

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: November 13, 2023  
Board of County Commissioners: December 12, 2023

**APPLICANT:** Coastal ICF Construction Services

**FILE NUMBER:** H-23-42

**REQUEST:** Rezoning from PDP(OP)/ Planned Development Project (Office Professional) to CPDP (Combined Planning Development Project) with the R-3 use of multifamily residential and the C-2 use of mini-warehouse storage.

**GENERAL LOCATION:** Anderson Snow Rd, approximately 711' south of its intersection with Amero Ln, adjacent to Anderson Snow Park.

**PARCEL KEY NUMBER:** 1354135

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### APPLICANT'S REQUEST

The petitioner requests a rezoning of the subject property from PDP(OP)/ Planned Development Project (Office Professional) to CPDP (Combined Planning Development Project) with the R-3 use of multifamily residential and the C-2 use of mini-warehouse.

The petitioner proposes a multifamily townhome type development with 115 dwelling units and 33,100 square feet of mini-warehouse storage buildings to be primarily used by the residents of the development. The petitioner's plan has the northern 7.8-acres of the parcel designated as residential and the southern 2.4-acres designated as commercial. A gated pedestrian access to Anderson Snow Park as well as access to the Suncoast Trail are included in the proposed project as well as internal gated vehicular access for the storage units so residents will not have to get onto Anderson Snow Road to access their unit. Any storage units not used by the residents will be available to the public to rent.

The requested density for the residential portion of the project is 14.74 dwelling units per acre<sup>1</sup>. The petitioner created a website to show examples of their work and how the development **may** look once it is completed. The site is at: [www.palmlifecommercial.com/andersontrails](http://www.palmlifecommercial.com/andersontrails).

### Deviations

The petitioner requests the following deviations from the code:

- Minimum lot size: 800 square feet (deviation from 3,500 square feet) (Article IV, Section 2(4)(a))
- Minimum lot width at the building line (Article IV, Section 2(4)(b))

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<sup>1</sup> Density is calculated by using the number of dwelling units divided by the number of acres. The equation is:  $115 / 7.8 = 14.72$ .

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**SITE CHARACTERISTICS**

<b>Site Size:</b>	10.2 acres
<b>Surrounding Zoning &amp; Land Uses:</b>	North: PDP(REC)/ Planned Development Project (Recreation); Anderson Snow Sports Complex South: AG (Agricultural); FDOT Owned, Undeveloped East: Suncoast Parkway (SR 589) West: AG (Agricultural); Single Family Residential and undeveloped property.
<b>Current Zoning:</b>	PDP(OP)/ Planned Development Project (Office Professional) with a C-1 use.
<b>Future Land Use Map Designation:</b>	Residential

**ENVIRONMENTAL REVIEW**

<b>Soils:</b>	Candler Fine Sand. This sand provides habitat suitable for gopher tortoises (a listed species) and commensal species.
<b>Comments:</b>	A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional and submitted as a part of the application package for development permitting. The petitioner is required to comply with all applicable FWC regulations and permitting.
<b>Protection Features:</b>	There are no Special Protection Areas (Special Protected Areas (SPAs) on this site according to county data. This site may be in a Wellhead Protection Area (WHPA-2).
<b>Comments:</b>	Hernando County has evidence that this property may be in a Wellhead Protection Area-2 (WHPA-2). None of the proposed uses are prohibited from operating in a WHPA-2.
<b>Hydrologic Features:</b>	There are no Hydrologic Features (Sinkholes, Karst Sensitive Areas, and Wetlands) on this property according to county data.
<b>Habitat:</b>	The subject property is "Grass" according to FWC CLC mapping (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data). The Grass classification includes recreational or unpaved airport runways in which groundcover is dominated by clipped grass and less than 30% cover of trees.

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	Ornamental and/or native shrubs may be present, usually with less than 50% ground cover.
<b>Comments:</b>	Invasive plant or tree species, if present, are to be removed during the development process.
<b>Water Quality:</b>	The proposed development is within the Weeki Wachee River Basin Management Action Plan (BMAP), and the Weeki Wachee Outstanding Florida Springs (OFS) Group.
<b>Comment:</b>	Implementation of Florida Friendly Landscaping™ principles, techniques, and materials designed to conserve water and reduce pollutant loading to Florida's waters is required. This will be addressed within the landscape plan during the permitting phase of development.
<b>Flood Zone:</b>	The subject property is not in a flood zone.

## UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) reviewed the application and provided the following comments:

- HCUD does not currently supply water or sewer service to this parcel.
- There is an existing 16-inch water main that runs along the west side of Anderson Snow Road.
- There is an existing 20-inch sewer force main that runs along the east side of Anderson Snow Road.

**Comments:** HCUD has no objection to the submitted zoning change from PDP(OP) w/C-1 use to CPDP(MF) with C-2 use to allow the development of 115 multifamily townhome/villa style units and a mini-warehouse/storage facility (no more than 3-stories), subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

**Please note:** Availability of existing water, sewer, and reclaimed water capacity is dependent on the engineer's estimated flows for the proposed development. Existing utility infrastructure may require upgrades to supply service to the proposed development. Complete a Utilities Capacity Request form located on HCUD's Engineering website and submit with a proposed site plan for capacity inquiries.

**\*\*Utility location does not guarantee capacity\*\***

## TRANSPORTATION REVIEW

The subject property is on Anderson Snow Road with the Suncoast Trail running along the eastern property line. Anderson Snow is a two-lane road with no sidewalks or shoulders along the

segment of roadway abutting the western property boundary; it is considered a Major Collector by the Florida Department of Transportation (FDOT).

Anderson Snow Rd is identified in the Long-Range Transportation Plan 2045 Unfunded Needs Project List as needing to be widened to a four-lane divided roadway. There is a significant amount of residential development being planned along this roadway that may require this widening to move from the Unfunded Needs List to the List of Priority Projects within the next few years. The List of Priority Projects is reviewed and adopted annually by the Board the Hernando-Citrus Metropolitan Planning Organization, whose members are comprised of elected officials from Hernando County, Citrus County, and the Cities of Brooksville, Crystal River, and Inverness.

There are no public transportation routes or stops along Anderson Snow Road. There is access to the Suncoast Multi-Use Trail which abuts the eastern property boundary. One of the County's largest parks abuts the northern property boundary. Soccer fields, baseball fields and playgrounds are present in the park; and a new splash pad is scheduled to be built in the park in 2024.

## **ENGINEERING REVIEW**

The County Engineer reviewed the application and provided the following comments:

- This property is located outside the 1% annual chance floodplain.
- Traffic Access Analysis, that includes a queuing analysis, is required.
- Any improvements required by the Traffic Access Analysis, which could include turn lanes, will be the responsibility of the developer.
- Provide 35' of right of way along Anderson Snow Road, for the entire length of property frontage. To be dedicated by deed within 30 days of Rezoning approval.
- Provide a sidewalk along Anderson Snow (Collector Roadway) for the entire length of the property frontage.
- Provide sidewalk connectivity from building to sidewalk along Anderson Snow Rd.

## **SCHOOL BOARD REVIEW**

The applicant must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District, and the County.

## **LAND USE REVIEW**

The subject property is undeveloped and classified as "grass" by the Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System.

The property is primarily grass and fine sand, except for three to four trees. One of those trees is significant to the Hernando County community; it's called the *Wind Chime Tree*.

For years the people from Hernando County have come to place wind chimes or a small token on or around the tree in memory of their loved ones who are no longer with them. The tree even has its own Facebook page. The petitioner brought the tree, and its importance, to the attention of staff and the preservation of the tree is included in their development plans.

The location of this property lends itself to a higher density land use, being between a major collector and the Suncoast Parkway Toll Road. With no neighbors to the south and one of the County's largest parks to the north, none of the traffic coming to or from the property will be passing through any neighboring subdivisions.

**Comment:** This development will be limited to the following uses: Multi-family residential (including community amenities related to multi-family developments, like clubhouses) and mini-warehouse.

### Access

To establish minimum access requirements to single-family and multifamily subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access for subdivisions. The policy serves to provide more than one-way in and one-way out for residents of a subdivision, alternate routes for emergency services, interconnection between subdivisions, a shortened drive time for residents to the entrance/exits, and access points for travel direction outside of the development. A minimum of two (2) access points must be provided to serve any new subdivision or development pod with more than 50 units. The petitioner plans to subdivide the property so each residential unit may be independently owned, as opposed to keeping the entire site under single ownership and renting out the units.

Hernando County Land Development Regulations require that new single-family and multifamily developments with more than 50 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.

**Comments:** Ingress and egress to the parcel is not shown on the master plan because the petitioner requests to work with the County Engineer and the Department of Public Works to determine the best locations for these access points.

### Lot Sizes, Deviation Request

The minimum lot size for multi-family units varies depending on how many units are proposed per building. The maximum number of multi-family dwelling units permitted per building is twelve (12). The minimum lot size for a 12-unit multifamily building is 3,500 square feet<sup>2</sup>. The

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<sup>2</sup> In the R-3 zoning district, the minimum lot size for a single lot is 6,000 square feet. For a duplex (two family residence) the minimum lot size is 12,000 square feet. Each additional residential unit over the first two is required to have an additional 3,000 square feet. For 12 units, the equation is as follows:  $(12,000 + (10 \times 3,000)) / 12 = 3,500$  square feet per unit.

petitioner requests a deviation from the minimum lot size, changing it from 3,500 square feet to 800 square feet.

The petitioner also requests a deviation from the required minimum lot width at the building setback line; for multi-family developments, this is 75'. Allowing the petitioner to create lots that are 800 square feet, then requiring 75' minimum width for these lots creates lots that are wider than they are long and does not fit with the "townhome" style.

The petitioner states in the narrative that the dwelling units will be multi-storied with approximately 1,600 to 2,000 square feet of living space. This is typical in higher density multi-family developments that have limited acreage. The petitioner is providing the living space by building several stories instead of spreading the living space out in a single story.

There is no minimum lot size in the C-2 zoning district, however the petitioner is limited to 33,100 square feet for the mini-warehouse storage buildings.

Comments: The request for a deviation for the lot size and lot width at building line is appropriate for this development type.

### Setbacks

All commercial uses in all commercial districts which are located on lots adjacent to a residential district shall maintain a minimum setback requirement for all structures of thirty-five (35) feet in the side or rear yard adjacent to the residential district. The required setbacks are shown in the table below.

### Maximum building height

The maximum building height in the R-3 zoning district is forty-five (45) feet which is approximately three (3) stories. The maximum building height in the C-2 zoning district is 60'. The petitioner states in the narrative that the mini-warehouse storage buildings will be no taller than 45' / 3 stores.

	Residential Use (R-3)	Commercial Use (C-2)
Minimum Building Setbacks		
	Front: 25'	North: 35' (abutting MF Residential)
	Side: 10'	South: 20'
	Rear: 20'	East: 35'
		West: 75' (abutting Anderson Snow Rd)
Minimum Building Separation	10'	10'
Maximum Build Area	45%	na
Maximum Building Height	45' / 3 stories	45' / 3 stories
Minimum Lot Size	800 square feet (deviation from 6,500 square feet)	na

Maximum number of Dwelling Units / Commercial Square Footage	115 dwelling units	33,100 square feet
Maximum number of multifamily dwelling units per building:	12	

**Buffers**

The outermost portion of the thirty-five-foot setback bordering the parcel and adjacent to the residential district shall consist of a five-foot landscaped separation strip. The commercial use located on such lot shall be permanently screened from the adjoining and contiguous residential properties by a wall, evergreen hedge and/or other approved enclosures. Such screening shall be located within the required separation strip and shall have a minimum height of five (5) feet and maximum height of eight (8) feet.

*Comment:* The buffers for this development are as follows:

- North: 10'
- South: 10'
- East: 10' (abutting the Suncoast Trail)
- West: 10'
- Internal between Commercial and Residential: 10' on both the commercial and multi-family sections, 20' in total between uses.
- Around the perimeter of the parking areas: vegetative buffer, 5' in width, planted according to Section 10-26 of the Hernando County Development Regulations.

**PERFORMANCE BOND**

At the beginning of the development process (residential and commercial) a performance bond is provided to the County. A performance bond is a lump sum of money, specific to the project, provided to Hernando County to hold until the conditions specified in this report are fulfilled according to Hernando County Development Regulations. If the project is abandoned or the developer is unable to fulfill the requirements of the performance conditions, the County may use the bond to complete the work that was abandoned, so as not to leave the property as a nuisance to the community until it can be sold and or taken over by another party. The bond may also be used to "fix" or repair portions of the development that the developer is unable to bring into compliance.

The role of the performance bond in the development process makes it extremely important to the community and the County. The performance bond shall not be released until the performance conditions established in this document are completed according to the approved plans and according to the Hernando County Development Regulations.

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**COMPREHENSIVE PLAN REVIEW****Future Land Use Map Residential**

Strategy 1.04A(3): The Residential Category accommodates residential growth clustered in and around urbanized areas and those areas that maximize the efficient use of infrastructure contained in long-range facilities plans of the County.

**Residential Category**

Objective 1.04B: The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan. Residential density shall not exceed 22 dwelling units per gross acre.

*Comment:* The requested density for the multi-family portion of the development is 14.74. The requested density does not exceed 22 dwelling units per acre.

Strategy 1.04B(1): Commercial and institutional uses within the Residential Category are generally associated with medium and high-density residential development and may include neighborhood commercial, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential uses may also be allowed.

*Comments:* The requested commercial use is combined with medium-density residential and is appropriate for this development.

Strategy 1.04B(4): The Residential Category includes zoning for multi-family housing generally averaging 7.5 dwelling units per gross acre up to 22 dwelling units per gross acre in order to provide for a diversity of housing choices. Multifamily housing should be located within, or in close proximity to urban areas shown on the Adjusted Urbanized Area Map, or near shopping and employment centers or within Planned Development Projects.

**FINDING OF FACTS**

1. The mini-warehouse storage use, and the medium density residential use are compatible uses and appropriate at the subject location.
2. The requested deviations are reasonable for medium density multi-family residential and allows the petitioner to develop upward instead of outward.
3. The petitioner agrees to abide by the performance conditions in this document and the Hernando County land development regulations.



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**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. Homeowner 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**

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from PDP(OP)/ Planned Development Project (Office Professional) to CPDP (Combined Planning Development Project) with the R-3 use of multifamily residential and the C-2 use of mini-warehouse storage with the following performance 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. All performance conditions established herein shall be completed according to the approved plans prior to the release of the performance bond.
3. Planning
  - A. Allowed Uses in this PDP: Multifamily Dwellings and Mini-warehouse storage buildings.
  - B. Approved Dwelling Units: 115 residential dwelling units.
  - C. Minimum Lot Size: 800 square feet
  - D. Maximum Commercial Area: 33,100 square feet
  - E. Minimum Building Separation: 20'
  - F. Maximum Building Height:
    - i. Residential Use: 45' or 3 stories
    - ii. Mini-warehouse Use: 45' or 3 stories
  - G. Perimeter Setbacks:
    - i. North: 15'
    - ii. South: 20'

iii. East: 35'

iv. West: 75'

#### H. Internal Setbacks

##### I. Residential:

- Front: 25'
- Side: 10'
- Rear: 20'

##### II. Commercial:

- North: 35'
- South: 20'
- East: 20'
- West: 75'

#### I. Buffers

Each land use shall meet the minimum internal landscape buffer requirements for each of the proposed land uses (multifamily and/or commercial). Unless specifically shown on the master plan, perimeter buffers shall consist of undisturbed natural vegetation that provides a visual buffer with at least 80% opacity. If natural vegetation cannot achieve this level of opacity, plantings shall be used to achieve the required opacity.

##### Perimeter Landscape Buffers

- North, Residential: 10'
- South: 10'
- East (abutting the Suncoast Trail): 10'
- West (abutting Anderson Snow): 10'
- Around parking lots/areas not already screened by a perimeter buffer: 5' vegetative buffer planted according to *Section 10-26* of the Hernando County Development Regulations

##### Internal Landscape Buffers

- Internal (Commercial to Residential): 20' total (10' on each side)

#### 4. Environmental

- A. The petitioner is required to comply with all applicable FWC regulations and permitting.
- B. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required landscaping, as applicable.
- C. The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program information and encourage the use of the

principles, techniques, and landscaping recommendations. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.

- D. A comprehensive floral and faunal (wildlife) survey shall be performed and provided as part of the permitting process. Invasive species shall be included in this survey. Invasive plant species shall be removed during the development process.
- E. The Petitioner shall meet all requirements included in *Section 10-21b Commercial Projects*.
  - i. Required Landscaping: 1.53 acres (15%, 66,647 square feet)
  - ii. Required Tree per Acre: 153 trees, 51 of which shall be "shade" trees. Unless otherwise approved for removal, specimen and majestic trees shall be preserved. These trees should be distributed between the two uses.
  - iii. Required Natural Vegetation: .51 acres (22,216 square feet). (5% of the project acreage). Preserved natural vegetation areas must be a minimum of two thousand (2,000) square feet and no more than two (2) non-contiguous areas shall be allowed.

5. Engineering

A. Traffic Analysis and Access

- i. A Traffic Access Analysis that includes a queuing analysis shall be required.
  - ii. Any improvements identified by the Traffic Access Analysis, which could include turn lanes, shall be the responsibility of the developer.
  - iii. The Multifamily development shall provide a boulevard entrance from Anderson Snow Blvd. into the residential area of the project.
  - iv. The petitioner shall provide a Cross Access Agreement for all interconnections.
- B. A 35' of right of way along Anderson Snow Road, for the entire length of property frontage shall be dedicated by deed to Hernando County within 30 days of Rezoning approval.

- C. A sidewalk along Anderson Snow (Collector Roadway) which spans the entire length of the property frontage shall be constructed as part of this development.
  - D. Sidewalk connectivity from building to sidewalk along Anderson Snow Rd shall be provided.
  - E. Proposed development must meet Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permit drainage design standards.
  - F. Hernando County Land Development Regulations require that new single-family and multifamily developments with more than 50 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.
6. The petitioner shall provide a fire protection plan at the time of conditional plat.
7. School Concurrency
- The petitioner must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District and the County.
8. Utilities
- The petitioner shall be required to provide a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction. The petitioner shall coordinate with HCUD for acquisition of a new force main easement and installation of the new force main.
9. The petitioner shall provide recreation amenities for the townhomes and apartments as appropriate to these development types and demonstrated on the master plan.
10. The petitioner shall dedicate transit stop location(s) on site and shall coordinate installation with the Transit Division upon need and demand at the developer's expense.
11. The mini warehouse/self-storage facility shall complement the architectural elements of the proposed Townhomes to the north. Architectural features shall be provided on all facades.

12. The petitioner shall provide a master plan in compliance with all performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.