

STAFF REPORT

Planning & Zoning Commission: February 12, 2007
Board of County Commissioners: March 14, 2007

APPLICANT: Hernando County Airport **FILE NUMBER:** H-07-07

PURPOSE: Master Plan approval and rezoning from PDP(HC)/Planned Development Project (Highway Commercial) to PDP(LI)/Planned Development Project (Light Industrial) with a reduction in setbacks

GENERAL

LOCATION: South side of Spring Hill Drive, approximately 692' west of Air Commerce Boulevard

LEGAL

DESCRIPTION: A portion of Section 13 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

North: PDP(PSF)
South: PDP(AF)
East: PDP(PSF)
West: PDP(HC)

Surrounding Land Uses

Brooksville Road Prison
Hernando County Airport
National Guard Armory
Vacant Unimproved Parcel

SUMMARY OF REQUEST

Rezoning from PDP(HC)/Planned Development Project (Highway Commercial) to PDP (LI)/Planned Development Project (Light Industrial), and establishing a Master Plan on property zoned PDP(HC)Planned Development Project (Highway Commercial) and PDP(LI)/Planned Development Project (Light Industrial), with a reduction in setbacks.

FACTUAL INFORMATION

1. The property is currently zoned PDP(HC)/Planned Development Project (Highway Commercial).

2. The property comprises approximately 9.67 acres.
3. The site is currently undeveloped.
4. The site may contain majestic and specimen trees.
5. The subject property has access from Spring Hill Drive.
6. The subject property is located within the Airport Planned Development District on the adopted Future Land Use Map.
7. The on-site soil type is Masaryk Very Fine Sand fine sand.
8. The property is located in flood zone AH.
9. The subject property contains no wetlands, Wellhead Protection Areas (WHPA), or Special Protection Areas (SPA) 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 surrounding area is characterized by a mixture of commercial uses, public facilities, and vacant unimproved parcels.
13. The petitioner has requested a reduction in the rear yard setback for the PDP(HC) zoned portion of the property from 35' to 32', and a reduction in the front yard setback for the portion of property proposed for PDP(LI) zoning from 35' to 32'.

STAFF DISCUSSION

The petitioner has submitted a request to establish a Master Plan on property zoned PDP(HC)/Planned Development Project (Highway Commercial), with a reduction in front and rear setbacks on the Master Plan. The petition also includes a request to change approximately 6.45 +/- acres from PDP(HC)/Planned Development Project (Highway Commercial) to PDP(LI)/Planned Development Project (Light Industrial). The subject property encompasses approximately 9.67 acres and is within the Planned Development Land Use category on the adopted Future Land Use Map and is specifically located within the Airport Planned Development District.

The application includes specific requests for a 3' deviation to the required 35' rear setback for the portion of property zoned PDP(HC), and a 3' deviation to the required 35' front setback for the

portion of property proposed for rezoning to PDP(LI). The proposed master plan proposes approximately 3.22 +/- acres for commercial uses and 6.45 +/- acres for industrial uses. The Master Plan delineates multiple buildings throughout the 9.67 +/- acre parcel and an internal access road with one access point along Spring Hill Drive and Flight Path Drive.

The subject property shall comply with all standards in the LDRs, which include, but are not limited to dimensional regulations, parking design, and buffering requirements.

The County Transportation Planning Coordinator has reviewed the request and has no objection to the petitioner's proposal. The County Engineer has reviewed the petitioner's request and has stated that the petitioner shall participate in the cost of a street light at Anderson Snow Road.

The Utilities Department has indicated that an existing 6-inch water line is located on the south side of Spring Hill Boulevard, and an existing 8-inch water line is located on the south side of Flight Path Drive. An existing 6-inch force main is located on the south side of Spring Hill Boulevard, and an existing 8-inch gravity sewer line is located on the north side of Flight Path Drive. Capacity 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.

Soils and vegetation in this area are typical of gopher tortoise habitat. Since there is the potential for this listed Species of Special Concern to be present, the site should be inspected prior to construction. If gopher tortoises or any other listed species are present, this will give the property owner and/or the owner's representative a chance to examine all available options before construction begins. They should be advised to contact the Florida Fish and Wildlife Conservation Commission to discuss available options. Due to the species' protected status, the destruction of their burrows constitutes taking under the law except as authorized by a specific permit.

A portion of the subject property is within the 100 year floodplain according to County data resources. The 100-year floodplain shall be delineated on revised construction drawings. All finished floor elevations shall be above the regulatory 100 year floodplain. All roadways, driveways and finished floor elevations shall be above the regulatory 100 year flood elevation.

FINDINGS OF FACT

The subject property is located in the Airport Planned Development District and is surrounded by commercial uses, public facilities and vacant unimproved parcels.

The location of the subject property within the Airport Planned Development District allows for a mixture of the following land uses: aviation, commercial, industrial, public facility, exposition facility, limited agriculture, limited rural development, and interim continuation of vested residential development.

The petitioner's request is consistent with Objective 1.07C of the Hernando County Comprehensive Plan:

Maximize the use of the Hernando County Airport and surrounding lands by providing for aviation, aviation related activities, industrial uses, and other land uses not incompatible with the airport.

The rezoning of approximately 6.45 +/- acres from PDP(HC)/Planned Development Project (Highway Commercial) to PDP(LI)/Planned Development Project (Light Industrial) and the establishment a Master Plan on approximately 9.67 acres, with a reduction in setbacks is appropriate based on the following conclusions:

1. The proposed Master Plan would be compatible in the Airport Planned Development District and the surrounding land uses.
2. The proposed Master Plan is consistent with the County's adopted Comprehensive Plan and the County LDRs.
3. The proposed setback reductions for a 3' deviation to the required 35' rear setback for the portion of property zoned PDP(HC), and a 3' deviation to the required 35' front setback for the portion of property proposed for rezoning to PDP(LI) are justified.

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:

The Planning staff recommends that the Planning and Zoning Commission recommend the Board of County Commissioners adopt Resolution # _____ approving the petitioner's request to rezone approximately 6.45 +/- acres from PDP(HC)/Planned Development Project (Highway Commercial) to PDP(LI)/Planned Development Project (Light Industrial) and establishing a Master Plan on approximately 9.67 acres, with a reduction in setbacks with the following 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. A wildlife habitat assessment should be completed by a qualified professional prior to the issuance of development approvals, and documentation of compliance with an regional permits should be provided prior to any development on the site.
3. Minimum Perimeter Setbacks are as follows:

<u>Zoning</u>	Front	Side	Rear
PDP(HC)	75'	20'	32'
PDP(LI)	32'	20'	35'
4. 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.