



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

SW 96th STREET CONVENIENCE STORE MINOR FINAL SITE PLAN

Applicant/Owner:	Fazlul Ahmed and Zarna Ahmed
Agent for the Applicant:	Deanna Foriere, Engineering Design & Construction, Inc.
County Project Coordinator:	John Sinnott, Senior Planner
Growth Management Director:	Paul Schilling
Project Number:	K049-003
Record Number:	DEV2024030008
Report Number:	2024_0717_K049-003_Staff_Report_Final
Application Received:	05/29/2024
Transmitted:	05/30/2024
Date of Report:	07/17/2024

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B. Project description and analysis

This is a request by Engineering Design & Construction, Inc., on behalf of Fazlul and Zarna Ahmed for minor final site plan approval to construct a one-story, approximately 9,800 square-foot building and associated infrastructure on an approximately 1.75-acre site. The proposed building consists of a 5,000 square-foot convenience store and three (3) 1,600 square-foot retail suites. The subject site is currently undeveloped and is located on the south side of SW 96th street, approximately 230 feet west of the intersection of SW 96th Street and SW Kanner Highway, in Stuart. Included is a request for a Certificate of Public Facilities Reservation.

The project is located inside the Primary Urban Services District with water and wastewater services available from Martin County Utilities.

Martin County has also received a major final site plan application for the development of a 120' stealth-design monopine wireless telecommunications facility ("tower") and associated infrastructure within a 1,600 square-foot lease area on the site. The tower will be designed to accommodate the colocation of four (4) wireless carriers. This application is currently being reviewed separately under project K049-004.

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	Comp Planning Review	John Sinnott	772-320-3047	Non-Comply
G	Site Design Review	John Sinnott	772-320-3047	Non-Comply
H	Community Redevelopment Review	John Sinnott	772-320-3047	N/A
H	Commercial Design Review	John Sinnott	772-320-3047	Non-Comply
I	Property Mgmt Review	Ellen MacArthur	772-221-1334	Non-Comply
J	Environmental Review	Maddie Gierczak	772-221-1377	Non-Comply
J	Landscaping Review	Karen Sjolholm	772-288-5909	Non-Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Non-Comply
L	County Surveyor Review	Tom Walker	772-288-5928	Non-Comply
M	Engineering Services Review	Matthew Hammond	772-288-5512	Non-Comply
N	Addressing Review	Emily Kohler	772-288-5400	Non-Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5400	Comply
O	Wellfield Review	Jorge Vazquez	772-221-1448	Non-Comply
O	Water and Wastewater Review	Jorge Vazquez	772-221-1448	Non-Comply
P	Emergency Mgmt Review	Amy Heimberger Lopez	772-285-7220	N/A
P	Fire Prevention Review	Doug Killane	772-419-5396	Comply
Q	ADA Review	Matthew Hammond	772-288-5512	Non-Comply
R	Health Review	Nick Clifton	772-221-4090	N/A
R	School Board Review	Mark Sechrist	772-219-1200	N/A
S	County Attorney Review	Elysse Elder	772-288-5925	Ongoing
T	Adequate Public Facilities Review	John Sinnott	772-320-3047	Pending

D. Review Board action

This application complies with the threshold for processing as a minor development, pursuant to Table 10.2.C.1., Section 10.2.C., LDR, Martin County, Fla. (2023). As such, final action will be taken by the Growth Management Director.

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

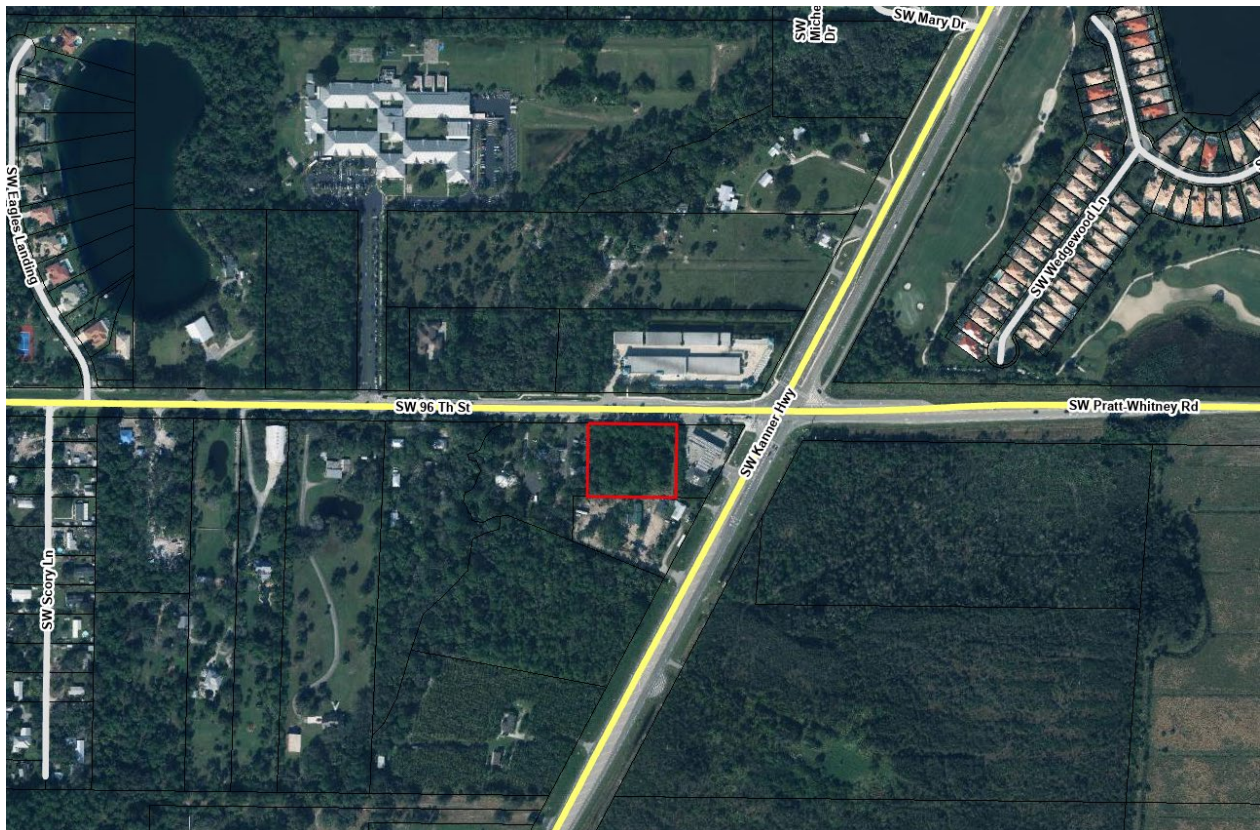
Parcel number: 18-39-41-000-003-00010-6

Existing Zoning: Limited Commercial (LC)

