

**STAFF REPORT**

Planning & Zoning Commission: February 14, 2005  
Board of County Commissioners: March 9, 2005  
Planning and Zoning Commission: April 11, 2005  
Board of County Commissioners: May 11, 2005

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**APPLICANT:** Blue Stone Real Estate, Construction and Development Corporation  
**FILE NUMBER:** H-05-17

**PURPOSE:** Master Plan Revision to a Multifamily Project, Including a Change in Concept, Setbacks, External Access Points and a Relocation of Land Uses

**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.

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**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 multifamily project, including a change in concept, setbacks, external access points and a relocation of land uses. The subject property is located on the west side of Landover Boulevard, west side of Alcan Avenue, approximately 1,740' west of Mariner Boulevard.

**FACTUAL INFORMATION**

1. The property is currently zoned PDP(MF) with an area designated for resident 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 Utilities Department has indicated 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 not requested any deviations from the County's LDRs.

### **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 an area designated for resident 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 be 2 and 3 bedroom with a minimum of 1,000 square feet of living area. The buildings are proposed to be one-story. The petitioner has indicated that each unit within the building will be on its own lot, with a minimum lot size of approximately 26' x 104'. The petitioner proposes to plat the project with the units being sold. The narrative indicates each platted lot will include an individual housing unit and driveway access to the right-of-way, and the DRAs, ROW and remaining green area will be platted as tracts and owned by a homeowner's association.

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 on the west side of Landover along 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 Avenue and on both sides of the access drives to Landover Boulevard and Alcan Avenue.

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 17-space parking area by the clubhouse area. 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 existing master plan 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 Alcan 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 LDRs would require sidewalks throughout the development on both sides of the roadway.

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 perimeter 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. The staff would not object to the setbacks proposed, but is of the opinion a minimum 15' should be provided between buildings.

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 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; additional students could be accommodated by adding portable classrooms at an estimated cost of \$150,000. The School Board notes that the reduction in the number of units would reduce 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 the

proposed single family attached development would not be incompatible with the surrounding area at the proposed density.

The subject property is located within a residential land use classification on the adopted Future Land Use Map. Multifamily is an allowable subcategory of residential which may allow multifamily units up to 16 units per acre, as well as single family attached housing. The Comprehensive Plan contains goals, objectives, and policies which provide guidance regarding appropriate density for single family attached housing. The petitioner is proposing a development at a density of 6.15 units per acre which is considered low-density 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 provides for 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 single family attached 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 density of the proposed master plan revision would be compatible with the surrounding neighborhood.
2. 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 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 and shall provide sidewalks on both sides of the access drives to Landover Boulevard and Alcan Avenue.
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 26' 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 access improvements to Landover Boulevard and Alcan Avenue as required by the County Engineer.

**P&Z RECOMMENDATION:**

On February 14, 2005, the Planning and Zoning Commission voted 4-1 to postpone this petition until the April 11, 2005 P&Z meeting at 9:00 a.m.

**BCC ACTION:**

On March 9, 2005, the Board of County Commissioners voted 5-0 to postpone the petition until the May 11, 2005, BCC meeting at 9:00 a.m.

**P&Z RECOMMENDATION:**

On April 11, 2005, the Planning and Zoning Commission acknowledged the petitioner's request to withdraw this petition.

**BCC ACTION:**

On May 11, 2005, the BCC acknowledged the petitioner's withdrawal of the application.