

Summary: PD2024-00001 Millcreek Final Planned Development, an application amending the Millcreek Planned Development (PD) zoning in respect of one parcel of approximately 62.51 acres of land, generally located north of Orange Ave and west of 41st Street, to include the Millcreek PD Pod 1 Final Site Plan.

The 'Master' Millcreek PD was approved by Ordinance 23-011 and set out the development parameters for two 'Pods'. Pod 2, subject to a Residential Future Land Use (and the subject of this application, broken into three phases) and the Pod 1, overlaying a Mixed-Use Future Land use (Pod 1 – not included in this application).

Location(s): generally located north of Orange Ave and west of 41st Street.

Parcel ID (s): 2407-124-0001-000-3

Surrounding FLU and Zoning:

NORTH: County RS-4 & IL

SOUTH: City C-3, County CG

EAST: County RS-4, CG

WEST: City I-1, County IL

Request

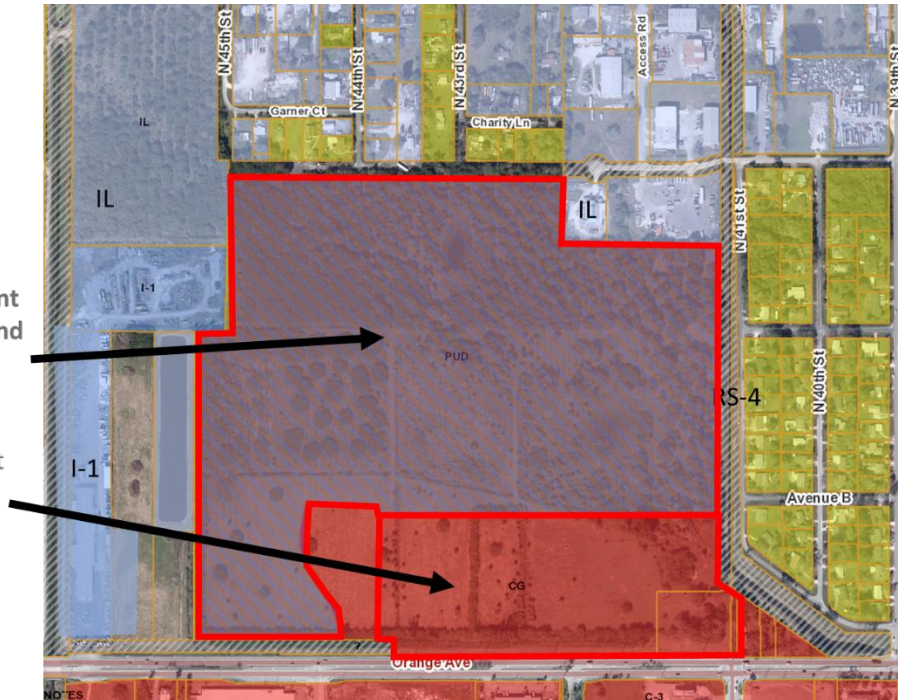
In accordance with Article V Sections 125-212, and 125-314 of the City Code, the applicant is requesting approval of an approval of a Final PD Site Plan. The application for the Millcreek PD Final Planned Development Site Plan for Pod 1 includes a total of 439 dwelling units, distributed in 309 townhomes and 130 detached single-family homes. The density is 7.1 du/ac. (the PD allows up to 12 du/ac). The main access to the property is located on Orange Avenue to the south. The primary connection to the major road network is from Orange Avenue between Jenkins Road and Hartman Road at the existing intersection of Orange Avenue and Bent Creek Drive.

The project proposes a clubhouse with amenities (to be constructed at phase 2), a dog park and a pocket park. Phase 1 incorporates 4 stormwater lakes. Emergency access is planned which aligns with N 43rd Street.

Zoning

Pod 2 : Millcreek Planned Development
439 dwelling units (309 townhomes and
130 detached single-family homes.
Density: 7.1 du/ac (allowed 12 du/ac)

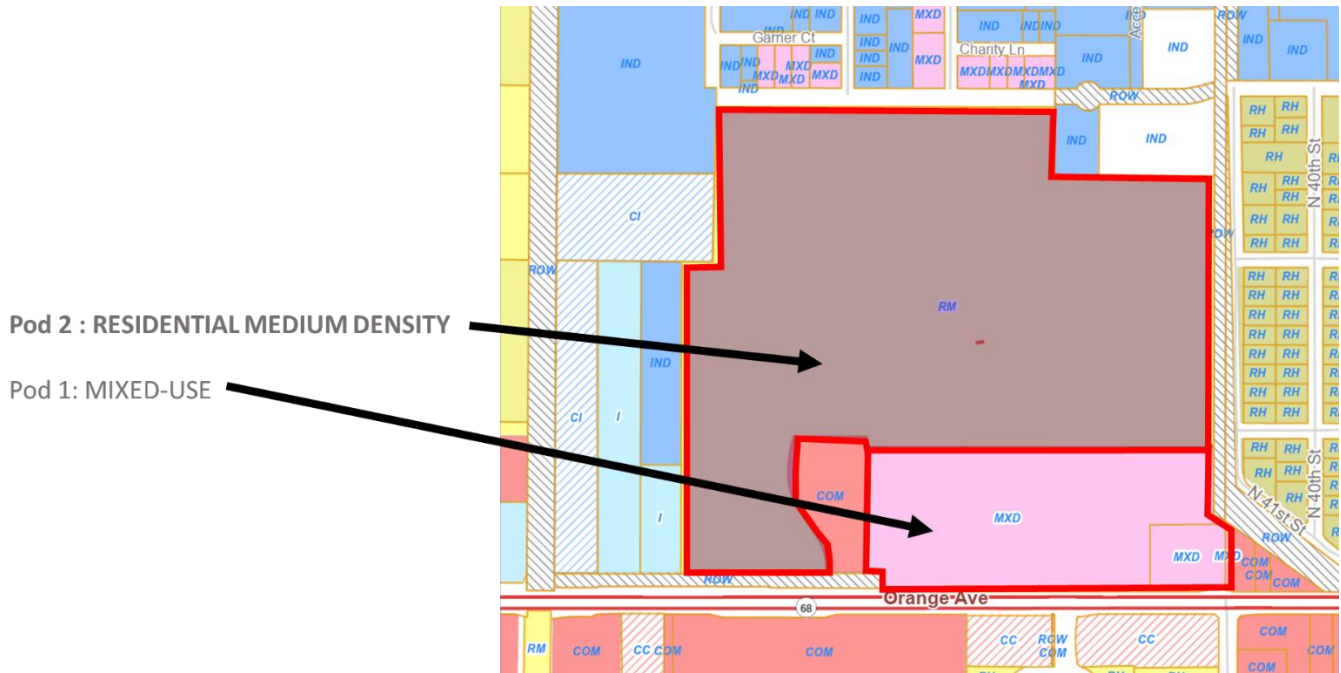
Pod 1: Millcreek Planned Development
(not part of this Final PD Plan allowed
Density: 15 du/ac)



Existing: Sec. 125-212. - Planned Development Zone (PD).

Purpose. The Planned Development (PD) Zone District is to provide a process for the evaluation of developments which are not otherwise permitted in the zoning districts established by this chapter. The PD District is a voluntary process commenced by an applicant for such zoning designation. The intent is to establish a resilient living and working environment through the application of enlightened and imaginative approaches to community planning, stormwater infrastructure and property design. A PD should provide a variety of natural features and scenic areas, efficient and economical land use, improved amenities, orderly and economic development, and the protection of adjacent existing and future development. Therefore, the PD alternative may allow uses and design concepts which are not specifically allowed in standard zoning districts. To the extent that any provisions of this section conflict with any other provisions of this Code, the provisions of this section shall prevail.

Future Land Use



Medium Density Residential (RM) – No Change (Pod 2)

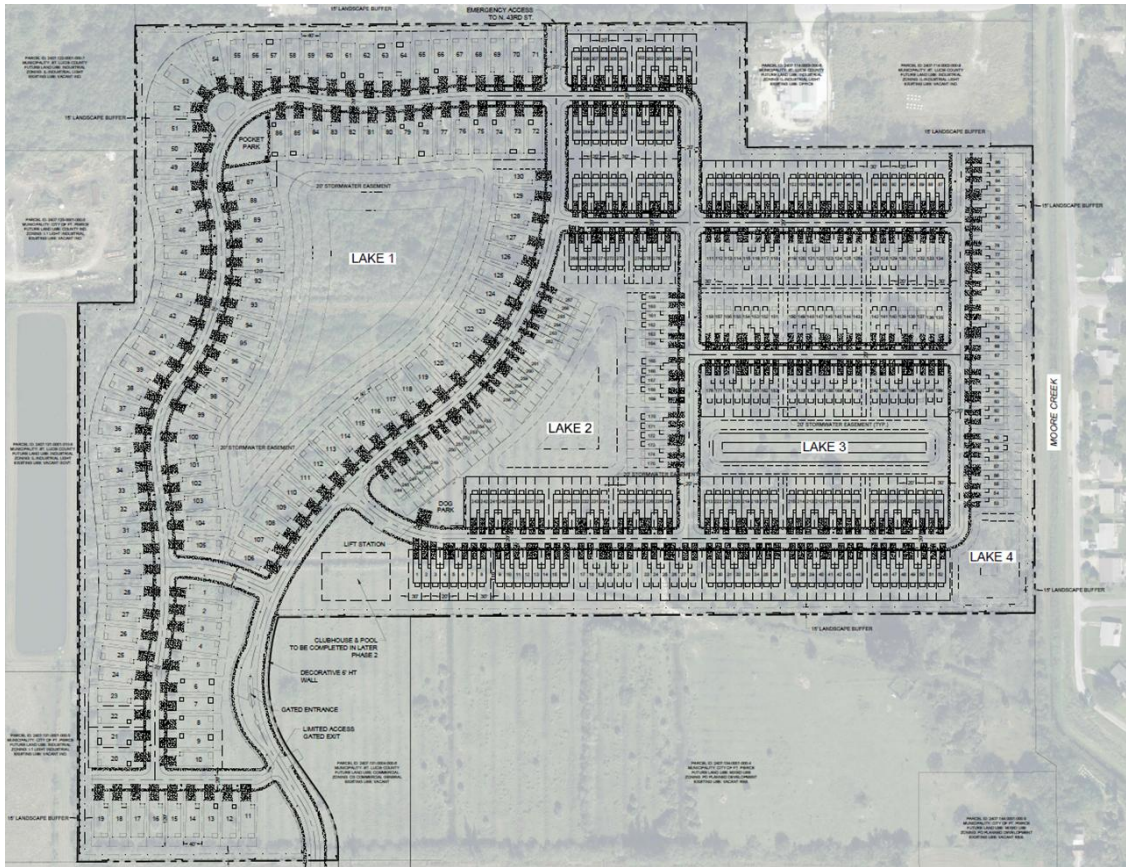
Medium Density Residential (RM): The Medium Density Residential (RM) designation is intended for parcels that are best suited for multifamily residential uses ranging in density from six and one-half to 12 dwelling units per acre. This category allows small-lot single family units and multifamily dwellings including duplexes, condominiums and townhomes. Limited commercial uses intended to serve the residential uses shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools and daycare facilities shall also be allowed.

Mixed Use Development (MXD) - No Change (Pod 1)

The MXD designation is intended to promote intensification, redevelopment, and revitalization of the areas targeted for live/work environments. This area is characterized by development that promotes the creation of well-planned centers designed to integrate a variety of complementary uses. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.5. All MXD designated areas shall contain a minimum of two of the following general land uses:

- Residential (single-family and/or multifamily);
- Commercial—General and/or Neighborhood;
- Commercial—Town Center;
- Hotel (minimum 100 units);

- Office Uses—Professional and/or medical;
- Industrial;
- Institutional.



Design Review

The proposed dwelling units have varied architectural elements, which incorporate vertical and horizontal design articulation and relief. Single-Family units are not subject to design review outside of the FPRA.

Parking

The Final Site Plan provides the required number of parking stalls.

Utilities

FPUA

Traffic Impact Statement

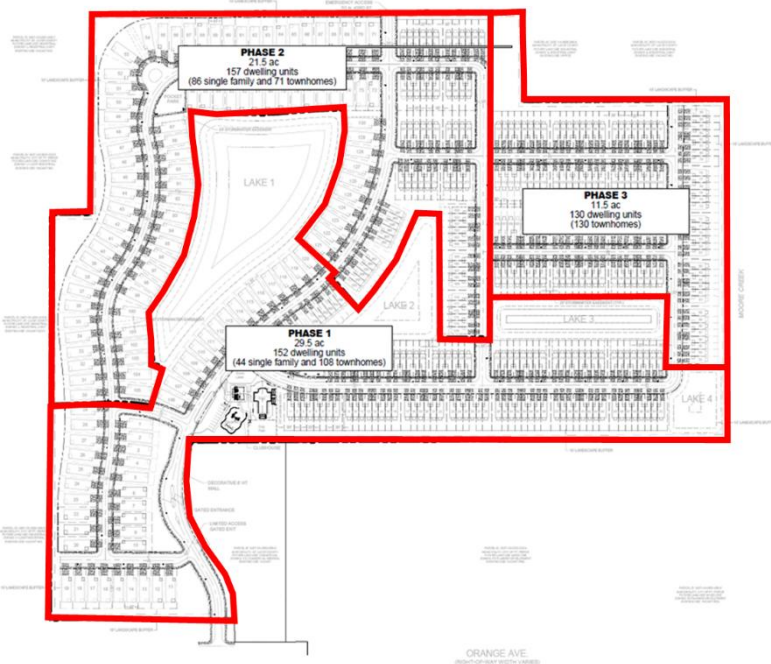
The traffic analysis is accepted and approved. It is proposed that the applicant make the following intersection improvements at Orange Avenue and Bent Creek Drive:

