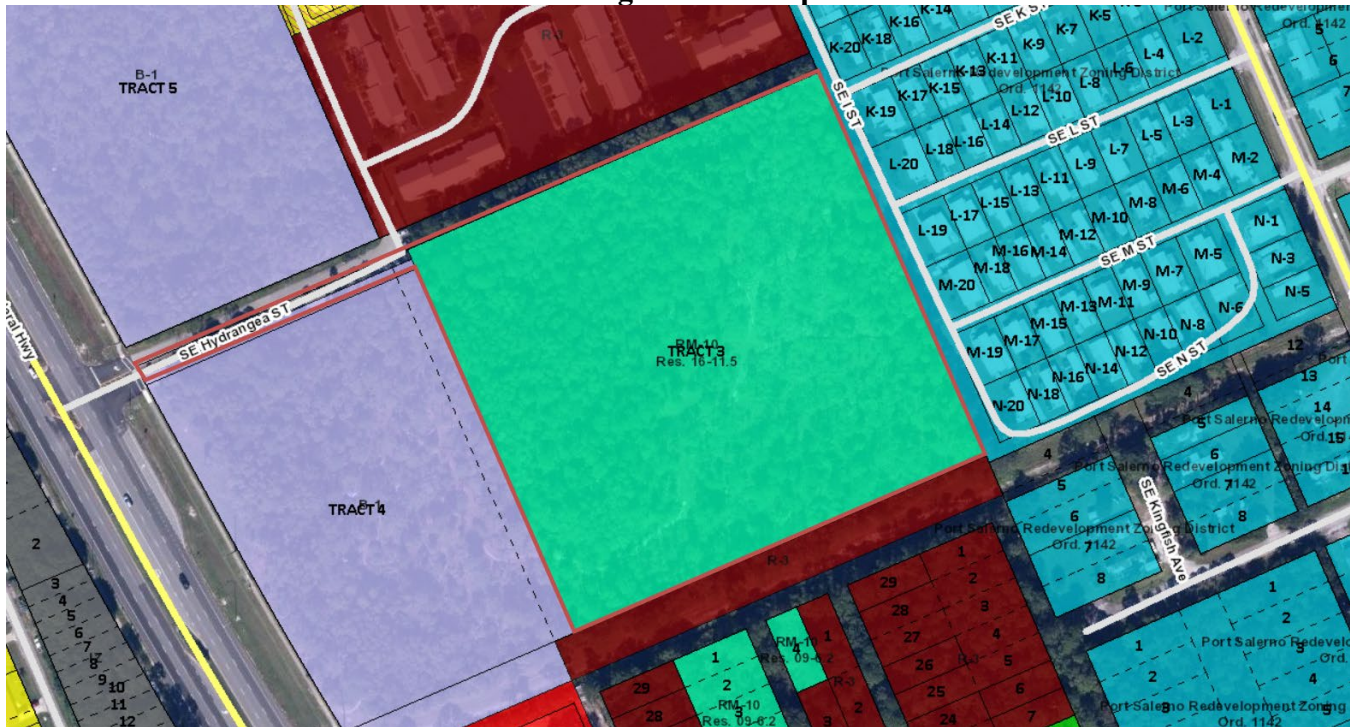


**Aerial**





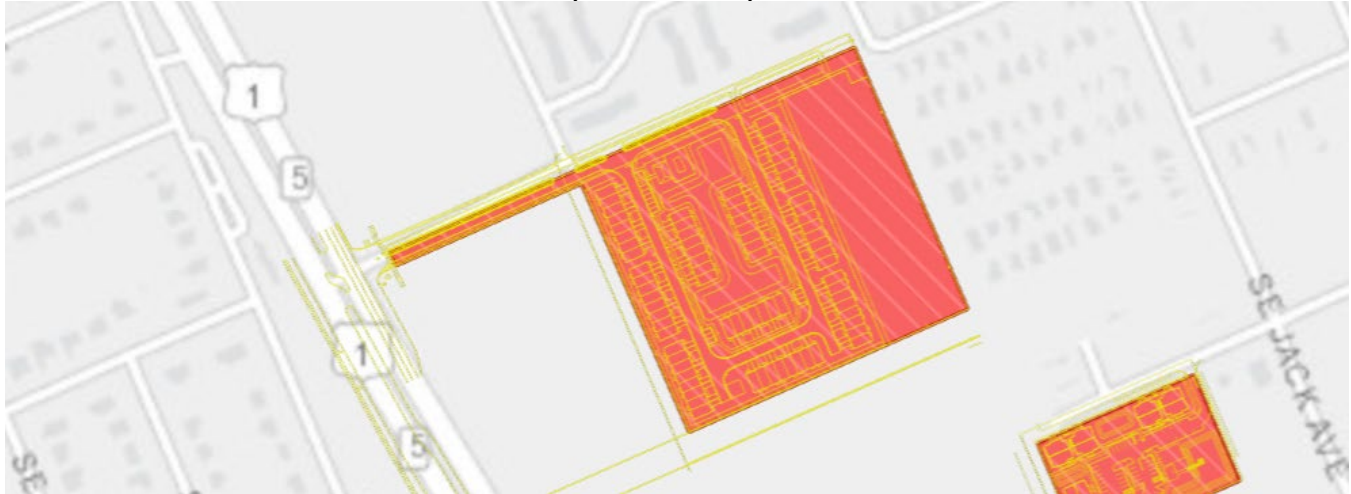
### Zoning Atlas Excerpt



### Future Land Use Map Excerpt



Proposed Development



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

**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.

**Unresolved Issues:**

**Item #1:**

**Generic Comp Plan Compliance-GMD**

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:**

**Data Table:**

1. Setbacks should state “Building setbacks” seeing that the patios are not included.

**Site Plan:**

1. Provide lot dimensions on the typical and the site plan.
2. Provide patio dimensions
3. Provide at a minimum, bearings and distances enough to show consistency with future plat.
4. Revised note 16 to be consistent with a Master/Final site plan.

**PUD Agreement:**

1. Revise Exhibit E Timetable, C. and D. should be combined and rephrased.
2. The public benefits, Section 20 of Condition F seem to be incomplete. Please provide more detail as to the requirements for SE Hydrangea Street.

**Additional Information:**

**Information #1:**

**Land Clearing**

No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre- construction meeting. 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 on state agency permits, may be granted by the Growth Management Department upon review of required permit materials. MARTIN COUNTY, FLA., LDR § 4.37

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

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



### **Commercial Design**

The proposed project is not located within the General Commercial, Limited Commercial, Commercial Office/Residential or Waterfront Commercial Future Land Use Designations. Therefore, the Commercial Design reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR SECTION 4.871.B. (2016)

### **Community Redevelopment Area**

The proposed project is not located within a Community Redevelopment Area. Therefore, the Community Redevelopment Area reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR ARTICLE 3, DIVISION 6 (2016)

### ***I. Determination of compliance with the property management requirements – Engineering Department***

It has been determined that the Applicant is required to dedicate 30 feet of right of way on SE Hydrangea Street pursuant to Section 4.843.B.4, Land Development Regulations, Martin County, Fla. (2010). The following is a list of the required due diligence materials:

#### **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, however, the Title Commitment is dated July 7, 2022 and is out of date (180 days). An updated Title Commitment is required.**

#### **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 a sketch and legal description (S&L) for the right of way dedication. At this time, the County does not accept digital signatures. The applicant needs to provide wet signed/sealed originals. The County Surveying Division has reviewed the S&L and revisions are needed.**

#### **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 Updated Environmental Assessment submitted is not a Phase I ESA. A Phase I ESA is required.**

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

**Environmental**

**Unresolved Issues:**

**Item #1: Environmental Assessment and PAMP**

The submittal dated March 13, 2023 included three different versions of a PAMP for this development. The versions contained slightly different information which is confusing and unclear on which document is the most recent with current data documenting the site. Please resubmit one PAMP document with the corrections required based on the following comments:

Please update the FLUCCS map and written descriptions in the EA to include Florida Natural Areas Inventory (FNAI) descriptions for native habitats as required by county code shown below:

*Acreage, location and description of each habitat type, including areas of invasive exotic vegetation and wetlands, total acreage in common habitat types, total acreage of habitats which are endangered, unique, rare or threatened, and total upland acreage shall be tabulated and mapped using the Florida land use cover and classification system (FLUCCS) and Florida Natural Areas Inventory (FNAI). The FLUCCS codes shall be used for all non-native habitats and FNAI used for all native habitats identified onsite.*

Please update the EA to include a list of listed species that have the potential to be found onsite as well as a specific field survey that was conducted onsite for those specific listed species. The PAMP included an IPAC report from a wildlife agency which can be a useful tool to assist with creating a specific list of listed species that have the potential to be found onsite. Please provide a specific list in the PAMP created for this site. Code sections are cited below:

*A list of rare, endangered, threatened or species of special concern, both flora and fauna, with the potential to be found on site. Describe any critical habitat found on site for protected species. A field survey and map shall be made showing the areas of the site surveyed for listed species. Surveys shall be performed and certified as utilizing appropriate referenced survey methodologies established by the listing agencies.*

*In addition to listed fauna, the survey shall locate specific species of rare, endangered, threatened or unique plants of limited range that have been found (e.g. four-petal paw paw in Jensen Beach sand pine scrub) so that they can be included in preserve areas.*



Please make sure the preserve data in the PAMP matches the preserve data on the site plan. The preserve data in the PAMP does not match the site plan. The preserve area table on the site plan is based on the site area after ROW dedication. Total site area less ROW dedication is 8.01 acres. Comparing this area to the habitat map in the EA and it appears the entire site is considered native upland habitat (Pine Flatwoods).

### **Item#2: Firewise Protection Standards**

Please provide a section in the PAMP that describes how the 10 foot portion of defensible space within the preserve area will be managed. Management criteria shall be based on the "Firewise Principles" found on the Florida Forest Service website. An example of management would be to trim low branches on tress and keep the leaf litter and vegetative debris to a minimum to reduce fuel load in this area. Again, please refer to the firewise principals.

### **Item#3: PUD Agreement**

In exhibit F of the agreement under paragraph 9, PRESERVE AREAS, states that the Master/Final Site Plan and PAMP provides 26% as an additional public benefit offering to the COUNTY. This percentage differs from the Site Plan which shows that 29% of the upland habitat is proposed to be preserved. Please correct so both documents are consistent.

## **Landscape**

### **Unresolved Issues:**

#### **Item #1:**

Landscape Native Tree Protect & Survey

The following information shall be provided for trees in the developed area:

#### **Remedy/Suggestion/Clarification:**

Except within the preserve area, no trees on the site are proposed to be protected.

The response letter states that the tree survey has been updated to include disposition and mitigation, and while a summary table of **total** tree mitigation is provided, the summary appears to only include trees within the perimeter buffers. **Hardwoods 8" DBH or greater wherever they exist on the site are protected trees.** For example, there are numerous oak trees that are 10" or larger on the site. However, these are not included in the table.

Expand the tree disposition table to outline protection status, replacement credits for removal, and any protection credits to be applied as mitigation. Below is a sample template for format and information required All protected trees need to be included.

The tree report submitted has revised the statement to only 300 tree mitigation credits required vs. the 1,135 credits stated in the 1<sup>st</sup> report. The table on sheet 3 of 4 indicates that 1135 tree credits are to be removed on site. Only the equivalent of 324 tree credits have been proposed to be planted. Please review the tree survey to verify that all protected trees are included and required mitigation is calculated.

**Item #2:**

PUD – Sustainable Design Standards

The submitted PUD Agreement does not include updated language for PUD's. template

- D. The ASSOCIATION shall maintain all common areas and preservation areas free of prohibited plant species as defined in the Land Development Regulations, Martin County Code and free of invasive plant species designated as Category I by the Florida Invasive Species Council (FISC) or the Florida Exotic Pest Plant Council (FEPPC).

**Remedy/Suggestion/Clarification:**

Add Category II plants species to list of invasive species to be eradicated.

