

STAFF REPORT

HEARINGS: Planning & Zoning Commission: February 10, 2025
Board of County Commissioners: April 3, 2025

APPLICANT: Hilltop 408, LLC.

FILE NUMBER: H-24-74

REQUEST: Re-Establish Master Plan on Property zoned PDP(OP)/ Planned Development Project (Office Professional) for a Freestanding Emergency Room

GENERAL LOCATION: South side of Spring Hill Drive, approximately 350' from Deering Avenue, and the intersection of Lindsay Road and Deering Avenue

PARCEL KEY NUMBER: 1775877

APPLICANT'S REQUEST:

On May 14, 2019, the Board of County Commissioners approved a rezoning from PDP(SU)/Planned Development Project (Special Use) to PDP(OP)/ Planned Development Project (Office Professional) for a Freestanding Emergency Room on the 1.75 acre subject site. Since its approval no development acquired and the master plan, in accordance with our Code, has expired.

The petitioner is current request is to re-establish the master plan on the subject site for a Free-Standing 11,000 square foot Emergency Room (FSER). No changes are being requested from the previous approval.

SITE CHARACTERISTICS:

Site Size: 1.75 acres

**Surrounding Zoning;
Land Uses:**

North: Commercial, Public Facility
South: Single-Family Residential
East: Church and Single-Family Residential
West: Commercial

Current Zoning: Planned Development Project (Office Professional)

Future Land Use
Map Designation: Residential

ENVIRONMENTAL REVIEW:

Soil Type: Candler Fine Sand

Hydrologic

Features: The site falls within a Class 2 Wellhead Protection Area, No Special Protection areas, or wetlands present.

Comments: The requested use is an allowable use in the Class 2 Wellhead Protection Area.

Habitat: Since gopher tortoise are present on-site, a burrow survey will be required by a qualified professional and a Florida Fish and Wildlife Conservation Commission (FWC) permit may be required prior to site alteration or commencement of construction. The petitioner is required to comply with all applicable FWC regulations.

Comments: The development of common areas and landscape plans must comply with the Florida-Friendly Landscaping™ principles.

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) does not currently provide water or sewer service to this parcel. Water service is available to the parcel; however, sewer service is not available at this time. There is a sewer force main that runs along the east side of Mariner Boulevard that could be a potential connection point should sewer service be desired. HCUD has no objection to the request subject to connection to the central water system and Health Department approval of an appropriate Onsite Sewage Treatment and Disposal System for the project.

Comments: If sewer service is desired, the petitioner shall be required to have a utility capacity analysis, and it would be the developer's responsibility to determine the connection route.

ENGINEERING REVIEW:

The proposed site is located on the south side of Spring Hill Drive, approximately 350' from Deering Avenue, and the intersection of Lindsay Road and Deering Avenue.

- The primary entrance from Spring Hill Drive is to be a Right-In/Right-Out only connection.
- The primary entrance must not conflict with the shopping center.

- Southernmost Drive aisle must align with church located to the East.
- No access to driveway on Deering Avenue shall be permitted.

LAND USE REVIEW:**Building Setbacks**

The petitioner is proposing the following building setbacks:

Front: 50' (previously approved deviation from 75')
Side: 20'
Rear: 35'

Parking

County LDRs require minimum off-street parking ratios based on the type of use. Four (4) parking spaces per thousand square feet of office professional uses are required.

Comments: The 11,000 square foot building would require a minimum of forty-four (44) parking spaces. The petitioner has indicated the site can accommodate the minimum parking requirements of the County's LDRs.

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 residential uses.

COMPREHENSIVE PLAN REVIEW:

The subject site is located within the Residential Land Use designation on the Comprehensive Plan. The site is surrounded by single-family residential, commercial and public facilities.

Future Land Use Element:

Objective 1.04B: The Residential Category allows primarily single family, duplex, resort and multi-family housing and associated ancillary uses such as recreational and institutional. Office and certain commercial uses may be allowed subject to the locational criteria and performance standards of this Plan.

Residential density shall not exceed 22 dwelling units per gross acre.

Strategy 1.04B(1): 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.

Comments: The Office Professional Uses, specifically the Free-Standing Emergency Room, proposed in this application are consistent with the Future Land Use Element of the Hernando County Comprehensive Plan. The Residential Future Land Use Classification allows for office professional, and hospital uses. The surrounding land uses consist of commercial, public facilities and residential uses; the proposed uses are compatible with the surrounding land uses.

FINDINGS OF FACT:

A reestablishment of the Master Plan on property zoned PDP(OP)/ Planned Development Project (Office Professional) on 1.75 acres is appropriate based on the following conclusion: the request is consistent with the County's adopted Comprehensive Plan and is compatible with the surrounding land uses.

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. 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 RECOMMENDATIONS:

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 to Re-Establish a Master Plan on property zoned PDP(OP)/Planned Development Project (Office Professional) with the following performance conditions:

1. The petitioner shall obtain all permits from Hernando County and other applicable regulatory 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 be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential uses.
3. Minimum Building Setbacks
Front: 50' (previously approved deviation from 75')
Side: 20'
Rear: 35'
4. The landscape buffer around the existing cell tower shall be 0' (Deviation from 5'). The existing landscaping around the cell tower shall not be disturbed and shall be replaced if damaged.
5. The landscape buffer along Spring Hill Drive shall be a minimum of 35'.
6. The petitioner shall provide adequate parking on the remaining portion of the site for the church in accordance with Hernando County LDRs.
7. The petitioner shall provide the primary entrance from Spring Hill Drive as a right-in/right-out only connection.
8. The petitioner's primary entrance shall not conflict with the shopping centers to the west of the property.
9. The petitioners' southernmost drive aisle must align with the Fellowship Wesleyan Church of Spring Hill locate to the east of the property.
10. The petitioner shall provide cross access agreement with the Fellowship Wesleyan Church of Spring Hill located to the east of the property.

11. During the site development stage, the developer shall perform a capacity analysis of the existing utility systems in accordance with HCUD requirements.
12. The petitioner shall provide a revised plan in compliance with all 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.