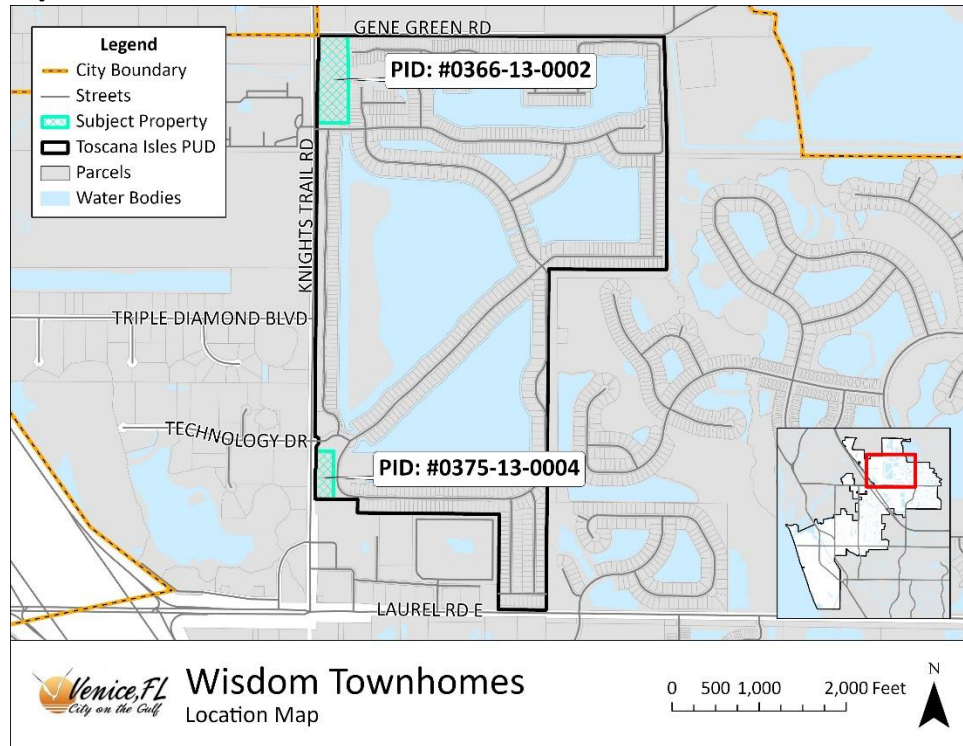


25-01RZ– Toscana Isles PUD Amendment (Wisdom Townhomes)

Staff Report



GENERAL INFORMATION

Address:	0 Knights Trail Road
Request:	Amending the Toscana Isles Binding Master Plan to allow townhomes in Subarea 3 and adding an access point along Gene Green Road
Owner/Applicant:	Wisdom Properties LLC/Meritage Homes of Florida, Inc.
Agent:	Josh Law, Morris Engineering and Consulting LLC
Parcel IDs:	0366130002 & 0375130004
Parcel Size:	10.58+ acres
Future Land Use:	Mixed Use Residential (MUR)
Zoning:	Planned Unit Development
Comprehensive Plan Neighborhood:	Northeast
Application Date:	February 5, 2025

The proposed Planned Unit Development (PUD) Amendment for the Toscana Isles neighborhood would allow townhomes as a permitted use in Subarea 3 and adds the townhomes standards present in Subarea 2 of the PUD to Subarea 3. Currently, Subarea 3 allows “the full range of residential, neighborhood, and commercial uses permitted by the comprehensive plan” (referring to the 2010 Comprehensive Plan, which was active when Toscana Isles was first approved), but lists multifamily as the only example of residential building types, so this change is proposed to clarify that townhomes are also permitted.

A conceptual plan for a 50-unit townhome development was submitted with this application, but it is not part of the Binding Master Plan and is therefore submitted for reference only.



Proposed Connectivity Plan



Proposed Standards for Townhomes in Subarea 3

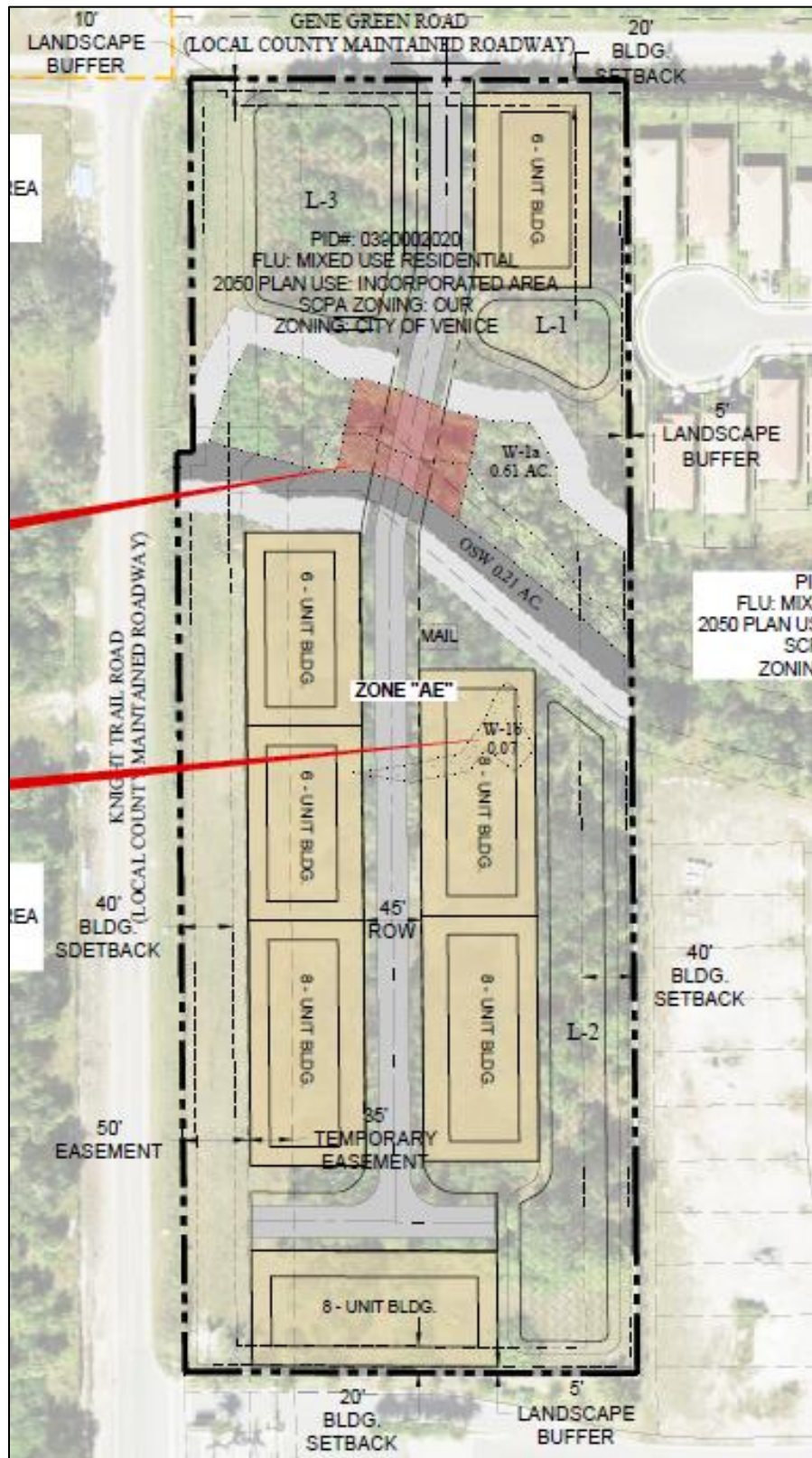
Townhomes:

Front Yard: 15 feet minimum structure, 20-foot minimum driveway length

Side Yard: Fire-rated separation between attached units and in no case less than twenty (20) feet between structures

Rear Yard: 10 feet, but in no case less than thirty (30) feet between structures

Concept Plan



Site Photographs
Southern Parcel



View across Knights Trail from southern parcel



Northern Parcel (intended for Wisdom Townhomes project)





View across Gene Green Road



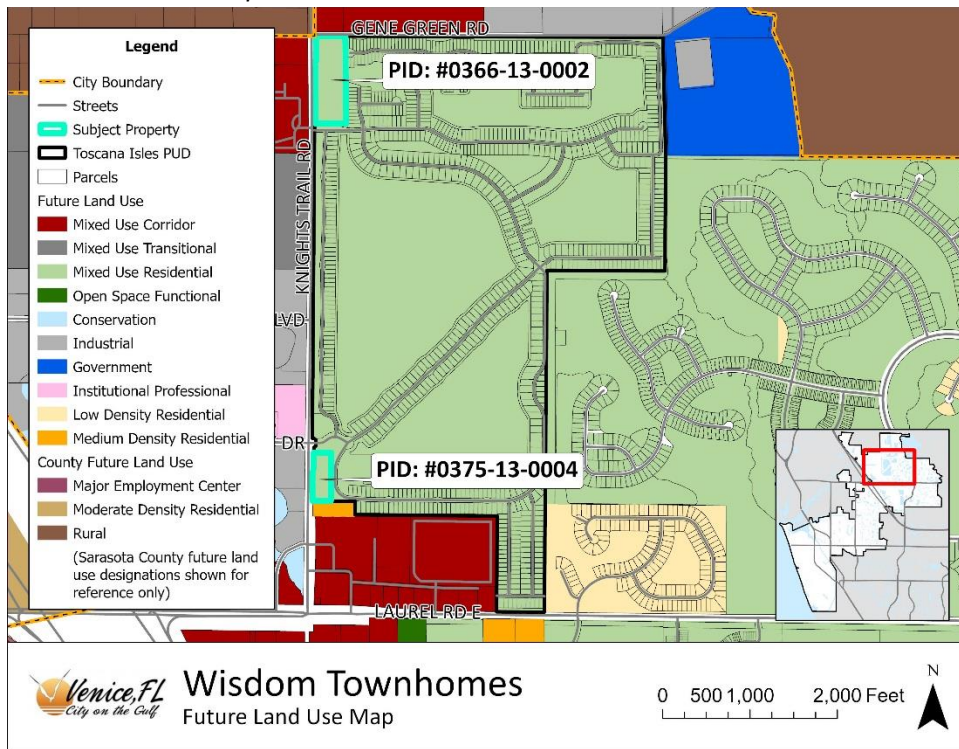
View across Knights Trail Road



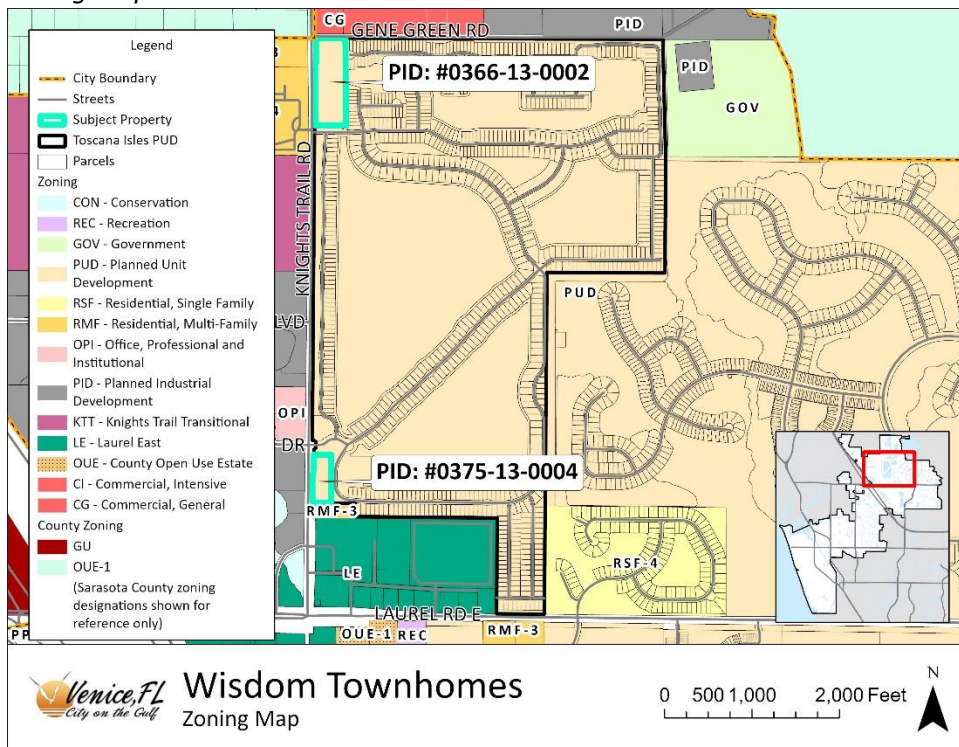
Future Land Use and Zoning

The Future Land Use designation for the subject property is Mixed Use Residential (MUR). The Zoning district is Planned Unit Development (PUD), as shown on the maps below.

Future Land Use Map



Zoning Map



Surrounding Land Uses

Direction	Existing Land Uses(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Proposed Multifamily/Toscana Isles	Commercial General/PUD	Mixed Use Corridor (MUC)/MUR
South	Toscana Isles/Revello	PUD/Residential Multi-Family-3 (RMF-3)	MUR/Medium Density Residential (MEDR)
East	Toscana Isles	PUD	MUR
West	Generation at Venice/Triple Diamond	RMF-3 and -4/Planned Industrial Development	MUC/Industrial

II. PLANNING ANALYSIS

In this section of the report, analysis of the subject planned district zoning amendment petition evaluates 1) consistency with the Comprehensive Plan, 2) compliance with the City's Land Development Code (LDC), and 3) compliance with requirements for Concurrency/Mobility.

1) Consistency with the Comprehensive Plan

Land Use Element

Strategy LU 1.2.16.6(a) – Mixed Use Residential (MUR). The subject property has an existing Comprehensive Plan Future Land Use designation of MUR, which allows a maximum of 5% nonresidential uses throughout the PUD. The intent of this proposal is to convert approximately 8 acres out of 10.6 total in Subarea 3 from commercial to residential, with the potential to use the remaining 2.6 commercial acres for townhomes in the future as well. This would reduce and potentially eliminate nonresidential space from Toscana Isles.

Strategy LU 1.2.16.6(c) – Mixed Use Residential (MUR). PUDs are required to have a minimum of 50% open space. Based on previous preliminary plat petitions, Toscana Isles appears to have over 58% open space currently.

Strategy LU 1.2.16.7(a) – Mixed Use Residential (MUR). This strategy sets a residential density range of 1.0-5.0 for PUDs. There are 747 unbuilt units remaining in the Toscana Isles based on the original entitlement of 1,714 units, and the applicant intends to use 50 of these for their future preliminary plat, which is below the total approval and within the density range.

Conclusions/Findings of Fact (Consistency with the Comprehensive Plan):

Analysis has been provided to determine consistency with the Land Use Element strategies applicable to the Mixed Use Residential land use designation, strategies found in the Northeast Neighborhood, and other plan elements. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

2) Land Development Code Compliance

Unified Control

Sections 1.7.3.C-E permit this change to be processed without providing evidence of unified control of the entire PUD. In 1.7.3.C, the change to access is considered major. The addition of townhomes as a use and their associated standards is minor, since there is already residential use allowed (multifamily) in this subarea. A major change would typically require unified control of all the land within the PUD; however, 1.7.3.E.3.a clarifies that if the change only affects parcels with one owner, and if the parcel is not an open

space parcel, unified control of the entire PUD is not necessary. In this case, Wisdom Properties LLC owns both properties in Subarea 3 and the additional access point is only relevant to the northern parcel.

Land Use Compatibility Analysis

The items from Sec. 87-1.2.C.8 are listed below, with applicant responses reproduced verbatim and staff comments included where applicable.

i. Land use density and intensity.

Applicant Response: *The proposed townhome development is part of the Toscana Isles Binding Master Plan. The subject property is within sub area 3, which allows for a variety of both commercial and residential uses. The Toscana Isles PUD permitted 1062 multifamily units to which we are proposing to use 50 of those units. The intensity of townhomes can be seen as less intense than the permitted commercial uses already outlined within Subarea 3 of the PUD.*

ii. Building heights and setbacks.

Applicant Response: *The proposed building heights will not exceed 35 feet in building height as limited by the Land Development Code (LDC). The proposed setbacks are in compliance with both the Toscana Isles PUD and the LDC. There is a shown 5' buffer and 6 foot opaque fence along the eastern boundary line as stated in the Binding Master Plan.*

iii. Character or type of use proposed

Applicant Response: *The proposed use for the property is 50 single family attached townhomes. These types of homes are still single family in nature similar to the surrounding single-family neighborhoods. The Toscana Isles PUD already allows multifamily dwellings.*

iv. Site and architectural mitigation design techniques.

Applicant Response: *The proposed PUD amendment will be in compliance with the site and architectural design standards of the Toscana Isles PUD.*

Summary Staff Comment: This proposed change to the Binding Master Plan will permit townhomes in a subarea of the PUD where they were not previously allowed and where the uses were planned to be commercial or multifamily. There are currently 747 remaining units available for development in Toscana Isles, but a townhome project will likely not be able to utilize as many of these as a traditional multifamily project would, and the applicant has stated their intent to develop 50 units on the northern parcel. No change to the architectural standards or height limits are proposed through this amendment.

b. Considerations for determining compatibility shall include, but are not limited to, the following:

i. Protection of single-family neighborhoods from the intrusion of incompatible uses.

Applicant Response: *The proposed use of townhomes within the Toscana Isles PUD will promote additional single family neighborhoods over the permitted variety of commercial uses.*

ii. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.

Applicant Response: *There are no proposed commercial or industrial uses associated with this PUD amendment. Subarea 3 does allow for commercial development however; the applicant is proposing the uses of townhomes on the subject property.*

iii. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.

Applicant Response: *There are no foreseen incompatibilities with this development to the Comprehensive Plan.*

iv. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

Applicant Response: *The proposed townhome use is less intense than the permitted neighborhood and commercial uses permitted by the comprehensive plan. The density of the proposed townhomes will be consistent with the rest of the Toscana Isles PUD limiting the density to 4.0 units per acre.*

Summary Staff Comment: The proposed change will create a path to develop these parcels for uses other than commercial development, and the resulting density from townhome development will be well below the permitted maximum.

Decision Criteria 1.7.4

Decision criteria for a planned district amendment include additional items in 1.7.4.A.9. Applicant responses are included along with staff comments where applicable.

1. Whether the amendment is compatible with the existing development pattern and the zoning of nearby properties.

Applicant Response: *The proposed PUD amendment can be seen as compatible as the amendment is part of the Toscana PUD. Subarea 3 of the PUD master plan allows for a variety of both commercial and residential uses. The proposed townhomes would use 50 of the permitted 1,062 multifamily units.*

2. Changes in land use or conditions upon which the original zoning designation was based.

Applicant Response: *The site is permitted for commercial and multifamily dwellings. The proposed townhomes could be seen as consistent with the original zoning designations of the PUD.*

3. Consistency with all applicable elements of the Comprehensive Plan.

Applicant Response: *The proposed PUD could be seen consistent with all applicable elements of the Comprehensive Plan and Toscana Isles Binding Master Plan.*

4. Conflicts with existing or planned public improvements.

Applicant Response: *To the best of our knowledge, there are no conflicts with existing or planned public improvements.*

5. Availability of public facilities, analyzed for the proposed development (if any) or maximum development potential, and based upon a consideration of the following factors:

a. Impact on the traffic characteristics related to the site.

b. Impact on population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, and other public facilities and services are affected.

c. Impact on public facilities currently planned and funded to support any change in density or intensity pursuant to the requirements of the Comprehensive Plan and applicable law.

Applicant Response: *The subject site has availability of public facilities, and a traffic impact statement has been submitted. A more detailed analysis of public facilities, density, and public facilities will occur at the time of Site and Development.*

6. Effect on health, safety and welfare of the neighborhood and City.

Applicant Response: *The proposed PUD amendment could be seen to have no impact on health, safety, or welfare of the neighborhood and City.*

7. Conformance with all applicable requirements of this LDR.

Applicant Response: *The proposed PUD amendment shall be in conformance with all applicable requirements of the LDR.*

8. Findings of the Environmental Assessment Report, consistent with [Chapter 89](#).

Applicant Response: *An Environmental assessment report has been conducted and all information is attached.*

9. For a proposed major amendment to an adopted Planned District the following additional criteria shall be considered:

a. Whether the amendment is consistent with the reasonable expectations of other residents within the Planned District with regard to how the Planned District would be built out over time.

Applicant Response: *The proposed PUD amendment is to allow an additional access point and to allow townhomes as a permitted use within Sub-Area 3. The proposed access point is external to the Toscana PUD located off of Gene Green Road. This external access point can be seen as reasonable with the existing residents as the proposed development would not impact the access points to which residents currently use.*

In addition to the proposed access point, the proposed amendment is to allow townhomes in Sub-Area 3. Sub-Area 3 is composed of two sections within the Toscana Isles PUD comprising approximately 10.6 acres. The first area is located at the corner of Gene Green Road and Knights Trail Road while the other is at the corner of Technology Drive and Knights Trail Road. Sub-Area 3 is the only area permitted within the Toscana Aisles PUD that allows commercial uses. The proposed additional use of townhomes only within this subarea can be seen as reasonable based on the fact that the proposed use is for a residential use similar to the rest of the Toscana Isles PUD. In addition to the proposed use, the proposed amendment is only for two sections on the fringes of the PUD and will not impact any of the previously approved parcels within the PUD.

b. The extent to which the amendment deviates from the approved binding master plan, including whether any proposed change of use can be accommodated by any conversion, flex use or related similar Planned District allocation chart included in the binding master plan.

Applicant Response: *The proposed amendment deviates from the approved binding master plan in two ways. The first deviation is from the approved access points relating to the Toscana PUD. Access to the property was from an approved access point shown internal to the Toscana Isles PUD however, based on litigation, the applicant is proposing the one new access point form Gene Green Road. The second deviation is adding the proposed use of townhomes to Sub Area 3. Sub Area 3 allows for a variety of both commercial and multi-family dwellings. Based on conversations with City Staff, they determined that townhomes were considered the same use as multi-family dwellings. Based on this determination, the applicant has specially added townhomes as a use in Sub Area 3.*

c. The extent to which the alteration to the Planned District will service and/or benefit other uses within the Planned District.

Applicant Response: *The proposed alternation will not service or benefit other uses within the Toscana Isles PUD. The proposed access point is external to the existing PUD having minimal impact on the PUD. The proposed townhomes use is only for two sections of the PUD on the exterior fringes of the PUD and will not have an impact on the previously built PUD.*

d. Whether the amendment is compatible with the common scheme of development contemplated in the binding master plan.

Applicant Response: The proposed development is compatible with the common scheme of development within the PUD. The proposed use of townhomes is consistent with the existing residential development. One could argue that townhomes are more consistent than the permitted commercial uses already permitted within Sub Area 3.

10. Any other applicable matters pursuant to this LDR, the Comprehensive Plan or applicable law.

Summary Staff Comment: This change is proposed to allow townhome development in the commercial area of Toscana Isles, Subarea 3. This subarea already allows multifamily, but townhomes are considered single-family attached development, as each unit has its own lot and can be owned independently, unlike traditional larger apartment buildings. This building pattern will likely lead to a lower density than what would be permitted for the site.

There are already attached home types in Toscana Isles along Porta Vecchio Boulevard. Both parcels in Subarea 3 would be eligible for this type of development if the amendment is adopted, though the applicant has only indicated intent to develop the northern parcel at this time.

This proposal would not service or benefit the other existing homes but would allow for more of the same type of development as the rest of the PUD by providing additional single-family homes. There are no anticipated conflicts with planned public improvements or facilities capacity.

Conclusions/Findings of Fact (Compliance with the Land Development Code):

Analysis has been provided by staff to determine compliance with the standards of the Land Development Code. No inconsistencies have been identified.

3) Public Facilities Concurrency

The applicant is not requesting confirmation of concurrency as part of the proposed PUD amendment. Concurrency will be reviewed with any development proposal submitted in the future, and a full review will be provided at that time. However, the proposed PUD amendment was reviewed by the City's Technical Review Committee (TRC) and no issues were identified regarding facilities capacity.

Conclusion/Findings of Fact (Public Facilities Concurrency):

As indicated, the applicant is not seeking confirmation of concurrency with the subject application. However, the proposed zoning map amendment was reviewed by the City's Technical Review Committee (TRC) and no issues were identified regarding facilities capacity.

4) Transportation/Mobility

The applicant has submitted a traffic impact analysis including site access assessment for Gene Green Road, which found that no turn lanes are warranted for the proposed driveway on the north boundary of Subarea 3 and identifies the number of PM peak hour trips for the desired townhome project as 42. The analysis has been reviewed by the City's transportation consultant and deemed compliant.

Conclusion/Findings of Fact (Mobility):

The applicant has provided traffic analysis that has been reviewed by the City's transportation consultant and has been deemed compliant. No other issues have been identified.

III. CONCLUSION

Upon review of the petition and associated documents, Comprehensive Plan, Land Development Regulations, Staff Report and analysis, and testimony provided during the public hearing, there is

sufficient information on the record for the Planning Commission to make a recommendation to City Council on Planned District Zoning Amendment Petition No. 25-01RZ.