

STAFF REPORT

Planning & Zoning Commission: October 9, 2006
Board of County Commissioners: November 8, 2006

APPLICANT: Tradefield LLC **FILE NUMBER:** H-06-103

PURPOSE: Establish a master plan on property zoned PDP(OP)/Planned Development Project(Office Professional) with a reduction in setbacks

GENERAL

LOCATION: North side of County Line Road, west of Preston Hollow Drive

LEGAL

DESCRIPTION: A portion of Section 32 & 33, Township 23 South, Range 18 East, Hernando County, FL

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

Citizen correspondence received as of the date of this report? Yes No

STAFF FINDINGS:

<u>Surrounding Zoning</u>	<u>Surrounding Land Uses</u>
North: PDP(SF)	Single Family
South: Pasco County	Pasco County
East: PDP(OP)	Office Professional
West: AG with Home Occupation	Single Family

SUMMARY OF REQUEST

The petitioner has submitted a request to establish a master plan on property zoned PDP(OP)/Planned Development Project(Office Professional) with a reduction in setbacks.

FACTUAL INFORMATION

1. The property is currently zoned PDP(OP) Planned Development Project (Office Professional).
2. The property comprises approximately 3.90 acres.
3. The site is undeveloped.

4. The site is lightly wooded; however, does not appear to contain specimen or majestic trees.
5. The subject property has access from County Line Road and Preston Hollow Boulevard.
6. The subject property is located within an 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 capacity are available to serve the subject site.
11. There are adequate public facilities available to serve limited development on the subject property.
12. The surrounding area is characterized a mixture of Single Family uses, and undeveloped property.
13. The petitioner is requesting a reduction in setbacks along County Line Road from 125' to 75'.

STAFF DISCUSSION

The petitioner has submitted a request to establish a master plan on property zoned office professional with a reduction in setbacks. The subject property was zoned in 1989 as part of the overall combined planned development project for Preston Hollow which included both single family uses, and office professional uses along County Line Road. The residential component of Preston Hollow has been developed.

The master plan submitted indicates an 85' reservation area along County Line Road with a 75' building setback from the future right-of-way (ROW) line. The narrative indicates that additional right-of-way is being provided as a reservation for the future widening of County Line Road but it is not proposed as a dedication. The current required setback for County Line Road is 125'.

The plan proposes one access point to County Line Road, and one access to Preston Hollow Boulevard. The plan indicates a 35' setback from Preston Hollow Boulevard, a 35' rear setback adjacent to Preston Hollow, and a 20' western side setback. The setbacks proposed are consistent with the Planned Development Project Regulations. The plan depicts two office buildings along the rear of the property, 12,250 square feet each. Parking is located in the front of the offices.

The petitioner proposes the minimum PDP buffer which requires a minimum five foot landscape separation strip against the Preston Hollow residential to the north. The screening shall be a wall, fence and or approved enclosures. There shall be a minimum height of five feet and a maximum height of eight feet, or an evergreen hedge with a minimum height of five feet at the time of planting. Development on the property would have to meet the minimum commercial design standards design standards, and the applicable landscaping requirements.

The Utilities Department has indicated that central water and sewer are available to serve the subject site. There is an existing 10-inch waterline on the north side of County Line Rd and a 6-inch waterline on the west side of Preston Hollow Blvd. There is an existing gravity sewer system approximately 5,800-feet west of the parcel within Seven Hills Drive. Utility system upgrades may be required to supply this development depending on proposed flows. The applicant will have to connect to water and/or sewer if they meet the connection standards of the applicable ordinances at the time they apply for development permits.

County Line Road is operating at Level of Service (LOS) D. No improvements are planned within the 5-year plan. There are capacity issues associated with the roadway. If the request is approved, the petitioner will have to obtain a certificate of concurrency during review of construction plans for commercial development. If the project is not concurrent, the developer has the option of either delaying development or entering into an agreement to address the transportation issues at that time.

As a note, during the staff's field visit to the site, it was noted that the entry sign to Preston Hollow subdivision is constructed on the subject property. The subject property was platted as part of the Preston Hollow subdivision but was subsequently transferred to this private owner.

Pasco County has no comments regarding the petition.

FINDINGS OF FACT

The area to the north of the subject property is a developed residential subdivision. Property to the east is undeveloped, to the west is AG land developed with a residence.

The subject property is located within a residential land use classification on the adopted Future Land Use Map. Offices and professional uses can be located in the residential land use category with performance conditions being met. The subject property is currently zoned office professional but does not have a valid master plan. The petitioner is requesting to establish a master plan.

The proposed establishment of an office professional master plan is appropriate based on the following conclusions:

1. The buffering required by the County's Planned Development Project regulations provide adequate separation between the proposed development and the residential development to the north.
2. An agreement between the petitioner and the County addressing the transportation issues will ensure necessary facilities and services are provided to maintain public health, safety and general welfare.
3. The master plan is consistent with the County's adopted Comprehensive Plan and the County's land development regulations subject to performance conditions.

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, it is recommended the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request to establish a master plan on property zoned office professional, with a reduction in setbacks 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 approved setbacks are as follows:

From County Line Road: 75' (new ROW line)
From all other boundaries: per the PDP regulations

3. A minimum ten foot landscape separation strip against the Preston Hollow residential to the north is required.
4. Access approved as indicated on the master plan.
5. The plan shall provide interconnection to the property to the west.
6. The property will have to receive a concurrency determination regarding the transportation impacts at the time of development proposal. If the project is not concurrent regarding the transportation impacts, the project will have the option of utilizing the requirements for proportionate fair share mitigation of development impacts.
7. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. A \$250.00 late submittal fee will be required in the event the plan is not submitted within the specified time frame. Failure to submit the revised plan within 30 business days from BCC approval will result in the zoning becoming null and void.

P&Z RECOMMENDATION: