



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

A. Application Information

WEST STUART BUSINESS CENTER REVISED MAJOR FINAL SITE PLAN

Applicant:	West Stuart Business Center LLC
Property Owner:	West Stuart Business Center LLC
Agent for the Applicant:	Engineering Design & Construction, Inc., Brad Currie, AICP
County Project Coordinator:	Peter Walden, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	E016-036
Application Type and Number:	DEV2018110010
Report Number:	2019_0506_E016-032_Staff_Report_Final
Application Received:	12/04/2018
Transmitted:	12/04/2018
Date of Report:	01/15/2019
Resubmittal Received:	02/28/2019
Transmitted:	03/01/2019
Date of report:	03/18/2019
Resubmittal received:	04/12/2019
Transmitts:	04/12/2019
Date of Report:	05/06/2019

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B. Project description and analysis

Request for approval of a Revised Major final site plan for West Stuart Business Center, LLC. The approximately 8.5 acre parcel, lot 18 of the Ellipse industrial Park, is located at 7805 SW Ellipse Way in Stuart. The Ellipse Industrial subdivision is located between I95 and the Florida turnpike. Included with this application is a request for Public Facilities Reservation.

Lot 18 has an existing final site plan for 2 warehouse / office buildings totaling 39,800 square feet and the associated infrastructure. This application proposes to add four additional buildings with a combined 52,122 square feet of building area and the associated infrastructure bringing the total building area to 91,922 square feet. The access to the site will be as originally constructed for the first part of the development of lot 18.

The site is required to meet commercial design requirements. The future land use designation for the

property is Industrial and the zoning district designation is LI, Limited Industrial.

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The current review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Peter Walden	219-4923	Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Peter Walden	219-4923	Comply
H	Urban Design	Santiago Abasolo	288-5485	Comply
H	Community Redevelopment	Santiago Abasolo	288-5485	N/A
I	Property Management	Colleen Holmes	288-5794	N/A
J	Environmental	Shawn Mccarthy	288-5508	Comply
J	Landscaping	Karen Sjoholm	288-5909	Comply
K	Transportation	Lukas Lambert	288-5476	Comply
L	County Surveyor	Tom Walker	288-5418	N/A
M	Engineering	Stephanie Piche	223-7945	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	Dan Wouters	219-4941	N/A
Q	ADA	Stephanie Piche	221-1396	Comply
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	219-1200	N/A
S	County Attorney	Krista Storey	288-5443	N/A
T	Adequate Public Facilities	Peter Walden	219-4923	Comply

D. Review Board action

This application meets the threshold requirements for processing as a major development. As such, a review of this application is required by the Local Planning Agency (LPA) and final action by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be public hearings. MARTIN COUNTY, FLA., LDR, ARTICLE 10

The public hearing process requires proper noticing pursuant to Sec. 10.6.E. LDR The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days (seven calendar days if the application is being expedited pursuant to section 10.12) prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property.

Pursuant to Sec. 10.1.F, Land Development Regulations, Martin County, Fla., (2016) 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.

The applicant addressed the non-compliance findings from the staff report dated, March 18, 2019 with

its resubmittal dated April 12, 2019. The previous staff reports and resubmittals are incorporated herein by reference.

E. Location and site information

Parcel number(s) and address:

05-39-41-002-000-0018.0-1

7805 SW Ellipse Way

Existing Zoning:

LI, Limited Industrial

Future land use:

FLU-IND, Future Land Use Industrial

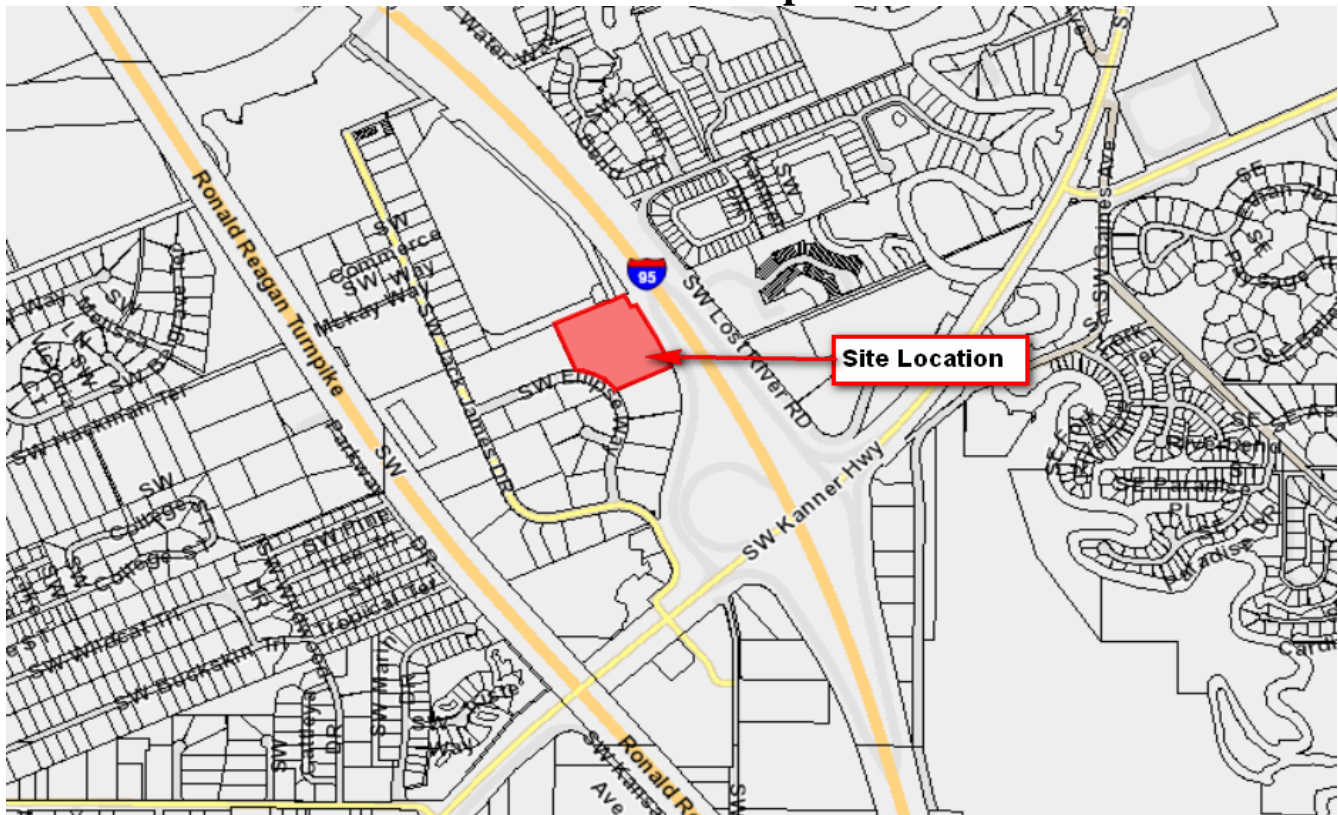
Commission district:

2

Planning area:

Port Salerno / 76 Cor

Location Map



Aerial



Proposed Development Overlay



Future Land Use Excerpt (Industrial)



Zoning Atlas Excerpt (Limited Industrial)



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

Findings of Compliance:

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

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

Findings of Compliance:

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

Item #1;

A parking rate adjustment request has been submitted. The applicant has adequately shown that the additional parking has no impacts or adverse effect on surrounding development. The additional parking is pervious as required pursuant to Sec. 4.625.A. The rate adjustment will be presented at the required public hearings and the BCC will make the final decision on the request.

Additional Information:

Item #1:

Timetable Of Development - Final

The timetable of development for final site plans require all permits to be obtained within one year of approval and require all construction to be completed within two years of approval. MARTIN COUNTY, FLA., LDR, § 10.1., 5.32

Item #2:

The applicant has elected `Option 2, regarding Agency permit submittal for a consistency review after project approval. Prior to scheduling the mandatory pre-construction meeting for construction commencement authorization, all applicable local, state, and federal approved permits are to be submitted for review by the County Administrator with remittance of a \$600.00 review fee. If an application is made to any permitting agency for a modification to a permit that was required to be issued prior to final site plan approval, the application for the permit modification must be submitted concurrently to Martin County. [Section 10.9.A., LDR, MCC]

Information #3:

No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre- construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for on state agency permits, may be granted by the Growth Management Department upon review of required permit materials. MARTIN COUNTY, FLA., LDR § 4.37

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

The proposed development complies with the requirements of Art. 4, DIV. 20 – Commercial Design – of the Martin Co., FL, Land Development Regulations.

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

N/A

No dedication of additional right of way is required or proposed by the Applicant pursuant to the Roadway Classifications set forth in Section 4.843.B, Land Development Regulations, Martin County, Fla., (2010) which includes Table 4.19.1 that lists the minimum right of way requirements. Therefore, the Applicant is not required to submit due diligence materials for review by the Martin County Real Property Division.

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

Environmental

Finding of Compliance:

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations.

Landscape

Findings of Compliance:

The Growth Management Department staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations regarding landscaping. The applicant has proposed construction of the second portion of an office /warehouse facility within an existing Industrial Park. The applicant has submitted landscape plans for the overall site that provide 2.47 acres of landscape area which equates to 29% of the 370,473 s.f 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 development provide at least one tree per 2,500 sq. ft. of site area; a total of 148 trees for this project. Calculation of the minimum total number of trees and shrubs required to be planted is based upon the proposed developed area and separately based upon quantities required to meet the vehicular use area planting requirements and any required bufferyard requirements. Plantings for the vehicular use area requires the establishment of 112 trees. To demonstrate compliance the applicant has proposed the planting of 102 trees plus the equivalent of 10 tree credits by the preservation of 5 existing trees for this 370,474 sq. ft. site.

Landscaped bufferyards are required between differing land uses and along certain transportation corridors. Martin County, Fla Section 4.663.B.1.a, (2013). Surrounding land use is industrial so non-compatibility buffers are not required.

Section 4.666.E.Land Development Regulations, Martin County, Fla. (2013) requires that development activity preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed. Due to substantial grade changes necessary, to meet this requirement the applicant has submitted Landscape and Construction Plans to provide for removal of 1 existing protected trees and preservation of 5 existing oaks within the proposed perimeter landscape area. To demonstrate compliance with Section 4.666.D., Land Development Regulations, Martin County, Fla. (2013) he applicant has proposed preservation of existing trees equal to 10 credits to mitigate for the necessary tree removal.

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.

As-built landscape plans submitted prior to the release of a certificate of occupancy will be checked against the approved drawings. Inconsistencies may block the issuance of the certificate of occupancy

K. Determination of compliance with transportation requirements - Engineering Department

Findings of Compliance:

The Traffic Division of the Engineering Department finds this application in compliance.

Compliance with Adequate Public Facilities Ordinance:

Staff has reviewed the Traffic Statement prepared by O'Rourke Engineering and Planning, dated February 2019. O'Rourke Engineering and Planning stated that the site's maximum impact was assumed to be 76 directional trips during the AM peak hour. Staff finds that SW Jack James Drive is the recipient of a majority of the generated trips. The generalized service capacity of SW Jack James Drive is 750. The project impact is 10% of the maximum volume of that roadway. SW Jack James Drive is currently operating at a level of service C; it is anticipated to operate at level of service C at buildout (year 2021).

L. Determination of compliance with county surveyor - Engineering Department

N/A

The applicant has indicated that there are no proposed changes to the approved project boundary as part of the current application. Therefore, The Engineering Department was not required to review this application for consistency with the Martin County Codes for survey requirements contained in Article 4 of the Land Development Regulations. MARTIN COUNTY, FLA., LDR §10.1.F

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

Findings of Compliance:

The application was reviewed for compliance with the following Divisions of the Land Development Regulations. Staff's finding is summarized after each:

Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that no excavation is proposed and only fill will be brought onto 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: The applicant has demonstrated the proposed development is included in the Master Stormwater Management System and proposed deviations from the previous permit will not affect the existing system; thereby, the required attenuation and water quality treatment is in compliance with Division 9.

Division 10 - Flood Protection: This site does not fall within a Special Flood Hazard Area. The applicant is proposing the Finished Floor Elevations above the stage of the 100-year 3-day storm event; therefore, the applicant demonstrated compliance with Division 10.

Division 14 - Parking and Loading: The applicant demonstrated compliance with the parking requirements set forth in Division 14.

Division 19- Roadway Design: The applicant is not proposing to make modifications to the existing road SW Ellipse Way; therefore, the applicant demonstrated compliance with Division 19.

The Engineering Department finds this application in compliance provided the Development Order includes conditions for the following:

1. The Owner is not authorized to haul fill off of the site. The Owner must comply with all County excavation and fill regulations.

Compliance with Adequate Public Facilities Ordinance:

This project will provide the proposed development sufficient services based upon the adopted LOS for stormwater management facilities.

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

Addressing

Findings of Compliance

The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan / plat complies with applicable addressing regulations. All street names are in compliance. They meet all street naming regulations in Article 4, Division 17, Land Development Regulations. Martin County, Fla. (2018).

Electronic Files

Findings of Compliance

The Information Services Department staff has reviewed the electronic file submittal and finds it in compliance with the applicable county requirements.

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2018)

Both AutoCAD site plan and boundary survey were in State Plane coordinates and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2018)

The AutoCAD boundary survey was received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2018)

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater Service

Findings of Compliance:

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds it in compliance with Martin County's requirements for water and wastewater level of service. [Martin County, Fla., LDR, Article 4, Division 6 and 7, (2016)]

Wellfield and Groundwater Protection

Findings of Compliance:

The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR, Article 4, Division 5] (2016)

P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department

Finding of Compliance;

The Fire Prevention Bureau finds this submittal in compliance with the applicable provisions governing construction and life safety standards of the Florida Fire Prevention Code and referenced publications. This occupancy shall comply with all applicable provisions of governing codes whether implied or not in this review, in addition to all previous requirements of prior reviews.

Q. Determination of compliance with Americans with Disability Act (ADA) requirements – Public Works Department

Findings of Compliance:

The Public Works Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements.
(2014 FBC, FIFTH EDITION\ACCESSIBILITY)

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

Martin County Health Department

N/A

There are no onsite potable wells or septic disposal systems, pursuant to Section 10.1.F, LDR, Martin County, Fla. Therefore, the Department of Health was not required to review this application for consistency with the Martin County Codes.

Martin County School Board

N/A

The applicant has indicated that this application is for an industrial office/warehouse. Therefore the Martin County School Board was not required to review this application for school concurrency evaluation. MARTIN COUNTY, FLA., LDR §10.1.F.

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

Review ongoing

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

The following is a summary of the review for compliance with the standards contained in Article 5.32.D of the Adequate Public Facilities, Land Development Regulations (LDR's), Martin County Code for a Certificate of Adequate Public Facilities Reservation.

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

Service provider – Martin County

Findings – in place

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

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

Service provider – Martin County

Findings – positive evaluation

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Solid waste facilities (Section 5.32.D.3.c, LDR)

Findings – in place

Source - Growth Management Department

Stormwater management facilities (Section 5.32.D.3.d, LDR)

Findings – Positive evaluation

Source - Engineering Department

Reference - see Section M of this staff report

Community park facilities (Section 5.32.D.3.e, LDR)

Findings – in place

Source - Growth Management Department

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

Findings – positive evaluation

Source - Engineering Department

Reference - see Section K of this staff report

Mass transit facilities (Section 5.32.D.3.g, LDR)

Findings - in place

Source - Engineering Department

Reference - see Section K of this staff report

Public safety facilities (Section 5.32.D.3.h, LDR)

Findings - in place

Source - Growth Management Department

Reference - see Section P of this staff report

Public school facilities (Section 5.32.D.3.i, LDR)

Findings - in place

Source - Growth Management Department

Reference - see Section R of this staff report

A timetable for completion consistent with the valid duration of the development is to be included in the Certificate of Public Facilities Reservation. The development encompassed by Reservation Certificate must be completed within the timetable specified for the type of development.

U. Post-approval requirements

Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Item #1:

Post Approval Requirements List: After approval the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. The applicant will return the Post Approval Requirements List along with the required documents in a packet with the documents arranged in the order shown on the list.

Item #2:

Post Approval Fees: The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.

Item #3:

Recording Costs: The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.

Item #4:

One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.

Item #5:

Original and one (1) copy of the current Unity of Title in standard County format if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating so that no transfer has occurred.

Item #6:

Ten (10) 24" x 36" copies of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Fold to 8 by 12 inches.

Item #7:

Ten (10) copies 24" x 36" of the approved site plan.

Item #8:

Original approved site plan on Mylar or other plastic, stable material.

Item #9:

Ten (10) 24" x 36" copies of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.

Item #10:

One (1) digital copy of site plan in AutoCAD 2010 - 2017 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

Item #11:

Original of the construction schedule.

Item #12:

Original of the Engineer's Design Certification, on the County format which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.

Item #13:

Original and one (1) copy or two (2) copies of the executed and signed Water and Wastewater Service Agreement with Martin County Regional Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.

V. Local, State, and Federal Permits

This application is "Option 2" for final permit review

Item #1:

STORMWATER MGMT PERMITS

The following permits must be obtained prior to scheduling a Pre-Construction meeting:

1. South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP)
2. Florida Department of Environmental Protection (FDEP) NPDES Generic Permit for Stormwater Discharges for Small and Large Construction Sites

Environmental Permits:

The property owner and/or agent shall be responsible for obtaining a gopher tortoise relocation permit from Florida fish and wildlife conservation commission. All necessary permits, or a current wildlife survey showing no gopher tortoises exist onsite, shall be submitted to the growth management department, environmental division for review. The wildlife survey shall be no greater than 90 days old at the time of review. No land clearing will be authorized until this information is received. No land clearing, including installation of erosion control barricades, can take place prior to the pre-construction meeting.

W. Fees

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$8,750.00	\$8,750.00	\$0.00
Inspection fees:	\$4,000.00		\$4,000.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory impact fees:	TBD		

* Advertising fees will be determined once the ads have been placed and billed to the County.

** Recording fees will be identified on the post approval checklist.

X. General application information

Applicant: West Stuart Business Center LLC
George T. Kelly IV
1935 Commerce Ln Ste 5
Jupiter, FL 33458
561-743-7381

Agent: Engineering Design & Construction, Inc.
Brad Currie
10250 SW Village Parkway, Suite 201
Port St. Lucie, 34987
772-462-2455

Y. Acronyms

ADA..... Americans with Disability Act
AHJ Authority Having Jurisdiction
ARDP Active Residential Development Preference
BCC..... Board of County Commissioners
CGMP Comprehensive Growth Management Plan

CIE Capital Improvements Element
CIP Capital Improvements Plan
FACBC Florida Accessibility Code for Building Construction
FDEP Florida Department of Environmental Protection
FDOT Florida Department of Transportation
LDR Land Development Regulations
LPA Local Planning Agency
MCC Martin County Code
MCHD Martin County Health Department
NFPA National Fire Protection Association
SFWMD South Florida Water Management District
W/WWSA Water/Waste Water Service Agreement

Z. Attachments