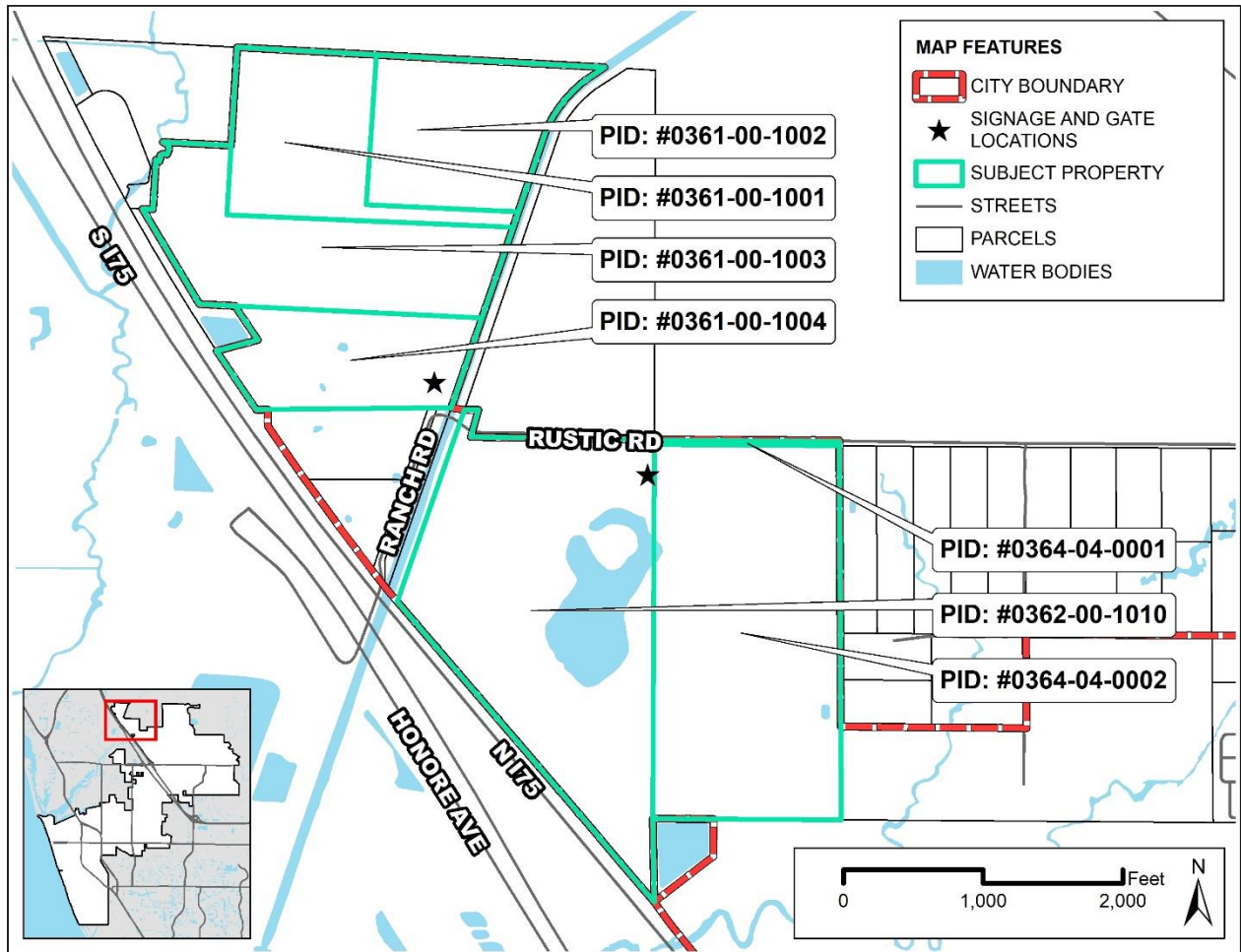


# 22-20CU – Magnolia Bay Gates

## Staff Report

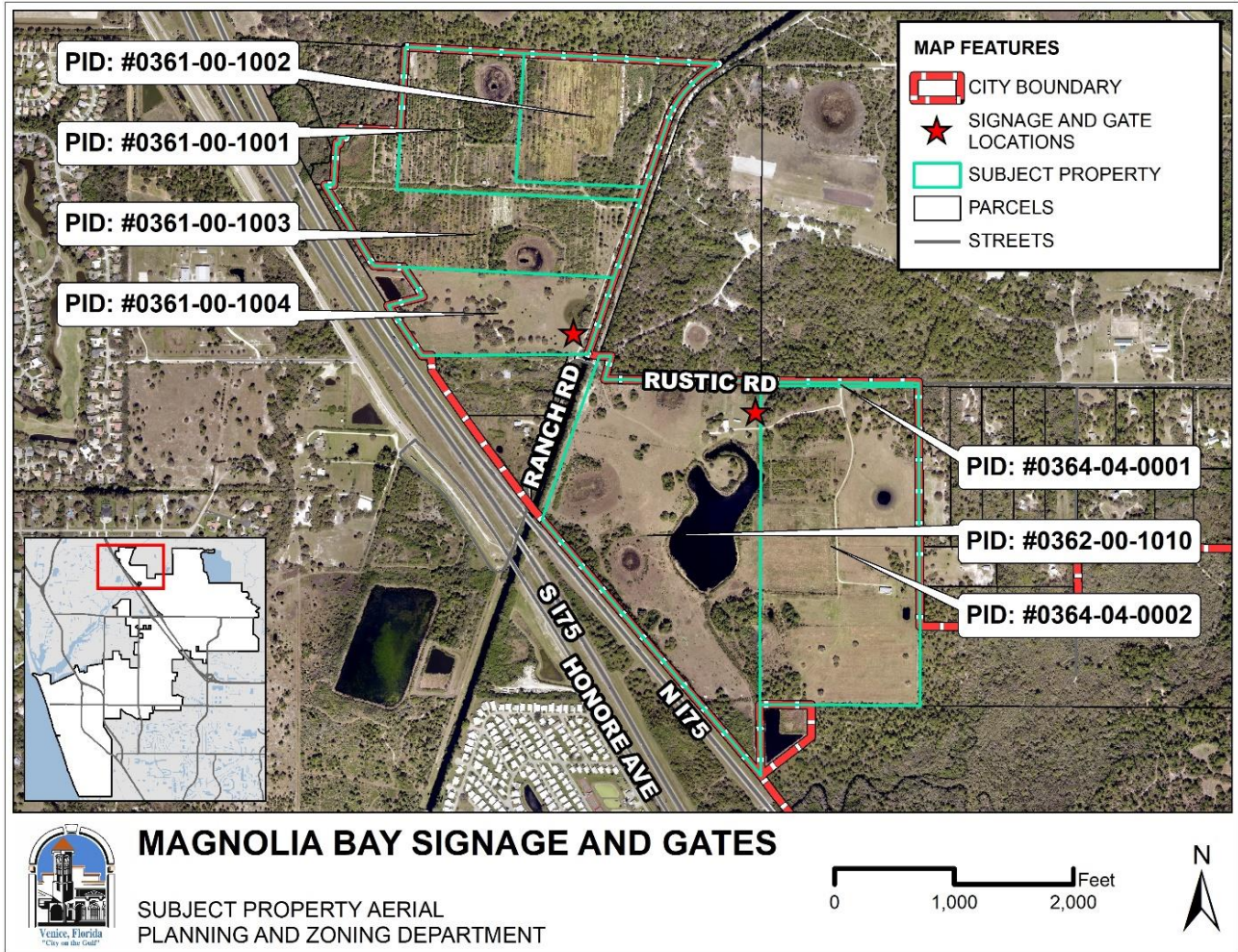


### GENERAL INFORMATION

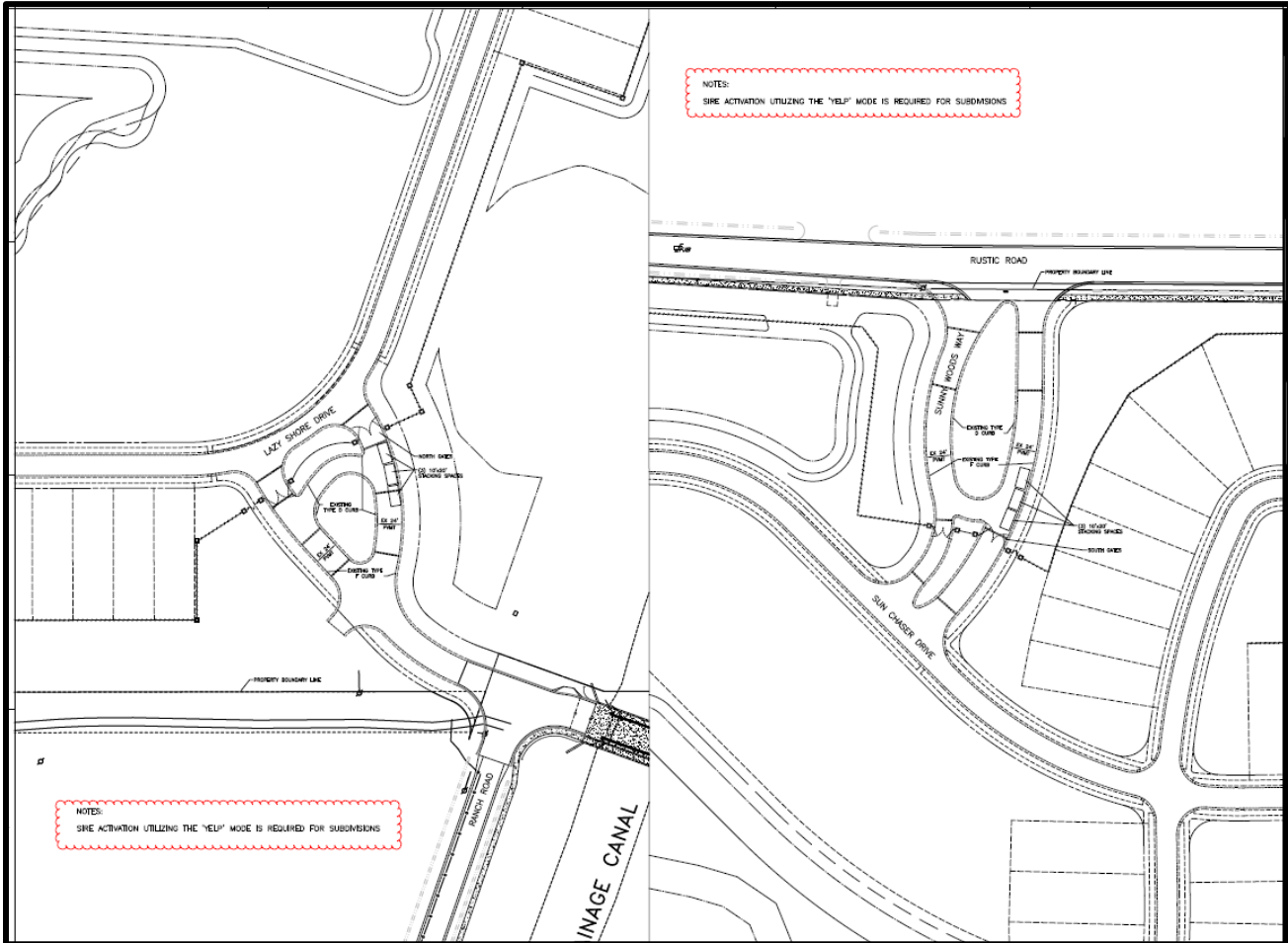
<b>Address:</b>	0 Rustic Rd
<b>Request:</b>	Gates for single-family neighborhoods
<b>Owner:</b>	AG EHC II (MTH) Multi State 1, LLC
<b>Agent:</b>	Tyler Vansant, Meritage Homes of Florida
<b>Parcel ID:</b>	Multiple
<b>Parcel Size:</b>	N/A
<b>Future Land Use:</b>	Mixed Use Residential
<b>Zoning:</b>	Planned Unit Development
<b>Comprehensive Plan Neighborhood:</b>	Knights Trail
<b>Application Date:</b>	April 13, 2022

## I. PROJECT DESCRIPTION

The proposed project includes gates for Magnolia Bay North and Magnolia Bay South, which are the two single-family neighborhoods included in the Rustic Road Planned Unit Development (petition no. 18-07RZ). These neighborhoods were approved through the preliminary plat process as petitions 21-03PP (South) and 21-05PP (North); the subject application focuses solely on the entry gates for these communities.



# Site Plan

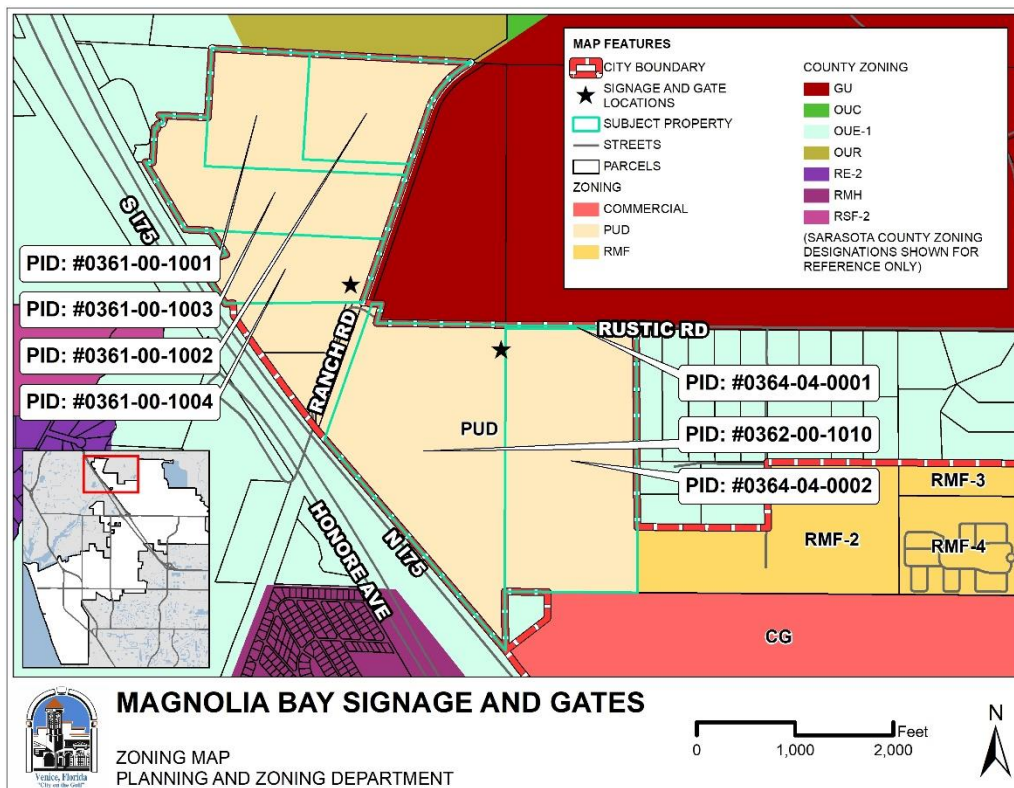
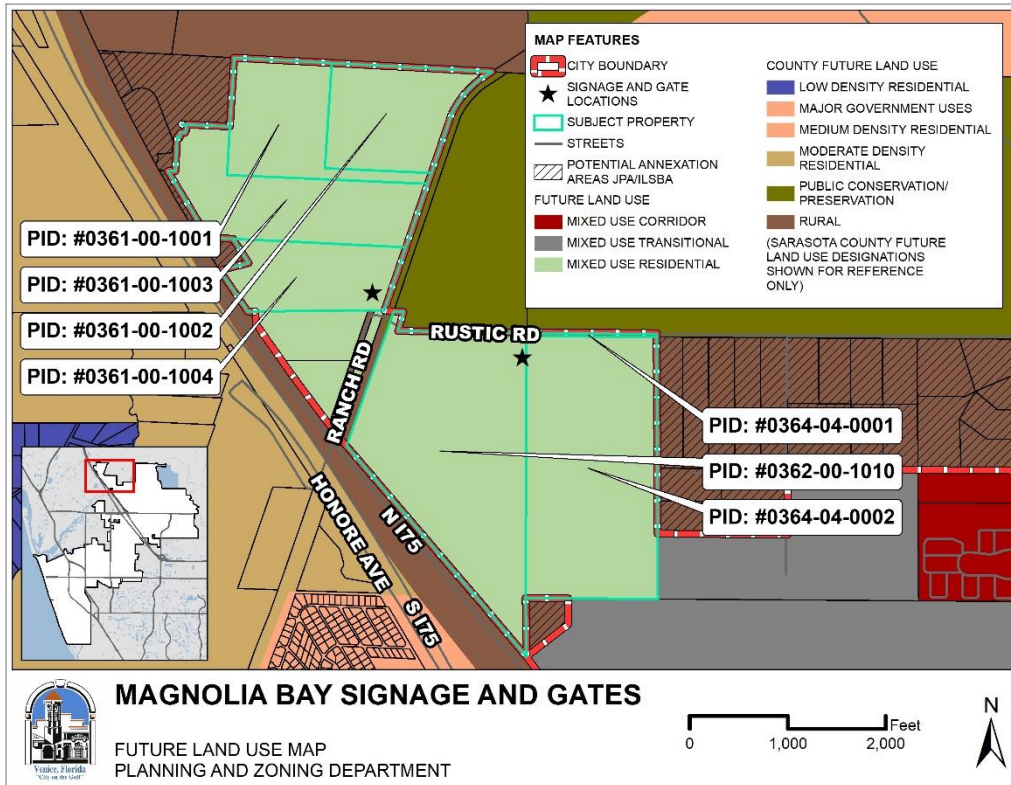


