

MEMORANDUM

DATE: September 21, 2021

TO: Honorable Mayor and City Commissioners

VIA: James Slaton, City Manager

FROM: Mark J. Bennett, Development Services Director
Autumn Cochella, Development Services Manager

SUBJECT: Special Exception Use Permit – Mixed Use Planned Development Project (MUPDP) – New Oaks Pocket Neighborhood
PID: 273001883000056080
PUBLIC HEARING – notice requirements have been met.

SYNOPSIS: *Mari Chael and Victor Dover, owners, request the approval of City Commission for a Special Exception Use Permit to allow a Mixed-Use Planned Development Project (MUPDP) for the above-mentioned parcel totaling 2.03 acres of land.*

RECOMMENDATION

At a special meeting on August 31, 2021, the Planning and Zoning Board unanimously recommended approval to City Commission of a Special Exception Use Permit to allow a Mixed-Use PDP, with conditions of approval.

BACKGROUND

The 2.03-acre vacant site is positioned just north of State Road 60 and the bank of the Scenic Highway/State Road 60 overpass, and east of Epps Funeral Home. The parcel was once home to many significant trees; however, much of the original vegetation was cleared between 1999 and 2005.

Sec. 23-445 Mixed-Used PDPs (MUPDPs)

Mixed-use PDPs are allowed in the PF zoning district and are encouraged under **Policy I.1.2.11 RO** – Residential Office of the Comprehensive Plan. The primary function of the RO land use classification is to permit low intensity office and commercial uses in conjunction with residential uses.

Policy I.1.1.5 states, “The adopted Land Development Regulations shall permit and encourage the use, where appropriate, of innovative development techniques such as mixed-use development projects, traditional neighborhood development projects, zero-lot-line home subdivisions, and cluster housing.”

Specific design guidelines for MUPDPs mirror those found in Section 23-443 Residential PDPS, including the following elements:

- Open space must make up a minimum of 20 percent of the site
- The development should be an integral part of the community and shall not be isolated from the surrounding area
- Parks and open areas should be focal points of the neighborhood
- Landscaping shall have a natural, rather than formalized appearance
- Existing or new large-caliper trees are used as focal points, providing the immediate impact of mature trees
- Dwelling units should be clustered rather than in linear patterns
- Housing styles/types are designed so to distinguish neighborhoods
- Front porches, small front yards, and walkways connecting to streets shall provide opportunities for social interaction
- Visual interest shall be created along the street through distinctive landscaping and lighting
- Location and orientation of dwelling units should provide distinctiveness and variety
- The pedestrian/bike circulation system shall be planned as an integral part of the overall design
- Attractive and distinctive focal points and places for residents to gather, meet, and enjoy the outdoors are provided in the development
- Buildings are of an appropriate scale for the site

What is a “Pocket Neighborhood”?

“Pocket neighborhoods are clustered groups of neighboring houses or apartments gathered around a shared open space – a garden courtyard, a pedestrian street, a series of joined backyards, or a reclaimed alley – all of which have a clear sense of territory and shared stewardship.” (–Pocket-Neighborhoods.net)

Development Details: New Oaks Pocket Neighborhood Summary

1. Project acreage is 2.03
2. Current zoning designation is PF – Professional

3. Maximum density – up to 24 dwelling units based on a future land use of RO – Residential Office, at 12 units per acre
4. Proposed: 23 principal units, plus 8 accessory units, for a total of 31 combined units (ADUs do not count towards density).
5. Flexibility in uses to be built in, so long as such uses are allowed under the Land Development Regulations (LDRs) and it is consistent with the Comprehensive Plan
6. Accessory Dwelling Units (ADUs) proposed as allowable by right
7. Accessory and commercial uses at .25 Floor Area Ratio (F.A.R.)
8. Small structures to be constructed in phases, positioned around a central garden
9. Access to the site is shown from Highway 17/Scenic Highway – a State road
10. Twenty-four new oak trees to be planted in initial phase, consistent with the Olmsted Brothers' "City in a Garden" vision
11. Thirty-one off-street parking spaces proposed
12. Land to be reserved for future Ridge Highway Scenic Trail, consistent with the Polk Transportation Planning Organization 2045 Long Range Transportation Plan LRTP).
13. Waivers of Strict Compliance are requested (See attachment: Conditions of Approval)

Surrounding Property Uses:

North - Motel
South – State Road 60 commercial corridor
East – Florida Midland Railroad
West – Epps Funeral Home

Frontage and Access:

Vehicular access is shown from an existing curb cut on Scenic Highway. The driveway then becomes a private alley that encircles the south and west sides of the property, which leads to off-street parking areas and an existing platted alleyway along the northern property boundary.

The City's Streets Department is agreeable to the improvement and use of the alley. The applicant must secure an access permit through the Florida Department of Transportation, as Highway 17 is a State road.

Other proposed improvements, pending FDOT approval, include modifying a portion of the roadway edge of Highway 17, realigning the sidewalk to implement a segment of the Ridge Highway Scenic Trail, planting street trees, and the creation of three on-street parking spaces along Scenic Highway.

Layout:

Rather than one or two large buildings, a larger number of small buildings is proposed. Such buildings include micro-cottages, bungalows, art studio outbuildings, mixed-use buildings, apartment houses, rowhouses, and a Quonset-type workshop and accessory structures.

As this project is expected to develop slowly over time, the applicant has requested flexibility in the exact locations of buildings, their exact footprints, and deployment of attached vs. detached building types, so long as they are restricted to the approved building area proposed in the plans.

Placeholder Use of Recreational Vehicles; Food Trucks:

In order to allow for early activation of the site, and only after at least one permanent structure is built, the plan proposes a provision for a limited number of high-design recreational vehicles, such as Airstream travel-trailers, to be positioned initially on the site as placeholders for some future permanent buildings. These RVs are to be phased out as they are replaced by buildings. Additionally, a built-in provision for food trucks to be deployed on site is requested.

Open Space:

The applicant's approach to the development of the site is, "begin with the green parts". The plan establishes a large central garden at the center of the property, around which the buildings will be grouped. The garden will be partially planted with oak trees, as well as flower beds and pots, green houses, edible gardens, and green space reserved for gathering places.

Additionally, the plan reserves land for the future Ridge Scenic Highway Trail, identified in the Polk County TPO's 2040 Trail maps.

Parking:

The City's codified parking requirements are use-driven, calculated based on identified fixed uses within a development. This project is unique, as the buildings are proposed with fluid and flexible uses within the margins of the code. Therefore, Staff took an end-user approach to reviewing the applicant's parking proposal, which is summarized below:

- A market-driven solution to parking, taking into account the walkable core context, the internal and surrounding mix of land uses, the shared parking approach, and the low parking demands that come with very small dwelling units.
- A development which generates traditional parking demands is not proposed.
- The project will be phased; therefore, if higher parking ratios prove to be necessary, some future buildings may be eliminated or postponed.
- A total of thirty-one parking spaces is proposed – one for each proposed unit.

Staff supports the waiver request to reduce the number of parking spaces on site.

Requested Waivers of Strict Compliance:

1. Waiver to allow front building setback relief for structures planned along Scenic Highway, to allow up to an 18-foot front setback where 30 feet is required by code.
2. Waiver to allow a building height of up to 51 feet where a maximum of 45 feet is allowed by code, without increasing setback requirements.
3. Waiver to allow 31 parking spaces, where up to 48 spaces is required by code for a traditional calculation of parking needs.
4. Waiver to allow a gravel, impervious surface for interior roads and parking, where paving is required by code.

Development Review Committee (DRC) Comments:

The DRC reviewed the proposed development at a regular meeting on August 5, 2021. Feedback from the Committee was positive and no revisions to the plan were requested.

The Fire Marshall provided the following comment pertaining to the request to waive the internal roads paving requirement:

“Internal roads do not have to be paved. They must be marked, and will need to be able to support the weight of our heaviest apparatus.”

FISCAL IMPACT

Approval of the MUPDP would enable the development of this property and the potential increase in property value from its current valuation of \$52,989. Because of the absence of pocket neighborhoods in Polk County, it is difficult to determine possible revenues. However, a development in Dunedin with some of characteristics of a pocket neighborhood, called Glencairn Cottages, has taxable values (after homestead exemptions) between \$200,000 to \$285,000. Assuming a conservative estimate of 150,000 for the 31 residences, and 50,000 for the 8 accessory structures, a possible

revenue estimate could be approximately \$34,289 (assuming a taxable value of \$5,050,000).

ATTACHMENTS

1. Plan: New Oaks Pocket Neighborhood Lake Wales, FL prepared by Dover, Kohl, & Partners Town Planning and Marice Chael, Architect, and dated August 15, 2021
2. New Oaks MUPDP Conditions of Approval dated revised on September 9, 2021
3. Project Narrative prepared by applicant, dated revised on August 15, 2021