



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

MONSTER CAR WASH REVISED MINOR FINAL SITE PLAN

Applicant:	Bowman Consulting Group, Ltd.
Property Owner:	Fairmont Ventures LLC
Agent for the Applicant:	Sandra Zumpano; Bowman Consulting Group, Ltd.
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	E038-002
Record Number:	DEV2022030015
Report Number:	2023_0801_E038-002_DRT_STAFF_FINAL
Application Received:	03/18/2022
Transmitted:	04/11/2022
Date of Report:	05/22/2022
Application Received:	08/25/2022
Transmitted:	08/30/2022
Date of Report:	10/18/2022
Application Received:	12/21/2022
Transmitted:	12/28/2022
Date of Report:	01/26/2023
Application Received:	05/18/2023
Transmitted:	05/23/2023
Date of Report:	08/01/2023

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B. Project description and analysis

This is a request by Fairmont Ventures, LLC for approval of revised minor final site plan, for a proposed 4,403 ft² express car wash with vacuum stalls and dog wash area located at 3373 SE Federal Highway in Stuart. The subject site area is approximately 1.72 acres and has a previously approved restaurant building and paved parking lot on it. This proposed final site plan intends to demolish the existing building and parking lot.

Access to the Site is from SE Federal Highway. The subject property is one of two parcels within the city block that is part of unincorporated Martin County. Properties to the North, South and East are in the City of Stuart. The existing zoning is M-2, Industrial District and the Future Land Use is Industrial. A car wash, which falls into the vehicular service and maintenance use, is a permitted use in the M-2 Industrial District by way of the tiering from M-2 to M-1 to B-2 then B-1 zoning districts where mechanical garages and fuel stations are permitted. Included in this application is a Request for a Certificate of Public Facilities Reservation.

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 Review	Brian Elam	772-288-5501	Non-Comply
G	Site Design Review	Brian Elam	772-288-5501	Comply
H	Community Redevelopment Review	Brian Elam	772-288-5501	N/A
H	Commercial Design Review	Brian Elam	772-288-5501	Comply
I	Property Management Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Shawn McCarthy	772-288-5508	Comply
J	Landscaping Review	Lindy Cerar	772-288-3055	Non-Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Comply
L	County Surveyor Review	Tom Walker	772-288-5928	N/A
M	Engineering Review	Lisa Wichser	772-233-7945	Non-Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5692	Non-Comply
N	Addressing 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	Non-Comply
P	Fire Prevention Review	Doug Killane	772-419-5396	Comply
P	Emergency Management Review	Sally Waite	772-219-4942	N/A
Q	ADA Review	Lisa Wichser	772-233-7945	Comply
R	School Board Review	Kimberly Everman	772-219-1200	N/A
R	Health Department Review	Nicholas Clifton	772-221-4090	N/A
S	County Attorney Review	Elysse A. Elder	772-288-5925	Ongoing
T	Adequate Public Facilities Review	Brian Elam	772-288-5501	Pending

D. Review Board action

As a nonresidential development of 25,000 square feet or less this application complies with the threshold requirement for processing as a minor development. As such, review, recommendation and final action on this application will be taken by the Growth Management Director Martin County, Fla, LDR, Article 10, Section 10.2.C (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 is required to re-submit materials in response to the non-compliance findings within this report. Upon receipt, the re-submitted materials will be transmitted for review to the

appropriate review agencies and individuals that participate in the County's review process. A revised staff report will be created once the next review cycle has been completed.

