

FILED FOR RECORD
COMMISSION RECORDS
MARTIN CO., FL

2013 JAN 14 PM 2:31

CAROLYN TIMMANN
CLERK OF CIRCUIT COURT

BY _____ D.C.

Prepared By:
Martin County
Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996

INSTR # 2378363
OR BK 2632 PG 857
(7 Pgs)
RECORDED 02/22/2013 01:34:49 PM
CAROLYN TIMMANN
MARTIN COUNTY CLERK

[space above line provided for recording data]

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

RESOLUTION NUMBER 12-10.32

**[REGARDING MASTER SITE PLAN APPROVAL
FOR MARTIN ENTERPRISE PARK
WITH A DEFERRAL OF PUBLIC FACILITIES RESERVATION]**

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

1. Martin Gateway Center, LLC submitted an application for master site plan approval for Martin Enterprise Park project located on lands legally described in Exhibit A, attached hereto.
2. The Local Planning Agency considered such application at an advertised public hearing on September 20, 2012, at which time the Agency recommended its approval of the master site plan for Martin Enterprise Park.
3. This Board considered such application at a public hearing on October 23, 2012.
4. At the public hearing, all interested parties were given an opportunity to be heard.

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

A. The approved master site plan for Martin Enterprise Park is attached as Exhibit B. Approval of the master site plan authorizes the applicant to submit final site plans consistent with the approved master site plan and any conditions of approval of the master site plan. Approval of the master site plan shall not constitute approval to build or construct any improvements and is not the final approval necessary for construction of Martin Enterprise Park.

B. All final site plan approvals for Martin Enterprise Park shall be obtained no later than five (5) years after the approval of the master site plan.



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 master site plan. Included shall be a provision that requires unity of title to be maintained by the owner of the property until final site plan approval with the sole exception being that a portion of said property may be sold, transferred, devised or assigned to a governmental agency.

D. In consideration of the approval of the master site plan development order for Martin Enterprise Park, (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, drainage, arterial and collector roads, community parks and public transportation) pursuant to Section 14.4 A.3.d.(1)(b)[2], Comprehensive Growth Management Plan (Comprehensive Plan) and Section 5.32.C., 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 14.4 A.3.d.(2) 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 14.4 A.3.d.(1)(b)[2] of the Comprehensive Plan and Section 5.32.C., 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.

The application for master site plan approval has been reviewed based on a maximum projected intensity of 2,290,000 sq. ft. of industrial uses pursuant to Section 5.32.C.2, which provides the standards for evaluations of adequate public facilities (nonbinding) and affidavit deferring adequate public facilities reservation. The concurrency evaluation test for an industrial



subdivision is based on an intensity that represents the worst case scenario that can be developed on a parcel given the project's land use, zoning, and estimated developable area. If such analysis results in a failure of the concurrency evaluation test, the analysis will utilize a lower intensity scenario, which, for industrial subdivisions, shall be 15 percent of the permitted intensity of the site and will assume reservation consistent with the County's adopted long range plan.

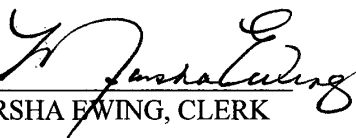
A positive evaluation is provided as it appears the cost-feasible roadway improvement projects identified in the County's 2035 Regional Long Range Transportation Plan will provide sufficient capacity to absorb the traffic volume generated by 15% of the permitted intensity at the County's adopted level of service standard D. This positive evaluation of adequate public facilities is provided for informational purposes only, and provides no assurance or guarantee that sufficient facility capacity will be available to accommodate a proposed development.

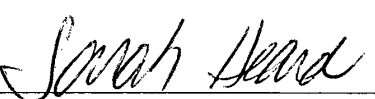
E. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 23RD DAY OF OCTOBER, 2012.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: 
MARSHA EWING, CLERK

BY: 
SARAH HEARD, CHAIR

APPROVED AS TO FORM AND CORRECTNESS:

BY: 
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY



[CORPORATION EXECUTION FORM]

Resolution # 12-10.32

Affidavit Deferring Public Facilities Reservation.

IN WITNESS WHEREOF, the parties hereto have executed these presents on the dates indicated below.

