



April 10, 2020
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Via Hand Delivery

Mr. Matthew Stahley
Senior Planner
Growth Management Department
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Stuart, Florida 34996
(772) 320-3047
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RE: Magnolia Ridge of Palm City
Martin County Project Number P161-004
Response to Staff's Remaining Comments

Dear Mr. Stahley:

In addition to this response letter to Staff's remaining comments, please find enclosed one (1) CD of digital files and hard copies of the following for final approval:

- One (1) Public Benefits Statement
- One (1) PUD Zoning Agreement
- One (1) Original Updated Title Commitment for Drainage Easement (with B-II exceptions)
- One (1) Narrative - East Buffer
- One (1) Narrative - Landscape Buffer
- One (1) Signed and Sealed Stormwater Management Report
- One (1) Copy of the recorded Easement with Palm City Presbyterian Church
- Two (2) Signed and Sealed Sketch and Legal Descriptions (Drainage Easement)
- Two (2) Signed and Sealed Boundary Surveys (Drainage Easement)
- Two (2) Signed and Sealed Landscape Plans
- Two (2) Signed and Sealed Stormwater Maintenance Plans
- Two (2) Signed and Sealed Auto Turn Exhibits
- Two (2) Signed and Sealed Civil Construction Plans
- Two (2) Signed and Sealed PUD Master Final Site Plans

Section G Land Use and Zoning

Unresolved Issues:

Item #1

Site Plan Data

COMMENT 1: For clarification on the provided open space, please provide a separate open space exhibit that shows all of the corresponding categories of open space consistent with the site data categories (Landscape and Drainage tract, Upland Preserve, Dry Detention / Retention Areas, Green Areas. The applicant will need to demonstrate the proposed covered patios shown on the floor plans are not included in the open space calculations.

RESPONSE: See Sheet 3A for open space exhibit. The patios are covered and have been noted as such.

COMMENT 2: Please correct the discrepancy between the total acreage shown in the data table as 3.56 acres and the 3.57 acres used to calculate the gross residential density.

RESPONSE: The acreages have been reconciled with the survey. The site area is 3.56 acres. See the updated Site Plan.

COMMENT 3: Please correct the discrepancy between the open space table and the pervious and impervious table where the landscape and drainage tract are shown as 7.0% open space and 7.1% pervious.

RESPONSE: The areas have been updated. See the revised open space table on the Site Plan.

COMMENT 4: Please revise the sum of the impervious acreage from 1.78 to 1.77 acres.

RESPONSE: The areas have been updated. See the revised open space table on the Site Plan.

Item #2
Site Plan Graphics

COMMENT 1: Please show and dimension one example of a typical garage on the site plan for both the 20'x21' and 20'x12' scenarios.

RESPONSE: The typical garage detail has been added to the Site Plan.

COMMENT 2: Please number the lots on the site plan sequentially.

RESPONSE: The lots on the Site Plan have been numbered sequentially.

COMMENT 3: Please clarify if the patios on the rear of the property are to be covered as shown on the floor plans, if they are proposed to be covered please show on the site plan.

RESPONSE: The patios are covered and have been noted as such on the Site Plan.

COMMENT 4: Please revise site plan note #2 to say, "All residential lots proposed to be 2,208 square feet."

RESPONSE: Note #2 on the Site Plan has been revised to say, "All residential lots proposed to be 2,208 square feet."

COMMENT 5: Please remove site plan note #15 regarding 5' setbacks for accessory structures.

RESPONSE: Note #15 regarding 5' setbacks for accessory structures has been removed.

COMMENT 6: Show the limits and label the recorded easement with the property to the east on the site plan.

RESPONSE: The easement has been added to the Civil Plans.

Item #3

Parking

COMMENT 1: Please revise the parking data table calculations under provided parking, which says "28 Units with 2 spaces driveway" to "28 Units with 1 space driveway" since the proposed driveways are only 18' wide. It appears to be correct in the calculations.

RESPONSE: The Parking Data Table Calculations have been revised. See the revised Site Plan.

Item #4

PUD Zoning Agreement

The zoning standards for each PUD shall be set forth in a PUD Agreement, which shall be a written, mutual agreement signed by the landowner and the Board of County Commissioners.

