



Legislation Details (With Text)

File #: 24-1079
Type: Departmental Quasi Judicial **Status:** Passed
In control: Board of County Commissioners
On agenda: 7/9/2024 **Final action:** 7/9/2024
Title: REQUEST FOR APPROVAL OF THE FINAL SITE PLAN FOR WEST JENSEN PUD, PHASE 1B, PARCEL 6.6 (W038-108)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2024_0613_W038-108_DRT_STAFF_FINAL.pdf, 2. 2024_0614_W038-108 RESO APPROVE.pdf, 3. 2024_0614_W038-108 EXHIBIT A LEGAL DESCRIPTION.pdf, 4. 2024_0610_W038-108 EXHIBIT B FINAL SITE PLAN.pdf, 5. 2024_0610_W038-108 ELEVATIONS.pdf, 6. 2024_0610_W038-108 LANDSCAPE PLANS.pdf, 7. 2024_0614_W038-108 APPLICATION MATERIALS.pdf, 8. 2024_0614_W038-108 SIGN POSTING AFFIDAVIT.pdf, 9. 2024_0614_W038-108 RESO DENY.pdf, 10. Staff Presentation, 11. SUPP MEMO, 12. West Jensen CW, LLC Disclosure of Interest Affidavit.pdf, 13. Jensen Beach Land Company Ltd - Org Chart v.pdf

Date	Ver.	Action By	Action	Result
7/9/2024	1	Board of County Commissioners	approved	Pass

PLACEMENT: Departmental - Quasi-Judicial

TITLE:

REQUEST FOR APPROVAL OF THE FINAL SITE PLAN FOR WEST JENSEN PUD, PHASE 1B, PARCEL 6.6 (W038-108)

EXECUTIVE SUMMARY:

This is a request by Thomas Engineering Group on behalf of Boos Development Group, Inc. for approval of a proposed 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 1B of the West Jensen Planned Unit Development (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.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Brian Elam, PMP
Title: Principal Planner

REQUESTED BY: Thomas Engineering Group, Darren T.R. Eyre, PE

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

The site has a designated future land use of commercial general and is zoned PUD-WJ, West Jensen Planned Unit Development, and is located within Phase 1B of the West Jensen Planned Unit Development/Development of Regional Impact (PUD/DRI), which was originally approved in 1989.

West Jensen PUD Phase 1B, which includes the subject site, consists of approximately 155 acres located along the US-1 and Goldenrod Road corridor. This development has established concurrency pursuant to the approved DRI and does not result in any increases in square footage, area, or intensity of development as previously approved and vested and therefore qualifies for a Certificate of Public Facilities Exemption. The property is located within the primary urban service district and will have access to the full complement of public services.

On August 10, 2021 the Board duly passed and adopted the Thirteenth Amendment to West Jensen Planned Unit Development Zoning Agreement revising the Exhibit D-2, Phase 1B - US-1 Corridor Revised Master Plan. Revisions included the reconfiguration of Parcels 6.1, 6.2, 6.3, 6.4 and 6.5 and the creation of parcels 6.6, 6.7 and 6.8.

On August 10, 2021 the Board duly passed and adopted the West Jensen PUD/DRI Phase 1B, Plat Infrastructure Final Site Plan for Parcels 6.1-6.8.

The proposed development is accessed from the east side of the property by way of a private road owned by the West Jensen PUD Commercial Property Owners Association Inc.

On May 9, 2023 the Board duly passed and adopted the West Jensen PUD, Phase 1B, Parcels 6.0, 6.4-6.8 Plat including a Revised Infrastructure Final Site Plan for Parcels 6.0, 6.4-6.8 and Parcel 7, as well as the Parcel 6.4 Revised Final Site Plan for the Avila Residential development consisting of 64 villas and 105 townhomes on 4.41 acres.

Review of this application by the Local Planning Agency is not required.

The following supporting items are attached:

- Staff Report
- Resolution to Approve Final Site Plan
- Exhibit A Legal Description
- Exhibit B Final Site Plan
- Elevations
- Landscape Plans
- Application Materials
- Disclosure of Interest - to be provided by Supplemental Memo
- Sign Posting Affidavit
- Resolution to Deny
- Staff Presentation

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

Because this request involves the application of a policy to a specific application and site, it is a quasi-judicial decision. Quasi-judicial proceedings must be conducted with more formality than a legislative proceeding. In quasi-judicial proceedings, parties are entitled - as a matter of due process - to cross-examine witnesses, present evidence, demand that witnesses testify under oath, and demand a decision based on a correct application of the law and competent substantial evidence in the record.

RECOMMENDED ACTION:

RECOMMENDATION

1. Move that the Board receive and file the agenda item and its attachments including the staff report as Exhibit 1.
2. Move that the Board adopt the Resolution approving the final site plan for West Jensen PUD Phase 1B, Parcel 6.6.

ALTERNATIVE RECOMMENDATIONS

None

FISCAL IMPACT:

RECOMMENDATION

The applicant has paid the \$9,127.00 application fee and the \$290.00 Completeness fee.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- | | | |
|--|--|---|
| ☐ Budget Transfer / Amendment | ☐ Chair Letter | ☐ Contract / Agreement |
| ☐ Grant / Application | ☐ Notice | ☐ Ordinance |
| ☐ Other: | ☒ Resolution | |

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