

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 8, 2020
Board of County Commissioners: July 14, 2020

APPLICANT: Wesleyan Bible Conference Association, Inc.

FILE NUMBER: H-20-16

REQUEST: Rezoning from PDP(SF)/Planned Development Project (Single Family), PDP(MF)/Planned Development Project (Multifamily), and PDP(REC)/Planned Development Project (Recreation) to PDP(SF)/Planned Development Project (Single Family) with deviations

GENERAL LOCATION: Northern terminus of Peter Court and Epworth Drive

PARCEL KEY NUMBERS: 671053, 671204

APPLICANT'S REQUEST:

The Wesleyan Village was established in 1956 with the purchase of 30.0 acres along Jasmine Drive. The first 30.0 acres served as a location for church conferences and youth meetings. By 1970, the village started hosting camp meetings and bible conferences annually, which continues today. Wesleyan Village has since grown to approximately 270.0 acres. Today Wesleyan Village consists of a a 55 and older 429 unit mixed use retirement community development .

The current request is comprised of two parcels, a 96.6 acre tract (key #671053) and a 28.5 acre tract (key #671204). On November 4, 1997, the Board of County Commissioners approved a rezoning, on the 96.6 acre tract, from C-2/(Highway Commercial to C/PDP and R-1C with a master plan revision and rezoning to include a redesignation from single family to multifamily and a reallocation of a waste water treatment plant to single family. Since approval no development has occurred on the 96.6 acre parcel. On April 9, 2008, the Board of County Commissioners approved a master plan revision on the balance 28.5 acre tract to add travel trailer units and provide a storage facility. RV's have been stored on site, however no development has occurred relative to the travel trailer units.

The petitioner's current request is for a rezoning and master plan approval to single family, with deviations, in order to develop a 55 and older community. The petitioner has indicated the project will consist of 121, 90'x110' and 29, 60'x100' single family lots for a total of 150 units.

The following deviations have been requested in order to accommodate the proposed development:

1. Rear setback deviation for the 90' lots from 20' to 15'
2. Building setback deviations for the 60' lots
Front: 20' (deviation from 25')
Sides: 7.5' (deviation from 10')
Rear: 15' (deviation from 20')
3. The petitioner is requesting a waiver of the Treed Boulevard Entrance which requires new single family developments with more than 50 units to provide at least one treed roadway. The petitioner's proposed project obtains access from existing internal roadway stub-outs and the proposed development will be an extension of the existing subdivision.

The proposed ownership and maintenance of streets, drainage and the sewer system will be private under the responsibility of the Wesleyan Village HOA. The potable water supply is the responsibility of the City of Brooksville.

SITE CHARACTERISTICS:

Site Size: 125.1 acres

Surrounding Zoning:

Land Uses: North: City, AG; Undeveloped
South: PDP(SF), R-1C; Single Family
East: PDP(SF) & (MH), R-1C; Single Family, Mobile Home
West: AG; Undeveloped

Current Zoning: Planned Development Project Single Family (SF) Planned Development Project Multifamily (MF) and Planned Development Project Recreation (REC)

Future Land Use

Map Designation: Residential

ENVIRONMENTAL REVIEW:

Soil Type: Nobleton Fine Sand, Wauchula Fine Sand

Hydrologic

Features: The property contains no Wellhead Protection Areas (WHPAs), according to County data resources. The property does contain lakes, small waterbodies, and Class 2 and 3 wetlands.

Protection

Features: The property contains no Special Protection Areas (SPAs), according to County data resources.

Archaeological

Features:

The property contains no archaeological resources according to County data resources.

Habitat:

The subject site is shown as cropland and pastureland, freshwater marshes, lakes, wet prairie, and hardwood conifer mixed according to FLUCCS (Florida Land Use Cover and Classification System) mapping.

Comment:

There is potential for listed species to be present. A comprehensive wildlife survey is required to identify listed species present prior to development activities.

Flood Zone:

The property contains a large amount of flood zone AE (approximately 2/3rd of the property) with a small amount of flood zone A according to County data resources.

Water Quality:

The proposed development must maintain a 10' buffer around all water bodies from fertilizers in order to prevent contamination.

Comment:

The petitioner must 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.

The Builder/Developer is encouraged to provide new residential property owners with Florida-Friendly Landscaping™ Program materials and encourage the use of the principles, techniques, and landscaping recommendations. Information on the County's Fertilizer Ordinance and fertilizer use should be included. Educational materials are available through the Hernando County Utilities Department website.

SCHOOL DISTRICT REVIEW:

The School Board of Hernando County has indicated no capacity concerns with the proposed project, at this time, due to the age restriction of 55. A restrictive covenant or Agreement with the School District will be required at the time of development.

UTILITIES REVIEW:

The Utilities Department has indicated the subject site is located within the City of Brooksville Utility Department's (CBUD) first right to serve district.

Comment: The petitioner indicated that the internal water system will be owned and maintained by the Wesleyan Village. The water supplied by the City of Brooksville is master metered, with the City owning and maintaining improvements up to the meter. Sewer is managed by an on-site Waste Water Treatment Plant (WWTP). An additional gravity sewer line with pump station may be required to accommodate the new development. Wesleyan Village recently received an updated operating permit for their WWTP.

ENGINEERING & TRANSPORTATION REVIEW:

The site is located on the northern terminus of Peter Court and Epworth Drive. Access for the new development is proposed to Peter Court, Epworth Drive and Rambler Drive. All connections are internal to the Wesleyan Village and none of the proposed connections have direct access to County roads. The petitioner has indicated that roads and drainage for the proposed project will be maintained by the Wesleyan Village HOA.

The County Engineer has reviewed the request and indicated the following:

1. A Traffic Access Analysis is required per the Hernando County Facility Design Guideline. Any roadway improvements identified by the Traffic Access Analysis will be the responsibility of the developer. Traffic Access Analysis may be for project phases but must include total project trips. The developer shall coordinate with the County Engineer to determine Traffic Access Analysis phases.
2. The petitioner shall be required to improve Epworth Drive to Major Local/Commercial Road from Redbud Lane to the northern intersection of the project. Epworth is a private maintained roadway.
3. The petitioner shall improve Redbud Lane to a Collector Road from Epworth Drive to Cortez Boulevard. Redbud Lane is a County maintained roadway.
4. Both parcels contain floodplain. Mitigation of floodplain volume is required.

LAND USE REVIEW:

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.

Comments: The petitioner's master plan indicates three (3) access points from existing streets in Wesleyan Village for the proposed development.

Treed Boulevard Entrance

County LDRs 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: The petitioner has requested a deviation from the Treed Boulevard Entrance. The petitioner's proposed project obtains access from existing internal roadway stub-outs (Peter Court, Epworth Drive and Rambler Drive). The proposed development will be an extension of the existing subdivision. Due to existing conditions, the requested treed boulevard will not be necessary.

Buffer and Open Space

The petitioner has indicated the subject site has wetlands and flood plain that will be utilized as open space. Along the north a 35' natural buffer will be provided and along the east drainage retention ponds and a 15' natural buffer will be provided.

Comments: If approved, buffers shall be provided as indicated on the master plan.

Building Setbacks and Lot Sizes

Proposed Minimum Building Setbacks for 60' Lots:

Front:	20' (deviation from 25')
Sides:	7.5' (deviation from 10')
Rear:	15' (deviation from 20')
Lot Size:	60'x100' (6,000 square feet)

Proposed Minimum Building Setbacks for 90' Lots:

Front:	25'
Sides:	10'
Rear:	15' (deviation from 20')
Lot Size:	90'x110' (9,900 square feet)

Lot Layout

The petitioner's master plan includes 60' and 90' wide lots. The 60' wide lots will be located internal to the project and adjacent to mobile homes along the west. The 90' wide lots will be located north of existing single family homes.

Comments: The proposed size and location of the new lots will provide an adequate transition from existing lots.

Natural Vegetation

Projects greater than twenty (20) acres shall designate an area of at least seven percent (7%) of the total project area as preserved natural vegetation and no construction activity can occur in this area. Preserved natural vegetation areas must be a minimum of twenty

thousand (20,000) square feet. If approved, the petitioner must provide a minimum of seven percent (7%) natural vegetation. Preserved natural vegetation and/or planted native vegetation may be used to meet all or part of the requirement for open space as long as it is a minimum of fifteen (15) feet in width.

Comments: The proposed 1251.1 acre development must provide a minimum of 8.75 acres of native vegetation/open space.

Neighborhood Park

All developments with 50 dwelling units or more shall provide and maintain a neighborhood park system for use by the residents of the subdivision in accordance with the requirements of the LDRs. The proposed phase contains more than 150 dwelling units. Neighborhood parks may count towards the minimum open space requirements. The amount of land provided and maintained as a neighborhood park shall be 1.0 acre for the first 50 dwelling units plus 1/100th of an acre for each dwelling unit over 50 up to 250 dwelling units, for a maximum of 3.0 acres.

Comments: The minimum County LDR neighborhood park requirement for the proposed development is 2.0 acres. The petitioner has indicated two separate parks for the development. A 0.55 acre park will be provided for the 60' wide lots and a 1.60 acre park will be provided for the 90' wide lots. The petitioners proposed park allocation meets and exceeds the minimum requirements.

Landscape Requirements

The development of common areas and landscape plans must comply with the Florida-Friendly Landscaping™ principles.

COMPREHENSIVE PLAN REVIEW:

The area is characterized by single family, mobile homes, RV park and undeveloped parcels and is located within a Residential Land Use classification on the adopted Future Land Use Map.

Future Land Use Element

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.

Comments: The residential density of the proposed development is 1.2 dwelling units/gross acre. All units proposed as part of this development are single-family residences.

Land Use Compatibility

Objective 1.10B: The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.

Strategy 1.10B(2): Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers, noise reduction, setbacks and other appropriate planning techniques or performance measures.

Comments: The proposed development is located within an existing mixed use community and would be surrounded by existing residential uses. The proposed master plan is requesting deviations from building setbacks. The request for deviations is compatible with the surrounding uses and is not adverse to the existing development.

FINDING OF FACT:

A rezoning PDP(SF)/Planned Development Project (Single Family), PDP(MF)/Planned Development Project (Multifamily) and PDP(REC)/Planned Development Project (Recreation) to PDP(SF)/Planned Development Project (Single Family) with deviations is appropriate based on the following conclusions:

1. The request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all recommended performance conditions.
2. The requested deviations are not adverse to the public interest with appropriate performance conditions.

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 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:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving a rezoning from PDP(SF)/Planned Development Project (Single Family), PDP(MF)/Planned Development Project (Multifamily) and PDP(REC)/Planned Development Project (Recreation) to PDP(SF)/Planned Development Project (Single Family) with deviations; 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. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Furthermore, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
3. 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 all required landscaping.
4. Minimum Building Setbacks for 60' Lots:
 - Front: 20' (deviation from 25')
 - Sides: 7.5' (deviation from 10')
 - Rear: 15' (deviation from 20')
 - Lot Size: 60'x100' (6,000 square feet)

Minimum Building Setbacks for 90' Lots:

 - Front: 25'
 - Sides: 10'
 - Rear: 15' (deviation from 20')
 - Lot Size: 90'x110' (9,900 square feet)
5. The lot layout and buffers shall be in conformance with the approved master plan.

6. The petitioner shall preserve the minimum seven percent (7%) natural vegetation shown on the master plan as required by the County's LDRs. The required natural vegetation may be included as part of the required open space.
7. The treed roadway/access requirement shall be waived.
8. The petitioner shall provide acreage as shown on the master plan to meet the minimum neighborhood park requirements, in accordance with Hernando County LDRs.
9. The developer shall provide new property owners with written program materials and owners shall be encouraged to utilize the Florida-Friendly Landscaping™ program best management practices.
10. The proposed development shall be age restricted to 55 and older. A restrictive covenant or Agreement with the School District will be required at the time of development.
11. The petitioner shall provide a 35' natural buffer along the north and a 15' natural buffer along the east.
12. A Traffic Access Analysis shall be required per the Hernando County Facility Design Guidelines. Any roadway improvements identified by the Traffic Access Analysis will be the responsibility of the developer. Traffic Access Analysis may be for project phases but must include total project trips. The developer shall coordinate with the County Engineer to determine Traffic Access Analysis requirements.
13. The petitioner shall be required to improve Epworth Drive to Major Local/Commercial Road from Redbud Lane to the northern intersection of the project. Epworth will be a privately maintained roadway.
14. The petitioner shall improve Redbud Lane to a Collector Road from Epworth Drive to Cortez Boulevard. Redbud Lane will remain a County maintained roadway.
15. Mitigation of floodplain volume and encroachment in accordance with the Hernando County Flood Damage and Protection ordinance is required.
16. The petitioner shall maintain a 10' buffer around all water bodies from fertilizers in order to prevent contamination.
17. 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 will result in no further development permits being issued.

P&Z ACTION:

On June 8, 2020, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a resolution approving a rezoning from PDP(SF)/Planned Development Project (Single Family), PDP(MF)/Planned Development Project (Multifamily) and PDP(REC)/Planned Development Project (Recreation) to PDP(SF)/Planned Development Project (Single Family) with deviations; with the following modified 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. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Furthermore, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
3. 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 all required landscaping.
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7. The treed roadway/access requirement shall be waived.

8. The petitioner shall provide acreage as shown on the master plan to meet the minimum neighborhood park requirements, in accordance with Hernando County LDRs.
9. The developer shall provide new property owners with written program materials and owners shall be encouraged to utilize the Florida-Friendly Landscaping™ program best management practices.
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13. The petitioner shall ~~be required to improve Epworth Drive to Major Local/Commercial Road from Redbud Lane to the northern intersection of the project. Epworth will be a privately maintained roadway~~ work with County staff after the completion of traffic study and as-built surveys to assure satisfactory traffic flow and improvements if deemed necessary on Epworth Drive from its current northern terminus, south to the intersection of Redbud Lane.
14. The petitioner shall ~~improve Redbud Lane to a Collector Road from Epworth Drive to Cortez Boulevard. Redbud Lane will remain a County maintained roadway~~ work with County staff to improve Redbud Lane from SR 50 to Epworth Drive in those areas where deemed necessary after traffic study and as-built surveys. This shall not include horizontal re-alignment of the paving within the right-of-way. Dates of the improvements shall be determined by the traffic report; said dates shall be enforced at the approval of construction plans for additional units.
15. Mitigation of floodplain volume and encroachment in accordance with the Hernando County Flood Damage and Protection ordinance is required.
16. The petitioner shall maintain a 10' buffer around all water bodies from fertilizers in order to prevent contamination.
17. 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 will result in no further development permits being issued.

BOCC ACTION:

On July 14, 2020, the Board of County Commissioners voted 5-0 to adopt Resolution 2020-91 approving a rezoning from PDP(SF)/Planned Development Project (Single Family), PDP(MF)/Planned Development Project (Multifamily) and PDP(REC)/Planned Development Project (Recreation) to PDP(SF)/Planned Development Project (Single Family) with deviations; with the following unmodified 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. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Furthermore, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
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Minimum Building Setbacks for 90' Lots:
Front: 25'
Sides: 10'
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5. The lot layout and buffers shall be in conformance with the approved master plan.
6. The petitioner shall preserve the minimum seven percent (7%) natural vegetation shown on the master plan as required by the County's LDRs. The required natural vegetation may be included as part of the required open space.
7. The treed roadway/access requirement shall be waived.
8. The petitioner shall provide acreage as shown on the master plan to meet the minimum neighborhood park requirements, in accordance with Hernando County LDRs.

9. The developer shall provide new property owners with written program materials and owners shall be encouraged to utilize the Florida-Friendly Landscaping™ program best management practices.
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13. The petitioner shall work with County staff after the completion of traffic study and as-built surveys to assure satisfactory traffic flow and improvements if deemed necessary on Epworth Drive from its current northern terminus, south to the intersection of Redbud Lane.
14. The petitioner shall work with County staff to improve Redbud Lane from SR 50 to Epworth Drive in those areas where deemed necessary after traffic study and as-built surveys. This shall not include horizontal re-alignment of the paving within the right-of-way. Dates of the improvements shall be determined by the traffic report; said dates shall be enforced at the approval of construction plans for additional units.
15. Mitigation of floodplain volume and encroachment in accordance with the Hernando County Flood Damage and Protection ordinance is required.
16. The petitioner shall maintain a 10' buffer around all water bodies from fertilizers in order to prevent contamination.
17. 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 will result in no further development permits being issued.