



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

## STAFF REPORT

### *A. Application Information*

## THE PRESERVE AT LOBLOLLY NORTH PUD PUD ZONING AGREEMENT WITH MASTER AND FINAL SITE PLAN

Applicant:	Loblolly North LLC
Property Owner:	Loblolly North LLC
Agent for the Applicant:	Lucido & Associates, Brian Nolan, Partner
County Project Coordinator:	Barbara Counsellor, Senior Planner
Growth Management Director:	Paul Schilling
Project Number:	L089-003
Application Type and Number:	DEV2023070004
Report Number:	2024_0516_L089-003_Staff_Report
Application Received:	07/25/2023
Transmitted:	07/27/2023
Date of Report:	01/23/2024
Resubmittal Received:	03/14/2024
Transmitted:	03/15/2024
Date of Report:	05/16/2024

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### *B. Project description and analysis*

This is a request by Lucido & Associates on behalf of Loblolly North LLC for approval of a Planned Unit Development (PUD), including a PUD Agreement and master/final site plan approval for a 13-lot single-family detached residential development and associated infrastructure. The approximately 51.20-undeveloped site is located east of SE Gomez Avenue, west of the Indian River Lagoon, approximately 0.6 miles north of SE Osprey Street, directly north of the existing Loblolly Bay PUD, in Hobe Sound. Access to the site is proposed off SE Loblolly Bay Drive within the Loblolly Bay PUD. Included is a request for a Certificate of Public Facilities Reservation.

The subject property is located within the area that was previously impacted by FIND (Florida Inland Navigation District). The balance of the site is composed primarily of wetlands that extend east to the Intracoastal Waterway. The designated Mean High Water Line runs long Pecks’s Lake (aka Indian River Lagoon). The property has a land use designation of Estate Density, two (2) units per acre with a Zoning District of RE ½ A, Residential Estate District. A new PUD zoning is requested. The project’s buildout proposed density is 0.25 units per acre.

The property contains three distinct areas: the mangrove/bay wetland, the altered area outside of the wetland / preserve area, and sand pine scrub native upland habitat. The proposed project is within the Urban Service District and water / waste-water services will be provided by South Martin Regional Utilities.

**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:

<b>Section</b>	<b>Division or Department</b>	<b>Reviewer</b>	<b>Phone</b>	<b>Assessment</b>
F	Comprehensive Plan	Barbara Counsellor	772-288-5500	Non-Comply
F	ARDP	Samantha Lovelady	772-288-5664	Comply
G	Site Design Review	Barbara Counsellor	772-288-5500	Non-Comply
H	Urban Design	Barbara Counsellor	772-288-5500	N/A
H	Community Redevelopment	Barbara Counsellor	772-288-5500	N/A
I	Property Management	Ellen MacArthur	772-221-1334	N/A
J	Environmental	Shawn McCarthy	772-288-5508	Comply
J	Landscaping	Karen Sjoholm	772-288-5909	Comply
K	Transportation	Lukas Lambert	772-221-2300	Comply
L	County Surveyor	Tom Walker	772-288-5928	Non-Comply
M	Engineering	Stephanie Piche	772-223-4858	Non-Comply
N	Addressing	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission	Emily Kohler	772-288-5692	Comply
O	Water and Wastewater	Kim McLaughlin	772-546-6259	Ongoing
O	Wellfields	Leo Repetti, PE	772-320-3065	Comply
P	Fire Prevention	Doug Killane	772-288-5633	Comply
P	Emergency Management	Amy Lopez	772-419-2664	Comply
Q	ADA	Stephanie Piche	772-223-4858	Comply
R	Health Department	Nicholas Clifton	772-221-4090	N/A
R	School Board	Mark Sechrist	772-219-1200	Comply
S	County Attorney	Elysse Elder	772-288-5925	Ongoing
T	Adequate Public Facilities	Barbara Counsellor	772-288-5500	Pending

**D. Review Board action**

This is an application for a PUD Zoning Agreement and Master/Final Site Plan. 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 reviews must be public hearings MARTIN COUNTY, FLA., LDR §10.5. F.9. (2021).

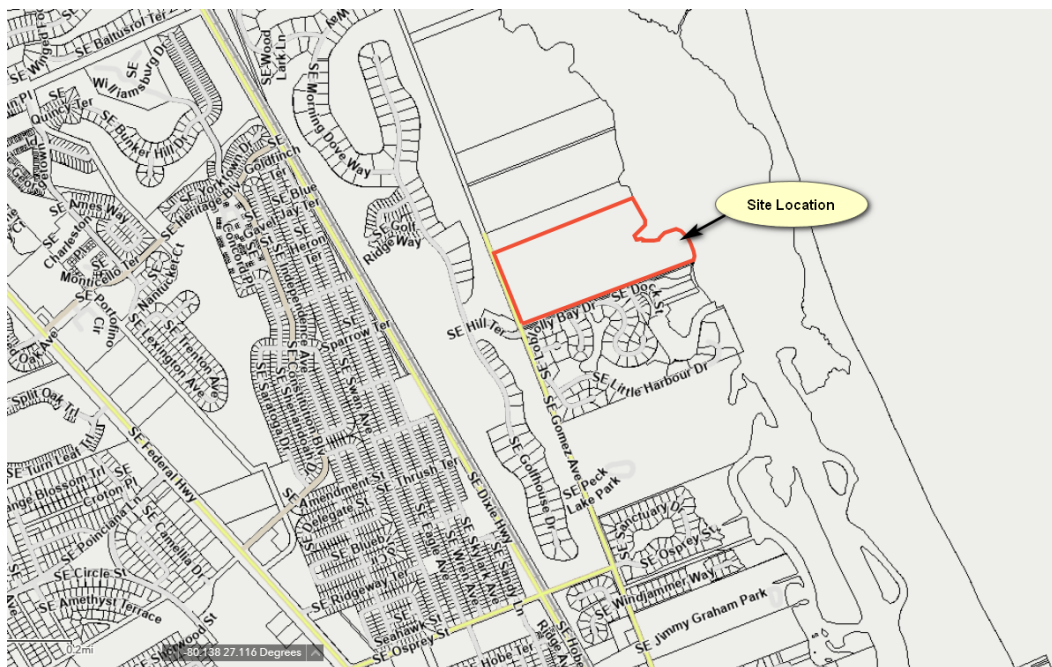
Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (2021), it shall at all times be the applicant’s responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

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(s):	34-38-42-000-034-00000-0
Address:	Addresses not assigned
Existing Zoning:	RE-1/2A Residential Estate District RES. 22-10.13
Proposed Zoning:	PUD
Future land use:	Estate Density 2 UPA (2 units per acre)
Gross area of site:	52.39-acres

**Figure I:  
Location Map**



**Figure II:  
2023 Aerial Photograph (GIS mapping imagery)  
Proposed Development Overlay**



**Figure II:  
Zoning Map (RE-1/2A res. 22-10.13)**



Property to the North:  
Property to the West:  
Property to the East:  
Property to the South:

PS-2 (Public Service) / PC (Public Conservation) RES. 22-10.13  
PUD-R  
Peck's Lake Indian River Lagoon Intracoastal waterway  
PUD-R

**Figure III:  
Future Land Use Map (Estate Density 2UPA)**



**Adjacent land uses:**

Property to the North: General Institutional / Conservation

Property to the West: Estate 2UPA

Property to the East: Peck's Lake Indian River Lagoon Intracoastal waterway

Property to the South: Estate 2UPA

***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

**Informational:**

***Policy 4.1E.6. PUD***

A planned unit development is a unified development that is (1) planned, approved and controlled according to provisions of a binding written document negotiated between the developer and the County as a special PUD zoning district and (2) approved at a public hearing. The purpose of PUD districts is to introduce flexibility into the strict zoning and development regulations in a manner that is mutually

beneficial to the County and the development. It is also to encourage enlightened and imaginative approaches to community planning. Benefits to the developer may include incentives to encourage affordable housing (consistent with the Housing Element); transfer of density from wetlands (consistent with the Conservation and Open Space Element, Chapter 9); flexibility in density distribution; flexibility and variety in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as preservation zones, buffers, density transition zones and recreation facilities in excess of the County's minimum standards. Specific PUD district regulations are negotiated voluntarily by the developer and the County, and neither is guaranteed maximum benefits by right.

**As proposed, the presented PUD benefits are not sufficient in relation to the requested deviation from RE-1/2 A required lot size, setbacks and maximum height. See Section G of this report for more information.**

***Policy 4.13A.7. Residential development***

The FLUM allocates urban residential density based on population trends; housing needs; and past trends in the character, magnitude, and distribution of residential land consumption patterns. Consistent with the goals, objectives, and policies of the CGMP, including the need to provide and maintain quality residential environments, it also preserves unique land and water resources and plans for fiscal conservancy.

(1) General policies for all urban Residential development:

(a) All residential development described in subsections (1) through (6) of this policy shall have a maximum building height of 40 feet.

(b) All Residential development shall maintain a minimum of 50 percent of the gross land area as open space, except as described under Goal 4.3. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space. This section shall not apply to construction of a single-family home on a lot of record.

***Policy 9.1G.2. Wetlands, general provisions.***

(8) *Density Transfer*: All property owners have the right to transfer density to the upland area on any site containing wetlands pursuant to the following stipulations: (b) In addition, the following equations must apply: 3) Density transferred must not exceed one-half of the wetland acreage multiplied by the gross density.

The PUD zoning on the property will allow reduced lot size, making the proposed 13 lots feasible.

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

**Unresolved issues:**

**Item #1: Engineer of Record**

1) It has come to GMDs attention there was a change in Engineer of Record, please update **all** new constructions plans, **all** other associated documents (application, copyright permissions, etc.), and Public

Works associated documents with new Engineer of Record; William Orazi and/or Patrick J. LaConte of LaConte Engineering.

**Item #2: Public Benefits**

***Public Benefits Response***

1. Please consider the following public benefits, to provide funding for:
  - a. \$6,000 to go towards the purchase of GLANCE traffic preemption device that will aid the Fire Department with the traffic light system and allow a quicker and safer response time.
  - b. \$10,000 to aid Public Works Department for construction upgrades at the intersection of SE Osprey Street and SE Dixie Highway
  
2. Please remove reference to minimum lot open space from the public benefit statement (50% vs 30%). Even if the development were not proposed under PUD zoning, the site plan would require 50% open space site wide, not on individual lots.

**Item #3:**

**Preserve Notes**

Please add additional note to preserve data stating that the 0.20-acre manmade wetland meets the County's criteria, is permitted to be impacted and is now part of the development site. See PAMP for additional information.

**Additional Information:**

**Information #1:**

No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre-construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for on state agency permits, may be granted by the Growth Management Department upon review of required permit materials. [Section 4.3.7., LDR, MCC]

**Information #2:**

The purpose and intent of the Planned Unit Development (PUD) is an alternative to the standard zoning districts in which the landowner and the Board of County Commissioners negotiate the zoning standards that will apply to a specific parcel of land such that the resulting development will be of superior quality and design while protecting the health, safety and welfare of the general public MARTIN COUNTY, FLA., LDR §3.241. (2002).

**Information #3:**

Notice of a public hearing:

The notice of a public hearing regarding development applications shall be mailed at least 14 calendar

days (seven calendar days if the application is being expedited pursuant to section 10.5.E.) prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. In addition, notice shall be mailed to all homeowner associations, property owners associations, condominium associations and the owners of each condominium unit within the notice area. MARTIN COUNTY, FLA., LDR SECTION 10.6.E.1. (2019)

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

**Commercial Design**

N/A- The proposed project is not located within the General Commercial, Limited Commercial, Commercial Office/Residential or Waterfront Commercial Future Land Use Designations. Therefore, the Commercial Design reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR, § 4.871.B.

**Community Redevelopment**

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

***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 Department***

**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 established over the upland, wetland buffers, and wetland preserve areas for this project. In total, 35.17 acres of wetland, 6.10 acres of upland along with 0.68 acres of wetland creation will be preserved on this site which equates to 41.95 acres of preserve area or about 82% of the site.



## **Landscaping**

### **Finding of Compliance:**

The applicant has submitted landscape plans that provide 2.45 acres of landscape area which equates to 41% of the 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.

Landscaped bufferyards are required between differing land uses and along certain transportation corridors. It is the intent of the code to encourage the preservation of existing vegetation for use in buffers as opposed to clearing and replanting designed landscapes. Section 4.663.B., Land Development Regulations, Martin County, Fla. (2013).

Surrounding land use is residential so non-compatibility buffers are not required. Section 4.663.B.1.a, Land Development Regulations, Martin County, Fla. (2013).

Wherever new residential dwelling units are proposed to be located along any minor or major arterial road, excluding Community Redevelopment Overlay Districts, a Type 5 bufferyard shall be required to screen the view of the dwelling units from the street Section 4.663.B.2., Land Development Regulations, Martin County, Fla. (2013). SE Gomez Ave is not a major or minor arterial road but instead classified as a major collector street, therefore a Type 5 buffer is not required. However, a 50 ft. preserve has been provided adjacent to SE Gomez Ave. which will serve as a buffer of existing native vegetation.

Section 4.666.E. Land Development Regulations, Martin County, Fla. (2013) requires that development activity 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. The applicant has submitted Plans to preserve virtually all native vegetation existing on 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.

**However, the following items have been noted and need to be corrected with any future submittals.**

- 1) Landscape Site Data is not consistent with the Final Site Plan. Please review for accuracy and consistency.

- a. Site Plan states the Pervious Right of Way is 27,060 sf. The Landscape Data indicates the Right of Way provides 41,025 sf of landscape area.
  - b. Site Plan states the Common Area is 78,788 sf. The Landscape Data indicates the Common Area provides 100,173 sf of landscape area.
- 2) The Site Plan and Landscape Plan indicate the Lake Upland Transition Zone is 20 ft in width. The Construction Plans indicate the Lake Upland Transition Zone is 15 ft in width. Please revise the construction plans to provide the 20 ft width.
  - 3) Please specify that the *Pinus elliottii* be the variety 'Densa'.

#### ***K. Determination of compliance with transportation requirements - Engineering Services Division***

##### **Findings of Compliance:**

The Traffic Division of the Engineering Department finds this application in compliance.

##### **Compliance with Adequate Public Facilities Ordinance:**

Staff has reviewed the Traffic Statement prepared by Haley Ward Inc. dated July 2023. Haley Ward, Inc. stated that the site's maximum impact was assumed to be 9 directional trips during the PM peak hour. Staff finds that SE Gomez Avenue is the recipient of a majority of the generated trips. The generalized service capacity of SE Gomez Avenue is 750. The project impact is 1.2% of the maximum volume of that roadway. SE Gomez Avenue is currently operating at a level of service "C"; it is anticipated to operate at level of service "C" at buildout (year 2025).

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

#### ***L. Determination of compliance with county surveyor - Engineering Services Division***

##### **Unresolved Issues:**

##### **Item #1: Tidal Water Survey**

Tidal Water Survey must be included with Final Site Plan submittal and cannot be deferred to the plat application.

Any surveyor and mapper undertaking to establish a local tidal datum and to determine the location of the mean high-water line or the mean low-water line shall submit a copy of the results thereof, to the department within 90 days if the same is to be recorded or submitted to any agency of state or local government. Chapter 177.37, Florida Statutes.

1. The Mean High-Water line should be field located within 180 days of submittal.
2. The survey should meet all Tidal Water Survey Guidelines and should include a MHW File No. provided by Florida Department of Environmental Protection.

3. If the survey was recently filed and a MHW File Number has not been assigned, include a copy of the Notice of Tidal Water Survey Filing and a Tidal Water Survey Procedural Approval form.

**Item #2: Right-of-Way Abandonment**

Show right-of-way abandonment recorded in ORB 3261, Page 1394 on the Boundary Survey and all Plans. This must be provided with current application and cannot be deferred.

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

**Unresolved Issues:**

**Division 8: Excavating, Filling, and Mining**

1. Although a dewatering plan was provided, it does not specify how dewatering will occur during the excavation for the lake. (LDR Section 4.343.D).

**Division 9: Stormwater Management**

1. Structure C-17 shows a pipe invert of 4.2-feet NAVD88 on the plan view (for a 24-inch pipe), and a grate elevation of 5.00-feet NAVD88. Additionally, the ICPR model shows an invert of 4.7-feet NAVD88. Revise for consistency and constructability.
2. As previously stated, revise note on proposed retaining wall to state that the wall is to be constructed as part of required infrastructure, that only the structural design is by others. Although a note has been added, the sections and plan view still indicate that the wall is “by others”
3. Sections C/7 and G/7 are inconsistent with the plan view. The location of the perimeter berm is inconsistent on Section G and on Section C, the top of wall is labeled as 9.75-feet NAVD88 (but is shown as 9.5-feet NAVD88 on the plan view).

**Division 19: Roadway Design**

1. As previously stated, all sidewalks must have a minimum width of 6-feet. On the horizontal control plan (sheet C-14) the proposed sidewalk is labeled as a 5-foot wide.
2. Informational: The proposed development is subject to the payment in lieu of construction of the required sidewalk along SE Gomez Road. The applicant shall pay the cost of construction within sixty (60) calendar days of the project approval. The cost of construction is \$25 per linear foot for the total length of property fronting SE Gomez Road.

**Signed and Sealed Construction Plan**

1. Although the Construction Plans label the stormwater conveyance pipes as “SD pipe”, the plans must specify what material is being utilized. Please note, RCP is required under all roadways.
2. As previously stated, provide 10-foot easements over all proposed lot line swales.

3. As previously requested, Revise Final Site Plan and Construction Plans to provide sufficient annotations for the eventual plat, or submit a preliminary plat.

### **Development Order Conditions**

1. Pursuant to Section 4.843.G., Land Development Regulations, Martin County, Florida, in lieu of constructing a sidewalk along SE Gomez Avenue, the Owner shall pay \$26,375, the cost of construction accepted by the County Engineer, as part of the post-approval process in accordance with Section 10.11, Land Development Regulations, Martin County, Florida.

2. The Owner is authorized to haul approximately 6,094 cubic yards of the material from the site. In exchange for this authorization, the Owner is required to pay \$1,279.74, as set forth in the Development Review Fee Schedule, as part of the post-approval process in accordance with Section 10.11, Land Development Regulations, Martin County, Florida.

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

#### **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. (2024).

#### **Electronic File Submittal**

#### **Findings of Compliance:**

Both AutoCAD dwg file of the 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).

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

#### **Water and Wastewater Service**

#### **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”]

Project is currently pending review with SMRU due to change of Engineer of Record.

## Wellfield and Groundwater Protection

### 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

### 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

### Findings of Compliance:

Martin County Emergency Management staff has reviewed the application and finds it in compliance.

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

The Public Works Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements. (2014 FBC, FIFTH EDITION\ACCESSIBILITY)

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

#### Martin County Health Dept.

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

### Findings of Compliance:

A school concurrency letter has been provided. Reference attachment 1.

**THE SCHOOL BOARD OF MARTIN COUNTY, FLORIDA**

*Facilities Department*

District Office, 1939 SE Federal Highway, Stuart, FL 34994 • Telephone (772) 219-1200 ex.30131



**Martin County School District General School Capacity Analysis**

This general analysis is completed to meet the development review policies specified in Section 6.2.6 of the Martin County, City of Stuart, and Martin County School Board Interlocal Agreement for School Facilities Siting and Planning, and Section 17.7 Public School Facilities Element of the Martin County Comprehensive Plan.

