



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

NNA EAST MINOR FINAL SITE PLAN

Applicant:	NNA Kansas, LLC (Charles R. Modica)
Property Owner:	NNA Kansas, LLC
Agent for Applicant:	Cotleur & Hearing (George Missimer)
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	T113-007
Record Number:	DEV2022090013
Report Number:	2024_1018_T113-007_DRT_STAFF_FINAL
Application Received:	10/31/2022
Transmitted:	11/02/2022
Date of Report:	04/24/2023
Application Received:	03/02/2023
Transmitted:	03/06/2023
Date of Report:	04/24/2023
Application Received:	07/14/2023
Transmitted:	07/17/2023
Date of Report:	12/15/2023
Application Received:	05/28/2024
Transmitted:	05/31/2024
Date of Report:	07/15/2024
Application Received:	08/23/2024
Transmitted:	08/28/2024
Date of Report:	10/18/2024

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B. Project description and analysis

This is a request by Cotleur & Hearing on behalf of NNA Kansas, LLC for approval of a minor final site plan to construct an approximately 60,000 square foot warehouse building and associated infrastructure

on an approximately 13.7-acre parcel of undeveloped land. The property is located east of SW Kansas Avenue, approximately 0.17-miles south of the intersection of SW Kanner Highway and SW Jack James Drive, due south of 8211 SW Kansas Avenue in Stuart. Included is a request for a Certificate of Public Facilities Reservation.

The future land use designation for the subject property is Industrial with a LI, Limited Industrial zoning designation. A single access is proposed at the southern corner of the property from SW Kansas Avenue.

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	Comply
H	Commercial Design Review	Brian Elam	772-288-5501	Comply
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	Lindy Cerar	772-320-3055	Comply
K	Transportation Review	Michael Grzelka	772-223-7945	Comply
L	County Surveyor Review	Tom Walker	772-288-5928	N/A
M	Engineering Review	Kaitlyn Sullivan	772-288-5920	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	Jorge Vazquez	772-320-3034	Comply
O	Wellfields Review	Jorge Vazquez	772-320-3034	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	Kaitlyn Sullivan	772-288-5920	Comply
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

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

Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (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: 053941000015000303
 Address: South of 8211 SW Kansas Avenue in Stuart
 Existing zoning: (LI) Limited Industrial District
 Future land use: Industrial
 Nearest major road: SW Kanner Highway
 Gross area of site: 13.49 acres
 Non-residential gross floor area: 60,000 square feet approximately

Table 1: Abutting Properties Details

Direction	Development	Future Land Use	Zoning
North	Construction Laydown Yard	Industrial	(GI) General Industrial
South	Warehouse	Industrial	(GI) General Industrial
East	I-95	N/A	N/A
West	SW Kansas Ave	N/A	N/A

