

REZONING/MASTER PLAN REVISION CASE H-24-25

STAFF REPORT

RECOMMENDATIONS / ACTIONS

STAFF RECOMMENDATION TO THE PLANNING AND ZONING COMMISSION AUGUST 6, 2024

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Master Plan revision with a rezoning from PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 uses and deviations with performance conditions.

PLANNING AND ZONING COMMISSION ACTION AUGUST 12, 2024

On August 12, 2024, at their regular meeting the Planning and Zoning Commission voted 5 to 0 to recommend approval of a resolution to approve a Master Plan revision with a rezoning from PDP (HC)/Planned Development Project (Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 uses and deviations and performance conditions detailed in Appendix B of this Staff Report.

STAFF REPORT

HEARINGS: Planning & Zoning Commission: August 12, 2024
Board of County Commissioners: September 24, 2024

APPLICANT: Spring Time Flex Warehouses, LLC

FILE NUMBER: H-24-25

REQUEST: Master Plan Revision with a Rezoning from PDP (HC)/Planned Development Project (Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 uses.

GENERAL LOCATION: East side of Spring Time Street, approximately 658' north of County Line Road

PARCEL KEY NUMBER: 190340

APPLICANT'S REQUEST

On July 16, 2019, the Board of County Commissioners approved a rezoning from PDP(OP)/ Planned Development Project (Office Professional) to PDP(HC)/ Planned Development Project (Highway Commercial) with a specific C-4 (Heavy Highway Commercial) use for wholesale and distribution. The petitioner's intent at that time was to construct a bowling equipment distribution facility. The proposed square footage of the building was proposed as a 20,000 square feet warehouse with office space. Since the approval no construction had been initiated.

The petitioner current request is for a rezoning of the subject property from PDP (HC)/Planned Development Project (Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) in order to include additional C-4 use for a warehouse flex space to include office, retail & warehouse uses. The master plan indicates five (5) separate 10,000 square foot buildings (50,000 square foot total).

Requested C-4 Uses

- Automotive and truck repair
- Domestic and business service establishments
- Light wholesale and storage establishments
- Light manufacturing with or without outside storage

SITE CHARACTERISTICS

Site Size: 4.6 acres

Surrounding Zoning;

Land Uses: North: AR2; Special Exception for Social Club.
South: PDP(GC); Heavy Equipment Storage
East: PDP(GC); Self-Storage
West: AR2; Church & Educational Facility

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

Future Land Use

Map Designation: Commercial

ENVIRONMENTAL REVIEW

Soil Type: Candler Fine Sand

Hydrologic

Features: The subject property does not have any wetlands, floodplain or wellhead protection areas according to County data resources.

Special

Features: The subject property does not have any special protection areas (SPAs) according to County data resources.

Habitat:

Sandhill, shown as commercial and services according to FLUCCS (Florida Land Use Cover and Classification System) mapping

Comments:

Candler fine sand provides a habitat suitable for gopher tortoises. Given the presence of the Candler fine sands, gopher tortoise habitat and commensal species have a moderate potential for occurring on the project site. A floral/faunal survey shall be provided to identify any listed species present on the property. The petitioner is required to comply with all applicable Florida Fish and Wildlife Conservation Commission (FWC) regulations.

Flood Zone: X

UTILITIES REVIEW

HCUD does not currently supply water or sewer service to this parcel. Water and sewer service are not available to this parcel. HCUD has no objection to the request subject to

Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System for the project.

ENGINEERING REVIEW

The subject site is located on east side of Spring Time Street, approximately 658' north of County Line Road. The petitioner is proposing three (3) access points to Spring Time Street. The County Engineer has reviewed the petitioner's request and provided the following comments:

- A Traffic Access Analysis along with a Queuing Analysis may be required. Refer to Hernando County Facility Designs Guideline IV-18.
- Spring Time Street may require being brought up to a Major Local/Commercial Roadway standard from the Northern Property Line to County Line Road.
- Only two driveways shall be allowed on Spring Time Street per Hernando County standards, an Administrative Design Variance will be required for a third driveway.
- Access must align with the existing access points on Spring Time Street across from parcel.
- Commercial developments require sidewalk installation the length of parcel or a contribution to sidewalk fund.

LAND USE REVIEW

Proposed Building Setbacks

- Front: 35' (deviation from 50')
- Sides: 20'
- Rear: 35'

Screening

The petitioner has requested Light manufacturing with or without outside storage. Outdoor storage may be approved if specifically designated or specified in the narrative or on the master plan, provided the outdoor storage is confined to a portion of the property which shall be screened by an opaque fence, wall of opaque landscaping at a height that will effectively screen the storage from adjoining streets and properties. No outside storage is allowed within the minimum building setback from an adjoining street.

Lighting

County LDRs require lighting that enhances the visual impact of the project on the community and specifically address lighting intensity levels and glare accordingly. Commercial buildings and projects shall be designed to provide safe, convenient and efficient lighting for pedestrians and vehicles.

Comments: The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential uses.

Buffer

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.

The buffer shall consist of a minimum 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 proposes a 5' landscape buffer along the perimeter of the property.

Landscaping

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

COMPREHENSIVE PLAN REVIEW

The subject site is located within the Commercial Land Use designation on the County adopted Comprehensive Plan. The area is characterized by heavy commercial and institutional uses.

Planned Development Projects and Standards

Objective 1.10C: Planned Development Project (PDP) zoning introduces flexibility to the land development process. The PDP is developed as a zoning district that may include multiple land uses and provides for the mitigation of impacts through performance standards. The PDP process may be used in any Future Land Use Category.

Strategy 1.10C(1): A Planned Development Project (PDP) is designed as an integral unit with one or more land uses utilizing a Master Plan to illustrate and describe the site layout and characteristics including, but not limited to, uses and use restrictions, density and intensity, site and building layout and design, site coverage and designated open space, construction and

phasing plans, and other detailed information about the project.

Commercial Category

Objective 1.04G: The Conservation Category allows timbering (with a management plan) and limited resource-oriented recreational activities such as hiking, picnicking and fishing. Accessory residential units for security purposes may also be allowed. 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.

Strategy 1.04G(1): Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

Comments: The proposed use is consistent with the comprehensive plan and compatible with the surrounding area.

FINDING OF FACTS

A Master Plan revision with a rezoning from PDP (HC)/Planned Development Project (Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 uses and deviations is appropriate based on the following:

1. The proposed use is consistent with the County's adopted Comprehensive Plan and compatible with the surrounding area subject to appropriate performance conditions.

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. 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.

APPENDIX A

STAFF RECOMMENDATION TO THE

PLANNING AND ZONING COMMISSION

STAFF RECOMMENDATION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Master Plan revision with a rezoning from PDP (HC)/Planned Development Project (Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 uses and deviations with the following **unmodified** 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. The petitioner shall provide a comprehensive floral/faunal (wildlife) survey prepared by a qualified professional to identify any listed species present prior to any clearing or development occurring on the property. Furthermore, copies of any required FWC permits shall be provided prior to clearing or development.
3. Water and sewer services are not available to this parcel by the Hernando County Utilities Department and are the responsibility of the property owner.
4. 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. Retention of large native trees and stands should be maintained to the extent possible.
5. Full cutoff fixtures shall be used so that all light is retained on-site and spillage onto neighboring residential uses is avoided.
6. The petitioner shall meet the minimum buffering requirements of the Commercial LDRs.
7. Any outdoor storage 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.

8. Minimum Building Setbacks:
 - Front: 35' (deviation from 50')
 - Sides: 20'
 - Rear: 35'
9. A Traffic Access Analysis along with a Queuing Analysis shall be required.
10. Spring Time Street may require being brought up to a Major Local/Commercial Roadway standard from the Northern Property Line to County Line Road.
11. Only two driveways shall be allowed on Spring Time Street per Hernando County standards, an Administrative Design Variance will be required for a third driveway.
12. Access shall align with the existing access points on Spring Time Street across from parcel.
13. Commercial developments require sidewalk installation the length of parcel or a contribution to sidewalk fund.
14. The petitioner shall provide a revised plan in compliance with all of the performance conditions within thirty (30) calendar days of BCC approval. Failure to submit the revised plan will result in no further development permits being issued.

Appendix B
Planning and Zoning Commission
Action

PLANNING AND ZONING COMMISSION ACTION

On August 12, 2024, at their regular meeting the Planning and Zoning Commission voted 5-0 to recommend approval of a resolution to approve a Master Plan revision with a rezoning from PDP (HC)/Planned Development Project (Highway Commercial) to PDP(HC)/Planned Development Project (Highway Commercial) with a specific C-4 uses and deviations and the **unmodified** 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. The petitioner shall provide a comprehensive floral/faunal (wildlife) survey prepared by a qualified professional to identify any listed species present prior to any clearing or development occurring on the property. Furthermore, copies of any required FWC permits shall be provided prior to clearing or development.
3. Water and sewer services are not available to this parcel by the Hernando County Utilities Department and are the responsibility of the property owner.
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