



Residences at Grande Oak PUD Rezoning Petition and Small Scale Comprehensive Plan Amendment

PUD PROJECT SUMMARY

The Applicant, Dan-Nico Properties, LLC is requesting a simultaneous Annexation, Small Scale Comprehensive Plan Amendment and a Rezoning Petition on the subject Parcel located on the west side of State Road 29 approximately 0.25 miles south of Helms Road on approximately 26.12 acres of land. The subject Parcel is currently located in Unincorporated Hendry County. Concurrent with this application is a Voluntary Annexation Petition requesting the property to be annexed into the City of Labelle.

The requested Zoning amendment is from General Agriculture (A-2) to Planned Unit Development District (PUD). Requested concurrently, is a Small-Scale Comprehensive Plan Amendment to the Future Land Use from Hendry County - Residential High Density to Outlying Mixed Use Future Land Use Category.

This application requests approval of a PUD Mixed-Use project inclusive of the following uses:

- Commercial - 10,000 sq. ft.
- Affordable Multi-family Apartments
 - Phase I & II - 288 units
 - Phase III - 120 units
- Clubhouse and Site Amenities - 5,000 sq. ft.

The proposed Residences at Gande Oak PUD focuses on a mixed-use development that provides a benefit in terms of a walkable community, neighborhood park and amenities, employment opportunities, and affordable multi-family housing. The affordable housing project shall meet or exceed the minimum threshold of affordability as outlined in the City of Labelle and Hendry County Comprehensive Plan and the Hendry County Housing Authority.

A Rezoning amendment to PUD is consistent with the proposed underlying Future Land Use (FLU) Outlying Mixed Use category. The Outlying Mixed Use category allows for mixed-use development with a maximized density up to 16 du/acre which is a total of 408 dwelling units for the development and allows for 10,000 sq. ft. of neighborhood commercial. The proposed development will provide bicycle/pedestrian connectivity, a clubhouse including amenities and neighborhood park, and provide enhanced landscape buffers around the perimeter of the subject site.

A pre-application conference was held on December 29th, 2022, with City and County Staff. A FDOT pre-application conference was held on February 14, 2023. A pre-application conference was held with the South Florida Water Management District on May 23rd, 2023.

Table 1: Site Information

Parcel #:	29 43 20 A00 0002.0200
Gross Acreage:	26.12 acres
Estimated Wetlands:	1.3 acres
Net Developable Area:	24.84 acres
Existing Future Land Use Category:	Hendry County- Residential High Density
Proposed Future Land Use Category:	Outlying Mixed Use
Existing Zoning:	Hendry County - General Agriculture (A-2)
Proposed Zoning:	Planned Unit Development District (PUD)

SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

The properties current Future Land Use is Hendry County - Residential High Density which allows for up to 15 du/acre. The property is located adjacent to properties with a FLU of Residential to the south, Employment Center to the north and east, and the South LaBelle Community to the west.

The concurrent Small Scale Comprehensive Plan Future Land Use amendment request is to designate the property to the **Outlying Mixed Use** FLU category. Residential and Commercial Uses are specifically listed as allowable uses in the Outlying Mixed Use FLU category. The Outlying Mixed Use category requires rezoning to the PUD zoning district.

The Outlying Mixed Use Future Land Use category provides a logical transition of mixed uses from the Employment Village located to the north and east, and the South Labelle Community Land use located to the west. The proposed density of 16 du/acres on the Residences at Grande Oaks PUD is consistent with the adjacent South LaBelle Community which allows for up to 16 du/acre. It is also compatible with existing multi-family development located to the south.

The applicant proposes a mixed-use development with a maximum of 10,000 sq.ft. neighborhood commercial and a maximum of 408 multi-family units on 26.12 +/- acres which is a proposed density of 16 du/acre. The Outlying Mixed Use category allows for a base density of 6 du/acre. Additional bonus density may be requested up to 16 units per acre provided the project meets the criteria as follows.

- **The property has direct access to the collector or arterial roadways** – SR-29 is designated as a main arterial roadway and with recent improvements provides adequate capacity to serve this project.
- **Mixed-Use** – The property proposes a mix of neighborhood commercial, residential, and amenity/recreational uses. The proposed commercial outparcel is designed to serve this property as well as the adjacent Greentree South complex located directly to the south.

