



Legislation Details (With Text)

File #: 19-0049
Type: Departmental Quasi Judicial **Status:** Passed
In control: Board of County Commissioners
On agenda: 11/20/2018 **Final action:** 11/20/2018
Title: BH STORAGE STUART MAJOR REVISED FINAL SITE PLAN (S181-006)
Sponsors:
Indexes:
Code sections:

Attachments: 1. 2018_1120_S181-006_RESO_APPR_DRAFT.pdf, 2. Exhibit_A_LegalDescription_S181-006.pdf, 3. Exhibit_B_RevisedFinalSitePlan_S181-006.pdf, 4. 2018_1005_S181-006_DRT_Staff_FINAL.pdf, 5. 2017_1214_S181-006_APP_excerpt.pdf, 6. 2018_0529_S181-006_RESUB_excerpt.pdf, 7. 2018_0816_S181-006_RESUB_excerpt.pdf, 8. 2018_1001_S181-006_LightingPlan.pdf, 9. 2018_1005_S181-006_RESUB_NewOwnership.pdf, 10. Parking Rate Adjustment.pdf, 11. 2018_1002_S181-006_list of surrounding property owners.pdf, 12. Noticing Sign Cert.pdf, 13. 2018_1002_S181-006_SAMPLE LETTER TO SURROUNDING PROPERTY OWNERS.pdf, 14. 2018-1004-S181-006 Legal Ad.pdf, 15. 2018_1026_S181-006_ComplianceLetter.pdf, 16. 2018_1120_S181-006_RESO_DENY_DRAFT.pdf, 17. 18-Oct-18 LPA Minutes

Date	Ver.	Action By	Action	Result
11/20/2018	1	Board of County Commissioners	approved	Pass

PLACEMENT: Departmental - Quasi-Judicial

TITLE:

BH STORAGE STUART MAJOR REVISED FINAL SITE PLAN (S181-006)

EXECUTIVE SUMMARY:

This application is a request by BH Storage Stuart, LLC, for approval of a revised major final site plan for a 88,025 square-foot residential storage facility project on two parcels totaling approximately 3.5 acres located on the east side of SE Federal Hwy approximately 1200 feet north of SE Salerno Rd in Stuart.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Catherine Riiska
Title: Principal Planner

REQUESTED BY: BH Storage Stuart, LLC, owner; Doug Fitzwater, Lucido and Associates, Agent

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

The project site consists of two parcels and has a split land use designation and split zoning. The parcel with frontage on SE Federal Highway is designated for Commercial General future land use and has GC, General Commercial District, zoning. The rear parcel is designated for Commercial Office/Residential (COR) future land use and has R-3A, Liberal Multiple Family District, zoning. An approximate 8,000 square-foot warehouse was built on the parcel fronting SE Federal Highway and an approximate 900 square foot dwelling was built on the rear parcel in 1965. In response to a code enforcement action, the warehouse was demolished this year. No wetland or upland habitat exists on the site according to the applicant's environmental assessment, which was field verified by County Staff.

The proposed project consists of a 3-story, 80,537 square-foot climate controlled building on the parcel fronting SE Federal Highway and two 1-story non-climate controlled 3,600 square-foot buildings on the rear parcel, for a total of 88,025 square feet of residential storage use with related infrastructure. It is a permitted use in both zonings and land uses and the application materials, including the site plan, have demonstrated compliance with the development standards for each zoning and land use, for portions located within those specific parcels. In addition to the zoning standards, the application has demonstrated compliance with the commercial design standards, landscape buffering requirements for commercial development adjacent to residential uses, and applicable Comprehensive Plan requirements for each land use, as detailed within the provided Staff Report. Access is proposed via SE Federal Highway and the project is located within the Primary Urban Services District and will be serviced by Martin County Utilities for water and wastewater services. The applicant has proposed a reduced parking rate and has provided a parking rate adjustment analysis for consideration.

This application is classified as a revised final site plan for major development, since the redevelopment of the site includes a new use on the rear parcel and the additional development exceeds the threshold of a minor development as set forth in Section 10.11.B., LDR, Martin County Code. Therefore, the application requires two public hearings to provide the public an opportunity to participate in the review and decision making process. The first public hearing has been scheduled on October 18, 2018, before the Local Planning Agency, who will make a recommendation on the request, pursuant to Section 10.4., LDR, Martin County Code. The second public hearing has been scheduled on November 20, 2018, before the Board of County Commissioners, who will take final action on the request, pursuant to Section 10.5., LDR, Martin County Code.

This application was heard before the Local Planning Agency on October 18, 2018, and received a unanimous (5-0) recommendation of approval conditioned upon the resolution of final corrections required on the site to remedy debris that remained from the building demolition. The applicant completed the required corrective actions and the Martin County building department inspectors issued a letter of compliance on October 26, 2018.

The following supporting materials are provided attached to this Agenda Item:

Staff Report

Draft Resolution for Approval

Site Legal Description (Exhibit A to resolution)

Revised Final Site Plan (Exhibit B to resolution)

Application Materials

Parking Rate Adjustment

New Ownership Documents, including Financial Disclosure

Noticing Sign Posting Certification
Surrounding Property Owners List
Noticing Letter Template
Noticing Legal Ad
Letter of Site Compliance
Draft Resolution for Denial
Draft Minutes, October 18, 2018, Local Planning Agency

The following information regarding presentations by staff and the applicant is provided.

Staff presentation-

Estimated time: Approximately 5 minutes
Catherine Riiska, Principal Planner
Additional County Staff as needed

Applicant presentation-

Estimated time: Approximately 5 minutes
Doug Fitzwater, Lucido and Associates, Landscape Architect/Agent
JB Baldwin, BH Storage Stuart, Owner
Brian Baldwin, BH Storage Stuart, Owner
Pat Laconte, Laconte Engineering, Civil Engineer

ISSUES:

There are no unresolved issues associated with this application.

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 that is based on a correct application of the law and competent substantial evidence in the record. Suggested procedures to follow during consideration of this matter are attached.

RECOMMENDED ACTION:

RECOMMENDATION

1. Move that the Board receive and file the Agenda item Summary and all of its attachments including the Staff Report for the record as Exhibit 1.
2. Move that the Board approve the BH Storage Stuart Revised Final Site Plan and adopt the resolution of approval.

ALTERNATIVE RECOMMENDATIONS

- 2A. Move that the Board continue this matter to a date certain.

2B. Move that the Board deny the BH Storage Stuart Revised Final Site Plan and adopt a resolution of denial setting forth the reasons for the denial.

FISCAL IMPACT:

RECOMMENDATION

The applicant has paid \$290 in sufficiency review fees and \$9,127 in application review fees.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

As Above.

DOCUMENT(S) REQUIRING ACTION:

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