## Site Photographs



## Future Land Use and Zoning

The Future Land Use designation for the subject property is Mixed Use Residential and the zoning is Planned Unit Development, as depicted on the maps below.



## Surrounding Land Uses

Direction	Existing Land Uses(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
<b>Magnolia Bay North</b>			
North	Vacant	County Rural	County Open Use Rural (OUR)
South	Ranch Road Multifamily (petitions in progress)	Planned Unit Development (PUD; Rustic Road)	Mixed Use Residential (MUR)
East	Outdoor Shooting Range (Knight Trail Park)	County Government Use (GU)	County Public Conservation/Preservation
West	I-75	N/A	N/A
<b>Magnolia Bay South</b>			
North	Outdoor Shooting Range (Knight Trail Park)	County Government Use (GU)	County Public Conservation/Preservation
South	<ul style="list-style-type: none"> <li>• I-75</li> <li>• Vacant Land</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> <li>• Commercial General (CG)</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> <li>• Mixed Use Transitional (MUT)</li> </ul>
East	Residential	County Open Use Estate (OUE)	County Rural/JPA Area 1
West	Ranch Road Multifamily (petitions in progress)	PUD	MUR

## II. PLANNING ANALYSIS

In this section of the report, analysis of the subject conditional use petition evaluates 1) consistency with the Comprehensive Plan, and 2) compliance with the City's Land Development Code (LDC) and the Rustic Road PUD Binding Master Plan, and 3) compliance with requirements for Concurrency/Mobility.

### Consistency with the Comprehensive Plan

A review of elements and strategies in the Comprehensive Plan did not produce any relevant considerations for this project, and no inconsistencies have been identified with this proposal.

### ***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 future land use designation, strategies found in the Knights Trail Neighborhood, and other plan elements. As indicated above, no inconsistencies have been identified. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

### **Compliance with the Land Development Code and Rustic Road PUD Binding Master Plan**

The proposed conditional use request includes two gate areas, one for Magnolia Bay North and one for Magnolia Bay South. The only regulation governing this request is the requirement to apply for approval as a conditional use set out in Sec. 86-42(a)(3). The applicant has provided responses to each of the decision criteria for a conditional use in Sec. 86-42(e)(1-9), which are reproduced verbatim below.

(1) Compliance with all applicable elements of the comprehensive plan;

**Applicant Response:** *The requested conditional use for gated access to the residential subdivisions of Rustic Road South and Rustic Road North is in compliance with the overarching goals, objectives, and policies of the comprehensive plan.*

(2) General compatibility with adjacent properties and other properties in the district;

**Applicant Response:** *The requested conditional use for gated access to the residential subdivisions will be compatible with the adjacent properties that are also zoned as Planned Unit Development (PUD) and allow the same and/or similar types of development.*

(3) Scale of development. The relationship of the project or development in terms of its size, height, bulk, massing, intensity, and aesthetics, to its surroundings;

**Applicant Response:** *The requested conditional use is for gated access to the residential subdivisions of Rustic Road South and Rustic Road North. The construction plans and landscaping plans for the requested entry gates are included in this application to demonstrate the scale of the development as well as aesthetics and compatibility to the surroundings.*

(4) Required yards and other open space;

**Applicant Response:** *The requested conditional use for gated access will not affect the required yards and other open space.*

(5) Screening and buffering, with reference to type, dimensions, and character;

**Applicant Response:** *A landscaping plan is included as a part of this conditional use application.*

(6) Transportation access management and congestion with particular reference to automotive and pedestrian safety and convenience, traffic flow and control;

**Applicant Response:** *Construction plans are included in this conditional use application and illustrate how the requested gated access to the residential subdivisions will not impact the automotive and pedestrian safety and convenience, traffic flow and control.*

(7) Off-street parking and loading areas, where required;

**Applicant Response:** *Not applicable, the requested gated access will not affect off-street parking and loading areas, where required.*

(8) Value added considerations including tax base diversification, employment, and affordable housing unit expansion;

**Applicant Response:** *Not applicable, the requested gated access will not have an impact on tax base diversification, employment, and affordable housing unit expansion.*

(9) Any special requirements set out in the schedule of district regulations of this chapter for the particular use involved.

**Applicant Response:** *The requested entry gates will be in compliance with all applicable standards in the Land Development Code.*

**Summary Staff Comment:** *This request for gates is consistent with the Land Development Code and the Binding Master Plan. None of the above considerations are impacted by this request, with the exception of (6), which has been reviewed and deemed compliant.*

Section F(3) of the Rustic Road PUD Binding Master Plan includes a statement requesting City Council approval of limited access gates for neighborhood roads. This approval can be granted through the conditional use process.

**Conclusions/Findings of Fact (Compliance with the Land Development Code and Rustic Road PUD Binding Master Plan):**

The proposed conditional use request is compliant, and no inconsistencies have been identified with the LDC and Binding Master Plan.

### III. CONCLUSION

#### **Planning Commission Report and Action**

Upon review of the petitions and associated documents, Comprehensive Plan, Land Development Code, Rustic Road PUD Binding Master Plan, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record for the Planning Commission to take action on Conditional Use Petition No. 22-20CU.