



Legislation Details (With Text)

File #: 20-0646

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

In control: Board of County Commissioners

On agenda: 5/5/2020 **Final action:** 5/5/2020

Title: REQUEST FOR APPROVAL OF THE FIRST AMENDMENT TO THE COVE ROYALE PLANNED UNIT DEVELOPMENT ZONING AGREEMENT AND PHASE 1 FINAL SITE PLAN

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2020__0408_C165-003_Staff_Report_Final.pdf, 2. 2020_0408_C165-003_MasterPlan.pdf, 3. 2020_0410_C165-003_PhaseOneFinalSitePlan.pdf, 4. 2020_0408_C165-003_ApplicationMaterials.pdf, 5. 2020_0410_C165-003_ConstructionDrawings.pdf, 6. 2020_0311_C165-003_LP.pdf, 7. 2020_0311_C165-003_FWP.pdf, 8. 2020_0311_C165-003_Traffic_Report.pdf, 9. 2020_0410_C165-003 Disclosure of Interest Affidavit.pdf, 10. 2020-0410_C154-003_Sign Certification.pdf, 11. 2020_0410_C165-003_SamaritanHouse_Check.pdf, 12. Supplemental_Memo.pdf, 13. 2020_0427_C165-003_PAMP.pdf, 14. First Amendment to the PUD Agreement.pdf, 15. 2020_0415_C165-003_Reso_Approve.pdf, 16. CoveRoyale.Denial.pdf

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

PLACEMENT: Departmental - Quasi-Judicial

TITLE:

REQUEST FOR APPROVAL OF THE FIRST AMENDMENT TO THE COVE ROYALE PLANNED UNIT DEVELOPMENT ZONING AGREEMENT AND PHASE 1 FINAL SITE PLAN

EXECUTIVE SUMMARY:

TLH-82 DOT, LLC requests approval of the First Amendment to the Cove Royale Planned Unit Development Zoning Agreement in order to phase the development of the 118-unit single family development. Approval of the Phase 1 final site plan consisting of 81 single family detached homes and the associated infrastructure is also requested.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Peter Walden
Title: Principal Planner

REQUESTED BY: Evans Land Consulting, Jeff Evans

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

This is a request for the First Amendment to the Cove Royale Planned Unit Development (PUD) Zoning Agreement including a revised master site plan and phasing plan. Final site plan approval for Phase 1 of the project has also been requested. The PUD Zoning Agreement including a master and final site plan was approved on March 26, 2019. The applicant is requesting revised master site plan approval with phasing of the 118 single family detached residential units. The proposed Phase 1 final site plan consists of 81 single family units on the western portion of the site. The project is situated on an approximate 97 acre parcel located on the south side of SE Cove Road approximately 1.75 miles west of US Highway 1 in Stuart. Included with this application is a request for a Certificate of Public Facilities Reservation for Phase 1.

The projects' buildout would have a density of 1.22 units per acre. On November 14, 2017, a future land use designation change was approved by the Martin County Board of County Commissioners for the property to change the existing land use of Rural Density, one unit per two acres to Residential Estate density, allowing up to two units per acre.

The property has approximately 35 acres of wetlands. The upland vegetation consists mostly of Pine Scrub land. The parcel borders the Seabach State Preserve lands to the south. The proposed project is within the Primary Urban Services Boundary and water and waste water services will be provided by Martin County Utilities.

Public benefits proposed by the applicant in the PUD Zoning Agreement and remaining unchanged include a sidewalk connecting the development to the Dr. David L. Anderson Middle School located about 1,800 feet to the west on Cove Road and the donation of a passenger van to the Good Samaritan House for Boys. The donation of the passenger van has been completed.

The Following Supporting Documents are attached to this item:

Staff Report
Master Site Plan and Phasing Plan
Phase 1 Final Site Plan
Application Materials
Construction Plans
Landscape Plans
Firewise Plans
Traffic Report
Disclosure of Interest
Sign Certification
Copy of Check for Samaritan House

The proposed First Amendment to the PUD Zoning Agreement as well as the draft resolutions related to the Phase 1 final site plan will be provided 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 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 as Exhibit 1.
2. Move that the Board approve the First Amendment to the Cove Royale PUD Zoning Agreement which includes the revised master site plan and phasing plan.
3. Move that the Board approve the Phase 1 final site plan.

ALTERNATIVE RECOMMENDATIONS

None

FISCAL IMPACT:

RECOMMENDATION

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

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

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

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