



AGENDA

**LOCAL PLANNING AGENCY
JUNE 8, 2023
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

LOCAL PLANNING AGENCY

**Chair - Kelly Laurine
Vice Chair - Margaret Bromfield
Board Member - Donald Cuozzo
Board Member - Laura Giobbi
Board Member - William Mathers
Board Member - Ryan Strom
Board Member - James "Mac" Stuckey
Ex Officio Board Member - Mark Sechrist**

ADMINISTRATIVE

**Development Director, Jodi Nentwick-Kugler
Board Secretary, Susej T. Meleqi**

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.
(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. APPROVAL OF 05/11/2023 LPA MINUTES

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

ACTION ITEMS

2. A REQUEST FROM COMMERCE AVENUE, LLC TO CONSIDER A VOLUNTARY ANNEXATION:

ORDINANCE No. 2517-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ANNEXING A PARCEL OF LAND FRONTING ON SE COMMERCE AVENUE, CONSISTING OF 1.45-ACRES, SAID PARCEL BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

3. A REQUEST BY COMMERCE AVENUE, LLC, FOR A SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT:

ORDINANCE No. 2518-2023; AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT AS DEFINED IN F.S.§163.3187; AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP FOR AN APPROXIMATELY 1.45-ACRE PARCEL FROM THE FUTURE LAND USE OF INDUSTRIAL (COUNTY) TO THE FUTURE LAND USE OF INDUSTRIAL (CITY); AMENDING THE FUTURE LAND USE MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

4. A REQUEST FROM COMMERCE AVENUE, LLC TO CONSIDER A REZONE PETITION:

ORDINANCE No. 2519-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP; TO REZONE A 1.45-ACRE PARCEL; LOCATED ON THE SOUTH EAST SIDE OF SE COMMENRCE AVENUE; BEING MORE DESCRIBED IN EXHIBIT "A" ATTACHED, FROM M-2 INDUSTRIAL (COUNTY) ZONING DESIGNATION TO IPUD INDUSTRIAL PLANNED UNIT DEVELOPMENT (CITY) ZONING DESIGNATION; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING

FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

STAFF UPDATE

5. LIVE LOCAL ACT (SB102) STAFF PRESENTATION

ADJOURNMENT

WHAT IS CIVILITY? Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

PUBLIC COMMENT: If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.

CONSENT CALENDAR: Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.

QUASI-JUDICIAL HEARINGS: Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Local Planning Agency**

Meeting Date: 6/8/2023

Prepared by: Susej Meleqi

Title of Item:

APPROVAL OF 05/11/2023 LPA MINUTES

Summary Explanation/Background Information on Agenda Request:

APPROVAL OF 05/11/2023 LPA MINUTES

Funding Source:

N/A

Recommended Action:

Approve minutes.

ATTACHMENTS:

1. 05112023 LPA Minutes

**MINUTES
LOCAL PLANNING AGENCY OF THE CITY OF STUART
MAY 11, 2023
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

LOCAL PLANNING AGENCY

**Chair - Kelly Laurine
Vice Chair - Margaret Bromfield
Board Member - Donald Cuozzo
Board Member - Laura Giobbi
Board Member - William Mathers
Board Member - Ryan Strom
Board Member - James "Mac" Stuckey
Ex Officio Board Member - Mark Sechrist**

ADMINISTRATIVE

**Development Director, Jodi Nentwick-Kugler
Board Secretary, Susej T. Meleqi**

CALL TO ORDER

5:46 PM

ROLL CALL

PRESENT: Chair Laurine, Board Member Giobbi, Board Member Mathers, Board Member Strom

ABSENT: Vice Chair Bromfield, Board Member Cuozzo, Board Member Stuckey

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

5:46 PM MOTION: Approve.

MOVED BY: Ryan Strom

SECONDED BY: Laura Giobbi

Motion approved unanimously.

APPROVAL OF MINUTES

1. APPROVAL OF 03/09/2023 LPA MINTUES

5:47 PM MOTION: Approve.

MOVED BY: Laura Giobbi

SECONDED BY: William Mathers

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

None.

ACTION ITEMS

2. A REQUEST FOR A LAND DEVELOPMENT CODE TEXT AMENDMENT TO ALLOW CEMETERIES AND FUNERAL HOMES WITHIN THE PUBLIC DISTRICT (RC):

ORDINANCE No. XXXX-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY' LAND DEVELOPMENT CODE; MORE SPECIFICALLY ADMENDING SECTION 2.02.02 OF CHAPTER II, TABLE 2: LAND USES TO ALLOW CEMETERIES AND FUNERAL HOMES TO BE DESIGNATED AS "P" PEMRITTED USE WITHIN THE "I" (INSTITUTIONAL) LAND USE DESIGNATION; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Jodi Nentwick Kugler, Development Director, presented the future land use designation, zoning district, and provided staff recommendation to approve the text amendment.

Applicant spoke and provided the history of the property.

Board Members had a brief discussion on the text amendment for the zoning.

5:52 PM MOTION: Approve.

MOVED BY: William Mathers

SECONDED BY: Laura Giobbi

Motion approved unanimously.

3. A REQUEST FROM WILLIS CUSTOM YACHTS TO CONSIDER A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT (RC):

ORDINANCE No. XXXX-2023; AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT AS DEFINED IN F.S.§163.3187; AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP FOR AN APPROXIMATELY 1.794-ACRE PARCEL FROM THE INDUSTRIAL FUTURE

LAND USE TO THE MARINE/INDUSTRIAL FUTURE LAND USE; AMENDING THE FUTURE LAND USE MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Kris McCrain, Principal Planner, presented on the projects public notice, location, site history, existing future land use, criteria, wetlands, strategic habitat conservation areas, wellfield protection area, soils, historic resources, floodplain, traffic concurrency, and staff recommendation.

Applicant presented the surrounding uses, history of Willis Custom Yachts, other locations owned by Willis Custom Yachts, application requests, and consistent FLU and zoning.

Board Member Giobbi asked if there was any adjacent wetlands and if there would be opportunities for local employment and apprentice programs.

Board Member Mathers questioned what the land use change allows in industrial marine that industrial does not allow.

6:09 PM MOTION: Approve.
MOVED BY: Ryan Strom
SECONDED BY: William Mathers
Motion approved unanimously.

STAFF UPDATE

ADJOURNMENT

6:09 PM

Susej T. Meleqi, Deputy City Clerk

Kelly Laurine, Chair

**Minutes to be approved at the LPA
Meeting this 8th day of June, 2023.**

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Local Planning Agency**

Meeting Date: 6/8/2023

Prepared by: Kristopher McCrain

Title of Item:

A REQUEST FROM COMMERCE AVENUE, LLC TO CONSIDER A VOLUNTARY ANNEXATION:

ORDINANCE No. 2517-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ANNEXING A PARCEL OF LAND FRONTING ON SE COMMERCE AVENUE, CONSISTING OF 1.45-ACRES, SAID PARCEL BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Commerce Avenue, LLC, has applied for a Voluntary Annexation for a +/-1.45-acre vacant parcel of land located within the jurisdiction of unincorporated Martin County, Florida.

Funding Source:

N/A

Recommended Action:

Staff recommends the Local Planning Agency (LPA) forward a recommendation of approval for the Voluntary Annexation of the 1.45-acre parcel, via Ordinance No. 2517-2023, based upon the following findings of fact:

ATTACHMENTS:

1. DRAFT Ordinance 2517-2023
2. Staff Report
3. Annexation Application Packet
4. Boundary Survey
5. Traffic Impact Analysis
6. Martin County Correspondence
7. No Objection Letter Packet
8. Public Notice Packet



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

ORDINANCE NUMBER 2517-2023

* * * * *

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ANNEXING A PARCEL OF LAND FRONTING on SE COMMERCE AVENUE, CONSISTING OF 1.45-ACRES, SAID PARCEL BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the applicant Commerce Avenue, LLC, constituting the fee simple title holder to the 0.34-acres, more particularly described in **Exhibits "A"**, attached hereto, and made a part thereof, has voluntarily requested the City of Stuart annex said land into the corporate limits of the City; and

WHEREAS, on August 29, 2022, an application was submitted to the City of Stuart for a voluntary request for annexation; and

WHEREAS, the Local Planning Agency (LPA) held a property noticed hearing at a regularly scheduled meeting on June 8, 2023, to consider the applicant's request and recommended _____ of the subject petition to the City Commission; and

WHEREAS, the City Commission held a property noticed hearing at a regularly scheduled public hearing on _____, 2023, to consider the applicant's request and **granted/denied** approval of the subject petition to the City Commission; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF STUART:

SECTION 1. Findings. The City Commission finds the above statements are true and correct, and serve as a basis for consideration of this Ordinance; that said lands are contiguous with the corporate limits of the City of Stuart, creates no enclaves, is reasonably compact, and the City can effectively provide police, fire, and sanitary services to said land, all in compliance with the terms and requirements of Section 171.44, Florida Statutes, and the City of Stuart Code.

SECTION 2. Annexation. The parcel of land more particularly described in **Exhibits "A"**, is hereby annexed into and shall be within the corporate limits of the City of Stuart, Florida, and that same shall henceforth be a part of said City as if said lands were originally a part of the City of Stuart.

SECTION 3. Directions to the City Clerk. The City Clerk shall cause the boundaries as set forth in the City's Charter to be amended and codified. The City Clerk shall submit such documentation as required by law to give effect to this Ordinance to the Clerk of the Circuit Court, Board of County Commissioners Florida Statute 171.044(6) within ten (10) days prior to second reading adoption, the Chief Administrative Officer of Martin County, and the Florida Department of State within seven (7) days following adoption, in accordance with Section 171.044, Florida Statutes. Upon complete execution of this Ordinance, the City Clerk is directed to record this Ordinance in the Public Records of Martin County, Florida.

SECTION 4. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

SECTION 5. Severability. If any word, clause, sentence, paragraph, section, or part thereof

contained in this Ordinance is declared to be unconstitutional, unenforceable, void, or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance. The corporate boundary of the City shall be re-codified to include lands annexed.

SECTION 6. Adoption. This Ordinance shall take effect upon adoption.

Passed on first reading the _____ day of _____, 2023.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this _____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM

AND CORRECTNESS:

PAUL J. NICOLETTI
CITY ATTORNEY

EXHIBIT “A” - LEGAL DESCRIPTION

THE SOUTHERLY 50 FEET OF TRACT 204 LYING EAST OF S.E. COMMERCE AVENUE AND WEST OF THE FLORIDA EAST COAST RAILWAY; AND A PORTION OF TRACTS 208 AND 209, OF REVISED PLAT OF PORT SEWALL LAND COMPANY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 7 OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; TOGETHER WITH ABANDONED 50 FOOT ROAD KNOWN AS S.E. MARKET PLACE, ABUTTING TRACT 204 ON THE SOUTH AND TRACTS 208 AND 209 ON THE NORTH AS DESCRIBED IN RESOLUTION 82-9.22 RECORDED IN OFFICIAL RECORDS BOOK 554, PAGE 1527.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF TRACT 209 AND THE EASTERLY RIGHT-OF-WAY LINE OF S.E. COMMERCE AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N48°14'09"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 109.94 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTHERLY 50 FEET OF TRACT 204; THENCE N66°18'56"E ALONG SAID NORTH LINE, A DISTANCE OF 345.71 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY OF THE FLORIDA EAST COAST RAILWAY; THENCE S42°00'25"E A DISTANCE OF 171.33 FEET ALONG SAID WEST RIGHT-OF-WAY; THENCE S57°01'32"W, A DISTANCE OF 165.74 FEET; THENCE S52°36'43"W, A DISTANCE OF 138.44 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF S.E. COMMERCE AVENUE; THENCE N48°14'09"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 134.34 FEET TO THE POINT OF BEGINNING.

PARCEL I.D. No.: 38-38-41-002-204-00002-8



TO: Local Planning Agency (*LPA*)
FROM: Kris McCrain, Principal Planner
MEETING DATE: Thursday, June 8, 2023
SUBJECT: Benchmark III IPUD
Voluntary Annexation (*Project #:* Z22080003)

AGENDA REQUEST:

This is a request from the property owner, Commerce Avenue, LLC, to consider a Voluntary Annexation petition for a +/-1.45-acre vacant parcel of land located within unincorporated jurisdiction of Martin County, Florida.

GENERAL INFORMATION:

Property Owner/Applicant: Gregory A. Hale
Commerce Avenue, LLC
3322 SE Gran Park Way
Stuart, FL 34997

Agent/Agent of Record: Michael McCarty
McCarty & Associates Land Planning & Design, LLC
309 SE Osceola Street
Stuart, FL 34994

Location: TBD - SE Commerce Avenue, Stuart, FL 34997

Parcel ID#: 38-38-41-002-204-00002-8

Parcel Size: +/-1.45-acres

Existing Future Land Use: Industrial (*County*)

Proposed Future Land Use: Industrial (*City*)

Existing Zoning: (*M-2*) Industrial (*County*)

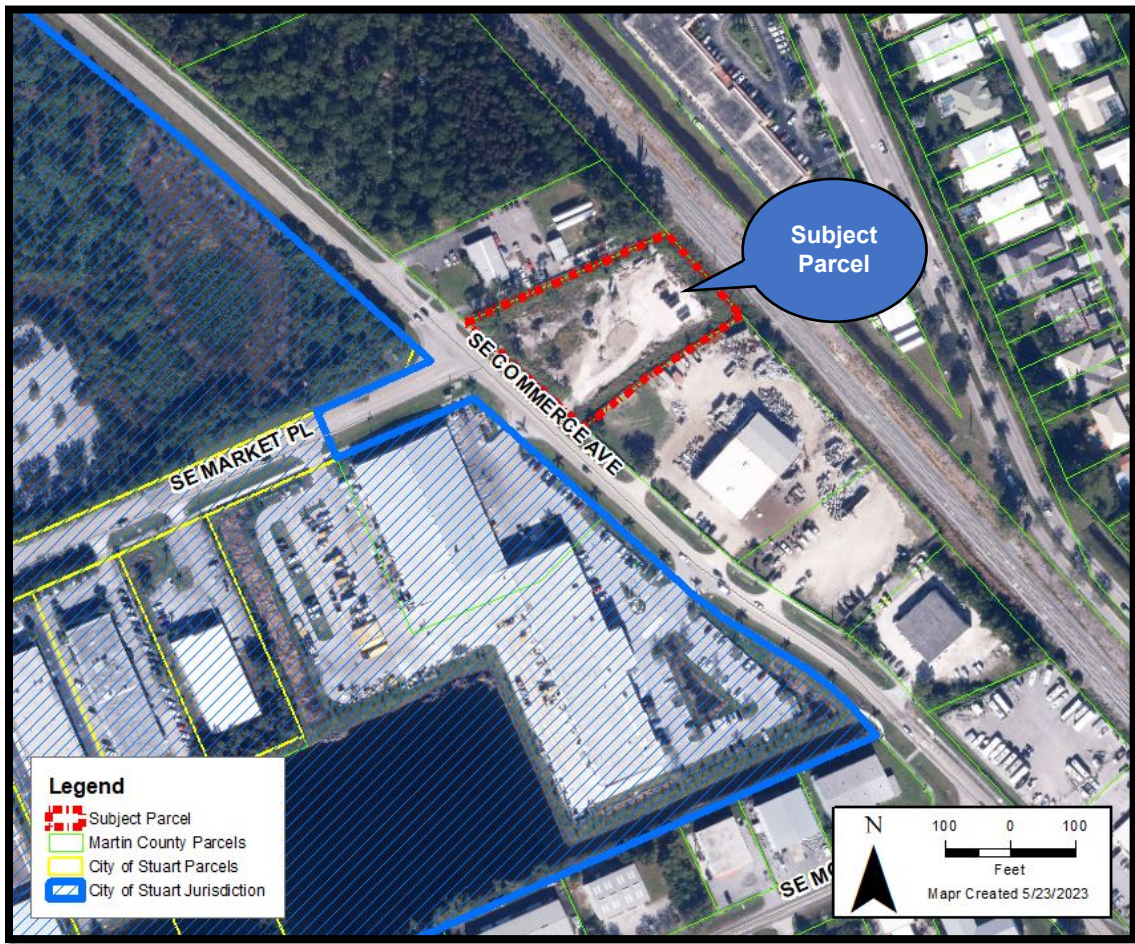
Proposed Zoning: (*IPUD*) Industrial Planned Unit Development (*City*)

Existing Use: Vacant

Proposed Use: Industrial Planned Unit Development

BACKGROUND

McCarty & Associates Land Planning & Design, LLC submitted petitions, on behalf of Commerce Avenue, LLC, for a Voluntary Annexation to incorporate the +/-1.45-acre parcel from unincorporated Martin County to City of Stuart jurisdiction, a Small-Scale Comprehensive Plan Amendment to amend the Future Land Use category from the Industrial (*County*) to Industrial (*City*), and to Rezone the subject property from (*M-2*) Industrial (*County*) to the (*IPUD*) Industrial Planned Unit Development (*City*) Zoning Designation, for a project to be known as Benchmark III IPUD.



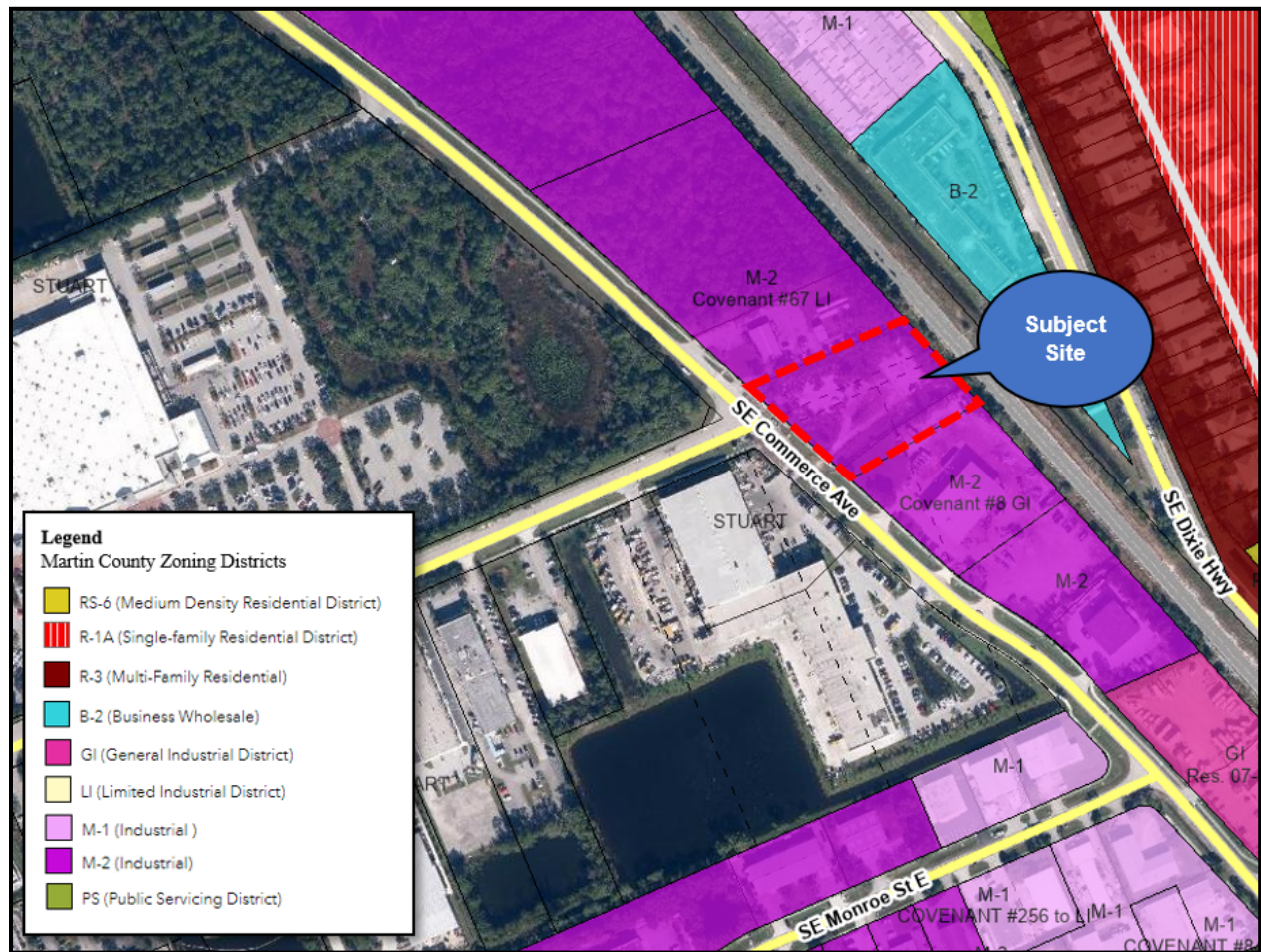
LAND USE AND ZONING

The subject site currently has a Martin County Future Land Use Designation of Industrial (*IND*), and a County Zoning Designation of Industrial (*M-2*). The subject property is currently vacant and located on the east side of SE Commerce Avenue. The site is bounded by City of Stuart to the west. The existing uses, Zoning Districts, and Future Land Use designations of the adjacent properties are summarized in Table 1 below.

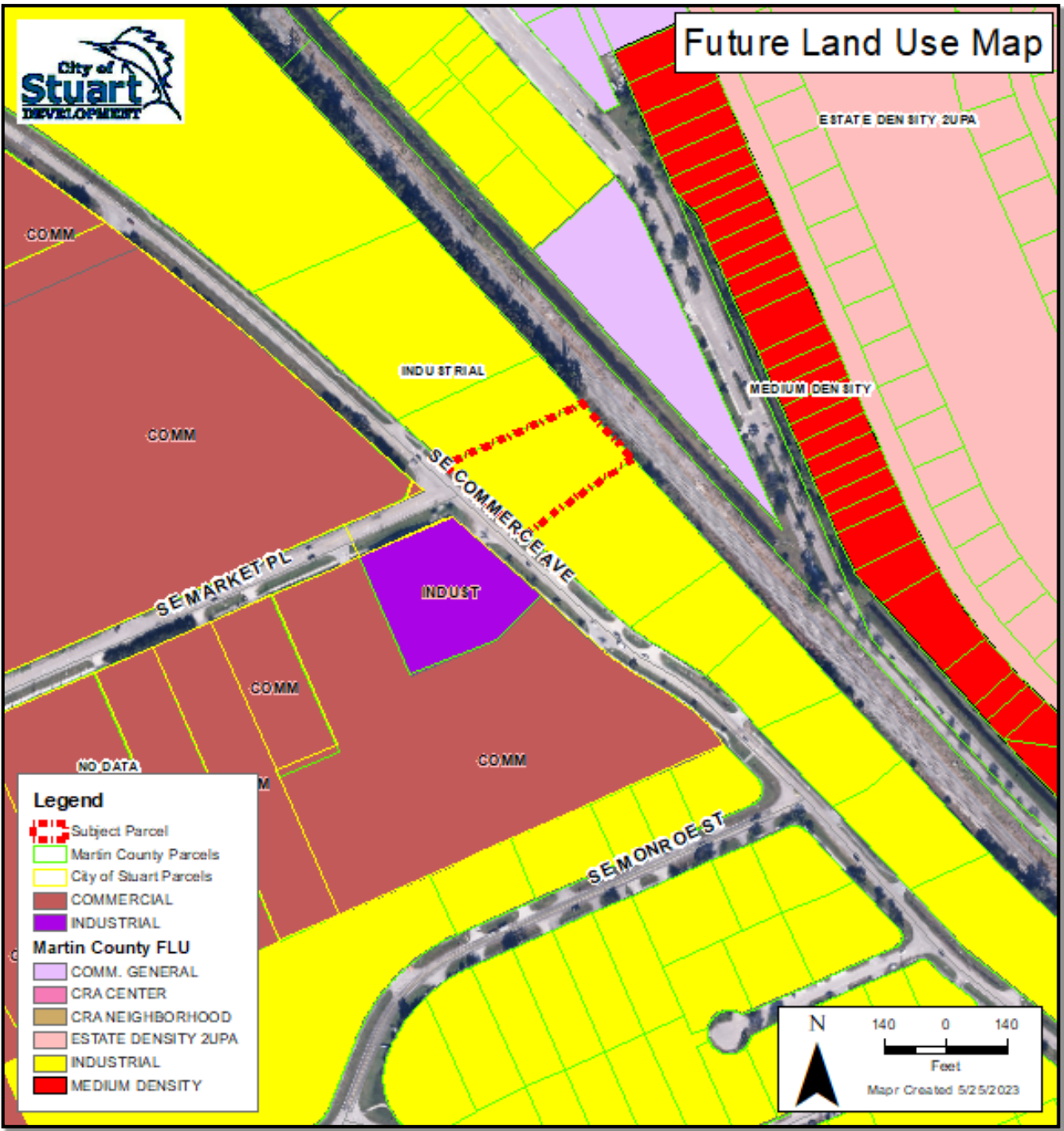
Table 1. Existing Use, Zoning and Land-Use Designations

Location		Zoning District	Future Land Use	Existing Land Use
Subject Property		M-2: Industrial (County)	Industrial (County)	Vacant
Adjacent Parcels	North	M-2: Industrial (County)	Industrial (County)	Kauff's Towing & Recovery
	South	M-2: Industrial (County)	Industrial (County)	Palm City Yachts
	East	Right-of-Way (County)	Right-of-Way (County)	Florida East Coast Railroad Right-of-Way
	West	CPUD: Commercial Planned Unit Development (City) & IPUD: Industrial Planned Unit Development (City)	Commercial (City) & Industrial (City)	Vacant Land Waterblasting, LLC S.E. Commerce Avenue S.E. Market Place Rights-of-Way

Martin County Zoning Map



City of Stuart Existing Future Land Use Map



VOLUNTARY ANNEXATION

Standards of Review as Set Forth in Land Development Code Section 11.01.12

In accordance with Land Development Code (*LDC*) Section 11.01.12(G), the Local Planning Agency (*LPA*) shall hear from all interested parties regarding whether the application complies with the requirements of this Code and the Comprehensive Plan. The LPA shall consider the application, the written comments of each responding department, consultant, and agency, as well as the compliance recommendation of the Development Department.

CONSISTENCY WITH FLORIDA STATUTES

Section 171.044, *Florida Statutes*, includes criteria that an area being considered for voluntary annexation shall satisfy prior to local government annexation:

- (1) *The owner or owners of real property in an unincorporated area of a county is contiguous to a municipality and reasonably company may petition the governing body of said municipality that said property be annexed to the municipality.*

Staff Comment: The subject area is located within unincorporated Martin County, is contiguous on the east with the City's municipal boundaries and is reasonably compact. Therefore, the proposed annexation is consistent with this section of the *Florida Statutes*.

- (2) *Upon determination by the governing body of the municipality that the petition bears the signatures of all owners of property in the area proposed to be annexed, the governing body may, at any regular meeting, adopt a nonemergency ordinance to annex said property and redefine the boundary lines of the municipality to include said property. Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town or, if no newspaper is published in said city or town, then in a newspaper published in the same county; and if no newspaper is published in said county, then at least three printed copies of said notice shall be posted for 4 consecutive weeks at some conspicuous place in said city or town. The notice shall give the ordinance number and a brief, general description of the area proposed to be annexed. The description shall include a map clearly showing the area and a statement that the complete legal description by metes and bounds and the ordinance can be obtained from the office of the city clerk.*

Staff Comment: The subject property is under single ownership, and the City has received the signature of the property owner for the area of land to be annexed into the City of Stuart. Prior to the adoption of the Ordinance by City Commission for annexation, the notice (*legal advertisement*) will be published at least five (5) days prior to the Local Planning Agency (*LPA*) public hearing and for two (2) consecutive weeks prior to the second reading before the City Commission in the City's local newspaper (*TC Palm Newspaper*), to meet the requirements of the *Florida Statutes*.

- (3) *An ordinance adopted under this section shall be filed with the clerk of the circuit court and the chief administrative officer of the county in which the municipality is located and with the Department of State within seven (7) days after the adoption of such ordinance. The ordinance must include a map which clearly shows the annexed area and a complete legal description of that area by metes and bounds.*

Staff Comment: This requirement shall be satisfied within seven (7) days of adoption of the Ordinance by the City Commission.

- (4) *The method of annexation provided by this section shall be supplemental to any other procedure provided by general or special law, except that this section shall not apply to municipalities in counties with charters which provide for an exclusive method of municipal annexation.*

Staff Comment: Martin County has been directly notified of the submission of this voluntary annexation petition via certified mail in accordance with the City of Stuart Comprehensive Plan Intergovernmental Coordination Element Policy 7.A8.17. – *The City shall continue to promote data sharing and technological consistency across jurisdictions.*

- (5) *Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.*

Chapter 171.031(13)(a) and (b), Florida Statutes “Enclave” means: (a) Any unincorporated improved or developed area that is enclosed within and bounded on all sides by a single municipality; or (b) Any unincorporated improved or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the municipality.

Staff Comment: The proposed annexation does not create an enclave as defined in Chapter 171.031(13)(a) and (b), *Florida Statutes*. Annexation of the subject property does not create an area that is enclosed and bounded on all sides by the City, nor does it create an area that is enclosed and bounded within the City and a natural or manmade obstacle that allows passage of vehicular traffic to that unincorporated area only through the City.

- (6) *Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the County Commissioners of the county wherein the municipality is located. The notice provision provided in this subsection may be the basis for a cause of action invalidating the annexation.*

Staff Comments: A copy of the notice will be provided via certified mail to Martin County Board of County Commissioners no fewer than ten (10) days prior to publishing the Ordinance notice in the TC Palm Newspaper as required.

LEVEL OF SERVICE ANALYSIS (LOS):

Water and Wastewater:

The Martin County Utilities Department provides water and wastewater service to the subject property through existing utilities within SE Market Place. A newly constructed 8” HDPE water main and a new 8” HDPE sewer force main have been installed in a 19” utility easement bordering the south property line.

Solid Waste:

The proposed annexation will not negatively impact the existing capacity. The site will be served solid waste disposal and recycling services through the City of Stuart.

Drainage:

Onsite Runoff: The onsite runoff will be stored by use of a combination of exfiltration trenches, grass, retention areas, and pervious concrete.

Offsite Discharge: According to the Stuart Business Park’s Master Stormwater Plan Report, prepared by AJ Hydro Engineering, Inc., the 1.45-acre site is allowed to discharge 0.37 cfs into the Commerce Avenue system for Basin #1. The system discharge will be designed for the 25-year/3-day storm and building elevations will be above both the 100-year/3-day storm flood stage, as per South Florida Water Management District (SFWMD) permit. The development will be required to obtain site permitting with the City of Stuart, as well as a permit with the SFWMD.

Public Safety:

The site will be served by the City of Stuart Police Department and Fire District for emergency services.

Traffic:

The peak hour traffic generation for the site is available from the Institute of Transportation Engineers (ITE) Trip Generation Manual 11th Edition Web-Based App for General Light Industrial (ITE Code 110). Pass-by reduction percentages were not utilized for this type of land use. The calculation of the trip generation is summarized below in Table 1.

According to the Traffic Impact Analysis (TIA) dated March 2023, and prepared by Giangrande Engineering & Planning, the proposed industrial development is expected to generate 131 total peak hour daily trips (65 in, 66 out), with eighteen (18) AM peak hour (16 in, 2 out) and thirteen (13) PM peak hour (2 in, 11 out) trips.

Proposed Trip Generation

Benchmark III - SE Commerce Avenue and SE Market Place Martin County, FL											
ITE Trip Generation Rates 11th Edition - Peak Hour of Adjacent Street - Fitted Curve											
Code	Land Use	Ind. Variable	AM			PM			Daily		
			In	Out	Total	In	Out	Total	In	Out	Total
110	Light Industrial	21.5 SF	16	2	18	2	11	13	65	66	131

As determined in the calculation table provided above, the greatest peak hour peak direction impact is the AM Entering trips with a total of 16 trips. The equations and plot charts utilized were derived from the trip generation web-based app are provided in the appendix of this report for reference.

Conclusion of Level of Service Analysis:

The Applicant’s analysis demonstrates that there will be no direct adverse impacts on the adopted Level of Services (LOS) standards for water, wastewater, solid waste, recreation, police and fire services, and traffic. Therefore, the proposed annexation will not pose a negative impact on the public facilities in the area.

CONSISTENCY WITH THE CITY’S COMPREHENSIVE PLAN:

The proposed annexation area is consistent with the overall Goals, Objectives, and Policies of the Comprehensive Plan.

In conjunction with the Voluntary Annexation petition, the applicant has concurrently submitted applications for a Comprehensive Plan Future Land Use Map Amendment from the Industrial (County) to Industrial (City) and a Rezone to the Official Zoning Atlas from M-2: Industrial (County) to IPUD: Industrial Planned Unit Development (City), pursuant to Comprehensive Plan Policy 1.A.7.5.

Objective 1.A.7: *The Future Land Use Map establishes the optimum, overall distribution of land uses as well as can be established on a City-wide basis. Neither these policies nor the Future Land Use Map shall be construed*

to mean that every parcel in a designated area is suitable for the designated use. Other plan objectives and policies will be applied to ensure that any proposed development will be suitable for the particular site. Similarly, the Future Land Use Map does not assure the landowner the right to the most intense use allowable under the designated future land use category. The City shall have the discretion to decide that the permitted land uses shall be more limited than the maximum allowable under the discretion to decide that development is consistent with the City's plan.

- ***Policy 1.A7.1(E) – Industrial:*** Land uses, and activities predominately connected with the sale, rental, and distribution of products or performance of professional and non-professional services. Includes retail sales, service establishments, business, professional and other offices, shopping centers, financial institutions, restaurants, entertainment, hotels, motels, and other temporary lodging. A limited amount of Multi-Family Residential and indoor industrial uses is allowed. Mixed-use projects are allowed. Also, public facilities and electric distribution substations are allowed.

Policy 1.A7.5. Properties that are annexed into the City shall be given a City land use designation as soon as possible after the annexation is finalized.

Policy 11.A1.1. The city will seek to ensure the allocation of an appropriate quantity of lands that are desirable for commercial and industrial purposes to serve future growth needs of the city.

Policy 11.A1.4. The city will encourage the designation and preservation of industrial land for industrial uses.

Policy 11.A1.5. The city will encourage new commercial and industrial development.

PUBLIC NOTIFICATION:

On May 25, 2023, the applicant provided notification letters to eight (8) owners of property located within 300 feet of the proposed petitions. One (1) public notification sign detailing the Local Planning Agency (LPA) and City Commission Public Hearings was posted on the premises, and an advertisement was displayed in TC Palm Newspaper on Tuesday, May 30, 2023.

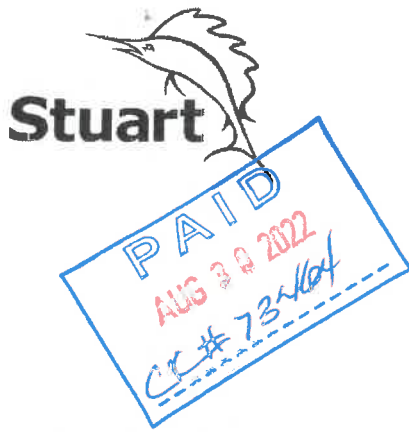
STAFF RECOMMENDATION

The staff has reviewed the proposed petition for Voluntary Annexation and determined it conforms to the Standards of Review as outlined in Land Development Code Section 11.01.09 and is consistent with the Comprehensive Plan Goals, Objectives, and Policies. Staff recommends the Local Planning Agency (LPA) forward a recommendation of approval to the City Commission.

STAFF RECOMMENDATION:

Staff recommends the Local Planning Agency (LPA) forward a recommendation of approval for the Voluntary Annexation of the 1.45-acre parcel, via Ordinance No. 2517-2023, based upon the following findings of fact:

- The subject annexation request is consistent with Chapter 1741.0444, *Florida Statutes*.
- The subject property meets the City of Stuart Level of Service Standards.
- City of Stuart Land Development Section 11.01.12.



City of Stuart
121 SW Flagler Ave.
Stuart, FL 34994
development@ci.stuart.fl.us
(772) 288-5326

Received by: 
Reviewed by: _____



Annexation Application

Project ID# 22080003
(Staff Entry)

Pre-App Conference Date: 5/26/2022	Application Date:
---------------------------------------	-------------------

SITE INFORMATION

Project Name: Benchmark III	Parcel ID#: 38-38-41-002-204-00002-8
Site Address: SE Commerce Ave	
Subdivision: Plat of Port Sewall Land Company	Lot(s):
Site Acreage: 1.44 acres	Flood Zone/Base Flood Elevation:
Current Zoning District / CRA Subdistrict (if applicable): M-2	
Proposed Zoning District: IPUD (Industrial PUD)	
Current Comprehensive Plan Future Land Use Designation: Industrial	
Existing Land Use: Vacant Industrial	Proposed Land Use: n/a
Proposed Square Footage (if applicable): 21,983 square feet	Proposed Density (if applicable): n/a

PETITIONER INFORMATION

Property Owner: Commerce Avenue LLC	Phone Number / Email Address:
Property Owner's Mailing Address: 2696 SE Market Place, Stuart, FL 34997	
Applicant (if not Owner): Mike McCarty - McCarty & Associates Land Planning & Design LLC	Phone Number / Email Address: (772) 341-9322 / mike@mccartylandplanning.com
Applicant's Mailing Address: 308 SE Osceola Ave, Suite 104, Stuart, FL 34994	
Agent/Contact Person: Same as applicant	Phone Number / Email Address: same as applicant
Agent's Mailing Address: same as applicant	
Architect: Ahem & Associates, Architects, P.A.	Engineer: Mathers Engineering Corporation
Planner: same as applicant	Landscape Architect: same as applicant

Statement of Ownership and Designation of Authorized Agent

(Please Print or Type)

Before me, the undersigned authority, personally appeared Gregory A Hale
Who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting approval of a Annexation in the City of Stuart, FL.
3. That he/she has appointed McCarthy & Associates to act as an authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Gregory A Hale

Member

Signature of Owner: Gregory A Hale By: Name/Title

Street Address 2616 SE MARKET PLACE City, State, Zip Code STUART, FL 34997

P.O. Box City, State, Zip Code

772-320-0206 772-320-0209

Telephone Number Fax Number

Email Address: Ghale@Benchmark3.com

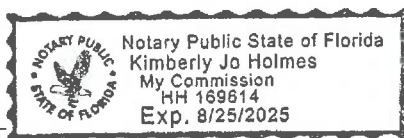
STATE OF FLORIDA, COUNTY OF Martin

Sworn and subscribed before me by means of ☒ physical presence or ☐ online notarization, this

2 day of August, 2022 By Gregory A Hale

Personally Known OR Produced Identification
Type of Identification Produced: Kimberly Jo Holmes Notary Public

My Commission expires:



Financial Responsibility Form

(Please Print or Type)

The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name:	Gregory A Hale
Title:	Member
Company:	Commerce Ave LLC
Company Address:	2696 SE Market Place

City/State/Zip Code:	Stuart, FL 34997
Telephone Number:	772-320-0206
Facsimile Number:	772-320-0209
Email Address (optional):	Ghale@benchmark3.com

I hereby certify that all information contained herein is true and correct.

1. Signed this 2 day of August, 2022

Gregory A Hale
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

Application Requirements

Fee:

- ☒ \$1,864.00 for small scale improved property less than 10 acres (*this does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees*)
- ☐ \$2,130.00 for all other annexations
- ☐ No Fee if Single-Family Residential, Governmental, or Non-taxable Entity.

Submittal Requirements:

- A. Completed application form;
- B. Payment of fees;
- C. A concept plan;
- D. An estimate of the direct public costs to provide capital facilities for City utilities and other municipal services required by the development;
- E. An estimate of the ad valorem tax revenues to be generated by the subject property at the current millage rate both prior to and after development;
- F. An estimate of the residential population increase of the City after development; and
- G. Any other information as may be required by the City Development Director in order to do a thorough review of the request.
- H. One (1) copy of all documents on a PDF formatted disc electronically signed and sealed.

(The data requirements for a concept plan are available at the Development Department)

Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application. For a Major PUD amendment, the Local Planning Agency (LPA) is required to hold an advertised public hearing and formulate a recommendation to the City Commission. For both types of applications, the City Commission is required to hold an advertised public hearing after which it may approve, approve with conditions, or deny the application.

Justification: Please explain how the proposed annexation would further the relevant goals, objectives, and policies of the City's comprehensive plan (*include additional pages if needed*).

See attached exhibit of Justification

(over)



Recorded in Martin County, FL 7/2/2019 11:56 AM
 Carolyn Timmann, Clerk of the Circuit Court & Comptroller
 Rec Fees: \$27.00
 CFN#2763110 BK 3068 PG 2976 PAGE 1 of 3

THIS INSTRUMENT PREPARED BY:
 Conrad Damon, Esq.
 Ward Damon, PL
 4420 Beacon Circle
 West Palm Beach, Florida 33407
 (561) 842-3000
 Our File No. 5021.03820

Tax Folio No.: 38-38-41-002-213-00002-1

THIS CORRECTIVE WARRANTY DEED IS BEING GIVEN TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION CONTAINED IN THAT CERTAIN WARRANTY DEED DATED MAY 3, 2019 FROM ASBURY 716 LLC TO COMMERCE AVENUE LLC, AS RECORDED IN OFFICIAL RECORD BOOK 3057, PAGE 2026 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, WHICH WARRANTY DEED CONTAINED AN INCORRECT LEGAL DESCRIPTION. THIS CORRECTIVE WARRANTY DEED NOW CONVEYS THE CORRECT PARCEL OF REAL PROPERTY FROM ASBURY 716 LLC TO COMMERCE AVENUE LLC AND IS BEING RECORDED CONTEMPORANEOUSLY WITH A CORRECTIVE WARRANTY DEED FROM COMMERCE AVENUE LLC TO ASBURY 716 LLC RE-CONVEYING BACK TO ASBURY 716 LLC THE PARCEL OF REAL PROPERTY WHICH WAS CONVEYED IN ERROR. AS A CORRECTIVE WARRANTY DEED, THIS CONVEYANCE IS EXEMPT FROM DOCUMENTARY STAMP TAX.

THIS INSTRUMENT HAS BEEN PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW

CORRECTIVE WARRANTY DEED

THIS WARRANTY DEED made this 26 day of June, 2019, between **ASBURY 716 LLC**, a Florida limited liability company, whose post office address is 3322 SE Gran Park Way, Stuart, Florida 34997 ("**Grantor**"), and **COMMERCE AVENUE LLC**, a Florida limited liability company, whose post office address is 3322 SE Gran Park Way, Stuart, Florida 34997 ("**Grantee**").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH: That said Grantor for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's successors and assigns forever, the following described real property located in Martin County, Florida ("**Commerce Avenue Property**"):

See Exhibit "A" attached hereto.

SUBJECT to covenants, conditions, easements, restrictions and reservations of record, none of which are reimposed hereby.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND said Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land, and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

Justiah Tucker
Print Name: Justiah Tucker
Corey Damon
Print Name: Corey Damon

ASBURY 716 LLC, a Florida limited liability company

By: Gregory A. Hale
GREGORY A. HALE, Manager

Justiah Tucker
Print Name: Justiah Tucker
Corey Damon
Print Name: Corey Damon

By: Lisa C. Hale
LISA C. HALE, Manager

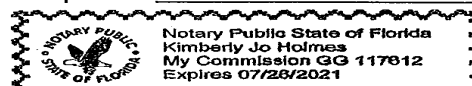
STATE OF FLORIDA
COUNTY OF Martin

The foregoing instrument was acknowledged before me this 28 day of June, 2019 by **GREGORY A. HALE and LISA C. HALE**, as the Managers of **ASBURY 716 LLC, a Florida limited liability company**, on behalf of the company, who are:

OR ☒ Personally known: _____
☐ Identification produced: _____

[NOTARY SEAL]

Notary: Kimberly Jo Holmes
Print Name: Kimberly Jo Holmes
Notary Public, State of Florida
My commission expires: _____



**EXHIBIT "A"****Commerce Avenue Property**

The Southerly 50 feet of Tract 204 lying East of S.E. Commerce Avenue and West of the Florida East Coast Railway; and a portion of Tracts 208 and 209, of revised plat of Port Sewall Land Company, according to the plat thereof, as recorded in Plat Book 3, page 7 of the public records of Palm Beach (now Martin) County, Florida; together with abandoned 50 foot road known as S.E. Market Place, abutting Tract 204 on the South and Tracts 208 and 209 on the North as described in Resolution 82-9.22 recorded in Official Records Book 554, page 1527.

Being more particularly described as follows:

Beginning at the intersection of the North line of Tract 209 and the Easterly right-of-way line of S.E. Commerce Avenue, said point being the point of beginning; thence N48°14'09"W along said right-of-way, a distance of 109.94 feet to the intersection with the North line of the Southerly 50 feet of Tract 204; thence N66°18'56"E along said North line, a distance of 345.71 feet to a point of intersection with the West right-of-way of the Florida East Coast Railway; thence S42°00'25"E, a distance of 171.33 feet along said West right-of-way; thence S57°01'32"W, a distance of 165.74 feet; thence S52°36'43"W, a distance of 138.44 feet to a point of intersection with the East right-of-way of S.E. Commerce Avenue; thence N48°14'09"W along said right-of-way, a distance of 134.34 feet to the point of beginning.

A Traffic Impact Analysis for:

Benchmark III

Located in:

Martin County, Florida

Prepared for:

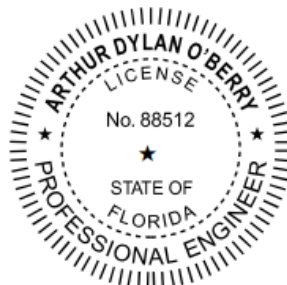
McCarty & Associates
Landscape and Design, LLC

Prepared by:



Revised March 2023

Dylan O'Berry, P.E.
PE Reg #88512
Date: 3/24/2023



Digitally signed by Dylan O'Berry,
P.E.
DN: C=US,
E=dylan@gep-llc.com,
O=Giangrande Engineering and
Planning, OU=Project Manager,
CN="Dylan O'Berry, P.E."
Location: Port St Lucie, FL
Reason: I am the author of this
document
Contact Info: (772) 203-0664
Date: 2023.03.24 14:46:44-04'00'

TABLE OF CONTENTS

Introduction.....	1
Trip Generation.....	2
Trip Distribution.....	2
Background & Build-out Conditions.....	3
Project Access.....	4
Concurrency Requirements.....	4
Turn Lane Evaluation.....	4
Intersection Analysis.....	5
Conclusion.....	5

LIST OF FIGURES

Figure 1 – Site Location.....	1
Figure 2 – Trip Distribution.....	3
Figure 3 – Driveway Turning Movements.....	5

LIST OF TABLES

Table 1 – Proposed Trip Generation.....	2
Table 2 – Build-out Calculation.....	4
Table 3 – Intersection Analysis.....	5

APPENDICES

ITE Trip Generation Reference Sheets
Martin County 2021 Roadway Level of Service Inventory Report
HCS7 Two-Way Stop Controlled Intersection Analysis Reports
Traffic Count Data Table
Revised Site Plan

TRIP GENERATION

The peak hour traffic generation for the site is available from the Institute of Transportation Engineers (ITE) Trip Generation Manual 11th Edition Web-Based App for General Light Industrial (ITE Code 110). Pass-by reduction percentages were not utilized for this type of land use. The calculation of the trip generation is summarized below in **Table 1**.

Table 1 – Proposed Trip Generation

Benchmark III - SE Commerce Avenue and SE Market Place Martin County, FL											
ITE Trip Generation Rates 11th Edition - Peak Hour of Adjacent Street - Fitted Curve											
Code	Land Use	Ind. Variable	AM			PM			Daily		
			In	Out	Total	In	Out	Total	In	Out	Total
110	Light Industrial	21.5 SF	16	2	18	2	11	13	65	66	131

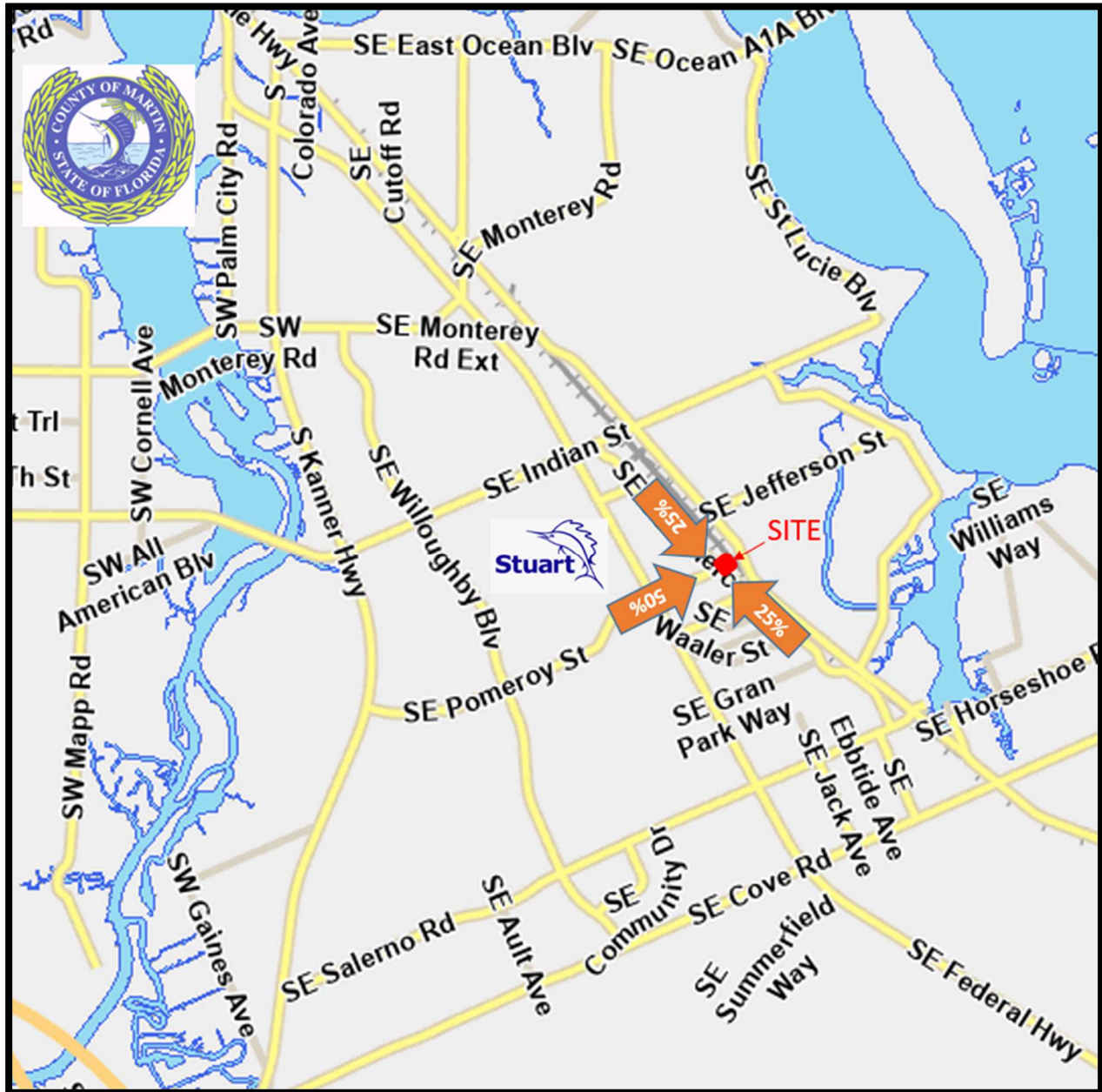
As determined in the calculation table provided above, the greatest peak hour peak direction impact is the AM Entering trips with a total of 16 trips. The equations and plot charts utilized were derived from the trip generation web-based app are provided in the appendix of this report for reference.

TRIP DISTRIBUTION

The distribution of trips generally assumes that 50% of the traffic generated will enter from the west via SE Market Place Drive. The remaining 50% will enter north / south via SE Commerce Avenue.

The development of the trip distributions from the site to the were based on the close proximity to major roadways such as Indian Street and Salerno Road. **Figure 2** (next page) is provided as a graphical representation of the trip distribution percentages to roadway links and intersections within the study area.

Figure 2 – Trip Distribution



BACKGROUND & BUILD-OUT CONDITIONS

Background conditions for the completion year, 2026, have been calculated using the annual growth percentages given in the Martin County Roadway Level of Service Inventory Report (2021) and shown in **Table 2** (next page). The applicable pages of the LOS Report can be found in the appendix.

Table 2 – Build-out Calculation

Segment Number	Road Name	From	To	Type	2021	2021 PH (dir)	Annual Growth
					AADT	Existing	
1	Commerce Ave (SB)	Market Place	Site	2-In	5,946	390	0.50%
2	Commerce Ave (SB)	Indian Street	Market Place	2-In	5,946	390	0.50%
3	Commerce Ave (NB)	Monroe Street	Site	2-In	5,946	390	0.70%
4	Market Place (EB)	SR-5	Commerce Ave	2-In	5,192	266	3.80%

2026 PH (dir)	Project	Project	2026 PH (dir)	Service	Project %	2%	Concurrency
Growth	Assign.	Trips	Build-out	Volume	of Service	Test	Test
404	75%	12	416	750	1.6%	15	OK
404	25%	4	408	750	0.5%	15	OK
404	25%	4	408	750	0.5%	15	OK
321	50%	8	329	750	1.1%	15	OK

CONCURRENCY REQUIREMENTS

Martin County traffic criteria set forth in Section 5.64.C.5 provides the basis for distribution up to a 2% impact which occurs for the site on the first directly accessed road SE Commerce Avenue. Included in the ordinance are specific requirements for determining the extent of the study area and the links impacted by the development. Project trips have been added to the 2021 growth trips to determine build-out trips. **Table 2** (above) is provided to show that concurrency has been satisfied as the road segments will be below capacity in the 2026 build-out year.

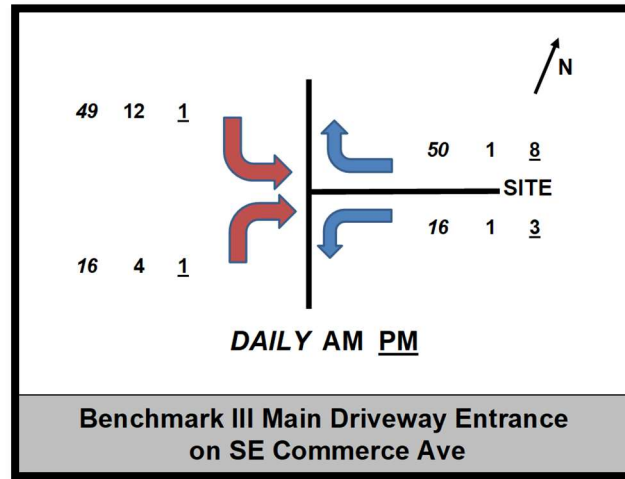
PROJECT ACCESS

The site is located 100-feet south of the intersection of SE Market Place. The site proposes to have one driveway directly across from an existing driveway. It will provide full access to Commerce Avenue. Since the value of distributed trips are found to be insignificant, they are not expected to impact any traffic operations. Sufficient driveway queue length (80 feet/4 cars) will be provided on site, see the attached revised **Site Plan**. Turning movements from the site driveway provided in the **Figure 3** (next page) represent peak hour traffic volumes at the site driveway.

TURN LANE EVALUATION

An evaluation to determine the need for a dedicated left/right turn lanes for the main entrance was performed. Referencing the latest 2019 FDOT Access Management Guidebook the site matches a category that will generate less than 200 daily trips and less than 20 trips per hour, which based on the surrounding context of SE Commerce Avenue, dedicated turn lanes at the site entrance are not found to be necessary for this project. The current level of service is not anticipated to be impacted and the adjacent road will not benefit from the inclusion of auxiliary lanes.

Figure 3 – Driveway Turning Movements



INTERSECTION ANALYSIS

The intersection of SE Market Place and SE Commerce Avenue was analyzed utilizing present-day peak hour turning movement traffic counts and the project trips to determine the impact upon the intersection level of service. The following **Table 3** (below) provides the results for the computation which are found to be a negligible 0.4 sec/veh difference in Control Delay and a continued acceptable Level of Service. The complete HCS7 output reports are provided in the appendix for reference.

Table 3 – Intersection Analysis

Benchmark III - SE Commerce Avenue and SE Market Place Martin County, FL				
Intersection Level of Service and Delay Analysis				
	Existing Traffic		Post Development	
	Market Place	Commerce Ave	Market Place	Commerce Ave
95% Queue Length (veh)	1.2	0.5	1.2	0.5
Control Delay (sec/veh)	24.7	8.6	25.1	8.7
Level of Service (LOS)	C	A	D	A
Approach Delay (sec/veh)	15.7	3.2	15.8	3.2
Approach LOS	C	A	C	A

CONCLUSION

Based on this traffic analysis, concurrency is requested since the proposed development is not expected to have adverse impacts to the surrounding roadway network based on build-out conditions. The projected volumes generated by the anticipated uses indicate that the adjacent roadway links will operate at an acceptable Level of Service with no need for mitigation improvements. The existing roadway network is capable of accommodating the additional new vehicle trips the development is predicted to generate.

APPENDIX

Graph Look Up

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

110



LAND USE GROUP:

(100-199) Industrial

LAND USE:

110 - General Light Industrial

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday

TRIP TYPE:

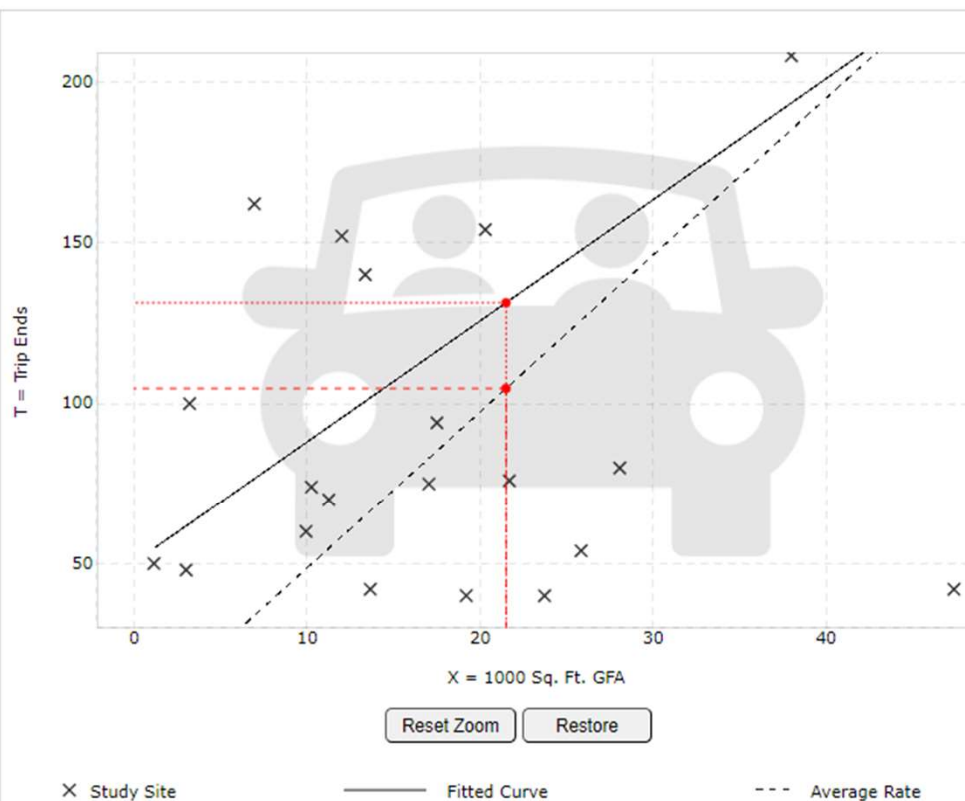
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

21.5

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

General Light Industrial (110) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

37

Avg. 1000 Sq. Ft. GFA:

45

Average Rate:

4.87

Range of Rates:

0.34 - 43.86

Standard Deviation:

4.08

Fitted Curve Equation:

$T = 3.76(X) + 50.47$

R^2 :

0.61

Directional Distribution:

50% entering, 50% exiting

Calculated Trip Ends:

Average Rate: 105 (Total), 52 (Entry), 53 (Exit)

Fitted Curve: 131 (Total), 66 (Entry), 65 (Exit)

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

110



LAND USE GROUP:

(100-199) Industrial

LAND USE:

110 - General Light Industrial

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

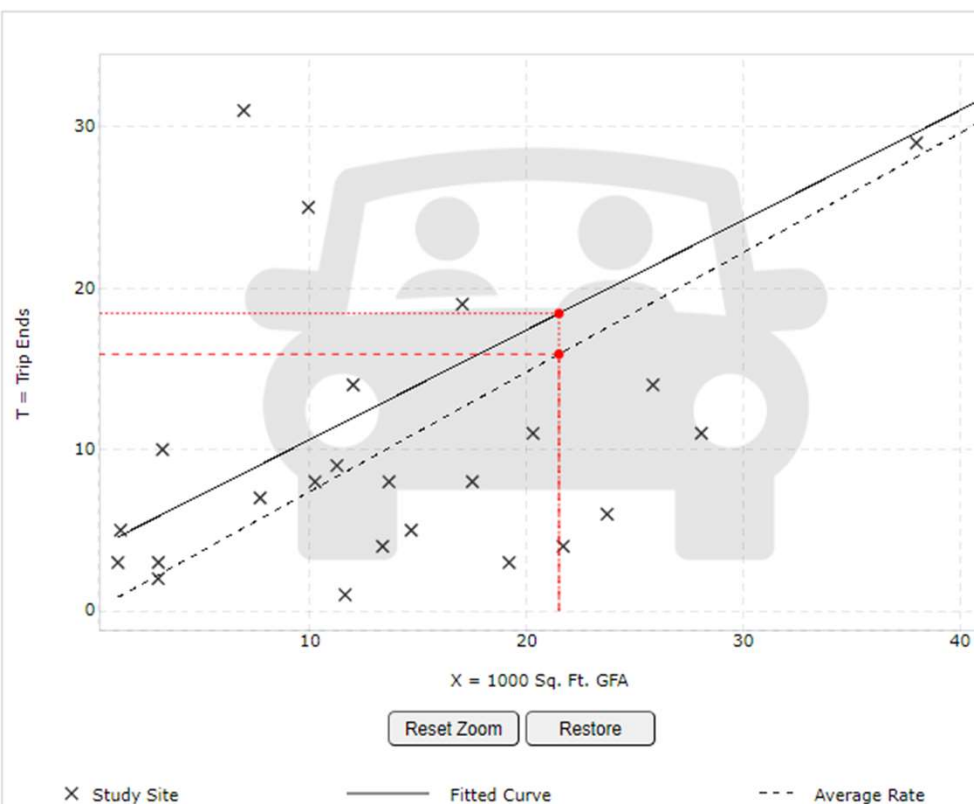
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

21.5

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

General Light Industrial (110) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic
One Hour Between 7 and 9 a.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

41

Avg. 1000 Sq. Ft. GFA:

65

Average Rate:

0.74

Range of Rates:

0.02 - 4.46

Standard Deviation:

0.61

Fitted Curve Equation:

 $T = 0.68(X) + 3.81$ R^2 :

0.66

Directional Distribution:

88% entering, 12% exiting

Calculated Trip Ends:

Average Rate: 16 (Total), 14 (Entry), 2 (Exit)

Fitted Curve: 18 (Total), 16 (Entry), 2 (Exit)

Graph Look Up

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

110



LAND USE GROUP:

(100-199) Industrial

LAND USE:

110 - General Light Industrial

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

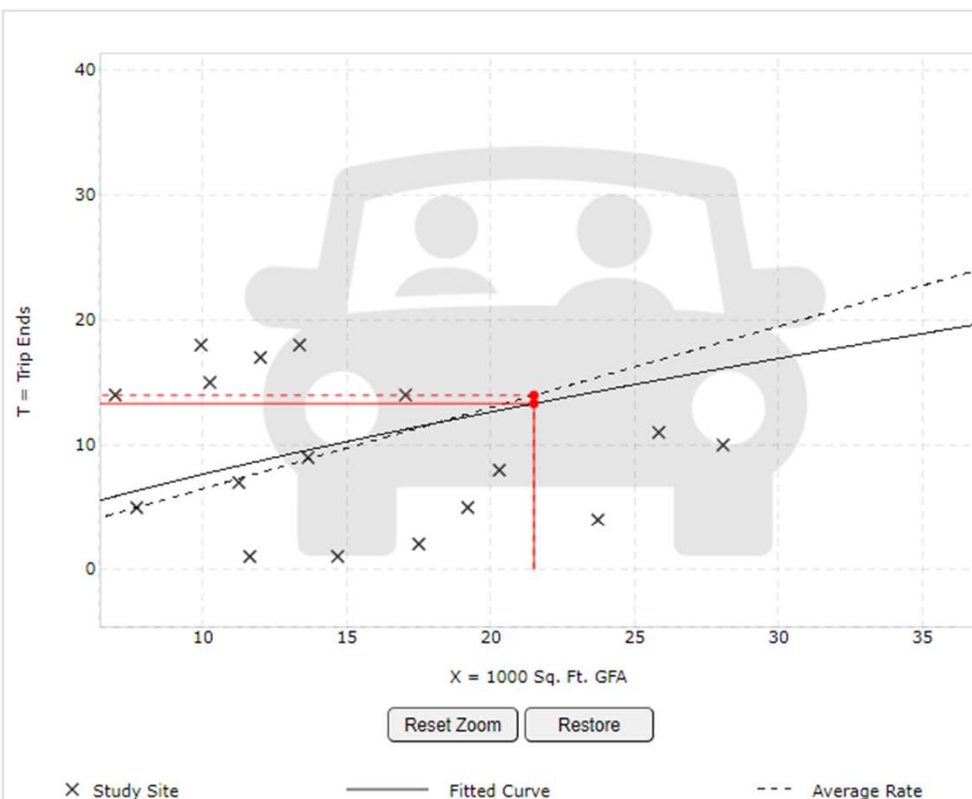
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

21.5

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

General Light Industrial (110) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic
One Hour Between 4 and 6 p.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

40

Avg. 1000 Sq. Ft. GFA:

58

Average Rate:

0.65

Range of Rates:

0.07 - 7.02

Standard Deviation:

0.56

Fitted Curve Equation:

 $\ln(T) = 0.72 \ln(X) + 0.38$ R^2 :

0.55

Directional Distribution:

14% entering, 86% exiting

Calculated Trip Ends:

Average Rate: 14 (Total), 2 (Entry), 12 (Exit)

Fitted Curve: 13 (Total), 2 (Entry), 11 (Exit)

Martin County 2021 Roadway Level of Service Inventory Report

Road Name	From	To	Type	Generalized Service Capacity	2021 Average Annual Daily Traffic	2021 Peak Hour Directional Volume	2021 Generalized LOS	Avg. Annual Growth Rate
Baker Rd	SR-5	CR-723	Class II: 2-Ln Undivided	750	4,838	233	C	0.9%
Berry Ave	Golden Bear Wy	CR-714	Class II: 2-Ln Undivided	750	3,506	182	C	0.6%
Berry Ave	CR-714	Sunset Tr	Class II: 2-Ln Undivided	750	1,832	97	C	0.5%
Britt Rd	Pine Lake Dr	SR-5	Class II: 2-Ln Undivided	750	4,356	210	C	0.5%
Citrus Blvd.	CR-714 (Martin Hwy)	Port St. Lucie Blvd.	Transitional 2-Ln Uninter /Undivided Flow	1160	6,214	510	A/B	6.6%
Commerce Ave	Salerno Rd	Monroe St	Class II: 2-Ln Undivided	750	7,672	643	D	5.0%
Commerce Ave	Monroe St	Indian St	Class II: 2-Ln Undivided	750	5,946	390	D	0.5%
Country Club Dr	Palm Beach County	Island Way	Class II: 2-Ln Undivided	750	2,986	135	C	1.4%
Country Club Dr	Island Way	Little Club Dr	Class II: 2-Ln Undivided	750	3,772	177	C	2.9%
County Line Rd	Little Club Dr	SR-5	Class II: 2-Ln Undivided	750	2,750	127	C	1.4%
Cove Rd	SR-76	Willoughby Blvd	Class I: 2-Ln Undivided	880	13,725	883	F	0.7%
Cove Rd	Willoughby Blvd	SR-5	Class I: 2-Ln Undivided	880	15,299	694	C	0.5%
Cove Rd	CR-A1A	End	2-Ln Undivided Non-State	675	5,259	239	C	0.8%
CR-609 (Allapattah Rd)	SR-710	CR-714	Uninterrupted Rural Hwy: 2-Ln Undivided	730	1,970	105	A/B	2.7%
CR-609 (Allapattah Rd)	CR-714	St Lucie County	Uninterrupted Rural Hwy: 2-Ln Undivided	730	1,868	114	A/B	1.4%
CR-707 (Beach Rd)	Palm Beach County	CR-708	2-Ln Undivided Non-State	675	1,801	123	C	2.6%
CR-707 (Indian River Dr)	CR-707 (Dixie Hwy)	CR-707A (Jensen Beach Blvd.)	2-Ln Undivided Non-State	675	10,965	666	D	0.5%
CR-707 (Indian River Dr)	SR-732	St. Lucie County	2-Ln Undivided Non-State	675	5,987	272	C	5.3%
CR-707A (Jensen Beach Blvd)	CR-723	Skyline Dr	Class II: 4-Ln Divided	1630	21,151	909	D	1.9%
CR-707A (Jensen Beach Blvd)	Skyline Dr	Pineapple Way	Class II: 4-Ln Divided	1630	19,355	849	D	0.5%
CR-707A (Jensen Beach Blvd)	Pineapple Wy	CR-707	2-Ln Undivided Non-State	675	8,923	375	D	0.5%

Segments with shaded LOS require additional analysis.
The peaks are: Cove Rd (AM/EB) and Murphy Rd (PM/NB).

Martin County 2021 Roadway Level of Service Inventory Report

Road Name	From	To	Type	Generalized Service Capacity	2021 Average Annual Daily Traffic	2021 Peak Hour Directional Volume	2021 Generalized LOS	Avg. Annual Growth Rate
Indian St	SR-76	Willoughby Blvd	Class I: 4-Ln Divided	2000	30,495	1,644	C	2.7%
Indian St	Willoughby Blvd	SR-5	Class I: 4-Ln Divided	2000	28,241	1,400	C	1.3%
Indian St	SR-5	Commerce Ave	Class I: 4-Ln Divided	2000	24,880	1,258	C	0.5%
Indian St	Commerce Ave	CR-A1A	Class I: 4-Ln Divided	2000	23,644	1,070	C	0.5%
Indian River Dr	Palmer St	CR-707	Class II: 2-Ln Undivided	750	7,526	414	D	0.7%
Island Way	Palm Beach County	Jupiter Road	Transitional 2-Ln Uninter /Undivided Flow	1160	4,756	267	A/B	3.1%
Island Way	Jupiter Road	Country Club Dr	Class II: 2-Ln Undivided	750	5,389	252	C	8.0%
Jack James Rd	SR-76	Blue Water Wy	Class II: 2-Ln Undivided	750	4,095	245	C	3.7%
Lares St	CR-708	CR-A1A	2-Ln Undivided Non-State	675	2,598	147	C	0.5%
Little Club Wy	Country Club Dr	Wooden Bridge Wy	2-Ln Undivided Non-State	675	2,397	109	C	0.5%
Locks Rd	Canal St	SR-76	2-Ln Undivided Non-State	675	3,706	155	C	1.0%
MacArthur Blvd	Sailfish Point	SR-A1A	2-Ln Undivided Non-State	675	5,635	313	C	5.3%
Mapp Rd	South End	CR-714	Class II: 2-Ln Undivided	750	5,051	231	C	0.5%
Mapp Rd	SR-714	Matheson Ave	Class II: 2-Ln Undivided	750	4,531	231	C	0.5%
Mapp Rd	Matheson Ave	North End	Class II: 2-Ln Undivided	750	7,412	344	C	0.5%
Market Pl	SR-5	Commerce Ave	Class II: 2-Ln Undivided	750	5,192	266	C	3.8%
Matheson Ave	SR-714	Mapp Rd	Class II: 2-Ln Undivided	750	6,177	337	C	0.6%
Monroe St	SR-5	Commerce Ave	Class II: 2-Ln Undivided	750	2,338	128	C	6.8%
Murphy Rd	Mapp Rd	High Meadow Ave	Class II: 2-Ln Undivided	750	5,103	304	C	2.3%
Murphy Rd	High Meadow Ave	St Lucie County	Class II: 2-Ln Undivided	750	8,442	797	E	1.7%
Ocean Blvd	Flagler Ave	Palm Beach Rd	Class II: 2-Ln Divided	790	9,014	514	D	0.5%

Segments with shaded LOS require additional analysis.
The peaks are: Cove Rd (AM/EB) and Murphy Rd (PM/NB).

HCS7 Two-Way Stop-Control Report

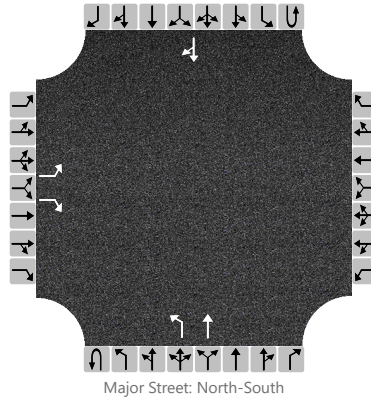
General Information

Analyst	Dylan O'Berry, P.E.
Agency/Co.	Giangrande Engineering
Date Performed	3/22/2023
Analysis Year	2023
Time Analyzed	AM Peak Hour (PRE)
Intersection Orientation	North-South
Project Description	Benchmark III Industrial Project

Site Information

Intersection	Market Place/Commerce Ave
Jurisdiction	Martin County
East/West Street	SE Market Place
North/South Street	SE Commerce Avenue
Peak Hour Factor	0.92
Analysis Time Period (hrs)	1.00

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	1	0	0	0	1	0
Configuration		L		R						L	T					TR
Volume, V (veh/h)		66		155						147	244				267	102
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)	0															
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

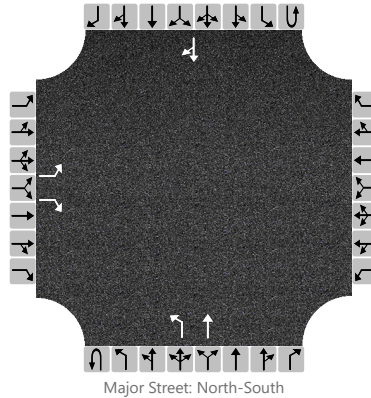
Flow Rate, v (veh/h)		72		168						160						
Capacity, c (veh/h)		254		694						1151						
v/c Ratio		0.28		0.24						0.14						
95% Queue Length, Q ₉₅ (veh)		1.2		1.0						0.5						
Control Delay (s/veh)		24.7		11.8						8.6						
Level of Service, LOS		C		B						A						
Approach Delay (s/veh)	15.7								3.2							
Approach LOS	C															

HCS7 Two-Way Stop-Control Report

General Information

Analyst	Dylan O'Berry, P.E.	Intersection	Market Place/Commerce Ave
Agency/Co.	Giangrande Engineering	Jurisdiction	Martin County
Date Performed	3/22/2023	East/West Street	SE Market Place
Analysis Year	2023	North/South Street	SE Commerce Avenue
Time Analyzed	AM Peak Hour (POST)	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	1.00
Project Description	Benchmark III Industrial Project		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	1	0	0	0	1	0
Configuration		L		R						L	T					TR
Volume, V (veh/h)		66		163						147	248				271	102
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)	0															
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		72		177						160						
Capacity, c (veh/h)		251		691						1146						
v/c Ratio		0.29		0.26						0.14						
95% Queue Length, Q ₉₅ (veh)		1.2		1.0						0.5						
Control Delay (s/veh)		25.1		12.0						8.7						
Level of Service, LOS		D		B						A						
Approach Delay (s/veh)	15.8								3.2							
Approach LOS	C															

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
SUMMARY OF VEHICLE MOVEMENTS

FORM 750-020-02
 TRAFFIC ENGINEERING
 07/99

LOCATION: **SE MARKET PLACE AND SE COMMERCE AVENUE**

COUNTY: **MARTIN**

CITY: **STUART**

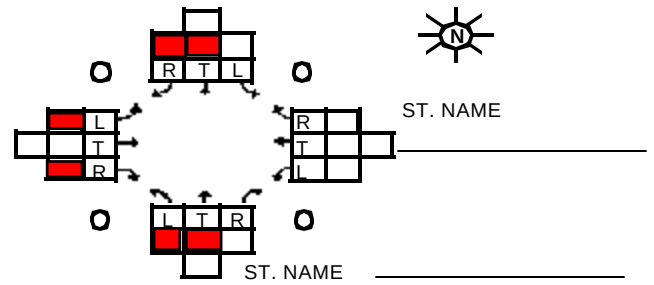
OBSERVER: **DANIEL**

DATE: **3/21/2023 AM PEAK HOUR**

WEATHER: **SUNNY**

ROAD CONDITION:

REMARKS:



VEHICLE MOVEMENTS

TIME	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND		
BEGIN	L	T	R	L	T	R	L	T	R	L	T	R
8:00	43	61	0	0	70	22	16	0	41	0	0	0
8:15	39	67	0	0	60	27	13	0	41	0	0	0
8:30	34	71	0	0	77	24	24	0	42	0	0	0
8:45	31	45	0	0	60	29	13	0	31	0	0	0
TOTAL	147	244	0	0	267	102	66	0	155	0	0	0
TOTAL												
TOTAL												
TOTAL												



Location Map



Legal Description

A PORTION OF TRACTS 204, 208 & 209 PLAT OF PORT SEWALL LAND COMPANY ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 PAGE 7 PUBLIC RECORDS MARTIN COUNTY FLORIDA TOGETHER WITH ABANDONED ROAD ALL MORE PARTICULARLY DESCRIBED IN OR 2957/2233

LEGAL DESCRIPTION FROM PROPERTY APPRAISER

Site Data

PCN	38-38-41-002-204-00002-8		
ZONING	M-2		
FUTURE LAND USE	INDUSTRIAL		
EXISTING LAND USE	VACANT INDUSTRIAL		
PROPOSED USE	INDUSTRIAL		
TOTAL SITE AREA	SF	AC	%
	63,368	1.45	100.00%
IMPERVIOUS AREA	41,868	0.961	66.07%
BUILDING	21,446	0.49	33.8%
VEHICULAR USE AREA	17,133	0.39	27.0%
CONCRETE, WALKS, RAMPS, ETC...	3,289	0.08	5.2%
PERVIOUS AREA	21,500	0.494	33.93%
LANDSCAPE BUFFERS / OPEN SPACE	21,500	0.494	33.9%
PARKING	REQ.	PROVIDED	
(1/ 1000 SF FLOOR AREA)	21	23	
ADA ACCESSIBLE SPACES	1	2	

General Notes

1. All signs shall meet City of Stuart Land Development Regulations.
2. All Invasive exotic vegetation to be removed prior to the issuance of a Certificate of Occupancy.
3. There is to be an irrigation system installed to ensure continued growth of all planting areas.
Source of irrigation water to be potable water.
4. The applicant will notify the City for a field inspection by staff to determine if barricades have been properly placed prior to any land clearing.
5. Barricades must be constructed in the following manner:
Rope: 1/4" diameter min, nylon or poly, yellow or orange
Rope must be a minimum of four (4) feet off the ground.
Rope may not be attached to vegetation
Surveyor ribbon is not acceptable
Poles: 2x2 or 2x4, iron rebar, PVC pipe or other materials with prior approval of Environmental Planner.
Lathe strips are not acceptable.
Silt Fence: shall be installed along all perimeters of development area, maintained during construction.
6. All Barricades must be maintained intact for the duration of construction.
7. Storage of construction materials in preserve areas is not permitted.
8. Fill is not allowed to encroach into preserve areas.
9. Barricades must be offset at least ten (10) feet outside the preserve area or placed at the dripline of the canopy trees in any area for which clearing is proposed.
10. Individual trees or groups of vegetation that are to be saved for landscape credit requirements are to be barricaded according to the guidelines.
11. Advisory or warning signs must be provided.
12. Preserve areas are not to be altered without written permission of the City.
13. During constructions activities, existing native vegetation shall be retained to act as buffers between adjacent land uses, and to minimize nuisance dust and noise. Barricades shall be used on site to preserve the vegetation to be retained for this purpose.
14. Any proposed lighting will be directed away from any residential units or adjacent roadways.
15. No clearing, including the installation of erosion control devices, is authorized until the Permit for the Installation of Erosion Control Devices and Preserve Area Barricade has been issued.

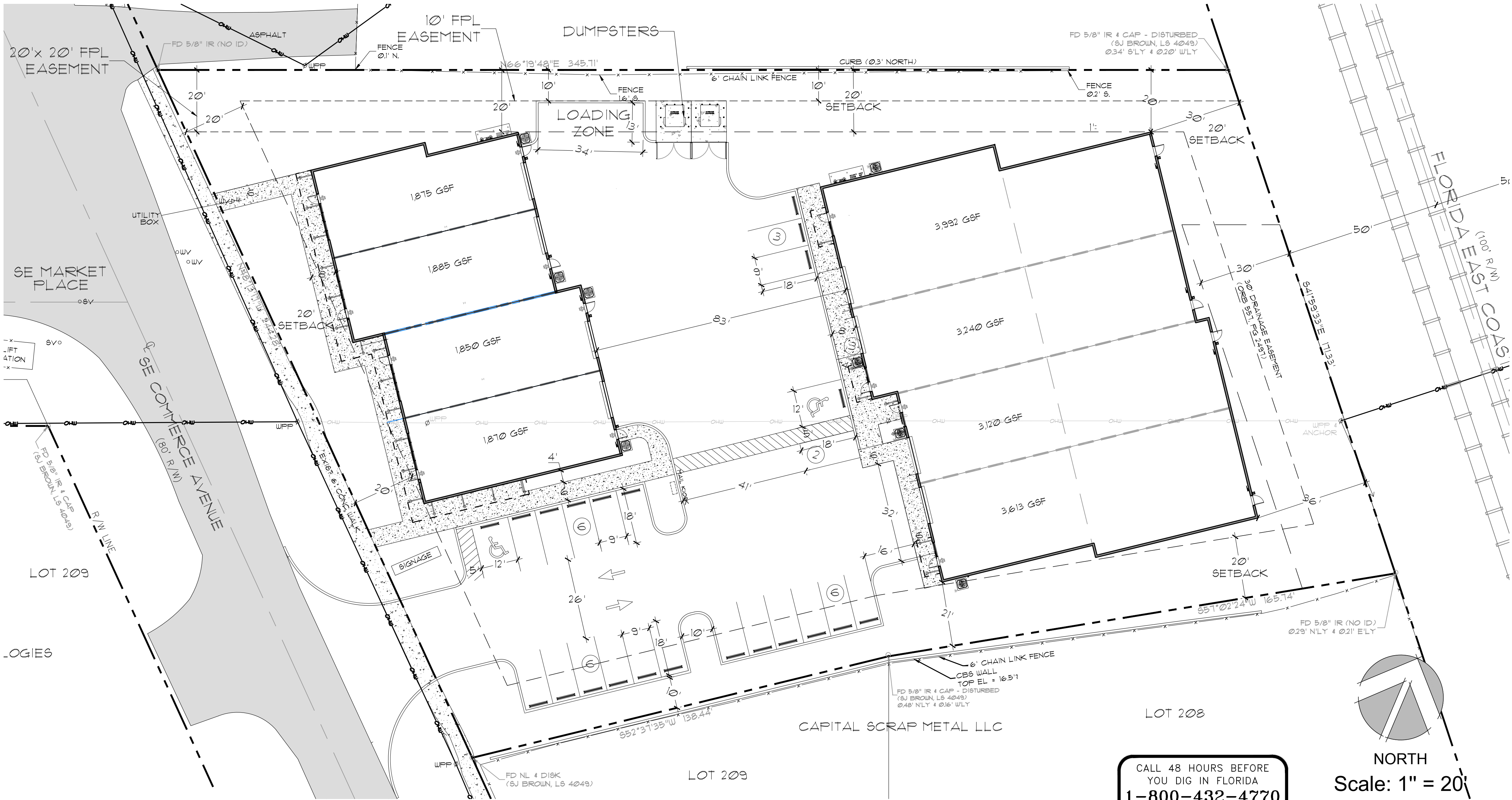
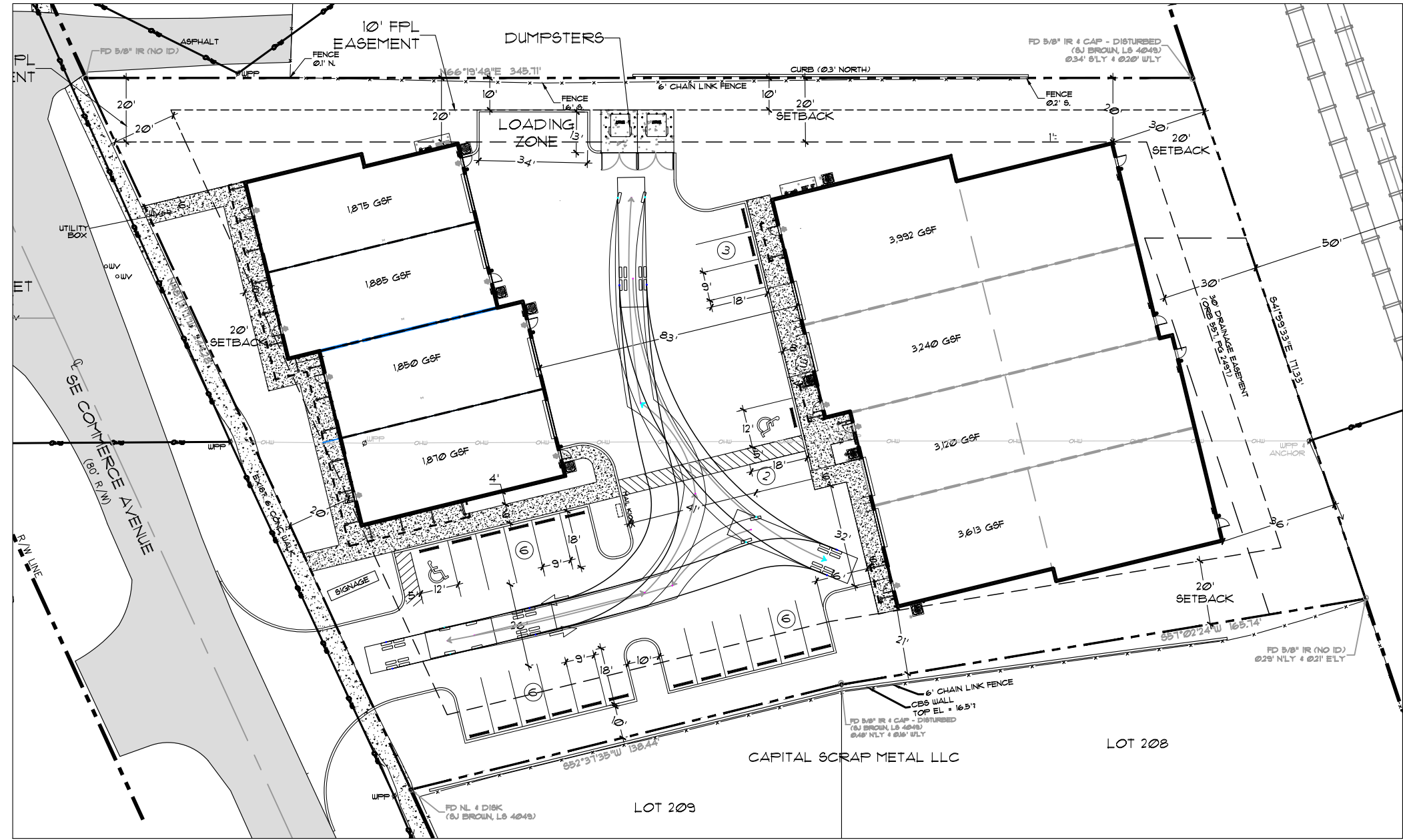
16. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained.
17. All construction barricades and silt fences will remain in place and be monitored for compliance by the permit holder during the permitted development activities.
18. Soil stabilization shall be completed within thirty (30) days of vegetation removal.
19. Proposed timetable for construction: "all building permits shall be obtained and all construction completed within time frame consistent with Martin County ordinances."
20. Contractor shall verify all existing conditions and layout dimensions in the field. report all discrepancies immediately to the landscape architect for decision before construction.
21. Refer to the architectural drawings for all building dimensions.
22. Contractor shall verify all existing grades in the field and report any discrepancies immediately to the landscape architect for decision.
23. New earthwork shall blend smoothly into existing grade.
24. All paved areas must pitch to drain at min. of 1/8" per foot. any discrepancies not allowing this to occur shall be reported to the landscape architect prior to continuing work.
25. Contractor shall provide irrigation to, and drainage from all planters.
26. Remove all road base, shellrock, marl, coral rock, and rubble 30" min. below finish grade from all new planting areas and tree pits. backfill with suitable soil as approved by landscape architect. maintain existing grade at existing trees.

Drainage Notes

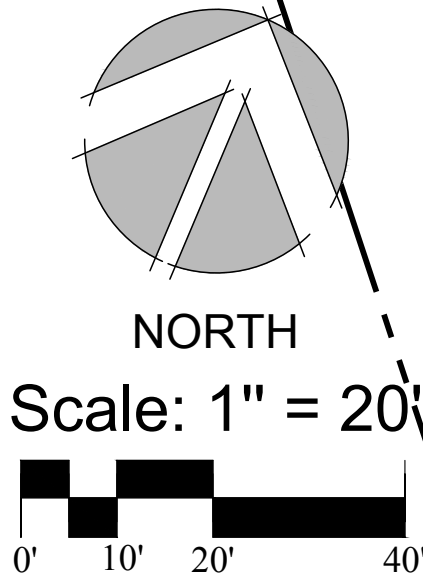
1. Match all existing grades along property lines.
2. Contractor shall be responsible for providing positive site drainage away from all structures including but not limited to planters, courtyard planting areas, hardscape surfaces and architectural elements.
3. Contractor shall provide drainage from all planters.

Auto Turn Exhibit - 42' Garbage Truck

Scale: 1"=40'



CALL 48 HOURS BEFORE
YOU DIG IN FLORIDA
1-800-432-4770
IT'S THE LAW!
SUNSHINE STATE ONE CALL
OF FLORIDA, INC.



McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Benchmark III

SE Commerce Avenue
Martin County, Florida

Site Plan



Drawn By _____ DMS
Checked By _____ MM
Scale _____ 1"=20'
Drawing Date _____ 7/16/2021
7/20/2021 8/24/2021 12/7/2021
3/23/2022 revised buildings & sp
4/25/2022 revised buildings & sp
6/17/2022 revised sp
8/1/2022 revised sp, new arch

S-1



City of Stuart

Development Department
121 SW Flagler Ave. Stuart FL 34994
Phone: 772.288.53

VIA MAIL AND EMAIL

December 7, 2022

Don Donaldson
County Administrator
Martin County Administer Center
2401 SE Monterey Road
Stuart, FL 34996

**RE: Proposed Voluntary Annexation – City of Stuart
Benchmark III – City of Stuart Project No. Z22080003**

Dear Mr. Donaldson,

In accordance with the City of Stuart Comprehensive Plan Intergovernmental Coordination Element Policy A8.13, please find enclosed proposal for the City to annex +/- 1.44-acres of vacant land within the City of Stuart.

As part of the application, the city proposes to assign a Future Land Use of Industrial and a Zoning of (IPUD) Industrial Planned Unit Development.

At this time, no public hearings have been scheduled. If possible, please review and submit any comments by Wednesday, December 21, 2022.

If you have any questions or comments, please call me at (772) 288-5328 or email: jnetwork@ci.stuart.fl.us.

Sincerely,

Jodi Nentwich-Kugler
Development Director

cc: Paul Schilling, Growth Management Director
Sarah Woods, County Attorney





City of Stuart Fire Rescue

800 SE Martin Luther King Blvd, Stuart, FL 34994

Vincent Felicione, Fire Chief

vfelicione@ci.stuart.fl.us

772-600-1287

ISO CLASS 1 DEPARTMENT

May 26, 2023

City of Stuart Development Department
121 SW Flagler Ave
Stuart, FL 34994

Re: Property located on the east side of SE Commerce Avenue, north of SE Market Place (Parcel ID #: 38-38-41-002-204-00002-8)

Mr. Mc Crain,

This letter serves to state the City of Stuart Fire Rescue Department has no objection to the Benchmark III Annexation. This letter should not be construed as a commitment on behalf of the City to provide such additional services to the property until such time final design plans have been reviewed and approved.

Should you have any questions or require any additional information, please contact me.

Respectfully,

Vince Felicione
Fire Chief



Peter Kunen P.E. | Utilities & Engineering Director
121 SW Flagler Ave. Stuart Fl. 34994
Phone: 772.288-5332

May 30, 2023

Kristopher McCrain
Principal Planner
City of Stuart Development Dept.
121 SW Flagler Ave., Stuart, Florida 34994

Re: PCN #38-38-41-002-204-00002-8 (3951 SE Commerce Ave. IPUD #Z22080004)

Dear Mr. McCrain,

The proposed rezoning has been considered. The City of Stuart will be providing sanitation service to Parcel #38-38-41-002-204-00002-8 in Stuart, Florida

This letter should not be construed as a commitment on behalf of the City to provide service to the property until such time final design plans have been approved and all fees have been paid.

Should you have any questions or require any additional information please contact Marc Rogolino at 772-221-4700.

Sincerely,
City of Stuart

Peter Kunen, P.E.
Utilities & Engineering Dept. Director

cc: K. Noguera, Customer Service Supervisor
M. Rogolino, Capital Projects

City of Stuart
Development Department
121 SW Flagler Avenue
Stuart, FL 34994
Ph. 772-288-5300
Fax 772-288-5388

AFFIDAVIT ATTESTING TO NOTIFICATION

Michael McCarty

being first duly sworn, depose(s) and say(s):

That (I am / we are) the owner(s) or petitioner(s) of the following described property which constitutes the location for which notification is required:

Project Name: Benchmark III IPUD
Parcel ID Number: 38-38-41-002-204-00001-9

That a copy of the notice was sent by regular U.S. Mail on 5-25-23 to the property owners within 300 feet of the subject property; and

That a list of the property owners and their addresses is on file with the City of Stuart; and

That a photograph showing the placement of the notification sign be made a part of this Affidavit; and

That notice was sent and property was posted 15+ days prior to the scheduled public hearing(s) for this item.

Michael McCarty
SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

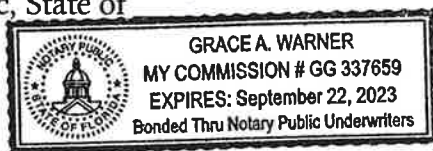
SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

STATE OF FLORIDA, COUNTY OF MARTIN
Sworn and subscribed before me by means of A physical presence or
online notarization, this 25th day of MAY, 2023 By

MICHAEL MCCARTY
Personally Known OR Produced Identification

Type of Identification Produced:

Notary Public, State of
(Notary Seal)



My Commission expires:

Sept 22, 2023

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST Local Planning Agency

Meeting Date: 6/8/2023

Prepared by: Kristopher McCrain

Title of Item:

A REQUEST BY COMMERCE AVENUE, LLC, FOR A SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT:

ORDINANCE No. 2518-2023; AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT AS DEFINED IN F.S. §163.3187; AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP FOR AN APPROXIMATELY 1.45-ACRE PARCEL FROM THE FUTURE LAND USE OF INDUSTRIAL (COUNTY) TO THE FUTURE LAND USE OF INDUSTRIAL (CITY); AMENDING THE FUTURE LAND USE MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Commerce Avenue, LLC, is seeking a future land use designation for property that was designated as Industrial by Martin County. Based upon an evaluation of the criteria set forth in the Florida Statutes, the land use being sought is Industrial (City), for +/-1.45-acres of vacant land. The City of Stuart Industrial Land Use is compatible with the adjacent properties. The City must designate a City Land use for all property located within its boundaries and can not use County Land Uses because they are not included in the City Comprehensive Plan.

Funding Source:

N/A

Recommended Action:

Staff has reviewed the application for Small-Scale Comprehensive Plan Future Land Use Map Amendment and has determined that it conforms to the Standards of Review as set forth in Section 11.01.07 of the City of Stuart Land Development Code and is consistent with the City of Stuart Comprehensive Plan Goals, Objectives, and Policies.

Staff recommends the Local Planning Agency forward a recommendation of approval to the City Commission for adoption of the proposed Small-Scale Comprehensive Plan Future Land Use Map Amendment, via Ordinance No. 2518-2023 (***One-Reading Only***)

ATTACHMENTS:

1. DRAFT Ordinance 2518-20023
2. Staff Report
3. Application Packet
4. Development Plan Packet
5. Traffic Impact Analysis
6. Boundary Survey
7. Public Notice Packet



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

ORDINANCE NUMBER 2518-2023

AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT AS DEFINED IN F.S.§163.3187; AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP FOR AN APPROXIMATELY 1.45-ACRE PARCEL FROM THE FUTURE LAND USE OF INDUSTRIAL (COUNTY) TO THE FUTURE LAND USE OF INDUSTRIAL (CITY); AMENDING THE FUTURE LAND USE MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

*** * * * ***

WHEREAS, on December 11, 1989, the City of Stuart City Commission adopted Ordinance Number 1174-89, adopting a comprehensive growth management plan as mandated by the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida State Statutes, also known as the City of Stuart Comprehensive Plan, that designated this Future Land Use of this property as Industrial; and

WHEREAS, on May 26, 2023, an application was submitted to the City for a Small-Scale Comprehensive Plan Future Land Use Map Amendment from Industrial (County) to Industrial (City); and

WHEREAS, the Local Planning Agency board held a property noticed hearing at a regularly scheduled meeting on _____, 2023, to consider the applicant's request and _____ recommended _____ of the subject petition to the City Commission; and

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by Commerce Avenue, LLC (applicant) representing for a 1.45-acre parcel of land; and

WHEREAS, the City of Stuart has determined the need to change the Future Land Use for said lands; and

WHEREAS, the City Commission, has considered the Petitioner's voluntary request for land use designations, and has also considered the recommendation of City staff; and

WHEREAS, the City Commission has reviewed the criteria set forth in Florida Statute 153.3177 and has evaluated the data testimony, evidence, public comments, and totality of the circumstances. The City Commission has determined which data is professionally acceptable and has reacted accordingly. Pursuant to the data available at the time, the Commission has found that the character of the land is appropriate for the subject request and that adequate public facilities exist to support the land use; and

WHEREAS, based on the evidence presented by the Applicant regarding the maximum build out of the existing and proposed Future Land Use designations, the Commission finds that the proposed use is an appropriate Future Land Use for the subject property; and

WHEREAS, at the hearing the applicant showed by substantial competent evidence that the application is consistent with the Stuart Comprehensive Plan and with the procedural requirements of law; and

WHEREAS, the Applicant has committed to the City that its development will comply with all development codes, plans, standards, and conditions approved by the City Commission;

and that it will bind its successors in title to any such commitments made upon approval of the Future Land Use Amendment; and

WHEREAS, the foregoing recitals are true and adopted as findings of fact and conclusions of law.

WHEREAS, the property is legally described in “**Exhibit A**” of this Ordinance. A map depicting the property is attached hereto as **Exhibit “B”** and made a part hereof by reference;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The Future Land Use designation in the City's Comprehensive Land Use Plan shall be established as "Industrial".

SECTION 2: This Ordinance becomes effective upon adoption.

SECTION 3: All Ordinances or parts of Ordinances in conflict with this Ordinance or any part thereof is hereby repealed to the extent of such conflict. If any provision of this Ordinance conflicts with any contractual provision between the City and the Developer of the site, this Ordinance shall prevail.

SECTION 4: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 5: Following the adoption and acceptance of this Ordinance by the Owners, and in addition to any other action for failure to complete development or otherwise comply with the Development Documents, the City Development Director may obtain a hearing before the City Commission and shall thereupon give at least five (5) days written notice of the time, date, and location of the hearing, along with specific notice of the alleged breach. At the hearing before the

City Commission, the Property Owner may appear and may contest the allegation of breach or explain the reason or reasons for the breach. Upon a finding of a material breach of the Development Documents and therefore, the Ordinance(s) adopting the same, the City Commission may impose or do any or all of the following:

- a. Initiate the process to amend or repeal this or any other ordinance pertaining to the development.
- b. Impose an administrative penalty of up to \$1,000.00 for each violation, and up to \$5,000.00 for each repeat violation that occurs, along with all reasonable costs, including attorney's fees incurred by the City.

Any breach of any provision or condition of this Ordinance by the Property Owner shall be considered a violation subject to any remedies provided herein, or as otherwise provided by law. In the event a violation found continues from day to day, each day the violation is found to continue shall be deemed a separate violation.

SECTION 6: This Ordinance shall be effective upon the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owner.

SECTION 7: The complete execution and recording of this Ordinance by the City Clerk shall occur no later than sixty (60) days from the date of this approval, failing which this ordinance shall be void.

SECTION 8: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record this Ordinance in the Public Records of Martin County, Florida.

Passed on first reading the ____ day of _____ 2023.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

Commissioner _____ offered the foregoing Resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
RICH CAMPBELL, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this _____ day of _____ 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK MAYOR

TROY MCDONALD, MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

PAUL J. NICOLETTI
INTERIM CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS ASSOCIATED WITH THE SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS SITE ACCORDING TO THIS ORDINANCE, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS ORDINANCE MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ACTIONS MAY BE TAKEN AGAINST THE UNDERSIGNED BY THE CITY, INCLUDING BUT NOT LIMITED TO CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING REVOCATIONS, AND ALL APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

Commerce Avenue, LLC

By: _____

Print Name: _____

Gregory A. Hale, Manager

Print Name: _____

OWNERS ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this _____ day of _____, 2023, by Gregory A. Hale, Manager of Commerce Avenue, LLC.

Notary Public, State of Florida

My Commission Expires: _____

Notary Seal

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

CITY’S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____, 2023 by Troy McDonald, Mayor, and Mary Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation, who ☐ are personally known to me or ☐ have produced _____ as identification.

(Notary Seal)

Signature of Notary Public

Printed Name: _____

EXHIBIT A – LEGAL DESCRIPTION

THE SOUTHERLY 50 FEET OF TRACT 204 LYING EAST OF S.E. COMMERCE AVENUE AND WEST OF THE FLORIDA EAST COAST RAILWAY; AND A PORTION OF TRACTS 208 AND 209, OF REVISED PLAT OF PORT SEWALL LAND COMPANY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 7 OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; TOGETHER WITH ABANDONED 50 FOOT ROAD KNOWN AS S.E. MARKET PLACE, ABUTTING TRACT 204 ON THE SOUTH AND TRACTS 208 AND 209 ON THE NORTH AS DESCRIBED IN RESOLUTION 82-9.22 RECORDED IN OFFICIAL RECORDS BOOK 554, PAGE 1527.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF TRACT 209 AND THE EASTERLY RIGHT-OF-WAY LINE OF S.E. COMMERCE AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N48°14'09"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 109.94 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTHERLY 50 FEET OF TRACT 204; THENCE N66°18'56"E ALONG SAID NORTH LINE, A DISTANCE OF 345.71 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY OF THE FLORIDA EAST COAST RAILWAY; THENCE S42°00'25"E A DISTANCE OF 171.33 FEET ALONG SAID WEST RIGHT-OF-WAY; THENCE S57°01'32"W, A DISTANCE OF 165.74 FEET; THENCE S52°36'43"W, A DISTANCE OF 138.44 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF S.E. COMMERCE AVENUE; THENCE N48°14'09"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 134.34 FEET TO THE POINT OF BEGINNING.

PARCEL I.D. No.: 38-38-41-002-204-00002-8

(The remainder of this page intentionally left blank)

EXHIBIT B – LOCATION MAP



TO: Local Planning Agency (*LPA*)
FROM: Kris McCrain, Principal Planner
MEETING DATE: Thursday, June 8, 2023
SUBJECT: Benchmark III IPUD
Small-Scale Future Land Use Map Amendment (*Project #:* Z23050008)

AGENDA REQUEST:

This is a request from the property owner, Commerce Avenue, LLC, to consider a petition for Small-Scale Future Land Use Amendment from the Industrial (*County*) to Industrial (*City*), for +/-1.45-acres of vacant land located within the jurisdiction of unincorporated Martin County.

GENERAL INFORMATION:

Property Owner/Applicant: Gregory A. Hale
Commerce Avenue, LLC
3322 SE Gran Park Way
Stuart, FL 34997

Agent/Agent of Record: Michael McCarty
McCarty & Associates Land Planning & Design, LLC
309 SE Osceola Street
Stuart, FL 34994

Location: TBD - SE Commerce Avenue, Stuart, FL 34997

Parcel ID#: 38-38-41-002-204-00002-8

Parcel Size: +/-1.45-acres

Existing Future Land Use: Industrial (*County*)

Proposed Future Land Use: Industrial (*City*)

Existing Zoning: (*M-2*) Industrial (*County*)

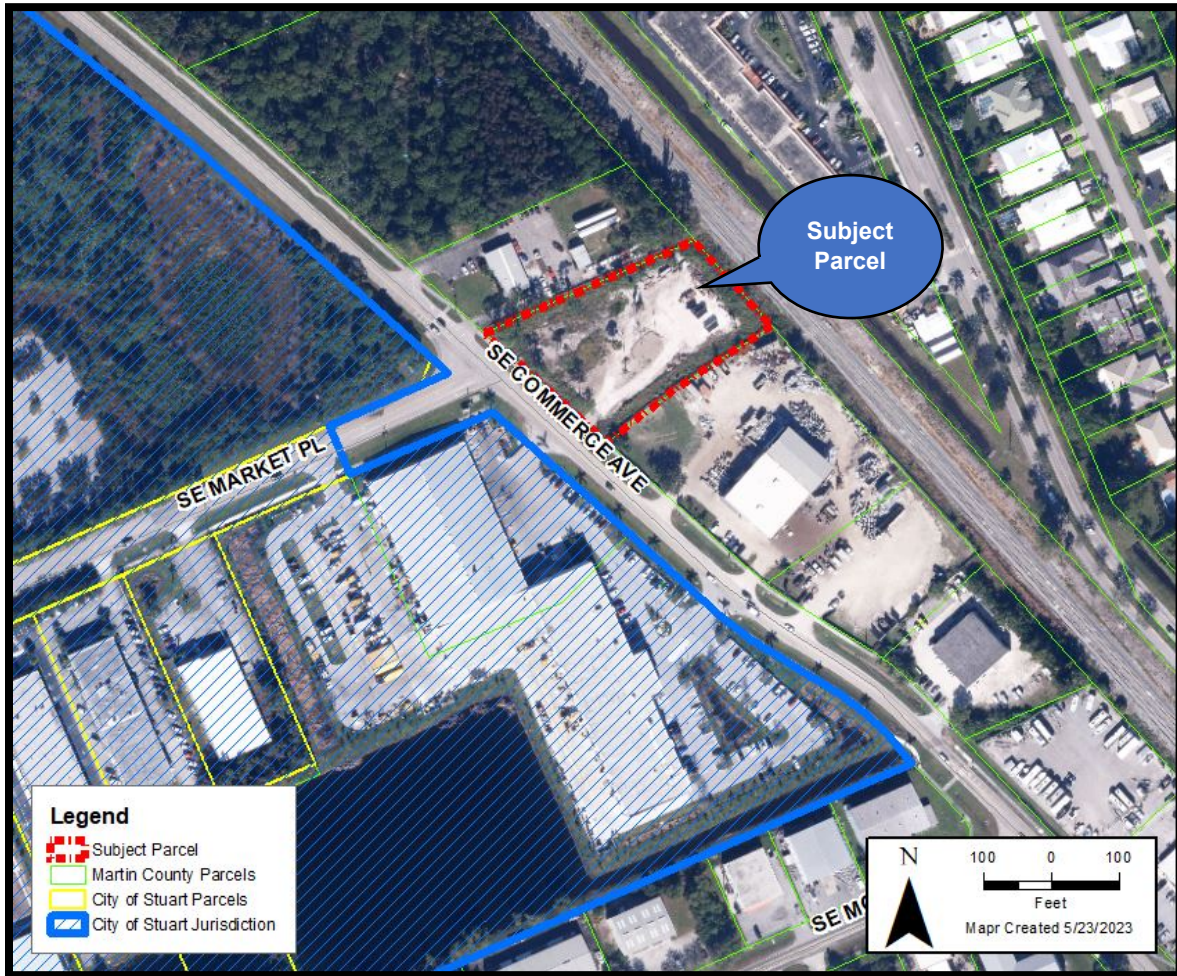
Proposed Zoning: (*IPUD*) Industrial Planned Unit Development (*City*)

Existing Use: Vacant

Proposed Use: Industrial Planned Unit Development

BACKGROUND

McCarty & Associates Land Planning & Design, LLC, submitted petitions on behalf of Commerce Avenue, LLC, for a Voluntary Annexation to incorporate the +/-1.45-acre parcel from unincorporated Martin County to City of Stuart jurisdiction, a Small-Scale Comprehensive Plan Amendment to amend the Future Land Use category from the Industrial (*County*) to Industrial (*City*), and a IPUD Rezone petition to redesignate the subject property from (*M-2*) Industrial (*County*) to the (*IPUD*) Industrial Planned Unit Development (*City*) Zoning Designation and approval for a final Industrial Planned Unit Development Site Plan, for a project to be known as Benchmark III IPUD.



LAND USE AND ZONING

The subject site currently has a Martin County Future Land Use Designation of Industrial (*IND*), and a County Zoning Designation of Industrial (*M-2*). The subject property is currently vacant and located on the east side of SE Commerce Avenue. The site is bounded by City of Stuart to the west. The existing uses, Zoning Districts, and Future Land Use designations of the adjacent properties are summarized in Table 1 below.

Table 1. Existing Use, Zoning and Land-Use Designations

Location		Zoning District	Future Land Use	Existing Land Use
Subject Property		M-2: Industrial <i>(County)</i>	Industrial <i>(County)</i>	Vacant
Adjacent Parcels	North	M-2: Industrial <i>(County)</i>	Industrial <i>(County)</i>	Kauff's Towing & Recovery
	South	M-2: Industrial <i>(County)</i>	Industrial <i>(County)</i>	Palm City Yachts
	East	Right-of-Way <i>(County)</i>	Right-of-Way <i>(County)</i>	Florida East Coast Railroad Right-of-Way
	West	CPUD: Commercial Planned Unit Development <i>(City)</i> & IPUD: Industrial Planned Unit Development <i>(City)</i>	Commercial <i>(City)</i> & Industrial <i>(City)</i>	Vacant Land Waterblasting, LLC S.E. Commerce Avenue S.E. Market Place Rights-of-Way

**SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT
STANDARDS OF REVIEW AS SET FORTH IN THE
LAND DEVELOPMENT CODE SECTION 11.01.07**

Staff has completed a review of the Small-Scale Comprehensive Plan Future Land Use Map Amendment application based on the criteria included in Land Development Code (*LDC*) Section 11.01.07(G) and provided a detailed analysis based on the specific and applicable criteria as follows. The applicant is advised of requirements to follow the necessary public noticing requirements ahead of any scheduling of public hearings before the Local Planning Agency (*LPA*) and the City Commission.

Specifically, the LPA and City Commission shall consider the following criteria:

a. The existing land use pattern

Staff Findings: *The subject parcel is located within unincorporated Martin County and is designated by the Industrial Future Land Use. The Small-Scale Comprehensive Plan Map Amendment petition seeks to amend the Future Land Use to Industrial under the City of Stuart's jurisdiction to provide a consistent land use pattern with the surrounding area.*

- b. The possible creation of an isolated land use classification unrelated to adjacent and nearby classifications.**

Staff Findings: The subject property is currently situated within the jurisdiction of Martin County. The land use designations within the surrounding area are predominantly designated by the Industrial and Commercial land use.

- c. The population density pattern of the area and possible increase or overtaxing of the load on public facilities such as schools, utilities, and streets.**

Staff Findings: The proposed Industrial land use for the city is consistent with the existing Industrial land use governed by the County and does not provide for an increase in residential density. The City's Industrial Future Land Use designation does not allow for residential development. The subject property is located within an urban area, with access to utilities, roadway infrastructure. Review comments received from Utilities & Engineering Department, Police Department and Fire Rescue; no issues have been identified from reviewers at this stage regarding level of service provision within the City.

- d. The possible overloading of the city's sewage collection, treatment, and disposal facilities.**

Staff Findings: The site is currently provided water and wastewater services by the Martin County Utilities Department. The Martin County Utilities Department has reviewed the concurrently submitted annexation and has agreed to continue serving the subject site following annexation with the City of Stuart. Sufficient water & wastewater capacity is available to accommodate the maximum build out for the proposed land use amendment.

- e. The possible overloading of the city's drainage system.**

Staff Findings: The Utilities and Engineering Department has reviewed the proposed development and no issues have been identified regarding the potential overloading of the City's drainage system pertaining to a request for annexation, land use amendment, or rezoning of the subject property. Analysis will be undertaken at the site plan stage in the application process, including civil and site plan documentation directed at drainage. Final engineering review will be completed during site permitting with the City of Stuart Building Department.

- f. The existing classification boundaries in relation to existing conditions on the subject property.**

Staff Findings: Existing conditions on the subject property are that of a previous industrial operation. Effective reuse of the property with uses afforded to lands designated Industrial within the boundary of the City of Stuart will introduce improvements to the vacant/cleared industrial lands in an area where industrial-based uses are well-established.

- g. The existence of changed or changing conditions which make the passage of the proposed amendment necessary or appropriate.**

Staff Findings: The previous use on the property is unknown at this time but appeared to be industrial in nature according to past Google areal map searches. The site is currently located within the jurisdiction of unincorporated Martin County and as part of the parent petition for Voluntary Annexation, the execution of a Small-Scale Comprehensive Plan Future Land Use Map Amendment is necessary to redesignate the site under the Industrial Future Land Use designation with the City of Stuart. Accommodating a Small-Scale Future Land

Use Map Amendment from Industrial (County) to Industrial (City) is consistent with the existing conditions and Future Land Use map patterns of established use categories within the area.

h. The impact of the proposed amendment upon living conditions in the adjacent neighborhood.

***Staff Findings:** The property is currently designated by the Industrial Future Land Use within the jurisdiction of unincorporated Martin County. The proposed Small-Scale Comprehensive Plan Future Land Use Map Amendment will provide a similar Industrial Future Land Use designation for the City of Stuart and will remain consistent with the surrounding area.*

i. The impact of the amendment upon the flow of light and air to adjacent areas.

***Staff Findings:** Not applicable as per the distance and separation between established property boundaries. A photometric lighting plan has been submitted and reviewed as part of the proposed IPUD Rezone and Site Plan petition.*

j. The impact of the proposed amendment upon property values in the adjacent area.

***Staff Findings:** The proposed amendment does not deviate from the existing Industrial land use designation. A land use amendment to accommodate Industrial uses is consistent with the existing Industrial land use for unincorporated Martin County.*

k. The impact of the proposed amendment upon improvement or development of adjacent property in accordance with existing regulations; and

***Staff Findings:** The proposed amendment is consistent with the surrounding industrial properties to the north, south, and west. The use is also consistent with the Goals, Objectives, and Policies of the Comprehensive Plan pertaining to the retention and expansion of industrial based uses and encourage additional employment generating uses.*

l. The existence of other adequate sites in the city for the proposed land use classifications already permitting such use.

***Staff Findings:** Although the site is currently located within the jurisdiction of the unincorporated Martin County, the properties to the west are situated within the City of Stuart's municipal boundaries. Adjacent City properties to the west are designated by the Industrial and Commercial Future Land Use designations.*

CONSISTENCY WITH THE CITY'S COMPREHENSIVE PLAN

The proposed Small-Scale Comprehensive Future Land Use Map Amendment is consistent with the overall Goals, Objectives, and Policies of the City of Stuart Comprehensive Plan.

***Goal Statement 1.A:** Maintain and enhance Stuart's quality of life, natural beauty, and small-town waterfront character, its stable residential neighborhoods, and its status as the commercial/institutional hub for greater Martin County.*

***Objective 1.A.7:** The Future Land Use Map establishes the optimum, overall distribution of land uses as well as can be established on a City-wide basis. Neither these policies nor the Future Land Use Map shall be construed to mean that every parcel in a designated area is suitable for the designated use. Other plan objectives and policies will be applied to ensure that any proposed development will be suitable for the particular site. Similarly, the*

Future Land Use Map does not assure the landowner the right to the most intense use allowable under the designated future land use category. The City shall have the discretion to decide that the permitted land uses shall be more limited than the maximum allowable under the discretion to decide that development is consistent with the City's plan.

- **Policy 1.A7.1(E) – Industrial:** Land uses, and activities predominately connected with the sale, rental, and distribution of products or performance of professional and non-professional services. Includes retail sales, service establishments, business, professional and other offices, shopping centers, financial institutions, restaurants, entertainment, hotels, motels, and other temporary lodging. A limited amount of Multi-Family Residential and indoor industrial uses is allowed. Mixed-use projects are allowed. Also, public facilities and electric distribution substations are allowed.
- **Policy 1.A7.5.** Properties that are annexed into the City shall be given a City land use designation as soon as possible after the annexation is finalized.

Existing Future Land Use (County):

Policy 4.11B.1. Development review process for industrial development. The development review process shall ensure that, at a minimum:

- 1) Industrial activities are compatible with surrounding land uses, established or planned development, and natural systems and resources.
- 2) Sites for industrial development are accessible to essential public and private facilities and services at the levels of service adopted in this Plan for transportation, potable water, solid waste, drainage, and sanitary sewer.
- 3) Sites for industrial development are located with convenient access to major road transportation corridors and are encouraged to locate with convenient access to air, water, and rail transportation facilities.
- 4) Sites for industrial development are located with convenient access to the labor supply, raw material sources, energy resources and market areas.
- 5) A need for industrial land use is demonstrated in a County-wide assessment when industrial proposals are considered by the Board of County Commissioners.

Policy 4.13A.10. Industrial development. The FLUM allocates land resources for existing and anticipated future industrial development needs. The allocation process gives high priority to industry's need for lands accessible to rail facilities, major arterials or interchanges, labor markets and the services of the Primary Urban Service District (Figure 4-2). Industrial development includes both Limited Impact and Extensive Impact Industries. Limited Impact Industries include research and development, light assembly, and manufacturing. Extensive Impact Industries include heavy assembly plants, manufacturing/processing plants, fabricators of metal products, steam/electricity co-generation plants and uses customarily associated with airports.

Proposed Future Land Use (City):

Objective 1.A7. - Future Land Use Categories.

- E. Industrial:** Land uses and activities predominantly connected with manufacturing, assembly, processing, packaging, research, or storage of products. Additional permitted uses in such areas include

warehousing, wholesale activity, machine repair, and limited indoor retail sales and professional and other offices. Also, public facilities and electric distribution substations are allowed.

Policy 1.A7.2. *Gross densities, gross intensities and proportional use amounts for each land use category are established in the "Table of Land Use Densities and Intensities" that is adopted as part of this element. In order to promote the efficient use of land and to provide an affordable housing stock (Policy 3.A2.6. Housing opportunities), the City's Land Development code shall provide adjustment, through the urban planned unit development process, to accommodate smaller residential units and allow smaller housing units to be calculated at 0.5 density per unit for units less than 900 sq. ft and 0.75 density per units for units less than 1,100 sq. ft.*

Table of Land Use Densities and Intensities
(City of Stuart Comprehensive Plan – Future Land Use Element)

FLU		Residential			Non-Residential			
			UPUD, RPUD, or Major UCE					
	In/Out CRA	General	Not ALF	ALF	% Residential	General	> 2.0 FAR	% Non-Residential
Industrial	In	None	N/A	N/A	0%	< 3.0 FAR	< 10-acres	100%
	Out	None	N/A	N/A	0%	< 1.0 FAR	N/A	100%

PUBLIC NOTIFICATION

On May 25, 2023, the applicant provided notification letters to eight (8) owners of property located within 300 feet of the proposed petitions. One (1) public notification sign detailing the Local Planning Agency (LPA) and City Commission Public Hearings was posted on the premises, and an advertisement was displayed in TC Palm Newspaper on Tuesday, May 30, 2023.

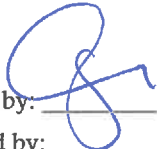
STAFF RECOMMENDATION

Staff has reviewed the Small-Scale Comprehensive Plan Future Land Use Map Amendment and has determined that it conforms to the Standards of Review as set forth in Section 11.01.07 of the City of Stuart Land Development Code and is consistent with the City of Stuart Comprehensive Plan Goals, Objectives, and Policies.

Staff recommends the Local Planning Agency forward a recommendation of approval to the City Commission for adoption of the proposed Small-Scale Comprehensive Plan Future Land Use Map Amendment, via Ordinance No. 2518-2023 **(One-Reading Only)**



City of Stuart
121 SW Flagler Ave.
Stuart, FL 34994
development@ci.stuart.fl.us
(772) 288-5326

Received by: 
Reviewed by: _____

Small-Scale Comprehensive Plan Amendment Application

Project ID# 223050008
(Staff Entry)

Pre-App Conference Date: 5/26/2022	Application Date:
---------------------------------------	-------------------

SITE INFORMATION

Project Name: Benchmark III	Parcel ID#: 38-38-41-002-204-00002-8
Site Address: SE Commerce Ave	
Subdivision: Plat of Port Sewall Land Compay	Lot(s):
Site Acreage: 1.44 acres	Flood Zone/Base Flood Elevation:
Existing Zoning District / CRA Subdistrict (if applicable): M-2	
Proposed Zoning District / CRA Subdistrict (if applicable): IPUD (Industrial PUD)	
Current Comprehensive Plan Future Land Use Designation: Industrial	
Proposed Comprehensive Plan Future Land Use Designation: Industrial	
Existing Land Use: Vacant Industrial	Proposed Land Use: N/A
Proposed Square Footage (if applicable): 21,983 square feet	Proposed Density (if applicable): N/A

PETITIONER INFORMATION

Property Owner: Commerce Avenue, LLC	Phone Number / Email Address:
Property Owner's Mailing Address: 2696 SE Market Place	
Applicant (if not Owner): Agent, Michael McCarty - McCarty & Associates Land Planning & Design LLC	Phone Number / Email Address: 772-341-9322 / mike@mccartylandplanning.com
Applicant's Mailing Address: 309 SE Osceola Ave, Suite 104, Stuart FL 34994	
Agent/Contact Person: Same as applicant	Phone Number / Email Address: same as applicant
Agent's Mailing Address: same as applicant	
Architect: Ahern & Associates, Architects, P.A.	Engineer: Mathers Engineering Corporation
Planner: same as applicant	Landscape Architect: same as applicant

Statement of Ownership and Designation of Authorized Agent

(Please Print or Type)

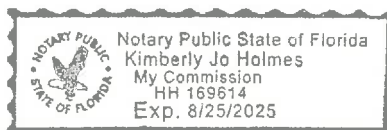
Before me, the undersigned authority, personally appeared Gregory A Hale
Who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting approval of a Building in the City of Stuart, FL.
3. That he/she has appointed DAWN V Gilmore to act as an authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Gregory A. Hale
Signature of Owner: [Signature] By: Owner
Street Address: 8454 SE BANYAN TREE ST City, State, Zip Code: Noke Sound, FL 33455
P.O. Box: _____ City, State, Zip Code: _____
Telephone Number: 561-722-5095 Fax Number: 772-320-0209
Email Address: ghale@benchmark3.com

STATE OF FLORIDA, COUNTY OF Martin
Sworn and subscribed before me by means of ☒ physical presence or ☐ online notarization, this
23 day of May, 2023 By Gregory A Hale
Type of Identification Produced: Personally Known QR Produced Identification Kimberly Jo Holmes Notary Public

My Commission expires:



Financial Responsibility Form

(Please Print or Type)

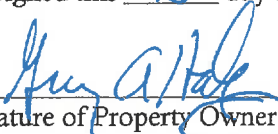
The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name:	Gregory A Hale
Title:	OWNER
Company:	Commerce Ave, LLC
Company Address:	8454 SE BANYAN TREE ST

City/State/Zip Code:	Noble Sound, FL 33455
Telephone Number:	561-722-5095
Facsimile Number:	772-320-0209
Email Address (optional):	ghale@benchmark3.com

I hereby certify that all information contained herein is true and correct.

1. Signed this 23 day of May, 2023.


Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

Application Requirements

Fee: \$1,864.00 (*this does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees*)

- **Submittal Requirements:** A completed application form, the payment of fees, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, and a justification for the proposed change and any other information required by the City Development Director.

Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application. The Local Planning Agency (LPA) is required to hold an advertised public hearing and formulate a recommendation to the City Commission. The City Commission is also required to hold an advertised public hearing after which it may approve, approve with conditions, or deny the application.

Justification: Please explain the need and justification of the change and the relationship of the proposed change to the goals, objectives and policies of the City of Stuart Comprehensive Plan and Land Development Code (*include additional pages if needed*).

See narrative & full submittal package

(over)



Recorded in Martin County, FL 7/2/2019 11:56 AM
Carolyn Timmann, Clerk of the Circuit Court & Comptroller
Rec Fees: \$27.00
CFN#2763110 BK 3068 PG 2976 PAGE 1 of 3

THIS INSTRUMENT PREPARED BY:
Conrad Damon, Esq.
Ward Damon, PL
4420 Beacon Circle
West Palm Beach, Florida 33407
(561) 842-3000
Our File No. 5021.03820

Tax Folio No.: 38-38-41-002-213-00002-1

THIS CORRECTIVE WARRANTY DEED IS BEING GIVEN TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION CONTAINED IN THAT CERTAIN WARRANTY DEED DATED MAY 3, 2019 FROM ASBURY 716 LLC TO COMMERCE AVENUE LLC, AS RECORDED IN OFFICIAL RECORD BOOK 3057, PAGE 2026 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, WHICH WARRANTY DEED CONTAINED AN INCORRECT LEGAL DESCRIPTION. THIS CORRECTIVE WARRANTY DEED NOW CONVEYS THE CORRECT PARCEL OF REAL PROPERTY FROM ASBURY 716 LLC TO COMMERCE AVENUE LLC AND IS BEING RECORDED CONTEMPORANEOUSLY WITH A CORRECTIVE WARRANTY DEED FROM COMMERCE AVENUE LLC TO ASBURY 716 LLC RE-CONVEYING BACK TO ASBURY 716 LLC THE PARCEL OF REAL PROPERTY WHICH WAS CONVEYED IN ERROR. AS A CORRECTIVE WARRANTY DEED, THIS CONVEYANCE IS EXEMPT FROM DOCUMENTARY STAMP TAX.

THIS INSTRUMENT HAS BEEN PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW

CORRECTIVE WARRANTY DEED

THIS WARRANTY DEED made this 26 day of June, 2019, between **ASBURY 716 LLC**, a Florida limited liability company, whose post office address is 3322 SE Gran Park Way, Stuart, Florida 34997 ("**Grantor**"), and **COMMERCE AVENUE LLC**, a Florida limited liability company, whose post office address is 3322 SE Gran Park Way, Stuart, Florida 34997 ("**Grantee**").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH: That said Grantor for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's successors and assigns forever, the following described real property located in Martin County, Florida ("**Commerce Avenue Property**"):

See Exhibit "A" attached hereto.

SUBJECT to covenants, conditions, easements, restrictions and reservations of record, none of which are reimposed hereby.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND said Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land, and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

Justiah Tucker
Print Name: Justiah Tucker
CONRAD DANNON
Print Name: CONRAD DANNON

ASBURY 716 LLC, a Florida limited liability company

By: Gregory A. Hale
GREGORY A. HALE, Manager

Justiah Tucker
Print Name: Justiah Tucker
CONRAD DANNON
Print Name: CONRAD DANNON

By: Lisa C. Hale
LISA C. HALE, Manager

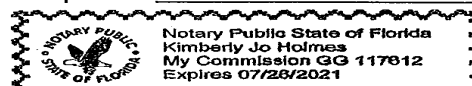
STATE OF FLORIDA
COUNTY OF Martin

The foregoing instrument was acknowledged before me this 28 day of June, 2019 by **GREGORY A. HALE and LISA C. HALE**, as the Managers of **ASBURY 716 LLC**, a Florida limited liability company, on behalf of the company, who are:

OR ☒ Personally known: _____
☐ Identification produced: _____

[NOTARY SEAL]

Notary: Kimberly Jo Holmes
Print Name: Kimberly Jo Holmes
Notary Public, State of Florida
My commission expires: _____



**EXHIBIT "A"****Commerce Avenue Property**

The Southerly 50 feet of Tract 204 lying East of S.E. Commerce Avenue and West of the Florida East Coast Railway; and a portion of Tracts 208 and 209, of revised plat of Port Sewall Land Company, according to the plat thereof, as recorded in Plat Book 3, page 7 of the public records of Palm Beach (now Martin) County, Florida; together with abandoned 50 foot road known as S.E. Market Place, abutting Tract 204 on the South and Tracts 208 and 209 on the North as described in Resolution 82-9.22 recorded in Official Records Book 554, page 1527.

Being more particularly described as follows:

Beginning at the intersection of the North line of Tract 209 and the Easterly right-of-way line of S.E. Commerce Avenue, said point being the point of beginning; thence N48°14'09"W along said right-of-way, a distance of 109.94 feet to the intersection with the North line of the Southerly 50 feet of Tract 204; thence N66°18'56"E along said North line, a distance of 345.71 feet to a point of intersection with the West right-of-way of the Florida East Coast Railway; thence S42°00'25"E, a distance of 171.33 feet along said West right-of-way; thence S57°01'32"W, a distance of 165.74 feet; thence S52°36'43"W, a distance of 138.44 feet to a point of intersection with the East right-of-way of S.E. Commerce Avenue; thence N48°14'09"W along said right-of-way, a distance of 134.34 feet to the point of beginning.

Location Map



Legal Description

A PORTION OF TRACTS 204, 208 & 209 PLAT OF PORT SEWALL LAND COMPANY ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 PAGE 7 PUBLIC RECORDS MARTIN COUNTY FLORIDA TOGETHER WITH ABANDONED ROAD ALL MORE PARTICULARLY DESCRIBED IN OR 2957/2233

LEGAL DESCRIPTION FROM PROPERTY APPRAISER

Site Data

PCN	38-38-41-002-204-00002-8		
ZONING	M-2		
FUTURE LAND USE	INDUSTRIAL		
EXISTING LAND USE	VACANT INDUSTRIAL		
PROPOSED USE	INDUSTRIAL		
PROVIDED FRONT LINE FAÇADE %	58%		
PROVIDED FRONT SETBACK	20'		

	SF	AC	%
TOTAL SITE AREA	63,368	1,4547	100.00%
IMPERVIOUS AREA	41,031	0.942	64.75%
TOTAL BUILDINGS	21,445	0.49	33.8%
BUILDING 1	7,480	0.17	11.8%
BUILDING 2	13,965	0.32	22.0%
VEHICULAR USE AREA	16,226	0.37	25.6%
CONCRETE, WALKS, RAMPS, ETC...	3,360	0.08	5.3%
PERVIOUS AREA	22,337	0.513	35.25%
LANDSCAPE BUFFERS / OPEN SPACE	22,337	0.513	35.2%
PARKING	REQ.	PROVIDED	
(1/ 1000 SF FLOOR AREA)	21	21	
ADA ACCESSIBLE SPACES	1	2	
BIKE PARKING	REQ.	PROVIDED	
	4	4	
FAR	REQ.	PROVIDED	
FAR = (21,455 / 63,368 = .33)		0.33	

Landscape Data

NORTH PROPERTY LINE			345 LF
1 TREE / 30 LF & HEDGE	REQ. 12	PROV. 12 PLANTED TREES	
SOUTH PROPERTY LINE			302 LF
1 TREE / 30 LF & HEDGE	REQ. 10	PROV. 10 PLANTED TREES	
WEST PROPERTY LINE			220 LF
1 TREE / 30 LF & HEDGE	REQ. 7	PROV. 7 PLANTED TREES	
LANDSCAPING			
LANDSCAPE AREA	REQ. 20%	PROV. 33.9%	
TREES (1 TREE / 2,500 SF OF DEVELOPMENT SITE)	REQ. 25	PROV. 36	
PLANT MATERIAL DATA			
NATIVE TREES	REQ. 50%	PROV. 100%	
NATIVE SHRUBS	REQ. 50%	PROV. 99%	

Xeriscape Table

(A total of 50 pts. are required)

1. UTILIZATION OF MOISTURE SENSING CONTROLLER OTHER THAN RAIN SWITCH.	5 pts.
2. PLAN SUBMITTED WITH LOW, MODERATE, AND HIGH WATER USAGE ZONES INDICATED ON THE LANDSCAPE PLAN.	5 pts.
3. 51% OR MORE OF THE GRASS AREAS ARE MADE UP OF A DROUGHT TOLERANT SPECIES FROM THE LIST.	10 pts.
4. 51% OR MORE OF THE REQUIRED SHRUBS ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST.	10 pts.
5. 51% OR MORE OF THE REQUIRED TREES ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST.	10 pts.
8. UTILIZATION OF COMPACTED MULCH BEDS AT LEAST THREE INCHES DEEP IN ALL PLANTED AREAS EXCEPT GROUND COVER.	10 pts.
TOTAL PROVIDED POINTS	50 pts.

Landscape Notes

1. PLANT AND LANDSCAPE MATERIALS SHALL CONFORM TO THE STANDARDS FOR FLORIDA NO. 1, AS GIVEN IN THE GRADES AND STANDARDS FOR NURSERY PLANTS, PARTS I & II, AS PREPARED BY THE FLORIDA DEPT. OF AGRICULTURE AND CONSUMER SERVICES.
2. A 3" THICK LAYER OF ORGANIC NON-CYPRESS MULCH SHALL BE APPLIED TO ALL LANDSCAPE AND PLANTING AREAS.
3. ALL EXOTIC VEGETATION TO BE REMOVED FROM DEVELOPMENT AREA.
4. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED THAT IS CAPABLE OF PROVIDING 100% COVERAGE TO ALL LANDSCAPE AND PLANTING AREAS AND HAVE AN AUTOMATIC MOISTURE SENSOR.
5. IRRIGATION SOURCE TO BE POTABLE WATER. IRRIGATION PLANS SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT.
6. EXISTING TREES THAT ARE TO REMAIN SHALL BE BARRICADED ACCORDING TO CITY OF STUART ORDINANCES.
7. THIS PLAN HAS BEEN DESIGNED TO MEET WITH THE TREE PLANTING REQUIREMENTS CONTAINED WITHIN THE FPL DOCUMENT ENTITLED "PLANT THE RIGHT TREE IN THE RIGHT PLACE."
8. FOR EXISTING OR PROPOSED UTILITIES, NO TREE SHALL BE PLANTED WHERE IT COULD, AT MATURE HEIGHT, CONFLICT WITH OVERHEAD POWER LINES. LARGE TREES (HEIGHT AT MATURITY OF MORE THAN THIRTY (30) FEET) SHALL BE PLANTED NO CLOSER THAN A HORIZONTAL DISTANCE OF THIRTY (30) FEET FROM THE NEAREST OVERHEAD POWER LINE. MEDIUM HEIGHT TREE (HEIGHT AT MATURITY BETWEEN TWENTY (20) AND THIRTY (30) FEET) SHALL BE OFFSET AT LEAST TWENTY (20) FEET AND SMALL TREES (HEIGHT AT MATURITY OF LESS THAN (20) FEET) REQUIRE NO OFFSET.
9. NO TREE, SHRUBS, HEDGES OR VINES SHALL BE PLANTED WITHIN FIVE (5) FEET OF ANY EXISTING OR PROPOSED UTILITY POLE, GUY WIRE OR PAD MOUNTED TRANSFORMER. PALMS SHOULD BE PLANTED AT A DISTANCE EQUAL TO OR GREATER THAN THE AVERAGE FRONT LENGTH PLUS TWO (2) FEET FROM POWER LINES.

Plant List

Key	Qty	Scientific Name	Common Name	Size	Spacing
TREES & PALMS					
BS*^	18	Bursera simaruba	Gumbo Limbo	12'x 6', 2.5" DBH min.	AS
CE*^	11	Conocarpus erectus	Green Buttonwood	12'x 6', 2.5" DBH min.	AS
CS*^	5	Cordia sebestena	Orange Geiger Tree	12'x 6', 2.5" DBH min.	AS
DE^	10	Dioon edule	Mexican Fern Palm	3' OA	AS
SP*^	9	Sabal palmetto	Sabal Palm	10', 12', 16' CT, staggered heights	AS
TM*^	3	Thrinax morrisii	Key Thatch Palm	4' OA, multi trunk, full	AS
ACCENTS, SHRUBS & GROUNDCOVERS					
CI*^	318	Chrysobalanus icaco	Native Green Cocoplum	24"x 18", full	24" OC
CIH*^	222	Chrysobalanus icaco 'Horizontal'	Native Horizontal Cocoplum	3g, 16"x 16"	24" OC
EL*^	414	Ernodea littoralis	Golden Beach Creeper	3g, 12"x 18"	24" OC
TF*^	208	Tripsacum floridana	Dwarf Fakahatchee Grass	3g, 30"x 24"	30" OC
ZP*^	38	Zamia pumila	Coontie	7g min. 24" min.	36" OC

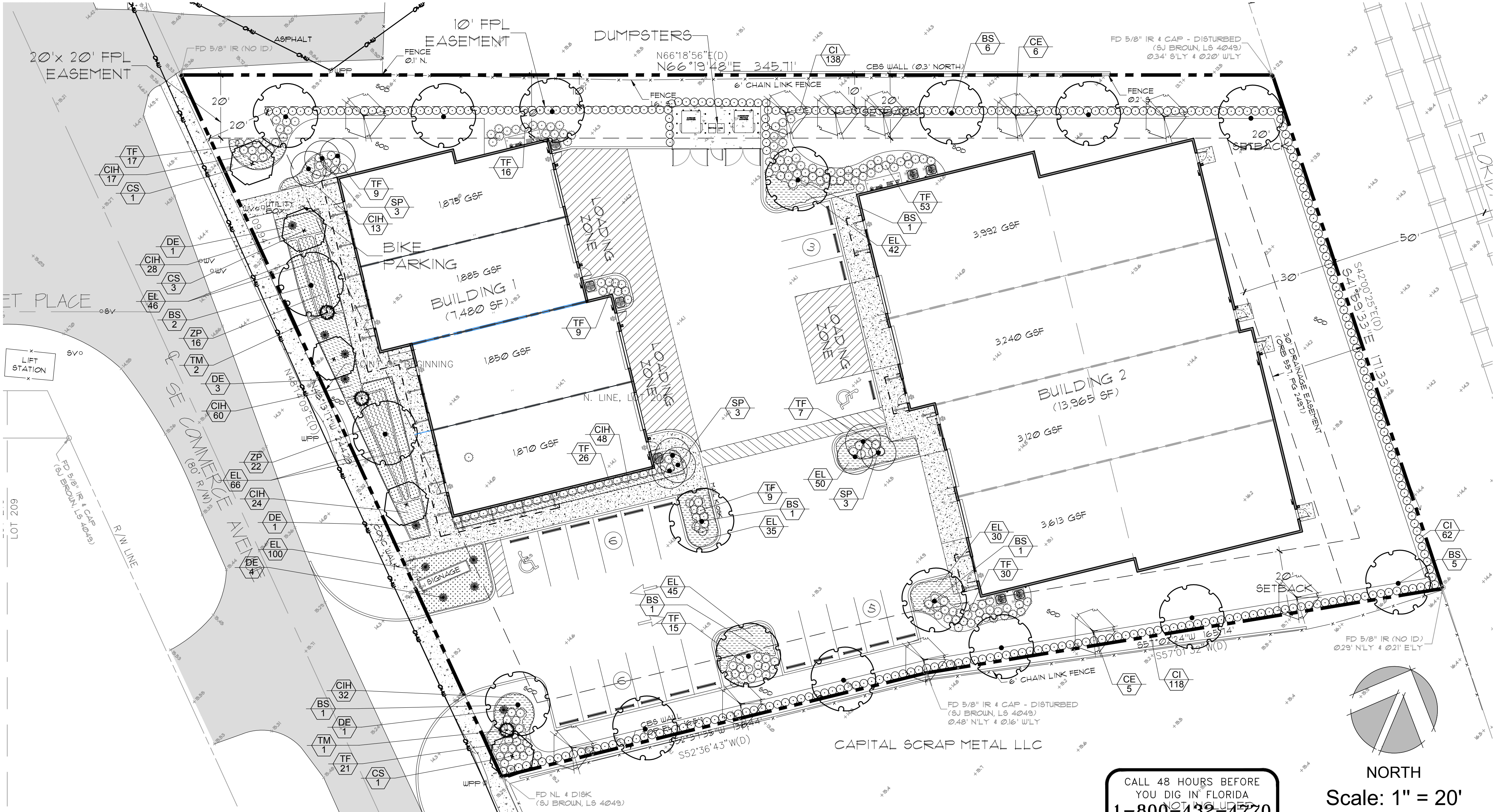
*DENOTES FLORIDA NATIVE PLANT MATERIAL

*DENOTES MODERATELY DROUGHT TOLERANT SPECIES

ALL PLANT MATERIAL SHALL BE MINIMUM FLORIDA #1 GRADE PER THE FLORIDA GRADES & STADARDS FOR NURSERY PLANTS 2015 EDITION

Misc.

SOD - Paspalum notatum - Bahia Sod - solid sod, laid tight



McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Benchmark III
SE Commerce Avenue
Martin County, Florida
Landscape Plan



Drawn By _____ DMS
Checked By _____ MM
Scale _____ 1"=20'
Drawing Date _____ 4/25/2022
8/1/2022

11/29/2022 revised lp per comments
4/10/2023 revised lp per comments

L-1

Plant Specifications

SPECIES AND SIZE shall conform to those indicated on the drawings. Nomenclature shall conform to STANDARDIZED PLANT NAMES, current edition. All nursery stock shall be in accordance with Grades and Standards for Nursery Plants Parts I & II, latest edition published by the Florida Department of Agriculture and Consumer Services. All plants not otherwise specified as being Florida Fancy or Specimen, shall be Florida Grade Number 1 or better as determined by the Florida Division of Plant Industry. Specimen means an exceptionally heavy, symmetrical, tightly knitted plant, so trained or favored in its development that first appearance is unquestionable and outstandingly superior in form, number of branches, compactness and symmetry.

GENERAL REQUIREMENTS

All plants shall be freshly dug, sound, healthy, vigorous, well branched, and free of disease and insect eggs and larvae, and shall have adequate root systems. Trees for planting rows shall be uniform in size and shape. All materials shall be subject to approval by the Landscape Architect. Where any requirements are omitted from the plant list, the plants furnished shall be normal for the variety. Plants shall be pruned prior to delivery only upon the approval of the Landscape Architect.

CONTAINER GROWN STOCK

All container grown material shall be healthy, vigorous, well rooted plants, and established in the container in which they are sold. The plants shall have tops which are good quality and in a healthy growing condition. An established container grown plant shall be grown in that container sufficiently long enough for the new fibrous roots to have developed so that the root mass will retain its shape and hold together when removed from the container. Plant root bound in containers are unacceptable.

MEASUREMENTS

- Trees:** Height shall be measured from ground to the average height of canopy. Spread shall be measured to the end of branching equally around the crown from the center of the trunk. Measurements are not to include any terminal growth. Single trunk trees shall be free of "V" crotches that could be points of weak limb structure or disease infestation.
- Shrubs:** Heights shall be measured from the ground to the average points where mature plant growth stops. Spread shall be measured to the end of branching equally around the shrub mass. Measurements are not to include any terminal growth.
- Palms:** Clear Trunk (C.T.), shall be measured from the ground at the time of installation to the point where the mature aged trunk joins the immature or green portion of the trunk or the head.
- Overall height (O.H.), shall be measured from the ground at the time of installation to a point three quarters the length of the unopened bud. Palms with marred or burned trunks will not be accepted.

SOIL

Planting soil for use in preparing backfill for plant pits shall be added at a rate of seventy-five (75%) percent to twenty-five (25%) percent existing soil. This soil mix shall be used in all plant pits except Sabal palms which shall be backfilled with clean sand. Planting soil shall be a fertile, friable natural topsoil or loamy character. It shall contain forty (40) to fifty (50) percent decomposed organic matter and shall be free from heavy clay, stones, lime, plants, roots or other foreign materials or noxious grasses (such as Bermuda or nut grass) and noxious weeds. It shall not contain toxic substances which may be harmful to plant growth.

COMMERCIAL FERTILIZER

Two fertilizer shall be used in all types of plantings, except palms. Granular fertilizer shall be uniform in composition, dry and free flowing. This fertilizer shall be delivered to the site in the original unopened bags, each bearing the Manufacturer's statement of analysis, and shall meet the following requirements: sixteen (16%) percent nitrogen, seven (7%) percent phosphorus, twelve (12%) percent potassium, plus iron. Tablet fertilizer ("Agriform" or equal) in 21 gram size shall meet the following requirements: twenty (20%) percent nitrogen, ten (10%) percent phosphorus, five (5%) percent potassium.

The two fertilizers will be applied at the following rates:

PLANT SIZE 16-7-12 "AGRIFORM" TABLET (21 Grams)

1 gal.	1/4 lb.	1
3 gal.	1/3 lb.	2
7-15 gal.	1/2 lb.	4
1'-6" caliper	2 lbs./1" caliper	2 1/1" caliper
6" and larger	3 lbs./1" caliper	2 1/1" caliper

"Florida East Coast Palm Special" will be applied to all palms at installation at a rate of 1/2 lb. per inch of trunk caliper unless otherwise specified.

MULCH

Mulch material shall be three (3) inches of shredded melaleuca mulch (sterilized and free of seeds) or approved equal, moistened at the time of application to prevent wind displacement.

SUBSTITUTIONS

No substitutions of plant material types or size will be allowed without written consent of the Landscape Architect. B&B material will not be accepted as substitute for container grown material unless previously approved. Alternate substitutions shall be indicated in bid.

Notes

- Prior to the installation of any plant material all existing and imported soils shall be tested and amended to meet the soil specifications and specific plant needs as shown on this plan.
- All plant material, unless specified as being Florida Fancy or Specimen, shall be Florida Grade Number 1 or better as determined by the Florida Division of Plant Industry.
- All plant materials and sod shall have an automatic irrigation system providing 100% coverage.
- Maintain positive drainage away from building.
- All plant material shall be planted, fertilized and mulched as per the Plant Details and Plant Specifications noted on this plan.
- Landscape Contractor shall research plans and contact appropriate agencies to determine location of utilities and obstructions prior to commencing work. Any utilities or unanticipated obstructions shall be reported immediately to the Landscape Architect.
- Landscape Contractor will be responsible for obtaining all necessary permits, licenses, inspections, and insurance as required by the State and local agencies.
- Quantities shown on plant list are for convenience only. If a discrepancy occurs between the plan and plant list the plan shall prevail.

Plant List

Key	Qty	Scientific Name	Common Name	Size	Spacing
TREES & PALMS					
B5*^	18	Bursera simaruba	Gumbo Limbo	12'x 6', 2.5" DBH min.	AS
CE*^	11	Conocarpus erectus	Green Buttonwood	12'x 6', 2.5" DBH min.	AS
CS*^	5	Cordia sebestena	Orange Geiger Tree	12'x 6', 2.5" DBH min.	AS
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TM*^	3	Thrinax morrisii	Key Thatch Palm	4' OA, multi trunk, full	AS
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*DENOTES FLORIDA NATIVE PLANT MATERIAL

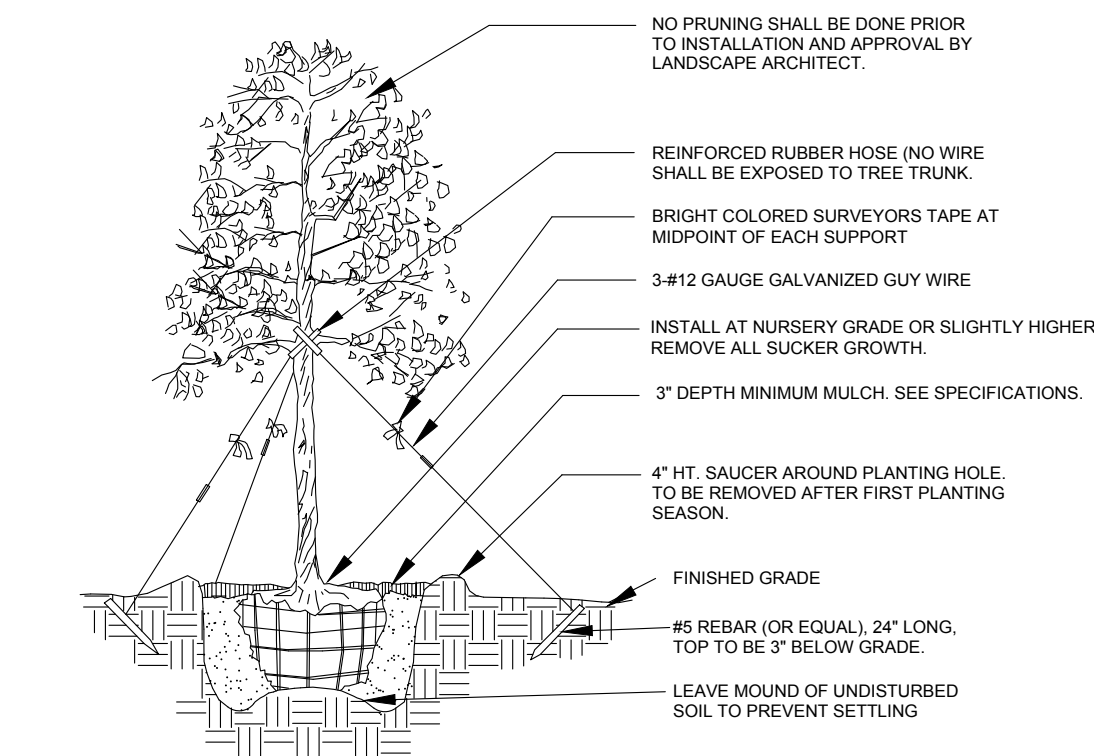
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ALL PLANT MATERIAL SHALL BE MINIMUM FLORIDA #1 GRADE PER THE FLORIDA GRADES & STADARDS FOR NURSERY PLANTS 2015 EDITION

Misc.

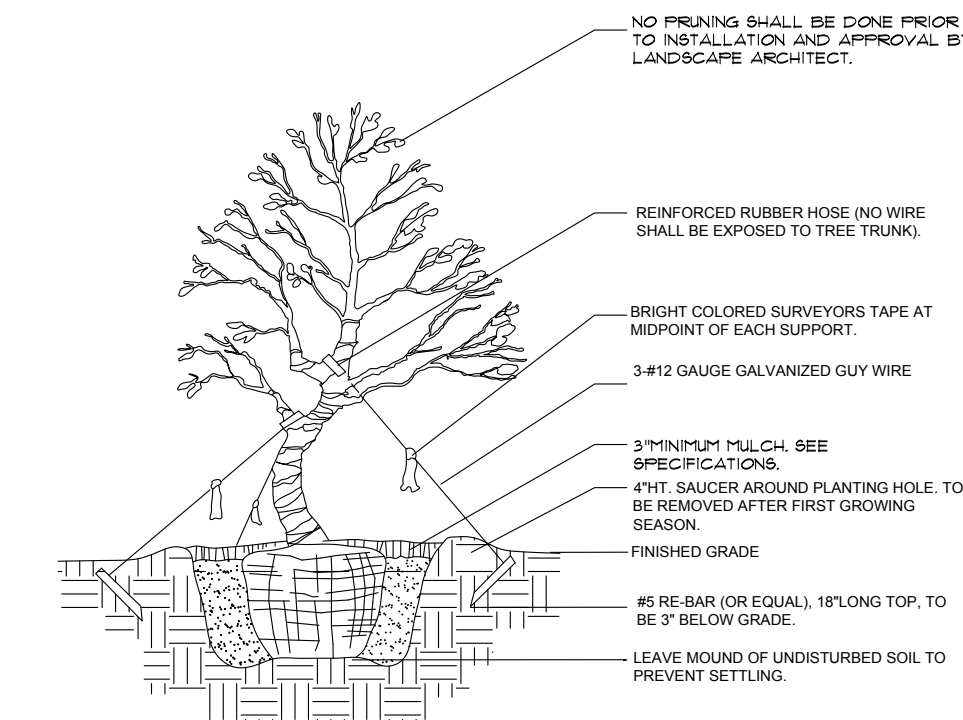
SOD - Paspalum notatum - Bahia Sod - solid sod, laid tight

Planting Details



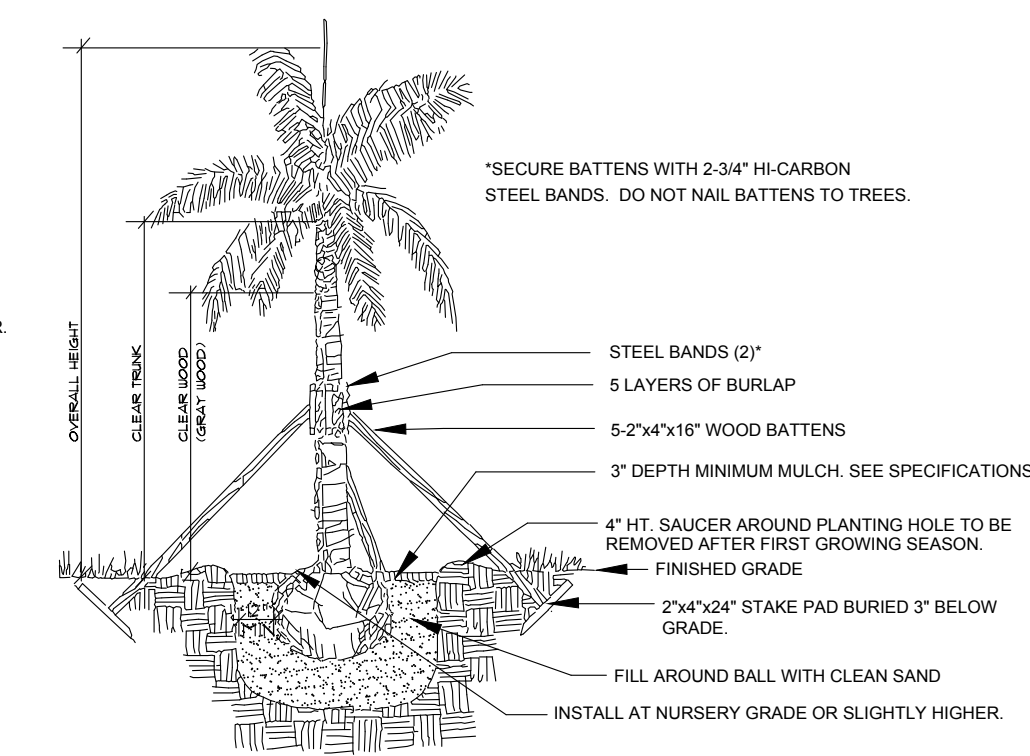
Tree Planting

- * SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION
- * BRACING - SPECIAL SITE CONDITIONS MAY REQUIRE MODIFICATION TO BRACING TECHNIQUE. LANDSCAPE CONTRACTOR WILL ADEQUATELY BRACE (OR WIRE) ALL TREES TO PREVENT EXCESSIVE MOVEMENT & MAINTAIN A VERTICAL POSITION.



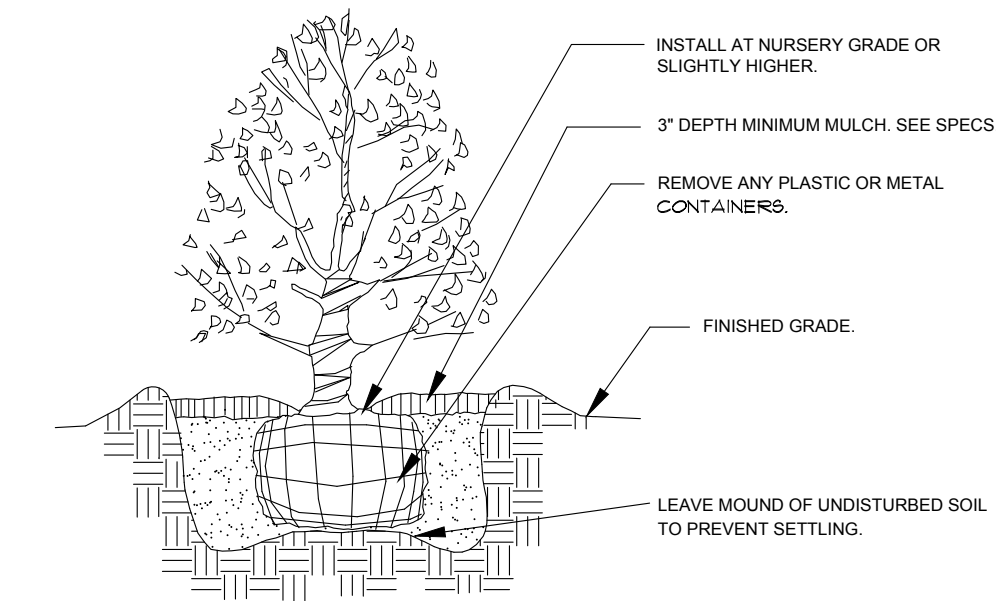
Irregular & Multi-Stem Tree Planting

- FOR TREES 6'-14' HT.
- NOTES:
- SEE SPECIFICATIONS FOR BACKFILL MIXTURES AND FERTILIZATION.
- BRACING-SPECIAL SITE CONDITIONS MAY REQUIRE MODIFICATION TO BRACING TECHNIQUE. LANDSCAPE CONTRACTOR WILL ADEQUATELY BRACE (OR WIRE) ALL TREES TO PREVENT EXCESSIVE MOVEMENT AND MAINTAIN A VERTICAL POSITION.



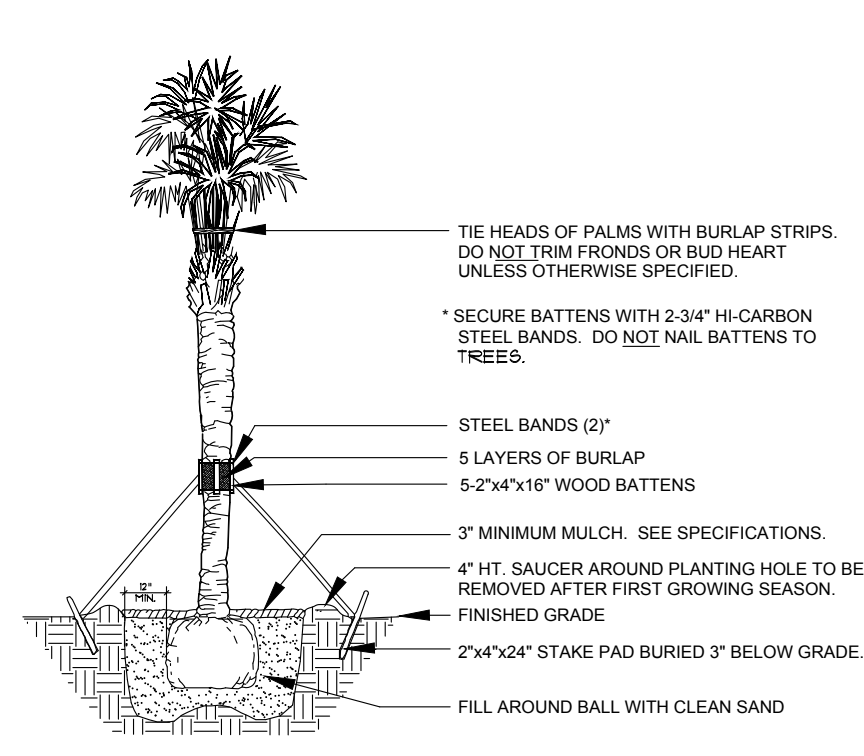
Palm Planting

- APPLIES TO: ROYAL PALMS, QUEEN PALMS, ALEXANDER PALMS, MANILA PALMS.
- * SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION
- * BRACING - SPECIAL SITE CONDITIONS MAY REQUIRE MODIFICATION TO BRACING TECHNIQUE. LANDSCAPE CONTRACTOR WILL ADEQUATELY BRACE ALL PALMS TO PREVENT EXCESSIVE MOVEMENT AND MAINTAIN A VERTICAL POSITION.



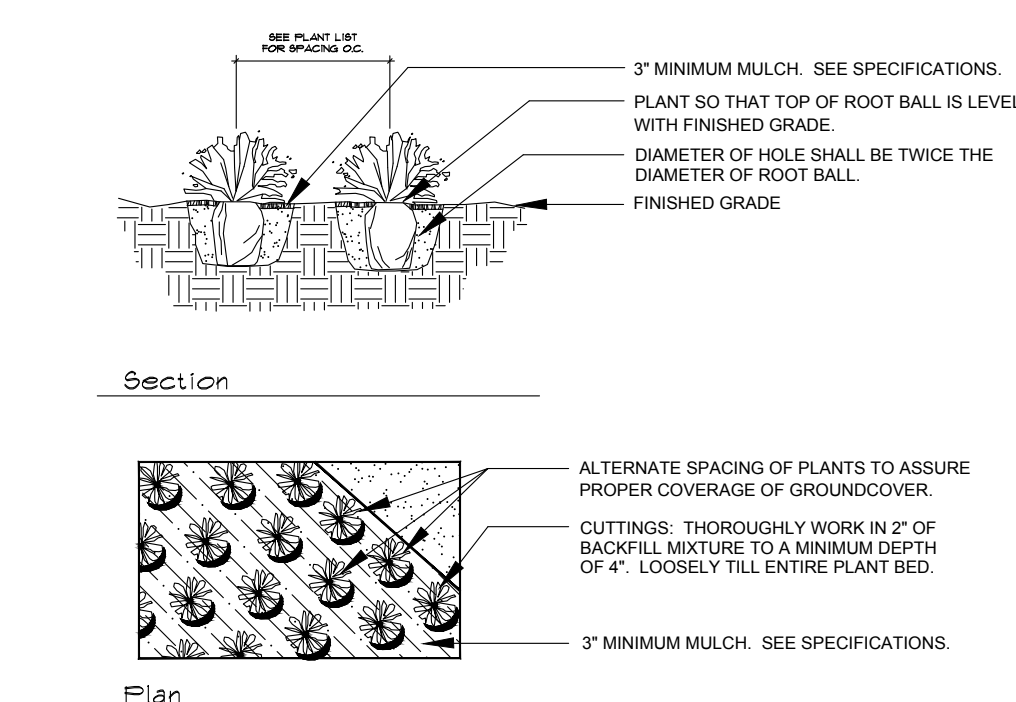
Shrub Planting

- * SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION.



Palm Planting

- APPLIES TO: SABAL PALMS, WASHINGTON PALMS, CANARY ISLAND DATE PALMS, SENEAL DATE PALMS
- * SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION



Groundcover Planting

- * SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION.



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Benchmark III
SE Commerce Avenue
Martin County, Florida
Plant List, Planting Details,
& Specifications



Drawn By _____ DMS
Checked By _____ MM
Scale _____ 4/25/2022
Drawing Date _____ 8/1/2022
11/29/2022 revised lp per comments
4/10/2023 revised lp per comments

CALL 48 HOURS BEFORE
YOU DIG IN FLORIDA
1-800-432-4770
IT'S THE LAW!
SUNSHINE STATE ONE CALL
OF FLORIDA, INC.

L-2 of 2

Location Map

SCALE: 1"= 2,000'



Legal Description

A PORTION OF TRACTS 204, 208 & 209 PLAT OF PORT SEWALL LAND COMPANY ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 PAGE 7 PUBLIC RECORDS MARTIN COUNTY FLORIDA TOGETHER WITH ABANDONED ROAD ALL MORE PARTICULARLY DESCRIBED IN OR 2957/2233

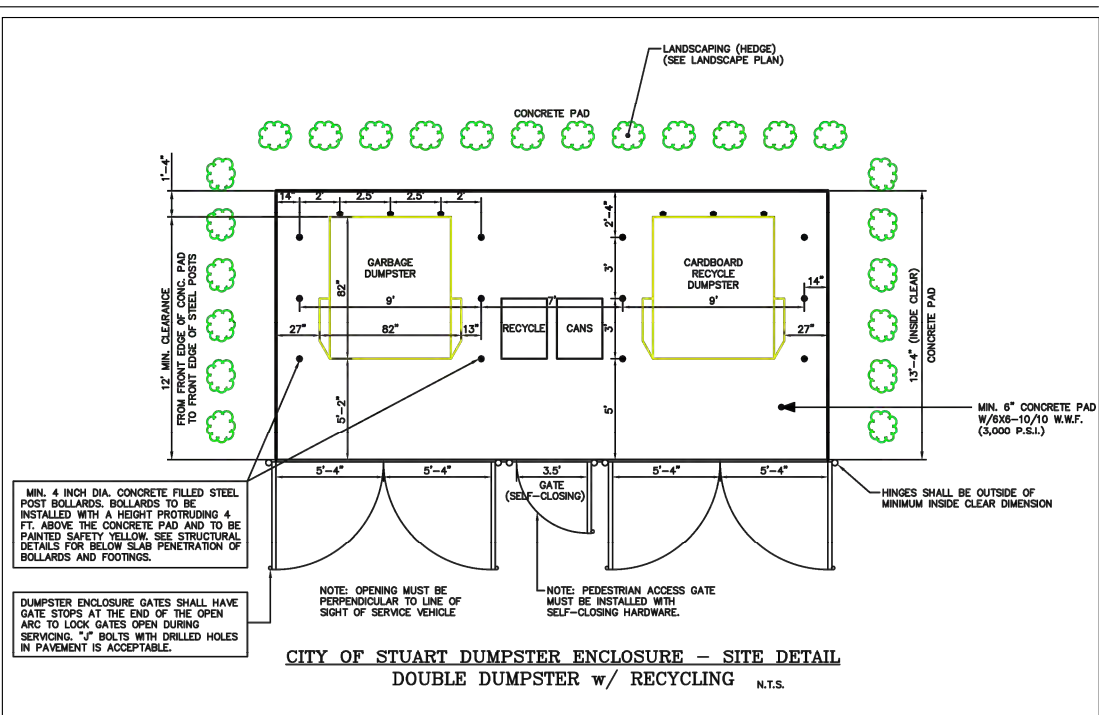
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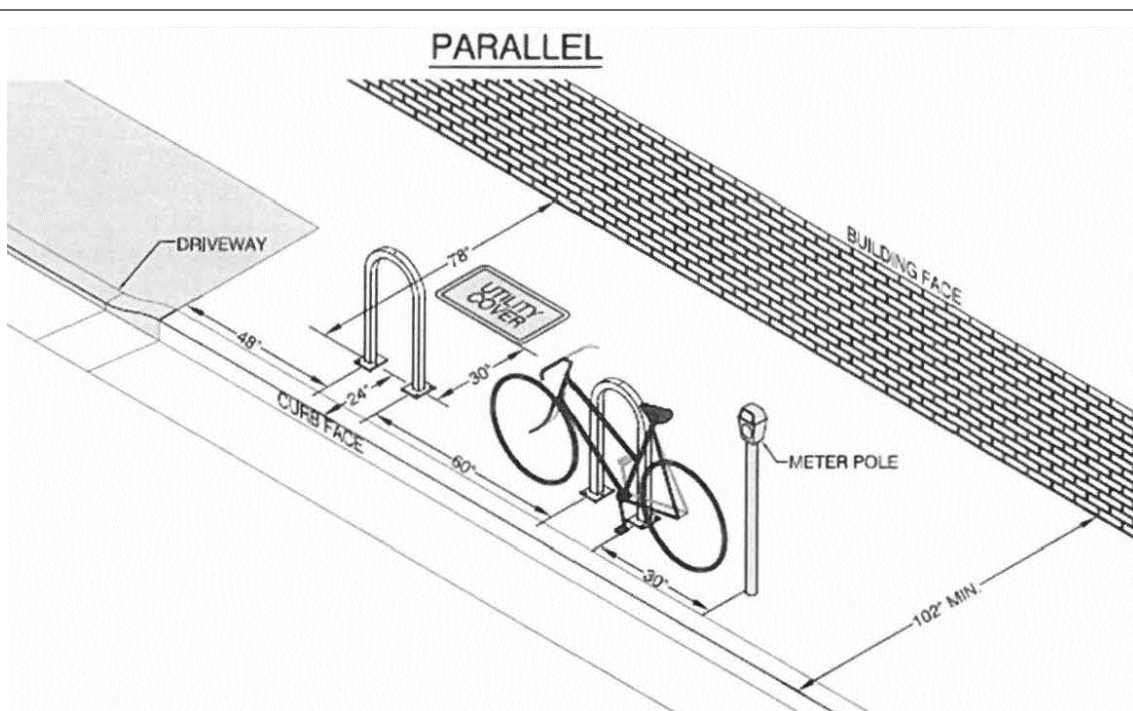
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BIKE PARKING	REQ.	PROVIDED	
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Dumpster Detail



Bike Rack Detail



General Notes

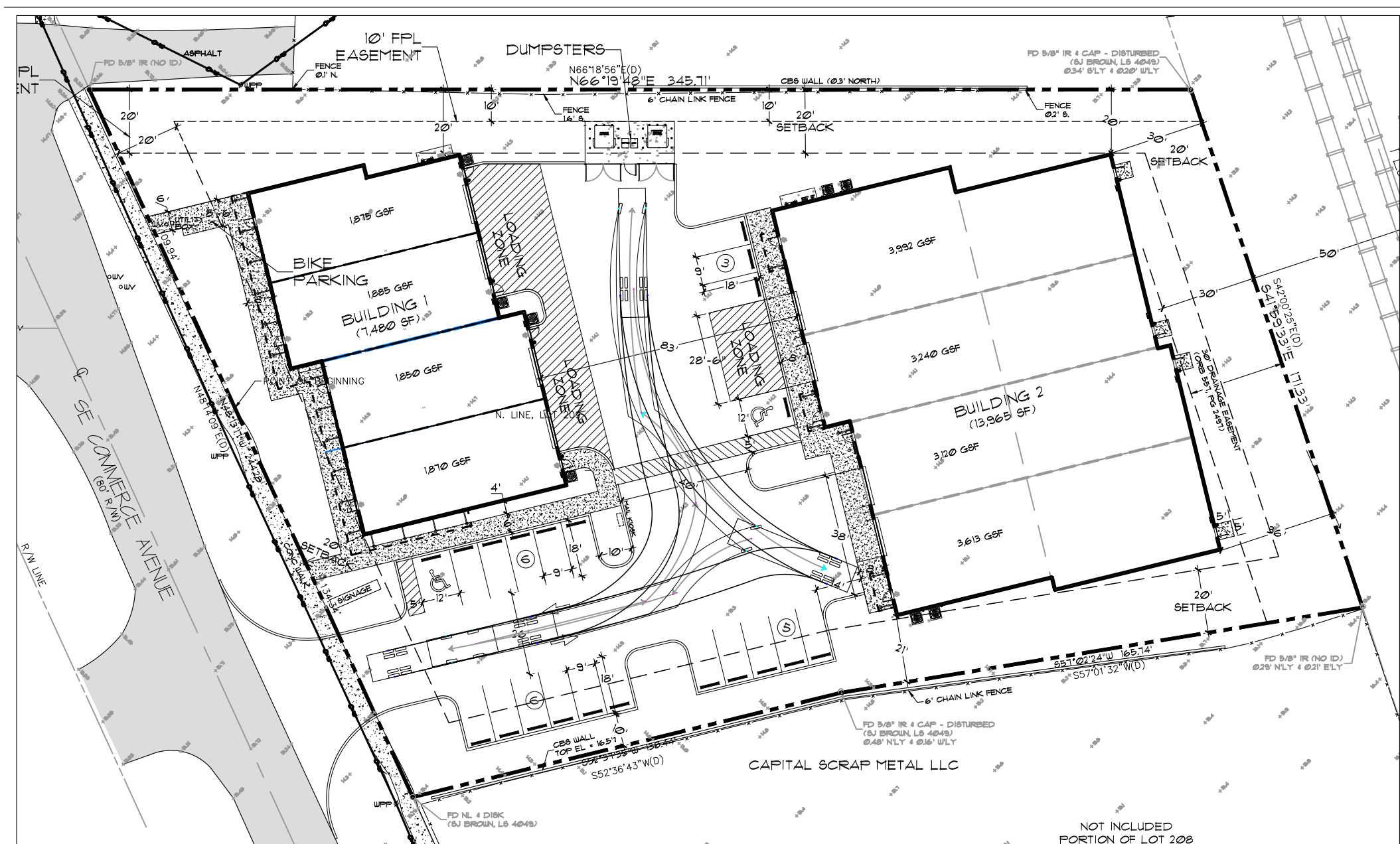
- All signs shall meet City of Stuart Land Development Regulations.
- All Invasive exotic vegetation to be removed prior to the issuance of a Certificate of Occupancy.
- There is to be an irrigation system installed to ensure continued growth of all planting areas.
Source of irrigation water to be potable water.
- The applicant will notify the City for a field inspection by staff to determine if barricades have been properly placed prior to any land clearing.
- Barricades must be constructed in the following manner:
Rope: 1/4" diameter min, nylon or poly, yellow or orange
Rope must be a minimum of four (4) feet off the ground.
Rope may not be attached to vegetation
Surveyor ribbon is not acceptable
Poles: 2x2 or 2x4, iron rebar, PVC pipe or other materials with prior approval of Environmental Planner.
Lathe strips are not acceptable.
Silt Fence: shall be installed along all perimeters of development area, maintained during construction.
- All Barricades must be maintained intact for the duration of construction.
- Storage of construction materials in preserve areas is not permitted.
- Fill is not allowed to encroach into preserve areas.
- Barricades must be offset at least ten (10) feet outside the preserve area or placed at the dripline of the canopy trees in any area for which clearing is proposed.
- Individual trees or groups of vegetation that are to be saved for landscape credit requirements are to be barricaded according to the guidelines.
- Advisory or warning signs must be provided.
- Preserve areas are not to be altered without written permission of the City.
- During constructions activities, existing native vegetation shall be retained to act as buffers between adjacent land uses, and to minimize nuisance dust and noise. Barricades shall be used on site to preserve the vegetation to be retained for this purpose.
- Any proposed lighting will be directed away from any residential units or adjacent roadways.
- No clearing, including the installation of erosion control devices, is authorized until the Permit for the Installation of Erosion Control Devices and Preserve Area Barricade has been issued.
- No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained.
- All contruction barricades and silt fences will remain in place and be monitored for compliance by the permit holder during the permitted development activities.
- Soil stabilization shall be completed within thirty (30) days of vegetation removal.
- Proposed timetable for construction: "all building permits shall be obtained and all construction completed within time frame consistent with Martin County ordinances."
- Contractor shall verify all existing conditions and layout dimensions in the field. report all discrepancies immediately to the landscape architect for decision before construction.
- Refer to the architectural drawings for all building dimensions.
- Contractor shall verify all existing grades in the field and report any discrepancies immediately to the landscape architect for decision.
- New earthwork shall blend smoothly into existing grade.
- All paved areas must pitch to drain at min. of 1/8" per foot. any discrepancies not allowing this to occur shall be reported to the landscape architect prior to continuing work.
- Contractor shall provide irrigation to, and drainage from all planters.
- Remove all road base, shellrock, mart, coral rock, and rubble 30" min. below finish grade from all new planting areas and tree pits. backfill with suitable soil as approved by landscape architect. maintain existing grade at existing trees.
- Construction shall be completed in one phase.

Drainage Notes

- Match all existing grades along property lines.
- Contractor shall be responsible for providing positive site drainage away from all structures including but not limited to planters, courtyard planting areas, hardscape surfaces and architectural elements.
- Contractor shall provide drainage from all planters.

Auto Turn Exhibit - 42' Garbage Truck

Scale: 1"=40'



Benchmark III

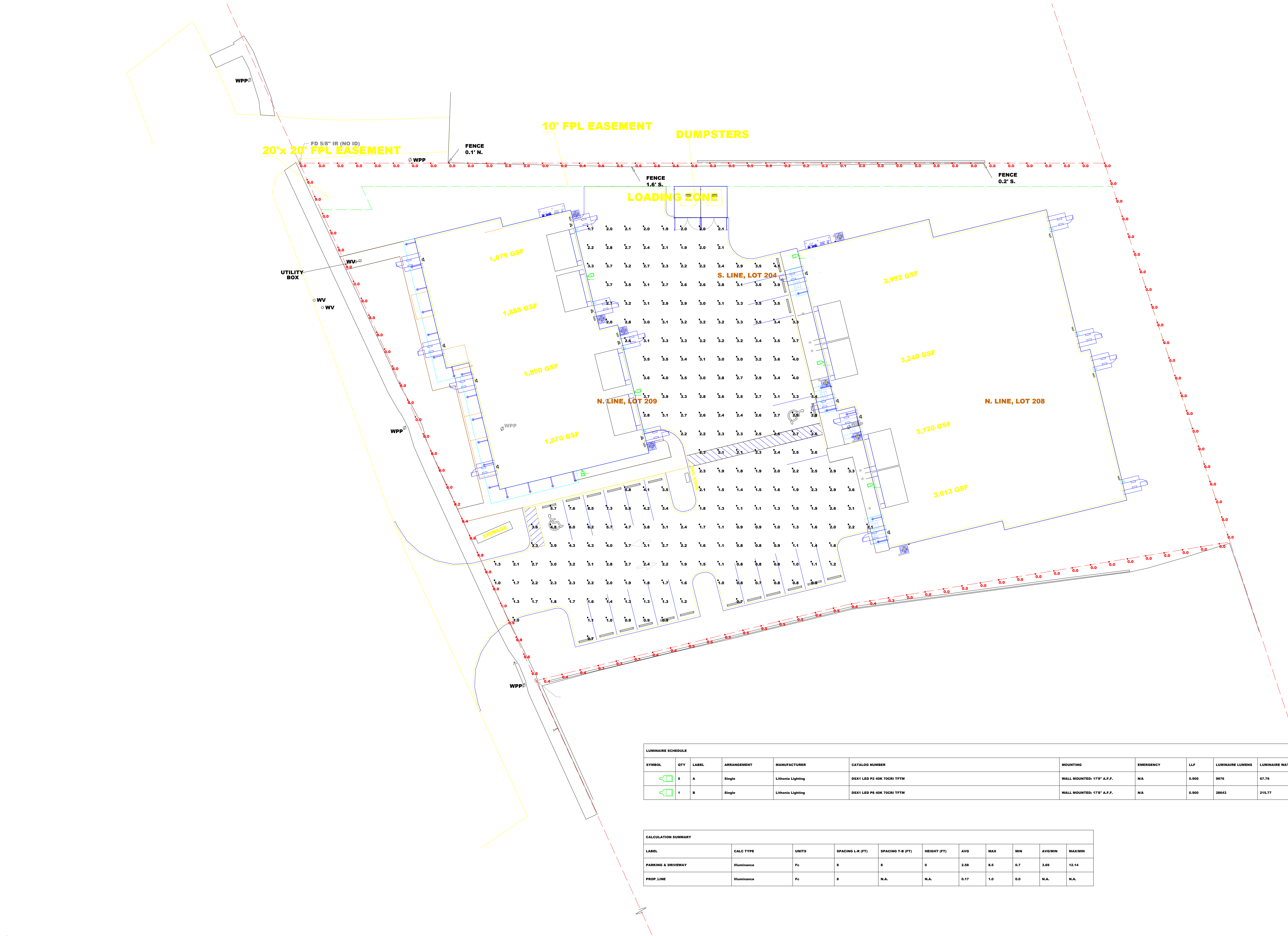
SE Commerce Avenue
Martin County, Florida

Site Plan



Drawn By _____ DMS
Checked By _____ MM
Scale _____ 1"=20'
Drawing Date _____ 7/16/2021
7/20/2021 8/24/2021 12/7/2021
3/23/2022 revised buildings & sp
4/25/2022 revised buildings & sp
6/17/2022 revised sp
8/1/2022 revised sp, new arch
11/29/2022 revised sp per comments
4/10/2023 revised sp per comments

S-1



LUMINAIRE SCHEDULE									
SYMBOL	QTY	LABEL	ARRANGEMENT	MANUFACTURER	CATALOG NUMBER	MOUNTING	EMERGENCY	LLF	LUMINAIRE LUMENS
	5	A	Single	Lithonia Lighting	DSX1 LED P2 40K 70CRI TFM	WALL MOUNTED- 17" A.F.F.	NA	0.900	9976
	1	B	Single	Lithonia Lighting	DSX1 LED P9 40K 70CRI TFM	WALL MOUNTED- 17" A.F.F.	NA	0.900	28643
LUMINAIRE WATTS									

CALCULATION SUMMARY										
LABEL	CALC TYPE	UNITS	SPACING L-R (FT)	SPACING T-B (FT)	HEIGHT (FT)	AVG	MAX	MIN	AVG/MIN	MAX/MIN
PARKING & DRIVEWAY	Illuminance	Fc	8	8	0	2.68	8.5	0.7	3.69	12.14
PROP. LINE	Illuminance	Fc	8	N.A.	N.A.	5.17	1.0	0.0	N.A.	N.A.

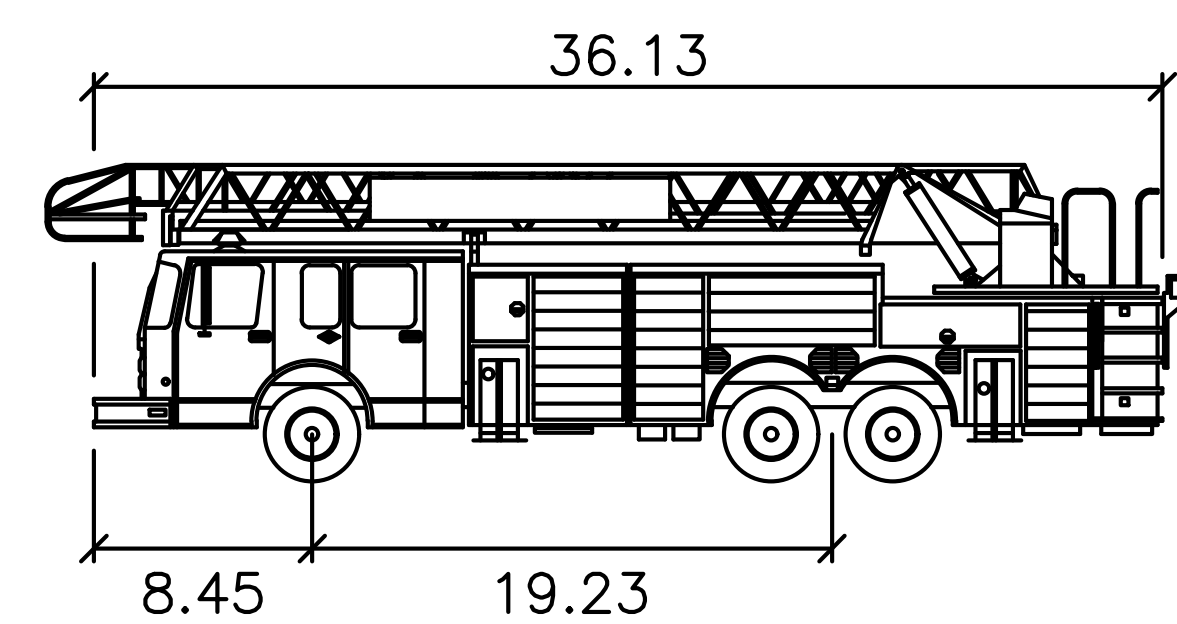
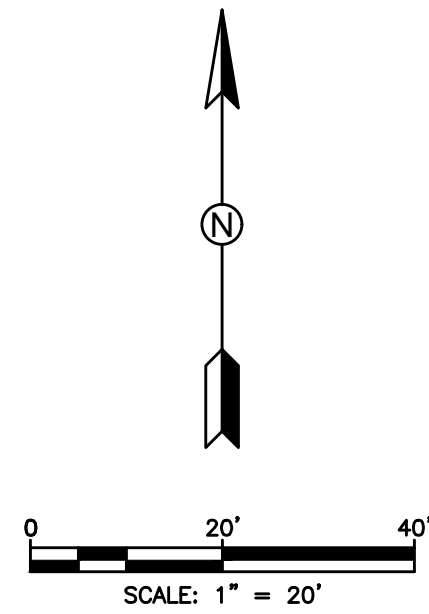
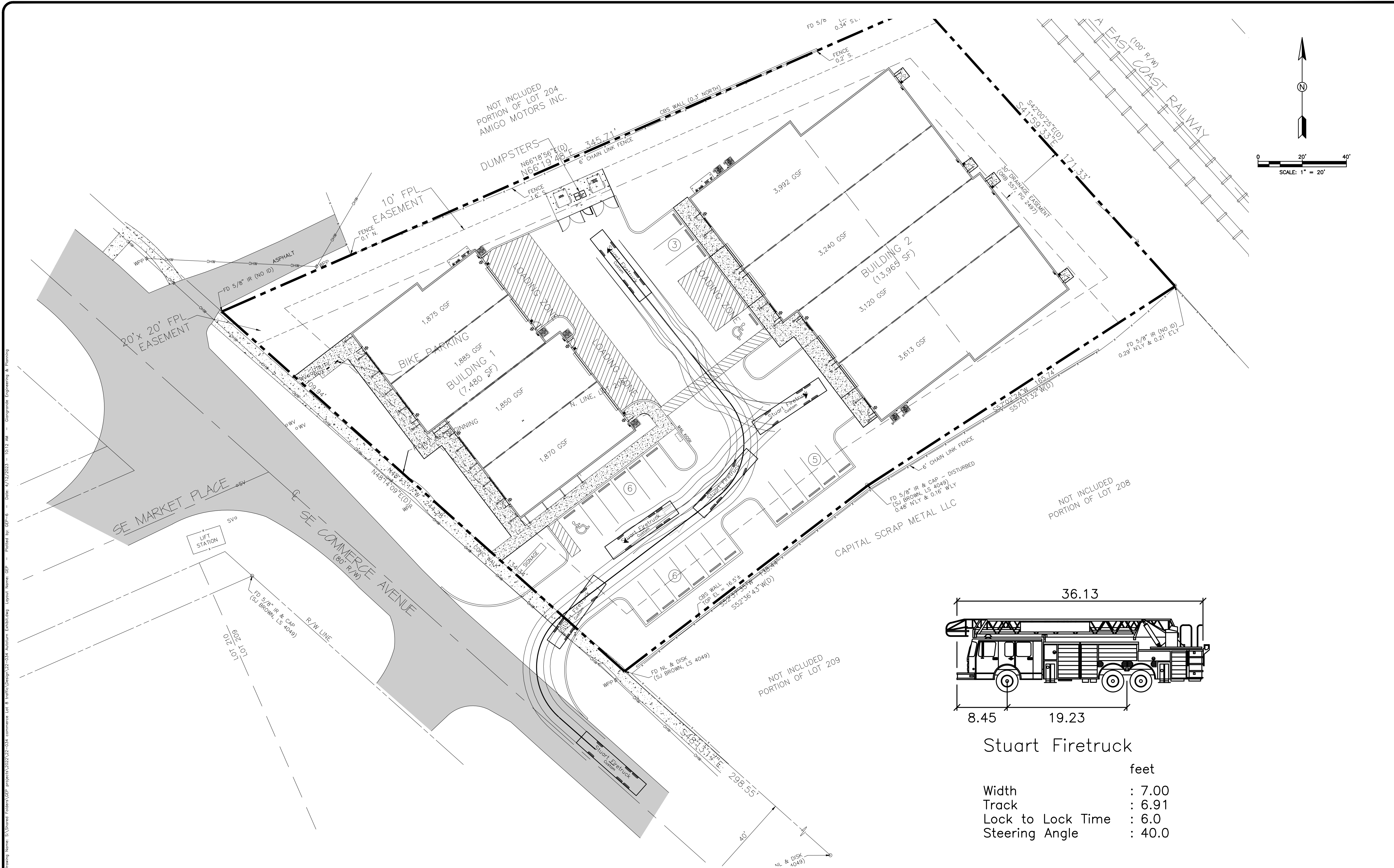
Scale: 1 inch= 20 Ft.

DESCRIPTION:
PARKING & DRIVEWAY
NORMAL POWER

DATE:
3/7/2023

REV# 02

PROJECT:
BENCHMARK III - SITE



Stuart Firetruck

	feet
Width	: 7.00
Track	: 6.91
Lock to Lock Time	: 6.0
Steering Angle	: 40.0

			Date: 4-11-2023	#####	AUTOTURN EXHIBIT	GIANGRANDE ENGINEERING AND PLANNING  710 SE OCEAN BLVD. STUART, FLORIDA 34994 PH. (772) 888-9076 leo@gep.llc	#####	PROJECT #: 22-034	
			Scale: 1"=20'				#####	AT-1	
			Design By: #####				#####		
			Drawn By: #####				#####		
			Check By: #####				#####		
DATE	BY	REVISIONS					License No: #####		

A Traffic Impact Analysis for:

Benchmark III

Located in:

Martin County, Florida

Prepared for:

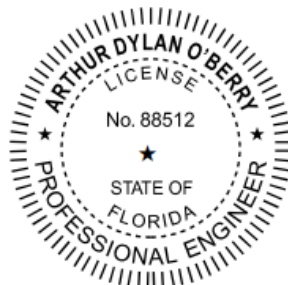
McCarty & Associates
Landscape and Design, LLC

Prepared by:



Revised March 2023

Dylan O'Berry, P.E.
PE Reg #88512
Date: 3/24/2023



Digitally signed by Dylan O'Berry,
P.E.
DN: C=US,
E=dylan@gep-llc.com,
O=Giangrande Engineering and
Planning, OU=Project Manager,
CN="Dylan O'Berry, P.E."
Location: Port St Lucie, FL
Reason: I am the author of this
document
Contact Info: (772) 203-0664
Date: 2023.03.24 14:46:44-04'00'

TABLE OF CONTENTS

Introduction.....	1
Trip Generation.....	2
Trip Distribution.....	2
Background & Build-out Conditions.....	3
Project Access.....	4
Concurrency Requirements.....	4
Turn Lane Evaluation.....	4
Intersection Analysis.....	5
Conclusion.....	5

LIST OF FIGURES

Figure 1 – Site Location.....	1
Figure 2 – Trip Distribution.....	3
Figure 3 – Driveway Turning Movements.....	5

LIST OF TABLES

Table 1 – Proposed Trip Generation.....	2
Table 2 – Build-out Calculation.....	4
Table 3 – Intersection Analysis.....	5

APPENDICES

ITE Trip Generation Reference Sheets
Martin County 2021 Roadway Level of Service Inventory Report
HCS7 Two-Way Stop Controlled Intersection Analysis Reports
Traffic Count Data Table
Revised Site Plan

TRIP GENERATION

The peak hour traffic generation for the site is available from the Institute of Transportation Engineers (ITE) Trip Generation Manual 11th Edition Web-Based App for General Light Industrial (ITE Code 110). Pass-by reduction percentages were not utilized for this type of land use. The calculation of the trip generation is summarized below in **Table 1**.

Table 1 – Proposed Trip Generation

Benchmark III - SE Commerce Avenue and SE Market Place Martin County, FL											
ITE Trip Generation Rates 11th Edition - Peak Hour of Adjacent Street - Fitted Curve											
Code	Land Use	Ind. Variable	AM			PM			Daily		
			In	Out	Total	In	Out	Total	In	Out	Total
110	Light Industrial	21.5 SF	16	2	18	2	11	13	65	66	131

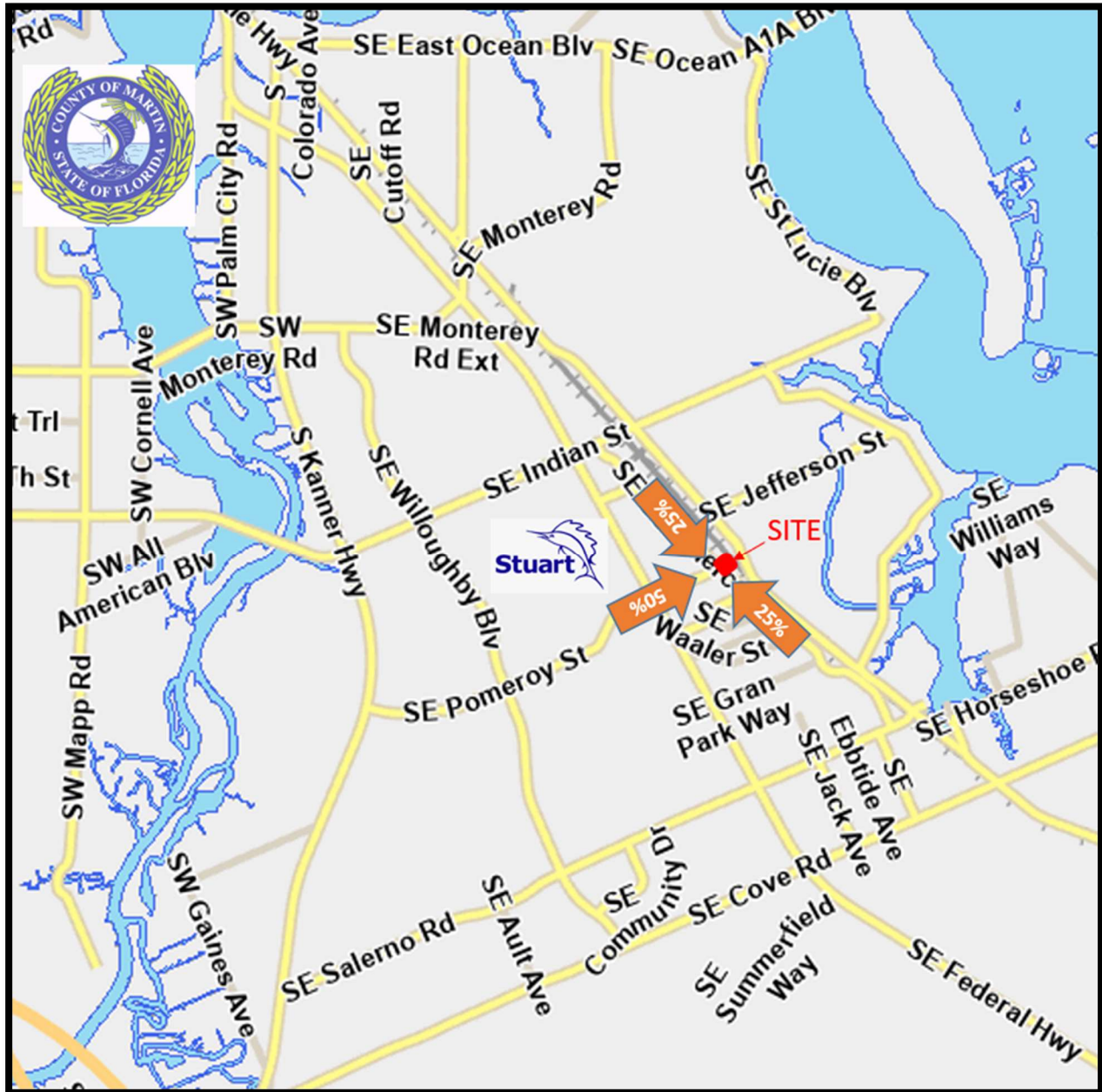
As determined in the calculation table provided above, the greatest peak hour peak direction impact is the AM Entering trips with a total of 16 trips. The equations and plot charts utilized were derived from the trip generation web-based app are provided in the appendix of this report for reference.

TRIP DISTRIBUTION

The distribution of trips generally assumes that 50% of the traffic generated will enter from the west via SE Market Place Drive. The remaining 50% will enter north / south via SE Commerce Avenue.

The development of the trip distributions from the site to the were based on the close proximity to major roadways such as Indian Street and Salerno Road. **Figure 2** (next page) is provided as a graphical representation of the trip distribution percentages to roadway links and intersections within the study area.

Figure 2 – Trip Distribution



BACKGROUND & BUILD-OUT CONDITIONS

Background conditions for the completion year, 2026, have been calculated using the annual growth percentages given in the Martin County Roadway Level of Service Inventory Report (2021) and shown in **Table 2** (next page). The applicable pages of the LOS Report can be found in the appendix.

Table 2 – Build-out Calculation

Segment Number	Road Name	From	To	Type	2021	2021 PH (dir)	Annual Growth
					AADT	Existing	
1	Commerce Ave (SB)	Market Place	Site	2-In	5,946	390	0.50%
2	Commerce Ave (SB)	Indian Street	Market Place	2-In	5,946	390	0.50%
3	Commerce Ave (NB)	Monroe Street	Site	2-In	5,946	390	0.70%
4	Market Place (EB)	SR-5	Commerce Ave	2-In	5,192	266	3.80%

2026 PH (dir)	Project Assign.	Project Trips	2026 PH (dir)	Service Volume	Project % of Service	2% Test	Concurrency Test
Growth			Build-out				
404	75%	12	416	750	1.6%	15	OK
404	25%	4	408	750	0.5%	15	OK
404	25%	4	408	750	0.5%	15	OK
321	50%	8	329	750	1.1%	15	OK

CONCURRENCY REQUIREMENTS

Martin County traffic criteria set forth in Section 5.64.C.5 provides the basis for distribution up to a 2% impact which occurs for the site on the first directly accessed road SE Commerce Avenue. Included in the ordinance are specific requirements for determining the extent of the study area and the links impacted by the development. Project trips have been added to the 2021 growth trips to determine build-out trips. **Table 2** (above) is provided to show that concurrency has been satisfied as the road segments will be below capacity in the 2026 build-out year.

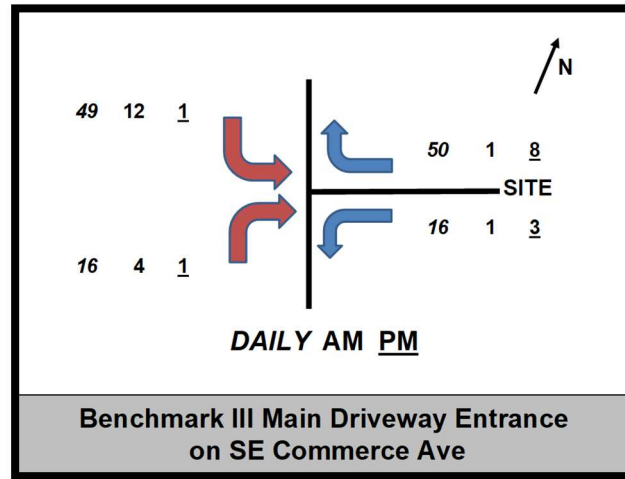
PROJECT ACCESS

The site is located 100-feet south of the intersection of SE Market Place. The site proposes to have one driveway directly across from an existing driveway. It will provide full access to Commerce Avenue. Since the value of distributed trips are found to be insignificant, they are not expected to impact any traffic operations. Sufficient driveway queue length (80 feet/4 cars) will be provided on site, see the attached revised **Site Plan**. Turning movements from the site driveway provided in the **Figure 3** (next page) represent peak hour traffic volumes at the site driveway.

TURN LANE EVALUATION

An evaluation to determine the need for a dedicated left/right turn lanes for the main entrance was performed. Referencing the latest 2019 FDOT Access Management Guidebook the site matches a category that will generate less than 200 daily trips and less than 20 trips per hour, which based on the surrounding context of SE Commerce Avenue, dedicated turn lanes at the site entrance are not found to be necessary for this project. The current level of service is not anticipated to be impacted and the adjacent road will not benefit from the inclusion of auxiliary lanes.

Figure 3 – Driveway Turning Movements



INTERSECTION ANALYSIS

The intersection of SE Market Place and SE Commerce Avenue was analyzed utilizing present-day peak hour turning movement traffic counts and the project trips to determine the impact upon the intersection level of service. The following **Table 3** (below) provides the results for the computation which are found to be a negligible 0.4 sec/veh difference in Control Delay and a continued acceptable Level of Service. The complete HCS7 output reports are provided in the appendix for reference.

Table 3 – Intersection Analysis

Benchmark III - SE Commerce Avenue and SE Market Place Martin County, FL				
Intersection Level of Service and Delay Analysis				
	Existing Traffic		Post Development	
	Market Place	Commerce Ave	Market Place	Commerce Ave
95% Queue Length (veh)	1.2	0.5	1.2	0.5
Control Delay (sec/veh)	24.7	8.6	25.1	8.7
Level of Service (LOS)	C	A	D	A
Approach Delay (sec/veh)	15.7	3.2	15.8	3.2
Approach LOS	C	A	C	A

CONCLUSION

Based on this traffic analysis, concurrency is requested since the proposed development is not expected to have adverse impacts to the surrounding roadway network based on build-out conditions. The projected volumes generated by the anticipated uses indicate that the adjacent roadway links will operate at an acceptable Level of Service with no need for mitigation improvements. The existing roadway network is capable of accommodating the additional new vehicle trips the development is predicted to generate.

APPENDIX

Graph Look Up

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

110



LAND USE GROUP:

(100-199) Industrial

LAND USE:

110 - General Light Industrial

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday

TRIP TYPE:

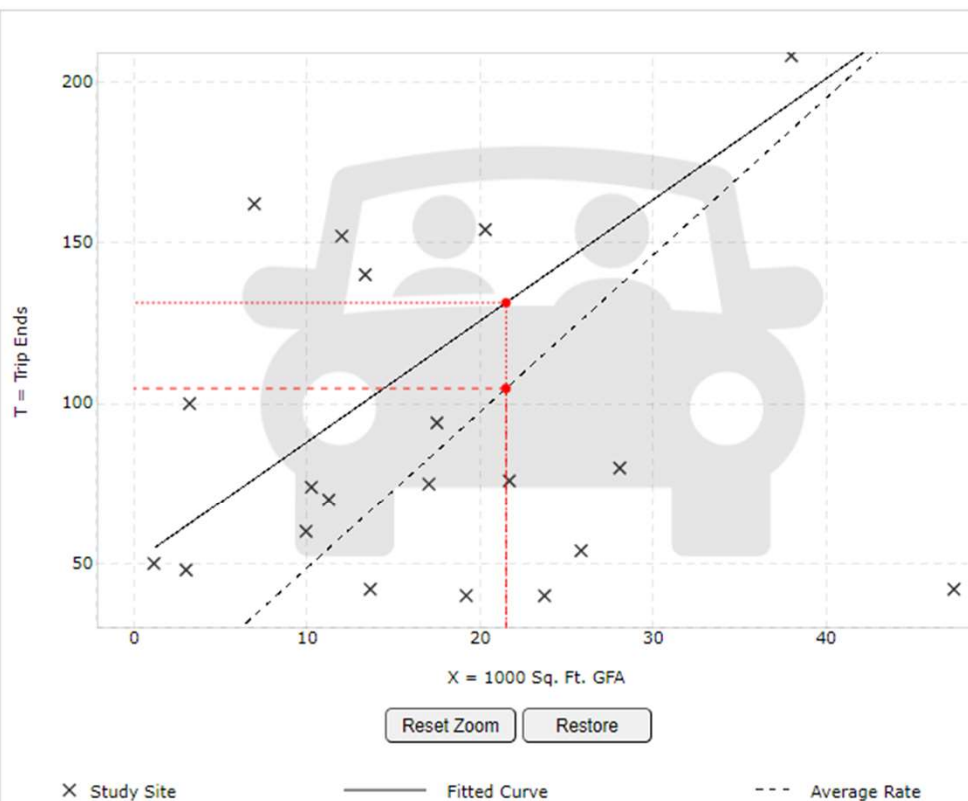
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

21.5

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

General Light Industrial (110) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

37

Avg. 1000 Sq. Ft. GFA:

45

Average Rate:

4.87

Range of Rates:

0.34 - 43.86

Standard Deviation:

4.08

Fitted Curve Equation:

 $T = 3.76(X) + 50.47$ R^2 :

0.61

Directional Distribution:

50% entering, 50% exiting

Calculated Trip Ends:

Average Rate: 105 (Total), 52 (Entry), 53 (Exit)

Fitted Curve: 131 (Total), 66 (Entry), 65 (Exit)

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

110



LAND USE GROUP:

(100-199) Industrial

LAND USE:

110 - General Light Industrial

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

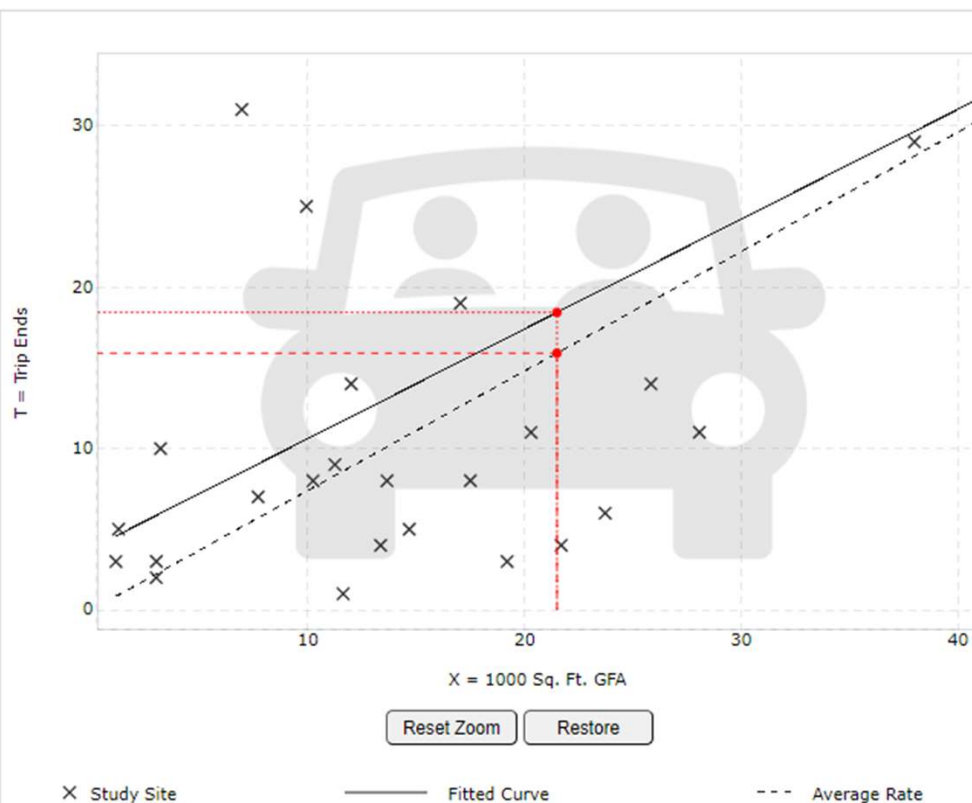
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

21.5

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

General Light Industrial (110) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic
One Hour Between 7 and 9 a.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

41

Avg. 1000 Sq. Ft. GFA:

65

Average Rate:

0.74

Range of Rates:

0.02 - 4.46

Standard Deviation:

0.61

Fitted Curve Equation:

 $T = 0.68(X) + 3.81$ R^2 :

0.66

Directional Distribution:

88% entering, 12% exiting

Calculated Trip Ends:

Average Rate: 16 (Total), 14 (Entry), 2 (Exit)

Fitted Curve: 18 (Total), 16 (Entry), 2 (Exit)

Graph Look Up

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

110

LAND USE GROUP:

(100-199) Industrial

LAND USE:

110 - General Light Industrial

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

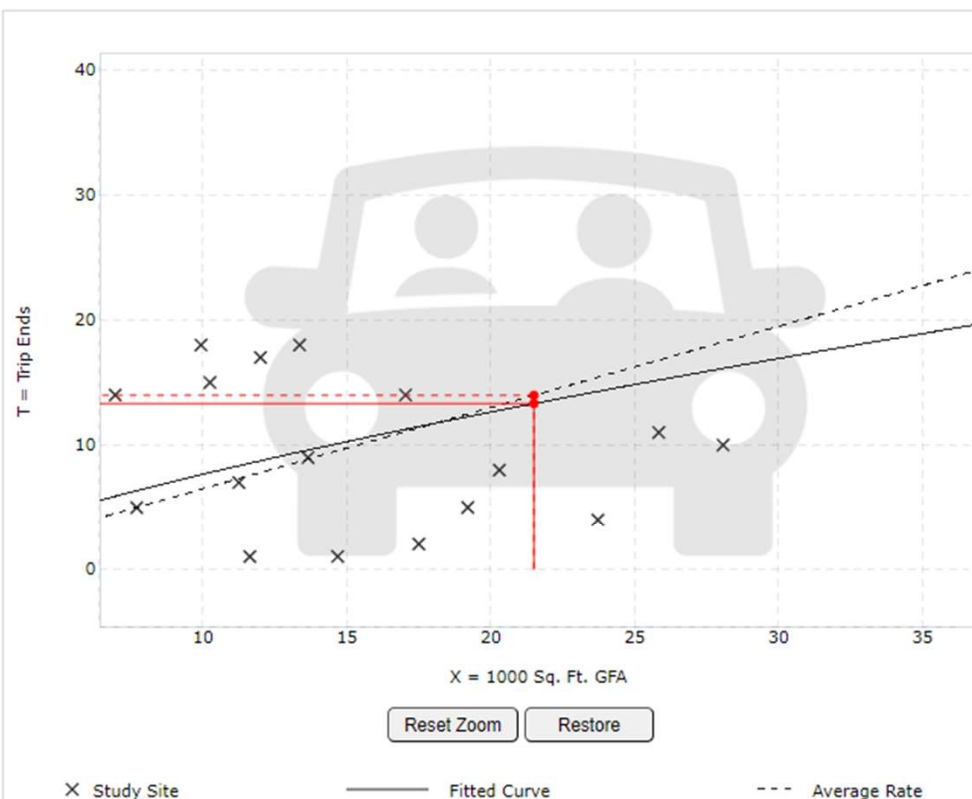
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

21.5

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

General Light Industrial (110) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic
One Hour Between 4 and 6 p.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

40

Avg. 1000 Sq. Ft. GFA:

58

Average Rate:

0.65

Range of Rates:

0.07 - 7.02

Standard Deviation:

0.56

Fitted Curve Equation:

 $\ln(T) = 0.72 \ln(X) + 0.38$ R^2 :

0.55

Directional Distribution:

14% entering, 86% exiting

Calculated Trip Ends:

Average Rate: 14 (Total), 2 (Entry), 12 (Exit)

Fitted Curve: 13 (Total), 2 (Entry), 11 (Exit)

Martin County 2021 Roadway Level of Service Inventory Report

Road Name	From	To	Type	Generalized Service Capacity	2021 Average Annual Daily Traffic	2021 Peak Hour Directional Volume	2021 Generalized LOS	Avg. Annual Growth Rate
Baker Rd	SR-5	CR-723	Class II: 2-Ln Undivided	750	4,838	233	C	0.9%
Berry Ave	Golden Bear Wy	CR-714	Class II: 2-Ln Undivided	750	3,506	182	C	0.6%
Berry Ave	CR-714	Sunset Tr	Class II: 2-Ln Undivided	750	1,832	97	C	0.5%
Britt Rd	Pine Lake Dr	SR-5	Class II: 2-Ln Undivided	750	4,356	210	C	0.5%
Citrus Blvd.	CR-714 (Martin Hwy)	Port St. Lucie Blvd.	Transitional 2-Ln Uninter /Undivided Flow	1160	6,214	510	A/B	6.6%
Commerce Ave	Salerno Rd	Monroe St	Class II: 2-Ln Undivided	750	7,672	643	D	5.0%
Commerce Ave	Monroe St	Indian St	Class II: 2-Ln Undivided	750	5,946	390	D	0.5%
Country Club Dr	Palm Beach County	Island Way	Class II: 2-Ln Undivided	750	2,986	135	C	1.4%
Country Club Dr	Island Way	Little Club Dr	Class II: 2-Ln Undivided	750	3,772	177	C	2.9%
County Line Rd	Little Club Dr	SR-5	Class II: 2-Ln Undivided	750	2,750	127	C	1.4%
Cove Rd	SR-76	Willoughby Blvd	Class I: 2-Ln Undivided	880	13,725	883	F	0.7%
Cove Rd	Willoughby Blvd	SR-5	Class I: 2-Ln Undivided	880	15,299	694	C	0.5%
Cove Rd	CR-A1A	End	2-Ln Undivided Non-State	675	5,259	239	C	0.8%
CR-609 (Allapattah Rd)	SR-710	CR-714	Uninterrupted Rural Hwy: 2-Ln Undivided	730	1,970	105	A/B	2.7%
CR-609 (Allapattah Rd)	CR-714	St Lucie County	Uninterrupted Rural Hwy: 2-Ln Undivided	730	1,868	114	A/B	1.4%
CR-707 (Beach Rd)	Palm Beach County	CR-708	2-Ln Undivided Non-State	675	1,801	123	C	2.6%
CR-707 (Indian River Dr)	CR-707 (Dixie Hwy)	CR-707A (Jensen Beach Blvd.)	2-Ln Undivided Non-State	675	10,965	666	D	0.5%
CR-707 (Indian River Dr)	SR-732	St. Lucie County	2-Ln Undivided Non-State	675	5,987	272	C	5.3%
CR-707A (Jensen Beach Blvd)	CR-723	Skyline Dr	Class II: 4-Ln Divided	1630	21,151	909	D	1.9%
CR-707A (Jensen Beach Blvd)	Skyline Dr	Pineapple Way	Class II: 4-Ln Divided	1630	19,355	849	D	0.5%
CR-707A (Jensen Beach Blvd)	Pineapple Wy	CR-707	2-Ln Undivided Non-State	675	8,923	375	D	0.5%

Segments with shaded LOS require additional analysis.
The peaks are: Cove Rd (AM/EB) and Murphy Rd (PM/NB).

Martin County 2021 Roadway Level of Service Inventory Report

Road Name	From	To	Type	Generalized Service Capacity	2021 Average Annual Daily Traffic	2021 Peak Hour Directional Volume	2021 Generalized LOS	Avg. Annual Growth Rate
Indian St	SR-76	Willoughby Blvd	Class I: 4-Ln Divided	2000	30,495	1,644	C	2.7%
Indian St	Willoughby Blvd	SR-5	Class I: 4-Ln Divided	2000	28,241	1,400	C	1.3%
Indian St	SR-5	Commerce Ave	Class I: 4-Ln Divided	2000	24,880	1,258	C	0.5%
Indian St	Commerce Ave	CR-A1A	Class I: 4-Ln Divided	2000	23,644	1,070	C	0.5%
Indian River Dr	Palmer St	CR-707	Class II: 2-Ln Undivided	750	7,526	414	D	0.7%
Island Way	Palm Beach County	Jupiter Road	Transitional 2-Ln Uninter /Undivided Flow	1160	4,756	267	A/B	3.1%
Island Way	Jupiter Road	Country Club Dr	Class II: 2-Ln Undivided	750	5,389	252	C	8.0%
Jack James Rd	SR-76	Blue Water Wy	Class II: 2-Ln Undivided	750	4,095	245	C	3.7%
Lares St	CR-708	CR-A1A	2-Ln Undivided Non-State	675	2,598	147	C	0.5%
Little Club Wy	Country Club Dr	Wooden Bridge Wy	2-Ln Undivided Non-State	675	2,397	109	C	0.5%
Locks Rd	Canal St	SR-76	2-Ln Undivided Non-State	675	3,706	155	C	1.0%
MacArthur Blvd	Sailfish Point	SR-A1A	2-Ln Undivided Non-State	675	5,635	313	C	5.3%
Mapp Rd	South End	CR-714	Class II: 2-Ln Undivided	750	5,051	231	C	0.5%
Mapp Rd	SR-714	Matheson Ave	Class II: 2-Ln Undivided	750	4,531	231	C	0.5%
Mapp Rd	Matheson Ave	North End	Class II: 2-Ln Undivided	750	7,412	344	C	0.5%
Market Pl	SR-5	Commerce Ave	Class II: 2-Ln Undivided	750	5,192	266	C	3.8%
Matheson Ave	SR-714	Mapp Rd	Class II: 2-Ln Undivided	750	6,177	337	C	0.6%
Monroe St	SR-5	Commerce Ave	Class II: 2-Ln Undivided	750	2,338	128	C	6.8%
Murphy Rd	Mapp Rd	High Meadow Ave	Class II: 2-Ln Undivided	750	5,103	304	C	2.3%
Murphy Rd	High Meadow Ave	St Lucie County	Class II: 2-Ln Undivided	750	8,442	797	E	1.7%
Ocean Blvd	Flagler Ave	Palm Beach Rd	Class II: 2-Ln Divided	790	9,014	514	D	0.5%

Segments with shaded LOS require additional analysis.
The peaks are: Cove Rd (AM/EB) and Murphy Rd (PM/NB).

HCS7 Two-Way Stop-Control Report

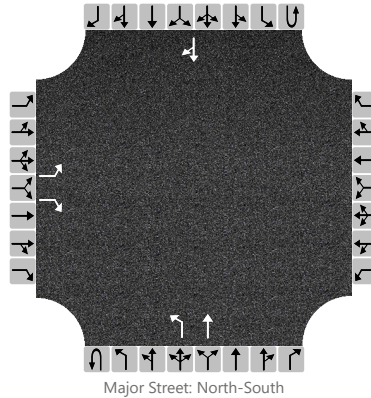
General Information

Analyst	Dylan O'Berry, P.E.
Agency/Co.	Giangrande Engineering
Date Performed	3/22/2023
Analysis Year	2023
Time Analyzed	AM Peak Hour (PRE)
Intersection Orientation	North-South
Project Description	Benchmark III Industrial Project

Site Information

Intersection	Market Place/Commerce Ave
Jurisdiction	Martin County
East/West Street	SE Market Place
North/South Street	SE Commerce Avenue
Peak Hour Factor	0.92
Analysis Time Period (hrs)	1.00

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	1	0	0	0	1	0
Configuration		L		R						L	T					TR
Volume, V (veh/h)		66		155						147	244				267	102
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)	0															
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		72		168						160						
Capacity, c (veh/h)		254		694						1151						
v/c Ratio		0.28		0.24						0.14						
95% Queue Length, Q ₉₅ (veh)		1.2		1.0						0.5						
Control Delay (s/veh)		24.7		11.8						8.6						
Level of Service, LOS		C		B						A						
Approach Delay (s/veh)	15.7								3.2							
Approach LOS	C															

HCS7 Two-Way Stop-Control Report

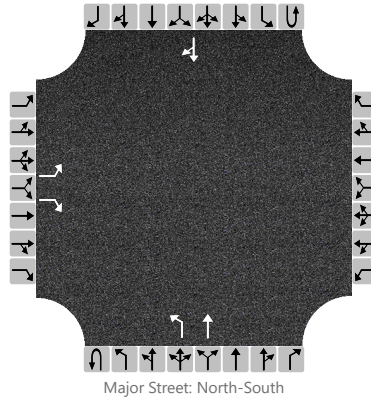
General Information

Analyst	Dylan O'Berry, P.E.
Agency/Co.	Giangrande Engineering
Date Performed	3/22/2023
Analysis Year	2023
Time Analyzed	AM Peak Hour (POST)
Intersection Orientation	North-South
Project Description	Benchmark III Industrial Project

Site Information

Intersection	Market Place/Commerce Ave
Jurisdiction	Martin County
East/West Street	SE Market Place
North/South Street	SE Commerce Avenue
Peak Hour Factor	0.92
Analysis Time Period (hrs)	1.00

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	1	0	0	0	1	0
Configuration		L		R						L	T					TR
Volume, V (veh/h)		66		163						147	248				271	102
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)	0															
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		72		177						160						
Capacity, c (veh/h)		251		691						1146						
v/c Ratio		0.29		0.26						0.14						
95% Queue Length, Q ₉₅ (veh)		1.2		1.0						0.5						
Control Delay (s/veh)		25.1		12.0						8.7						
Level of Service, LOS		D		B						A						
Approach Delay (s/veh)	15.8								3.2							
Approach LOS	C															

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
SUMMARY OF VEHICLE MOVEMENTS

FORM 750-020-02
 TRAFFIC ENGINEERING
 07/99

LOCATION: **SE MARKET PLACE AND SE COMMERCE AVENUE**

COUNTY: **MARTIN**

CITY: **STUART**

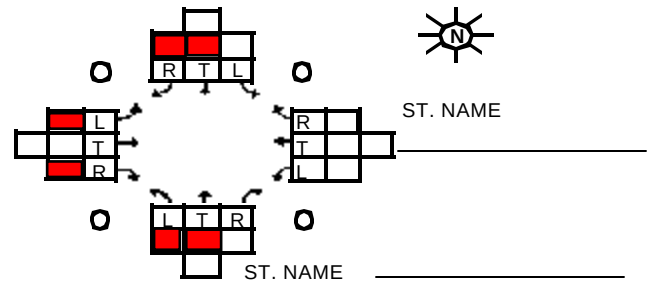
OBSERVER: **DANIEL**

DATE: **3/21/2023 AM PEAK HOUR**

WEATHER: **SUNNY**

ROAD CONDITION:

REMARKS:



VEHICLE MOVEMENTS

TIME	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND		
BEGIN	L	T	R	L	T	R	L	T	R	L	T	R
8:00	43	61	0	0	70	22	16	0	41	0	0	0
8:15	39	67	0	0	60	27	13	0	41	0	0	0
8:30	34	71	0	0	77	24	24	0	42	0	0	0
8:45	31	45	0	0	60	29	13	0	31	0	0	0
TOTAL	147	244	0	0	267	102	66	0	155	0	0	0
TOTAL												
TOTAL												
TOTAL												



Location Map



Legal Description

A PORTION OF TRACTS 204, 208 & 209 PLAT OF PORT SEWALL LAND COMPANY ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 PAGE 7 PUBLIC RECORDS MARTIN COUNTY FLORIDA TOGETHER WITH ABANDONED ROAD ALL MORE PARTICULARLY DESCRIBED IN OR 2957/2233

LEGAL DESCRIPTION FROM PROPERTY APPRAISER

Site Data

PCN	38-38-41-002-204-00002-8
ZONING	M-2
FUTURE LAND USE	INDUSTRIAL
EXISTING LAND USE	VACANT INDUSTRIAL
PROPOSED USE	INDUSTRIAL

TOTAL SITE AREA	SF	AC	%
	63,368	1.45	100.00%

IMPERVIOUS AREA	41,868	0.961	66.07%
BUILDING	21,446	0.49	33.8%
VEHICULAR USE AREA	17,133	0.39	27.0%
CONCRETE, WALKS, RAMPS, ETC...	3,289	0.08	5.2%

PERVIOUS AREA	21,500	0.494	33.93%
LANDSCAPE BUFFERS / OPEN SPACE	21,500	0.494	33.9%

PARKING	REQ.	PROVIDED
(1/ 1000 SF FLOOR AREA)	21	23
ADA ACCESSIBLE SPACES	1	2

General Notes

1. All signs shall meet City of Stuart Land Development Regulations.
2. All Invasive exotic vegetation to be removed prior to the issuance of a Certificate of Occupancy.
3. There is to be an irrigation system installed to ensure continued growth of all planting areas.
Source of irrigation water to be potable water.
4. The applicant will notify the City for a field inspection by staff to determine if barricades have been properly placed prior to any land clearing.
5. Barricades must be constructed in the following manner:
Rope: 1/4" diameter min, nylon or poly, yellow or orange
Rope must be a minimum of four (4) feet off the ground.
Rope may not be attached to vegetation
Surveyor ribbon is not acceptable
Poles: 2x2 or 2x4, iron rebar, PVC pipe or other materials with prior approval of Environmental Planner.
Lathe strips are not acceptable.
Silt Fence: shall be installed along all perimeters of development area, maintained during construction.
6. All Barricades must be maintained intact for the duration of construction.
7. Storage of construction materials in preserve areas is not permitted.
8. Fill is not allowed to encroach into preserve areas.
9. Barricades must be offset at least ten (10) feet outside the preserve area or placed at the dripline of the canopy trees in any area for which clearing is proposed.
10. Individual trees or groups of vegetation that are to be saved for landscape credit requirements are to be barricaded according to the guidelines.
11. Advisory or warning signs must be provided.
12. Preserve areas are not to be altered without written permission of the City.
13. During constructions activities, existing native vegetation shall be retained to act as buffers between adjacent land uses, and to minimize nuisance dust and noise. Barricades shall be used on site to preserve the vegetation to be retained for this purpose.
14. Any proposed lighting will be directed away from any residential units or adjacent roadways.
15. No clearing, including the installation of erosion control devices, is authorized until the Permit for the Installation of Erosion Control Devices and Preserve Area Barricade has been issued.

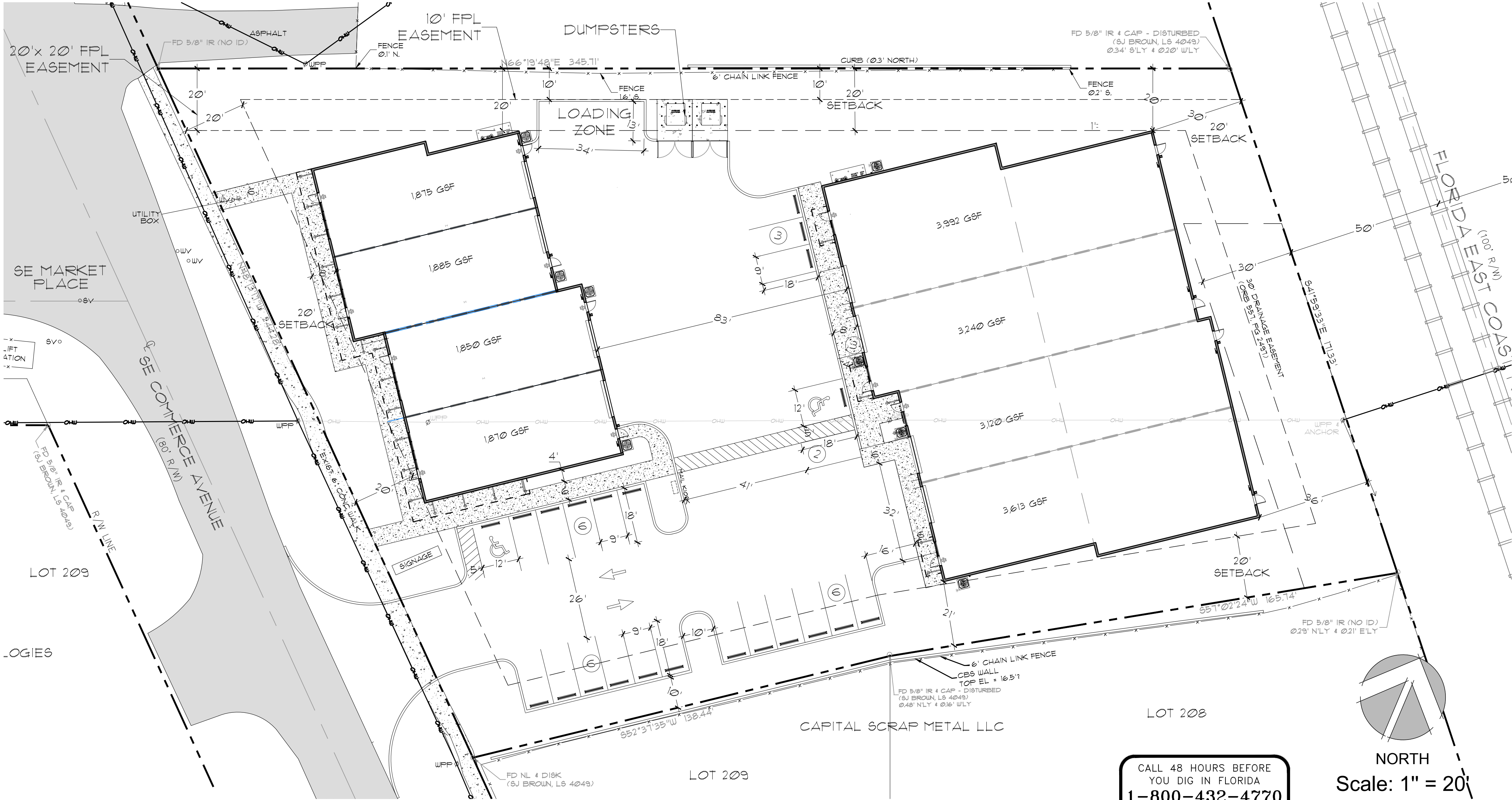
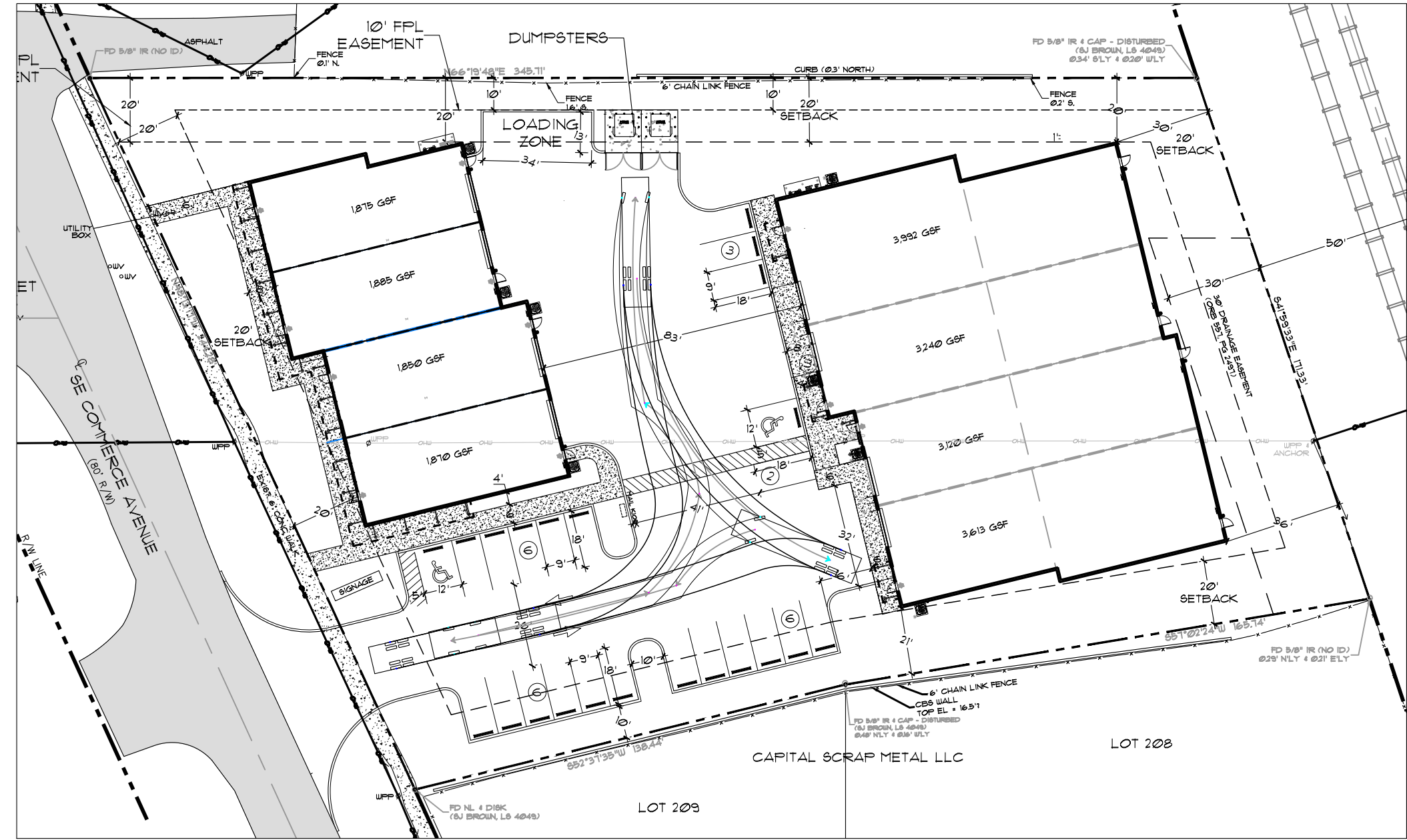
16. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained.
17. All construction barricades and silt fences will remain in place and be monitored for compliance by the permit holder during the permitted development activities.
18. Soil stabilization shall be completed within thirty (30) days of vegetation removal.
19. Proposed timetable for construction: "all building permits shall be obtained and all construction completed within time frame consistent with Martin County ordinances."
20. Contractor shall verify all existing conditions and layout dimensions in the field. report all discrepancies immediately to the landscape architect for decision before construction.
21. Refer to the architectural drawings for all building dimensions.
22. Contractor shall verify all existing grades in the field and report any discrepancies immediately to the landscape architect for decision.
23. New earthwork shall blend smoothly into existing grade.
24. All paved areas must pitch to drain at min. of 1/8" per foot. any discrepancies not allowing this to occur shall be reported to the landscape architect prior to continuing work.
25. Contractor shall provide irrigation to, and drainage from all planters.
26. Remove all road base, shellrock, marl, coral rock, and rubble 30" min. below finish grade from all new planting areas and tree pits. backfill with suitable soil as approved by landscape architect. maintain existing grade at existing trees.

Drainage Notes

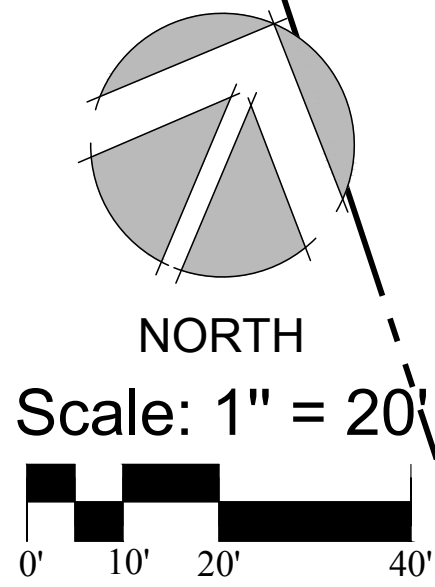
1. Match all existing grades along property lines.
2. Contractor shall be responsible for providing positive site drainage away from all structures including but not limited to planters, courtyard planting areas, hardscape surfaces and architectural elements.
3. Contractor shall provide drainage from all planters.

Auto Turn Exhibit - 42' Garbage Truck

Scale: 1"=40'



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IT'S THE LAW!
SUNSHINE STATE ONE CALL
OF FLORIDA, INC.



McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Benchmark III
SE Commerce Avenue
Martin County, Florida

Site Plan



Drawn By _____ DMS
Checked By _____ MM
Scale _____ 1"=20'
Drawing Date _____ 7/16/2021
7/20/2021 8/24/2021 12/7/2021
3/23/2022 revised buildings & sp
4/25/2022 revised buildings & sp
6/17/2022 revised sp
8/1/2022 revised sp, new arch

S-1

REVISIONS		BY

PREPARED FOR: TED GLASRUD ASSOCIATES FL, LLC

STEPHEN J. BROWN, INC

LICENSED BUSINESS NUMBER:6484

SURVEYORS • DESIGNERS • LANDPLANNERS • CONSULTANTS

619 EAST 5TH STREET, STUART, FLORIDA 34994 EMAIL: sjbinc@bellsouth.net PHONE: (772)-288-7176

BOUNDARY SURVEY

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R.F.C.
CHECKED
S.J.B.

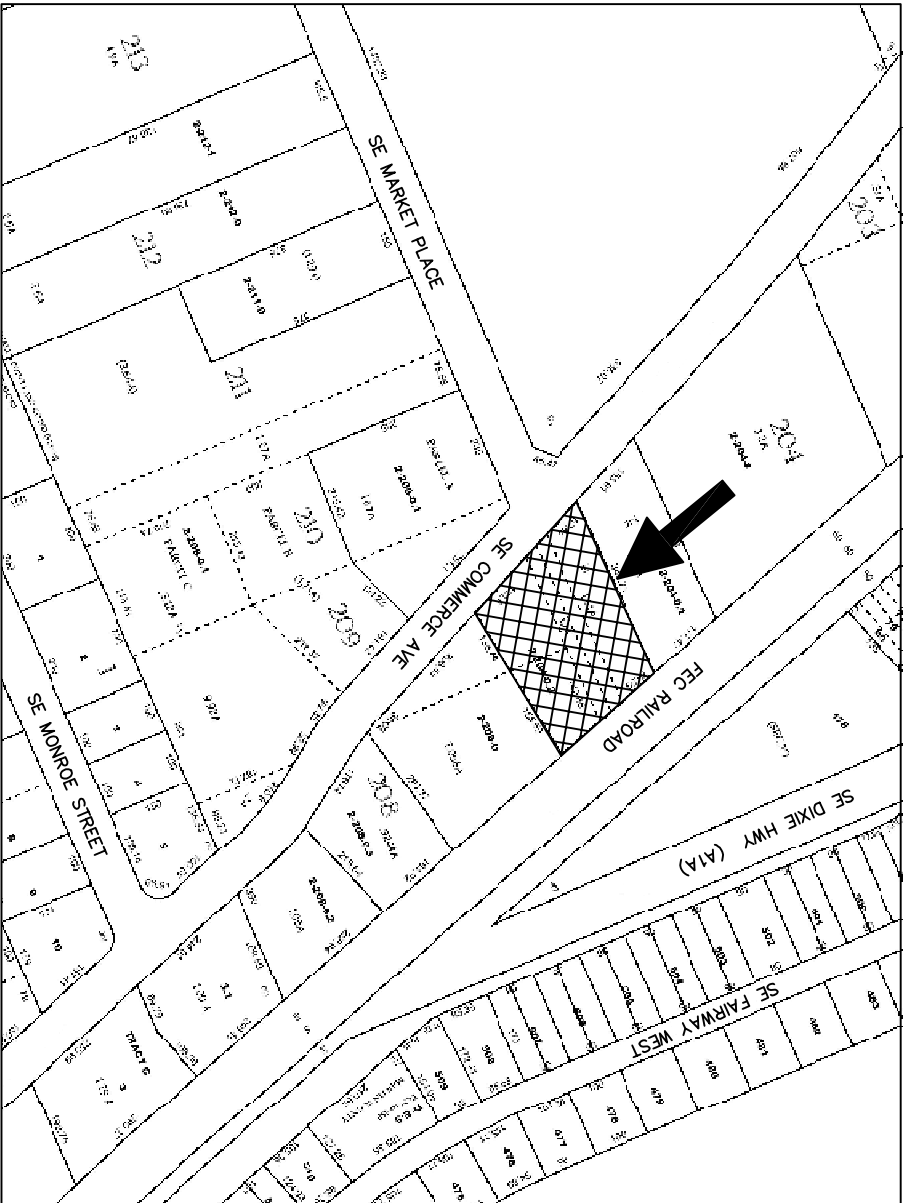
DATE
03/10/2017

SCALE
1" = 30'

SHEET
6986-08-01

ONE

OF ONE SHEETS



LEGAL DESCRIPTION

PARCEL 8:

The Southern 75 feet of Tract 204 lying East of SE Commerce Avenue and West of the Florida East Coast Railway; and that part of Tracts 208 and 209, Sewall's Point Land Company Subdivision, according to the map or plat thereof, as recorded in Plat Book 3, Page 7 of the Public Records of Palm Beach (now Martin) County, Florida described as follows:

Start at the Southwest corner of Tract 208, thence Northwest 659 feet to the point of beginning, thence Northeast 165.59 feet, thence Northwest 66.02 feet, thence Southeast 138.44 feet to the point of beginning, thence Northwest 138.44 feet, thence Northeast 138.44 feet to the point of beginning.

Together with abandoned 50 foot road known as S.E. Market Place abutting Tract 204 on the South and Tract 209 on the North as described in Resolution 82-9-22 recorded in Official Records Book 554, Page 1577.

COMMONWEALTH LAND TITLE COMMITMENT	
SCHEDULE B SECTION II EXCEPTIONS	
(AFFECTS PROPERTY, NOT PLOTTABLE)	
(OTHER ITEMS PLOTTED AS SHOWN ON SURVEY)	
ITEM #72	(O.R.B. 450, PG. 949) (O.R.B. 624, PG. 191) (O.R.B. 668, PG. 392) (O.R.B. 1193, PG. 183)
ITEM #73	(O.R.B. 550, PG. 2332)
ITEM #76	(O.R.B. 631, PG. 1635)
ITEM #77	(O.R.B. 624, PG. 2310)
ITEM #78	(O.R.B. 1248, PG. 1199) (O.R.B. 2657, PG. 13) (O.R.B. 2686, PG. 512)

1. PROPERTY ADDRESS: SE COMMERCE AVE
2. CERTIFIED TO:
- TED GLASRUD ASSOCIATES FL, LLC, A FLORIDA LIMITED LIABILITY COMPANY

INDUSTRIAL DEVELOPEMENT CORP., A FLORIDA CORPORATION, ITS ASSOCIATES &/OR ASSIGNS

COMMONWEALTH LAND TITLE INSURANCE COMPANY

RICHARD G. COKER, JR., P.A.

NOTES:

1. Survey of description as furnished by Client.
2. Lands shown hereon were not abstracted for assessments and/or rights-of-way of record.
3. All bearings are referenced to the Florida State Plane Coordinate System NAD1983/1990 adjusted, Florida East zone.
4. Elevations shown hereon are relative to North American Vertical Datum of 1988, and are based on bench N/A.
5. There are no above ground encroachments, unless otherwise shown.
6. The National Flood Insurance Program designation as indicated on the F.E.M.A. Map No. 1208500182C, dated 10/16/2012, feet, subject to any scaling and interpolation factors associated with mapping of this accuracy. This data is an interpretation by the surveyor and is provided as a courtesy. The flood zone(s) should be verified by a determination agency.
7. Underground foundations & utilities not located unless shown.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

STEPHEN J. BROWN, INC

STEPHEN J. BROWN, PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 40493, STATE OF FLORIDA

GRAPHIC SCALE

30 0 30

1" = 30 FT.

(IN FEET)

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Y.C. YARD

Y.D. YARD

Y.E. YARD

Y.F. YARD

Y.G. YARD

Y.H. YARD

Y.I. YARD

Y.J. YARD

Y.K. YARD

Y.L. YARD

Y.M. YARD

Y.N. YARD

Y.O. YARD

Y.P. YARD

Y.Q. YARD

Y.R. YARD

Y.S. YARD

Y.T. YARD

Y.U. YARD

Y.V. YARD

Y.W. YARD

Y.X. YARD

Y.Y. YARD

Y.Z. YARD

Z.C. ZONE

Z.D. ZONE

Z.E. ZONE

Z.F. ZONE

Z.G. ZONE

Z.H. ZONE

Z.I. ZONE

Z.J. ZONE

Z.K. ZONE

Z.L. ZONE

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Z.P. ZONE

Z.Q. ZONE

Z.R. ZONE

Z.S. ZONE

Z.T. ZONE

Z.U. ZONE

Z.V. ZONE

Z.W. ZONE

Z.X. ZONE

Z.Y. ZONE

Z.Z. ZONE

City of Stuart
Development Department
121 SW Flagler Avenue
Stuart, FL 34994
Ph. 772-288-5300
Fax 772-288-5388

AFFIDAVIT ATTESTING TO NOTIFICATION

Michael McCarty, being first duly sworn, depose(s) and say(s):

That (I am / we are) the owner(s) or petitioner(s) of the following described property which constitutes the location for which notification is required:

Project Name: Benchmark III IPUD
Parcel ID Number: 38-38-41-002-204-00001-9

That a copy of the notice was sent by regular U.S. Mail on 5-25-23 to the property owners within 300 feet of the subject property; and

That a list of the property owners and their addresses is on file with the City of Stuart; and

That a photograph showing the placement of the notification sign be made a part of this Affidavit; and

That notice was sent and property was posted 15+ days prior to the scheduled public hearing(s) for this item.

Michael McCarty
SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

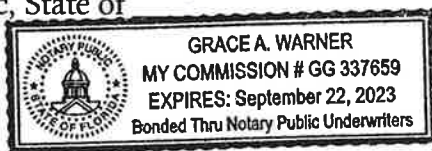
SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

STATE OF FLORIDA, COUNTY OF MARTIN
Sworn and subscribed before me by means of A physical presence or
online notarization, this 25th day of MAY, 2023 By

MICHAEL MCCARTY
Personally Known OR Produced Identification

Type of Identification Produced:

Notary Public, State of
(Notary Seal)



My Commission expires:

Sept 22, 2023

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST Local Planning Agency

Meeting Date: 6/8/2023

Prepared by: Kristopher McCrain

Title of Item:

A REQUEST FROM COMMERCE AVENUE, LLC TO CONSIDER A REZONE PETITION:

ORDINANCE No. 2519-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP; TO REZONE A 1.45-ACRE PARCEL; LOCATED ON THE SOUTH EAST SIDE OF SE COMMENRCE AVENUE; BEING MORE DESCRIBED IN EXHIBIT "A" ATTACHED, FROM M-2 INDUSTRIAL (COUNTY) ZONING DESIGNATION TO IPUD INDUSTRIAL PLANNED UNIT DEVELOPMENT (CITY) ZONING DESIGNATION; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

McCarty & Associates Land Planning & Design, LLC is requesting on behalf of Commerce Avenue, LLC, the City Commission to grant a Rezone petition for a +/-1.45-acre parcel from M-2: Industrial (*County*) to IPUD: Industrial Planned Unit Development (*City*).

Funding Source:

N/A

Recommended Action:

The staff has reviewed the proposed petition for Rezone to the Official Atlas and determined it conforms to the Standards of Review as outlined in Land Development Code Section 11.01.09 and is consistent with the Comprehensive Plan Goals, Objectives, and Policies. Staff recommends the Local Planning Agency (*LPA*) forward a recommendation for approval to the City Commission, via Ordinance No. 2519-2023.

ATTACHMENTS:

1. Ordinance 2519-2023 - Benchmark III Rezoning
2. Staff Report - IPUD Rezone
3. Application Packet
4. Boundary Survey
5. Traffic Impact Analysis
6. Development Plan Packet
7. Public Notice Packet



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

ORDINANCE NUMBER 2519-2023

* * * * *

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP; TO REZONE A 1.45-ACRE PARCEL; LOCATED ON THE SOUTH EAST SIDE OF SE COMMERCE AVENUE; BEING MORE DESCRIBED IN EXHIBIT "A" ATTACHED, FROM M-2 INDUSTRIAL (COUNTY) ZONING DESIGNATION TO IPUD INDUSTRIAL PLANNED UNIT DEVELOPMENT (CITY) ZONING DESIGNATION; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, on December 11, 1989, the City of Stuart City Commission adopted Ordinance Number 1174-89, adopting a Comprehensive Growth Management Plan as mandated by the local government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes, also known as the City of Stuart Comprehensive Plan, that designated this Future Land Use of this property as Industrial Planned Unit Development; and

WHEREAS, on August 29, 2022, an application was submitted to the city for Rezoning from M-2 Industrial (County) to IPUD Industrial Planned Unit Development (City); and

WHEREAS, the Local Planning Agency board held a property noticed hearing at a regularly scheduled meeting on June 8, 2023, to consider the applicant's request and recommended _____ of the subject petition to the City Commission; and

WHEREAS, the City Commission held a property noticed hearing at a regularly scheduled public hearing on _____, 2023, to consider the applicant's request and **granted/denied**

approval of the subject petition by Commerce Avenue, LLC (property owner) for a 1.45-acre parcel of land; and

WHEREAS, the City of Stuart has determined the need to change the Land Development Zoning District for said land; and

WHEREAS, the City Commission, has considered the Petitioner's voluntary request for zoning designations, and has also considered the recommendation of City staff; and

WHEREAS, the Applicant has committed to the City that its development will comply with all development codes, plans, standards, and conditions approved by the City Commission; and that it will bind its successors in title to any such commitments made upon approval of the Rezone petition; and

WHEREAS, at the hearing the applicant showed by substantial competent evidence that the application is consistent with the Stuart Comprehensive Plan, and the Land Development Code of the City of Stuart, and with the procedural requirements of law; and

WHEREAS, the foregoing recitals are true and adopted as findings of fact and conclusions of law.

WHEREAS, the property is legally described in “**Exhibit A**” of this Ordinance. A map depicting the property is attached hereto as **Exhibit “B”** and made a part hereof by reference.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The following new documents are on file as public records of the City, at the office of the City Clerk in City Hall, and attached hereto as **Exhibit “B”**, hereinafter the “Location Map”, shall be deemed a part of the development conditions, and shall supplement any earlier approvals:

SECTION 2: The Land Development (Zoning) District designation on the City of Stuart Official Zoning Map shall be established as “IPUD Industrial Planned Unit Development”.

SECTION 3: This Ordinance shall become effective upon adoption.

SECTION 4: Except as otherwise provided herein, no development permits, site permits, or building permits shall be issued by the City except in compliance with the City’s Land Development Code.

SECTION 5: All Ordinances or parts of Ordinances in conflict with this Ordinance or any part thereof is hereby repealed to the extent of such conflict. If any provision of

this Ordinance conflicts with any contractual provision between the City and the Developer of the site, this Ordinance shall prevail.

SECTION 6: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 7: Following the adoption and acceptance of this Ordinance by the Owners, and in addition to any other action for failure to complete development or otherwise comply with the Development Documents, the City Development Director may obtain a hearing before the City Commission and shall thereupon give at least five (5) days written notice of the time, date, and location of the hearing, along with specific notice of the alleged breach. At the hearing before the City Commission, the Developer may appear and may contest the allegation of breach or explain the reason or reasons for the breach. Upon a finding of a material breach of the Development Documents and therefore, the Ordinance(s) adopting the same, the City Commission may impose or do any or all of the following:

- a. Initiate the process to amend or repeal this or any other Ordinance pertaining to the development.
- b. Direct the City Development Director to initiate the process to rezone the property or any portion of the property.
- c. Impose an administrative penalty of up to \$1,000.00 for each violation, and up to \$5,000.00 for each repeat violation that occurs, along with all reasonable costs, including attorney's fees incurred by the City.

Any breach of any provision or condition of this Rezone Ordinance by the Developer shall be considered a zoning violation subject to any remedies provided herein, or as otherwise provided by law. In the event a violation found continues from day to day, each day the violation is found to continue shall be deemed a separate violation.

SECTION 8: This Ordinance shall be effective upon the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owner.

SECTION 9: The complete execution and recording of this Ordinance by the City Clerk shall occur no later than sixty (60) days from the date of this approval, failing which this Ordinance shall be void.

SECTION 10: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record this Ordinance in the Public Records of Martin County, Florida.

Passed on first reading the ___ day of _____ 2023.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this _____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

PAUL J. NICOLETTI
INTERIM CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN AN INDUSTRIAL PLANNED UNIT DEVELOPMENT (IPUD) AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS, HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS INDUSTRIAL PLANNED UNIT DEVELOPMENT (IPUD) ACCORDING TO THIS ORDINANCE, ITS CONDITIONS, AND THE DEVELOPMENT PLANS AND DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS ORDINANCE MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ACTIONS MAY BE TAKEN AGAINST THE UNDERSIGNED BY THE CITY, INCLUDING BUT NOT LIMITED TO CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING REVOCATIONS, AND ALL APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

Print Name: _____

Print Name: _____

Commerce Avenue, LLC

By: _____

Gregory A. Hale, Manager

OWNERS ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this _____ day
of _____, 2023, by Gregory A. Hale, Manager, Commerce Avenue, LLC.

Notary Public, State of Florida

My Commission Expires:

Notary Seal

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

CITY'S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before The above
Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical
presence or ☐ online notarization this _____ day of _____, 2023, Troy McDonald,
Mayor, and Mary Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida
municipal corporation, who ☐ are personally known to me or ☐ have produced
_____ as identification.

(Notary Seal)

Signature of Notary Public

Printed Name: _____

EXHIBIT “A” - LEGAL DESCRIPTION

THE SOUTHERLY 50 FEET OF TRACT 204 LYING EAST OF S.E. COMMERCE AVENUE AND WEST OF THE FLORIDA EAST COAST RAILWAY; AND A PORTION OF TRACTS 208 AND 209, OF REVISED PLAT OF PORT SEWALL LAND COMPANY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 7 OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; TOGETHER WITH ABANDONED 50 FOOT ROAD KNOWN AS S.E. MARKET PLACE, ABUTTING TRACT 204 ON THE SOUTH AND TRACTS 208 AND 209 ON THE NORTH AS DESCRIBED IN RESOLUTION 82-9.22 RECORDED IN OFFICIAL RECORDS BOOK 554, PAGE 1527.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF TRACT 209 AND THE EASTERLY RIGHT-OF-WAY LINE OF S.E. COMMERCE AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N48°14'09"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 109.94 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTHERLY 50 FEET OF TRACT 204; THENCE N66°18'56"E ALONG SAID NORTH LINE, A DISTANCE OF 345.71 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY OF THE FLORIDA EAST COAST RAILWAY; THENCE S42°00'25"E A DISTANCE OF 171.33 FEET ALONG SAID WEST RIGHT-OF-WAY; THENCE S57°01'32"W, A DISTANCE OF 165.74 FEET; THENCE S52°36'43"W, A DISTANCE OF 138.44 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF S.E. COMMERCE AVENUE; THENCE N48°14'09"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 134.34 FEET TO THE POINT OF BEGINNING.

PARCEL I.D. No.: 38-38-41-002-204-00002-8

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EXHIBIT B – LOCATION MAP

DRAFT



TO: Local Planning Agency (LPA)
FROM: Jodi Nentwick-Kugler, Development Director
MEETING DATE: Thursday, June 8, 2023
SUBJECT: Benchmark III – IPUD
Rezone Petition & Site Plan Approval (*Project #: Z22080004*)

AGENDA REQUEST:

McCarty & Associates Land Planning & Design, LLC is requesting on behalf of Commerce Avenue, LLC, the City Commission to grant a Rezone petition for a +/-1.45-acre parcel from M-2: Industrial (*County*) to IPUD: Industrial Planned Unit Development (*City*).

GENERAL INFORMATION:

Property Owner/Applicant: Gregory A. Hale
Commerce Avenue, LLC
3322 SE Gran Park Way
Stuart, FL 34997

Agent/Agent of Record: Michael McCarty
McCarty & Associates Land Planning & Design, LLC
309 SE Osceola Street
Stuart, FL 34994

Location: TBD - SE Commerce Avenue, Stuart, FL 34997

Parcel ID#: 38-38-41-002-204-00002-8

Parcel Size: +/-1.45-acres

Existing Future Land Use: Industrial (*County*)

Proposed Future Land Use: Industrial (*City*)

Existing Zoning: (M-2) Industrial (*County*)

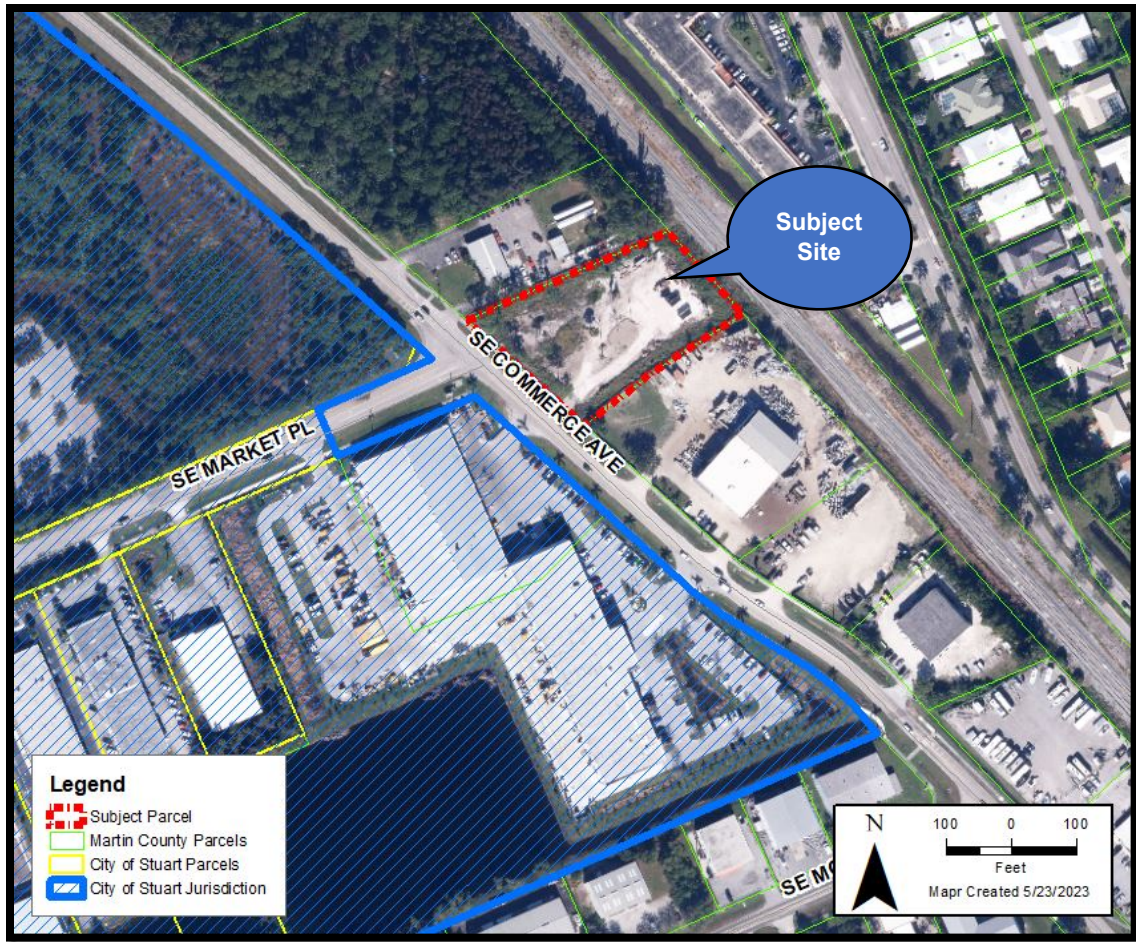
Proposed Zoning: (IPUD) Industrial Planned Unit Development (*City*)

Existing Use: Vacant

Proposed Use: Industrial Flex Space Planned Unit Development

BACKGROUND

McCarty & Associates Land Planning & Design, LLC submitted petitions, on behalf of Stuart Auto Vault, LLC., for a Voluntary Annexation to incorporate the +/-0.34-acres from Martin County to the City of Stuart jurisdiction, a Small-Scale Comprehensive Plan Amendment to change the future land use category from (GC) General Commercial (County) to Commercial (City), and Rezone from (B-1) Business (County) to (B-4) Limited Business/Manufacturing (City) Zoning Designation, for a project to be known as Stuart Auto Vault Baron Commerce Center.



LAND USE AND ZONING

The subject site currently has a Martin County Future Land Use Designation of Industrial (*IND*), and a County Zoning Designation of Industrial (*M-2*). The subject property is currently vacant and located on the east side of SE Commerce Avenue. The site is bounded by City of Stuart to the west. The existing uses, Zoning Districts, and Future Land Use designations of the adjacent properties are summarized in Table 1 below.

Table 1. Existing Use, Zoning and Land-Use Designations

Location		Zoning District	Future Land Use	Existing Land Use
Subject Property		M-2: Industrial (<i>County</i>)	Industrial (<i>County</i>)	Vacant
Adjacent Parcels	North	M-2: Industrial (<i>County</i>)	Industrial (<i>County</i>)	Kauff's Towing & Recovery
	South	M-2: Industrial (<i>County</i>)	Industrial (<i>County</i>)	Palm City Yachts
	East	Right-of-Way (<i>County</i>)	Right-of-Way (<i>County</i>)	Florida East Coast Railroad Right-of-Way

	West	CPUD: Commercial Planned Unit Development (City) & IPUD: Industrial Planned Unit Development (City)	Commercial (City) & Industrial (City)	Vacant Land Waterblasting, LLC S.E. Commerce Avenue S.E. Market Place Rights-of-Way
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REZONE TO THE OFFICIAL ZONING ATLAS

**Standards of Review as Outlined in
Land Development Code Section 11.01.09**

In accordance with LDC 11.01.09(G), the Local Planning Agency (LPA) shall hear from all interested parties regarding whether the application complies with the requirements of this Code and the Comprehensive Plan. The LPA shall consider the application, written comments of each responding department, consultant, and agency, as well as the compliance recommendation of the Development Department.

Specifically, the LPA and City Commission shall consider the following criteria:

a. The existing land use pattern

***Staff Findings:** The subject parcel currently situated within the jurisdiction of unincorporated Martin County and is designated by the M-2: Industrial Zoning District. The proposed Rezone petition seeks to redesignate the underlying zoning designation with the IPUD: Industrial Planned Unit Development zoning designation with the City of Stuart to allow for future industrial development, as well as provide for a consistent land use pattern with the surrounding area.*

b. The possible creation of an isolated land use classification unrelated to adjacent and nearby classifications.

***Staff Findings:** The subject property is currently situated within the jurisdiction of unincorporated Martin County. The zoning designations within the surrounding area are predominantly designated by the Industrial and Commercial zoning designations.*

c. The population density pattern of the area and possible increase or overtaxing of the load on public facilities such as schools, utilities, and streets.

***Staff Findings:** The proposed Industrial PUD zoning designation is consistent with adjacent industrial and commercial zoning and will not provide for an increase in residential density, as the Industrial Future Land Use designation does not allow for residential development.*

The subject property is located within an urban area, with access to utilities, roadway infrastructure. Review comments received from the Utilities/Engineering Department, Police Department and Fire Rescue do not identify any issues at this stage regarding the levels of service.

d. The possible overloading of the city's sewage collection, treatment, and disposal facilities.

***Staff Findings:** The site is currently served water and wastewater services by the Martin County Utilities Department. The Martin County Utilities Department has reviewed the concurrently submitted annexation and Small-Scale Comprehensive Plan Amendment and agrees to continue serving the subject site to be located*

within the jurisdiction of the City of Stuart. Sufficient water & wastewater capacity is available to accommodate the maximum build out for the proposed industrial development.

e. The possible overloading of the city's drainage system.

Staff Findings: *The Utilities and Engineering Department has reviewed the proposed industrial development and did not identify issues regarding potential overload of the City's drainage system pertaining to a request for annexation, land use amendment, or rezoning of the subject property. Final engineering review will be completed during site permitting with the City of Stuart Building Department.*

f. The existing classification boundaries in relation to existing conditions on the subject property.

Staff Findings: *Existing conditions on the subject property are that of a previous industrial operation. Effective reuse of the property with uses afforded to lands designated Industrial within the boundary of the City of Stuart will introduce improvements to the vacant/cleared industrial lands in an area where industrial-based uses are well-established.*

g. The existence of changed or changing conditions which make the passage of the proposed amendment necessary or appropriate.

Staff Findings: *The previous use on the property is unknown at this time but appeared to be industrial in nature according to past Google areal map searches. The site is currently located within the jurisdiction of unincorporated Martin County and as part of the parent petitions for Voluntary Annexation and Small-Scale Comprehensive Plan Future Land Use Map Amendment, the execution of a subsequent Rezone petition is necessary to redesignate the parcel under the Industrial Planned Unit Development (IPUD) zoning designation with the City of Stuart. The proposed rezone from M-2: Industrial (County) to IPUD (City) is consistent with the current zoning, as well as the patterns of current uses and development within the surrounding area.*

h. The impact of the proposed amendment upon living conditions in the adjacent neighborhood.

Staff Findings: *Following annexation of the subject parcel into the City of Stuart and subsequent approval of a concurrently submitted Comprehensive Plan Future Land Use Map Amendment, the proposed Rezone petition from M-2: Industrial (County) to IPUD: Industrial Planned Unit Development (City) will allow for future development of the site to conform with the industrial and commercial nature of the surrounding properties. Residential development is not permitted within the Industrial Future Land Use, and therefore no living conditions will be impacted by any proposed future development of the site. The proposed rezone of the property under the Industrial PUD Zoning District would provide for a uniform development pattern and consistency with the surrounding area.*

i. The impact of the amendment upon the flow of light and air to adjacent areas.

Staff Findings: *Not applicable as per the distance and separation between established property boundaries. A photometric lighting plan has been submitted and reviewed as part of the proposed IPUD Rezone and Site Plan petition.*

j. The impact of the proposed amendment upon property values in the adjacent area.

Staff Findings: *The proposed amendment does not deviate from the existing Industrial (County) Zoning designation. The proposed IPUD zoning designation will allow the applicant to propose development of the subject property which include industrial uses permitted under the City of Stuart's Land Development Cide and Comprehensive Plan.*

- k. The impact of the proposed amendment upon improvement or development of adjacent property in accordance with existing regulations; and

Staff Findings: The proposed rezone petition is consistent with the surrounding industrial properties to the north, south, and west. Additionally, the proposed rezone is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan pertaining to the retention and expansion of industrial based uses and encourages additional employment generating uses.

- l. The existence of other adequate sites in the city for the proposed land use classifications already permitting such use.

Staff Findings: The subject parcel is currently under the jurisdiction of the unincorporated Martin County. Following annexation and subsequent Comprehensive Plan Future Land Use Amendment, the proposed Rezone petition will provide additional land to be development within the City of Stuart and allow for the continuation of industrial development within the city of Stuart.

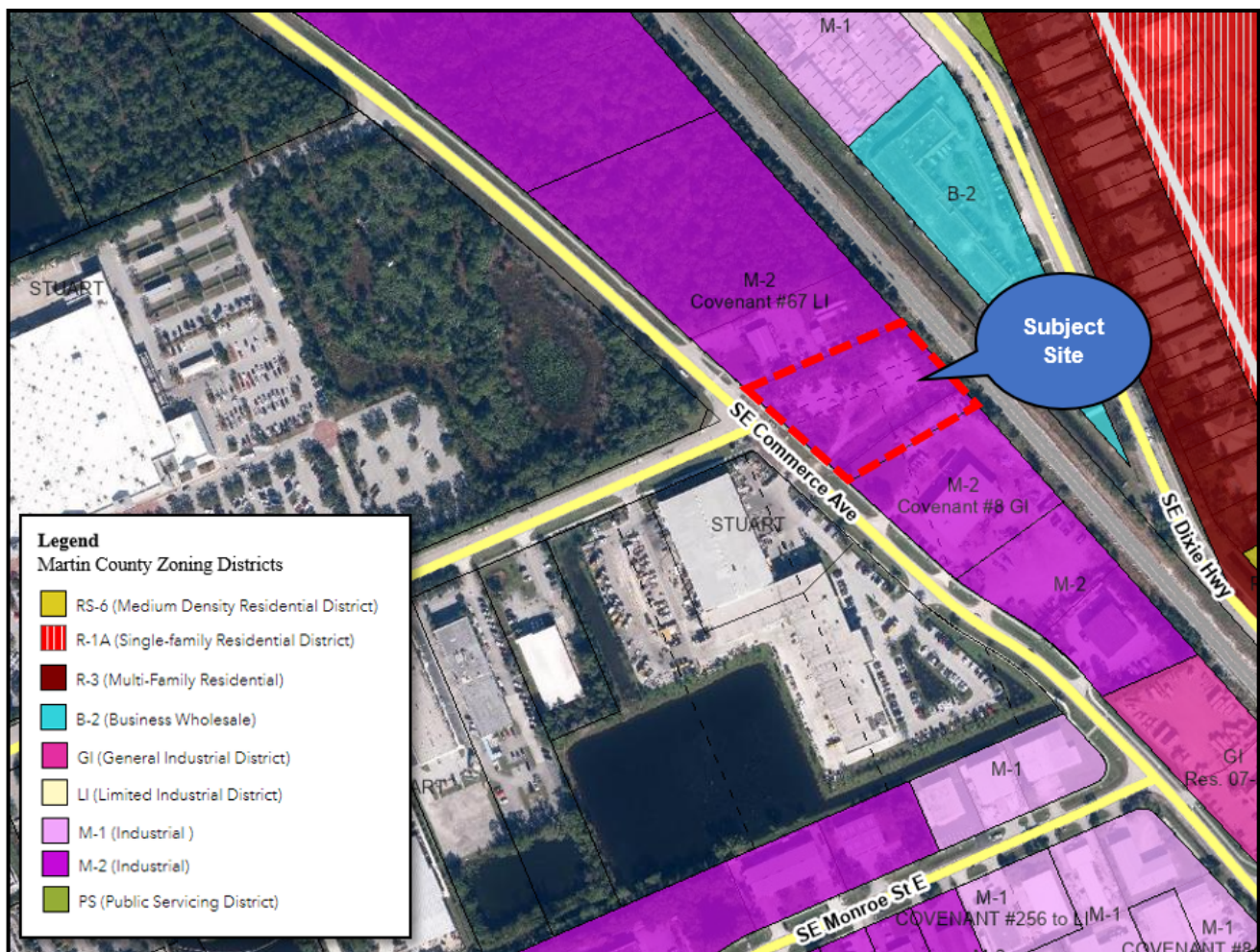
Current Zoning Designation (Martin County):

The subject parcel is currently zoned M-2 Industrial, in accordance with Martin County Land Development Code Section 3.421 – *M-2 Industrial District*. Pursuant to Martin County Land Development Code Section 3.421, in this district a building or structure or land shall be used for only the following purposes, subject to any additional limitations pursuant to Martin County Land Development Code Section 3.402:

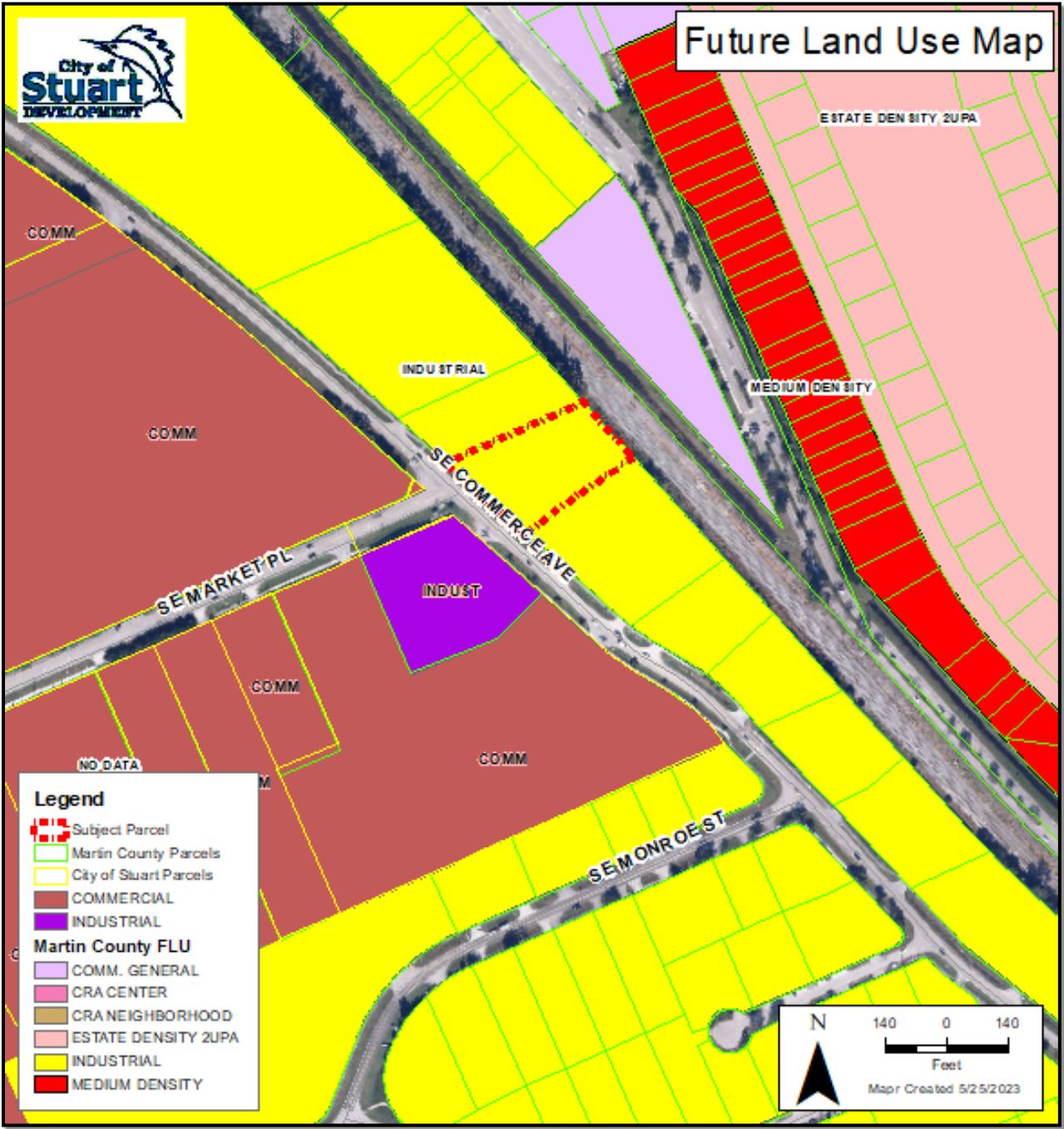
1. Any use permitted in the M-1 Industrial District.
2. General manufacturing plants that meet the following standards:
 - a. Manufacturing operations conducted in the open shall be screened from view outside the real property boundary. All waste materials shall be stored while on the premises in a screened enclosure, which shall be counted as part of the area allowed for occupation by buildings and structures.
 - b. No smoke with opacity exceeding 20 percent, shall be emitted, except smoke with opacity not exceeding 40 percent, shall be permitted for not more than six minutes of any one hour.
 - c. No particle from any flue or smokestack exceeding 0.2 grains per cubic foot of the flue gas at stack temperature of 500 degrees Fahrenheit shall be permitted.
 - d. No odor nuisance shall be permitted to extend beyond lot lines. Tanneries, abattoirs, glue factories, oil tank farms, soap factories, artificial gas manufacturers, rubber manufacturers, distilleries and similar industries shall present detailed plans for elimination of odors to the zoning director before a permit shall be granted.
 - e. Dust and dirt shall be confined within the buildings of the plant.
 - f. No processes which result in the escape of noxious gases or fumes in concentrations dangerous to plant or animal life or damaging to property shall be permitted.
 - g. Operations creating glare shall be so shielded that the glare cannot be seen from outside the real property boundary.
 - h. Buildings and fences shall be painted, unless the materials are naturally or artificially colored.
3. Manufacture of the following: Automobile accessories, except tires, Acids, except hydrochloric, nitric, picric, sulphurous or sulphuric acid, Boxes, Carbon, Canvas, cloth, cork, excelsior or textiles, Disinfectants and insecticides, Batteries and other electrical apparatus, Mattresses, Rope, Sash and doors, Starch, glucose and dextrin.

4. *Any of the following: Automatic screw machines, Automobile assembly plant, Animal refuge, Assaying, Airplane hangar, Airport, Blacksmith shop, Canning factory, Cider mill, Construction or contractor yard Cooperage, Cemetery, columbarium, mausoleum or crematory, Die casting, Livery stable, riding academy or dude ranch, Lumberyard with planing mill, Meat processing, no slaughtering, Metal buffing, plating and polishing, Machine shop, Millwork, lumber and planing mill, Motor freight terminal and depot, Mattress and bedding renovator, Painting and varnishing, Radio or television broadcasting towers or antennas, Welding shop*
5. *Storage in bulk of asphalt, brick, building materials, butane, cement, clay products, concrete products, coal, contractors' equipment, cotton, fuel, gasoline, grain, gravel, grease, hay, ice, lead, lime, liquor, plaster, pipe, lumber machinery, propane, roofing, rope, sand, stone, tar, tarred, or creosoted products, terra-cotta, timer, wood or wool, provided the area so used is located inside a fully enclosed building or masonry wall at least six feet in height.*
6. *Residences for the use of watchmen or custodians only.*

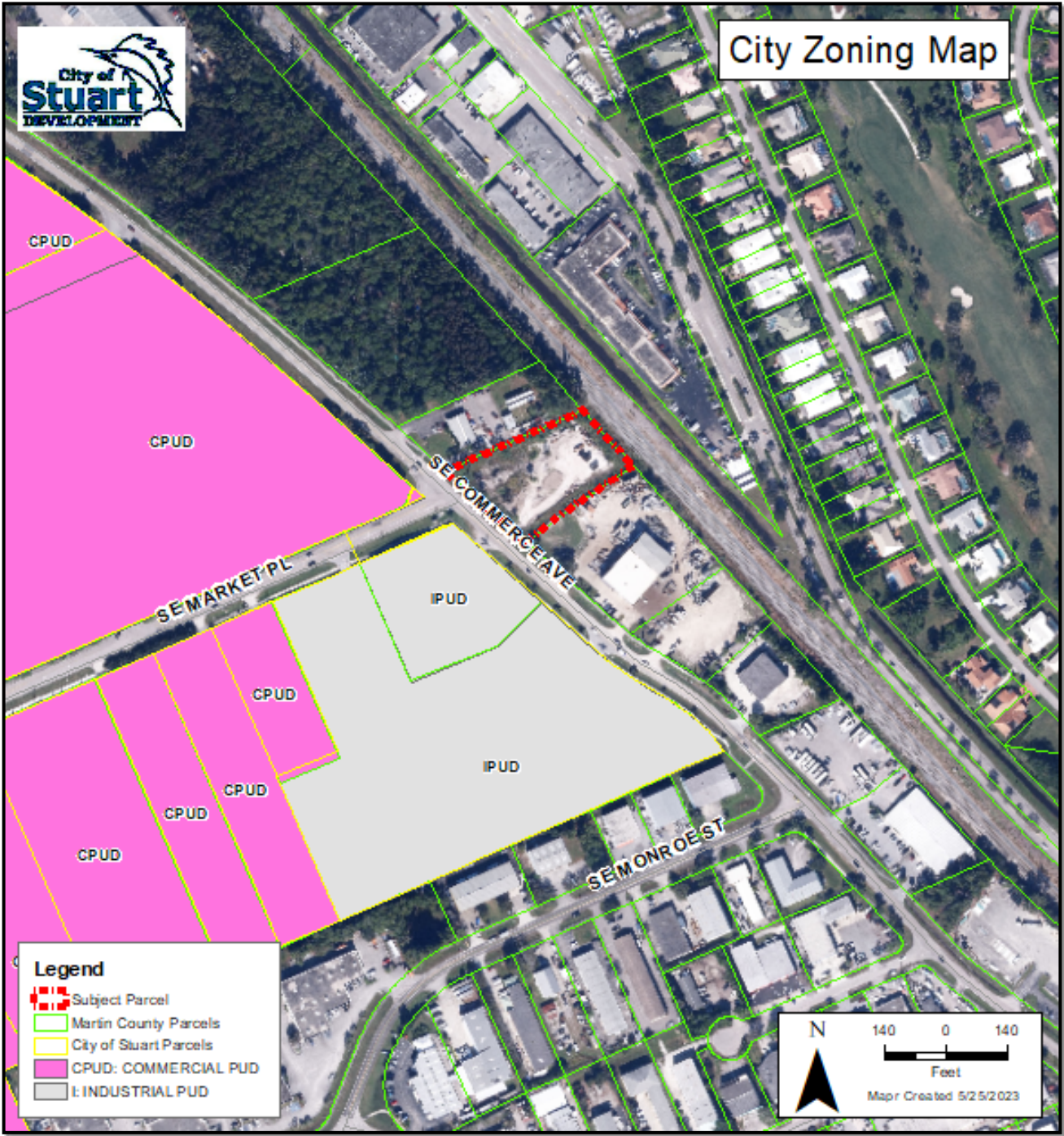
Martin County Zoning Map



City of Stuart Existing Future Land Use Map



City of Stuart Existing Zoning Map



Proposed Zoning Designation (City of Stuart)

2.07.00(G)

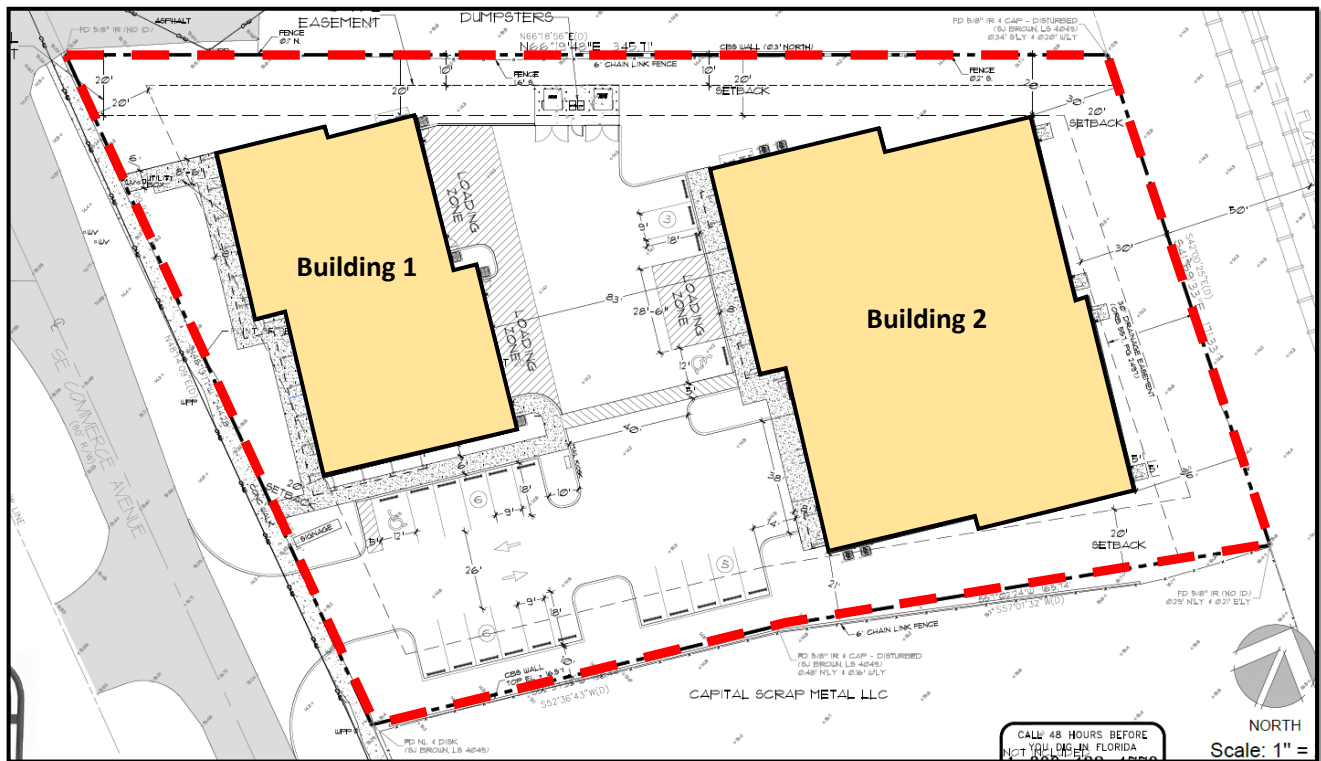
The proposed rezoning to the IPUD (*Industrial Planned Unit Development*) Zoning District is consistent with the proposed Industrial Future Land Use designation, as per LDC Section 2.01.03. Table 1. – *Zoning District/Future Land Use Category Compatibility Chart*.

Table 1 - Zoning District/Future Land Use Category Compatibility Chart

Future Land Use Categories	Implementing Zoning Categories		
	B-4 (Limited Business/Manufacturing)	I (Industrial)	CPUD, IPUD, MXPUD, UPUD
Industrial	X	X	X

Site Layout

The proposed site plan identifies two (2) industrial buildings, with a total of eight (8) flex units and an overall building area of +/-21,445 ft² (Bldg. #1: 7,480 ft² & Bldg. #2: 13,965 ft²). According to the applicant, the units will be made available to local small business for lease.



Site Data Calculation			
	Square Footage	Acres	Percentage %
Total Site Area	63,368	1.45	100%
Impervious Area	41,031	0.94	64.75%
Total Buildings	21,445	0.49	33.8%
Building 1	7,480	0.17	11.8%
Building 2	13,965	0.32	22%
Vehicular Use Area	16,226	0.37	25.6%
Concrete, Walks, Ramps, etc....	3,360	0.08	5.3%
Pervious Area	22,337	0.513	35.25%
Landscape Buffers/Open Space	22,337	0.513	35.25%

Proposed On-Site Parking Calculations		
Parking	Required Spaces	Provided Spaces
1 space per 1,000 ft ² Floor Area	21	21
ADA Accessible Spaces	1	2
Bicycle Parking	4	4
Loading Spaces	1	3

Traffic

The peak hour traffic generation for the site is available from the Institute of Transportation Engineers (ITE) Trip Generation Manual 11th Edition Web-Based App for General Light Industrial (ITE Code 110). Pass-by reduction percentages were not utilized for this type of land use. The calculation of the trip generation is summarized below in Table 1.

According to the Traffic Impact Analysis (*TIA*) dated March 2023, and prepared by Giangrande Engineering & Planning, the proposed industrial development is expected to generate 131 total peak hour daily trips (*65 in, 66 out*), with eighteen (*18*) AM peak hour (*16 in, 2 out*) and thirteen (*13*) PM peak hour (*2 in, 11 out*) trips.

Proposed Trip Generation

Benchmark III - SE Commerce Avenue and SE Market Place Martin County, FL											
ITE Trip Generation Rates 11th Edition - Peak Hour of Adjacent Street - Fitted Curve											
Code	Land Use	Ind. Variable	AM			PM			Daily		
			In	Out	Total	In	Out	Total	In	Out	Total
110	Light Industrial	21.5 SF	16	2	18	2	11	13	65	66	131

As determined in the calculation table provided above, the greatest peak hour peak direction impact is the AM Entering trips with a total of 16 trips. The equations and plot charts utilized were derived from the trip generation web-based app are provided in the appendix of this report for reference.

Fire & Police

The site will be served by the City of Stuart Police Department and Fire District for emergency services.

Water Wastewater:

The Martin County Utilities Department provides water and wastewater service to the subject property through existing utilities within SE Market Place. A newly constructed 8" HDPE water main and a new 8" HDPE sewer force main have been installed in a 19" utility easement bordering the south property line.

Drainage:

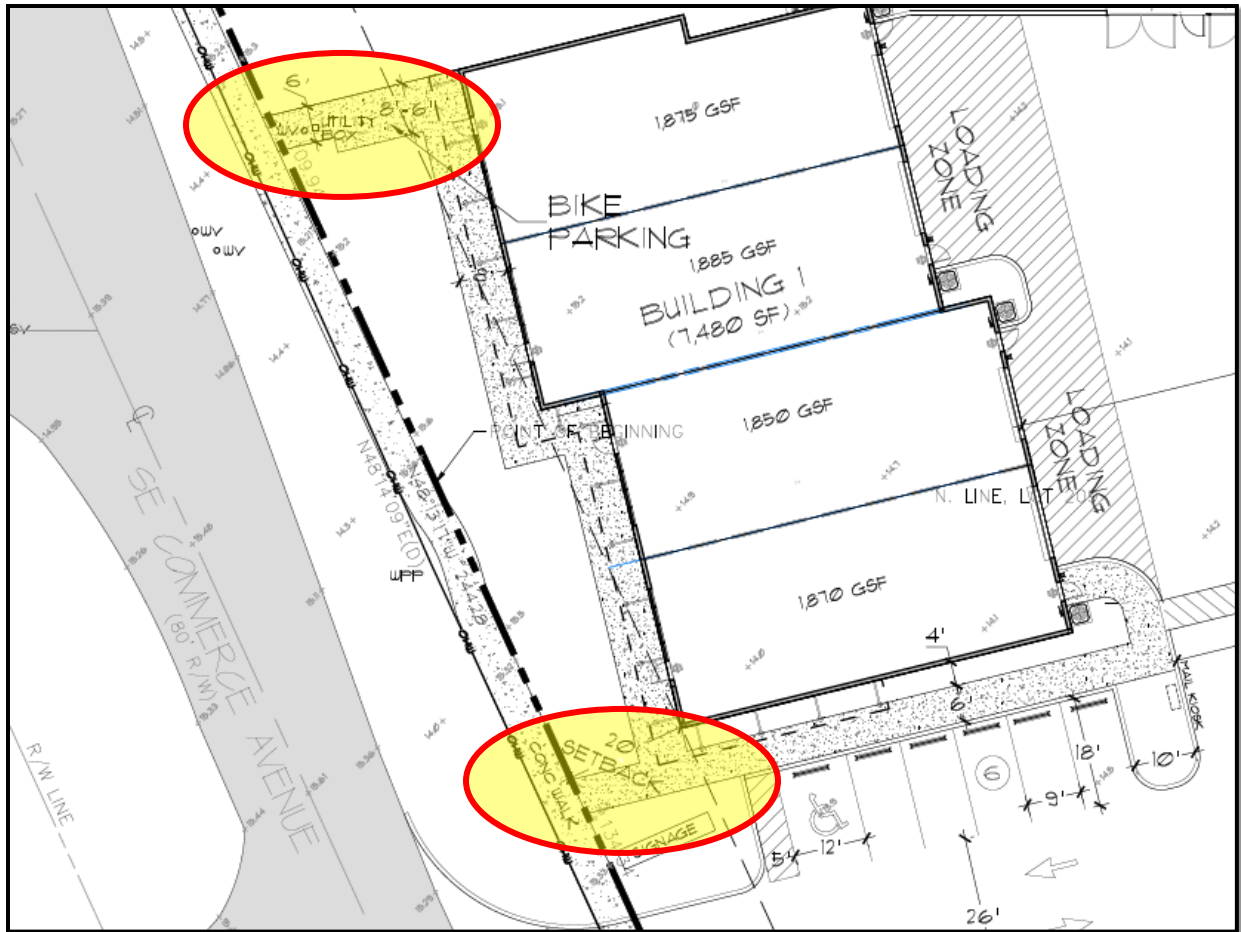
Onsite Runoff: The onsite runoff will be stored by use of a combination of exfiltration trenches, grass, retention areas, and pervious concrete.

Offsite Discharge: According to the Stuart Business Park's Master Stormwater Plan Report, prepared by AJ Hydro Engineering, Inc., the 1.45-acre site is allowed to discharge 0.37 cfs into the Commerce Avenue system for Basin #1. The system discharge will be designed for the 25-year/3-day storm and building elevations will be above both the 100-year/3-day storm flood stage, as per South Florida Water Management District (SFWMD) permit. The development will be required to obtain site permitting with the City of Stuart, as well as a permit with the SFWMD.

Vehicular & Pedestrian Access

The proposed project identifies single vehicular access to the site via on Commerce Avenue. Proposed access will allow for full right/left in and out of the site.

Pedestrian and ADA access is provided throughout the site via stabilized paved walkways and includes pedestrian and ADA access leading from the site to the adjacent sidewalk situated along east side of Commerce Avenue.



CONSISTENCY WITH THE CITY'S COMPREHENSIVE PLAN

The proposed Industrial Planned Unit Development (IPUD) Rezone Petition is consistent with the following Goals, Objectives, and Policies of the City of Stuart Comprehensive Plan.

In conjunction with the parent Voluntary Annexation application, the applicant has concurrently submitted a Small-Scale Comprehensive Plan Future Land Use Map Amendment and Rezone petition. The proposed Rezone petition seeks to amend the City's Official Zoning Atlas from M-2: Industrial (County) to IPUD: Industrial Planned Unit Development (City), pursuant to Comprehensive Plan Policy 1.A.7.5.

Objective 1.A.7: *The Future Land Use Map establishes the optimum, overall distribution of land uses as well as can be established on a City-wide basis. Neither these policies nor the Future Land Use Map shall be construed to mean that every parcel in a designated area is suitable for the designated use. Other plan objectives and policies will be applied to ensure that any proposed development will be suitable for the particular site. Similarly, the Future Land Use Map does not assure the landowner the right to the most intense use allowable under the designated future land use category. The City shall have the discretion to decide that the permitted land uses shall be more limited than the maximum allowable under the discretion to decide that development is consistent with the City's plan.*

- **Policy 1.A7.1(E) – Industrial:** *Land uses, and activities predominately connected with the sale, rental, and distribution of products or performance of professional and non-professional services. Includes*

retail sales, service establishments, business, professional and other offices, shopping centers, financial institutions, restaurants, entertainment, hotels, motels, and other temporary lodging. A limited amount of Multi-Family Residential and indoor industrial uses is allowed. Mixed-use projects are allowed. Also, public facilities and electric distribution substations are allowed.

Policy 1.A7.5. *Properties that are annexed into the City shall be given a City land use designation as soon as possible after the annexation is finalized.*

Policy 11.A1.1. *The city will seek to ensure the allocation of an appropriate quantity of lands that are desirable for commercial and industrial purposes to serve future growth needs of the city.*

Policy 11.A1.4. *The city will encourage the designation and preservation of industrial land for industrial uses.*

Policy 11.A1.5. *The city will encourage new commercial and industrial development.*

Existing Future Land Use (Martin County):

Policy 4.11B.1. Development review process for industrial development. *The development review process shall ensure that, at a minimum:*

- 1) Industrial activities are compatible with surrounding land uses, established or planned development, and natural systems and resources.*
- 2) Sites for industrial development are accessible to essential public and private facilities and services at the levels of service adopted in this Plan for transportation, potable water, solid waste, drainage, and sanitary sewer.*
- 3) Sites for industrial development are located with convenient access to major road transportation corridors and are encouraged to locate with convenient access to air, water, and rail transportation facilities.*
- 4) Sites for industrial development are located with convenient access to the labor supply, raw material sources, energy resources and market areas.*
- 5) A need for industrial land use is demonstrated in a County-wide assessment when industrial proposals are considered by the Board of County Commissioners.*

Policy 4.13A.10. Industrial development. *The FLUM allocates land resources for existing and anticipated future industrial development needs. The allocation process gives high priority to industry's need for lands accessible to rail facilities, major arterials or interchanges, labor markets and the services of the Primary Urban Service District (Figure 4-2). Industrial development includes both Limited Impact and Extensive Impact Industries. Limited Impact Industries include research and development, light assembly, and manufacturing. Extensive Impact Industries include heavy assembly plants, manufacturing/processing plants, fabricators of metal products, steam/electricity co-generation plants and uses customarily associated with airports.*

Proposed Future Land Use (City):

Objective 1.A7. - Future Land Use Categories.

- E. Industrial:** *Land uses and activities predominantly connected with manufacturing, assembly, processing, packaging, research, or storage of products. Additional permitted uses in such areas include warehousing, wholesale activity, machine repair, and limited indoor retail sales and professional and other offices. Also, public facilities and electric distribution substations are allowed.*

Policy 1.A7.2. *Gross densities, gross intensities and proportional use amounts for each land use category are established in the "Table of Land Use Densities and Intensities" that is adopted as part of this element. In order to promote the efficient use of land and to provide an affordable housing stock (Policy 3.A2.6. Housing opportunities), the City's Land Development code shall provide adjustment, through the urban planned unit development process, to accommodate smaller residential units and allow smaller housing units to be calculated at 0.5 density per unit for units less than 900 sq. ft and 0.75 density per units for units less than 1,100 sq. ft.*

Table of Land Use Densities and Intensities
(City of Stuart Comprehensive Plan – Future Land Use Element)

FLU		Residential			Non-Residential			
			UPUD, RPUD, or Major UCE					
	In/Out CRA	General	Not ALF	ALF	% Residential	General	> 2.0 FAR	% Non-Residential
Industrial	In	None	N/A	N/A	0%	< 3.0 FAR	< 10-acres	100%
	Out	None	N/A	N/A	0%	< 1.0 FAR	N/A	100%

PUBLIC NOTIFICATION

On May 25, 2023, the applicant provided notification letters to eight (8) owners of property located within 300 feet of the proposed petitions. One (1) public notification sign detailing the Local Planning Agency (LPA) and City Commission Public Hearings was posted on the premises, and an advertisement was displayed in TC Palm Newspaper on Tuesday, May 30, 2023.

STAFF RECOMMENDATION

The staff has reviewed the proposed petition for Rezone to the Official Atlas and determined it conforms to the Standards of Review as outlined in Land Development Code Section 11.01.09 and is consistent with the Comprehensive Plan Goals, Objectives, and Policies. Staff recommends the Local Planning Agency (LPA) forward a recommendation for approval to the City Commission, via Ordinance No. 2519-2023.

Stuart

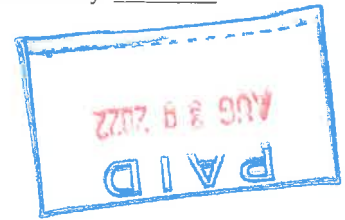
AUG 29 10:02

Received by: _____

City of Stuart
121 SW Flagler Ave.
Stuart, FL 34994
development@ci.stuart.fl.us
(772) 288-5326

Received by: _____

Reviewed by: _____



Rezone Real Property Application

(including Planned Unit Developments)

Project ID# 222080004
(Staff Entry)

Pre-App Conference Date: 5/26/2022	Application Date:
---------------------------------------	-------------------

SITE INFORMATION

Project Name: Benchmark III		Parcel ID#: 38-38-41-002-204-000002-8		
Site Address: SE Commerce Ave				
Subdivision: Plat of Port Sewall Land Company		Lot(s):		
Site Area/Acreage: 1.44		Flood Zone/Base Flood Elevation:		
Existing Zoning District / CRA Subdistrict: M-2				
Proposed Zoning District / CRA Subdistrict: IPUD (Industrial PUD)				
PUD Rezoning (Check the box below that applies):				
Rezoning to CPUD:		☐	Rezoning to UPUD:	☐
Rezoning to RPUD:		☐	Rezoning to UPUD <5 Bungalow Units:	☐
Rezoning to MXPUD:		☐	Rezoning to Public Service PSPUD:	☐
Rezoning to Industrial IPUD:		☒	Rezoning to Non-PUD District Rezoning:	☐
Current Comprehensive Plan Future Land Use Designation: Industrial				
Proposed Comprehensive Plan Future Land Use Designation (if applicable): n/a				
Existing Land Use: Vacant Industrial		Proposed Land Use: Industrial PUD		
Proposed Square Footage (if applicable): 21,923 square feet		Proposed Density (if applicable): n/a		

PETITIONER INFORMATION

Property Owner: Commerce Avenue LLC		Phone Number / Email Address:	
Property Owner's Mailing Address: 2696 SE Market Place, Stuart, FL 34997			
Applicant (if not Owner): Mike McCarty - McCarty & Associates Land Planning & Design LLC		Phone Number / Email Address: (772) 341-9322 / mike@mccartylandplanning.com	
Applicant's Mailing Address: 309 SE Osceola Ave, Suite 104, Stuart, FL 34994			
Agent/Contact Person: Same as applicant		Phone Number / Email Address: Same as applicant	
Agent's Mailing Address: Same as applicant			
Architect: Ahern & Associates, Architects, P.A.		Engineer: Mathers Engineering Corporation	
Planner: Same as applicant		Landscape Architect: Same as applicant	

City of Stuart Development Department, 121 SW Flagler Ave. Stuart, FL 34994 Phone: (772) 288-5326 Fax: (772) 288-5388

Statement of Ownership and Designation of Authorized Agent

(Please Print or Type)

Before me, the undersigned authority, personally appeared Gregory A Hale
Who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting approval of a Rezone in the City of Stuart, FL.
3. That he/she has appointed McCarthy & Associates to act as an authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Gregory A Hale
Signature of Owner: [Signature] By: Name/Title Member
294 SE Market Place STUART, FL 34997
Street Address City, State, Zip Code
P.O. Box City, State, Zip Code
772-320-0206 772-320-0209
Telephone Number Fax Number
G Hale@benchmark3.com
Email Address:

STATE OF FLORIDA, COUNTY OF Martin

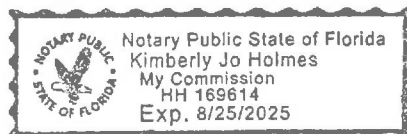
Sworn and subscribed before me by means of ☒ physical presence or ☐ online notarization, this

2 day of August, 2022 By Gregory A Hale

Personally Known OR Produced Identification
Type of Identification Produced:

Kimberly Jo Holmes
Notary Public

My Commission expires:



Financial Responsibility Form

(Please Print or Type)

The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name:	Gregory A HALE
Title:	Member
Company:	Commerce Ave. LLC
Company Address:	2696 SE Market Place

City/State/Zip Code:	STUART, FL 34997
Telephone Number:	772-320-0206
Facsimile Number:	772-320-0209
Email Address (optional):	G Hale@Benchmark3.com

I hereby certify that all information contained herein is true and correct.

1. Signed this 2 day of August, 2022

Gregory A Hale
Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

Application Requirements

Fees (check box): This does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees.

Rezoning to CPUD	\$3,638.00	☐	Rezoning to UPUD	\$3,638.00	☐
Rezoning to RPUD	\$3,638.00	☐	Rezoning to UPUD < 5 Bungalow Units	\$1,523.00	☐
Rezoning to MXPUD	\$3,638.00	☐	Rezoning to Public Service PSPUD	\$3,638.00	☐
Rezoning to Industrial IPUD	\$3,638.00	☒	Non-PUD District Rezoning	\$1,065.00	☐

Submittal Requirements: A completed application form, the payment of fees, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, and a site plan. (Note: A concept plan may, at the discretion of the applicant, be submitted instead of a site plan. However, in doing so the applicant acknowledges that a site plan will need to be submitted for City Commission approval prior to making application for a development permit.) The data requirements for a site plan and a concept plan are available at the Development Department.

Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application. The Local Planning Agency (LPA) is required to hold an advertised public hearing and formulate a recommendation to the City Commission. The City Commission is also required to hold an advertised public hearing after which it may approve, approve with conditions, or deny the application.

Written justification supporting the application and demonstrating how the application:

- Is consistent with the relevant components of the City of Stuart Comprehensive Plan including concurrency with adopted levels-of-service for utilities/facilities and compatibility with existing/planned uses and
- Complies with the relevant development standards of the City of Stuart Land Development Code *(include additional pages if needed)*.

Please see attached exhibit of Project Narrative/Justification

(over)



Recorded in Martin County, FL 7/2/2019 11:56 AM
Carolyn Timmann, Clerk of the Circuit Court & Comptroller
Rec Fees: \$27.00
CFN#2763110 BK 3068 PG 2976 PAGE 1 of 3

THIS INSTRUMENT PREPARED BY:
Conrad Damon, Esq.
Ward Damon, PL
4420 Beacon Circle
West Palm Beach, Florida 33407
(561) 842-3000
Our File No. 5021.03820

Tax Folio No.: 38-38-41-002-213-00002-1

THIS CORRECTIVE WARRANTY DEED IS BEING GIVEN TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION CONTAINED IN THAT CERTAIN WARRANTY DEED DATED MAY 3, 2019 FROM ASBURY 716 LLC TO COMMERCE AVENUE LLC, AS RECORDED IN OFFICIAL RECORD BOOK 3057, PAGE 2026 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, WHICH WARRANTY DEED CONTAINED AN INCORRECT LEGAL DESCRIPTION. THIS CORRECTIVE WARRANTY DEED NOW CONVEYS THE CORRECT PARCEL OF REAL PROPERTY FROM ASBURY 716 LLC TO COMMERCE AVENUE LLC AND IS BEING RECORDED CONTEMPORANEOUSLY WITH A CORRECTIVE WARRANTY DEED FROM COMMERCE AVENUE LLC TO ASBURY 716 LLC RE-CONVEYING BACK TO ASBURY 716 LLC THE PARCEL OF REAL PROPERTY WHICH WAS CONVEYED IN ERROR. AS A CORRECTIVE WARRANTY DEED, THIS CONVEYANCE IS EXEMPT FROM DOCUMENTARY STAMP TAX.

THIS INSTRUMENT HAS BEEN PREPARED WITHOUT THE BENEFIT OF TITLE REVIEW

CORRECTIVE WARRANTY DEED

THIS WARRANTY DEED made this 26 day of June, 2019, between **ASBURY 716 LLC**, a Florida limited liability company, whose post office address is 3322 SE Gran Park Way, Stuart, Florida 34997 ("**Grantor**"), and **COMMERCE AVENUE LLC**, a Florida limited liability company, whose post office address is 3322 SE Gran Park Way, Stuart, Florida 34997 ("**Grantee**").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH: That said Grantor for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's successors and assigns forever, the following described real property located in Martin County, Florida ("**Commerce Avenue Property**"):

See Exhibit "A" attached hereto.

SUBJECT to covenants, conditions, easements, restrictions and reservations of record, none of which are reimposed hereby.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND said Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land, and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

Justiah Tucker
Print Name: Justiah Tucker
CONRAD DANNON
Print Name: CONRAD DANNON

ASBURY 716 LLC, a Florida limited liability company

By: Gregory A. Hale
GREGORY A. HALE, Manager

Justiah Tucker
Print Name: Justiah Tucker
CONRAD DANNON
Print Name: CONRAD DANNON

By: Lisa C. Hale
LISA C. HALE, Manager

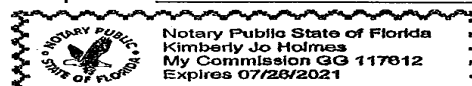
STATE OF FLORIDA
COUNTY OF Martin

The foregoing instrument was acknowledged before me this 28 day of June, 2019 by **GREGORY A. HALE and LISA C. HALE**, as the Managers of **ASBURY 716 LLC, a Florida limited liability company**, on behalf of the company, who are:

OR ☒ Personally known: _____
☐ Identification produced: _____

[NOTARY SEAL]

Notary: Kimberly Jo Holmes
Print Name: Kimberly Jo Holmes
Notary Public, State of Florida
My commission expires: _____



**EXHIBIT "A"****Commerce Avenue Property**

The Southerly 50 feet of Tract 204 lying East of S.E. Commerce Avenue and West of the Florida East Coast Railway; and a portion of Tracts 208 and 209, of revised plat of Port Sewall Land Company, according to the plat thereof, as recorded in Plat Book 3, page 7 of the public records of Palm Beach (now Martin) County, Florida; together with abandoned 50 foot road known as S.E. Market Place, abutting Tract 204 on the South and Tracts 208 and 209 on the North as described in Resolution 82-9.22 recorded in Official Records Book 554, page 1527.

Being more particularly described as follows:

Beginning at the intersection of the North line of Tract 209 and the Easterly right-of-way line of S.E. Commerce Avenue, said point being the point of beginning; thence N48°14'09"W along said right-of-way, a distance of 109.94 feet to the intersection with the North line of the Southerly 50 feet of Tract 204; thence N66°18'56"E along said North line, a distance of 345.71 feet to a point of intersection with the West right-of-way of the Florida East Coast Railway; thence S42°00'25"E, a distance of 171.33 feet along said West right-of-way; thence S57°01'32"W, a distance of 165.74 feet; thence S52°36'43"W, a distance of 138.44 feet to a point of intersection with the East right-of-way of S.E. Commerce Avenue; thence N48°14'09"W along said right-of-way, a distance of 134.34 feet to the point of beginning.

A Traffic Impact Analysis for:

Benchmark III

Located in:

Martin County, Florida

Prepared for:

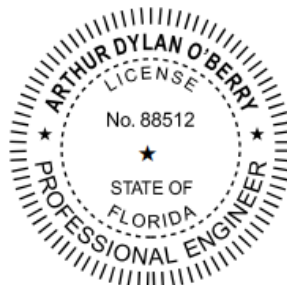
McCarty & Associates
Landscape and Design, LLC

Prepared by:



Revised March 2023

Dylan O'Berry, P.E.
PE Reg #88512
Date: 3/24/2023



Digitally signed by Dylan O'Berry,
P.E.
DN: C=US,
E=dylan@gep-llc.com,
O=Giangrande Engineering and
Planning, OU=Project Manager,
CN="Dylan O'Berry, P.E."
Location: Port St Lucie, FL
Reason: I am the author of this
document
Contact Info: (772) 203-0664
Date: 2023.03.24 14:46:44-04'00'

TABLE OF CONTENTS

Introduction.....	1
Trip Generation.....	2
Trip Distribution.....	2
Background & Build-out Conditions.....	3
Project Access.....	4
Concurrency Requirements.....	4
Turn Lane Evaluation.....	4
Intersection Analysis.....	5
Conclusion.....	5

LIST OF FIGURES

Figure 1 – Site Location.....	1
Figure 2 – Trip Distribution.....	3
Figure 3 – Driveway Turning Movements.....	5

LIST OF TABLES

Table 1 – Proposed Trip Generation.....	2
Table 2 – Build-out Calculation.....	4
Table 3 – Intersection Analysis.....	5

APPENDICES

ITE Trip Generation Reference Sheets
Martin County 2021 Roadway Level of Service Inventory Report
HCS7 Two-Way Stop Controlled Intersection Analysis Reports
Traffic Count Data Table
Revised Site Plan

TRIP GENERATION

The peak hour traffic generation for the site is available from the Institute of Transportation Engineers (ITE) Trip Generation Manual 11th Edition Web-Based App for General Light Industrial (ITE Code 110). Pass-by reduction percentages were not utilized for this type of land use. The calculation of the trip generation is summarized below in **Table 1**.

Table 1 – Proposed Trip Generation

Benchmark III - SE Commerce Avenue and SE Market Place Martin County, FL											
ITE Trip Generation Rates 11th Edition - Peak Hour of Adjacent Street - Fitted Curve											
Code	Land Use	Ind. Variable	AM			PM			Daily		
			In	Out	Total	In	Out	Total	In	Out	Total
110	Light Industrial	21.5 SF	16	2	18	2	11	13	65	66	131

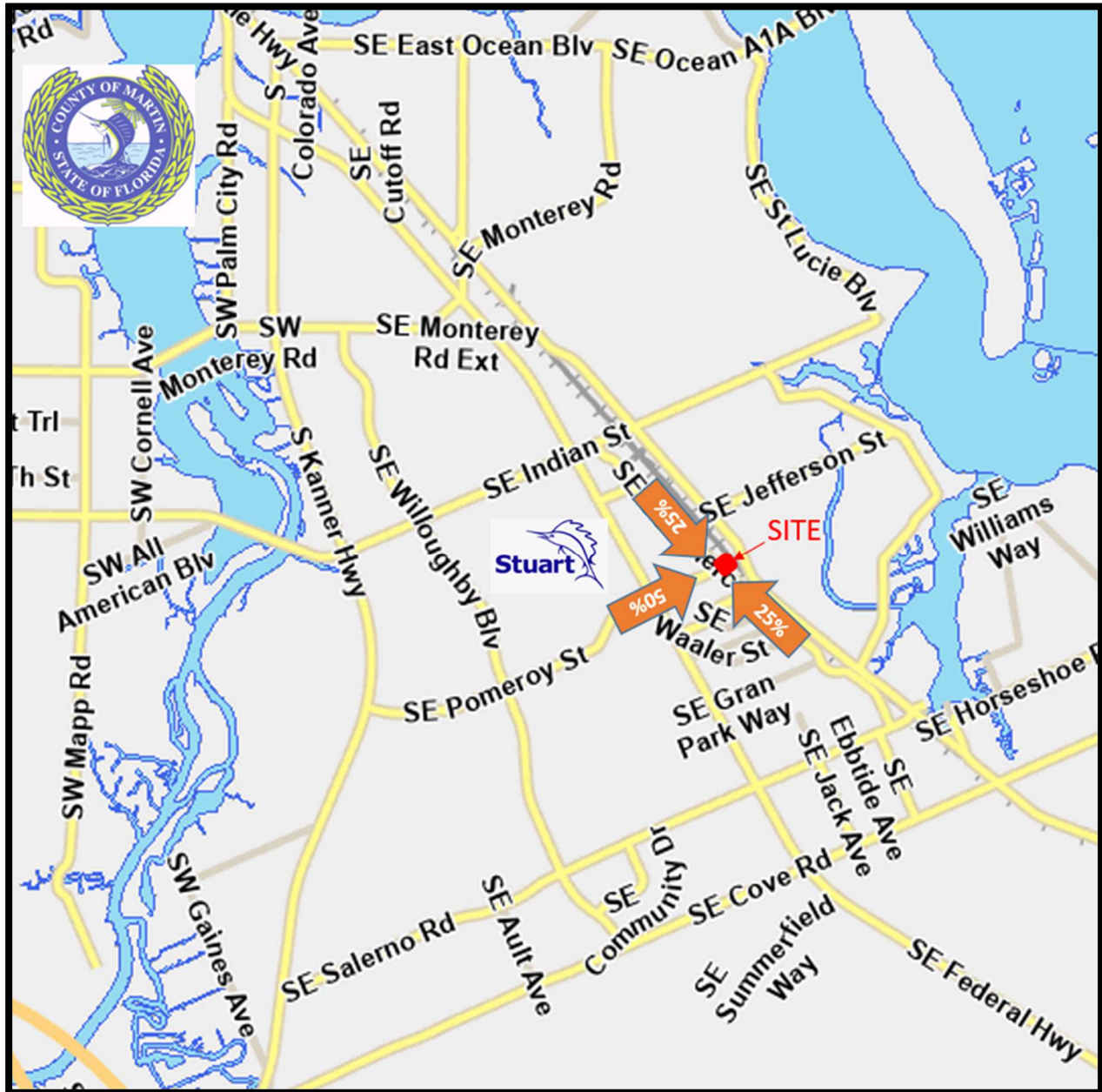
As determined in the calculation table provided above, the greatest peak hour peak direction impact is the AM Entering trips with a total of 16 trips. The equations and plot charts utilized were derived from the trip generation web-based app are provided in the appendix of this report for reference.

TRIP DISTRIBUTION

The distribution of trips generally assumes that 50% of the traffic generated will enter from the west via SE Market Place Drive. The remaining 50% will enter north / south via SE Commerce Avenue.

The development of the trip distributions from the site to the were based on the close proximity to major roadways such as Indian Street and Salerno Road. **Figure 2** (next page) is provided as a graphical representation of the trip distribution percentages to roadway links and intersections within the study area.

Figure 2 – Trip Distribution



BACKGROUND & BUILD-OUT CONDITIONS

Background conditions for the completion year, 2026, have been calculated using the annual growth percentages given in the Martin County Roadway Level of Service Inventory Report (2021) and shown in **Table 2** (next page). The applicable pages of the LOS Report can be found in the appendix.

Table 2 – Build-out Calculation

Segment Number	Road Name	From	To	Type	2021	2021 PH (dir)	Annual Growth
					AADT	Existing	
1	Commerce Ave (SB)	Market Place	Site	2-In	5,946	390	0.50%
2	Commerce Ave (SB)	Indian Street	Market Place	2-In	5,946	390	0.50%
3	Commerce Ave (NB)	Monroe Street	Site	2-In	5,946	390	0.70%
4	Market Place (EB)	SR-5	Commerce Ave	2-In	5,192	266	3.80%

2026 PH (dir)	Project	Project	2026 PH (dir)	Service	Project %	2%	Concurrency
Growth	Assign.	Trips	Build-out	Volume	of Service	Test	Test
404	75%	12	416	750	1.6%	15	OK
404	25%	4	408	750	0.5%	15	OK
404	25%	4	408	750	0.5%	15	OK
321	50%	8	329	750	1.1%	15	OK

CONCURRENCY REQUIREMENTS

Martin County traffic criteria set forth in Section 5.64.C.5 provides the basis for distribution up to a 2% impact which occurs for the site on the first directly accessed road SE Commerce Avenue. Included in the ordinance are specific requirements for determining the extent of the study area and the links impacted by the development. Project trips have been added to the 2021 growth trips to determine build-out trips. **Table 2** (above) is provided to show that concurrency has been satisfied as the road segments will be below capacity in the 2026 build-out year.

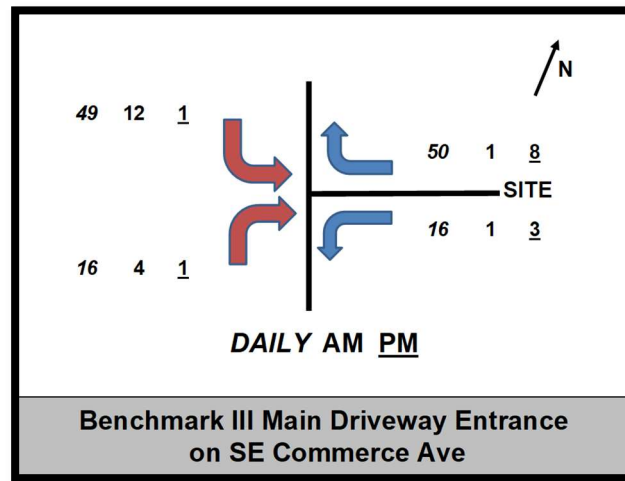
PROJECT ACCESS

The site is located 100-feet south of the intersection of SE Market Place. The site proposes to have one driveway directly across from an existing driveway. It will provide full access to Commerce Avenue. Since the value of distributed trips are found to be insignificant, they are not expected to impact any traffic operations. Sufficient driveway queue length (80 feet/4 cars) will be provided on site, see the attached revised **Site Plan**. Turning movements from the site driveway provided in the **Figure 3** (next page) represent peak hour traffic volumes at the site driveway.

TURN LANE EVALUATION

An evaluation to determine the need for a dedicated left/right turn lanes for the main entrance was performed. Referencing the latest 2019 FDOT Access Management Guidebook the site matches a category that will generate less than 200 daily trips and less than 20 trips per hour, which based on the surrounding context of SE Commerce Avenue, dedicated turn lanes at the site entrance are not found to be necessary for this project. The current level of service is not anticipated to be impacted and the adjacent road will not benefit from the inclusion of auxiliary lanes.

Figure 3 – Driveway Turning Movements



INTERSECTION ANALYSIS

The intersection of SE Market Place and SE Commerce Avenue was analyzed utilizing present-day peak hour turning movement traffic counts and the project trips to determine the impact upon the intersection level of service. The following **Table 3** (below) provides the results for the computation which are found to be a negligible 0.4 sec/veh difference in Control Delay and a continued acceptable Level of Service. The complete HCS7 output reports are provided in the appendix for reference.

Table 3 – Intersection Analysis

Benchmark III - SE Commerce Avenue and SE Market Place Martin County, FL				
Intersection Level of Service and Delay Analysis				
	Existing Traffic		Post Development	
	Market Place	Commerce Ave	Market Place	Commerce Ave
95% Queue Length (veh)	1.2	0.5	1.2	0.5
Control Delay (sec/veh)	24.7	8.6	25.1	8.7
Level of Service (LOS)	C	A	D	A
Approach Delay (sec/veh)	15.7	3.2	15.8	3.2
Approach LOS	C	A	C	A

CONCLUSION

Based on this traffic analysis, concurrency is requested since the proposed development is not expected to have adverse impacts to the surrounding roadway network based on build-out conditions. The projected volumes generated by the anticipated uses indicate that the adjacent roadway links will operate at an acceptable Level of Service with no need for mitigation improvements. The existing roadway network is capable of accommodating the additional new vehicle trips the development is predicted to generate.

APPENDIX

Graph Look Up

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

110



LAND USE GROUP:

(100-199) Industrial

LAND USE:

110 - General Light Industrial

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday

TRIP TYPE:

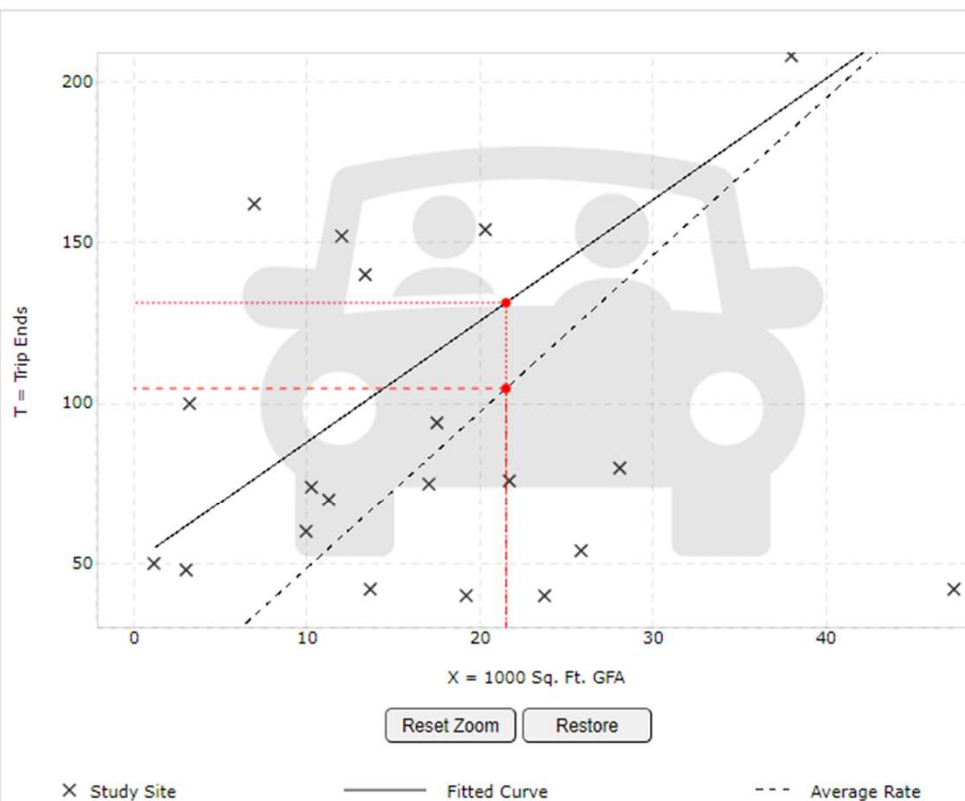
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

21.5

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

General Light Industrial (110) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

37

Avg. 1000 Sq. Ft. GFA:

45

Average Rate:

4.87

Range of Rates:

0.34 - 43.86

Standard Deviation:

4.08

Fitted Curve Equation:

$T = 3.76(X) + 50.47$

R^2 :

0.61

Directional Distribution:

50% entering, 50% exiting

Calculated Trip Ends:

Average Rate: 105 (Total), 52 (Entry), 53 (Exit)

Fitted Curve: 131 (Total), 66 (Entry), 65 (Exit)

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

110



LAND USE GROUP:

(100-199) Industrial

LAND USE:

110 - General Light Industrial

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

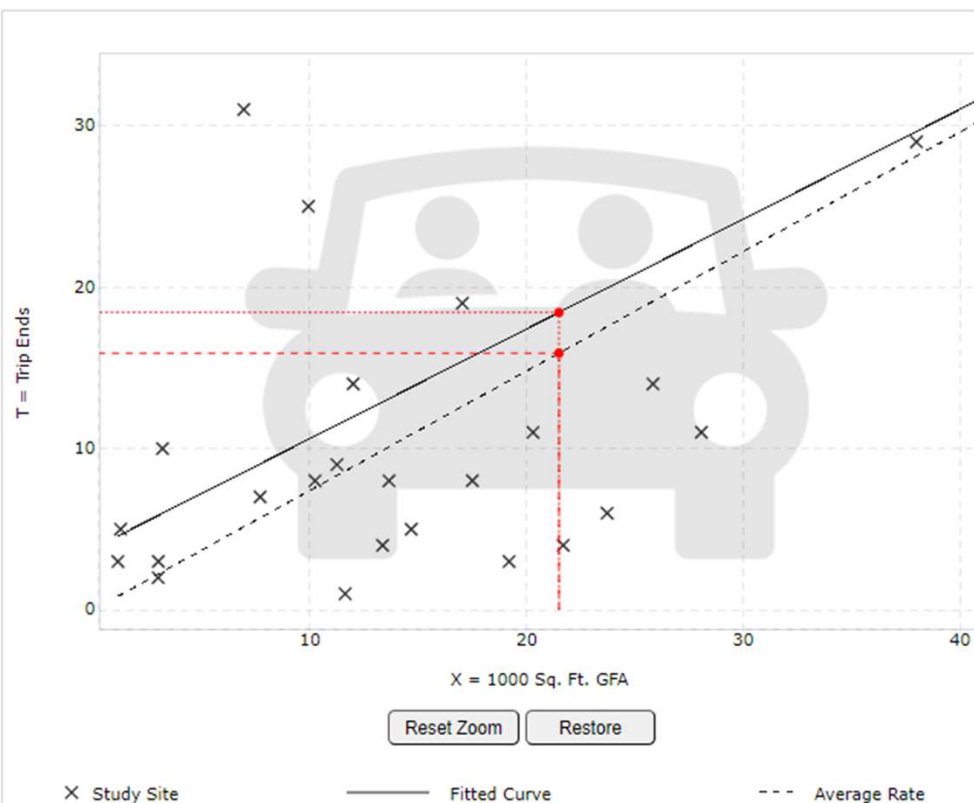
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

21.5

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

General Light Industrial (110) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic
One Hour Between 7 and 9 a.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

41

Avg. 1000 Sq. Ft. GFA:

65

Average Rate:

0.74

Range of Rates:

0.02 - 4.46

Standard Deviation:

0.61

Fitted Curve Equation:

 $T = 0.68(X) + 3.81$ R^2 :

0.66

Directional Distribution:

88% entering, 12% exiting

Calculated Trip Ends:

Average Rate: 16 (Total), 14 (Entry), 2 (Exit)

Fitted Curve: 18 (Total), 16 (Entry), 2 (Exit)

Graph Look Up

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

110



LAND USE GROUP:

(100-199) Industrial

LAND USE:

110 - General Light Industrial

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

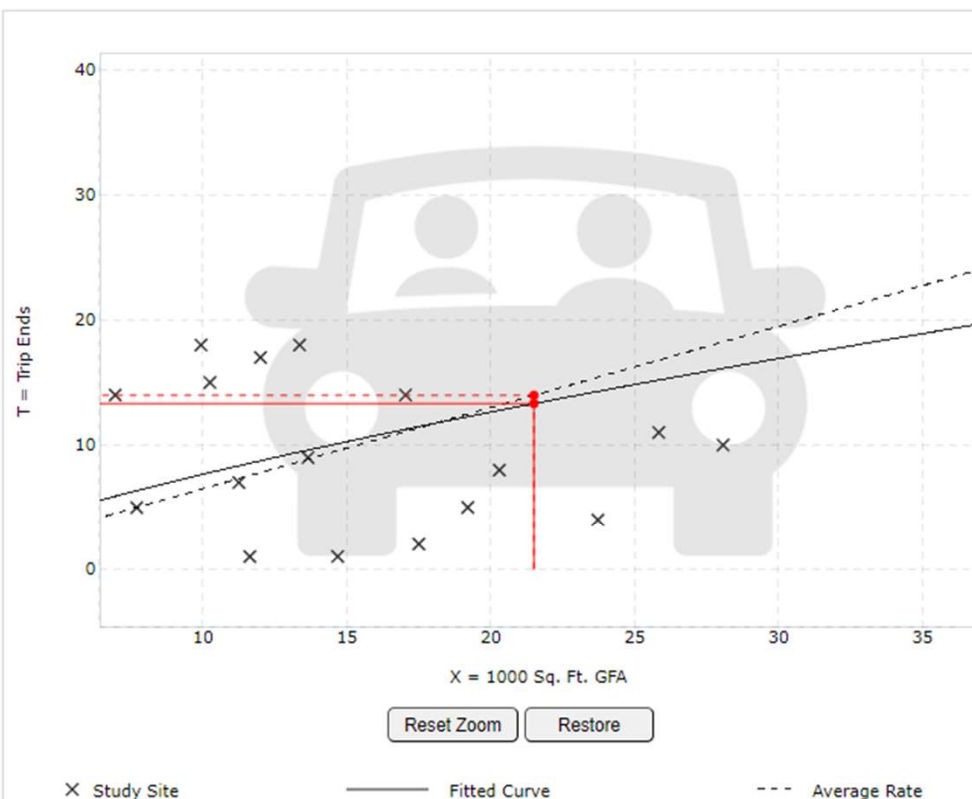
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

21.5

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

General Light Industrial (110) [Click for Description and Data Plots](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic
One Hour Between 4 and 6 p.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

40

Avg. 1000 Sq. Ft. GFA:

58

Average Rate:

0.65

Range of Rates:

0.07 - 7.02

Standard Deviation:

0.56

Fitted Curve Equation:

 $\ln(T) = 0.72 \ln(X) + 0.38$ R^2 :

0.55

Directional Distribution:

14% entering, 86% exiting

Calculated Trip Ends:

Average Rate: 14 (Total), 2 (Entry), 12 (Exit)

Fitted Curve: 13 (Total), 2 (Entry), 11 (Exit)

Martin County 2021 Roadway Level of Service Inventory Report

Road Name	From	To	Type	Generalized Service Capacity	2021 Average Annual Daily Traffic	2021 Peak Hour Directional Volume	2021 Generalized LOS	Avg. Annual Growth Rate
Baker Rd	SR-5	CR-723	Class II: 2-Ln Undivided	750	4,838	233	C	0.9%
Berry Ave	Golden Bear Wy	CR-714	Class II: 2-Ln Undivided	750	3,506	182	C	0.6%
Berry Ave	CR-714	Sunset Tr	Class II: 2-Ln Undivided	750	1,832	97	C	0.5%
Britt Rd	Pine Lake Dr	SR-5	Class II: 2-Ln Undivided	750	4,356	210	C	0.5%
Citrus Blvd.	CR-714 (Martin Hwy)	Port St. Lucie Blvd.	Transitional 2-Ln Uninter /Undivided Flow	1160	6,214	510	A/B	6.6%
Commerce Ave	Salerno Rd	Monroe St	Class II: 2-Ln Undivided	750	7,672	643	D	5.0%
Commerce Ave	Monroe St	Indian St	Class II: 2-Ln Undivided	750	5,946	390	D	0.5%
Country Club Dr	Palm Beach County	Island Way	Class II: 2-Ln Undivided	750	2,986	135	C	1.4%
Country Club Dr	Island Way	Little Club Dr	Class II: 2-Ln Undivided	750	3,772	177	C	2.9%
County Line Rd	Little Club Dr	SR-5	Class II: 2-Ln Undivided	750	2,750	127	C	1.4%
Cove Rd	SR-76	Willoughby Blvd	Class I: 2-Ln Undivided	880	13,725	883	F	0.7%
Cove Rd	Willoughby Blvd	SR-5	Class I: 2-Ln Undivided	880	15,299	694	C	0.5%
Cove Rd	CR-A1A	End	2-Ln Undivided Non-State	675	5,259	239	C	0.8%
CR-609 (Allapattah Rd)	SR-710	CR-714	Uninterrupted Rural Hwy: 2-Ln Undivided	730	1,970	105	A/B	2.7%
CR-609 (Allapattah Rd)	CR-714	St Lucie County	Uninterrupted Rural Hwy: 2-Ln Undivided	730	1,868	114	A/B	1.4%
CR-707 (Beach Rd)	Palm Beach County	CR-708	2-Ln Undivided Non-State	675	1,801	123	C	2.6%
CR-707 (Indian River Dr)	CR-707 (Dixie Hwy)	CR-707A (Jensen Beach Blvd.)	2-Ln Undivided Non-State	675	10,965	666	D	0.5%
CR-707 (Indian River Dr)	SR-732	St. Lucie County	2-Ln Undivided Non-State	675	5,987	272	C	5.3%
CR-707A (Jensen Beach Blvd)	CR-723	Skyline Dr	Class II: 4-Ln Divided	1630	21,151	909	D	1.9%
CR-707A (Jensen Beach Blvd)	Skyline Dr	Pineapple Way	Class II: 4-Ln Divided	1630	19,355	849	D	0.5%
CR-707A (Jensen Beach Blvd)	Pineapple Wy	CR-707	2-Ln Undivided Non-State	675	8,923	375	D	0.5%

Segments with shaded LOS require additional analysis.
The peaks are: Cove Rd (AM/EB) and Murphy Rd (PM/NB).

Martin County 2021 Roadway Level of Service Inventory Report

Road Name	From	To	Type	Generalized Service Capacity	2021 Average Annual Daily Traffic	2021 Peak Hour Directional Volume	2021 Generalized LOS	Avg. Annual Growth Rate
Indian St	SR-76	Willoughby Blvd	Class I: 4-Ln Divided	2000	30,495	1,644	C	2.7%
Indian St	Willoughby Blvd	SR-5	Class I: 4-Ln Divided	2000	28,241	1,400	C	1.3%
Indian St	SR-5	Commerce Ave	Class I: 4-Ln Divided	2000	24,880	1,258	C	0.5%
Indian St	Commerce Ave	CR-A1A	Class I: 4-Ln Divided	2000	23,644	1,070	C	0.5%
Indian River Dr	Palmer St	CR-707	Class II: 2-Ln Undivided	750	7,526	414	D	0.7%
Island Way	Palm Beach County	Jupiter Road	Transitional 2-Ln Uninter /Undivided Flow	1160	4,756	267	A/B	3.1%
Island Way	Jupiter Road	Country Club Dr	Class II: 2-Ln Undivided	750	5,389	252	C	8.0%
Jack James Rd	SR-76	Blue Water Wy	Class II: 2-Ln Undivided	750	4,095	245	C	3.7%
Lares St	CR-708	CR-A1A	2-Ln Undivided Non-State	675	2,598	147	C	0.5%
Little Club Wy	Country Club Dr	Wooden Bridge Wy	2-Ln Undivided Non-State	675	2,397	109	C	0.5%
Locks Rd	Canal St	SR-76	2-Ln Undivided Non-State	675	3,706	155	C	1.0%
MacArthur Blvd	Sailfish Point	SR-A1A	2-Ln Undivided Non-State	675	5,635	313	C	5.3%
Mapp Rd	South End	CR-714	Class II: 2-Ln Undivided	750	5,051	231	C	0.5%
Mapp Rd	SR-714	Matheson Ave	Class II: 2-Ln Undivided	750	4,531	231	C	0.5%
Mapp Rd	Matheson Ave	North End	Class II: 2-Ln Undivided	750	7,412	344	C	0.5%
Market Pl	SR-5	Commerce Ave	Class II: 2-Ln Undivided	750	5,192	266	C	3.8%
Matheson Ave	SR-714	Mapp Rd	Class II: 2-Ln Undivided	750	6,177	337	C	0.6%
Monroe St	SR-5	Commerce Ave	Class II: 2-Ln Undivided	750	2,338	128	C	6.8%
Murphy Rd	Mapp Rd	High Meadow Ave	Class II: 2-Ln Undivided	750	5,103	304	C	2.3%
Murphy Rd	High Meadow Ave	St Lucie County	Class II: 2-Ln Undivided	750	8,442	797	E	1.7%
Ocean Blvd	Flagler Ave	Palm Beach Rd	Class II: 2-Ln Divided	790	9,014	514	D	0.5%

Segments with shaded LOS require additional analysis.
The peaks are: Cove Rd (AM/EB) and Murphy Rd (PM/NB).

HCS7 Two-Way Stop-Control Report

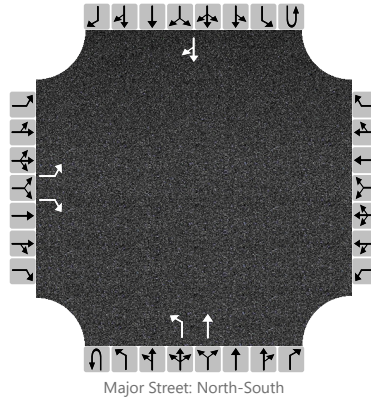
General Information

Analyst	Dylan O'Berry, P.E.
Agency/Co.	Giangrande Engineering
Date Performed	3/22/2023
Analysis Year	2023
Time Analyzed	AM Peak Hour (PRE)
Intersection Orientation	North-South
Project Description	Benchmark III Industrial Project

Site Information

Intersection	Market Place/Commerce Ave
Jurisdiction	Martin County
East/West Street	SE Market Place
North/South Street	SE Commerce Avenue
Peak Hour Factor	0.92
Analysis Time Period (hrs)	1.00

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	1	0	0	0	1	0
Configuration		L		R						L	T					TR
Volume, V (veh/h)		66		155						147	244				267	102
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)	0															
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

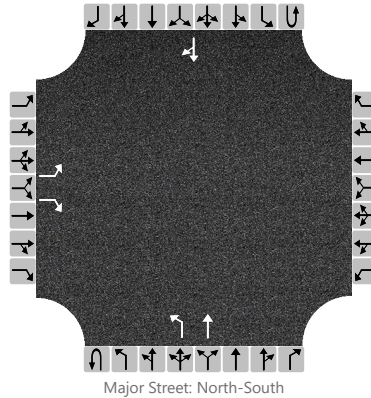
Flow Rate, v (veh/h)		72		168						160						
Capacity, c (veh/h)		254		694						1151						
v/c Ratio		0.28		0.24						0.14						
95% Queue Length, Q ₉₅ (veh)		1.2		1.0						0.5						
Control Delay (s/veh)		24.7		11.8						8.6						
Level of Service, LOS		C		B						A						
Approach Delay (s/veh)	15.7								3.2							
Approach LOS	C															

HCS7 Two-Way Stop-Control Report

General Information

Analyst	Dylan O'Berry, P.E.	Intersection	Market Place/Commerce Ave
Agency/Co.	Giangrande Engineering	Jurisdiction	Martin County
Date Performed	3/22/2023	East/West Street	SE Market Place
Analysis Year	2023	North/South Street	SE Commerce Avenue
Time Analyzed	AM Peak Hour (POST)	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	1.00
Project Description	Benchmark III Industrial Project		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	1	0	0	0	1	0
Configuration		L		R						L	T					TR
Volume, V (veh/h)		66		163						147	248				271	102
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)	0															
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		72		177						160						
Capacity, c (veh/h)		251		691						1146						
v/c Ratio		0.29		0.26						0.14						
95% Queue Length, Q ₉₅ (veh)		1.2		1.0						0.5						
Control Delay (s/veh)		25.1		12.0						8.7						
Level of Service, LOS		D		B						A						
Approach Delay (s/veh)	15.8								3.2							
Approach LOS	C															

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
SUMMARY OF VEHICLE MOVEMENTS

FORM 750-020-02
 TRAFFIC ENGINEERING
 07/99

LOCATION: **SE MARKET PLACE AND SE COMMERCE AVENUE**

COUNTY: **MARTIN**

CITY: **STUART**

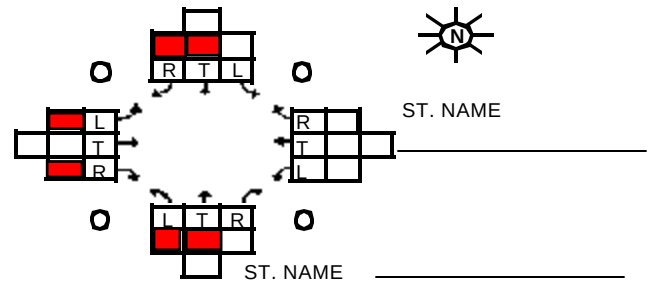
OBSERVER: **DANIEL**

DATE: **3/21/2023 AM PEAK HOUR**

WEATHER: **SUNNY**

ROAD CONDITION:

REMARKS:



VEHICLE MOVEMENTS

TIME	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND		
BEGIN	L	T	R	L	T	R	L	T	R	L	T	R
8:00	43	61	0	0	70	22	16	0	41	0	0	0
8:15	39	67	0	0	60	27	13	0	41	0	0	0
8:30	34	71	0	0	77	24	24	0	42	0	0	0
8:45	31	45	0	0	60	29	13	0	31	0	0	0
TOTAL	147	244	0	0	267	102	66	0	155	0	0	0
TOTAL												
TOTAL												
TOTAL												



Location Map



Legal Description

A PORTION OF TRACTS 204, 208 & 209 PLAT OF PORT SEWALL LAND COMPANY ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 PAGE 7 PUBLIC RECORDS MARTIN COUNTY FLORIDA TOGETHER WITH ABANDONED ROAD ALL MORE PARTICULARLY DESCRIBED IN OR 2957/2233

LEGAL DESCRIPTION FROM PROPERTY APPRAISER

Site Data

PCN	38-38-41-002-204-00002-8		
ZONING	M-2		
FUTURE LAND USE	INDUSTRIAL		
EXISTING LAND USE	VACANT INDUSTRIAL		
PROPOSED USE	INDUSTRIAL		
TOTAL SITE AREA	SF	AC	%
	63,368	1.45	100.00%
IMPERVIOUS AREA	41,868	0.961	66.07%
BUILDING	21,446	0.49	33.8%
VEHICULAR USE AREA	17,133	0.39	27.0%
CONCRETE, WALKS, RAMPS, ETC...	3,289	0.08	5.2%
PERVIOUS AREA	21,500	0.494	33.93%
LANDSCAPE BUFFERS / OPEN SPACE	21,500	0.494	33.9%
PARKING	REQ.	PROVIDED	
(1/ 1000 SF FLOOR AREA)	21	23	
ADA ACCESSIBLE SPACES	1	2	

General Notes

1. All signs shall meet City of Stuart Land Development Regulations.
2. All Invasive exotic vegetation to be removed prior to the issuance of a Certificate of Occupancy.
3. There is to be an irrigation system installed to ensure continued growth of all planting areas.
Source of irrigation water to be potable water.
4. The applicant will notify the City for a field inspection by staff to determine if barricades have been properly placed prior to any land clearing.
5. Barricades must be constructed in the following manner:
Rope: 1/4" diameter min, nylon or poly, yellow or orange
Rope must be a minimum of four (4) feet off the ground.
Rope may not be attached to vegetation
Surveyor ribbon is not acceptable
Poles: 2x2 or 2x4, iron rebar, PVC pipe or other materials with prior approval of Environmental Planner.
Lathe strips are not acceptable.
Silt Fence: shall be installed along all perimeters of development area, maintained during construction.
6. All Barricades must be maintained intact for the duration of construction.
7. Storage of construction materials in preserve areas is not permitted.
8. Fill is not allowed to encroach into preserve areas.
9. Barricades must be offset at least ten (10) feet outside the preserve area or placed at the dripline of the canopy trees in any area for which clearing is proposed.
10. Individual trees or groups of vegetation that are to be saved for landscape credit requirements are to be barricaded according to the guidelines.
11. Advisory or warning signs must be provided.
12. Preserve areas are not to be altered without written permission of the City.
13. During constructions activities, existing native vegetation shall be retained to act as buffers between adjacent land uses, and to minimize nuisance dust and noise. Barricades shall be used on site to preserve the vegetation to be retained for this purpose.
14. Any proposed lighting will be directed away from any residential units or adjacent roadways.
15. No clearing, including the installation of erosion control devices, is authorized until the Permit for the Installation of Erosion Control Devices and Preserve Area Barricade has been issued.

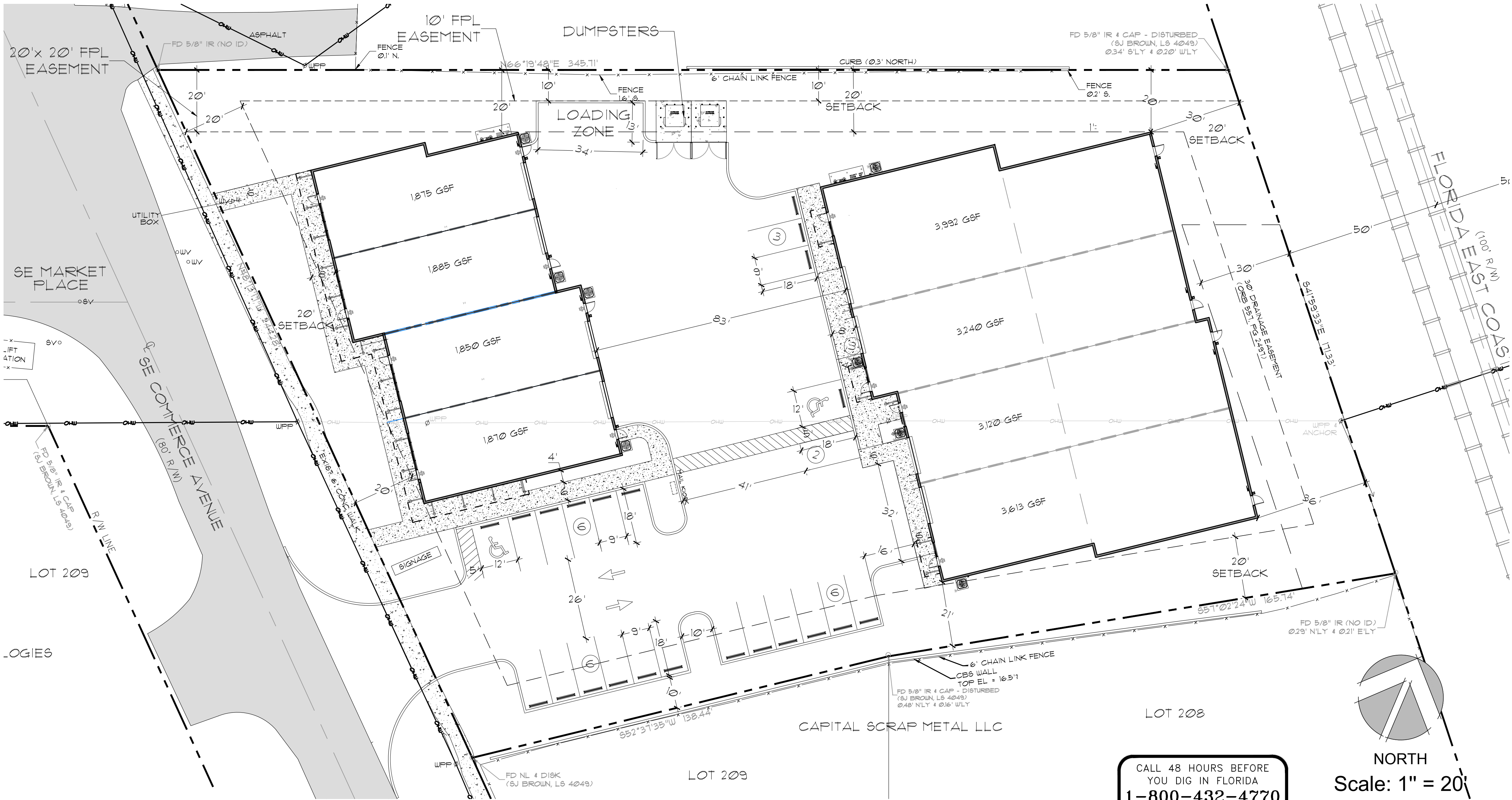
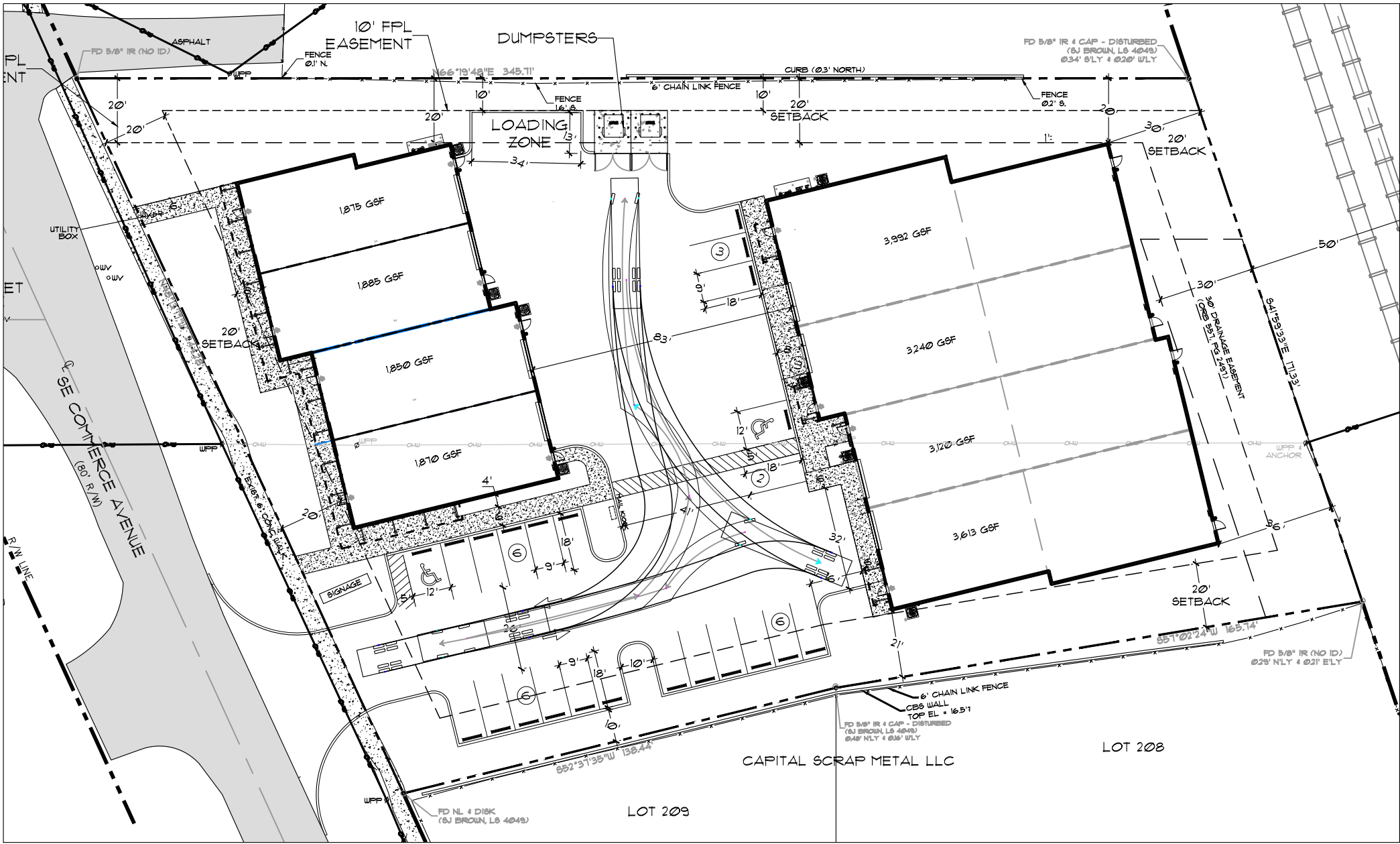
16. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained.
17. All construction barricades and silt fences will remain in place and be monitored for compliance by the permit holder during the permitted development activities.
18. Soil stabilization shall be completed within thirty (30) days of vegetation removal.
19. Proposed timetable for construction: "all building permits shall be obtained and all construction completed within time frame consistent with Martin County ordinances."
20. Contractor shall verify all existing conditions and layout dimensions in the field. report all discrepancies immediately to the landscape architect for decision before construction.
21. Refer to the architectural drawings for all building dimensions.
22. Contractor shall verify all existing grades in the field and report any discrepancies immediately to the landscape architect for decision.
23. New earthwork shall blend smoothly into existing grade.
24. All paved areas must pitch to drain at min. of 1/8" per foot, any discrepancies not allowing this to occur shall be reported to the landscape architect prior to continuing work.
25. Contractor shall provide irrigation to, and drainage from all planters.
26. Remove all road base, shellrock, marl, coral rock, and rubble 30" min. below finish grade from all new planting areas and tree pits. backfill with suitable soil as approved by landscape architect. maintain existing grade at existing trees.

Drainage Notes

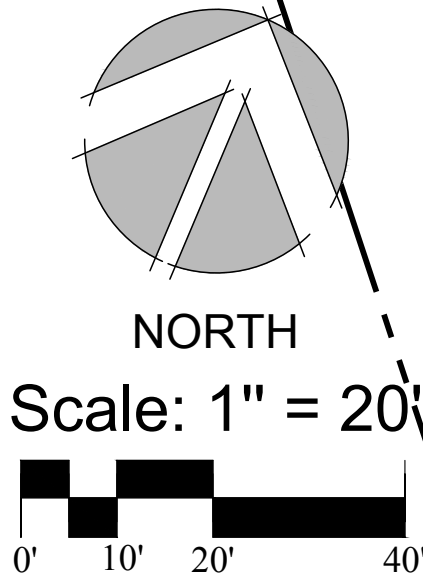
1. Match all existing grades along property lines.
2. Contractor shall be responsible for providing positive site drainage away from all structures including but not limited to planters, courtyard planting areas, hardscape surfaces and architectural elements.
3. Contractor shall provide drainage from all planters.

Auto Turn Exhibit - 42' Garbage Truck

Scale: 1"=40'



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YOU DIG IN FLORIDA
1-800-432-4770
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SUNSHINE STATE ONE CALL
OF FLORIDA, INC.



McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Benchmark III

SE Commerce Avenue
Martin County, Florida

Site Plan



Drawn By _____ DMS
Checked By _____ MM
Scale _____ 1"=20'
Drawing Date _____ 7/16/2021
7/20/2021 8/24/2021 12/7/2021
3/23/2022 revised buildings & sp
4/25/2022 revised buildings & sp
6/17/2022 revised sp
8/1/2022 revised sp, new arch

S-1

Location Map



Legal Description

A PORTION OF TRACTS 204, 208 & 209 PLAT OF PORT SEWALL LAND COMPANY ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 PAGE 7 PUBLIC RECORDS MARTIN COUNTY FLORIDA TOGETHER WITH ABANDONED ROAD ALL MORE PARTICULARLY DESCRIBED IN OR 2957/2233

LEGAL DESCRIPTION FROM PROPERTY APPRAISER

Site Data

PCN	38-38-41-002-204-00002-8		
ZONING	M-2		
FUTURE LAND USE	INDUSTRIAL		
EXISTING LAND USE	VACANT INDUSTRIAL		
PROPOSED USE	INDUSTRIAL		
PROVIDED FRONT LINE FAÇADE %	58%		
PROVIDED FRONT SETBACK	20'		

	SF	AC	%
TOTAL SITE AREA	63,368	1,4547	100.00%
IMPERVIOUS AREA	41,031	0.942	64.75%
TOTAL BUILDINGS	21,445	0.49	33.8%
BUILDING 1	7,480	0.17	11.8%
BUILDING 2	13,965	0.32	22.0%
VEHICULAR USE AREA	16,226	0.37	25.6%
CONCRETE, WALKS, RAMPS, ETC...	3,360	0.08	5.3%
PERVIOUS AREA	22,337	0.513	35.25%
LANDSCAPE BUFFERS / OPEN SPACE	22,337	0.513	35.2%
PARKING	REQ.	PROVIDED	
(1/ 1000 SF FLOOR AREA)	21	21	
ADA ACCESSIBLE SPACES	1	2	
BIKE PARKING	REQ.	PROVIDED	
	4	4	
FAR	REQ.	PROVIDED	
FAR = (21,455 / 63,368 = .33)		0.33	

Landscape Data

NORTH PROPERTY LINE	REQ.	PROV.	345 LF
1 TREE / 30 LF & HEDGE	12	12 PLANTED TREES	
SOUTH PROPERTY LINE	REQ.	PROV.	302 LF
1 TREE / 30 LF & HEDGE	10	10 PLANTED TREES	
WEST PROPERTY LINE	REQ.	PROV.	220 LF
1 TREE / 30 LF & HEDGE	7	7 PLANTED TREES	
LANDSCAPING	REQ.	PROV.	
LANDSCAPE AREA	20%	33.9%	
TREES (1 TREE / 2,500 SF OF DEVELOPMENT SITE)	25	36	
PLANT MATERIAL DATA	REQ.	PROV.	
NATIVE TREES	50%	100%	
NATIVE SHRUBS	50%	99%	

Xeriscape Table

(A total of 50 pts. are required)

1. UTILIZATION OF MOISTURE SENSING CONTROLLER OTHER THAN RAIN SWITCH.	5 pts.
2. PLAN SUBMITTED WITH LOW, MODERATE, AND HIGH WATER USAGE ZONES INDICATED ON THE LANDSCAPE PLAN.	5 pts.
3. 51% OR MORE OF THE GRASS AREAS ARE MADE UP OF A DROUGHT TOLERANT SPECIES FROM THE LIST.	10 pts.
4. 51% OR MORE OF THE REQUIRED SHRUBS ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST.	10 pts.
5. 51% OR MORE OF THE REQUIRED TREES ARE MADE UP OF DROUGHT TOLERANT SPECIES FROM THE LIST.	10 pts.
8. UTILIZATION OF COMPACTED MULCH BEDS AT LEAST THREE INCHES DEEP IN ALL PLANTED AREAS EXCEPT GROUND COVER.	10 pts.
TOTAL PROVIDED POINTS	50 pts.