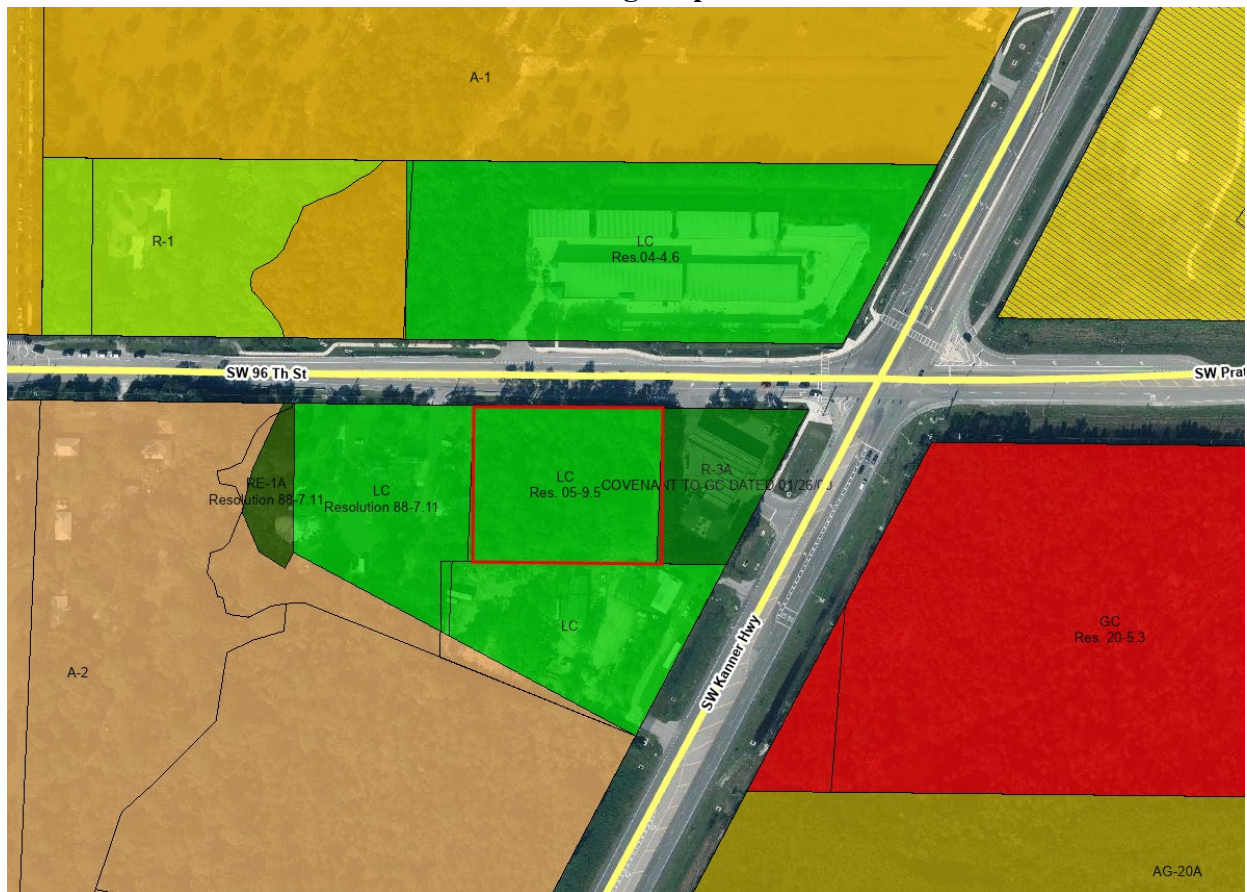
Future Land use: Limited Commercial

Gross area of site: 1.75 acres

**Figure I:
Location Map**



**Figure II:
Zoning Map**



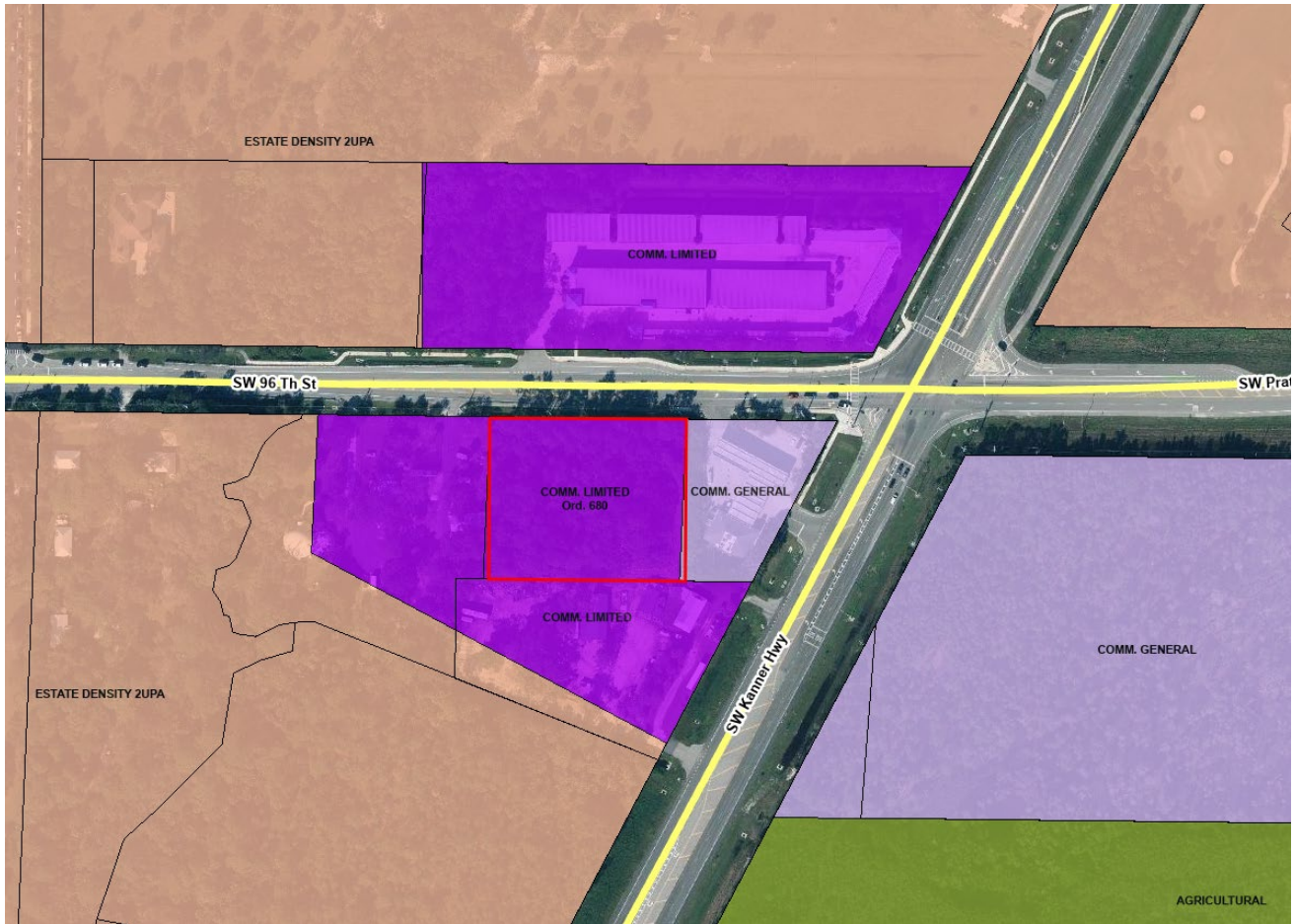
Property to the East: R-3A (Covenant to GC)

Property to the North: SW 96th Street, LC

Property to the West: LC

Property to the South: LC

**Figure III:
Future Land Use Map**



Property to the East: General Commercial
Property to the North: SW 96th Street, Limited Commercial
Property to the West: Limited Commercial
Property to the South: Limited Commercial

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

Unresolved Issues:

Item #1:

Generic Comp Plan Compliance:

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:

Item #1:

General

1. Please update the square footages in the project description on the first page of the development review application to match the square footages shown in the narrative/site plan.
2. As noted in the sufficiency review, please provide a copyright permission form completed by the architect, Johnston Group Development & Design.
3. A unity of title must be executed during the post-approval process for either this project or the cell tower project (K049-004) on the parent parcel, whichever is approved first. Please use the updated unity of title form available at <https://www.martin.fl.us/martin-county-services/development-review-forms-and-alternative-compliance-applications>. Please provide a draft, unexecuted version. No plat name should be in item 2. The legal description used as Exhibit A for the unity of title should also include the site acreage (after ROW dedication) and parcel control number.

Item #2:

Site Plan Data

1. Remove site owner information.
2. Building setbacks:
 - a. Please incorporate this table into the site data table.
 - b. Update title to “Required Building Setbacks (One-Story)”
 - c. Include provided building setbacks row(s).
3. Site data table:
 - a. Section, township and range lines can be deleted.
 - b. Max building height line can be removed. There is already a separate building height table.
 - c. Update future land use line to “Limited Commercial.”
 - d. Please update the land use line to “Proposed Use: Limited retail sales and services.”
4. “Land use Breakdown” heading can be updated to “Site Data.”
5. Please clarify the category of impervious area towards which the tower area is being counted.
6. In the pervious area table, please update “open space” to “other landscaped areas/sod.”
7. Open space table:
 - a. Keep the total percent open space provided; however, categories of provided open space can be deleted. In this case, the total percent open space provided should correspond to the total percent pervious area provided.
8. The provided building height should be measured to the highest point of the coping for the flat roof [Martin County LDR, Section 3.14.A].

9. Parking table:
 - a. Update “Retail sales/services” to “Convenience store.”
 - b. Update “Leasable space” to “Retail.”
 - c. Based on the graphic, 45 spaces are provided. Please update the provided spaces in the table. The “8” spaces callout along the north side of the drive aisle needs to be updated to “6.”

Item #3:

Site Plan Graphics

1. In the title block, please update “Proposed Site Plan” to “Final Site Plan.”
2. A July 2004 boundary survey performed by Northstar Geomatics, which Martin County received as part of the K049-001 pre-application, depicts a 20’ X 20’ easement in the northeast property corner per O.R. Book 621, Page 264. Please depict this easement on the current boundary survey and on the site plan. Label, dimension, and include the recording information. Provide a copy of easement documentation. Please confirm if the proposed lift station encroaches within this easement. Landscaping shall be permitted in easements only with the written permission of the easement holder. See also Item #5 in Section J – Landscaping below.
3. Dimension and label the building setbacks on the site plan. The distances need to match the provided building setbacks in the site data.
4. Building graphic:
 - a. Internal walls between units and bathroom linework should be removed from the building graphic.
 - b. Building label can be updated to “Proposed 9,800 S.F. One-Story Commercial/Retail Building” or similar. Include “Min. F.F.E.”
 - c. Please carry over these changes to the construction plans. Interior walls can still remain on the floor plan sheet of the architectural plans.
5. Please depict the required bicycle rack. The bicycle rack shall be within 50 feet of a customer entrance. Provide a bicycle rack detail. See also Item #11 - Bicycle and Pedestrian Amenities in Section H below. Additional sheets may be added to the site plan if necessary.
6. Please provide a light pole/fixture detail, including overall height. Include a note that light fixtures shall be shielded from adjacent properties and natural areas including preserves. Please ensure that the height shown on the detail is consistent with the mounting height shown in the photometric plan.
7. Please provide a detail for the proposed concrete headwall around the dry detention.
8. “Adjacent parcel” boxes with recording information can be removed. Instead, please call out the zoning, future land use, and existing use of the west, south, and east-adjoining properties. Example for east-adjoining parcel:

Zoning: R-3A (Covenant to GC)

Future Land Use: General Commercial

Existing use: Sunoco/7-Eleven Gas Station

9. Please remove extraneous text/graphics, including spot elevations; trees; existing well; existing fence; proposed grease trap; survey benchmark data/callouts; survey rod/cap/nail callouts; notes on water/sewer, drainage, solid waste, hazardous waste, fire protection, well field protection, landscape, accessibility and ADA compliance, environmental; TOB/TOE callouts/linework for existing swales; overhead wires; stormwater control structures/piping; drainage arrows; proposed outfall callout; utility lines (lift station depiction can remain); and proposed sanitary connection callouts.
10. Please depict the bumper/curb and overhang in the standard parking stall detail.
11. Please use square footage instead of acreage in the proposed preservation area callout.
12. Please add the street name label SW 96th St.
13. Please depict the existing sidewalk in the SW 96th Street ROW.
14. Please include a note on the site plan that design standards and placement of signs will be reviewed via separate building permit.
15. Please include a note on the site plan stating “In the event that the tower area (proposed by others under separate application) is not constructed, future proposed alterations or structures in this area may require a site plan revision pursuant to Martin County LDR, Article 10. With the exception of land clearing and grading, no construction is authorized in the tower area as part of this site plan.”
16. Include revision date on subsequent submittals.

Item #4:

Plan Consistency

1. Height of light pole in pole mounting detail, sheet 8 of construction plans, is not consistent with mounting height shown in photometric plan.
2. Two sheets in the construction plans are labeled sheet 6.
3. The paving, grading, & drainage sheet shows the dry detention TOB area to be 7,172 square feet while 7,174 square feet is shown on the site plan. Please update accordingly.

