



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

HOBE SOUND STORAGE MAJOR FINAL SITE PLAN

Applicant:	Live Oak Capital Partners (Steve Tedder)
Property Owner:	Employees Money Purchase Pension Plan & Trust of Boca Cardiology Associates Babic & Vinci PA FBO Stephen Babic
Agent for the Applicant:	Thomas Engineering Group, LLC (Brandon Ulmer)
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	H164-002
Record Number:	DEV2022110009
Report Number:	2023_1214_H164-002_DRT_STAFF_FINAL
Application Received:	01/09/2023
Transmitted:	01/11/2023
Date of Report:	03/02/2023
Application Received:	07/12/2023
Transmitted:	07/13/2023
Date of Report:	12/14/2023

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback.

B. Project description and analysis

This is a request by Thomas Engineering Group, LLC on behalf of Live Oak Capital Partners for approval of Major Final Site Plan to construct a 3-story, approximately 93,850 square foot self-storage facility. The property is located east of SE Federal Highway approximately 0.28 miles south of SE Heritage Boulevard, south with the Bethel Lutheran Church in Hobe Sound. Included in this application is a request for a Certificate of Public Facilities Reservation.

The future land use designation for the subject property is Medium Density with a RS-6, Medium Density Residential District zoning. Access to the property is proposed from one location from SE Federal Highway. The property is abutting conservation land to the south and a church located on medium density land use to the north. The proposed use is not permitted in the existing zoning and

future land use and proposes amending the Future Land Use Map (FLUM) to assign a Commercial General future land use and General Commercial zoning district.

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	Non-Comply
H	Community Redevelopment Review	Brian Elam	772-288-5501	N/A
H	Commercial Design Review	Brian Elam	772-288-5501	Non-Comply
I	Property Management Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Shawn McCarthy	772-288-5508	Non-Comply
J	Landscaping Review	Karen Sjöholm	772-288-5909	Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Comply
L	County Surveyor Review	Tom Walker	772-288-5928	N/A
M	Engineering Review	Stephanie Piche	772-223-4858	Non-Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5692	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	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	Stephanie Piche	772-223-4858	Comply
R	School Board Review	Juan Lameda	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

This application meets the threshold requirements for processing as a major development MARTIN COUNTY, FLA., LDR, §10.2.C.1. (2021). Review of this application is required by the Local Planning Agency (LPA) and final action by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be public hearings MARTIN COUNTY, FLA., LDR, §10.5.F.9. (2021).

Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (2021), 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: 343842000140001406
Address: Unassigned
Existing Zoning: RS-6, Medium Density Residential District
Future Land Use: Medium Density
Nearest Major Road: SE Federal Highway
Gross Area of Site: 4.01 acres

Table 1 Abutting Properties Details

Direction	Development	Future Land Use	Zoning
North	Church	Medium Density	RM-8 – Medium Density Residential
South	Undeveloped	Conservation	PC – Public Conservation District
East	ROW	N/A	N/A
West	ROW	N/A	N/A

Figure 1 Location Map

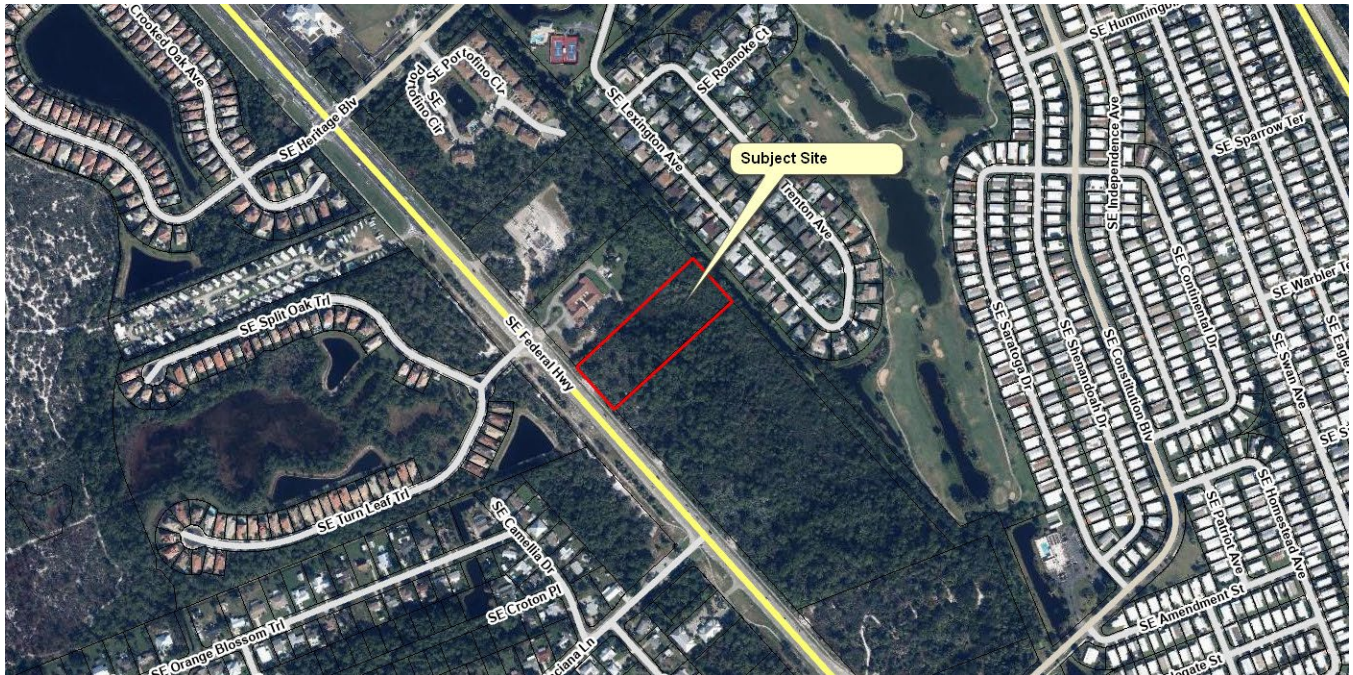


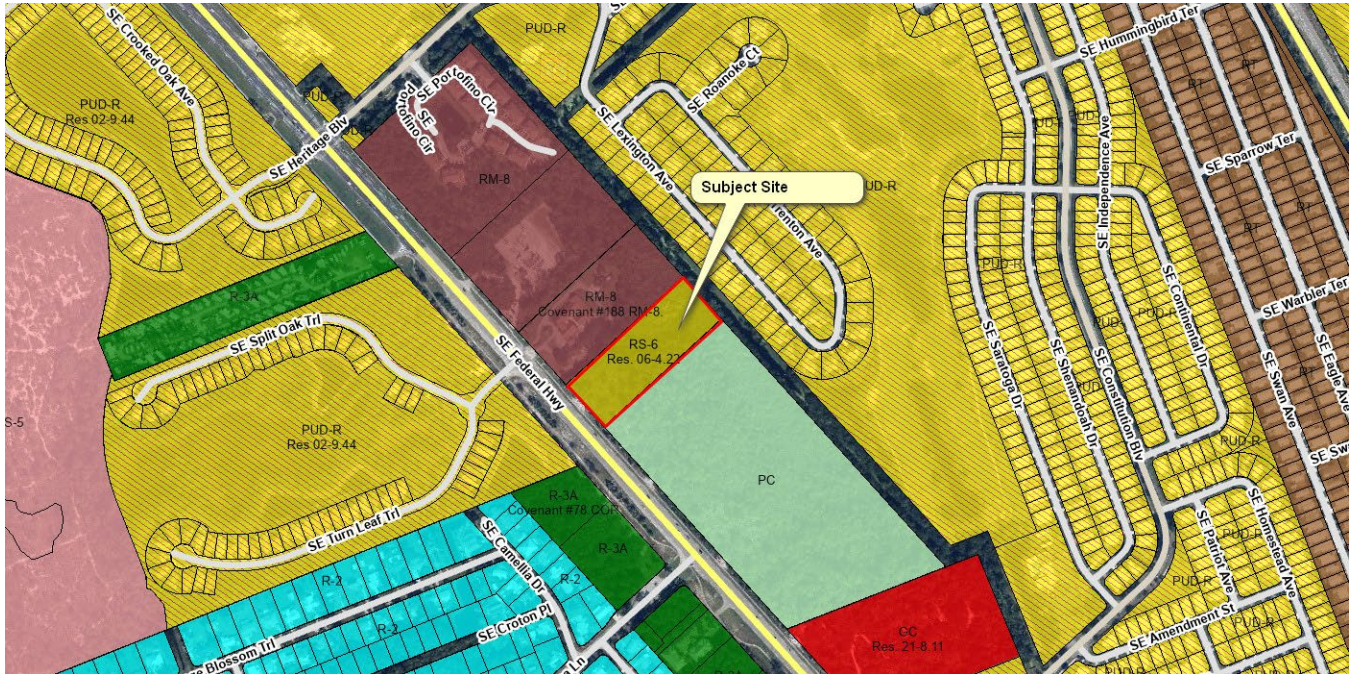
Figure 2 2021 Aerial



Figure 3 Subject Property Future Land Use



Figure 4 Subject Property Zoning Atlas



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

Unresolved Issues:

Item #1

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)

Item #2

This proposal requires an amendment to the Future Land Use Map (FLUM). The proposed development cannot be approved without this amendment passing. Requirements for amendments to the FLUM are detailed in the Martin County Comprehensive Growth Management Plan (CGMP) MARTIN COUNTY, FLA., CGMP SECTION 1.11.