**Applicant:** Loblolly North LLC – Morris Crady, 772-220-2100  
**Project Name:** L089-003 The Preserve at Loblolly North PUD zoning & Master Site Plan  
**Parcel # -** PCN: 34-38-42-000-034-00000-0  
**Date:** 09/07/2023  
**Request:** Request for a General School Capacity Analysis for L089-003 The Preserve at Loblolly North PUD zoning, 13-unit community on 51 acres over a 5 year period, located near SE Loblolly Bay Drive.

**Student Generation Calculation:**

Residential Units (5 yrs.)	13
Current Student Generation Rate	.1987
Elementary 61%	2
Middle 22%	.5
High 17%	.5
<b>Total Forecasted Students</b>	<b>3</b>

**School Zone Enrollment & Permanent Capacity:**

Enrollment Numbers below reported from FOCUS, Projections through School District CIP Application

CSA	2022-2023 (as of 2/10/23) Enrollment	2024-2025 COFTE Projected Enrollment	2024-2025 LOS Concurrency Capacity
South Zone –Hobe Sound Elementary School	466	439	828
South Zone –Murray Middle School	616	608	1202
South Zone – South Fork High School	1766	1781	2114

**THE SCHOOL BOARD OF MARTIN COUNTY, FLORIDA**

*Facilities Department*

District Office, 1939 SE Federal Highway, Stuart, FL 34994 • Telephone (772) 219-1200 ex.30131

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**Comments:** This General School Capacity Analysis shall be used in the evaluation of a development proposal but shall not provide a guarantee that the students from the above- referenced project will be assigned to attend the particular school(s) listed. The analysis indicates the elementary, middle and high school enrollment is projected to meet the Concurrency (LOS) Level of Service capacity.

A School Concurrency Review is completed for Final Site Plan applications that include residential units.

Facilities Department  
**Martin County School District**  
1939 SE Federal Highway  
Stuart, Florida 34994  
Ph. 772.219.1200 Ext 30131

***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, Land Development Regulations (LDR's), Martin County Code 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)

Service 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

Roads 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.g, 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 – In Place

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 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.

Item	Description	Requirement
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.	PUD Zoning Agreement	Original and one (1) copy of the executed approved PUD zoning agreement.
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 Master and Final Site Plan	One (1) copy 24" x 36" of the approved master and 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.	Digital Copy of Master/Site Plan	One (1) digital copy of the Master/site plan in AutoCAD drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
10.	Engineers Opinion of Probable Cost	Two (2) originals of the Engineer's Opinion of Probable Cost, 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.
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, LDR, Martin County, Florida.

Item	Description	Requirement
12.	Hauling Fee	The Owner is authorized to haul approximately 6,094 cubic yards of the material from the site. In exchange for this authorization, the Owner is required to pay \$1,279.74, as set forth in the Development Review Fee Schedule, as part of the post-approval process in accordance with Section 10.11, Land Development Regulations, Martin County, Florida.
13.	Informational	Right-of-way Use Permit is required prior to scheduling pre-construction meeting.
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 the Growth Management Department (GMD), prior to the commencement of any construction. An additional review fee will be required for Martin County to verify that the permits are consistent with the approved development order.

**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:	\$13,800.00	\$13,800.00	\$0.00
Inspection Fees:	\$4,000.00		\$4,000.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Impact fees***:	TBD		

\* 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 will be determined at building permit submittal.

**X. General application information**

Applicant: PDG Realty, Inc.  
David R. Giunta, President  
1650 SW Prosperity Way  
Palm City, FL 34990

Agent: Lucido & Associates  
Brian Nolan, Partner  
701 SE Ocean Blvd  
Stuart, FL 34994

Engineer of Record: LaConte Engineering  
William Orazi  
2440 SE Federal Hwy  
Stuart, FL 33455

## ***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***

Attachment 1: 2023\_0907\_L089-003\_School Concurrency Letter