



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

A. Application Information

KANNER LAKE (FKA KANNER 5601) PLAT

Applicant:	Kanner 5601, LLC
Property Owner:	Kanner 5601, LLC
Agent for the Applicant:	Lucido & Associates, Morris A. Crady, AICP
County Project Coordinator:	Matt Stahley, Senior Planner
Growth Management Director:	Paul Schilling
Project Number:	K042-006
Record Number:	DEV2020040008
Report Number:	2021_0401_K042-006_DRT_Staff_Final.docx
Application Received:	05/11/2020
Transmitted:	05/11/2020
Staff Report Issued:	06/19/2020
Resubmittal Received:	11/24/2020
Transmitted:	11/25/2020
Additional Materials Requested:	01/08/2021
Additional Materials Received:	03/18/2021
Staff Report Issued:	04/01/2021

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B. Project description and analysis

This is a request by Kanner 5601, LLC, for approval of a plat, consistent with the approved final site plan of a residential development, consisting of sixty-five (65) residential lots and one (1) commercial parcel on approximately 26.02 acres. The subject site is located on the east side of South Kanner Highway approximately 4,800 feet north of SE Salerno Rd in Stuart. Included in this application is a request for a certificate of adequate public facilities exemption.

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	Matt Stahley	320-3047	Comply

F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Matt Stahley	320-3047	Comply
H	Urban Design	Santiago Abasolo	288-5485	N/A
H	Community Redevelopment	Santiago Abasolo	288-5485	N/A
I	Property Management	Ellen Macarthur	221-1334	Comply
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjöholm	288-5909	Comply
K	Transportation	Lukas Lambert	221-2300	N/A
L	County Surveyor	Tom Walker	288-5928	Comply
M	Engineering	Michelle Cullum	288-5512	N/A
N	Addressing	Emily Kohler	288-5692	N/A
N	Electronic File Submission	Emily Kohler	288-5692	N/A
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	N/A
P	Emergency Management	Michelle Jones	219-4942	N/A
Q	ADA	Michelle Cullum	221-1396	N/A
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	223-3105	N/A
S	County Attorney	Krista Storey	288-5443	Review Ongoing
T	Adequate Public Facilities	Matt Stahley	320-3047	Exemption

D. Review Board action

This application complies with the requirements for processing a Plat, pursuant to Section 10.2.F., LDR, Martin County, Fla. (2019). As such, final action on this application will be taken by the Board of County Commissioners in a public meeting pursuant to Table 10.5.F.9., Section 10.5.F., LDR, Martin County, Fla. (2019).

Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (2019), 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 additional materials requested on January 8, 2021 with its additional materials submitted March 18, 2021. The previous staff reports and resubmittals are incorporated herein by reference.

E. Location and site information

Parcel number(s) and address:	55-38-41-006-001-00010-8	5601 S Kanner Hwy
Existing Zoning:		R-2, Single Family Residential
Existing Zoning:		RS-5, Low Density Residential
Existing Zoning:		B-1, Business District
Existing Zoning:		CC, Community Commercial
Existing Zoning:		TP, Mobile Home Park
Future land use:		FLU-CG, Future Land Use Commercial General
Future land use:		FLU-LDR, Future Land Use Low Density Res 5/Acre
Future land use:		FLU-MHR, Future Land Use Mobile Home Res 8/Acre