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

Informational:

1. Residential storage facilities are not a permitted use in the RS-6, medium density residential district. This proposal is seeking an amendment to the FLUM with a new zoning district of General Commercial.
2. A residential storage facility shall not be used for any commercial or industrial warehousing, or as a basis for any manufacturing or retail sales or service activity. Storage of explosives shall be prohibited MARTIN COUNTY, FLA., LDR §3.94 (2002).

Unresolved Issues:

Item #1

Site Plan Data

1. Maximum height of the building should be 40 feet. The provided data column has 41'*. Since the parapet is not more than 4 feet it is exempt from the height requirement but the roof deck peak value of 37'-0" should be placed in the Provided column next to max building height instead of the 41' value.

Remedy/Suggestion/Clarification:

The Provided column related to Max Height of building should contain the highest part of the building as measured by the LDR, §3.14. The highest part of the building is the mean of the hip roof which is shown as 46'-10". The mean of the tower roof must be brought down to at least 40 feet.

2. Provide linework to show where the three-story setback on the southeast side starts. Demonstrate this meets the 20-foot setback from the property line.

Item #2

Site Plan Graphics

1. Include asterisks for Provided Parking with a note that a parking rate adjustment is requested and provide a parking study as defined in per MARTIN COUNTY, FLA., LDR §4.625 (2009)
2. Include the wetland preserve area in the Impervious Area data. Remove the Remainder of Site row. Adjust percentages for Pervious and Impervious and add the 100% next to the Gross Site Area.

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

Community Redevelopment Area (CRA)

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

Commercial Design

Unresolved Issues:

The tower roof exceeds the maximum allowed building height of 40'.

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

Unresolved Issues:

Item #1

Environmental Assessment/PAMP

As previously requested, please provide a state wetland jurisdictional determination from either the SFWMD or FDEP verifying the wetland area/boundary that's identified in the EA and shown on the site plan. This information is required for all properties with wetlands seeking county site plan approval. Please also update the language regarding wetlands in the summary section of the EA to reflect the state wetland JD. Please also update the native habitat language in the EA that a pre-app meeting with the county has already been conducted or remove this language as it is outdated.

Please update the EA and FLUCFCS to include FNAI descriptions or FLUCCS/FNAI codes for the native habitat areas as required by county code.

PAMP

Please also provide a supplemental planting plan for the preserve areas proposed to be restored after installation of water control structures and for areas devoid of native vegetation after exotic vegetation removal.

Please have your environmental consultant contact the environmental staff identified in this report to schedule a site visit of your project or to provide for site access to corroborate the information provided in the environmental assessment.

Item #2

Site Plan

Based on the data in the Preserve Data Table, the square footage of the required rare, unique upland preserve area does not equate to twenty-five percent of the total upland area. It appears to be about 500 square feet less than the requirement. Please revise and correct as necessary.

Item #3

Construction Plans

Page L-1.0 (Tree Disposition Plan) shows the use of tree barricades for trees within the proposed preserve areas. There is no need for tree barricades inside the preserve as the preserve boundary will be marked with an orange construction barricade and thus protected. Please remove the tree barricade callouts for trees within the preserve area.

Landscaping

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 residential storage facility on a vacant lot. The applicant has submitted landscape plans that provide 22,788 s.f. of landscape area which equates to 34% of the 67,265 s.f 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 development provide at least one tree per 2,500 sq. ft. of site area; a total of 27 trees for this project. To demonstrate compliance the applicant has proposed the planting of 60 trees and preservation of 3 existing trees for this 67,265 sq. ft. site.

Landscaped bufferyards are required between differing land uses and along certain transportation corridors. Martin County, Fla Section 4.663.B.1.a, (2013). Proposed preserves will be protected on the east and west which serve to satisfy buffer requirements.

Section 4.663.A.4.b.1, 2, , and 3., Land Development Regulations, Martin County, Fla. (2013) requires one 500 s.f. landscape area with 3 (2" cal) trees for each 5000 s.f. of interior vehicular use area. This project has 11,922 sq.ft. of paving and the applicant is proposing the installation of 10 native trees within the vehicular use area of the site.

