

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: July 9, 2007  
Board of County Commissioners: August 8, 2007

**APPLICANT:** Landshore of Sherman Hills, LLC

**FILE NUMBER:** H-07-28

**PURPOSE:** Revision to a master plan on property zoned C/PDP (MF) and (SF)/Combined Planned Development Project(Multifamily) and (Single Family), to relocate a drainage retention area and amenities area

### GENERAL

**LOCATION:** East end of Willow Bank Avenue, west side of Sherman Hills Boulevard, approximately 1000' north of SR 50

### LEGAL

**DESCRIPTION:** A portion of Section 32, Township 22 South, Range 21 East, Hernando County, FL

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

### CITIZEN

**RESPONSE:** Correspondence received as of the date of this report? Yes  No

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### APPLICANT'S REQUEST:

The petitioner is requesting to relocate a drainage retention area and amenities area. The narrative indicates that the previously approved amenities area would be moved from the northwest corner (Lot 1) to the middle of the subject site (Lot 24). In its place, Lot 1 will be utilized for a drainage retention area and further act as a buffer along the property's north property line (Sherman Hills Subdivision). No additional lots or changes are proposed. The current master plan was approved by the Board of County Commissioners on November 8, 2006.

### SITE CHARACTERISTICS:

**Site Size:** 16.17 acres

**Surrounding Zoning; Land Uses:** North: PDP(SF); Single Family  
South: PDP(GHC); Commercial

East: PDP(SF) & PDP(GHC); Single Family & Commercial  
West: PDP(SF) & PDP(GHC); Single Family & Commercial

**Current Zoning:** PDP(MF), (SF) and (GHC)

**Future Land Use Map Designation:** Residential

**Flood Zone:** C

**SITE CIRCUMSTANCES:**

On November 8, 2006, the Board of County Commissioners voted 3-2 to approve the petitioners request for establishing a master plan and rezoning from PDP(Single Family) and PDP(General Commercial) to PDP(Multifamily). The 17.73 acre site is part of Ridge Manor West vested mixed use project and was originally designated as single family, multifamily and general commercial. The request was approved for 252 multifamily units and 21 single family attached units.

The rules governing master plan approvals require that changes adjacent to the perimeter of the site that alter the master plan, would otherwise require the approval for a deviation to the approved master plan.

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler fine sand

**Hydrologic**

**Features:** The subject property contains no wetlands according to County sources.

**Protection**

**Features:** The subject property is within Well Head Protection Areas (WHPA) 1 and 2 associated with the public water supply well. The proposed use is allowable within these designation. No Special Protection Areas (SPA) according to County sources

**Habitat:**

The site may contain majestic and specimen trees. Candler fine sand provides a habitat suitable for gopher tortoises. Given the presence of the candler fine soils, gopher tortoise habitat and several commensal species have a moderate potential for occurring on the project site including eastern indigo snake (*Drymarchon corais*), Florida mouse (*Podomys floridanus*), Florida pine

snake (*Pituophis melanoleucus mugitus*), and gopher frog (*Rana areolata*). Since there is the potential for this listed Species of Special Concern to be present, the site should be inspected prior to construction. Due to the species' protected status, the destruction of their burrows constitutes taking under the law except as authorized by a specific permit. As part of the Development of Regional Impact, there were specific requirements relative to wildlife mitigation. Documentation of compliance will have to be provided by the petitioner prior to any development on the site. 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.

**ENGINEERING & TRANSPORTATION REVIEW:**

The subject property has access from Willow Bank Avenue and Sherman Hills Boulevard.

All previous conditions set forth by the County Engineer and Transportation Planner and approved by the Board of County Commissioners are in full force and effect.

**UTILITY REVIEW:**

The Utilities Department has indicated that central water and sewer are available to serve the subject site. There is an existing 8-inch waterline on the west side of Barcelona Boulevard, a 6-inch waterline on the south side of Willow Bank Avenue and a 6-inch waterline on the east side of Windmere Road. There is an existing sewer pump station in an easement within the parcel, near the northwest corner of the parcel. There is also an 8-inch gravity sewer system in Windmere Road and Barcelona Boulevard.

Capacity of the existing infrastructure is dependent on the engineer's estimated flows for this parcel. Existing water and sewer upgrades may be required to supply the proposed development. The applicant will have to connect to water and sewer at the time of development, and demonstrate compliance with the connection standards of the applicable ordinances at the time they apply for development permits.

**LAND USE REVIEW:**

The request is to locate a drainage retention area (DRA) along the northwest boundary of the project (Lot 1) and relocate the amenities area to an internal lot (Lot 24). The relocation of the drainage retention and amenities area will not impact the master plan beyond its initial approval. No other modifications to the master plan are indicated, as well as no changes in the previously approved density.

County PDP master plan revision rules require that the relocation of land uses which are either adjacent to platted or developed portions of the project, adjacent to the project perimeter and changes that alter the proposed concept of the development, are considered a substantial deviation and require modification to the approved master plan and approval by the governing body.

All setbacks previously approved by the Board of County Commissioners remain. Any modifications to the Board approved setbacks will require a master plan revision.

**COMPREHENSIVE PLAN REVIEW:**

The subject property is located in an area characterized by a mixture of commercial and residential uses.

The subject site is located within a residential land use category on the adopted future land use map. The subject property is located within a residential land use classification on the adopted Comprehensive Plan which Establish a Residential Land Use Category where the land uses allowed are: Single family residential densities up to 5.4 units/acre, resort residential, and ancillary land uses such as recreation, churches, and community centers. Land uses which can be located in this category with performance standards being met include multifamily housing up to 16 units/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 subject request is considered high density pursuant to the adopted comprehensive plan. The petitioner's proposal is consistent with the adopted comprehensive plan and the Ridge Manor Master Plan.

The proposed revisions to the master plan would be appropriate, based on the following conclusions:

1. The proposed revisions to the master plan are consistent with residential future land use designation as provided for in the adopted comprehensive plan.
2. The proposed revisions to the master plan are consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land use with performance conditions.

**NOTICE OF APPLICANT RESPONSIBILITY:**

*The master plan 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 RECOMMENDATIONS:**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # \_\_\_\_\_ approving the petitioner's request for revisions to a master plan on property zoned C/PDP (MF) and (SF)/Combined Planned Development Project(Multifamily) and (Single Family), to relocate a drainage retention area and amenities area with the following conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. Modifications will be limited to Lots 1 and 24 as indicated on the petitioners master plan. Lot 1 shall be utilized for a drainage retention area and lot 24 shall be utilized for the amenities area as described on the master plan.
3. All previous conditions of approval are in full force and effect.