Gross area of site: 26 acres
Single family units: 65

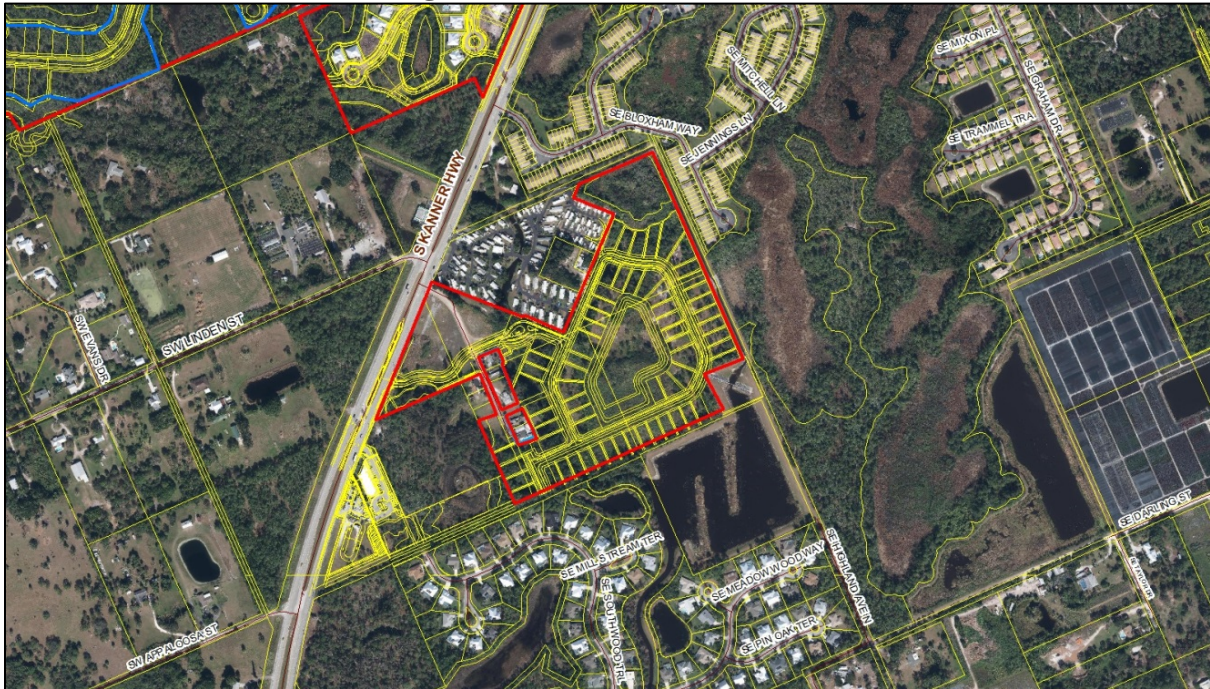
Figure 1: Location Map



Figure 2: Subject Site 2019



Figure 3: Aerial with Linework



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.

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

Commercial Design

The proposed project is not located within the General Commercial, Limited Commercial, Commercial Office/Residential or Waterfront Commercial Future Land Use Designations. Therefore, the Commercial Design reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR SECTION 4.871.B. (2016)

Community Redevelopment Area

The proposed project is not located within a Community Redevelopment Area. Therefore, the Community Redevelopment Area reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR ARTICLE 3, DIVISION 6 (2016)

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

The ROW dedication is part of a Plat approval application, the dedication will be included on the plat and the conveyance of the dedicated property will take place simultaneously with the recording of the Plat. The following is a list of the required due diligence materials:

TITLE COMMITMENT

1. Original Title Commitment for the proposed dedication site(s).
2. The Proposed Insured is: Martin County, a political subdivision of the State of Florida
3. The Insurable Amount is subject to approval by the Real Property Division.
4. Legible copies of all documents listed on the Title Commitment as B-II Exceptions must be provided with the Title Commitment.

Note: The Applicant has complied with this requirement.

SURVEY – SKETCH AND LEGAL DESCRIPTION

1. Two (2) original signed and sealed Surveys of the dedication site (s).
2. The Survey must be certified to Martin County, a political subdivision of the State of Florida and to the Title Company.
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.
4. Parcel ID number(s) must be included.
5. All title exceptions that can be plotted must be shown on the Survey.
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.
7. Two (2) original 8 ½” by 11” signed and sealed Sketch and Legal Descriptions of the dedication site(s) must be provided.

Note: The Applicant has complied with this requirement.

ENVIRONMENTAL SITE ASSESSMENT

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 Material (ASTM15271).
2. The Phase I report must be dated within 180 days of submission or include a current updated letter from the ESA firm.
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 the report.

Note: The Applicant has complied with this requirement.

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

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 Article 4, Division 15 - Landscaping, Buffering, and Tree Protection. [2013]. The applicant has proposed construction of a 65 lot subdivision.

The plat documents are consistent with the approved final site plan and approved development order. The survey provides for required areas of landscape and buffering.

K. Determination of compliance with transportation requirements - Engineering Department

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY, FLA., LDR, SECTION 10.1.E AND ARTICLE 4, DIVISION 21 (2019)

L. Determination of compliance with county surveyor - Engineering Department

Findings of Compliance:

The County Surveyor has reviewed the application and finds it in compliance with the applicable land development regulations.

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

Engineering requirements are reviewed in conjunction with the Final Site Plan, with which this plat must be consistent. There are no changes proposed to the Final Site Plan, pursuant to Section 10.1.E., LDR, Martin County, Fla. (2019). Therefore, the Engineering Reviewer was not required to review this application.

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

Addressing

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this application as currently proposed, pursuant to Section 10.1.E., LDR, Martin County, Fla. (2019)

Electronic Files

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. Section 10.1.E., LDR, Martin County, Fla. (2019).

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 the Plat in compliance with Martin County's requirements for water and wastewater level of service.

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

Fire Prevention

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.E AND ARTICLE 4, DIVISION 21 (2019)

Emergency Preparedness

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.E AND ARTICLE 4, DIVISION 21 (2019)

Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.E AND ARTICLE 4, DIVISION 21 (2019)

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

Martin County Health Department

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.E AND ARTICLE 4, DIVISION 21 (2019)

Martin County School Board

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.E AND ARTICLE 4, DIVISION 21 (2019)

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 standards for a Certificate of Adequate Public Facilities Exemption (Article 5, LDR) for development and alterations or expansions to approved developments that do not create additional impacts on public facilities are met:

Development that does not create additional impact on public facilities includes:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more;
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan;
- D. Boundary plats which permit no site development.

Exempted development will be treated as committed development for which the county assures concurrency.

U. Post-approval requirements

Approval of the development order is conditioned upon the applicant's submittal of all required post approval documents and fees pursuant to Section 10.11., LDR, Martin County, Fla. (2019).

Please submit all of the following items in a single hard copy packet and in electronic pdf format (on disk or flash drive) with the documents arranged in the order shown in the list below. The 24" x 36" plans should be submitted rolled and in separate sets as itemized below.

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:

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 #3:

One (1) paper 24" x 36" copy of the approved plat.

Item #4:

A completed Notice of Subdivision Plat Filing Form to be forwarded to the State of Florida Department of Business Regulation.

Item #5:

Original executed Declarations of Covenants and Restrictions for the homeowner's association.

Item #6:

Original executed plat on Mylar or other plastic, stable material. All names, signatures, stamps, and related data must be inscribed in 'India' ink or similar indelible ink to assure permanent legibility.

Item #7:

One (1) digital file copy of the plat in AutoCAD 2010-2017 drawing format (.dwg). For other types of computer software that may be utilized by the applicant, a digital exchange file (.dxf) version 2004 may be substituted. The digital version of the boundary survey must match the hardcopy version as submitted.

Item #8:

One (1) copy of the approved cost estimate and, if changed, a revised Cost Estimate with an explanation of its change signed and sealed by the Engineer of Record licensed in the State of Florida.

Item #9:

Original and one (1) copy of the executed Contract for Construction of Required Improvements including the current County-approved cost estimate labeled Exhibit A and corresponding executed surety labeled as Exhibit B.

V. Local, State, and Federal Permits

There are no applicable Local, State and Federal Permits required in conjunction with this plat application.

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:	\$13,600.00	\$13,600.00	\$0.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
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.

***Impact fees to be paid at building permit.

X. General application information

Applicant: Kanner 5601, LLC
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561-799-3858

Agent: Lucido & Associates
Morris A. Crady, AICP

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772-220-2100

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