



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

PADDOCK AT PALM CITY PUD PLAT

Applicant:	Finland Capital, LLC
Property Owner:	Finland Capital, LLC
Agent for the Applicant:	Creech Consulting, Inc., Jerry Compton
County Project Coordinator:	Elizabeth (Liz) Nagal, AICP, CNU-A, Development Review Administrator
Growth Management Director:	Paul Schilling
Project Number:	P177-003
Record Number:	DEV2022120008
Report Number:	2024_0501_P177-003_Staff_Report_Final
Application Received:	02/03/2023
Transmitted:	02/08/2023
Date of Staff Report:	03/30/2023
Application Received:	09/07/2023
Transmitted:	09/08/2023
Date of Staff Report:	10/25/2023
Application Received:	03/13/2024
Transmitted:	03/14/2024
Date of Staff Report:	05/01/2024

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B. Project description and analysis

This is a request by Creech Consulting, Inc. on behalf of Finland Capital LLC for approval of the plat of Paddock at Palm City PUD. The plat is to be consistent with the proposed Paddock at Palm City PUD, a residential development consisting of fifty-three (53) townhomes, six (6) duplexes, and one (1) detached single-family dwelling. The site is approximately 8.62-acres located on the southeast corner of CR 714 and SW 30th Avenue in Palm City. Included is a request for a Certificate of Public Facilities Exemption.

The final site plan for Paddock at Palm City is still under review. Pursuant to Division 21, Article 4, Land Development Regulations (LDR), Martin County, Fla. (2017), the Plat must be consistent with the approved final site plan.

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The current review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Liz Nagal	320-3056	Non-Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Liz Nagal	320-3056	Non-Comply
H	Urban Design	Liz Nagal	320-3056	N/A
H	Community Redevelopment	Liz Nagal	320-3056	N/A
I	Property Management	Ellen MacArthur	288-5794	N/A
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjoholm	288-5909	Comply
K	Transportation	Lukas Lambert	221-2300	N/A
L	County Surveyor	Tom Walker	288-5928	Non-Comply
M	Engineering	Stephanie Piche	223-4858	Non-Comply
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	N/A
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	Comply
P	Emergency Management	Sally Waite	219-4942	N/A
Q	ADA	Stephanie Piche	223-4858	N/A
R	Health Department	Nick Clifton	221-4090	N/A
R	School Board	Mark Sechrist	219-1200	N/A
S	County Attorney	Elysse Elder	288-5925	Review Ongoing
T	Adequate Public Facilities	Liz Nagal	320-3056	Exempt

D. Review Board action

This application is for a plat. As such, final action on this request is required to be heard at a public meeting. The public meeting shall be before the Board of County Commissioners (BOCC), who will take final action on the request pursuant to Table 10.5.F.9., LDR, Martin County, Florida (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) and address:

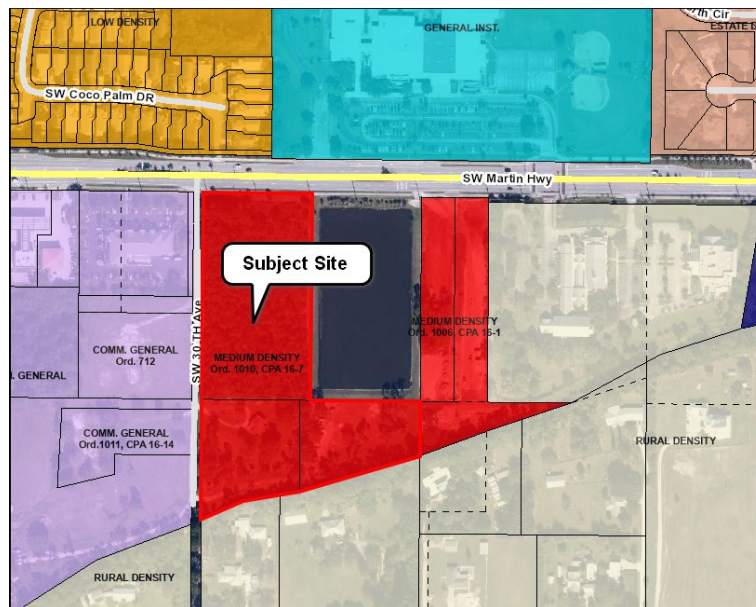
24-38-40-000-013-00012-0
24-38-40-000-013-00000-9
24-38-40-000-004-00010-6

Existing Zoning: RM-8
Proposed Zoning: PUD
Future land use: Medium Density
Total Site Area: 8.62-acres

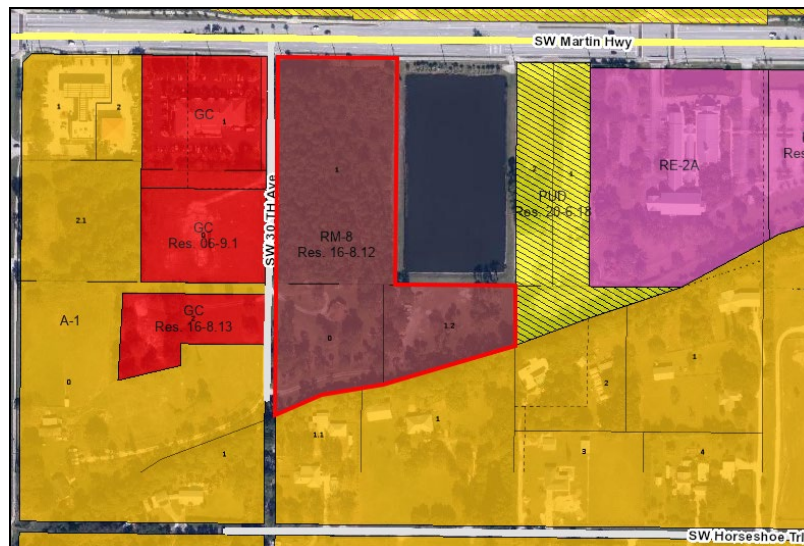
**Figure 1:
Location Map**



**Figure 2:
Subject Property Future Land Use Map**



**Figure 3: Subject Property Current Zoning Atlas
(Concurrent Application Pending Rezoning to PUD)**



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 POLICY 4.1A.1. (2016)

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

Unresolved Items

Item #1

General

1. A development order and completion of post-approval (with signed EOPCs) for the major final site plan is required prior to the scheduling of a public hearing for this plat. This review was reviewed based on the master/final site plan dated 3/4/2024.
2. Please submit a draft contract for construction and draft surety. This will be required prior to scheduling a BOCC hearing.

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

Urban Design

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

Community Redevelopment Agency

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

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

N/A - No dedication of additional right of way is required or proposed by the Applicant pursuant to the Roadway Classifications set forth in Section 4.843.B, Land Development Regulations, Martin County, Fla. [2001] which includes Table 4.19.1 that lists the minimum right of way requirements. Therefore, the Applicant is not required to submit due diligence materials for review by the Martin County Real Property Division.

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.

Landscape

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.

K. Determination of compliance with transportation 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.

L. Determination of compliance with county surveyor - Engineering Department

Unresolved Issues:

Item #1:

A boundary survey, signed and sealed by the surveyor and mapper whose signatures and seals appear on the plat, must be submitted. The survey shall:

1. Have been completed within 180 days of the date of the initial staff review of the plat,
2. Be certified to meet the standards of practice recognized by Florida Board of Professional Land Surveyors, as set forth in Chapter [DOACS 5J-17.050, 051, 052 and Chapter 177.041 061] and established pursuant to Ch 472, F. S., as amended, and
3. Include a title opinion of an attorney or certification by an abstractor.

[Ch 177.041.(1) and (2), F. S.]

A specific purpose survey may be submitted in the circumstance in which a safe upland line is used to approximate the boundary adjacent to a navigable water body.

[Ch. 177.04, Part I, F. S.; Sec. 4.912.C.14, M.C. Code, Vol 2]

Remedy/Suggestion/Clarification:

The geometry along the centerline of Danforth Creek as labeled on the Boundary Survey does not match the Plat.

Item #2:

The plat shall be consistent with an approved final site plan.

Remedy/Suggestion/Clarification:

Please address inconsistencies between the plat and final site plan as shown on the provided markups.

Item #3:

PRM inspection.

Remedy/Suggestion/Clarification:

Please provide a Field Inspection Request for inspection of all PRM's and lot/tract corners as soon as possible. *This can potentially delay the Post Approval process.*

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

Unresolved Issues:

Remove the redundant wording on the Surveyor's notes on note number 7) between the words "located in within an area".

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. (2023).

Electronic File Submittal

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

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater

Findings of Compliance

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds the Plat in compliance with Martin County's requirements for water and wastewater level of service.

Wellfield and Groundwater

Findings of Compliance:

The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR, Article 4, Division 5] (2016)

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

Fire Department

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.

FIRE PROTECTION

All structures, other than detached one and two family residences, which are in excess of 5,000 square feet or two stories or greater in height shall be provided with a sprinkler system installed in accordance with NFPA 13, Standards for Automatic Sprinkler Protection, and NFPA 14, Standards for Standpipes. Compliance with all other provisions of the National Fire Protection Association is required.

Specifically, stabilized roads and hydrant installations shall be completed before issuance of building permits pursuant to NFPA 241. Hydrants shall be located within 500 feet of each residential building. Multi-family units constructed as attached townhouse units which may be individually conveyed as platted lots or condominium units may provide fire sprinkler systems in accordance with NFPA 13D.

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

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

R. Determination of compliance with Martin County Health Department and 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 review for compliance with the standards for a Certificate of Adequate Public Facilities Exemption for development demonstrates that no additional impacts on public facilities were created in accordance with Section 5.32.B., LDR, Martin County, Fla. (2016). Exempted development will be treated as committed development for which the County assures concurrency.

Examples of developments that do not create additional impact on public facilities include:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more;
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan;
- D. **Boundary plats which permit no site development.**

U. Post-approval requirements

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Please submit all of the following items in a single hard copy packet and in electronic pdf format (on disk or flash drive) with the documents arranged in the order shown in the list below. The 24" x 36" plans should be submitted rolled and in separate sets as itemized below.

Item	Description	Requirement
1.	Response to Post Approval Requirements List	The applicant will submit a response memo addressing the items on the Post Approval Requirements List.
2.	Post Approval Fees	The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.
3.	Recording Costs	The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.
4.	Approved Plat	One (1) paper 24" x 36" copy of the approved plat.
5.	Declarations of Covenants and Restrictions	Original executed Declarations of Covenants and Restrictions for the homeowner's association.
6.	Executed Mylar	Original executed plat on Mylar or other plastic, stable material. All names, signatures, stamps, and related data must be inscribed in 'India' ink or similar indelible ink to assure permanent legibility.
7.	Executed Contract of Construction of Required Improvements	Original and one (1) copy of the executed Contract for Construction of Required Improvements including the current County-approved cost estimate labeled Exhibit A and corresponding executed surety labeled as Exhibit B.
8.	Paid Taxes	One (1) copy of Tax Collector's paid property tax receipt.
9.	Digital Copy of Plat	One (1) digital copy of the plat in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

Item	Description	Requirement
10.	Approved Engineers Opinion of Probable Cost	One (1) copy of the approved Engineers Opinion of Probable Cost (EOPC) and, if changed, a revised EOPC with an explanation of its change signed and sealed by the Engineer of Record licensed in the State of Florida.

V. Local, State, and Federal Permits

There are no applicable Local, State and Federal Permits required in conjunction with this plat application.

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:	\$16,600.00	\$16,600.00	\$0.00
Inspection Fees:	N/A		N/A
Advertising fees*:	TBD		
Recording 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.

X. General application information

Owner: Finland Capital, LLC
 Oleg Dyatkevich
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 Boca Raton, FL 33431

Applicant: Finland Capital, LLC
 Oleg Dyatkevich
 6363 NW 38th Circle
 Boca Raton, FL 33431

Agent: Creech Consulting, Jerry Compton
 PO Box 327
 Stuart, FL 34995

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
Plat and Site Plan Redlines**