

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA
DEVELOPMENT ORDER**

RESOLUTION NUMBER

**[REGARDING REVISED MASTER SITE PLAN APPROVAL FOR SANDS COMMERCE
CENTER I AND III WITH A CERTIFICATE OF PUBLIC FACILITIES EXEMPTION]**

WHEREAS, this Board has made the following determinations of fact:

1. Jeffrey H. Sands submitted an application for a revised master site plan for the Sands Commerce Center I and III project, located on lands legally described in Exhibit A, attached hereto.
2. This Board considered such application at a public meeting on July 30, 2019.
3. At the public meeting, all interested parties were given an opportunity to be heard.
4. The revised master site plan is consistent with the Comprehensive Growth Management Plan and the Land Development Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

- A. The revised master site plan, attached hereto as Exhibit B, for the Sands Commerce Center I and III project is approved. Approval of the revised master site plan authorizes the applicant to submit final site plan(s) consistent with the approved master site plan and any conditions of approval of the master site plan and phasing plan, in accordance with the Comprehensive Growth Management Plan and Land Development Regulations. Approval of the revised master site plan shall not constitute approval to build or construct any improvements and is not the final approval necessary for construction of the Sands Commerce Center I and III project.
- B. All final site plans for the Sands Commerce Center I and III project must be obtained within five years, by July 30, 2024. All development must be completed within seven years, by July 30, 2026.
- C. The property owner shall provide an executed unity of title in a form acceptable to the County Attorney for the property that is the subject of the approved revised master site plan. Included shall be a provision that requires unity of title to be maintained by the owner of the property with the sole exception being that a portion of said property may be sold, transferred, devised or assigned to a governmental agency.

- D. The property owner shall provide annual status reports to the County Administrator to ensure that development occurs according to the terms of the development order. The Monitoring Report shall be due on the Anniversary date of the Major Master approval.
- E. In consideration of the approval of the revised master site plan development order for Sands Commerce Center I and III (hereinafter referred to as "the project") the undersigned applicant, being the owner(s) of the project, located on lands described in attached Exhibit A, does hereby covenant and agree that final site plan development orders for the project are subject to a determination and reservation of adequate capacity of Category A and Category C public facilities (water, sewer, solid waste, stormwater management, arterial and collector roads, parks and public transportation) pursuant to Section 14.1C.4, Comprehensive Growth Management Plan (Comprehensive Plan) and Section 5.32.D., Land Development Regulations (LDR), Martin County Code.

No rights to obtain final site plan development orders, nor any other rights to develop the project have been granted or implied by the County's approval of this master site plan development order without a determination and reservation of adequate capacity of Category A and C public facilities.

The applicant is voluntarily electing to proceed under Section 14.1C.4 of the Comprehensive Plan and Section 5.32.C., LDR; therefore, the County's approval of the master site plan development order for the project grants no rights to obtain final site plan development orders, nor shall the approval be interpreted by the undersigned, or its successors in title, in any way whatsoever as committing the County legally, through the theory of equitable estoppel or any other legal theory, to approve any final site plan development order for the project without a determination and reservation of adequate capacity of Category A and C public facilities, pursuant to Section 14.1C.5 of the Comprehensive Plan and Section 5.32.D., LDR.

The undersigned acknowledges the risk that subsequent development projects may reserve capacity of Category A and C public facilities in the same service area as the project and necessitate construction of additional capital facility improvements for this project to meet concurrency and/or prevent this project from going forward in accordance with its timetable of development.

The undersigned further agrees that the attached Affidavit Deferring Public Facilities Reservation shall be deemed a covenant running with the land and shall remain in full force and effect and be binding on the undersigned, its successors and assigns, until such time as the same may be released in writing by the Board of County Commissioners of Martin County, Florida.

- F. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 30TH DAY OF JULY, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: _____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BY: _____
EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

BY: _____
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY

ATTACHMENTS:

Affidavit Deferring Public Facilities Reservation
Exhibit A, Legal Description
Exhibit B, Revised Master Site Plan

Resolution #

Affidavit Deferring Public Facilities Reservation

IN WITNESS WHEREOF, the applicant has executed this Affidavit on the date indicated below.

WITNESSES:

Jeffrey H. Sands

Address: _____

Name printed: _____

Date: _____

Name printed: _____

STATE OF

COUNTY OF

The foregoing Affidavit Deferring Public Facilities Reservation is acknowledged before me this _____ day of _____, 2019, by Jeffrey H. Sands. He () is personally known to me or () has produced _____ as identification.

NOTARY PUBLIC

Name printed:

My Commission Expires:

EXHIBIT A

Project – SANDS COMMERCE CENTER
Owner – JEFFREY H. SANDS

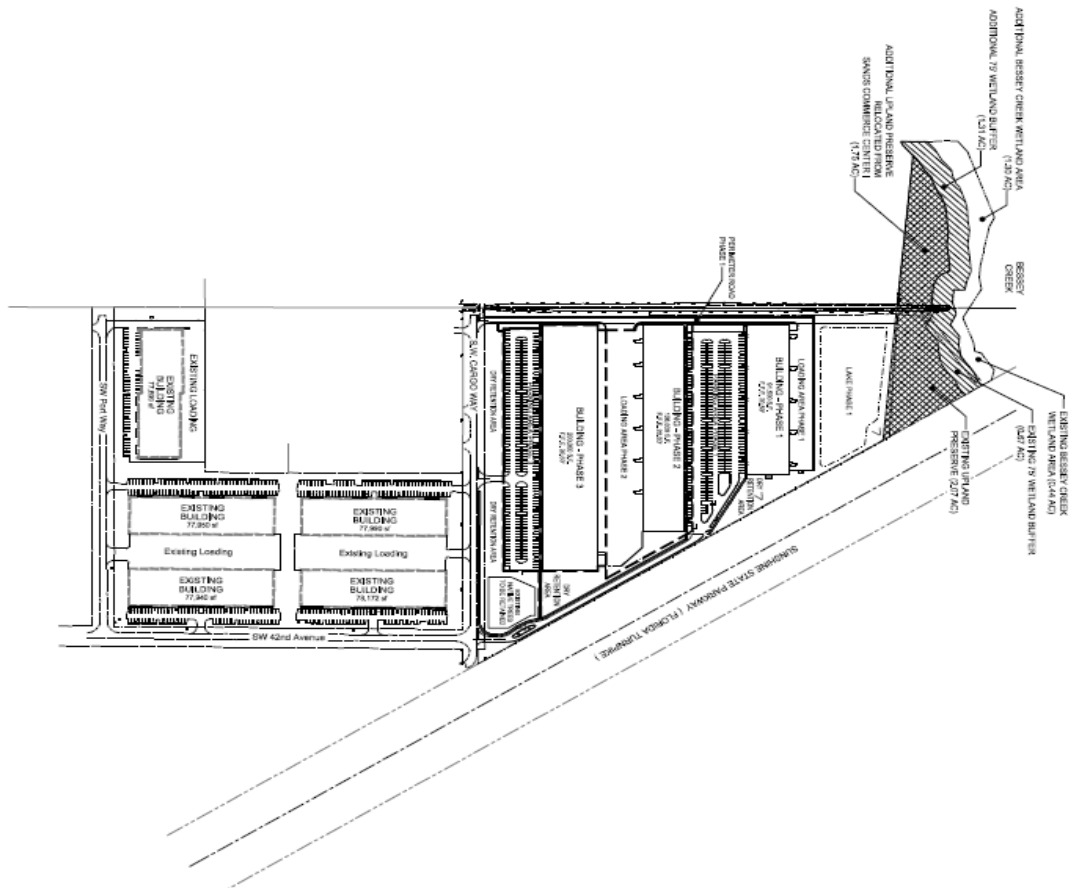
LEGAL DESCRIPTION:

TRACTS 11, 21, 22, 27, 28, AND 29, SECTION 14, TOWNSHIP 38 SOUTH, RANGE 40 EAST, PALM CITY FARMS, AS RECORDED IN PLAT BOOK 6, PAGE 42, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA. LYING WEST OF THE FLORIDA TURNPIKE (SUNSHINE STATE PARKWAY), AND SOUTH OF THE CENTERLINE OF BESSEY CREEK.

Parcel Control Number:

14-38-40-000-009-00000-80000

Exhibit B (page 1 of 3)

SANDS COMMERCE CENTER I & II
OVERALL SITE DATA:

OVERALL SITE DATA:

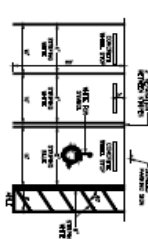
Top Soil Area	63.24
Forest Land Use Designation	Forestland
Existing Zoning	Existing Zoning
Existing Use	Existing Use
Heavy Commercial Area	Heavy Commercial Area
Light Commercial Area	Light Commercial Area
77 Wildlife Buffer Area	77 Wildlife Buffer Area
Urban Reserve Area	Urban Reserve Area
Unimproved Private Area	Unimproved Private Area
Developable Area	63.24
Building Footprint	18.33
Reserved Open Space	12.69
Reserved Open Space	21.61
Impervious Area	41.63
Drainage Footprint	41.63
Perennially Flooding	25.59
Annual Flooding	21.61
Unimproved Open Space	13.10
Unimproved Open Space	13.10
Unimproved Open Space	7.14

Index of Sheets

Sheet 1 of 3: Composite Key Map
Sheet 2 of 3: Sands Commerce Center
Sheet 3 of 3: Sands Commerce Center

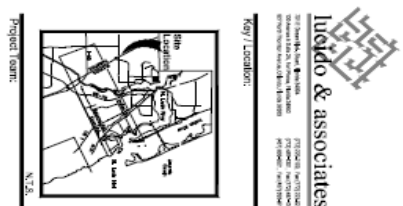


DISABLED SIGN DETAIL



PARKING SPACE DETAIL

- [illegible]



**Sands Commerce
Center I & III**

Revised
Master Site Plan
& Phasing Plan

Date	By	Description
11/1/2011	John Doe	Initial deposit
11/2/2011	John Doe	Withdrawal
11/3/2011	John Doe	Transfer
11/4/2011	John Doe	Interest
11/5/2011	John Doe	Balance

12.10.13	CF
05.21.14	CM
10.07.14	SL
01.09.16	MM

02.10.18	0.0000
02.10.18	0.0000
02.10.18	0.0000
02.10.18	0.0000

1000000

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1 of 3

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