

**INDIAN RIVER COUNTY, FLORIDA  
M E M O R A N D U M**

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**TO:** Jason E. Brown; County Administrator

**THROUGH:** Phillip J. Matson, AICP; Community Development Director

**FROM:** Ryan Sweeney; Chief, Current Development

**DATE:** September 10, 2021

**SUBJECT:** **GRBK GHO, LLC's Request for Conceptual Special Exception Planned Development (PD) Plan Approval and Concurrent Preliminary PD Plan/Plat Approval for a Project to be known as Wisteria Walk PD [PD-21-01-02 / 2002050024-88300]**

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It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of September 21, 2021.

**DESCRIPTION & CONDITIONS**

Schulke, Bittle, and Stoddard, LLC, on behalf of GRBK GHO, LLC, is requesting conceptual special exception planned development (PD) plan approval and concurrent preliminary PD plan/plat approval for a project located on the north side of 17<sup>th</sup> Street SW and the east side of 27<sup>th</sup> Avenue SW (see attachment 2). The applicant is requesting PD approval to obtain waivers (increases or reductions) in minimum lot size, minimum building setbacks, maximum building coverage, and minimum right-of-way width in return for off-site improvements, increased project open space, larger perimeter setbacks, increased recreation area, and acceptance of off-site stormwater.

It should be noted, the subject project site was previously granted preliminary plat approval (SD-03-08-21) for a small lot subdivision with 134 single-family detached homes by the Planning and Zoning Commission (PZC) on November 20, 2003. The subject project was then completely "bonded" for construction, and granted final plat approval for 134 single-family detached homes on August 16, 2005 by the Board of County Commissioners (BCC). The County retained the platted right-of-way dedications for 27<sup>th</sup> Avenue SW and 15<sup>th</sup> Street SW from the previous project, and the current project proposes 121 single-family detached homes at an overall density of 3.34 units per acre.

**Planning and Zoning Commission (PZC) Recommendation:**

At its meeting of August 12, 2021, the PZC voted 5-0 to grant preliminary PD plan approval subject to the BCC approval of the conceptual PD plan and special exception request, and to recommend that the BCC grant conceptual PD plan and special exception approval with the conditions recommended by staff (see attachment 1).

## PD Project Process

The process involved in review and approval of the subject PD application is as follows:

<u>Approval Needed</u>	<u>Reviewing Body</u>
1. Conceptual PD Plan/Special Exception	PZC & BCC
2. Preliminary PD Plan/Plat	PZC
3. Land Development Permit (LDP)	Staff
4. Final PD (plat)	BCC

At this time, the applicant is pursuing approval of Steps 1 and 2. If approved by the BCC, the special exception, conceptual PD plan, and preliminary PD plan/plat will all be approved and in effect.

## ANALYSIS

- 1. PD Area:** 36.27 acres
- 2. Zoning Classification:** RS-6, Residential Single-Family (up to 6 units per acre)
- 3. Land Use Designation:** L-2, Low-Density Residential-2 (up to 6 units per acre)
- 4. Residential Units:** 121 Single-Family Detached Units
- 5. Density:**  
Proposed: 3.34 units per acre  
Maximum Allowed: 6.00 units per acre
- 6. Open Space:**  
Required: 40.0%  
Provided: 53.7%

**Note:** The open space calculation includes large common open space/recreation tracts located adjacent to the perimeter landscape tracts, and a portion of the project's stormwater lakes.

- 7. Phasing:** The project is proposed to be constructed in a single phase.
- 8. Utilities:** The project will be served by public water and sewer service provided by County Utility Services. The County Department of Utility Services and the Department of Health have approved these utility provisions.
- 9. Stormwater Management:** The project's conceptual stormwater management system design includes a modified Miami curb street design and two wet stormwater management tracts to manage runoff generated from the project. The project's stormwater system will also accept runoff generated by the project's offsite improvements. The Public Works Department has approved the conceptual stormwater management plan and will review the detailed stormwater management plan with the land development permit (LDP).
- 10. Traffic Circulation:** Access to the proposed development will be provided from 17<sup>th</sup> Lane SW by a full-movement, two-way gated connection. A secondary emergency access is required because the project exceeds 100 residential units. The secondary emergency access is proposed as a 20-foot wide gated connection to 15<sup>th</sup> Street SW. The proposed traffic circulation plan consists of a loop road and

an additional road running through the center of the project that connects to the loop road in the north and the south of the project area (see attachment 4). Traffic Engineering and Fire Prevention staff have reviewed and approved the internal circulation plan and the connection to 17<sup>th</sup> Street SW.

A traffic impact study (TIS) has been reviewed and approved by the Traffic Engineering Division with no off-site improvements required. As part of the PD and development related improvements, the applicant is required to pave the east half of 17<sup>th</sup> Street SW from the project's primary entrance to the eastern property boundary, and close off/gate the west half of 17<sup>th</sup> Street SW to prohibit illegal vehicular traffic. The applicant is also required to pave the west half of 15<sup>th</sup> Street SW, from the project's emergency access to 27<sup>th</sup> Avenue SW.

## **11. Required Dedications and Improvements:**

### *a. External Sidewalks*

- i. *15<sup>th</sup> Street SW Sidewalk:* A five-foot wide external sidewalk is required and proposed along the west half of the project's 15<sup>th</sup> Street SW frontage, and a sidewalk waiver has been applied for and granted for the east half of the project's 15<sup>th</sup> Street SW frontage (i.e. the unpaved portion).
- ii. *27<sup>th</sup> Avenue SW Sidewalk:* A five-foot wide external sidewalk is required and proposed along the site's 27<sup>th</sup> Avenue SW frontage from 17<sup>th</sup> Lane SW to 15<sup>th</sup> Street SW.
- iii. *17<sup>th</sup> Street SW Sidewalk:* A five-foot wide external sidewalk is required and proposed along the site's 17<sup>th</sup> Street SW frontage from 27<sup>th</sup> Avenue SW to the proposed end of the pavement for 17<sup>th</sup> Street SW.

*b. Internal Sidewalks:* Five-foot wide internal sidewalks are required and proposed along both sides of the project's internal streets. All sidewalks will be included in the project's LDP, and will need to be constructed along the frontage of common areas and individual lots in accordance with the requirements of subdivision ordinance section 913.09(5)(b)2.

*c. Streetlights:* Streetlights are required and will be maintained by the property owners' association. The proposed streetlight locations are depicted on the preliminary PD plan/plat. The final design of the streetlights will be reviewed with the project's LDP.

The preliminary landscape plan meets the criteria in Chapter 926. Prior to issuance of an LDP, the applicant will need to submit and obtain Planning staff approval of a final landscape and buffer plan.

## **12. Waivers for Single-Family Lots:** The following waivers are proposed for this PD project:

- a. Lot Size:* The PD plan proposes to reduce the minimum lot size standard from 7,000 square feet (the RS-6 minimum) to 6,325 square feet.
- b. Lot Width:* The PD plan proposes to reduce the minimum lot width standard from 70 feet to 55 feet.

- c. *Building Setbacks:* The proposed PD plan proposes to reduce the front yard setback for lots with a front entry garage from 20' to 19' to a garage, and 11' to a living area, and for lots with a side loaded garage from 20' to 11' for the garage or living area. The side setbacks are proposed to be reduced from 10' to 5', while the rear setback is proposed to be reduced from 20' to 15'. In addition, the rear setback for pools, decks, and screen enclosures is proposed to be reduced from 10' to 5'.
- d. *Maximum Building Coverage:* The PD plan proposes to increase the maximum building coverage from 40% to 50% for all lots. This allows a maximum building footprint of 3,162.5 square feet. For comparison, a standard (RS-6) 7,000 square foot lot permits a maximum building footprint of 2,800 square feet.
- e. *Minimum Open Space Per Lot:* The PD plan proposes to reduce the minimum open space per lot from 40% to 30%. The overall project open space will exceed 40% as explained in section 6 of the staff report.
- f. *Right-of-Way Width:* The PD plan proposes to reduce the minimum right-of-way width from 50 feet to 42 feet. A 10-foot wide drainage and utility easement will be established across the front of all proposed lots, which creates a 62' wide utility and drainage corridor.

These requested waivers are mitigated by proposed landscape buffers, increased perimeter setbacks, and increased common open space areas provided within the project. The following chart summarizes the proposed waivers:

<b>Development Parameter</b>	<b>RS-6 Minimum Standards</b>	<b>Proposed Minimum PD Standards</b>
Lot Size	7,000 sq. ft.	6,325 sq. ft.
Lot Width	70'	55'
<b>Building Setbacks</b>		
Front	20'	11'/19'
Side	10'	5'
Rear	20'	15'
Maximum Building Coverage	40%	50%
Minimum Open Space Per Lot	40%	30%
Right-Of-Way Width	50'	42'

- \*Notes:**
1. The rear setback for pools, decks, and screen enclosures is reduced from 10' to 5'.
  2. Overall project open space will exceed 40% with more open space incorporated in common areas.
  3. 11' front setback to living area or side loaded garage, and 19' front setback to front entry garage.

**13. Landscaping & Buffering:** Buffering is required and proposed as follows:

Perimeter	Adjacent Use/Condition	Buffer Type & Width	Opaque Feature
North	15 <sup>th</sup> Street SW, Single-Family Homes	Type “A” / 40’ wide	6’ landscape
East	Single-Family Homes / Vacant	Type “B” / 30’ wide	6’ landscape
South	17 <sup>th</sup> Street SW / 17 <sup>th</sup> Lane SW, Falcon Trace Subdivision	Type “A” / 40’ wide	6’ landscape
West	27 <sup>th</sup> Avenue SW / Vacant	Type “A” / 50’ wide	6’ landscape

**14. Environmental Issues:**

- a. *Wetlands:* There are approximately 6.7 acres of jurisdictional wetlands on site. Wetland impacts were mitigated offsite per a prior Environmental Resource Permit (ERP) from the previous small lot subdivision approval.
- b. *Uplands:* Since the subject site exceeds 5 acres, the County’s native upland set-aside criteria apply to the project. Approximately 8.9 acres of intact native upland plant communities exist on the project site, and the project’s set-aside requirement is 1.34 acres (15% of 8.9 acres). The applicant is proposing to set-aside 2.18 acres of on-site uplands in four separate preservation tracts distributed throughout the project site (see attachment 4). The applicant must dedicate a conservation easement in favor of the County over the 2.18 acres of preserved on-site uplands prior to or via the final plat.
- c. *Tree Preservation:* There are a number of protected and specimen trees on site. Removal of any of the specimen trees will require mitigation. The applicant must obtain approval of a final tree protection and tree mitigation plan prior to issuance of an LDP.

**15. Public Benefits:** To obtain PD approval for this project, the applicant is proposing the following public benefits:

- a. Constructing and paving the east half of 17<sup>th</sup> Street SW from the project entrance to the eastern limits of the project.
- b. Constructing and paving the west half of 15<sup>th</sup> Street SW, from the emergency access to 27<sup>th</sup> Avenue SW.
- c. Increased home setbacks and buffers from all project perimeters.
- d. The project design provides 53.7% of total project open space, versus the minimum RS-6 requirement of 40%.
- e. Treatment and storage of stormwater runoff for 15<sup>th</sup> Street SW and 17<sup>th</sup> Street SW paved roads through an on-site stormwater system.

**16. Concurrency:** As required under the County's concurrency regulations, the applicant has applied for and obtained a conditional concurrency certificate for the project. The concurrency certificate was issued based upon a concurrency analysis and a determination that adequate capacity is available to serve this project. The developer will be required to obtain final concurrency certificates prior to issuance of building permits, in accordance with County concurrency regulations.

**17. Surrounding Land Use and Zoning:**

North: 15<sup>th</sup> Street SW, Single-Family Homes/ RS-6  
East: Vacant Lot/ Single-Family Homes / RS-6  
South: 17<sup>th</sup> Street SW/ 17<sup>th</sup> Lane SW/ Falcon Trace Subdivision / RS-6  
West: 27<sup>th</sup> Avenue SW/Vacant / PD

All conditions recommended by staff have been accepted by the applicant.

**RECOMMENDATION**

Staff recommends that BCC grant conceptual planned development (PD) plan and special exception approval with the following conditions:

1. Prior to issuance of a land development permit, the applicant shall:
  - a. Obtain Planning staff approval of a final landscape and buffer plan.
  - b. Obtain Planning staff approval of the final streetlighting design.
  - c. Obtain Public Works approval of a right-of-way permit for the 15<sup>th</sup> Street SW and 17<sup>th</sup> Street SW pavement improvements.
  - d. Obtain Planning staff approval for the tree mitigation plan.
  - e. Obtain a wetlands determination from St. John's River Water Management District.
2. Prior to or via the final plat process, the applicant shall:
  - a. Construct or bond-out the required landscape buffers.
  - b. Construct or bond-out the required project streetlighting.
3. Prior to issuance of a certificate of completion, the applicant shall:
  - a. Construct the pavement improvements for 17<sup>th</sup> Street SW and 15<sup>th</sup> Street SW.
  - b. Install all required perimeter buffers and project landscape improvements.
  - c. Install all required project streetlighting.
  - d. Construct all required external sidewalks.
4. Internal sidewalks shall be constructed along the frontage of common areas and individual lots in accordance with Section 913.09(5)(b)2. of the County LDRs.

**ATTACHMENTS**

1. Excerpt from August 12, 2021 PZC Minutes
2. Location Map
3. Aerial
4. Conceptual/Preliminary PD Plan
5. Landscape Plan