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MEMORANDUM

TO: Howey-in-the-Hills Development Review Committee
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Simpson Parcel PUD Agreement Review
DATE: July 11, 2022

The applicants are seeking rezoning from the current MDR-1 and MDR-2 to Planned Unit Development. They have resubmitted a proposed PUD Development Agreement and a conceptual land use plan prepared by the Green Consulting Group, Inc dated May 17, 2022. The DRC will review the proposed development agreement and plan in preparation for submittal of the proposal to the Town's Planning Board. DRC will apply the standards of a preliminary subdivision plan along with the PUD requirements for a concept plan. Should the proposed development be approved, applying the preliminary subdivision approval will allow the project to move to the final subdivision plan stage for a phase of the project or for the entire project. The comments provided in this report will address the comprehensive plan considerations, basic zoning considerations, comments on the conceptual land use plan and comments on the proposed development agreement.

Comprehensive Plan Considerations

1. The subject property is designated as Medium Density Residential on the future land use map. Medium Density Residential allows development up to four units per acre with the maximum unit yield being calculated on the net land area. (Future Land Use Policy 1.1.4.) Based on the net land area identified on the conceptual land use plan, the maximum unit yield for the project is 297 units (74.35 acres x 4units/acre). The proposed development size of 275 units is within the allowable density range.
2. The applicant needs to provide a concurrency analysis for the proposed project documenting that public services are available to support the proposed development or will be available at the time actual demand occurs. Currently the Town is aware of capacity issues for sewage treatment and public school facilities. Potable water limitations may be linked to the timing on the extension of service lines.

3. The applicant needs to submit an application for concurrency review to the Lake County School District. The district has a specific application process.
4. The Town has approved a methodology for the traffic impact analysis. What is the status of this review?
5. The revised plan includes two entrances accessing Revels Road and third “emergency access” to the property to the south. The staff will not recommend the emergency access over a full public access connection.

Preliminary Subdivision Plan Comments

1. Section 4.05.12 of the Town’s land development code identifies the requirements for a preliminary subdivision plan and Section 4.10.09 identifies the requirements for a conceptual land use plan included as part of a planned unit development agreement. The applicant has modified the original submittal to include the items require by the preliminary subdivision plan.
2. Typically a tree survey is required as well, but in this case all of the area proposed for development is former grove. Any existing wooded areas are in locations where buffers or open space are proposed, so there does not appear to be a need to do a tree survey. If this factor changes during later design review, a tree survey may be required at that time.
3. Has FDOT been contacted regarding the re-alignment of Revels Road and the intersection with SR 19 since the last project review? If not, this needs to be done to determine if the proposed alignment is allowable.
4. The project buffers along SR 19 and Revels Road (Buffers 1 and 2) need to comply with Section 7.02.01 B. A cross-section has been provided, but the cross-section detail is not fully compliant with code requirement (understory trees are not noted and shrubs do not have to be applied as a hedge). The full code requirement will be applied to any final subdivision review.
5. The Town is asking for the addition of a 10-12 foot multi-use bicycle/pedestrian path along the Revels Road frontage. This portion of a path is consistent with the Town’s bicycle/pedestrian plan and can link to a proposed trail head on Sr 19 and a pathway planned through The Reserve development from SR 19 to Number Two Road. This pathway can be addressed with streets and sidewalks on page 6 of the development agreement.
6. Please identify the number of 60-foot wide lots and the number of 70-foot wide lots proposed. The section on lot size in the proposde development agreement is an appropriate place to do this.
7. Consideration might be given to retaining the citrus grove within some of the planned open space areas with the remainin trees to a community garden type activity.

Development Agreement Comments

1. Phasing has been added to the preliminary subdivision plan, and a section needs to be added to the development agreement referencing the phasing and stating that each phase will operate independently with regard to traffic and utility services. Note that revisions to the phasing schedule shall be considered as minor amendments to the agreement which may be approved by Town Council with no formal amendment of the agreement.
2. Setbacks and lot coverage for swimming pools need to be addressed in the development agreement. With lots in the 60-foot range, the Town has been encountering issues with homeowners trying to fit swimming pools onto the properties while meeting the Town's general swimming pool requirements.
3. Note that the Town staff will not recommend an "emergency access" for the proposed road connection to the south.
4. In the section on tree protection it might be prudent to add a statement that citrus are excluded from tree protection requirements.
5. The section on amendments needs to be modified to clarify what constitutes a major amendment and what constitutes a minor amendment.
6. The land use section on page 4 of the draft development agreement references the conceptual plan as Exhibit B. There is no Exhibit A proposed. Typically and Exhibit A would be the legal description, but the legal is included in the body of the development agreement in this case.
7. There are a few additional edits to the agreement text that are recommended.
 - a. On page 1 Recital B eliminate "concurrently" as there is no land use action happening at the same time.
 - b. On page 2 Section 1 spell out Planned Unit Development as well as using the PUD symbol. The formal name of the zoning classification includes both.
 - c. Page 3 Section 2, same comment as above.
 - d. Page 3 General, in the first paragraph change "city" to "Town".