



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. *Application Information*

THE PRESERVE AT RIO MARINE VILLAGE MASTER SITE PLAN

Applicant:	Rio South Dixie, LLC
Property Owner:	Rio South Dixie, LLC
Agent for the Applicant:	Marcela Cambior and Associates, Cotleur and Hearing
County Project Coordinator:	Peter Walden, AICP, Deputy Growth Management Director
Growth Management Director:	Paul Schilling
Project Number:	S241-015
Application Type and Number:	DEV2020100006
Report Number:	2022_0228_S241-015_Staff_Report_Final
Application Received:	02/19/2021
Transmitted:	02/19/2021
Date of Staff Report:	04/08/2021
Resubmittal Received:	08/18/2021
Transmitted:	08/18/2021
Date of Report:	10/18/2021
Resubmittal Received:	12/20/2021
Transmitted:	12/20/2021
Date of Report:	02/28/2022

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B. *Project description and analysis*

Request for major master site plan approval for the development of 145 residential and live work units and the associated infrastructure on an approximate 14.34 acre undeveloped site. The project is located on the north side of SE Dixie Highway approximately 1.2 mile east of NE Savannah Road in Jensen Beach. Included is a request for deferral of public facilities reservation.

The project is located within the Rio Community Redevelopment Area (CRA). The parcel has a CRA Center future land use and CRA Zoning designation with Core subdistrict assigned along NE Dixie Highway and General subdistrict within the rest of the project. The parcel fronts on to primary designated roadways, NE Dixie Highway and NE Martin Avenue.

The site is primarily undeveloped and contains rare and unique habitat. It also contains several lots of record that have been previously developed. The site is designed to be accessed on NE Dixie Highway utilizing connections to the existing street grid.

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	Pete Walden	219-4923	Non-Comply
F	ARDP	Samantha Lovelady	288-5664	Comply
G	Development Review	Pete Walden	219-4923	Non-Comply
H	Urban Design	Pete Walden	219-4923	N/A
H	Community Redevelopment	Pete Walden	219-4923	Comply
I	Property Management	Ellen MacArthur	221-1334	N/A
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjolholm	288-5909	N/A
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Tom Walker	288-5928	N/A
M	Engineering	Clark Bridgman	288-5512	Non-Comply
N	Addressing	Emily Kohler	288-5692	Non-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	419-5396	Comply
P	Emergency Management	Sally Waite	219-4941	N/A
Q	ADA	Clark Bridgman	288-5512	Comply
R	Health Department	Nicholas Clifton	221-4090	N/A
R	School Board	Kimberly Everman	219-1200	Comply
S	County Attorney	Krista Storey	288-5923	Ongoing
T	Adequate Public Facilities	Pete Walden	219-4923	Deferral

D. Review Board action

This application meets the threshold requirements for processing as a major development. As such, a review of this application is required by the Local Planning Agency (LPA) and final action by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be public hearings.

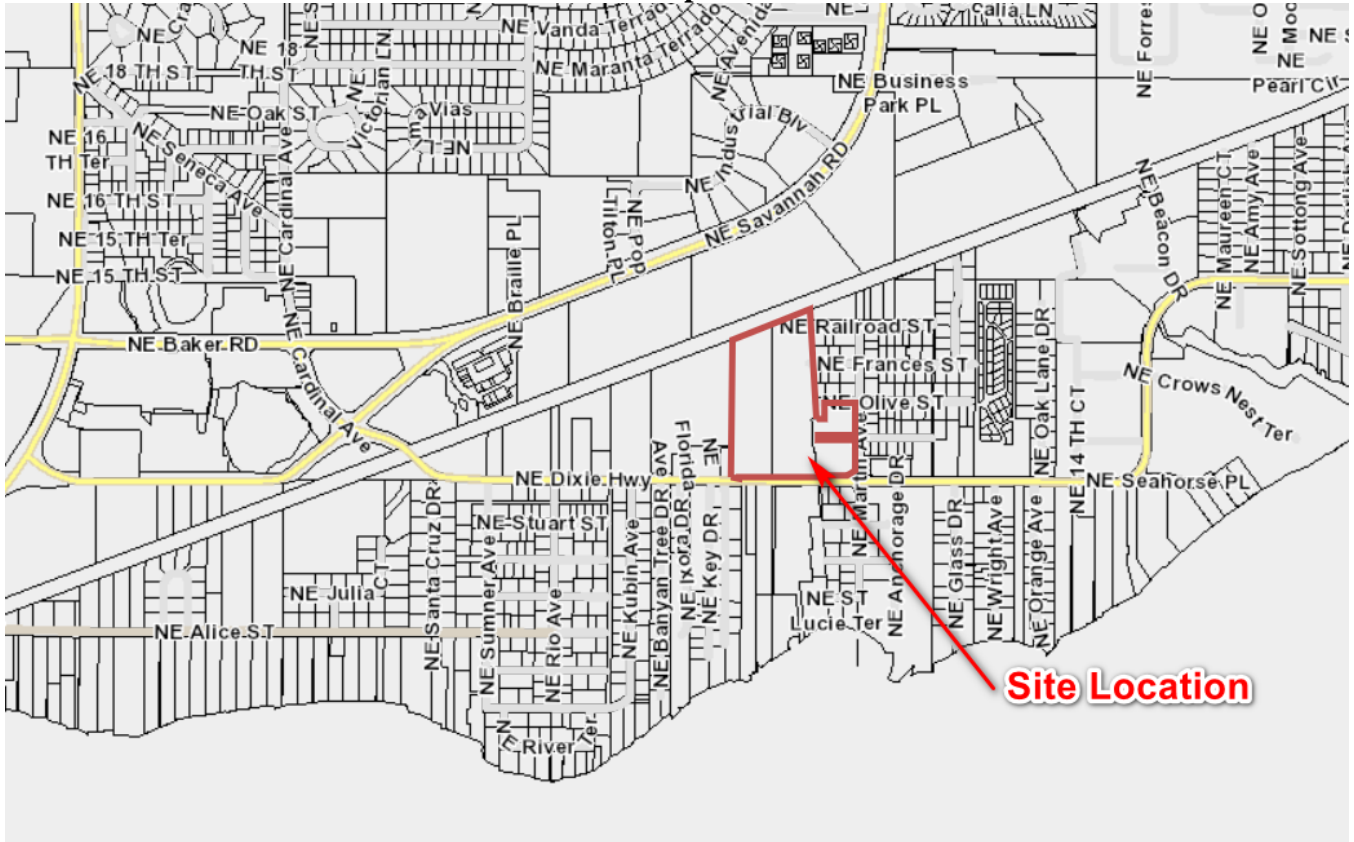
The applicant is required to re-submit materials in response to the non-compliance findings within this report. Upon receipt, the re-submitted materials will be transmitted for review to the appropriate review agencies and individuals that participate in the County's review process. A revised staff report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

E. Location and site information

Parcel number(s):
 Existing Zoning: Rio-Redevelopment Zoning District

Sub-Districts: Core, General
 Future land use: CRA Center
 Commission district: 1

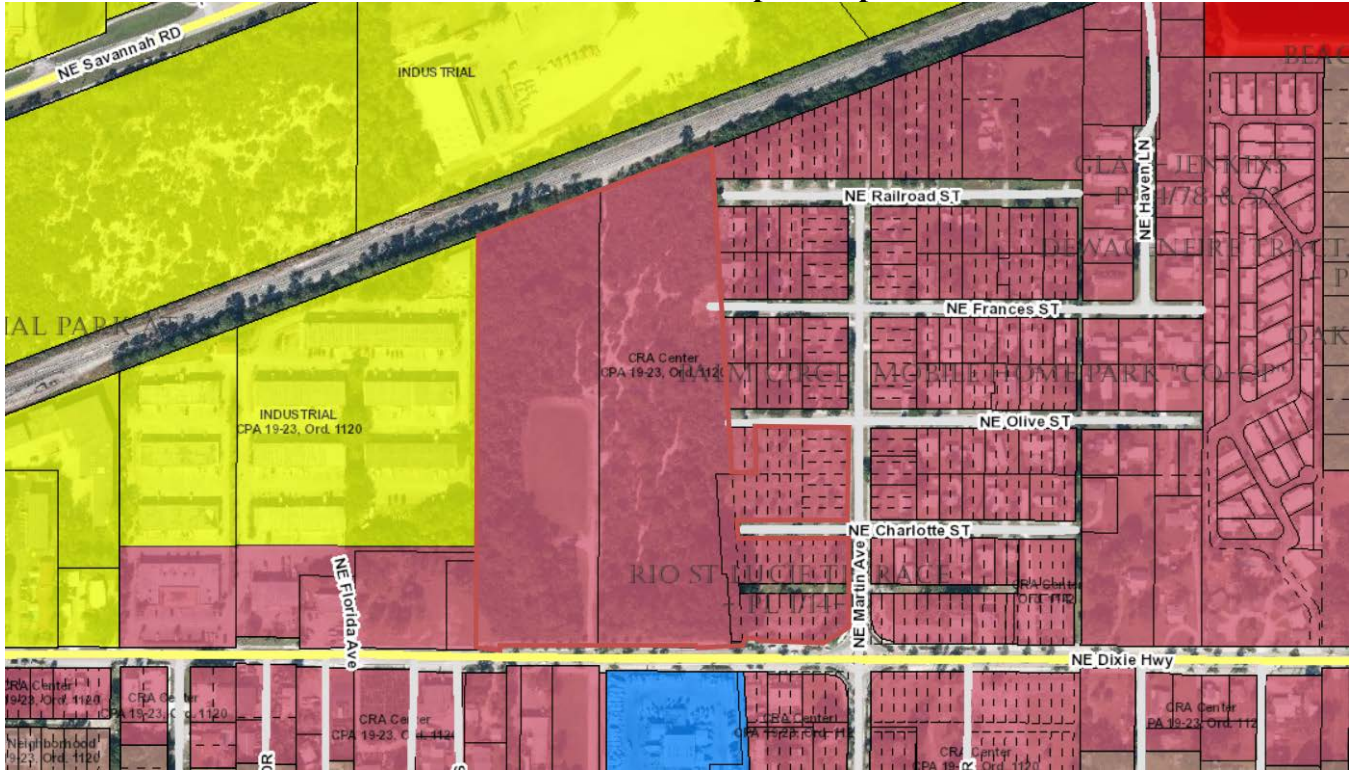
Location Map



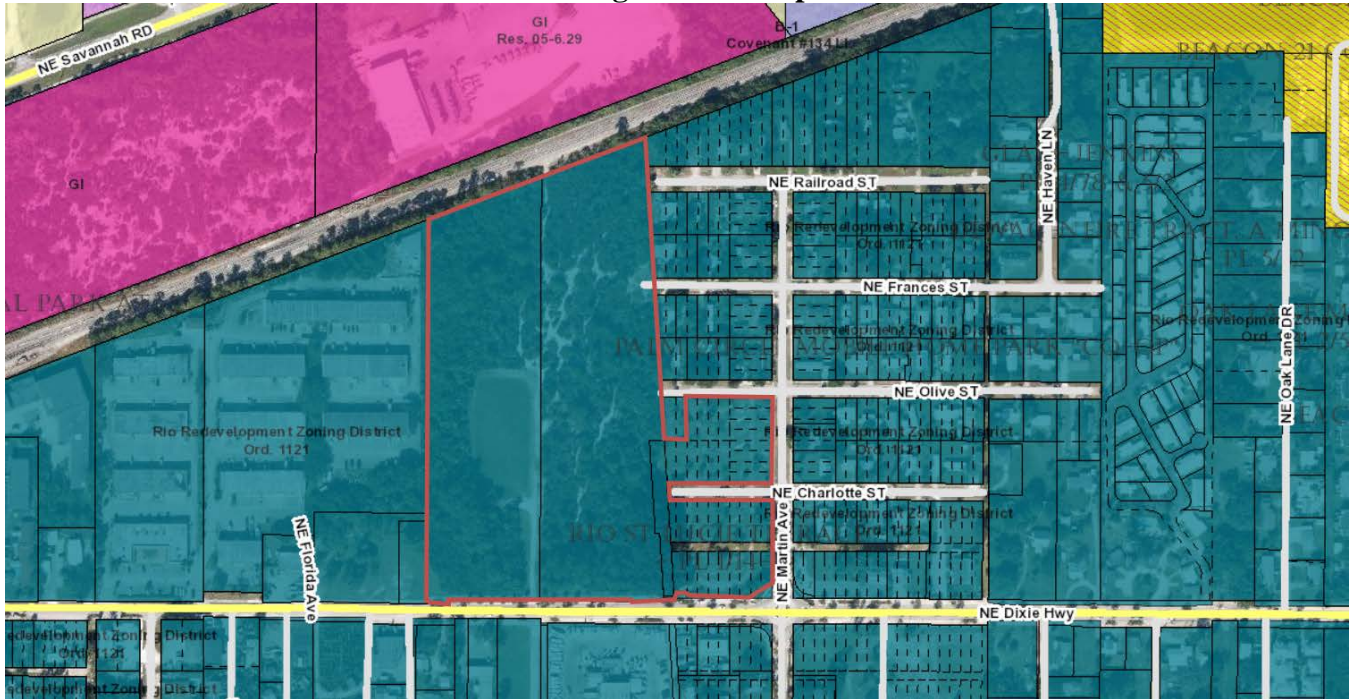
Aerial



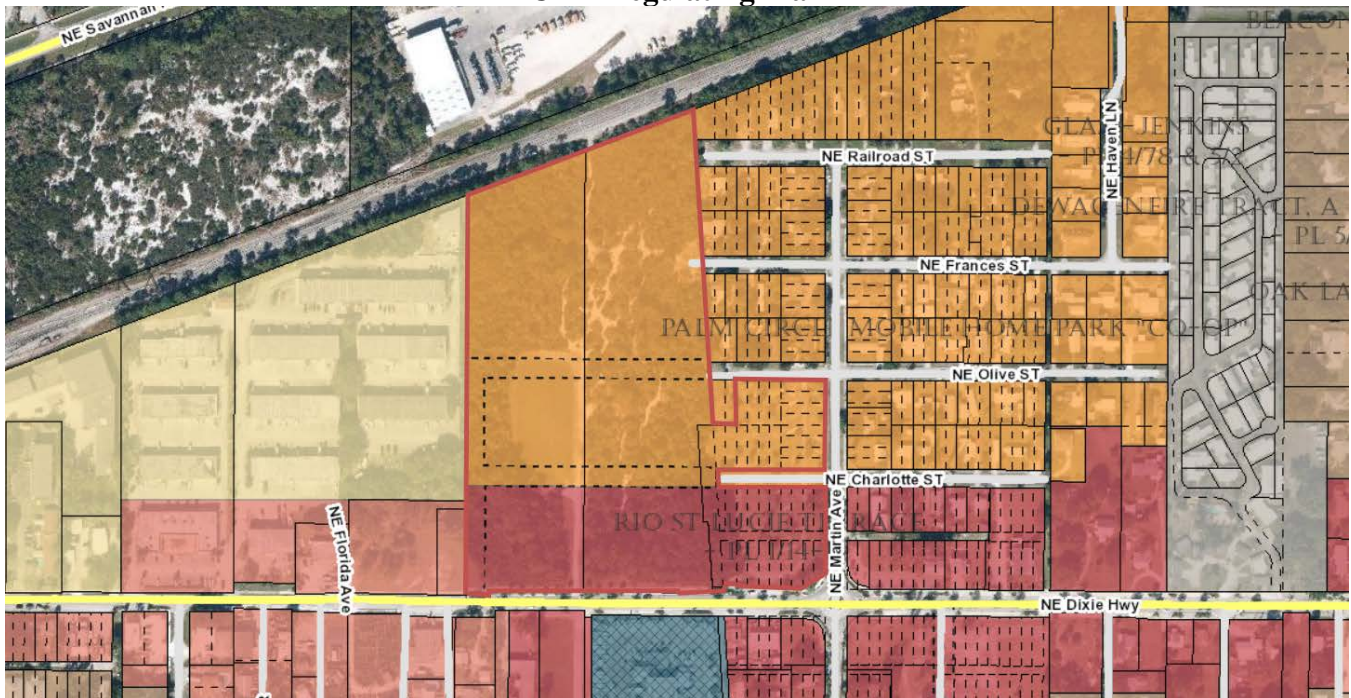
Future Land Use Map Excerpt



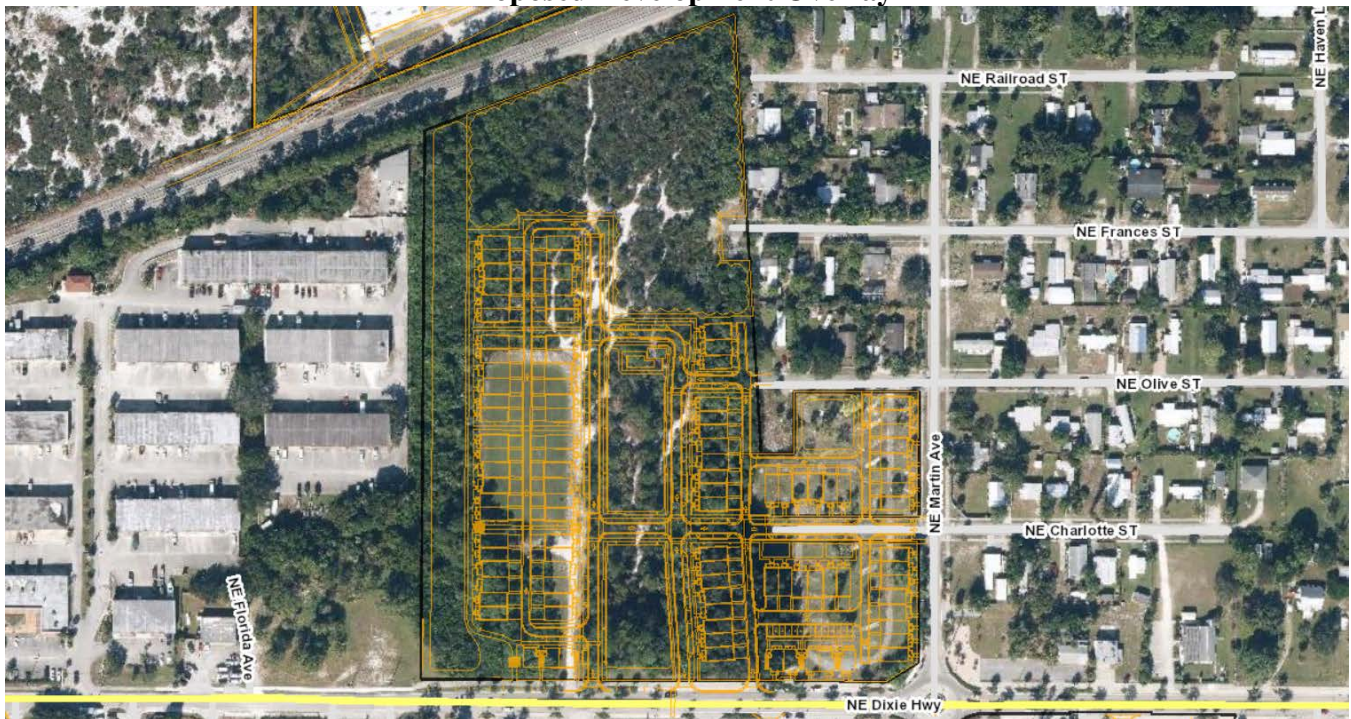
Zoning Atlas Excerpt



CRA Regulating Plan



Proposed Development Overlay



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

Objective 18.2A. The CRA Center future land use designation applies to the urbanized core of the CRAs and along certain corridors where mixed-use development patterns exist or are allowed.

Policy 18.2A.1. Quality of life. Development in the CRA Center future land use designation (CRA Center) shall be designed to improve residents' quality of life by:

- (1) Encouraging compatibility and pedestrian and bicycle links between commercial development and surrounding residential areas;
- (2) Accommodating small businesses and home-based businesses;
- (3) Increasing economic and social integration by providing opportunities for diverse housing types;
- (4) Encouraging vibrant, compact development;
- (5) Providing for local, small-scale employment, shopping and civic opportunities; and
- (6) Maintaining or attaining a small-town urban form, with well-connected, walkable streets, on-street parking, small parking lots, public open spaces, community facilities, and high quality buildings of similar scale related to each other in form and proportion.

Unresolved Issues:

Master Site plan

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

The Preserve at Rio Marine incorporates 2 Rio CRA subdistricts: the Core district and the General District. Both subdistricts allow 15 UPA and 20% minimum open space.

Title Block:

1. The title block refers to "Rio Town Center" Is this intentional, It is staff's understanding the project name is "The Preserve at Rio Marine Village" Please clarify.

Item #1: Data Tables

1. Show a total units per acre permitted and provided. (total for both land uses)
2. Under the Core district table, units per acre is shown at 215.1 permitted.
3. Add commas to all numerical data, currently they are used on only some of the data.

Site plan:

1. Add street and site details to pages 2 and 3.
2. Use the blank spaces to provide more information, project team etc.
3. The line work along NE Dixie Highway needs to be revised, the sidewalk narrows as it turns into NE Preserve Drive, this is not necessary and should mirror the west side of Preserve Drive East. There is also missing line work for the sidewalk on page 3 of 3.
4. Identify the land use line running east to west (perhaps by adding arrows from the identifiers along the property line.)
5. Not all ROW lines are clearly demarcated, please make sure that all line work is consistent.

Phasing plan:

1. The phasing plan has not been updated to show the proposed roundabout.

Alternative Compliance

If alternative compliance is sought for specific uses, types or dimensioning of infrastructure or buildings. The specific code should be identified and the alternative being sought should be explained for each item.

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

Community Redevelopment

Setbacks:

1. Several buildings do not meet setbacks: Sec 12.3.05, ,
 - A. Apartment buildings, 10'-25' front: 10'-15' side: Figure R-5.04

Street Standards Sec 12.1.06:

1. Provide street details on pages 2 and 3 of the master plan that coincide with street names used ("Preserve Drive", "Scrubjay Alley", "Olive Street". The street types proposed do not meet the specific types provided by Article 12.

Elevations Sec. 12.1.04. 10:

1. The elevations provided for the Apartment buildings do not show the required 21" above existing grades.

Alternative Compliance:

The Rio CRA provides for alternative compliance, pursuant to Section 12.1.12.4. An applicant for development approval may propose a site, landscape, or architectural plan which varies from the requirements of Article 12 in order to accommodate unique circumstances of the proposed development site or to propose a different but comparable design solution.

Please refer to specific code to request alternative compliance.

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

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

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

Environmental

Finding of Compliance:

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

Landscape

This project is a N/A for landscaping. No landscape plans are being reviewed in association with this application for Revised Zoning and Masterplan. 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

This application satisfies the Adequate Public Facilities Standard; it is exempt by Objective 18.5D. Policy 18.5D.1. in Chapter 18 of the Comprehensive Growth Management Plan. CRAs are designated as Transportation Concurrency Exception Areas (TCEA). Development within the TCEAs which is otherwise consistent with the CGMP shall be exempt from the County's transportation concurrency requirement.

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 Department

RIGHT-OF-WAY IMPROVEMENTS

Revise the following components to comply with the cited references:

1. The street types shown on the master site plan do not meet Article 12 Community Redevelopment Code Division 1, Section 12.1.06. Please clarify which street standard is applicable to the named streets.
2. Please identify and label the furnishing zone between the sidewalk and back of curb surrounding the Linear Park. Switching the locations of the sidewalk with the furnishings zone may provide additional clearance.
3. Provide future right of way dedication for the relocated round-a-bout.
4. Please confirm the intention of platting the project roadways. Please clarify all of the proposed right of way locations and dimensions.
5. Provide information regarding the future ownership and maintenance of the platted roadways.
6. The right of way width of NE Dixie Highway is 65 feet, not 70 feet as shown.
7. Provide future right of way dedication for the relocated round-a-bout.

CONSISTENCY WITH OTHER PLANS

1. Please remove the underground infrastructure layers on the master site plan.

2. Describe the purpose of the east west solid black line on sheets 1 and 3 of 3 on the Site Plan. This line is parallel to NE Dixie Highway and is the width of the project.
3. Label the limits of the new proposed drainage easement replacing the previous dry detention area.
4. The Master Site Plan should have a note that states that the final location of the Drainage Easement recorded in O.R.B. 2448, PG. 2305 to be dedicated/determined at the Final Site Plan/Plat submittal.
5. Relocation of the existing Martin County retention area shall follow the terms in the recorded Drainage/Flow Easement Item 5. D.

STORMWATER MGMT REPORT – MASTER

Revise the Stormwater Management Report to adequately describe the following:

1. Demonstrate that the pre-development discharge volume of 18.33 CFS in the Stormwater Management Report on page 4 apply to the total proposed area of 14.28 acres for the project. “Other Surface Waters” labeled on the Pre-Development and Post Development maps by DRMP in Application No. 080313-5 west of the existing retention basin indicate that these flows are collected and drain through an existing outfall directly into the St. Lucie River. The SFWMD ERP permit 43-02302-P on page 3 of 8 shows the 25 year-3-day peak discharge for Basin B, area of 4.86 acres, as 18.33 CFS.

RIGHT-OF-WAY USE PERMIT

Prior to any construction within the County right-of-way, a Right-of-Way Use Permit shall be submitted and approved. Should lane closures be required, the application must be submitted 30 days in advance to allow for proper notification. The County does not permit open cutting of pavement for the installation of utilities.

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

Addressing

#1 Please choose another street type for either NE Preserve DR East or NE Preserve Dr West. You can keep the name “NE Preserve” but you need a new type for one of them. Choose a type beginning with a letter in the first half of the alphabet (A through M). Ex Ave, Ct, Ln. After picking a new type, please remove East and West from the street names.

#2 The spelling of "Scrubjay" is incorrect. Scrub Jay is two words.

#3 There are several duplications of NE Scrubjay Alley. If you plan on using this name more than once, you must use a new street type for each of them. Please note issue #2 when choosing a name.

#4 NE Woodpecker Alley and NE ScrubJay alley need to be only one street name. These streets are continuous and cannot change names at the intersection. 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. Please note issue #3 when choosing a name.

#5 NE Spoonbill Alley and NE ScrubJay alley need to be only one street name. These streets are continuous and cannot change names at the intersection. 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. Please note issue #3 when choosing a name.

#6 The east/west running street between Building J and Building K named NE Scrubjay Alley needs to have a different street type. This is an east/west running street, this street type must be named from the second half of the alphabet (N-Z). 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)*. Also, Please note issue #3 when choosing a name.

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

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

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 Fire Protection Engineering documents shall include the point of service for the water supply, a list of NFPA standards applicable to the project, classification of hazard and occupancy for each room or area, suppression system type, design densities, water supply data (fire pump, hydrant flow test data) and any performance based information such as pre-engineered systems.

The Needed Fire Flow Requirement must be in accordance with Florida Fire Prevention Code, N.F.P.A. 1, Chapter 18.4.5 (latest adopted edition). The Guide for Determination of Needed Fire Flow, latest edition, as published by the Insurance Service Office (ISO). All calculations must be demonstrated and provided.

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.

Please demonstrate emergency vehicle turn radius capabilities

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

Accessibility (ADA) [Martin County, Fla., LDR Section 4.627.E (2009)]

The Public Works Department staff will review the application at Final Site Plan submittal to determine compliance with the applicable Americans with Disability Act requirements. (2014 FBC, FIFTH EDITION\ACCESSIBILITY)

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 District CIP School Concurrency Determination

Project: The Preserve at Rio Marine Village
Date Received: 2/19/2021
Project #: S241-015 – 1st Round, Major Master Site Plan
Owner/Applicant: Dan Sorrow, Cotleur & Hearing 561-406-1012
Location: North side of E Dixie Hwy. just West of Martin Ave., and East of NE Rio Pine Lane in Rio CRA

Planned Project Units: 73 TH - MF

Project Unit Yield by Type of School

School Type	Rate	Students
Elementary:	.0997	7
Middle School:	.0510	4
High School:	.0709	5
SGR =	.2216	16

Concurrency Service Area Analysis:

CSA ANALYSIS	A	B	C	D	E	F	G	H
NORTH CSA SCHOOLS	LOS CAPACITY	3 YR. ADDED CAPACITY	TOTAL LOS CAPACITY (A+B)	OCTOBER STUDENT ENROLLMENT	PROJECTS w/RESERVED CAPACITY	THIS PROJECT DEMAND	TOTAL DEMAND (D+E+F)	AVAILABLE LOS CAPACITY (C - G)
Elementary								
Felix Williams Elem (Z)	710	0	710	506	70	7	583	127
Jensen Beach Elem	743	82	825	518	77	0	595	230
Total	1453	82	1535	1024	147	7	1178	357
Middle								
Stuart Middle	1314	0	1314	777	86	4	867	447
High								
Jensen Beach High	1914	0	1914	1427	166	5	1598	316

Concurrency Availability: Pursuant to the City, County, School District Interlocal Agreement for School Planning and Siting, Section 6.2.7 and Article 5 of the Martin County Land Development Regulations, Division 5, Section 5.8.3, the School District has determined that sufficient school capacity does exist to serve the change in residential dwelling units proposed in this application to meet the school concurrency requirements under Florida Statute 163.3180.

School Capacity: This analysis is only used to serve as a review of the potential impact of the schools within the area of a future residential land use. School capacity shall be reserved for the above referenced project upon receipt of a final approval from the Martin County Growth Management Department. This concurrency reservation shall expire **three (3)** years from the date of issuance of this concurrency determination.

Comments: This determination does not guarantee that the students from the above referenced project will be assigned to attend a particular school(s). Please note if capacity demand should exceed existing availability, students may be housed in relocatable units.

Letter of No Objection w/Conditions: At this time we can provide a letter of no objection with the following conditions:

1. None

School District Contact: Kimberly Everman, Capital Planner/Project Specialist

Date Issued: 2/23/2021

Telephone: 772- 219-1200, Ext.30220

E-Mail: evermak@martinschools.org

School concurrency is not required at the master site plan level of review. However, a new review will be provided prior to the public hearing process.

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

Section 5.32.C.

Procedure to obtain an evaluation of adequate public facilities (nonbinding) and affidavit deferring adequate public facilities reservation. 1.

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

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. Checks should be made payable to Martin County Board of County Commissioners.

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) 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.

Item #5:

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

Item #6:

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 #7:

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

All related permits will be due prior to the commencement of any construction.

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:	\$9,127.00	\$9,127.00	\$0.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Impact 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.

*** Impact fees to be paid at building permit issuance.

X. General application information

Applicant: Rio South Dixie, LLC
Josh Simon
601 Heritage Drive, Suite #227
Jupiter, FL 33458

Agent: Marcela-Cambolor and Associates
Marcela Cambolor-Cutsaimanis
12 South Ridgeview Road
Sewall's Point
772-708-1108

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
NFPANational Fire Protection Association
SFWMDSouth Florida Water Management District
W/WWSA Water/Waste Water Service Agreement

Z. Attachments