



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

SOUTH FLORIDA GATEWAY PUD **2nd PUD AMENDMENT INCLUDING A REVISED MASTER** **PLAN**

Applicant:	South Florida Gateway Industrial LLC (Jim Harvey)
Property Owner:	South Florida Gateway Industrial LLC
Agent for Applicant:	Lucido and Associates, Morris A. Crady, AICP
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	S265-015
Record Number:	DEV2023050007
Report Number:	2024_0305_S265-015_DRT_STAFF_FINAL
Application Received:	06/15/2023
Transmitted:	06/20/2023
Date of Report:	08/28/2023
Application Received:	09/13/2023
Transmitted:	09/15/2023
Date of Report:	03/05/2024

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B. Project description and analysis

This is a request by Lucido & Associates, on behalf of South Florida Gateway Industrial LLC, for a Second Amendment to the South Florida Gateway Planned Unit Development (PUD) including a Revised Master Site Plan to add 32.26 acres to the existing 184-acre industrial warehouse and distribution PUD. The subject 32.26-acre property is located immediately north of and adjacent to the South Florida Gateway PUD. The PUD is located west of SW Kanner Highway, approximately 0.6 miles south of the intersection of SW Kanner Highway and SW 96th Street, in Stuart. Included is a Deferral of Public Facilities Reservation.

C. Staff recommendation

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

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan Review	Brian Elam	772-288-5501	Non-Comply
F	ARDP Review	Samantha Lovelady	772-288-5664	N/A
G	Site Design Review	Brian Elam	772-288-5501	Non-Comply
H	Commercial Design Review	Brian Elam	772-288-5501	N/A
H	Community Redevelopment Review	Brian Elam	772-288-5501	N/A
I	Property Management Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Shawn McCarthy	772-288-5508	Comply
J	Landscaping Review	Karen Sjöholm	772-288-5909	Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Non-Comply
L	County Surveyor Review	Tom Walker	772-288-5928	N/A
M	Engineering Review	Stephanie Piche	772-223-4858	Non-Comply
N	Addressing Review	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5692	Comply
O	Water and Wastewater Review	James Christ	772-320-3034	Non-Comply
O	Wellfields Review	James Christ	772-320-3034	Non-Comply
P	Fire Prevention Review	Doug Killane	772-419-5396	Comply
P	Emergency Management Review	Sally Waite	772-219-4942	N/A
Q	ADA Review	Stephanie Piche	772-223-4858	N/A
R	Health Department Review	Nicholas Clifton	772-221-4090	N/A
R	School Board Review	Juan Lameda	772-219-1200	N/A
S	County Attorney Review	Elysse A. Elder	772-288-5925	Ongoing
T	Adequate Public Facilities Review	Brian Elam	772-288-5501	Pending

D. Review Board action

An application for a PUD Amendment and Revised Master Site Plan Zoning meets the threshold criteria for processing as a major development, pursuant to Table 10.2.C.1., LDR, Martin County, Florida. As such, final action on this request will be taken by the Board of County Commissioners (BCC) in a public hearing pursuant to MARTIN COUNTY, FLA., LDR, §10.5.F.9 (2023).

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: 133940000007000000

Gross area of parcel: 32.26 acres

Address/Location: The subject 32.26-acre property is located immediately north of and adjacent to the South Florida Gateway PUD. The PUD is located west of SW Kanner Highway, approximately 0.6 miles south of the intersection of SW Kanner Highway and SW 96th Street, in Stuart.

