



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW FINAL STAFF REPORT

A. Application Information

INDIAN RIVER PLANTATION PUD 19TH AMENDMENT Revised Master Site Plan & Revised Phase 3 Final Site Plan

Property Owner:	Mensa II Ocean Hotel LLC
Applicant:	Mensa II Ocean Hotel LLC
Agent for the Applicant:	HJA Design Studio LLC
County Project Coordinator:	Allison Rozek, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	I007-005
Record Number:	DEV2022060023
File Name:	2023_0515_I007-005_Final_Staff_Report
Application:	08/08/2022
Transmitted:	09/22/2022
Staff Report:	12/29/2022
Application:	02/06/2023
Transmitted:	02/06/2023
Staff Report:	03/20/2023
Application:	04/05/2023
Transmitted:	04/07/2023
Staff Report:	05/15/2023

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B. Project Description

This request is by HJA Design Studio LLC, on behalf of Mensa II Ocean Hotel LLC, for approval of the Indian River Plantation PUD 19th Amendment, including a Revised Master Site Plan and Revised Phase 3 Final Site Plan, to renovate a commercial area within the Hutchinson Island Marriott Beach Resort & Marina into a resort café and dining/entertainment area and to remove property owned by Martin County from the master site boundary.

The master site is located on approximately 177.5 acres at the intersection of NE Ocean Blvd and MacArthur Blvd on Hutchinson Island.

Included with the development application is a request for a Deferral of Public Facilities reservation (Revised Master Site Plan) & Certificate of Public Facilities Reservation (Revised Phase 3 Final Site Plan).

C. Reviewing Agency Findings

Development applications must demonstrate compliance with the Comprehensive Plan, the LDR and the Code prior to approval by the decision-maker. Various county departments/division participate in the development review process to ensure the applicable requirements and development review procedures have been met.

Department findings of compliance are identified in Sections F through T of this report. The current department review status of the various sections is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Allison Rozek	288-5931	Comply
G	Dev. Review/Site Design	Allison Rozek	288-5931	Comply
H	Commercial Design	Allison Rozek	288-5931	Comply
H	Community Redevelopment	Allison Rozek	288-5931	N/A
I	Property Management	Ellen MacArthur	288-5794	N/A
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Lindy Cerar	320-3055	Comply
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Tom Walker	288-5928	N/A
M	Engineering	Alice Custis	288-5956	Comply
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	Comply
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	Comply
P	Emergency Management	Sally Waite	219-4942	Comply
Q	ADA	Alice Custis	288-5956	Comply
R	Health Department	Nicholas Clifton	221-4090	N/A
R	School Board	Mark Seacrest	219-1200	N/A
S	County Attorney	Elysse Elder	288-5925	On-Going
T	Adequate Public Facilities	Allison Rozek	288-5931	Positive Evaluation

D. Action Required for Approval

This application meets the threshold criteria for a major development, pursuant to Table 10.2.C.1.B., LDR, Martin County, Fla. (2019). As a project with an approved master, one public meeting is required.

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

E. Site Location and Information

PUD Master Site

Future Land Use	Medium Density
Current Zoning:	PUD-R
Updated/Amended Zoning:	PUD
Gross Area of the PUD Master Site:	177.5 acres
Residential Density:	6.8 units/acre

Site Address/Location: Atlantic Ocean to the east, NE Ocean Blvd to the north, NE MacArthur Blvd. to the south

Phase 3 Commercial Site

Future Land Use	Medium Density
Current Zoning:	PUD-R
Updated/Amended Zoning:	PUD
Gross Area of the Revised Phase 3 Final Site:	1.17 acres; 50,803 sq ft.

Site Address/Location: Intersection of NE Ocean Boulevard and MacArthur Boulevard, on Hutchison Island in Martin County

Figure 1: Arial Map

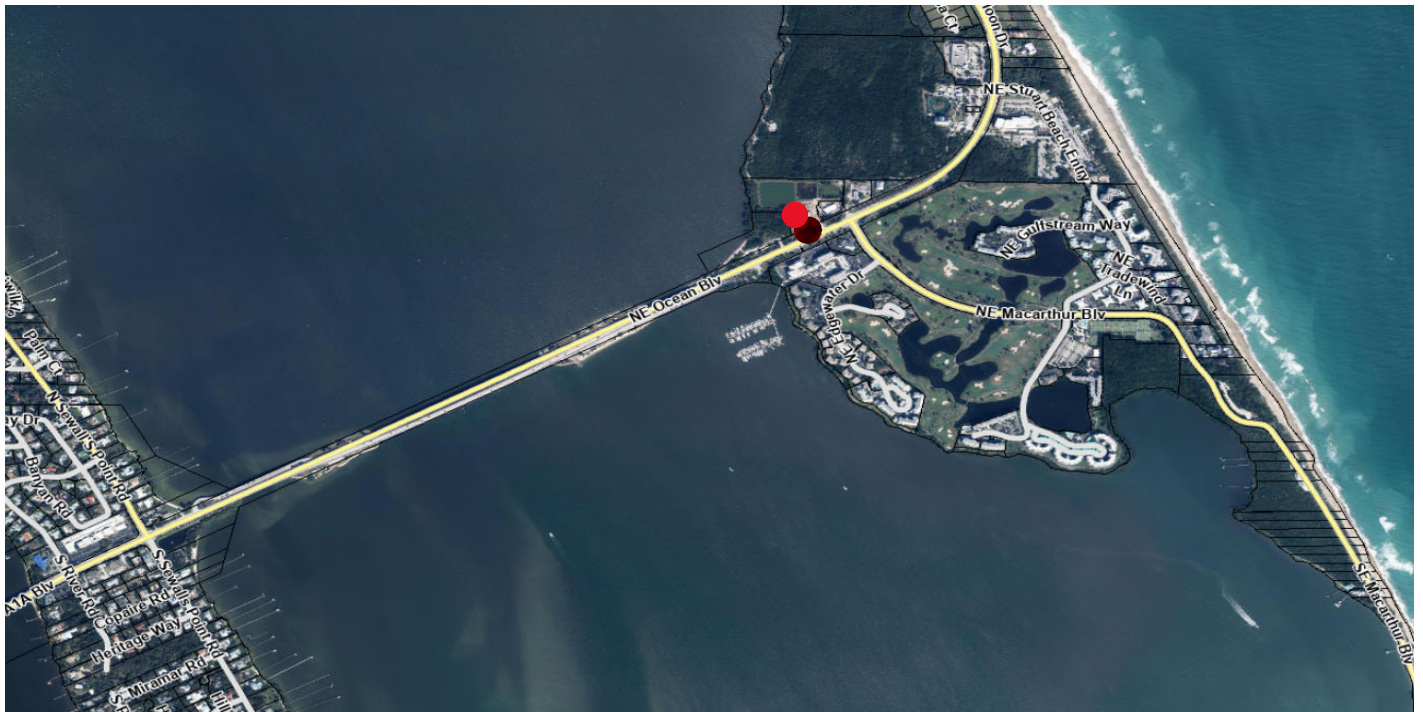


Figure 2: Land Use

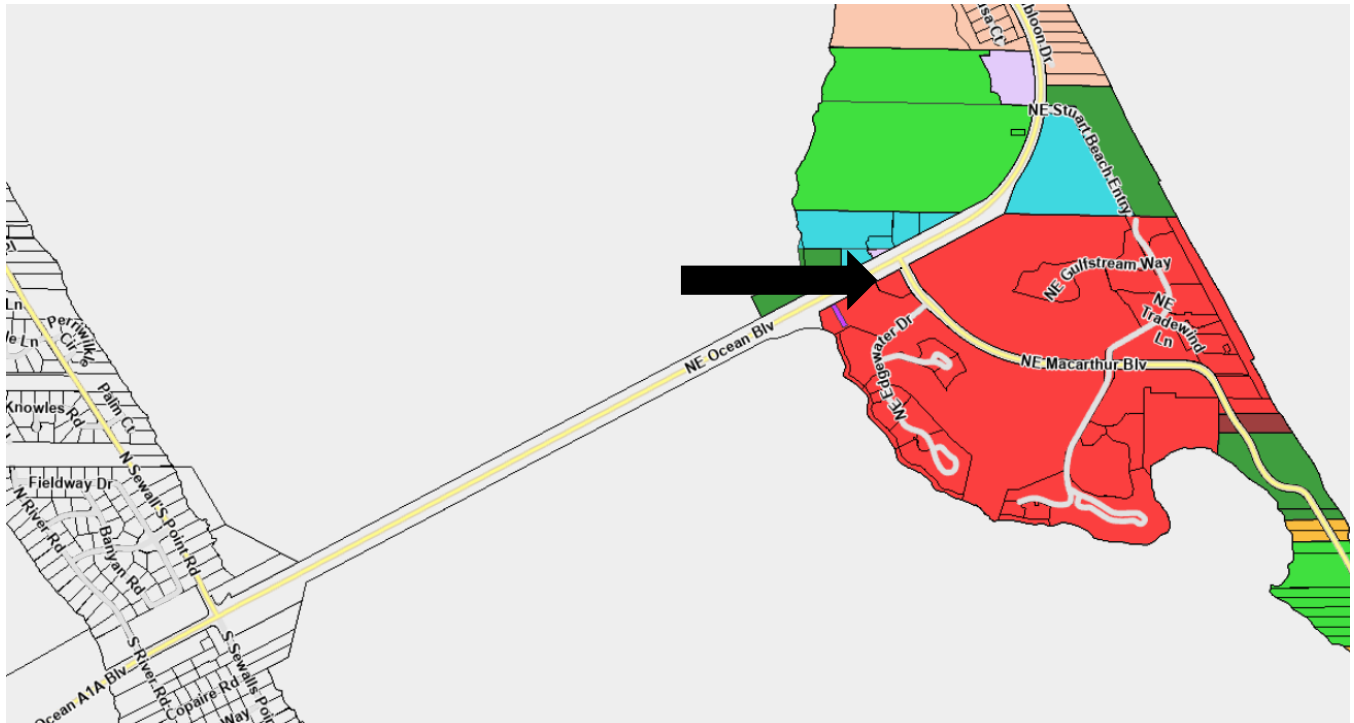


Figure 3: Zoning Map



F. Compliance with Comprehensive Plan Requirements - Growth Management

Finding of Compliance

Pursuant to Sections 10.1.E. and 10.2.B.2, Land Development Regulations, it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code of Ordinances.

The Growth Management Department has determined this application complies with the Martin County Comprehensive Growth Management Plan (CGMP). All issues identified in previous staff reports have been satisfactorily resolved. [Martin County, Fla., CGMP, § 1.3]

G. Compliance with Land Use, Zoning, Site Design & Procedure requirements - Growth Management

Finding of Compliance

Staff has reviewed the application and finds the development, as currently proposed, in compliance with the regulations and requirements applicable to this section.

H. Compliance with Commercial Design – Growth Management and Community Development

Finding of Compliance

Staff has reviewed the application and finds the development, as currently proposed, in compliance with the regulations and requirements applicable to this section.

I. Compliance with Property Management Requirements - Engineering

Finding of Not Applicable (N/A)

Staff finds review for compliance with regulations and requirements of this section is not applicable to the project, as currently proposed.

No dedication of additional right of way is required or proposed by the Applicant.

J. Compliance with Environmental and Landscaping Requirements - Growth Management

Finding of Compliance – Environmental

Staff has reviewed the application and finds the development, as currently proposed, in compliance with the regulations and requirements applicable to this section. There are no environmental resources within this existing and developed area of Indian River Plantation.

Finding of Compliance – Landscaping

The Growth Management Department staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations regarding landscaping.

Staff's finding is summarized as follows:

