



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

A. Application Information

WRIGHT FISH 7 ELEVEN MAJOR FINAL SITE PLAN

Applicant:	Wright Fish LLC
Property Owner:	Wright Fish LLC
Agent for the Applicant:	Ralph H. Parks
County Project Coordinator:	Pete Walden, AICP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	W079-009
Record Number:	DEV2020110006
Report Number:	2021_0816_W079-009_Staff_Report_Final
Submittal Received	11/24/2020
Application Received	11/30/2020
Transmitted	12/20/2020
Date of Report:	02/24/2021
Resubmittal Received:	05/03/2021
Transmitted:	05/04/2021
Date of Report:	08/16/2021

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B. Project description and analysis

Request major final site plan approval for the construction of a 5,476 sq. ft. convenience store, car wash and an 8 pump gas station and the associated infrastructure on a currently undeveloped approximate 3.51 acre parcel located on the southeast corner of S Kanner Highway and SE Salerno Road in Stuart. Included is a request for a Certificate of Public Facilities Reservation.

The proposed convenience store will front on S Kanner Highway. The site will have access from S Kanner Highway and SE Salerno Road. The parcel is within the Primary Urban Service Boundary with water and sewer service available and will be provided by Martin County Utilities. There is an existing stormwater retention pond onsite and proposed dry retention added along SE Salerno Road.

The site development will require coordination with the adjacent proposed residential development and the County Public Works department for offsite improvements regarding Salerno Road.

The site was previously developed as a gas station with a small retail store. The store and all service station

appurtenances were removed over time and by 2013 the site was totally cleared except for some pavement. The site has not been utilized since however, a stormwater retention lake was constructed in 2017 as part of the SW Kanner Highway improvements.

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	ARDP Review	Samantha Lovelady	772-288-5664	NA
F	Comp Planning Review	Pete Walden	772-219-4923	Comply
G	Site Design Review	Pete Walden	772-219-4923	Comply
H	Community Redevelopment Review	Santiago Abasolo	772-288-5485	NA
H	Commercial Design Review	Santiago Abasolo	772-288-5485	Comply
I	Property Mgmt Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Shawn McCarthy	772-288-5508	Comply
J	Landscaping Review	Lindy Cerar	772-320-3055	Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Comply
L	County Surveyor Review	Thomas Walker	772-288-5928	NA
M	Engineering Review	Clark Bridgman	772-288-5416	Comply
N	Addressing Review	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5692	Comply
O	Wellfield Review	James Christ	772-320-3034	Comply
O	Water and Wastewater Review	James Christ	772-320-3034	Comply
P	Emergency Mgmt Review	Sally Waite	772 219 4942	NA
P	Fire Prevention Review	Doug Killane	772-288-5633	Comply
Q	ADA Review	Clark Bridgman	772-223-4858	Comply
R	School Board Review	Kimberly Everman	772 219-1200	NA
R	Health Review	Todd Reinhold	772 221-4090	NA
S	County Attorney Review	Krista Storey	772 288-5923	Ongoing
T	Adequate Public Facilities Review	Pete Walden	772-219-4923	Comply

D. Review Board action

This application meets the threshold requirements for processing as a Major Final Site plan. 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) at a public hearing. 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 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.

The applicant addressed the non-compliance findings from the staff report dated, February 24, 2021 with its resubmittal dated May 3, 2021. The previous staff reports, and resubmittals are incorporated herein by reference. 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.

