

STAFF REPORT

Planning & Zoning Commission: March 14, 2005

Board of County Commissioners: April 13, 2005

APPLICANT: Hernando County School Board **FILE NUMBER:** H-05-23

PURPOSE: Public Service Facility Overlay District for a Public Educational Facility

GENERAL

LOCATION: North of Dudley Avenue, approximately 200' north of Drysdale Street

LEGAL

DESCRIPTION: A portion of Section 16, Township 23 South, Range 18 East, Hernando County, FL

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

CITIZEN RESPONSE: FOR: 0 AGAINST: 1

STAFF FINDINGS:

Surrounding Zoning

North: AG
South: PDP(SF)
East: AG
West: AG

Surrounding Land Uses

Undeveloped
Single family
J. D. Floyd Elementary School
Undeveloped

SUMMARY OF REQUEST

The petitioner requests a public service facility overlay district for a public educational facility. The subject property is located north of Dudley Avenue, approximately 200' north of Drysdale Street.

FACTUAL INFORMATION

1. The property is currently zoned AG.
2. The property comprises approximately one acre.
3. The site is undeveloped.
4. The site contains no majestic or specimen trees.
5. The subject property has access from Dudley 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 type is Candler fine sand. Candler fine sand provides a habitat suitable for gopher tortoises. Since there is the potential for this listed species of special concern to be present, a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.
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, but not central sewer, is available to serve the subject site.
11. There are adequate public facilities available to serve limited development on the subject property.
12. The area is characterized by single family residential and institutional uses, and undeveloped parcels.
13. The petitioner has not requested any deviations from the County's LDRs.

STAFF DISCUSSION

The Hernando County School Board has requested a public service facility overlay district for a public educational facility in order to construct a second entrance into the J.D. Floyd Elementary School site. The second entrance is proposed at the southwestern corner of the school property, providing access to Dudley Avenue. Access to the proposed second entrance is proposed to be limited to school buses and emergency vehicles.

A school use is not a permitted use on the acre subject property as it is currently zoned. The County's LDRs would allow the proposed use in a public service facility overlay district as a government use and structure. Criteria for reviewing a public service facility overlay district include, but are not limited to, compatibility with the nature of the surrounding area, conflict between the proposed use and nearby uses, and that approval would not adversely affect the public interest.

In 1985, the Planning & Zoning Commission approved a special exception use permit for a school site on the 40 acre J. D. Floyd school property. The plan shows development on the eastern 20 acres of the site. The plan shows no development on the western 20 acres of the site. One of the

conditions of the approval requires either a 75' buffer with plantings providing approximately 90% obscenity from the adjacent properties or a 100' buffer with no plantings. The Planning staff and the Zoning Administrator are of the opinion that the petitioner's proposal requires a modification to the 1985 special exception use permit approval, to specifically locate the driveway along the western 20 acre portion of the school property. The petitioner has not included any portion of the J. D. Floyd school site as part of the subject property, although the plan provided shows the roadway access and buffer proposed to be located on the school site. The subject request is complete and can be acted on independently; however, if the request is approved, a condition should be included requiring the modification of the J.D. Floyd Elementary School Special Exception to reflect the driveway prior to any construction occurring on the site.

The narrative indicates the second access is needed to relieve traffic congestion at the current access and to provide an alternate access for emergency vehicles. The subject property consists of approximately one acre and is located adjacent to the school's western property line. The narrative indicates the school board has negotiated with the property owner of the one acre subject property to acquire the site with a perpetual easement for utilization as a second entrance to the school.

The plan provided indicates a proposed access drive along the western half of the southern boundary line of the existing school site with a 80' natural vegetative buffer along the south boundary line. The access drive is indicated to connect to a northward extension of Dudley Avenue. The Planning staff is presently reviewing a rezoning request on property to the north and west of the subject property, which includes a proposal to extend Dudley Avenue to the north. The narrative indicates the access will be restricted to bus traffic only. The petitioner proposes gating the drive after morning drop offs and afternoon pickups.

The school currently has one access point, at Dumont Avenue. The narrative indicates that the school enrollment is 1,097 students, although the addition of nine (9) portables since August 2004 has increased the school capacity to 1,385 students. The narrative indicates 20 school bus routes serve the school.

The petitioner has provided a transportation analysis of the school site produced in May 2004. The traffic analysis examines forecasted traffic demands at the school site with the proposed bus access at Dudley Avenue taken into account. The traffic analysis recommends consideration of a southbound left turn lane on Dumont Avenue at Coronado Drive and exclusive left and right turn lanes on Coronado Drive at Dumont Avenue, consideration of a traffic signal at the Coronado Drive/Dumont Avenue intersection, consideration of pedestrian traffic control at the Coronado Drive/Dumont Avenue intersection and consideration of improvements to facilitate afternoon on-site traffic flow.

The County Engineer indicates that if the request is approved, the petitioner shall be required to work with County staff to assist in improving the traffic flow on and around the school site, because even with the proposed bus access via Dudley Avenue and the petitioner's proposed turn-lane

improvements, the Dumont Avenue access will continue to have vehicle storage problems. The County Engineer does not object to the petitioner's proposed improvements, but recommends additional improvements including constructing a sidewalk on the east side of Dumont Avenue from Drysdale Street to Coronado Drive, including ADA ramp connections on both sides of Coronado Drive, reviewing and upgrading all traffic control signs and pavement markings on the streets accessing the campus and reviewing and upgrading all traffic control signs and pavement markings onsite to appropriate standards.

FINDINGS OF FACT

The area is characterized by single family residential and institutional uses and undeveloped parcels. The subject property is adjacent to the J.D. Floyd Elementary School and Spring Hill single family residential development.

The subject property is located within the residential land use category on the County's adopted Future Land Use Map. The proposed access for the existing educational facility is considered a public facility which is an allowable use in any land use category provided the proposed use is consistent with the policies contained in the adopted Comprehensive Plan. The proposed use must also receive the appropriate land use approval. Consistency with the Comprehensive Plan is determined through the public hearing process to obtain the land use approval.

Policy 1.01I(3) indicates that school siting decisions shall be consistent with the standards established in the Florida Statutes, which indicate that school boards shall coordinate with the long-range or comprehensive plans of local, regional, and state governmental agencies to assure the consistency of such plans.

Policy 1.01(I)(4) requires that school siting approvals are consistent with appropriate service standards, including provision of adequate transportation infrastructure. The Planning staff is of the opinion that the J. D. Floyd Elementary school site needs a second entrance.

Policy 1.01I(7) provides locational criteria to be reviewed in determining the appropriateness of a proposed school site. The criteria include compatibility with existing and projected uses of adjacent properties and the site area of the proposed location providing sufficient area to accommodate all needed utilities and support facilities and allow for adequate buffering of surrounding land uses. The Planning staff is of the opinion the proposed 80' natural vegetative buffer along the southern property line provide an adequate buffer to minimize the impacts generated by the proposed bus traffic.

The criteria also requires adequate public services and facilities to support the public educational facility based on the Capital Improvement Program of the School Board and the County's Comprehensive Plan; the petitioner has asserted this criteria is met.

The criteria requires the site have no significant environmental constraints that would preclude development of a public educational facility on the site, the location be well drained and soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements, no conflict with the County's Stormwater Management Plan and any watershed management plans adopted by the County if applicable. The Planning staff is of the opinion environmental conditions do not prohibit the development of the site.

The criteria require the site not be located in a velocity zone or a flood way, can accommodate the required parking and anticipated queuing of vehicles onsite and lies outside the area regulated by Section 333.03(3), F.S., regarding the construction of public educational facilities in the vicinity of the airport. The subject is located in flood zone C, which does not prohibit development. The Planning staff is of the opinion that the site is potentially large enough to accommodate the proposed traffic access and circulation features. The petitioner has noted the site lies outside the area regulated by Section 333.03(3), F.S., regarding the construction of public educational facilities in the vicinity of an airport.

The criteria requires there will be no adverse impact on archaeological or historic sites listed in the National Register of Historic Places or designated by a local government as locally significant historic or archaeological resources. County data resources indicate no archaeological or historic sites are located on the subject property.

Policy 1.01I(9) indicates that educational facilities including an elementary school and middle school shall have direct access to at least a minor collector roadway or as otherwise approved by the local government after determination of acceptable traffic impacts on adjacent roads of lesser classification. The subject property is located in an area served only by local roadways. The Planning staff is of the opinion that the proposed second entrance helps facilitate the traffic to this 1,400 student school which furthers compliance with the comprehensive plan.

The staff is of the opinion that a public service facility overlay district for a public educational facility is appropriate, based on the following conclusions:

1. The proposed public service facility overlay district for a public educational facility, with appropriate performance conditions, would be compatible with the surrounding land uses.
2. The proposed public service facility overlay district for a public educational facility is consistent with the County's adopted comprehensive plan and is compatible with all performance conditions set forth 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 public service facility overlay district for a public educational facility, with the following performance conditions:

1. The petitioner must obtain all applicable permits from Hernando County for either construction or use of the property.
2. The petitioner shall be required to comply with the County's land development regulations and to secure review of the site plan through the development review process to ensure compliance with the LDRs.
3. The petitioner shall work with the County Engineer to assist in improving the traffic flow on and around the school site prior to any construction.
4. The petitioner shall construct a sidewalk on the east side of Dumont Avenue from Drysdale Street to Coronado Drive, including ADA ramp connections on both sides of Coronado Drive.
5. All traffic control signs and pavement markings on the streets accessing the campus shall be updated, and all traffic control signs and pavement markings onsite upgraded to the appropriate standards.
6. Prior to any construction on the property, the special exception use permit for J.D. Floyd Elementary School shall be modified to reflect the driveway along the western boundary of the SE use site.
7. The petitioner shall provide a minimum 15' wide vegetated buffer, a maximum of three feet (3') in height and 80% opacity along the west side and north side of the driveway. The petitioner shall provide the minimum 80' wide natural buffer along the south side of the driveway as indicated on the plan.
8. The approval is for a driveway as specifically indicated on the plan.

P&Z RECOMMENDATION:

On March 14, 2005, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request for a public service facility overlay district for a public educational facility, with the following performance conditions:

1. The petitioner must obtain all applicable permits from Hernando County for either construction or use of the property.
2. The petitioner shall be required to comply with the County's land development regulations and to secure review of the site plan through the development review process to ensure compliance with the LDRs.
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8. The approval is for a driveway as specifically indicated on the plan.

BCC ACTION:

On April 13, 2005, the Board of County Commissioners voted 5-0 to adopt Resolution #2005-100 approving the petitioner's request for a public service facility overlay district for a public educational facility, with the following performance conditions:

1. The petitioner must obtain all applicable permits from Hernando County for either construction or use of the property.
2. The petitioner shall be required to comply with the County's land development regulations and to secure review of the site plan through the development review process to ensure compliance with the LDRs.
3. The petitioner shall work with the County Engineer to assist in improving the traffic flow on and around the school site prior to any construction.
4. The petitioner shall construct a sidewalk on the east side of Dumont Avenue from Drysdale Street to Coronado Drive, including ADA ramp connections on both sides of Coronado Drive.
5. All traffic control signs and pavement markings on the streets accessing the campus shall be updated, and all traffic control signs and pavement markings onsite upgraded to the appropriate standards.
6. The petitioner shall provide a minimum 15' wide vegetated buffer, a maximum of three feet (3') in height and 80% opacity along the west side and north side of the driveway. The petitioner shall provide the minimum 80' wide natural buffer along the south side of the driveway as indicated on the plan.
7. The approval is for a driveway as specifically indicated on the plan.