Nearest major road: SW Kanner Highway

Zoning: PUD

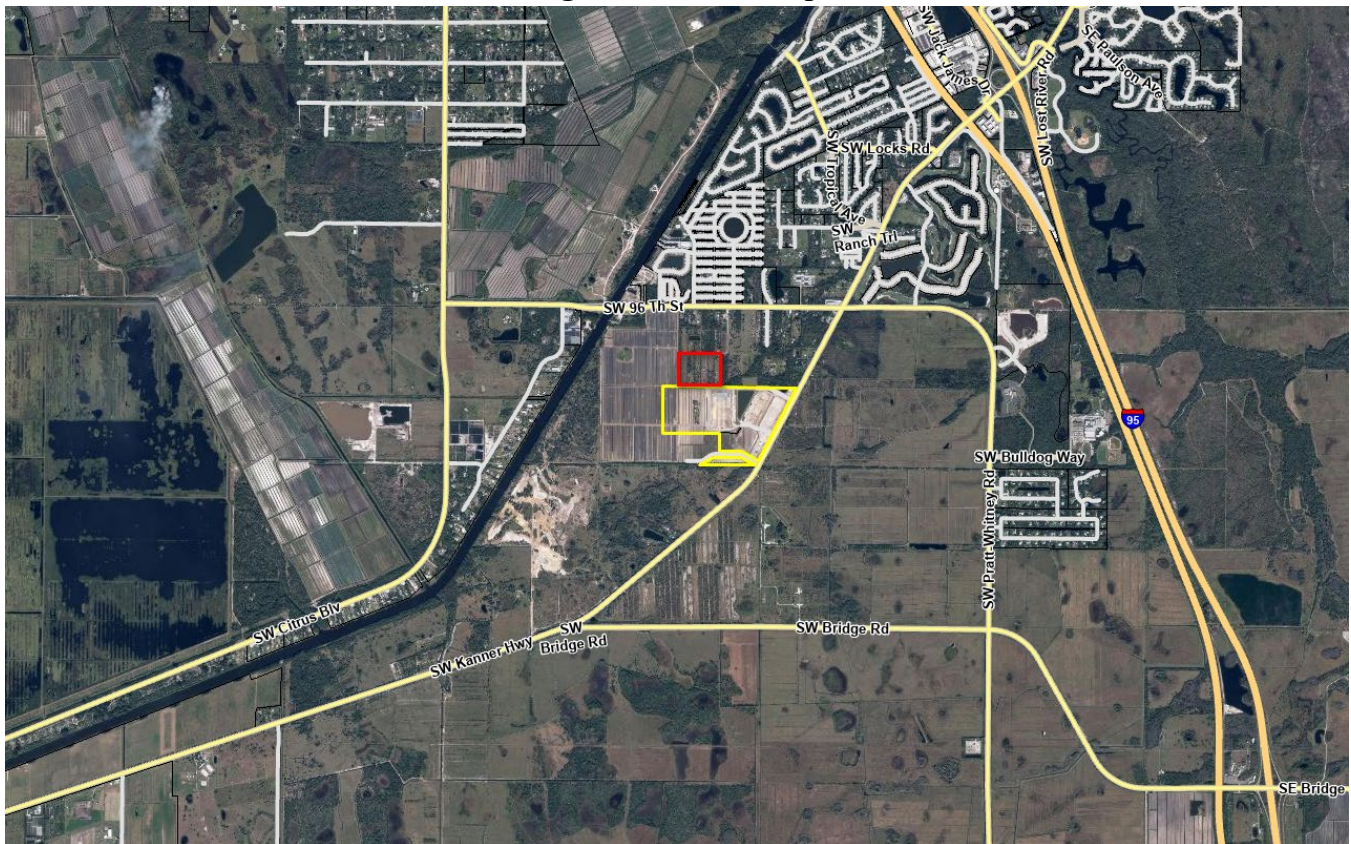
Future Land Use: Industrial

Existing PUD Size (1st PUD Amendment): 184 acres

Additional Parcel Size: 32.26 acres

Proposed PUD Size (2nd PUD Amendment): 216.26 acres

Figure 1: Aerial Map



To the North: Agricultural Land

To the South: South Florida Gateway PUD

To the East: Roebuck Creek (300 feet)

