



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 with Concurrent Zoning Application

Name or Title of Project:

Willis Custom Yachts

Future Land Use Map Amendment:

Location of Project and Description of Proposal:

Located at 6800 SW Jack James Drive. The subject site is bifurcated by the St. Lucie River. The proposed request is to extend the current Commercial Waterfront FLU designation to the abandoned ROW on the northern parcel and southern parcel.

Parcel Control Number(s)

55-38-41-000-028-00070-4

55-38-41-000-027-00010-9

Project within a CRA? ☐ YES/NO ☒

Which One? Select CRA

Size of Project (Acres): 66.2

Current Future Land Use Designation: Commercial Waterfront and Industrial and a portion is undesignated

Current Zoning Designation: Waterfront General Commercial District (WGC) and Light Industrial (LI) and a portion is undesignated

Proposed Future Land Use Designation: Commercial Waterfront and Industrial

Proposed Zoning Designation: Waterfront General Commercial District (WGC), Limited Industrial District (LI), and General Industrial District (GI)

Text Amendment

Proposed Elements to Amend:

B. APPLICANT INFORMATION

Property Owner: 6800 SW Jack James Drive, LLC

Company Representative: Doug West

Address: 6800 SW Jack James Drive, LLC

City: Stuart, State: FL Zip: 34997

Phone: (772) 283-7189 Email: Doug.West@williscustomyachts.com

Agent: WGI, Inc.

Company Representative: Matthew Barnes, AICP

Address: 2035 Vista Parkway

City: West Palm Beach, State: FL Zip: 33411

Phone: (561) 713-1687 Email: Matthew.Barnes@wginc.com

Contract Purchaser: N/A

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Land Planner: WGI, Inc.

Company Representative: Matthew Barnes, AICP

Address: 2035 Vista Parkway

City: West Palm Beach, State: FL Zip: 33411

Phone: (561) 713-1687 Email: Matthew.Barnes@wginc.com

Traffic Engineer: : WGI, Inc.

Company Representative: David Taxman

Address: 3230 W. Commercial Blvd, Suite 300

City: Fort Lauderdale, State: FL Zip: 33309

Phone: (954) 556-7894 Email: David.Taxman@wginc.com

Attorney: : Fox McCluskey, Inc.

Company Representative: Tyson J. Waters, Partner

Address: 3461 SE Willoughby Boulevard

City: Stuart, State: FL Zip: 34994

Phone: (772) 287-4444 Email: twaters@fox mccluskey

Other Professional: : N/A

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.

M. Brooks Smith
Applicant Signature

11/16/21

Date

Merrill Brooks Smith
Printed Name

NOTARY ACKNOWLEDGMENT

STATE OF: Florida COUNTY OF: Palm Beach

The foregoing instrument was acknowledged before me by means of ___ physical presence or ___ online notarization, this 16 day of November, 20 21, by Nichole Pavez

Nichole Pavez
Notary Public Signature

Nichole Pavez
printed name

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

STATE OF: Florida at-large:



Nichole Pavez
Comm. #GG907343
Expires: August 25, 2023
Bonded Thru Aaron Notary

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:

M. Brooks Smith
Signature of Applicant

Merrill Brooks Smith
Printed Name

Applicant Agent:

Matthew Barnes
Signature of Agent

Matthew Barnes
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.

APPLICATION MATERIALS CHECKLIST

Plan Amendment # _____ (Staff use only)

This application materials checklist is provided for the applicant's use. The checklist will be used by staff to determine the completeness of the application. If there are incomplete items, a notification will be sent to the applicant with a request to provide the missing materials.

- X 1. Application.
- X 2. Name and address of the current property owner and documents of authority to act on behalf of the owner.
- X 3. Certificate of opinion by an attorney/title company regarding current property ownership.
- X 4. Financial Disclosure Affidavit.
- X 5. Legal descriptions and parcel control numbers for each parcel proposed to be amended. If the request is for more than one land use designation, the legal description must be formatted to identify each designated land use separately. **all areas requested are for one future land use designation**
- X 6. Acreage of subject parcel or parcels per land use type.
- X 7. A detailed location map.
- n/a 8. A Soils Survey Map sheet with the subject property outlined in red. Soil Survey map sheets can be obtained from the Soil and Water Conservation Service by calling (772) 221-1303.
- n/a 9. A current Flood Insurance Rate map with the subject property outlined in red. The Flood Insurance Rate Map sheets are available on the County's Web Site. Search for FEMA Flood Insurance Rate Maps.
- n/a 10. Proposed text amendment, if applicable.
- X 11. Justification statement for the proposed amendment that cites how the amendment is consistent with the Goals, Objectives and Policies of the CGMP.
- n/a 12. Traffic study, demonstrating the effects of the proposed amendment on the minimum Levels of Service.
- n/a 13. School Impact Worksheet.
- n/a 14. Water & Sewer Availability Worksheet.
- X 15. Survey file in CAD format, in the correct coordinate system, that is compatible with the County's GIS system.
- n/a 16. Other relevant data as appropriate.

The following must be provided concurrent with the draft notification letter for staff review prior to the first public hearing.

- X 17. Certified list of surrounding property owners. **to be provided at least two weeks prior to first public hearing**

Reviewed By: _____ (Staff use only)
Growth Management Dept.: (772) 288-5495

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
6800 SW Jack James Drive, LLC	225 N.E. Mizner Boulevard, Suite 510 Boca Raton, Florida 33432

(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
Merrill Brooks Smith	1700 S.E. 9th Street Fort Lauderdale, Florida 33316	Trustee of Trust
Merrill Brooks Smith Amended and Restated Revocable Trust Agreement dated November 14, 2018	N/A	100%

(If more space is needed attach separate sheet)

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
Mortgage with Bank of America anticipated by 10/31/21		

(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*

(If more space is needed attach separate sheet)

- Status defined as:
A = Approved

P = Pending
D = Denied
W = Withdrawn

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

M. Brooks Smith

Merrill Brooks Smith

STATE OF Florida
COUNTY OF Palm Beach

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 6th day of October 20 21, by M. Brooks Smith, who is personally known to me or have produced as identification.

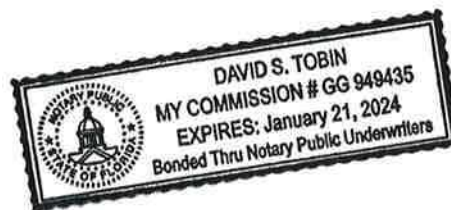
[Signature]

Notary Public, State of _____

(Notary Seal)

Print Name: _____

My Commission Expires: _____





JUSTIFICATION STATEMENT FUTURE LAND USE MAP AMENDMENT & REZONING

Initial Submittal: January 5, 2021

1. REQUEST

On behalf of the Applicant (Willis Customs Yachts), WGI is requesting approval for the subject site of the following:

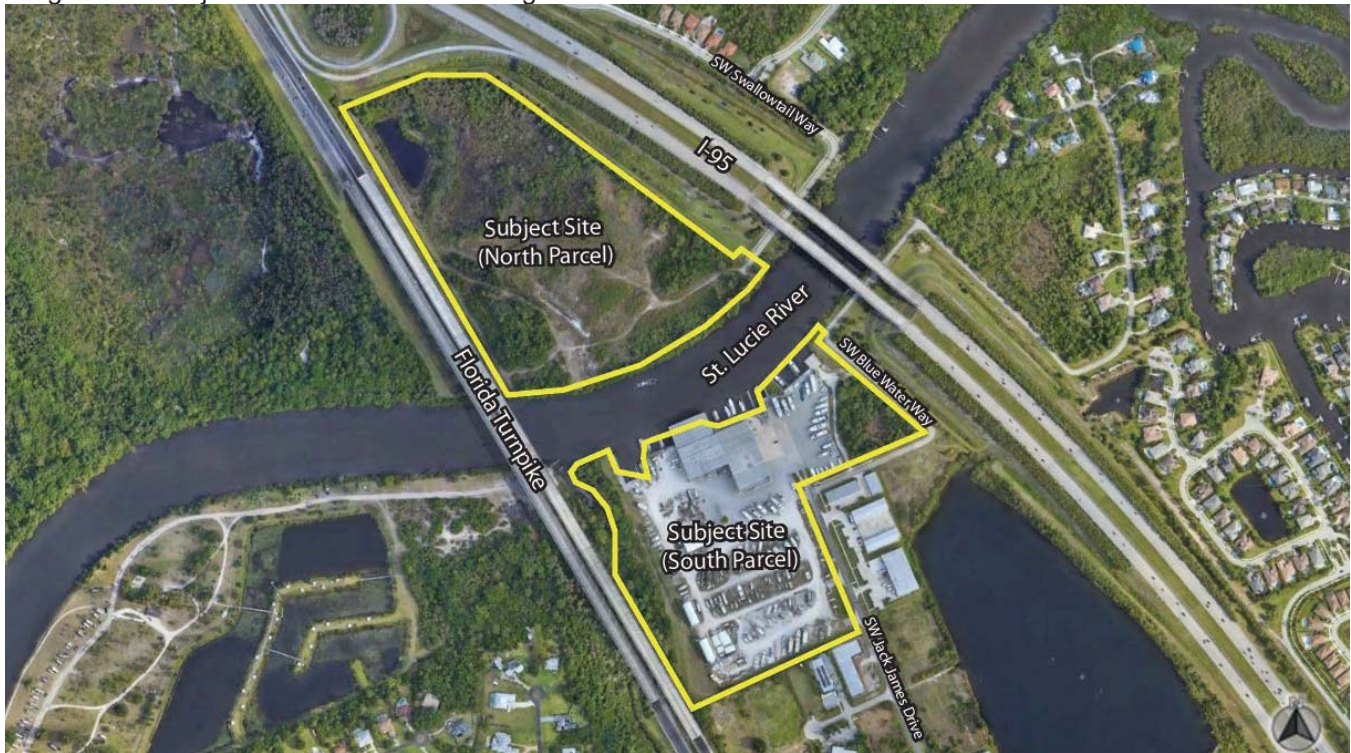
- 1) **Future Land Use MAP (FLUM) Amendment** to extend the current Commercial Waterfront Future Land Use (FLU) designation to the abandoned right of way ("ROW") on the northern and southern parcels.
- 2) **Rezoning** of the abandoned ROW on the northern and southern parcels to Waterfront General Commercial District (WGC) and rezoning of a portion of the southern parcel from Limited Industrial (LI) to General Industrial (GI) District.

2. SITE CHARACTERISTICS

The subject site consists of approximately 63 acres and is located at 6800 SW Jack James Drive, within the jurisdiction of Martin County. The subject site is generally located between the Florida Turnpike and Interstate 95 and is bisected by the St. Lucie River. The subject site consists of two Parcel ID numbers, 55-38-41-000-028-00070-4 located south of the river and 55-38-41-000-027-00010-9 located north of the river.

The subject site has a split FLU designation. The north parcel is designated Commercial Waterfront and the south parcel is split between the Commercial Waterfront designation and the Industrial designation. The subject site also has a split zoning classification. The north parcel is zoned Waterfront General Commercial, which is compatible with the Commercial Waterfront FLU designation. The south parcel is split between the Waterfront General Commercial district and the Limited Industrial (LI) zoning district. Both zoning districts are compatible with the underlying FLU designations. No FLU or zoning designation is assigned to the ROW subject to this request.

The south parcel is improved with a marina and outdoor boat storage, while the north parcel is vacant. An aerial image of the subject site and the surrounding area is shown below:





3. HISTORY

Various former rights of way which used to traverse the subject site have been vacated over time. The table below summarizes the three resolutions which vacated the various rights of way.