- The applicant has proposed the remodel of two existing commercial buildings. The applicant has submitted landscape plans that provide 18,187 square feet (0.42 acre) of landscape area which equates to 36% of the 50,803 square feet of development area to document compliance with Section 4.663.A.1., Land Development Regulations, Martin County, Fla. (2013). Pursuant to this regulation a minimum of 20% of the total development area shall be landscaped.
- Section 4.663.A.3.b. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential developments provide at least one tree per 2,500 sq. ft. of site area: a total of 20 trees for this project. To demonstrate compliance the applicant has proposed the planting or protecting of 40 trees for this 50,803 sq. ft. site.
- Section 4.663.A.4.a. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential developments provide a ten-foot-wide strip of landscaping around the perimeter of vehicular use areas that includes one tree for every 30 linear feet or one tree for 300 square feet of landscape area (12 trees). To demonstrate compliance the applicant has proposed 20 trees (planting 9 and retaining 11 trees) for this perimeter of 360 feet.
- Section 4.663.A.4.b. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential developments provide one 500-square-foot planting area for every 5,000 feet of vehicular use area. 4,080 sq. feet will be planted for the 21,131 sq. feet of vehicular use area.
- Since the surrounding land use is also commercial, no buffer yards are required pursuant to Martin County, Fla Section 4.663.B.1.a, (2013).
- Alterations cannot be made to the plans after final site plan approval. Any alteration may require an application to amend the affected approved plans.
- The applicant is cautioned to consider the placement of utilities and any underground or above ground site improvement that could cause a conflict with the landscaping and possibly cause a change or amendment.
- Landscape material must be bonded for 24 months prior to the certificate of occupancy. These forms may be found on the Martin County website by searching for Financial Assurance and selecting Landscaping Commitment. <https://www.martin.fl.us/martin-county-services/financial-assurance-documents>

K. Compliance with Transportation Requirements - Engineering

Finding of Compliance

Staff has reviewed the application and finds the development, as currently proposed, in compliance with the regulations and requirements applicable to this section.

Staff reviewed the Traffic Statement prepared by O'Rourke Engineering & Planning, dated June 2022. Maximum impact was assumed to be a decrease in directional trips during the PM peak hour compared to the existing use.

This application is exempt as it is a development, a development alteration, or an expansion that does not create additional impact on the roadway network. [Martin County, Fla., LDR Article 5, Division 2, Section 5.32 (2009)]

L. Compliance with County Surveyor - Engineering

Finding of Not Applicable (N/A)

Staff finds review for compliance with regulations and requirements of this section is not applicable to the project, as currently proposed.

M. Compliance with Engineering, Storm Water, and Flood Management Requirements - Engineering

Finding of Compliance - Engineering

The application was reviewed for compliance with the following Divisions of the Land Development Regulations.

Staff's finding is summarized as follows:

- Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that the amount of proposed excavation balances with the amount of fill needed for the site; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.
- Division 9- Stormwater Management: A Stormwater Management Report was provided that demonstrated that the proposed improvements are substantially consistent with the assumptions used in the design of the existing stormwater management system. The applicant demonstrated compliance with Division 9.
- Division 10 - Flood Protection: This site falls partially within a Special Flood Hazard Area AE with base flood elevations 5' NAVD. The applicant is utilizing existing structures with FFE of 6.54' NAVD and 6.56' NAVD. The applicant demonstrated compliance with Division 10.

- Division 19- Roadway Design: The applicant is not proposing to make modifications to the existing roadway connection. Therefore, Division 19 is N/A.
 - Division 14 - Parking and Loading: The applicant demonstrated compliance with the parking requirements set forth in Division 14. The commercial uses are ancillary to the hotel; therefore, parking requirements are met by existing hotel parking.
 - **For ADA Compliance issues, please see Section Q of this report.**
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N. Compliance with Addressing and Electronic File Submittal Requirements – Growth Management and Information Technology

Findings of Compliance - Addressing

Staff has reviewed the application and finds the development, as currently proposed, in compliance with the regulations and requirements applicable to this section.

Finding of Compliance - Electronic Submission

Staff has reviewed the application and finds the development, as currently proposed, in compliance with the regulations and requirements applicable to this section.

O. Compliance with Utilities, Water, Wastewater, Wellfield and Groundwater Protection Requirements - Utilities

Finding of Compliance - Water and Wastewater

Staff has reviewed the application and finds the development, as currently proposed, in compliance with the regulations and requirements applicable to this section.

Findings of Not Applicable (N/A) - Wellfield and Groundwater Protection

Staff finds review for compliance with regulations and requirements of this section is not applicable to the project, as currently proposed.

P. Compliance with Fire Prevention and Emergency Management Requirements – Fire Rescue

Finding of Compliance - Fire Prevention

Staff has reviewed the application and finds the development, as currently proposed, in compliance with the regulations and requirements applicable to this section.

Finding of Compliance - Emergency Preparedness

Staff has reviewed the application and finds the development, as currently proposed, in compliance with the regulations and requirements applicable to this section.

Q. Compliance with Americans with Disability Act (ADA) Requirements - General Services

Finding of Compliance - ADA

Staff has reviewed the application and finds the development, as currently proposed, in compliance with the regulations and requirements applicable to this section.

****To be addressed during building permit:***

A full ADA assessment for compliance, including width of walkways, slopes and access to entrances will be done at building permit.

R. Compliance with Martin County Health Department and Martin County School Board

Finding of Not Applicable (N/A) - Martin County Health Department

Staff finds review for compliance with regulations and requirements of this section is not applicable to the project, as currently proposed.

Finding of Not Applicable (N/A) - Martin County School District

Staff finds review for compliance with regulations and requirements of this section is not applicable to the project, as currently proposed.

S. Compliance with Legal Requirements - County Attorney's Office

Review On-Going

T. Determination of Adequate Public Facilities and Timetable Requirements – Growth Management

Positive Evaluation of Adequate Public Facilities

A Certificate of Public Facilities Reservation is required with any final development order. Before issuance can occur, the applicant must fulfill the standards of each public facility component listed below.

An overall *Positive Evaluation of Public Facilities* indicates all public facilities relevant to the project are in-place (can accommodate the development while maintaining acceptable levels of service) or planned to be provided (at or before the time of anticipated impact), to ensure acceptable levels of service are maintained.

Based on the department findings below, it has been determined that adequate public facilities are either available, programmed or planned to serve the development at the time of anticipated impact of development on public facilities and a **Positive Evaluation of Adequate Public Facilities is granted**.

Potable Water Facilities (Section 5.32.D.3.a, LDR)

Service provider – Martin County Utilities

Finding: In-Place

Reference: Section O of this staff report

Sanitary Sewer Facilities (Section 5.32.D.3.b, LDR)

Service provider – Martin County Utilities

Finding: In-Place

Reference: Section O of this staff report

Solid Waste/Garbage Facilities (Section 5.32.D.3.c, LDR)

Service provider: Martin County Utilities

Finding: In-Place

Reference: Section O of this staff report

Stormwater Management Facilities (Section 5.32.D.3.d, LDR)

Service provider: Martin County Utilities

Finding: In-Place

Reference: Section M of this staff report

Community Park Facilities (Section 5.32.D.3.e, LDR)

Service Provider: Martin County Public Works

Finding: In-Place

Reference: Section J of this staff report.

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

Service Provider: Martin County Public Works

Finding: In-Place

Reference: Section K of this staff report

Mass Transit Facilities (Section 5.32.D.3.g, LDR)

Service Provider: Martin County Public Works

Finding: In-Place

Reference: Section K of this staff report

Public Safety Facilities (Section 5.32.D.3.h, LDR)

Service Provider: Martin County Sheriff and Fire Departments

Finding: In-Place

Reference: Section P of this staff report

Public School Facilities (Section 5.32.D.3.i, LDR)

Service Provider: Martin County School District

Finding: In-Place

Reference: Section R of this staff report

***To be addressed at development order:**

The following language will be added to the development order, “Construction of all site improvements must commence within 1 year be completed within two (2) years of Final Site Plan approval.”

U. Post Approval Submittal Requirements

You will receive a letter transmitting a list of post approval items that need to be submitted. The list will include the documents and fee amounts specific to the approved development order.

All documents shall be submitted in a single paper copy packet and arranged in the order listed below, AND in pdf format saved to a flash drive. Large format plans (24” x 36”) must be rolled, not folded, and submitted digitally on a flash drive in the original .dwg/CAD format.

Post Approval Submittal Requirements

- ☐ **Post Approval Submittal List.** One 8” X 11” copy of the list you receive from Growth Management, along with any comments provided to explain document exclusions or adjustments included in your submittal, if applicable.
- ☐ **Post Approval Fees including Recording Costs.** The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court and remitted to the Growth Management Department.
- ☐ **Digital Application.** One digital pdf copy of the submitted and approved Development Application, without bookmarks, including all exhibits and attachment.
- ☐ **Warranty Deed and Unity of Title.** One 8” x 11” copy of the recorded warranty deed if a title transfer has occurred since approval of the PUD Agreement with Master Site Plan or Final Site Plan. If a title transfer has not occurred, provide one 8” x 11” original certified letter stating that no transfer has occurred.