E. Location and site information

Parcel number(s) and address: 553841000044000300
Existing Zoning: General Commercial
Future Land use: General Commercial
Gross area of site: 3.95

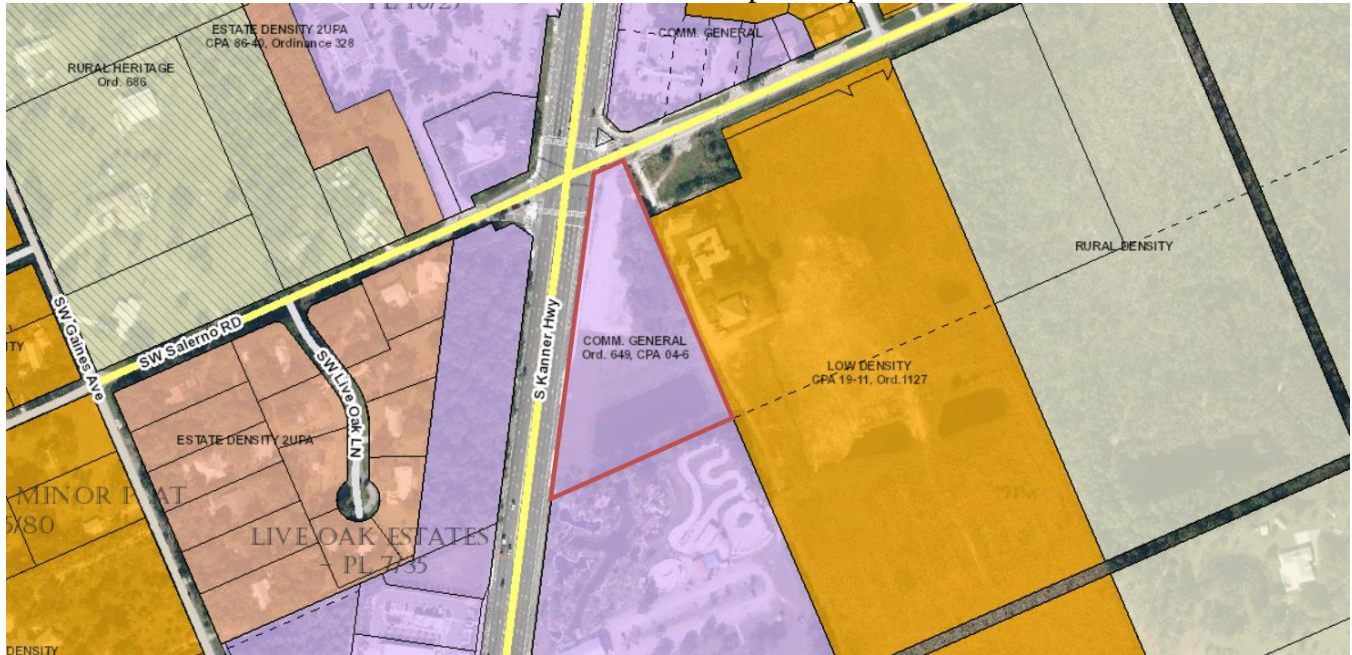
Site Location



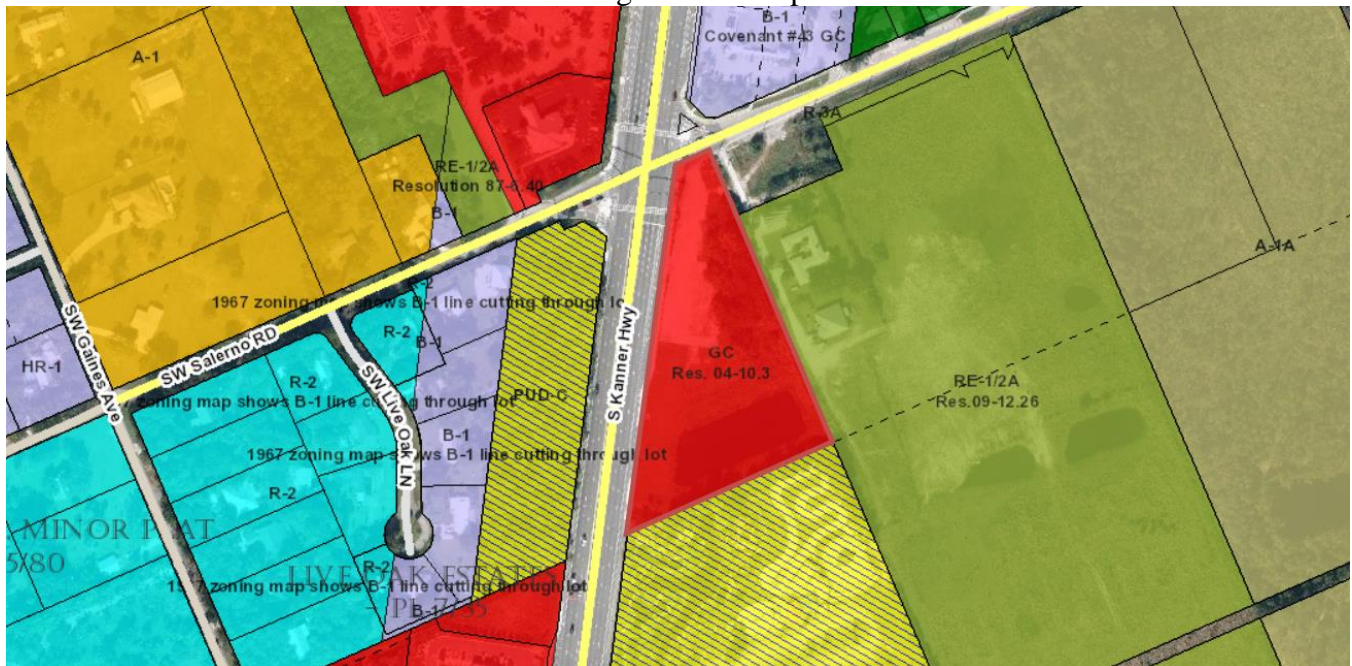
Aerial



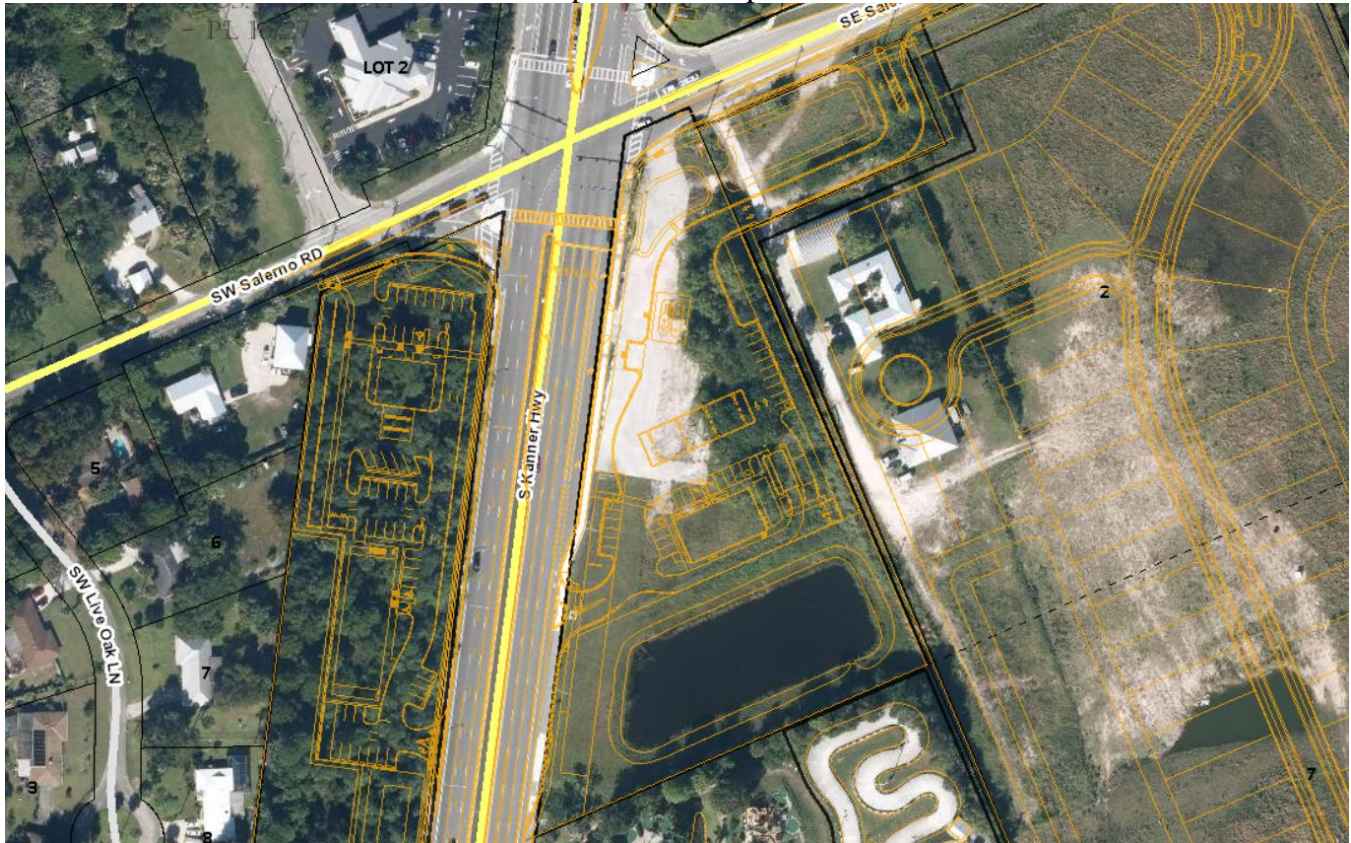
Future Land Use Map Excerpt



Zoning Atlas Excerpt



Proposed Development



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

General Commercial development. The General Commercial areas are designated on the Future Land Use Map to accommodate general retail sales and services; highway-oriented sales and services; commercial amusement; and trade and warehousing facilities. These areas are principally located in highly accessible parts of the urban service district that are compatible with the unique location and market requirements of these uses. The sites are located on major or minor arterials and require a minimum net lot size of 10,000 square feet. The FAR shall be governed by the parking standards of the Land Development Regulations. Maximum densities for hotel/motel units located in a General Commercial future land use designation shall be 20 units per gross acre. Maximum building coverage shall be 60 percent. Minimum open space shall be 20 percent. Maximum building height shall be 40 feet.

Staff has reviewed this application and finds that that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

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

Findings of Compliance:

Staff has reviewed this application for consistency with the LDR and code implementing Martin County Comprehensive Growth Management Plan goals, objectives and policies and the associated guidelines and standards. Staff finds that this development application is consistent with the applicable Land Development Regulations and recommends approval.

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

The proposed development complies with the requirements of Article 4, Division 20 - Commercial Design- of the Martin County, Florida, Land Development Regulations.

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

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

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 a retail facility along Kanner Highway. The Applicant has submitted landscape plans that provide 0.47 acres of landscape area which equates to 23% of the 102,545 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 41 trees for this project. To demonstrate compliance the applicant has proposed the planting of at least 128 trees for this 102,545 square-foot 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 (36 trees). To demonstrate compliance the applicant has proposed the planting of 36 trees for this perimeter of 1,079 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. 7,330 square feet will be planted for the 48,016 square feet of vehicular use area.

The surrounding land uses are also commercial except for the proposed residential to the east. One half of a Type 4 buffer is provided along the eastern property boundary 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.

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 and cause the applicant to begin the application process for a change or an amendment to the development order.

K. Determination of compliance with transportation requirements - Engineering Department

Findings of Compliance:

The Traffic Division of the Public Works 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 November 2020. O'Rourke Engineering and Planning stated that the site's maximum impact was assumed to be 73 directional trips during the AM peak hour. Staff finds that SE Salerno Road is the recipient of a majority of the generated trips. The generalized service capacity of SE Salerno Road is 880. The project impact is 3.30% of the maximum volume of that roadway. SE Salerno Road is currently operating at a level of service C; it is anticipated to operate at level of service C at buildout (year 2023).

L. Determination of compliance with county surveyor - Engineering Department

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

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

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

1. Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that fill material will be hauled to the site to complete the proposed project; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.
2. Division 9- Stormwater Management: The applicant has demonstrated the proposed development meets the thresholds set in the Master Drainage Plan for the overall development:
 - a. The applicant is proposing the minimum finished floor elevation be set above the predicted elevation of stormwater that will stage within the development after a 100-year storm having a three-day duration and without any discharge from the development;
 - b. The applicant is proposing the minimum edge of roadway elevation be set above the predicted elevation of stormwater that will stage within the development after a 10-year storm having a one-day duration;
 - c. The applicant demonstrated that the required water quality is met in the overall master drainage system;
 - d. Thereby, the required attenuation, flood protection, and water quality treatment is in compliance with Division 9.
3. Division 10 - Flood Protection: This site does not fall within a Special Flood Hazard Area. The applicant demonstrated that the minimum finished floor elevation is set at or above the maximum predicted stage of the 100-year 3-day storm event; therefore, the applicant demonstrated compliance with Division 10.
4. Division 14 - Parking and Loading: The applicant demonstrated compliance with the parking design requirements set forth in Division 14.
5. Division 19- Roadway Design: The applicant is not proposing to make modifications to the US-1; therefore, the proposed design will be accessed through the internal drive aisles as proposed with the overall master system. Division 19 is not applicable for this application.

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

1. Hauling of fill from the site is prohibited. The routes and timing of any fill to be hauled to the site shall be coordinated with the County Engineer. Compliance with all County excavation and fill regulations is required.

Adequate Public Facilities

This project satisfies the Adequate Public Facilities Standard. 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

Electronic Files

Findings of Compliance

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2019)

Both AutoCAD site plan and boundary survey were in State Plane coordinates and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2019)c

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. (2021).

O. Determination of compliance with utilities requirements - Utilities Department

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)]

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 to be in compliance with the applicable provisions governing construction and life safety standards of the Florida Fire Prevention Code. 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 - General Services Department

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

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

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 Section 5.32.D., LDR, Martin County, Fla. (2016), for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities

Service provider – Martin County Utilities

Findings – Positive evaluation

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Sanitary sewer facilities

Service provider – Martin County Utilities

Findings – Positive evaluation

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Solid waste facilities

Findings – In Place

Source - Growth Management Department

Stormwater management facilities

Findings – positive evaluation

Source - Engineering Department

Reference - see Section M of this staff report

Community park facilities

Findings – N/A

Source - Growth Management Department

Roads facilities

Findings – positive evaluation

Source - Engineering Department

Reference - see Section K of this staff report

Public safety facilities

Findings – positive evaluation

Source - Growth Management Department

Reference - see Section P of this staff report

Public school facilities

Findings – N/A

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:

One (1) 24" x 36" copy of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. (rolled)

Item #7:

One (1) copy 24" x 36" of the approved site plan (rolled)

Item #8:

1 (1) 24" x 36" copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.

Item #9:

One (1) digital copy of site plan in AutoCAD 2010 - 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

Item #10:

Original of the construction schedule.

Item #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.

Item #12:

The applicant has submitted the information for a draft Water and Wastewater Service Agreement as requested. The applicant must execute the Agreement and pay the resultant fees within sixty (60) days of final Martin County approval of the request. [ref. Code, LDR, s.5.32.D.1, 2.(a)(b) and (c)Code, LDR, Art.5, Div.2]

V. Local, State, and Federal Permits

All State and federal permits are required prior to the scheduling of 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:	\$9,417.00	\$9,417.00	\$0.00
Inspection fees:	\$4,000.00	\$0.00	\$4,000.00
Advertising fees*:	\$0.00	\$0.00	\$0.00
Recording fees**:	\$0.00	\$0.00	\$0.00
Impact fees***:	\$0.00	\$0.00	\$0.00

* 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 are required at building permit, impact fee credits are due as there was prior development on the parcel.

X. General application information

Applicant Ralph Parks
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 Stuart, FL 34994
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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/Waste Water Service Agreement

Z. Attachments