

STAFF REPORT

Planning & Zoning Commission: August 8, 2005
Board of County Commissioners: September 14, 2005
Board of County Commissioners: October 12, 2005

APPLICANT: Hernando County School Board **FILE NUMBER:** H-05-67

PURPOSE: Request for a Public Service Facility Overlay District for a Public Education Facility

GENERAL

LOCATION: North side of Killian Street, east side of Roble Avenue, approximately 350' west of Mariner Boulevard

LEGAL

DESCRIPTION: Tract A, Spring Hill, Unit 20, as per plat thereof recorded in Plat Book 9, Pages 65- 80, of the Public Records of Hernando County, Florida in Section 5, Township 23 South, Range 18 East

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

CITIZEN RESPONSE: FOR: 0 AGAINST: 0

STAFF FINDINGS:

Surrounding Zoning

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

Surrounding Land Uses

Spring Hill Elementary
Single family
Single family, undeveloped
Single family

SUMMARY OF REQUEST

The petitioner requests a Public Service Facility Overlay District for a Public Education Facility. The subject property is located on the north side of Killian Street, east side of Roble Avenue, approximately 350' west of Mariner Boulevard.

FACTUAL INFORMATION

1. The property is currently zoned PDP(REC).
2. The property comprises approximately six (6) acres.

3. The site has been developed with sports playing fields.
4. The site has been cleared and appears to contain specimen, but no majestic, trees.
5. The subject property has access from Roble Avenue and Killian Street.
6. The subject property is located within an educational 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 contains a WHPA-1, but no wetlands 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 single family and institutional uses, and undeveloped parcels.
13. The petitioner has not requested any deviations from the County's LDRs.

STAFF DISCUSSION

The petitioner has submitted a request for a public service facility overlay district for a public educational facility on a 6 acre parcel zoned PDP(REC). The petitioner proposes developing the site with a kindergarten through fifth grade school. The petitioner proposes developing the site with 24 classrooms, outdoor play yards, a cafeteria multipurpose facility, administration media center, parking and parent and bus drop-off. The petitioner indicates that if the PSFOD request is approved, the School Board may designate the facility either as a stand-alone school or an expansion of Spring Hill Elementary's facilities. The petitioner indicates the student population at Spring Hill Elementary is approximately 1,000 students and the proposed facility would accommodate approximately 500 students. The proposal provides no interconnection between the proposed school site or Spring Hill Elementary. The petitioner indicates that if the request is approved, the concept will include pedestrian interconnection between Spring Hill Elementary and the subject property and some facilities may be shared.

A school is not a permitted use on the site 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.

The school board acquired the site from the Deltona Corporation in 1987. The deed indicates the property is to be used for a school playground and for the conduct of related active and passive recreational activities. Although the County does not enforce deed restrictions, it does take such restrictions into consideration when determining the character of the neighborhood.

The subject property is zoned PDP(REC). Development within a PSFOD must meet the dimension and area regulations of the underlying zoning district. The setbacks required for the PDP(REC) zoning category are 75' front, 25' side and 25' rear. Additionally, the LDRs indicate no building, structure or use within a public service facility overlay district shall be located closer than fifty (50) feet to the property line of an adjoining parcel containing a residence or the property line of a residentially zoned parcel. The site is adjacent to PDP(SF) lots on the east side.

In order to minimize adverse impacts to the surrounding land uses, the Planning staff would recommend that if the request is approved, the petitioner should be required to provide a lighting plan during the development review process which would orient the lights away from the surrounding residential land uses to enhance compatibility.

The petitioner would be required to comply with the County's landscaping regulations which address issues such as minimum buffers and internal landscaping. For purposes of applying the landscaping regulations, any type of project that is zoned and approved for commercial, industrial, institutional, multifamily, office professional, public service facility, recreational or their equivalent use is considered commercial. The plan submitted does not indicate any landscaping.

The Utilities Department has indicated that central water and sewer are available to serve the subject site. The Utilities Department notes a sewer pump station is located of the north of the subject property at the existing school site.

The County Engineer has reviewed the plan and noted that the driveways located in the southwest corner of the property appear to be located too close to each other and too close to the Killian Street/ Roble Avenue intersection. The County Engineer has indicated that if the request is approved, no stacking will be allowed on the County ROW.

The Transportation Planning Coordinator indicates the subject property is located proximate to a section of Mariner Boulevard operating at LOS D.

The subject property is within a WHPA-1 for a public supply well. The proposed land use with central services is allowed within this designation.

FINDINGS OF FACT

The area is characterized by single family and institutional uses, and undeveloped parcels. Spring Hill Elementary is located north of the subject property. Spring Hill single family residential development is located to the east, west and south.

The subject property is located within an educational land use classification on the adopted Future Land Use Map. A school is an allowed use in the educational land use classification. The proposed 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. These standards include an adequate capacity review to ensure the provision of water and sewer services, and the provision of adequate transportation infrastructure. The petitioner is proposing central water and sewer to serve the subject property. The Utilities Department has indicated that central water and sewer are available to serve the subject site. The Transportation Planning Coordinator indicates there is adequate transportation infrastructure to serve the site.

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 petitioner is not indicating any buffering along the eastern boundary adjacent to the existing residential development. The Planning staff is of the opinion that a minimum 20' buffer with 80% opacity should be constructed along the east lot line adjacent to single family residential development.

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 with educational facilities.

The County's generalized mapping indicates the subject property contains a WHPA 1. As defined under the Groundwater Protection Ordinance, the proposed use would not be prohibited within a WHPA 1.

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 properly designed parking 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. The subject property is located on local roadways but has access to Mariner Boulevard, a collector roadway, via the Spring Hill Elementary property to the north.

Policy 1.01I(9) also indicates that outdoor recreational facilities and similar support facilities shall be located and buffered on the proposed site to minimize impacts on adjacent properties. The site plan does not indicate the location of any proposed outdoor recreational facilities. The petitioner has verbally indicated recreational facilities such as a softball field and playing fields will be located in the southern portion of the site. If the request is approved, the Planning staff is of the opinion a revised plan showing outdoor recreational facilities located a minimum of 50' from all property lines.

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. During the development review process, the petitioner shall provide a lighting plan orienting lighting away from the adjacent residential properties.
4. An on-site traffic flow and management study shall be approved by the County Engineer prior to any construction.
5. No stacking of cars will be allowed on County ROW.
6. The minimum building setbacks from:
west and south: 75'
east: 50'
north: 25'
7. Recreational facilities such as a softball field and playing fields will be located in the southern portion of the site a minimum of 50' from all property lines.
8. A minimum 20' wide buffer minimum 5' in height and 80% opacity shall be constructed along the eastern boundary of the subject property adjacent to the single family residential.
9. The petitioner shall enter into a water and sewer agreement with the County.
10. The petitioner shall provide pedestrian interconnection between the school site and Spring Hill Elementary to the north.

11. Building entrances and pedestrian accessways shall be oriented internally on the site.
12. The petitioner shall provide a revised plan reflecting the performance conditions prior to the BCC meeting.

P&Z RECOMMENDATION:

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 modified 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. During the development review process, the petitioner shall provide a lighting plan orienting lighting away from the adjacent residential properties.
4. An on-site traffic flow and management study shall be approved by the County Engineer prior to any construction.
5. No stacking of cars will be allowed on County ROW.
6. The minimum building setbacks from:
 - west and south: 75'
 - east: 50'
 - north: 25'
7. Recreational facilities such as a softball field and playing fields will be located in the southern portion of the site a minimum of 50' from all property lines.
8. A minimum 20' wide buffer minimum 3' 5' in height and 80% opacity shall be constructed along the eastern boundary of the subject property adjacent to the single family residential. (Staff does not object to the modification made by the P&Z).
9. The petitioner shall enter into a water and sewer agreement with the County.
10. The petitioner shall provide pedestrian interconnection between the school site and Spring Hill Elementary to the north.

11. Building entrances and pedestrian accessways shall be oriented internally on the site.
12. The petitioner shall provide a revised plan reflecting the performance conditions prior to the BCC meeting.

NOTE:

At the August 8th P&Z hearing, the petitioner provided a traffic study for the staff to review. The County Engineer notes the study does not meet County standards for a traffic study. The Transportation Planning Coordinator notes the traffic study does not consider the existing Spring Hill Elementary student population or the estimated staff population for the proposed school site.

BCC ACTION:

On September 14, 2005, the BCC voted 5-0 to postpone this petition until the October 12, 2005, BCC hearing at 9:00 a.m.

On October 12, 2005, the Board of County Commissioners voted 5-0 to adopt Resolution # 2005-278 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. During the development review process, the petitioner shall provide a lighting plan orienting lighting away from the adjacent residential properties.
4. An on-site traffic flow and management study shall be approved by the County Engineer prior to any construction.
5. No stacking of cars will be allowed on County ROW.
6. The minimum building setbacks from:

west and south:	75'
east:	50'
north:	25'
7. Recreational facilities such as a softball field and playing fields will be located in the southern portion of the site a minimum of 50' from all property lines.

8. A minimum 20' wide buffer minimum 3' 5' in height and 80% opacity shall be constructed along the eastern boundary of the subject property adjacent to the single family residential. (Staff does not object to the modification made by the P&Z).
9. The petitioner shall enter into a water and sewer agreement with the County.
10. The petitioner shall provide pedestrian interconnection between the school site and Spring Hill Elementary to the north.
11. Building entrances and pedestrian accessways shall be oriented internally on the site.
12. The petitioner shall provide a revised plan reflecting the performance conditions prior to the BCC meeting.

NOTE: The petitioner is required to advise Anna Calleri of the site plan for this project.