Resolution	Approval Date	Description
87-11.30	November 17, 1987	Vacated a 30' wide portion of SW Blue Water Way. See area marked as #4 on the image below.
02-12.7	December 3, 2002	Vacated a portion of SW Blue Water Way varying in width from 55' to 70' marked as #3 on the image below and vacated a portion of SW Jack James Drive 65' wide marked as #2 on the image below.
07-9.71	September 18, 2007	Vacated two unnamed 30' wide platted rights of way marked as #1 on the image below.



4. SURROUNDING PROPERTIES

The subject site is located in an area with a mix of uses with residential development to the north and east, agricultural ranchette and recreation uses to the west, and industrial and commercial uses to the south. The Florida Turnpike and Interstate 95 separate the subject site from all of the surrounding residential, recreational and agricultural ranchette uses, acting as a buffer between these use types. The following is a summary of the land use, zoning and existing uses surrounding the subject property:

	FLU Designation	Zoning District	Existing Use
North	N/A	N/A	I-95 & Florida Turnpike
South	Industrial	Light Industrial (LI)	Police Supply Store (Retail)
		General Industrial (GI)	Vacant



East	Industrial	Light Industrial (LI)	I-95
			Auto Detail Shop (Retail)
			RV Storage (Retail)
			Medical Equipment Supplier (Industrial)
West	N/A	N/A	Florida Turnpike

5. JUSTIFICATION

As the subject site has been developed over time various rights of way have been abandoned by Martin County. When the rights of way were abandoned the County did not assign a future land use designation or zoning classification to the abandoned rights of way, which is why currently these strips of land are undesignated on the Future Land Use Map and Zoning Atlas.

Applicant is seeking to clean up what is essentially a scrivener's map error with the undesignated vacated rights of way. Under the current Land Development Regulations, Sec. 3.2.C.8, when a public street is vacated or abandoned, the regulations applicable to the property to which it reverts would apply to the vacated or abandoned street.

Regarding the requested change of 6.85 acres from LI to GI zoning, Applicant is seeking this change to allow a greater flexibility of uses and height for future development on this portion of the subject site. The abutting property to the south is zoned GI and the requested rezoning would extend the same GI zoning northward into the subject site consistent with the surrounding properties. The rezoning request does not require a future land use map amendment – the Industrial land use category is compatible with both LI and GI zoning districts.

All of the FLUM and rezoning requests are consistent with goals, objectives and policies of the Martin County Comprehensive Plan and the Land Development Regulations. The request will allow the existing use of the subject site as a commercial marina to continue while also allowing future marine-related development to proceed on a property that is suitable for such uses being situated on the St. Lucie River, in a planned industrial park and located in-between two elevated highways.

The requests do not allow for the encroachment of commercial or industrial uses into residential areas (Objective 4.9H of the Comprehensive Plan).

The request furthers Goal 4.11 of the Comprehensive Plan, which is to provide for adequate and appropriate sites for industrial land uses to support the role of industry in the County's economy. The Willis Custom Yachts marina currently employs approximately 124 people on the subject site and future expansion of improvements will employ even more people.

The requests further Policy 4.13A.8(4) of the Comprehensive Plan by designating the vacated rights of way as Commercial Waterfront.

Concurrency is not impacted by the requests because the existing future land use categories are not being changed, they are only being extended into portions of the subject site that were undesignated due to prior abandonments of rights of way. And the change of zoning from LI to GI zoning does not materially alter the allowable intensity on that portion of the subject site.

The data and analysis presented in this application and justification statement support the request for an amendment of the FLUM and Zoning Atlas and demonstrate consistency with the County's Comprehensive Plan and Land Development Regulations.

Sketch and legal descriptions of the lands affected by this request have been provided with the application materials.



Sincerely,

Matthew Barnes, AICP
Senior Project Manager