



Legislation Details (With Text)

File #: 22-0111

Type: Public Hearing Quasi Judicial **Status:** Passed

In control: Board of County Commissioners

On agenda: 10/19/2021 **Final action:** 10/19/2021

Title: REQUEST BY WRIGHT-FISH, LLC FOR MAJOR FINAL SITE PLAN APPROVAL FOR WRIGHT FISH 7 ELEVEN (W079-009)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2021_0816_W079-009_Staff_Report_Finaldocx.pdf, 2. 2021_0914_W079-009_Final_Site_Plan.pdf, 3. 2021_0923_W079-023_Resolution_to_Approve.pdf, 4. 2021_0923_W079-009_Application_Materials.pdf, 5. 2021_0923_W079-009_Landscape_Plans.pdf, 6. 2021_0923_W079-009_Disclosure_of_Interest.pdf, 7. 2021_0913_W079-009_Sample_Notice_Letter.pdf, 8. 2021_0922_W079-009_BCC_LegalAD_Tearsheet.pdf, 9. 2020_1216_W079-009_Sign_Cert.pdf, 10. 2021_0923_W079-009_Reso_Deny.pdf, 11. Staff Presentation.pdf, 12. Supplemental_Memo.pdf, 13. FW_ Wright Fish public hearing.pdf

Date	Ver.	Action By	Action	Result
10/19/2021	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings - Quasi-Judicial

TITLE:

REQUEST BY WRIGHT-FISH, LLC FOR MAJOR FINAL SITE PLAN APPROVAL FOR WRIGHT FISH 7 ELEVEN (W079-009)

EXECUTIVE SUMMARY:

Request for major final site plan approval for the construction of a 5,476 square foot convenience store, car wash and an 8-pump gas station and the associated infrastructure on a currently undeveloped approximate 3.51-acre parcel located on the southeast corner of South Kanner Highway and SE Salerno Road in Stuart. Included is a request for a Certificate of Public Facilities Reservation.

DEPARTMENT: Growth Management

PREPARED BY: Name: Peter Walden, AICP
Title: Principal Planner

REQUESTED BY: Wright-Fish, LLC, Ralph Parks

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

The proposed convenience store will front on South Kanner Highway. The site will have access from South Kanner Highway and SE Salerno Road. The parcel is within the Primary Urban Service District with water and sewer service available. There is an existing stormwater retention pond onsite and proposed dry retention added along SE Salerno Road.

The site development will require coordination with the adjacent proposed residential development and the County Public Works Department for offsite improvements regarding SE Salerno Road.

The site was previously developed as a gas station with a small retail store. The store and all service station appurtenances were removed over time and by 2013 the site was totally cleared except for some pavement. The site has not been utilized since however, a stormwater retention lake was constructed in 2017 as part of the SW Kanner Highway improvements.

The following supporting documents are attached:

Staff Report
Final Site Plan
Resolution to Approve
Application Materials
Landscape Plans
Disclosure of Interest
Notice to Surrounding Properties
Legal Ad
Sign Posting Affidavit
Resolution to Deny
Staff PowerPoint

Consideration of this application by the Local Planning Agency is scheduled for October 7, 2021.

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 all its attachments including the staff report as Exhibit 1.
2. Move that the Board approve the Final Site Plan for Wright-Fish 7 Eleven.

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 Resolution
 Other:

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