WITNESSES:

Courtney G. Mullen
Name Printed:

COURTENAY G MULLEN

Name Printed: Amy L. Vay
Amy Vay

Martin Gateway Center, LLC
Print Name of Corporation Above
Address: 2400 S.E. Federal Highway, Suite 230
Stuart, Florida 34994

By: Knight A. Kiplinger

Name Printed: Knight A. Kiplinger
Title: President

Attested
Corbin M. Wilkes

Name Printed: Corbin M. Wilkes
Title: Secretary

Dated: 12/11/2012

STATE OF FL
COUNTY OF FL

The foregoing Affidavit Deferring Public Facilities Reservation is acknowledged before me this 11th day of December, 2012 by Knight A. Kiplinger, and Corbin M. Wilkes known to be the president and secretary of Martin Gateway Center LLC, a Delaware corporation, on behalf of the corporation. He or she (☒) is personally known to me or () has produced _____ as identification.

NOTARY PUBLIC

Glenda J. Roberts
Name Printed:
My Commission Expires:



Glenda J. Roberts
Notary Public, District of Columbia
My Commission Expires 5/14/2013

EXHIBIT A

LEGAL DESCRIPTION

Martin County Parcel Control Numbers:

03-38-40-000-000-00012-6

03-38-40-000-000-00060-7

10-38-40-000-000-00020-1

11-38-40-000-000-00070-8

Being a parcel of land lying in Sections 3, 10 and 11, Township 38 South, Range 40 East, Martin County, Florida. Said parcel being more particularly described as follows:

All of that portion of said Sections 3, 10 and 11 lying Westerly of the Westerly right-of-way line of the Sunshine State Parkway (Florida's Turnpike).

Less and excepting therefrom the following:

Less the West 660.00 feet of said Sections 3 and 10.

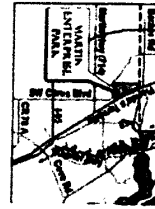
Also less the South 1320.00 of said Section 10

Also less the right-of-way for the South Florida Water Management District Canal C-23

Also less the road rights-of-way as recorded on Deed Book 59, Page 437 and Deed Book 56, Page 278, of the public records of Martin County, Florida.



Location Map



Site Data
 Total Site Area: 422.28 AC
 Existing Zoning: U-1 Limited Industrial
 Current & Proposed Use: Industrial
 Max. Building Height: 30'
 Max. Building Coverage: 60%
 Max. Lot Area: 15,000 S.F.
 Min. Lot Width: 60' to 100' (100' for lots 100' or more)
 # of Lots Proposed: 881 Lots
 Property Owner: [Redacted]
 Project Contact: [Redacted]

Passenger Data
 Total Site Area: 422.28 AC
 Existing Zoning: U-1 Limited Industrial
 Current & Proposed Use: Industrial
 Max. Building Height: 30'
 Max. Building Coverage: 60%
 Max. Lot Area: 15,000 S.F.
 Min. Lot Width: 60' to 100' (100' for lots 100' or more)
 # of Lots Proposed: 881 Lots
 Property Owner: [Redacted]
 Project Contact: [Redacted]

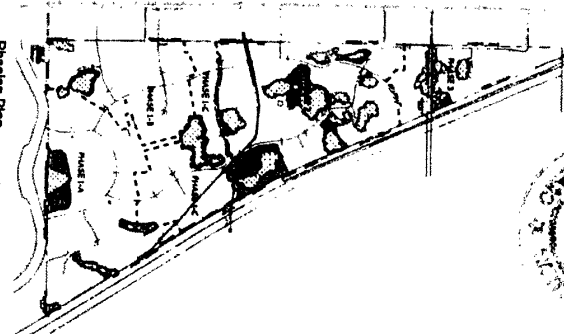
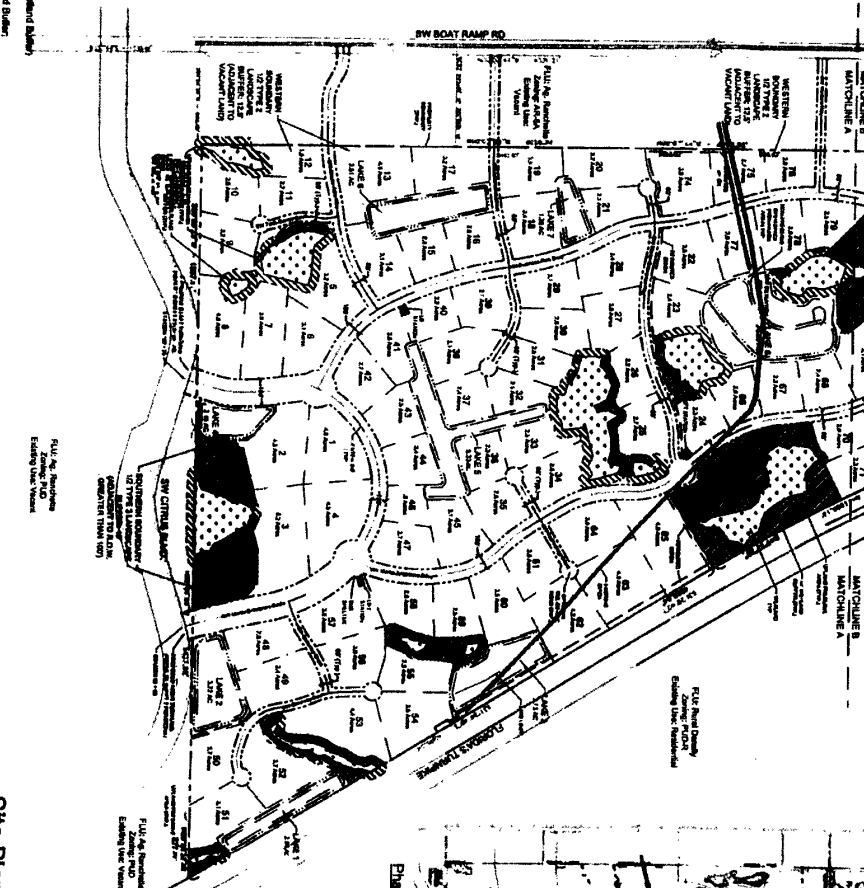
Open Space
 Total Site Area: 422.28 AC
 Existing Zoning: U-1 Limited Industrial
 Current & Proposed Use: Industrial
 Max. Building Height: 30'
 Max. Building Coverage: 60%
 Max. Lot Area: 15,000 S.F.
 Min. Lot Width: 60' to 100' (100' for lots 100' or more)
 # of Lots Proposed: 881 Lots
 Property Owner: [Redacted]
 Project Contact: [Redacted]

Local Description
 The project is located in the U-1 Limited Industrial zone of Martin County, Florida. The site is bounded by [Redacted] to the north, [Redacted] to the south, [Redacted] to the east, and [Redacted] to the west. The site is currently vacant and is being proposed for industrial use. The project is located in the U-1 Limited Industrial zone of Martin County, Florida. The site is bounded by [Redacted] to the north, [Redacted] to the south, [Redacted] to the east, and [Redacted] to the west. The site is currently vacant and is being proposed for industrial use.

Notes
 1. The project is located in the U-1 Limited Industrial zone of Martin County, Florida. The site is bounded by [Redacted] to the north, [Redacted] to the south, [Redacted] to the east, and [Redacted] to the west. The site is currently vacant and is being proposed for industrial use.
 2. The project is located in the U-1 Limited Industrial zone of Martin County, Florida. The site is bounded by [Redacted] to the north, [Redacted] to the south, [Redacted] to the east, and [Redacted] to the west. The site is currently vacant and is being proposed for industrial use.
 3. The project is located in the U-1 Limited Industrial zone of Martin County, Florida. The site is bounded by [Redacted] to the north, [Redacted] to the south, [Redacted] to the east, and [Redacted] to the west. The site is currently vacant and is being proposed for industrial use.

Legend
 [Symbol] Wetland
 [Symbol] Restored Wetland Buffer
 [Symbol] Upland Preserves, Wetland Buffer (outside of Wetland Buffer)
 [Symbol] Upland Preserves, Wetland Buffer (within Wetland Buffer)

EXHIBIT B



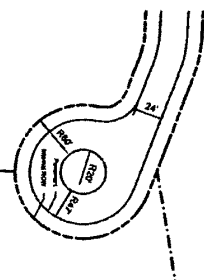
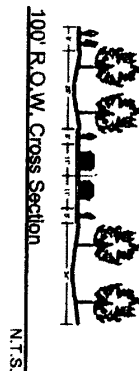
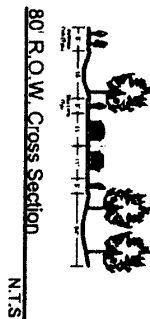
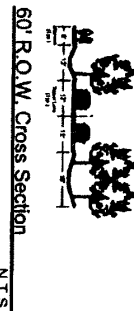
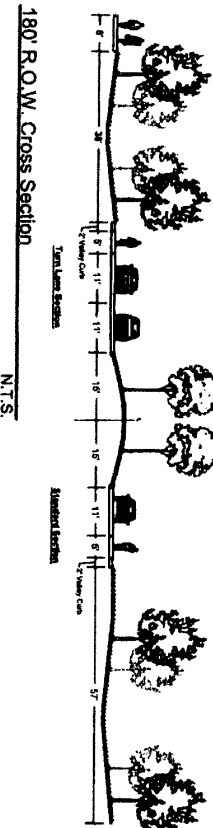
Site Plan
 Scale: 1" = 300'
 North
 0 100 200 300

Drawn By	1
Checked By	2
Approved By	
Reviewed By	
Reviewed Date	
Reviewed By	
Reviewed Date	
Reviewed By	
Reviewed Date	

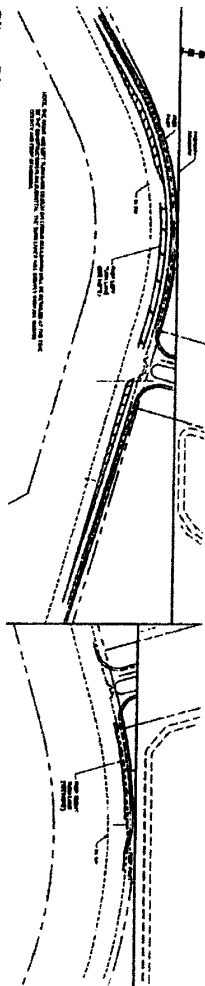
Martin Enterprise Park
 Martin County
 Major/Master Site Plan
 Florida



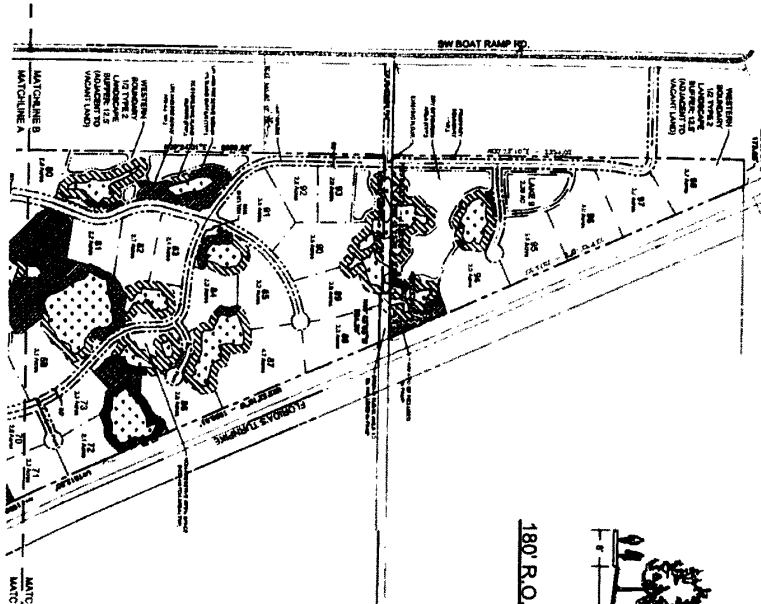
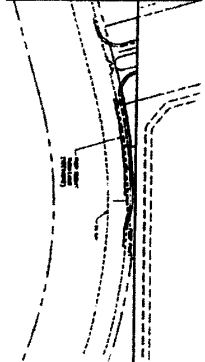
EXHIBIT B



Citrus Blvd. Left Turn Lane Detail
Scale: 1" = 100'



Citrus Blvd. Right Turn Lane Detail
Scale: 1" = 100'



Martin Enterprise Park

Martin County
Major/Master Site Plan

Florida



Drawn By	Checked By	Approved By	Date
2	2		