

STAFF REPORT

HEARINGS: Planning & Zoning Commission: October 8, 2007
Board of County Commissioners: November 14, 2007

APPLICANT: Harvest Development Company, LLC

FILE NUMBER: H-07-46

PURPOSE: Establishing a Master Plan on property zoned PDP(MF)Planned Development Project (Multifamily) with a Congregate Care Facility

GENERAL

LOCATION: Southwest corner of Barclay Avenue and Silverthorn Boulevard

LEGAL

DESCRIPTION: A portion of Section 10, Township 23 South, Range 18 East of 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

APPLICANT'S REQUEST:

The petitioner requests to establish a master plan on a 30 acre property zoned PDP(MF)/Planned Development Project (Multifamily). A 5 acre portion of the site will be developed with a 118 suite congregate care facility. The petitioner's intent is to only develop the 5 acre parcel and leave the remaining 25 acres to be developed under a separate entity which will require a separate master plan approval prior to its development.

The petitioner has indicated that the proposed Congregate Care Facility will cover a single use for a congregate retirement residence. The retirement residence will contain 118 independent senior suites which will be one (1) and two (2) bedroom studios. The private suites will not be full dwelling units and will contain no kitchens. The petitioner has indicated that the majority of residents are single and an approximate 10% are couples, making the facility population an average of 130 residents. The facility is designed for those who are still ambulatory, but need some support.

The proposed layout will accommodate a 3-story 105,000 square foot facility. To reduce neighborhood impact the proposed winged ends of the 3-story building will be designed as step downs from floor to floor.

The retirement residence is operated as a private residence, visitors are welcome at any time and as such the facility is open 24 hours a day. The facility will have two (2) couples that live on site and serve as managers and co-managers, and are available to residents at all times. The facility will employ 15 full-time equivalent staff members who will work in shifts during the day to provide three meals and house keeping.

SITE CHARACTERISTICS:

Site Size: 5 acres

Surrounding Zoning; Land Uses: North: AR; Undeveloped
South: CPDP; Undeveloped
East: PDP(SF); Single Family
West: PDP(SF); Single Family

Current Zoning: PDP(MF)/Planned Development Project (Multifamily)

Future Land Use Map Designation: Residential

Flood Zone: C

SITE CIRCUMSTANCES:

On February 7, 1995, the Board of County Commissioner voted 5-0 to approve a request to rezone approximately 60.0 acres to Combined Planned Development. The request included the 30.0 acres to PDP(MF) which is the portion under consideration in this master plan request.

ENVIRONMENTAL REVIEW:

Soil Type: Candler Fine Sand

Hydrologic Features: The subject property contains no wetlands or Special Protection Areas (SPA), according to County data resources.

Protection Features: The subject property is within a WHPA 2 associated with a public supply well. The proposed use is allowable within this designation.

Habitat: 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, and a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.

ENGINEERING & TRANSPORTATION REVIEW:

The site is located at the southwest corner of the Barclay Avenue and Silverthorn Boulevard intersection. The petitioner is proposing a boulevard entrance off of Barclay Avenue, which will be constructed from Barclay Avenue to the subject site’s west property line.

The County Engineer has reviewed the petitioner’s request and indicated that if the request is approved, the petitioner must coordinate with the County Engineer to provide additional right-of-way for the future expansion of Barclay Avenue.

The Transportation Planning Coordinator has reviewed the request and indicated that the proposed use is not expected to have a significant impact upon Barclay Avenue. If approved, the petitioner must coordinate the project’s traffic study with the County Engineering.

UTILITIES REVIEW:

The Utilities Department has indicated that central water and sewer capacity is available to serve the subject site. There is an existing 6-inch water line on Silverthorn Boulevard. There is an existing 8-inch gravity line located at the intersection of Secretariat Run and Silverthorn 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 master plan submitted is conceptual in nature. The final design and development of the site will have to comply with the County’s LDRs relating to multifamily development. The

standards address the provision of minimum open space, internal setbacks, separation between buildings, building design, pedestrian connections, sidewalks, parking, etc.

The County LDRs have design standards for buffering. The buffer shall consist of a minimum five (5) foot landscaped separation. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) feet and a maximum height of five (5) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

Proposed enhanced vegetative buffers:

North: 10'

South: 10'

East: 25', which also includes a drainage retention area

West: 20'

Proposed Building Setbacks:

North: 35'

South: 73.7'

East: 73.6'

West: 53.5'

The petitioner's proposed setbacks meet or exceed the County's LDR recommended setbacks.

The petitioner has indicated that the proposed facility will be 3 stories. To reduce neighborhood impact the proposed winged ends of the 3-story building will be designed as step downs from floor to floor. County LDRs limit building heights within the multifamily district to 45' and/or 3-stories.

The LDRs have design standards required for PDP(MF)/Planned Development Project (Multifamily). These standards address building facades, roofing, open space, parking and internal access design. The design standards require a minimum 15% of the gross area be provided as open space, which would be a minimum of 0.75 acres for this 5.0 acre site. The petitioner has indicated that 2.82 acres are dedicated for open space. However, County LDR's define open space as usable and excludes drainage retention areas and required buffers. If approved, the petitioner must provide the required open space as required by the County's LDRs.

County LDRs require that new single family and multifamily developments 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 is proposing a boulevard entrance from Barclay Avnue to the projects western boundary.

The County's LDRs encourage Florida friendly design and the County's Comprehensive Plan requires development to adhere to green industries best management practices and distribution of Florida Yards & Neighborhoods (FYN) education to individual lot owners. The petitioner should coordinate with the Florida Yards & Neighborhoods (FYN) Coordinator as part of the development of the project.

The County LDRs require that congregate living facilities (ACLF) provide 0.5 spaces per bed based on maximum capacity. The petitioner is proposing 118 units, with a maximum of 130 residents. Based on a maximum capacity of 130 the proposed use would require 65 parking spaces. The petitioner has proposed 83 parking spaces for the subject site. At a parking ratio of 0.60 spaces per residence. The petitioner has indicated that less than 25% of residents drive, and the facility provides van transportation for resident use.

COMPREHENSIVE PLAN REVIEW:

The subject property is located within a Residential land use classification on the adopted Comprehensive Plan where the following land uses are allowed: 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 adopted comprehensive plan contains goals, objectives and policies that must be reviewed in determining appropriate land use intensities and densities.

Policy 1.01A(9) The Land Development Regulations shall establish a Planned Development Project (PDP) district which can be used for single use or mixed use projects, with flexibility in standards allowed if projects provide environmental protection, landscaping, increased open space, public facilities, innovative planning design or other appropriate public benefits.

Comment: The development is proposed as a planned development project, and any approval should include appropriate performance conditions.

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.

Comment: The subject property has access to Barclay Boulevard and is in an area characterized by single family, commercial and institutional uses. Commercial corridors and employment centers are accessible from the site.

Policy 1.01G(9): Require high density and medium density multi-family residential development to have appropriate open space, buffering, landscaping, and recreation areas suited to their density and design.

Comment: The master plan must meet the required open space and landscaping requirements of the County's LDR.

The establishment of a Master Plan on property zoned PDP(MF)Planned Development Project (Multifamily) with a Congregate Care Facility is appropriate with performance conditions, based on the following conclusions:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.
2. The rezoning would be compatible with the surrounding area subject to compliance with all performance conditions herein.

NOTICE OF APPLICANT RESPONSIBILITY:

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 RECOMMENDATIONS:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request to establish a Master Plan on property zoned PDP(MF)Planned Development Project (Multifamily) with a Congregate Care Facility with the following 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. Minimum Perimeter setbacks:
 - North: 35'
 - South: 73'
 - East: 73'
 - West: 53'
3. The petitioner shall coordinate with the County Engineer to reserve the additional right-of-way required along Barclay Avenue.
4. The petitioner shall construct the boulevard entrance from Barclay Avenue to the subject site's west property line, which shall be designed as a treed roadway/access way in accordance with the requirements of the County LDR's.
5. The maximum building height shall be 3 stories.
6. Maximum units approved is 118 units.
7. The petitioner shall provide a wildlife survey prepared by a qualified professional prior to any development occurring on the property. Further, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
8. The development shall meet Florida friendly design standards for landscaping.
9. To reduce neighborhood impact the proposed winged ends of the 3-story building will be designed as step downs from floor to floor.
10. The development shall be served by central water and sewer.

11. A minimum 15% usable open space shall be provided for the project.
12. The remaining undeveloped portion of the parcel shall require separate master plan approval prior to development.
13. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan within 30 business days from BCC approval will result in the zoning becoming null and void.