



Legislation Details (With Text)

File #: 23-0825

Type: Departmental Quasi Judicial **Status:** Passed

In control: Board of County Commissioners

On agenda: 6/6/2023 **Final action:** 6/6/2023

Title: REQUEST APPROVAL OF THE NINETEENTH AMENDMENT TO THE INDIAN RIVER PLANTATION PLANNED UNIT DEVELOPMENT (PUD) AGREEMENT INCLUDING A REVISED MASTER SITE PLAN AND REVISED PHASE 3 FINAL SITE PLAN (I007-005)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Draft Nineteenth Amendment to Indian River Plantation to PUD Agreement.pdf, 3. Revised Master Site Plan, 4. Application Materials, 5. Resolution To Approve the Revised Phase 3 Final Site Plan, 6. Revised Phase 3 Final Site Plan, 7. Landscape Plan, 8. Disclosure of Interest, 9. Sign Posting, 10. Resolution to Deny the Revised Phase 3 Final Site Plan, 11. Staff Presentation

Date	Ver.	Action By	Action	Result
6/6/2023	1	Board of County Commissioners	approved	Pass

PLACEMENT: Departmental - Quasi-Judicial

TITLE:

REQUEST APPROVAL OF THE NINETEENTH AMENDMENT TO THE INDIAN RIVER PLANTATION PLANNED UNIT DEVELOPMENT (PUD) AGREEMENT INCLUDING A REVISED MASTER SITE PLAN AND REVISED PHASE 3 FINAL SITE PLAN (I007-005)

EXECUTIVE SUMMARY:

This is a request by HJA Studio Design LLC, on behalf of Mensa II Ocean Hotel LLC (I007-005) for approval of Nineteenth Amendment to the Indian River Plantation PUD Agreement including a Revised Master Site Plan and Revised Phase 3 Final Site Plan and removal of the Martin County Fire Station #14 property from the PUD. The Phase 3 property is approximately 1.17 acres and located at the intersection of NE Ocean Boulevard and NE MacArthur Boulevard, on Hutchison Island. Included is a request for Certificate of Public Facilities Reservation for Phase 3.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Allison Rozek
Title: Principal Planner

REQUESTED BY: HJA Studio Design LLC

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

The Indian River Plantation project received Planned Unit Development (PUD) approval on January 18, 1977. The PUD is fully built out; therefore, proposals from this point forward will revolve around redevelopment, rather than new development.

This is a request to approve the Nineteenth Amendment to the Indian River Plantation PUD, including a Revised Master Site Plan and Revised Phase 3 Final Site Plan to change the use of the Phase 3 property from bank/office to commercial for a proposed redevelopment and remove the Martin County Fire Rescue Station #14 property from the PUD boundary.

Changes to the PUD Zoning Agreement Include:

- Change in use of two existing buildings (from bank/office to commercial) to become an ancillary use to the hotel including a guest food market and arcade, with limited dining
- Removal of the Martin County Fire Rescue Station #14 property from the PUD
- Revised master site plan data
- Supplemental completion timetable for redeveloping the Phase 3 property

Pursuant to Section 10.5.F, Article 10, Land Development Regulations, Martin County Code, a review of this application by the LPA is not required.

The following supporting documents are attached:

1. Staff Report
2. Nineteenth Amendment to Indian River Plantation Planned Unit Development Agreement
3. Revised Master Site Plan
4. Resolution to Approve the Revised Phase 3 Final Site Plan
5. Revised Phase 3 Final Site Plan
6. Application Materials
7. Landscape Plan
8. Disclosure of Interest
9. Sign Posting Affidavit
10. Resolution to Deny the Revised Phase 3 Final Site Plan
11. 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 all attachments, including the Staff Report as Exhibit 1.
2. Move that the Board approve the Nineteenth Amendment to the Indian River Plantation PUD Agreement including the Revised Master Site Plan with a Deferral of Public Facilities Reservation.
3. Move that the Board adopt the resolution approving the Revised Phase 3 Final Site Plan including a Certificate for Public Facilities Reservation.

ALTERNATIVE RECOMMENDATIONS

None

FISCAL IMPACT:

RECOMMENDATION

The applicant has paid the \$13,800 application fee and the \$290 completeness fee.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- | | | |
|--|---------------------------------------|--|
| <input type="checkbox"/> Budget Transfer / Amendment | <input type="checkbox"/> Chair Letter | <input checked="" type="checkbox"/> Contract / Agreement |
| <input type="checkbox"/> Grant / Application | <input type="checkbox"/> Notice | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Other: | | |

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