

**MINUTES
TOWN OF MONTVERDE
TOWN COUNCIL WORKSHOP**

June 28, 2016

The Town of Montverde met for a Council Workshop on Tuesday, June 28, 2016 at 6:30 pm in the Mayor's Office at Town Hall.

Council Members Present:

President, Billy Bates

Vice President, Glenn Burns

Jim Ley

Jim Peacock

Judy Smith

Staff Present:

Joe Wynkoop, Mayor

Graham Wells, Town Clerk

Terry Burden, Public Works Director

Anita Geraci-Carver, Town Attorney

Mayor Wynkoop called the meeting to order at 6:30pm and led the Pledge of Allegiance.

Roll call was performed, and it was determined that a quorum was present.

Mayor Wynkoop opened the meeting to discuss the Blackstill Lake Project. He said that following the meeting on May 3, 2016 Anita Geraci-Carver was tasked with researching the options that the developers had to develop in the county and Sean Parks to find out if there were any developments being built on half-acre lots.

Anita Geraci-Carver said that she had a copy of the Future Land Use ordinance and zoning ordinance adopted by the county in 2009. In 2007 they got their future land use designation which allowed for urban expansion in the county of four dwelling units to the acre. There were further limitations imposed which restricted residential development to 125 units on 117 acres.

In 2009 they received a Planned Unit Development which is the zoning designation in the county which restricted them to an overall gross density of one dwelling unit per acre or 114 units whichever is less and a minimum lot size of 21780 square feet (half-acre). They established setbacks in the ordinance and that thirty percent of the gross developable area excluding water bodies be dedicated to open space.

They must enter into a utility agreement with the Town of Montverde for the supply of water. They can have septic but must convert to sewer should it become available. They are also required to dedicate additional right of way for Blackstill Lake Road and Fosgate Road. The applicant applied to the county for a Future Land Use (FLU) designation and for zoning. The FLU issued by the county is four units per acre. The State was not in agreement and they entered into a settlement agreement which restricted the site to 125 dwelling units. The documents reviewed appeared to be the most recent.

If they annex into the Town, this agreement would no longer apply and they would conform to the Town's FLU and zoning. Based on the ISBA agreement they can only annex into Montverde if they choose not to develop in the county. They could not be annexed into Clermont or Minneola. They are also in the Town's 180 utility district for water supply.

Councilwoman Smith asked if it would set a precedent if a density higher than that currently approved by the town is allowed. *Anita Geraci-Carver* said that it would not, as this was site specific and in a different area from the body of the Town. *Mr. Jose Gonzales* stated that half-acre lots were required per the Town's ordinance. *Anita Geraci-Carver* responded that the smaller lot size would be for this site only as there were enough distinguishing factors to make it legally permissible.

Sean Parks produced a list of local and regional builders who developed half-acre lots. He added that it was about what was driving the market right now. Buyers, since the recession were looking for smaller lots with less maintenance and more amenities such as community pools, trails and other on-site facilities. Who is developing is a big part of it and the price point that they are aiming for.

Councilman Bates said that annexing 276 homes as opposed to 114 did not sit well with him and would not want to add that many new homes to the area. *Councilman Burns* said to let the County have it. *Mayor Wynkoop* opened it up for James Caruso, the president of Pineloch Management to address Council. He agreed with Sean's assessment and that they came with a product that the market wants. He felt that it was a win win as it makes them money and also a significant amount of revenue to the Town of Montverde; \$316,000 a year from taxes, plus the override from the sewer agreement with Clermont and the prepaid fees to the Town.

He went on to add that the additional traffic through the Town would be minimal. Lot size was not indicative of price and felt that their price point of \$285,000 was conservative. They would build in greenspace, buffering and site improvements to Blackstill Lake Road at the entrance to aid traffic flow.

Councilman Peacock disagreed. He said that from the last meeting the developer would come back with a revised proposition. Robert Thompson said that at 125 units it would sit forever. *Councilman Peacock* said that the financial benefit was not the primary concern for most of the people in Montverde. *Robert Thompson* outlined the many things that the Town could do with the initial and annual income such as a new community building or replacing the water tower. He said that it was a tradeoff between the quality of life and the future financial security for the Town.

Mayor Wynkoop recapped that there was no option for them to be annexed into Clermont or Minneola; the choice was between being annexed into Montverde or staying with the County. The developer would be able to build a nice subdivision; would 250 get things going. A compromise would need to be reached. He asked Council if they had a number. *Councilman Bates* said that it was a lot of houses; like building half the town again right next to it. There was next to no way that he could support adding an additional 162 homes.

Robert Thompson asked if the additional 162 homes outweighed the financial benefits that the development would bring to the Town. *Councilman Bates* replied that in his mind it did. *Councilman Peacock* said that they were asking for a big jump. *Robert Thompson* said that the town would have the control of the building specifications and design standards if it was annexed.

Mayor Wynkoop asked if any other council member had a number of homes that they would be comfortable with. *Councilman Burns* replied; "stick to the code". *Councilman Bates* said that he had no problem with annexation but at a density of 114 homes. *Robert Thompson* said that they wouldn't annex unless they had an understanding on the density. *Councilwoman Smith* said that we have to be practical. Sticking to the code was important but for this site outside of the town she felt that a higher density would be acceptable.

Councilman Ley was not opposed to annexation but would need a compromise on density. *Councilman Peacock* said he could not get behind 276 homes; maybe 150 to 175 but was okay with annexation. *Sean Parks* interjected that they can go back to the county and request a higher density than was approved in 2009. That may be 200 homes so the choice for the town is whether to go with a higher number and have the control and the financial benefit. He would recuse himself from any vote but the other four commissioners could approve a higher density or decline it.

Robert Thompson said that placing an application was a very costly exercise and that they would want to get a consensus so that they know the number to apply for. He realized that they were not able to take a vote on the density but needed a figure to put in the application. He added their desire to be in and partner with Montverde and have the development with a Montverde address.

Councilman Burns reiterated that he was not playing at any number. *Councilman Bates* said that 150 to 175 was easier to swallow. Mr. Gonzales brought up the cost of fire and police protection for the development. *Sean Parks* said that could be worked out in the developer's agreement. For reference Graham Wells offered a visualization of what 195 homes would look like in Magnolia Terrace. A maximum of 175 homes was suggested.

Mr. Caruso said it was hard for them at that level and 225 lots was the lowest they could go for it still to be marketable. It would average the lots out at approximately one third of an acre. They could be clustered based around the topography of the parcel with some smaller and larger lots. Other factors affecting this would be the location of amenities, open space, buffers and road improvements. *Mr. Caruso* said that he would still include the additional acre parcel for the trailhead and also the cash that has been prepaid to the Town.

Mayor Wynkoop asked if anyone was warm to his proposal. *Councilman Ley* said he would like to examine the financial impact and the layout design with 225 lots. *Mr. Caruso* replied that it would be very similar to the current concept plan but with bigger lots. Based on the buildout of homes over three years at the \$285k price point, the revenues would be approximately 79.5% of what it is forecast right now. The three year revenue would drop from \$1,367,000 to \$1,086,000 and the annual revenue after the buildout is complete would go from \$316,000 down to \$251,000.

Anita Geraci-Carver said that there could be no more meetings and that the developer would have to make an application. They needed an indication of what could be successful, and then it is up to them. The formal process would begin with public hearings, comprehensive planning amendment, zoning change and annexation.

Councilman Bates said that 225 is a lot more palatable. *Councilman Peacock* said that he would be more comfortable with 200 which is halfway between, but was not saying that he wouldn't support 225. *Councilman Ley and Councilwoman Smith* both voiced that they would support 225 homes. *Anita Geraci-Carver* said that they should send the completed application to the Town Clerk with a copy to the Town Planner.

Being no further discussion a motion to adjourn was requested.

A motion to adjourn was made by Councilman Peacock; Seconded by Councilman Bates. With all in favor the meeting adjourned at 8:27 pm.

Respectfully submitted,

Joe Wynkoop, Mayor

Billy Bates, Council President

ATTEST:

Graham Wells, Town Clerk