

STAFF REPORT

Planning & Zoning Commission: September 11, 2006
Board of County Commissioners: October 11, 2006

APPLICANT: Bricklemyer, Smolker & Bolves, P.A. **FILE NUMBER:** H-06-93

PURPOSE: Master Plan Revision to Redesignate a Park Site as a Community Center

GENERAL

LOCATION: Located on the south side of Elgin Blvd within Sterling Hills subdivision, east of Sterling Hills Blvd. and south of Dunwoody Dr.

LEGAL

DESCRIPTION: Sterling Hills phase 1A, Track P1 Sterling Hills, A portion of Section 9 and 10, 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: PDP(SF)	Single Family
East: PDP(SU)	Challenger K-8 School
West: CPDP	Single Family

SUMMARY OF REQUEST

The petitioner has submitted a request to revise an existing approved Planned Development Project Single Family PDP(SF) Master Plan in order to accommodate a community center and associated recreational activities within the southern park site.

FACTUAL INFORMATION

1. The property is currently zoned Planned Development Project Single Family PDP(SF).
2. The property comprises approximately 19.0 acres.
3. The site has been developed with a paved parking lot.

4. The site does not appear to contain majestic and specimen trees.
5. The subject property has access from Sterling Hills Blvd.
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. County data resources indicate an archaeological site is located on the property.
9. The property is located in a flood zone C.
10. The subject property contains no wetlands, Special Protection Areas or Wellhead Protection Areas according to County data resources.
11. The Utilities Department has indicated that central water and sewer are available to serve the subject site.
12. There are adequate public facilities available to serve the subject property.
13. The surrounding area is characterized by undeveloped, educational facility and single family uses.
14. The petitioner has not requested any deviations from the County's LDRs.

STAFF DISCUSSION

Sterling Hill is part of the Holland Spring Development of Regional Impact (DRI). A specific master plan for Sterling Hill was approved in 2002. The petitioner is requesting to revise the previously approved master plan by developing the park site with a community center and accessory uses. The subject property is located south of Elgin Boulevard on the east side of Sterling Hill Boulevard.

Sterling Hills is a residential development located north and south of Elgin Boulevard. The Sterling Hill master plan approved two park/drainage retention areas to serve the development. One comprises approximately 25 acres and is located on the north side of Elgin Boulevard, the other which is the subject property, comprises 19 acres and is located on the south side of Elgin Boulevard east of Sterling Hill Boulevard. The master plan required that a minimum of 24.95 acres of usable

park area be provided within the development. Pursuant to the zoning condition, drainage retention areas are excluded from the calculation of usable park area.

The petitioner is proposing to develop the 19 acre park site with a community center and pool, picnic shelters, play ground, dog run, walking trail, pavilion and parking. All buildings within the park site are proposed to be setback at a minimum of 75 feet from property lines. The approved master plan does not provide a list of uses or development standards for park site.

Of additional concern to staff, county records indicate an archaeological site is located within the park area. The archaeological site is reflected on Map H of the Holland Spring Development of Regional Impact and on the subject property. The petitioner has indicated the general location of the site on the master plan for the park area. Additionally, the petitioner indicated via email that the community center shall setback a minimum of 250' from a previously indicated archeological site. An evaluation of the archeological site should take place to determine if there are additional protection measures required.

FINDINGS OF FACT

The subject property is located within a developing residential subdivision.

The subject property is located within a residential land use category. Land uses allowed are: Single family residential densities up to 5.4 units/acre, resort residential, and ancillary land uses such as recreation, churches, and community centers. A community center and associated recreational facilities would be an allowable use within the residential land use classification.

Approval the master plan revision to designate a park site as a community center is appropriate based on the following conclusions:

1. The proposed community center will serve the residents of the Sterling Hill development..
2. The proposed request is consistent with the 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, it is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request for a master plan revision to redesignate a park site as a community center and related recreational facilities with the following performance standards:

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. All buildings and structures shall be located a minimum of 75' from the property boundaries.
3. The nature and significance of the historical/archeological site shall be evaluated by a qualified archeological expert before any development of the subject property. All buildings or structures shall be located a minimum of 250' from the archaeological site.
4. Approved uses on the site include the following: community center and associated parking, tot lot, pool, dog park, walking trail, picnic shelters, swingsets, pavilion and other related park structures.
5. All applicable conditions of PD-366 (rezoning case file H-02-29) are in full force and effect.

P&Z RECOMMENDATION: