

CPA 23-14,
South Florida Gateway PUD
FLUM Amendment
Rezoning
Application Materials



Martin County, Florida
Growth Management Department
COMPREHENSIVE PLANNING DIVISION
2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 www.martin.fl.us

COMPREHENSIVE PLAN AMENDMENT APPLICATION

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback

A. GENERAL INFORMATION

Type of Application: Future Land Use Application



Name or Title of Project:

South Florida Gateway PUD - Parcel 2

Future Land Use Map Amendment:

Location of Project and Description of Proposal:

Property is located west of South Kanner Highway and south of SW 96th Street, immediately north of the South Florida Gateway PUD.

See Project Narrative and Application Justification for project description.

Parcel Control Number(s)

13-39-40-000-00000-1

Project within a CRA? ☐ YES/NO ☐ Which One? Select CRA

Size of Project (Acres): 32.26

Current Future Land Use Designation: Industrial

Current Zoning Designation: LI

Proposed Future Land Use Designation: Agricultural

Proposed Zoning Designation: AG-20A

Text Amendment

Proposed Elements to Amend:

See TEXT Amendment CPA 23-01

B. APPLICANT INFORMATION

Property Owner: Kanner/96th St Investments LLC

Company Representative: James P. Harvey

Address: 105 NE 1st Street

City: Delray Beach, State: FL Zip: 33444

Phone: 772-473-0841 Email: jharvey@kolter.com

Agent: Lucido & Associates

Company Representative: Morris A. Crady, Senior Partner

Address: 701 SE Ocean Blvd

City: Stuart, State: FL Zip: 34994

Phone: 772-220-2100 Email: mcrady@lucidodesign.com

Contract Purchaser: N/A

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Land Planner: Same as agent

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Traffic Engineer : O Rourke Engineering & Planning

Company Representative: Susan E. O Rourke,

Address: 22 SE Seminole Street

City: Stuart, State: FL Zip: 34994

Phone: 561-350-8738 Email: Susan@orep.tech

Attorney : Fox McCluskey

Company Representative: Tyson Waters

Address: 3461 SE Willoughby Blvd

City: Stuart, State: FL Zip: 34994

Phone: 772-287-444 Email: twaters@foxmcluskey.com

Other Professional : _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

C. Applicant or Agent Certification:

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.


Applicant Signature

Morris A. Crady

Printed Name

August 21, 2023
Date

NOTARY ACKNOWLEDGMENT

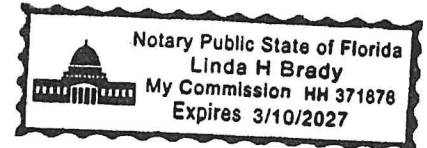
STATE OF: Florida COUNTY OF: Martin

The foregoing instrument was acknowledged before me by means of X physical presence or online notarization, this 21 day of August, 2023, by Morris A. Crady


Notary Public Signature

Linda H. Brady
printed name

He or She He is personally known to me or has produced identification.



STATE OF: Florida at-large:

Applicant declares:

He/she understands that this application is submitted pursuant to Chapter I, Section 1-11 of the Martin County Comprehensive Growth Management Plan and Chapter 163, Part II (The Community Planning Act) of the Florida Statutes. The public record of this matter will consist of this application, the exhibits, documents or other materials prepared by the applicant and submitted to the Martin County Growth Management Department; information or materials the Martin County Growth Management Department may submit; public comment submitted through the Martin County Growth Management Department; and comments made at public hearings related to this application.

Please submit the application to: Martin County Growth Management Department
2401 SE Monterey Road, Stuart, FL 34996.

Completeness of application is the responsibility of the applicant. Applications not complete by the sufficiency due date will be returned to the applicant.

Applicant/Owner:

Signature of Applicant

Printed Name

Applicant Agent:


Signature of Agent

Morris A. Crady
Printed Name

Note: The above noted agent, or owner, if no agent is listed, address and phone number will be used by the County as the single contact for all correspondence and other communication.



August 22, 2023

HAND DELIVERY

Samanthan Lovelady, AICP, Principal Planner
Martin County Growth Management Department
2401 SE Monterey Road
Stuart, FL 34996

Re: CPA 22-12, South Florida Gateway PUD – Revised Future Land Use Map Amendment Application (Our ref. #22-410)

Dear Samantha:

In response to the June 19, 2023 staff report for the above referenced application and our meetings and discussions to date, please find the enclosed a supplemental application fee check in the amount of \$500.00 and revised application materials in support of CPA 22-12. Specifically, the pending land use amendment application from Agricultural to Industrial (see enclosed revised legal description for Parcel 1) has been reduced from 58.54 acres to 32.26 acres, which constitutes a small-scale land use amendment.

To address staff comments related to a “demonstrated need” for an increase in Industrial future land use, the revised application merely “relocates” 32.26 acres of existing vacant Industrial future land “west” of the South Florida Gateway PUD (see enclosed Parcel 2 legal description) to a newly created 32.26-acre parcel located “north” of the South Florida Gateway PUD (Parcel 1).

The revised application includes a corresponding land use amendment on Parcel 2, which is owned by Kanner/96th St Investments LLC, from 32.26 acres of Industrial future land use to Agricultural future land use, thereby resulting in no net increase in Industrial future land use and no net increase in the corresponding Freestanding Urban Service District. Because the application does not increase the Industrial future land use category or expand the Freestanding Urban Service District, there is no net increase in traffic impacts or impacts on public facilities and services.

To address staff comments related to the proximity of Industrial land use to Roebuck Creek, Parcel 1 is located approximately 300 feet from the delineated limits of Roebuck Creek.

The intent is to add Parcel 1 to the South Florida Gateway PUD by way of the pending 2nd PUD Amendment. As you know, the South Florida Gateway developer has recently completed the extension of Martin County utilities adjacent to the subject property and direct access to SW Gateway Place, which provides a connection to the SW Kanner Highway signalized intersection. No access to SW 96th Street is proposed.

With this understanding, please find enclosed the following revised application materials, which includes the supplemental application materials for Parcel 2.

- The completed revised application form for Parcel 1 (South Florida Gateway Industrial LLC);
- The completed application form for Parcel 2 (Kanner/96th St Investments LLC);
- The revised legal description/sketch for Parcel 1 (South Florida Gateway Industrial LLC);
- The legal description/sketch for Parcel 2 (Kanner/96th St Investments LLC);
- Current Aerial-location map showing Parcels 1 and 2;

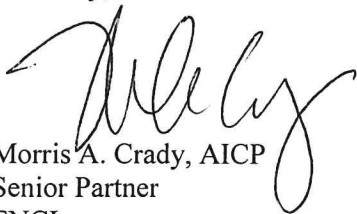
- The recorded deed for Parcel 2;
- The agent authorization letter (POA) for Parcel 2;
- The revised Disclosure of Interest Affidavit for Parcel 1;
- The Disclosure of Interest Affidavit for Parcel 2;
- Project narrative for Parcels 1 and 2;
- Application justification and CGMP compliance analysis for Parcels 1 and 2;
- Existing future land use map showing Parcels 1 and 2;
- Proposed future land use map showing Parcels 1 and 2;
- Existing zoning map showing Parcels 1 and 2;
- Proposed zoning map showing Parcels 1 and 2; and
- Environmental Assessment for Parcel 1.

Please note a revised application for the pending text amendment (CPA #23-01) that includes Parcels 1 and 2 has been submitted under separate cover.

A draft notice letter and certified list of surrounding property owners within 2,500 feet of the property will be provided for staff review prior to the first public hearing.

If you have any questions or comments, please feel free to contact me.

Sincerely,



Morris A. Crady, AICP
Senior Partner
ENCL.

Copy to: Josh Long
Nancy Neill
Clyde Dulin



Martin County, Florida
Growth Management Department
COMPREHENSIVE PLANNING DIVISION
2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 www.martin.fl.us

COMPREHENSIVE PLAN AMENDMENT APPLICATION

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A. GENERAL INFORMATION

Type of Application: Future Land Use Application



Name or Title of Project:

South Florida Gateway PUD - Parcel 1

Future Land Use Map Amendment:

Location of Project and Description of Proposal:

Property is located west of South Kanner Highway and south of SW 96th Street, immediately north of the South Florida Gateway PUD.

See Project Narrative and Application Justification for project description.

Parcel Control Number(s)

13-39-40-000-007-00000-0

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Project within a CRA? ☐ YES/NO ☐ Which One? Select CRA

Size of Project (Acres): 32.26

Current Future Land Use Designation: Agricultural

Current Zoning Designation: A-2

Proposed Future Land Use Designation: Industrial

Proposed Zoning Designation: PUD

Text Amendment

Proposed Elements to Amend:

See TEXT Amendment CPA 23-01

B. APPLICANT INFORMATION

Property Owner: South Florida Gateway Industrial, LLC

Company Representative: Jim Harvey

Address: 105 NE 1st Street

City: Delray Beach, State: FL Zip: 33444

Phone: 772-473-0841 Email: jharvey@kolter.com

Agent: Lucido & Associates

Company Representative: Morris A. Crady, Senior Partner

Address: 701 SE Ocean Blvd

City: Stuart, State: FL Zip: 34994

Phone: 772-220-2100 Email: mcrady@lucidodesign.com

Contract Purchaser: N/A

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Land Planner: Same as agent

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Traffic Engineer: : O Rourke Engineering & Planning

Company Representative: Susan E. O Rourke,

Address: 22 SE Seminole Street

City: Stuart, State: FL Zip: 34994

Phone: 561-350-8738 Email: Susan@orep.tech

Attorney: : Fox McCluskey

Company Representative: Tyson Waters

Address: 3461 SE Willoughby Blvd

City: Stuart, State: FL Zip: 34994

Phone: 772-287-444 Email: twaters@foxmcluskey.com

Other Professional: : _____

Company Representative: _____

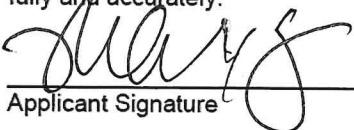
Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

C. Applicant or Agent Certification:

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.


Applicant Signature

August 21, 2023
Date

Morris A. Crady
Printed Name

NOTARY ACKNOWLEDGMENT

STATE OF: Florida COUNTY OF: Martin

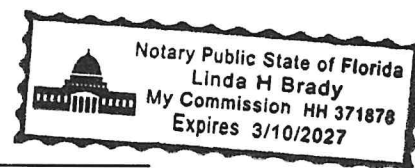
The foregoing instrument was acknowledged before me by means of X physical presence or online notarization, this 21st day of August, 2023, by Morris A Crady


Notary Public Signature

Linda H. Brady
printed name

He or She He is personally known to me or has produced identification.

STATE OF: Florida at-large:



Applicant declares:

He/she understands that this application is submitted pursuant to Chapter I, Section 1-11 of the Martin County Comprehensive Growth Management Plan and Chapter 163, Part II (The Community Planning Act) of the Florida Statutes. The public record of this matter will consist of this application, the exhibits, documents or other materials prepared by the applicant and submitted to the Martin County Growth Management Department; information or materials the Martin County Growth Management Department may submit; public comment submitted through the Martin County Growth Management Department; and comments made at public hearings related to this application.

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Signature of Applicant

Printed Name

Applicant Agent:


Signature of Agent

Morris A. Crady
Printed Name

Note: The above noted agent, or owner, if no agent is listed, address and phone number will be used by the County as the single contact for all correspondence and other communication.



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A. GENERAL INFORMATION

Type of Application: Future Land Use Application



Name or Title of Project:

South Florida Gateway PUD - Parcel 2

Future Land Use Map Amendment:

Location of Project and Description of Proposal:

Property is located west of South Kanner Highway and south of SW 96th Street, immediately north of the South Florida Gateway PUD.

See Project Narrative and Application Justification for project description.

Parcel Control Number(s)

13-39-40-000-00000-1

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Current Zoning Designation: LI

Proposed Future Land Use Designation: Agricultural

Proposed Zoning Designation: AG-20A

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Proposed Elements to Amend:

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City: Stuart, State: FL Zip: 34994

Phone: 772-220-2100 Email: mcrady@lucidodesign.com

Contract Purchaser: N/A

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Land Planner: Same as agent

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Traffic Engineer : O Rourke Engineering & Planning

Company Representative: Susan E. O Rourke,

Address: 22 SE Seminole Street

City: Stuart, State: FL Zip: 34994

Phone: 561-350-8738 Email: Susan@orep.tech

Attorney : Fox McCluskey

Company Representative: Tyson Waters

Address: 3461 SE Willoughby Blvd

City: Stuart, State: FL Zip: 34994

Phone: 772-287-444 Email: twaters@foxmcluskey.com

Other Professional : _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

C. Applicant or Agent Certification:

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.


Applicant Signature

Morris A. Crady

Printed Name

August 21, 2023
Date

NOTARY ACKNOWLEDGMENT

STATE OF: Florida COUNTY OF: Martin

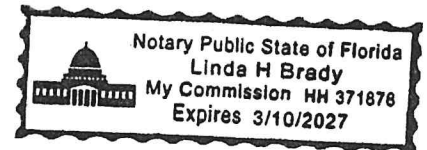
The foregoing instrument was acknowledged before me by means of X physical presence or online notarization, this 21 day of August, 2023, by Morris A. Crady


Notary Public Signature

Linda H. Brady

printed name

He or She He is personally known to me or has produced identification.



STATE OF: Florida at-large:

Applicant declares:

He/she understands that this application is submitted pursuant to Chapter I, Section 1-11 of the Martin County Comprehensive Growth Management Plan and Chapter 163, Part II (The Community Planning Act) of the Florida Statutes. The public record of this matter will consist of this application, the exhibits, documents or other materials prepared by the applicant and submitted to the Martin County Growth Management Department; information or materials the Martin County Growth Management Department may submit; public comment submitted through the Martin County Growth Management Department; and comments made at public hearings related to this application.

Please submit the application to: Martin County Growth Management Department
2401 SE Monterey Road, Stuart, FL 34996.

Completeness of application is the responsibility of the applicant. Applications not complete by the sufficiency due date will be returned to the applicant.

Applicant/Owner:

Signature of Applicant

Printed Name

Applicant Agent:


Signature of Agent

Morris A. Crady

Printed Name

Note: The above noted agent, or owner, if no agent is listed, address and phone number will be used by the County as the single contact for all correspondence and other communication.

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 6 AND 7, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE EAST LINE OF LOTS 3 AND 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1568.60 FEET TO THE **POINT OF BEGINNING**; THENCE S.89°44'18"E., A DISTANCE OF 1253.33 FEET; THENCE S.00°01'11"W., A DISTANCE OF 1078.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT; THENCE N.89°44'18"W., ALONG SAID SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SECTION 13 AND SAID SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT, A DISTANCE OF 1253.33 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE SOUTHEAST CORNER OF LOT 6, SECTION 13, OF SAID PLAT; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND SOUTH LINE OF SAID LOT 6, A DISTANCE OF 50.00 FEET; THENCE N.00°01'11"E., ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST (1/4) OF SECTION 13 AND THE EAST LINE OF SAID LOT 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1078.11 FEET; THENCE S.89°44'18"E., A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 1,405,115 SQUARE FEET OR 32.257 ACRES, MORE OR LESS.

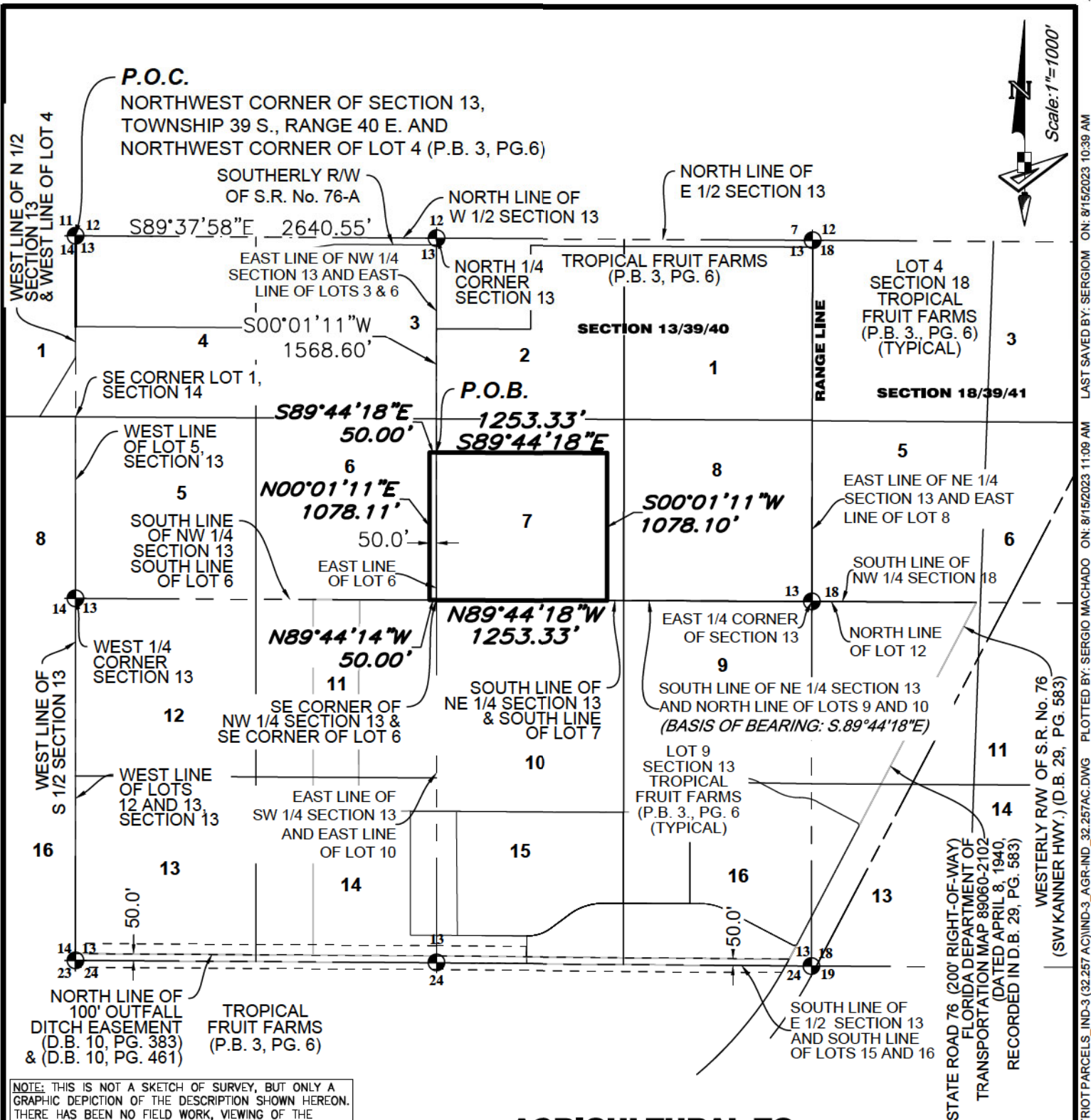
NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

AGRICULTURAL TO INDUSTRIAL - PARCEL 1 SKETCH AND DESCRIPTION



REVISIONS				Prepared For: KOLTER LAND PARTNERS, LLC	
No.	Date	Description	Dwn.	Date:	DECEMBER 10, 2021
				SURVEYOR'S CERTIFICATE	
				This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.	
				Gary Rager <small>Digitally signed by Gary Rager DN: c=US, st=Florida, o=GeoPoint Surveying, Inc., ou=Professional Surveyor and Mapper, cn=Gary Rager, email=GaryR@geopointsurvey.com Date: 2023.08.15 11:12:59 -0400</small>	
				Gary A. Rager FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS4828	
Sheet No. 01 of 02 Sheets				NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE & RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER	
				GeoPoint Surveying, Inc. 4152 W. Blue Heron Blvd. Suite 105 Riviera Beach, FL 33404 Phone: (561) 444-2720 www.geopointsurvey.com Licensed Business Number LB 7768	
				Drawn: SWM Date: 08/03/2023 Data File: N/A	
				Check: GAR P.C.: N/A Field Book: N/A	
				Section: 13 Twn. 39S Rng. 40E Job #: Ind 3_AG-Ind_32.26 -S&D	



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LEGEND

P.O.B. --- POINT OF BEGINNING
P.O.C. --- POINT OF COMMENCEMENT
PG./PG(s) --- PAGE(s)
13-39-40 --- SECTION-TOWNSHIP-RANGE
14-13-23-24 --- SECTION CORNER

P.B. --- PLAT BOOK
D.B. --- DEED BOOK
S.R. --- STATE ROAD
R/W --- RIGHT-OF-WAY
L1 --- LINE SEGMENT
RAD8 --- RADIAL BEARING

AGRICULTURAL TO INDUSTRIAL - PARCEL 1 SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC

GeoPoint
Surveying, Inc.

4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Drawn: SWM Date: 08/03/2023 Data File: N/A
Check: GAR P.C.: N/A Field Book: N/A
Section: 13 Twn. 39S Rng. 40E Job #: Ind 3_AG-Ind_32.26-S&D

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 11, 14 AND 15, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE EAST LINE OF LOTS 3 AND 6, OF SAID PLAT, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND SOUTHEAST CORNER OF SAID LOT 6; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF SAID LOT 6 OF SAID PLAT, A DISTANCE OF 563.16 FEET TO THE **POINT OF BEGINNING**; THENCE S.00°15'42"W., A DISTANCE OF 1547.53 FEET; THENCE S.89°44'18"E., A DISTANCE OF 380.40 FEET; THENCE S.00°00'16"E., A DISTANCE OF 906.06 FEET; THENCE S.89°37'43"E., A DISTANCE OF 189.95 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST (1/4) QUARTER OF SAID SECTION 13; THENCE S.89°32'35"E., A DISTANCE OF 661.44 FEET; THENCE S.00°27'25"W., A DISTANCE OF 151.61 FEET TO A POINT ON THE NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, AS DESCRIBED IN DEED BOOK 10, PAGE 383, AND DEED BOOK 10, PAGE 461, OF SAID PUBLIC RECORDS, ALSO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13, ALSO THE SOUTH LINE OF LOTS 15 AND 16, OF SAID PLAT; THENCE N.89°32'35"W., ALONG SAID NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT AND SAID LINE BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE EAST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 660.32 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST (1/4) QUARTER OF SECTION 13; THENCE N.89°37'43"W., ALONG THE NORTH LINE OF SAID 100.00 FOOT OUTFALL DITCH EASEMENT, ALSO BEING A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, ALSO THE SOUTH LINE OF LOTS 13 AND 14, OF SAID PLAT, A DISTANCE OF 903.91 FEET; THENCE N.00°00'14"E., A DISTANCE OF 2603.86 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 1,405,119 SQUARE FEET OR 32.257 ACRES, MORE OR LESS.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

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INDUSTRIAL TO AGRICULTURAL - PARCEL 2 SKETCH AND DESCRIPTION



GeoPoint
Surveying, Inc.

4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404
Phone: (561) 444-2720
www.geopointsurvey.com
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Drawn: SWM Date: 06/01/2023 Data File: N/A
Check: GAR P.C.: N/A Field Book: N/A
Section: 13 Twn. 39S Rng. 40E Job #: Ag-LwDenRes Parcel 2

REVISIONS

Prepared For: KOLTER LAND PARTNERS, LLC

Date: **FEBRUARY 02, 2023**

SURVEYOR'S CERTIFICATE

This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Gary Rager

Digitally signed by Gary Rager
DN: c=US, o=Florida, ou=GeoPoint Surveying,
Inc., ou=Professional Surveyor and Mapper, cn=Gary
Rager, email=GaryR@geopointsurvey.com
Date: 2023.02.15 11:13:50 -0500

Gary A. Rager

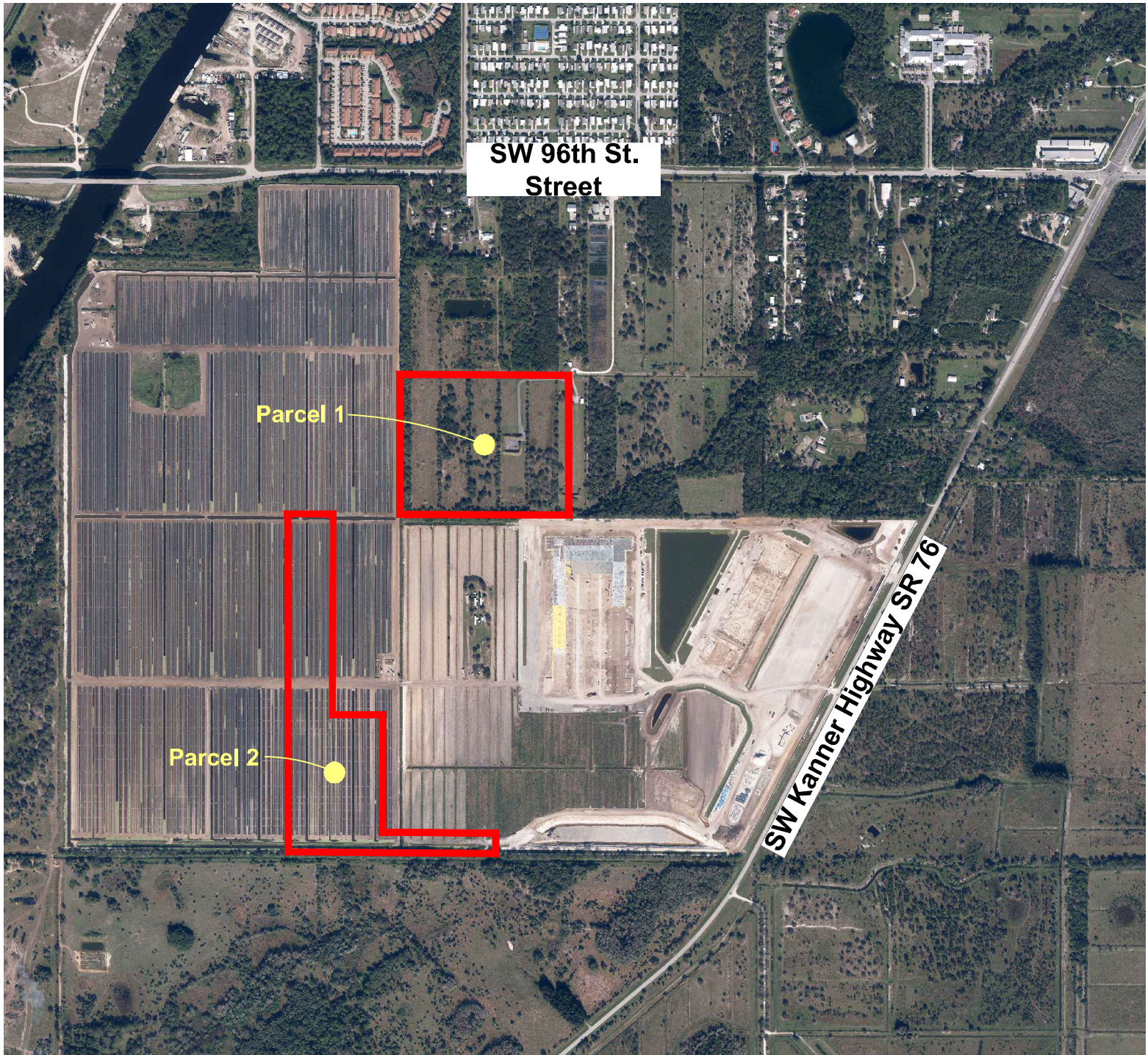
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.

LS4828

NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE
& RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

Sheet No. 01 of 02 Sheets

Aerial Map



lucido & associates

701 E Ocean Blvd., Stuart, Florida 34994

(772) 226-2100, Fax (772) 223-0220



CPA 22-12 South Florida Gateway PUD

Martin County, Florida



Prepared by, record and return to:
Tyrone T. Bongard, Esq.
Gunster, Yoakley & Stewart, P.A.
777 South Flagler Drive
Suite 500 East Tower
West Palm Beach, FL 33401

Property Tax I.D. 22-40-37-000-950-00010-0
13-39-40-000-003-00000-1 (portion)

NOTE TO CLERK: THIS IS A CONVEYANCE OF UNENCUMBERED REAL PROPERTY FOR NO CONSIDERATION AND IS, THEREFORE, EXEMPT FROM DOCUMENTARY STAMP TAXES PURSUANT TO FLORIDA ADMINISTRATIVE CODE SECTION 12B.4.014(2)(a).

WARRANTY DEED

THIS WARRANTY DEED, made this 20th day of October, 2022, by and between KL WATERSIDE LLC, a Delaware limited liability company ("**Grantor**"), whose address is 105 NE 1st Street, Delray Beach, FL 33444, and KANNER/96TH ST INVESTMENTS LLC, a Florida limited liability company ("**Grantee**"), whose address is 105 NE 1st Street, Delray Beach, Florida 33444.

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to said Grantor, in hand paid by the Grantee, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee and its successors and assigns, all that certain real property located in Martin County, State of Florida, more particularly described as follows:

See **Exhibit A** attached hereto and incorporated herein by this reference (the "**Property**").

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or equity, to the only proper use, benefit and behalf of the said Grantee forever.


SUBJECT TO taxes and assessments for the year 2022 and all subsequent years; all applicable governmental, zoning and land use ordinances, restrictions, and prohibitions and other requirements imposed by governmental authority; agreements and easements of record, none of which shall be deemed to be re-imposed by this instrument.


GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that it has good right and lawful authority to sell and convey the Property; that it does hereby fully warrant the title to said Property and will defend the same against the lawful claims of all persons whomsoever.

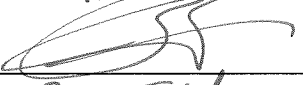
IN WITNESS WHEREOF, Grantor has caused this Warranty Deed to be executed the day and year first above written.

Signed, sealed and delivered in the presence of:

KL WATERSIDE LLC, a Delaware limited liability company

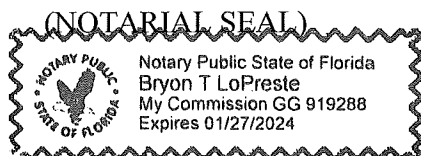

Print Name: ALYSSA LIVINGSTONE

By: 
Print Name: James P. Harvey
Title: Authorized Signatory


Print Name: BRYON T. LOPRESTE

STATE OF FLORIDA)
) SS.
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 14th day of September, 2022, by James P. Harvey, as Authorized Signatory of KL Waterside LLC, a Delaware limited liability company, on behalf of said company. He ☒ is personally known to me, or ☐ produced _____ as identification.





Print or Stamp Name: Bryon T. LoPreste
Notary Public State of Florida
My commission expires: 01.27.24
Commission Number: GG 919288

EXHIBIT A

Legal Description

Copy
Copy
Copy

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 3, 4, 11, 14 AND 15, ALL OF LOTS 5, 6, 12 AND 13, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, AND A PORTION OF LOT 1, IN SECTION 14, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.00°00'45"W. ALONG THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 662.61 FEET TO THE **POINT OF BEGINNING**; THENCE S.89°38'43"E., A DISTANCE OF 1320.18 FEET TO A POINT ON THE WEST LINE OF LOT 3, SECTION 13 OF SAID PLAT; THENCE N.00°00'59"E., ALONG SAID WEST LINE OF LOT 3, A DISTANCE OF 496.77 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-76-A AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT OF TRANSPORTATION MAP FOR SECTION 89002-2602, REVISED FEBRUARY 13, 1989; THE FOLLOWING 3 COURSES BEING BY SAID RIGHT-OF-WAY LINE: 1) N.81°44'59"E., A DISTANCE OF 39.54 FEET; 2) THENCE N.07°34'57"W., A DISTANCE OF 25.14 FEET; 3) THENCE N.81°45'49"E., A DISTANCE OF 548.79 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76-A AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT OF TRANSPORTATION MAP FOR SECTION 89531-2601, DATED OCTOBER, 1958; THENCE S.89°50'10"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 741.38 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG SAID EAST LINE OF THE NORTHWEST (1/4) QUARTER AND THE EAST LINE OF LOTS 3 AND 6, SECTION 13 OF SAID PLAT, A DISTANCE OF 1404.94 FEET; THENCE N.89°58'49"W., A DISTANCE OF 50.00 FEET; THENCE S.00°01'11"W., ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE EAST LINE OF LOT 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1191.55 FEET; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 513.16 FEET; THENCE S.00°15'42"W., A DISTANCE OF 1547.53 FEET; THENCE S.89°44'18"E., A DISTANCE OF 380.40 FEET; THENCE S.00°00'16"E., A DISTANCE OF 906.06 FEET; THENCE S.89°37'43"E., A DISTANCE OF 189.95 FEET; THENCE S.89°32'35"E., A DISTANCE OF 661.44 FEET; THENCE S.00°27'25"W., A DISTANCE OF 151.61 FEET TO A POINT ON THE NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, AS DESCRIBED IN DEED BOOK 10, PAGE 383, AND DEED BOOK 10, PAGE 461, ALSO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13, ALSO THE SOUTH LINE OF LOTS 15 AND 16, OF SAID PLAT; THENCE S.89°32'35"E., ALONG SAID NORTH LINE OF 100.00 FOOT OUTFALL DITCH EASEMENT AND SAID PARALLEL LINE, A DISTANCE OF 1924.71 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT OF TRANSPORTATION MAP FOR SECTION 89060-2102, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF SAID PUBLIC RECORDS;

CONTINUED ON SHEET 2.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

WATERSIDE - KANNER 96TH STREET INVESTMENTS LLC SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC

Date: DECEMBER 10, 2021

SURVEYOR'S CERTIFICATE

This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Gary Rager

Gary A. Rager

FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.

LS4828

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GeoPoint
Surveying, Inc.

4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Drawn: SWM	Date: 01/20/2022	Data File: N/A
Check: GAR	P.C.: N/A	Field Book: N/A
Section: 13 Twn. 39S Rng. 40E		Job #: Kanner 96St-2_10-6 S&D

Sheet No. 01 of 03 Sheets

CONTINUED FROM SHEET 1.

THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 9.38 FEET TO A INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 2789.93 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°58'00", A DISTANCE OF 47.07 FEET TO A POINT OF NON-TANGENCY; THENCE N.89°32'35"W., A DISTANCE OF 2558.78 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 13; THENCE N.89°37'39"W., A DISTANCE OF 2640.37 FEET TO SOUTHWEST CORNER OF SAID SECTION 13; THENCE N.00°00'32"E., ALONG SAID WEST LINE AND THE WEST LINE OF LOTS 12 AND 13, SECTION 13 OF SAID PLAT, A DISTANCE OF 2650.52 FEET TO THE WEST (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE N.00°00'45"E., ALONG THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13 AND THE WEST LINE OF LOT 5, SECTION 13 OF SAID PLAT, A DISTANCE OF 1326.29 FEET TO A POINT ON THE SOUTHERLY LINE OF PARCEL NO. 131, AS DESCRIBED IN DEED BOOK 12, PAGE 451 AND THE SOUTHEAST CORNER OF LOT 1, SECTION 14 OF SAID PLAT; THENCE N.89°41'22"W., ALONG SAID SOUTHERLY LINE OF PARCEL NO. 131 AND THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 260.68 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID PARCEL NO. 131, ALSO THE EASTERLY LINE OF ST. LUCIE CANAL RIGHT-OF-WAY, AS DESCRIBED IN DEED BOOK 10, PAGES 395 THROUGH 397 AND THE NORTHWESTERLY LINE OF PARCEL NO. 131, AS SHOWN ON THE MAP SHOWING LOCATION AND RIGHT-OF-WAY FOR ST. LUCIE CANAL IMPROVEMENTS PREPARED FOR THE U.S. ENGINEER OFFICE - JACKSONVILLE, FLORIDA, 1939 WITH A FILE NUMBER OF 302-12,260 AND RECORDED IN PLAT BOOK 2, PAGE 35 OF SAID PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.31°15'05"E., ALONG SAID NORTHWESTERLY LINE OF PARCEL NO. 131 AND SAID EASTERLY LINE OF ST. LUCIE CANAL RIGHT-OF-WAY, A DISTANCE OF 502.65 FEET TO A POINT ON THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13; THENCE N.00°00'45"E., ALONG SAID WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13 AND THE WEST LINE OF LOT 4, SECTION 13, A DISTANCE OF 231.49 FEET TO THE POINT OF BEGINNING.

CONTAINING: 12,206,615 SQUARE FEET OR 280.225 ACRES, MORE OR LESS.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

WATERSIDE - KANNER 96TH STREET INVESTMENTS LLC SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC

Date: DECEMBER 10, 2021

GeoPoint
Surveying, Inc.

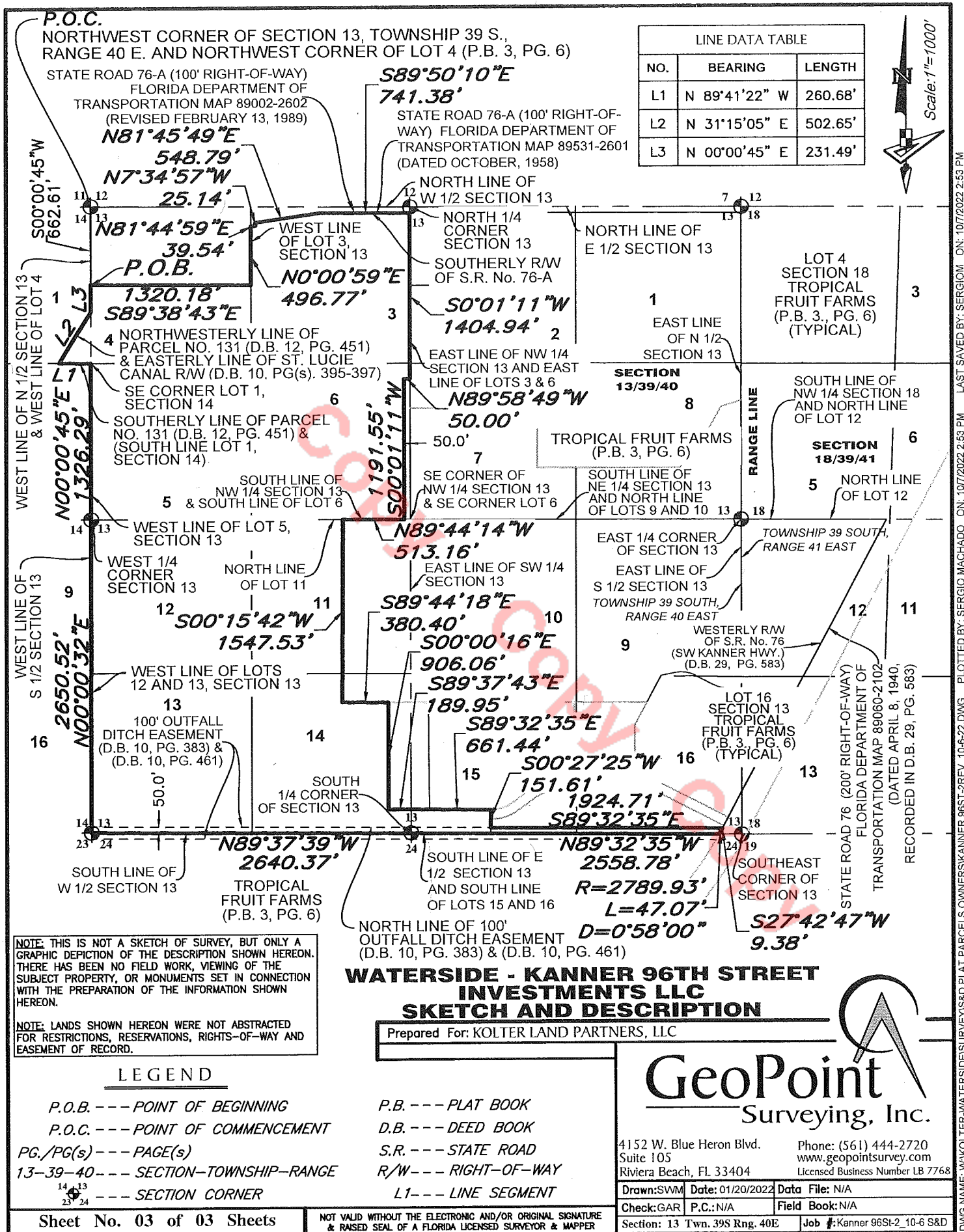
4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Drawn: SWM	Date: 01/20/2022	Data File: N/A
Check: GAR	P.C.: N/A	Field Book: N/A
Section: 13 Twn. 39S Rng. 40E	Job #: Kanner 96St-2_10-6 S&D	

Sheet No. 02 of 03 Sheets

NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE
& RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER



Kanner/96th St Investments LLC

March 30, 2023

Paul Schilling, Director
Martin County Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996

Re: PCN: 13-39-40-000-003-00000-1
PCN: 13-39-40-000-001-00000-5

Dear Mr. Schilling:

As owner of the property referenced above, please consider this correspondence formal authorization for Lucido & Associates to represent Kanner/96th St Investments LLC during the governmental review process of the Comprehensive Plan Amendment applications and development review applications.

Sincerely,

KANNER/96TH ST INVESTMENTS LLC,
a Florida limited liability company

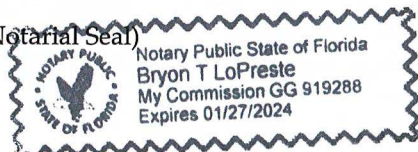


Jim Harvey, Authorized Agent

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 30th day of March, 2023, by Jim Harvey, authorized agent for Kanner/96th St Investments LLC, a Florida limited liability company who ☒ is personally known to me or ☐ has produced _____ as identification.

(Notarial Seal)





NOTARY PUBLIC

My Commission Expires: 01/27/24

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DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

Name	Address
South Florida Gateway Industrial, LLC, A Delaware limited liability company	105 NE 1st Street Delray Beach, FL 33444

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

Name	Address	Interest
KL Waterside LLC, a Delaware limited liability company	c/o The Kolter Group 105 NE 1st Street Delray Beach, FL 33444	99%
KL Waterside NMM LLC, a Delaware limited liability company	c/o The Kolter Group 105 NE 1st Street Delray Beach, FL 33444	1%
KL Waterside Funding LLC, a Florida limited liability company	c/o The Kolter Group 105 NE 1st Street Delray Beach, FL 33444	10%
SIP Waterside Member LLC, a Delaware limited liability company	c/o Stonehill Capital Management 885 3rd Avenue, 3rd Floor New York, NY 10022	90%

(If more space is needed attach separate sheet)

DISCLOSURE OF INTEREST AFFIDAVIT

3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

Name	Address	Interest

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

Application Name and/or Project Number	Names & Addresses of Parties involved	Date	Type of Application	Status of Application ^{1*}

(If more space is needed attach separate sheet)


¹ Status defined as: A = Approved P = Pending D = Denied W = Withdrawn


DISCLOSURE OF INTEREST AFFIDAVIT

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

AFFIANT

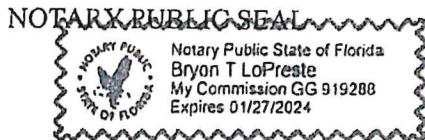

Signature


Print name

STATE OF: FLORIDA

COUNTY OF: Humboldt

The foregoing instrument was ☐ sworn to, ☐ affirmed, or ☒ acknowledged before me by means of ☐ physical presence or ☐ online notarization this 29th day of November, 2022, by JAMES P. HANEY, who is ☒ personally known to me, or ☐ produced the following type of identification _____.



Notary Public, State of Florida

(Printed, Typed or Stamped Name of
Notary Public)

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 6 AND 7, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE EAST LINE OF LOTS 3 AND 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1568.60 FEET TO THE **POINT OF BEGINNING**; THENCE S.89°44'18"E., A DISTANCE OF 1253.33 FEET; THENCE S.00°01'11"W., A DISTANCE OF 1078.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT; THENCE N.89°44'18"W., ALONG SAID SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SECTION 13 AND SAID SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT, A DISTANCE OF 1253.33 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE SOUTHEAST CORNER OF LOT 6, SECTION 13, OF SAID PLAT; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND SOUTH LINE OF SAID LOT 6, A DISTANCE OF 50.00 FEET; THENCE N.00°01'11"E., ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST (1/4) OF SECTION 13 AND THE EAST LINE OF SAID LOT 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1078.11 FEET; THENCE S.89°44'18"E., A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 1,405,115 SQUARE FEET OR 32.257 ACRES, MORE OR LESS.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

AGRICULTURAL TO INDUSTRIAL - PARCEL 1 SKETCH AND DESCRIPTION



GeoPoint
Surveying, Inc.

4152 W. Blue Heron Blvd. Phone: (561) 444-2720
Suite 105 www.geopointsurvey.com
Riviera Beach, FL 33404 Licensed Business Number LB 7768

Drawn: SWM Date: 08/03/2023 Data File: N/A
Check: GAR P.C.: N/A Field Book: N/A
Section: 13 Twn. 39S Rng. 40E Job #: Ind 3_AG-Ind_32.26 -S&D

REVISIONS

No.	Date	Description	Dwn.

Prepared For: KOLTER LAND PARTNERS, LLC

Date: DECEMBER 10, 2021

SURVEYOR'S CERTIFICATE

This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

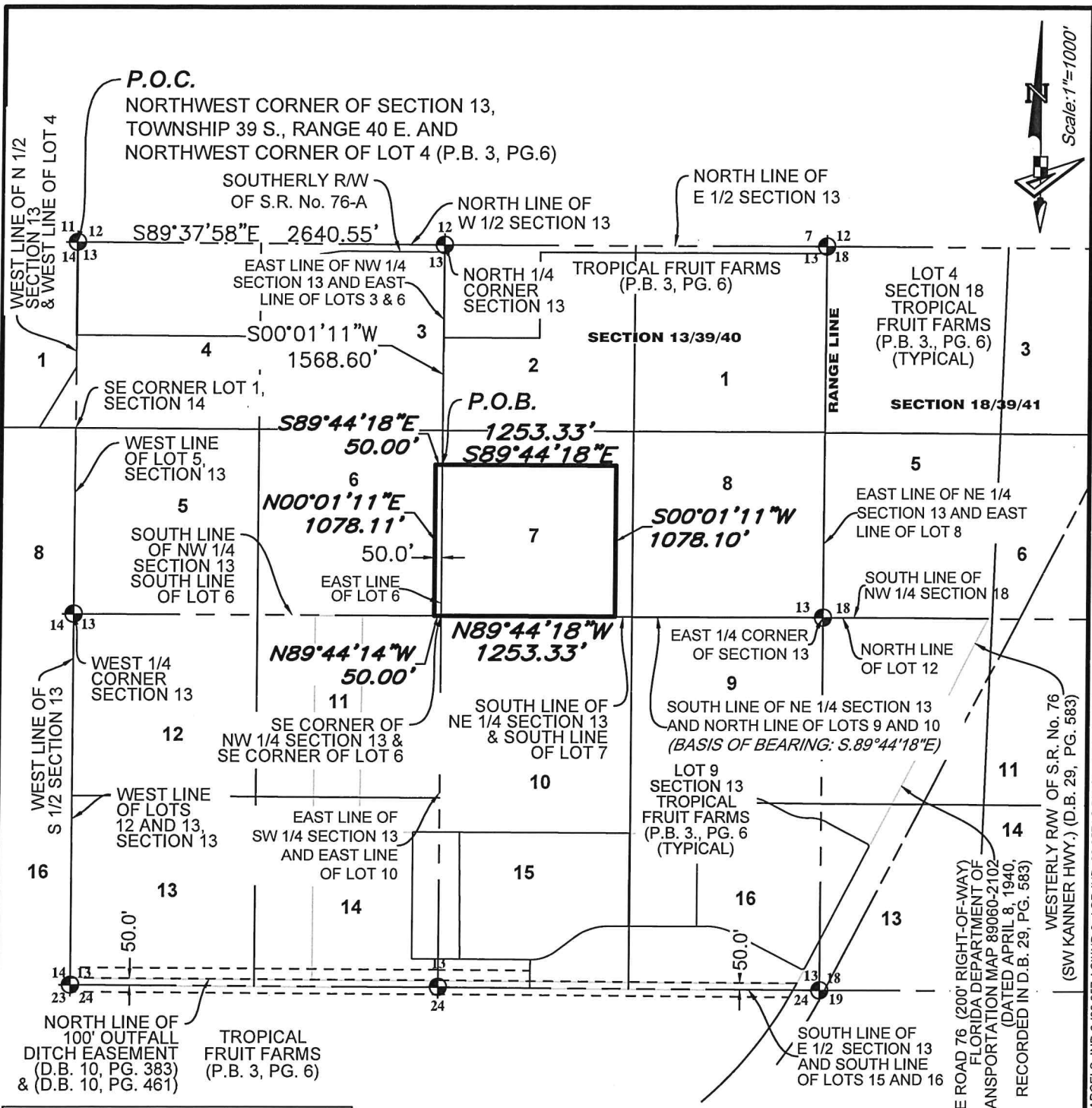
Gary Rager

Digitally signed by Gary Rager
DN: cn=Gary Rager, o=GeoPoint Surveying, Inc., ou=Professional Surveyor and Mapper, c=FL
Rager, email=GaryR@GeoPointSurvey.com
Date: 2023.08.15 11:25:57 -0400

Gary A. Rager
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. **LS4828**

NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE
& RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

Sheet No. 01 of 02 Sheets



NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

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LEGEND

P.O.B. --- POINT OF BEGINNING
P.O.C. --- POINT OF COMMENCEMENT
PG./PG(s) --- PAGE(S)
13-39-40 --- SECTION-TOWNSHIP-RANGE
14 13 23 24 --- SECTION CORNER

P.B. --- PLAT BOOK
D.B. --- DEED BOOK
S.R. --- STATE ROAD
R/W --- RIGHT-OF-WAY
L1 --- LINE SEGMENT
RAD8 --- RADIAL BEARING

AGRICULTURAL TO INDUSTRIAL - PARCEL 1 SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC

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Section: 13	Twn. 39S	Rng. 40E
Job #:	Ind 3_AG-Ind_32.26	-S&D

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DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

Name	Address
Kanner/96 th St Investments LLC, a Florida limited liability company	105 NE 1st Street Delray Beach, Florida 33444

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

Name	Address	Interest
See attached		

(If more space is needed attach separate sheet)

DISCLOSURE OF INTEREST AFFIDAVIT

3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

Name	Address	Interest
		Mortgagee

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

Application Name and/or Project Number	Names & Addresses of Parties involved	Date	Type of Application	Status of Application ^{1*}

(If more space is needed attach separate sheet)


¹ Status defined as: A = Approved P = Pending D = Denied W = Withdrawn

DISCLOSURE OF INTEREST AFFIDAVIT

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

AFFIANT




Signature
James P. Harvey

Print name

STATE OF: FLORIDA

COUNTY OF: HILLSBOROUGH

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me by means of [☒] physical presence or [☐] online notarization, this 30th day of March, 2023, by James P. Harvey, who [☒] is personally known to me or [☐] has produced _____ as identification.



Signature

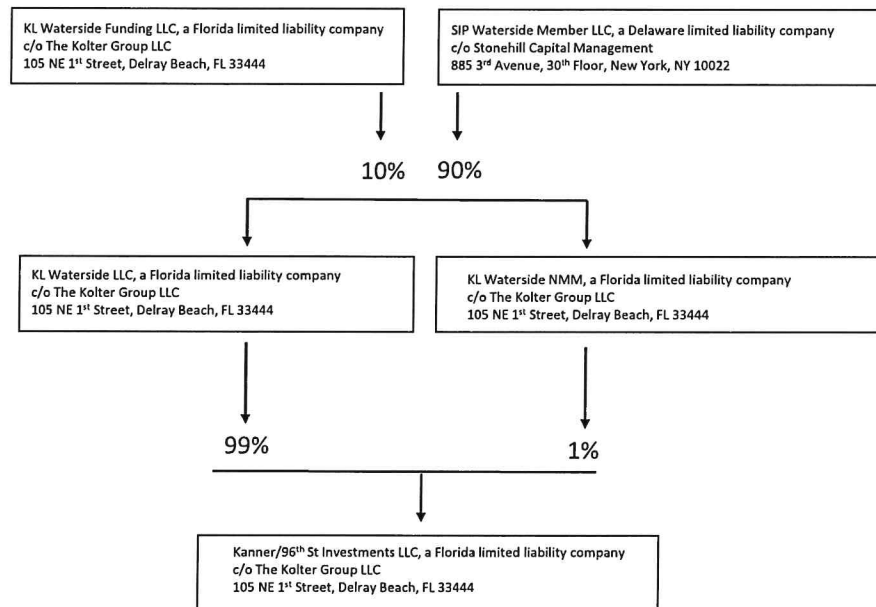


Notary Public, State of Florida

Print Name: Bryon T. LoPreste

My Commission Expires: 01/27/24

Kanner/96th St Investments LLC - Organizational Chart



DWG NAME: W:\KOLTER-WATERSIDE\RESIDENTIAL PARCELS\IND-AGR-PARCEL 2.DWG PLOTTED BY: SERGIO MACHADO ON: 8/15/2023 11:08 AM LAST SAVED BY: SERGIOM ON: 8/15/2023 10:38 AM

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 11, 14 AND 15, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE EAST LINE OF LOTS 3 AND 6, OF SAID PLAT, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND SOUTHEAST CORNER OF SAID LOT 6; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF SAID LOT 6 OF SAID PLAT, A DISTANCE OF 563.16 FEET TO THE **POINT OF BEGINNING**; THENCE S.00°15'42"W., A DISTANCE OF 1547.53 FEET; THENCE S.89°44'18"E., A DISTANCE OF 380.40 FEET; THENCE S.00°00'16"E., A DISTANCE OF 906.06 FEET; THENCE S.89°37'43"E., A DISTANCE OF 189.95 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST (1/4) QUARTER OF SAID SECTION 13; THENCE S.89°32'35"E., A DISTANCE OF 661.44 FEET; THENCE S.00°27'25"W., A DISTANCE OF 151.61 FEET TO A POINT ON THE NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, AS DESCRIBED IN DEED BOOK 10, PAGE 383, AND DEED BOOK 10, PAGE 461, OF SAID PUBLIC RECORDS, ALSO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13, ALSO THE SOUTH LINE OF LOTS 15 AND 16, OF SAID PLAT; THENCE N.89°32'35"W., ALONG SAID NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT AND SAID LINE BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE EAST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 660.32 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST (1/4) QUARTER OF SECTION 13; THENCE N.89°37'43"W., ALONG THE NORTH LINE OF SAID 100.00 FOOT OUTFALL DITCH EASEMENT, ALSO BEING A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, ALSO THE SOUTH LINE OF LOTS 13 AND 14, OF SAID PLAT, A DISTANCE OF 903.91 FEET; THENCE N.00°00'14"E., A DISTANCE OF 2603.86 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 1,405,119 SQUARE FEET OR 32.257 ACRES, MORE OR LESS.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

**INDUSTRIAL TO
AGRICULTURAL - PARCEL 2
SKETCH AND DESCRIPTION**



GeoPoint
Surveying, Inc.

4152 W. Blue Heron Blvd. Phone: (561) 444-2720
Suite 105 www.geopointsurvey.com
Riviera Beach, FL 33404 Licensed Business Number LB 7768

Drawn: SWM	Date: 06/01/2023	Data File: N/A
Check: GAR	P.C.: N/A	Field Book: N/A
Section: 13 Twn. 39S Rng. 40E Job #: Ag-LwDenRes Parcel 2		

REVISIONS			
No.	Date	Description	Dwn.

Prepared For: KOLTER LAND PARTNERS, LLC

Date: FEBRUARY 02, 2023

SURVEYOR'S CERTIFICATE

This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Gary Rager

Digitally signed by Gary Rager
DN: cn=Gary Rager, o=GeoPoint Surveying, Inc., ou=Professional Surveyor and Mapper, email=GaryRager@geopointsurvey.com
Date: 2023.08.15 11:13:50 -0400

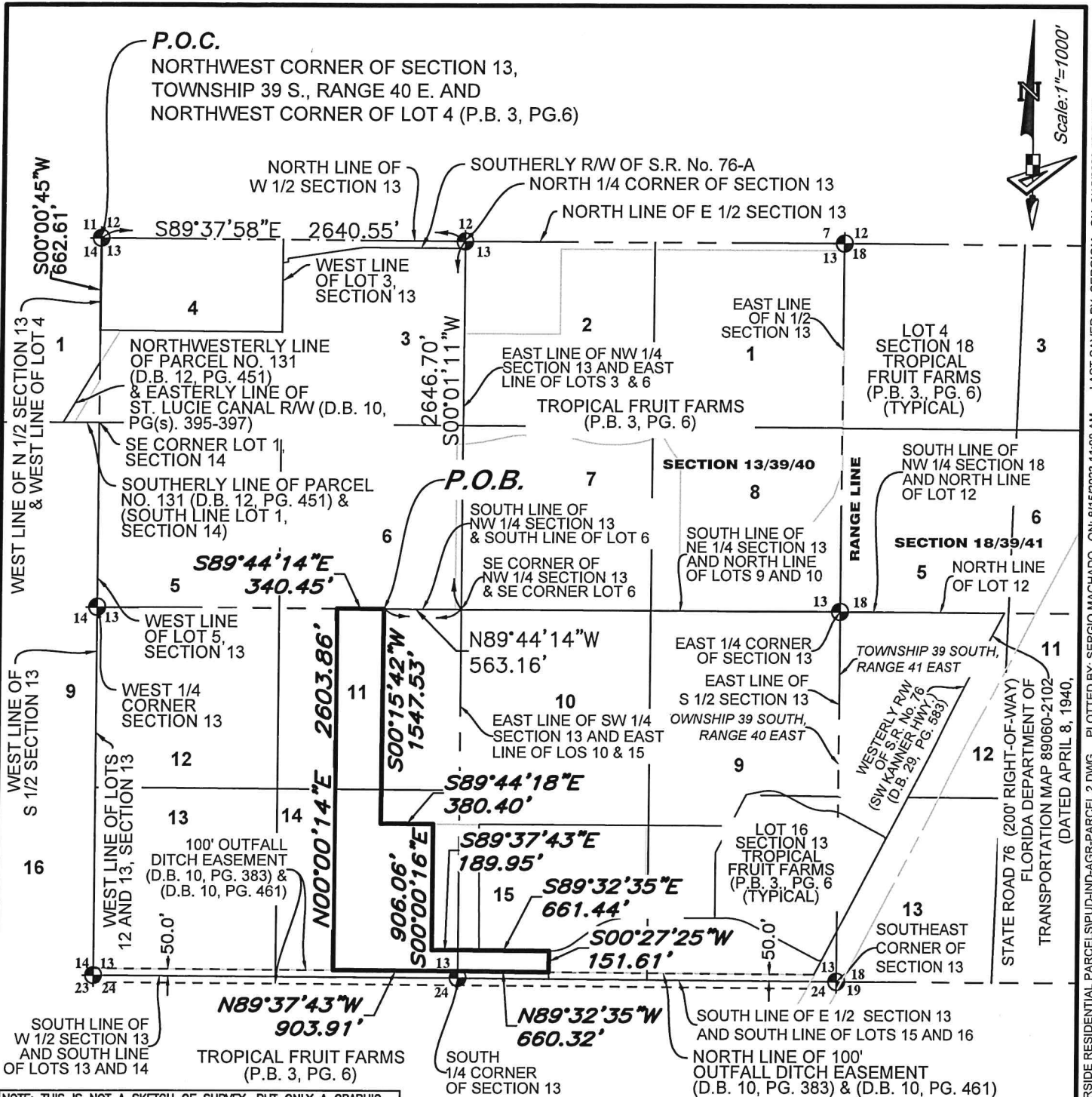
Gary A. Rager

FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.

LS4828

NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE & RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

Sheet No. 01 of 02 Sheets



NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

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LEGEND

P.O.B. --- POINT OF BEGINNING
P.O.C. --- POINT OF COMMENCEMENT
PG./PG(s) --- PAGE(s)
13-39-40 --- SECTION-TOWNSHIP-RANGE
14 --- SECTION CORNER
P.B. --- PLAT BOOK
P.U.D. --- PLANNED UNIT DEVELOPMENT

Prepared For: KOLTER LAND PARTNERS, LLC

Date: FEBRUARY 02, 2023

D.B. --- DEED BOOK
S.R. --- STATE ROAD
R/W --- RIGHT-OF-WAY
L1 --- LINE SEGMENT
C1 --- CURVE SEGMENT
RAD17 --- RADIAL BEARING



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Drawn: SWM	Date: 06/01/2023	Data File: N/A
Check: GAR	P.C.: N/A	Field Book: N/A
Section: 13 Twn. 39S Rng. 40E Job #: Ag-LwDenRes Parcel 2		

Sheet No. 02 of 02 Sheets

NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE & RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

DWG NAME: W\KOLTER-WATERSIDESURVEYS&D PUD-WATERSIDE RESIDENTIAL PARCELS\IPUD-IND-AGR-PARCEL 2.DWG PLOTTED BY: SERGIOM MACHADO ON: 8/15/2023 11:08 AM LAST SAVED BY: SERGIOM ON: 8/15/2023 10:38 AM



PROJECT NARRATIVE CPA #-22-12

**Parcel 1: South Florida Gateway Industrial LLC
Parcel 2: Kanner/96th St Investments LLC**

Comprehensive Growth Management Plan Future Land Use Map Amendment

November 28, 2022
(rev. 8-21-23)

EXISTING PROPERTY CHARACTERISTICS

Parcel 1 is a 32.26-acre site owned by South Florida Gateway Industrial LLC that is located south of SW 96th Street and immediately “north” of the South Florida Gateway PUD. Parcel 2 is a 32.26-acre site owned by Kanner/96th St Investments LLC that is located south of SW 96th Street and immediately “west” of the South Florida Gateway PUD.

Parcel 1 is currently designated for Agricultural future land use with A-2 zoning district. Parcel 2 is currently designated for Industrial future land use with a LI zoning district.

Both parcels have been utilized and maintained in various forms of agricultural operations for several decades. Both sites contain agricultural ditches, farm buildings and access paths scattered throughout the site. There are no native upland or wetland habitat on either property.

COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

The proposed future land use map amendment from Agricultural to Industrial on Parcel 1 is in direct response to the success of the South Florida Gateway PUD, which has attracted almost 2 million square feet of industrial warehouse and distribution facilities.

The intent is to change the future land use on Parcel 1 from Agricultural to Industrial and add the 32.26 acres to the South Florida Gateway PUD by way of the pending 2nd PUD Amendment. The South Florida Gateway developer has recently completed the extension of Martin County utilities adjacent to the subject property. The proposed infrastructure improvements include direct access to SW Gateway Place, which provides a vehicular connection to the SW Kanner Highway signalized intersection. No access to SW 96th Street is proposed.

The revised application also includes a concurrent land use amendment on Parcel 2 to change 32.26 acres of Industrial future land use to Agricultural future land use with a corresponding AG-20A zoning district. The concurrent change from Industrial to Agricultural future land use on Parcel 2 results in no net increase in Industrial future land use and no net increase in the corresponding Freestanding Urban Service District (see CPA 23-01). Because the application does not increase the Industrial future land use category or expand the Freestanding Urban Service District, there is no net increase in traffic impacts or impacts to public facilities and services.

Likewise, the proposed re-allocation of an equal amount of Agricultural future land use on Parcel 2 ensures no decrease in Agricultural land use potential.

Like South Florida Gateway PUD, which consists of approximately 184 acres of developable land, Parcel 1 has been previously impacted by agricultural activities and offers the unique ability to accommodate desirable industries that require large contiguous land tracts without negatively impacting natural resources or surrounding properties.

Parcel 1 is located adjacent to major roads, supported by existing infrastructure improvements and is physically suitable for industrial development that can meet established performance standards that prevent nuisance impacts to surrounding properties.

As evidenced by the success of South Florida Gateway, which has attracted first class businesses to Martin County such as Foundry Commercial and Karis Cold, the subject request to add 32.26 acres to the PUD will further the positive economic and employment opportunities initiated by the South Florida Gateway PUD.

Comprehensive Plan FLUM Amendment

APPLICATION JUSTIFICATION

1.0 Comprehensive Growth Management Plan Future Land Use Amendment Criteria.

According to the Comprehensive Growth Management Plan (CGMP), staff can recommend approval of the requested change on Parcel 1 from 32.26 acres of Agricultural to Industrial future land use concurrent with the change on Parcel 2 from 32.26 acres of Industrial to Agricultural future land use provided it is consistent with all other elements of the CGMP and at least one of the following four criteria has been demonstrated by the applicant to exist:

- 1.1 (a) *Past changes in land use designations in the general area make the proposed use logical and consistent with these uses and adequate public services are available; or*

Since adoption of the Comprehensive Growth Management Plan in 1982, numerous changes in land use designations and growth have occurred in the general area that make the proposed use logical and consistent with the surrounding land uses. Table 1 below provides a synopsis of the land use changes that have occurred in the general area since 1990.

TABLE 1: RELEVANT FUTURE LAND USE AMENDMENTS SINCE 1990

CPA Number	Location	From	To	Year
CPA 13-2	West of SR 76 at Linden Street intersection	COR	Commercial Limited	2014
CPA 07-2	East of SR 76 south of Indian Street	Limited Commercial	Institutional General	2008
CPA 05-2	West of SR 76 along Linden Street	Estate Density	Rural Heritage	2006
CPA 19-6	West of Kanner Highway, ½ mile south of Kanner/Pratt Whitney intersection	Agricultural	Industrial	2019
CPA 93-16	East of SR 76 at Gaines Ave. north of Cove Road	Low Density	Limited Commercial	1994
CPA 16-2	East of Kanner Highway and Crimson Way	Commercial General	Low Density	2016
CPA 19-11	East of Kanner Highway between Cove Road and Salerno Road	Estate Density	Low Density	2019
CPA 19-22	Southeast corner of Kanner Highway and Pratt Whitney Road	Agricultural	Commercial General	2019
CPA 19-19	East of Pratt Whitney Road north of Bulldog Way	Rural Density	Estate Density	2019
CPA 99-02	Tropical Farms – MC Utilities	Rural/Estate Density	General Institutional	1999
CPA 05-1	Tropical Farms – MC Utilities	Rural Density	General Institutional	2005

The +/- 32.26-acre parcel being changed from Agricultural to Industrial future land use (subject property) is part of a larger 150-acre parcel located immediately north of the Freestanding

Comprehensive Plan FLUM Amendment

Urban Service District that comprises the South Florida Gateway PUD. The Freestanding Urban Service District includes a 30-acre site owned by Martin County that will be developed as the County Operations Center. The South Florida Gateway PUD, which includes more than 2,000,000 sf of warehouse and distribution facilities, is currently under construction. As part of these projects, water and sewer lines and improvements to Kanner Highway have been constructed, which includes access to the subject property from Kanner Highway by way of SW Gateway Place.

The corresponding 32.26 acres of property being changed from Industrial to Agricultural is located west of the County Operations Center and the South Florida Gateway PUD.

Numerous other developments and Comprehensive Plan amendments have been completed in the surrounding area since the original Comprehensive Plan was adopted in 1982 including the expansion of Kanner Highway from 2 to 4 lanes, the construction of I-95 Interchanges at Kanner Highway and Bridge Road, the construction of South Fork High School, the development of the Florida Club PUD and numerous other residential projects north of Pratt Whitney Road and SW 96th Street, and the construction of the Tropical Farms Water and Wastewater Treatment facility that is owned and operated by Martin County.

The growth in the area has clearly altered the character of the area such that the proposed land use is consistent with surrounding uses and adequate public facilities and services are available.

- 1.2** *(b) Growth in the area, in terms of development of vacant land, redevelopment and availability of public services, has altered the character of the area such that the proposed request is now reasonable and consistent with area land use characteristics; or*

As described in the comment box above, growth in the area has consumed most of the vacant lands within the urban service districts and the construction of the I-95 Interchanges at Kanner Highway and Bridge Road have permanently altered the character of the area such that the proposed request is now reasonable and consistent with area land use characteristics.

- 1.3** *(c) The proposed change would correct what would otherwise appear to be an inappropriately assigned land use designation; or*

This criterion is not applicable to the subject request. However, the proposed amendment clearly meets 2 of the 4 criteria. Staff can recommend approval of the requested change provided at least one of the four criteria has been demonstrated by the applicant to exist and the amendment is consistent with all other elements of the CGMP.

- 1.4** *(d) The proposed change would fulfill a public service need that enhances the health, safety or general welfare of County residents.*

This criterion is not applicable to the subject request. However, the proposed amendment clearly meets 2 of the 4 criteria. Staff can recommend approval of the requested change provided at least one of the four criteria has been demonstrated by the applicant to exist and the amendment is consistent with all other elements of the CGMP.

Comprehensive Plan FLUM Amendment

2.0 Physical Characteristics of the Site.

The 32.26-acres on Parcel 1 and 32.26 acres on Parcel 2 have been previously impacted by agricultural activities and contain no native upland or wetland habitat. Parcel 1, which is being changed from Agricultural to Industrial is located approximately 300 feet west of Roebuck Creek. The land use surrounding Roebuck Creek will remain Agricultural. Parcel 1 is adjacent to platted roads and utilities that are under construction in the South Florida Gateway PUD. Neither parcel currently support any agricultural use or food production.

2.1 Compatibility with Surrounding Uses.

Parcel 1 is bordered on the north, east and west by vacant Agricultural property under the same ownership. The properties to the south are comprised of Industrial land within the South Florida Gateway PUD including a perimeter access road (SW Gateway Place) and utilities that can service the subject property.

Parcel 2 is located west of the County Operations Center and the South Florida Gateway PUD. It is adjacent to Agricultural future land use that extends west to the St. Lucie Canal.

The proposed change from Agricultural to Industrial future land use on Parcel 1 allows for the efficient use of the adjacent road and utility improvements. The new parcel is an extension of the South Florida Gateway PUD and furthers the expansion economic and employment benefits.

2.3 Analysis of Applicable CGMP Policies

The following CGMP policies support the proposed land use amendments:

“Goal 4.7: To regulate urban sprawl by directing growth in a timely and efficient manner to areas with urban public facilities and services, where they are programmed to be available, at the levels of service adopted in this plan.”

“Objective 4.7A: To concentrate higher densities and intensities of development in strategically located Primary Urban Services Districts, including commercial, industrial and residential development exceeding a density of two units per acre, where all public facilities are available or are programmed to be available at the base levels of service adopted in the Capital Improvements Element.”

Parcel 1 is immediately north of Industrial land within the South Florida Gateway PUD with direct access to water and sewer services and a perimeter road (SW Gateway Place) that provides a direct connection to a signalized intersection at SR 76 (SW Kanner Highway).

The proposed change from Agricultural to Industrial directs growth in a timely and efficient manner where urban services are available or programmed to be available. It is an extension of the South Florida Gateway PUD and an expansion of its economic and employment benefits.

Comprehensive Plan FLUM Amendment

“Objective 4.11A. To continue to use the Land Development Regulations to provide a variety of zoning classifications to implement the Industrial future land use designation and accommodate a diversity of industrial development, as desired by the community.”

“Policy 4.11A.1. Zoning district for research and development. A zoning district shall be created to permit research and development in the Industrial future land use designation.”

Parcel 1 is intended to be added to the South Florida Gateway PUD by way of a rezoning to PUD. The South Florida Gateway PUD Agreement provides the zoning framework and special conditions that ensure targeted businesses and industries are accommodated in a first-class industrial park.

“Objective 4.11B. To ensure the County's Land Development Regulations recognize locational criteria for industrial land in the Land Use Element and ensure that space requirements are satisfied when determining the distribution of specific types of industrial activities.”

“Policy 4.11B.1. Development review process for industrial development. The development review process shall ensure that, at a minimum:

- (1) Industrial activities are compatible with surrounding land uses, established or planned development, and natural systems and resources.*
- (2) Sites for industrial development are accessible to essential public and private facilities and services at the levels of service adopted in this Plan for transportation, potable water, solid waste, drainage and sanitary sewer.*
- (3) Sites for industrial development are located with convenient access to major road transportation corridors and are encouraged to locate with convenient access to air, water and rail transportation facilities.*
- (4) Sites for industrial development are located with convenient access to the labor supply, raw material sources, energy resources and market areas.*
- (5) A need for industrial land use is demonstrated in a County-wide assessment when industrial proposals are considered by the Board of County Commissioners.”*

“Policy 4.11D.1. Criteria for encouraging industries. The County shall encourage industries that:

- (1) Generate high levels of employment offering higher than average wages and salaries and relative independence from cyclical changes in the economy;*
- (2) Produce services and/or products that complement the needs and resources of existing industry in Martin County;*
- (3) Provide basic industry that is likely to attract additional industry compatible with the goals and objectives in the Economic Element;*
- (4) Contribute net revenue to the Martin County government, thus enhancing the County's fiscal capability;*
- (5) Conserve the County's natural resources and public facilities by generating minimal adverse impacts on groundwater and potable water, the transportation system, the solid waste system and other natural resources or community facilities.”*

Comprehensive Plan FLUM Amendment

“Policy 4.11D.2. Sufficient industrial land. Allocation of land for industrial development shall reflect its location and space requirements and the potential fiscal and environmental impacts on Martin County. The location and distribution of specific types of industrial activities shall be determined based on the following considerations:

- (1) Trip generation characteristics and impact on existing and planned transportation systems, including dependence on rail, air or trucking for distribution of materials and goods;*
- (2) Anticipated employment generation, floor area requirements and market area;*
- (3) Ability to meet established performance standards for preventing or minimizing nuisance impacts, such as emission of air pollutants, glare, noise or odor;*
- (4) Impact on established or planned development and natural systems;*
- (5) Impact on existing and planned public services, utilities and water and energy resources; and*
- (6) Ability to connect to a regional water and wastewater treatment system.”*

Parcel 1 is ideally situated adjacent to the South Florida Gateway PUD. Like South Florida Gateway PUD, which consists of approximately 184 acres of developable land, the subject property has been previously impacted by agricultural activities and offers the unique ability to accommodate desirable industries that require large contiguous land tracts without negatively impacting natural resources or surrounding properties. It is located adjacent to major roads, supported by existing or programmed potable water and sanitary sewer service and physically suitable for industrial development that can meet established performance standards for preventing nuisance impacts. As evidenced by the success of South Florida Gateway PUD, which has attracted first class businesses to Martin County such as Foundry Commercial and Karis Cold, the subject request to add 32.26 acres to the PUD will further the implementation of the CGMP goals, objectives and policies described above.

To address concerns regarding the need for an increase in Industrial land use and the elimination of Agricultural land use, a corresponding future land use amendment from Industrial to Agricultural future land use is proposed on Parcel 2, which is adjacent to Parcel 1. Changing the future land use on Parcel 2 ensures no increased impacts on public facilities and services and no decrease in Agricultural land use potential.

Policy 4.13A.1. Intent of agricultural designation.

(2) Conversion of land designated Agricultural on the FLUM. Agriculturally designated land may be redesignated only by an amendment to the FLUM. The intent of this section aims to permit such an amendment upon a finding by the Board of County Commissioners that the applicant has demonstrated:

(a) The proposed development shall not adversely impact the hydrology of the area or the productive capacity of adjacent farmlands not included in the amendment application in any other manner;

(b) The proposed land conversion is a logical and timely extension of a more intense land use designation in a nearby area, considering existing and anticipated land use development patterns; consistency with the goals and objectives of the CGMP; and availability of supportive services, including improved roads, recreation amenities, adequate school capacity, satisfactory allocations of water and wastewater facilities, and other needed

Comprehensive Plan FLUM Amendment

supportive facilities. Such findings shall be based on soil potential analysis and agricultural site assessment.

To comply with these policies, a corresponding future land use amendment from 32.26 acres of Industrial to Agricultural future land use is proposed Parcel 2. The proposed relocation of an equal amount of Agricultural future land use ensures no decrease in Agricultural land use potential.

2.4 Urban Sprawl.

Urban Sprawl is defined in HB 7207 as a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.

Florida Statute 163.3177(3)(a)9. states that any amendment to the future land use element shall discourage the proliferation of urban sprawl and provides thirteen indicators to judge whether a future land use amendment discourages the proliferation of urban sprawl. This proposed amendment complies with 13 out of 13 sprawl criteria that discourages the proliferation of urban sprawl.

Florida Statute provides an additional eight criteria, of which four must be met, in order to judge whether an amendment can be determined to discourage the proliferation of urban sprawl. This proposed amendment meets x out of x criteria that determine the application discourages urban sprawl. An evaluation of the thirteen indicators for urban sprawl and a determination on the eight additional criteria for this future land use request follows:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

The proposed Industrial future land use designation on Parcel 1 will add to the existing economic benefits, employment opportunities and mix of businesses provided by the adjacent South Florida Gateway PUD. *Discourages the proliferation of urban sprawl.*

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

Parcel 1 and Parcel 2 are immediately adjacent to and generally surrounded by urban development. *Discourages the proliferation of urban sprawl.*

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

Parcel 1 and Parcel 2 are immediately adjacent to and generally surrounded by urban development. *Discourages the proliferation of urban sprawl.*

Comprehensive Plan FLUM Amendment

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

To ensure protection of natural resources, Parcel 1, which contains no upland or wetland habitat, is approximately 300 feet from Roebuck Creek. *Discourages the proliferation of urban sprawl.*

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

The surrounding lands no longer support active or passive agricultural areas or activities. *Discourages the proliferation of urban sprawl.*

(VI) Fails to maximize use of existing public facilities and services.

Parcel 1 is immediately adjacent to road and utility services that exist or are under construction within the adjacent South Florida Gateway PUD. The “relocation of 32.26 acres of Industrial land use will maximize the use of existing public facilities and services. *Discourages the proliferation of urban sprawl.*

(VII) Fails to maximize use of future public facilities and services.

Parcel 1 is immediately adjacent to road and utility services that exist or are under construction within the adjacent South Florida Gateway PUD. It is ideally situated adjacent to the urban service area where additional residential lands and urban development will be necessary to support job growth. *Discourages the proliferation of urban sprawl.*

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

Parcel 1 is ideally situated adjacent to the urban service area where additional residential lands and urban development will be necessary to support job growth. *Discourages the proliferation of urban sprawl.*

(IX) Fails to provide a clear separation between rural and urban uses.

Parcel 1 is ideally situated adjacent to the urban service area where additional residential lands and urban development will be necessary to support job growth. Active farmland is physically separated by the St. Lucie Canal. *Discourages the proliferation of urban sprawl.*

Comprehensive Plan FLUM Amendment

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

Parcel 1 offers the unique ability to accommodate desirable industries that require large contiguous land tracts without negatively impacting natural resources or surrounding properties. It is located adjacent to major roads, supported by existing or programmed potable water and sanitary sewer service and physically suitable for industrial development that can meet established performance standards for preventing nuisance impacts. These physical characteristics are not available or appropriate for in-fill parcels or redeveloped neighborhoods. *Discourages the proliferation of urban sprawl.*

(XI) Fails to encourage a functional mix of use

The proposed Industrial future land use designation will add to the existing economic benefits, employment opportunities and mix of businesses provided by the adjacent South Florida Gateway PUD. Surrounding lands should be considered for residential development to support anticipated job growth and create workforce housing in close proximity to employment centers. *Discourages the proliferation of urban sprawl.*

(XII) Results in poor accessibility among linked or related land uses.

Parcel 1 is intended to be added to the South Florida Gateway PUD that provides interconnected roads and sidewalks that connect the various parcels to each other and the public sidewalks along Kanner Highway. *Discourages the proliferation of urban sprawl.*

(XIII) Results in the loss of significant amounts of functional open space.

No public open space or functional space that benefits the general public or surrounding properties is affected by the proposed change in land use. *Discourages the proliferation of urban sprawl.*

The proposed land use amendment complies with 13 of 13 criteria that discourage urban sprawl.

2.4.1 Proliferation of Urban Sprawl.

In order for the application to be determined to discourage the proliferation of urban sprawl, the amendment must incorporate development patterns or urban forms that achieve four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The subject property is ideally situated adjacent to the South Florida Gateway PUD. Like South Florida Gateway PUD, which consists of approximately 184 acres of developable land, the subject property has been previously impacted by agricultural activities and offers the unique ability to accommodate desirable industries that require large contiguous land tracts without

Comprehensive Plan FLUM Amendment

negatively impacting natural resources or surrounding properties. It reduces the impact on natural resources and ecosystems. *Discourages the proliferation of urban sprawl.*

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

The subject property is immediately adjacent to road and utility services that exist or are under construction within the adjacent South Florida Gateway PUD. The “relocation” of 32.26 acres of Industrial land use will maximize the use of public facilities and services. *Discourages the proliferation of urban sprawl.*

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The proposed Industrial land use is not designed to provide a mix of uses at densities and intensities that support a range of housing choices. However, surrounding lands should be considered for residential development to support anticipated job growth and create workforce housing in close proximity to employment centers. *Discourages the proliferation of urban sprawl.*

(IV) Promotes conservation of water and energy.

The subject site has been impacted by previous agricultural activities and is adjacent to existing or programmed public facilities. The consolidation of industrial warehouse and distribution facilities at one location conserves energy and the development of stormwater retention areas provides a greater level of stormwater treatment and aquifer recharge prior to discharge as compared to development under the Agricultural land use. *Discourages the proliferation of urban sprawl.*

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

The corresponding change on Parcel 2 from 32.26 acres of Industrial to Agricultural future land use ensures no net loss of Agricultural land use potential. *Discourages the proliferation of urban sprawl.*

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

The site does not contain public open space or natural lands and the proposed land use change will not affect public open space, natural lands or public recreation. However, surrounding lands should and can be considered for residential development to support anticipated job growth, create workforce housing in close proximity to employment centers and provide public open space and recreation needs. *Discourages the proliferation of urban sprawl.*

(VII) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area.

Comprehensive Plan FLUM Amendment

The proposed Industrial land use is not designed to provide a balance of land uses. However, surrounding lands should and can be considered for residential development to support anticipated job growth and create workforce housing in close proximity to employment centers. *Discourages the proliferation of urban sprawl.*

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Neither the proposed Industrial land use nor the existing Agricultural future land use designation provides for transit-oriented development or new towns as defined in s. 163.3164. However, surrounding lands should and can be considered for residential development to support anticipated job growth, create workforce housing in close proximity to employment centers and provide public open space and recreation needs. *Discourages the proliferation of urban sprawl.*

Eight out of eight of the criteria have been met to determine if the application discourages the proliferation of urban sprawl.

2.4.2 Conversion of Land.

Conversion of Land. Since the subject property is currently designated as Agricultural, the standards mentioned in Policy 4.13A.1.(2) must be considered in order to determine whether the proposed change is appropriate. The following is an excerpt from Policy 4.13A.1.(2), CGMP, Martin County, Fla. (2019), (2) Conversion of land designated Agricultural on the FLUM. Agriculturally designated land may be redesignated only by an amendment to the FLUM. The intent of this section aims to permit such an amendment upon a finding by the Board of County Commissioners that the applicant has demonstrated:

- (a) The proposed development shall not adversely impact the hydrology of the area or the productive capacity of adjacent farmlands not included in the amendment application in any other manner;*
- (b) The proposed land conversion is a logical and timely extension of a more intense land use designation in a nearby area, considering existing and anticipated land use development patterns; consistency with the goals and objectives of the CGMP; and availability of supportive services, including improved roads, recreation amenities, adequate school capacity, satisfactory allocations of water and wastewater facilities, and other needed supportive facilities. Such findings shall be based on soil potential analysis and agricultural site assessment.*

To comply with these policies, a corresponding future land use amendment from 32.26 acres of Industrial to Agricultural future land use is proposed on adjacent land (Parcel 2). The proposed relocation of an equal amount of Agricultural future land use ensures no decrease in Agricultural land use potential.

Comprehensive Plan FLUM Amendment

2.5 Availability of Public Facilities and Services.

Policy 4.1B.2. Analysis of Availability of Public Services. All requests for amendments to the FLUMS shall include a general analysis of (1) the availability of adequate public facilities and (2) the level of services (LOS) required for public facilities in the proposed land uses.

The subject site is adjacent to the Freestanding Urban Service District along Kanner Highway and all public facilities and services that are needed to serve the project are either in place or under construction and will be maintained through a Community Development District (CDD) and/or Property Owners Association (POA). No increase in Industrial future land use is proposed therefore there is no impact on the availability of public facilities and services.

2.6 Justification Statement for Rezoning Application from A-2 to PUD

a. Whether the proposed rezoning is consistent with all applicable Provisions of the CGMP.

The requested rezoning on Parcel 1 from the A-2 zoning district to the PUD zoning district is consistent with Ordinance 1152 that restricts future development within the Freestanding Urban Service District to PUD applications. The corresponding rezoning on Parcel 2 from LI to AG-20A is consistent with the County's current land development and zoning code.

b. Whether the proposed rezoning is consistent with all applicable provisions of the Martin County Land Development Regulations (LDR).

The requested rezoning is consistent with all applicable provisions of the Land Development Regulations.

c. Whether the proposed zoning district is compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use.

The PUD Agreement and master plan conditions ensure compatibility with the character of the existing land uses in the adjacent and surrounding areas.

d. Whether and to what extent there are documented changed conditions in the area.

The growth in the area, particularly the surrounding residential uses, roadway expansion and availability of water and sewer service, has altered the character of the area such that the proposed request is now reasonable and consistent with area land use characteristics.

e. Whether and to what extent the proposed zoning would result in demands on public facilities.

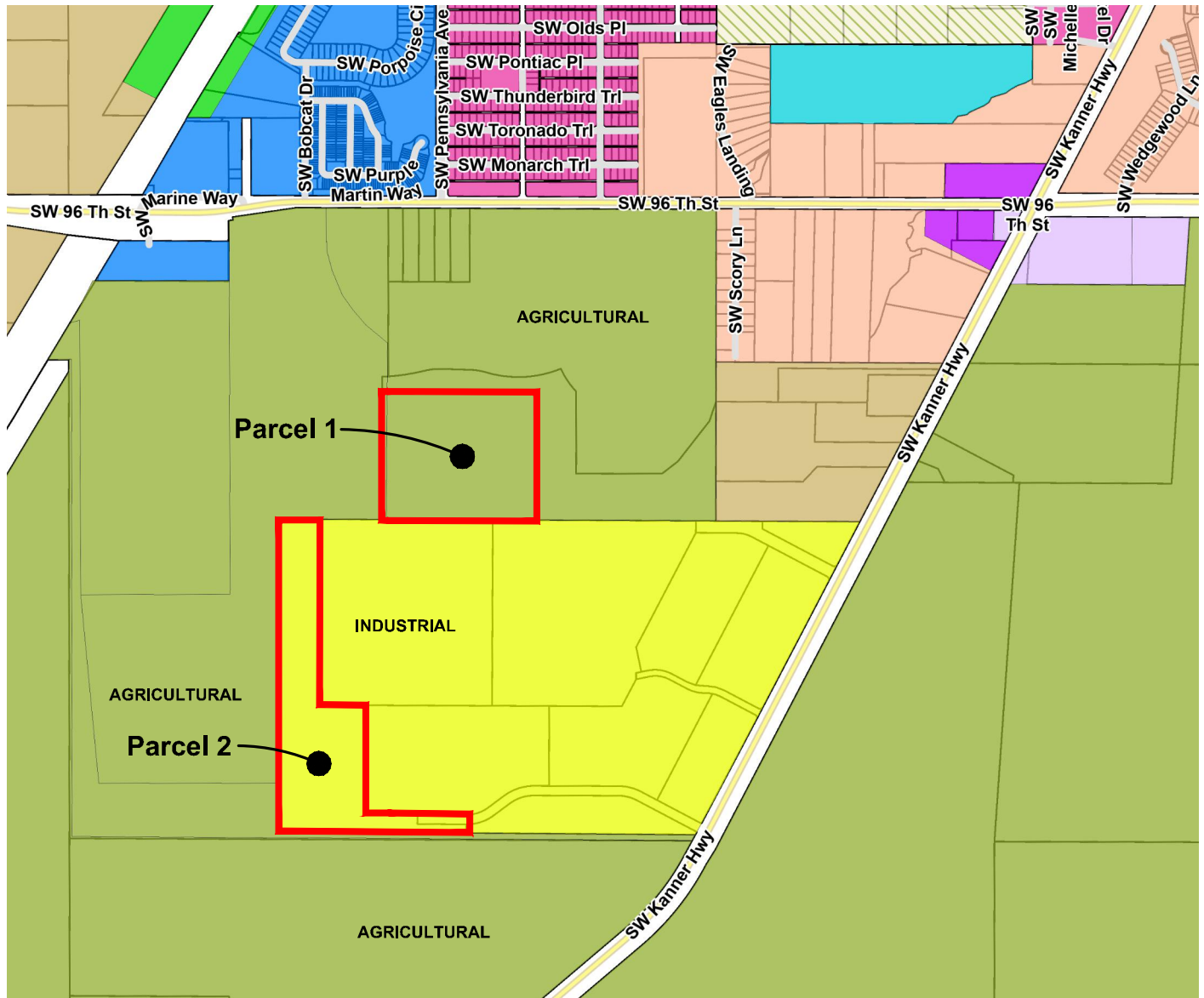
No increase in Industrial future land use is proposed therefore there is no additional demand on public facilities and services.

Comprehensive Plan FLUM Amendment

- f. Whether and to what extent the proposed zoning would result in a logical, timely and orderly development pattern which conserves the value of existing development and is an appropriate use of the county's resources.*

The successful development of the South Florida Gateway PUD within the existing Freestanding Urban Service District, the expansion of utilities and the attraction of targeted industries to this area of the County attests to the timely and orderly development pattern that will be furthered by this request.

Existing Future Land Use Map



Future Land Use Legend

	Commercial / Office / Residential
	Commercial Waterfront
	Recreational
	Public Conservation Area
	General Institutional
	Industrial
	Agricultural
	Agricultural Ranchette
	Major Power Generation Facility
	No Data (May Include Incorporated Area)



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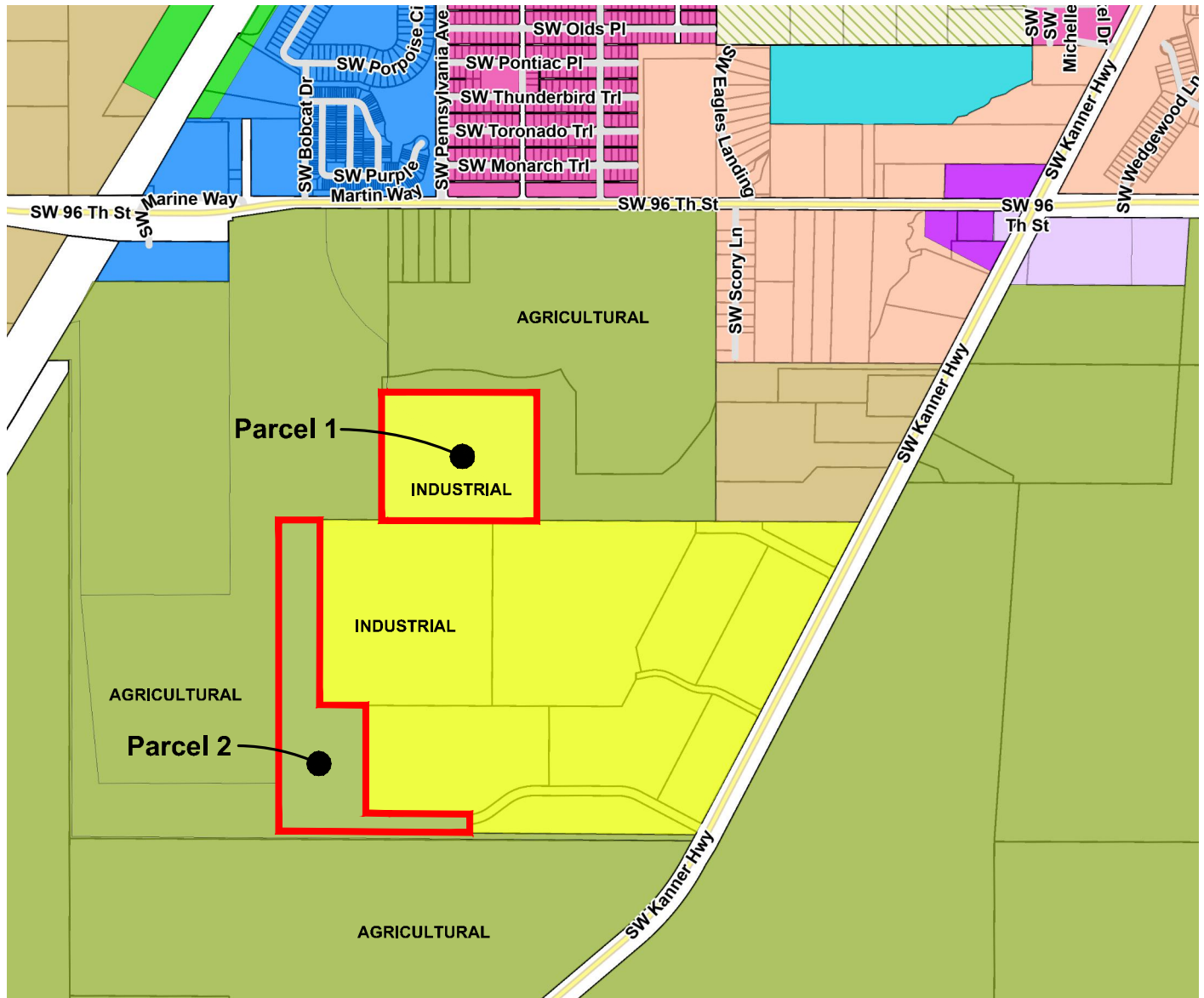
(772) 220-2100, Fax (772) 223-0220



CPA 22-12 South Florida Gateway PUD

Martin County, Florida

Proposed Future Land Use Map



Future Land Use Legend

	Commercial / Office / Residential
	Commercial Waterfront
	Recreational
	Public Conservation Area
	General Institutional
	Industrial
	Agricultural
	Agricultural Ranchette
	Major Power Generation Facility
	No Data (May Include Incorporated Area)



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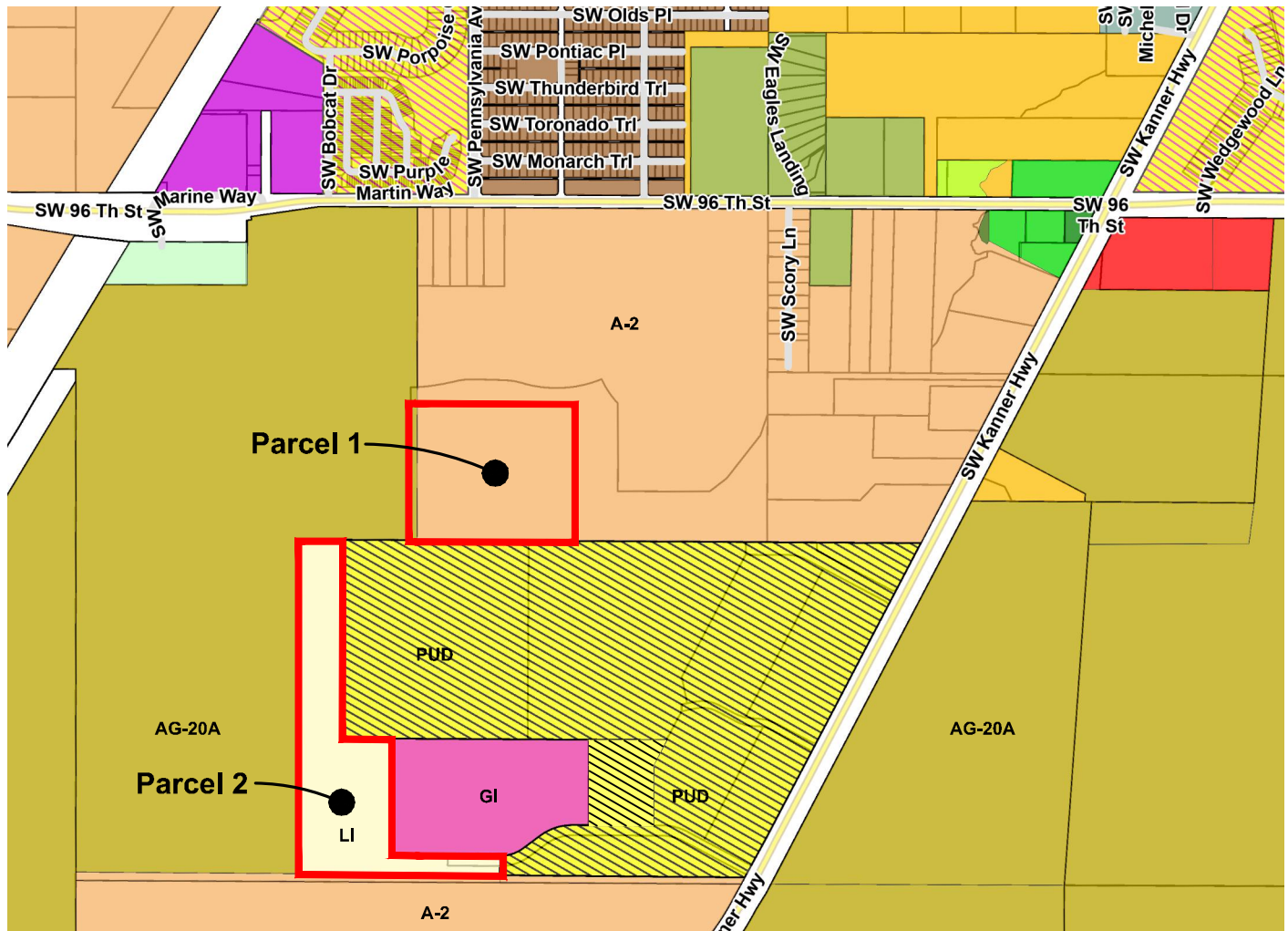
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CPA 22-12 South Florida Gateway PUD

Martin County, Florida

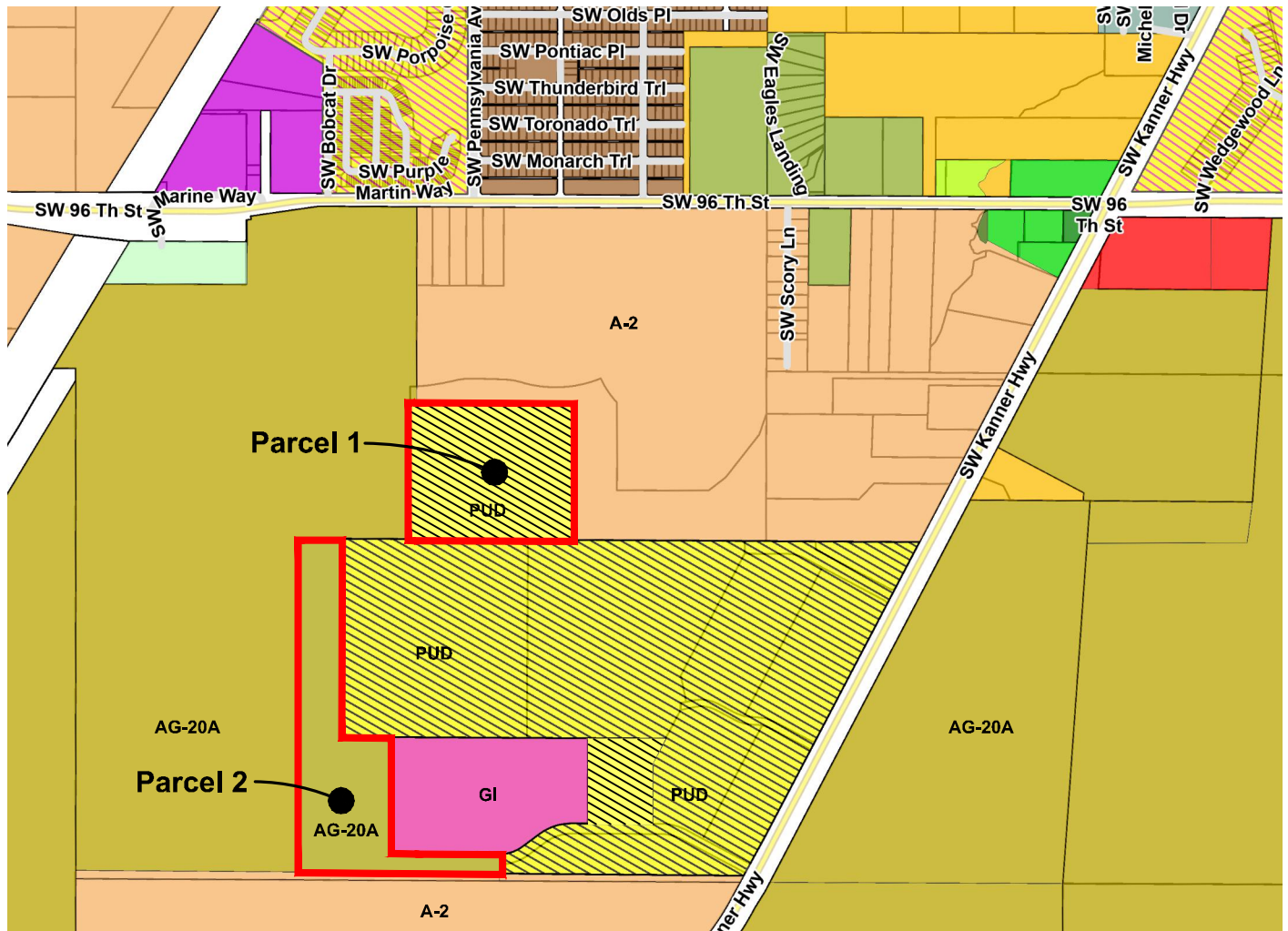
Existing Zoning Map



Zoning Legend

- | | | |
|--|---|--|
| A-1 (Small Farms) | LC (Limited Commercial District) | R-3 (Multi-Family Residential) |
| A-1A (Agricultural) | LI (Limited Industrial District) | R-3A (Liberal Multi-Family) |
| A-2 (Agricultural) | LI-1 (Limited Industrial District) | R-3B (Multi-Family Residential) |
| A-3 (Conservation) | M-1 (Industrial) | R-4 (Multi-Family Residential) |
| AG-20A (General Agricultural District) | M-2 (Industrial) | R-5 (Multi-Family Med. Density) |
| AR-10A (Agricultural Ranchette District) | M-3 (Industrial) | RE-1/2A (Residential Estate District) |
| AR-5A (Agricultural Ranchette District) | MH-P (Mobile Home Park District) | RE-1A (Residential Estate District) |
| B-1 (Business) | MH-S (Mobile Home Subdivision District) | RE-2A (Rural Estate District) |
| B-2 (Business Wholesale) | Ocean Breeze | RM-10 (High Density Residential District) |
| B-3 (Rural Business) | PAF (Public Airport Facilities District) | RM-3 (Low Density Residential District) |
| CC (Community Commercial District) | PC (Public Conservation District) | RM-4 (Low Density Residential District) |
| CO (Commercial Office) | PR (Public Recreation District) | RM-5 (Low Density Residential District) |
| COR-1 (Commercial Office/Residential District) | PS (Public Servicing District) | RM-6 (Medium Density Residential District) |
| COR-2 (Commercial Office/Residential District) | PS-1 (Public Service District) | RM-8 (Medium Density Residential District) |
| E (Estates and Suburban Homes District) | PS-2 (Public Service District) | RS-10 (High Density Residential District) |
| E-1 (Estates and Suburban Homes District) | PUD | RS-3 (Low Density Residential District) |
| GC (General Commercial District) | PUD-C (Commercial) | RS-4 (Low Density Residential District) |
| GI (General Industrial District) | PUD-I (Industrial) | RS-5 (Low Density Residential District) |
| HB-1 (Limited Business) | PUD-MH (Mobile Home) | RS-6 (Medium Density Residential District) |
| HB-1A (Hotel & Motel) | PUD-R (Residential) | RS-8 (Medium Density Residential District) |
| HB-1AA (Hotel & Motel) | PUD-WJ (PUD West Jensen) | RS-BR3 (Low Density Residential District, Beau Rivage) |
| HI (Heavy Industrial District) | PMUV (Planned Mixed-Use Village) | RT (Mobile Home Subdivision District) |
| HR-1 (Single-family Residential District) | R-1 (Single-family Residential District) | SY (Salvage Yard) |
| HR-1A (Single-family Residential District) | R-1A (Single-family Residential District) | Sewalls Point |
| HR-2 (Multi-Family Residential) | R-1B (Single-family Residential District) | Stuart |
| HR-2A (Multi-Family Dwelling) | R-1C (Single-family Residential District) | TP (Mobile Home Park District) |
| IZ - Interim Zoning | R-2 (Single-family Residential District) | WE-1 (Waterfront Estates District) |
| Jupiter Island | R-2A (Two-Family Residential District) | WGC (Waterfront General Commercial District) |
| | R-2B (Single-family Residential District) | WRC (Waterfront Resort Commercial District) |
| | R-2C (Single-family Residential District) | |
| | R-2T (Single-family Residential District) | |

Proposed Zoning Map



Zoning Legend

A-1 (Small Farms)	LC (Limited Commercial District)	R-3 (Multi-Family Residential)
A-1A (Agricultural)	LI (Limited Industrial District)	R-3A (Liberal Multi-Family)
A-2 (Agricultural)	LI-1 (Limited Industrial District)	R-3B (Multi-Family Residential)
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B-2 (Business Wholesale)	Ocean Breeze	RM-10 (High Density Residential District)
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	R-2B (Single-family Residential District)	WRC (Waterfront Resort Commercial District)
	R-2C (Single-family Residential District)	
	R-2T (Single-family Residential District)	



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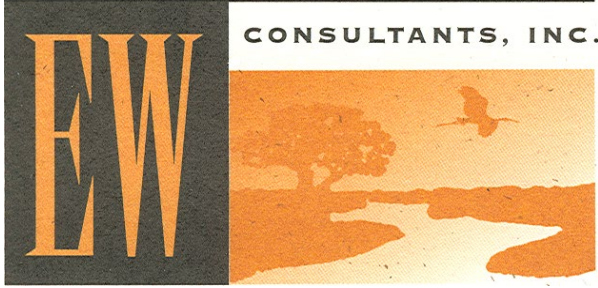


CPA 22-12 South Florida Gateway PUD

Martin County, Florida

EW Consultants, Inc.

Natural Resource Management, Wetland, and Environmental Permitting Services



SOUTH FLORIDA GATEWAY PUD

AGRICULTURAL TO INDUSTRIAL PARCEL 1

ENVIRONMENTAL ASSESSMENT REPORT

Prepared for:

KOLTER LAND, LLC

Prepared by:

EW CONSULTANTS, INC.

August 2023

INTRODUCTION-

This report provides an environmental assessment of a 32.257+/- acre project area, including an inventory of the land cover types and vegetative communities present, soil resources, as well as observations or an analysis for the potential presence of wildlife, and including a special emphasis on state or federally listed wildlife and plant species. The data presented in this environmental assessment has been compiled based on the review of publicly available information and field reconnaissance conducted on the subject property from April 2022 through August 2023. All listed or protected species status designations are current as of the time of preparation of this report.

The subject property is referred to as the South Florida Gateway PUD Addition industrial property. It is located in unincorporated Martin County, Florida within Section 13, Township 39S, and Range 40E, generally located south of SW 96th Street, west of Kanner Highway, and east of the C-44 Canal.

The subject property is surrounded by agricultural lands to the east, west and north, and by an industrial development to the south.

A Location Map, USGS Quadrangle Map, and Aerial Photograph are provided in the Appendix.

PREVIOUS IMPACTS –

The subject property has been altered from its natural condition at different points in time, and currently, the property is a former tree nursery.

Analysis of historic aerial photography indicates agricultural improvements and activities on the property as far back as 1940. The property was improved in the 1980s as a cattle ranch, and as a tree farm between 1986 and 1992. There has been continuous agricultural use of the property for at least 60 years.

NATURAL RESOURCE INVENTORY –

SOILS

A U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Custom Soil Resource Report was generated for the subject property and is provided in the Appendix. This report contains a soils map with the boundary of the property depicted as well as additional information and descriptions of soil resources for the subject property. According to the soil survey data, one soil type is found on the subject property: (#21) Pineda-Riviera Fine Sands association.

It is important to note that the description of these soils, in their natural state, according to the NRCS, was originally generated in the early 1970s, and therefore may predate some of the more recent land management activities or alterations that have occurred since that time.

NATURAL COMMUNITIES AND LAND COVER

The natural communities and land cover types on the subject property have been classified in accordance with the Florida Land Use, Cover and Forms Classification System (FLUCFCS, January 1999) published by the Florida Department of Transportation. Based on field reconnaissance and aerial photo interpretation descriptions of the observed land cover types are provided below and a FLUCFCS Map is provided in the Appendix as Figure 4. All acreage figures are estimates based on aerial photo- interpretation and field reconnaissance conducted on the property in February and August 2023.

#241 – Tree Nurseries -

This area was used as a tree nursery, however, most of this land cover does not appear to be actively managed aside from a small area in the north-central portion of the property, currently being used as a nursery for small ornamentals and palms, with associated buildings. The un-managed areas of the tree nursery include remnants of the irrigation system, weed fabric, cloth shade, various pots and other nursery supply materials.

#510 – Ditches -

These are man-made excavated linear water bodies that function to provide irrigation and drainage for the on-site agricultural and tree nursery activities. They are steep sided and generally un-vegetated with the exception of ruderal grasses.

LISTED SPECIES EVALUATION -

LISTED FAUNA

Listed species of wildlife are as found in “Florida’s Endangered Species and Threatened Species”, published by the Florida Fish and Wildlife Conservation Commission (FFWCC), updated December 2022. Given the alterations of on-site habitats, the property provides significantly reduced foraging and/or nesting habitat for most state and/or federally listed wildlife species. There are no remaining natural habitats however, the agricultural ditch and swales may provide potential foraging opportunities for several species, primarily wading birds.

Pedestrian surveys were conducted throughout the property to determine the presence or potential occurrence of listed species in February and August 2023. On the basis of these observations as well as designated consultation areas and critical habitats, the following listed species and potential for occurrence have been evaluated:

American Alligator (*Alligator mississippiensis*) – Federally Listed - Threatened (due to similarity of appearance to American crocodile)

This species was not observed within the subject property but this species can occur in any waterbody in Florida therefore, this species has the potential to use the ditch found on site.

The ditch was dry during the February 2023 field assessment, thus indicating seasonal inundation. The absence of deep and permanent water bodies likely renders this property unsuitable for the year-round usage of this property by the American alligator and thus this species, if present, is likely transient.

Audubon's Crested Caracara (*Polyborus plancus audubonii*) – Federally Listed – Threatened

The property falls within the designated USFWS consultation area for this species.

The subject property offers suitable foraging habitat (open herbaceous groundcover) and potentially suitable nesting trees as the site exhibits mature cabbage palms, however, no crested caracara has been observed foraging or nesting on the subject property.

This species has been observed in the vicinity of the site however there are no known nests within 1,000 feet of the property (approximate primary zone for a nesting pair of caracara). Occasional foraging may occur during certain times of the year or as a result of agricultural activities such as mowing, bush-hogging, or vegetation clearing.

Eastern Indigo Snake (*Drymarchon corais couperi*) – Federally Listed – Threatened

This species typically occurs in a variety of uplands and agricultural areas such as those that occur on this site. No agency-accepted survey protocol exists for this species and the potential for presence of this species is evaluated based on habitat and known recent sightings. While no indigo snakes were observed on site at the time of the site assessment, there is some potential for this species to occur, and they have been identified as present on agricultural properties north of the C-44 Canal. Land clearing management and controls are the typical measures necessary to address the potential presence of this species.

Gopher Tortoise (*Gopherus polyphemus*) – State Listed - Threatened

This species typically occurs in a variety of native and altered upland habitats. Gopher tortoises are listed as a Threatened species by the State of Florida. This species has not been observed on the site. A 100% habitat survey would be necessary before proceeding with development activity. If any burrows are located within the construction area, off-site relocation to a licensed receiver bank would be required.

Florida Bonneted Bat (*Eumops floridanus*) – Federally Listed – Endangered

This species is typically found in the southern and south central portion of the Florida peninsula and typically roosts in cavities of trees and other crevices in natural and man-made structures. The subject site does offer potential roost structures, natural or man-made. While this species forages on a variety of land covers, including farm fields and ditches, it is not expected to occur on the site.

The subject site, located in Martin County, does not fall near or within any of the designated critical habitat currently proposed (November 2022) by the USFWS.

Florida Sandhill Crane (*Antigone canadensis pratensis*) – State Listed – Threatened

According to the FFWCC Species Conservation Measures and Permitting Guidelines for the Florida Sandhill crane (i.e. 2016 Guidelines), “*although Florida sandhill cranes forage in a variety of open habitats, shallow, freshwater marshes are critical for both nesting and roosting*”. This species has not been observed on site. The farm fields and associated network of ditches offer some foraging opportunities for this species, however, there are no “shallow freshwater marshes” on site that would be suitable for nesting. While this species is likely to forage on site, this activity is transient due to the lack of suitable nesting habitat and nesting is very unlikely.

Florida Scrub Jay (*Aphelocoma coerulescens*) – Federally Listed – Threatened

The subject site does fall within the designated FWS consultation area for the species.

The site does not provide the typical narrow habitat requirements for this species. In the absence of suitable potential habitat on site, the presence of this species is very unlikely.

Little Blue Heron (*Egretta caerulea*) – State Listed – Threatened

According to the FFWCC 2018 Species Conservation Measures and Permitting Guidelines for the threatened wading birds (FFWCC 2018 Guidelines), this wading bird species may be found foraging in a variety of shallow marine, brackish, or freshwater sites. The agricultural ditch and swales found on site do provide potential foraging habitat, thus foraging is likely to occur on a transient basis on the site. The subject site does not offer suitable nesting substrate (woody vegetation such as cypress, willow, and red maple) or potential wading bird nesting habitat present on site or within 300 feet of the site. According to the FFWCC 2018 guidelines, in the absence of suitable nesting substrate or potential wading bird nesting habitat, no surveys are required.

Tricolored Heron (*Egretta tricolor*) – State Listed – Threatened

Similarly, according to the FFWCC 2018 Species Conservation Measures and Permitting Guidelines for the Tricolored Heron (i.e. 2018 Guidelines), this wading bird species can be found foraging in a variety of shallow freshwater sites. The agricultural ditches and swales found on

site do provide potential foraging habitat, thus foraging is likely to occur on a transient basis on the site. The subject site does not offer suitable nesting substrate (woody vegetation such as cypress, willow, and red maple) or potential wading bird nesting habitat present on site or within 300 feet of the site. According to the FFWCC 2018 guidelines, in the absence of suitable nesting substrate or potential wading bird nesting habitat, no surveys are required.

Wood Stork (*Mycteria americana*) – Federally Listed – Threatened

This wading bird species is typically found foraging in ditches, canals, and wetlands with shallow areas of open waters, and nests on woody substrate (shrubs and/or trees) surrounded by shallow, open water areas.

There are no wetlands or bodies of water on site that offer the required woody substrate surrounded by shallow open water areas therefore this species is not expected to nest on site due to the lack of nesting habitat or substrate.

While the ditch and swales offer some potential suitable foraging opportunities, no wood storks were observed on site, likely due to the absence of surface water in agricultural ditch and swales during the February 2023 site reconnaissance. Wood storks are likely to forage on a transient basis on the site.

According to the USFWS, there is no designated critical habitat for the wood stork and no formal survey requirement for this species. While the documentation of active nesting would indicate that the site may be an “active colony site”, no such nesting activity has been observed on site, and in the absence of any suitable nesting habitat or substrate, nesting is very unlikely. Instead, the USFWS has developed an effect determination key (“Wood stork key”) to assess potential impacts to this species (USFWS, May 18, 2010, South Florida Programmatic Concurrence for the wood stork) based on impacts to Suitable Foraging Habitat.

No other listed wildlife species were observed or expected to be present.

The site reconnaissance also included observations of the following non-listed species on the subject property: Bird species including black vulture, red-tailed hawk, boat-tail grackle, blue jay, cardinal, grey catbird, and mockingbird. Mammals including grey squirrels and raccoons were also observed.

LISTED FLORA

During the February and August 2023 site reconnaissance, state listed air plants (*Tillandsia spp.*) were observed as scattered occurrences in the trees present in the pasture areas and abandoned tree nursery areas.

PRESERVE AREA AND UPLAND BUFFER EVALUATION -

WETLAND DETERMINATION

A SFWMD Surface Water Management Permit (43-00398-S/App. 07247-D) was issued on December 10, 1987 for the construction and operation of a water management system to serve 156.9 +/- acres of agricultural activities (Treasure Coast Tree Farms). The subject property is located entirely within this permit boundary. According to the permit and the associated staff report, there were no wetlands identified on the subject site.

A field assessment of the property confirmed the absence of wetland areas within the subject property. This determination has not been verified by South Florida Water Management District (SFWMD). In the absence of wetlands on site or adjacent to the site, no upland buffers are required on site to protect on or off site wetland resources.

SUMMARY -

Wetlands:

No wetlands exist on the subject property however, this determination has not been verified by South Florida Water Management District (SFWMD).

Uplands:

There are no native upland habitats on site consequently, no native upland habitat preservation is required.

Listed wildlife species:

Wading birds are the most likely listed species that could potentially use some portion of the property, primarily the ditch and swales, at certain times of the year. Nesting opportunities for wading birds are marginal and to date, no signs of current or past nesting activities have been found on site.

The crested caracara may use the property for foraging, and the site does offer potentially suitable nesting trees (cabbage palms), however, no such activities (foraging or nesting) have been observed to date.

No gopher tortoises or their burrows have been observed on site. Due to past land conversion and the limited amount of suitable habitat for gopher tortoises in the vicinity of the subject site, the potential for this species to be present on site is limited. A 100% survey will be required ahead of future construction activities to confirm this initial finding.

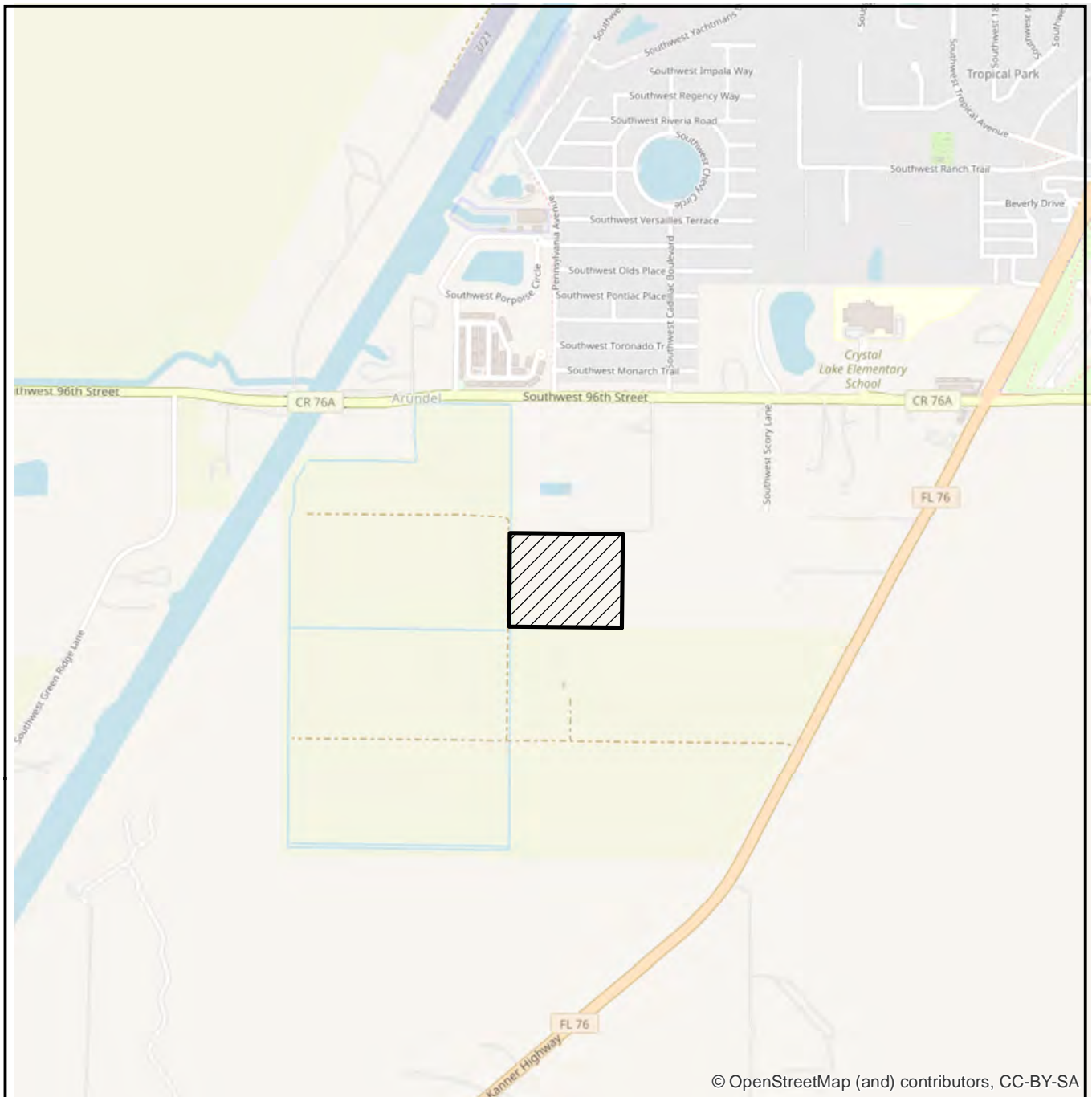
Listed plant species:

Listed plants observed on site were limited to air plants.

EW Consultants, Inc.

Natural Resource Management, Wetland, and Environmental Permitting Services

APPENDIX



SOUTH FLORIDA GATEWAY PUD ADDITION LOCATION MAP



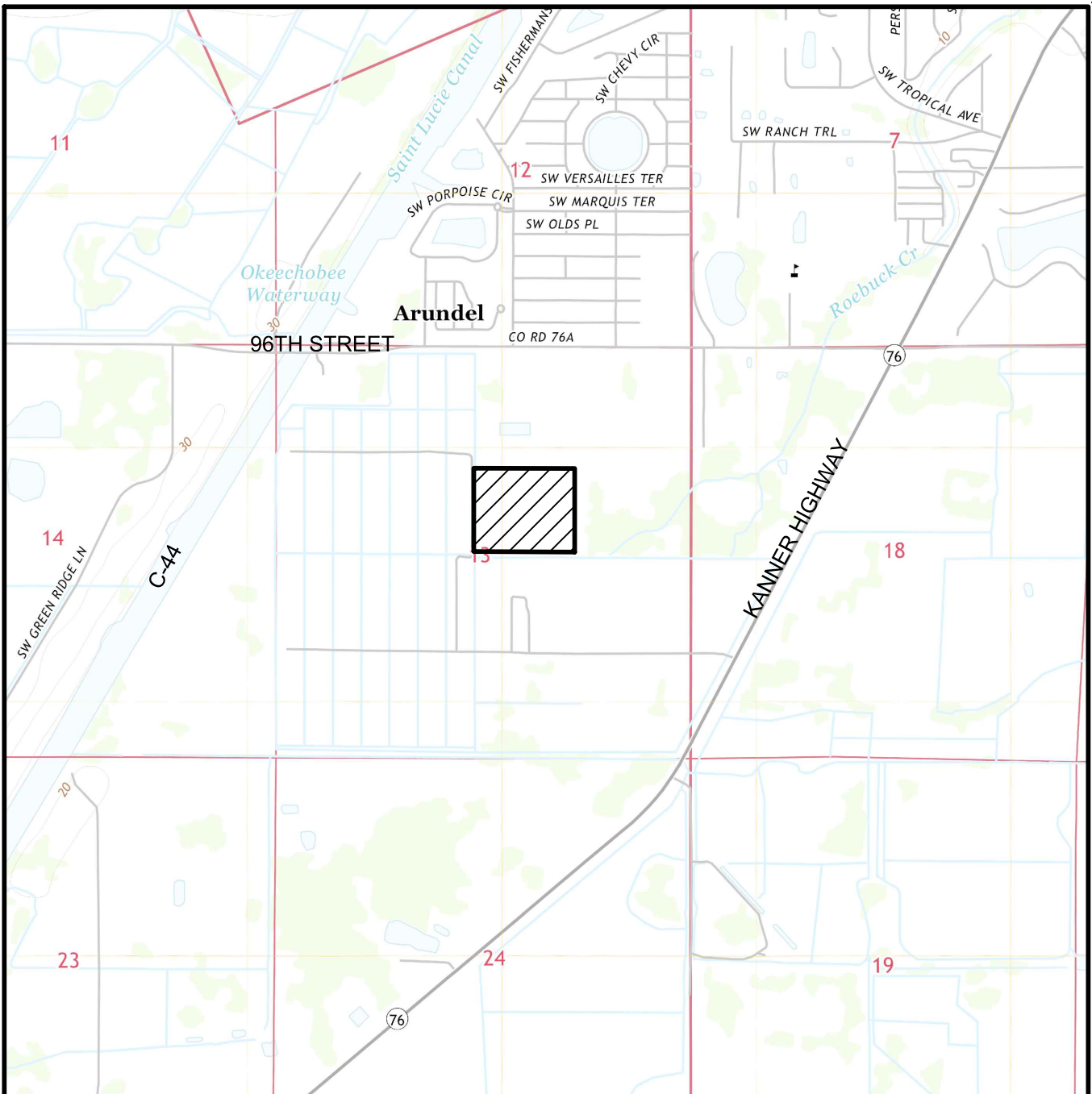
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AUG 2023

FIGURE

1



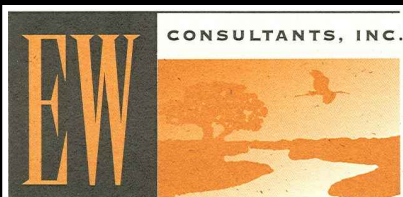
USGS QUAD MAP "INDIANTOWN SE", SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40, STUART, MARTIN COUNTY, FLORIDA, LATITUDE 27°04'56" LONGITUDE -80°07'35"

LEGEND

 - SITE (32.3± AC)

0 2000
SCALE IN FEET

SOUTH FLORIDA GATEWAY PUD ADDITION QUAD



EW CONSULTANTS, INC.
1000 SE MONTEREY COMMONS BLVD., SUITE 208
STUART, FL 34996
772-287-8771 FAX 772-287-2988
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AUG 2023

FIGURE

2



MARTIN COUNTY AERIALS DATED 2023

0 600
SCALE IN FEET



SOUTH FLORIDA GATEWAY PUD ADDITION AERIAL



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FIGURE

3



MARTIN COUNTY AERIALS DATED 2023

LEGEND
241 - TREE NURSERIES (31.8± AC)
510 - DITCHES (0.5± AC)
TOTAL SITE (32.3± AC)

0 200
SCALE IN FEET



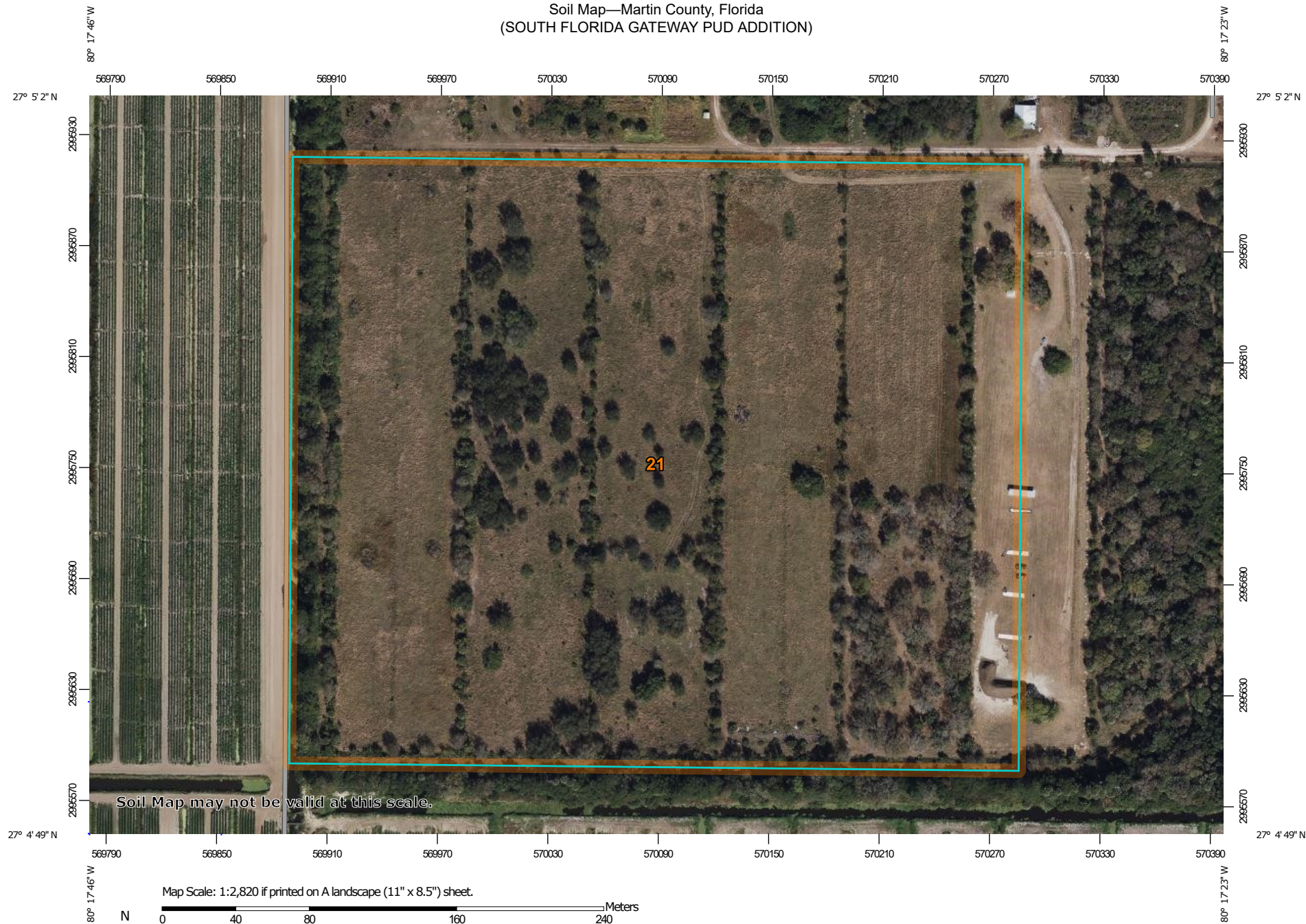
**SOUTH FLORIDA GATEWAY PUD
ADDITION
FLUCFCS**



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FIGURE
4

Soil Map—Martin County, Florida (SOUTH FLORIDA GATEWAY PUD ADDITION)



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

8/10/2023
Page 1 of 3

Soil Map—Martin County, Florida
(SOUTH FLORIDA GATEWAY PUD ADDITION)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Martin County, Florida

Survey Area Data: Version 21, Sep 1, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 21, 2021—Feb 4, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
21	Pineda-Riviera fine sands association, 0 to 2 percent slopes	32.3	100.0%
Totals for Area of Interest		32.3	100.0%