

STAFF REPORT

Planning & Zoning Commission: November 8, 2004
Board of County Commissioners: December 8, 2004

APPLICANT: Blue Stone Real Estate, Construction and Development Corporation
FILE NUMBER: H-04-68

PURPOSE: Master Plan Revision to a Multifamily Project, Including: a Change in Concept, Setbacks, External Access Points, Relocation of Land Uses, and a Deviation from the Roadway Standards

GENERAL

LOCATION: West side of Landover Boulevard, west side of Alcan Avenue, approximately 1,740' west of Mariner Boulevard

LEGAL

DESCRIPTION: Tract A, Spring Hill, Unit 16, as per plat thereof recorded in Plat Book 9, Pages 18 - 30, of the Public Records of Hernando County, Florida in Section 18, Township 23 South, Range 18 East

FILE STATUS: All requirements necessary to conduct the public hearing have been satisfied.

CITIZEN RESPONSE: FOR: 0 AGAINST: 1

STAFF FINDINGS:

Surrounding Zoning

North: PDP(MF), PDP(OP)
South: PDP(SF)
East: PDP(OP)
West: AG

Surrounding Land Uses

MF, SF, DRA, undeveloped
SF, undeveloped
OP, undeveloped
Undeveloped

SUMMARY OF REQUEST

The petitioner requests a master plan revision to a previously approved multifamily project. The revision proposes to change the concept of the development through a reduction in density, a change in the housing product from multifamily to single family attached, modification to previously approved setbacks, and a change in access. The subject property is located on the west side of Landover Boulevard, on the west side of Alcan Avenue, and approximately 1740' west of Mariner Boulevard.

FACTUAL INFORMATION

1. The property is currently zoned PDP(MF) with RV and Boat Storage.
2. The property comprises approximately 31 acres.
3. The site is currently undeveloped.
4. The site contains no majestic or specimen trees.
5. The subject property has access from Landover Boulevard and Alcan Avenue.
6. The subject property is located within a residential land use classification on the adopted Future Land Use Map.
7. The on-site soil types include Candler fine sands and Paola fine sands. The site is heavily disturbed from previous development and no longer provides prime wildlife habitat.
8. The property is located in a flood zone C.
9. The subject property does not contain any wetlands, WHPAs or SPAs according to County data resources.
10. The County Utilities Department indicates that central water and sewer are available to serve the subject site.
11. There are adequate public facilities available to serve the subject property.
12. The area is characterized by a mixture of multifamily residential, single family residential, office/professional uses, and undeveloped parcels.
13. The petitioner has requested a local roadway within a 38' right-of-way which is a deviation from the County's LDRs which require a 50' right-of-way with closed drainage.

STAFF DISCUSSION

The petitioner requests a master plan revision on the subject property. The subject property was Deltona Corporation's staging area during the initial development of Spring Hill. The site was designated as a hospital site on the Spring Hill master plan. In August 2003, the BCC approved a rezoning on the subject property from PDP(OP) to PDP(MF) with RV and boat storage.

The 2003 rezoning approval allowed eighteen (18) three-story structures with eight (8) units per floor, for a total of 432 units on the approximately 31 acres with a resulting density of 13.7 dwelling units per acre. The units were proposed to be a minimum 1,000 square feet per unit.

The petitioner proposes developing the site with 194 single family attached units, with a density of 6.15 units per acre. The master plan submitted indicates that the site will be developed with multiple 4- and 6-unit buildings. The units will comprise 2 and 3 bedroom with a minimum of 1,000 square feet. The buildings are proposed to be one-story. The petitioner has indicated that the each unit within the building will be on its own lot, with a minimum lot size of approximately 25' x 104'. The petitioner proposes to plat the project with the units being sold. The remaining green area will be platted as tracts and owned by a homeowner's association. The narrative indicates that a portion of the building and driveway will be sold. The petitioner has clarified that the lots will be sold.

The project includes a pool, clubhouse, and associated parking. Drainage retention areas which were previously designated along the perimeter of the project are proposed to be relocated to the interior. This land use change is required to be addressed as part of the master plan revision process.

The existing master plan approved a storage area for recreational vehicles and boats in the northwest corner of the subject property. Although the master plan revision indicates that there will be an RV storage area, the location has been removed from the plan. An RV storage area would not be allowed if the master plan revision is approved.

The proposed development is a townhouse product which has the appearance of a multifamily development. The County has LDRs governing MF development. Because of the appearance of the development, it is the staff's opinion that the MF standards relating to building design, open space, pedestrian connectivity, and location of trash receptacles should be adhered to.

The provision of sidewalks along the property's Landover Boulevard frontage was required in the previous zoning petition. The transportation coordinator has indicated that sidewalks are programmed along the west side of Landover by the subject property. The subject request proposes access to Alcan Boulevard; consequently, it is the staff's opinion in order to provide pedestrian connectivity, the petitioner should be required to provide sidewalks along Alcan Boulevard.

The petitioner has indicated that all units will have a minimum of a 1 car garage with 2 additional parking spaces in front of each garage. Most units will have a 2 car garage with 2 additional spaces in the driveway. The petitioner indicates a parking area by the proposed park within the project to accommodate 16 spaces, and a parking area at the Clubhouse. For single family attached development, the County's LDRs require 1.5 spaces for 1 and 2 bedroom units, and 2 spaces for 3 + bedrooms. With the two driveway spaces proposed per unit and the additional parking lot and clubhouse parking, there appears to be adequate parking provided.

The development was approved with one access point on Landover Boulevard, with a divided driveway with a median. In addition to the divided access to Landover, the petitioner is proposing a second access point on Alcan Avenue. The revised site plan indicates internal circulation is provided essentially by a loop road with units between the roadway and the project perimeter. The County Engineer did not object to the additional access point on Alcon Avenue and did not object

to the internal circulation. The County Engineer notes that a traffic study associated with the development review process may indicate the need for left turn lanes on Landover Boulevard and Alcan Avenue.

In order to plat the development, the roadways would have to be constructed to minimum county standards for a local street which require a 50' right-of-way with closed drainage. The petitioner is requesting to construct the roadway within a 38' right-of-way which is a deviation to the County's development regulations. Minimum rights-of-way are established in order to accommodate the paved roadway, setbacks, recovery area, sidewalks, and utilities. The cross section provided by the petitioner indicates sidewalks along only one side of the development. The LDRs would require sidewalks throughout the development on both sides of the roadway. There does not appear to be adequate area for the location of the required utilities. The County has the ability to deviate from the minimum standards when an alternative design is proposed which demonstrates efficient and safe traffic flow; however, it is the staff's position that the cross section proposed has not been adequately justified. The County Engineer has reviewed the request and it is his opinion that if the request is approved, no reduction in the minimum right-of-way width should be approved.

The previous master plan required 50' setbacks from the front, side, and rear perimeter of the project. The setbacks approved were increased by the BCC beyond those allowed by the PDP rules because of the multistory nature of the development. The revised proposal includes single story buildings only. The setbacks proposed are 25' front, 20' side, and 20' rear which are consistent with the County's LDRs. It is the staff's opinion the perimeter setbacks proposed are appropriate given the concept of the development.

The petitioner is proposing internal lot setbacks of 20' front, 0' side, and 0' rear with 15' between buildings. The petitioner is requesting a substandard right-of-way width with sidewalks on one side of the road. If approved as proposed, one side of the street would have a larger building setback than the other side from the centerline of the road. The development would have an offset appearance. The staff does not support the petitioner's request for substandard right-of-way widths as indicated above and would require standard road rights-of-way if approved. If the roadways meet minimum design standards, the staff would not object to the setbacks proposed.

County LDRs require that new single family and multifamily development with more than 20 units provide at least one treed roadway/access way for motor vehicles extending through the length or width (whichever is greater) of the development with a vegetative buffer at least 10' in width. The petitioner would be required to meet the applicable LDRs.

The Hernando County School Board notes that the subject property is located in a school zone "borderline" area. Currently, school children in the proposed development would be assigned to Deltona Elementary, Fox Chapel Middle, and Springstead High. All of these schools are beyond permanent capacity. The School Board notes that the reduction in the number of units would be

beneficial to the school district in terms of student enrollment impact, reducing the estimated number of students from 145 to 65.

The site was used by Deltona Corporation as a construction yard and staging area in the initial development of Spring Hill. Construction vehicles were stored and serviced at this location. The petitioner requesting the rezoning in 2002 provided a Phase I Environmental Site Assessment of the subject property dated January 8, 2002. The assessment found no evidence of recognized environmental conditions. The assessment noted the site may have been subject to improper solid waste disposal and recommends the removal and proper disposal of the solid waste on the property. The solid waste referred to was household debris including some appliances on the ground surface. The assessment noted an extensive Phase II Subsurface Investigation conducted in 1992 found no evidence of petroleum-stained soil on the site and no positive results from subsurface soil testing. Additionally, the site is not listed as a DEP waste clean-up site or a Brownfield site.

FINDINGS OF FACT

The area is characterized by a mixture of multifamily residential, single family residential, office/professional uses and undeveloped parcels. The parcels to the north are developed primarily with duplexes. The parcels to the south include a mixture of single family residential and vacant lots. The parcels to the east include a mixture of vacant lots and a recently constructed kidney dialysis office. The 480-acre parcel to the west is undeveloped and zoned AG. It is the staff's opinion that multifamily residential would not be incompatible with the surrounding area at an appropriate density.

The subject property is located within a residential land use classification on the adopted Future Land Use Map. Multifamily housing up to 16 units/acre is a land use that may be located in this category with the appropriate land use approvals. The Comprehensive Plan contains goals, objectives, and policies which provide guidance regarding appropriate density for multifamily development. The petitioner is proposing a development at a density of 6.15 units per acre which is considered low-density MF pursuant to the Comprehensive Plan.

Policy 1.01F(7) of the Comprehensive Plan indicates criteria and standards to be considered in the determination of appropriate locations of higher residential densities greater than 4.0 dwelling units per acre. These standards and criteria include proximity to existing or designated commercial areas or corridors or major employment centers, direct access to arterial or collector roadways or access to arterial or collector roadways via limited use of local roadways, service by existing or proposed expansion of County water and sewer facilities, the character and density of existing or approved residential developments of close proximity, provision of open space beyond minimum County standards, and aesthetic or architectural quality. The Planning staff is of the opinion that the subject property is an appropriate location for the development at the density proposed given that it is relatively near the Northcliffe/Mariner and Spring Hill Drive/Mariner commercial nodes, proximate

to Mariner Boulevard via Landover Boulevard, has access to water and sewer service, and near existing multifamily development.

Policy 1.01G(4) of the Comprehensive Plan indicates a low density multi-family zoning district to permit residential development consisting of densities not to exceed 7.5 units per acre. The Planning staff is of the opinion this location is appropriate for the low density development proposed.

The multifamily lots to the north of the subject property are approximately one-third acre in size and developed with duplexes at a low density of approximately 6 units/acre. The single family area to the south of the subject property is developed at a medium-high density for single family of approximately 4 units/acre. The Planning staff is of the opinion that the subject request is consistent with the surrounding land uses.

Policy 1.01G(6) of the Comprehensive Plan indicates multifamily developments should not be located where access to the arterial or collector roadway system is through established single family neighborhoods. Access to Mariner Boulevard via Landover Boulevard is through an area zoned for office/professional uses. Access to Northcliffe Boulevard via Landover Boulevard is through an area zoned for and developed with multifamily uses.

The staff is of the opinion that the proposed master plan revision is appropriate with performance conditions, based on the following conclusions:

1. The master plan revision would be consistent with the Comprehensive Plan and would be consistent with the County's Land Development Regulations subject to compliance with all performance conditions herein.

The petitioner has not demonstrated the ability to accommodate sidewalks, utilities, and adequate separation with the roadway deviation requested; consequently, staff would not support the reduced right-of-way requested.

The rezoning process is a land use determination and does not constitute a permit for either construction on, or use of, the property, or a Certificate of Concurrency. Prior to use of, or construction on, the property, the petitioner must receive approval from the appropriate County department(s) for the proposed use.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any county land use ordinances. Homeowners associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION:

Pursuant to the findings of fact outlined in the staff's report, the Planning staff recommends the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request for a Master Plan Revision to a Multifamily Project, Including: a Change in Concept to PDP(Single Family) for single family attached units, Setbacks, External Access Points, and Relocation of Land Uses with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The petitioner shall obtain and comply with any DEP, SWFWMD, or FWC permits that may be required for the subject site.
3. The petitioner shall provide a sidewalk along Alcan Avenue for the length of the property.
4. Development shall meet the design criteria for MF development relating to pedestrian connectivity, building design standards, trash receptacle locations, and open space.
5. Roadways shall comply with the facilities design guidelines for local streets.
6. A maximum of 194 units are approved.
7. The minimum lot size shall be 25' x 104' pursuant to the master plan.
8. Internal setbacks are approved as follows:
 - Front: 20'
 - Side: 0'
 - Rear: 0'
9. There shall be a minimum of 15' between buildings.
10. Perimeter setbacks are approved as follows:
 - Front: 25'
 - Side: 20'
 - Rear: 20'
11. Buildings shall be limited to one story.
12. The project shall utilize irrigation wells if not precluded by other regulations or policies requiring multi-backflow preventers.

13. A sub-surface investigation shall be used in the design and construction of the project.
14. There shall be 8" minimum looped water line within the project.
15. The developer shall provide improvements to Landover Boulevard and Alcan Avenue as required by the County Engineer.

P&Z RECOMMENDATION:

On November 8, 2004, the Planning and Zoning Commission voted 5-0 to recognize the petitioner's request to withdraw the application.

BCC ACTION:

On December 8, 2004, the BCC acknowledged the petitioner's request to withdraw the application.