- **Engineer Certification.** One 8" x 11" original of the Engineer's Design Certification, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.
- **Property Dedications.** Two 8.5" x 11" copies of the documents verifying that the right-of-way, property, or easements have been adequately dedicated to the Board of County Commissioners and recorded in the public records of Martin County's currently proposed.
- **Water and Wastewater Agreement.** One 8.5" x 11" original and one 8.5" x 11" copy -OR- two 8.5" x 11" copies of the executed and signed Water and Wastewater Service Agreement with Martin County Regional Utilizes, as well as one 8.5" x 11" copy of the payment receipt for Capital Facility Charge (CFC), including the recording fees.
- **Executed PUD Zoning Agreement and/or Amendment.** One 8.5" x 11" original of the executed PUD Zoning Agreement and/or Amendment, including all exhibits.
- **Phasing Plan.** One 8.5" x 11" copy of the phasing plan, if applicable.
- **Site Plans.** One 24" x 36" rolled, paper copy of each approved site plan -AND- one digital copy of each approved site plan, saved on a flash drive in AutoCAD (.dwg) format. Ensure the site plan includes a footnote identifying each alternative compliance measure that has been granted.
- **Landscape Plan.** One 24" x 36" rolled, paper copy of the approved Landscape Plan, signed and sealed by a landscape architect licensed in the State of Florida.
- **Building Elevations and Floor Plans.** One 24" x 36" rolled, paper copy of the approved Building Elevations and Floor Plans, saved on a flash drive in AutoCad (.dwg) format.
- **Construction Plans and Schedule.** Two 24" x 36" rolled, paper copies of approved construction plan(s) with the anticipated schedule for construction start and completion -AND- one digital copy of the approved construction plan(s), saved on a flash drive in AutoCAD (.dwg) format.
- **Cost Estimate.** Two 8.5" X 11" originals of the Cost Estimate Worksheets, signed and sealed by the Engineer of Record licensed in the State of Florida. Worksheet is provided on the Martin County website.
- **USB/Flash Drive.** One blank USB flash/thumb drive, which will later be used to provide the applicant with the approved signed and stamped plans.

***SEE ALSO FUTURE REQUIEMENTS IN THE BODY OF THIS REPORT**

V. Local, State, and Federal Permits

Approved Development Order(s) are conditioned upon the applicant submitting approved permits for all applicable Local, State, and Federal Permits to Martin County, prior to scheduling the pre-construction meeting.

W. Fees and Recording Costs

Fees for this application are calculated as follows:

<u>Fee type:</u>	<u>Fee amount:</u>	<u>Fee payment:</u>	<u>Balance:</u>
Application	\$13,800	\$13,800	\$0
Advertising*	TBD	TBD	TBD
Recording*	TBD	TBD	TBD
Inspection	\$4,000	\$0	\$4000
Impact Fees*	TBD	TBD	TBD

- * Advertising fees will be determined once the ads have been placed and billed.
- * Recording fees are determined by the Cuntly Clerk and remitted to Growth Management Department.
- * Impact fees are remitted to the county at time of building permit.

X. General Application Information – Development TeamOwner

Mensa II Ocean Hotel LLC

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Pete Anderson

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Palm City, Florida 34990

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Y. Acronyms

ADA..... Americans with Disability Act
AHJ Authority Having Jurisdiction
ARDP..... Active Residential Development Preference
BCC..... Board of County Commissioners
CGMP Comprehensive Growth Management Plan`
CIE Capital Improvements Element
CIP Capital Improvements Plan
FACBC Florida Accessibility Code for Building Construction
FDEP..... Florida Department of Environmental Protection
FDOT Florida Department of Transportation
LDR..... Land Development Regulations
LPA..... Local Planning Agency
MCC..... Martin County Code
MCHD..... Martin County Health Department
NFPA National Fire Protection Association
SFWMD..... South Florida Water Management District
W/WWSA Water/Wastewater Service Agreement

Z. Attachments

N/A