Additional Information:

Information #1:

No land clearing is authorized prior to the pre-construction meeting for the project. 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 by applicable state agency permits may be granted by the Growth Management Department. MARTIN COUNTY, FLA., LDR SECTION 10.14.C. (2019)

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

Community Redevelopment

N/A – This site is not located within a Community Redevelopment Area; therefore, staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Commercial Design

Item #1

General

1. Please note, the commercial design standards of Martin County LDR, Article 4, Division 20 were updated with the adoption of Ordinance No. 1205 in September 2023. These changes are reflected on the Municode website. If sections of the LDR are included on the architectural plans, the current code section/language should be used.
2. All elevation drawings used to demonstrate compliance with the requirements of this division 20 shall be prepared under the direction of an architect licensed pursuant to F.S. ch. 481. [MARTIN COUNTY, FLA., LDR §4.871.C.2 (2023)]. The architectural plans need to be signed/sealed.
3. Site plan detail can be removed from sheet A01. Please put the floor plan on a separate sheet. Additionally, the square footage of the leasable units shown on the floor plan does not match the square footage shown elsewhere in the application materials.

Item #2

Primary Facades

Please label the primary façades on the architectural plans. [MARTIN COUNTY, FLA., LDR §4.872.B.1 (2023)]. The primary façades are the front, right (west), and left (east).

Item #3

Minimum Design Elements

Please note, the design elements have been modified in the updated Ordinance. Please provide a table or notes on the architectural plans demonstrating that each of the primary façades has the required minimum design elements. [MARTIN COUNTY, FLA., LDR §4.872.B.3 (2023)]. In order to be considered as a design element for the purposes of this section, reveal work must meet the dimensional requirements of §4.872.B.3.a(x). Provide a detail of the reveal work if being counted as a design element.

Item #4

Limitations on Blank Wall Areas

Please provide relevant dimensions and/or notes on the architectural plans to demonstrate that the right and left façades comply with the requirements of MARTIN COUNTY, FLA., LDR §4.872.B.4 (2023). Please confirm that the front façade also meets this requirement. Windows along the front façade are not clearly called out, see also Item #9 below.

Item #5

Transparency/Fenestration

At least 40 percent of the ground-level floor of primary facades of commercial buildings and street facing facades of multifamily buildings shall be occupied by windows or doorways with non-mirrored glass. [MARTIN COUNTY, FLA., LDR §4.872.B.5(a) (2023)]. The front façade appears to meet this requirement; however, please provide relevant calculations for the right and left façades.

Item #6

Control of Building Mass

The primary façades do not to meet the requirements of MARTIN COUNTY, FLA., LDR §4.872.D.2(a) (2023). A wall plane shall be off-set a minimum of three feet from the adjacent wall plane and be a minimum of eight feet in length to be considered a separate wall plane. Ensure that adequate wall plan off-sets are present and provide relevant dimensions.

Item #7

Flat Roofs

Flat roofs shall:

- a. Have a parapet of at least 12 inches in height along any primary façade and shall have at least two changes in height of a minimum of two feet along each primary façade.
- b. Provide a three-dimensional cornice treatment along the entire length of the primary façade. The cornice treatments shall be a minimum of 12 inches in height and have a minimum of three reliefs.

[MARTIN COUNTY, FLA., LDR §4.872.G.2 (2023)]

Please depict height of parapet wall along flat roof portions of primary façades. Demonstrate that the required changes in height are present along the parapet wall. Provide a cornice treatment detail.

Item #8

Customer and Resident Entrances

All detached buildings shall have clearly defined, highly visible customer entryways (see figure 4.20.2 for examples). Entryway design elements and variations should give protection from the sun and adverse weather conditions. These elements shall be integrated into a comprehensive design style for the commercial development. [MARTIN COUNTY, FLA., LDR §4.872.H (2023)]. Please consider awnings or other design elements around the entrances.

Item #9

Materials and Color

Please provide colored elevations to demonstrate compliance with MARTIN COUNTY, FLA., LDR §4.872.I (2023)]. Include additional material callouts (i.e., windows, doors) or finishing schedule.

Item #10

Bicycle and Pedestrian Access

Structural or vegetative shading shall be provided along pedestrian ways at intervals of no greater than 50 feet. Trees shall be a minimum of 16 feet in height. Along public sidewalks, including along the perimeter

of the site, shade trees shall be installed at the back of sidewalk. Appropriate root barrier systems shall be installed when applicable. [MARTIN COUNTY, FLA., LDR §4.873.A.2 (2023)]. There are significant portions of the internal pedestrian ways which are not shaded via structure/vegetation.

Item #11

Bicycle and Pedestrian Amenities

Based on the gross floor area of the building, one bike rack is required. The bicycle rack shall be within 50 feet of a customer entrance. The bicycle rack shall be the inverted “U” type or similar design and shall be designed to store a minimum of six bicycles. [MARTIN COUNTY, FLA., LDR §4.873.B (2023)].

Item #12

Lighting

Pedestrian sidewalks internal to the site and customer/residential entrances shall be lit with a minimum of 0.6 footcandle as measured one foot above the sidewalk. Light fixtures shall be shielded from adjacent properties and natural areas including preserves. [MARTIN COUNTY, FLA., LDR §4.873.C (2023)]. Additional measurements are needed on the lighting plan to demonstrate that the portions of the sidewalk on the east and south sides of the building meet this requirement. Please also provide an additional measurement of the on-site portion of the sidewalk which extends to SW 96th Street.

Item #13

Screening of Mechanical Equipment

- a. The required screening of roof-mounted mechanical equipment, including air conditioning units and duct work shall be as follows: when located on a flat roof, roof shall provide full parapet coverage a minimum of four feet in height, or to the highest point of the mechanical equipment, whichever is lower. [MARTIN COUNTY, FLA., LDR §4.873.D.1 (2023)].
- b. Ground mounted mechanical equipment, including air conditioning units, dumpster enclosures, generators, shall be located in the rear or side of a development site and not between the building and a street. [MARTIN COUNTY, FLA., LDR §4.873.D.2 (2023)].

Please clarify the location of AC units and provide roof plan and exhibit showing how AC units are screened if roof mounted.

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

Unresolved Issues:

It has been determined that the Applicant is required to dedicate 7 feet of right of way on SW 96 Street.

The following is a list of the required due diligence materials:

TITLE COMMITMENT:

- 1. Original Title Commitment for the proposed dedication site(s).
- 2. The Proposed Insured is: Martin County, a political subdivision of the State of Florida

3. The Insurable Amount is subject to approval by the Real Property Division.
4. Legible copies of all documents listed on the Title Commitment as B-II Exceptions must be provided with the Title Commitment.

Note: The applicant did not provide a Title Commitment.

SURVEY – SKETCH AND LEGAL DESCRIPTION

1. Two (2) original signed and sealed Surveys of the dedication site (s).
2. The Survey must be certified to Martin County, a political subdivision of the State of Florida and to the Title Company.
3. The Survey must be prepared with the benefit of the Title Commitment and include the Commitment Number, Name of the Title Company and Date and Time of the Commitment.
4. Parcel ID number(s) must be included.
5. All title exceptions that can be plotted must be shown on the Survey.
6. The legal description for the dedication site(s) on the Survey must match the legal description on the proposed Plat or Planned Unit Development (PUD), if applicable.
7. Two (2) original 8 ½” by 11” signed and sealed Sketch and Legal Descriptions of the dedication site(s) must be provided.