The PUD Agreement shall include a master and/or final development plan and shall comprehensively set forth all of the zoning standards that shall apply to the subject parcel of land and shall be approved pursuant to article 10. MARTIN COUNTY, FLA., LDR SECTION 3.242. (2002)

All PUD Zoning Agreements, as well as amendment to such agreements, shall be consistent with the CGMP. Applicants for PUD zoning shall have the burden of demonstrating that the proposed PUD zoning standards will protect the health, safety and welfare of the general public to a greater extent than would have been possible pursuant to the standard zoning regulations set forth in this article. MARTIN COUNTY, FLA., LDR SECTION 3.244A. (2002)

Remedy / Suggestion / Clarification:

Please submit a revised PUD Zoning Agreement to address the following issues:

COMMENT 1: Please submit a revised Exhibit E, Timetable to:

- a. Please change Exhibit E (D) to say “The construction of the required infrastructure.

RESPONSE: The requested revision has been made to the PUD Zoning Agreement. A revised and updated PUD Zoning Agreement is enclosed incorporating the revision.

COMMENT 2: Please submit a revised Exhibit F, Special Conditions, to:

- a. Revise SC 15.A to require the provision of public benefits to be completed prior to issuance of the first certificate of occupancy, and not “at” issuance of the first certification of occupancy or at building permit issuance.

RESPONSE: The requested revision has been made to the PUD Zoning Agreement. A revised and updated PUD Zoning Agreement is enclosed incorporating the revision.

- b. Please revise SC 15A.i to remove reference to littoral plantings as these are no longer proposed as a public benefit. Changes were also proposed as to the size and number of pumps proposed, please revise the Public Benefits to reflect those changes as well.

RESPONSE: The requested revision has been made to the PUD Zoning Agreement. A revised and updated PUD Zoning Agreement is enclosed incorporating the revision.

- c. Please remove the language SC 15A.ii regarding financial compensation for construction of the lift station as outlined in Section O of this Staff Report.

RESPONSE: The requested revision has been made to the PUD Zoning Agreement. A revised and updated PUD Zoning Agreement is enclosed incorporating the revision.

- d. Please remove SC 15A.iii enhanced landscaping as a public benefit as outlined in section J of this Staff Report.

RESPONSE: The requested revision has been made to the PUD Zoning Agreement. A revised and updated PUD Zoning Agreement is enclosed incorporating the revision.

- e. Please remove SC 15A.iv regarding protection of the large pine tree as a public benefit pursuant to section J of this Staff Report.

RESPONSE: The requested revision has been made to the PUD Zoning Agreement. A revised and updated PUD Zoning Agreement is enclosed incorporating the revision.

Additional Information: Information #1:

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 in state agency permits, may be granted by the Growth Management Department upon review of the required permit materials. MARTIN COUNTY, FLA., LDR Section 4.37

RESPONSE: Acknowledged.

Information #2:

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 Sections 10.1., 5.32

RESPONSE: Acknowledged.

Information #3:

As part of the conditions of approval for all development orders for Major applications, including PUDs, the applicant 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 Plan Approval. MARTIN COUNTY, FLA., LDR Section 10.13.D.2 (2019)

RESPONSE: Acknowledged.

Section I Real Property

The Applicant is required to provide a Drainage, Access, and Maintenance Easement from Danforth Creek to the top-of-bank to Martin County. The following due diligence materials are required:

Item #1

Title Commitment

COMMENT 1: Original Title Commitment for the proposed dedication site(s).

RESPONSE: The original updated Title Commitment is enclosed.

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COMMENT 2: The Proposed Insured is: Martin County, a political subdivision of the State of Florida.

RESPONSE: Acknowledged. See the Title Commitment page 1, item 2.

COMMENT 3: The Insurable Amount is subject to approval by the Real Property Division.

RESPONSE: Acknowledged. The Proposed Policy Amount is \$10,000.00.

COMMENT 4: Legible copies of all documents listed on the Title Commitment as B-II Exceptions must be provided with the Title Commitment.

RESPONSE: Acknowledged.

NOTE: Correct Schedule B-II #7 by including the Resolution #18-12.7.

RESPONSE: Schedule B-II #7 has been revised to include Resolution #18-12.7.

Item #2

Survey and Sketch and Legal Description

COMMENT 1: Two (2) original signed and sealed Surveys of the dedication site(s).

RESPONSE: Two (2) original signed and sealed Surveys of the dedication site are enclosed and has been previously approved by Ellen MacArthur and Tom Walker.

COMMENT 2: The Survey must be certified to Martin County, a political subdivision of the State of Florida and to the Title Company.

RESPONSE: The enclosed Survey is certified to Martin County, a political subdivision of the State of Florida and to the Title Company.

COMMENT 3: The Survey must be prepared with the benefit of the Title Commitment and include the Commitment Number, Name of the Title Company and Date and Time of the Commitment.

RESPONSE: The enclosed Survey has been revised to include the updated Title Commitment information.

COMMENT 4: Parcel ID number(s) must be included.

RESPONSE: Parcel ID Number(s) are depicted on the enclosed Survey.

COMMENT 5: All title exceptions that can be plotted must be shown on the Survey.

RESPONSE: The title exceptions are depicted on the enclosed Survey.

COMMENT 6: The legal description for the dedication site(s) on the Survey must match the legal description on the proposed Plat or Planned Unit Development (PUD), if applicable.

RESPONSE: Acknowledged. When a plat is prepared and filed with Martin County, the applicant will ensure that the legal description of the dedication site shown on the plat is consistent with the survey submitted as part of this application.

COMMENT 7: Two (2) original 8 ½" by 11" signed and sealed Sketch and Legal Descriptions of the dedication site(s) must be provided.

RESPONSE: Two (2) original 8 ½" by 11" signed and sealed Sketch and Legal Descriptions of the dedication site are enclosed.

NOTE: Corrections to the sketch and legal of the drainage easement regarding description have been forwarded to CAPTEC Engineering, Inc. For consistency with the sketch and legal, the survey should read Top of Bank not Top of Ditch. Correct Item #4 on the survey on the Schedule B-II Items to read "Not Shown on Survey". Correct Item #6 on the survey on the Schedule B-II to read "Not Shown on Survey".

RESPONSE: Corrections have been made to the enclosed Survey.

Item #3

Environmental Site Assessment

COMMENT 1: A Phase I Environmental Site Assessment must be provided stating that there are No Recognized Environmental Conditions in accordance with the current standards of the American Society for Testing and Management (ASTM15271).

COMMENT 2: The Phase I report must be dated within 180 days of submittal or include a current updated letter from the ESA firm.

COMMENT 3: The Phase I Environmental Site Assessment and / or the update letter must state that Martin County, a political subdivision of the State of Florida can rely on the results of this report.

NOTE: The applicant has complied with this requirement.

RESPONSE (for comments 1, 2, & 3): Acknowledged.

SECTION J LANDSCAPE

Unresolved Issues:

Item #1

Standard Application Requirements

The deficiencies noted in this section need to be addressed by the applicant with the revised plans and documentation. To ensure a successful review, the following shall be provided with your resubmittal information:

Revision dates / notes on all affected plans.

Plans should be provided with "call-out" revision clouds / notes to identify areas that have been modified from the original submittal.

A summary of changes that are provided with your resubmittal information, the staff report may be used as a template for your response. It is important that you be specific as to what has changed and where the changes may be found in the resubmitted materials. Resubmittal comments provided to address deficiencies such as "see the revised plans" should be replaced with more specific language such as refer to revised 30' dimension to the NE buffer provided on sheet 3/4 and revised landscape note 3 on sheet 2/4.

A landscape plan is required with this application. The landscape plans must be prepared and sealed by a registered landscape architect and include all information required for submittal as specified in Section 4.662.A, LDR. Indicate the location and type of all the following, both existing and proposed:

- a. Property boundaries, land use, rights-of-way and easements.
- b. On-site and abutting land use features, including adjacent sidewalks, existing vegetation, natural features and site improvements within 50 feet of the property.
- c. Buildings, structures, paving, and adjacent buildings within 50 feet of the property.
- d. All overhead, above and underground utilities, including septic tanks, drainfields and RPZ valves.
- e. Ditches, swales, stormwater treatment structures or slope exceeding 3V:1H in any proposed landscape areas.

RESPONSE: Acknowledged.

Item #2

Landscape Tabular Data

Landscape plans shall include a table which lists the gross and net acreage, acreage of development and preservation areas, number of trees and tree clusters to be protected within the developed area and within perimeter areas. Tabular data shall also indicate a calculation of the minimum total number of trees and shrubs required to be planted based upon the proposed developed area and separately based upon quantities required to meet required bufferyard requirements.

Please also include the following:

Remedy /Suggestion/ Clarification:

COMMENT 1: The plant schedule indicates that *Clusia guttifera* is a native species; please correct this designation as it is not native to Florida.

RESPONSE: The *Clusia guttifera* has been changed to *Clusia Rosia* on Sheets L-5 and L-6.

COMMENT: The 5 ft. construction setback surrounding the preserve is now shown on the landscape plans to be cleared but not grubbed and to be planted with native shrubs. However, the note so indicating has an arrow pointing into the preserve; please realign this arrow to point to the setback area. Please also revise the construction clearing plan to so indicate that no grubbing is to occur in this area, it currently is shown with the symbol of areas to be cleared and grubbed.

RESPONSE: The note for the 5' construction setback has been revised on Sheet L-12.

COMMENT 2: The note regarding the preserve area should not just say no trees to be removed, specifically pines/oaks/palms. All work (removal of exotic species) within this area shall be done by manual methods; all native understory is also required to be protected. What method is to be utilized to protect the critical root zone of preserve trees and other trees to be protected on and off site where close to clearing areas?

RESPONSE: The above notation has been added to Sheet L-2. The clearing plan has also been updated.

COMMENT 3: Revised location of waterlines behind the pool have been submitted, how is this going to impact planting of the trees shown?

RESPONSE: The revised water lines behind the pool are indicated on Sheet L-2. The water lines have been shifted so the trees can remain as proposed.

Item #3

Landscape Bufferyard Requirements

Landscaped Bufferyards shall be required between differing land uses and along certain transportation corridors. It is the intent of the code to encourage the preservation of existing vegetation for use in buffers as opposed to clearing and replanting designed landscapes. [Section 4.663.B., LDR]

RESPONSE: Acknowledged.

Remedy / Suggestion / Clarification:

The plans propose to provide 6 feet of landscaping along the east fence and to plant 6 feet on the church property, the church property already is designated as ½ of a Type 4 buffer.

Sec. 4.667. Alternative compliance.

An applicant may submit a landscape plan which varies from the strict application of the requirements of this division in order to accommodate unique site features or utilize innovative design. An alternative compliance landscape plan shall be approved only upon a finding that it fulfills the purpose and intent of this division as well as or more effectively than would adherence to the strict requirements of this division.

4.667.A. Evaluation. The applicant must provide documentation to justify a landscape plan not meeting the minimum standards of this division. Such documentation shall include a quantitative analysis of areas not meeting minimum standards or dimensions, required vs. provided dimensions, and materials not meeting minimum Code requirements. In evaluating proposed alternative compliance landscape plans, considerations shall be given to proposals which preserve native vegetation and use drought-tolerant plantings and other low water use landscape design principles and where the design may accomplish one or more of the following:

The alternative compliance request makes some assertions that are not accurate. The statement was included that Section 4.663.B.1.b indicates that “the least intensive use permitted by existing zoning or the Comp plan” and since the church is on property with residential zoning, this is the least intensive permitted use and therefore no buffer should be required.

Staff response: This LDR statement only applies when the parcel is vacant, existing development or an approved site plan take precedence. County policy has been that churches are an institutional use; they are a permitted use in any zoning category so are not a nonconforming use. As an institutional use they require a Type 4 buffer.

This request does not demonstrate requirement of meeting or exceeding intent of the Code for approval of Alternative Compliance, however, since the Church is willing to accept the reduced buffer requirements, the reduction of buffer dimensions can be allowed. However, areas of the church property buffer where trees are lacking should also be supplemented by establishment of additional native trees. See also additional discussion provided in item #4 below.

RESPONSE: On Sheet L-2 we have added 8 trees on the adjacent property as discussed in the field with Karen Sjöholm. A separate plant schedule for these trees has been added to Sheet L-4. The proposed trees are in areas where the existing buffer is lacking vegetation.

