

STAFF REPORT

Planning & Zoning Commission: January 8, 2007
Board of County Commissioners: February 14, 2007

APPLICANT: Thomas Armbruster, MD **FILE NUMBER:** H-06-126

PURPOSE: Rezoning from PDP(IND)/Planned Development Project (Industrial) to PDP(CP)/Planned Development Project (Corporate Park)

GENERAL

LOCATION: West side of Anderson Snow Rd, on the east side of Industrial Loop approximately 650' from Anderson Snow Rd

LEGAL

DESCRIPTION: A portion of Section 22, 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:

Surrounding Zoning

Surrounding Land Uses

North: PDP(IND)
South: PDP(IND)
East: PDP(CP)
West: PDP(IND)

Undeveloped
Undeveloped
Undeveloped
Undeveloped

SUMMARY OF REQUEST

The petitioner requests to rezone from PDP(IND)/Planned Development Project (Industrial) to PDP(CP)/Planned Development Project (Corporate Park). The subject property is located on the west side of Anderson Snow Rd, on the east side of Industrial Loop approximately 650' from Anderson Snow Rd. The major difference between the PDP(IND)/Planned Development Project (Industrial) and PDP(CP)/Planned Development Project (Corporate Park) is the ability to accommodate a range of commercial uses such as day care centers, business, professional and nonprofit organization offices, business services and repairs, restaurants, hotels, and motels.

FACTUAL INFORMATION

1. The property is currently zoned PDP(IND)/Planned Development Project (Industrial).
2. The property comprises approximately 4.25 acres.
3. The site is undeveloped.
4. The site contains no majestic or specimen trees.
5. The subject property has access from Anderson Snow Road.
6. The subject property is located within the Airport Planned Development District 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, Special Protection Areas (SPA), or Wellhead Protection (WHPA) 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 undeveloped parcels.
13. The petitioner has not requested any deviations from the County's LDRs.

STAFF DISCUSSION

The petitioner requests to rezone from PDP(IND)/Planned Development Project (Industrial) to PDP(CP)Planned Development Project (Corporate Park) to match the properties eastern zoning of PDP(CP)Planned Development Project (Corporate Park). In December 14, 2005, the Board of County Commissioners voted 5-0 approving the petitioners request to rezone the front 4.25 portion of the subject property from PDP(IND)/Planned Development Project (Industrial) to PDP(CP)Planned Development Project (Corporate Park).

The petitioner proposes serving the development with central water and sewer service. The Utilities Department has indicated that central water and sewer are available to serve the subject site.

The County Engineer has reviewed the request and had no additional comments.

The County's Transportation Planning Coordinator has indicated that although Anderson Snow Road is operating at a LOS C, there may be limited additional capacity. There are no planned improvements at the present time. The petitioner will have to obtain a certificate of concurrency during review of the conditional plat. If the project is not concurrent, the developer has the option of either delaying development or entering into a proportionate fair share agreement, if eligible, to address the transportation issues at that time.

The Utilities Department has indicated that central water and sewer capacity is available to serve the subject site. A 8-inch water line is located on the west side of Industrial Loop. There is an existing gravity line along Industrial Loop. Capacity availability of the existing infrastructure is dependent on the engineer's estimated flows for this parcel. Existing water and sewer upgrades may be required to supply the proposed development. 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.

The subject property is located within the airport influence zone as identified in the County's LDRs. Certain uses face restrictions within the airport influence zone. The Airport Director indicates that if the request is approved, the petitioner shall be required to provide an aviation easement.

FINDINGS OF FACT

The area is characterized by undeveloped industrial parcels.

The subject property is located within the Airport Planned Development District land use classification on the adopted Future Land Use Map. Uses allowed in this category include aviation, commercial, industrial, public facility, limited agriculture, limited rural development and interim continuation of vested residential development. The request for the corporate park zoning is consistent with the Airport PDD.

The rezoning from PDP(IND)/Planned Development Project (Industrial) to PDP(CP)/Planned Development Project (Corporate Park) is appropriate, based on the following conclusions:

1. Corporate Park zoning would be compatible with the surrounding land uses along Anderson Snow Road.

2. Rezoning the subject property to PDP(CP)/Corporate Park is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject in compliance with all 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:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request to rezone from PDP(IND)/Planned Development Project (Industrial) to PDP(CP)/Planned Development Project (Corporate Park) 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 minimum setbacks are as follows:
Industrial Loop (West): 35'
From the side lot lines: 20'
From the east/rear lot line: 35'
3. The petitioner shall provide an easement for an extension of Corporate Boulevard to Industrial Loop in accordance with the site plan.
4. The petitioner shall provide an avigation easement.
5. 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.