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**MEMORANDUM**

**TO:** Howey-in-the-Hills Town Council  
**CC:** J. Brock, Town Clerk  
**FROM:** Thomas Harowski, AICP, Planning Consultant  
**SUBJECT:** Mission Rise Planned Development Proposal  
**DATE:** January 12, 2024

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The Town has received an application for approval of a planned unit development agreement for the Mission Rise parcel which lies south of and west of The Reserve (Hilltop Groves) development. The request is a zoning action which requires the Town Council to consider a proposed development agreement that will govern development of the parcel. The applicant has submitted a conceptual development plan and draft development agreement along with a traffic study and required application forms. The project has been reviewed by the Development Review Committee (DRC) on several occasions. While not all of the comments offered by the DRC have been adopted, the project has reached the stage where it needs to move to the policy decision stage.

**Project Description**

The project is requesting approval for 499 single-family homes with lots measuring 55 x 120 and 75 x 120. The larger lots are located at the perimeter of the project and the smaller lots are located toward the interior of the project site. The project will access from SR-19 via Revels Road on the eastern side and access from Number Two Road on the north side. There is also a minor connection to Orange Blossom Road on the south. The site design provides for connections to the Hilltop Groves portion of The Reserve on the east and to Silverwood Lane on the west.

The residential portion of the project proposes three phases as shown on the graphic submitted with the application. The units by phase are as follows:

<b>Proposed Development Phasing</b>			
<b>Phase</b>	<b>55-foot lots</b>	<b>75-foot lots</b>	<b>Total</b>
Phase 1	150	41	191
Phase 2	100	13	113
Phase 3	166	29	195
Total	416	83	499

The project contains about 60 acres of wetlands with half of the total being credited to the required project open space and the balance identified as additional open space. The proposed plan will impact 0.3 acres which is for a road and utility crossing. The site includes an active eagles nest location, and the plan identifies 330 foot and 660 foot protection zones. No development activity is permitted within the 330 foot protection zone, but some development is proposed within the 660 foot protection zone. The development outside the 330 foot protection zone but within the 660 foot protection zone consists of single-family homes and roads. Some development within the outer protection zone is allowed.

Community facilities and parks are provided. Phase 1 and Phase 3 each include an amenity center including a cabana and pool. The project includes a multi-use trail along the central collector road to join with the Town's overall trail system, including a trail head adjacent to the Phase 1 amenity center. Phase 2 and Phase 3 each include smaller active miniparks, and Phase 2 includes a larger and more passive neighborhood park area. The neighborhood park area includes walking trails that connect to the multi-use trail.

### **Village Mixed Use Policy Assessment**

The project is required to meet the village mixed use land use criteria as presented in Policy 1.1.1 of the future land use element. As a threshold requirement the project must comply with these criteria.

**Maximum density is four units per net acre:**

The net land area is identified as 153.1 acres which would allow a maximum of 612 units. The proposed project size is 499 units.

**Residential land use maximum is 85%**

Maximum allowable residential acreage is 130 acres and the proposed project will apply 129.3 acres to residential use.

**Non-Residential land use minimum is 15%**

Non-Residential land use will occupy 23.1 acres including the amenity centers, park areas, and multi-use trail area outside the right-of-way. The application includes a graphic identifying the non-residential land assignments.

**Five percent of the non-residential land is to be applied to public/civic uses**

Public and civic land use minimum is 1.16 acres. The two amenity centers will occupy 2.6 acres as civic land uses.

**Public recreational uses must be at least 10% of the usable open space**

Ten percent of the usable open space is 3.0 acres. Passive and active park areas are reported as 16.9 acres.

Total open space is 25% of the gross project area.

Total open space required is 60.8 acres which may include up to 50% of wetlands on the site. Total wetlands are reported as 60.1 acres, and when applied to the open space calculation the total site open space comes to 90.2 acres. Note that 0.3 acres of wetland will be impact by road construction.

### **Comprehensive Plan Assessment**

The proposed project has been reviewed in comparison to the applicable comprehensive plan policies. The applicant has submitted a project narrative that offers their view on compliance with the goals, objectives and policies laid out in the comprehensive plan. The primary policy relating to Village Mixed Use development is Policy 1.1.1 of the Future Land Use Element. This policy lays out the minimum standards that a village mixed use project must meet including the percentage of land allocated to various uses, including open space, and associated activities such as civic activities and recreation. As noted in the preceding section, the application meets these basic requirements. Additionally, the applicant cites compliance with Policy 1.11.2 encouraging cluster development.

The applicant also cites compliance with Policy 1.3.1 regarding wetlands protection. The plan as proposed does include wetland areas in the designated open space areas. There is a minor wetland impact in the central area of the project where there is some disturbance, about 0.3 acres for a road and utility crossing. This type of limited wetland impact has been approved in other developments. The open space preservation areas also include the flood prone areas in Zone AE. The project will be required to provide the 25-foot wetland buffer and 50 foot setback from wetlands to upland structures as part of the Preliminary Subdivision Plan should the zoning package be approved. This action is required by Conservation Element Policy 1.2.3 as well as Future Land Use Policy 1.3.1.

Policy 1.2.6 encourages the allocation of more dense residential development along the major road corridors and in areas that support the Central Avenue commercial area. The proposed central collector is part of the recommended traffic network and could support some increased density. Serving as a parallel facility to SR-19 it can help direct traffic to the Central Avenue commercial area as that portion of the Town develops. Compliance with the policy might benefit from a reduced density and/or larger lot sizes at the western and southern perimeter of the project.

For evaluation of the proposed project design, Policy 1.1.2 as it relates to Village Mixed Use areas may be the key determinant. The effective portions of the policy read as follows:

**POLICY 1.1.2:**     *Land Use Categories.* The land use categories, as depicted on the Town's 2035 *Future Land Use Map (FLUM)* shall permit the following uses and activities.

**Village Mixed Use** – Primarily intended to create sustainability and maintain the unique charm of the Town, including the provisions of reducing the dependability on the automobile, protecting more open land, and providing quality of life by allowing people to live, work, socialize, and recreate in close proximity. Elementary, middle, and high schools are also permitted in this category.

The applicant has submitted a statement with the project narrative offering their position on how the plan complies with the policy. The Town is deep into a process of assessing how other village mixed use projects have performed relative to the policy. The recent summary of this village mixed use evaluation is captured in the draft amendments to the comprehensive plan that have emerged from the recent series of workshops and public discussions. The Town Attorney framed the findings from this process as follows:

**7. 2023 Analysis and Reevaluation of Residential Densities and Lot Sizes**

In 2023 the Town Council and the Town’s Planning and Zoning Board analyzed and reevaluated post-2010 residential development in the Town. Residential development under the Village Mixed Use designation resulted after 2010 in substantially increased housing densities and substantially smaller residential lots than were prevalent in the Town’s historical development.

The evaluation and analysis was accompanied by robust public participation. Public sentiment agreed overwhelmingly with Town Council: the increased densities and downsized lots after 2010 were inconsistent with the character, appearance, and ambiance of the Town’s historical neighborhoods. Contrary to FLUE Policy 1.1.2, development in Village Mixed Use had failed to “maintain the unique charm of the Town.”

Consequently, the Town Council determined that amendments to this Future Land Use Element to redirect future residential densities and lot sizes were warranted and desirable.

As the Town Council is well aware, the discussion about consistency of character, appearance and ambiance has focused on lot sizes. Newer developments have represented current housing markets as demanding smaller and narrower lots than is typical for the older neighborhoods in Howey. The Reserve located adjacent to the subject property on the east includes the Hilltop Groves residential development that includes single-family lots with 50-foot widths and groupings of townhouse units. This project was approved in the 2006 time frame and amended in 2018 including a redesign that stressed a higher percentage of owner-occupied units. The first phase final plat has recently been approved by the Town, and the Town will be able to assess the design impacts and contributions once construction begins.

The Venezia and Talichet developments are the most recent large scale developments including lot sizes ranging from 60-foot wide lots to 75-foot and 85-foot wide lots. Reaction to these developments has been mixed with the primary concern being the visual massing of large houses on smaller lots and lesser setbacks than the

Town's traditional neighborhoods. These projects have also been called out as lacking some public recreation elements. The proposed Mission Rise project includes a fairly robust recreation and civic facility support. The Watermark development has been approved with somewhat larger lots as a minimum of 50% of the 225 lots required to be 80-foot wide and the balance are allowed at 70-feet.

During the Development Review Committee phase of the Mission Rise project review, the applicants were clearly advised of the ongoing community debate regarding lot sizes and dimensions so these factors could be considered in their development proposal. The town Council now has the task of assessing the current application in comparison to Policy 1.1.2 as addressed by the applicant and as considered within the context of the ongoing policy review.

### **Conceptual Development Plan Review**

The conceptual development plan includes a series of graphics and a written development agreement. The conceptual plan has done a good job of identifying wetland and flood prone areas and including them in the open space areas of the project. The residential development areas clearly break out into three sub-areas that form the three project phases, and each phase is supported by recreation and/or civic facilities and an integrated bicycle and pedestrian network. The bicycle network will tie into the bicycle facilities in the adjacent Hilltop Groves development to provide a loop system connecting cyclists from both projects and offering a high quality cycling opportunity for Howey citizens generally.

The project design includes connected open space areas between Phase 1 and Phase 2 and again between Phase 2 and Phase 3. The staff has requested the applicant eliminate the stormwater retention area in the open space area between Phase 2 and Phase 3 in order to preserve more trees in this upland area and to maximize the open space connectivity. The staff believes that the stormwater retention is a residential support activity and should be located in the residential portions of the project. The applicants have been responsive to a number of other design suggestions, but have chosen to keep the stormwater retention area in the open space corridor.

The conceptual development plan package includes layouts for both the proposed 55-foot and 75-foot wide lots showing a minimum of 20 feet from the front property line to the garage and rear setbacks for the principal structure of 25-feet. The Town has been asking for these setbacks to provide for adequate off-street parking and to allow for accessory structures like swimming pools while meeting the setbacks for accessory structures.

### **Concurrency Considerations**

Concurrency issues relate to the provision of necessary public services to support new developments. There are two concurrency issues related to the Mission Rise project, sanitary sewer service and traffic.

**Sanitary Sewer:** The project does not currently have an agreement with the Central Lake Community Development District, which is the current provider for the Town. The CLCDD reports that they do not have currently available capacity. The applicants will need to reach an agreement with the CLCDD on service or arrange for service from an alternate provider. The Town is currently reviewing options for alternative treatment sources to provide options to the CLCDD.

The applicant has addressed the sewage treatment issue in the development agreement by linking the project approval to the acquisition of treatment service. Section 10 of the development agreement provides a two year window from the date of approval of the agreement for the applicants to obtain a commitment for sewage treatment. If the commitment is obtained, the project may move forward to submit plans for construction. If a commitment is not obtained within the prescribed time period, the Town Council may vacate the agreement.

**Traffic Considerations:** The applicants prepared a traffic analysis which projected traffic based on current conditions, anticipated traffic from the proposed development, and anticipated traffic from other projects which have been approved, but not yet constructed. Planned traffic improvements were considered, and given the concerns related to Number 2 Road, the capacity for Number 2 Road was reduced by 25%. The study reported two roadway links and three intersections that will have capacity concerns. The affected links are on SR -19. The first is from Lane Park Road to Central Avenue, and the second is from CR 455 to CR 478. Both of these segments will have capacity issues without the Mission Rise project, and both may be affected by re-classification of the roadway capacities to more accurately reflect current conditions.

The affected intersections are also on SR 19 and include the intersections at CR 48, Central Avenue and Revels Road. Typically the project is required to contribute a "fair share" amount to the improvements at each intersection. The applicant has proposed an alternative of paying for the full upgrade of the SR 19 and Revels road intersection. The upgrade may be a traffic signal if warranted or a roundabout. After discussion with the town's traffic engineer, this alternative is preferred as it will result in an actual physical improvement addressing one of the potential impact sites. The standard approach would likely result in a fair share payment sitting idle until sufficient funding is found to complete an improvement.

On Number 2 Road the project will provide additional right-of-way to help bring the right-of-way up to standard. The project will also provide turn lanes and bring the current lane width up to standard for the length of the project frontage. Combined with the approved upgrades from Hilltop Groves, the combined project will bring the road close to standard from the western terminus of the project to approximately Mare Avenue. Based on the timing for the proposed development as stated in the termination provisions, it may be up to four years before units in Phase 1 appear and another three years before Phase 2 units begin construction. The proposal for the collector road is to build the road with each residential phase, the actual connection to Number 2 Road could be five to ten years in the future.

The project design includes a connection to the Hilltop Groves project in Phase 2 of Mission Rise. The model predicts this connection will draw up to 10% of the project traffic primarily as a link to the commercial area in The Reserve development. This link also offers an indirect connection to SR-19. Lake County is discouraging use of the southerly connection to Orange Blossom Road due to the poor condition of that roadway.

### **Summary of Findings**

The list of findings presented below is offered to summarize for the Town Council the most salient points from the discussion to this point.

- The applicants have presented a conceptual plan that meets the minimum Village Mixed Use requirements as presented in Future Land Use Policy 1.1.1.
- The development agreement includes setbacks that address the issues related to onsite parking and adequate area to accommodate accessory structures.
- The conceptual plan includes recreation and civic components that have been issues for other VMU projects.
- The development agreement includes minimum and maximum dwelling unit sizes in an effort to address the building mass concerns from other VMU projects.
- The conceptual development provides some larger lots at the project periphery, but the project is dominated by 50 x 120 lots.
- Compliance with Future Land Use Policy 1.1.2 relating to community character is an open discussion item.
- The project development agreement provides a tiered termination clause so that the project has specific sunset action points.
- The project needs to obtain sanitary sewer service sufficient to serve the project.
- The project traffic will impact three intersections on SR 19, and the applicant has proposed full improvement of the SR-19 and Revels Road intersection as a “fair share” contribution.
- While the traffic study shows that Number 2 Road and most segments on SR-19 will operate within the designated level of service, there will be additional traffic added to each facility.
- The project will provide limited improvements to Number 2 Road.
- Based on the timing for phased development the actual connection of the central collector road to Number 2 Road is expected to occur between five and ten years from the project start.

## **Planning Board Analysis and Recommendation**

The Town's planning board considered the application at their December 21, 2023 regular meeting. The Board review the planning staff report and heard an extensive presentation from the applicant. Public testimony was also considered. The Planning Board found that the project as presented did not adequately support Future Land Use Policy 1.1.2, but could support the policy with specific changes. The Planning Board recommended a conditional approval of the project including the following conditions:

1. Eighty percent of the single-family lots meet a minimum lot size of 10,840 square feet.
2. Up to 20% of the residential lots may have lot widths of 75 feet as proposed by the applicant.
3. Access connection to Number 2 Road cannot be opened until after Phase 1 and Phase 2 have been completed, but should be opened when 50% of the units in Phase 3 have received a certificate of occupancy.
4. The open space area between Phase 2 and Phase 3 shall be redesigned to eliminate stormwater retention ponds from this area.

## **Action Options**

The Town Council has received the recommendation from the Planning Board and has the opportunity to consider:

- Whether to approve the project based on the conditions proposed by the Planning Board;
- Approve the project with other conditions either in place of or supplementary to the Planning Board recommendation;
- Approve the project as submitted; or
- Deny project.

An action to deny the project needs to be accompanied by a statement as to why the project fails to meet the conditions for approval either through the comprehensive plan goals, objectives, and policies or through the failure to comply with other elements of the land development regulations.

If the Town Council takes an action including conditions recommended by the Planning Board or other conditions that will result in changes to the lot patterns proposed in the development, the project will need to undergo a revision to the conceptual development plan that conforms to these conditions. If the applicant elects to redesign the project in line with the Planning Board recommendations or meeting other conditions that the Town Council may apply, some work will need to be done to clarify the conditions to be certain about how and when they would be satisfied.