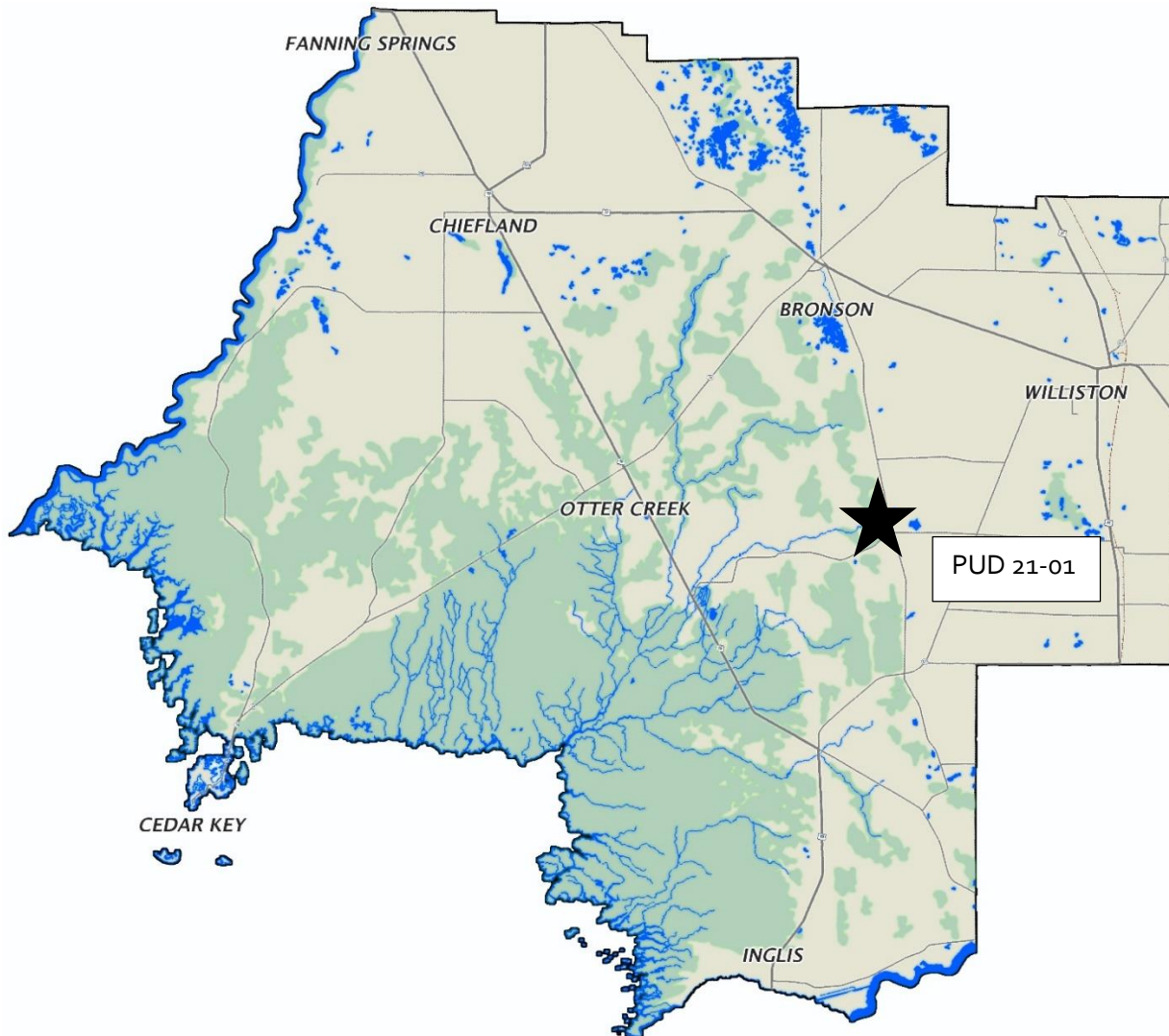


Levy County Planning and Zoning Department Staff Report

Levy County Planning Commission Public Hearing, February 7, 2022

Updated for BoCC on March 22, 2022

Planned Unit Development PUD 21-01 – Final Detailed Site Plan Approval (Phase Two)



