

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

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**TO:** Board of County Commissioners

**THROUGH:** John A. Titkanich, Jr., County Administrator

**PREPARED BY:** Ryan Sweeney, Assistant Planning & Development Services Director

**DATE:** March 7, 2024

**SUBJECT:** Updated Liberty Park Conceptual Planned Development Plan

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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 March 19, 2024.

**BACKGROUND:**

At its regular meeting of October 14, 2008, the Board of County Commissioners (BCC) granted Planned Development Traditional Neighborhood Design (PDTND) rezoning and conceptual PD plan approval for Liberty Park. Since that original approval by the BCC, staff has approved several minor modifications to the project's overall conceptual PD plan via the administrative approval (AA) process, which does not require Planning and Zoning Commission (PZC) or BCC approval (i.e. approved at the staff level). On April 20, 2021, the BCC entered into a Developer's Agreement with the developer to identify certain County and/or developer responsibilities related to right-of-way (ROW) dedications, drainage improvements, and roadway construction.

On October 22, 2021, representatives from a different development project (Lakeside East PD and Lakeside West PD) submitted a petition to establish the Lakeside at Indian River Community Development District (CDD). That petition was ultimately withdrawn by the applicant during a public hearing at the BCC's regular December 7, 2021 meeting. However, in response to that petition, the BCC directed staff to prepare a set of CDD "guidelines" for the BCC to utilize when considering any future petitions to establish a CDD within the County.

On June 7, 2022, the BCC adopted a set of CDD guidelines. Subsequently, Liberty Park representatives filed a petition to establish the LP CDD. On October 18, 2022, the BCC approved the LP CDD to be the first CDD approved within the County. The LP CDD was approved based on the adopted CDD guidelines and the previously approved Liberty Park conceptual PD plan (see attachment 1). On March 29, 2023, Liberty Park representatives filed an AA application to make additional changes the project's overall conceptual PD plan, due to market demand and other underlying factors (see attachment 2). Therefore, staff is presenting the project's updated conceptual PD plan back to the BCC to reaffirm its consistency with the BCC's adopted CDD guidelines.

**ANALYSIS:**

The Liberty Park development project was approved as a planned development traditional neighborhood design (PDTND), which includes a mixture of residential, commercial, civic, and open space areas/uses. As part of the PDTND review and approval process, the developer and staff negotiated specific project design waivers (e.g. reduced setbacks, increased lot coverage, decreased ROW widths, etc.), and those waivers are offset by the project's required public benefits (e.g. the public school site, public park sites, off-site conservation areas, etc.). It should be noted that the applicant is not requesting to change any of the project's design waivers, required public benefits, or other previous conditions of approval via the updated conceptual PD plan. It should also be noted that all PDTND projects are subject to the PDTND criteria established in Section 915.21 of the County Land Development Regulations (LDRs). Staff has reviewed the updated conceptual PD plan and confirms that the plan still meets all of the PDTND criteria outlined in 915.21.

The updated conceptual PD plan includes several key changes including a reduction in the variety of residential building types (the current plan includes 11 residential building products and the developer is now proposing 5 residential building products); reductions in lot dimensions (the larger lot dimensions currently are 70'x 120', 90'x 120', and 90'x 150' and the largest lot now proposed is 60' x 120'); reduced interconnectivity (especially west of "70<sup>th</sup> Avenue"); replacement of most vehicular alleys with "pedestrian alleys"; and an increase in the stormwater pond size / reduction in land area within the County-dedicated Ryall Park tract. Additionally, there is reduction in neighborhood "pocket-parks" in the western part of the development, and there are two smaller parks proposed west of the future extension of 74<sup>th</sup> Avenue, which no longer functionally connects to the southwest portion of the proposed development. However, staff will note the proposed plan provides connection of 64<sup>th</sup> Avenue to 81<sup>st</sup> street on the eastern side of the development. Most of the commercial/town center area and recreation/civic areas east of 70<sup>th</sup> Avenue remains generally unchanged. Staff finds the updated conceptual PD plan to be different, specifically the portion west of 70<sup>th</sup> Avenue, but generally consistent with the BCC's adopted guidelines. Thus, staff is presenting the updated plan to the BCC to review and determine its consistency with the BCC's adopted CDD guidelines.

Lastly, on October 18, 2023, the BCC approved the first addendum to the project's Developer's Agreement to accelerate certain project requirements in favor of the County (e.g. ROW dedications, the County stormwater pond/Ryall Park parcel, the fire station parcel). The updated conceptual PD plan is consistent with those changes and will trigger certain project requirements upon approval of the subject AA application.

**RECOMMENDATION:**

Staff recommends that the Board of County Commissioners review the updated Liberty Park conceptual PD plan and determine its consistency with the BCC's adopted CDD guidelines.

**ATTACHMENTS:**

1. Previously Approved Conceptual PD Plan
2. Updated Conceptual PD Plan