Figure 1: Location Map



Figure 2: Subject Site Aerial



Figure 3: Zoning Atlas

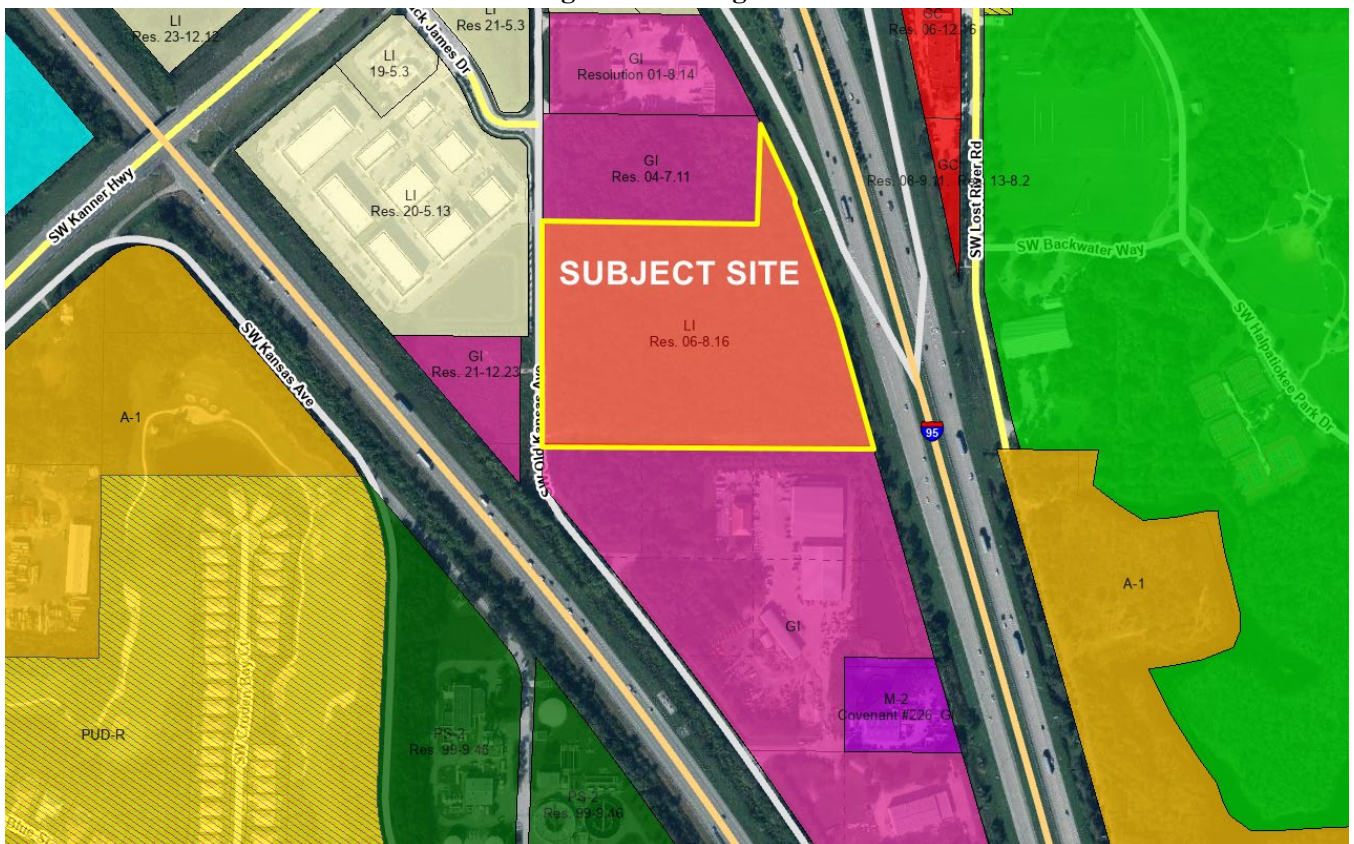
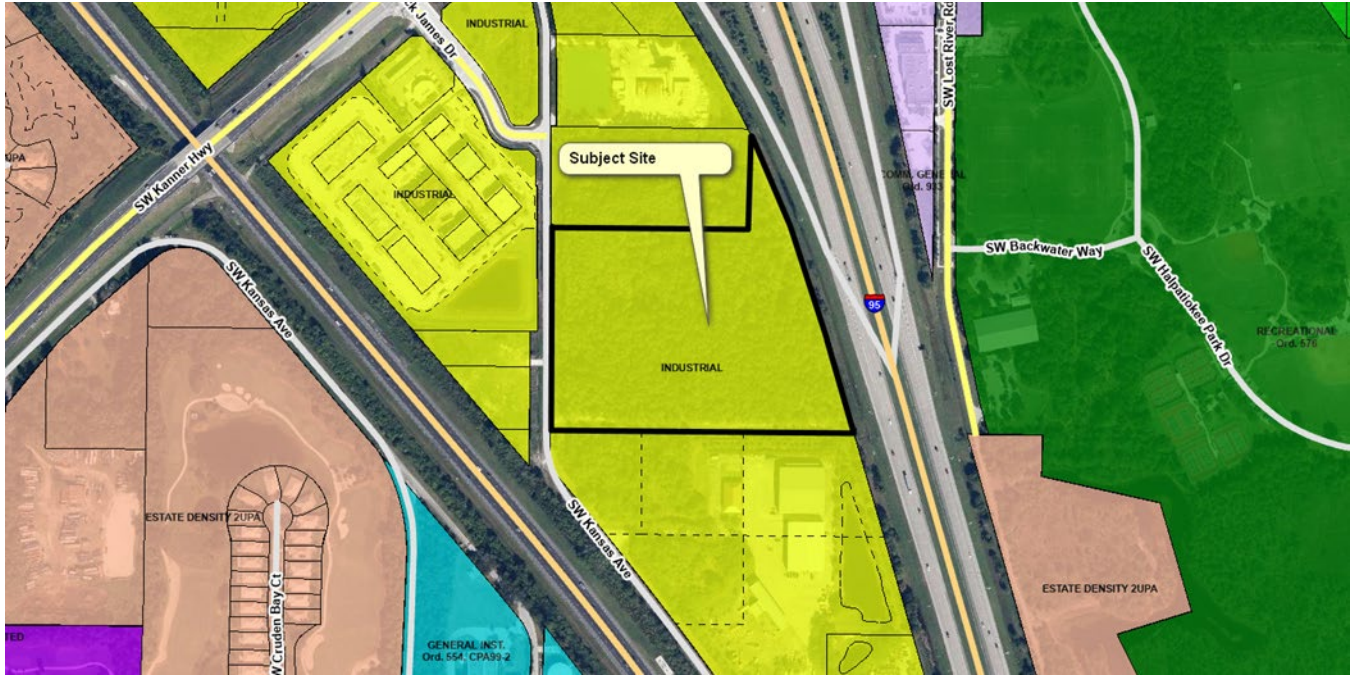


Figure 4: Future Land Use Map



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

Unresolved Issues:

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

RESUBMITTAL FEE

A resubmittal fee is required with the next submittal. The resubmittal fee for a Minor Final Site Plan is \$2,188.

Findings of Compliance:

Staff has reviewed this application and finds that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

Information #1:

LAND CLEARING

No land clearing is authorized prior to the pre-construction meeting for the project. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for by applicable state agency permits may be granted by the Growth Management Department MARTIN COUNTY, FLA., LDR SECTION 10.14.C. (2019).

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

Commercial Design

Findings of Compliance:

The proposed development complies with Commercial Design requirements MARTIN COUNTY, FLA., LDR SECTION 4.871. (2023).

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

Findings 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) is being approved with this development that establishes a 1.77-acre wetland and a 1.74-acre wetland buffer surrounding the wetland as a preserve area for this project.

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. The applicant has proposed construction of an industrial development on a 13.7-acre parcel. The applicant has submitted landscape plans that provide 3.45 acres of landscape area which equates to 33.9% of the 443,961 square feet of 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.

Section 4.663.A.3.b. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential developments provide at least one tree per 2,500 sq. ft. of site area: a total of 178 trees for this project. To demonstrate compliance, the applicant has proposed the planting of at least 255 trees for this 443,961 square-foot site and to mitigate for removal of protected trees.

Section 4.663.A.4.a. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential developments provide a ten-foot-wide strip of landscaping around the perimeter of vehicular use areas that includes one tree for every 30 linear feet or one tree for 300 square feet of landscape area. To demonstrate compliance, the applicant has proposed the planting of 35 trees for this eastern perimeter of 1,047 feet; and 24 trees for the 683 feet adjacent to the east and south of the adjacent northern parcel.

Section 4.663.A.4.b. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential developments provide one 500-square-foot planting area for every 5,000 feet of vehicular use area. 14,500 square feet will be planted for the 143,570 square feet of vehicular use area.

Since the surrounding land use is also Industrial, no bufferyards are required pursuant to Martin County, Fla Section 4.663.B.1.a, (2013).

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.

Landscape material must be bonded for 24 months prior to the certificate of occupancy. These forms may be found on the Martin County website by searching for Financial Assurance and selecting Landscaping Commitment. <https://www.martin.fl.us/martin-county-services/financial-assurance-documents>
<https://www.martin.fl.us/martin-county-services/financial-assurance-documents>

K. Determination of compliance with transportation requirements – Engineering Department

Findings of Compliance:

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

Compliance with Adequate Public Facilities Ordinance:

Staff has reviewed the Traffic Statement prepared by Simmons & White, dated February 2023. Simmons & White stated that the site's maximum impact was assumed to be 38 directional trips during the PM peak hour. Staff finds that SW Kansas Avenue is the recipient of a majority of the generated trips. The generalized service capacity of SW Kansas Avenue is 750; it is anticipated to operate at an acceptable

level of service at buildout (year 2025). SR-76 (SW Kanner Highway) is the next impacted roadway which has a generalized service capacity of 3020 and is operating at level of service C; it is anticipated to operate at level of service C at buildout.

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.

STORMWATER MANAGEMENT PLAN

1. As previously stated, the post development basin map provided does not reflect the ICPR model. For example, the map shows several basins, but only Basin A is included in the ICPR modeling. It appears that the ICPR model is based on one Basin, 10.19-acres in size. Revise all documentation for consistency. Provide ICPR nodal diagram. The stormwater management report calculations are from 1/24/2024 and do not appear to have been updated.
2. As previously stated, it is unclear how the soil storage calculation was determined. Staff was unable to locate 3.45 acres of pervious area available for soil storage that is 4-feet above the WSWT. It appears that some areas outside of the perimeter berm are being utilized for soil storage.

Item #2.

STORMWATER MANAGEMENT CONSTRUCTION PLANS

1. As previously stated, remove all stormwater structures/pipes from Final Site Plan. A revised Final Site Plan was not provided for review.
2. The digital version of the Construction Plans no longer includes existing elevations. Revise to include.
3. As previously stated, the baffle on control structure B2 shall be moved to the north side of the weir plate.

DEVELOPMENT ORDER CONDITIONS

1. The Owner is not authorized to haul fill off the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.
2. The proposed development is subject to the payment in lieu of construction of the required sidewalks along SW Kansas Avenue. 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.

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 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

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

Informational:

WATER SUPPLY

NEEDED FIRE FLOW REQUIREMENT FOR BUILDINGS

Identify the Needed Fire Flow Requirements for all buildings / structures. Fire flow calculations shall be prepared by a professional engineer currently licensed in the state of Florida for each newly constructed building. Per Florida Administrative Code section 61G15-32.004

APPROVED WATER SUPPLY – HYDRANT FLOW TEST

A hydrant flow test will be required to determine the available water supply to meet the needed fire flow for this project. Contact the Fire Prevention office at (772)288-5633 to schedule the flow test.

BDA requirements

Florida Statute (FS) 633.202 – Florida Fire Prevention Code, states that oversight and enforcement of the Two-Way Radio Enhancements Systems/BDAS is the responsibility of the Authority Having Jurisdiction (AHJ), officially known as MCFR Fire Prevention Division.

Reporting Requirements:

1. Perform a pre survey signal strength test per Florida Fire Prevention Code 6th ed. and submit results to the MCFR Fire Prevention Division.
2. If a Two-Way Radio Communication Enhancement System is required, then apply for the appropriate permit within the required time frame and submit to MC Communications Russell Norvell 772-320-3132 rnorvell@martin.fl.us

If you have any questions regarding this notification, please contact the Martin County Fire Marshal’s Office at 772-288-5633 or via email at Fire_prev@martin.fl.us.

<https://www.martin.fl.us/resources/bda-codes-and-standards>

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

Findings of Compliance:

The Public Works Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements. [2020 Florida Building Code, Accessibility, 7th Edition]

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 - positive evaluation

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 - positive evaluation

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 - positive evaluation

Source – Engineering Services Department

Reference - see Section M of this staff report

Mass transit facilities (Section 5.32.D.3.g, LDR)

Findings - positive evaluation

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

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

Item	Description	Requirement
6.	Construction Plans	One (1) 24” x 36” copy of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Rolled.
7.	Approved Final Site Plan	One (1) copy 24” x 36” of the approved final site plan.
8.	Approved Landscape Plan	One (1) 24” x 36” copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.
9.	Approved Elevations	One (1) 24” x 36” copy of the approved elevation drawings signed and sealed by a licensed architect.
10.	Digital Copy of Site Plan	One (1) digital copy of site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
11.	Engineer’s Design Certification	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.
12.	Water & Wastewater Service Agreement	A copy of the executed Water and Wastewater Service Agreement and a receipt for the Capital Facility Charge, engineering and recording fees within the agreement. Original executed agreement and payment shall be provided directly to Martin County Utilities.
13.	Pay-in-Lieu	The proposed development is subject to the payment in lieu of construction of the required sidewalks along SW Kansas Avenue. 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 without a sidewalk (326-feet) which equates to \$8,150.
14.	Flash/Thumb Drive	One (1) blank flash/ thumb drive for digital file recording.

V. Local, State, and Federal Permits

Approval of the development order is conditioned upon the applicant's submittal of all required applicable Local, State, and Federal Permits to Martin County prior to scheduling the pre-construction meeting.

W. Fees

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$8,750	\$8,750	\$0.00
Inspection fees:	\$4,160		\$4,160
Advertising fees *:			
Recording fees **::			
Impact fees***:			

* Advertising fees will be determined once the ads have been placed and billed to the County.

** Recording fees will be identified after the post approval package has been submitted.

***Impact fees are required at building permit.

X. General application information

Applicant: NNA Kansas, LLC
Charles R. Modica
8985 SE Bridge Road
Hobe Sound, Florida 33455
561-575-6454
joshsimon@flfholdings.com

Owner: NNA Kansas, LLC
Charles R. Modica
8985 SE Bridge Road
Hobe Sound, Florida 33455
561-575-6454
joshsimon@flfholdings.com

Agent: Cotleur & Hearing
George Missimer
1934 Commerce Lane, Suite 1
Jupiter, Florida 33458
561-747-6336
gmissimer@cotleur-hearing.com

Engineer of Record: Simmons and White
Greg Bolen
2581 Metrocentre Boulevard
West Palm Beach, Florida 33407
561-478-7848
bolen@simmonsandwhite.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/Wastewater Service Agreement

Z. Attachments