Eastbound: At the time of driveway permits, the queue length for the existing eastbound left turn lane will be determined and improved accordingly as required by FDOT.

Westbound: At the time of driveway permits, a westbound right turn lane will be built according to the requirements of the Florida Design Manual (FDM) and as required by FDOT.

If warranted by FDOT, then the applicant shall construct a traffic signal prior to the at the intersection of Orange Avenue and Bent Creek Drive and in alignment with the primary access to the PD.

Phasing



Stage	Phase 1	Phase 2	Phase 3
Clearing/Grading	November 2025	November 2027	November 2029
Utility Installation	May 2026	May 2028	May 2030
Development Cert	February 2027	February 2029	February 2031
First Closings	August 2027	August 2029	August 2031
Last Closings	July 2029	July 2031	July 2034

Environmental (EW Consultants)

Because of the various native and man-made resources found on the subject property, the site provides potential foraging and nesting habitat for a variety of state and federally listed wildlife species, albeit minimal. In particular, the on-site water resources could provide foraging opportunities for various listed avian species, including a myriad wading birds such as wood stork, roseate spoonbill, sandhill crane and various ibis and herons. No listed wading bird species were observed during the 2024 site visits. No nesting of wading bird species is expected due to the lack of suitable nesting habitat on-site. Non-listed wading birds observed included the cattle egret and white egret.

Other protected avian species which may occur on or near the site include the bald eagle. No eagles or eagle nests were observed on-site during the recent site visits. The closest bald eagle nest to the project site is located approximately 1.5 miles to the northwest on the Eagle Bend project site (nest SL011). Figures 5 and 6 in Appendix A provide a database download of recorded eagle nests and wading bird colonies found on state agency websites.

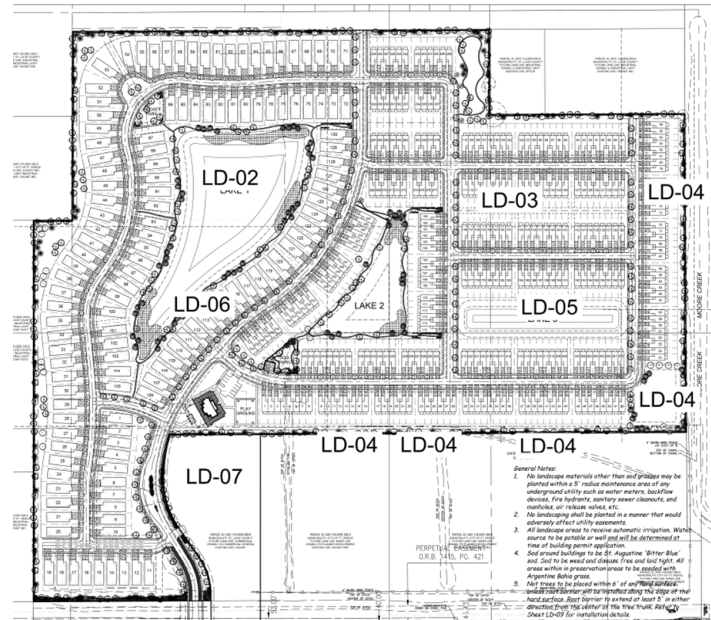
As with most sites in south Florida, sandy uplands, pastures and ditch banks with herbaceous vegetation serve as potential burrowing and foraging habitat for the state-threatened gopher tortoise. During the site visits, several potentially occupied burrows of this species were observed within the project site's native upland area as well as along the trails and ditch banks within the woodland pasture. A systematic gopher tortoise survey will be required within the entire development footprint's upland areas prior to new construction activities. Tortoises in harm's way will have to be relocated to a state-approved receiver site accordingly.

Other wildlife observations included red-bellied woodpecker, blue jay, mocking bird, red-shouldered hawk, black vulture, coyote scat, various rodent species, marsh rabbit, black racer and brown anole.

Landscaping

The development shall comply with the city’s landscaping requirements; full tree mitigation analysis shall be required at building permit.

Landscape Data	
North Buffer	73 Trees
East Buffer	34 Trees
West Buffer	65 Trees
Orange (ROW line)	71 Trees
Interior	136 Trees
Trees Required	378
Trees Provided	638



Stormwater Drainage (Thomas Engineering Group).

The existing site is currently undeveloped and appears to have been used for agricultural use in the past. The site currently drains to the NSLWCD canal #3 along the east side of the project through a series of onsite ditches. The site is in flood zone X per FEMA 12111C0178J.

The stormwater management system for the development will generally consist of interconnected lakes that will discharge through control structures to the existing outfall canal along the east property line. The project will be one drainage basin. The majority of the stormwater infrastructure to support the project being installed in Phase I. Nutrient loading has been included as part of the current requirements; the calculations show an overall reduction in nutrient loading.

Technical Review Committee

Affected departments have reviewed the proposed site plan application with regard to the requirements of the City Code. Findings from the review by corresponding departments and the associated responses by the applicant are provided with the staff’s supporting documents.

Recommended Conditions of Approval

1. All infrastructure, school district bus stop, and stormwater system, shall be completed prior to the issuance of first certificate of occupancy for a residential building
2. A plat of the property shall be required prior to application for a building permit for a residential building.
3. The development shall comply with the permitted density, intensity and residential lot and building heights as outlined within the approved Millcreek PD Development Agreement and Final PD site plan.
4. A detailed stormwater and drainage plan and statement shall be submitted at the time of Building Permit.
5. The Final PD Plan shall be governed by all agreements, provisions and covenants which govern the use, maintenance, and continued protection of the planned development and any of its common open space or other shared areas. This shall include the binding of successors in title to any commitments concerning completion of the project and its maintenance and operation.
6. A tree mitigation calculation shall be submitted and approved prior to issuance of a site clearing or vegetation removal permit.
7. A landscape maintenance agreement shall be required prior to final certificate of occupation.
8. All applicable state or federal permits shall be obtained before commencement of the development.

Development Agreement

Section 125-212 – Planned Development Zone, of the City Code requires that a Development Agreement be agreed at time of Final PD Site Plan.

The City Attorney's Office has raised a number of issues which have not yet been fully resolved (please refer to memo RLS 25-139 attached to this item:

1. The Owner of the property, FM Millcreek Holding, LLC, should be the legal entity to enter into the agreement with the City.
2. The requirement for unified control. The Planning Department has investigated this issue:
 - a. The Millcreek Planned Development was approved prior to the revised 'Master' and 'Final' PD code (ORD 23-011). However, the requirement for a unity of title and lot combination was conditioned as part of that approval and re-iterated by the Planning Board.

- b. The PD includes a natural bifurcation of the PD into two ‘Pods’, a Mixed-Use ‘Pod 1’ and Residential ‘Pod 2’. Each sets out their own development parameters.

POD 1	POD 2
Mixed-Use (MXD)	Residential (RM)
20% Open Space	20% Open Space
15% Stormwater	15% Stormwater
Density 15 du/ac	Density 12 du/ac
62.51 Acres	17.77 Acres

- c. This Final Development Site Plan proposes the buildout of ‘Pod 2’ through three phases. The buildout of Pod 2 will comply with the development parameters contained within the original PD in terms of maximum density and number of units.
- d. The development parameters of ‘Pod 1’ remain as entitled in the current PD site Plan. The operation, connection, density and intensity of the PD as a whole remains as originally approved.
3. Staff agree that any Development Agreement and Ordinance should refer to the removal of the conditions relating to unified control.
4. The development of PD approvals as a phased plan is not unusual and has been permitted with other development, Sec. 125-212 (f)(2) A planned development zoning agreement may provide that the entire development or any phase thereof be commenced or completed within a specific period of time.
5. The phasing of the project shall adhere to City Code Sections 125- 212(b)(6) and 125-212(c)(1)(c):

Staff Recommendation:

Staff recommend the City Commission **Continue Consideration** of the proposed Millcreek PD Final Site Plan to a date certain or until such a time when the Development Agreement is deemed to be acceptable by the City Attorney’s Office.

Alternative Recommendations:

APPROVE – with Amended/Additional Conditions

OR

DISAPPROVE/DENY