Staff Report January 20, 2022

Updated March 11, 2022 for BoCC

Levy County Planning and Zoning Department Staff Report

6851, LLC – Black Prong Equestrian Village PUD 21-01 – Final Detailed Site Plan Approval (Phase Two)

From: Planning and Zoning Department, Stacey Hectus, Director

To: Levy County Planning Commission

Owner: 6851, LLC
6890 SE 148th Terrace
Morrison, FL 32301

Legal

Description: 27-13-17 0090.00 ACRES E1/2 OF SW1/4 AND SE1/4 OF NW1/4 LYING WEST OF CR 337 OR BOOK 1492 PAGE 259 (CONDENSED)
Section 27, Township 13, Range 17

Parcel ID Number: 0368400100

Current Future Land Use Designation: Forestry/Rural Residential (F/RR)

Current Zoning Designation: Forestry/Rural Residential (F/RR)

Requested Change: Planned Unit Development (PUD) Overlay approval for Final Detailed Site Plan Approval (Phase Two)

Number of Acres: 90 acres

Existing Use of Property: Black Prong Equestrian Village

Commission District 2: Commissioner Rock Meeks

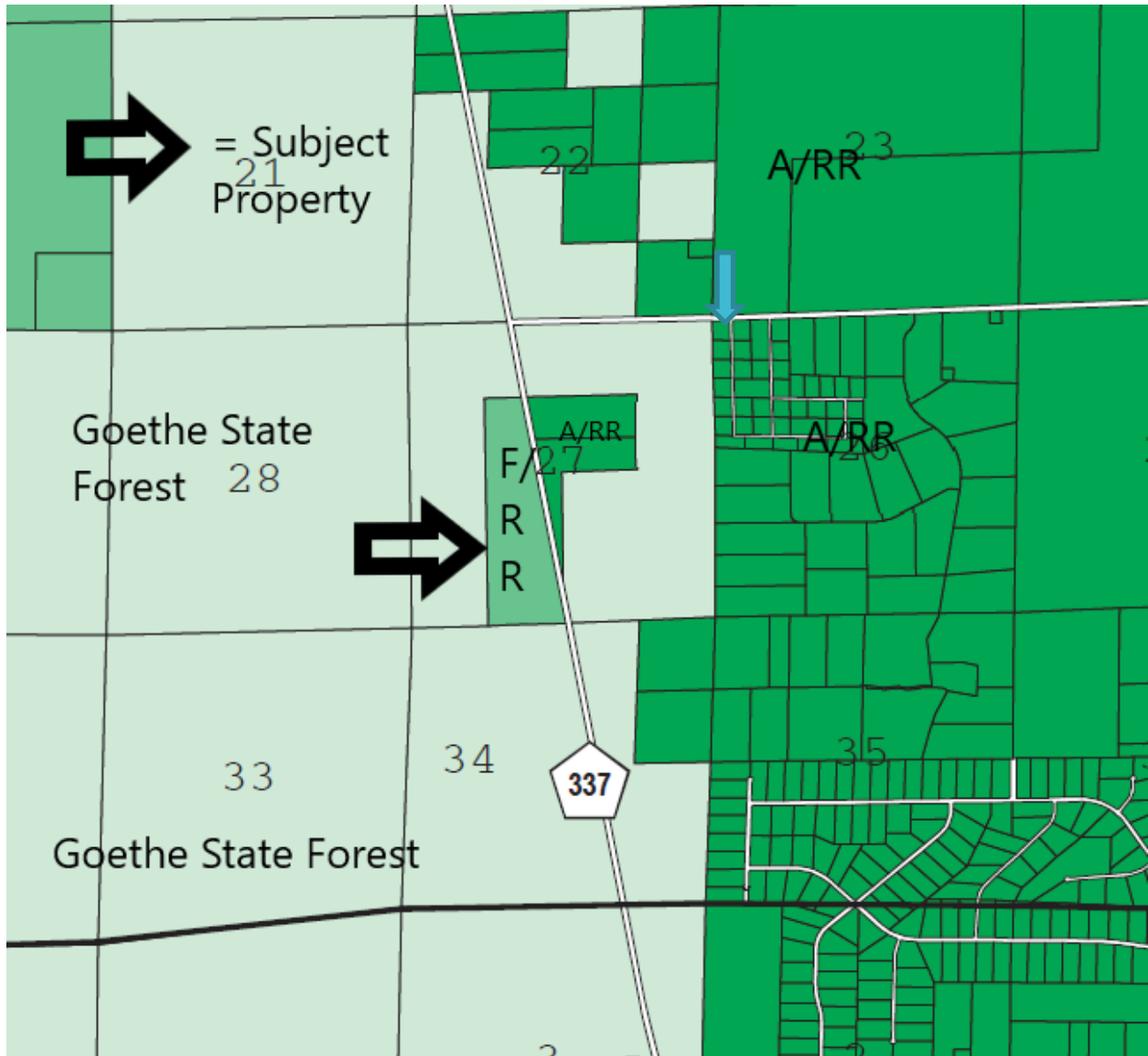
Project Description based on the Submitted Application, Supporting Documents and review of the Levy County Comprehensive Plan and Land Development Code:

6851, LLC – Black Prong Equestrian Village (BPEV) is requesting approval of their Planned Unit Development (PUD) Overlay for Final Detailed Site Plan Approval (Phase Two) (pursuant to Section 50-905(c) of the Levy County Land Development Code) for a Planned Unit Development (PUD) on a parcel of land located in Section 27, Township 13, Range 17, in Levy County on County Road 337. Said parcel contains 90 acres. The applicant is seeking approval of the PUD in order to combine all the past Special Exceptions approved for the parcel into one Master Plan for the Equestrian Village. The applicant is also seeking to permit additional uses on the parcel including the on premise consumption of alcohol, a food truck courtyard, covered arena, barn, convenience store, additional RV pads, transient lodging facility, miniature golf, corporate ropes

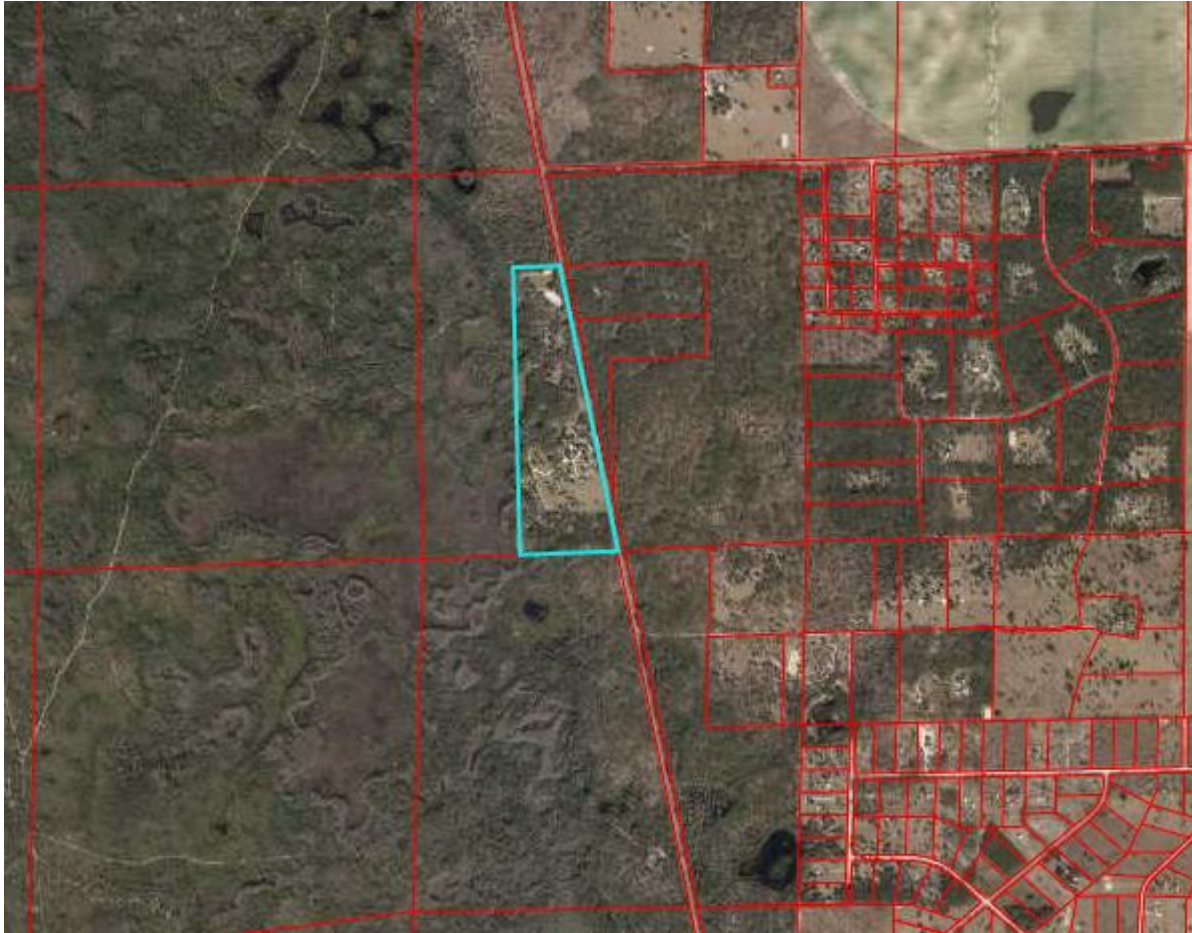
and team building courses, day spa, chapel, and other accessory resort facilities and accessory uses for support, maintenance, and administration of the agritourism resort.

The applicant has prepared and submitted a detailed narrative and application.

Future Land Use Map and surrounding area:



Aerial Location Map



Planned Unit Development (PUD) Process:

Division Six of the Levy County Land Development Code provides for the intent and objectives for Planned Unit Developments. The Planning Commission and Board of County Commissioners have not seen a PUD since about 2006 so staff thought it would be helpful to do a refresher for those new to the boards.

Our PUD process is a two phase process. The first phase is the Initial Sketch Plan approval. That requires two public hearings with the Planning Commission and the Board of County Commissioners for the final approval of the sketch plan. If that is granted, then the applicant will need to apply for the Final Detailed Site Plan approval. That also requires two public hearings with the Planning Commission and the Board of County Commissioners. Staff mails letters, posts signs and places an ad in the newspaper of general circulation for these meetings.

Sec. 50-902. - Intent.

Pursuant to 50-902 of the Levy County Code, the Planned Unit Development (PUD) zoning district is an overlay zoning district that is intended to provide parcel specific zoning for planned developments that have unique conditions, require design flexibility, and/or contain diverse and

integrated uses and structures, that are consistent with the comprehensive plan, but which other zoning districts do not readily accommodate.

Sec. 50-903. - Objectives.

In order to carry out the intent of this division, a planned unit development shall achieve the following objectives:

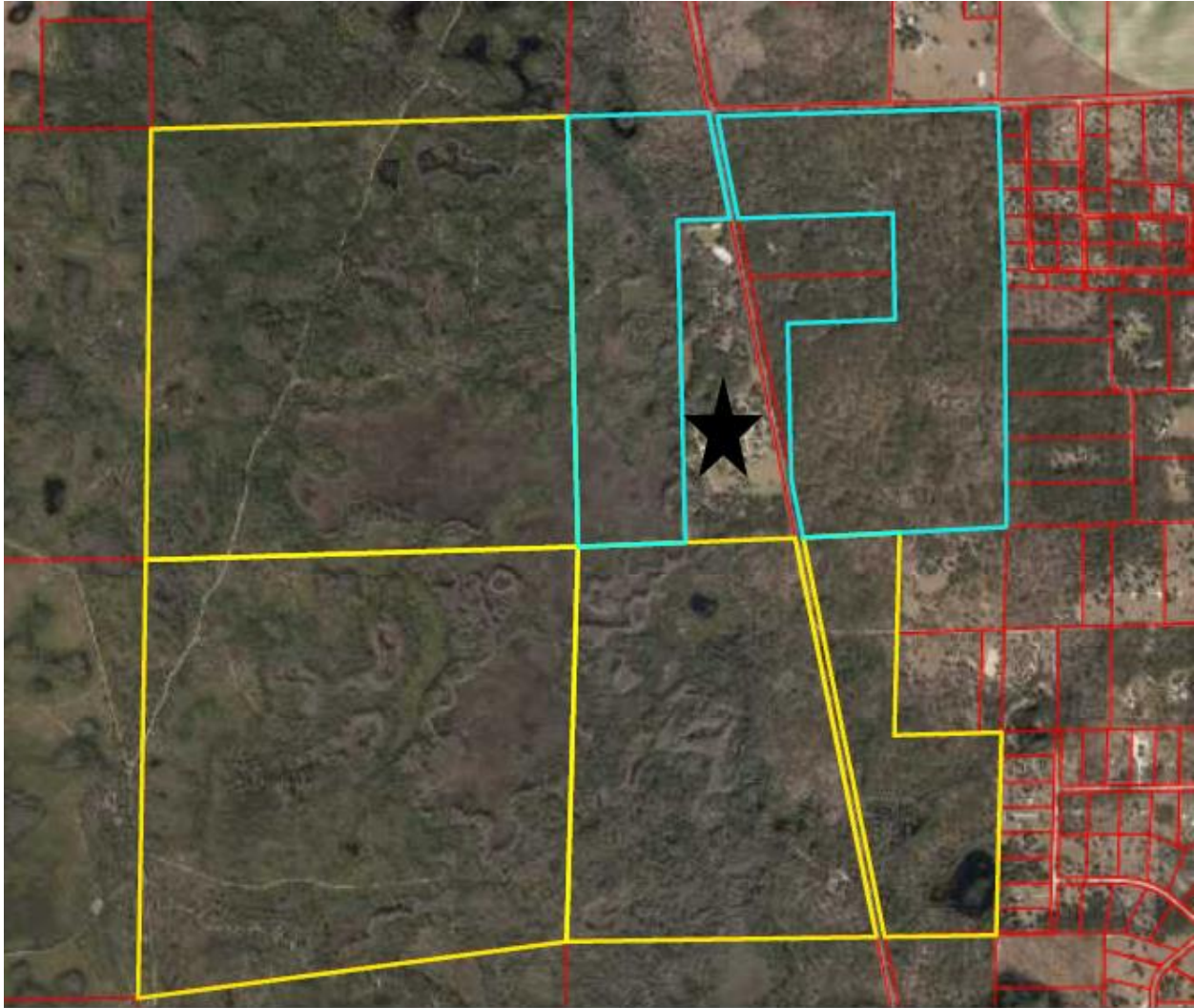
- (1) A maximum choice in the types of environment, occupancy, tenure (e.g., cooperatives, individual ownership, condominium, leasing), types of housing, lot sizes and community facilities available to existing and potential county residents at all economic levels;
- (2) More usable open space and recreation areas;
- (3) More convenience in location of accessory commercial and service areas;
- (4) The preservation of trees, outstanding natural topography and geologic features and prevention of soil erosion;
- (5) A creative use of land and related physical development which allows an orderly transition of land from rural to urban uses;
- (6) An efficient use of land resulting in smaller networks of utilities and streets and thereby lower housing costs;
- (7) A development pattern in harmony with the objectives of the master plan, especially in regard to agricultural land use;
- (8) A more desirable environment than would be possible through the strict application of other articles of this division;
- (9) The preservation of historic structures through rehabilitation and, where appropriate, conversion to commercial use.

