

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Development Review Committee DATE: 9/27/11 FILE: ZN11-6994

FROM: Debra M. Zampetti SUBJECT: WaterGrass MPUD Master
 Zoning/Code Compliance Planned Unit Development -
 Administrator Substantial Modification
 DRC: 10/6/11, 1:30 p.m., DC
 Recommendation: Approval
 with Conditions
 (Cont. from 9/22/11)

STAFF: Corelynn Burns REFERENCES: Land Development Code,
 Planner I Section 522.6, Master
 Planned Unit
 Development District;
 Comm. Dist. 1

PETITION SUMMARY:

Petition No. 6994 in the name of WaterGrass MPUD Master Planned Unit Development has been filed for a substantial modification to the previously approved MPUD Master Planned Unit Development rezoning. The property is located on the east side of Curley Road (C.R. 577), approximately 1.5 miles north of the intersection of S.R. 54 and Curley Road (C.R. 577), extending easterly to Handcart Road and contains 1,036.4 acres, m.o.l.

Commission District:	The Honorable Theodore J. Schrader
Project Name:	WaterGrass MPUD Master Planned Unit Development
Applicant's Name:	CKB Development, LLC
Zoning District:	MPUD Master Planned Unit Development
Future Land Use Classification:	RES-3 (Residential - 3 du/ga)
Parcel ID Nos.:	34-25-20-0000-00300-0000, 35-25-20-0000-00100-0000, 35-25-20-0000-00100-0010, 35-25-20-0000-00100-0020, 36-25-20-0000-00300-0010, 36-25-20-0000-00300-0000, and 31-25-21-0000-00100-0020
Water/Sewage:	Pasco/Pasco (Central)
No. of Dwelling Units:	1,999 (Includes 434 for Town Center)
Type of Dwelling Units:	Single-Family Detached; Single-Family Attached Duplexes and Townhouses (Multiple Family Within Town Center)
Commercial/Square Feet:	140,000 Square Feet (Town Center)
Professional Office/Square Feet:	73,000 Square Feet (Town Center)
Other Land Uses:	Elementary School (39.6 Acres); Community Park (20.7 Acres); Public-Service Site

BACKGROUND:

1. The Board of County Commissioners (BCC) has approved several actions for the subject parcel. Some are as follows:
 - a. Conditional Use Petition No. CU92-04, on March 7, 1992, for a mining operation with conditions to renew a previously approved Mining Permit which had expired. This action was for a four-year period with one additional year to complete reclamation activities.
 - b. Conditional Use Petition No. CU92-25, on March 16, 1993, for sludge spreading with conditions to renew a previously approved Sludge Spreading Permit which had expired. This action was for a one-year period.

- c. Conditional Use Petition No. CU93-18, on June 15, 1993, for the expansion of the previously approved mining operation (Petition No. CU92-04) for an additional five-year period. All mining shall be completed by March 7, 2000, with all reclamation completed by March 17, 2001.
2. On April 22, 2003, the BCC approved Ordinance No. 03-06 amending the land use of the subject property from RES-1 (Residential - 1 du/ga) to RES-3 (Residential - 3 du/ga). Subsequently, the Florida Department of Community Affairs issued a Notice of Intent finding the amendment in compliance.
3. On October 26, 2004, the BCC approved the Comas Trust WaterGrass MPUD Master Planned Unit Development (Petition No. 6186).
4. On May 26, 2005, the Development Review Committee (DRC) approved a Master Roadway Plan (GM05-892) and a Master Pedestrian and Bike Path Plan (GM05-920) for the WaterGrass MPUD Master Planned Unit Development.
5. On October 10, 2006, the BCC approved a substantial modification for the elimination of the couplet street design, the introduction of a new townhouse product with garages, the additional use of multiple-family apartments within the town center, the redistribution of lots, the revision of a condition, and the relocation of interconnects (Rezoning Petition No. 6603). With this amendment, the applicant also received approval of a variance for the use of private streets and an alternative standards request approval to deviate from the one-mile spacing requirement.
6. On January 11, 2007, the DRC approved a modification to the approved Master Roadway Plan (ZN07-130) and the Master Pedestrian and Bike Path Plan (GM07-138).
7. On August 9, 2007, the DRC approved a modification to the approved Master Roadway Plan (ZN07-438) that allowed the developer to build the outer two lanes of Overpass Road in given areas and to modify the construction phases of the roadways.
8. On July 14, 2009, the BCC approved the Master Plan with conditions for the Promenade Town Center and the alternative standards request, pending approval by the DRC on August 13, 2009. The alternative standards required public notice pursuant to the LDC, Section 316, which, at the time of the BCC hearing, public notice was not provided.
9. On July 30, 2009, the Zoning and Site Development Department approved a nonsubstantial modification to Rezoning Petition No. 6603 to allow the applicant to utilize the cross section for Overpass and Curley Roads in accordance with the cross sections that were approved by Pasco County, to redefine the proposed public-service site, and to recognize the developer's satisfaction of conditions in order to receive transportation impact fee credits.

FINDINGS OF FACT:

1. Presently, the subject development has a total of 619 platted lots.
2. Access to the property is from Curley Road, WaterGrass Parkway, Overpass Road, and Handcart Road.
3. The subject property is located in Flood Zone "X." Development is subject to the requirements of the LDC, Article 700, Flood Damage Prevention.