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:

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). [Martin County, Fla., LDR Article 5, Division 1, Section 5.3 (2009)]

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:

Item #1

Consistency with Other Plans

As previously requested, a signed and sealed topographic survey, mapped to one-foot contours, that extends at least 200-feet beyond property and referenced to the North American Vertical Datum must be uploaded [4.384.A.3; STORMWATER MANAGEMENT AND FLOOD PROTECTION STANDARDS FOR DESIGN AND REVIEW, SECTION 1.4.A.2.a]

Item #2

Stormwater Management Report

1. The post-development discharge rate of 1.78 cfs per acre is higher than the historical allowable discharge rate in this area of 0.30 cfs per acre.
2. Revise stormwater management report to clearly demonstrate the pre and post development discharge rate for the 25-year, 3-day storm event.
3. Structure #1 in the Cascade modeling is inconsistent with the control structure shown on the construction plans. The plans show a pipe with no structure in the retention area.
4. It is unclear how the max stage or design elevation was determined for the minimum finished floor. Revise the stormwater management report to include the 100-year, 3-day modeling.

Item #3

Stormwater Management Construction Plans

1. Open grate structures at ends of pipe runs with exfiltration trench and before retention areas, need Pollution Retardant Baffles (PRB). ST-01 NE Invert, ST-02 NE and SW Inverts, ST-03 SW Inverts, and ST-05 E Inverts need PRB.
2. Grading at the north side of the parking lot appears to have a flat point with the top of the parking space at 15.50' NAVD and the curb inlet (ST-03) set at 15.50' NAVD. This would indicate no cross slope in this area. Please revise the grading plan and update the Minimum Elevation for "Road" on POST (Page 2 of 8) as needed.

Development Order Condition

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.

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

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. (2023)

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. (2023).

O. Determination of compliance with utilities requirements – Utilities Department

Water and Wastewater

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)]

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)

South Martin Regional Utility (SMRU)

South Martin Regional Utility (SMRU) is the water and sewer utility provider for this project. Developments served by SMRU must receive and submit a letter of capacity reservation directly from the Utility. Please contact SMRU to obtain a reservation letter to demonstrate utility compliance. [ref. South Martin Regional Utility, Regulations, Policies, and Procedures; Section 1.2 "Utility Capacity Reservation Process"]

P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department

Fire Prevention

Findings of Compliance:

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.

- Applicant agrees to comply with documented requests.
- The drive aisle has limited staging capabilities for fire apparatus. A fire lane needs to be created beyond the roadway at the FDC location.
- Standpipes will be required in the structure.

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:

The Public Works Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements. [2020 Florida Building Code, Accessibility, 7th Edition]

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 - SMRU
- 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)

- Sewer provider - SMRU
- 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 - pending 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 - positive evaluation
- 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 - positive evaluation
- 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

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. 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.

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.	Response to Post Approval Requirements List	The applicant will submit a response memo addressing the items on the Post Approval Requirements List.

Item	Description	Requirement
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.	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.
4.	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.
5.	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.
6.	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.
7.	Approved Final Site Plan	One (1) copy 24" x 36" of the approved final site plan.
8.	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.
9.	Approved Elevations	One (1) 24" x 36" copy of the approved elevation drawings signed and sealed by a licensed architect.
10.	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.
11.	Construction Schedule	Original of the construction schedule.
12.	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.

Item	Description	Requirement
13.	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:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$9,127	\$9,127	\$0.00
Inspection fees:	\$4,000		\$4,000
Advertising fees *:			
Recording fees **::			
Impact fees***:			

* 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.

X. General application information

Applicant (Contract Purchaser): Live Oak Capital Partners
 Steve Tedder
 430 Plasters Avenue NE, Suite 200
 Atlanta, Georgia 30324
 404-202-6121
 stedder@liveoakcp.com

Owner: Employees Money Purchase Pension Plan & Trust of BOCA
 Cardiology Associates Babic & Vinci PA FBO Stephen Babic
 Stephen Babic MD TTEE
 7155 Queenferry Circle
 Boca Raton, Florida 33496

Agent: Thomas Engineering Group, LLC
 Brandon Ulmer
 125 West Indiantown Road, Suite 206
 Jupiter, Florida 33458
 561-203-7503
 bulmer@thomaseg.com

Engineer of Record: Thomas Engineering Group, LLC
 Brandon Ulmer
 125 West Indiantown Road, Suite 206
 Jupiter, Florida 33458
 561-203-7503

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