

STAFF REPORT

HEARINGS:	Planning & Zoning Commission: February 12, 2024
APPLICANT:	Cornerstone Baptist Church of Hernando County Inc.
FILE NUMBER:	SE-23-10
REQUEST:	Revision to a Special Exception Use Permit for a Place of Public Assembly
GENERAL LOCATION:	East end of Tara Street, approximately 1,000' east of Mariner Boulevard
PARCEL KEY NUMBER:	1287547

APPLICANT'S REQUEST

On July 9, 2012, the Planning and Zoning Commission voted 5-0 to approve the petitioner's request for a Special Exception Use Permit for a Place of Public Assembly, namely a Religious Establishment. The petitioner's previous request would allow for the development of the 15.7 acre site with a community worship center/ sanctuary, offices, and classrooms. Since approved, the petitioner had completed Phase I providing for a 6,700 square foot building which would include a 210-seat community worship center/sanctuary, and associated offices.

The current request is to move ahead with Phase II of the church campus. The desired expansion includes a new sanctuary building (+/- 22,000 Sq. Ft., 642 seats) with classrooms, associated parking, stormwater, utility, and landscaping improvements. The existing +/-6,700 square foot building will remain and will be utilized by the church for various activities, e.g., classes, gatherings, etc. The expansion is proposed to be mostly north of the existing building, with parking, stormwater, and septic improvements south of the existing building.

Access will remain as existing from Tara St. Discussions are in process with the property owner to the north regarding a possible access easement for a limited use access point at the northeast corner of the property. Parking will be expanded to meet the needs of the church, while meeting the code requirements.

SITE CHARACTERISTICS

Site Size: 15.7 acres

Surrounding Zoning

& Land Uses: North: PDP(GC); Commercial Plaza
South: PDP(SF); Single Family
East: PDP(SF); Undeveloped
West: PDP(SF); Single Family

Current Zoning: PDP(SF)/Planned Development Project (Single Family)

**Future Land Use
Map Designation:** Residential

ENVIRONMENTAL REVIEW:

Soil Type: Candler Fine Sand

Habitat: Candler fine sand provides a habitat suitable for gopher tortoises. Given the presence of the candler fine soils, gopher tortoise habitat and several commensal species have a moderate potential for occurring on the project site including eastern indigo snake (*Drymarchon corais*), Florida mouse (*Podomys floridanus*), Florida pine snake (*Pituophis melanoleucus mugitus*), and gopher frog (*Rana areolata*). Since there is the potential for this listed Species of Special Concern to be present, the site should be inspected prior to construction, and a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.

Comments: A comprehensive wildlife survey shall be conducted in order to identify any listed species present on the property. A Florida Fish and Wildlife Conservation Commission (FWC) permit may be required prior to site alterations. The petitioner is required to comply with all applicable FWC regulations.

Protection

Features: The subject property is within a Class 2 Well Head Protection Area (WHPA), according to County data resources.

Comment: The proposed land use is allowable within this designation.

Hydrologic

Features: The subject property contains no wetlands or Special Protection Areas (SPA), according to County data resources.

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) currently provides water service to this parcel. Sewer service is not available to this parcel. HCUD has no objection to the request subject to Health Department approval of any improvements to the existing Onsite Sewage Treatment and Disposal System that might be required due to the increased usage.

ENGINEERING REVIEW

The site is located at the east end of Tara Street, approximately 1,000' east of Mariner Boulevard. The petitioner has indicated their main access would continue to be Tara Street. A

potential access connection is proposed along the northeast to the Walmart service road; however, this option will require coordination and approval by the Walmart Corporation and the County Engineer. Engineering Department has reviewed the request and indicated the following:

- A Traffic Access Analysis shall be required. Any improvements identified by the Traffic Access Analysis is the responsibility of the developer to install.
- The driveway is required to meet Hernando County Facility Design Guideline commercial standards.
- The Parking and Layout must meet Hernando County standards, including but not limited to updating Handicap markings to meet Hernando County Standards.
- The building shall be connected via sidewalks, ensuring pedestrian access to a future sidewalk on Tara Street.
- Commercial standards require paved parking and drive aisles, grass parking is as permitted by ordinance.

LAND USE REVIEW

SETBACKS

Minimum Building Setbacks:

North:	25'
South:	50'
East:	25'
West:	50'

PARKING

The minimum land development regulations (LDRs) would require 0.3 parking spaces per seat based on maximum occupancy of the sanctuary. The LDRs indicate that places of public assembly may have up to fifty percent of the required parking spaces (including aisles) surfaced with grass, lawn or other materials as designated in the County parking lot standards; however, if parking demand is such that said grass, lawn or other material is caused to be damaged or destroyed to the extent that said grass or lawn ceases to grow, or the other material otherwise causes a nuisance to the neighborhood, then paving may be required by the Zoning Administrator

Comments: The petitioner proposes a 642 seat sanctuary. Per the County's LDRs, 193 spaces would be required. The petitioner has indicated 147 paved parking spaces, and 225 grassed parking spaces will be provided, for a total of 386.

BUFFER

The petitioner has not indicated any buffers for the subject parcel. If approved, a 25' vegetative buffer should be provided along the south and west property lines. A 10' vegetative buffer should be provided along the north and east.

LIGHTING

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

A special exception use permit is an additional use which may be granted by the Planning and Zoning Commission (P&Z) in accordance with the LDRs. As part of the review, the P&Z must determine that the tract of land is suitable for the type of special exception use proposed by virtue of its location, shape, topography, and nature of surrounding development. The P&Z has the ability to assign reasonable conditions to the approval.

The special exception use permit is a land use determination only. All applicable development rules would have to be met if the permit is approved. Furthermore, special exception use permits shall be in compliance with the minimum Special Exception Use General Standards, Article V, Section 8(B).

If a developer fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years from the approval date or the special exception use is not established during this period, then the special exception use permit shall be null and void.

COMPREHENSIVE PLAN REVIEW:

The subject property is located within a Residential Land Use Category on the adopted Future Land Use Map. A place of public assembly is an allowable special exception use in any category provided the appropriate land use approvals are obtained.

FINDINGS OF FACT:

A revision to a Special Exception Use Permit for a Place of Public Assembly is appropriate, based on the following conclusion:

The request is consistent with the County's adopted Comprehensive Plan, is compatible with the surrounding land uses, and is not adverse to the public interest subject to compliance with all recommended performance conditions.

NOTICE OF APPLICANT RESPONSIBILITY

The special exception 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. Homeowners 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.

If the developer fails to obtain a building permit for the vertical construction of the principal or primary building within a period of not more than two (2) years from the approval date or the special exception use is not established during this period, then the special exception shall be null and void.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission approve the petitioner's request for a revision to a Special Exception Use Permit for a Place of Public Assembly with 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. Minimum Building Setbacks:

North:	25'
South:	50'
East:	25'
West:	50'
3. The maximum seating capacity of the sanctuary shall be 642.
4. A 25' vegetative buffer shall be provided along the south and west property lines. A 10' vegetative buffer shall be provided along the north and east property line. All buffers shall be enhanced by native vegetation to provide screening against neighboring parcels.
5. All onsite lighting shall be full cutoff fixtures and retain all light on-site to prevent any light spillover to surrounding properties. Lighting shall be reduced by 50% during non-operating hours.
7. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Further, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
9. The petitioner shall comply with the requirements of the Hernando County Health Department. Improvements to the existing Onsite Sewage Treatment and Disposal System may be required due to the increased usage.
11. A Traffic Access Analysis shall be required. Any improvements identified by the Traffic Access Analysis are the responsibility of the developer.

12. The building shall be connected via sidewalks, ensuring pedestrian access to a future sidewalk on Tara Street.