E. Location and site information

Parcel number: 38-38-41-002-102-000-104 (383841002102000104)
 Address: 3373 SE Federal Highway, Stuart
 Existing Zoning: M-2, Industrial District (Covenant 227, Limited Industrial, LI)
 Future Land Use: FLU-I, Future Land Use Industrial
 Nearest Major Road: SE Federal Highway
 Gross Area of Site: 1.7173 Acres
 Existing Use: Vacant – Restaurant (Bobby Rubino’s)

Table 1 Abutting Properties Details

Direction	Development	Future Land Use	Zoning
To the north	Commercial, Multi-Family Residential	Industrial, Stuart	M-2
To the south	Vacant, Hotel	Stuart	Stuart
To the east	Multi-Family Residential, Hotel Preserve Area	Stuart, Undeveloped	Stuart
To the west	(ROW) Federal Highway, Commercial	N/A	N/A

Figure 1 Location Map



Figure 2 2021 Aerial



Figure 3 Local Area



Figure 4 Subject Property Future Land Use

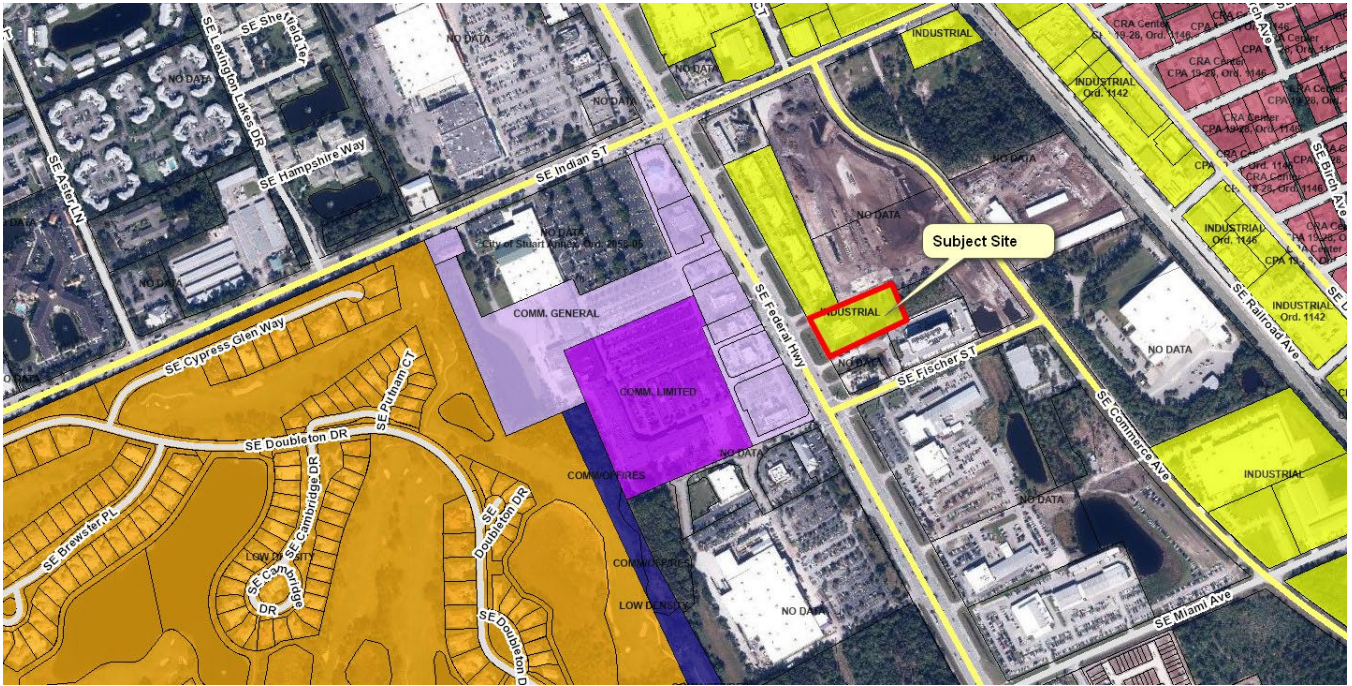
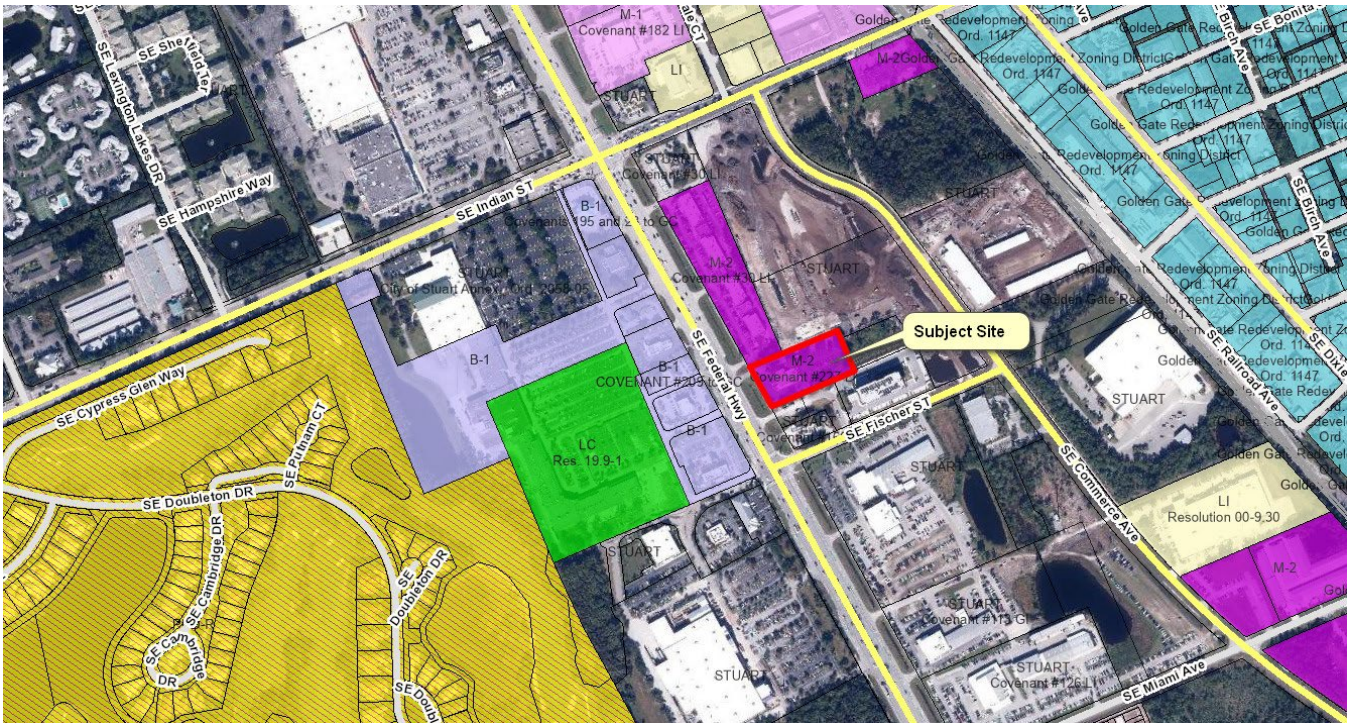


Figure 5 Subject Property Zoning Map



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

Unresolved Issues:

Item #1

Generic Comp Plan Compliance - GMD

This application cannot be deemed to be in compliance with the Martin County Comprehensive Growth Management Plan (CGMP) until the issues identified in this report have been satisfactorily resolved MARTIN COUNTY, FLA., CGMP POLICY 4.1A.1. (2016).

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 all applicable regulations. There are no unresolved land use, zoning or procedural requirements issues associated with this application.

Additional Information:

Item #1

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, § 10.1., 5.32

Item #2

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

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

Commercial Design

Findings of Compliance:

The proposed development complies with the requirements of Art. 4, DIV 20 -Commercial Design - of the Martin County, FL, Land Development Regulations.

Community Redevelopment Area

N/A – The proposed project does is not located within a community redevelopment area. Therefore, review for compliance with CRA standards does not apply

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

Environmental

Findings of Compliance:

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations.

Landscaping

Unresolved Issues:

Item #1

Landscape Tabular Data

As previously requested, please document compliance with the requirement that twenty (20) percent of the total developed area shall be landscaped. The amount of landscaped area listed (7,605 square feet) is not 20% of the total developed area (74,808 square feet) as is shown.

Please provide that 20% of the site area is landscaped and revise the data table quantities accordingly to match what is shown on the plan.

Item #2

Landscape Tabular Data- Protected Trees

As previously requested, the wrong Protected Tree Disposition Charts appeared to have used when calculating tree credits. As a condition of the issuance of a permit for removal of a protected tree, a satisfactory plan shall be presented by the applicant for the successful replacement of trees to be removed, based on the schedule found in Section 4.666.D., LDRs. Such schedule may be offset by the tree preservation schedule, for protected trees to be retained on site, as found in Section 4.664.F., LDRs.

Please revise the relevant data tables on L-1 and L2 accordingly.

Item #3

Landscape Native Tree Protect & Survey

The development activity shall preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed. Please provide a justification statement for the proposed removal of all identified protected trees. [Section 4.666, E, LDR]

Item #4

Construction Standards - Tree Protection for Off-site Trees

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 drip-line 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.
4. These barricades must be constructed of a minimum of one-fourth-inch diameter rope which is yellow or orange in color and made of nylon or poly. The rope is to be attached to a minimum of 2 × 2 wooden poles, iron rebar, two inches or greater PVC pipe or other material with prior approval of the Growth Management Department. The rope must be a minimum of four feet off the ground and may not be attached to any vegetation.

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:

This application satisfies the Adequate Public Facilities Standard; it has a De Minimis impact (an impact that would not affect more than one percent of the maximum volume at the adopted level of service of the affected road facility) (Article 5, Division 1, Section 5.3).

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

Unresolved Issues:

1. This site does not have a legal positive outfall nor an allowable discharge; see SFWMD Permit 43-00014-S, application number 120614-4 and SFWMD Permit 43-107556-P. Revise the Stormwater Management Report accordingly. In the report, identify the minimum pavement elevation, which is based on the 10-year, one day storm stage, and the minimum perimeter berm elevation and the minimum finished floor elevation, which are based on the 100-year three-day storm stage, all with zero discharge.
2. Revise the Construction Plans as necessary to document compliance with these minimum elevations. Remember, Martin County does not permit the use of exfiltration trenches to meet flood protection requirements. Include the appropriate recovery analysis based on the revised design.
3. Additional comments may be forthcoming, based on the quality and integrity of the resubmitted Stormwater Management Report and Construction Plans.

POST-APPROVAL: a cross access easement must be recorded in the public records of Martin County, allowing cross access to and from the adjacent properties. [LDR SECTION 4.845.D]

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

Electronic Files

Unresolved Issues:

No new AutoCAD dwg file of the final site plan was received with your Round 4 resubmittal. Even if you have submitted AutoCAD dwg files in a previous round of review and they were found to be in compliance, they must be submitted again during the next round.

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. (2022).

O. Determination of compliance with utilities requirements – Utilities Department

Water and Wastewater

Unresolved Issues:

Item #1

Drawings Must Be Approved

The construction drawings must be approved by the Utilities and Solid Waste Department prior to sign off by the Department of permit applications and agreements. [ref. Martin County Water and Wastewater Service Agreement. 6. Obligations of Developer, Paragraph 6.1]

Item #2

The applicant must submit an executable, final draft water and wastewater service agreement to the Growth Management Department for review by the Legal and Utilities departments prior to approval of the scheduling of a Pre-construction meeting. 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.

The applicant must submit information concerning the potable water irrigation calculations prior to approval of the Site Plan. [ref. Code, GEN, s.159.164 Code, GEN, Ch.159, Art.6]

This development application is in noncompliance with Martin County's water and wastewater requirements.

Wellfield and Groundwater

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

The Fire Prevention Division 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.

Emergency Management

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

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

Findings of Compliance:

Condition met.

