



# 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:	2024_1018_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
Application Received:	05/08/2024
Transmitted:	05/08/2024
Date of Report:	07/16/2024
Application Received:	08/02/2024
Transmitted:	08/07/2024
Date of Report:	10/18/2024

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### ***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	Comply
I	Property Management Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Shawn McCarthy	772-288-5508	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	Matthew Hammond	772-288-5512	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	Jorge Vazquez	772-221-1448	Comply
O	Water and Wastewater Review	Kim McLaughlin	772-546-6259	N/A
P	Fire Prevention Review	Doug Killane	772-419-5396	Comply
P	Emergency Management Review	Sally Waite	772-219-4942	N/A
Q	ADA Review	Kaitlyn Zanello	772-288-5920	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**

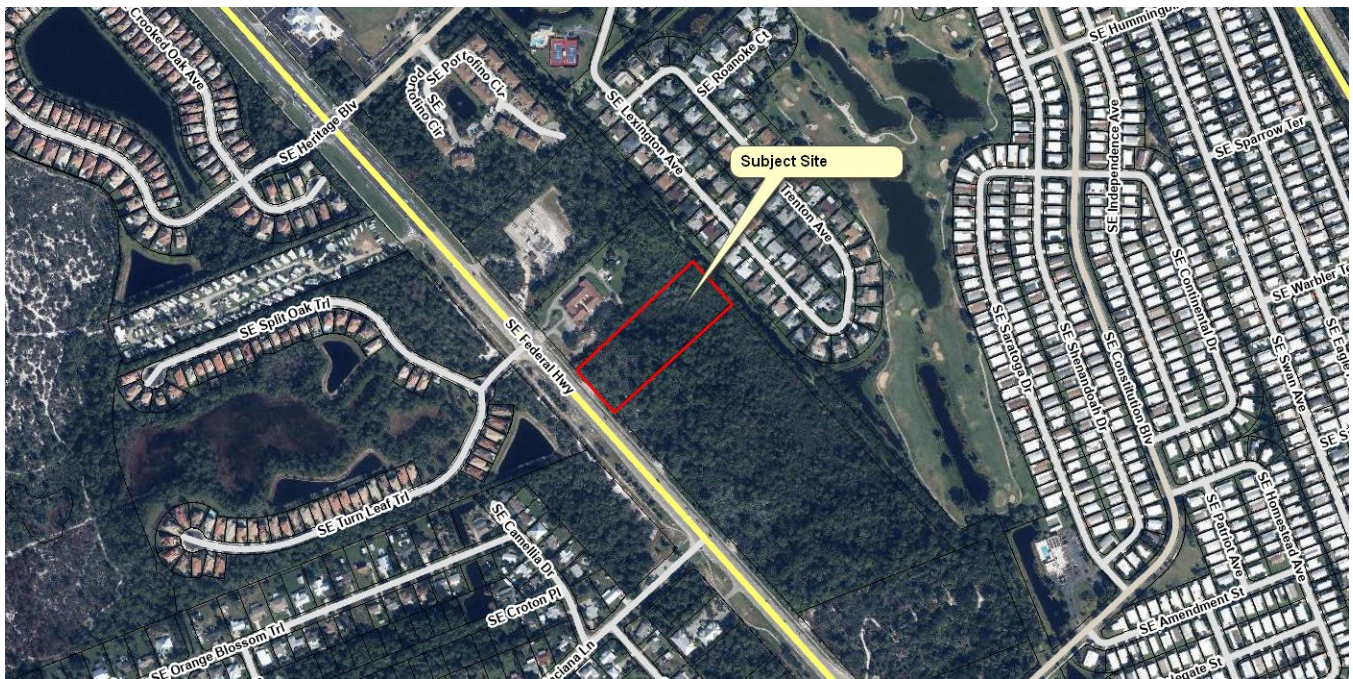


Figure 2 2021 Aerial



Figure 3 Subject Property Future Land Use

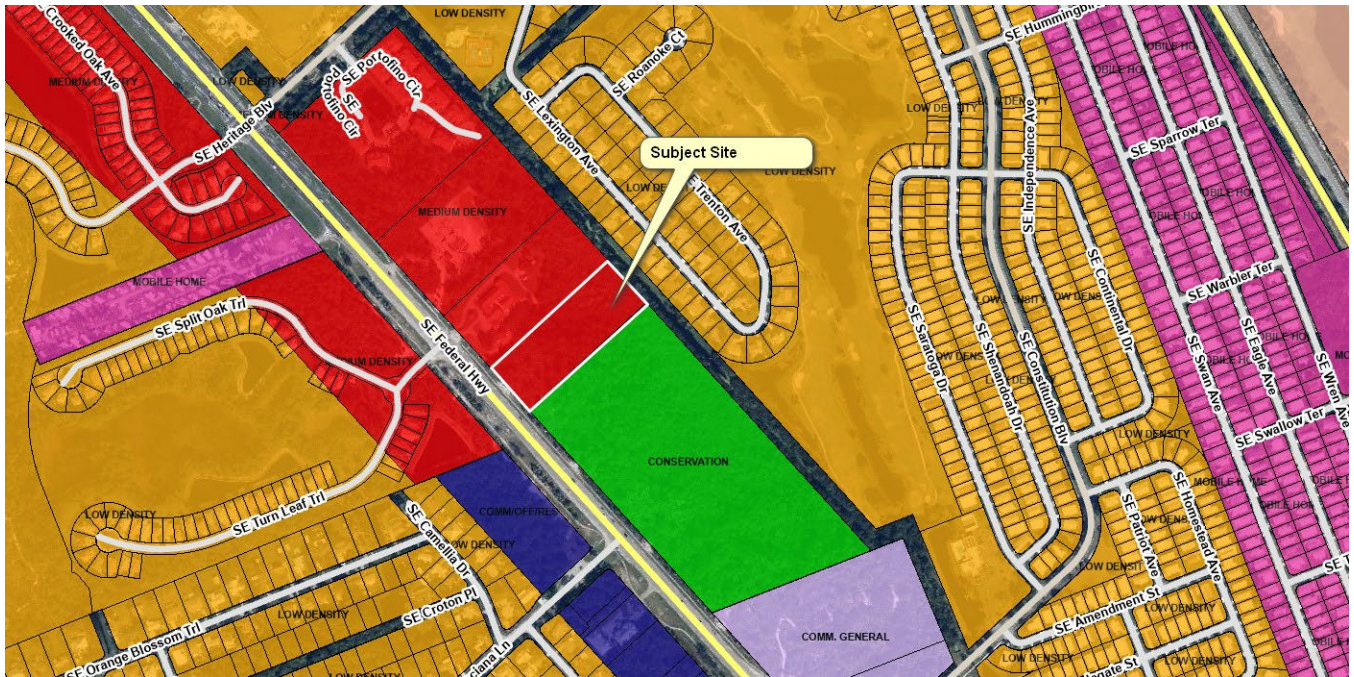
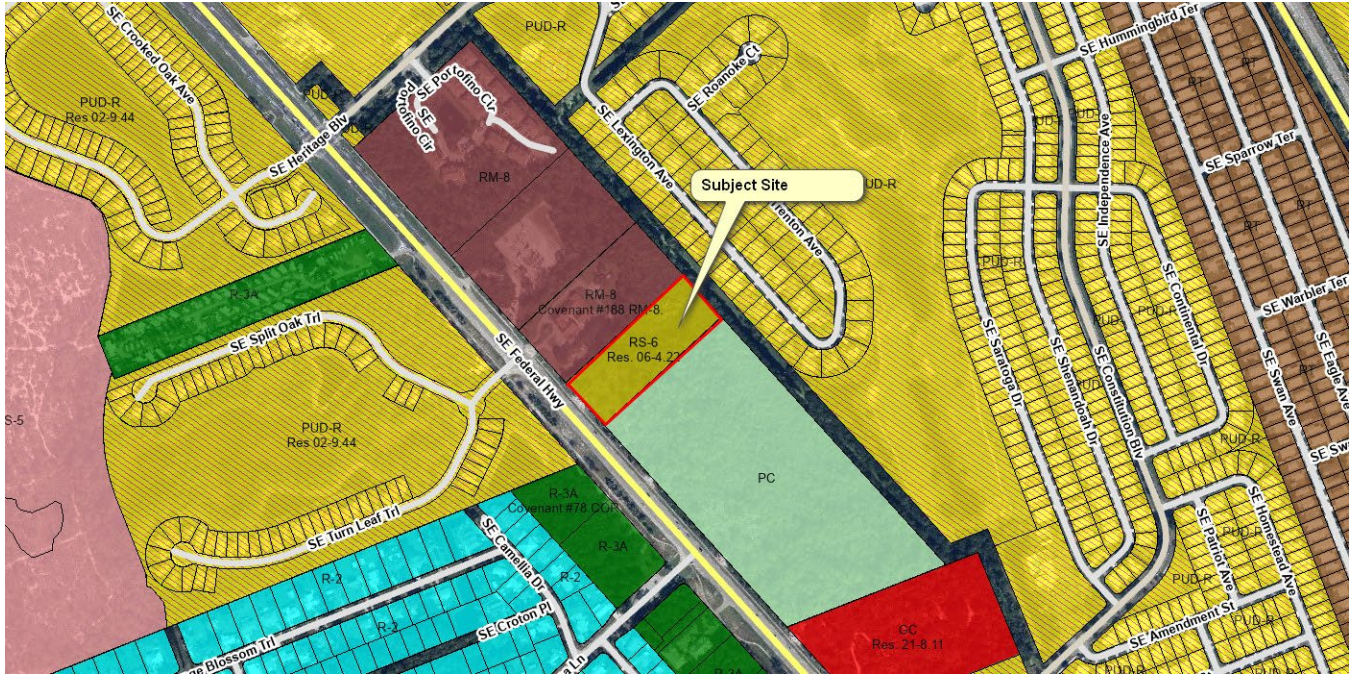


Figure 4 Subject Property Zoning Atlas



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

**Unresolved Issues:**

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, § 1.3

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

**Unresolved Issues:**

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.

