

**STAFF REPORT**

Planning & Zoning Commission: April 10, 2006

Board of County Commissioners: May 10, 2006

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**APPLICANT:** BDC Investors LLC, et al. **FILE NUMBER:** H-06-27

**PURPOSE:** Establishing a Master Plan for Property Zoned PDP(MF)/Planned Development Project (Multifamily), including a Change in Access Points and a Reduction in Setbacks

**GENERAL**

**LOCATION:** West side of the Suncoast Parkway, approximately 1,000’ east of Barclay Avenue, approximately 2,100’ south of Powell Road, approximately 2,000’ north of Spring Hill Drive

**LEGAL**

**DESCRIPTION:** A portion of Section 14, Township 23 South, Range 18 East, Hernando County, FL

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

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**CITIZEN RESPONSE:** FOR: 0 AGAINST: 0

**STAFF FINDINGS:**

<u>Surrounding Zoning</u>	<u>Surrounding Land Uses</u>
North: CPDP	DRA
South: PDP(GC)	Undeveloped
East: CPDP, PDP(SF)	Suncoast Parkway
West: PDP(MF)	Suncoast Villas

**SUMMARY OF REQUEST**

The petitioner requests to establish a master plan for property zoned PDP(MF). The subject property is located on the west side of the Suncoast Parkway, approximately 1,000’ east of Barclay Avenue, approximately 2,100’ south of Powell Road, approximately 2,000’ north of Spring Hill Drive.

**FACTUAL INFORMATION**

1. The property is currently zoned PDP(MF).
2. The property comprises approximately ten (10) acres.

3. The site is undeveloped.
4. The site contains no majestic or specimen trees.
5. The subject property has no direct access to a County roadway.
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 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 multifamily and single family residential uses, education and commercial uses and undeveloped parcels.
13. The petitioner has not requested any deviations from the County's LDRs.

#### **STAFF DISCUSSION**

The petitioner requests to establish a master plan for property zoned PDP(MF). The subject property is part of a larger project which was approved in November 2000 with PDP(MF) and (GC) zoning. The master plan has expired. The petitioner is seeking to establish a new master plan on the MF portion of the prior approval. The previous master plan approved a maximum density of 16 units per acre.

The prior approval required a minimum 15' separation distance between buildings, a 10' buffer along the east property line and a 10' setback from the south property line.

The subject property is located adjacent to the Holland Spring DRI, which has been developed with Suncoast Villa Apartments at this location. The subject request proposes an extension of Suncoast

Villas apartments. It is the staff's opinion that the request would not require any modifications to the DRI and has notified the DCA of the request.

The petitioner proposes developing the site with twelve (12) single-story multifamily buildings, each containing eight (8) units. The plan shows a 20' setback along the north property line and 10' setbacks along the east, west and south property lines. A minimum 10' buffer is shown along the east property line adjacent to the Suncoast Parkway. The minimum setbacks for a multifamily development is 25' front, 10' side, 20' rear. The petitioner has provided no justification for the reduction in setbacks.

The LDRs have multifamily design standards required for PDP(MF). These standards address building facades, roofing, open space, parking and internal access design. The LDRs indicate that when parking spaces are placed within entry aisles to a garage, an additional thirty (30) percent of the required parking must be provided within common areas throughout the project. The plan provided does not meet that standard. The multifamily design standards require a minimum 15% of the gross area be provided as open space, which would be a minimum of 1.5 acres of the 10 acre subject property. The plan does not indicate the open space acreage proposed. The LDRs require a minimum separation distance of 15' between buildings; the plan meets that standard.

The petitioner proposes serving the site with central water and sewer service. The Utilities Department has indicated that central water and sewer are available to serve the subject site. A 12" water line is located on the east side of Barclay Avenue and an 8" gravity sewer system is located within Barclay Avenue. The applicant will have to connect to water and sewer to support the proposed MF development.

The Airport Director was notified of the request; however, no comments have been received.

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 Transportation Planning Coordinator indicates that presently the surrounding roadways have no capacity issues; however, future development of the adjacent commercial property will impact the remaining capacity.

The subject property has no direct access to a County roadway. The petitioner proposes providing one access point to the west through the existing Suncoast Villas apartment development. The access through Suncoast Villas does not meet county roadway standards, it is essentially a driveway. The plan submitted by the petitioner indicates a second access to the project through the property to the south to Spring Hill Drive. The petitioner's indicate that this access is not proposed to be developed at this time. The BCC has a policy of requiring a minimum of two (2) access points for residential development pods. The project, as proposed, does not provide adequate access.

The County Engineer indicates that if the request is approved, the petitioner would be required to fill in the DRA on the existing Suncoast Villas Apartment to provide the proposed access into the subject property, and shall provide the second access south to Spring Hill Drive limited to a right-in/right-out.

The Hernando County School Board indicates that the request would generate approximately 32 additional students. Elementary schools students would be assigned to J. D. Floyd Elementary School, middle school students would be assigned to Powell Middle School, and high school students would be assigned to Hernando High School. These schools are currently over permanent capacity. The comments received by the School Board are attached to this report.

The City of Brooksville and the Florida Turnpike Headquarters have been notified of the request; no responses have yet been received.

### **FINDINGS OF FACT**

The area is characterized by multifamily and single family residential uses, education and commercial uses and undeveloped parcels. The Suncoast Villas apartment complex is located to the west. A DRA is located to the north. The Suncoast Parkway is located to the east. Undeveloped PDP(GC) property is located to the south.

Land uses allowed in the residential land use classification, with appropriate land use approvals, include single family residential densities up to 5.4 units per acre, resort residential, and ancillary uses such as recreation, churches and community centers. Land uses which can be located in this category with performance standards include multifamily housing up to 16 units per acre, rural residential, neighborhood commercial, commercial extending from commercial nodes with a functioning frontage road, unless it is determined that wetlands or existing development make frontage road extension unfeasible, offices and professional, schools, hospitals and minor public facilities.

The multifamily density proposed is approximately 9.6 units per acre. Policy 1.01F(7) provides criteria for determination of appropriate locations of higher residential densities greater than 4.0 units per acre which include such things as proximity to existing or designated commercial areas or corridors or major employment centers, direct access to arterial or collector roadways, character and density of existing or approved residential development of close proximity, service by water and sewer facilities, provision of open space beyond minimum county standards, aesthetic or architectural quality. It is the staff's opinion the density proposed is consistent with the adopted Comprehensive Plan. The subject property is proximate to commercial areas, has access to collector roadways, can be served by central services and has sufficient acreage to be served with the minimum required open space.

The project as proposed, does not provide the minimum two access points required by County policy.

The Planning staff is of the opinion that the petitioner's request to establish a master plan for property zoned PDP(MF) is not appropriate, based on the following conclusion:

1. The proposed development does not provide a minimum of two (2) access points as required by the BCC policy regarding residential development pods.

**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 Concurrence. 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 # \_\_\_\_\_ denying the petitioner's request to establish a master plan for property zoned PDP(MF).

**P&Z RECOMMENDATION:**

*The School Board of Hernando County, Florida*

919 North Broad Street  
Brooksville, FL 34601  
352-797-7000

**Facility & Support  
Operations  
8060 Mobley Road  
Brooksville, FL 34601  
Phone 352-797-7096**

**Superintendent**  
*Wendy L. Tellone, Ed.D.*  
**Chairperson**  
*Robert Wiggins*  
**Vice Chairperson**  
*Jim Malcolm*  
**Members**  
John Druzbeck  
Pat Fagan  
Sandra Nicholson

March 20, 2006

Christopher Mettler  
Hernando County Planning Department  
20 North Main Street, Room 262  
Brooksville, FL 34601

Dear Chris:

I reviewed the proposed rezoning requests that you forwarded to me for the April P & Z meeting. My comments are listed below for consideration during the staff's review.

In reference to **H-06-27** the request from BDC, LLC to Establish a Master Plan for a 10 acre site with 96 multi-family units, I offer the following:

Schools for which students from this development will be zoned:  
Elementary (K-5) – J.D. Floyd Elementary School  
Middle (6-8) – Powell Middle School  
High (9-12) – Hernando High School

This rezoning request is expected to have an impact to the District with an increase of an additional 32 students. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$175,000 and 1.5 teachers at an estimated cost of \$75,000. However, the state requires us to build permanent capacity facilities to support their goal of eliminating portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 32 additional students. This worksheet shows an estimated impact in excess of school taxes between \$283,968 and \$289,728.

In reference to **H-06-40** the request from Hampton Ridge Partners, LLC to rezone a 78.9 acre site with 128 single family lots, I offer the following:

Schools for which students from this development will be zoned:  
Elementary (K-5) – Moton Elementary School  
Middle (6-8) – D.S. Parrott Middle School  
High (9-12) – Hernando High School

This rezoning request is expected to have an impact to the District with an increase of an additional 43 students. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$175,000 and 2 teachers at an estimated cost of \$100,000. However, the state requires us to build permanent capacity facilities to support their goal of eliminating portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 43 additional students. This worksheet shows an estimated impact in excess of school taxes between \$386,013 and \$393,693.

In reference to **H-06-37** the request from J. Lewless Holdings, LLC to rezone a 79.6 acre site with 230 single family lots, I offer the following:

Schools for which students from this development will be zoned:

Elementary (K-5) – Eastside Elementary School  
Middle (6-8) – D. S. Parrott Middle School  
High (9-12) – Hernando High School

This rezoning request is expected to have an impact to the District with an increase of an additional 77 students. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$350,000 and 3.5 teachers at an estimated cost of \$175,000. However, the state requires us to build permanent capacity facilities to support their goal of eliminating portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 77 additional students. This worksheet shows an estimated impact in excess of school taxes between \$687,729 and \$701,529.

In response to **H-06-42**, the request to rezone from GGW, LLC and BTM, LLC it appears that residential units are planned, however, not enough information was provided to allow me to comment. If need be, I will make my comments at the public input portion of the meeting.

It appears that the request from GCMB Properties, LLC **H-06-16** will have no student impact; however if children are allowed to reside in the proposed condominium units the impact will be as follows:

Schools for which students from this development will be zoned:  
Elementary (K-5) – Moton Elementary School  
Middle (6-8) – D. S. Parrott Middle School  
High (9-12) – Hernando High School

This rezoning request is expected to have an impact to the District with an increase of an additional 96 students. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of \$350,000 and 4 teachers at an estimated cost of \$200,000. However, the state requires us to build permanent capacity facilities to support their goal of eliminating portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 96 additional students. This worksheet shows an estimated impact in excess of school taxes between \$851,904 and \$869,184.

**H-06-31, H-06-32, H-06-36 and H-06-39** will have minimal impact to the Hernando County School District as each of these will generate less than 10 students.

The request from Levitt Homes, LLC **H-06-41** will have no student impact to the Hernando County School District.

Sincerely,

Ken Pritz

Hernando County School Board  
Facility & Support Operations, Executive Director