

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

Becker B-14 Grove, Ltd and Hobe Sound Equestrian LLC request approval for a rezoning from AG-20A and RE-2A to PUD pursuant to the Discovery Planned Unit Development Zoning Agreement. The subject property includes all of the existing Hobe Sound Polo Club plat consisting of approximately 1,307 acres. The Hobe Sound Polo Club was platted in 2009 as 20 acre parcels and tracts for polo fields and rights-of-way. That master site plan also included Tract D of the Grove XXIII Golf Club plat which consists of approximately 223 acres. Tract D is undeveloped and was not a part of the final site plan for the adjacent Grove XXIII Golf Club. The proposed PUD Zoning Agreement provides for the termination of the final site plan approval for the Hobe Sound Polo Club. If approved, the Discovery project must be re-platted prior to any conveyance of lots.

The majority of the proposed Discovery project has the future land use designation of Agriculture with the AG-20, General Agricultural zoning district classification. Approximately 37 acres along the north property boundary has the Rural Density future land use designation with the RE-2A, Rural Estate zoning district classification. The RE-2A property is within the Secondary Urban Service District. Approval of the rezoning request is contingent upon the approval of two pending Comprehensive Plan Amendments, CPA 21-08 Becker B14 Text and CPA 21-09 Becker B14 FLUM.

Proposed development includes 317 residential units on the 1,530 acres, resulting in a residential density of approximately 1 unit per 5 acres. The project will also include an 18 hole golf course, 10 golf cottages, equestrian facilities, and resort style club amenities. The site will be accessed by the existing entrance on the north side of SE Bridge Road.

Pursuant to the requirements of pending CPA 21-08 Becker B14 Text, the proposed Discovery PUD Zoning Agreement includes several public benefits. The site is adjacent to the Atlantic Ridge State Park and an existing 10,000 sq. ft. stable with grooms' quarters and parking which is proposed for donation to the State of Florida. Also proposed is construction of an access road from SE Bridge Road to the stable for public use as an access to the state park area. Approximately 140 acres of undeveloped land adjacent to the park is planned to be converted back into native wetlands and upland habitat.

As part of the requirement for property receiving a Rural Lifestyle future land use designation, approximately 800 acres of agricultural land located south of the project will be placed in a perpetual agricultural easement, removing all residential development from the land. That property will retain its existing future land use designation and zoning classification.

This application was considered by the Local Planning Agency on April 7, 2022. The LPA recommended approval of the application.

The application was initially advertised for a BCC hearing on April 19, 2022. At that time, the BCC voted to table the application. The attached PUD Zoning Agreement includes minor nonsubstantive revisions which were noticed upon further review of the document which was included with the agenda item originally scheduled for consideration on April 19, 2022.

The following supporting items are attached:

Staff Report
PUD Zoning Agreement
Master Site Plan
Phasing Plan
Rezoning Resolution
Application Materials
Fiscal Analysis
Ag Easement Legal Description
Disclosure of Interest
Notice to Surrounding Properties
Legal Ad
Sign Posting Affidavit
Resolution to Deny
Staff PowerPoint
Legal Ad for June 21 BCC
Supplemental Memo
Revised PUD Language

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 approve the request for a zoning change from the RE-2A and AG-20A Zoning Districts to the Planned Unit Development District through the Discovery PUD Zoning Agreement including the Master Site plan and Phasing Plan.

ALTERNATIVE RECOMMENDATIONS

None

FISCAL IMPACT:

RECOMMENDATION

The applicant has paid the \$13,800.00 application fee and the \$290.00 sufficiency 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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