



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

WEST JENSEN PUD

PHASE 1B, PARCEL 12.7, PUD REVISED FINAL SITE PLAN (A/K/A Fifth Third Bank)

Applicant:	BW Jensen Federal LLC
Property Owner:	BW Jensen Federal LLC
Agent for the Applicant:	Bowman Consulting Group
County Project Coordinator:	John Sinnott, Senior Planner
Growth Management Director:	Paul Schilling
Project Number:	W038-110
Record Number:	DEV2023090007
Report Number:	2024_0719_W038-110_Staff_Report_Final
Application Received:	09/28/2023
Transmitted:	10/02/2023
Date of Report:	01/11/2024
Application Received:	02/27/2024
Transmitted:	02/29/2024
Date of Report:	04/26/2024
Application Received:	05/30/2024
Transmitted:	06/03/2024
Date of Report:	07/19/2024

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B. Project description and analysis

This is a request by Bowman Consulting Group on behalf of BW Jensen Federal LLC for a PUD revised final site plan approval to develop an approximately 2,417 square-foot bank building with drive-through teller lanes. The 1.54-acre site contains a vacant restaurant building located at 4110 NW Federal Highway in Jensen Beach. The site is located at the southwest corner of NW Eugenia Street and NW Federal

Highway. Included is a request for a Certificate of Public Facilities Exemption.

The site has a designated future land use of General Commercial and is zoned PUD-WJ, West Jensen Planned Unit Development District. The site consists of parcel 12.7 within Phase 1B of the West Jensen Planned Unit Development/Development of Regional Impact (PUD/DRI), which was originally approved in 1989 and has been subsequently revised. The proposed site/project is consistent with the most recent revised master plan, which was approved on November 22, 2022, as part of the 14th Amendment to the PUD zoning agreement. The non-residential portion of Phase 1B consists of approximately 130 acres located along the US-1 and Goldenrod Road corridor. This development has established concurrency pursuant to the approved DRI and does not result in any increases in square footage, area, or intensity of development as previously approved and vested and therefore qualifies for a Certificate of Public Facilities Exemption.

Access will be provided via existing driveways. No direct access will be provided from NW Federal Highway. The project is located inside the Primary Urban Services District with water and wastewater services available from Martin County Utilities.

C. Staff recommendation

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

Section	Division or Department	Reviewer	Phone	Assessment
F	Comp Planning Review	John Sinnott	772-320-3047	Non-Comply
G	Site Design Review	John Sinnott	772-320-3047	Non-Comply
H	Community Redevelopment Review	John Sinnott	772-320-3047	N/A
H	Commercial Design Review	John Sinnott	772-320-3047	Non-Comply
I	Property Mgmt Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Shawn McCarthy	772-288-5508	Comply
J	Landscaping Review	Karen Sjolholm	772-288-5909	Non-Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Comply
L	County Surveyor Review	Tom Walker	772-288-5928	N/A
M	Engineering Services Review	Stephanie Piche	772-223-4858	Comply
N	Addressing Review	Emily Kohler	772-288-5400	Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5400	Comply
O	Wellfield Review	James Christ	772-320-3034	Comply
O	Water and Wastewater Review	James Christ	772-320-3034	Comply
P	Emergency Mgmt Review	Sally Waite	772-285-2298	N/A
P	Fire Prevention Review	Doug Killane	772-419-5396	Comply
Q	ADA Review	Stephanie Piche	772-223-4858	Comply
R	Health Review	Nick Clifton	772-221-4090	N/A
R	School Board Review	Mark Sechrist	772-219-1200	N/A
S	County Attorney Review	Elysse Elder	772-288-5925	Ongoing

T Adequate Public Facilities Review John Sinnott 772-320-3047 Exemption

D. Review Board action

This application meets the threshold requirements for processing as a PUD Final Site Plan with a previously approved Master Plan. As such, final action on this request will be taken by the Board of County Commissioners (BCC) in a public meeting 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. (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.

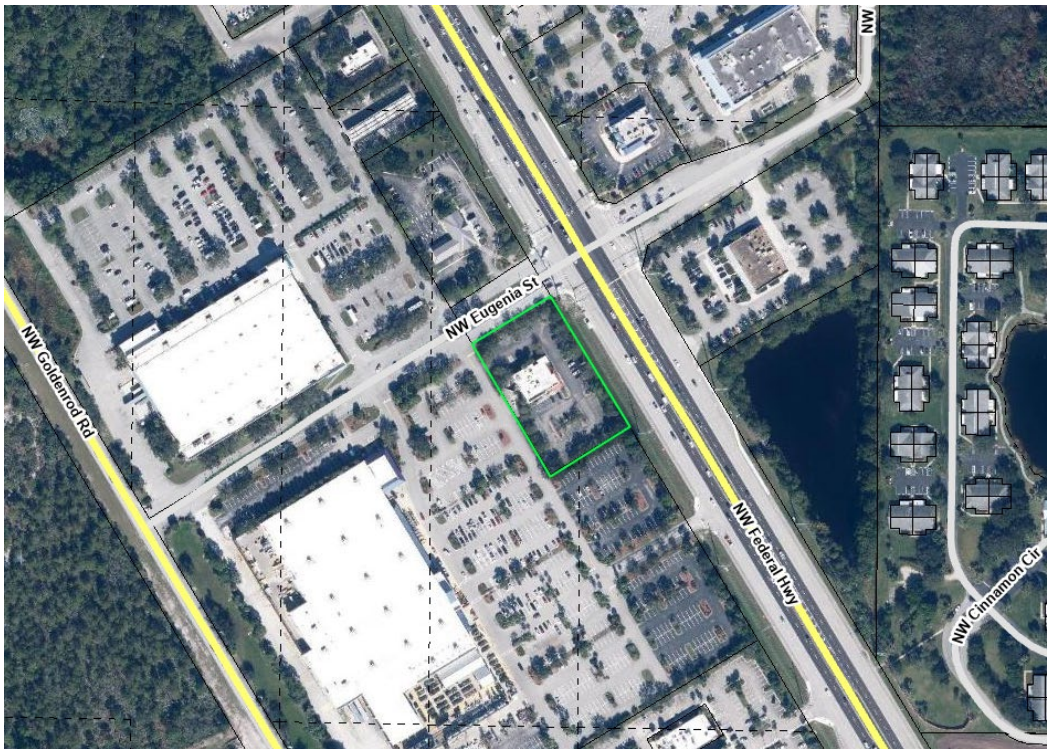
The applicant is required to re-submit materials in response to the non-compliance findings within this report. Upon receipt, the re-submitted materials will be transmitted for review to the appropriate review agencies and individuals that participate in the County's review process. A revised staff report will be created once the next review cycle has been completed.

E. Location and site information

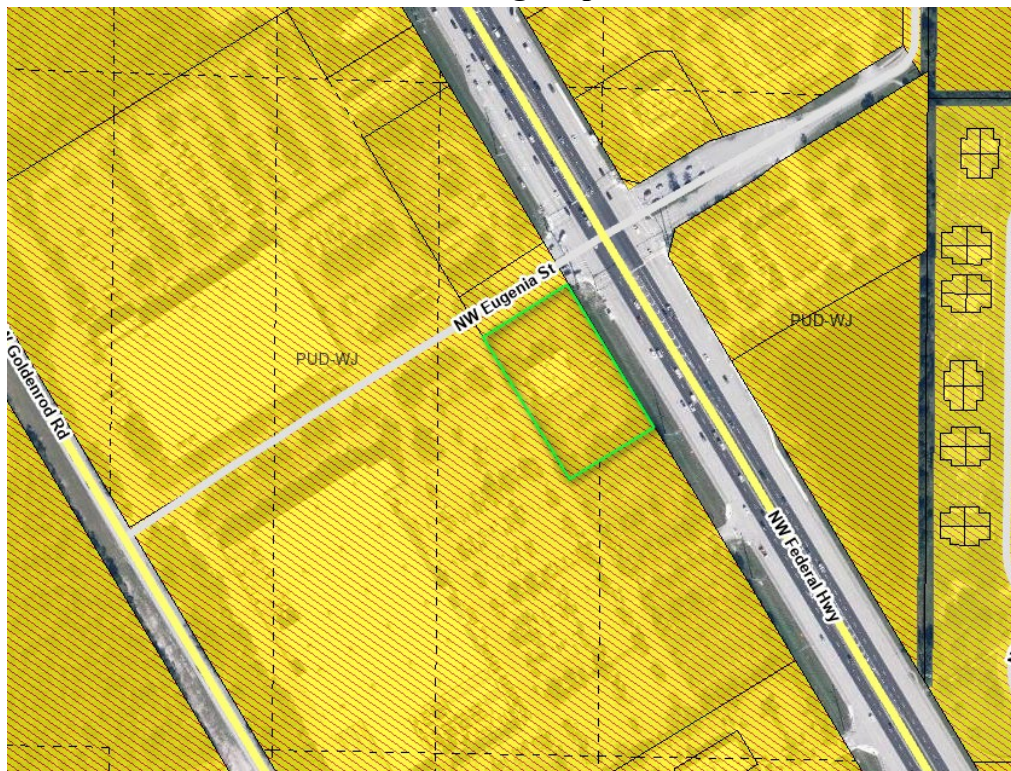
Parcel number: 18-37-41-006-000-00010-0
Address: 4110 Northwest Federal Highway, Jensen Beach, Florida
Existing Zoning: West Jensen PUD
Future Land use: General Commercial
Gross area of site: 1.54 acres
Non-residential gross floor area: 2,417 square feet

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**Figure I:
Location Map**

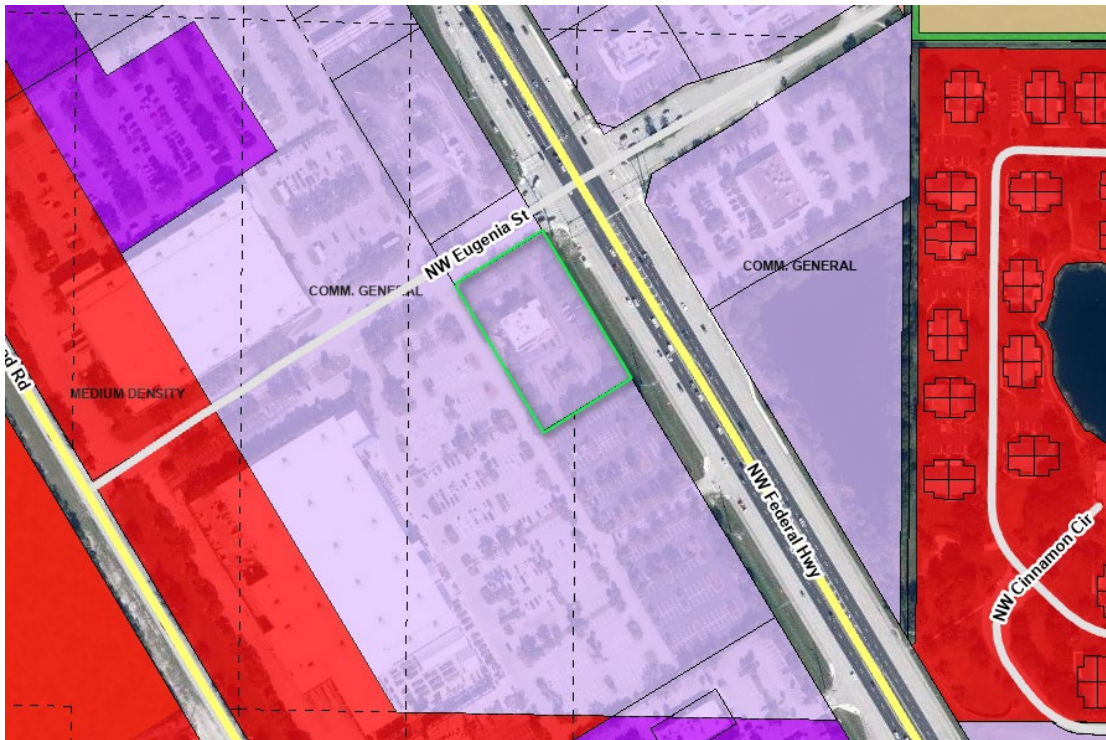


**Figure II:
Zoning Map**



Zoning districts of surrounding properties: West Jensen PUD

**Figure III:
Future Land Use Map**



Future land use designation of surrounding properties: General Commercial

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:

General

1. Please note the standard unity of title form was recently updated. The updated form is available at

<https://www.martin.fl.us/martin-county-services/development-review-forms-and-alternative-compliance-applications>. Please provide a draft, unexecuted version using the same legal description with parcel acreage and parcel control number.

**Item #2:
Site Plan**

1. See Landscaping comments in Section J below. Provide the revision date on subsequent plans.

Additional Information:

Information #1:

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 the urban design and community redevelopment requirements –
Community Development Department***

Community Redevelopment

N/A - The proposed project is not located within a Community Redevelopment Area. Therefore, the Community Redevelopment Area reviewer was not required to review this application.

Commercial Design

Unresolved issues:

Item #1

Minimum Design Elements

All primary facades on the ground floor shall have at least four of the design features enumerated in MARTIN COUNTY, FLA., LDR §4.872.C.2 (2013) along a minimum of 50 percent of their horizontal length.

Remedy/Suggestion/Clarification:

The revised architectural plans show that “decorative wall sconces” were added. Sheet PH-1 of the lighting plans notes these fixtures as “WDG1”. Based on the WDG1 detail on sheet PH-3 of the lighting plan, these lights closely resemble a standard wall pack and cannot be considered decorative. Please explore a more decorative fixture or incorporate a different design element on the northeast and southeast façades.

Item #2:

Please remove the revision clouds from the architectural plans.

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.

Landscaping

Unresolved Issues:

Item 1: Landscape Bufferyard Requirements

Landscaped bufferyards shall be required between differing land uses and along certain transportation corridors. It is the intent of the code to encourage the preservation of existing vegetation for use in buffers as opposed to clearing and replanting designed landscapes. [Section 4.663.B., LDR]

Remedy/Suggestion/Clarification:

As Previously Requested,

- a. Per the PUD agreement, the north buffer is required to be 30 ft. in width, as is the east buffer. These are not specifically Type 3 buffers but are a requirement of the master plan and PUD agreement. Sheet LC-1 no longer identifies the north buffer to be a 30' buffer. Both buffers should be identified to be "30 ft. Native Buffers" and to consist of 100% native species.
- b. Additional plantings can be added to enhance the existing vegetation, but installation may not impact the existing native vegetation and must consist of 100% native species.

Corrective Action required:

a.

- 1) Site Plan - Darken the note that identifies the 30' landscape buffer on the east so it is readable.
- 2) Site Plan - Add a note that identifies the 30' landscape buffer on the north.
- 3) Landscape Plan - Add a note that identifies the 30' landscape buffer on the north.
- 4) Correct the reference in the Landscape Data Chart that the north and east buffers are only required to be 10 ft in width. They are required to be 30' min. width.

b.

- 1) While a note has been added to the landscape plans that existing vegetation in the north and east buffers cannot be removed, new plantings shown in the east buffer still appear to be very extensive. Show approximate locations of existing saw palmetto masses to remain undisturbed. Explain what the term "retrofitting of landscape" entails.
- 2) Add this note to the demolition plans. "Existing native vegetation in the north and east buffers cannot be removed" Show protection barricades for this vegetation. It is requested that oaks not be individually barricaded but surrounded as a pod that includes the saw palmetto.
- 3) It appears that the proposed sign location has been moved to an area currently vegetated with dense saw palmetto. Verify that the proposed sign location is in an area void of the saw palmetto and other existing native vegetation.

Item #2:

Landscape Protection And Maintenance

Remedy/Suggestion/Clarification:

As Previously Requested,

In addition, while the sheets of landscape notes include some very appropriate and well thought out notes, there are still several references that do not apply in Martin County and should be modified.

- Use of alternative species must also be approved by County staff.

Corrective Action required:

Revise notes.

K. Determination of compliance with transportation requirements - Engineering Department

Traffic

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 Bowman dated September 2023. This application satisfies the Adequate Public Facilities Standard; it is exempt as it is a development, a development alteration, or an expansion that does not create additional impact on the roadway network. [Martin County, Fla., LDR Article 5, Division 2, Section 5.32 (2009)]

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

Engineering

Compliance with Adequate Public Facilities Ordinance:

This project will provide the proposed development sufficient services based upon the adopted LOS for stormwater management facilities.

Findings of Compliance:

The application was reviewed for compliance with the following Divisions of the Land Development Regulations. Staff's finding is summarized after each:

Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that no excavation is proposed and only fill will be brought onto the site; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.

Division 9- Stormwater Management: The applicant has demonstrated the proposed development is included in the Master Stormwater Management System and proposed deviations from the previous permit will not affect the existing system.

Division 10- Flood Protection: The site does not fall within a Special Flood Hazard Area. The applicant demonstrated that the minimum finished floor elevation of 16.55-feet NAVD88 is set at or above the previously permitted elevation of 16.53-feet NAVD88.

Division 14- Parking and Loading: The applicant demonstrated compliance with the parking and loading requirements set forth in Division 14 with the design and layout of the proposed on-site parking facilities.

Division 19- The applicant is not proposing to make modifications to the existing roads (NW Federal Highway and NW Eugenia Street). The applicant has demonstrated compliance with Division 19 with the design of the proposed driveway connections to adjacent parking lot.

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.

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

Electronic Files

Findings of Compliance:

Both the AutoCAD dwg file of the site plan and boundary survey were found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2024).

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 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).

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 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 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

Findings 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

ADA

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 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.	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.
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 revised 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 the site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

Item	Description	Requirement
11.	Engineer's Design Certification	One (1) original of the Engineer's Design Certification, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida shall be submitted as part of the post-approval process in accordance with Section 10.11, Land Development Regulations, Martin County, Florida.
12.	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.
13.	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 meeting. 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:	\$9,127.00	\$9,127.00	\$0.00
Inspection fees:	\$4,000.00	\$0.00	\$4,000.00
Advertising fees*:	\$0.00	\$0.00	\$0.00
Recording fees**:	\$0.00	\$0.00	\$0.00
Impact fees***:	\$0.00	\$0.00	\$0.00

* 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/Owner: BW Jensen Federal LLC
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Engineer of Record: Bowman Consulting Group
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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