(1991 LDR ch. 79, § 6.05(B))

Staff Review and Existing Conditions:

The parcel has a Future Land Use and Zoning designation of Forestry/Rural Residential (F/RR). The density for this designation is 1 unit to 20 acres. However, the PUD approval process can increase the density to 1 unit to 10 acres if the intent of the PUD has been met. The parcel is surrounded on three sides (North, South and West) by the Goethe State Forest. Across CR 337 to the east are a mixture of residential properties with an Agricultural/Rural Residential (A/RR) and the Goethe State Forest.

Map Showing the Goethe State Forest Surrounding Black Prong Equestrian Village



The subject property is currently an equestrian facility, including barns, show arenas, and camping areas. More specifically, facilities currently existing on the subject property include a \approx 10,000 SF pavilion, a swimming pool and associated pool house, a bathhouse, two barns without apartments, an equipment maintenance area, 28 RV sites, and nine barns with apartments attached.

The subject property has five prior special exception/amendment approvals for Outdoor Commercial Recreation, 5-02, 2-03, 1-05, 02-19 and 02-20. Prior approvals for the property include up to 40 RV sites and accompanying infrastructure, up to 15 rooms in a bed and breakfast facility, five new horse barns, four new horse barns with two apartments each, up to three fire pits, a cottage for use by wedding parties, added restroom facilities, expansion of five existing barns to include apartments, and renovation/expansion of the existing bathhouse to name a few (full list can be found in the application).

Facilities proposed for this request, applicant calling it Phase 2 of the development plan are as follows (full list can be found in the application):

- The addition of a barn at the Big Oak to service RV sites;
- A food truck courtyard;
- A 10-unit tiny home village for short term rentals;
- A covered arena approximately 220 x 425 ft in size;
- Additional octagon fire pits;
- A restaurant and cocktail lounge (beer, wine, and liquor);
- A convenience store;
- Completion of the remaining RV pads, with water, sewer, and 50-amp electric service, some with roof structures, up to a total not to exceed 55 sites (this includes the 10 tiny home village mentioned above);
- A transient lodging facility (20 room equestrian event lodging complex, 9 existing barns with apartments, 3 treehouses and the equestrian family lodging building is included in this number) or several separate cottages with full kitchens, not to exceed a total of 33 total transient units for the entirety of the site;
- Corporate ropes and team building courses;
- Miniature golf;
- Day spa;
- Chapel;
- Other resort facilities to support trail riding, carriage rides, horseback riding lessons, archery, etc.;
- Summer camp facilities (to include those for financially and or/physically disadvantaged youth, Summer Olympic type events); and
- Accessory uses for support, maintenance, and administration of the resort.

The proposed Planned Unit Development (PUD) will incorporate and replace the prior approvals with an overall development plan and conditions associated with the ultimate completion of the equestrian resort facilities being requested. This is Phase Two of the PUD process the Final Detailed Site Plan (see Black Prong Equestrian Village Final Site Plan 12/20/21). When completed, per the applicant, Black Prong Equestrian Village will be a full-service, self-contained equestrian resort, open to serve the public with private and public events scheduled throughout the year.

The first phase of this PUD was heard at the Planning Commission on November 1, 2021 and received a 5-0 approval. It was subsequently heard at the Board of County Commissions meeting on December 7, 2021 and received a 4-0 approval with the following items to be addressed at the Final Approval (Phase Two):

1. Examine traffic options for a possible turn lane and possible crossing light.
The applicant had England-Thims & Miller, Inc., a traffic engineer firm, do an analysis on whether a turn lane would be warranted. Additionally, based on conversations with our road department and after garnering their latest counts on CR 337 it does not warrant enough traffic for the installation of an actuated pedestrian/equine crossing light. (email attached)
2. We have received the comments from the Florida Division of Forestry in support of the BPEV PUD (included as an attachment). They didn't have any issue with 1A – Proposed

Equestrian Family Lodging building being inside the 100 ft. Conservation setback. Additionally, the BOCC said since Forestry did not have an issue with it they did not either.

3. On premise consumption of alcohol is permitted in this PUD. Section 50-732 shall not apply.

Comprehensive Plan Analysis

The Levy County Comprehensive Plan addresses and promotes PUD designs in numerous policies located throughout the document. Those such policies are listed below.

Future Land Use Element

Policy 1.5 Rural residential densities, defined herein as any development with a gross density of one (1) dwelling unit per three (3) acres, will be permitted only within the rural residential areas. Density bonuses may be allowed consistent with Planned Unit Development (PUD) guidelines in Policy 3.3 and 3.4 of this element.

Policy 1.11 Proposed Planned Unit Developments shall provide a clustered development design and shall document a high percentage of internal capture of vehicle trips through an appropriate mix of land uses. As used herein, "internal" specifically excludes access to non-highway oriented commercial development directly from or to any arterial road as functionally classified by this plan.

Policy 3.1 Innovative land use development patterns, including P.U.D.'s and cluster zoning shall be permitted and encouraged. Land development regulations shall establish standards for cluster subdivisions.

Policy 3.4 Commercial forestry areas will be protected from the encroachment of incompatible development. Residential subdivisions will be discouraged in areas designated for primarily commercial forestry use. Development shall be limited to a minimum tract size of twenty (20) acres. As an incentive to conserve the use of land for silviculture and/or open space, any development proposed as a Planned Unit Development and/or with a cluster development design pursuant to the Levy County Land Development Code, shall receive a density bonus of one (1) dwelling unit per ten (10) acres from the undeveloped portion of the same common ownership to be utilized for silviculture and/or open space use, excluding wetlands.

The Levy County Comprehensive Plan addresses encroachments into Natural Reservations. The applicant will be asking again for encroachment into this 100-foot conservation easement. They were granted a variance from the Conservation Element of the Comprehensive Plan back in 2019 via VA 03-19. As they have explained in their narrative there are also other buildings within that 100-foot setback that were grandfathered in. As it currently stands with the variance and grandfathered barns/buildings there are 7 structures located in the 100-foot buffer. The BOCC approved their request at the December 7, 2021 meeting.

Land Development Code

The Planned Unit Development is a permitted use in just about every zoning category in the Levy County Land Development Code. The intent of the PUD, as listed above, allows for flexibility in development. Such a development is to be designed and organized so as to be capable of satisfactory use and operation as a separate entity.

The objectives of the PUD are what the applicant is responsible for demonstrating. The applicant, with this submittal, believes they have achieved the objectives of this code section 50-903.

There is a blend of housing, community facilities, and recreational uses with the BPEV now being open to benefit the public. Recreation on foot or on horseback is one of the central components to this plan. The assortment of uses on the parcel with a mix of commercial, residential, transient residential and recreational are what a PUD is intended to allow.

Wastewater Treatment

Our Comprehensive Plan prohibits package plants. This parcel is not within the Municipal Service District. As it relates to Policy 1.12 and 1.13 of the Infrastructure Element this development would not qualify and the applicant has not proposed a package plant.

A letter from Levy Environmental Health, Environmental Specialist III Thomas McQueen is included in the applicant's package. In summary, the applicant is presently at 4,236 (10,000 gallons max) gallons per day of domestic and 4,850 (5,000 gallons max) gallons per day of commercial sewage. Once those thresholds are met for the Florida Department of Health (FDOH) the applicant will be required to work with the Florida Department of Environmental Protection (FDEP).

Goethe State Forest

The letter from State Forestry is included in this staff report. The general consensus is they are in support of the BPEV PUD.

Staff Recommendation:

Should the Planning Commission (Approved 5-0 at the February 7, 2022 meeting) and subsequently the Board of County Commissioners, find the submitted application for PUD Final Detailed Site Plan Approval sufficient and consistent with the Comprehensive Land Use Plan and the Land Development Code, staff recommends the following conditions be applied to such approval:

1. The staff recommends approval of the attached ordinance with the included conditions. There is an additional condition that staff did not support that the applicant will be presenting to the Board.

Email from Traffic Engineer

From: Jeff Crammond <CrammondJ@etminc.com>
Sent: Tuesday, January 4, 2022 10:06 AM
To: Tim Atkinson <TAtkinson@ohfc.com>
Cc: Thomas Hatcher <HatcherT@etminc.com>
Subject: RE: Levy County - Black Prong Equestrian Center

Based on the site plan the development will have 9 barns with apartments, 45 RV spots, a 20-room lodge, 3 tree houses and 10 tiny homes along with a 10,000 sf community center. The Institute of Transportation Engineers, Trip Generation Manual really doesn't have a land use that matches up with the program. If we go with LUC 260 Recreational Homes, and use the total unit count of 87 we get about 11 cars entering in the morning and 12 during the afternoon peak, if all the entering vehicles turned at a single drive we wouldn't trip the need for a left or right turn lane. If we looked at it as the worst case and assumed that the 87 units had the trip characteristics of a typical single family hours we would have 17 cars entering in the morning and 55 in the afternoon peak hour. If all the vehicles turned right it would just meet FDOT's threshold for a road with a posted speed of over 45 mph. I also pulled the AADT from Florida Traffic On-line (2,300 vpd) and with a K factor of 10% and directional distribution of 60/40 we would have 140 vehicles opposing our 55 left turns. These volumes don't trip the need for a left turn lane even on a road with a posted speed of 60 mph. Let me know if you need anything else.

Jeff

Jeff Crammond, P.E., PTOE, PTP

Vice President

England-Thims & Miller, Inc.

d: 904.265.3121

m: 904.613.4208

Letter from Florida Department of Agriculture and Consumer Services

FLORIDA FOREST SERVICE
WACCASASSA FORESTRY CENTER
(352) 395-4950
(352) 395-4959 FAX



5353 N.E. 39TH AVENUE
GAINESVILLE, FLORIDA 32609

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES COMMISSIONER NICOLE "NIKKI" FRIED

November 4, 2021

Stacey Hectus, Planning and Zoning Director
Levy County Planning and Zoning Department
310 School Street
Bronson, Florida 32621

Dear Ms. Hectus,

This letter is being written in response to the Application for Planned Unit Development Approval for the Black Prong Equestrian Village submitted to Levy County on October 1, 2021. One of the management objectives described in the ten-year resource management plan for Goethe State Forest is to provide for resource-based recreation opportunities on the forest. Expanding the existing facilities at Black Prong Equestrian Village into a "full-service equestrian resort" as described in the application would support this objective. Horseback riding continues to be a popular recreational activity on the forest and this proposal would increase opportunities for equestrian users to access the trails.

Management strategies for Goethe State Forest center on the multiple-use concept, and recreation is one of the many activities that occur on the forest. Below highlights some of the other forest uses that may occur that could limit trail access or otherwise affect operation of this facility.

- Each year, the Florida Forest Service plans to prescribe burn approximately 15,000 acres on Goethe State Forest. While conducting these prescribed burns, trails may need to be closed. Additionally, smoke from burns may impact trail conditions well after burns.
- Timber is a valuable economic and ecological resource, and timber harvesting for the purposes of generating revenue, improving forest health, and biological restoration and maintenance, is critical. Trails may be closed while timber harvests are ongoing.
- In cooperation with the Florida Fish and Wildlife Conservation Commission, Goethe State Forest is managed as a Wildlife Management Area and is open for hunting.

Ms. Stacey Hectus
November 4, 2021
Page 2

- The Florida Forest Service continually monitors the forest for the presence of invasive exotic plants. Care should be taken by forest users to prevent the introduction or spread of invasive exotics. Trails may be closed while treatment of invasive exotics occurs.
- After large storm events that result in flooding or excessive downed material, trails may be closed for extended periods.
- The Florida Forest Service charges a day use fee for recreational use, and this fee would need to be paid for each guest of the resort that is accessing the forest trails.

Please feel free to contact me at (352) 395-4933 if you need further comment.

Sincerely,



Rick Dolan
Waccasassa Forestry Center Manager