



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

WATERSIDE PUD

PUD ZONING AGREEMENT AND MASTER SITE PLAN

Applicant:	Kanner/96TH St Investments, LLC (Josh Long)
Property Owner:	Kanner/96TH St Investments, LLC
Agent for Applicant:	Lucido & Associates (Brian Nolan)
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	W099-002
Record Number:	DEV2023060008
Report Number:	2024_0819_W099-002_DRT_STAFF_FINAL
Application Received:	06/15/2023
Transmitted:	07/20/2023
Date of Report:	08/19/2024

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B. Project description and analysis

This is a request by Lucido & Associates, on behalf of Kanner/96th St Investments LLC, for approval of a Planned Unit Development (PUD) including a Master Site Plan to develop 1000 single-family homes on approximately 370 acres, resulting in a density of 2.7 units/acre. The site is generally located south of SW 96th Street, east of the St. Lucie Canal, and west of the South Florida Gateway industrial PUD. Access is proposed from SW 96th Street and from the SW Waterside Way extension. 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	Non-Comply
J	Environmental Review	Shawn McCarthy	772-288-5508	Non-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	Non-Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5692	Comply
O	Water and Wastewater Review	Jorge Vazquez	772-221-1448	Non-Comply
O	Wellfields Review	Jorge Vazquez	772-221-1448	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	Comply
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 is an application for a PUD Zoning Agreement and Master Site Plan. Review of this application is required by the Local Planning Agency (LPA) and final action by the Board of County Commissioner (BCC). Both the LPA and the BCC reviews must be public hearings MARTIN COUNTY, FLA., LDR, §10.5.F.9. (2021).

Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (2021), it shall at all times be the applicant’s responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

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

E. Location and site information

Parcel number:	133940000001000005	2696 SW 96 th Street, Stuart
Parcel number:	133940000003000001	2251 SW Kanner Highway, Stuart
Existing zoning:	A-2, Agricultural District,	AG-20A, General Agricultural District
Future land use:	Agricultural	
Nearest major road:	SW 96 th Street	Minor Arterial – Public Works
Gross area of site:	369.787 acres	

Figure 1: Location Map

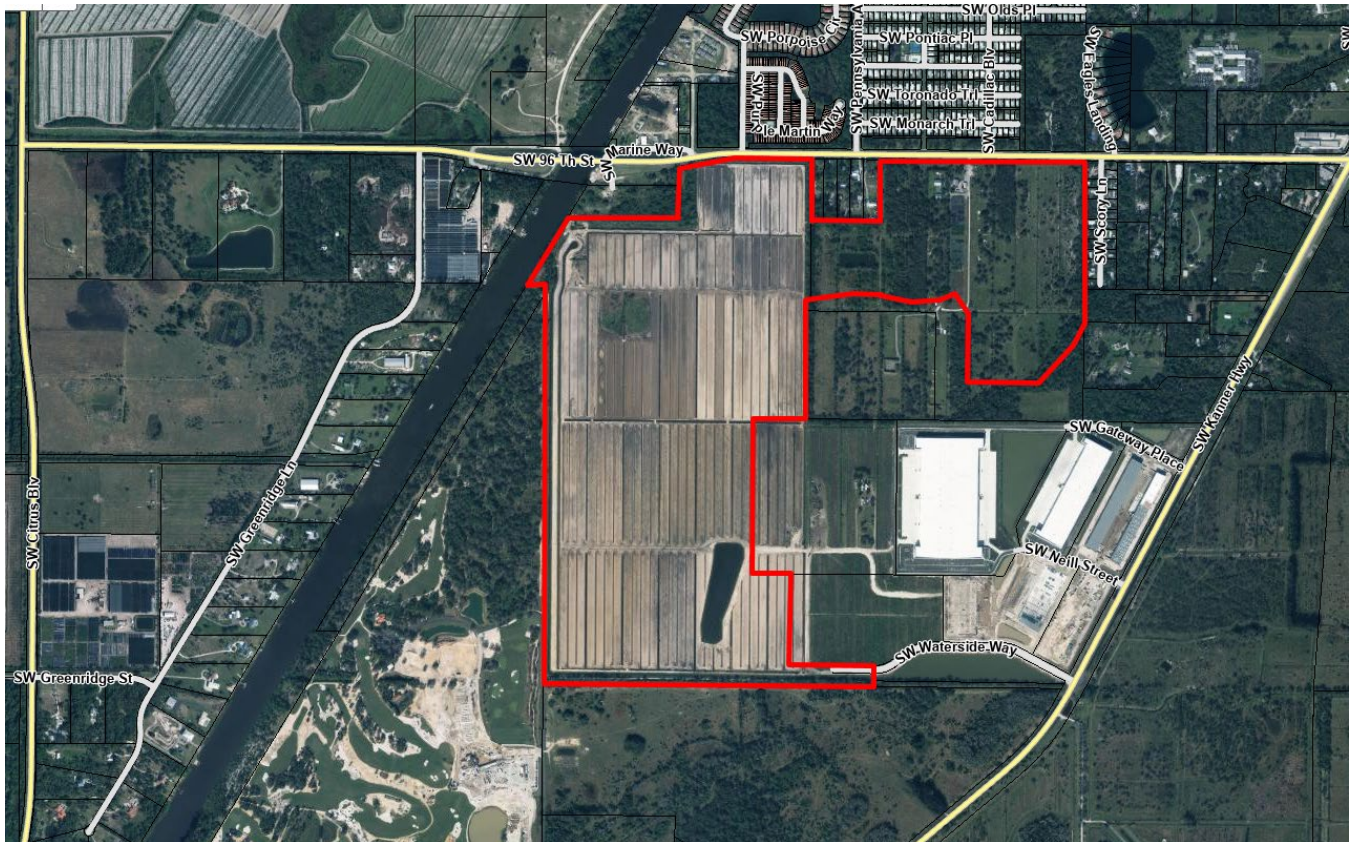


Figure 2: Zoning Atlas Excerpt

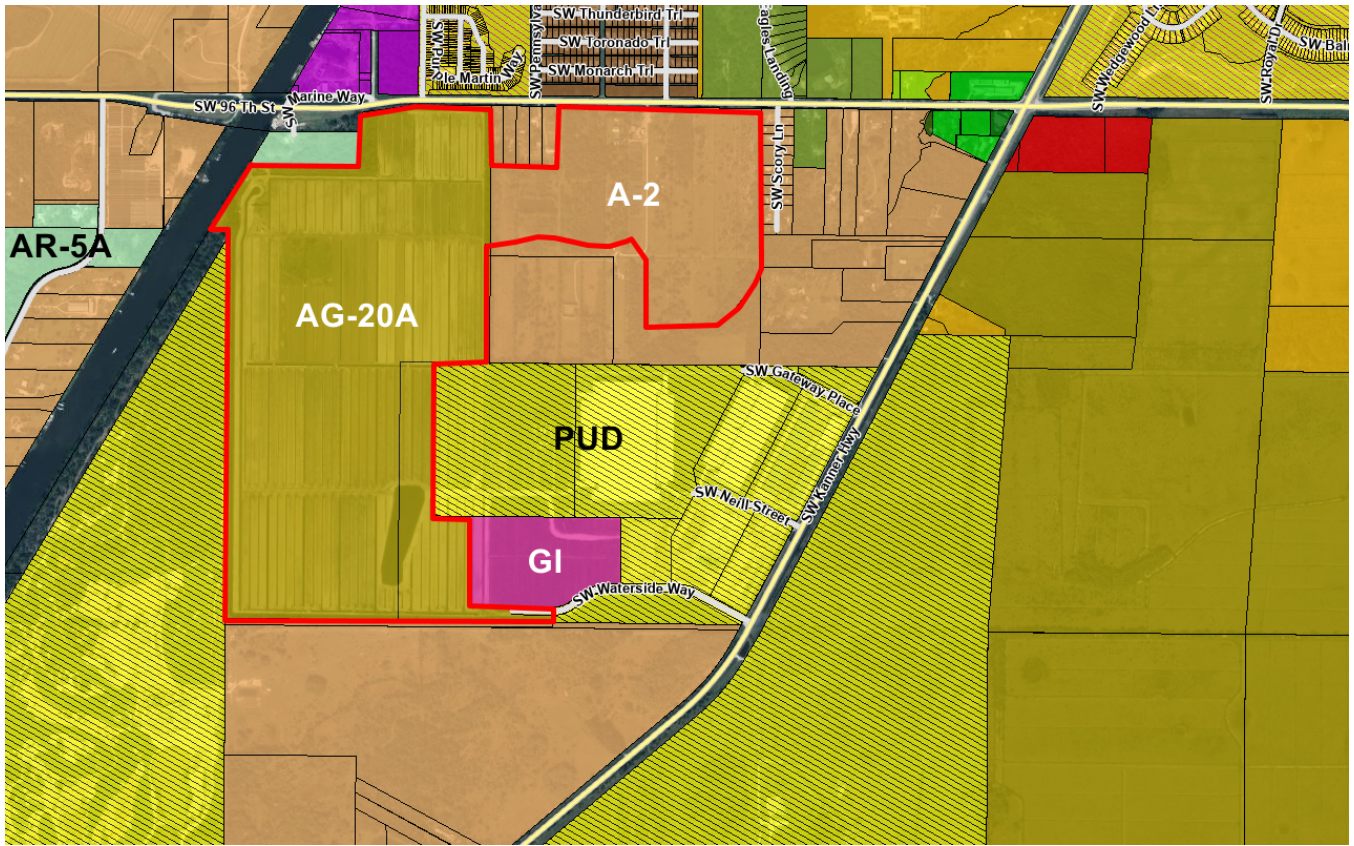
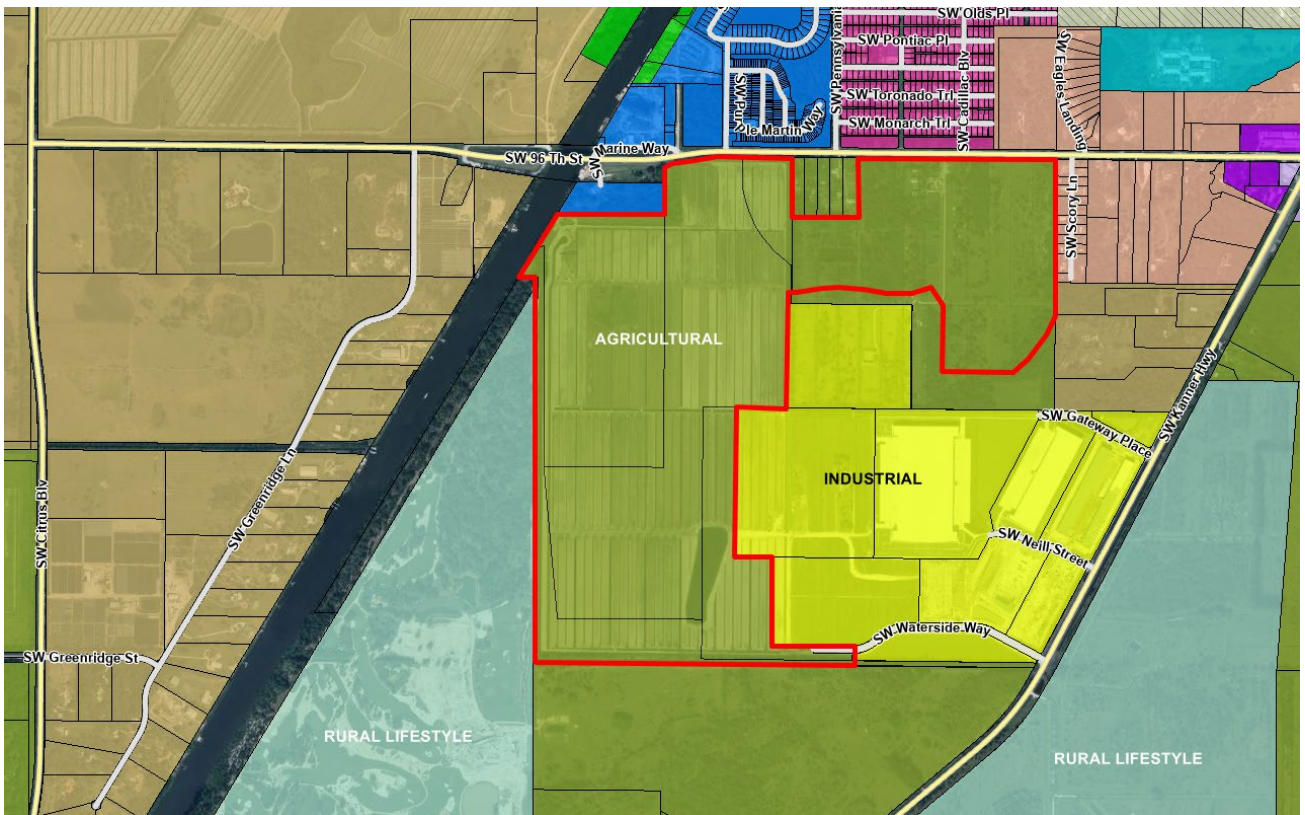


Figure 3: Future Land Use Map



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.

Item #2.

CGMP AMENDMENTS

This proposal is not permitted and cannot be approved on the land identified in this application. There are two Comprehensive Growth Management Plan (CGMP) amendment applications running concurrently, CPA 21-11 and CPA 21-12. This proposal requires approval of (CPA 21-12), an amendment to the Comprehensive Plan Future Land Use Map (FLUM), from Agricultural (allowing one unit per 20 acres) to Low Density Residential (allowing five units per acre) and a text amendment (CPA 21-11) to expand the Primary Urban Services District (PUSD).

Item #3.

PUD PUBLIC BENEFITS

1. PUD benefits shall be commensurate with developer benefits. Further discussion with staff is necessary.
2. Code requirements may not be counted towards public benefits.
3. Provide a detailed benefits analysis demonstrating the benefits received through the PUD zoning agreement. Include a comparison of development standards and setbacks of a comparable zoning (RS-4 or RS-5) and the proposed PUD to demonstrate benefits.

Informational #1:

Policy 4.1E.6. PUD

A planned unit development is a unified development that is (1) planned, approved and controlled according to provisions of a binding written document negotiated between the developer and the County as a special PUD zoning district and (2) approved at a public hearing. The purpose of PUD districts is to introduce flexibility into the strict zoning and development regulations in a manner that is mutually beneficial to the County and the development. It is also to encourage enlightened and imaginative approaches to community planning. Benefits to the developer may include incentives to encourage affordable housing (consistent with the Housing Element); transfer of density from wetlands (consistent with the Conservation and Open Space Element, Chapter 9); flexibility in density distribution; flexibility and variety in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as preservation zones, buffers, density transition zones and recreation facilities in excess of the County's minimum standards. Specific PUD district regulations are negotiated voluntarily by the developer and the County, and neither is guaranteed maximum benefits by right.

Information #2:

Policy 4.1E.8 Public Benefits.

Flexible Design: Martin County shall allow PUD zoning districts associated with a site and project specific PUD zoning agreement to allow flexibility in the land development regulations in a manner which mutually benefits the county and the developer and encourages innovative approaches to community planning. Specific PUD district regulations shall be negotiated voluntarily by both the developer and the county. Neither party to the agreement is guaranteed maximum benefits by right.

Benefits to the developer may include such items as incentives to encourage affordable housing; flexibility in density distribution; flexibility and variety in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as transportation, recreation or other public facility improvements, additional preservation of environmental resources, and additional density transition zones. The provision of affordable and/or workforce housing, shall be strongly encouraged as a public benefit for any residential PUD. Any public benefits offered by the developer must clearly be in excess of the County's minimum standards.

Information #3:

Policy 4.13A.7. Residential development.

The FLUM allocates urban residential density based on population trends; housing needs; and past trends in the character, magnitude and distribution of residential land consumption patterns. Consistent with the goals, objectives and policies of the CGMP, including the need to provide and maintain quality residential environments, it also preserves unique land and water resources and plans for fiscal conservancy.

1. General policies for all urban Residential development:
 - a) All Residential development described in subsections (1) through (6) of this policy shall have a maximum building height of 40 feet.
 - b) All Residential development shall maintain a minimum of 50 percent of the gross land area as open space, except as described under Goal 4.3. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space. This section shall not apply to construction of a single-family home on a lot of record.
 - c) Proposed Residential developments with golf courses should be encouraged to retain and preserve native vegetation over 30 percent of the total upland area of the golf course, due to the characteristically high water and nutrient loads of golf courses. Golf course developments that retain over 30 percent of their golf course area in preserved native habitat may count this in calculating open space as long as 30 percent of the residential area consists of open space.
 - d) One accessory dwelling unit shall be allowed on Residential lots consistent with Section 10.2.B and the following criteria:
 - 1) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.
 - 2) It shall not count as a separate unit for the purpose of density calculations.
 - 3) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.

- 4) Accessory dwelling units shall not be approved until Martin County adopts amendments to the Land Development Regulations that implement this policy.
- e) In affordable housing consistent with Policy 6.1D.5., impervious areas may be credited toward the required open space if designated as community gathering spaces such as plazas, esplanades, covered gathering spaces, etc.

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

Unresolved Issues:

Item #1.

General

1. The proposed project has been reviewed based on the proposed Future Land Use of Low Density Residential and approval of the expansion of the Urban Service District Boundaries.
2. The PUD Agreement shall be reviewed upon resubmittal including the timeline for infrastructure.
3. The proposed development requires a significantly impactful change to the future land use and expansion of the Urban Service District boundary. Significant PUD benefits are required, but in addition to those PUD benefits still under review, staff is requesting the applicant apply modern concepts of urban planning to the plan's design while simultaneously reducing the negative impacts of traditional suburban cul-de-sac development. Built into the Martin County Comprehensive Plan and Land Development Regulations is the encouragement of Traditional Neighborhood Design concepts including pedestrian and multi modal connections both internal and to connecting uses.

Staff is requesting the applicant utilize an approach of, or similar to, traditional neighborhood design and street design. The cul-de-sac road system is not conducive to connecting neighborhoods, places, amenities and people. Street layout should exhibit a high degree of overall connectivity and trees should be planted within the street rights-of-way between the sidewalk and street curb (4.847.B.a, 4.847.B.d). Examples of TND Street minimum standards can be found within Division 19. (Martin County LDR Art. 4, Div. 19, Sec. 4.847). Additionally, amenity areas for the residents should be included, particularly for those who would live in Pod D, F and G (as those are furthest from the amenity Pod H, I and K) in the form of parks, dog parks, playground, squares, or other community gathering areas.

4. Identify whether the amenity areas on the site plan are public or private. Public can mean by ownership or dedicated public access easement.
5. Update all application materials to reflect any changes that have occurred or to make corrections i.e., density references (different in public benefits statement).
6. The PUD Agreement signature page is outdated. Update.

Item #2.

TITLE BLOCK

1. Title the plan, "Waterside PUD Master Site Plan."

Item #3.

SITE PLAN DATA

1. Include the existing and proposed future land use and zoning information.
2. In the Impervious Area data does “Lot” include building footprints, pavement, sidewalks and driveways? Provide this information if it’s not included in the impervious area for lots.
3. Provide a lot typical demonstrating that lot pervious is met with proposed setbacks.
4. The Pervious Area data shows 29.02 acres for right of way and is identical to the Impervious Area for right of way. Is this correct?
5. Add a percentage column for the Impervious and Pervious tables.
6. Provide setback information from the property line for structures outside of single-family lots.
7. Consider adding any additional setbacks for pools, decks, screen enclosures, AC units, etc., to the building setbacks table if applicable.
8. The public benefits statement identifies a density of 3.7 units per acre and the proposed Master Site Plan shows 2.7 units per acre. Update.

Item #4.

SITE PLAN GRAPHICS

1. Provide the existing use, zoning and future land use information of all properties around this proposed development.
2. Update the Master Site Plan and all other plans to reflect the current conditions of adjacent SF Gateway PUD Master Site Plan.

Item #5.

PHASING PLAN

1. Provide a more detailed summary of the proposed work intended for each phase on the phasing plan to include not only the number of units but the infrastructure, right of way improvements, lakes, preserves, private road construction, excavation, stormwater management facilities, emergency access, landscaping, etc. Include any proposed public benefits required per the PUD agreement.
2. The entirety of SW Waterside Way, the waterfront amenity, 96th street improvements, and passive park needs to be in Phase 1.

Information #1:

TIMETABLE OF DEVELOPMENT - MASTER

All final site plan approvals for a multi-phase or PUD development shall be obtained no later than five years after the date of the master site plan approval, provided that no certificate of public facilities reservation was issued with the master site plan approval. If a certification of public facilities reservation was issued with the master site plan approval, all final site plan approvals and construction shall be permitted and completed consistent with the requirements of article 5. Adequate Public Facilities and Transportation Impact Analysis of the LDR MARTIN COUNTY, FLA., LDR SECTIONS 10.2.D.1.d. (2021).

Information #2:

NOTICE OF A PUBLIC HEARING

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 a distance of 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, condominium associations and the owners of each condominium unit within the notice area MARTIN COUNTY, FLA., LDR §10.6.E.1. (2019).

Information #3:

EFFECT OF A MASTER SITE PLAN DEVELOPMENT ORDER

Issuance of a master site plan development order shall authorize the applicant to submit the final site plan(s) for the development in accordance with the terms and conditions of the master site plan, including the timetable of development. Issuance of a master site plan development order shall not constitute approval to build or construct any improvement and is not the final approval necessary for construction of the development MARTIN COUNTY, FLA., LDR §10.2.D.1.g. (2021).

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

Unresolved Issues:

RIGHT OF WAY

It has been determined that the Applicant is required to dedicate 15-feet of right of way on SW 96th Street. Additionally, turn lanes at the intersection of SW Bobcat Drive and SW 96th Street and at the intersection of SW Cadillac Boulevard and SW 96th Street may require right-of-way dedication to accommodate these required turn lanes.

It has been determined that either a Flow-Thru Drainage Easement or a Drainage and Maintenance Easement is required for Roebuck Creek. A Condition of Approval requiring the conveyance of the dedicated property to Martin County during the post approval process will be included in the Development Order. If the dedication is part of a Plat approval application, the dedication will be included on the plat and the conveyance of the dedicated property will take place simultaneously with the recording of the Plat.

The following is a list of the required due diligence materials:

TITLE COMMITMENT:

1. Original Title Commitment for the proposed dedication and easement site(s).
2. The Proposed Insured is: Martin County, a political subdivision of the State of Florida
3. The Insurable Amount is subject to approval by the Real Property Division.
4. Legible copies of all documents listed on the Title Commitment as B-II Exceptions must be provided with the Title Commitment.

SURVEY – SKETCH AND LEGAL DESCRIPTION:

1. Two (2) original signed and sealed Surveys of the dedication and easement site(s).
2. The Survey must be certified to Martin County, a political subdivision of the State of Florida and to the Title Company.
3. The Survey must be prepared with the benefit of the Title Commitment and include the Commitment Number, Name of the Title Company and Date and Time of the Commitment.
4. Parcel ID number(s) must be included.
5. All title exceptions that can be plotted must be shown on the Survey.
6. The legal description for the dedication and easement site(s) on the Survey must match the legal description on the proposed Plat or Planned Unit Development (PUD), if applicable.
7. Two (2) original 8 ½” by 11” signed and sealed Sketch and Legal Descriptions of the dedication and easement site(s) must be provided.

J. Determination of compliance with environmental and landscaping requirements – Growth Management Department

Environmental

Unresolved Issues:

Item #1.

ENVIRONMENTAL ASSESSMENT (EA)

1. The FLUCFCS Map submitted states it provides land covers and vegetative communities with FLUCCS codes from the 1999 manual by FDOT. Please revise the EA and map to identify native vegetative communities and habitats using FNAI classifications, as required by County Code. Staff suggests using the Florida Land Cover Classification System document, published by FWC in 2018, that combines classifications from a number of agencies and organizations including FNAI.
2. The EA states a wetland, associated with Roebuck Creek, exists on-site, however, there has not been a wetland jurisdictional determination conducted nor issued by the State, at the time of this submittal. If the State determines state jurisdictional wetlands are present and that differs from what is shown on the submitted Master Site Plan, the Plan must be amended to provide for these areas, establishing them as preserve, protected under a PAMP. In addition, an updated EA and wetland JD will be required at the time of Final Site Plan application. Under Sections 4.2.B and 4.2.C, all wetlands must be delineated on-site, and wetlands must be identified within 100-feet of property lines.

3. Based on the location of the site being within conservation and critical habitat areas of some listed species, such as the Crested Caracara, please identify in the A whether additional wildlife surveys for listed species be required prior to development?
4. Since this application is a request for Master Site Plan approval, a PAMP document is not required at this time, however, with any upcoming submittal of a Revised Infrastructure Final Site Plan application, a PAMP will be required.

Item #2.

MASTER SITE PLAN

1. Please provide a separate, Preserve Area Data Table on the Master Site Plan, and identify the following information, as applicable:
 - a. Total Site Acreage. Total upland, wetland, surface water area, and any submerged lands on the site.
 - b. Preserve Area Calculations. Upland preserve calculations demonstrating that at least 25% of the total upland area is preserved as rare, native upland habitat. Where there is no rare upland habitat, provide upland preserve calculations demonstrating that at a minimum, 25% of existing common native upland habitats are preserved.
 - c. Wetland Preserve. Total on-site wetland preserve acreage.
 - d. Wetland Buffer. Total acreage of Native Upland Habitat Area, provided as a wetland preserve area buffer. A 75-foot buffer is required for wetlands associated with Roebuck Creek
 - e. Upland Preserve, Common. Total acreage of Native Upland Preserve Area Habitat provided as common habitat.
 - f. Upland Preserve, Rare. Total acreage of Native Upland Preserve Area Habitat provided as rare or unique habitat.
 - g. Total Site Preserve Acreage. Total Acreage of all identified Preserve Areas listed above.
2. Please add the following note to the Master Site Plan, "A Preserve Area Management Plan (PAMP) will be required, and shall be approved, with the Final Site Plan for this property".

Item #3.

WETLAND BUFFER REQUIREMENTS

1. Pursuant to Section 4.2.D, LDR, Martin County Code, wetland buffers and setbacks from wetland buffers shall be provided and maintained in accordance with the following requirements:
 - a. Areas of native vegetation shall be preserved as buffer zones to all wetlands. Any native vegetation removed or destroyed in violation of laws in effect at the time such vegetation was removed or destroyed shall be restored, pursuant to policy 9.1G.2.(3) and (6) of the Comprehensive Plan.
 - b. Wetland buffers shall be measured landward of the boundary of the delineated wetland. For natural bluffs with slopes steeper than one (1) foot vertical to three (3) feet horizontal, required buffers shall start at the top of the bank. See sections 4.3.H. and 4.5.C. for further shoreline stability requirements.
 - c. For wetlands connected to natural creeks, rivers, water bodies connected to surface waters of the state, and surface waters of the state, a minimum 75-foot wetland buffer zone shall

be required. This buffer shall not apply to manmade and non-navigable waters connected to surface waters of the state.

- d. For isolated wetlands, a minimum 50-foot wetland buffer shall be provided landward from the delineated wetland.
2. For this property, wetlands associated with Roebuck Creek and within the boundary of the wetlands of special concern mapping area, require a 75-foot wetland buffer. Please identify on the Master Site Plan the required 75-foot buffer for all on-site wetlands meeting this criterion and provide the total acreage of such buffers in the Preserve Area Data Table.

Item #4.

PUD PUBLIC BENEFITS

With this application request for approval as a PUD, please consider environmentally related public benefits for this project. Examples of an environmental benefit provided for this project may include creation/restoration of additional upland habitat adjoining preserved wetlands and/or Roebuck Creek.

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 report to analyze 2031.

Item #2.

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. [Martin County, Fla., LDR Article 5, Division 3, Section 5.64.C.5 (2009)]

Revise Figure 2 to show the public portion of SW Waterside Way (Class II: 2 Lane Divided) and assign trips to it. Update subsequent information as needed.

Proposed project improvements and signalization will change the characteristics of CR-76A (SW 96th St).

2. The following analysis will form the basis for determining concurrency on all impacted roads. The concurrency test will be completed by adding the background traffic growth plus the net number of trips generated from the project traffic on each impacted link on the road network to the existing traffic volume and comparing the total of this traffic volume to the adopted level of service capacity. If the total traffic volume is lower than the adopted level of service capacity, concurrency has been satisfied on this link and/or aggregated segment. [Martin County, Fla., LDR Article 5, Division 3, Section 5.64.C.5.a (2009)]
3. An analysis of all intersections that are projected to operate below the adopted level of service standard. Such analysis will utilize the methodologies and techniques described in this section 5.64.C.
4. The study network will be illustrated in both tabular and map formats, and clearly show the percentage of project traffic of the level of service capacity up to and including the link where the project traffic falls below the two percent threshold. The map or maps will illustrate the project location, existing and proposed traffic control devices, existing and proposed ingress and egress locations for the project, existing and proposed bicycle and pedestrian facilities, and existing and proposed public transportation services and facilities on the study network. [Martin County, Fla., LDR Article 5, Division 3, Section 5.64.C.7 (2009)]

Remove Driveway 3 from analysis as it does not carry project trips.

Revise Figure 3 to show existing street names where driveways align.

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

1. Although a post development basin map was provided, provide a pre-development drainage map and demonstrate related flow paths.
2. Provide a discussion in the narrative that addresses off-site flows. Pay particular attention to the 5 lots along SW 96th Street. It is unclear how these off-site flows will be accommodated.
3. Although impervious and pervious areas were provided, the total impervious area listed on the Master Site Plan is not consistent with the stormwater report. (FSP=223.90 ac, Report=204.94 ac)
4. Although total site acreage provided, the total site acreage listed on the Master Site Plan is inconsistent with the stormwater report (FSP=370.54 ac, Report=351.92 ac)
5. Provide documentation for the type of soil and vegetation types in this site. A geotechnical report was referenced but was not provided or included in this submittal. Include the geotechnical report being relied upon as an exhibit within the stormwater management report.
6. Provide documentation for the wet season water table being relied upon.
7. Provide a post development nodal diagram for the ICPR Report.

8. Demonstrate that half treatment volume recovered between 24 hours and five days and 90 percent of 25-year 72-hour day runoff volume recovered in 12 days of the stormwater management report (LDR Section 4.385.F.4)

Item #2.

DIVISION 19: ROADWAY DESIGN

1. SW 96th Street is a Minor Arterial with a speed limit of 45 and an Access Classification of 4. Provide a minimum 15-feet of Right of Way dedication along the property frontage. [Martin County, Fla., LDR Section 4.843.B & 4.845.B]
2. Turn lanes and 2 signalized intersections are required: at the intersection of SW Bobcat Drive and SW 96th Street and at the intersection of SW Cadillac Blvd and SW 96th Street. Additional right-of-way dedication may be required to accommodate these required turn lanes. Additionally, a signal warrant analysis must be provided for the future intersections.
3. Provide crosswalks at intersection from SW Waterside connects to SW 96th Street to connect to SW Cadillac Blvd
4. Provide a sidewalk along SW 96th Street.
5. Provide typical roadway sections for all proposed roadways. Only SW Waterside Way was provided.
6. A minimum 6-foot concrete sidewalk is required along the internal roadways. A multimodal path or bike lanes are suggested along the western side of the proposed spine road. 4.843.G.
7. Please designate each roadway as having public or private maintenance and ownership.

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

Addressing

Unresolved Issues:

Please name all streets within this project:

You are the one who picks the street names for your project during the review. We have a street master list of names already in use on our website that you can use to help you. <https://www.martin.fl.us/AddressingReports>

The directional prefix for your proposed streets will be SW.

Our Land Development Regulations have rules for determining how you name the street suffix. The street suffix is determined by the general running direction of the street. This direction is based on the standard North, South, East, West orientation of your site plan. You are allowed to pick the street suffix name. Below are the codes that you will need to follow when choosing a street suffix for your named street:

4.768.A. North/south running streets shall be designated "avenue," "court," "drive," "lane" or some other designation beginning with a letter in the first half of the alphabet (A through M).

4.768.B. East/West running streets shall be designated "street," "terrace," "place," "way" or some other designation beginning with a letter in the second half of the alphabet (N through Z).

4.768.C. Roads, highways, parkways, expressways, and boulevards. Only major thoroughfares shall be designated "boulevard," "expressway," "highway," "parkway" or "road." These terms may be used regardless of street direction.

4.768.D. Circular roadways. Roadways that form loops or circles shall be designated "circle."

4.767.E. Continuity of street names. New streets shall not change names at intersections, except as authorized by the Board of County Commissioners at a public hearing held for the purpose of changing street names.

Electronic File Submittal

Findings of Compliance:

Both AutoCAD dwg file of the 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:

Concurrency evaluation for water and wastewater level of service is not required for Master Site Plan approval. Concurrency for water and wastewater level of service will be evaluated during the final site plan review [ref. Code, LDR, s.5.32.C. Art. 5, Div. 2, Code, LDR, Art.5, Div.2].

Irrigation water for the project is proposed to be individual wells. The cumulative impact, of this project, on the existing surficial aquifer and wetlands is unknown. The applicant must indicate the irrigation demand and the demand generated by the individual wells and/or surface water withdrawals for residential and non-residential uses. The applicant must submit a computer model analysis of the groundwater and the relevant surficial aquifer, in accordance with Section 159.166, General Ordinances, Martin County Code. The model must include all residential and non-residential uses. [Ref. Code, CODE, 159.166. Art. 6].

The groundwater model for the Waterside Residential project must include the following items:

1. Provide a site location map.
2. Identify permitted area users and allocations. Describe whether withdrawals are from surface water or wells. If wells are used describe the depth of each.
3. Identify area wetlands and surface water features.
4. Provide the number and location of proposed wells or surface water withdrawals. Include the total number of lots and proposed irrigated acreage.
5. Provide data used as the basis for proposed irrigation volume.

6. Provide copies of any permits received and application materials for South Florida Water Management District (SFWMD) water use and environmental resource permitting purposes.
7. Provide impact analysis in accordance with the SFWMD Water Use Basis of Review, September 2007. Include modeling output for 90-day no recharge and closed drawdown contours.
8. Include proposed operational plan for irrigation.

Wellfield and Groundwater Protection

Findings of Compliance:

Submittal Statement: Potable water, to be supplied by Martin County Utilities.

Concurrency evaluation for water and wastewater level of service is not required for Master Site Plan approval. Concurrency for water and wastewater level of service will be evaluated during the final site plan review [ref. Code, LDR, s.5.32.C. Art. 5, Div. 2, Code, LDR, Art.5, Div.2].

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

Findings of Compliance:

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.

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

A capacity analysis was provided by the School Board of Martin County. Refer to Attachment 1.

S. Determination of compliance with legal requirements – County Attorney’s Office

Review ongoing.

T. Determination of compliance with adequate public facilities requirements – responsible departments

5.32.C. Procedure to obtain an evaluation of adequate public facilities (nonbinding) and affidavit deferring adequate public facilities reservation.

Purpose. An application for an evaluation of adequate public facilities and affidavit deferring public facilities shall be submitted with an application for a preliminary development order to ensure that the County and the developer plan together to meet concurrency at the preliminary development order stage. The evaluation provides a current view of the availability of public facilities for a proposed development based upon the concurrency evaluation and concurrency reservation tests of this article. Neither a positive nor a negative evaluation confers concurrency rights or is binding on the County pursuant to section 14.4.A.3.d(2) and (3) of the Comprehensive Plan.

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.

Item	Description	Requirement
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) 24" x 36" paper copy of the approved Master Site Plan and phasing plan.
6.	Digital Copy of Site Plan	One (1) digital copy of 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.	PUD Zoning Agreement	Original and one (1) copy of the executed approved PUD zoning agreement.
8.	Flash/Thumb Drive	One (1) blank USB flash/ thumb drive, which will be utilized to provide the applicant with the approved stamped and signed project plans.

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:	\$13,800	\$13,800	\$0.00
Inspection fees:			
Advertising fees *:			
Recording 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.

X. General application information

Applicant: Kanner/96th ST Investments LLC
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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/Wastewater Service Agreement

Z. Attachments

Attachment 1: 2023_0907_W099-002_School_Impact_Letter