To the West: Agricultural Land

Figure 2: Location Map

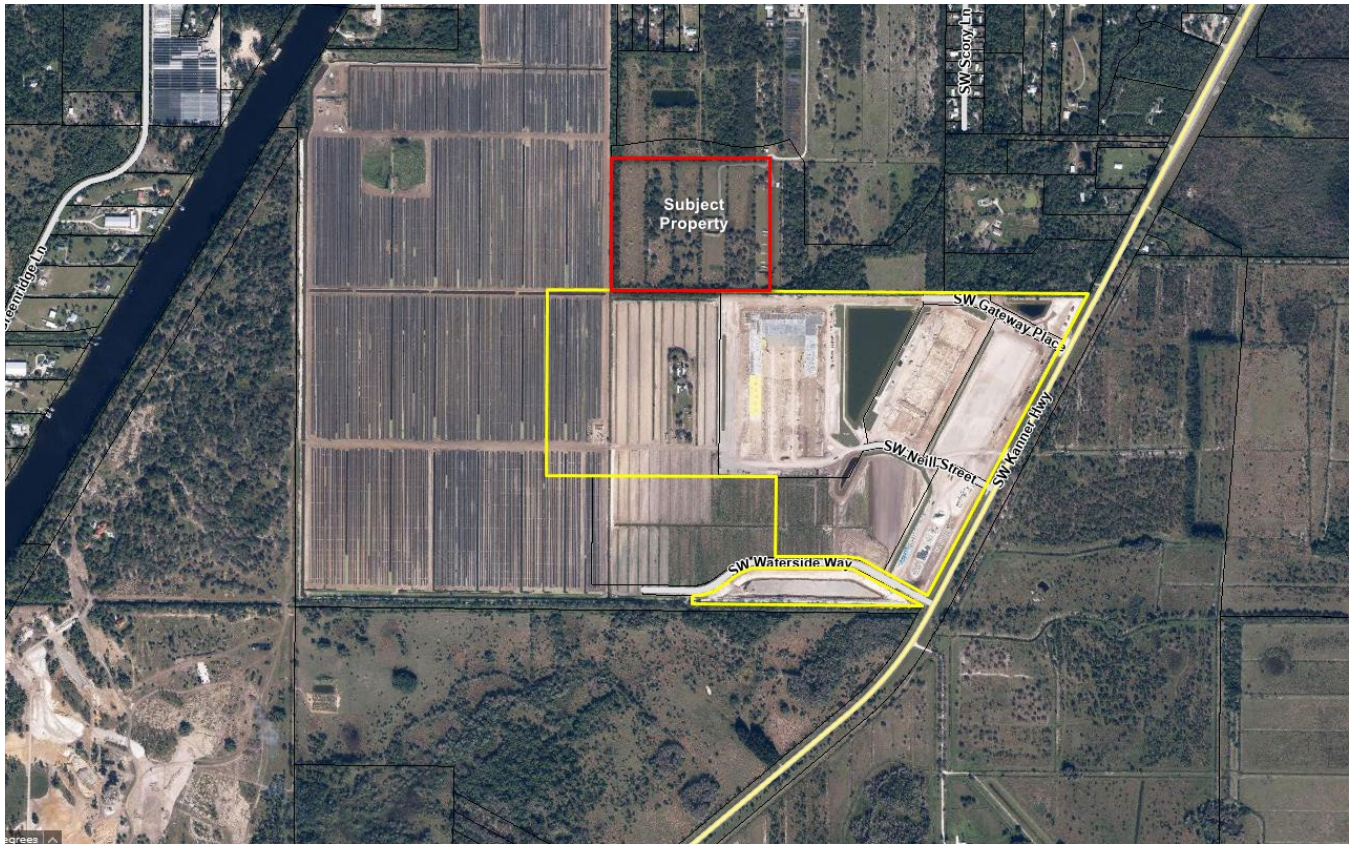
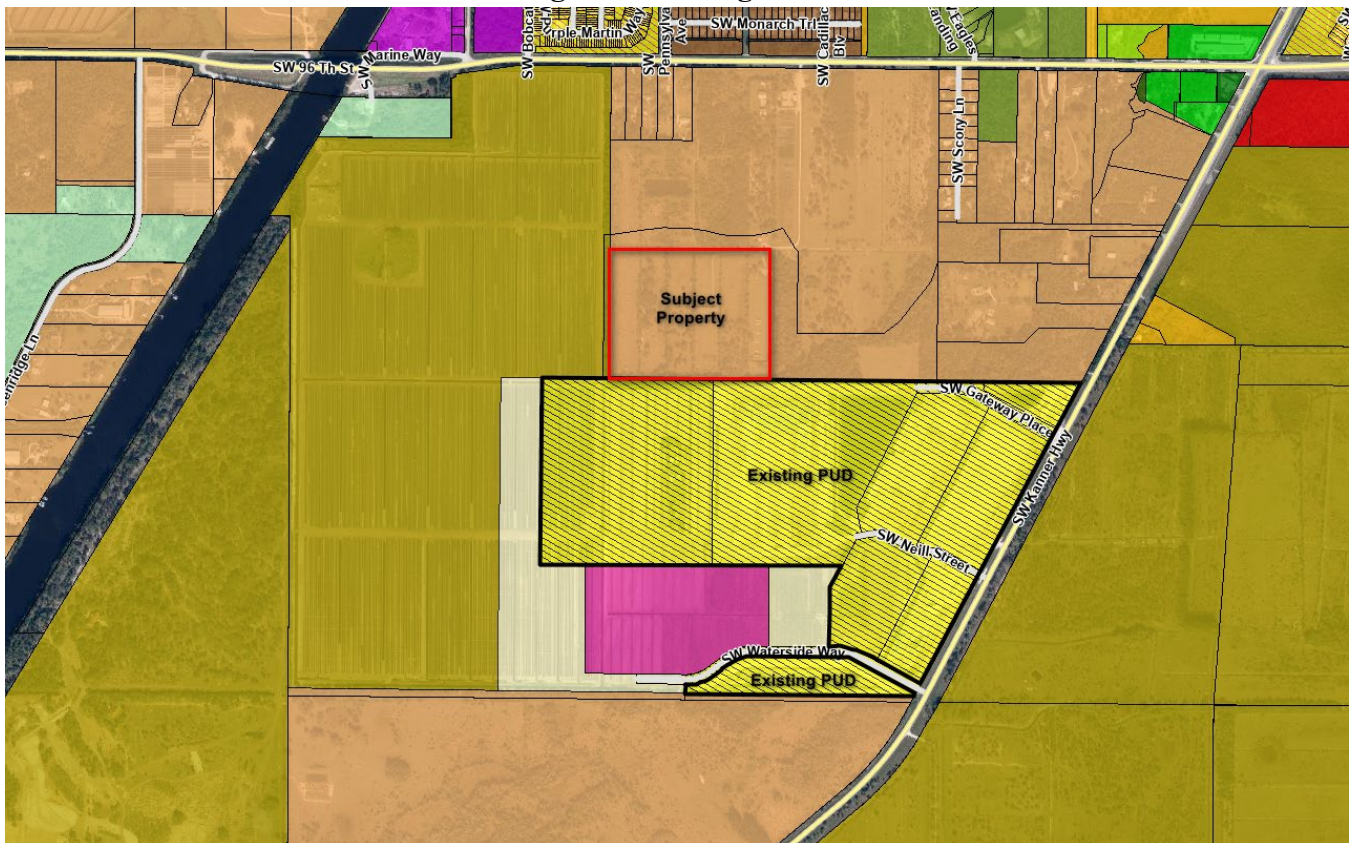
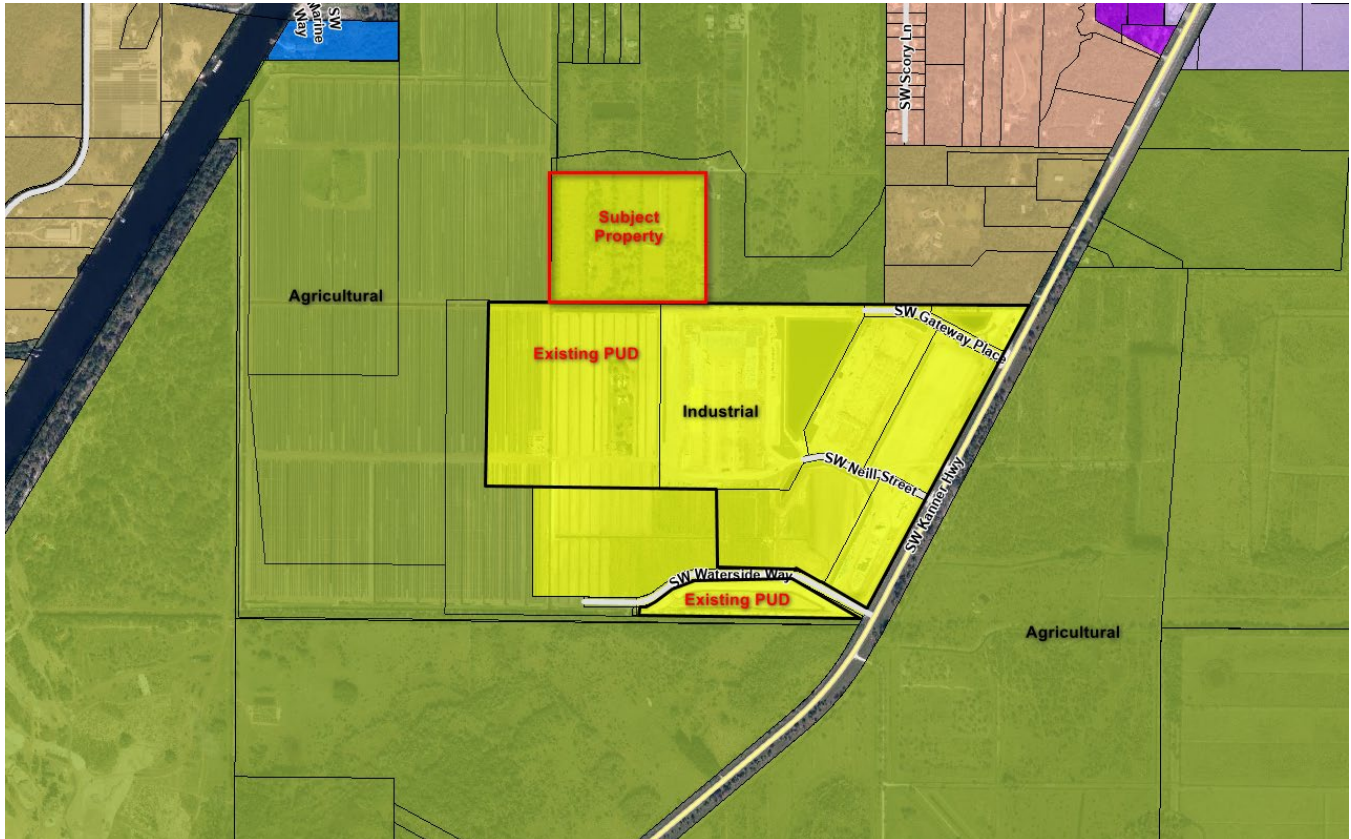


Figure 3: Zoning Atlas



- To the North:** A-2, Agricultural
- To the South:** A-2 and AG-20A, Agricultural, PUD, (GI) General Industrial
- To the East:** A-2, Agricultural, ROW – South West Kanner Highway
- To the West:** AG-20A, Agricultural, (GI) General Industrial

Figure 4: Future Land Use Map



- To the North:** Agricultural and Agricultural Ranchette
- To the South:** Industrial and Agricultural
- To the East:** Agricultural and ROW
- To the West:** Agricultural

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

Unresolved Issues:

This application cannot be deemed to be in compliance with the Martin County Comprehensive Growth Management Plan (CGMP) until the issues identified in this report have been satisfactorily resolved.
Martin County, Fla., CGMP, § 1.3

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

Unresolved Issues:

Item #1.

MASTER SITE PLAN

1. Revise the primary urban services district line to reflect what is in place.
2. Title Block should read “Revised Master Site Plan”.
3. There is a redundant note regarding adding IND-3 to the PUD.
4. Please update PCNs as necessary or remove from data.

Item #2.

GENERAL

1. Please confirm legal description is correct and provide legal description for full master plan area.
2. Confirm application ownership documents are updated and correct including PUD Agreement.
3. Please update PUD Agreement to be consistent with revised master plan conditions including number of development lots.
4. Provide updated narrative and application documents to reflect current conditions.

Information #1:

Once the application has been determined to comply by the development review team staff, the project will be scheduled for the next LPA and BCC meetings, dependent upon the County's scheduling policy. For the LPA and BCC meetings, additional copies of the site plan(s) will be requested for the distribution packets from the applicant. MARTIN COUNTY, FLA., LDR SECTION 10.10.A.1. (2019)

Information #2:

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 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 urban design and community redevelopment requirements – Community Redevelopment 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

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.

Landscaping

Findings of Compliance

The Growth Management Department staff has reviewed the application and finds it in compliance with the applicable land development regulations regarding landscaping.

This project is a comply for landscaping. No landscape plans are being reviewed in association with this application for Revised Zoning and Masterplan. 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 Zoning and Master Plan phase. Landscape plans will be submitted and reviewed at time of Final Site Plan Review. It appears that areas provided on the Master Plan will provide for required landscape areas.

K. Determination of compliance with transportation requirements – Engineering Department

Unresolved Issues:

Item #1.

Applications for a Master combined with a Final Site Plan should evaluate traffic conditions 7 years from anticipated Board approval date; update to 2031.

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). [Martin County, Fla., LDR Article 5, Division 3, Section 5.63.A (2009)] Shopping Center (40-150k) - ITE Land Use 821 is applicable for the proposed development.

Item #3.

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

1. 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. If no links are impacted at the two percent or greater level, the analysis will consider the first directly accessed road on the major road network. [Martin County, Fla., LDR Article 5, Division 3, Section 5.64.C.5 (2009)]

Consider SW Kanner Hwy (Project Access/Waterside Way to CR-711/CR-76A) – GSC = 880 due to signalization.

L. Determination of compliance with county surveyor – Engineering Department

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

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

Unresolved Issues:

Item #1.

Division 9: Stormwater Management

2. Provide a discussion within the narrative regarding perimeter conditions along each side and justifying the presence or absence of off-site flows
3. Include the design certification language in the stormwater report per LDR Section 4.384.A.2.
4. The proposed pre-development runoff rate for IND-4 is significantly higher than historical allowable rates in Martin County and the permitted projects in the vicinity. Revise accordingly.
5. Demonstrate how the removal of 17 cfs (0.121 cfs/ac) previously discharging into Roebuck Creek (per SFWMD permit 43-00398-S) from IND-3 does not adversely affect the hydrology of the creek.
6. The total site acreage and impervious area breakdown are inconsistent among the stormwater report, drainage map, and master site plan. Revise for consistency.
7. Demonstrate that half of the treatment volume recovers between 24 hours and five days and that 90 percent of 25-year 72-hour day runoff volume recovers in 12 days. (LDR Section 4.385.F.4)

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

Findings of Compliance:

Both AutoCAD dwg file of the revised master 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:

PUD CONDITIONS:

Special Conditions and Exhibit “F” must be expanded to include all the irrigation sources and water sources for the project. All areas of the project must be considered in the condition. Please clarify the potable & irrigation plans for the entire project in the Exhibit "F" conditions.

This development application is in noncompliance with Martin County’s water and wastewater requirements.

Wellfield and Groundwater Protection

Unresolved Issues:

The project is located within a Wellfield Protection Zone 2 and will be required to comply with the Wellfield Protection Ordinance.

The source of irrigation has not been indicated in the submittal. 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]

The development application is in noncompliance with the requirements of the Wellfield and Groundwater Protection ordinances.

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

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

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

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 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 - Martin County

Findings - pending

Source – Martin County Utilities

Reference - see Section O of this staff report

Sanitary sewer facilities (Section 5.32.D.3.b, LDR)

Sewer provider - Martin County

Findings - pending

Source – Martin County Utilities

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

Source - Engineering Services Department
Reference - see Section M of this staff report

Community park facilities (Section 5.32.D.3.e, LDR)
Findings - in place
Source - Growth Management Department

Road facilities (Section 5.32.D.3.f, LDR)
Findings - pending
Source – Engineering Services Department
Reference - see Section M of this staff report

Mass transit facilities (Section 5.32.D.3.g, LDR)
Findings - pending
Source - Engineering Services Department
Reference - see section L 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 - in place
Source - Growth Management Department
Reference - see Section R of this staff report

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

U. Post-approval requirements

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

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

Item	Description	Requirement
1.	Response to Post Approval Requirements List	The applicant will submit a response memo addressing the items on the Post Approval Requirements List.
2.	Post Approval Fees	The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.
3.	Recording Costs	The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.
4.	Warranty Deed	One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.
5.	Approved Master Site Plan	One (1) copy 24" x 36" of the approved master site plan.
6.	Digital Copy of Master Site Plan	One (1) digital copy of the master site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
7.	Engineer's Design Certification	Original of the Engineer's Design Certification, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.
8.	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.
9.	PUD Zoning Agreement	Original and one (1) copy of the executed approved PUD zoning agreement.
10.	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:	\$13,800	\$13,800	\$0.00
Inspection fees:	\$4,000		\$4,000
Advertising fees *:			
Recording fees **::			
Impact fees***:	N/A		

* 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 are required at building permit.

X. General application information

Applicant: South Florida Gateway Industrial LLC
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Owner: South Florida Gateway Industrial LLC
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jharvey@kolter.com

Agent: Lucido & Associates
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Engineer of Record: Kimley-Horn
Jordan Haggerty
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Delray Beach, Florida 33455
727-209-0436
jordanhaggerty@kimley-horn.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