

STAFF REPORT

Planning & Zoning Commission: October 10, 2005
Board of County Commissioners: November 9, 2005

APPLICANT: Profree #2 LLC **FILE NUMBER:** H-05-99

PURPOSE: Revision to an Office Professional Master Plan to Include a Change in Access Points and a Change in the Concept of the Development

GENERAL

LOCATION: East side of Landover Boulevard, south side of Chalmer Street, west side of Portillo Road

LEGAL

DESCRIPTION: Lots 1, 2, 17 and 18, Block 971, Spring Hill, Unit 16, as per plat thereof recorded in Plat Book 9, Pages 18 - 31, of the Public Records of Hernando County, Florida in Section 18, Township 23 South, Range 18 East

FILE STATUS: All requirements necessary to conduct the public hearing have been satisfied.

CITIZEN RESPONSE: FOR: 0 AGAINST: 0

STAFF FINDINGS:

Surrounding Zoning

North: PDP(MF)
South: PDP(MF), PDP(OP)
East: PDP(MF)
West: PDP(MF)

Surrounding Land Uses

Multifamily, undeveloped
Undeveloped
Multifamily, undeveloped
Multifamily, undeveloped

SUMMARY OF REQUEST

The petitioner requests a master plan revision to include a change in access points and a change in the concept of the development. The subject property is located on the east side of Landover Boulevard, south side of Chalmer Street, west side of Portillo Road.

FACTUAL INFORMATION

1. The property is currently zoned PDP(OP).
2. The property comprises approximately 3.15 acres.

3. The site is undeveloped.
4. The site contains no majestic or specimen trees.
5. The subject property has access from Landover Boulevard, Chalmer Street and Portillo Road.
6. The subject property is located within a residential land use classification on the adopted Future Land Use Map.
7. The on-site soil type is Candler fine sand. Candler fine sand provides a habitat suitable for gopher tortoises. Since there is the potential for this listed species of special concern to be present, a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.
8. The property is located in a flood zone C.
9. The subject property does not contain any wetlands, WHPAs or SPAs according to County data resources.
10. The Utilities Department has indicated that central water and sewer are available to serve the subject site.
11. There are adequate public facilities available to serve the subject property.
12. The area is characterized by multifamily and office professional uses, and undeveloped parcels.
13. The petitioner has not requested any deviations from the County's LDRs.

STAFF DISCUSSION

The petitioner requests a master plan revision to include a change in access points and a change in the concept of the development. The property is zoned PDP(OP) and consists of four (4) lots: Lots 1, 2, 17 and 18. In May 2003, the BCC approved rezonings on Lots 1, 17 and 18 from PDP(MF) to PDP(OP). Lot 2 has been designated for medical use since Spring Hill was laid out.

The plan shows 25,404 square feet of office space, located on ten (10) office buildings on the site. The setbacks on the plan are as follows: 83' from Landover Boulevard, 55' from Chalmer Street, 83' from Portillo Road and 35' from the south rear lot line. The plan shows a 6' vegetated buffer with 80% opacity along the south and east lot lines adjacent to the lot zoned PDP(MF). The Planning

staff does not object to the plan submitted which meets the performance conditions associated with the 2003 rezoning approvals.

The plan shows 148 parking spaces located throughout the subject property. If the request is approved, the petitioner will be required to provide the minimum number of parking spaces as required per the LDRs.

The plan provided indicates access to Landover Boulevard, Chalmer Street and Portillo Road. The County Engineer does not object to the proposed access. The County Engineer indicates that if the request is approved, as the site goes through the development review process, the developer will be required to provide sidewalks and drainage as required per the facility design guidelines.

The Utilities Department has indicated that central water and sewer are available to serve the subject site.

FINDINGS OF FACT

The area is characterized by multifamily and office professional uses, and undeveloped parcels. Multifamily uses are located to the north, east and west of the subject property. Undeveloped parcels zoned PDP(OP) and PDP(MF) are located to the south.

The subject property is located within a residential land use classification on the adopted Future Land Use Map. Offices and professional uses are land uses allowed with performance conditions.

The staff is of the opinion that approval of the requested master plan revision is appropriate, with performance conditions, based on the following conclusions:

1. The proposed master plan revision is compatible with the surrounding land uses.
2. The proposed master plan revision is consistent with the County's adopted Comprehensive Plan and the County's land development regulations.

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:

Pursuant to the findings of fact outlined in the staff's report, the Planning staff recommends the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request for a master plan revision, with the following performance 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. The development shall be served by central water and sewer.
3. The setbacks will be as follows:

From Landover Boulevard:	50'
From Portillo Road:	35'
From Chalmer Street:	35'
From lot lines adjacent to property zoned for MF uses:	35'
From lot lines adjacent to property zoned for OP uses:	20'
4. The developer shall provide a 6' buffer of 80% opacity against residential lots.

P&Z RECOMMENDATION:

The Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request for a master plan revision, with the following performance 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. The development shall be served by central water and sewer.
3. The setbacks will be as follows:

From Landover Boulevard:	50'
From Portillo Road:	35'
From Chalmer Street:	35'
From lot lines adjacent to property zoned for MF uses:	35'
From lot lines adjacent to property zoned for OP uses:	20'

4. The developer shall provide a 6' buffer of 80% opacity against residential lots.

BCC ACTION:

The Board of County Commissioners voted 5-0 to adopt Resolution #2005-326 approving the petitioner's request for a master plan revision, with performance 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. The development shall be served by central water and sewer.
3. The setbacks will be as follows:

From Landover Boulevard:	50'
From Portillo Road:	35'
From Chalmer Street:	35'
From lot lines adjacent to property zoned for MF uses:	35'
From lot lines adjacent to property zoned for OP uses:	20'
4. The developer shall provide a 6' buffer of 80% opacity against residential lots.

NOTE: PLEASE NOTE THAT DEVELOPMENT ACTIONS TAKEN IN RELIANCE WITH THIS ZONING APPROVAL MUST BE CONSISTENT WITH THE APPROVED MASTER PLAN, DEVELOPER'S NARRATIVE, DEVELOPER'S REPRESENTATIONS ON THE RECORD, AND THE APPROVAL CONDITIONS BY THE BCC.