

ZONING PETITION REVIEW REPORT

TO: Pasco County Planning Commission FILE: ZN08-CU32
PETITION #CU08-32
Commission District #2

FROM: Debra M. Zampetti
Zoning/Code Compliance Administrator Planning Commission
Hearing Date: 7/9/08

SUBJECT: Conditional Use Request Board of County Commissioners
South Central Pasco County Hearing Date: 8/12/08, DC

APPLICANT: **OPC RETAIL PARTNERS, LLC/
CVS STORE #4362** TAZ #287

PETITION SUMMARY:

Petition No. CU08-32 in the name of OPC Retail Partners, LLC/CVS Store #4362 has been filed for a conditional use for the sale of alcoholic beverages (2APS): beer and wine only, package sales only, in conjunction with the operation of a retail store and pharmacy in an MPUD Master Planned Unit Development District. The property is located on the southwest corner of the intersection of Pasco-Hillsborough County Line Road and Mansfield Boulevard (Parcel ID Nos. 32-26-20-0000-00500-0040 and 33-26-20-0000-00100-0090) and will contain a proposed 12,900-square-foot freestanding building (a.k.a. CVS Store #4362, 30050 County Line Road, Wesley Chapel, Florida).

The surrounding zoning districts and land uses are as follows:

	<u>Zoning District</u>	<u>Land Use</u>
North:	MPUD Master Planned Unit Development	Pasco-Hillsborough County Line Road; Clubhouse/Tennis Courts
East:	MPUD Master Planned Unit Development	Mansfield Boulevard; Undeveloped
South:	MPUD Master Planned Unit Development	Wetland/Conservation Easement; Single-Family Attached Villas
West:	MPUD Master Planned Unit Development	Undeveloped

FINDINGS OF FACT:

1. Presently, the subject site is undeveloped. The applicant proposes to develop the property with a 12,900-square-foot freestanding 24-hour pharmacy, retail, and walk-in clinic (clinic hours) operation with drive-through lanes. The applicant proposes the sale of alcoholic beverages (2APS): beer and wine only, package sales only, in conjunction with the operation of a retail store and pharmacy.
2. Access to the property is from Pasco-Hillsborough County Line Road, which has 120 feet of right-of-way, and/or Mansfield Boulevard, which has 80 feet of right-of-way.
3. The subject property is located in Flood Zones "A" and "X," and development within the area designated Zone "A" is subject to the requirements of Article 700, Flood Damage Prevention, of the Land Development Code.
4. The surrounding area is characterized by residential development and undeveloped properties.
5. The subject area has been designated RES-3 (Residential - 3 du/ga) under the Comprehensive Plan.

6. On June 23, 1981, the Board of County Commissioners approved a rezoning (Petition No. 1505) from PUD Planned Unit Development to MPUD Master Planned Unit Development with conditions for Meadow Pointe (f.k.a. Williamsburg West) and, subsequently, approved the master plan designating the southwest and southeast corners (Tracts 8 and 9) of the intersection of Mansfield Boulevard and Pasco-Hillsborough County Line Road for C-1 Neighborhood Commercial District standards of development.
7. The owner's/applicant's 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 Article 300, Subsection 303.3.A.6, Standards for Approval of Conditional Uses, of the Pasco County Land Development Code and with the applicable provisions of the Pasco County Comprehensive Plan and finds it consistent, as conditioned.

STAFF RECOMMENDATION TO THE PLANNING COMMISSION:

Approval with Conditions

CONDITIONS:

1. This conditional use shall be limited to the area shown on the site plan submitted with this application containing a proposed 12,900-square-foot freestanding building.
2. This approval is subject to the provisions of the Pasco County Land Development Code, 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. The owner/applicant acknowledges that any provisions of Pasco County ordinances not specifically waived shall be in full force and effect.
4. Calculation of allowable density and intensity shall be in compliance with the land use category limitations set forth in the Pasco County Comprehensive Plan.
5. 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/Code Compliance Department after the final action.

OWNER'S/APPLICANT'S ACKNOWLEDGMENT:

The owner/applicant acknowledges that it has read, understood, and accepted the above-listed conditions of approval. **Do not sign until you receive a copy of this petition with the Board of County Commissioners results.**

(Date)

I hereby certify on this _____ day of _____, _____, A.D., before me personally appeared the owner/applicant, to me known to be the person described in and who executed the foregoing document and severally acknowledged the execution thereof to be their free act and deed for the uses and purposes therein expressed.

Witness my hand and seal at _____, _____ County, Florida, the day and year aforesaid.

My commission expires:

Notary Public, State of _____ at Large

PLANNING COMMISSION ACTION:

Approval of Staff Recommendation: _____ Ayes; _____ Nays
Denial of Staff Recommendation: _____ Ayes; _____ Nays

STAFF RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS:

BOARD OF COUNTY COMMISSIONERS ACTION: