



## Legislation Details (With Text)

**File #:** 20-0743

**Type:** Public Hearing Quasi Judicial **Status:** Passed

**In control:** Board of County Commissioners

**On agenda:** 6/16/2020 **Final action:** 6/16/2020

**Title:** MAGNOLIA RIDGE OF PALM CITY PUD (P161-004) REQUESTING APPROVAL OF PLANNED UNIT DEVELOPMENT ZONING AGREEMENT INCLUDING A MASTER/FINAL SITE PLAN

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Zoning\_Resolution\_to\_Approve.pdf, 2. Master and Final Site Plan.pdf, 3. 2020\_0520\_Staff\_Report.pdf, 4. 2020\_0521\_Application Pages Extract from 2019\_0213.pdf, 5. 2019\_0913\_Resubmittal.pdf, 6. 2020\_0117\_Resubmittal.pdf, 7. 2020\_0410\_Resubmittal.pdf, 8. 2020\_0505\_Resubmittal.pdf, 9. Preserve Area Management Plan.pdf, 10. Financial Disclosure.pdf, 11. Legal Ad Tearsheet.pdf, 12. Sample Notice Letter.pdf, 13. Sign Certification.pdf, 14. Surrounding Prop Owners Certification.pdf, 15. Resolution\_to\_Deny.pdf, 16. Supplemental Memo.pdf, 17. Resolution To Approve Drainage Access and Maintenance Easement.pdf, 18. Exhibit A\_Easement Sketch And Legal.pdf, 19. Landscape Plan.pdf, 20. PUD Agreement.pdf

| Date      | Ver. | Action By                     | Action   | Result |
|-----------|------|-------------------------------|----------|--------|
| 6/16/2020 | 1    | Board of County Commissioners | approved | Pass   |

**PLACEMENT:** Public Hearings - Quasi-Judicial

### TITLE:

**MAGNOLIA RIDGE OF PALM CITY PUD (P161-004) REQUESTING APPROVAL OF PLANNED UNIT DEVELOPMENT ZONING AGREEMENT INCLUDING A MASTER/FINAL SITE PLAN**

### EXECUTIVE SUMMARY:

Palm City GA Homes, LLC is requesting a rezoning from the current RM-8 Medium Density Residential District to the Planned Unit Development District (PUD) through a PUD Zoning Agreement including a Master/Final Site Plan for 28 residential townhomes on approximately 3.56 acres. The subject site consists of two undeveloped parcels located on the south side of SW Martin Highway, approximately 1,500 feet east of SW High Meadow Avenue in Palm City. Included in this application is a request for a Certificate of Public Facilities Reservation.

**DEPARTMENT:** Growth Management

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

**REQUESTED BY:** Palm City GA Homes, LLC, Robert Johns (owner)

**PRESET:**

**PROCEDURES:** Quasi-Judicial

## **BACKGROUND/RELATED STRATEGIC GOAL:**

Palm City GA Homes, LLC has requested a zoning district change from the current RM-8 Medium Density Residential District to the Planned Unit Development District (PUD), through the Magnolia Ridge of Palm City PUD Zoning Agreement including a Master/Final Site Plan for the development of residential townhomes for a total of 28 units within 14 two-story buildings, including a community pool, supporting infrastructure, and upland preserve on approximately 3.56 acres. The subject site consists of two parcels located on the south side of SW Martin Highway, approximately 1,500 feet east of SW High Meadow Avenue in Palm City. Included in this application is a request for a Certificate of Public Facilities Reservation.

The project site has a land use designation of Medium Density Residential and a zoning of RM-8, Medium Density Residential District. The applicant is seeking flexibility in the zoning development standards through a PUD Zoning Agreement and is proposing public benefits to offset the modifications to the zoning standards. The application will be required to comply with the standards and Comprehensive Plan policies governing residential development. The project is located within the Primary Urban Services District, proposes a single access via SW Martin Highway and will be serviced by Martin County Utilities for water and wastewater.

Development review staff has reviewed this application and finds that it complies with the LDR, as detailed within the staff report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

The application was consideration by the Local Planning Agency on June 4, 2020 and the LPA voted 5-0 for recommendation of approval.

The following supporting documents are attached to this item:

- Resolution to Approve Zoning Change
- PUD Zoning Agreement
- Master and Final Site Plan
- Resolution to Accept the Drainage, Access and Maintenance Easement
- Staff Report
- Application Materials
- Resubmittal Materials
- Preserve Area Management Plan
- Landscape Plan
- Financial Disclosure
- Legal Ad
- Sample Notice
- Sign Certification
- Surrounding Property Owners Certification
- Resolution to Deny Zoning Change

The Planned Unit Development Zoning Agreement, Landscape Plan, and Resolution to Accept the Drainage, Access and Maintenance Easement have been provided by Supplemental Memorandum.

**ISSUES:**

There are no unresolved issues 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 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 of its attachments including the Staff Report for the record as Exhibit 1.
2. Move that the Board approve the request for the zoning district change from the RM-8 medium Density Residential District to the Planned Unit Development District (PUD) and approve the Magnolia Ridge of Palm City PUD Zoning Agreement including the Master and Final Site Plan.
3. Move that the Board adopt the Resolution approving and accepting the Drainage, Access and Maintenance Easement from Palm City GA Homes, LLC and authorize the Chairman to execute any documents necessary to complete the transaction.

**ALTERNATIVE RECOMMENDATIONS**

Move that the Board continue the request for approval to a date certain.

**FISCAL IMPACT:**

**RECOMMENDATION**

The applicant has paid the \$13,800 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: 2 Resolutions & 1 Agreement

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