***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 Simmons & White, dated September 2021. Simmons & White stated that the site's maximum impact was assumed to be 28 directional trips during the PM peak hour. Staff finds that SE Federal Highway is the recipient of a majority of the generated trips. The generalized service capacity of SE Federal Highway is 3020. Staff finds that the sites maximum impact is assumed to be 25 directional trips using ITE Trip Generation Manual 11th Edition data (215 Single Family Attached) and the project impact is 0.83% of the maximum volume of that roadway. SE Federal Highway is currently operating at a level of service C; it is anticipated to operate at level of service C at buildout (year 2029).

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***

The applicant has provided a certified boundary and topographic survey for the proposed development, pursuant to Section 10.1.E., LDR, Martin County, Fla. (2019). Therefore, the Engineering Department was not required to review this application for consistency with the Martin County Codes for survey requirements contained in Article 4, LDR, Martin County, Fla.

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

## Unresolved Issues:

### 1. Offsite SE Hydrangea Street

1. Provide a mid-block pedestrian crossing across SE Hydrangea St just east of the SE Heron Lane going through the median.
2. Relocate the pedestrian crossing at SE Ibis Lane to be perpendicular to SE Hydrangea St and go through the median as a mid-block crossing.
3. Call out the case II red reflectors at the end of SE Hydrangea Street.
4. Call out the street name blades on the stop sign at the corner of SE Cobia Way and SE Hydrangea Street.
5. Revise the lighting plan to follow the FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways for the illuminance of sidewalks on residential roads.
1. The surface water management report has the 3” bleeder at elevation 14.75, the plans show the bleeder at 14.25, and the control elevation is at 13.0, demonstrate system recovery of 90% of the 25-year three-day runoff volume in 12 days from the cessation of the storm event, and modify the documents as necessary.

### 2. Onsite

1. As previously requested, add a stop sign and bar on SE Sparrow Way at the eastbound approach to SE Ibis Lane.
2. Call out all stop signs shall have street blades.
3. Call out the case II red reflectors at the southern end of both SE Heron Lane and SE Ibis Lane.
4. Demonstrate system recovery of 90% of the 25-year three-day runoff volume in 12 days from the cessation of the storm event.
5. Provide the location of the USPS mail Kiosk along with the appropriate pull off area or parking space.

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

### 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. (2022).

### Electronic Files

#### 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. (2021)

***O. Determination of compliance with utilities requirements - Utilities Department***

**Water and Wastewater**

**Drawings Must Be Approved**

**Item #1:**

The construction drawings must be approved by the Utilities and Solid Waste Department prior to sign off by the Department of permit applications and agreements. [ref. Martin County Water and Wastewater Service Agreement. 6. Obligations of Developer, Paragraph 6.1]

**Item #2:**

The applicant must submit an executable, final draft water and wastewater service agreement to the Growth Management Department for review by the Legal and Utilities departments prior to approval of the scheduling of a Pre-construction meeting. The 'Water and Wastewater Service Agreement' must be executed and the applicable fees paid within sixty 60 days of final Martin County approval of the request.

**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**

This PUD is subject to Special condition 5. Please acknowledge the inclusion of residential fire sprinklers in these buildings.

**Emergency Preparedness**

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

***Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department***

**Unresolved Issues:**

1. Provide a mid-block pedestrian crossing across SE Hydrangea St just east of the SE Heron Lane going through the median.

2. Relocate the pedestrian crossing at SE Ibis Lane to be perpendicular to SE Hydrangea St and go through the median as a mid-block crossing.

## **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**

#### **Martin County School District CIP School Concurrency Determination**

**Project:** The Preserve at Salerno – Master/Final Site Plan  
**Date Received:** 11/17/2021  
**Project #:** M125-005 / DEV2021100016 – PCN 55-38-41-000-073-00030-9  
**Owner/Applicant:** Cuzzo Planning Solutions  
**Location:** Just East of Fed. Hwy, South of SE Hydrangea St., Port Salerno FL 9.89 ac.

**Planned Project Units:** 79 Townhomes

#### **Project Unit Yield by Type of School**

School Type	Rate	Students
Elementary:	.0997	8
Middle School:	.0510	4
High School:	.0709	6
<b>SGR =</b>	<b>.2216</b>	<b>18</b>

#### **Service Area Analysis:**

CSA ANALYSIS	A	B	C	D	E	F	G	H
<b>SCHOOLS</b>	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)
<b>Elementary</b>								
JD Parker Elem (Z)	703	0	703	566	50	0	616	87
Pinewood Elem	750	0	750	747	57	0	804	-54
Port Salerno Elem	750	0	750	749	40	8	797	-47
<b>Totals</b>	<b>2203</b>	<b>0</b>	<b>2203</b>	<b>2062</b>	<b>147</b>	<b>8</b>	<b>2217</b>	<b>-14</b>
<b>Adjacent South CSA</b>	<b>2301</b>	<b>0</b>	<b>2301</b>	<b>1432</b>	<b>81</b>	<b>14</b>	<b>1527</b>	<b>774</b>
<b>Middle (South CSA)</b>								
Anderson Middle	1294	0	1294	1044	74	0	1118	176
Murray Middle - Z	1070	0	1070	545	18	4	567	503
<b>High</b>								
Martin County (Z)	2107	0	2107	2327	32	6	2365	-258
<b>Adjacent North CSA</b>	<b>1914</b>	<b>0</b>	<b>1914</b>	<b>1428</b>	<b>172</b>	<b>6</b>	<b>1606</b>	<b>308</b>

**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. Elementary School Student Capacity transfer from Stuart CSA Zone to adjacent South CSA to accommodate LOS
2. 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:** 12/8/2021

**Telephone:** 772- 219-1200, Ext.30220

**email:** [evermak@martinschools.org](mailto:evermak@martinschools.org)

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

## **Review Ongoing**

The Martin County Legal Department is working with the applicant's attorney with regards to the proposed PUD Zoning Agreement.

### ***T. Determination of compliance with the adequate public facilities requirements - responsible departments***

This development application is eligible for a Positive Evaluation of Adequate Public Facilities. The following evaluation summarizes the Positive Evaluation of Adequate Public Facilities:

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

Service provider - Martin County

Findings – pending evaluation

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

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

Service provider - Martin County

Findings – pending evaluation

Source - Utilities and Solid Waste Department

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 evaluation

Source - Engineering 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

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

Findings – in place

Source - Engineering Department

Reference - see Section K 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 "positive" evaluation means that the project passes the evaluation test. (A "negative" evaluation means that the project fails the evaluation test.) A master site plan development order with a Positive Evaluation of Adequate Public Facilities does not authorize site development, is specific to the development order, and is assignable or transferable only to the extent the development order is assignable or transferable. Maintenance of a valid development order is essential to the maintenance of a valid evaluation. An Evaluation of Adequate Public Facilities runs with the land, consistent with the development order on which it was based. A positive evaluation does not confer concurrency rights and is not binding on the County (Section 14.5.D., CGMP; Section 5.32.C.5, LDR)

#### ***U. Post-approval requirements***

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 #1:**

Post Approval Requirements List: After approval the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. Submit a copy of the Post Approval Requirements List.

**Item #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.

**Item #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 #4:**

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 certified letter stating that no title transfer has occurred.

**Item #5:**

One (1) 24" x 36" paper copy of the approved master/final site plan.

**Item #6:**

One (1) digital copy of master/final site plan in AutoCAD 2010 - 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

**Item #7:**

Original and one (1) copy of the executed approved PUD zoning agreement.

**Item #8:**

One (1) blank USB flash/thumb drive, which will be utilized to provide the applicant with the approved stamped and signed project plans.

**Item #9:**

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 #10:**

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.

**Item #11:**

An Original of the construction schedule.

## ***V. Local, State, and Federal Permits***

All permits will be required before the commencement of any construction.

## ***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:	\$13,800.00	\$13,800.00	\$0.00
Inspection fees:	\$4,000.00		\$4,000.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Impact fees***:	TBD		

\* 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 required at building permit.

## ***X. General application information***

Applicant: Rare Capital Partners, LLC  
Joe Balise  
555 Hypoluxo Road Suite B  
Lantana, FL 33462

Owner: Rare Capital Partners, LLC  
Joe Balise  
555 Hypoluxo Road Suite B  
Lantana, FL 33462

Agent: Cuzzo Planning Solutions  
Donald Cuzzo  
PO Box 1939  
Stuart FL 34995

## **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**