**Informational**

1. 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 (2003).
2. Verify the project sign is still intact after the recent hurricane.

***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**

**Findings of Compliance:**

Development review staff have reviewed the application and finds that it complies with Article 4, Division 20, Commercial Design Standards of the Martin County 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***

**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. A Preserve Area Management Plan (PAMP) will be approved with the development order that will establish a 2.16 acre wetland preserve area, a wetland buffer (0.33 acres) comprised of rare, unique upland habitat (maritime hammock) and a upland preserve (0.14 acres) comprised of upland scrub. The total area under preservation for the site will be approximately 2.61 acres or about 65% of the site.

**Informational comment:**

After a county development order is issued, the property owner and/or agent is responsible for obtaining a gopher tortoise relocation permit from Florida Fish and Wildlife Conservation Commission (FWC). All necessary permits, or a current 100% gopher tortoise survey showing no gopher tortoises exist onsite, shall be submitted to the growth management department, environmental division for review. The gopher tortoise survey shall be no greater than 90 days old at the time of review. No land clearing will be authorized until this information is received. No land clearing, including installation of erosion control barricades, can take place prior to the pre-construction meeting.

## 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. The applicant has submitted landscape plans that provide 30,146 s.f. of landscape area which equates to 33% of the 60,526 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 25 trees for this project. To demonstrate compliance the applicant has proposed the planting of 46 trees and preservation of 5 existing trees (equal to 13 tree credits) for this 60,526 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). Surrounding land use on the north and south is institutional general so no land use buffer is required.

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 2 trees (3” dbh or greater) for each 5000 s.f. of interior vehicular use area. This project has 8,875 sq.ft. of paving and the applicant is proposing the installation of 8 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.

Note: Tree Disposition and clearing plans indicate the removal of 4 dead trees within the preserve area. Dead trees provide important wildlife habitat. These trees do not appear will be a hazard for people or structures. Removal would likely cause disturbance of the preserve therefore these trees should not be removed.

### ***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**

#### **DIVISION 9: STORMWATER MANAGEMENT**

1. The post development land use breakdown within the Surface Water Management Report has changed and does not appear to match the Final Site Plan. Revise the post development land use breakdown in the Surface Water Management Report to match the Final Site Plan.
2. As previously mentioned, the Post Development storage in the Surface Water Management Report is not consistent between the Stage-Storage Calculations (POST DEVELOPMENT Page 2 of 7), Water Quality Calculations (POST DEVELOPMENT Page 4 of 7), and Cascade model results (POST DEVELOPMENT Page 5 of 7). Revise the Post Development calculations accordingly so that all three results are consistent.
3. Revise the Paving, Grading & Drainage plan to clearly show the location and elevation of the perimeter berm. The eventual as-builts will rely on the perimeter berm being clearly demonstrated.

#### **SIGNED AND SEALED CONSTRUCTION PLAN**

4. Provide a construction detail for the proposed exfiltration trench that matches the dimensions and elevations provided in the Surface Water Management Report.

### **Development Order**

Hauling is not permitted. The Owner is not authorized to haul fill off the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.

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

### **Electronic Files**

### **Unresolved Issues:**

No AutoCAD dwg file of the final site plan was received with your resubmittal. The dwg file needs to be submitted with each round of review even if it was a comply in the previous 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. (2023).

### ***O. Determination of compliance with utilities requirements – Utilities Department***

#### Water and Wastewater

### Unresolved Issues:

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”]

#### 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

### 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 facilities (Section 5.32.D.3.f, LDR)

Findings - pending evaluation

Source - Engineering Department

Reference - see Section M of this staff report

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

Findings - positive evaluation

Source - Engineering Department

Reference - see section L 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.
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 executed version of the Unity of Title in standard County format or one (1) copy of the existing recorded Unity of Title for the subject property.
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.

Item	Description	Requirement
11.	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.
12.	Flash/Thumb Drive	One (1) blank flash/ thumb drive for digital file recording.

**V. Local, State, and Federal Permits**

Approval of the development order is conditioned upon the applicant's submittal of all required applicable Local, State, and Federal Permits to Martin County prior to scheduling 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:	\$9,127	\$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 after the post approval package has been submitted.
- \*\*\*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  
bulmer@thomaseg.com

## ***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/Wastewater Service Agreement

## ***Z. Attachments***