Item #4:

Landscape Native Tree Protect & Survey

A tree survey is required to identify specific native trees required to be protected from development [Section 4.666, LDR]. Existing native vegetation shall be retained to act as buffers between adjacent land uses, and to minimize nuisance dust noise and air pollution during construction.

Remedy /Suggestion / Clarification:

COMMENT 1: The response letter and revised landscape plans submitted state that the trees on the church site are to be protected, however the construction plans do not provide this information and filling in areas of some existing trees is indicated. Tree protection notes must also be shown on the clearing plans, so the contractor is aware. Please explain how tree protection is to be achieved with the filling and proposed grade changes.

RESPONSE: As discussed on-site, the swale is modified to accommodate the trees that are near the property line. The trees noted to be protected during construction are indicated on Sheet L-1. A note has been added to Sheet L-2 that states, "Refer to Sheet L-1 for the location of trees to be protected during construction."

COMMENT 2: No grades or cross-section are shown for the area by the big pine. The landscape detail sheet L5 provides a generic detail for the proposed retaining wall/tree well that references grading in accordance with the grading plan, however, the grading plan does not provide any grades at this tree and do not even indicate there is to be a retaining wall. Please revise construction plans to provide additional detail for the contractor.

RESPONSE: The section on Sheet L-5 has been updated to show the proposed grades around the pine tree. The tree well and associated grading have been added to the civil plans.

Item #5

Construction Standards - Tree Protection

Please provide for the locations, construction and maintenance requirements of tree protection barricades on the appropriate pages of the landscape and construction plans [Section 4.666.B. LDR]. The following shall be included on the land-clearing page:

1. Location of protected trees with tree protection barricades, where warranted. Barricades must be constructed around the critical protection zone of each tree or cluster of trees.
2. Construction details for the installation of erosion control devices and tree protection barricades. All barricades must be maintained intact for the duration of construction.
3. Construction standards/criteria that states: During periods of development and construction, the areas within the dripline of preserved trees shall be maintained at their original grade with pervious landscape material. Within these areas, there shall be no trenching or cutting of roots; no fill, compaction or removal of soil; and, no use of concrete, paint, chemicals or other foreign substances.

RESPONSE: Acknowledged.

Remedy /Suggestion / Clarification:

COMMENT 1: The clearing plan shows the entire site except for the preserve and the 1 big pine tree as being cleared; what protection is to be utilized to protect the off-site trees? Add barricade location protection to the clearing plan for the off-site trees.

RESPONSE: The Clearing and Grubbing Plan has been revised to match the Landscape Plan, Sheet L-2.

COMMENT 2: The barricade details included on the construction plans indicate a radius of 10 feet is to be provided; this may not be adequate, especially for the big pine. Please review to provide adequate protection to avoid impact within the critical tree protection zones.

RESPONSE: The tree drip line is approximately a 12' to 15' radius. The standard tree protection barricade detail calls for the barricade to match the crown drip line of the tree. The temporary tree barricade for protection during construction has been moved to 5' past the drip line. See details on L-1 and L-5.

Item #6

Preserve Area Interface Requirements

Please provide for the following planting requirements, pursuant to Sec 4.663.E. LDR:

Where an applicant demonstrates that connection of stormwater management systems to a preserve area interface is impractical due to requirements in Article 4, Division 9 or other documentation as approved by the Growth Management Department Director, alternative compliance to this section may be provided. At a minimum, the stormwater management systems will be required to be planted exclusively with native plant material, as described above.

Remedy / Suggestion / Clarification:

COMMENT 1: Alternative compliance for stormwater retention areas not being contiguous with buffers and preserve areas shall require them to be planted with native vegetation. See last sentence of Section 4.663.E. Please review periods and depths of inundation to be expected to verify that specified vegetation within this basin is appropriate; during the rainy season 3 feet of water for extended periods may not allow for survival. Less than 8% of the retention area is shown to receive native plantings. Establishment of additional native plantings is required in this basin. Revise plans to comply.

RESPONSE: The plantings in the stormwater area on the south end of the property have been revised to exclusively sand chord grass. This plant material will survive during the rainy periods. The area of native plantings has been expanded from 1,626 sf to 3,707 sf. A note has been added to Sheets L-1 and L-2 stating that stormwater management areas are to be maintained with planted native vegetation in perpetuity.

COMMENT 1: Add a note to the site plan and landscape plan to state that stormwater management areas are to be maintained with planted native vegetation, in perpetuity.

RESPONSE: A note has been added to Sheets L-1 and L-2 stating that stormwater management areas are to be maintained with planted native vegetation in perpetuity.

Item #7

Additional Landscape Condition

PUD Agreement, Public Benefits

COMMENT 1: The applicant claims enhanced landscaping as a public benefit; however, it is also stated that 187 mitigation tree credits are required for tree removal and that total a total of 140 trees are to be planted. Site data also indicates that there are 97 shrubs in the north buffer and 477 shrubs in the east buffer less than required. Please remove enhanced landscaping as a public benefit.

The benefits statement and special conditions sections say that the owner shall take all “reasonable” efforts to provide on-site protection of the heritage tree and that preservation is a public benefit. Code requires protection of a minimum of 10% of existing trees, since this is the only on-site tree being protected, please explain how this is a public benefit when it is required by code. Please also provide details regarding what is considered to be “reasonable” efforts.

RESPONSE: The landscape items have been removed from the PUD Agreement and Public Benefits.

Section M Engineering

Item #1:

Right-of-Way Improvements:

COMMENT 1: As previously stated, demonstrate that the proposed sidewalk within the SW Martin Highway Right of Way does not exceed a maximum cross slope of 2% and running slope of 5%. The proposed sidewalk appears to exceed cross slope elevations from elevation 17.74' NAVD and 17.89' NAVD. Provide sufficient existing sidewalk elevations for the sidewalk west of the entrance on SW Martin Highway that demonstrate how the proposed on site sidewalk ties into the existing sidewalk. [MARTIN COUNTY, FLA., LDR SECTION 4.843.G (2010)]

RESPONSE: Sidewalk elevations have been added to show the cross slope of the sidewalk does not exceed 2%.

Item #2:

Private Road Maintenance

COMMENT 1: As previously stated, the General Notes on the Final Site Plan must address what entity has the responsibility of maintaining the roadways in a manner acceptable to Martin County. This information must be consistent with similar information contained in the dedications language of a proposed plat. [MARTIN COUNTY FLA., LDR SECTION 4.843.I (2010)]

RESPONSE: A note has been added to the Site Plan.

Item # 3:

Off-Street Parking

COMMENT 1: Although an autoturn exhibit was provided, it does not adequately demonstrate that a fire truck can properly turn around using the proposed Tee Turn without encroaching into the proposed parking stalls in the event that the stalls are occupied. In the event that this cannot be achieved, a paved area may need to be striped as a no-parking zone.

RESPONSE: The enclosed Autoturn Exhibit has been revised to show it is not necessary for the fire truck to encroach in the proposed parking.

COMMENT 2: Although sight distances were provided on the Landscape Plan, they do not adequately demonstrate clear line of sight from a stopped vehicle condition. It appears that the sight distance was measured from within the crosswalk. [MARTIN COUNTY, FLA., LDR SECTION 4.843.F (2010)] [FLORIDA DEPARTMENT OF TRANSPORTATION INDEX #546 (2016)]

RESPONSE: Sight lines have been revised to begin 6' behind the stop bar. See the revised Landscape Plan Sheet L-2.

Item #4:

Consistency with Other Plans

COMMENT 1: As previously stated, the limits of the required drainage easement for the maintenance of Danforth Creek shown on the Final Site Plan and Construction Plans must be revised to extend to the top of bank.

RESPONSE: See the enclosed revised sketch and legal with survey for the proposed easement.

Item #5:

Stormwater Management Plans

COMMENT 1: Although the response letter stated that a stormwater maintenance plan was submitted, staff was unable to locate either the digital or hard copy of this document. As previously stated, revise the stormwater maintenance plan to describe in detail the operation and maintenance of the stormwater management system (after final certification) in order to ensure the perpetual functioning of the system. This plan should include a detailed checklist of items that must be inspected on an annual basis, or more frequently as necessary, for the proper operation of the system. The stormwater maintenance plan shall ensure that all areas within the stormwater management system have a plan for the removal of nuisance exotics. In addition, the continued monitoring of nuisance exotics shall be included in the maintenance plan to ensure that no regrowth has occurred. [MARTIN COUNTY, FLA., LDR SECTION 4.386 (2015)]

RESPONSE: The enclosed *Stormwater Management System Sedimentation Control Operation and Maintenance Plan* has been revised to address these comments.

COMMENT 2: The water quality calculations in section 1.3 does meet Martin County Water Quality calculation requirements. The water quality calculations must include 3-inches over the percent impervious of the total site area. Buildings and dry retention/detention areas cannot be subtracted from the total site area when meeting Martin County standards.

RESPONSE: Please see the enclosed *Water Quality Calculations (Appendix Sheet 1.3A)* within the *Stormwater Management Report*.

Item #6:

Stormwater Management Construction Plans

COMMENT 1: Provide a copy of a recorded easement granting permission to grade on the adjacent parcel to the east and assigning the maintenance responsibility in perpetuity.

RESPONSE: A copy of the recorded easement granting permission to use the adjacent Church property is enclosed with this resubmittal.

COMMENT 2: Revise the Construction Plans to include the most recently adopted version of the Martin County Standard Details for Road and Site Construction (effective: December 3, 2019).

RESPONSE: The Construction Plans have been revised to include the most recent adopted version of the Martin County Standard Details for Road and Site Construction.

COMMENT 3: Sheet 2 of the Construction Plans shows that the proposed location of the silt fence along the western property boundary is west of the existing chain link fence. Relocate the silt fence to east of the existing chain link fence.

RESPONSE: The silt fence location has been revised as requested.

Item #7:

PUD Review Comments

COMMENT 1: Exhibit F, Item 15.A.i, Public and Developer Benefits: Revise to remove the proposed littoral plantings and include the installation of two fountains.

RESPONSE: The littoral plantings have been removed from Exhibit F, Item 15.A.i. of the PUD Agreement.

COMMENT 2: Public Benefits Statement: Revise to remove the proposed littoral plantings and include the installation of two fountains.

RESPONSE: The littoral plantings have been removed from the Public Benefits Statement and the installation of the two fountains has been added.

Development Order Conditions:

COMMENT 1: A copy of the recorded drainage easement for the Danforth Creek Bank must be provided during Post Approval.

RESPONSE: Acknowledged.

COMMENT 2: The Owner is not authorized to haul fill off the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.

RESPONSE: Acknowledged.

SECTION O WATER AND WASTEWATER SERVICE

Unresolved Issues:

Item #1:

COMMENT 1: The applicant must finalize the PUD Agreement language in Exhibit "F" Special Conditions prior to final site plan approval for the project.

The OWNER shall construct and install a lift station that shall serve the project but shall also be available to serve additional projects in the general vicinity of the project, which will eliminate the COUNTY's necessity to install, upgrade and maintain multiple lift stations to serve neighboring projects, now or in the future. ~~The OWNER may seek, with the cooperation of the COUNTY, financial compensation for the reimbursement of costs associated with such upgrade or service to neighboring projects from the OWNER's installed lift station~~

RESPONSE: The PUD Agreement Exhibit "F" has been revised.

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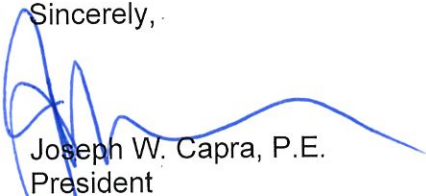
Item #2:

COMMENT 1: The applicant must submit an executable, final draft water and wastewater service agreement to the Growth Management Department for review by the Legal and Environmental Services departments prior to approval of the final site plan. The "Water and Wastewater Service Agreement" must be executed and the applicable fees paid within sixty 60 days of final Martin County approval of the request.

RESPONSE: Acknowledged.

We appreciate Staff working with us for Approval with Conditions at Post Approval. Please contact us should you require any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph W. Capra", with a long, sweeping horizontal flourish extending to the right.

Joseph W. Capra, P.E.
President

JWC/kk/jcp
Enclosures

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RESUBMITTAL\2020-0410 MSTAHEY RESPONSE LETTER.DOCX