Note: The applicant did not provide a boundary survey with the benefit of a Title Commitment. The applicant did provide a sketch and legal description of the dedication site. After review by the County Surveying Division, revisions are required. These revisions are attached to the staff report.

J. Determination of compliance with environmental and landscaping requirements - Growth Management Department

Environmental

Unresolved Issues:

Item #1: Final Site Plan

SITE DATA AND HABITAT MAPPING

Please identify the following in the site plan data table, as applicable:

1. Preserve Area Calculations. Provide upland preserve calculations to demonstrate that at least 25% of the total upland area is preserved as rare native upland habitat. Where there is no rare upland habitat, provide upland preserve calculations to demonstrate that at least 25% of existing common native upland habitats are preserved.

- a. 25% of 1.42 ac of upland results in 0.355 ac (or 0.36 ac) of required preserve.

SITE PLAN REVIEW

Please provide for the following Notes on the Final Site Plan:

Preserve Area Signs.

Preserve signs will be at least 11 x 14 inches in size and will be posted in conspicuous locations along the Preserve Area boundary, at a frequency of no less than one (1) sign per 500 feet. Revise site plan to indicate proposed locations of all preserve signage.

Item #2: PRESERVE AREA MANAGEMENT PLAN

The PAMP must be completed and recorded with either this application or the K049-004 application on the parent parcel, whichever is approved first.

Pursuant to MARTIN COUNTY, FLA., LDR SECTIONS 4.6 (2011), and 4.36 (2013), the PAMP shall include the following minimum requirements:

1. Standard PAMP template language for Conditions, Table of Contents, and required exhibits.
2. Provisions for the initial removal and ongoing management of exotic vegetation, nuisance native vegetation and debris.
 - a. Specify initial exotics removal to completion prior to C.O.

Item #3: Site Visit

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 #4: Wildlife Survey Required

At the time of application submittal, an updated listed species survey shall be provided from a certified environmental professional. Surveys shall be performed and certified as utilizing appropriate referenced survey methodologies established by the listing agencies. In addition to listed fauna, the survey shall locate specific species of rare, endangered, threatened or unique plants of limited range that have been found (e.g. four-petal paw paw in Jensen Beach sand pine scrub). If the gopher tortoise is found on the parcel, the survey shall be no greater than 90 days old at the time of review. A gopher tortoise relocation permit issued by FWC shall be required and submitted to the Growth Management Department for review. No land clearing or construction will be authorized until this information is received and a after-action report is issued by FWC.

Landscaping

Item #1:

General Landscape Design Standards

Please demonstrate compliance with the following general landscape requirements on the provided plans:

1. *Screening materials and landscaping used to screen service function areas shall be consistent with the design of the primary facades*
 - a. *Please label the dumpster/enclosure, and other service function areas and provide enough specificity on the landscape and construction plans to demonstrate compliance with these requirements.*

Remedy/Suggestion/Clarification:

Label dumpster.

Item #2:

Perimeter Vua Requirements-Non-Res Sites

Please demonstrate compliance with the following criteria for perimeter vehicular use areas (Section 4.663.A.4.a., LDR)

A ten-foot wide strip of land, exclusive of curbing, along the entire front perimeter of a site, located between the front property line and any vehicular use area, shall be landscaped.

Remedy/Suggestion/Clarification:

It is appreciated that attempt has been made to preserve many existing trees within these perimeter landscape areas. However, there appear to be some substantial grade changes from the existing grades to the proposed parking.

Corrective Action required:

Provide cross-sections through the perimeter areas and parking that show existing and proposed grades. Explain what methods are to be utilized to facilitate protection of these trees.

Item #3:

Interior Vua Requirements-Non-Res Sites

Please demonstrate compliance with the following criteria for interior vehicular use areas [Section 4.663.A. 4.b., LDR]. *The interior area includes the entire parcel to be developed exclusive of the required front, rear, and side perimeter landscape areas. As an incentive to preserving native areas, up to one-half of the required interior landscape area may be waived when an equal area (at least 800 square feet) within the vehicle use area is preserved in a native state.*

1. *In vehicular use areas within the interior of a site, one 500 square foot planting area shall be required for every 5,000 square feet of vehicular use area, or major portion thereof, and at least*

three two-inch, or two three-inch caliper shade trees together with other landscape material shall be planted within each such planting area.

Remedy/Suggestion/Clarification:

Interior VUA planting areas are required to be a minimum of 500 sf. Interior and terminal islands can only qualify as IVUA if they meet the minimum standards. However, if existing trees as shown are protected, these trees can be utilized to satisfy the additional IVUA criteria needed.

Item #4:

Landscape Native Tree Protect & Survey

A tree survey is required to identify specific native trees required to be protected from development [Section 4.666, LDR]. Please note that trees in proposed preservation areas, palm trees and non-native species need not be identified on this survey. Existing native vegetation shall be retained to act as buffers between adjacent land uses, and to minimize nuisance dust noise and air pollution during construction. The following information shall be provided for trees in the developed area:

- 1. A tree survey including approximate position of protected trees, protected tree clusters, landscaping and other vegetation to be preserved or removed. Trees required to be protected include any hardwood native tree having a diameter of eight inches DBH or greater throughout the developed site. Within the perimeter area, protected trees include any native hardwood tree four (4) inches DBH or greater, or any native softwood tree including pine trees (8) inches DBH or greater. Clearly identify the specific tree species required to be protected on the survey; these trees should be flagged in the field for staff verification.*
- 2. 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.*
- 3. Please provide a justification statement for the proposed removal of any identified protected trees. Specific conditions and criteria providing for protected tree removal may be found in Section 4.666.C., LDR.*
- 4. 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.*

Remedy/Suggestion/Clarification:

Three separate tree surveys have been provided. However, the clearing plan is not consistent with the included tree disposition table. Trees #47, 49, 86-89 are shown to be cleared on the plan but are included in the table as preserved.

Trees within the preserve area cannot be utilized for tree credit, the table shows #57 & 59 preserved for credit and trees 54,61, 62, 67, & 74 to be removed; trees within the preserve cannot be cleared. Trees #48 & 77 are not included in the table.

In the table Tree #83 is shown to be protected but removed on the plan. This is a 44.5 diameter oak tree on the edge of the retention area.

Corrective Action required:

- a) Review and revise clearing plan and disposition tables for accuracy.
- b) Revise retention area to protect the large oak.

Item #5:

Landscaping Proposed In Easements

Please provide for compliance with the following for landscaping proposed in easements (ref. Section 4.665.B.6., LDRs):

"Landscaping shall be permitted in easements only with the written permission of the easement holder. Written permission shall specify the party responsible for replacing disturbed landscape areas and shall be submitted to the County in a form acceptable to the County Attorney. Written permission to plant within easements shall be filed with the land records applicable to the site."

Please provide documentation of justification and cause for consideration of approval of landscaping in required bufferyards that is encumbered by easement and/or utilities. Section 4.663.B.5., LDRs provides that utilities, easements, septic drainfields or other physical improvements shall not be placed in landscape bufferyards, unless approved by the Growth Management Director based on good cause shown.

Remedy/Suggestion/Clarification:

The landscape plan identifies a 50' FPL easement along the east property line. The environmental assessment also references a FPL easement. Is still a valid easement?

Corrective Action required:

Provide copies of recorded easements where landscaping is proposed, identifying the easement holder that is to provide the written permissions, as required above.

Provide a note on the Landscape Plan to state that the property owner is responsible for replacing any required landscaping in easement areas that may be disturbed by future maintenance.

K. Determination of compliance with transportation requirements - Engineering Department

Traffic

Unresolved Issues:

Item # 1:

Applications for a Final Site Plan should evaluate traffic conditions 2 years from anticipated Board approval date.

Item # 2:

The Traffic Impact Analysis does not comply with Article 5, Division 3, Section 5.63 because:

1. Trip generation rates shall be taken from the Institute of Transportation Engineers' Trip Generation (current edition). The trip generation rate unit of measure will be the same as the unit of measure adopted in the Martin County development impact fee update study. If a proposed land use for a development project is not contained in article 6, Impact Fees, the unit of measure must be approved by the County Administrator. [Martin County, Fla., LDR Article 5, Division 3, Section 5.63.B (2009)]

- For Convenience Store (851), 1000 Sq. Ft. is the approved variable and the pass-by rate is 59%.
- Shopping Center (>150k) is not applicable. Staff suggests Strip Retail Plaza (840), 1000 Sq. Ft. is the approved variable and the pass-by rate is 52%.

Item # 3:

The Traffic Impact Analysis does not comply with Article 5, Division 3, Section 5.64 because:

1. Estimated project trip generation and assignment, considering pass-by and internal capture, on a peak hour peak direction basis. [Martin County, Fla., LDR Article 5, Division 3, Section 5.64.C.3 (2009)]

- Revise and apply trip generation to the impact roadways on a directional basis.

2. An analysis, including traffic distribution and assignment, of all links and aggregated segments or parts thereof, on the major road network on which the project traffic has an impact of at least two percent of the level of service capacity as identified in the most recent Martin County annual concurrency report. [Martin County, Fla., LDR Article 5, Division 3, Section 5.64.C.5 (2009)]

- See 2023 Roadway Level of Service Report.

3. The following analysis will form the basis for determining concurrency on all impacted roads. The concurrency test will be completed by adding the background traffic growth plus the net number of trips generated from the project traffic on each impacted link on the road network to the existing traffic volume and comparing the total of this traffic volume to the adopted level of service capacity. If the total traffic volume is lower than the adopted level of service capacity, concurrency has been satisfied on this link and/or aggregated segment. [Martin County, Fla., LDR Article 5, Division 3, Section 5.64.C.5.a (2009)]

4. The study network will be illustrated in both tabular and map formats, and clearly show the percentage of project traffic of the level of service capacity up to and including the link where the project traffic falls below the two percent threshold. The map or maps will illustrate the project location, existing and proposed traffic control devices, existing and proposed ingress and egress locations for the project, existing and proposed bicycle and pedestrian facilities, and existing and proposed public transportation services and facilities on the study network. [Martin County, Fla., LDR Article 5, Division 3, Section 5.64.C.7 (2009)]

L. Determination of compliance with county surveyor - Engineering Department

Unresolved Issues:

The survey does not meet the requirements for the following reasons:

- Boundary Survey does not reference a current title commitment.
- Boundary Survey does not list all easements and encumbrances of record and show all those easements and encumbrances that affect the property and are plottable.

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

Engineering

Division 8: Excavating, Filling, and Mining

1. All slopes shall not exceed one foot vertical to 4 feet horizontal. Based on the spot elevations on the Paving, Grading & Drainage Plan, the grading ties to existing grade along the west property line exceed 4:1. [LDR 4.387.B.2]

Division 9: Stormwater Management

2. Revise the stormwater management report to include Martin County Design Certification Language. [LDR 4.384.a.2]
3. As noted in the sufficiency review comments, topography must be provided sufficient to be mapped to 1-foot contour intervals, that extends a minimum of 200 feet off the site (or to a discernible basin boundary). The topography on the east side of the property is insufficient to show the existing offsite conditions that will affect the grading and drainage for the project. Provide additional topographic survey along the east perimeter including the adjacent retaining wall and berm. [LDR 4.684.A.3.a.2]
4. Provide a map or figure of the existing drainage basin, sizes and related flow paths.
5. The Drainage Calculations & Surface Water Management Report references an existing swale on the eastern property line, abutting the current Sunoco property, that is being filled in. The topographic survey submitted nor lidar show evidence of this swale. Provide additional data or

information documenting this existing swale or revise the Drainage Calculations & Surface Water Management Report and Paving, Grading & Drainage Plan accordingly.

6. Provide documentation of the existing site soil and vegetation types. [LDR 4.384.3.a.3]
7. Provide documentation of the existing site wet season water table, including seasonal fluctuations. [LDR 4.384.3.c.(1)]
8. Provide documentation of the presence/absence of a hardpan layer at the site.
9. Provide documentation of the percolation rate utilized for the recovery calculations. [LDR 4.384.A.3.c.(3)]
10. Provide documentation of the rainfall intensities used in the stormwater calculations.
11. Provide documentation of the available soil storage used in the stormwater calculations.
12. As noted in the Pre-Application Meeting, the project must demonstrate it possess a legal positive outfall for stormwater discharge. If no legal positive outfall exists, the stormwater management system must be designed for full on-site retention of the 100 year – 3-day storm event, or discharge to the County’s right-of-way drainage system after retaining the 100 year – 1-day storm event. Note that discharge to the existing offsite swale south of the property will not be permitted without demonstration of the necessary easements to convey stormwater to the eventual outfall. [LDR 4.382.C.1 and Martin County Stormwater Management and Flood Protection Standards 1.4.A.2.d]
13. Revise the stormwater management report to include the inputs and time stage runs for the ICPR model.
14. Provide information demonstrating the dry retention bottom is a minimum of one foot above the Wet Season Water Table [LDR Section 4.385.F.4]
15. Provide documentation that half of the treatment volume is recovered between 24 hours and five days. [LDR Section 4.385.F.4]
16. Provide documentation that 90 percent of the 25-year, 72-hour runoff volume is recovered in 12 days. [LDR Section 4.385.F.4]

Division 19: Roadway Design

17. Informational: A Right of Way Use Permit Application is required for this proposed development. Please contact pwdpermits@martin.fl.us with any questions regarding the right-of-way use permit application process. The application can be found at: <https://www.martin.fl.us/martin-county-services/right-way-use-permit-application>.

18. A stop-controlled crosswalk shall be used at the pedestrian crossing within the SW 96th Street right-of-way. [Standard Detail R-120]
19. Turn lanes are required for developments along undivided roadways with a speed limit of 35 MPH and over. Provide a right turn lane at the entrance on SW 96th Street. [LDR Section 4.845.G.2]

Construction Plans

20. As noted in the sufficiency review, provide the original signed and sealed survey.
21. Revise the Construction Plan to use the most recent topographic survey.
22. The three stormwater structures at the south end of the proposed dry detention area are not labeled. Revised the Construction Plans to label these structures and include in the Storm Sewer Inlet Table.
23. Stormwater structures BU-2 and CS-1 identified in the Storm Sewer Inlet Table are not labeled on the Paving, Grading & Drainage sheet. Revise the Construction Plans to label the appropriate stormwater structures.
24. The Storm Sewer Inlet Table on the Paving, Grading & Drainage sheet contains multiple negative invert and bottom elevations indicating structures in excess of 20 feet deep. Confirm these are the intended design elevations or revise the Construction Plans accordingly.
25. The Storm Sewer Inlet Table on the Paving, Grading & Drainage sheet indicates the direction of flow is from structure BU-1 to CB-2 (away from the dry detention area). Confirm this is the intended direction of for the stormwater system.
26. There is an existing stormwater pipe within the right-of-way on the south side of SW 96th Street in front of the project. Revise the Construction Plans to include this existing pipe.
27. Provide a typical section through the proposed dry detention basin and east property line.
28. The grading detail on the north and west property lines does not adequately address the transition from proposed to existing offsite grades. Revise the Construction Plans to show sufficient detail on these transitions.
29. Provide grading details for the proposed tower site on the project for review.
30. The overall Paving, Grading & Drainage plan does not provide sufficient grading information for site grading review. Provide additional elevation and grading details demonstrating compliance with the LDR.
31. Provide construction details and elevations for the proposed concrete headwall for review.

32. Provide construction details for the proposed drainage structures.
33. The Drainage Calculations & Surface Water Management Report references a weir however, the Construction Plans provide no information on a control structure containing a weir. Provide a detail of the proposed control structure in the Construction Plans.

Consistency Between Survey, Master Plan, Final Site Plan, Construction Plans, Stormwater Report, and PUD Agreement

34. The Final Site Plan for the proposed onsite monopine tower, submitted under separate cover, indicates two 20-foot ingress/egress easements that are not shown on the Final Site Plan for the convenience store. Revise the Final Site Plan for this portion of the project to represent these proposed easements.
35. The number of parking spaces provided in the Final Site Plan and Construction Plans are not consistent with the parking data provided on the Final Site Plan. Revise for consistency.
36. 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.

Development Order

37. 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 Departments

Electronic Files

Findings of Compliance:

Both the AutoCAD dwg file of the site plan and boundary survey were found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2024).

Addressing

Unresolved Issues:

- #1 Please add the street name label SW 96th St to the final site plan.

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, water and wastewater service agreement and payment to the Utilities Department for review prior to the scheduling of a Pre-construction meeting (Send a copy to the Growth Management Department). 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.

Wellfield Protection

Unresolved Issues:

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

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

Fire Rescue

Finding 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.

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

ADA

Unresolved Issues:

1. Sidewalks shall have a maximum 5% running slope and 2% cross slope. Multiple sidewalk sections exceed the minimum 2% cross slope.

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 requirements - responsible departments.

The following is a summary of the review for compliance with the standards contained in Article 5.32.D of the Adequate Public Facilities LDR for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities service provider – Martin County Utilities

Findings – Pending Evaluation

Source - Martin County Utilities

Reference - see Section O of this staff report

Sanitary sewer facilities service provider – Martin County Utilities

Findings – Pending Evaluation

Source - Martin County Utilities

Reference - see Section O of this staff report

Solid waste facilities

Findings – In Place

Source - Growth Management Department

Stormwater management facilities

Findings – Pending Evaluation

Source - Engineering Services Department

Reference - see Section M of this staff report

Community park facilities

Findings – In Place

Source - Growth Management Department

Roads facilities

Findings – Pending Evaluation

Source - Engineering Services Department

Reference - see Section M of this staff report

Mass transit facilities

Findings – Pending Evaluation

Source - Engineering Services Department

Reference - see Section K of this staff report

Public safety facilities

Findings – In Place

Source - Growth Management Department

Reference - see Section P of this staff report

Public school facilities

Findings – Positive Evaluation

Source - Growth Management Department

Reference - see Section R of this staff report

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 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) copy 24" x 36" of the approved elevations.

Item	Description	Requirement
10.	Digital Copy of Site Plan	One (1) digital copy of the site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
11.	Engineer’s Design Certification	One (1) 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 shall be submitted as part of the post-approval process in accordance with Section 10.11, Land Development Regulations, Martin County, Florida.
12.	Property Management Documents	One (1) copy of documents verifying that the right-of-way, property, or easements have been accepted by the Board of County Commissioners and recorded in the public records of Martin County, Florida shall be submitted as part of the post-approval process in accordance with Section 10.11, Land Development Regulations, Martin County, Florida.
13.	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 Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.
14.	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:	\$8,750.00	\$8,750.00	\$0.00
Inspection fees:	\$4,160.00	\$0.00	\$4,160.00

Advertising fees*:	\$0.00	\$0.00	\$0.00
Recording fees**:	\$0.00	\$0.00	\$0.00
Impact fees***:	\$0.00	\$0.00	\$0.00

- * Advertising fees will be determined once the ads have been placed and billed to the County.
- ** Recording fees will be identified after the post approval package has been submitted.
- *** Required at issuance of building permit.

X. General application information

Applicant/Owners: Fazlul & Zarna Ahmed
104 West Thatch Palm Circle
Jupiter, FL 33458
561-503-9899
fazlul8062@gmail.com

Agent: Engineering Design & Construction, Inc.
10250 SW Village Parkway, Suite 201
Port St. Lucie, FL 34987
Deanna Foriere
772-462-2455
deannaforiere@edc-inc.com

Engineer of Record: Engineering Design & Construction, Inc.
10250 SW Village Parkway, Suite 201
Port St. Lucie, FL 34987
David C. Baggett, P.E.
772-462-2455
davidbaggett@edc-inc.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/Waste Water Service Agreement

Z. Attachments

Attachment I – Sketch & Legal Redlines

NOTE:
DESCRIPTION NOT
VALID WITHOUT
SKETCH.

THIS IS NOT A SURVEY

LABEL: "EXHIBIT _____"
AT TOP OF PAGE

RECEIVED

MAR 15 2024

GROWTH MANAGEMENT
DEPARTMENT

DESCRIPTION

THE NORTH 7.00 FEET OF THE FOLLOWING DESCRIBED PARCEL OF LAND;

THE WEST 304.70 FEET, OF THE EAST 625.00 FEET, OF THE NORTH 300.00 FEET, LESS THE NORTH 50.00' FEET OF LOT 3, BLOCK 18, TROPICAL FRUIT FARMS, AS RECORDED IN PLAT BOOK 3, PAGE 6, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, (NOW) MARTIN COUNTY, FLORIDA.

CONTAINING 2,133 SQUARE FEET, MORE OR LESS.

MARTIN COUNTY
SURVEYING DIVISION
ROUND 1 REVIEW

Michael T Owen

Digitally signed by Michael T Owen
Date: 2023.09.08 10:46:43 -04'00'

MICHAEL T. OWEN
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION #5556

SIGNATURE DATE

SKETCH & DESCRIPTION OF:
7' RIGHT-OF-WAY
DEDICATION

PREPARED FOR:

FAZLUL AHMED

PORT SAINT LUCIE OFFICE
10250 SW VILLAGE PARKWAY
SUITE 201
PORT SAINT LUCIE, FL 34987
☎ 772-462-2455
🌐 www.edc-inc.com



ENGINEERS & SURVEYORS
ENVIRONMENTAL
F.B.P.E. CERTIFICATE OF AUTHORIZATION 9935
L.B. CERTIFICATE OF AUTHORIZATION 8098

REVISIONS

THIS IS NOT A SURVEY

ABBREVIATION LEGEND

P.O.C. POINT OF COMMENCEMENT
 P.O.B. POINT OF BEGINNING
 P.O.T. POINT OF TERMINUS
 O.R.B. OFFICIAL RECORD BOOK
 PG. PAGE

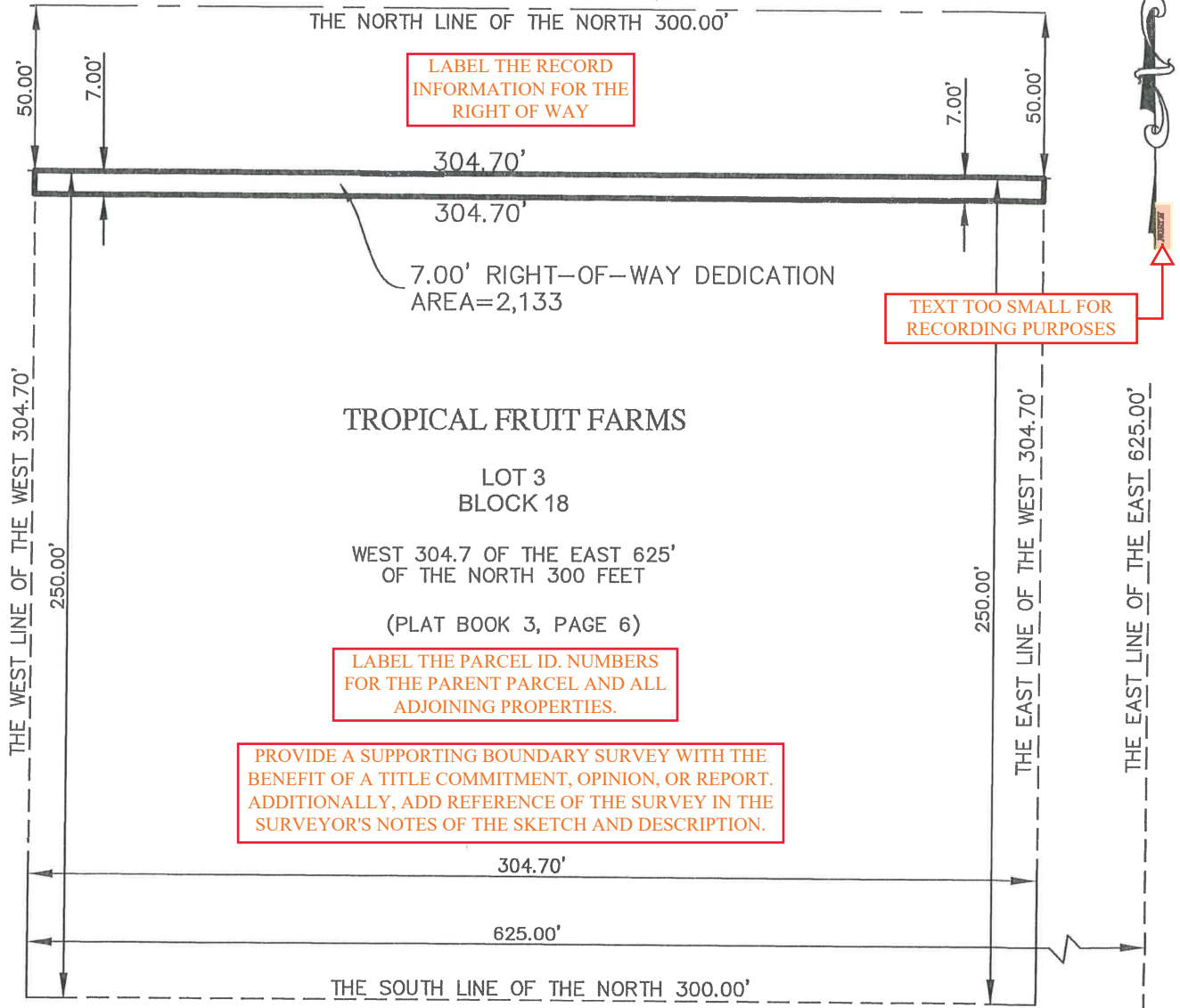
REVISE STATEMENT AS THERE ARE NO BEARINGS AND NO LINE LABELED "BEARING BASE".

ADD THE MARTIN COUNTY'S ADA STATEMENT

SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE RELATIVE TO THE LINE LABELED HEREON AS (BEARING BASIS), ALL OTHER BEARINGS ARE RELATIVE THERETO.
2. SKETCH NOT VALID WITHOUT DESCRIPTION.

S. W. 9 6 T H S T R E E T
 (100.00' RIGHT-OF-WAY)



LABEL THE RECORD INFORMATION FOR THE RIGHT OF WAY

TEXT TOO SMALL FOR RECORDING PURPOSES

LABEL THE PARCEL ID. NUMBERS FOR THE PARENT PARCEL AND ALL ADJOINING PROPERTIES.

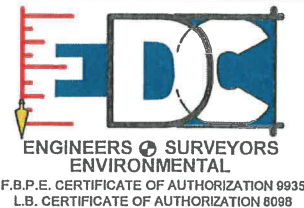
PROVIDE A SUPPORTING BOUNDARY SURVEY WITH THE BENEFIT OF A TITLE COMMITMENT, OPINION, OR REPORT. ADDITIONALLY, ADD REFERENCE OF THE SURVEY IN THE SURVEYOR'S NOTES OF THE SKETCH AND DESCRIPTION.

DRAWING DOES NOT PLOT TO SCALE. REVISE ACCORDINGLY

SKETCH & DESCRIPTION OF:
7.00' RIGHT-OF-WAY DEDICATION

PREPARED FOR:
FAZLUL AHMED

PORT SAINT LUCIE OFFICE
 10250 SW VILLAGE PARKWAY
 SUITE 201
 PORT SAINT LUCIE, FL 34987
 ☎ 772-462-2455
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REVISIONS	
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