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

Martin County Health Department

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

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.

S. Determination of compliance with legal requirements – County Attorney’s Office

Review Ongoing

T. Determination of compliance with the adequate public facilities requirement – 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 (Section 5.32.D.3.a, LDR)
Service provider - Martin County
Findings - pending evaluation
Source - Utilities and Solid Waste Department
Reference - see Section O of this staff report

Sanitary sewer facilities (Section 5.32.D.3.b, LDR)

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Sewer provider - Martin County
Findings - pending evaluation
Source - Utilities and Solid Waste Department
Reference - see Section O of this staff report

Solid waste facilities (Section 5.32.D.3.c, LDR)

Findings - in place
Source - Growth Management Department

Stormwater management facilities (Section 5.32.D.3.d, LDR)

Findings - pending evaluation
Source - Engineering Department
Reference - see Section M of this staff report

Community Park facilities (Section 5.32.D.3.e, LDR)

Findings - in place
Source - Growth Management Department

Road's facilities (Section 5.32.D.3.f, LDR)

Findings - positive evaluation
Source - Engineering Department
Reference - see Section K of this staff report

Potable water facilities

Service provider - Martin County
Findings - Pending evaluation
Source - Utilities and Solid Waste Department
Reference - see Section O of this staff report

Mass transit facilities (Section 5.32.D.3.h, LDR)

Findings - in place
Source - Engineering Department
Reference - see section K of this staff report

Public safety facilities (Section 5.32.D.3.h, LDR)

Findings - positive evaluation
Source - Growth Management Department
Reference - see Section P of this staff report

Public school facilities (Section 5.32.D.3.i, LDR)

Findings - not applicable
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 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	Description	Requirement
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.
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.
3.	Post Approval Impact Fees	Impact fees must be paid after the development order has been approved. Submit a check made payable to Martin County Board of County Commissioners within 60 days of project approval.
4.	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.
5.	Warranty Deed	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.
6.	Unity of Title	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	Description	Requirement
7.	Construction Plans	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.
8.	Approved Final Site Plan	One (1) copy 24" x 36" of the approved final site plan.
9.	Approved Landscape Plan	One (1) 24" x 36" copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.
10.	Approved Elevations	One (1) 24" x 36" copy of the approved elevation drawings satisfying Commercial Design requirements signed and sealed by a licensed architect.
11.	Digital Copy of Site Plan	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.
12.	Construction Schedule	Original of the construction schedule.
13.	Cost Estimate	Two (2) originals of the Cost Estimate, 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.
14.	Engineer's Design Certification	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.
15.	Water & Wastewater Service Agreement	Original and one (1) copy or two (2) copies of the executed and signed Water and Wastewater Service Agreement with Martin County Regional Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.
16.	Cross access Easement	One (1) copy of the recorded cross access easement allowing cross access to and from adjacent properties.
17.	Flash/Thumb Drive	One (1) blank flash/ thumb drive for digital file recording.

V. Local, State, and Federal Permits

No Local, State and Federal Permits are applicable to a rezoning action which does not permit any development activities.

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:

Fee type:	Fee amount:	Fee payment:	Balance:
Application review fees:	\$8,750	\$8,750	\$0.00
Inspection fees:	\$4,160		\$4,160
Advertising fees *:			
Recording fees **:			
Mandatory impact fees:	N/A		
Non-mandatory impact fees:	N/A		

* 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.

X. General application information

Applicant: Bowman Consulting Group, Ltd.
 Damian Brink
 13450 W. Sunrise Blvd., Suite 320
 Sunrise, FL

Agent: Bowman Consulting Group, Ltd.
 Sandra Zumpano, E.I.
 13450 W. Sunrise Blvd., Suite 320
 Sunrise, FL

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

Development Review Staff Report

NFPA	National Fire Protection Association
SFWMD	South Florida Water Management District
W/WWSA	Water/Waste Water Service Agreement

Z. Attachments