

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

TO: Jason E. Brown; County Administrator

THROUGH: Roland M. DeBlois, AICP; Interim Community Development Director

THROUGH: John W. McCoy, AICP; Chief, Current Development

FROM: Ryan Sweeney; Senior Planner, Current Development

DATE: January 6, 2020

SUBJECT: **Mandala Village, LLC's Request to Rezone Approximately 79.1 Acres from A-1, Agricultural-1 (up to 1 unit/5 acres) and RS-3, Residential Single-Family (up to 3 units/acre) to PDTND, Planned Development Traditional Neighborhood Design and to Obtain Conceptual PD Plan Approval for a Project to be known as Mandala Village [PD-19-01-01 / 2005120297-82906]**

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of January 21, 2020.

DESCRIPTION & CONDITIONS:

This is a request by Mandala Village LLC, through its agent Knight, McGuire & Associates, Inc., to rezone approximately 79.1 acres from A-1, Agricultural-1 (up to 1 unit/5 acres) and RS-3, Residential Single-Family (up to 3 units/acre) to PDTND, Planned Development Traditional Neighborhood Design. As part of the rezoning request, a conceptual PD plan has been submitted for review and approval (see attachment 5).

The subject site is located at the northwest corner of the 58th Avenue/53rd Street intersection (see attachment 1). The purpose of this request is to secure a zoning district and an approved conceptual PD plan that allows development of a Traditional Neighborhood Design (TND) project containing a mixture of residential, commercial, lodging, recreational, and open space uses. The project, as proposed, consists of 88 single-family units; 111 multi-family units; a 100-room hotel; a neighborhood commercial area; a community center; and recreational/common area amenities.

Planning and Zoning Commission (PZC) Recommendation:

At its meeting of December 12, 2019, the PZC voted 5-1 to recommend that the BCC approve the project with all staff recommended conditions. During the PZC public hearing, Commissioner Polackwich indicated the he would not be voting in favor of the project based on his concerns that the 100-room hotel component seems incompatible with surrounding uses in the area (see attachment 3). Please see the PD Rezoning Analysis section of this report for staff's explanation of the project's compatibility with the immediate and general surrounding areas.

Board of County Commissioners Review:

The Board of County Commissioners is now to review the application, conduct a public hearing, and make a final decision to approve, approve with conditions, or deny the PD rezoning request and the accompanying conceptual PD plan.

Planned Development Rezoning:

The overall project site contains ±84.62 (gross) acres, with ±66.58 acres inside the Urban Service Area (USA) and ±18.04 acres outside the Urban Service Area. As allowed under the County's TND policies and regulations, the developer is proposing to rezone the entire area to PDTND. Based on Section 915.21 of the County's land development regulations (LDRs), the developer is required to go through the Planned Development (PD) rezoning process to secure approval for the proposed TND project.

If the subject application is approved, the entire site will be rezoned to PDTND and will be governed by the approved conceptual PD plan.

The PD Zoning District Generally:

In the past, the County has reviewed and approved PD rezonings involving both residential and non-residential projects. Those include: Wal-Mart/Sam's, Vero Beach Square, Ansley Park, Arbor Trace, Old Orchid Groves, Waterway Village, Pointe West, Providence Pointe, and Liberty Park. Similar to this proposal, Pointe West, Sunnyside Up, Providence Pointe, and Liberty Park are PDTND zoned projects designed for a mix of commercial and residential uses.

Unlike standard zoning districts, PD districts have no specific size or dimensional criteria. Instead, the PD district is based on the underlying land use plan designation for density, use, and compatibility, with allowances for development of TNDs to be located on portions of the project site that lie outside the Urban Service Area. In the PD zoning district, setbacks and other typical zoning district criteria are established on a site-by-site basis through approval of a conceptual PD plan that is adopted as part of the PD rezoning ordinance. The conceptual PD plan, which in this case includes a TND design, serves as the zoning standard for the site.

A PD rezoning requires the submission of a binding conceptual PD plan that, along with certain PD district requirements, limits uses and sets forth specific development standards for each project site. Thus, a PD rezoning allows a unique PD district that is consistent with the site's underlying land use designation(s) and applicable land use policies to be developed for each project site.

In this case, the conceptual PD plan proposes up to 199 residential units and commercial, lodging, civic, recreational, and open space uses within a TND layout. Aspects of the proposed conceptual PD plan, including satisfaction of the TND design standards listed in LDR Section 915.21, are addressed in the "plan analysis" section of this report.

The PD Rezoning Process:

The PD rezoning review, approval, and development process is as follows:

- STEP 1. Rezoning and Conceptual PD Plan Approval: Review and recommendation made by staff and by the PZC. Final action taken by the BCC.
- STEP 2. Preliminary PD Plan/Plat (combination of site plan and preliminary plat) Approval: Review and recommendation made by staff. Final action taken by the PZC. Must comply with the approved conceptual PD plan and any conditions imposed by the BCC at the time of PD zoning approval (Step 1).

- STEP 3. Land Development Permit (LDP) or LDP Waiver: Reviewed and issued by staff for construction of subdivision improvements (road, utilities, drainage).
- STEP 4. Building Permit(s): Reviewed and issued by staff for construction of buildings.
- STEP 5. Final PD Plat Approval: Review and recommendation made by staff. Final action taken by the BCC.
- STEP 6. Certificate of Occupancy: Issued by staff (after inspections) for use and occupancy of buildings.