4. The surrounding zoning districts and Future Land Uses are as follows:

	<u>Zoning Districts</u>	<u>Future Land Use</u>
North:	MPUD Master Planned Unit Development; A-C Agricultural	AG (Agricultural)/Pasadena Overlay (Village Mixed Use 3 - Maximum 5 units/da); RES-1 (Residential - 1 du/ga) and AG (Agricultural/Pasadena Overlay (Village Mixed Use 2A - Maximum 10 units/da); Town Center
East:	Handcart Road	RES-1 (Residential - 1 du/ga); Pasadena Overlay (Village Mixed Use 2 - Maximum 10 units/da)
South:	MPUD Master Planned Unit Development; A-C Agricultural	RES-3 (Residential - 3 du/ga); RES-1 (Residential - 1 du/ga); Pasadena Overlay (Village Mixed Use 3 - Maximum 5 units/da)
West:	Curley Road (C.R. 577); MPUD Master Planned Unit Development	RES-1 (Residential - 1 du/ga); RES-3 (Residential - 3 du/ga); Town Center

5. The surrounding area is characterized by rural, agricultural, and single-family residential properties.
6. On June 27, 2006, the BCC adopted the Corridor Preservation Tables in the Transportation Element of the Comprehensive Plan necessitating the preservation of right-of-way along certain roadways.
7. The Zoning and Site Development Department has received a formal request from the developer to amend the existing Master Plan and conditions of approval as follows:
- To allow the already approved 40-foot-wide product type in additional parcels for added flexibility throughout the entire MPUD Master Planned Unit Development and to also remove the restriction that the 40-foot-wide lots are prohibited within 200 feet of the south boundary of Parcel D.
 - To reduce the total lots in individual parcels with a corresponding increase in total lots in individual parcels with no increase in the total allowable lots as follows:

<u>Parcel</u>	<u>Number of Currently Approved Units</u>	<u>Number of Proposed Units</u>
B	317	316
C	211	189
D	238	249
E	227	261
F	183	177
G	11	17
H	71	72
J	40	0
K	0	18
DD	93	92

- To revise the restriction on minimum lot sizes in Parcels G and H along Handcart Road from 75 feet wide to 50 feet wide.
- To increase the amount of allowable 40-foot-wide lots from 400 units to a total of 600 units.

8. The Zoning and Site Development Department has reviewed the applicant's request and finds the following:
 - a. With the adoption of the Pasadena Hills Area Plan, a future land use overlay has been added to much of the property surrounding the WaterGrass MPUD. This overlay includes portions of Village J (north and east), Village K (north), Village L (south), and Village M (south). These villages are considered "Village Mixed Use" and allows for the development of a mix of housing types that will support a broad range of family sizes and incomes. The outer area of the neighborhood intended for Village L is considered Neighborhood General, which can be developed with up to five dwelling units per acre. Staff recommends approval of this proposed change.
 - b. The applicant/developer is proposing to adjust unit counts within existing parcels of the MPUD without increasing the overall density for the WaterGrass MPUD; therefore, staff recommends approval of this proposed change.
 - c. A four-foot-high berm along Handcart Road is proposed for the development along with a 62-foot landscape buffer area with plantings. The berm and landscape area is proposed to match the one located along Curley Road. The applicant has provided pictures of the existing berm; therefore, staff recommends approval of this proposed change.
 - d. The applicant/developer is increasing the number of the 40-foot-wide lots from 400 units to 600 units. The applicant/developer states that this request is market driven as builders are requesting smaller lots with smaller yards/homes. The applicant/developer has design guidelines for this subdivision that require the projected builders to submit designs to the WaterGrass MPUD Master Planned Unit Development Design Review Committee for review and approval. The designs, pursuant to the guidelines, require the proposed builders to stagger the building setbacks, discourage view orientation towards other units, and to take advantage of open-space views; etc. Staff recommends approval based on these additional design requirements.
9. The proposed request is consistent with the Pasco County LDC, Article 300, Subsection 303.2.E.1, Criteria and Standards to be Considered in Review of Applications for Zoning Amendments.

ANALYSIS:

MPUD Master Planned Unit Development amendments must be reviewed in accordance with the LDC, Section 522.6, Modifications, to determine if the proposed changes are substantial. The Zoning/Code Compliance Administrator shall review the record of the project and determine if any of the changes proposed are substantial or nonsubstantial in nature pursuant to the LDC, Section 522.6.C.

Based upon the criteria established within the LDC, Section 522.6.C, Modifications, the Zoning/Code Compliance Administrator has determined that the proposed amendment does constitute a substantial change.

RECOMMENDATION:

The Zoning and Site Development Department recommends approval of the substantial modification to the MPUD Master Planned Unit Development Master Plan and conditions of approval subject to the attached rezoning conditions of approval (Petition No. 6994).

ATTACHMENTS:

1. Conditions of Approval for Rezoning Petition No. 6994
2. Location Map
3. Master Plan

DMZ/CB/drc/watergrass_substantialmod_zn116994/27mpud

DEVELOPMENT REVIEW COMMITTEE ACTION: