



## Legislation Details (With Text)

**File #:** 20-0744  
**Type:** Public Hearing Quasi Judicial **Status:** Passed  
**In control:** Board of County Commissioners  
**On agenda:** 7/14/2020 **Final action:** 7/14/2020  
**Title:** COVE/SALERNO PARTNERS, LLC (C140-006) REQUESTS APPROVAL OF REZONING TO A PLANNED UNIT DEVELOPMENT (PUD) AND A PUD ZONING AGREEMENT INCLUDING A MASTER SITE PLAN AND PHASING PLAN FOR THE SHOWCASE PUD PROJECT

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2020\_0410\_C140-006\_Staff\_Final.pdf, 2. 2020\_0427\_C140-006\_Resolution\_Zoning\_Approve.pdf, 3. 2020\_0415\_C140-006\_MasterSitePlan.pdf, 4. 2020\_0415\_C140-006\_Phasing\_Plan.pdf, 5. 2020\_0415\_C140-006\_ApplicationMaterials.pdf, 6. 2020\_0415\_C140-006\_RESUB\_App\_Materials.pdf, 7. 2020\_0415\_C140-006\_Disclosure\_Deed.pdf, 8. 2020\_0427\_C140-006\_Sample Notice.pdf, 9. 2020\_0427\_C140-006\_LegalAd.pdf, 10. 2019\_0409\_C140-006\_Sign\_Cert.pdf, 11. 2020\_0427\_C140-006\_RESO\_Deny.pdf, 12. Supplemental\_Memo.pdf, 13. BCC Continuance.pdf, 14. 2020\_0706\_C140-006\_Supplemental\_Memo.pdf, 15. 2020 PUD Agreement.pdf

Date	Ver.	Action By	Action	Result
7/14/2020	1	Board of County Commissioners	approved	Pass

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

**TITLE:**

**COVE/SALERNO PARTNERS, LLC (C140-006) REQUESTS APPROVAL OF REZONING TO A PLANNED UNIT DEVELOPMENT (PUD) AND A PUD ZONING AGREEMENT INCLUDING A MASTER SITE PLAN AND PHASING PLAN FOR THE SHOWCASE PUD PROJECT**

**EXECUTIVE SUMMARY:**

Cove/Salerno Partners, LLC has requested approval of a zoning district change from RE-1/2A Rural Estate District to Planned Unit Development District and a concurrent request for approval of the Showcase Planned Unit Development Zoning Agreement including a Master Site Plan and Phasing Plan on an approximate 47-acre undeveloped parcel that fronts SE Salerno Road to the north and SE Cove Road to the south just east of SW Kanner Highway.

**DEPARTMENT:** Growth Management

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

**REQUESTED BY:** Lucido and Associates, Morris A. Crady, AICP

**PRESET:**

**PROCEDURES:** Quasi-Judicial

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

Cove/Salerno Partners, LLC has requested approval of a zoning district change from the RE-1/2A Rural Estate District to the Planned Unit Development (PUD) District and the Showcase PUD Zoning Agreement including the Master Site Plan and Phasing Plan for the development of 88 townhomes (12 buildings) and 79 detached single family homes for a total of 167 residential units. The project is located on an approximate 47-acre undeveloped parcel that fronts SE Salerno Road to the north and SE Cove Road to the south just east of SW Kanner Highway in Stuart.

On February 18, 2020, the Board of County Commissioners approved an amendment to the future land use map changing the future land use designation on the parcel from Estate Density 2UPA (allowing up to 2 units per acre) to Low Density Residential allowing up to 5 units per acre. The 167 residential units proposed for development on the 47 acres would result in a net density of 3.5 units per acre.

The property was utilized as a fish farm for many years. The farm produced tropical fish for aquariums growing them in more than 50 small ponds that dotted the parcel. The operation ceased in the late 1990's and only 2 single family homes exist today on the property.

In 2010, a major site plan was approved to fill in the ponds and reclaim the parcel as improved pasture. The plan proposed to haul over 180,000 cu. yds. of fill to the site to bring it up to a sustainable grade. The project was not completed, and several ponds remain today. A non-administrative amendment to the development order was approved on July 30, 2019, to finish the project requiring approximately 50 thousand cu. yds. of fill to complete the original process.

The master site plan application currently under review proposes the excavation of several lakes to accommodate development and stormwater requirements. No fill is proposed to leave the site during development. Two access points to the project are proposed, one located on SE Salerno Road and the other on SE Cove Road.

The project is proposed to be completed in two phases. Phase 1 will consist of the single family homes and adjacent lakes and supporting infrastructure including the access to SE Salerno Road. Phase 2 will consist of the townhomes, supporting infrastructure and the access to SE Cove Road.

The project is within the Primary Urban Service District. Potable water and wastewater treatment service lines are in place on Salerno Road and Cove Road.

Because the application only includes a request for master site plan approval, no construction would be authorized until a final site plan has been approved for the site.

This request is scheduled to be considered by the Local Planning Agency on May 7, 2020.

The following supporting documents are attached to this item:

Staff Report

Resolution to Approve Zoning Change

Master Site Plan

Phasing Plan

Application Materials

Resubmittal Materials

Disclosure with Deed

Legal Ad  
Sample Notice  
Sign Certification  
Resolution to Deny Zoning Change

The proposed Showcase Planned Unit Development Zoning Agreement will be submitted by Supplemental Memorandum.

**ISSUES:**

There are no unresolved issues related to 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 RE-1/2A Rural Estate District to Planned Unit Development District (PUD) and approve the Showcase PUD Zoning Agreement including the Master Site Plan and Phasing Plan.

**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:

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