

STAFF REPORT

HEARINGS: Planning & Zoning Commission: September 12, 2022
Board of County Commissioners: October 11, 2022

APPLICANT: Claire Clements

FILE NUMBER: H-22-52

REQUEST: Rezoning from AG (Agricultural) to PDP(CP) Planned Development Project (Corporate Park) with Deviations

GENERAL LOCATION: Southwest quadrant of Lockhart Road and Cortez Boulevard and approximately 1,425 east of Lockhart Road

PARCEL KEY NUMBERS: 00811174, 00877901, 00877929, 00841218

APPLICANT'S REQUEST:

The petitioner is requesting a rezoning from AG (Agricultural) to PDP(CP) Planned Development Project (Corporate Park) with deviations on four (4) parcels totaling 73.4 acres. The request is for a 903,000 square foot warehouse/distribution facility, with a maximum building height of 45'. The petitioner has not indicated whether the project will consist of multiple structures or a single building. However, the petitioner has indicated 50' buffers along Lockhart Road and Cortez Boulevard and has limited traffic from the proposed project along Lockhart solely to employee vehicular traffic.

Deviations Requested:

The petitioner has requested a deviation from the front (Cortez Boulevard) building setbacks from 125' to 75'. No other deviations are being requested.

SITE CHARACTERISTICS:

Site Size: 73.4 acres

Surrounding Zoning & Land Uses:

North: C1, PDP(HHC); Undeveloped
South: AG; Undeveloped
East: C2; Hotels
West: AG, C1; Undeveloped

Current Zoning: AG (Agricultural)

**Future Land Use
Map Designation:** I-75/SR 50 Planned Development District

ENVIRONMENTAL REVIEW:

Soil Type: Candler Fine Sand

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

**Protection
Features:** The property contains no Wellhead Protection Areas (WHPA) according to County data resources.

Flood Zone: C; with minimal AE in portions of the property

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, Florida mouse, Florida pine snake, and gopher frog. Since there is the potential for these listed Species of Special Concern to be present, the site shall be inspected prior to construction, and a Florida Fish and Wildlife Conservation Commission permit may be required based on the findings.

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to these parcels. There is an existing 16-inch water main that runs along the south side of Cortez Boulevard and the east side of Lockhart Road. There is an existing 8-inch sewer force main that runs along the south side of Cortez Boulevard.

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.

ENGINEERING REVIEW:

The site is located on the Southwest quadrant of Lockhart Road and Cortez Boulevard and approximately 1,425 east of Lockhart Road. The petitioner has indicated two (2) driveways to Lockhart Road, limited to vehicular traffic only and two (2) access points to Cortez Boulevard.

The County Engineer has reviewed the petitioner's request and indicated the following:

- A Traffic Access Analysis with queuing analysis shall be required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.
- Properties along Cortez Blvd./SR 50 are required to install a frontage road for the entire length of frontage, per Ordinance Chapter 24, Article I, Section 24-2.
- Driveway access to Cortez Blvd./ SR50 will require FDOT approval in conjunction with Hernando County driveway location spacing requirements.
- A FDOT Driveway Access Permit and a FDOT drainage permit will be required.
- Lockhart Road shall be limited to two (2) driveways. Driveways shall meet Hernando County driveway location spacing requirements.
- The applicant must confirm with FDOT if Right-of-Way along Cortez Blvd./SR 50 will be needed.
- The petitioner will need to provide additional Right-of-Way along Lockhart Road. The amount of Right-of-Way will be determined at construction drawing review.
- This site contains three areas of 1% annual chance floodplain. Development within the floodplain requires specific permitting and mitigation.

LAND USE REVIEW:

Building Setbacks

Proposed Minimum Required Building Setbacks:

Cortez Blvd/SR 50:	75' (deviation from 125')
Lockhart Road:	35'
Front:	35'
Side:	20'
Rear:	35'
Building Height:	45'

Comments: The requested front building setback deviation along Cortez Boulevard is not justified. The minimum requires 125' shall be

required and the petitioner must construct the required frontage road per the minimum requirements of the Facility Design Guidelines upon development.

Lighting

The petitioner has not indicated any lighting provisions. If approved, the petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage. Security lighting shall be directed away from residents along Lockhart Road.

Buffer

Per County LDR's, a perimeter buffer shall be required along the full length of all streets serving the 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. This buffer is required along Cortez Boulevard, the internal collector roadway, and the internal frontage roadway.

Comment: The petitioner has indicated a 50' buffer along Cortez Blvd/SR 50 and Lockhart Road. If approved, the petitioner shall provide a 50' landscape buffer along Cortez Blvd/SR 50' and Lockhart Road. Due to the nature of warehouse/distribution and the typical 24-hour shifts, a 4' high landscaped (shrub and treed) berm shall be provided along Lockhart Road in order to reduce headlight pollution (cars and onsite trucks) and provide for sound attenuation, for the neighboring rural residents.

COMPREHENSIVE PLAN REVIEW:

The subject site is located adjacent to the SR 50/I-75 commercial node and is within the I-75/SR-50 Planned Development District as designated on the County's adopted Comprehensive Plan. The petitioner's request for a warehouse/distribution facility and is an allowable use in the existing node.

I-75/SR-50 PLANNED DEVELOPMENT DISTRICT

Objective 1.05A: The I-75/SR-50 Planned Development District (I-75/SR-50 PDD) is hereby established for the purpose of implementing planning tools to maximize the potential economic value of the I-75 corridor through coordination of multiple land uses, roadway network configuration, new and upgraded public infrastructure and consistency of design. The PDD shall extend between the County's existing SR-50/I-75 interchange and where Lockhart Road crosses I-75 and from Lockhart Road to the Withlacoochee State Trail.

Strategy 1.05A(1): The I-75/SR-50 Planned Development District mapped area is characterized by a significant potential for future development of multiple land use types. The I-75/SR-50 PDD shall seek to create, to the maximum extent practical, a largely self-contained internally functional concentration of commercial, industrial, and mixed residential land uses supported by public infrastructure. The County intends to encourage and functionally integrate these land uses mainly through advance planning and programming of infrastructure that facilitates orderly development patterns.

Industrial Category

Strategy 1.04H(3): The County shall provide for economic development and provide for a stable inventory of industrial locations through the protection and maintenance of its industrial areas. The conversion of industrially designated sites to other uses is discouraged.

Comments: The proposed use is consistent with the I-75/SR 50 Planned Development District and the strategies provided for economic development.

Land Use Compatibility

Objective 1.10B: The County shall establish standards by which land use compatibility is evaluated in the review of proposals for Future Land Use Map amendments, zoning changes, and other land development applications.

Strategy 1.10B(2): Zoning changes should be compatible with surrounding development and minimize impact to natural resources. Impacts may be mitigated through design of building placement, buffers, noise reduction, setbacks and other appropriate planning techniques or performance measures.

Comments: The proposed use is compatible subject to compliance with all recommended performance conditions.

Transportation Element

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(1): The frontage road network protects the function and levels of service of major arterial corridors through the planning horizon by controlling access, reducing traffic volumes and providing additional capacity.

Strategy 5.01B(2): The provision of frontage roads shall be required as a condition of development adjacent to the arterial network by requiring new development to comply with the County's Frontage Road Ordinance and adopted Facilities Design Guidelines.

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.

Strategy 5.01B(4): The County should encourage land use patterns that optimize the function of frontage roads and similar access management strategies through:

- a. clustering of development to enhance the establishment of viable frontage road links;
- b. application of site-specific standards and techniques at Centers and Corridors outlined in the Future Land Use Element of this Plan.

Comments: Cortez Boulevard is a major arterial road requiring a frontage road network. The proposed project will be required to provide a frontage road per the requirements of the Facility Design Guidelines upon development.

FINDINGS OF FACT:

A rezoning from AG (Agricultural) to PDP(CP) Planned Development Project (Corporate Park) with Deviations is appropriate based on the following conclusions:

1. The request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses subject to compliance with all recommended performance conditions.

2. The requested front building setback deviation along Cortez Boulevard is not justified. The minimum requires 125' shall be required and the petitioner must construct the required frontage road per the minimum requirements of the Facility Design Guidelines upon development.
3. The subject site is located within the western most limits of the I-75/SR 50 Planned Development District along Lockhart Road. Due to its proposed use and its proximity to existing rural residential homes, it is recommended that a 4' landscaped berm be constructed for the full length of Lockhart Road in order to provide a light pollution and sound attenuation buffer.

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. 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.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving a rezoning from AG (Agricultural) to PDP(CP) Planned Development Project (Corporate Park) with Deviations, 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. A comprehensive wildlife survey shall be prepared by a qualified professional. Any listed floral species shall be included. The petitioner is required to comply with all applicable FWC regulations and permitting.
3. The development of common areas and landscape plans must comply with the Florida-Friendly Landscaping™ principles.

4. Minimum Building Setbacks:
Cortez Blvd/SR 50: 125'
Lockhart Road: 35'
Front: 35'
Side: 20'
Rear: 35'
Building Height: 45'
5. The petitioner shall provide a 50' buffer along Cortez Blvd/SR 50 and Lockhart Road. A 4' high landscaped (shrub and treed) berm shall be included within the 50' buffer along Lockhart Road.
6. A frontage road shall be required per the Facility Design Guidelines upon development.
7. A Traffic Access Analysis with queuing analysis will be required. Any improvements identified by the Traffic Access Analysis are the responsibility of the developer.
8. Driveway access to Cortez Blvd./ SR50 shall obtain FDOT approval in conjunction with Hernando County driveway location spacing requirements.
9. A FDOT Driveway Access Permit and a FDOT drainage permit shall be required.
10. Lockhart Road shall be limited to two (2) driveways. Driveways shall meet Hernando County driveway location spacing requirements.
11. The applicant shall confirm with FDOT if Right-of-Way along Cortez Blvd./SR 50 will be needed.
12. Additional Right-of-Way will be required for Lockhart Road as determined by the County Engineer.
13. The developer shall perform a utility capacity analysis in accordance with HCUD specifications and connect to the central water and sewer systems at time of vertical construction.
14. The petitioner shall provide full cutoff fixtures and retain all light on-site to prevent any light spillage onto neighboring parcels. Security lighting shall be directed away from neighboring residential homes.
15. The petitioner shall provide a revised 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.