

STAFF REPORT

HEARINGS: Planning & Zoning Commission: June 13, 2022
Board of County Commissioners: July 12, 2022

APPLICANT: Maxx Development Partners, LLC

FILE NUMBER: H-22-26

REQUEST: Establish a Master Plan on Property Zoned PDP(GC)/Planned Development Project (General Commercial) and a Rezoning from PDP(GC)/Planned Development Project (General Commercial) to CPDP/ Combined Planned Development Project to include General Commercial with a specific C-2 use for Mini-Warehouses, Multifamily, an Adult Congregate Care Living Facility and Deviations

GENERAL LOCATION: Northwest corner of Spring Hill Drive and the Suncoast Parkway and east side of Barclay Avenue, approximately 1,500' north of Spring Hill Drive

PARCEL KEY NUMBERS: 1599274, 377577

APPLICANT'S REQUEST:

The petitioner is requesting to Establish a Master Plan on Property Zoned PDP(GC)/Planned Development Project (General Commercial) and a Rezoning from PDP(GC)/Planned Development Project (General Commercial) to CPDP/ Combined Planned Development Project to include General Commercial with a specific C-2 use for Mini-Warehouses, Multifamily, an Adult Congregate Care Living Facility and Deviations. The subject site is comprised of two separate parcels (#377577 & #1599274) and two previously approved zonings (H0122 & H0055), of which both master plans have expired due to lack of development.

The petitioner's current request is to develop the overall 37.05-acre site with a mixed-use project which would include two (2) commercial tracts, two (2) residential tracts, and one (1) tract with multiple options for commercial, residential or an adult congregate living facility. The proposed use allocations are as follows:

Residential Tracts	Acreage	DU	Building Height
Multifamily	13.99 AC	336	4 Story/60'
Townhomes	11.04 AC	106	2 Story/35'
<i>Residential Subtotal</i>	<i>25.03 AC</i>	<i>442</i>	
Commercial Tracts (150,000 Sq. Ft. total)			
Tract 1 (Spring Hill Dr) 3 to 4 Outparcels	5.33 AC		4 Story/60'
Tract 2 (Barclay Ave) 1 Outparcel	1.04 AC		4 Story/60'
Tract 3* (Barclay Ave)	1.76 AC		
Commercial			4 Story/60'
Townhomes		20	
Assisted Living Facility		120 Beds	
<i>Commercial Subtotal</i>	<i>8.13 AC</i>		
Infrastructure Tracts			
Roads	2.23 AC		
Ponds	1.67 AC		
<i>Infrastructure Subtotal</i>	<i>3.9 AC</i>		
PROJECT TOTAL	37.06 AC	462 DU & 120 ALF Beds	

**The petitioner has requested the option for three (3) alternatives for Tract 3. Staff cannot support an option of three (3) alternatives on a single parcel. An analysis of Tract 3 will be provided later in the report.*

The Petitioner's Proposed Deviations to the Land Development Regulations

To develop the mixed-use community, the petitioner has requested the following deviations:

1. **Perimeter Building Setbacks Accessory Structures**

Requested Deviation: Twenty (20) foot setback for accessory structures adjacent to the Suncoast Parkway.

Petitioner's

Justification:

The free-standing garages will be one (1) story and placed along the perimeter. They also serve as a height transition to the multi-family buildings. They will be adjacent to a perimeter landscape buffer and additional setback is not necessary as they function

as a transitioning use to the taller multi-family buildings internal to the site.

2. **Maximum Number of Multi-Family Units/Building**

Requested Deviation: The maximum number allowed of unit/building requested is 76.

Petitioner's

Justification: The existing multi-family building limit of twelve (12) units per building is an antiquated standard and does not reflect current industry standards for a multi-family development. A limit of 12 units/building would make the development of multi-family economically unfeasible.

3. **Commercial Tree Preservation Density Ratio**

Requested Deviation: The required tree preservation ratio of 15 trees/acre shall be allowed to be provided in the larger residential tree preservation and open space areas that have excess tree preservation and open space acreage.

Petitioner's

Justification: In order to efficiently develop this mixed-use development, it is requested to allow the commercial tree preservation tree density ratio within the residential portions of the project.

4. **Commercial 5% Natural Tree Preservation Area Ratio**

Requested Deviation: The required 5% of the commercial project area to be preserved natural vegetation shall be allowed to be provided in the larger residential tree preservation areas.

Petitioner's

Justification: In order to efficiently develop this mixed-use development, it is requested to allow the commercial tree preservation area ratio within the residential portions of the project.

5. **Large Retail Development Buffer Requirement**

Requested Deviation: The required 35' landscape buffer along Spring Hill Drive shall be allowed to be reduced to 20'.

Petitioner's

Justification: In order to efficiently develop the commercial out-parcels along Spring Hill Drive it is requested that the required 35' buffer be reduced to 20'.

6. Two Means of Access Policy

Requested Deviation: The required two-Means of Access for the townhome and multifamily shall be allowed to be reduced to a single boulevard entrance.

Petitioner's Justification: Due to site configuration, the proposed townhome and multifamily project is proposing a single boulevard access to the proposed access/frontage road.

SITE CIRCUMSTANCES:

Parcel Key #377577 (16.1 AC) is within the Holland Spring DRI and the last remaining undeveloped parcel. The Holland Spring DRI is a mixed-use development which includes single family, multifamily, commercial, recreation, institution and public facilities; and was originally approved on April 12, 1983. The Holland Springs DRI is still active and previous entitlements are in full force and effect.

As it currently exists, the Holland Spring DRI is approved for 282,000 square feet of commercial use. Development taken from as-built information is 220,625 square feet of commercial, leaving 61,375 square feet of commercial space for development on the proposed site. The petitioner is proposing a 100,000 square foot Self Storage Facility as one of three options for Tract 3. Any commercial development on Parcel Key #377577 that exceeds 61,375 square feet of commercial space will require a Notice of Proposed Change or an abandonment of the DRI

SITE CHARACTERISTICS:

Site Size: 37.06 acres

Surrounding Zoning & Land Uses:

North: PDP(MF), (GC); Multifamily, Self-Storage
South: PDP(GHC), (OP), C-2; Publix Plaza, Auto Repair, Medical Office
East: Suncoast Parkway
West: PDP(SF); Pristine Place Subdivision

Current Zoning: PDP(GC)/Planned Development Project (General Commercial)

Future Land Use Map Designation: Commercial

ENVIRONMENTAL REVIEW:

Soil Type:	Candler Fine Sand
Habitat:	Vacant, wooded sandhill according to FWC CLC (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with Fish and Wildlife data) mapping. Soils and habitat are suitable for gopher tortoises. Narrative states this listed species is present.
Comments:	Candler Fine Sand provides habitat suitable for gopher tortoises (a listed species) and commensal species. A comprehensive faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
Hydrologic Features:	The subject property contains no wetlands or Special Protection Areas (SPA), according to County data resources.
Protection Features:	The property is located within a Wellhead Protection Area 2 (WHPA) according to County data resources.
Comments:	The WHPA-2 designation will not affect the proposed use
Resources/ Features:	There no archaeological sites on the subject site according to County data resources.
Water Quality:	This project is located within the Weeki Wachee Priority Focus Area identified by the Florida Department of Environmental Protection (FDEP) as contributing nutrients to the Weeki Wachee Riverine System. Providing information on Florida Friendly Landscaping techniques and proper fertilizer use is another opportunity to educate property owners on water quality.
Comments:	<p>The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.</p> <p>The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program information and</p>

encourage the use of the principles, techniques, and landscaping materials within tracts that may be fee simple.

The developer must provide geotechnical and geophysical subsurface testing in accordance with the Hernando County Facility Design Guidelines, including any proposed drainage retention areas (DRA) within the project that may require to test for karst features or voids.

Flood Zone: C

SCHOOL BOARD REVIEW:

No comments were received from the Hernando County School District on the subject application.

The applicant must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District, and the County.

UTILITIES REVIEW:

The Hernando County Utility Department (HCUD) has indicated that it does not currently supply water or sewer service to this parcel. There is an existing 6-inch water main that runs behind the Publix store adjacent to these parcels, and an existing 12-inch water main that runs along the south side of Spring Hill Drive. There is an existing 12-inch sewer force main that runs along the north side of Spring Hill Drive, and an existing 12-inch sewer force main that runs through both parcels. Negotiations are currently underway to relocate the force main behind the Publix store and upsize it to a 16-inch. The negotiations also include vacating the HCUD interest in the easement the force main runs in. HCUD has no objection to the request subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction, acquisition by HCUD of a new force main easement and installation of the new force main.

ENGINEERING & TRANSPORTATION REVIEW:

Parcel Key #377577 (16.1 AC) is within the Holland Spring DRI. The Holland Spring DRI was originally approved with 41,262 total average daily vehicle trips and 28,883 external vehicle trips. It is estimated that the average daily and external vehicle trips for

the Holland Spring DRI would not be exceeded with the addition of development on the 16.1-acre parcel.

The subject site is located on the Northwest corner of Spring Hill Drive and the Suncoast Parkway and east side of Barclay Avenue, approximately 1,500' north of Spring Hill Drive. The petitioner is proposing two access points along Spring Hill Drive. One access will be limited to right-in/right-out and the other is proposed as a full access with potential for signalization. A cross access into the Publix Shopping Center is also proposed. Along Barclay Avenue two right-in/right-out access points are proposed. The southern access will provide access through the project to the east via a reverse frontage road which will also provide for internal access of the townhome and multifamily tracts.

The County Engineer reviewed the request and indicated the following:

- The project will be required to provide a Traffic Access Analysis, a Signal Warrant Analysis and a queue Stacking study.
- Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
- Driveways and parking areas will have to meet County Standards.
- Roadways required to meet County Standards.

COMMERCIAL LAND USE REVIEW

The Hernando County Land Development Regulations require certain retail development standards for all projects in excess of 25,000 square feet. The large retail standards will ensure a cohesive and harmonious development. The standards include, but are not limited to architectural style, parking design, internal pedestrian circulation, and buffering. The project will be required to meet the Large Retail development standards of Article III of Appendix A (zoning).

Building Setbacks

Proposed Commercial Building Setbacks:

Spring Hill Drive:	75'
Barclay Avenue:	75'
Side:	20'
Rear:	35'
Access/Frontage Road	20'

Proposed Commercial Internal Setbacks:

Internal Setback:	20'
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Parking

County Land Development Regulations (LDRs) require a minimum of 4.0 parking spaces per 1,000 square feet of commercial use and 0.5 parking spaces per seat for fast-food restaurants.

Comments: The petitioner shall meet the minimum parking requirements of the County LDRs.

Buffers

A buffer shall be required between a Planned Development Project land use which is multifamily or non-residential and a land use, external to the PDP, which is residential, agricultural-residential or agricultural.

Large Retail Developments of over 25,000 square feet shall be required a buffer along the full length of all streets serving a large retail development. The buffer shall be a minimum of thirty-five (35) feet in width and comprised of retained natural vegetation or planted with native plant species.

The minimum commercial buffer shall consist of a five-foot landscaped separation distance. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) feet and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

Comments: The petitioner has requested a deviation from the Large Retail Development buffer requirement. The petitioner is requesting 20' deviation from the minimum 35' buffer.

The Suncoast Parkway is considered a scenic highway. As part of any new subdivision or commercial development along a designated scenic highway, a 20' landscape buffer shall be required. The purpose of this buffer is to shield the traveling public from signage, development and walls/fences and provide views of open space and natural areas on designated scenic highways. Furthermore, the buffer shall be planted in accordance with the requirements of the Community Appearance Ordinance for scenic highways.

Comments: If approved, the petitioner must provide a minimum 20' landscape buffer along the eastern boundary against the Suncoast Parkway. The existing trees shall remain within the buffer area supplemented with plantings to provide a minimum 80% opacity.

Commercial Tree Preservation

The petitioner has requested deviations from the Community Appearance Ordinance as it relates to the following:

The petitioner has requested that the required tree preservation ratio of 15 trees/acre be allowed to be provided in the larger residential tree preservation and open space areas that have excess tree preservation and open space acreage.

The petitioner has requested that the required 5% of the commercial project area to be preserved as natural vegetation be allowed to be provided in the larger residential tree preservation areas.

Comments: The petitioner is proposing a unified mixed-use development. The petitioner's request to relocate the required commercial tree preservation and natural vegetation into the proposed multifamily and townhome use should be permitted. If approved, the multifamily and townhomes shall be required to meet the minimum prospective requirements and the relocated 5% Natural Tree Preservation Areas shall be dedicated preservation tracts.

Signage

County LDRs require that any commercially zoned parcel(s) with less than one hundred (100) linear feet of road frontage will be allowed one (1) sign not to exceed one hundred (100) square feet in sign area. Commercially zoned parcels with a road frontage in excess of one hundred (100) linear feet will be allowed one (1) square foot of sign area per linear foot of road frontage with a maximum of two hundred (200) square feet of sign area. For commercially zoned parcels on all other roads and for parcels within any zoning district other than commercial or residential, the maximum is fifty (50) square feet of sign area.

Shopping centers, malls, strip plazas and other buildings housing more than one (1) business or activity may display no more than one (1) sign for each two hundred (200) feet of frontage, provided they are at least two hundred (200) feet apart along public streets and provided each sign does not exceed the maximum allowed according to subsection (1) herein.

Comments: If approved, all signs shall be designed as an integral part of the development and predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. Signs should also be limited to ground mounted monument type signs.

Landscape

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.

Lighting

The petitioner has not indicated lighting for the proposed campus. If approved, all lighting should be full cut off fixtures in order to prevent any light spillage into neighboring parcels.

MULTIFAMILY LAND USE REVIEW

Minimum Building Setbacks:

Suncoast Parkway:	75'
Frontage Road:	20'
Garages:	20'
Building Separation (Under 45'):	15'
Building Separation (Over 45'):	15' plus one foot for every foot above 45'
Maximum Building Height:	60'4 Stories

The free-standing garages will be one (1) story and placed along the perimeter. They serve as a height transition to the multi-family buildings.

Multifamily Units Per Building

Appendix A, Article IV, Section 2(H), 4(K); requires a maximum of twelve (12) multifamily dwelling units per building.

Comments: The petitioner is requesting a deviation from the twelve (12) units per building in order to allow a maximum of 76 units per building. The Building Department indicated no concerns with the increased unit count per building.

Buffer

The County LDRs have design standards for buffering. The buffer shall consist of a minimum five (5) foot landscaped separation. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) feet and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting. The petitioner has indicated that they will meet the minimum requirements of the County LDRs and enhance and fence the easterly 5' buffer along the Suncoast Parkway.

The Suncoast Parkway is considered a scenic highway. As part of any new subdivision or commercial development along a designated scenic highway, a 20' landscape buffer shall be required. The purpose of this buffer is to shield the traveling public from signage, development and walls/fences and provide views of open space and natural areas on designated scenic highways. Furthermore, the buffer shall be planted in accordance with the requirements of the Community Appearance Ordinance for scenic highways.

Comments: If approved, the petitioner must provide a minimum 20' landscape buffer along the eastern boundary against the Suncoast Parkway. The existing trees shall remain within the buffer area supplemented to achieve a minimum 80% opacity.

Open Space

The LDRs have design standards required for PDP(MF)/Planned Development Project (Multifamily). The design standards require a minimum 15% of the gross area be provided as open space. If approved, the petitioner must provide the required open space as required by the County's LDRs.

Natural Vegetation

Projects greater than twenty (20) acres shall designate an area of at least seven (7) percent of the total project area as preserved natural vegetation and no construction activity can occur in this area. Preserved natural vegetation areas must be a minimum of twenty thousand (20,000) square feet.

Access

To establish minimum access requirements to multifamily subdivisions, the Board of County Commissioners adopted a policy requiring two (2) means of access. The policy serves to provide more than one-way in and one-way out for residents of a subdivision, alternate routes for emergency services, interconnection between subdivisions, a shortened drive time for residents to the entrance/exits, and access points for travel direction outside of the development. A minimum of two (2) access points must be provided to serve any new subdivision or development pod with more than 50 units.

Comments: The petitioner is proposing a single entrance onto the access/frontage road for the proposed townhomes and multifamily. If approved, the petitioner shall be required to provide a boulevard entrance for both uses in accordance with the two (2) means of access policy.

Landscape

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.

Assisted Living Facility

The petitioner has proposed a 120 bed Assisted Living Facility (ALF) as of one of three alternatives for Tract 3 (Barclay Avenue). The PDP master plan process, although conceptual, is specific to a particular use. Staff is able make provisions for the expansion of the townhomes into Tract 3 since the use is already proposed; however, the ALF would be considered a significant change in scope and will require a revision to the master plan in the future should the petitioner decide to move forward with the ALF use.

COMPREHENSIVE PLAN REVIEW:

The Comprehensive Plan Future Land Use Map designates this area as residential. The use of the 16.1-acre parcel as commercial; however, is appropriate due to fact that the site is located in the Holland Springs Development of Regional Impact (DRI) and is designated for commercial development on the approved Map H.

Future Land Use Element:

Objective 1.04G: The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

Comments: The project is located adjacent to the Spring Hill Drive and Barclay Avenue commercial node. The proposed project is mixed-use and the commercial along Spring Hill Drive is allowed in the Residential category when it's an integral part of a mixed-use development.

Multi-Family Housing

Strategy 1.04B(5): High density zonings are intended for locations in the more intensely developed sections of the County. New residential development of high-density housing shall utilize the Planned Development Project (PDP) process. Regulatory criteria shall include standards that evaluate and address suitability of the location including:

- a. proximity to existing or designated commercial areas, corridors, or employment centers;
- b. direct or limited local access to arterial or collector roadways;
- c. availability of appropriate infrastructure and services capacity at the site including police, fire, emergency medical services, potable water utility supply, sewer utility supply, and primary and secondary school facilities;
- d. protection of high quality environmentally sensitive resources or historic and archaeological resources;
- e. the character and density of existing and approved residential development in the surrounding area.

Strategy 1.04B(6): Multi-family development may be allowed in the Commercial Category pursuant to a Planned Development Project (PDP)

Master Plan and related strategies to accommodate infill and/or mixed use development.

Comment: The multifamily development is proposed as a PDP/Planned Development Project with a maximum of 462 units on 25.03 acres. The proposed density is 17.65 du/acre. The proposed project location is suitable for multifamily with appropriate performance conditions.

Road Network – Frontage Roads

Objective 5.01B: Maintain and expand a system of frontage roads and cross-access easements parallel to County arterial and collector roads. The frontage road network is designed to enable the creation of shared drives, shared easements, and alternative routes. Frontage road configuration is intended to optimize corridor and roadway network function, maintain capacity on the functionally classified network, and provide aesthetic, safe and convenient access to multiple properties and business sites.

Strategy 5.01B(3): The County should require cross-access easements, shared drives, shared access and other techniques that optimize the function of the roadway network where frontage roads are not required.

Comments: The County Engineer has reviewed the proposed development and indicated that due to the configuration of the parcel and its location, a reverse access/frontage road is preferred. The petitioner shall be required to provide interconnectivity and cross-connection between outparcels.

FINDINGS OF FACT:

The request to Establish a Master Plan on Property Zoned PDP(GC)/Planned Development Project (General Commercial) and a Rezoning from PDP(GC)/Planned Development Project (General Commercial) to CPDP/ Combined Planned Development Project to include General Commercial with a specific C-2 use for Mini-Warehouses, Multifamily, an Adult Congregate Care Living Facility and Deviations is inappropriate as requested based on the following conclusions:

1. Tract 3 may be utilized for commercial use, however, will be limited to 61,375 square feet of commercial space as per the commercial square foot balance of the Holland Spring DRI.

2. Tract 3 will be permitted with two (2) alternatives; commercial or an additional 20 townhome units (an expansion of the uses allowable within the residential tracts).
3. A master plan revision shall be required for any future Assisted Living Facility (ALF) on Tract 3.
4. The following requested deviations are justified with appropriate performance conditions:
 - Perimeter Building Setbacks Accessory Structures
 - Maximum Number of Multi-Family Units/Building
 - Commercial Tree Preservation Density Ratio
 - Commercial 5% Natural Tree Preservation Area Ratio
 - Large Retail Development Buffer Requirement
 - Two Means of Access Policy
5. The master plan, with the exceptions of the stated Tract 3 limitations, is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all performance conditions.

