



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

## STAFF REPORT

### A. *Application Information*

## HOBE SOUND BTS RETAIL (F/K/A Heritage Ridge PUD, PARCEL C-4, LOT 2) REPLAT

Applicant:	Olympus Development, LLC
Property Owner:	Olympus Development, LLC
Agent for the Applicant:	Robert S. Raynes, Jr., Esq, Gunster
County Project Coordinator:	Catherine Riiska, MS, PWS, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	K024-004
Record Number:	DEV2018070020
Report Number:	2018_1026_K024-004_DRT_Staff_FINAL.docx
Application Received:	08/24/2018
Transmitted:	08/28/2018
Staff Report:	10/05/2018
Joint Workshop:	10/11/2018
Resubmittal Received:	08/24/2018
Transmitted:	08/28/2018
Staff Report:	10/05/2018
Joint Workshop:	10/11/2018
Resubmittal Received:	10/11/2018
Transmitted:	10/12/2018
Resubmittal Received:	10/18/2018
Transmitted:	10/19/2018
Staff Report:	10/26/2018
BCC Meeting:	11/20/2018

### B. *Project description and analysis*

This is an application to replat the existing Lot 2 of Parcel C-4 within the Heritage Ridge PUD development into two separate lots consistent with a proposed PUD final site plan to develop one of the lots. Lot 2 consists of 4.06 acres located on the southeast corner of SE Constitution Blvd and SE Federal Highway. This application for a replat modifies the existing Plat of C-4 as recorded in Plat Book 12, Page 16, Martin County public records, recorded in 1989, to subdivide Lot 2 into two separate lots designated Lot 2A and 2B. Included is a request for a Certificate of Public Facilities Exemption.

The Lot 2, Parcel C-4, Heritage Ridge PUD final site plan application is under concurrent review and proposes the subdivision and minor development of one of the resultant lots for a 9,147 square-foot retail use (Project # K024-003). Pursuant to Division 21, Article 4, Land Development Regulations

(LDR), Martin County, Fla. (2017), the Plat must be consistent with the approved final site plan and the requirements of Section 177, Fla. Stat. (2017) and Chapter 61G17-6, Florida Administrative Code (2017).

### **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	Catherine Riiska	288-5667	Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Catherine Riiska	288-5667	Comply
H	Urban Design	Santiago Abasolo	288-5485	N/A
H	Community Redevelopment	Santiago Abasolo	288-5485	N/A
I	Property Management	Colleen Holmes	288-5794	Comply
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjöholm	221-5909	Comply
K	Transportation	Lukas Lambert	221-2300	N/A
L	County Surveyor	Tom Walker	288-5928	Comply
M	Engineering	Michelle Cullum	288-5512	N/A
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	N/A
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	N/A
P	Emergency Management	Dan Wouters	219-4941	N/A
Q	ADA	Kevin Landry	320-3046	N/A
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	223-3105	N/A
S	County Attorney	Krista Storey	288-5443	Review Ongoing
T	Adequate Public Facilities	Catherine Riiska	288-5667	Exemption

Staff has reviewed this application for a plat, for compliance with the applicable goals, objectives and policies of the Martin County Comprehensive Growth Management Plan, the Martin County Land Development Regulations and the code. The staff determination is that this application is in compliance with these laws, ordinances and policies, standards and criteria. Staff recommends approval of this application for this plat, subject to any conditions as identified in this report.

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

This application is a plat of a project running concurrently with a final site plan application. As such, final action on this request for approval is required by the Board of County Commissioners at a public meeting pursuant to Section 10.5.A.2., Land Development Regulations, Martin County, Fla., (2016). Approval of the plat must be preceded by approval of the final site plan, with which the plat must be consistent.

Pursuant to Section 10.1.F, Land Development Regulations, Martin County, Fla., 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.

Pursuant to Section 10.4.A.1., Land Development Regulations, Martin County, Fla., a review of this application is not required by the Local Planning Agency (LPA).

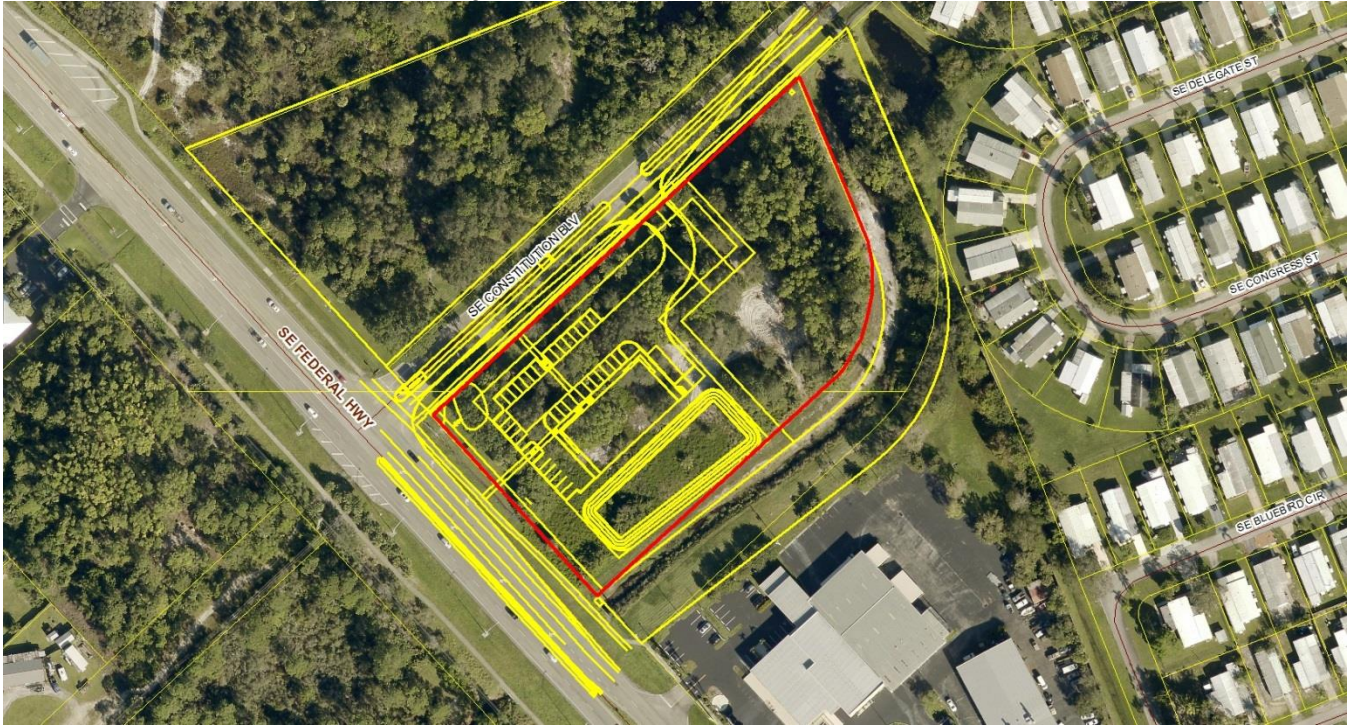
**E. Location and site information**

Parcel number(s) and address:	
343842091000000207	Unaddressed
Existing Zoning:	PUD-R (GC per PUD Zoning Agreement)
Future land use:	Low Density (Commercial General per PUD Zoning Agreement)
Nearest major road:	SE Constitution Blvd at SE Federal Hwy
Gross area of site:	4.06 acres
Pre-construction developed area:	0

Figure 1: Location Map



**Figure 2: Subject Site 2018 Aerial with Site Plan Overlay**



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

**Findings of Compliance:**

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved Comprehensive Growth Management Plan requirements issues associated with this application.

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

**Findings of Compliance:**

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved land use, site design standards, zoning and procedural requirements issues associated with this application.

**Additional Information:**

**Information #1:**

**Payment Of The Taxes**

No land shall be divided or subdivided and no drawing or plat of the division or subdivision of any land, or declaration of condominium of such land, shall be filed or recorded in the public records of any court until all taxes have been paid on the land. SECTION 197.192, FLA. STAT. (2016)

The submittal of documentation to demonstrate compliance with this requirement is required prior to recordation of the plat. The applicant shall submit this documentation during the post-approval process,

within 60 days of approval.

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

**Commercial Design**

The proposed project is for a residential use and 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***

**Findings of Compliance:**

The applicant has provided the Title Commitment, Sketch and Legal Description and Phase I Environmental Site Assessment for the dedication of a 25' corner clip at the corner of SE Constitution Boulevard and SE Federal Highway.

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

**Environmental**

**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.

**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].The applicant has proposed construction of a 94 lot subdivision within this phase.

The plat documents are consistent with the approved final site plan and approved development order. The survey provides for required areas of landscape and buffering.

***K. Determination of compliance with transportation requirements - Engineering Department***

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

***L. Determination of compliance with county surveyor - Engineering Department***

**Findings of Compliance:**

The County Surveyor has reviewed the application and finds it in compliance with the applicable land development regulations.

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

Engineering requirements are reviewed in conjunction with the Final Site Plan, with which this plat must be consistent. There are no changes proposed to the Final Site Plan, pursuant to Section 10.1.F, LDR, Martin County, Fla. (2016). Therefore, the Engineering Reviewer was not required to review this application.

***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. (2018).

**Electronic File Submittal**

Electronic file requirements are reviewed in conjunction with the Final Site Plan, with which this plat must be consistent. There are no changes proposed to the Final Site Plan, pursuant to Section 10.1.F, LDR, Martin County, Fla. (2016). Therefore, the Engineering Reviewer was not required to review this application.

***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**

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

#### **Emergency Preparedness**

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

### ***R. Determination of compliance with Martin County Health Department and Martin County School Board***

#### **Martin County Health Department**

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

#### **Martin County School Board**

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

### ***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 for a Certificate of Adequate Public Facilities Exemption (Article 5, LDR) for development and alterations or expansions to approved developments that do not create additional impacts on public facilities:

Potable water facilities

Service provider - Exempted  
Source - Environmental Services Department  
Reference - see Section O of this staff report

Sanitary sewer facilities

Service provider - Exempted  
Source - Environmental Services Department  
Reference - see Section O of this staff report

Solid waste facilities

Findings - Exempted  
Source - Growth Management Department

Stormwater management facilities

Findings - Exempted  
Source - Engineering Department  
Reference - see Section N of this staff report

Community park facilities

Findings - Exempted  
Source - Growth Management Department

Roads facilities

Findings - Exempted  
Source - Engineering Department  
Reference - see Section M of this staff report

Mass transit facilities

Findings - Exempted  
Source - Engineering Department  
Reference - see Section L of this staff report

Public safety facilities

Findings - Exempted as not creating additional impacts to public services  
Source - Growth Management Department  
Reference - see Section P of this staff report

Development that does not create additional impact on public facilities includes:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use



has been discontinued for two years or more;

C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan;

D. Boundary plats which permit no site development.

Exempted development will be treated as committed development for which the county assures concurrency.

### ***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.

#### **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. The applicant will return the Post Approval Requirements List along with the required documents in a packet with the documents arranged in the order shown on the list.

#### **Item #2:**

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 #3:**

Three (3) copies 24" x 36" of the approved plat.

#### **Item #4:**

A completed Notice of Subdivision Plat Filing Form to be forwarded to the State of Florida Department of Business Regulation.

#### **Item #5:**

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

#### **Item #6:**

One (1) copy of Tax Collector's paid property tax receipt.

#### **Item #7:**

Original executed Declarations of Covenants and Restrictions for the homeowner's association.

#### **Item #8:**

Original executed plat on Mylar or other plastic, stable material. All names, signatures, stamps, and related data must be inscribed in 'India' ink or similar indelible ink to assure permanent legibility.

#### **Item #9:**

One (1) digital file copy of the plat in AutoCAD 2004 drawing format (.dwg). For other types of computer software that may be utilized by the applicant, a digital exchange file (.dxf) version 2004 may be substituted. The digital version of the boundary survey must match the hardcopy version as

submitted.

**Item #10:**

One (1) copy of the approved cost estimate and, if changed, a revised Cost Estimate with an explanation of its change signed and sealed by the Engineer of Record licensed in the State of Florida.

**Item #11:**

Original and one (1) copy of the executed Contract for Construction of Required Improvements including the current cost estimate labeled Exhibit A and corresponding surety labeled as Exhibit B.

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

There are no applicable Local, State and Federal Permits associated with this Plat.

**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:	\$13,600.00	\$13,600.00	\$0.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory 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.

**X. General application information**

Applicant: Olympus Development, LLC  
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Boynton Beach, FL 33472

Agent: Gunster  
Robert S. Raynes, Jr., Esq.  
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Stuart, FL 34996  
772-288-1980

Engineer: Avid Group  
Jorge Hernandez, PE  
2300 Curlew Rd., Suite 201  
Palm Harbor, FL 34683  
727-789-9500

**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**