



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

KIPLINGER PRESERVE MINOR FINAL SITE PLAN

Applicant:	Martin County Ecosystems Division
Property Owner:	Martin County
Agent for the Applicant:	Giangrande Engineering & Planning LLC, Leo Giangrande, PE
County Project Coordinator:	Peter Walden, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	K047-001
Application Type and Number:	DEV2019100021
Report Number:	2020_0331_K047-001_Staff_Report_Final
Application Received:	11/14/2019
Transmitted:	11/20/2019
Staff Report Issued:	12/30/2019
Resubmittal Received:	03/06/2020
Transmitted:	03/06/2020
Date of Report:	03/31/2020

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B. Project description and analysis

Request for minor final site plan approval for the construction of a parking lot, canoe launch and infrastructure improvements to the Kiplinger Preserve, a County owned passive-use park. The approximate 50 acre site is located on the west side of South Kanner Highway just south of the intersection with SE Indian Street in Stuart. Included with this application is a request for a Certificate of Public Facilities Exemption.

The site is maintained by Martin County Ecosystems Division of Public Works and has St. Lucie River frontage and a diverse landscape ranging from upland Sand Pine scrub to wetlands and mangrove habitat along the river. The property has a future land use designation of Conservation and a PS-2, Public Service Zoning District designation.

C. Staff recommendation

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

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Peter Walden	219-4923	Non-Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Peter Walden	219-4923	Comply
H	Urban Design	Santiago Abasolo	288-5485	N/A
H	Community Redevelopment	Santiago Abasolo	288-5485	Comply
I	Property Management	Colleen Holmes	288-5794	N/A
J	Environmental	Shawn McCarthy	288-5508	Non-Comply
J	Landscaping	Karen Sjoholm	320-3055	Comply
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Tom Walker	288-5418	N/A
M	Engineering	Stephanie Piche	288-4858	Non-Comply
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	Comply
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	Comply
P	Emergency Management	Michele Jones	219-4942	N/A
Q	ADA	Stephanie Piche	288-4858	Comply
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	219-1200	N/A
S	County Attorney	Krista Storey	288-5923	N/A
T	Adequate Public Facilities	Peter Walden	219-4923	Comply

D. Review Board action

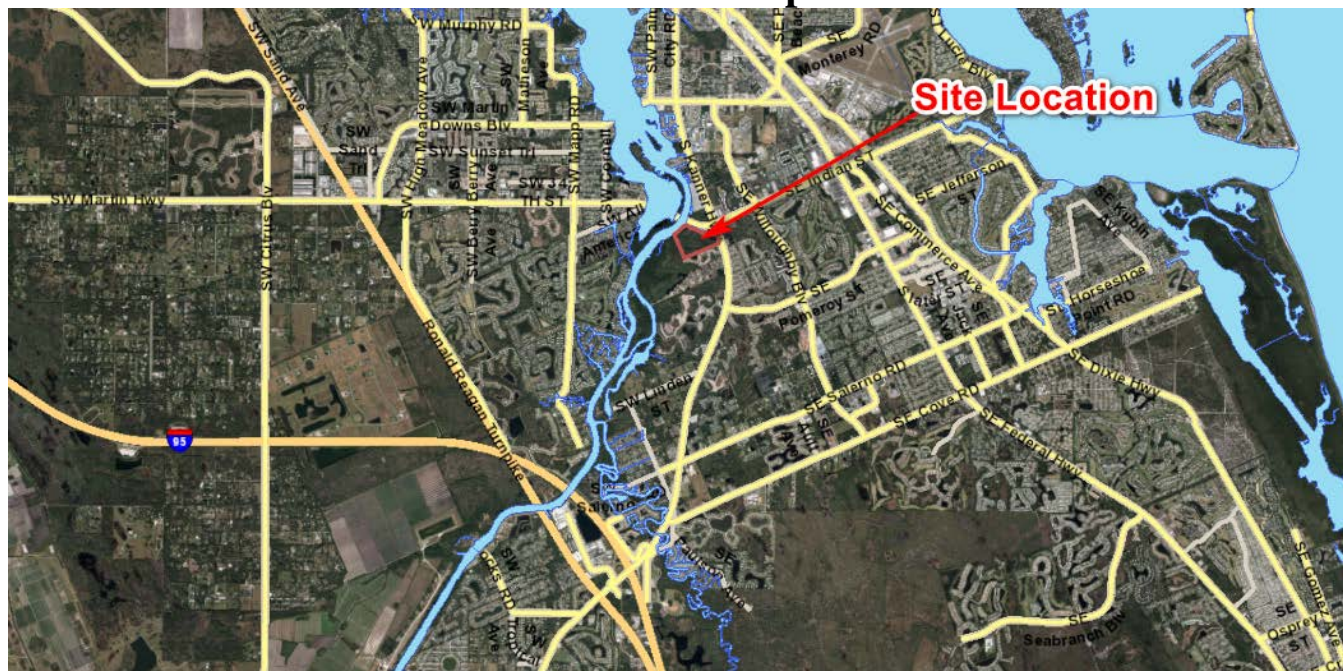
This application complies with the threshold requirement for processing as a minor development. As such, final action on this application will be taken by the Growth Management Director.

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

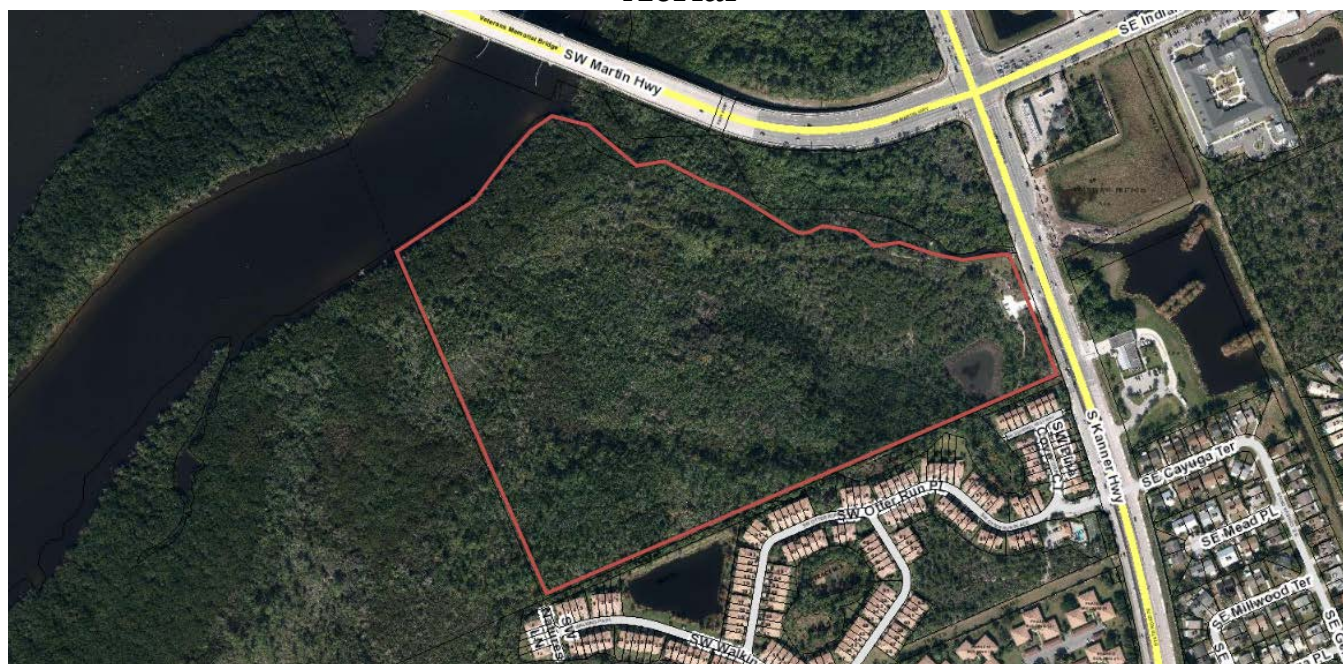
E. Location and site information

Parcel number(s) and address: 40-38-41-001-053-00000-8
 Existing Zoning: PS-2 Public Service District
 Future land use: Conservation
 Census tract: Not Applicable
 Commission district: 2
 Community redevelopment area: N/A

Location Map



Aerial



Proposed Development



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

Unresolved Issues:

Item #1:

Generic Comp Plan Compliance-GMD

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

Findings of Compliance:

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved land use, site design standards, zoning and procedural requirements issues associated with this application.

Additional Information:

Item #1:

No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre- construction meeting. 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 on state agency permits, may be granted by the Growth Management Department upon review of required permit materials. MARTIN COUNTY, FLA., LDR § 4.37

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

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this application as currently proposed, pursuant to Section 10.1.F., LDR, Martin County, Fla. (2016)

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

N/A

No dedication of additional right of way is required or proposed by the Applicant pursuant to the Roadway Classifications set forth in Section 4.843.B, Land Development Regulations, Martin County, Fla., (2010) which includes Table 4.19.1 that lists the minimum right of way requirements. Therefore, the Applicant is not required to submit due diligence materials for review by the Martin County Real Property Division

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

Environmental

Unresolved Issues:

Item #1: Environmental Assessment

The environmental assessment statement states that gopher tortoise burrows exist within the proposed construction limits. In accordance with Section 4.32.E, LDR, Martin County, Fla., a current wildlife survey of the project area is required. Please submit a map and gopher tortoise field survey of the project area.

Item#2: Site Plan

The 1993 management plan identifies and incorporates all native upland habitat and wetlands as preserve. Please label all native habitat areas and any wetlands adjacent to the site as preserve area.

Informational Comment:

After a county development order is issued, the property owner and/or agent shall be responsible for obtaining a gopher tortoise relocation permit from Florida fish and wildlife conservation commission. All necessary permits shall be submitted to the growth management department, environmental division for review. No land clearing will be authorized until this information is received. No land clearing, including installation of erosion control barricades, can take place prior to the pre-construction meeting.

Landscape

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 improvements to an existing parking area providing public access. Based on the site plan data provided, the applicant has submitted landscape plans that provide 23,101 sq.ft. of landscape area which equates to 60.4% of the 38,209 s.f 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 development provide at least one tree per 2,500 sq. ft. of site area; a total of 16 trees for this project. To demonstrate compliance the applicant has proposed the planting of 17 trees for the vehicular use area and an additional 11 trees within the shoreline protection zone.

Section 4.666.E.Land Development Regulations, Martin County, Fla. (2013) requires that development activity preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed. There are 10 existing trees within the development site, 3 of which are proposed to be protected.

Section 4.663.A.4.a.1, 2, , and 3., Land Development Regulations, Martin County, Fla. (2013) requires one one tree for each 30 linear feet of perimeter vehicular use area. This project has 405 linear feet adjacent to the vehicular use area requiring installation of 14 trees. To document compliance the applicant is proposing the installation of 17 additional native trees and preservation of 2 existing trees.

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.

K. Determination of compliance with transportation requirements - Engineering Department

This application satisfies the Adequate Public Facilities Standard; it is exempt as it is construction of a facility identified in the CIE of the Comprehensive Growth Management Plan, or the adopted Martin County Capital Improvement Program. [Martin County, Fla., LDR Article 5, Division 2, Section 5.32.B.3.g) (2009)]

L. Determination of compliance with county surveyor - Engineering Department

N/A

The applicant has indicated that there are no proposed changes to the approved project boundary as part of the current application. Therefore, The Engineering Department was not required to review this application for consistency with the Martin County Codes for survey requirements contained in Article 4 of the Land Development Regulations. MARTIN COUNTY, FLA., LDR §10.1.F

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

CONSISTENCY WITH OTHER PLANS

1. As previously requested, provide boundaries and annotations for the development area on the Survey, Final Site Plan and Construction Plans. The linework for the project boundary is in place, but no annotations are shown on either the Final Site Plan or Construction Plans.

STORMWATER MANAGEMENT PLAN

POST DEVELOPMENT

1. The post development curve number and subsequent calculations must be revised based on compacted soil storage values.

Development Order Conditions:

The Owner is not authorized to haul fill off of 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

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. (2018).

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. (2019)

Both AutoCAD site plan and boundary survey were in State Plane coordinates and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2019)

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

Finding of Compliance;

The Fire Prevention Bureau finds this submittal in compliance with the applicable provisions governing construction and life safety standards of the Florida Fire Prevention Code and referenced publications. 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.

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

Findings of Compliance:

The General Services Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements. (2014 FBC, FIFTH EDITION\ACCESSIBILITY)

Additional information:

Please note that the proposed trail must meet ADA specifications for pedestrian trails for both material and slope requirements.

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

Martin County Health Department

N/A

There are no onsite potable wells or septic disposal systems, pursuant to Section 10.1.F, LDR, Martin County, Fla. Therefore, the Department of Health was not required to review this application for consistency with the Martin County Codes.

Martin County School Board

N/A

The applicant has indicated that this application is for a utilities facility. Therefore the Martin County School Board was not required to review this application for school concurrency evaluation. MARTIN COUNTY, FLA., LDR §10.1.F.

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.

Development that does not create additional impact on public facilities includes:

- 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.

Potable water facilities

Service provider - Exempted

Source – Utilities and Solid Waste Department

Reference - see Section O of this staff report

Sanitary sewer facilities

Service provider - Exempted

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Solid waste facilities

Findings - Exempted

Source - Growth Management Department

Stormwater management facilities

Findings - Exempted

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

Community park facilities
Findings - Exempted
Source - Growth Management Department

Roads facilities
Findings - Exempted
Source - Engineering Department
Reference - see Section K of this staff report

Mass transit facilities
Findings - Exempted
Source - Engineering Department
Reference - see Section K of this staff report

Public safety facilities
Findings - Exempted as not creating additional impacts to public services
Source - Growth Management Department
Reference - see Section P of this staff report

U. Post-approval requirements

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.

Item #1:

Post Approval Requirements List: After approval the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. The applicant will return the Post Approval Requirements List along with the required documents in a packet with the documents arranged in the order shown on the list.

Item #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.

Item #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 #4:

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.

Item #5:

One (1) copy 24" x 36" of the approved site plan. Rolled

Item #7:

One (1) 24" x 36" copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida. Rolled

Item #8:

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.

Item #9:

Original of the construction schedule.

Item #10:

Two (2) originals of the Cost Estimate, 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.

Item #11:

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.

Item #12:

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

Permits

The following permits must be obtained prior to scheduling a Pre-Construction meeting:

1. Martin County Right of Way Use Permit

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:	N/A	\$0.00	
Inspection fees:	N/A		
Advertising fees*:	TBD		
Recording fees**:	TBD		

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

** Recording fees will be identified on the post approval checklist.

X. General application information

Applicant: Martin County
Zachary Hughes
2401 SE Monterey Rd
Stuart, FL 34996

Agent: Giangrande Engineering & Planning LLC
Leo Giangrande, P.E.
2081 SE Ocean Blvd. Suite 1A
Stuart, FL 34996

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