

STAFF REPORT

Planning & Zoning Commission: July 10, 2006

Local Planning Agency: August 9, 2006

Board of County Commissioners: August 9, 2006

Board of County Commissioners:

APPLICANT: Lincoln Trust **FILE NUMBER:** CPAM-06-08

PURPOSE: Comprehensive Plan Amendment to amend the Future Land Use Map from Rural to Residential

GENERAL

LOCATION: West side of Grove Road, south of Cortez Boulevard

LEGAL

DESCRIPTION: A portion of Section 34, Township 22 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 Future Land Use

North: Rural
South: Rural
East: Rural
West: Rural

Surrounding Land Uses

Vacant, Institutional, Retail
Large Lot Single Family
Institutional, Vacant
Large Lot Single Family, Vacant

Surrounding Zoning

North: R1A, C1
South: AR2
East: AR2
West: PDPMF, AR2

BACKGROUND INFORMATION:

The applicant, Lincoln Trust, is requesting a Comprehensive Plan Future Land Use Map (FLUM) amendment for a 19.2 acre parcel of property lying west of Grove Road and south of SR 50. The parcel is currently designated Rural on the Future Land Use Map and is zoned AR2. The applicant

is seeking to change the FLUM designation from Rural to Residential in order to develop the parcel with a combination of multi-family and office professional uses.

The parcel lies within and is totally surrounded by land designated Rural on the FLUM. The Future Land Use Map pattern for the general area shows a strip commercial area along the SR 50 frontage on both the north and south sides. Behind the strip commercial on the north side of SR 50 is a transition to the Residential category. Along the south side of SR 50 there is a transition to Residential behind the strip commercial only as far east as Barclay Avenue. From Barclay Avenue east, there is a direct transition to Rural from the strip commercial. This pattern holds on the south side all the way to the end of the strip commercial at Colorado Street.

The applicant's narrative provided several justification statements as to why the parcel's designation on the FLUM should be changed from Rural to Residential. One of the justifications was that a transition to Residential south of the SR 50 strip commercial was necessary. However, as was explained above, the pattern was clearly established that no Residential transition was created east of Barclay Avenue in the original land use plan. The pattern of development south of SR 50 has been large lot residential uses.

The applicant's narrative cited the proximity to developed uses to the north as a justification for the proposed change. However, there are rural residential and vacant uses to the south, west, and east that haven't shown a tendency to develop and therefore, don't necessarily support the argument for the proposed change.

The applicant's narrative does demonstrate the availability of public facilities in the vicinity of the proposed change. However, as was pointed out by the applicant in the narrative, SR 50 is considered over capacity in the vicinity of the proposed project. It is true that a mitigation process has been developed to deal with development in areas that have existing entitlement to proceed. However, this proposal would create more entitlement in the area and will serve to exacerbate the existing traffic condition along SR 50.

The applicant's narrative states that the area surrounding the parcel has extensive multi-family, commercial, and office uses. However, a closer examination of the land use patterns in the area reveals that there is still vacant land to accommodate additional development without adding new supply, including the eastern portion of the multi-family zoned parcel directly west of the proposed parcel and several of the commercial parcels fronting SR 50 directly to the north of the proposed parcel.

The subject request is to change a small parcel (19.2 acres) which is below the mapping threshold of the comprehensive plan located in the middle of a rurally developed area designated for rural uses in the comprehensive plan. The consideration for this change in land use on the comprehensive plan would appear as an enclave of residential in a large uniform rural designated area and seems to be

inappropriate because of the scale of the amendment. The proposed change appears as a spot land use amendment in a larger rural category.

Comprehensive plan amendments generally deal with policy issues which impact larger tracts of land. If the request was for a larger area and the data and analysis was provided to show the need in the area for more residential land use, the proposed change might be consistent with policies 1.01 F(9-10) of the adopted comprehensive plan; however, the applicant has not provided the data and analysis to demonstrate this level of change; therefore, the comprehensive plan amendment requested by the applicant is not timely and should not be transmitted to the State for adoption consideration. In the future, if and when development in the area continues, there will be reasons to re-examine the established pattern on the south side of SR 50. These studies should be done for an extensive area and not be limited to a single 19.2 acre parcel.

It is the opinion of the Planning Staff that it is premature to consider such a study in the area at this time. Given the limitations on road capacity on SR 50, the availability of vacant property in the area for similar uses to the proposed parcel, the viability of the rural residential uses to the south, and the relatively small size of the 19.2 acre parcel lead to the opinion that changes to the Future Land Use Map are not warranted at this time.

Based on the above analysis of the application and support materials and conditions in the area together with an assessment of how the Future Land Use pattern was established in areas to the south of SR 50, it is the Planning Staff's opinion that the proposed map amendment is premature for conditions in the area, does not address the conditions in a large enough area to address what may be trends leading to a change in category, and is not supported by sufficient data and analysis.

STAFF RECOMMENDATION:

The Planning Staff recommends that the Planning and Zoning Commission recommend to the Local Planning Agency and Board of County Commissioners that CPAM 06-08 not be transmitted to the Department of Community Affairs.

LPA RECOMMENDATION: