



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

## STAFF REPORT

### *A. Application Information*

## **WEST JENSEN PUD** **PHASE 1B, PARCEL 6.6, PUD FINAL SITE PLAN** **(A/K/A Mister Car Wash)**

Applicant:	Boos Development Group, Inc. (Rachel Myers)
Property Owner:	West Jensen CW, LLC
Agent for Applicant:	Thomas Engineering Group (Darren T.R. Eyre, P.E.)
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	W038-108
Record Number:	DEV2023050009
Report Number:	2024_0613_W038-108_DRT_STAFF_FINAL
Application Received:	06/21/2023
Transmitted:	06/22/2023
Date of Report:	12/20/2023
Application Received:	02/07/2024
Transmitted:	02/09/2024
Date of Report:	04/09/2024
Application Received:	04/26/2024
Transmitted:	04/26/2024
Date of Report:	06/13/2024

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### *B. Project description and analysis*

This is a request by Thomas Engineering Group on behalf of Boos Development Group, Inc. for approval of a proposed PUD Final Site Plan to construct a 5,300 square foot single tunnel car wash and associated infrastructure on approximately 1.77-acres of vacant land. The parcel is located on lot 6.6 of Phase IB of the West Jensen PUD on the east side of NW Federal Highway approximately 500 feet south of NW Goldenrod Road in Jensen Beach. Included is a request for a Certificate of Public Facilities Exemption.

### C. Staff recommendation

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

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan Review	Brian Elam	772-288-5501	Comply
F	ARDP Review	Samantha Lovelady	772-288-5664	N/A
G	Site Design Review	Brian Elam	772-288-5501	Comply
H	Commercial Design Review	Brian Elam	772-288-5501	Comply
H	Community Redevelopment Review	Brian Elam	772-288-5501	N/A
I	Property Management Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Shawn McCarthy	772-288-5508	Comply
J	Landscaping Review	Karen Sjöholm	772-288-5909	Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Comply
L	County Surveyor Review	Tom Walker	772-288-5928	Comply
M	Engineering Review	Kaitlyn Sullivan	772-288-5920	Comply
N	Addressing Review	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5692	Comply
O	Water and Wastewater Review	James Christ	772-320-3034	Comply
O	Wellfields Review	James Christ	772-320-3034	Comply
P	Fire Prevention Review	Doug Killane	772-419-5396	Comply
P	Emergency Management Review	Sally Waite	772-219-4942	N/A
Q	ADA Review	Kaitlyn Sullivan	772-288-5920	Comply
R	Health Department Review	Nicholas Clifton	772-221-4090	N/A
R	School Board Review	Juan Lameda	772-219-1200	N/A
S	County Attorney Review	Elysse A. Elder	772-288-5925	Ongoing
T	Adequate Public Facilities Review	Brian Elam	772-288-5501	Exempt

### D. Review Board action

This is an application for a PUD Final Site Plan with a previously approved Master Plan. As such, final action on this request is required to be heard at a public meeting. The public meeting shall be before the Board of County Commissioners (BCC), who will take final action on the request pursuant to Table 10.5.F.9., LDR, Martin County, Florida (2021).

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

The applicant addressed the non-compliance findings from the staff report dated, April 9, 2024 with its resubmittal dated April 26, 2024. The previous staff reports, and resubmittals are incorporated herein by reference. It shall at all times be the applicant's responsibility to demonstrate compliance with the

Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

**E. Location and site information**

Parcel number: 183741001000017100  
Address: Not currently assigned  
Existing zoning: PUD-WJ  
Future land use: Commercial General  
Nearest major road: NW Federal Highway  
Gross area of site: 1.77 acres  
Non-residential gross floor area: 5,300 square feet

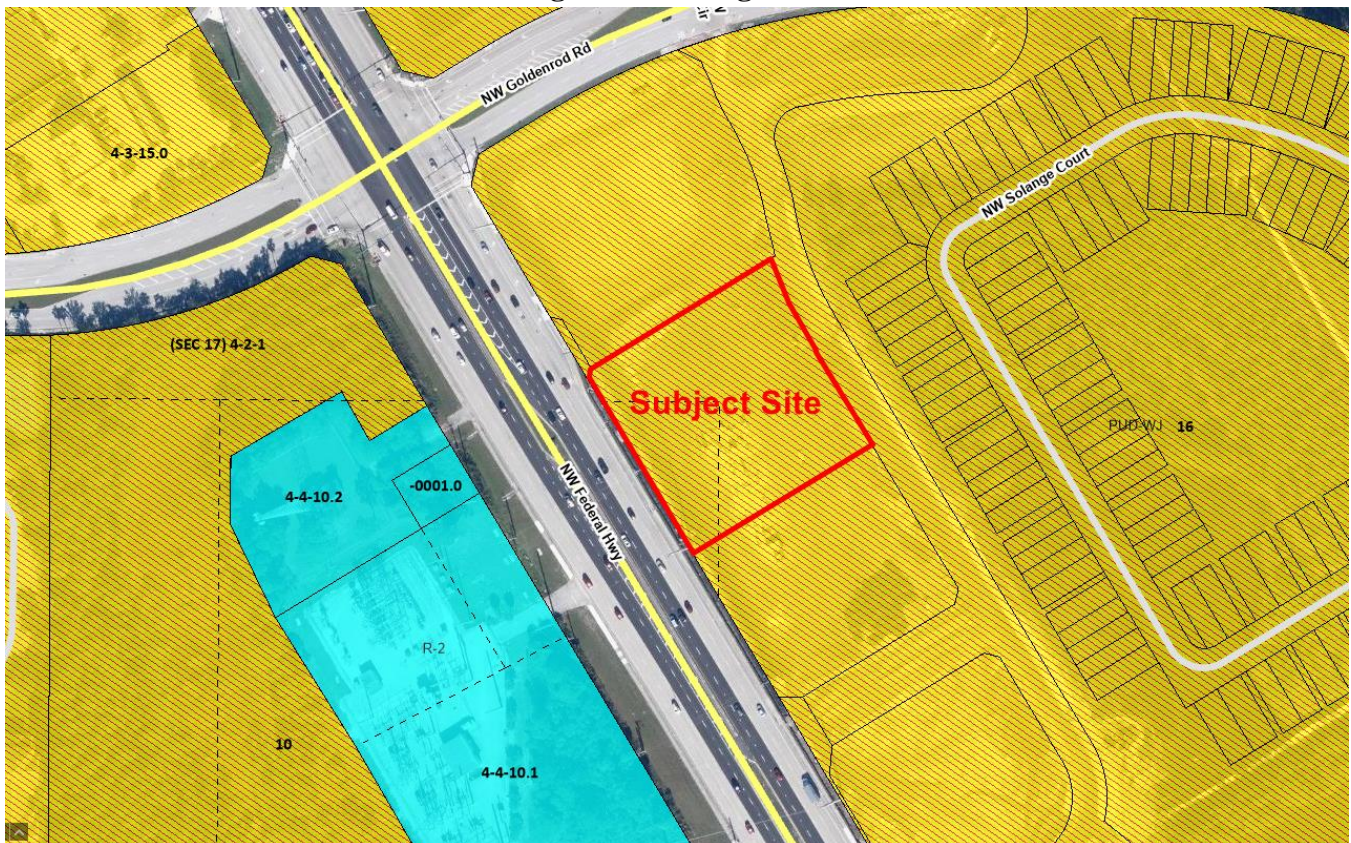
**Figure 1: Location Map**



Figure 2: Subject Site Aerial

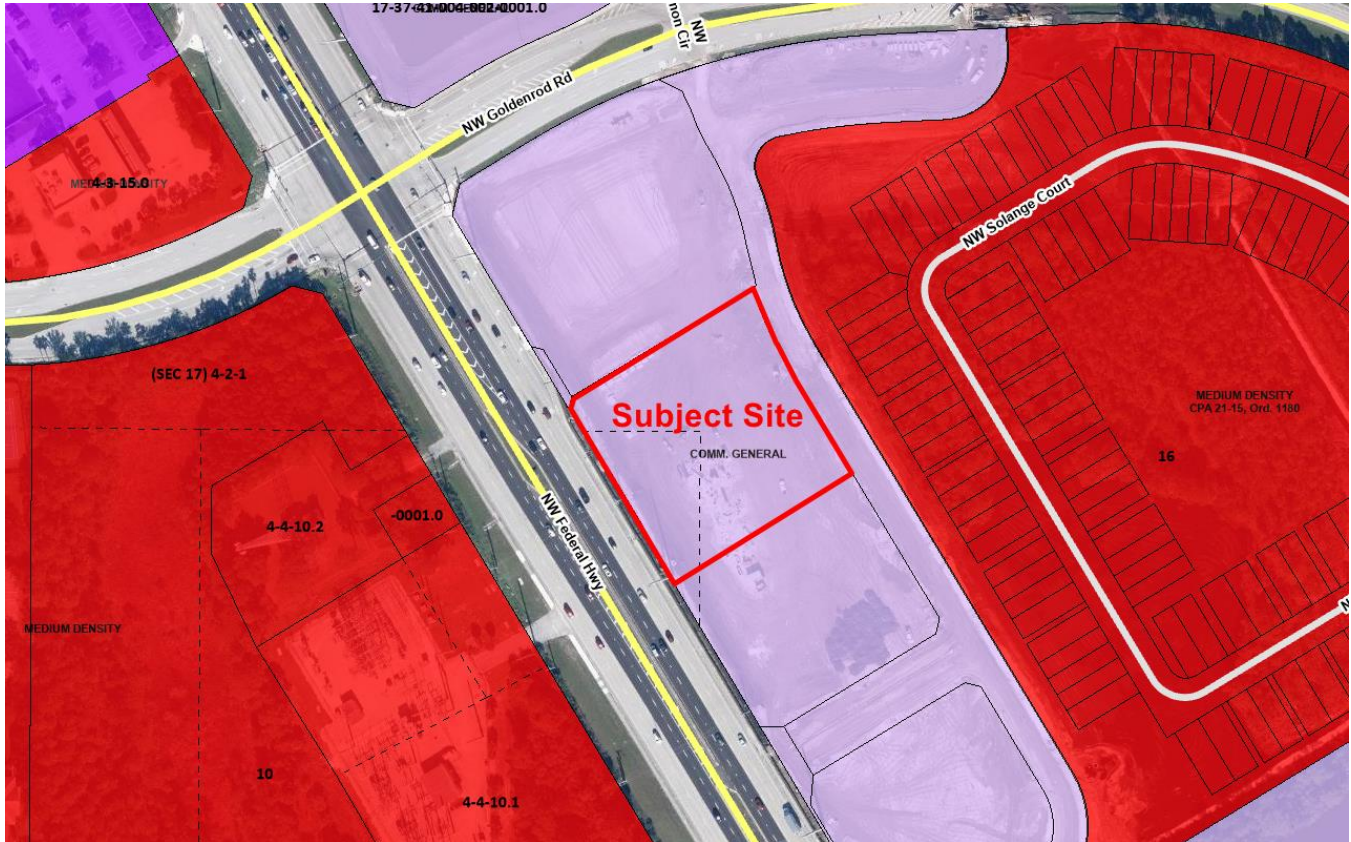


Figure 3: Zoning Atlas



Property to the East:	PUD-WJ	
Property to the North:	PUD-WJ	
Property to the West:	ROW	NW Federal Highway
Property to the South:	PUD-WJ	

**Figure 4: Future Land Use Map**



Property to the East:	Medium Density	
Property to the North:	Commercial General	
Property to the West:	ROW	NW Federal Highway
Property to the South:	Commercial General	

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

**Findings of Compliance:**

Staff has reviewed this application and finds that that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

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

**Findings of Compliance:**

Staff has reviewed this application and finds that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

**Information #1:**

**LAND CLEARING**

No land clearing is authorized prior to the pre-construction meeting for the project. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for by applicable state agency permits may be granted by the Growth Management Department.

***H. Determination of compliance with urban design and community redevelopment requirements – Community Redevelopment Department***

**Commercial Design**

**Findings of Compliance:**

Development review staff have reviewed the application and finds that it complies with Article 4, Division 20, Commercial Design Standards of the Martin County Land Development Regulations.

**Community Redevelopment Area**

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

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

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

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

**Environmental**

**Findings of Compliance:**

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations. The environmental assessment submitted by the applicant shows that no wetlands or upland habitat exist on the property and these findings have been verified by county environmental staff. In addition, the wildlife survey shows that no

listed species exist on the property. Therefore, the preservation requirements under Article 4, Division 1 and Article 4, Division 2 of the Land Development Regulations do not apply.

### **Landscaping**

#### **Findings of Compliance:**

The Growth Management Department staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations regarding landscaping. The applicant has proposed construction of a new carwash facility. The applicant has submitted landscape plans that provide 0.63 acres of landscape area which equates to 36.2% of the 1.75 acres of development area to document compliance with Section 4.663.A.1., Land Development Regulations, Martin County, Fla. (2013). Pursuant to this regulation a minimum of 20% of the total development area shall be landscaped.

Section 4.663.A.3.b. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential developments provide at least one tree per 2,500 sq. ft. of site area: a total of 31 trees for this project. To demonstrate compliance the applicant has proposed the planting of at an equivalent of 87 trees for this 76,230 square-foot site.

Section 4.663.A.4.a. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential developments provide a ten-foot-wide strip of landscaping around the perimeter of vehicular use areas that includes one tree for every 30 linear feet or one tree for 300 square feet of landscape area. To demonstrate compliance the applicant has proposed the planting of 27 trees for this perimeter of 765 feet.

Section 4.663.A.4.b. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential developments provide one 500-square-foot planting area for every 5,000 feet of vehicular use area. 4,057 square feet and 31 trees will be planted for the 40,576 square feet of vehicular use area as additional area within the perimeter of the VUA.

A 30-foot wide native bufferyard required along U.S Highway 1 per the West Jensen PUD Master Plan. This buffer has been provided with 20 trees and associated native understory.

Alterations cannot be made to the plans after final site plan approval. Any alteration may require an application to amend the affected approved plans.

The applicant is cautioned to consider the placement of utilities and any underground or above ground site improvement that could cause a conflict with the landscaping and possibly cause a change or amendment.

As-built landscape plans submitted prior to the release of a certificate of occupancy will be checked against the approved drawings. Inconsistencies may block the issuance of the certificate of occupancy and cause the applicant to begin the application process for a change or an amendment to the development order.

Note: There are 3 Crape Myrtle shown in the northwest corner that are indicated in the middle of a 6' sidewalk. During construction, location of these trees will need to be modified to be relocated east of this sidewalk.

***K. Determination of compliance with transportation requirements – Engineering Department***

**Findings of Compliance:**

The Traffic Division of the Public Works Department finds this application in compliance.

**Compliance with Adequate Public Facilities Ordinance:**

Staff has reviewed the Traffic Statement prepared by Thomas Engineering Group, dated June 2023. Thomas Engineering Group stated that the site's maximum impact was assumed to be 39 directional trips during the PM peak hour. Staff finds that NE Federal Highway (US-1) is the recipient of a majority of the generated trips. The generalized service capacity of NE Federal Highway (US-1) is 4040. The project impact is 0.57% of the maximum volume of that roadway. NE Federal Highway (US-1) is currently operating at a level of service C; it is anticipated to operate at level of service C at buildout (year 2025).

This application satisfies the Adequate Public Facilities Standard; it has a De Minimis impact (an impact that would not affect more than one percent of the maximum volume at the adopted level of service of the affected road facility) (Article 5, Division 1, Section 5.3).

***L. Determination of compliance with county surveyor – Engineering Department***

**Findings of Compliance:**

This project was reviewed by this department as a final site plan and no further review is necessary.

***M. Determination of compliance with engineering, storm water and flood management requirements – Engineering Services Division***

**Findings of Compliance:**

**COMPLIANCE WITH ADEQUATE PUBLIC FACILITIES ORDINANCE:**

This project will provide the proposed development sufficient services based upon the adopted LOS for stormwater management facilities.

**Findings of Compliance:**

The application was reviewed for compliance with the following Divisions of the Land Development Regulations. Staff's finding is summarized after each:

Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that no excavation is proposed and only fill will be brought onto the site; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.



Division 9- Stormwater Management: The applicant has demonstrated the proposed development is included in the Master Stormwater Management System and the proposed development is consistent with the approved existing system; thereby, the required attenuation and water quality treatment is in compliance with Division 9.

Division 10- Flood Protection: The site does not fall within a Special Flood Hazard Area. The applicant demonstrated that the minimum finished floor elevation of 17.00-feet NAVD is set at or above the maximum predicted stage of the 100-year 3-day storm event; therefore, the applicant demonstrated compliance with Division 10.

Division 14- Parking and Loading: The applicant demonstrated compliance with the parking and loading requirements set forth in Division 14 with the design and layout of the proposed on-site parking facilities.

Division 19- Roadway Design: The applicant has demonstrated compliance with Division 19 with the design of the proposed connection to the existing access tract.

Development Order:

Hauling of fill from the site is prohibited. The routes and timing of any fill to be hauled to the site shall be coordinated with the County Engineer. Compliance with all County excavation and fill regulations is required.

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

**Addressing**

**Findings of Compliance:**

The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan / plat complies with applicable addressing regulations. All street names are in compliance. They meet all street naming regulations in Article 4, Division 17, Land Development Regulations. Martin County, Fla. (2024).

**Electronic File Submittal**

**Findings of Compliance:**

Both the AutoCAD dwg file of the site plan and boundary survey were found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2024).

***O. Determination of compliance with utilities requirements – Utilities Department***

**Water and Wastewater Service**

**Findings of Compliance:**

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds it in compliance with Martin County's requirements for water and wastewater level of service. [Martin County, Fla., LDR, Article 4, Division 6 and 7, (2016)]

## Wellfield and Groundwater Protection

### Findings of Compliance:

The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR, Article 4, Division 5] (2016)

### *P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department*

#### Fire Prevention

### Findings of Compliance

The Fire Prevention Division finds this submittal to be in compliance with the applicable provisions governing construction and life safety standards of the Florida Fire Prevention Code. This occupancy shall comply with all applicable provisions of governing codes whether implied or not in this review, in addition to all previous requirements of prior reviews.

#### Emergency Management

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

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

### Findings of Compliance:

The Public Works Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements. [2020 Florida Building Code, Accessibility, 7th Edition]

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

#### Martin County Health Department

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

#### Martin County School Board

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

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

Review ongoing.

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

The review for compliance with the standards for a Certificate of Adequate Public Facilities Exemption for development demonstrates that no additional impacts on public facilities were created in accordance with Section 5.32.B., LDR, Martin County, Fla. (2016). Exempted development will be treated as committed development for which the County assures concurrency.

Examples of developments that do not create additional impact on public facilities include:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more;
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan;
- D. Boundary plats which permit no site development.

**U. Post-approval requirements**

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. Approval of the development order is conditioned upon the applicant’s submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Please submit all of the following items in a single hard copy packet and in electronic pdf format (on disk or flash drive) with the documents arranged in the order shown in the list below. The 24” x 36” plans should be submitted rolled and in separate sets as itemized below.

Item	Description	Requirement
1.	Response to Post Approval Requirements List	The applicant will submit a response memo addressing the items on the Post Approval Requirements List.
2.	Post Approval Fees	The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.

Item	Description	Requirement
3.	Recording Costs	The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.
4.	Warranty Deed	One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.
5.	Construction Plans	One (1) 24” x 36” copy of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Rolled. <ol style="list-style-type: none"> <li>1. As previously stated, demonstrate the location and elevation of the required berm with spot “minimum berm” elevations shown along the western portion of the site. The eventual as-builts will rely on this being clearly demonstrated.</li> </ol>
6.	Approved PUD Final Site Plan	One (1) copy 24” x 36” of the approved PUD final site plan.
7.	Approved Landscape Plan	One (1) 24” x 36” copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.
8.	Approved Elevations	One (1) 24” x 36” copy of the approved elevation drawings signed and sealed by a licensed architect.
9.	Digital Copy of Site Plan	One (1) digital copy of site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
10.	Unity of Title	Original and one (1) copy of the current Unity of Title (Check Box #1) in standard County format if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating so that no transfer has occurred.
11.	Engineer’s Design Certification	Original of the Engineer’s Design Certification, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.

Item	Description	Requirement
12.	Water & Wastewater Service Agreement	Original and one (1) copy or two (2) copies of the executed and signed Water and Wastewater Service Agreement with Martin County Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.
13.	Flash/Thumb Drive	One (1) blank flash/ thumb drive for digital file recording.

**V. Local, State, and Federal Permits**

Approval of the development order is conditioned upon the applicant's submittal of all required applicable Local, State, and Federal Permits to Martin County prior to scheduling the pre-construction meeting.

**W. Fees**

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$9,127	\$9,127	\$0.00
Inspection fees:	\$4,000		\$4,000
Advertising fees *:	\$0.00	\$0.00	\$0.00
Recording fees **::	\$0.00	\$0.00	\$0.00
Impact fees***:	\$0.00	\$0.00	\$0.00

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

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

\*\*\*Impact fees are required at building permit.

**X. General application information**

Applicant: Boos Development Group, Inc.  
 Rachel Myers  
 410 Park Place Blvd. Suite #100  
 Clearwater, FL 33759  
 727-669-2900 extension 242  
 rmyers@booddevelopment.com

Owner: West Jensen CW, LLC  
 C/O Dacar Management, LLC  
 336 E Dania Beach Boulevard  
 Dania, Florida 33004  
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 rmyers@boosdevelopment.com

Agent: Thomas Engineering Group

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Engineer of Record: Thomas Engineering Group  
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## Y. Acronyms

ADA	Americans with Disability Act
AHJ	Authority Having Jurisdiction
ARDP	Active Residential Development Preference
BCC	Board of County Commissioners
CGMP	Comprehensive Growth Management Plan
CIE	Capital Improvements Element
CIP	Capital Improvements Plan
FACBC	Florida Accessibility Code for Building Construction
FDEP	Florida Department of Environmental Protection
FDOT	Florida Department of Transportation
LDR	Land Development Regulations
LPA	Local Planning Agency
MCC	Martin County Code
MCHD	Martin County Health Department
NFPA	National Fire Protection Association
SFWMD	South Florida Water Management District
W/WWSA	Water/Wastewater Service Agreement

## Z. Attachments