



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. *Application Information*

RIVERLIGHT (fka Riverside) MAJOR MASTER SITE PLAN

Applicant	New Urban Towns, LLC, Michael Ricciardi
Owner:	Out of Control in Florida, LLC, Robert D Greene
Agent for the Applicant:	Marcela Cambolor and Associates, Marcela Cambolor-Cutsaimanis
County Project Coordinator:	Elizabeth (Liz) Nagal, AICP, CNU-A, Development Review Administrator
Growth Management Director:	Paul Schilling
Project Number:	R115-002
Record Number:	DEV2022090009
Report Number:	2024_0408_R115-002_Staff_Report_Final
Application Received:	10/27/2022
Transmitted:	10/31/2022
Staff Report:	12/12/2022
Application Received:	05/19/2023
Transmitted:	05/22/2023
Staff Report:	07/31/2023
Application Received:	12/06/2023
Transmitted:	12/08/2023
Staff Report:	01/16/2024
Application Received:	03/08/2024
Transmitted:	03/12/2024
Staff Report:	04/08/2024

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B. Project description and analysis

This is a request by Marcela Cambolor & Associates, Inc on behalf of New Urban Towns, LLC for a major master site plan approval for a mixed-use development consisting of 76 multi-family and single-family dwelling units, accessory dwelling units, a 9-room hotel, 4,500 sf of retail, and an approximately 7,600-sf restaurant, and associated infrastructure on an approximately 8.4-acre site (5.5-acres of non-submerged lands). The residential density is 13.82 du/ac and the hotel density is 9.57 units/acre on the Waterfront subdistrict property. The partially undeveloped property is in the General and Waterfront subdistricts of the Jensen Beach Community Redevelopment Agency (CRA) area. Approximately 2.9 acres of the site is east of NE Indian River Drive adjacent to the Indian River waterway and approximately 4.8 acres of the site is situated between NE Indian River Drive extending west to NE Pineapple Avenue, approximately 300 feet north of NE Church Street. Included is a request for Deferral of Public Facilities Reservation.

The future land use of the property is CRA Center west of NE Indian River Drive and Marine Waterfront Commercial east of NE Indian River Drive. Per Policy 18.4E.2, Chapter 18 of the Martin County Growth Management Plan, a site plan proposed on land that has two or more future land use designations may distribute the residential density without regard to the boundary of the future land use designations. The blending of permitted densities shall not allow more residential units to be approved than the maximum gross densities allowed by the individual future land use designations. The maximum density cannot exceed 15 dwelling units per acre. Within the Waterfront subdistrict, development may contain residential uses when other uses in a mixed-use development are water-dependent or water-related. Article 12, Division 1, Section 12.1.04.16 and 12.1.04.17 include requirements for development within the Shoreline Protection Zone.

Included within the application is improvements to both NE Indian River Drive and NE Pineapple Avenue. The project is within the Primary Urban Service Boundary and water and wastewater will be reviewed at time of 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
G	Development Review	Liz Nagal	320-3056	Non-Comply
H	Urban Design	Liz Nagal	320-3056	N/A
H	Community Redevelopment	Jana Cox	288-5461	Comply
I	Property Management	Ellen Macarthur	288-1334	Non-Comply
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjöholm	288-5909	N/A
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Tom Walker	288-5928	Non-Comply

M	Engineering	Stephanie Piche	223-4858	Non-Comply
N	Addressing	Emily Kohler	288-5692	Non-Comply
N	Electronic File Submission	Emily Kohler	288-5692	Comply
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	285-2298	Comply
Q	ADA	Stephanie Piche	223-4858	N/A
R	Health Department	Nick Clifton	221-4090	N/A
R	School Board	Mark Sechrist	223-3105	Comply
S	County Attorney	Elysse Elder	288-5925	Review Ongoing
T	Adequate Public Facilities	Liz Nagal	320-3056	Review Pending

D. Review Board action

This application meets the threshold requirements for processing as a major development. As such, a review of this application is required by the Local Planning Agency (LPA) and final action by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be public hearings.

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(s) and address: 223741000000000705
 223741000000000607
 No Address

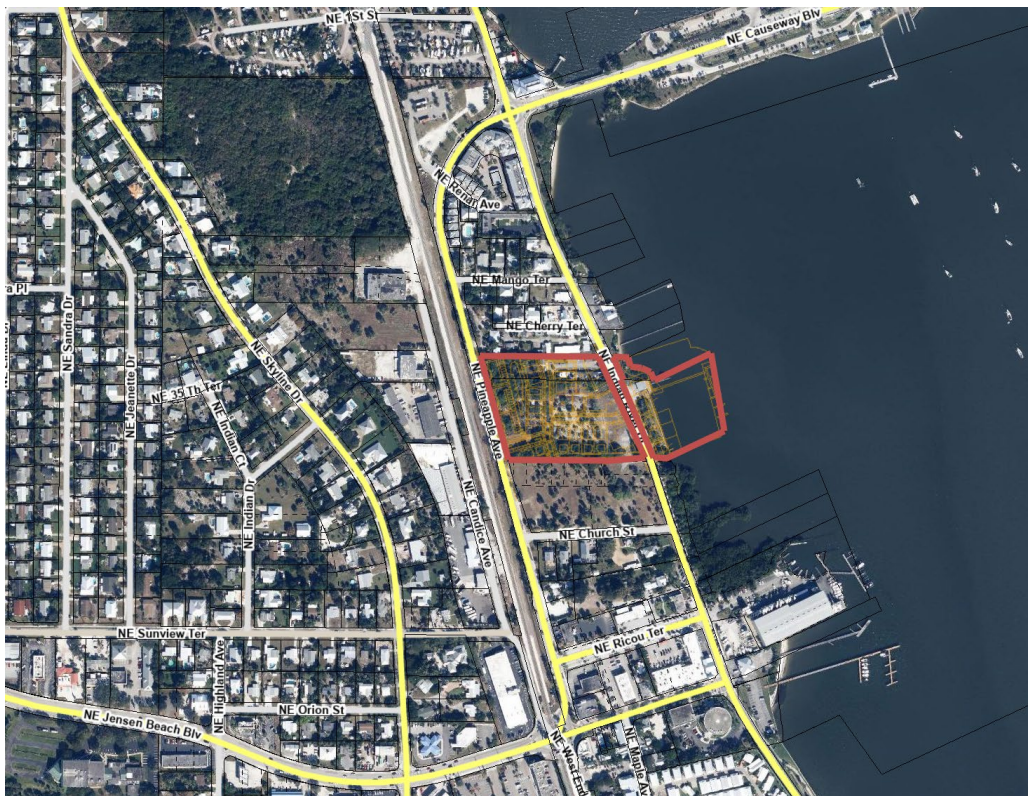
Existing Zoning: Jensen Beach Redevelopment District

CRA Subdistrict: General and Waterfront

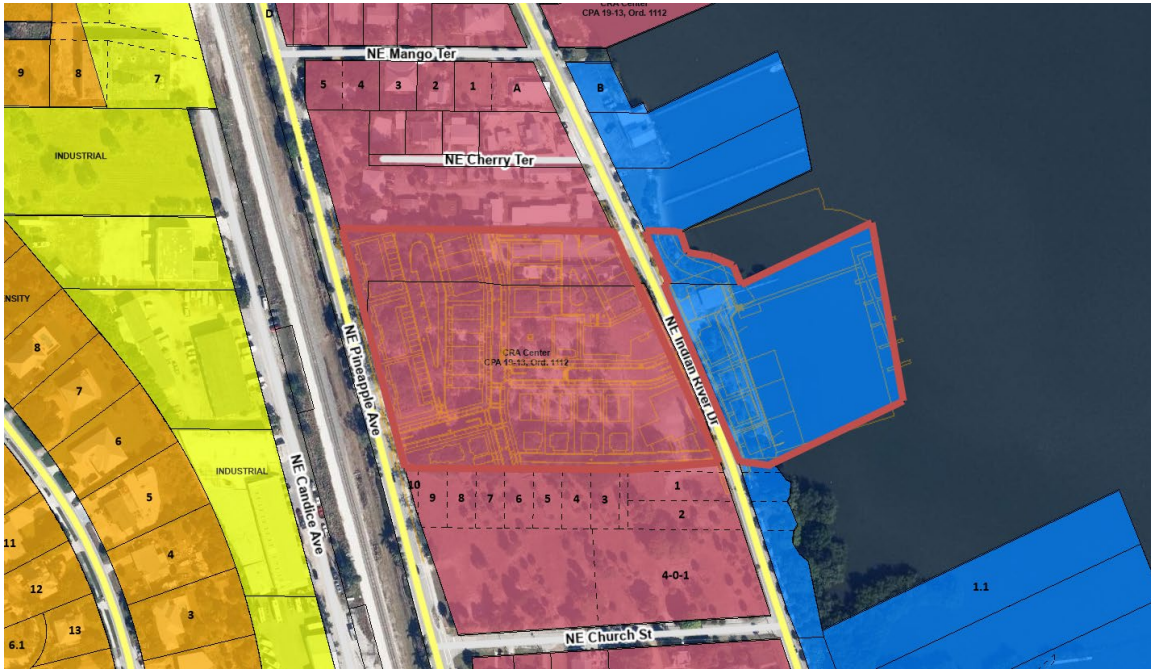
Future land use: CRA Center and Marine Waterfront Commercial

Gross area of site: 8.4 acres
 (without submerged lands) 5.5 acres

**Figure 1:
Location Maps**



**Figure 2:
Future Land Use Map**



**Figure 3:
CRA Subdistrict**



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:

Data Tables

1. Add line for hotel use in proposed uses.
2. Parking data: The breakdown of SF for retail and restaurant interior does not match the breakdown under proposed uses. There are 12 ADUs, but 22 are listed. The building in the waterfront is applying the hotel/motel density of 20 du/ac. The required parking rate for hotel is 1 space per unit. Please confirm total required based on these comments.
3. The building coverage for the inn will need to be confirmed at time of final site plan approval. 50% maximum is permitted.
4. Apartment 6 building data: The table lists 80' width, the dimension on the plan is 90'.
5. Required build out frontage for MU-1 and MU-2 are 80%. MU-3 is correct
6. MU-1 – lot dimension is 70', front dimension not labeled but appear to be same as rear. Table lists 74'.
7. Provided build to zone for cottage 1-5 appears to be 5', and 8' for cottage 7-11, 5' for cottage 6 and 5' for cottage 12, as measured to the porch.
8. The rear setback for cottage 6 is 5', the table lists 10'.
9. The proposed front build to zone for the townhomes appear to be 0'-1/2'. Update in table.
10. Informational: The lot lines for MU-1 and MU-2 are challenging to see, but can be further clarified at time of final site plan submittal. For MU-2, it is unclear if the side at street setback is 5' as listed in proposed BTZ column or 0' as listed in the side setback column. This would be a side at street setback, but appears that the actual building placement is at 0'.

Item #2:

Alternative Compliance

1. A revised alternative compliance statement was not provided. Please provide.

Informational

1. Note for final site plan landscape submittal: Structural or vegetative shading shall be provided along pedestrian ways at intervals of no greater than 70 feet. This generally includes internal pedestrian pathways. Requirements along existing or proposed street sidewalks may be greater. Please plan ahead for sufficient tree locations.
2. With Final Site Plan, include detail of fences, benches, and vertical element.
3. As pitched roofs are proposed, it indicates that all AC compressors will be ground mounted. Consider a mansard roof type that still gives appearance of pitched roof but is able to accommodate AC compressors. AC compressors are not permitted between a building and a street. Please plan ahead for these locations. MARTIN COUNTY, LDR, ARTICLE 12, DIVISION 1, §12.1.04.7.d

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

Commercial Design

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

Community Redevelopment Area

Architectural plans to be reviewed with final site plan.

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

Per Engineering, provide a right-of-way dedication or easement to accommodate the proposed public improvements along NE Indian River Drive (north of the existing 80-foot right-of-way).

As shown, there are sidewalks on the east and west side of NE Indian River Drive that are not within the limits of the existing right-of-way.

The applicant has indicated in the March 8, 2024 letter that all due diligence will be submitted during the final site plan review process. Any proposed dedications or easements must be detailed on the Master Site Plan.

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 shoreline protection zone detail plan shows the proposed development for this CRA project meets the criteria in Section 12.1.04 of the Land Development Regulations. An area for a living shoreline is also shown on the master plan where details will be worked out with final site plan approval.

Landscaping

Not Applicable

The Growth Management Department staff has reviewed the application. No landscape plans are being reviewed in association with this application for Major Master Site Plan.

Section 4.661.B, Land Development Regulations, Martin County, FL. [2013] requires landscape compliance prior to receiving a certificate of occupancy. Certificates of occupancy are not given at the Master Plan phase. Landscape plans will be submitted and reviewed at time of Final Site Plan Review.

Informational: It does not appear that sufficient area is provided on the Master Site Plan to demonstrate compliance with the applicable land development regulations for landscaping related to Perimeter Landscaping and Streetscape Plantings. This may require modifications to the Master Site Plan at time of Final Site Plan.

K. Determination of compliance with transportation requirements - Engineering Department

CRA's are designated Transportation Concurrency Exception Areas (TCEA). Development within the TCEAs shall be exempt from the County's transportation concurrency requirement. [Martin County Comprehensive Growth Management Plan, Policy 18.4D.1. (2018)]

L. Determination of compliance with county surveyor - Engineering Department

Unresolved Issues:

Item #1:

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.

The survey should meet all Tidal Water Survey Guidelines and should include a MHW File No. provided by FDEP.

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

Item #2:

Clearly label the Grant Of Easements Intracoastal Waterway recorded in Deed Book 12, Page 102 on the survey including geometry and limits.

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

Unresolved Items:

1. As previously stated, both the ownership and maintenance responsibility of all the roads shall be clearly identified on the Master Site Plan. If roadways are to be publicly owned and maintained, clearly show the limits (including annotations) of the proposed rights-of-ways. Please note, all alleys and parking areas shall be privately owned/maintained. Additionally, if certain elements (landscaping, lighting, and furnishings) are to be maintained by the applicant, provide a detailed note regarding the required maintenance agreement on the Master Site Plan.
2. As previously stated, hatching for pavers is not shown in the legend, it appears that the applicant is proposing pavers within the right-of-way. Provide clarification. Please note, pavers will not be permitted in any publicly owned or maintained roadways.
3. As previously stated, the pre-development discharge rate is significantly higher than historical discharge rates in Martin County and the permitted projects in the vicinity. Historical rates are around 0.30 cfs per acre. Although the response to comments indicates that this comment was noted, a revised stormwater management report was not submitted for review.
4. **Informational: It does not appear that sufficient area is provided on the Master Site Plan for stormwater attenuation, which may require modifications to the Master Site Plan at time of Final Site Plan.**

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

Addressing

Unresolved Issues:

The round 4 staff report states that the master plan includes updated street names for each comment from the previous round of review. But the round 4 master plan still shows the old names.

Previous Comments:

#2 Please choose a name other than anything using the name Beacon for NE Beacon Alley. Beacon is the name for the main two streets within the Beacon 21 subdivision. The addition of another street in the NE quadrant using the name Beacon may cause issues for life safety.

#3 Please choose a name other than anything using the name Luna for NE Luna Alley. Luna is already in use in the Moon River subdivision. The addition of another street in the NE quadrant using the name Luna may cause issues for life safety.

Electronic Files

Findings of Compliance:

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2022)

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater Service

Findings of Compliance:

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds it in compliance with Martin County's requirements for water and wastewater level of service. [Martin County, Fla., LDR, Article 4, Division 6 and 7, (2016)]

Wellfield and Groundwater 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

Fire hydrant and fire sprinkler requirements for commercial and multi-family units will need to be included in the construction plans.

Emergency Management

Full review will be at time of final site plan submittal. See <https://www.martin.fl.us/resources/hurricane-zone-evacuation-requirements>

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

ADA

N/A

No construction is being proposed as part of this application; therefore, staff review for compliance requirements associated with this area of regulations is not applicable.

It is recommended that the applicant incorporate the recommendations for public right of way accessibility as out lined in the proposed Public Rights-of-Way Accessibility Guidelines published by the U.S. Access Board into the Master Site Plan.

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

Martin County Health Department

N/A

Martin County School Board

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/Project: Out of Control in Florida, LLC – Michael Ricciardi 518-857-0099

Project Name: Riverside

Parcel # - 223741000000000607, 223741000000000705

Date: 12/09/2022

Request: Request for a General School Capacity Analysis for PUD 85 unit community on 8.364 acres, located on Indian River Dr North of NE Church St.

Student Generation Calculation:

Residential Units	85
Current Student Generation Rate	.1987
Elementary	7
Middle	4
High	5
Total Forecasted	16

School Zone Enrollment & Permanent Capacity:

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

CSA	2022-2023 (as of 10/31/2022) Enrollment	2024-2025 COFTE Projected Enrollment	2024-2025 LOS Concurrency Capacity
North Zone – Elementary (Felix A. Williams, Jensen Beach El)	1093	998	1603
Stuart Zone – Middle (Stuart)	861	904	1335
North Zone – High School (Jensen Beach High)	1577	1538	1914

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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.

Prepared by:
Leslie A. Daly
Facilities Administrative Assistant
772-219-1200 Ext. 30131
dalyl@martinschools.org

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 5.7.D of the Adequate Public Facilities LDR for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities service provider – Martin County Utilities

Findings –Determined at Final Site Plan Approval

Source – Utilities Department

Reference - see Section O of this staff report

Sanitary sewer facilities service provider – Martin County Utilities

Findings –Determined at Final Site Plan Approval

Source - Utilities Department

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 Department

Reference - see Section N of this staff report

Community park facilities

Findings – Positive Evaluation

Source - Growth Management Department

Roads facilities

Findings – Pending Evaluation

Source - Engineering Department

Reference - see Section M of this staff report

Mass transit facilities

Findings – Positive Evaluation

Source - Engineering Department

Reference - see Section L of this staff report

Public safety facilities

Findings – In place

Source - Growth Management Department

Reference - see Section P of this staff report

A timetable for completion consistent with the valid duration of the development is to be included in the Certificate of Public Facilities Reservation. The development encompassed by Reservation Certificate must be completed within the timetable specified for the type of development.

U. Post-approval requirements

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

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

Item	Description	Requirement
1.	Response to Post Approval Requirements List	The applicant will submit a response memo addressing the items on the Post Approval Requirements List.
2.	Post Approval Fees	The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.
3.	Recording Costs	The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.
4.	Warranty Deed	One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.

Item	Description	Requirement
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.
7.	Approved Master Site Plan	One (1) copy 24" x 36" of the approved revised master site plan.
8.	Digital Copy of Master Plan	One (1) digital copy of the master plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the master plan must match the hardcopy version as submitted.
9.	Flash/Thumb Drive	One (1) blank flash/ thumb drive for digital file recording.

V. Local, State, and Federal Permits

There are no applicable Local, State and Federal Permits required in conjunction with this master plan 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:	\$12,000.00	\$12,000.00	\$0.00
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.

*** Required at building permit

X. General application information

Owner: Out of Control in Florida, LLC, Robert D Greene
 2000 NE Jensen Beach Boulevard
 Jensen Beach, FL 34957

Applicant: New Urban Towns, LLC
 Michael Ricciardi
 2180 West First Street, Suite 302
 Fort Myers, FL 33901

Agent: Marcela Cambor & Associates, Inc., Deanna Freeman
47 W Osceola Street #203
Stuart, FL 34994
marcela@marcelacambor.com, 772 708 1108

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