

# CLARIFICATIONS OR MODIFICATIONS TO STAFF COMMENTS OR RECOMMENDATIONS

- Petitioner is in agreement with Staff's Recommendations of approval, with the following request for clarification or amendment:
  - 7. Utilities:
    - A. A utility capacity analysis shall be performed by the petitioner as part of the permitting process.
    - B. The development shall connect to the central water and sewer systems at time of vertical construction; *or other reasonably appropriate service connection, including use of private well and septic systems, based on engineering and capacity analysis determined at the time of Plan Review.*

Petition for Rezoning  
No. H-23-080  
Teramore Development, LLC

Comparison Goods Store

# PROPERTY

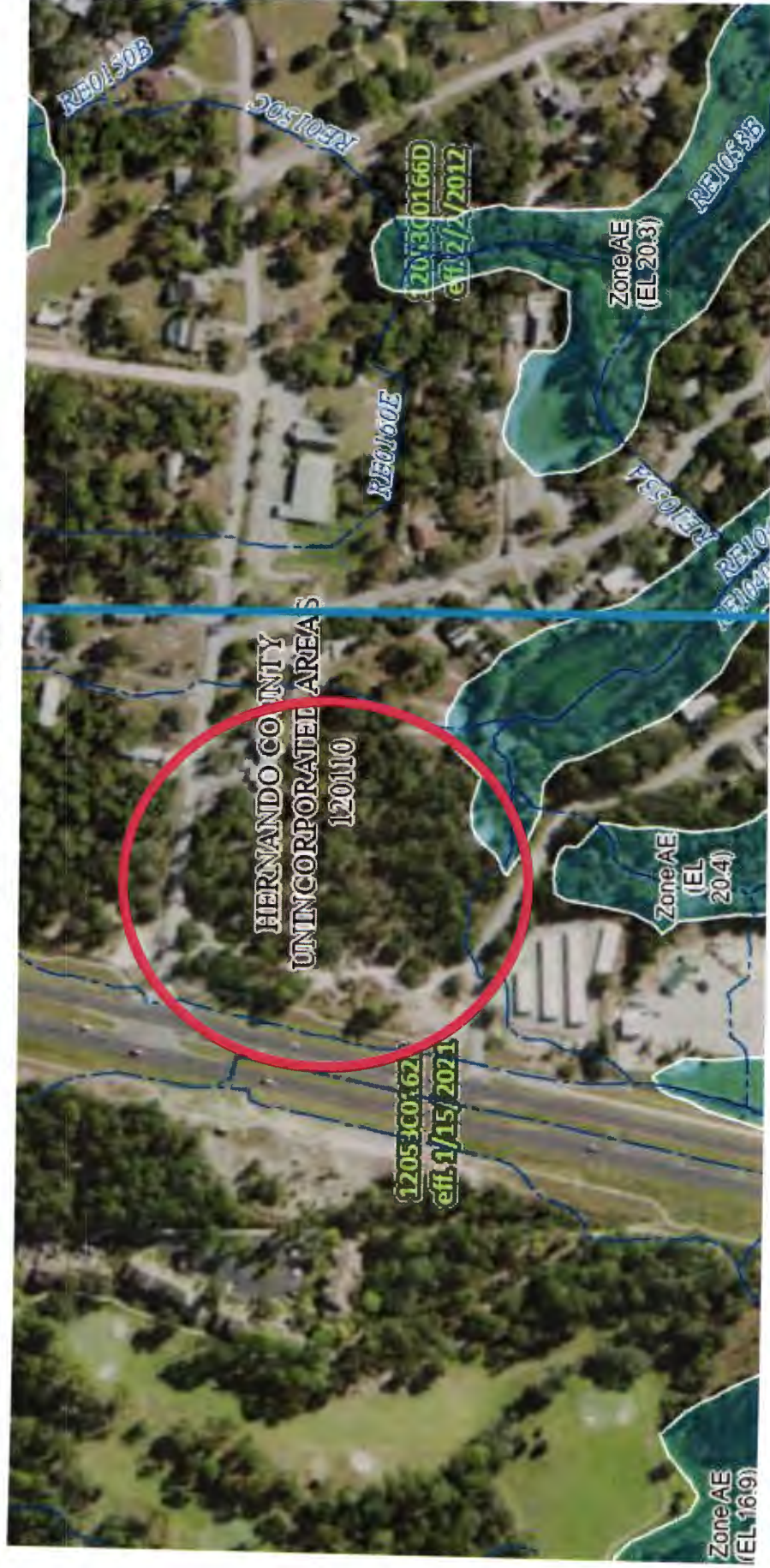
- Address: TBD Ridge Road and Commercial Way, Weeki Wachee, Hernando County, Florida
- General Location: Southeast corner of the intersection of US Highway 19/Commercial Way between Ridge Road, along the east side of Commercial Way south to Osceola Dr.
- Plat: Highland Lakes Plat
- Alternate Key No: 86187, 86196, 86203, 86212, 85142

# PROPERTY

- Parcel Size: 4.86 +/- Acres
- Parcel S.F: 211,856 sf
- Future Land Use: Residential
- Zoning: Residential (R1A)
- Flood Zone: C and a portion of the SE corner is AE



# Flood Zone





# Notable Site Characteristics: Elevation



# Rezoning Request with Deviations

- Consistent with Objective 1.04(B) of the Hernando County Comprehensive Plan, and Article IV Zoning District Regulations, Section 1. Establishment of Zoning Districts, A. Zoning District Designations, paragraph (23) of the Hernando County Land Development Code, Petitioner seeks approval of:
  - (i) A rezoning from R1A Residential District to a PDP (NC) / Planned Development Project – Neighborhood Commercial to develop a comparison goods store on 4.86 +/- acres with development contained to Lot 1; and
  - (ii) With a request for deviations for setbacks, landscape buffer, parking and right-of-way reverse frontage road; and
  - (iii) Future development of balance of the property identified as Lot 2 consistent with current approvals and permitted development under Land Development Code.

# REQUIREMENTS

- Request is Consistent with the Comprehensive Plan
  - Pursuant to Objective 1.04(B) of the Hernando County Comprehensive Plan (HCCP), certain commercial uses may be allowed within the Residential land use category subject to the locational criteria and performance standards of the comprehensive plan. Strategy 1.04(B)(1), of the HCCP, provides that,

“Commercial and institutional uses within the Residential Category are generally associated with medium and high-density residential development and may include ***Neighborhood commercial***, office professional, recreational, schools, and hospitals. Minor public facilities that do not unduly disturb the peaceful enjoyment of residential uses may also be allowed.” (emphasis added)



# SURROUNDING FUTURE LAND USE

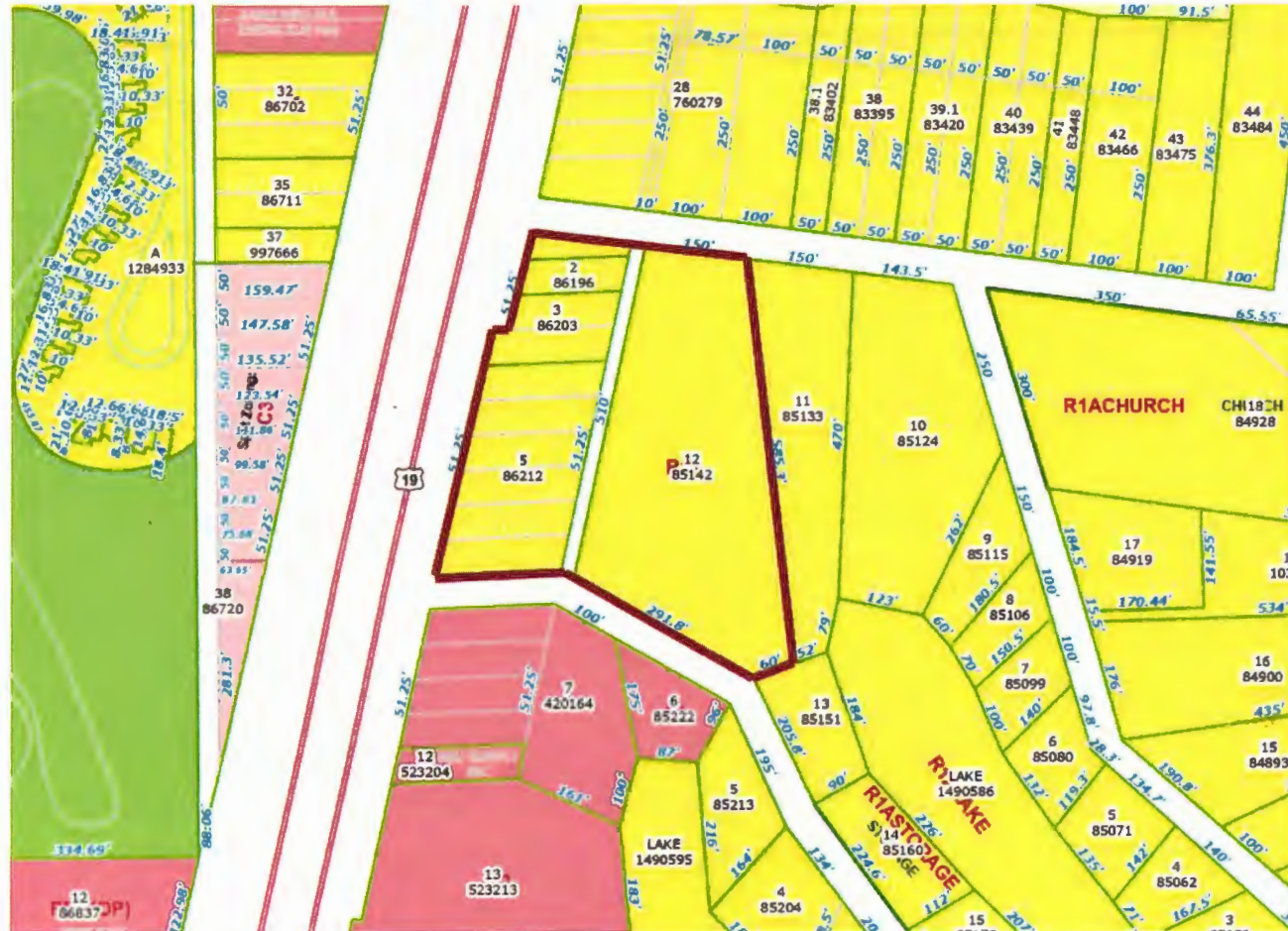
North: Residential (Undeveloped)  
South: Residential (Warehouse)

East: Residential (Single Family / Undeveloped)  
West: Residential (Undeveloped)



# SURROUNDING ZONING

North: R1A  
East: R1A  
South: C1; C2  
West: C2, C3, R3



# REQUIREMENTS

- Request is consistent with the Zoning Designation
- Article IV Zoning District Regulations, Section 1. Establishment of Zoning Districts, A. Zoning District Designations, paragraph (23) of the Hernando County Land Development Code establishes the Planned Development Project District as follows:
  - *The planned development project (PDP) is a specialized zoning district which provides a level of density and/or intensity, and a list of permitted uses. A narrative description and a master plan are part of the PDP zoning. The master plan is a visual depiction of the general layout of the project in conformance with the PDP rules with any additional performance standards or specific deviations requested. The process for approval of a PDP zoning is through the zoning amendment process as provided for in this ordinance. This master plan must be reviewed and approved by the governing body. The list of permitted PDP districts are contained in Section 5 of this article and the requirements related to PDP districts are contained in article VIII of this Code.*



# REQUIREMENTS

- Request is consistent with the Zoning Designation
- The PDP (NC) zoning district is established pursuant to Article IV Zoning District Regulations, Section 5. Planned Development Districts, paragraph A(10) of the Hernando County Land Development Code. Pursuant to Article VIII Planned Development Project, Section 5 Permitted Uses, the following are permitted uses within a PDP (NC) Zoning District:
  - “[a]ll permitted uses in the C-3 zoning district. Any special exception uses allowed in the C-3 zoning district which have been specifically designated or specified in the narrative or on the master plan. Any permitted and special exception uses from the C-1 zoning district specifically designated in the narrative or on the master plan.”

# REQUEST FOR DEVIATIONS

- Petitioner seeks four deviations:
  - Setbacks
    - A reduced setback from 125' to 75' on the west boundary line;
    - A reduced setback from 35' to 20' on the east boundary line;
  - Parking
    - A reduced parking space requirement from 1 / 250 sf to 1 /300 sf
  - Landscape Buffer
    - A reduced landscape buffer from 30' to 5' on the east and south boundary lines; and

# REQUEST FOR DEVIATIONS

- Frontage Road Requirement
  - In lieu of a frontage road along US Highway 19 /Commercial Way, applicant seeks to provide a 50' reverse frontage road across Lot 1 and Lot 2 with that portion along Lot 1 being constructed with the project; and reserving an easement for future reverse frontage road on Lot 2 to be dedicated upon the development of Lot 2 / or upon approval of a final re-plat.



# FRONTAGE ROAD REQUIREMENTS

- Section 24-2(c) of the Hernando County Code provides that,
  - *“Developers of properties adjacent to the major arterial highway grid must provide at the developer's expense a frontage road from property line to property line parallel to the arterial highway upon demonstration of need and demand by the county.”*
- Applicant does not seek to waive the requirement, but to provide for an alternative reverse frontage road. Applicant seeks to provide a 50' reverse frontage road across Lot 1 and Lot 2 with that portion along Lot 1 being constructed with the project; and reserving an easement for future reverse frontage road on Lot 2 to be dedicated upon the development of Lot 2 / or upon approval of a final re-plat.

# **SITE DATA AND PROJECT DESIGN CRITERIA:**

	EXISTING	PROPOSED	COMMENTS
ZONING	R1A	PDP(C)	SEE REZONING APPLICATION
LAND USE	RESIDENTIAL	COMMERCIAL	SEE LAND USE AMENDMENT APPLICATION
SITE AREA	4.96 AC. MOL.	4.96 AC. MOL.	(211,896 SF)
BLDG. AREA	0 SF	10,948 SF	
F.A.R.	0	0.03	(0.25 MAX)
L.S.R.	0	0.21	(44,008 SF PROPOSED)
LOC.	RETAINED	PDP PLAN (MIL.)	COMMENTS
RETAINERS:			
N	35 FT	35 FT	
S	125 FT	75 FT	REDUCED DUE TO REQUEST FOR REAR FRONTAGE RD. ROW DEDICATION
E	0 FT	25 FT	MEASURED TO LOT 2
W	35 FT	25 FT	MEASURED TO FRONTAGE ROAD RIGHT OF WAY
BUFFERS:			
N	20 FT	20 FT	
S	20 FT	20 FT	
E	5 FT	5 FT	MEASURED TO LOT 2
W	5 FT	5 FT	MEASURED TO FRONTAGE ROAD RIGHT OF WAY
FRONTAGE:	30' BLANK	9' BLANK	REQUESTING WIDER FOR PAVEMENT ROAD CONSTRUCTION
PARKING:	1 / 200 SF	1 / 300 SF	REQUESTING PARKING RATE REDUCTION

## **FLOOD ZONE NOTE:**

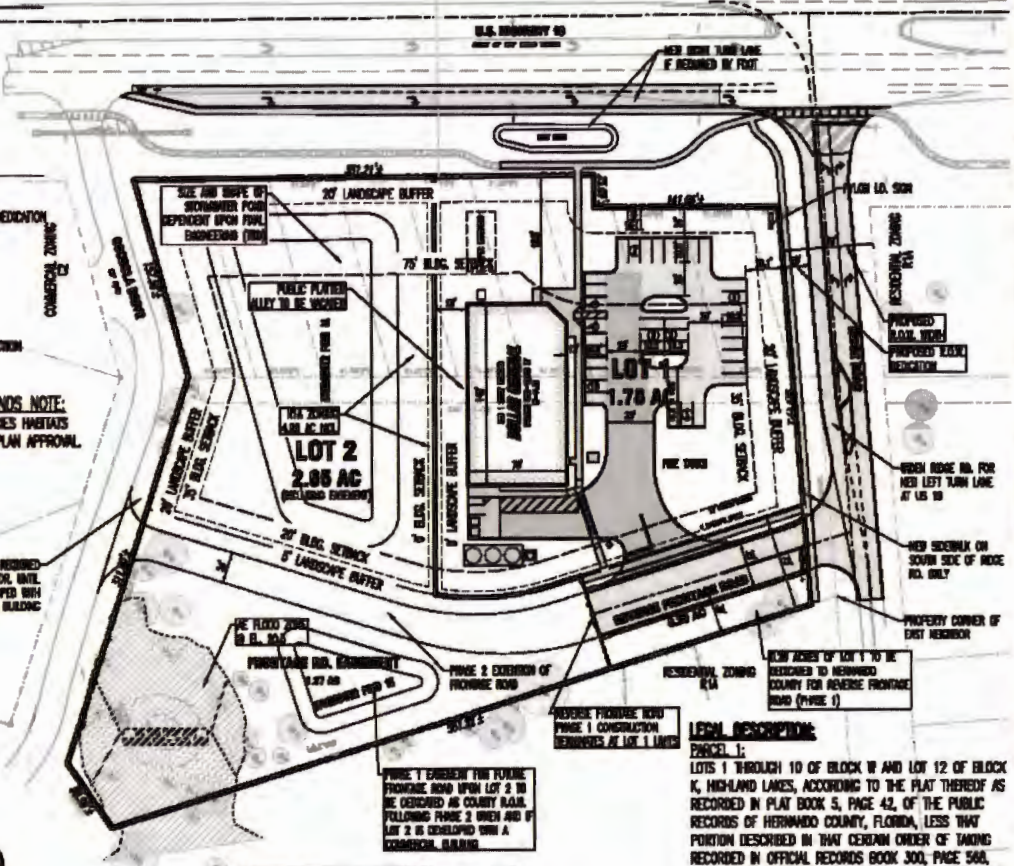
THE PARCEL APPEARS TO FALL WITHIN FLOOD ZONE "X" & "Y", AS SHOWN ON THE FLOOD INSURANCE RATE MAP 12053C, COMMUNITY PANEL NUMBER D162 E, MAP REVISED 01/15/2021. ZONE AE HAS A BASE FLOOD ELEVATION OF 20.3' (N.A.S.D. 88).

## **NATURAL FEATURES AND WETLANDS NOTE:**

ALL WETLANDS AND PROTECTED SPECIES HABITATS SHALL BE DELINEATED DURING SITE PLAN APPROVAL.

## **PLATTING NOTE:**

PROPOSED LOT LINES, EXHIBITS, ALLEY VARIATION AND R.O.W. SHOWN TO BE DEDICATED SHALL BE SUBJECT TO FINAL PLAT AND ENGINEERING DESIGN.



PARCEL IDS:	
R25 222 17 2480 0000 0050	KEY: 0008212
R25 222 17 2480 0000 0030	KEY: 0008203
R25 222 17 2480 0000 0020	KEY: 0008198
R25 222 17 2480 0000 0010	KEY: 0008187
R25 222 17 2480 0000 0120	KEY: 0008142

## **LEGAL DESCRIPTION:**

PARCEL 1: LOTS 1 THROUGH 10 OF BLOCK W AND LOT 12 OF BLOCK K, HIGHLAND LAKES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 42, OF THE PUBLIC RECORDS OF HERNDON COUNTY, FLORIDA, LESS THAT PORTION DESCRIBED IN THAT CERTAIN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 300, PAGE 584, OF THE PUBLIC RECORDS OF HERNDON COUNTY, FLORIDA.

PARCEL 2: TOGETHER WITH THAT CERTAIN ALLEY LYING ADJACENT TO AND BETWEEN LOTS 1 THROUGH 10 OF BLOCK W AND LOT 12 OF BLOCK K, HIGHLAND LAKES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 42, OF THE PUBLIC RECORDS OF HERNDON COUNTY, FLORIDA.

<b>TECHNICAL DEVELOPMENT, INC.</b> 1111 S. W. 11th Ave., Suite 100 Fort Lauderdale, FL 33304 Phone: (954) 571-1111 Fax: (954) 571-1112	
<b>DOLLAR GENERAL</b> 1111 S. W. 11th Ave., Suite 100 Fort Lauderdale, FL 33304 Phone: (954) 571-1111 Fax: (954) 571-1112	<b>PLANNED DEVELOPMENT PLAN</b> PROJECT TITLE: DOLLAR GENERAL SUBJECT TITLE: PLANNED DEVELOPMENT PLAN
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# FACTS IN SUPPORT OF AMENDMENT TO STAFF RECOMMENDATION 7.B

- Application Provides As Follows:
  - The HCUD does not currently supply water or sewer service to these parcels. The Project site has no reasonably available access to public water or sewer service, so a domestic well and on-site septic will be installed.
- Staff Report affirms that HCUD “currently do not supply water or sewer service to [the] parcels.” (Pg. 3)
- The nearest water main, a 16-inch line, is in excess of 300 ft from the parcel boundary across U.S. Highway 19 / Commercial Way, a four-lane highway.
- Expected water flow demands of the Project do not warrant the size of line necessary to connect to a 16-inch line.
- Wastewater production from the Project will not be substantial enough to warrant the size of line necessary to connect to the sewer gravity mains along the east side of the Commercial Way.



# FACTS IN SUPPORT OF AMENDMENT TO STAFF RECOMMENDATION 7.B

- Fla. Stat. 381.0065(2)(a) defines “Available” to mean:
  - The publicly owned sewerage system is capable of being connected to the plumbing of an establishment or residence, is not under a Department of Environmental Protection moratorium, and has adequate permitted capacity to accept the sewage to be generated by the establishment or residence; **and:**
  - For an establishment with an *estimated sewage flow exceeding 1,000 gallons per day*, a sewer line, force main, or lift station exists in a public easement or right-of-way that abuts the property of the establishment or is within 50 feet of the property line of the establishment as accessed via existing rights-of-way or easements.

# FACTS IN SUPPORT OF AMENDMENT TO STAFF RECOMMENDATION 7.B

- Sec.28-238(a) of the Code provides:
- Connection required. *Where service is available*, the owner of every lot or parcel of land within the district shall connect or cause the plumbing of any building or buildings thereon to be connected with the district's water and/or sanitary sewer system *within one (1) year of notice of availability* by the district and shall use the facilities of such system.

# CONCLUSION

- The Requested Land Use and Zoning are consistent with the Comprehensive Plan, Land Use Designations, Zoning Designations; and Land Development Code.
- The reverse frontage road as represented in the application and revised Master Plan meets the requirements of Section 24-2(c) of the Hernando County Code of Ordinances.
- Granting the requested setback deviations will not adversely affect the neighboring properties or transportation concerns and are reasonable.
- Request approval of the application consistent with staff recommendation except that we respectfully request consideration of the applicant's requested amendment to staff recommendations 7B.



# PROJECT

- Teramore Development, LLC seeks to develop a comparison goods retail store.
- The site plan includes a 10,640 square foot building which is the latest standard floor plan for this type of store, and is necessary to:
  - accommodate COVID-19 protocols;
  - giving customers the amount of space needed for a safe and enjoyable shopping experience
  - without eliminating merchandise; and,
  - it provides for additional space for offices, breakrooms, meetings, and lunch breaks.