The master plan process does not lend itself to requesting "potential" future uses. The PDP/Planned Development Project process requires specific project details in order to properly evaluate impact. The alternatives for tract 3 of either commercial or the expansion of the townhome is justifiable since the townhome is a proposed used on another portion of the project and the alternative is a 20-unit expansion.

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 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. Homeowner 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 a resolution Establishing a Master Plan on Property Zoned PDP(GC)/Planned Development Project (General Commercial) and a Rezoning from PDP(GC)/Planned Development Project (General Commercial) to CPDP/ Combined Planned Development Project to include General Commercial and Multifamily uses with Deviations, and the following performance conditions:

1. The petitioner must obtain all permits from Hernando County and other applicable agencies and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. A faunal (wildlife) survey shall be prepared by a qualified professional. The petitioner is required to comply with all applicable FWC regulations and permitting.
3. The petitioner shall meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping, as applicable.
4. The petitioner shall provide a minimum 20' landscape buffer along the eastern boundary against the Suncoast Parkway. The existing trees shall remain within the buffer area and supplemented as needed to achieve a minimum 80% opacity within three years of planting. Additionally, the petitioner shall provide a 20' (deviation from 35') commercial buffer along Spring Hill Drive and Barclay Avenue at 80% opacity within three years of planting. The remaining commercial area shall meet the minimum commercial standards.
5. A master plan revision shall be required for any future Assisted Living Facility (ALF) on Tract 3.
6. A Traffic Access Analysis, Signal Warrant Analysis and a queue Stacking Study shall be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
7. Commercial development shall be limited to 61,375 square feet for tract 3 (Parcel key #377577)
8. Maximum Building Height:
Townhomes: 35'2 Story
Multifamily: 60'4 Story

9. Minimum Building Setbacks:
 - Suncoast Parkway: 75'
 - Frontage Road: 20'
 - Garages: 20'
 - Building Separation (Under 45'): 15'
 - Building Separation (Over 45'): 15' plus one foot for every foot above 45'
10. Minimum Commercial Building Setbacks:
 - Spring Hill Drive: 75'
 - Barclay Avenue: 75'
 - Side: 20'
 - Rear: 35'
 - Access/Frontage Road 20'

Minimum Commercial Internal Setbacks:

 - Internal Setback: 20'
11. The petitioner must apply for and receive a Finding of School Capacity from the School District prior to the approval of the conditional plat or the functional equivalent. The County will only issue a certificate of concurrency for schools upon the School District's written determination that adequate school capacity will be in place or under actual construction within three (3) years after the issuance of subdivision approval or site plan approval (or functional equivalent) for each level of school without mitigation, or with the execution of a legally binding proportionate share mitigation agreement between the applicant, the School District and the County.
12. The Multi-Family development shall provide a boulevard entrance.
13. The development shall be limit to a total of 462 units.
14. A maximum of 76 units per building shall be permitted
15. Geotechnical subsurface testing and reporting in accordance with the County's Facility Design Guidelines shall be conducted for all Drainage Retention Areas (DRA) within the proposed project.
16. The petitioner shall be required to provide a water and sewer capacity analysis and connect to the central water and sewer systems at time of vertical construction. The petitioner shall coordinate with HCUD for acquisition of a new force main easement and installation of the new force main.
17. The project shall meet the minimum sign standards as required by the County LDRs. The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. All

on-site advertising signs, including outparcels and the subdivision entrance signs, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in the Hernando County Code of Ordinances.

18. The development shall meet the minimum LDR design standards for large retail development in Article III, Appendix A (Zoning).
19. The petitioner shall be required to provide interconnectivity and cross-connection between outparcels.
20. The commercial Tree Preservation Density and 5% Natural Tree Preservation Areas shall be permitted for relocation into the Multifamily and Townhome portions of the project. The multifamily and townhomes shall be required to meet the minimum prospective requirements and the relocated 5% Natural Tree Preservation Areas shall be dedicated preservation tracts.
21. All lighting shall be full cut off fixtures in order to prevent any light spillage into neighboring parcels.
22. The petitioner shall provide a master plan in compliance with all of the performance conditions within 30 calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.