The developer is seeking approval of Step 1 at this time. Once a conceptual PD plan is approved, only minor modifications to the conceptual plan may be approved at a staff level. Any changes proposed to an approved conceptual PD plan that would significantly reduce setbacks (by more than 20%), intensify the site use (e.g. increase the maximum number of units), or reduce compatibility elements (e.g. reduce buffering) may only be approved via a process involving public hearings held by both the PZC and the BCC.

Proposed PD District for the Project Site:

For this project, most of the site (79%) is located inside the Urban Service Area, with only the western portion located outside the Urban Service Area. Because this is a TND project, the TND criteria outlined in Section 915.21 of the County LDRs control the allowed uses and density of the subject property. As with all TNDs, the proposed PD zoning district and corresponding conceptual PD plan set limits on the type and location of specific uses allowed, the intensity and location of development, and the dimensional criteria for various blocks, tracts, and lots. Generally, the commercial uses allowed will be the uses listed as permitted uses in the CL, Limited Commercial zoning district. Those commercial uses are proposed to be located at the eastern end of the overall development, in the vicinity of the northwest corner of the 58th Avenue/53rd Street intersection.

Although PD zoning district parameters are flexible, certain standards related to uses, compatibility (buffering), infrastructure improvements, dimensional criteria and open space apply to all PDs. Those standards are set forth in Chapter 915 (P.D. Ordinance) of the County LDRs. Based on the proposed conceptual PD plan and Chapter 915, the proposed PD district for the subject site contains the special elements identified in the tables below. The tables list various uses by zoning district (Table 1) and the development parameters (Table 2) for comparison purposes.

Table 1: Use Table

USES ALLOWED	DISTRICTS		
	PROPOSED PD DISTRICT	RS-3 DISTRICT	A-1 DISTRICT
Single-Family	Permitted	Permitted	Permitted
Multi-Family	Permitted	Not Allowed	Not Allowed
Personal Services	Permitted with Conditions	Limited to PD Accessory	Limited to PD Accessory

USES ALLOWED	DISTRICTS		
	PROPOSED PD DISTRICT	RS-3 DISTRICT	A-1 DISTRICT
Commercial Uses	Permitted with Conditions	Limited to PD Accessory/CN Commercial Uses	Limited to PD Accessory/CN Commercial Uses
Retail	Permitted with Conditions	Limited to PD Accessory	Limited to PD Accessory
Office (medical & professional)	Permitted with Conditions	Limited to PD Accessory	Limited to PD Accessory
Health and Fitness	Permitted with Conditions	Limited to PD Accessory	Limited to PD Accessory
Institutional Uses	Permitted with Conditions	Special Exception and Administrative Permit	Special Exception and Administrative Permit
Place of Worship	Permitted with Conditions	Administrative Permit	Administrative Permit
Hotel	Permitted with Conditions	Not Allowed	Not Allowed

Note: All non-residential uses are controlled by the TND criteria outlined in "plan analysis" section of this report.

Table 2: Development Parameters

DEVELOPMENT PARAMETER	PROPOSED PD DISTRICT		RS-3	A-1
	Estate Lot	Cottage Lot		
Minimum Lot Size	6,000 SF	2,400 SF*	12,000 SF	200,000 SF
Minimum Lot Width	50'	50'	80'	150'
Minimum Lot Frontage	40'	40'	30'	60'
<i>Principal Structure (Non-Garage) Setbacks</i>				
Front	10'	5'	25'	30'
Side	5'	0'	15'	30'
Rear	25'/5'***	4.5'	25'	30'
<i>Garage Setbacks</i>				
Front: Front Loaded	19'	5'	25'	30'
Front: Side Loaded	6.5'	5'	25'	30'
Side	10'/0'***	0'	15'	30'
Rear	25'/5'***	4.5'	25'	30'
<i>Pool/Deck/Screen Enclosure</i>				
Front	0'	0'	25'	30'
Side	0'	0'	15'	30'
Rear	0'	0'	10'	10'
Maximum Building Coverage per Lot	60%	70%	30%	20%
Minimum Open Space per Lot	25%	25%	40%	60%
Minimum Open Space Overall Project	49.5%	49.5%	40%	60%
Minimum Street Right-of-Way Width	40'	40'	50'	50'
Minimum Street Right-of-Way Radius	25'	25'	45'	45'

Notes:

- * Cottage lots will be created via the plat-over site plan process
- ** 25' rear setback for perimeter lots / 5' rear setback for interior lots
- *** 10' side setback if attached to principal structure / 0' side setback if detached from principal structure
- **** All multi-family building locations will be controlled by the preliminary PD plans

PD REZONING ANALYSIS:**Existing Zoning and Land Use Pattern:**

The overall project site is ±84.62 (gross) acres and consists entirely of abandoned citrus groves. The eastern ±66.58 acres are located inside the Urban Service Area, with ±31.41 acres zoned A-1 and ±35.17 acres zoned RS-3. All of the property inside the Urban Service Area has an L-1 land designation, which allows up to 3 units/acre. The western ±18.04 acres are located outside the Urban Service Area and are zoned A-1.

- *North* of the project site is the North Relief Canal. Most of the properties across the North Relief Canal are inside the Urban Service Area, have an L-1 land use designation, and are zoned either RS-3 or A-1. Most of the RS-3 properties are developed with conventional single-family homes, and the A-1 properties are developed with single-family homes and accessory buildings (e.g. pole barns or detached garages).
- *East* of the project site is the 58th Avenue. The properties across 58th Avenue are zoned PD, and are developed with single-family homes as part of the Waterway Village PD.
- *South* of the project site is 53rd Street. Most of the properties across 53rd Street are vacant, are zoned PDTND, and are part of the Providence Pointe PDTND project. The conceptual PD plan for Providence Pointe was approved on August 20, 2013; however, project construction has not commenced. There are also a few A-1 properties across 53rd Street that are not part of the Providence Pointe PDTND project, and those properties are developed with single-family homes and accessory buildings.
- *West* of the project site is a ±18 acre vacant parcel that is outside of the Urban Service Area and is zoned A-1.

Consistency with the Comprehensive Plan:

Rezoning requests are reviewed for consistency with the policies of the comprehensive plan and must also be consistent with the overall designation of land uses as depicted on the Future Land Use Map. Those include agricultural, residential, recreational, conservation, and commercial and industrial land uses and residential densities. Commercial and industrial land uses are located in nodes throughout the unincorporated areas of Indian River County.

The goals, objectives, and policies are the most important parts of the comprehensive plan. Policies are statements in the plan that identify the actions that the County will take in order to direct the community's development. As courses of action committed to by the County, policies provide the basis for all County land development related decisions. While all comprehensive plan policies are important, some have more applicability than others in reviewing rezoning requests. Of particular applicability for this request are the following policies and objectives.

Land Use Policy 5.3: Indian River County zoning districts shall permit a variety of residential building and development styles.

Note: The proposed rezoning and conceptual PD plan provides a variety of residential buildings and housing choices within the project that differ from most existing residential subdivision developments. In fact, this project is specifically designed to provide a special "TND Lifestyle", with a variety of housing and work choices in an integrated, planned community. In addition, the buildings will comply with the special design guidelines required by the County's PD regulations.

Land Use Policy 5.5: Indian River County LDRs shall contain a special Planned Development (PD) zoning district. That district shall be designated as an overlay on the County Zoning Atlas. The PD zoning district is intended to provide for the development of projects which require flexibility in order to maximize open space and conserve natural features, provide alternative designs, incorporate recreational facilities, and incorporate a mix of uses.

Note: The proposed PDTND zoning implements this policy by providing a mixture of uses, including open spaces and recreation uses, within a TND design that provides an alternative to a conventional single use project.

Land Use Policy 9.3: Indian River County shall maintain plans along roads that serve as entranceways to the County and along other roads, as determined by the County. The County shall continue to implement the recommendations of the Other Corridor Plan and the SR 60 Corridor Plan.

Note: The entire development, including residential portions of the project as well as the commercial components, will be subject to architectural design guidelines consistent with the Corridor Plan criteria.

Land Use Policy 18.3: To facilitate TND projects east of I-95 that are partially outside but adjacent to the Urban Service Area, and to continue to preserve the agricultural and natural character and function of the area, the county shall allow portions of TND projects to be located outside of the Urban Service Area. A minimum of 60% of the total project density shall be derived from the portion of the project located within the Urban Service Area. Density shall be calculated and allowed based upon:

- the land use designation underlying the portion of the project within the Urban Service Area; and
- 1 unit/acre for project property located outside of the Urban Service Area.

Note: The rezoning and conceptual PD plan is consistent with this policy and approximately 92% of the maximum allowable density is derived from the portion of the project located within the Urban Service Area. Also, the project layout provides a 50' Urban Service Area buffer and estate lots in the area outside of the Urban Service Area.

While the referenced policies and objectives are particularly applicable to this request, other comprehensive plan policies and objectives also have relevance. For that reason, staff evaluated the subject request for consistency with all plan policies and objectives. Based on that evaluation, staff determined the proposed PD district and accompanying conceptual PD plan are consistent with the comprehensive plan.

Compatibility with Surrounding Areas:

Compatibility is an important consideration in any PD rezoning request. In this case, it is important to consider compatibility of the proposed project with properties in the immediate area, and those within the general area.

Immediate Area:

The properties along the eastern third of the north project boundary are developed with conventional single-family homes, the middle third are ± 5 acre parcels developed with single-family homes and accessory buildings, and the western third consists of a ± 10 acre single-family parcel and a ± 20 acre vacant parcel. The project site is separated from the properties to the north by the North Relief Canal that lies within a $\pm 250'$ wide canal ROW. To ensure compatibility, the PD regulations require a 25' wide Type "B" buffer along the north project boundary for all properties inside the Urban Service Area, and the proposed conceptual PD plan and conceptual landscape plan provide the required 25' Type "B" buffer (see attachments 5 and 6). The County LDRs require a 50' Type "A" buffer along north project boundary for all properties outside the Urban Service Area, and the proposed conceptual PD plan and conceptual landscape plan provide the required 50' Type "A" buffer (see attachments 5 and 6).

The properties east of the project site are developed with single-family homes as part of the Waterway Village PD. The project site is separated from the properties to the east by 58th Avenue, and the PD regulations require a 25' wide Type "B" buffer along the east project boundary. The proposed conceptual PD plan and conceptual landscape plan provide the required 25' Type "B" buffer (see attachments 5 and 6).

Most of the properties south of the project site are vacant and are part of the Providence Pointe PDTND project. The project site is separated from the properties to the south by 53rd Street, and the PD regulations require a 25' wide Type "B" buffer along the south project boundary. The proposed conceptual PD plan and conceptual landscape plan provide the required 25' Type "B" buffer (see attachments 5 and 6).

The property immediately west of the project site is a ± 18 acre vacant parcel that is outside of the Urban Service Area and is zoned A-1. The County LDRs require a 50' Type "A" buffer along west project boundary, and the proposed conceptual PD plan and conceptual landscape plan provide the required 50' Type "A" buffer (see attachments 5 and 6).

Based on input provided during the PZC public hearing, staff is providing additional compatibility analysis for the 100-room hotel portion of the project with the immediate surrounding area. Generally, hotel or lodging uses are common within a Traditional Neighborhood Design (TND) project, and have been included in other County-approved TND projects such as Pointe West and Providence Pointe. However, neither hotels have been constructed within those projects.

For the proposed project, the hotel site is located internal to the overall project layout, is set back approximately 450' from 58th Avenue, and is set back approximately 650' from the nearest existing or proposed external residential unit. Also, the hotel is subject to the typical 35' building height limitation provided for all commercial and multi-family portions of the project. Lastly, the hotel building and site is required to be fully compliant with all of the "Other" Corridor special development regulations. Therefore, it is staff's opinion that the hotel portion of the project is compatible with the proposed TND project, and the immediate surrounding area.

General Area:

The project site is located in central Indian River County, just west of 58th Avenue. The area around the project site has experienced significant residential development in the past 20 years mostly through large residential projects like Vero Lago and Waterway Village PD. Most of the commercial development that serves the general area is located within the existing SR 60 corridor between 43rd Avenue and 66th Avenue, or the newer commercial development area located at 53rd Street and US Highway 1. It is staff's position that the proposed TND design will provide additional residential development that is consistent with the immediate area, as well as limited commercial uses integrated into the project (e.g. office, personal services, retail) that will serve the general project area. Therefore, the proposed project is compatible with the immediate area and is consistent with the existing development pattern of the general project area.

Concurrency Impacts:

A conditional concurrency certificate has been issued for the project. Concurrency is discussed in more detail in the PD Plan Analysis section of this staff report.

Environmental Impacts:

Environmental issues are addressed in the PD Plan Analysis section of this report.

PD PLAN ANALYSIS:

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|-----------------------------------|--|
| 1. Project Area: | 84.62 acres (gross)
<u>5.52 acres (53rd Street ROW dedication)</u>
79.10 acres (net) |
| 2. Zoning Classifications: | Current: RS-3, Residential Single-Family (up to 3 units/acre) and A-1, Agricultural-1 (up to 1 unit / 5 acres)
Proposed: PDTND, Planned Development Traditional Neighborhood Design |
| 3. Land Use Designations: | L-1, Low-Density Residential-1 (up to 3 units/acre); and AG-2, Conservation-2 (up to 1 unit/40 acres) |
| 4. Commercial Area: | 2.68 acres or 3.4% of the net project area |
| 5. Total Units: | Maximum (allowed under TND policies): 217
Proposed: 199 |

Note: The maximum number of units and the density calculations are based on the gross project acreage prior to any right-of-way (ROW) dedication, and reflect a density credit for the ROW that is to be dedicated. To meet County requirements, the developer is dedicating a total of 5.52 acres for 53rd Street, and the ROW dedication requirements are discussed in more detail later in this report.

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| 6. Density: | Maximum: 2.59 units/acre
Proposed: 2.52 units/acre |
|--------------------|---|

Derived from inside USA: 199 units or 92%
Required (minimum): 130 units or 60%

Note: The maximum density calculation is based on a weighted average of the L-1 designated portion of the project site (66.58 acres) and the AG-1 designated portion (18.04 acres). Per the TND criteria, at least 60% of the project density must be derived from inside the USA and a residential density of 1 unit/acre was utilized for the AG-1 portion of the site located outside the USA.

7. **Open Space:** Required: 44.0%
Proposed: 49.5%

Note: The minimum required open space calculation is based on a weighted average of the L-1 designated portion of the project site and the AG-1 designated portion.

8. **Recreation Area:** Required: 5.93 acres
Proposed: 9.25 acres

Note: Recreation areas include a clubhouse with a pool, walking trails around the stormwater system, several common area/recreation tracts, and all of the littoral zone areas.

9. **Phasing:** The developer provided a conceptual phasing plan that generally defines two phases. Phase 1 will include the project's primary driveway connection to 53rd Street, the primary east to west internal subdivision road, and all of the project's stormwater pond. Phase 2 is broken into multiple sub-phases that can "connect" to the primary infrastructure provided with Phase 1, and can be developed based on market demand for the various project components (i.e. single-family residential, multi-family residential, or limited commercial).
10. **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.
11. **Parking:** The developer has committed to providing the number of parking spaces required by the County's parking regulations for all proposed uses. Under those regulations, the developer may, at a future date, prepare a shared parking study for the commercial area to justify lower rates. Such rates, if requested, will require Planning and Zoning Commission approval. Any such shared parking study will need to comply with LDR parking regulations in Section 954.08(2). Staff anticipates that there will be shared parking among the various commercial area uses and will encourage use of the parking study option during review of preliminary PD plans.
12. **Stormwater Management:** The project's conceptual stormwater design proposes an interconnected stormwater system and one large stormwater management tract to manage runoff generated by the project as well as offsite runoff generated by the proposed paving of 53rd Street. Through the final PD plat process, the stormwater tract will be dedicated to the property owners' association, and stormwater easements will be dedicated to the County to connect the 53rd Street drainage to the stormwater management tract. Public Works has accepted the project engineer's certification of the project's conceptual stormwater design. The final design will be reviewed and approved by Public Works via the land development permit (LDP) review process.

13. **Traffic Circulation:** The conceptual PD plan provides a total of 4 connections to a proposed extension of 53rd Street, and those include a primary full-movement connection, a right-in/right-out connection near the commercial area (east end), a gated, one-way egress connection at the midpoint of the project, and a stabilized emergency access connection at the far west end of the project (see attachment 5). The primary full-movement connection will be served by a westbound right-turn lane and an eastbound left-turn lane, and the right-in/right-out connection will be served by a westbound right-turn lane.

The internal roadway system is designed as a modified grid system that provides internal access to the various components of the project, including several roundabouts. All internal streets are proposed to be privately maintained by and dedicated to a property owners' association. However, the public will have access to the limited commercial portion of the project site, and the hotel site. All access points and the internal circulation plan has been approved by Traffic Engineering and Fire Prevention.

The dedication and improvements section of this report provides a list of traffic improvements required to be provided by the project, and those improvements have been determined based upon a traffic impact study submitted by the applicant and approved by Traffic Engineering. Responsibilities for and timing of required improvements and conditions may be outlined in further detail in a future Developer's Agreement. That agreement may include additional improvements and conditions, and must be approved by the Board of County Commissioners prior to preliminary PD plan approval for Phase I of the project.

14. **Required Dedications and Improvements:**

- a. *Right-of-Way Dedication for 53rd Street:* The County's Thoroughfare Plan classifies 53rd Street as an arterial roadway that requires 200' of ultimate right-of-way (ROW). However, the required ROW width may be reduced based on roadway design (i.e. curb and gutter) and roadway drainage being handled by the project's internal stormwater system. The developer has coordinated with Public Works, and has agreed to a roadway design that requires 150' of road ROW. That roadway design and ROW width is consistent with the current design and alignment of 53rd Street on the east side of 58th Avenue.

Currently, 30' of road ROW exists along the project's entire 53rd Street frontage. Therefore, the developer has agreed to dedicate an additional 120' of ROW for 53rd Street along the project's entire 53rd Street frontage. It should be noted that a 120' ROW dedication has already been completed for the eastern ±1,290' of the project's 53rd Street frontage. That ROW dedication was coordinated between the current owner/developer, the previous owner, and the County, and was executed when the current owner/developer purchased the property. The ROW dedication for project's remaining ±2,000' of 53rd Street frontage must be completed prior to the issuance of an LDP for Phase 1 or as outlined in a future Developer's Agreement (if applicable).

- b. *Roadway Paving for 53rd Street:* Currently, 53rd Street is an unpaved dirt road west of 58th Avenue, and is a 4-lane, "boulevard" style arterial road east of 58th Avenue. The developer is required to construct 53rd Street as a 4-lane road from 58th Avenue to the project's primary driveway connection to 53rd Street, and then transition down to a 2-lane road to the west end

of the project site (see attachment 5). The final design of 53rd Street will be reviewed via the LDP process for Phase 1. The timing of the 53rd Street improvements will be further outlined prior to preliminary PD approval for Phase 1 or as outlined in a future Developer's Agreement (if applicable).

- c. *Turn Lane Improvements for 53rd Street:* The following turn lane improvements are required for 53rd Street as outlined in the project's approved traffic impact study, and depicted on the conceptual PD plan. The timing of the 53rd Street turn lane improvements will be further outlined prior to preliminary PD approval for Phase 1 or as outlined in a future Developer's Agreement (if applicable).
- Westbound right-turn lane at the project's full access connection to 53rd Street
 - Eastbound left-turn lane at the project's full access connection to 53rd Street
 - Westbound right-turn lane at the project's right-in/right-out connection to 53rd Street
- d. *Drainage for 53rd Street:* The developer has coordinated with Public Works, and has agreed to accept stormwater runoff generated by the paving of 53rd Street. The stormwater design for 53rd Street will be reviewed via the LDP process for Phase 1 or as outlined in a future Developer's Agreement (if applicable).
- e. *Right-of-Way Dedication for 58th Avenue:* The County is currently designing a 58th Avenue widening project between 49th Street and 57th Street. The developer has agreed to dedicate ROW for 58th Avenue in order to accommodate the final design of the 58th Avenue widening project. However, the final dedication width will not be determined until all survey and design work has been completed. Therefore, the developer will need to obtain Public Works approval on the final 58th Avenue ROW dedication prior to preliminary PD approval for Phase 1. The 58th Avenue ROW dedication must be completed prior to the issuance of an LDP for Phase 1 or as outlined in a future Developer's Agreement (if applicable).
- f. *53rd Street Sidewalk:* A 5' wide sidewalk is required along the site's 53rd Street frontage. The final design of the 53rd Street sidewalk will be reviewed and approved via the LDP for each phase, and must be constructed prior to the issuance of a C. of C. for each respective phase or as outlined in a future Developer's Agreement (if applicable).
- g. *58th Avenue Sidewalk:* A 5' wide sidewalk is required along the site's 58th Avenue frontage. The final design of the 58th Avenue sidewalk will be reviewed and approved via the LDP for each phase, and must be constructed prior to the issuance of a C. of C. for each respective phase or as outlined in a future Developer's Agreement (if applicable).
- h. *Internal Pedestrian System:* The development will have an extensive sidewalk and community trail system to facilitate pedestrian access through the project for residents and users of the project's public areas. The pedestrian system will connect to the external pedestrian system on 53rd Street. Portions of the community trail and internal sidewalk system will be constructed with each phase. All sidewalks will be included in the LDP for each phase, and will need to be constructed along the frontage of common areas and individual lots in accordance with the requirements of LDR Section 913.09(5)(b)2.

- i. *Streetlighting*: Streetlights are required and proposed, and will be maintained by the property owners' association. Additional streetlight details will be provided with the preliminary PD plan, and the final design of the streetlights will be reviewed via the LDP for each phase.
- j. *Green Space and/or Recreation Area*: At least 7.5% of the total site area must be set-aside as dedicated common green space and/or recreation area. For this project, the developer proposes to provide 9.25 acres of recreation area, which is 12.9% of the site. The recreation areas include a clubhouse with a pool, walking trails around the stormwater system, several common area/recreation tracts, and all of the littoral zone areas.

15. Concurrency: As required under the County's concurrency regulations, the developer has obtained a conditional concurrency certificate for the project. The concurrency certificate was issued based upon a concurrency analysis and a determination that adequate capacity was available to serve this project at the time of the determination.

16. Landscape and Buffering Plan: The developer has provided a conceptual landscape plan that meets the criteria of Chapter 926, and is sufficient for conceptual PD plan approval (see attachment 6). A detailed description of each required perimeter buffer is provided above in the PD Rezoning Analysis section of this report. Preliminary landscape plans will be reviewed and approved with each preliminary PD plan, and final landscape plans will be reviewed with the land development permit plans for each phase. The final landscape plan must be approved by staff prior to the issuance of a land development permit for each phase.

17. Environmental Issues:

- *Uplands*: Since the site is over five acres, the County's native upland set-aside requirement potentially applies; however, County Environmental Planning staff has determined that no intact native upland plant communities exist on the project site. Therefore, no native upland set-aside requirements apply to the proposed development.
- *Wetlands*: County Environmental Planning staff has determined that no jurisdictional wetlands exist on the subject site. Therefore, no wetlands criteria apply to the proposed development.
- *Tree Mitigation*: The majority of the project site is former citrus groves. However, there are small portions of the site that are partially wooded with a mixture of palm, hardwood, and non-hardwood tree species. Mitigation is required for removal of any native hardwood trees over 12" DBH and cabbage palms with 10' or more of clear trunk. All invasive exotics will be removed during development. Additional tree mitigation details will be provided with the preliminary PD plan for each phase. The developer must obtain Environmental Planning staff approval of the final tree protection and mitigation plan, prior to the issuance of an LDP for each respective project phase.
- *Listed Species/Bald Eagles*: There is an active bald eagle's nest located on the south side of 53rd Street within the Providence Pointe PDTND project site. The applicant has coordinated with the U.S. Fish and Wildlife Service and has determined that there are no physical development limitations (e.g. conservation areas or buffers) required for the Mandala Village project site. However, there are construction activity limitations during nesting season that will apply to a small portion of the project site within 660' of the nest.

18. Public Benefits: For all PD projects, applicants must identify the public benefits that the project will provide in exchange for requested waivers or incentives being sought by the applicant. For the proposed project, the public benefits provided over and above a conventional development plan are as follows:

- *Right-of-Way Dedication for 53rd Street:* The developer has agreed to dedicate 5.52 acres of right-of-way (ROW) for 53rd Street without compensation. Although the developer is receiving density credit for the ROW dedication, they will not seek impact fee credits or other forms of monetary compensation. The 53rd Street ROW dedication is a public benefit above and beyond a less extensive dedication that would be typical of a conventional project.
- *Drainage for 53rd Street:* The developer has agreed to accept stormwater runoff generated by the paving of 53rd Street, which will lessen the County's obligation construct stormwater treatment facilities within the County ROW or acquire additional private property.
- *Public Access:* Certain interior streets will be privately dedicated but open to the public, and will provide access to the limited commercial area and the hotel site. The proposed TND design will offer limited commercial and personal services that are accessible to the residents within the project as well as residents of nearby residential projects.
- *Lakeside Amphitheater:* The applicant will provide a lakeside amphitheater that will be accessible to the public during public events.

19. Traditional Neighborhood Design (TND) Criteria: Section 915.21 of the County LDRs outline the following TND criteria:

- a. The minimum contiguous project site area shall be forty (40) acres.

Note: The project site is 85.62 acres, and exceeds the 40 acre minimum.

- b. Land shall be under unified control, and it shall be planned and developed as a whole in a single development or as an approved series of developments or neighborhoods. The project shall be approved under the Planned Development (PD) rezoning process.

Note: The developer controls the entire 85.62 acres and is pursuing the PD rezoning process, a process which requires a PD plan for the overall project.

- c. In order to disperse traffic by offering many alternative routes and connections between destinations within the project and to appropriate uses on adjacent sites, the street network shall consist of a grid or modified grid pattern and shall accommodate vehicular and pedestrian connections to adjacent streets, sidewalks, and to appropriate uses on adjacent sites.

Note: The conceptual PD plan proposes a modified grid system throughout the project site with roundabouts at key intersections and an extensive sidewalk/pedestrian system. The project design provides multiple connections to 53rd Street but is restricted from extending roadways to the north and east.

- d. No more than ten (10) percent of blocks shall have a block with a perimeter measuring one thousand eight hundred (1,800) feet or more. Within commercial and mixed use areas, no block face dimension shall exceed four hundred (400) feet. Blocks may be defined (divided) by streets or major pedestrian paths.

Note: None of the residential blocks measure more than 1,800' in length, and no commercial area block face exceeds 400'.

- e. The project shall contain a network of interconnected streets, sidewalks, and pathways.

Note: The development will have an interconnected system of streets, sidewalks, and community trails, as depicted and noted on the conceptual PD plan.

- f. Streets shall be designed to balance pedestrian and automobile needs, to discourage high automobile speeds, to effectively and efficiently accommodate transit systems, and to distribute and diffuse traffic rather than concentrate it.

Note: The proposed modified grid system, on street parking in certain areas, traffic calming designs, and pedestrian system meet this policy. The project design accommodates a future transit stop located along 58th Avenue, and that location has been approved by MPO staff as a potential future transit stop location.

- g. Street trees shall be provided so as to shade sidewalk areas and buffer sidewalk areas from automobile traffic.

Note: Street trees will be provided along all streets, as noted on the conceptual landscape plan, and will be specified in the streetscape design that will be a part of each preliminary PD plan.

- h. Streets and adjacent buildings shall be sited and designed to encourage interactions between the street and buildings through the use of amenities such as reduced building setbacks, "build-to" lines, front porches, stoops, rear and side yard parking lot and garage locations, and other means.

Note: The conceptual PD plan incorporates most of the above-referenced design elements to encourage interaction between streets and adjacent buildings and/or common areas.

- i. Projects shall decrease the prominence of front yard driveways, garages, and parking lots through one (1) or more of the following: Mid-block alleys, garages located toward the rear of lots, rear and side loaded garages, garages which are not the predominant architectural feature of the front elevation of buildings, off-street parking at the rear of buildings, and restricted driveway connections to streets.

Note: For the residential areas, the conceptual PD plan provides a mixture of rear and side loaded garages, detached garages, and on street parking. In the commercial area, buildings will front streets that have on-street parking, streetscape improvements, and sidewalks.

- j. The project shall be designed as a compact or clustered development. Projects may include the following mix of uses occurring together in close proximity:

- Single-family residential units;
- Accessory dwelling units;
- Multiple-family residential units;
- Commercial and work place uses;
- Civic and cultural uses; and
- Open space.

Note: The proposed development contains all of the above-referenced uses, and the project’s design provides for a mix of uses located in close proximity to each other. Those uses are integrated together into a traditional neighborhood and commercial village design.

k. The following ratios shall apply to land uses within the project:

- Community open spaces open to the public, such as squares, plazas, or parks, shall comprise a minimum of five (5) percent of the total project area.

Note: The conceptual PD plan provides approximately 7% of community open spaces open to the public.

- Civic uses, such as post offices, churches, community centers, pavilions, meeting halls, schools, day care centers, and cultural facilities shall comprise a minimum of one (1) percent of the total project area.

Note: Approximately 4% of the project area will be devoted to civic uses.

- Residential uses shall comprise a minimum of fifty (50) percent and a maximum of eighty (80) percent of the total non-conservation and non-agricultural project area.

Note: Residential uses comprise 55% of the total project area.

- Commercial and office uses located on residentially or agriculturally designated land shall not exceed ten (10) percent of the total land area designated on the land use plan as residential and agricultural.

Note: Approximately 3.4% of the total project land area (designated residential and agricultural) will be used for commercial and office purposes.

l. The vertical mixing of uses is allowed, and strongly encouraged, around designated town centers, main streets, mixed-use centers, and central squares and greens.

Note: The office building and smaller retail buildings are proposed to have one-bedroom and/or studio apartments on the 2nd and/or 3rd floors.

m. Each project must have at least one (1) center consisting of a public square, town center, or mixed use area. A project may have more than one (1) center. In addition, a center may be located on an adjacent site (outside the TND project) if the TND project is integrated into the

adjacent center and rights are secured for access to the center by TND project residents. The TND project shall be designed so that a center is within a one-quarter-mile walking distance from fifty (50) percent of the TND project's residential units and within one-half-mile walking distance from seventy-five (75) percent of the TND project's residential units.

Note: The project design provides a single/primary public square with 70% of the project's residential units within 1/4 mile walking distance, and 100% of the project's residential units within 1/2 mile walking distance.

- n. To accommodate increased pedestrian use, fifty (50) percent of sidewalks in public squares, town centers, or mixed use areas shall have a minimum unobstructed width (clear and passable for pedestrians) of at least seven (7) feet.

Note: All of the sidewalks (100%) within the commercial area and public square will be a minimum of 7' wide.

- o. On-street parking shall be allowed within public squares, town centers, or mixed use areas.

Note: On-street parking is proposed throughout the commercial and multi-family areas.

- p. Off-street parking lots within public squares, town centers, or mixed use areas shall be provided only at the rear of buildings.

Note: All buildings within the commercial area and public square front on a street or major pedestrian system, with parking located at the rear or to the side of buildings.

- q. The center shall accommodate space for at least one (1) transit stop and a civic building.

Note: The conceptual PD plan proposes 1 transit stop and a lakeside amphitheater that will function as a civic structure and be open for public events. The transit stop has been reviewed and approved by MPO staff.

- r. Project edges located outside the Urban Service Area shall be established and designed for environmental, agricultural, recreational, or other open space uses.

Note: The project design provides a project edge along the western project boundary, and that project edge "wraps" a portion of the northern project boundary where adjacent sites are located outside of the Urban Service Area.

- s. Public buildings, such as schools, churches, post offices, and community centers, shall be provided in prominent, accessible locations within the project. Such locations generally are at the termination of streets, the perimeter of the neighborhood center, or the frontage along a designated main street of a neighborhood or adjacent thoroughfare plan road.

Note: The amphitheater will be located on a lake front tract on the perimeter of the public square, and will be accessible to the public during public events.

- t. TND projects located entirely within the Urban Service Area shall receive a ten-percent density bonus above and beyond the maximum density provided under the project site's land use designation. TND projects may be approved as receiving sites for density transferred from agriculturally designated lands subject to the conditions and limitations in Future Land Use Element Policy 6.8.

Note: The subject project is located partially outside of the Urban Service Area. Therefore, the project is not eligible for a density bonus.

- u. For TND projects located east of I-95, a portion of the project may be located partially outside but adjacent to the Urban Service Area. A minimum of sixty (60) percent of the total project density shall be derived from the portion of the project located within the Urban Service Area. Density shall be calculated and allowed based upon:
 - The land use designation underlying the portion of the project within the Urban Service Area; and
 - One (1) unit/acre for project property located outside the Urban Service Area.

Note: As demonstrated in the density calculations section of this report, the project density satisfies this requirement.

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

RECOMMENDATION:

Staff recommends that the Board of County Commissioners approve the proposed Planned Development Traditional Neighborhood Design (PDTND) rezoning and the conceptual PD plan, with the following conditions:

1. Prior to approval of the preliminary PD plan for Phase I, the developer shall:
 - a. Obtain Public Works approval of the timing of the project's required 53rd Street improvements, including turn lane improvements, or enter into a Developer's Agreement for those improvements.
 - b. Obtain Public Works approval of the final determination for the project's required 58th Avenue ROW dedication, or enter into a Developer's Agreement for the 58th Avenue ROW dedication.
2. Prior to issuance of a land development permit for Phase 1, the developer shall:
 - a. Dedicate the required road right-of-way for 53rd Street without compensation, as shown on the conceptual PD plan.
 - b. Dedicate the required road right-of-way for 58th Avenue without compensation, or as outlined in a Developer's Agreement.
 - c. Obtain Public Works approval of the final design of the project's required 53rd Street improvements including the external sidewalk, final turn lane configurations, and the 58th Avenue/53rd Street intersection improvements, or as outlined in a Developer's Agreement.

- d. Obtain Public Works approval of the final design for the stormwater improvements required to accept stormwater runoff from 53rd Street, or as outlined in a Developer's Agreement.
 - e. Obtain Public Works approval of the final design of the project's external 58th Avenue sidewalk, or as outlined in a Developer's Agreement.
 - f. Provide a final design, acceptable to Traffic Engineering and MPO Staff, for the project transit stop.
3. Prior to issuance of a land development permit for any respective phase, the developer shall:
 - a. Obtain Planning staff approval of the final landscape plan for the respective phase.
 - b. Obtain Planning staff approval of the final streetlighting plan for the respective phase.
 - c. Obtain Environmental Planning staff approval of the final tree protection and mitigation plan for the respective phase.
 4. Prior to issuance of a certificate of completion for Phase 1, the developer shall construct all required 53rd Street improvements from 58th Avenue to the project's full access connection, or as outlined in a Developer's Agreement.
 5. Prior to issuance of a certificate of completion for any project phase or sub-phase, the developer shall construct required improvements such as sidewalks and buffers that are tied to that specific phase or sub-phase, or otherwise guarantee completion of the improvements as provided for in the LDRs.

ATTACHMENTS:

1. Location Map
2. Aerial
3. Excerpt from Draft December 12, 2019 PZC Minutes
4. PDTND Rezoning Ordinance
5. Conceptual PD Plan
6. Conceptual Landscape Plan