



## Legislation Details (With Text)

**File #:** 20-0666  
**Type:** Departmental Quasi Judicial      **Status:** Passed  
**In control:** Board of County Commissioners  
**On agenda:** 5/19/2020      **Final action:** 5/19/2020  
**Title:** REQUEST FOR APPROVAL OF HOBE SOUND RETAIL SUBDIVISION PLAT (M190-006)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff\_Report.pdf, 2. Plat.pdf, 3. Approved\_Final\_Site\_Plan.pdf, 4. February\_10\_Application\_Materials.pdf, 5. March\_27\_Resubmittal\_Excerpted.pdf, 6. Sign\_Posting\_Certification.pdf, 7. Financial\_Disclosure\_Affidavit.pdf, 8. Draft\_Resolution\_to\_deny\_Plat.pdf, 9. 2020\_0508\_M190-006\_Supplemental\_Memo.pdf, 10. Draft Contract for Construction of Required Improvements.pdf

Date	Ver.	Action By	Action	Result
5/19/2020	1	Board of County Commissioners	approved	Pass

**PLACEMENT:** Departmental - Quasi-Judicial

**TITLE:**

**REQUEST FOR APPROVAL OF HOBE SOUND RETAIL SUBDIVISION PLAT (M190-006)**

### EXECUTIVE SUMMARY:

This is a request by Palmetto Hobe Sound - SE Federal Highway LLC, for approval of the Hobe Sound Retail plat, consistent with the approved final site plan for a two-lot commercial subdivision of approximately 3.15 acres with shared infrastructure consisting of upland preserve and shared access. The site is located on the east side of US-1 approximately 1,400 feet north of SE Bridge Road in Hobe Sound.

**DEPARTMENT:** Growth Management

**PREPARED BY:** **Name:** Matt Stahley  
**Title:** Senior Planner

**REQUESTED BY:** Eric Presnell, Agent; Palmetto Hobe Sound- SE Federal Highway, LLC, Owner

**PRESET:**

**PROCEDURES:** Quasi-Judicial

### BACKGROUND/RELATED STRATEGIC GOAL:

This is a request by Palmetto Hobe Sound - SE Federal Highway LLC, for approval of a plat,

consistent with the approved final site plan of a two-lot commercial subdivision of approximately 3.15 acres with shared infrastructure consisting of upland preserve and shared access. The site is located on the east side of US-1 approximately 1,400 feet north of SE Bridge Road within the Hobe Sound CRA. Included with this application is a request for a Certificate of Public Facilities Exemption.

Proposed is the creation of two commercial lots to accommodate proposed commercial development on both lots and supporting infrastructure. The site is undeveloped and contains rare and unique upland habitat, so the site plan and plat of the subdivision include the establishment of upland preserve area separately from the commercial lots.

The Hobe Sound Retail Subdivision development was approved on February 12, 2020, via a Minor Development Order. The plat of this development shall be consistent with the approved final site plan and with the requirements of Division 21, Article 4, Land Development Regulations, Martin County, Fla.

The Local Planning Agency (LPA) was not required to hear this plat application and final action on this application is required by the Board of County Commissioners (BCC) in a public meeting pursuant to Table 10.5.F.9., Section 10.5.F., LDR, Martin County, Fla. (2019).

The following supporting materials are provided attached to this agenda item:

- Staff Report
- Plat
- Approved Final Site Plan
- Application Materials
- Sign Posting Certification
- Financial Disclosure Affidavit
- Draft Resolution for Denial of Plat

The Draft Contract for Construction of Required Improvements and Infrastructure will be submitted by Supplemental Memorandum.

**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, 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 that is 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 Summary and all attachments including the staff report for the record as Exhibit 1.

2. Move that the Board approve the Plat for Hobe Sound Retail Subdivision including the contract for construction of required improvements and infrastructure.

**ALTERNATIVE RECOMMENDATIONS**

- 2A. Move that the Board Continue the Hobe Sound Retail Subdivision Plat to a date certain.
- 2B. Move that the Board deny the Hobe Sound Retail Subdivision Plat and adopt the resolution of denial setting forth the reasons for denial.

**FISCAL IMPACT:**

**RECOMMENDATION**

The applicant has paid the review fee of \$13,600 and the sufficiency review fee of \$290.

Funding Source	County Funds	Non-County Funds
<b>Subtotal</b>		
<b>Project Total</b>		

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

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

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