

STAFF REPORT

HEARINGS: Planning & Zoning Commission: October 31, 2022
Board of County Commissioners: November 8, 2022

APPLICANT: Adam Webster

FILE NUMBER: H-22-58

REQUEST: Reestablish a Master Plan for a Property Zoned PDP(GHC)/
Planned Development Project (General Highway
Commercial) and the Inclusion of a Specific C-2 Use for Mini-
Warehouse

**GENERAL
LOCATION:** Northwest corner of the intersection of Pythia Place and
Linden Drive, approximately 300' north of County Line Road

**PARCEL KEY
NUMBER:** 1180322

BACKGROUND:

This property is part of the Linden Retreat subdivision that was approved in 1988 (H-88-57). This general layout of the subdivision shows commercial uses closer to County Line Road and residential uses behind those commercial uses.

APPLICANT'S REQUEST:

The petitioner's current request is to reestablish a master plan on the subject property and add a specific C-2 (Highway Commercial) use for mini-warehouse.

SITE CHARACTERISTICS:

Site Size: 6.14 Acres

**Surrounding Zoning &
Land Uses:**

North: PDP(SF) / Planned Development Project
(Single Family)

South: CPDP/ Combined Planned Development
District with General Highway Commercial
and Single-Family uses; and PDP(GHC) /
Planned Development Project (General
Highway Commercial)

East: PDP(SF)/ Planned Development Project
(Single Family)

West: PDP(AG)/Planned Development Project (Agriculture) with a special exception for an RV Park

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

Future Land Use Map Designation: Residential

ENVIRONMENTAL REVIEW:

Soil Type: Candler Fine Sand/0 - 5% Slopes

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 during the construction plans stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.

Water Quality Review: The proposed development is within the Weeki Wachee River Basin Management Action Plan, the Weeki Wachee Primary Focus Area (PFA), and the Weeki Wachee Outstanding Florida Springs (OFS) Group.

Comments: 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.

Natural vegetation is to be retained in the buffers and enhanced with trees and vegetation to meet 80% opacity requirement. Invasive plant species if present are to be removed during the development process.

Protection Features: There are no protection features (Wellhead Protection Areas (WHPAs) present on this parcel.

Habitat: Low Density Structure and Urban Open Land according to FWC CLC mapping (Florida Cooperative Land Cover Classification System that combines Florida Land Use Cover and Classification System with fish and wildlife data).

Comments: A comprehensive floral survey shall be prepared by a qualified professional at the construction plan approval stage of

development. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Hydrologic
Features:**

There are no hydrologic features (Special Protection Areas (SPAs), sinkholes, karst sensitive areas, or wetlands) present on this parcel.

Flood Zone:

There is a portion of the northwest part of the property that is in X floodplain, the rest of the parcel is not in a floodplain.

UTILITIES REVIEW:

Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. Sewer service is not available to this parcel. There is an existing 8-inch water main that runs along the west side of Linden Drive, and an existing 6-inch water main that runs along the south side of Pythia Place. HCUD has no objection to the requested zoning change to PDP with C-2 use specific for mini-storage, subject to connection to the central water system at time of vertical construction and Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System.

ENGINEERING REVIEW:

This site is located at the corner of Linden Drive and Pythia Place. The petitioner is proposing a full entryway on both roads with the major entrance on Pythia Place. The County Engineer has reviewed the petitioner's request and has the following comments:

- Driveway on Linden Drive to align with Sussex Drive.
- This site is outside the 1% annual chance floodplain. Site is within the Pithlachascotte R./Bear Creek Watershed and Administrative area.
- Linden Drive is Classed as a Collector Roadway, a sidewalk along the entire frontage of Linden Drive is required.
- Parking stalls, layout and driveways shall meet Hernando County standards.
- Building will need to be connected to the sidewalks along the roadways.
- Master Plan shows expansion of County owned drainage retention area, this is not approved at this time, remove from Master Plan and coordinate specifics of approval with County Engineer prior to submittal of Construction drawings.

LAND USE REVIEW:**Proposed Setbacks:**

- Along Linden Drive and Pythia Place: 75'
- Adjacent to residential uses: 35'
- Adjacent to non-residential land use: 20'

Proposed Building Height:

- Buildings within 100' of a residential property line: 20'
- Buildings not within 100' of a residential property line: 60'
- Non-occupied architectural features: 30'

Lighting

County LDRs require lighting that enhances the visual impact of the project on the community and to 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 properties.

Buffers

Along street right-of-way/pavements: A vegetative buffer at least 5' in width shall abut the street right-of-way/pavements for at least half of the street right-of-way frontage. If only installed planting areas are used, the vegetative buffer shall include a hedge of shrubs with a minimum height of eighteen (18) inches at time of planting. Shrubs shall be appropriately spaced according to growth needed of the species for the hedge to attain eighty (80) percent opacity within twelve (12) months of planting.

No vegetative buffer over 2' in height that might block any driver's view shall be permitted within the clear-sight triangle of the driveway or street/railroad intersection.

Comment: The petitioner indicates a 5' buffer will be maintained along Pythia Place (local Road) and Linden Drive (Minor Collector). Also included on the master plan is the clear-sight triangle that will be observed.

Projects adjacent to a residential district shall provide a 5' landscaped vegetative buffer. The commercial use located on such property shall be permanently screened from the adjoining and contiguous residential properties. If a fence or wall is used as part of the buffer, it shall be dominated by greenery which shall

attain fifty (50) percent opacity within twelve (12) months. The greenery shall be growing on the residential side.

If preserved natural vegetation is used as the buffer, it must meet opacity of at least eighty (80) percent to a minimum height of five (5) feet. Supplemental planting will be required if the natural buffer does not meet the opacity requirement. All buffer types, except natural vegetation, must be maintained to a maximum of 8' in height.

Maintenance of all buffers shall be the responsibility of the property owner. The plants and trees installed within the buffers shall be healthy. Dead plants and trees shall be replaced.

Drainage Retention areas cannot be located in a buffer

Comments: The petitioner indicates that the adjacent residential land uses to the north and the west of the property will be buffered and fenced with a 6' tall opaque vinyl fence. The fence will be offset from the property line to install vegetation between the fence and adjacent property lines. Although not called out, the buffers adjacent to residential zoning will be at least 5' wide.

Landscaping Requirements

An existing tree location survey shall be drawn showing protected trees to be preserved. This includes specimen and majestic trees as well as regulated trees up to a density of fifteen (15) per acre. The landscape design plan shall then be submitted to the designee (building department) for approval during the construction plan stage of development. It shall be drawn by a landscape designer familiar with both plants and designs or a landscape architect familiar with both plants and designs.

A minimum of 15% of the development site shall be landscaping. A minimum of 92 trees shall be preserved or installed (15 trees per acre). At least thirty (30) of those trees shall be shade trees. Unless otherwise approved for removal, specimen and majestic trees shall be preserved. An area of at least five (5) percent of the total project area must be designated as a preserved natural vegetation and no construction activity can occur in this area. Preserved natural areas must be a minimum of 2,000 square feet.

Comments: The petitioner shows basic landscaping on the master plan. A landscape plan shall be submitted to be approved with the construction plans at said stage of development.

Residential Protection Standards

A. Residential Protection Standards shall be adhered to¹:

- 4) No building within 100' of any single-family residential district property line shall be more than 20' in height.

Comments: The petitioner indicates that no occupied portion of a building within 100' of a residential zone will be over 20' tall. The petitioner also indicated that no unoccupied architectural feature will be over 30' tall.

- 5) All loading bays and loading docks must be a minimum of 100' from any single-family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences, or walls.

Comments: The petitioner indicates on the master plan that no garage doors shall be oriented facing adjacent residential zones.

- 6) Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences, or walls.

COMPREHENSIVE PLAN REVIEW:**Future Land Use Element**

Strategy 1.08B(2): The corridor segment from Mariner Boulevard to the Suncoast Parkway consists of a residential character with commercial nodes at each end (Mariner and Suncoast intersections) and a smaller commercial node at Linden Drive. This pattern should generally be continued when considering any proposed projects or requested zoning changes in the planning horizon timeframe.

Comments: The subject parcel is within the Residential Future Land Use. The subject property has been zoned for PDP(GHC)/ Planned Development Project (General Highway Commercial) since

¹ Items 1, 2 and 3 are not included because they apply to speakers/sound equipment, the distribution of alcohol, and drive through restaurants.

1988. The property is adjacent to commercial property at the southern property line, and extends a commercial node identified in the Comprehensive Plan at Linden Drive and County Line Road.

FINDING OF FACTS:

The reestablishment of a master plan for the subject property is required due to the expiration of the previous master plan. The addition of the C-2 use (mini-warehouse) to the allowable uses for the property is appropriate based on the following:

1. The PDP for the subject parcel was established in 1988 under the name "Linden Retreat" (H-88-57).
2. The Hernando Board of County Commissioners has determined that low-intensity commercial uses may be located adjacent to residential land uses with the provision that the residential protection standards are used on the subject property.
3. The addition of a permitted use within a PDP by way of Master Plan is an established practice within the Hernando County Master Plan process.

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 RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request to reestablish a master plan on the subject property and add a specific C-2 (Highway Commercial) use for mini-warehouse.

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. Prior to the approval of the conditional plat, the petitioner shall contact the State Department of Historic Resources to determine if compliance review will be required. Determination of this compliance by the State shall be provided to the County with the submittal of the conditional plat application.
3. Residential Protection Standards shall be adhered to:
 - No building within 100' of any single-family residential district property line shall be more than 20 feet in height.
 - All loading bays and loading docks must be a minimum of 100' from any single-family residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single-family residential district property line. Screening may include landscape plantings, berms, fences, or walls.
 - Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences, or walls.
4. Perimeter Setbacks:
 - Along Linden Drive and Pythia Place: 75'
 - Adjacent to residential uses: 35'
 - Adjacent to non-residential land use: 20'
5. Building Height:
 - Buildings within 100' of a residential property line: 20'
 - Buildings not within 100' of a residential property line: 60'
 - Non-occupied architectural features more than 100' from a residential property line: 30'

6. Buffers:
 - Along Pythia Place, Linden Drive, and on any parking areas: Vegetated buffer at least 5' wide.
 - Along property lines adjacent to residential zones: Vegetated buffer at least 5' wide with an opaque vinyl fence at least 6' tall.
7. Drainage Retention Areas (DRAs) shall be located outside of the required buffers.
8. The driveway on Linden Drive shall align with Sussex Drive.
9. Linden Drive is Classed as a Collector Roadway, a sidewalk along the entire frontage of Linden Drive is required.
10. The sidewalk along Linden shall connect to the main building.
11. All Parking stalls, layout and driveways shall meet Hernando County standards.
- 12.
13. Prior to the submittal of the Construction Drawings phase of development, the petitioner shall coordinate with the Engineering Department to determine the specifics of utilizing the adjacent County owned Drainage Retention Area (DRA).
14. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional at the construction plan stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.
15. Invasive plant species, if present, are to be removed during the development process.
16. A landscape plan shall be submitted for approval during the construction plans stage of development.
17. 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.
18. The petitioner shall adhere to buffer and landscaping requirements set forth in the Hernando County Code of Ordinances, Chapter 10 Community Appearance.
19. Natural vegetation is to be retained in the buffers and enhanced with trees and vegetation to meet 80% opacity requirement.

20. Maintenance of all landscaping shall be the responsibility of the property owner. The plants within installed planting areas shall be healthy. Dead plants shall be replaced in a timely manner that provides the plant/tree with the best chance of survival.
21. A minimum of 15% of the development site shall be landscaped.
22. A minimum of 92 trees shall be preserved or installed (15 trees per acre). At least thirty (30) of those trees shall be shade trees. Unless otherwise approved for removal, specimen and majestic trees shall be preserved.
23. An area of at least five (5) percent of the total project area must be designated as a preserved natural vegetation and no construction activity can occur in this area. Preserved natural areas must be a minimum of 2,000 square feet.
24. All landscaping, ground cover, and tree placement requirements must be completed prior to the issuance of the Certificate of Occupancy.
25. The Hernando County NPDES (National Pollution Discharge Elimination System) Ordinance will apply during any site clearing.
26. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties in the event that security lighting is proposed.
27. A connection to the Central Water system shall be made at the time of vertical construction.
28. The petitioner shall address Onsite Sewage Treatment and Disposal through the approval with the Health Department.
29. 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.