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- **Minimization of Impacts on the Existing Oak Trees** – The project proposes to maintain a heavily forested portion of the western property as a wetland and uplands preserve. Many of the trees in this area are oak trees that will be preserved. Additionally, the area around the existing pond has oak trees that will also be preserved. These are identified as the larger, orange-colored trees on the conceptual landscape plan submitted as an attachment to this application. The remainder of the site was previously used for agricultural purposes and is void of significant trees.
- **Publicly Accessible Civic Space** – The project proposes a publicly accessible civic space conveniently located at the entry to the development and overlooking the pond and features. Currently, the proposed space is designed to honor hometown heroes such as police, firefighters or military personnel and will have benches and lit flag poles, additionally it will include a nature trail around the pond.
- **Enhanced Architectural Design** – The project is proposed to be designed in the Old Florida Vernacular including such elements as decorative brackets and balcony features. A pleasant pastel color palette and quality architectural materials. In addition to the aesthetic value, the project proposes a community clubhouse, pool, BBQ picnic area, tot lot and a community garden area. A tree lined linear park “central walk” will create a sense of community area for residents to meet and mingle in a front porch type atmosphere.
- **Enhanced Landscape Design** – Mostly native tree species will be used in the landscape design including preservation of the existing oak trees. It is the owner’s intent to exceed the city’s minimum landscape code especially within the key pedestrian areas of the site.
- **Enhanced compatibility measures** – The project has been designed with compatibility to the adjacent land uses. A larger buffer is provided between the buildings and the property to the south since the adjacent buildings are single story structures. There is the proposed preserve and gopher tortoise habitat to the west which will completely buffer the properties from the west. The remaining property to the north and east has a FLU designation of Employment Center which will eventually be larger commercial uses. We have proposed a smaller buffer to the north and east but will still be exceeding the code requirements for setbacks while also allowing for future connectivity to these commercial uses. Furthermore, we are limiting the building to three story garden style apartments which will have a maximum height of 36 feet.
- The development is not located near downtown but will aim to create a compact mixed-use community. It will offer walkable retail options within the neighborhood and encourage community interaction through centrally located parks, open spaces, and amenities. The integrated layout of the development will provide easy access supporting a pedestrian-friendly environment.

PUD REZONING REQUEST

Currently, the subject Parcel is located in unincorporated Hendry County and the Zoning designation for the subject site is General Agriculture (A-2). The Parcel is surrounded by LaBelle city limits to the north, east, south and west and is requested to be annexed into the City of LaBelle. The request is to Rezone the subject Parcel to PUD to allow for a mixed-use development inclusive of neighborhood commercial, affordable multi-family apartments and civic amenity elements. The proposed PUD is compatible with the requested Outlying Mixed Use Future Land Use category.

This application requests approval of a PUD Mixed-Use project inclusive of the following uses:

- Commercial – 10,000 SF
- Affordable Multi-family Apartments –
 - Phase I & II - 288 units
 - Phase III – 120 units
- Clubhouse and Site Amenities – 5,000 SF

The PUD Conceptual Plan demonstrates a mixed-use development program, with neighborhood commercial, multi-family dwelling units, clubhouse, neighborhood park and project amenities. The proposed density is 16 du/acre which is a maximum of 408 multi-family dwelling units (Phase I & II - 288 units and Phase III - 120 units).

The proposed development is a compact design, providing a mix of uses and connectivity that will enhance the area. A review of the project development site plan will reveal a well thought out design as follows:

- Is compatible with the surrounding areas,
- Provides adequate ingress and egress to the site,
- Provides logical and efficient on-site traffic patterns,
- Adequate access for emergency and service vehicles,
- Will not adversely impact traffic patterns on local roadways,
- Will have adequate public utilities upon completion of the proposed sewage treatment plant,
- Provides adequate property buffers to adjacent properties. and
- Will provide necessary off-site improvement.

We believe the high-quality design considerations of the PUD project as listed above and shown on the PUD Plan, warrant a maximum density of 16 du/acre. As such, the Residences of Grande Oaks is proposed as a phased development that will be constructed over several years as the need for affordable housing grows. The project will include the following:

- Two (2) Acre commercial lot – This commercial lot is intended to serve the proposed development as well as the existing Greentree South Apartments. Potential uses include a daycare center and retail, or conveniences type uses.
- Phase I Residential - 144-unit rental apartment complex, clubhouse, and amenities.
- Phase II Residential - 144-unit rental apartment complex
- Phase III Residential - 120-unit rental apartment complex
- +/- 3.12 acre wildlife and wetland/upland preserve area.

COMPATIBILITY WITH ADJACENT FUTURE LAND USE AND ZONING

Table 2: Adjacent Future Land Use, Zoning, and Existing Uses

Direction	FLU Category	Zoning District	Existing Use
North	Employment Village	AG	Residential home and Vacant
East	Employment Village	PUD	Vacant
South	Residential	R-3	Multi-family Apartments, Water Treatment Facility
West	South LaBelle Community	Arbor at South LaBelle Village PUD	Vacant

The site is located on the west side of State Road 29 approximately 0.25 miles south of Helms Road. The property is currently designated as Residential High Density under the Hendry County Comprehensive Plan which currently allows up to 15 du/acre. The proposed PUD and Outlying Mixed Use future land use is a good transitional use to the Future Land Use is Employment Village to the north and east of the subject site, South LaBelle Community FLU designation to the west and Residential FLU developed as multi-family to the south.

The proposed density of 16 du/acre on the Residences at Grande Oaks PUD is consistent with the adjacent South LaBelle Community which allows for up to 16 du/acre. It is also compatible with existing multi-family development located to the south.

Furthermore, the FLU designation of Employment Center surrounding the property to the North and East creates an opportunity for large employment centers directly adjacent to this project. The City of LaBelle's proximity to the Fort Myers/Cape Coral metropolitan area makes it an ideal location for large business or production centers and given the sites location, just south of the new Helms Road Extension allows for easier access to the west coast.

PUD SITE ANALYSIS

Access

The property is located on the west side of State Road 29 approximately 0.25 miles south of Helms Road, which is a major collector roadway. Therefore, the proposed project has direct access to collector/ arterial roadways. State Road 29 is designated as a main arterial roadway, and with recent improvements provides adequate capacity to serve this project. The professionally prepared Traffic Impact Statement concludes that there is available capacity on the surrounding road network to accommodate the proposed dwelling units and commercial development.

The proposed project allows for uninterrupted pedestrian connections and creates internal connections between the residential, commercial, preserve and civic amenity elements of the development.

Landscape Buffers

To address external compatibility between existing adjacent uses, a 15-foot-wide, Type C buffer will be provided around the northern, southern and eastern boundary. While not required by the LDC, the applicant is proposing an enhanced 15-foot-wide Type C buffer along the northern, southern, and eastern property lines. There will be a 75' natural vegetative buffer on the western boundary of the project site.

Open Space and Amenities

The project proposes a preserve area at the western end of the property which will serve as both wetlands/uplands preserve and a gopher tortoise refuge. This area and an existing pond on the parcel will be kept in its natural state to the greatest extent possible. The pond will include a nature trail that will be the focal point and a civic amenity element. In addition to these preserved areas, the development proposes open space elements such as the central community walk, a community garden, tot lot, picnic area and passive open space. These combined areas make up well over 30% of the site area; therefore, exceeding the open space and preservation objectives of the land development code.

Compatibility

The proposed residential uses will be compatible with the surrounding area and provide for alternative affordable housing options. The development proposes additional development regulations in the form of additional setbacks and buffer enhancements. There is a larger buffer provided between the proposed buildings and the apartments to the south since those buildings are single story structures. Proposed is a natural vegetative buffer on the western boundary of the project site which will completely buffer the properties to the west. The remaining property to the north and east has a FLU designation of Employment Center which will eventually be larger commercial uses. The proposed buffer exceeds the code for setbacks and landscape buffers, and the design allows for future connectivity to these commercial uses. Furthermore, the building height is limited to three story garden style apartments which will have a maximum height of 36 feet.

Natural Features and Wildlife

An Environmental Assessment Report was conducted on January 2023 by Andrew Conklin Environmental Services for the project site, and is submitted as part of this application.

In conclusion, there are approximately 24.84 acres of uplands, 0.63 acres of wetlands, and 0.65 acres of upland-cut surface waters are present on the site. If impacts are proposed to wetlands or surface waters, then a permit will be needed from SFWMD. However, no wetland mitigation is expected to be required if no impacts are proposed to the Cypress wetland. In the event that SFWMD requires some mitigation for impacts to the pond, the placement of a conservation easement around the Cypress wetland and its surrounding upland buffer is expected to suffice. A small population of protected gopher tortoises is present on the site; a formal gopher tortoise survey will need to be completed prior to site development to determine the number of tortoises that will need to be permitted for relocation.

Utilities

The applicant will be connecting to the City of Labelle's Water and Sewer services subject to availability at the time of site construction permitting. It is understood that sanitary sewer service is not available to the site at this time, however there are plans and funding in place to construct a wastewater treatment facility to the south of this property and a sewage conveyance line will be installed adjacent to the property for future tie in.

COMPREHENSIVE PLAN CONSISTENCY

Future Land Use Policy 1.2.1 The City will promote varied and balanced growth to enhance the community both fiscally and physically, providing for housing and employment needs.

- The PUD will provide opportunities for planned growth and support additional affordable housing opportunities to accommodate the anticipated population growth along State Road 29 and Helms Road in an area intended for development. The Residences at Grande Oaks PUD will provide for much needed affordable multi-family apartment units.

Policy 1.3.2 Outlying Mixed Use Land Use Category

The Outlying Mixed-Use Land Use Category is the logical land use category for the property since the project is a mixed-use development. Outlying Mixed Use future land use is a good transitional use to the Employment Village located to the north and east, and the South Labelle Community Land use located to the west. Residential and Commercial Uses are specifically listed as allowable uses in the Outlying Mixed Use FLU category. The Outlying Mixed Use category requires rezoning to the PUD zoning district.

The Outlying Mixed-Use Land Use Category is also appropriate for properties located along the SR 29 and Helms Road, as the site is surrounded by employment opportunities, multi-family apartments to the south and proposed high density residential to the west.

Traffic Circulation Element Policy 2.1 and 2.1.1

The application includes a Traffic Impact Analysis and indicates that all the adjacent roadway segments will operate at an acceptable Level of Service. An analysis of potential turn lane improvements will be provided during permitting with FDOT, but no roadway capacity improvements are expected.

Infrastructure Element Policy 4.1

The applicant will be connecting to the City of Labelle's Water and Sewer services subject to availability at the time of site construction permitting. It is understood that sanitary sewer service is not available to the site at this time, however there are plans and funding in place to construct a wastewater treatment facility to the south of this property and that sewage conveyance line will be installed adjacent to the property for future tie in.

Additional letters of availability have also been obtained by EMS, Fire, and from the Hendry County's Sheriff Office.

Housing Element Policy 3.11.1

The Residences at Grande Oaks PUD will provide for much needed affordable multi-family apartment units. Currently, there is an affordable housing crisis in the State of Florida, and we are experiencing an unprecedented shortage of affordable housing in the State. The proposed site lies within a Qualified Census Tract as well as an area of concentrated poverty making this site an ideal location for quality affordable housing.

Development standards are provided in the attached Exhibits which includes the lot sizes, setbacks, and building heights appropriate for multi-family dwelling types in the area.

Recreation and Open Space Policy 6.7.2 and 6.7.3

The proposed Master Conceptual Plan demonstrates the layout of the open space areas, including usable open space, exceeding the LDC requirements. The development proposes a civic amenity element as well as a nature trail around a pond. There is preserved land located on the west portion of the Parcel and additional open space elements such as the central community walk, a community garden, tot lot, picnic area and passive open space. These combined areas make up well over 30% of the site area therefore, meeting and exceeding the open space and preservation objectives of the Comprehensive Plan, Land Development Code and Ordinance.

Objective 9.4 School Capacity

Coordinate petitions for changes to future land use, zoning, subdivision and site plans for residential development with adequate school capacity. This objective will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the City's authority for land use, including the authority to approve or deny petitions for comprehensive plan amendments, re-zonings or final subdivision and site plans that generate students and impact the school system. Manage the timing of comprehensive plan amendments and other land use decisions to coordinate with adequate school capacity.

- According to the Letter of Availability from the Superintendent of Hendry County School District, it is the policy of the Hendry County School District to support community growth. The district is willing to meet with the applicant and address the fiscal impact of a new school. The applicant is actively coordinating with the Hendry County School District to discuss providing for fiscal impacts of a new school.*
- The planning of a residential development could provide affordable housing options for teachers and support staff. The Hendy County School District supports the proposed project within their capacity and looks forward to the expansion of housing choices available to the workforce community.*

New Housing Developments Policy 3.11.2 and Potable Water Supply Policy 4.3.5

Policy 3.11.2 The City will require all housing developments, on a fair and consistent basis, to provide adequate and necessary public facilities and services, or funds (fee-in-lieu) to provide for their proportionate share of such facilities and services. In order to prepare the infrastructure for the future needs, the City will annually evaluate the need for impact fees or suitable alternatives.

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- The applicant will be connecting to the City of Labelle's Water and Sewer services subject to availability at the time of site construction permitting. It is understood that sanitary sewer service is not available to the site at this time, however there are plans and funding in place to construct a wastewater treatment facility to the south of this property and a sewage conveyance line will be installed adjacent to the property for future tie in.
- The applicant will provide the required funds (fee-in-lieu) to provide for their proportionate share of such facilities and services.

Policy 4.3.5 The City will continue to require development proposals to meet City level of service standards for potable water as specified in this Comprehensive Plan.

- Acknowledged. The applicant will be connecting to the City of Labelle's Water services subject to availability at the time of site construction permitting.