

STAFF REPORT

HEARINGS: Planning & Zoning Commission: September 10, 2007
Board of County Commissioners: October 10, 2007

APPLICANT: William D. Vincent

FILE NUMBER: H-07-42

PURPOSE: Establish a Master Plan on property zoned PDP(HC)/Planned Development Project (Highway Commercial) with a reduction in setbacks

GENERAL

LOCATION: Northwest corner of Cortez Boulevard and Main Street

LEGAL

DESCRIPTION: A portion of Section 27, Township 22 South, Range 19 East of Hernando County, FL

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

CITIZEN

RESPONSE: Correspondence received as of the date of this report? Yes No

APPLICANT'S REQUEST:

The petitioner requests to establish a master plan on a 2.8 acre property zoned PDP(HC)/Planned Development Project (Highway Commercial) with a reduction in setbacks. The property currently has an existing feed store with outdoor storage. It is the intent of the petitioner to expand the existing business and create commercial and office lease space with a two-story building. The proposed master plan consists of a maximum of 38,000 square feet, which would include the existing 7,000 square foot feed store building. The existing feed store will be relocated into a portion of the new two-story building. However, the petitioner wishes to retain the previously approved outdoor storage and utilize the existing feed store building for storage of dry goods associated with the business.

SITE CHARACTERISTICS:

Site Size: 2.8 acres

Surrounding Zoning; Land Uses: North: HC; Undeveloped
South: C-1; HCUD Offices
East: C-4; Undeveloped

West: PDP(HC); Undeveloped

Current Zoning: PDP(HC)/Planned Development Project (Highway Commercial)

Future Land Use Map Designation: Commercial

Flood Zone: C

SITE CIRCUMSTANCES:

On October 4, 2000, the Board of County Commissioners approved a request to rezone from R-1C and C-2 to PDP(HC)/Planned Development Project (Highway Commercial) with an additional use for heavy wholesale and storage on the southern approximately 11.5 acres of a 15.6 acre subject site. Board of County Commissioners set performance conditions associated with the approval:

1. The petitioner shall be limited to one access to Cortez Boulevard
2. The frontage road location shall be moved to the south (between lots 1 and 5) in order to provide access to lots 1- 5.
3. The petitioner would provide a frontage road system across the property, at no cost to the County, upon demonstration of need by the County Engineer.
4. Setbacks approved as such: Cortez Boulevard: 75' (a reduction from the County LDR required 125')

ENVIRONMENTAL REVIEW:

Soil Type: Blichton Loamy, Kendrick Fine, Flemington Fine Sand Loam.

Hydrologic

Features: The subject property contains no wetlands, Wellhead Protection Areas (WHPA), or Special Protection Areas (SPA) according to County data resources.

Flemington fine sandy loam, 2 to 5 percent slopes has a perched water table above the Bt horizon (clay accumulation), and is saturated for 1 to 4 months during the wet season. This soil has medium potential for dwellings, and small commercial buildings if proper water control measures are used, and

footings and foundations are increased in size and strength. Potential for roads and streets is low even if the unsuitable soil material is replaced.

ENGINEERING & TRANSPORTATION REVIEW:

The proposed site is located at the north west signalized intersection of Cortez Boulevard and Main Street. The submitted site plan proposes that the 2.8 acre development would be accessed via three (3) direct entrances, one (1) along Cortez Boulevard (right-in/right-out) and two (2) along Main Street. The north access on Main Street would be full access and the southern access a right-out only with a concrete island (a relocation of the existing driveway).

The petitioner has also indicated that they will develop a frontage road system with a five (5) foot side walk along the properties northern property line. The proposed frontage road system would provide an additional two (2) access points onto the property, one full access point and the another a one-way left-out/right-out only access point.

The County Engineer has reviewed the petitioner's request and indicated that the petitioner must coordinate the proposed frontage road and all access points onto Cortez Boulevard and Main Street with the County Engineer.

The Transportation Planning Coordinator has reviewed the request and indicated no transportation related issues with the proposal.

UTILITIES REVIEW:

The Hernando County Utilities Department has reviewed the request and indicated that the subject site is within the City of Brooksville service area.

LAND USE REVIEW:

The petitioner has proposed a 2-story commercial/office building. The maximum building height permitted in a commercial district is forty-five (45) feet according to the County LDRs. If approved, the petitioner must comply with the height requirements of the County LDRs.

On October 4, 2000, the Board of County Commissioner approved the reduction in setbacks along Cortez Boulevard, from the County LDR required 125' to 75'. The petitioner is requesting the establishment of a master plan and therefore must once again request the reduction in setbacks for Board approval.

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must meet the County's LDR requirements for small box commercial lighting.

The plan depicts parking areas, but does not calculate the parking requirements in accordance with the County's regulations. If the request is approved, the petitioner will be required to revise the master plan to provide adequate parking.

Development will have to meet the minimum architectural design standards for small retail commercial development pursuant to the County's LDRs.

COMPREHENSIVE PLAN REVIEW:

The subject property is located within a Commercial land use classification on the adopted Future Land Use Map.

Policy 1.01A(9) The Land Development Regulations shall establish a Planned Development Project (PDP) district which can be used for single use or mixed use projects, with flexibility in standards allowed if projects provide environmental protection, landscaping, increased open space, public facilities, innovative planning design or other appropriate public benefits.

Comment: The development is proposed as a planned development project, and any approval should include appropriate performance conditions.

Policy 1.01L(6): The Land Development Regulations shall be written to encourage planned development zoning along arterial roads or in multiple land use developments to ensure compatible land uses and maximize coordination of facilities and access.

The establishment of a Master Plan on property zoned PDP(HC)/Planned Development Project (Highway Commercial) is appropriate with performance conditions, based on the following conclusions:

1. The proposed request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.
2. The rezoning would be compatible with the surrounding area subject to compliance with all performance conditions herein.

NOTICE OF APPLICANT RESPONSIBILITY:

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 Concurrency. 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 RECOMMENDATIONS:

It is recommended that 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 PDP(HC)/Planned Development Project (Highway Commercial) 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. Minimum Perimeter setbacks:
Cortez Boulevard: 75'
Main Street: 75'
Frontage Road: 35'
West: 35'
3. The petitioner must coordinate the proposed frontage road and all access points onto Cortez Boulevard and Main Street with the County Engineer.
4. The north access on Main Street would shall be full access and the southern access point a right-out only with a concrete island.
5. Access to Cortez Boulevard shall be limited to one driveway and shall only be a right-in/right-out.
6. The developer shall meet the County's LDR requirements for small box commercial development.

7. The petitioner shall be required to revise the master plan to reflect adequate parking for the subject site in accordance with County LDRs.
8. Outside storage shall be approved upon receiving a revised master plan reflecting an allocated area for the outside storage. Such area shall be screened and not visible from any public right-of-way. No outside storage shall be permitted in any designated parking areas.
9. The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan within 30 business days from BCC approval will result in the zoning becoming null and void.