ZONING PETITION REVIEW REPORT

TO: Pasco County Planning Commission FILE: ZN11-CU13

PETITION #CU11-13

FROM: Debra M. Zampetti

Zoning/Code Compliance Commission District #2

Administrator

Planning Commission

Hearing Date: 4/6/11, NPR

STAFF: Denise Hernandez

Planner I Board of County Commissioners

Hearing Date: 5/10/11, DC

SUBJECT: Conditional Use Request

South Central Pasco County

Recommendation: Approval with Conditions

TAZ #289

APPLICANTS: GOODFOREST, LLC/SIM CITY GOLF

PETITION SUMMARY:

Petition No. CU11-13 in the names of Goodforest, LLC/Sim City Golf has been filed for a conditional use for the sale of alcoholic beverages (2COP): beer and wine only, on-premises consumption, in conjunction with the operation of an indoor golf range and retail store in a C-2 General Commercial District. The property is located on the north side of S.R. 56, approximately 1,500 feet east of Bruce B. Downs Boulevard (Parcel ID Nos. 30-26-20-0000-00100-0020 and 30-26-20-0000-00100-0060) and contains a 4,918-square-foot indoor golf range and store (a.k.a. Sim City Golf, The Shops at Wiregrass, 28329 Paseo Drive, Building 11, Suite 130, Wesley Chapel, Florida).

The surrounding zoning districts and land uses are as follows:

Zoning District Land Use

North: A-C Agricultural The Shops at Wiregrass Retail

East: C-2 General Commercial The Shops at Wiregrass Retail

South: MPUD Master Planned Unit The Shops at Wiregrass Retail

Development

West: MPUD Master Planned Unit The Shops at Wiregrass Retail

Development

FINDINGS OF FACT:

- 1. Presently, the subject site contains The Shops at Wiregrass. The applicants propose the sale of alcoholic beverages: beer and wine only, on-premises consumption, in conjunction with the operation of an indoor golf range and retail store.
- 2. Access to the property is from Bruce B. Downs Boulevard, which has 100 feet of right-of-way, and S.R. 56, which has 250 feet of right-of-way.
- 3. The subject property is located in Flood Zones "AE," and "X," and development within the area designated Zone "AE" is subject to the requirements of the Land Development Code (LDC), Article 700, Flood Damage Prevention.
- 4. The surrounding area is characterized by an outdoor mall.
- 5. The subject area has been designated MU (Mixed Use) under the Comprehensive Plan.

- 6. The Board of County Commissioners (BCC) has approved the following conditional uses for the sale of alcoholic beverages within The Shops at Wiregrass:
 - a. On August 12, 2008, Petition Nos. 08-36 through 08-49, for the sale of alcoholic beverages in conjunction with the operation of 12 restaurants, a pub, and a wine specialty store.
 - b. On April 21, 2009, Petition No. 09-14, with conditions in conjunction with the operation of a shopping-center courtyard for the "Gatherings at Wiregrass" weekly events.
 - c. On February 9, 2010, Petition No. 10-18, with conditions in conjunction with the operation of a restaurant located on The Shops at Wiregrass, Outparcel No. 5.
 - d. On November 3, 2010, Petition No. 11-04, with conditions in conjunction with the operation of a restaurant.
- 7. The owners'/applicants' request is compatible with the established pattern of land use and zoning in the area, as conditioned.
- 8. Staff has reviewed the proposed request in accordance with the LDC, Article 300, Subsection 303.3.A.6, Standards for Approval of Conditional Uses, and with the applicable provisions of the Pasco County Comprehensive Plan and finds it consistent, as conditioned

STAFF RECOMMENDATION:

Approval with Conditions

CONDITIONS:

- 1. This conditional use shall be limited to the 4,918-square-foot area shown on the site plan submitted with this application.
- 2. This approval is subject to the provisions of the LDC, Section 303.5, Review and Revocation of Conditional Use Permits. In addition, staff may initiate a revocation for violations of the conditions of approval and/or upon a showing of the criteria outlined in Section 303.5.C.1, Review and Revocation of Special Exceptions and Conditional Use Permits.
- 3. In addition to complying with the above conditions, no activity shall commence on site until such time as the acknowledgment portion of this document is completed (including notarization) and received by the Zoning and Site Development Department after the final action.

OWNERS'/APPLICANTS' ACKNOWLEDGMENT:

The owners/applicants acknowledge that they conditions of approval. Do not sign until yo County Commissioners results.		•
(Date)		
	Printed Name	
I hereby certify on this day of personally appeared the owners/applicants, to executed the foregoing document and severally and deed for the uses and purposes therein exp	o me known to be the person acknowledged the execution	ons described in and who
Witness my hand and seal atday and year aforesaid.		County, Florida, the
My commission expires:		
	Notary Public. State of	at Large

PLANNING COMMISSION ACTION:		
Approval of Staff Recommendation: Denial of Staff Recommendation:		
BOARD OF COUNTY COMMISSIONE	RS ACTION:	