Landscape Notes

1. PLANT AND LANDSCAPE MATERIALS SHALL CONFORM TO THE STANDARDS FOR FLORIDA NO. 1, AS GIVEN IN THE GRADES AND STANDARDS FOR NURSERY PLANTS, PARTS I & II, AS PREPARED BY THE FLORIDA DEPT. OF AGRICULTURE AND CONSUMER SERVICES.
2. A 3" THICK LAYER OF ORGANIC NON-CYPRESS MULCH SHALL BE APPLIED TO ALL LANDSCAPE AND PLANTING AREAS.
3. ALL EXOTIC VEGETATION TO BE REMOVED FROM DEVELOPMENT AREA.
4. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED THAT IS CAPABLE OF PROVIDING 100% COVERAGE TO ALL LANDSCAPE AND PLANTING AREAS AND HAVE AN AUTOMATIC MOISTURE SENSOR.
5. IRRIGATION SOURCE TO BE POTABLE WATER. IRRIGATION PLANS SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMIT.
6. EXISTING TREES THAT ARE TO REMAIN SHALL BE BARRICADED ACCORDING TO CITY OF STUART ORDINANCES.
7. THIS PLAN HAS BEEN DESIGNED TO MEET WITH THE TREE PLANTING REQUIREMENTS CONTAINED WITHIN THE FPL DOCUMENT ENTITLED "PLANT THE RIGHT TREE IN THE RIGHT PLACE."
8. FOR EXISTING OR PROPOSED UTILITIES, NO TREE SHALL BE PLANTED WHERE IT COULD, AT MATURE HEIGHT, CONFLICT WITH OVERHEAD POWER LINES. LARGE TREES (HEIGHT AT MATURITY OF MORE THAN THIRTY (30) FEET) SHALL BE PLANTED NO CLOSER THAN A HORIZONTAL DISTANCE OF THIRTY (30) FEET FROM THE NEAREST OVERHEAD POWER LINE. MEDIUM HEIGHT TREE (HEIGHT AT MATURITY BETWEEN TWENTY (20) AND THIRTY (30) FEET) SHALL BE OFFSET AT LEAST TWENTY (20) FEET AND SMALL TREES (HEIGHT AT MATURITY OF LESS THAN (20) FEET) REQUIRE NO OFFSET.
9. NO TREE, SHRUBS, HEDGES OR VINES SHALL BE PLANTED WITHIN FIVE (5) FEET OF ANY EXISTING OR PROPOSED UTILITY POLE, GUY WIRE OR PAD MOUNTED TRANSFORMER. PALMS SHOULD BE PLANTED AT A DISTANCE EQUAL TO OR GREATER THAN THE AVERAGE FRONT LENGTH PLUS TWO (2) FEET FROM POWER LINES.

Plant List

Key	Qty	Scientific Name	Common Name	Size	Spacing
TREES & PALMS					
BS*^	18	Bursera simaruba	Gumbo Limbo	12'x 6', 2.5" DBH min.	AS
CE*^	11	Conocarpus erectus	Green Buttonwood	12'x 6', 2.5" DBH min.	AS
CS*^	5	Cordia sebestena	Orange Geiger Tree	12'x 6', 2.5" DBH min.	AS
DE^	10	Dioon edule	Mexican Fern Palm	3' OA	AS
SP*^	9	Sabal palmetto	Sabal Palm	10', 12', 16' CT, staggered heights	AS
TM*^	3	Thrinax morrisii	Key Thatch Palm	4' OA, multi trunk, full	AS
ACCENTS, SHRUBS & GROUNDCOVERS					
CI*^	318	Chrysobalanus icaco	Native Green Cocoplum	24"x 18", full	24" OC
CIH*^	222	Chrysobalanus icaco 'Horizontal'	Native Horizontal Cocoplum	3g, 16"x 16"	24" OC
EL*^	414	Ernodea littoralis	Golden Beach Creeper	3g, 12"x 18"	24" OC
TF*^	208	Tripsacum floridana	Dwarf Fakahatchee Grass	3g, 30"x 24"	30" OC
ZP*^	38	Zamia pumila	Coontie	7g min. 24" min.	36" OC

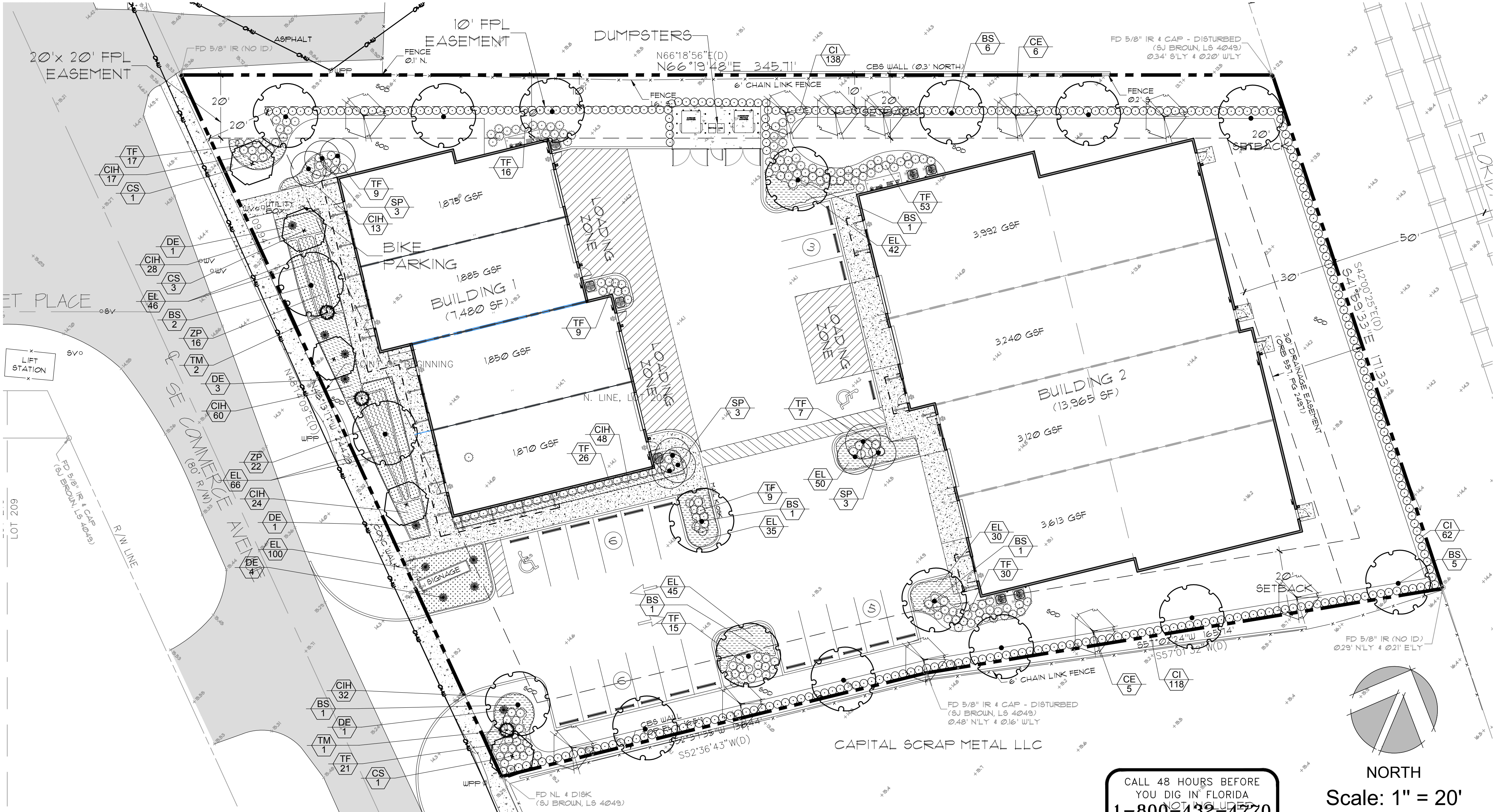
*DENOTES FLORIDA NATIVE PLANT MATERIAL

*DENOTES MODERATELY DROUGHT TOLERANT SPECIES

ALL PLANT MATERIAL SHALL BE MINIMUM FLORIDA #1 GRADE PER THE FLORIDA GRADES & STADARDS FOR NURSERY PLANTS 2015 EDITION

Misc.

SOD - Paspalum notatum - Bahia Sod - solid sod, laid tight



McCARTY & ASSOCIATES

LAND PLANNING
AND DESIGN

STUART • FT. PIERCE

772.341.9322
www.McCartyLandPlanning.com
Mike@McCartyLandPlanning.com

Benchmark III
SE Commerce Avenue
Martin County, Florida
Landscape Plan



Drawn By _____ DMS
Checked By _____ MM
Scale _____ 1"=20'
Drawing Date _____ 4/25/2022
8/1/2022

11/29/2022 revised lp per comments
4/10/2023 revised lp per comments

L-1

Plant Specifications

SPECIES AND SIZE shall conform to those indicated on the drawings. Nomenclature shall conform to STANDARDIZED PLANT NAMES, current edition. All nursery stock shall be in accordance with Grades and Standards for Nursery Plants Parts I & II, latest edition published by the Florida Department of Agriculture and Consumer Services. All plants not otherwise specified as being Florida Fancy or Specimen, shall be Florida Grade Number 1 or better as determined by the Florida Division of Plant Industry. Specimen means an exceptionally heavy, symmetrical, tightly knitted plant, so trained or favored in its development that first appearance is unquestionable and outstandingly superior in form, number of branches, compactness and symmetry.

GENERAL REQUIREMENTS

All plants shall be freshly dug, sound, healthy, vigorous, well branched, and free of disease and insect eggs and larvae, and shall have adequate root systems. Trees for planting rows shall be uniform in size and shape. All materials shall be subject to approval by the Landscape Architect. Where any requirements are omitted from the plant list, the plants furnished shall be normal for the variety. Plants shall be pruned prior to delivery only upon the approval of the Landscape Architect.

CONTAINER GROWN STOCK

All container grown material shall be healthy, vigorous, well rooted plants, and established in the container in which they are sold. The plants shall have tops which are good quality and in a healthy growing condition. An established container grown plant shall be grown in that container sufficiently long enough for the new fibrous roots to have developed so that the root mass will retain its shape and hold together when removed from the container. Plant root bound in containers are unacceptable.

MEASUREMENTS

- Trees:** Height shall be measured from ground to the average height of canopy. Spread shall be measured to the end of branching equally around the crown from the center of the trunk. Measurements are not to include any terminal growth. Single trunk trees shall be free of "V" crotches that could be points of weak limb structure or disease infestation.
- Shrubs:** Heights shall be measured from the ground to the average points where mature plant growth stops. Spread shall be measured to the end of branching equally around the shrub mass. Measurements are not to include any terminal growth.
- Palms:** Clear Trunk (C.T.), shall be measured from the ground at the time of installation to the point where the mature aged trunk joins the immature or green portion of the trunk or the head.
- Overall height (O.H.), shall be measured from the ground at the time of installation to a point three quarters the length of the unopened bud. Palms with marred or burned trunks will not be accepted.

SOIL

Planting soil for use in preparing backfill for plant pits shall be added at a rate of seventy-five (75%) percent to twenty-five (25%) percent existing soil. This soil mix shall be used in all plant pits except Sabal palms which shall be backfilled with clean sand. Planting soil shall be a fertile, friable natural topsoil or loamy character. It shall contain forty (40) to fifty (50) percent decomposed organic matter and shall be free from heavy clay, stones, lime, plants, roots or other foreign materials or noxious grasses (such as Bermuda or nut grass) and noxious weeds. It shall not contain toxic substances which may be harmful to plant growth.

COMMERCIAL FERTILIZER

Two fertilizer shall be used in all types of plantings, except palms. Granular fertilizer shall be uniform in composition, dry and free flowing. This fertilizer shall be delivered to the site in the original unopened bags, each bearing the Manufacturer's statement of analysis, and shall meet the following requirements: sixteen (16%) percent nitrogen, seven (7%) percent phosphorus, twelve (12%) percent potassium, plus iron. Tablet fertilizer ("Agriform" or equal) in 21 gram size shall meet the following requirements: twenty (20%) percent nitrogen, ten (10%) percent phosphorus, five (5%) percent potassium.

The two fertilizers will be applied at the following rates:

PLANT SIZE 16-7-12 "AGRIFORM" TABLET (21 Grams)

1 gal.	1/4 lb.	1
3 gal.	1/3 lb.	2
7-15 gal.	1/2 lb.	4
1'-6" caliper	2 lbs./1" caliper	2 1/1" caliper
6" and larger	3 lbs./1" caliper	2 1/1" caliper

"Florida East Coast Palm Special" will be applied to all palms at installation at a rate of 1/2 lb. per inch of trunk caliper unless otherwise specified.

MULCH

Mulch material shall be three (3) inches of shredded melaleuca mulch (sterilized and free of seeds) or approved equal, moistened at the time of application to prevent wind displacement.

SUBSTITUTIONS

No substitutions of plant material types or size will be allowed without written consent of the Landscape Architect. B&B material will not be accepted as substitute for container grown material unless previously approved. Alternate substitutions shall be indicated in bid.

Notes

- Prior to the installation of any plant material all existing and imported soils shall be tested and amended to meet the soil specifications and specific plant needs as shown on this plan.
- All plant material, unless specified as being Florida Fancy or Specimen, shall be Florida Grade Number 1 or better as determined by the Florida Division of Plant Industry.
- All plant materials and sod shall have an automatic irrigation system providing 100% coverage.
- Maintain positive drainage away from building.
- All plant material shall be planted, fertilized and mulched as per the Plant Details and Plant Specifications noted on this plan.
- Landscape Contractor shall research plans and contact appropriate agencies to determine location of utilities and obstructions prior to commencing work. Any utilities or unanticipated obstructions shall be reported immediately to the Landscape Architect.
- Landscape Contractor will be responsible for obtaining all necessary permits, licenses, inspections, and insurance as required by the State and local agencies.
- Quantities shown on plant list are for convenience only. If a discrepancy occurs between the plan and plant list the plan shall prevail.

Plant List

Key	Qty	Scientific Name	Common Name	Size	Spacing
TREES & PALMS					
B5*^	18	Bursera simaruba	Gumbo Limbo	12'x 6', 2.5" DBH min.	AS
CE*^	11	Conocarpus erectus	Green Buttonwood	12'x 6', 2.5" DBH min.	AS
CS*^	5	Cordia sebestena	Orange Geiger Tree	12'x 6', 2.5" DBH min.	AS
DE^	10	Dioon edule	Mexican Fern Palm	3' OA	AS
SP*^	9	Sabal palmetto	Sabal Palm	10', 12', 16' CT, staggered heights	AS
TM*^	3	Thrinax morrisii	Key Thatch Palm	4' OA, multi trunk, full	AS
ACCENTS, SHRUBS & GROUNDCOVERS					
CI*^	318	Chrysobalanus icaco	Native Green Cocoplum	24"x 18", full	24" OC
CIH*^	222	Chrysobalanus icaco 'Horizontal'	Native Horizontal Cocoplum	3g, 16"x 16"	24" OC
EL*^	414	Emodea littoralis	Golden Beach Creeper	3g, 12"x 18"	24" OC
TF*^	208	Tripsacum floridana	Dwarf Fakahatchee Grass	3g, 30"x 24"	30" OC
ZP*^	38	Zamia pumila	Coontie	7g min. 24" min.	36" OC

*DENOTES FLORIDA NATIVE PLANT MATERIAL

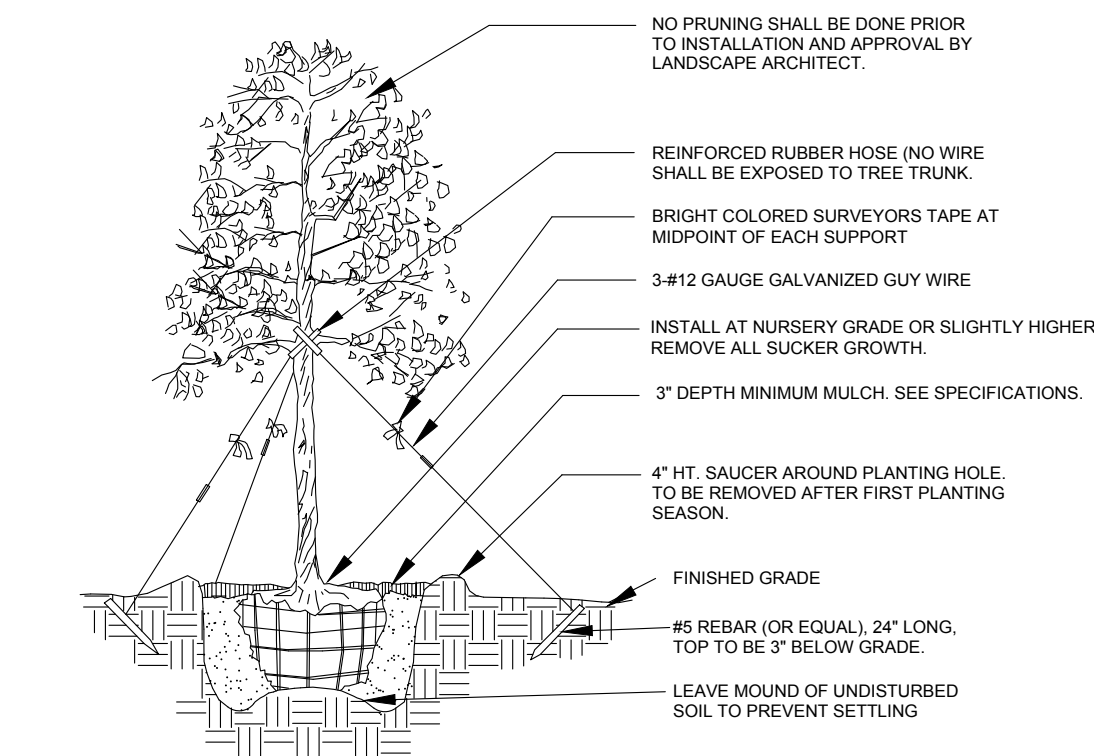
*DENOTES MODERATELY DROUGHT TOLERANT SPECIES

ALL PLANT MATERIAL SHALL BE MINIMUM FLORIDA #1 GRADE PER THE FLORIDA GRADES & STADARDS FOR NURSERY PLANTS 2015 EDITION

Misc.

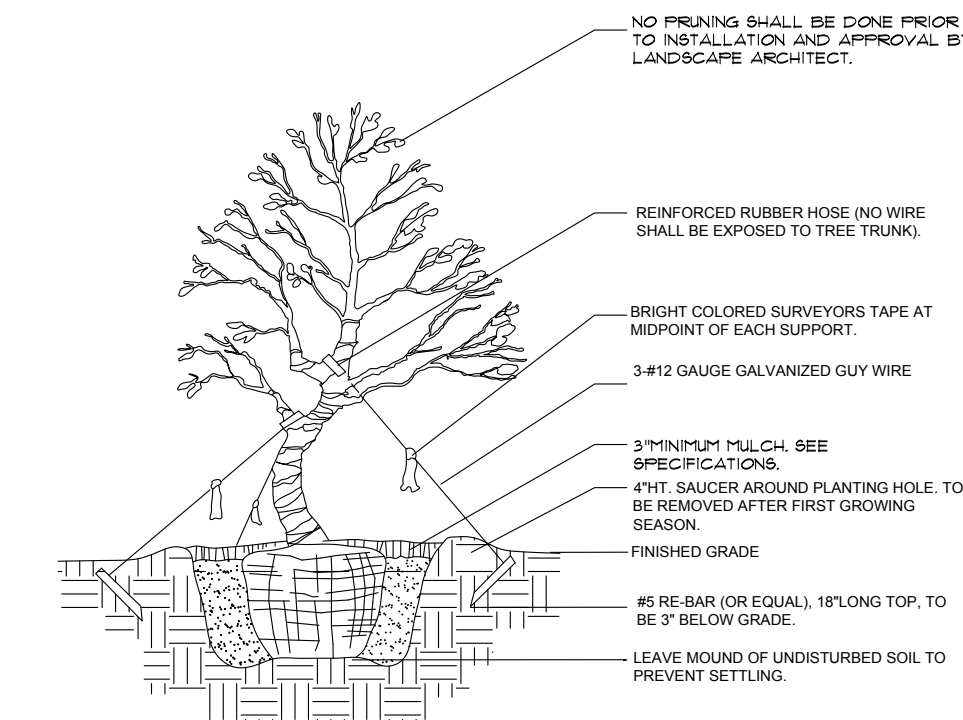
SOD - Paspalum notatum - Bahia Sod - solid sod, laid tight

Planting Details



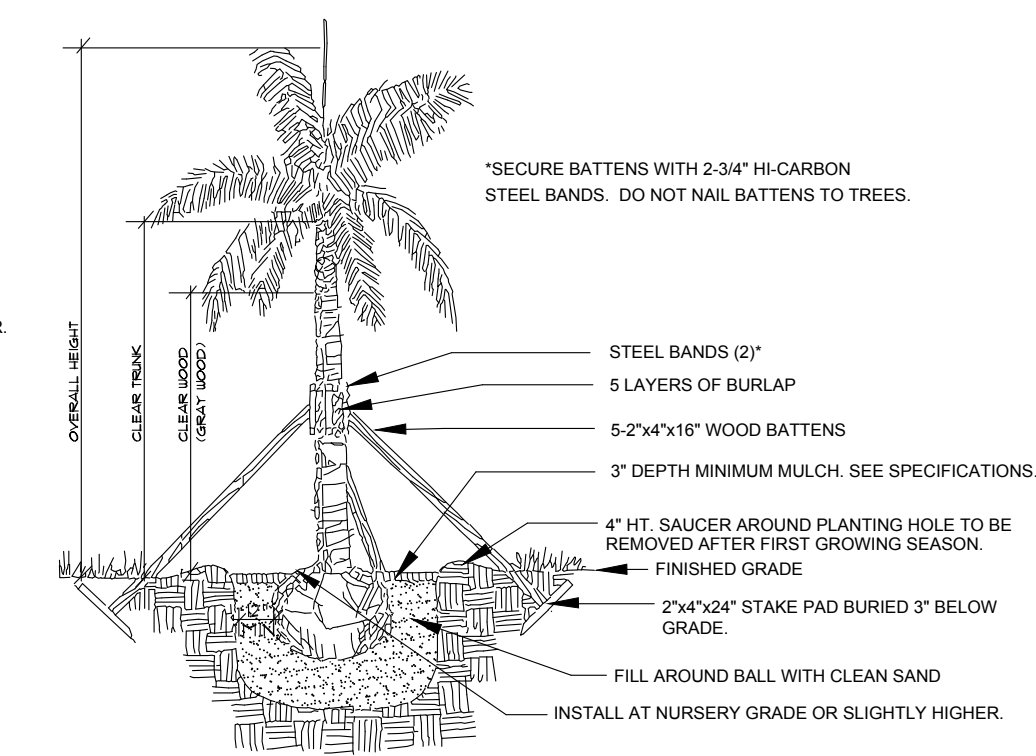
Tree Planting

- * SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION
- * BRACING - SPECIAL SITE CONDITIONS MAY REQUIRE MODIFICATION TO BRACING TECHNIQUE. LANDSCAPE CONTRACTOR WILL ADEQUATELY BRACE (OR WIRE) ALL TREES TO PREVENT EXCESSIVE MOVEMENT & MAINTAIN A VERTICAL POSITION.



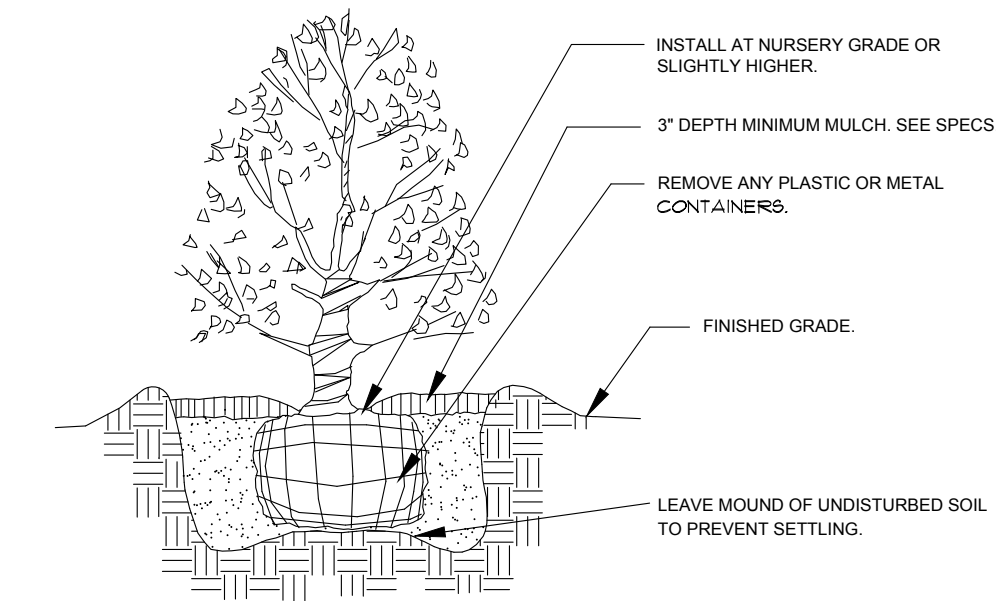
Irregular & Multi-Stem Tree Planting

- FOR TREES 6'-14' HT.
- NOTES:
- SEE SPECIFICATIONS FOR BACKFILL MIXTURES AND FERTILIZATION.
- BRACING-SPECIAL SITE CONDITIONS MAY REQUIRE MODIFICATION TO BRACING TECHNIQUE. LANDSCAPE CONTRACTOR WILL ADEQUATELY BRACE (OR WIRE) ALL TREES TO PREVENT EXCESSIVE MOVEMENT AND MAINTAIN A VERTICAL POSITION.



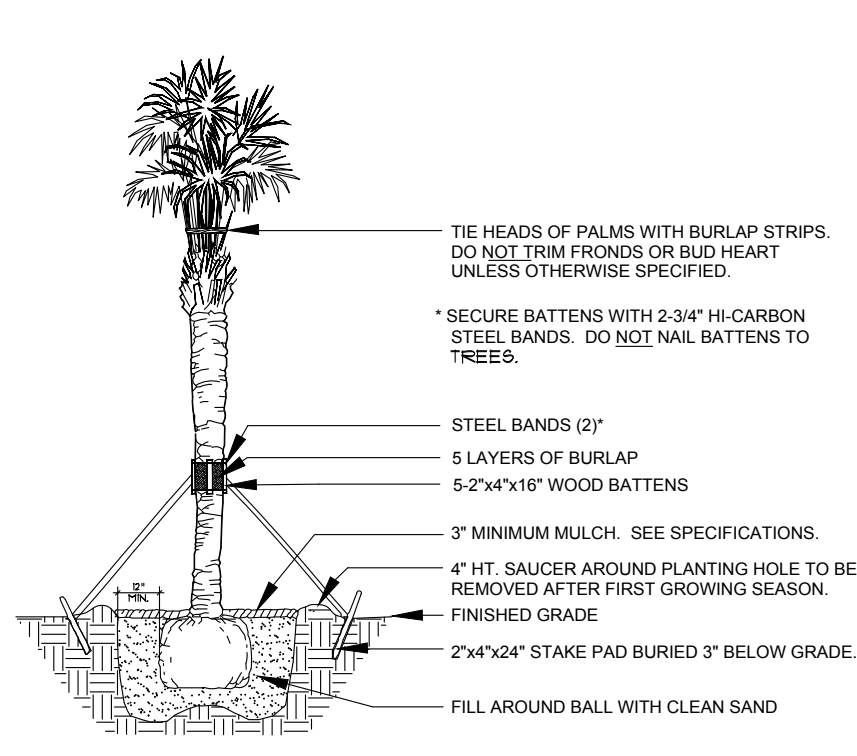
Palm Planting

- APPLIES TO: ROYAL PALMS, QUEEN PALMS, ALEXANDER PALMS, MANILA PALMS.
- * SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION
- * BRACING - SPECIAL SITE CONDITIONS MAY REQUIRE MODIFICATION TO BRACING TECHNIQUE. LANDSCAPE CONTRACTOR WILL ADEQUATELY BRACE ALL PALMS TO PREVENT EXCESSIVE MOVEMENT AND MAINTAIN A VERTICAL POSITION.



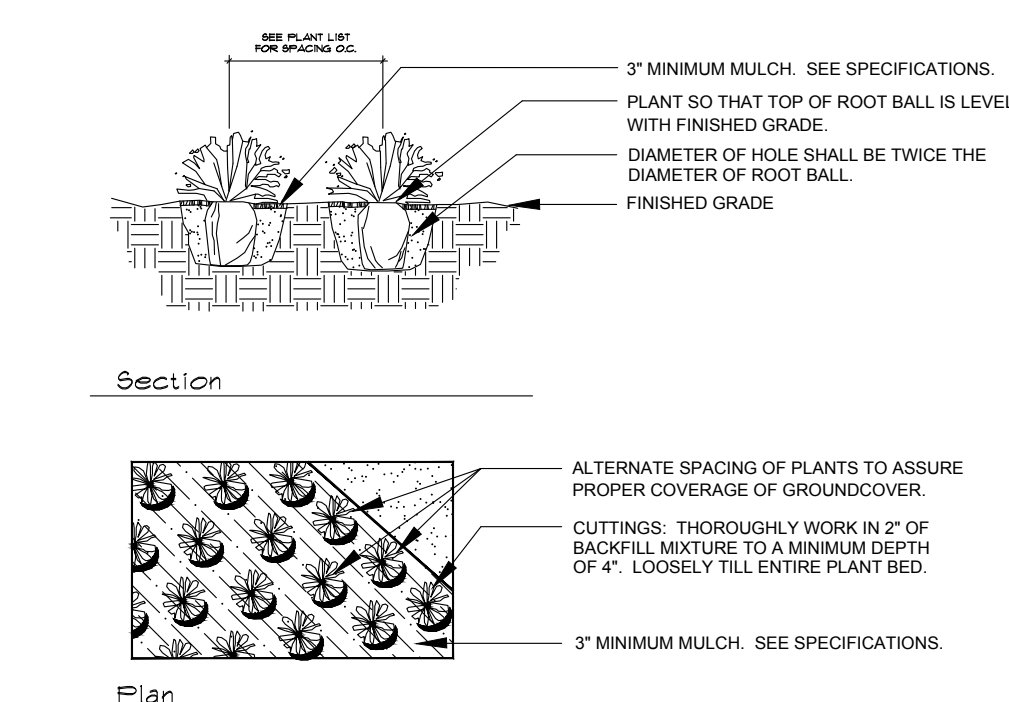
Shrub Planting

- * SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION.



Palm Planting

- APPLIES TO: SABAL PALMS, WASHINGTON PALMS, CANARY ISLAND DATE PALMS, SENEAL DATE PALMS
- * SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION



Groundcover Planting

- * SEE SPECIFICATIONS FOR BACKFILL MIXTURE AND FERTILIZATION.



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Mike@McCartyLandPlanning.com

Benchmark III
SE Commerce Avenue
Martin County, Florida
Plant List, Planting Details,
& Specifications



Drawn By _____ DMS
Checked By _____ MM
Scale _____ 4/25/2022
Drawing Date _____ 8/1/2022
11/29/2022 revised lp per comments
4/10/2023 revised lp per comments

CALL 48 HOURS BEFORE
YOU DIG IN FLORIDA
1-800-432-4770
IT'S THE LAW!
SUNSHINE STATE ONE CALL
OF FLORIDA, INC.

L-2 of 2

SCALE: 1"= 2,000'



A PORTION OF TRACTS 204, 208 & 209 PLAT OF PORT SEWALL LAND COMPANY
ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3 PAGE 7
PUBLIC RECORDS MARTIN COUNTY FLORIDA TOGETHER WITH ABANDONED
ROAD ALL MORE PARTICULARLY DESCRIBED IN OR 2957/2233

LEGAL DESCRIPTION FROM PROPERTY APPRAISER

PCN	38-38-41-002-204-00002-8
ZONING	M-2
FUTURE LAND USE	INDUSTRIAL
EXISTING LAND USE	VACANT INDUSTRIAL
PROPOSED USE	INDUSTRIAL
PROVIDED FRONT LINE FAÇADE %	58%
PROVIDED FRONT SETBACK	20'

	SF	AC	%
TOTAL SITE AREA	63,368	1,4547	100.00%
IMPERVIOUS AREA	41,031	0.942	64.75%
TOTAL BUILDINGS	21,445	0.49	33.8%
BUILDING 1	7,480	0.17	11.8%
BUILDING 2	13,965	0.32	22.0%
VEHICULAR USE AREA	16,222	0.37	25.6%
CONCRETE, WALKS, RAMPS, ETC...	3,360	0.08	5.3%
PERVIOUS AREA	22,337	0.513	35.25%
LANDSCAPE BUFFERS / OPEN SPACE	22,337	0.513	35.2%
PARKING	REQ.	PROVIDED	
(1/ 1000 SF FLOOR AREA)	21	21	
A/D ACCESSIBLE SPACES	1	2	
BIKE PARKING	REQ.	PROVIDED	
	4	4	
FAR		PROVIDED	
FAR = (21,455 / 63,368 = .33)		0.33	

[illegible]

Diagram illustrating the layout of a parallel parking space. The diagram shows a 'DRIVEWAY' area, a 'CURB FACE' line, and a 'PARALLEL' parking area. A bicycle is shown parked within the space. Key dimensions and labels include:

- DRIVEWAY
- CURB FACE
- PARALLEL
- 18'
- 5'
- 50'
- 5'
- 30'
- 100' MIN.
- METER POLE
- BRICK PAVING
- BRICK PAVING

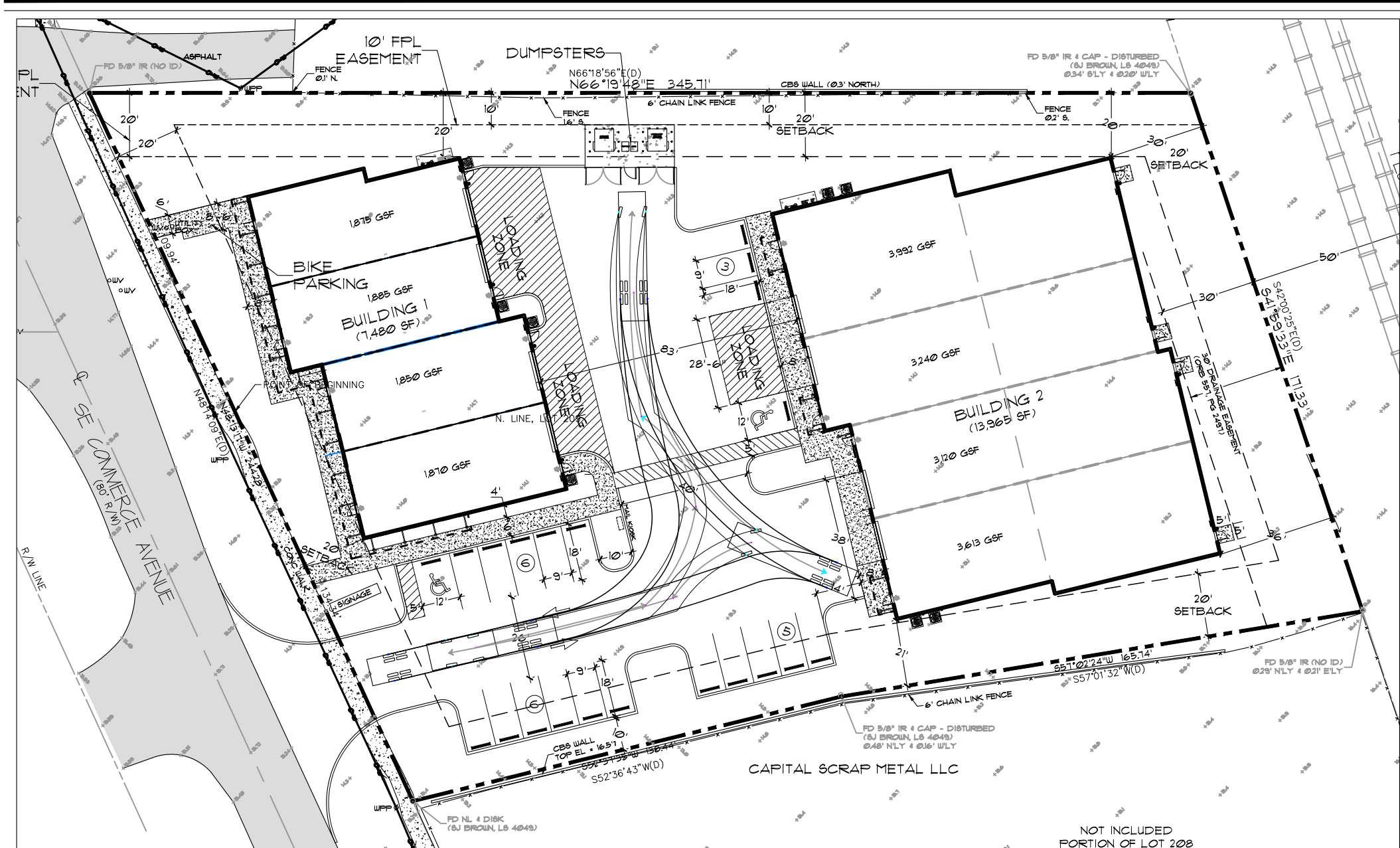
1. All signs shall meet City of Stuart Land Development Regulations.
2. All Invasive exotic vegetation to be removed prior to the issuance of a Certificate of Occupancy.
3. There is to be an irrigation system installed to ensure continued growth of all planting areas.
 - Source of irrigation water to be potable water.
4. The applicant will notify the City for a field inspection by staff to determine if barricades have been properly placed prior to any land clearing.
5. Barricades must be constructed in the following manner:
 - Rope: 1/4" diameter min, nylon or poly, yellow or orange
 - Rope must be a minimum of four (4) feet off the ground.
 - Rope must not be attached to vegetation
 - Surveyor ribbon is not acceptable
 - Poles: 2x2 or 2x4, iron rebar, PVC pipe or other materials with prior approval of Environmental Planner.
 - Lathe strips are not acceptable.
 - Silt Fence: shall be installed along all perimeters of development area, maintained during construction.

6. All Barricades must be maintained intact for the duration of construction.
7. Storage of construction materials in preserve areas is not permitted.
8. Fill is not allowed to encroach into preserve areas.
9. Barricades must be offset at least ten (10) feet outside the preserve area or placed at the drip line of the canopy trees in any area for which clearing is proposed.
10. Individual trees or groups of vegetation that are to be saved for landscape credit requirements are to be barricaded according to the guidelines.
11. Advisory or warning signs must be provided.
12. Preserve areas are not to be altered without written permission of the City.
13. During constructions activities, existing native vegetation shall be retained to act as buffers between adjacent land uses, and to minimize nuisance dust and noise. Barricades shall be used on site to preserve the vegetation to be retained for this purpose.
14. Any proposed lighting will be directed away from any residential units or adjacent roadways.
15. No clearing, including the installation of erosion control devices, is authorized until the Permit for the installation of Erosion Control Devices and Preserve Area Barricade has been issued.

16. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained.
17. All contruction barricades and silt fences will remain in place and be monitored for compliance by the permit holder during the permitted development activities.
18. Soil stabilization shall be completed within thirty (30) days of vegetation removal.
19. Proposed timetable for construction: "all building permits shall be obtained and all construction completed within time frame consistent with Martin County ordinances."
20. Contractor shall verify all existing conditions and layout dimensions in the field. report all discrepancies immediately to the landscape architect for decision before construction.
21. Refer to the architectural drawings for all building dimensions.
22. Contractor shall verify all existing grades in the field and report any discrepancies immediately to the landscape architect for decision.
23. New earthwork shall blend smoothly into existing grade.
24. All paved areas must pitch to drain at min. of 1/8" per foot. any discrepancies not allowing this to occur shall be reported to the landscape architect prior to continuing work.
25. Contractor shall provide irrigation to, and drainage from all planters.
26. Remove all road base, shellrock, marl, coral rock, and rubble 30" min. below finish grade from all new planting areas and tree pits. backfill with suitable soil as approved by landscape architect. maintain existing grade at existing trees.
27. Construction shall be completed in one phase.

1. Match all existing grades along property lines.
2. Contractor shall be responsible for providing p including but not limited to planters, courtyard pla architectural elements.
3. Contractor shall provide drainage from all plan

Scale: 1"=40'



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Benchmark III

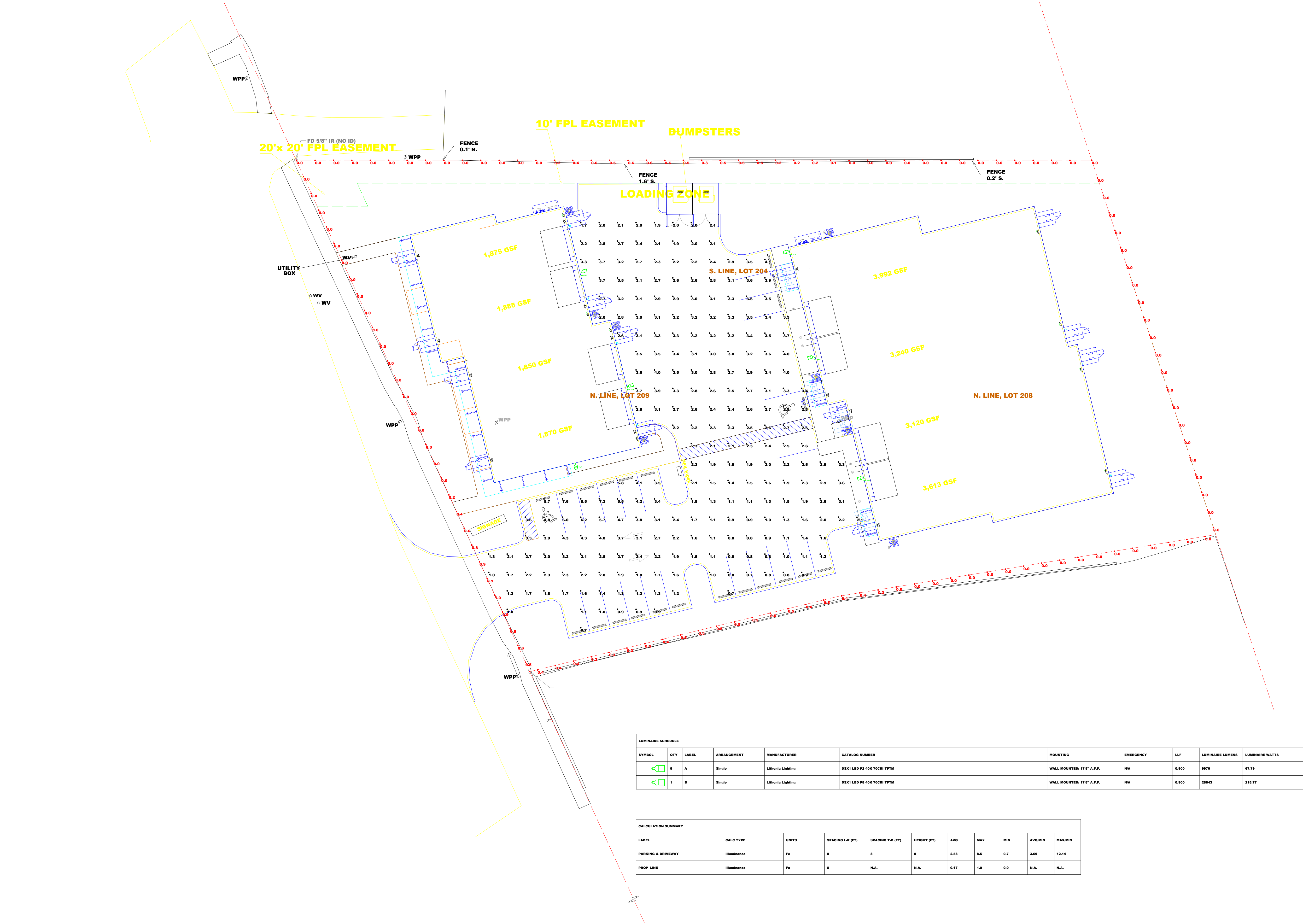
SE Commerce Avenue
Martin County, Florida

Site Plan



Drawn By _____ DMS
 Checked By _____ MM
 Scale _____ 1"=20'
 Drawing Date _____ 7/16/2021
 7/20/2021 8/24/2021 12/7/2021
 3/23/2022 revised buildings & sp
 4/25/2022 revised buildings & sp
 6/17/2022 revised sp
 8/1/2022 revised sp, new arch
 11/29/2022 revised sp per comments
 4/10/2023 revised sp per comments

S-1



LUMINAIRE SCHEDULE									
SYMBOL	QTY	LABEL	ARRANGEMENT	MANUFACTURER	CATALOG NUMBER	MOUNTING	EMERGENCY	LLF	LUMINAIRE LUMENS
	5	A	Single	Lithonia Lighting	DSX1 LED P2 40K 70CRI TFM	WALL MOUNTED: 17" A.F.F.	NA	0.900	9976
	1	B	Single	Lithonia Lighting	DSX1 LED P8 40K 70CRI TFM	WALL MOUNTED: 17" A.F.F.	NA	0.900	28643
LUMINAIRE WATTS									

CALCULATION SUMMARY										
LABEL	CALC TYPE	UNITS	SPACING L-R (FT)	SPACING T-B (FT)	HEIGHT (FT)	AVG	MAX	MIN	AVG/MIN	MAX/MIN
PARKING & DRIVEWAY	Illuminance	Fc	8	8	0	2.68	8.5	0.7	3.69	12.14
PROP. LINE	Illuminance	Fc	8	N.A.	N.A.	5.17	1.0	0.0	N.A.	N.A.

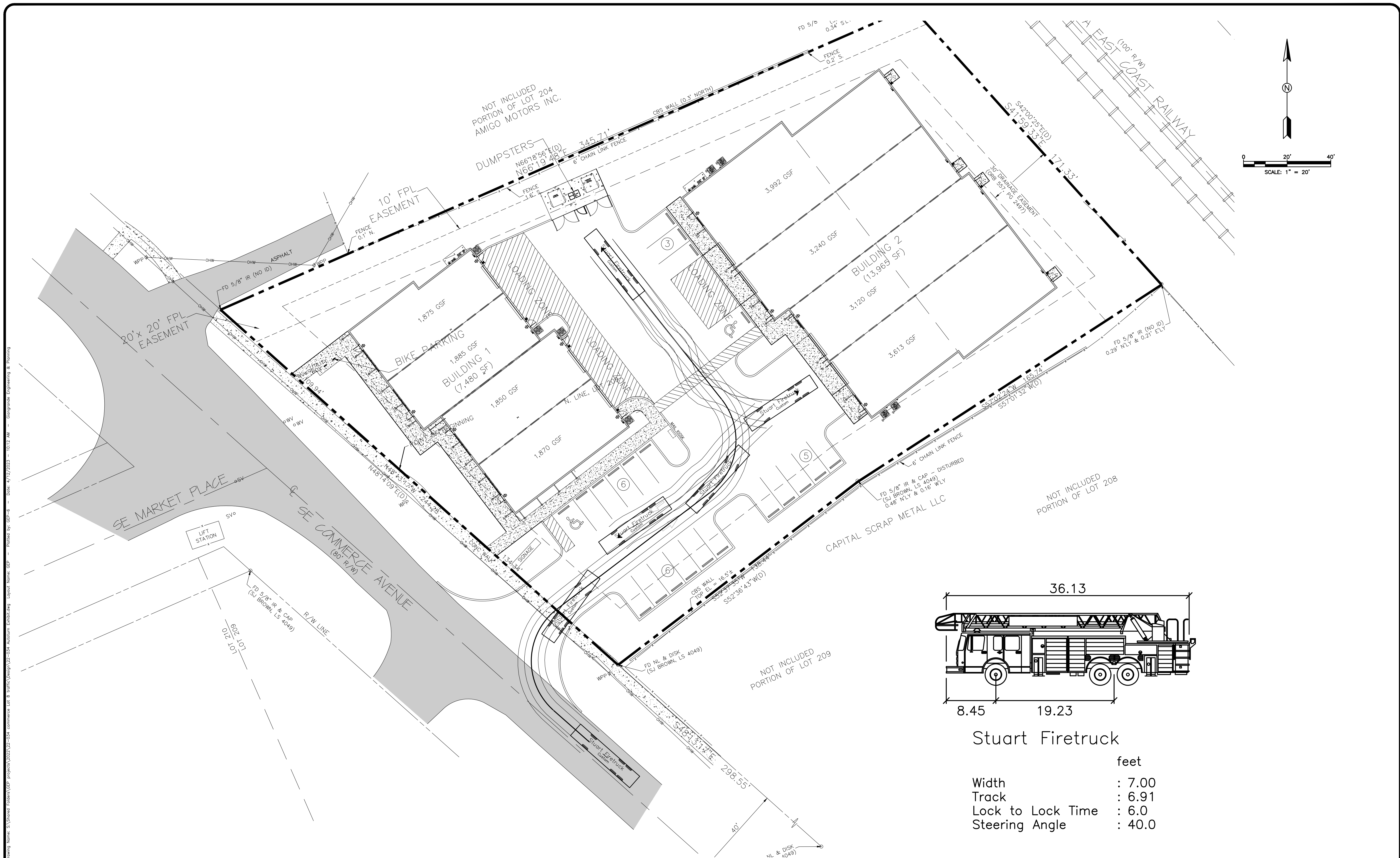
Scale: 1 inch= 20 Ft.

DESCRIPTION:
PARKING & DRIVEWAY
NORMAL POWER

DATE:
3/7/2023

REV# 02

PROJECT:
BENCHMARK III - SITE



			Date: 4-11-2023									GIANGRANDE ENGINEERING AND PLANNING			####			PROJECT #: 22-034		
			Scale: 1"=20'									710 SE OCEAN BLVD. STUART, FLORIDA 34904 PH. (772) 888-9076 leo@gep.llc			Cert. No. 30901			License No: ####		
			Design By: #####									AUTOTURN EXHIBIT								
			Drawn By: #####															AT-1		
			Check By: #####																	
DATE BY REVISIONS																				

City of Stuart
Development Department
121 SW Flagler Avenue
Stuart, FL 34994
Ph. 772-288-5300
Fax 772-288-5388

AFFIDAVIT ATTESTING TO NOTIFICATION

Michael McCarty, being first duly sworn, depose(s) and say(s):

That (I am / we are) the owner(s) or petitioner(s) of the following described property which constitutes the location for which notification is required:

Project Name: Benchmark III IPUD
Parcel ID Number: 38-38-41-002-204-00001-9

That a copy of the notice was sent by regular U.S. Mail on 5-25-23 to the property owners within 300 feet of the subject property; and

That a list of the property owners and their addresses is on file with the City of Stuart; and

That a photograph showing the placement of the notification sign be made a part of this Affidavit; and

That notice was sent and property was posted 15+ days prior to the scheduled public hearing(s) for this item.

Michael McCarty
SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

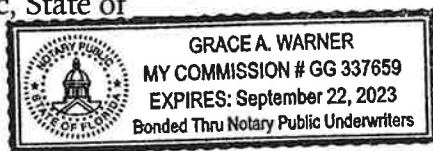
STATE OF FLORIDA, COUNTY OF MARTIN

Sworn and subscribed before me by means of A physical presence or online notarization, this 25th day of MAY, 2023 By

MICHAEL MCCARTY
Personally Known OR Produced Identification

Type of Identification Produced:

Notary Public, State of
(Notary Seal)



My Commission expires:

Sept 22, 2023

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Local Planning Agency**

Meeting Date: 6/8/2023

Prepared by: Jodi Nentwick

Title of Item:

LIVE LOCAL ACT (SB102) STAFF PRESENTATION

Summary Explanation/Background Information on Agenda Request:

On March 29, 2023, Governor Ron DeSantis signed into law Senate Bill 102 (Live Local Act) which becomes **effective July 1, 2023**. The Live Local Act, among other things, seeks to provide available and affordable housing for the Florida workforce within their communities.

The Live Local Act mandates that local governments administratively approve development applications which include affordable housing on parcels that are zoned commercial, industrial or mixed-use, even if the local comprehensive plan and zoning regulations prohibit multifamily residential housing in those areas if the application meets certain criteria. **This law expires on October 1, 2033.**

Funding Source:

N/A

Recommended Action:

Staff Presentation

ATTACHMENTS: