



INDIAN RIVER COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
1801 27th Street, Vero Beach FL 32960
772-226-1237 / 772-978-1806 fax
www.ircgov.com

April 28, 2010

George Maib
Ocean Concrete, Inc.
4234 Skyline Drive
Jensen Beach FL 34957

RE: BCC Re-consideration of Request for a One-Year Extension of the Ocean Concrete Batch Plant Site Plan Application [SP-MA-07-03-15 / 2004110124-57127]

Dear Mr. Maib:

This letter constitutes formal notice that, at its regular meeting of April 20, 2010, the Board of County Commissioners (BCC) voted to extend the referenced site plan application for one year. Therefore, the subject site plan application is valid until April 20, 2011.

With approval of the extension, the subject site plan application is now the only site plan application that is in effect for the Ocean Concrete site at 11085 Old Dixie Highway, since the Furex site plan application that was filed on December 3, 2008 expired one year later on December 3, 2009. The status of that application was not affected by a general extension of site plan approvals that was enacted by the BCC in February 2009.

Going forward, the next step in the Ocean Concrete review process should be submittal of revised plans with written responses to the comments in staff's December 17, 2007 discrepancy letter (copy attached). As an accommodation and in the interest of resolving all issues, staff will review the application under the land development regulations in effect prior to July 24, 2007; however, such review shall be without prejudice to the county's position that land development regulations in effect after July 24, 2007 are applicable in the absence of vested rights. With respect to the vested rights issue, please contact County Attorney Alan Polackwich, Sr. at 772-226-1425.

If you have any questions, please do not hesitate to contact me at (772) 226-1253.

Sincerely,

Stan Boling, AICP
Planning Director

Attachment: December 17, 2007 Discrepancy Letter

cc: Board of County Commissioners (via e-mail)
Joe Baird, County Administrator (via e-mail)
Alan Polackwich, Sr. County Attorney (via e-mail)
George Glenn (via e-mail)
Robert M. Keating
John W. McCoy, AICP (via e-mail)
Geoff Smith, Esq. (via e-mail)
Todd Smith, P.E. (via e-mail)

Deb Robinson (via e-mail)
Helene Caseltine (via e-mail)
Ruth Stanbridge (via e-mail)
George Simons (via e-mail)
Rex Nelson (via e-mail)
Samuel Block (via e-mail)
Richard Brown (via e-mail)
Ralph Brown (via e-mail)



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December 17, 2007

Todd Smith, P.E.
121 Hinchman Avenue
Sebastian, FL 32958

RE: Ocean Concrete Major Site Plan Application
SP-MA-07-03-15 / 2004110124-57127

Dear Mr. Smith:

County staff has reviewed the application resubmittal for major site plan approval referenced above. The itemized discrepancies listed below demonstrate failure to comply with the regulations as they existed prior to the Board of County Commissioners amending the land development regulations to prohibit concrete batch plants in the IL, Light Industrial, district. Of particular note is the applicant's failure to establish legal positive outfall for the project's stormwater management system (#9 below) and failure to submit an adequate design for the improvement of Old Dixie Highway (#13 & 14 below).

This site plan application was submitted on December 6, 2006. Pursuant to LDR Section 914.06(4)(c), the application has now expired and is thus null and void because approval was not obtained within 12 months of the submittal date.

Current Development Planning

1. A conditional concurrency certificate has not been issued for the project due to the applicant's failure to submit an approvable traffic study.

Drainage and Right-of-Way (David Hays, 226-1596)

2. The site data provided on the site plan states a total impervious area of 143,479 while the stormwater management report states 149,300. (914.14)

3. Please identify the total area used to determine the area percentages in the stormwater report. The percentages are considerable different than the site data table on the plan. It appears neither adds to 100%. (914.14)
4. Areas stated as impervious type and basin boundaries should be clarified. The plan indicates two stormwater tracts with a boundary line labeled for "Type 1 WW". The site data on the plans and stormwater report does not separate the drainage areas and provide individual treatment volumes, but instead uses a total. The two SW tracts have different bleeder elevations.
5. Identify the limits of the off-site drainage that will be treated in the on-site SW tract.
6. It appears a large portion of the off-site improvements will not receive stormwater treatment in accordance with water management district requirements.
7. Please explain the variable discharge rates shown for both ponds. According to the output, discharge rates rise and drop drastically from adjacent time periods.
8. The use of the Santa Barbara program does not properly allow for the multiple drainage area basins and flow patterns designed and demonstrated in the report.
9. Outfall appears to discharge across private property instead of discharging into a receiving water body. A positive discharge is required. (930.07) The plans have indicated to "regrade right-of-way to provide positive drainage from CB#16 southwards to match existing flow path". The plans must demonstrate all grading and elevations. No grading plan to demonstrate positive outfall can be achieved has been provided.
10. The plans are not clear on the limits of paving. It is interpreted that the entrance road and service road are intended to be unpaved. This type of use without paved roads will likely result in continuous siltation runoff into the SW tracts.
11. The response states the site will take in the off-site drainage. Please provide clarification on the off-site boundaries.
12. All details shall include maximum slopes allowed. Please provide.
13. Old Dixie Highway: Roadway design plans have not been appropriately submitted to demonstrate the road can be built in accordance with regulations. This response is considered insufficient. This response is the first review or discussion based on using access southward from the plant. All previous plans and discussions have only been based on access and roadway improvements north of the site.
 - a. The Maintenance map has not been recorded yet and will not be official until it is. Design using this area may not be appropriate.
 - b. How will drainage from station 9+00 to US 1 be handled? A SJRWMD permit

will be required.

- c. The integrity of the existing road will have to be established with core borings demonstrating the existing base and asphalt for it to be used as an overlay design. Borings shall be provided at a maximum spacing of 400 feet, alternating each side of centerline. The plans are not permissible until this has been established.
- d. There does not appear to be enough right-of-way to construct the road as designed. Will additional right-of-way be obtained?
- e. Open/Rural 50' R/W Section: 12 foot lane widths are required unless otherwise agreed to by the County Engineer. The rural design section shall include 12' lanes and a minimum 4 foot paved and 4 foot stabilized or 8 foot stabilized shoulders. The typical section does not include any drainage runoff design. The subgrade shall be compacted to LBR40. Provide a pavement cross slope of 2%, shoulder cross slope of 6%.
- f. Curbed/Urban roadway section: The detail indicates a cross section of 34 feet. The existing right-of-way is 30 feet in width from approximately station 14+60 to the railroad crossing. The roadway shall be designed to include inline drainage slopes at a minimum of 0.3% and cross slopes of 2%. Weep holes shall not be drilled into the curb. P-Type inlets shall be used instead of rear curb swale and Type C inlets. The base shall be compacted to LBR40. The maximum allowable length of 18" pipe without a structure is 300 feet.
- g. The roadway design shall include full cross sections at 100 foot stations with sufficient information to include all necessary improvements and existing and proposed grades to demonstrate constructability. If the existing road is sufficient to construct on, a pavement overlay will be required. Provide a roadway profile that include center line, right and left profile grades. A pavement marking and sign plan is required.
- h. The edge of the existing pavement shall be saw cut. Provide a pavement saw cut - butt joint detail.
- i. Pipes in the county right-of-way shall be RCP.
- j. Trees shall be relocated outside of the right-of-way. Any trees not removed shall meet all appropriate clear zone criteria.

Traffic Engineering (Jeanne Bresett, 226-1326)

- 14. The project's traffic impact study has not been approved. As previously indicated, the project's trip distribution must account for trips occurring on Old Dixie Highway both north and south of the project site. Old Dixie Highway is a single-lane, two-way road in this area. In order to handle additional traffic generated by Ocean Concrete, and

particularly truck traffic, Old Dixie Highway must be widened to a two-lane roadway from US1 to CR512 to accommodate two-way traffic flow.

Fire Prevention Bureau (Sandra Seeley, 226-1961)

15. The project's Fire plan review fee (\$250) needs to be paid.

If I may provide any further assistance, please contact me at 772-226-1239.

Sincerely,



Brian Freeman, AICP
Senior Planner, Current Development

cc: Robert M. Keating, AICP
Stan Boling, AICP
David Hays, P.E.
Ken Oristaglio
Jeanne Bresett
Sandra Seeley
Jim Davis, P.E.
Chris Mora, P.E.
Chris Kafer, P.E.
Glenn Schuessler
Joe Baird
Will Collins, Esq.
George Glenn, Esq.
Geoffrey Smith, Smith & Associates
George Maib
Rebecca Grohall, City of Sebastian
Ralph Brown
Richard Brown
Susan Cressionnie
Deb Robinson
Helene Caseltine
Ruth Stanbridge
George Simons
Rex Nelson
Don Liesen
Robert Markham
Don Wright
Bart Burns