

STAFF REPORT

HEARINGS: Planning & Zoning Commission: September 11, 2023
Board of County Commissioners: October 10, 2023

APPLICANT: Lee Pedone

FILE NUMBER: H-23-33

REQUEST: Rezoning from CPDP (Combined Planned Development Project) to PDP(IND)/Planned Development Project (Industrial)

GENERAL LOCATION: Southeast corner of Kettering Road and Dashback Street

PARCEL KEY NUMBERS: 396716

APPLICANT'S REQUEST:

On July 12, 2006, the Board of County Commissioners approved a rezoning from AG (Agricultural) to C/PDP(SF)&(MF)/Combined Planned Development Project (Single Family) & (Multifamily), in order to develop the subject 118.5 acre parcel with 495 single family lots and 202 multifamily units. The overall acreage of the proposed residential project at the time was 215.4 acres. Since its approval, no development has occurred other than the site being utilized for a sand mine.

The petitioner's current request is for a rezoning of the 30.0 acre northern portion of the 118.5 acre parcel. The request is for a 210,000 square foot cold storage facility. The project is proposed as two phases, the first providing for 110,000 square feet of building and all infrastructure with off-site improvements. The second phase will complete the balance of the square footage and associated parking. The cold storage would be utilized by local farmers and livestock ranchers for storage of foods and merchandise.

SITE CHARACTERISTICS:

Site Size: 30.0 acre portion of a 118.5 acre parcel

Surrounding Zoning & Land Uses:

North:	PDP(IND); Vacant Industrial
South:	CPDP; Vacant
East:	AG, PDP(SF); Single Family
West:	CPDP; Vacant

Current Zoning: CPDP (Combined Planned Development Project)

**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 is not located within a Wellhead Protection Area (WHPA) according to County data resources.

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/gopher tortoise 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.

Flood Zone: X

UTILITIES REVIEW:

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to this parcel. There is an existing 16-inch water main that runs along the east side of Kettering Road approximately 850 feet to the north. There is an existing 4-inch sewer force main that runs along the west side

of Kettering Road approximately 2,100 feet to the north. 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 subject site is located on the southeast corner of Kettering Road and Dashback Street. The project will have two access points. One access off Kettering Road and the second from Dashback Street, which will require upgrades to 60' right-of-way road.

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

- In Phase 1 of development (Cold Storage), Dashback Street will be classified as a Major Local Roadway.
- In Phase 2 of development (balance of parcel), Dashback Street will be required to be brought up to a Collector Roadway.
- A Traffic Access Analysis will be required at the time of development of Phase II.
- The future widening of Kettering Road may require additional right-of-way from this parcel, developer must work with the County Engineer to determine.
- Relocation of the sandmine entrance to be determined upon construction drawing review.

LAND USE REVIEW:

Setbacks:

The petitioner has proposed the following setbacks for the subject site:

- Kettering Road: 75'
- Dashback Street: 75'
- East: 35'
- South: 20'

Perimeter Setback:

The Hernando County Land Development Regulations require the following minimum perimeter setbacks for PDP(IND)/Planned Development Project (Industrial) master plans:

- Side 20'
- Rear 35'

Buffers:

According to the Hernando County Land Development Regulations, a 5' vegetative buffer is required along entire perimeter of the subject site.

Where an industrial zoned lot abuts another industrial zoned lot, in an area intended and used solely for truck loading, docking, staging and/or truck parking and the area is located behind the front line of the main building structure, the area is exempt from internal tree and parking island requirements. Such areas shall not require the commercial buffer but shall require installation and maintenance of a five-foot-wide landscape strip consisting of at least one (1) tree, three-inch minimum caliper, per fifty (50) linear feet and two (2) shrubs plus turf grass, ground cover and/or mulch. Preserved natural vegetation may be substituted for the landscape strip with approval of the development department review staff. Mitigation of any existing trees in the area behind the main building will not be required.

Comments: The petitioner has proposed a 25' buffer along Kettering Road and Dashbach Street and a 15' Landscape buffer along the east and south property lines

Parking

The Hernando County Land Development Regulations has minimum parking calculations based on the specific uses proposed. The petitioner shall be required to provide 1 parking space per employee peak shift. Additionally, one space is required for every vehicle operated by the establishment on the premises.

Comments: The petitioner has shown the general location for parking but has not shown the number of spaces. At the time of site development, the petitioner shall be required to provide the data necessary to determine the total parking required for the proposed use.

Lighting

The petitioner has not proposed a lighting plan for the subject site. If the master plan is approved, the petitioner will be required to meet all lighting requirements as identified in the Hernando County Land Development Regulations.

COMPREHENSIVE PLAN REVIEW:

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 strategy to provide for economic development.

FINDINGS OF FACT:

A request to establish a Master Plan on property zoned PDP(IND)/Planned Development Project (Industrial) is appropriate based on the following conclusion:

1. The subject site was recently approved for a Conditional Use Permit excavation. Upon approval of the PDP(IND)/Planned Development Project (Industrial), the subject 30.0 acre portion shall no longer be available for sand mining/excavation and shall be removed from any future excavation permits.

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

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 for a rezoning from CPDP (Combined Planned Development Project) to PDP(IND)/Planned Development Project (Industrial) with the following performance conditions:

1. The petitioner must obtain all permits from Hernando County 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 petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
4. 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.

5. The petitioner shall coordinate the need for additional right-of-way, for the future widening of Kettering Road, with the County Engineer.
6. A Traffic Access Analysis will be required at the time of development. Any improvements identified by Traffic Access Analysis will be the responsibility of the developer.
7. Minimum Building Setbacks:
 - Kettering Road: 75'
 - Dashbach Street: 75'
 - East: 35'
 - South: 20'
8. Minimum Buffer Requirements:
 - Kettering Road: 25'
 - Dashbach Street: 25'
 - East: 15'
 - South: 15'
9. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring parcels.
10. The petitioner shall be required to relocate the entrance of the existing sand mine at the time of construction drawing review.
11. Upon approval of the PDP(IND)/Planned Development Project (Industrial), the subject 30.0 acre portion shall no longer be available for sand mining/excavation and shall be removed from any future excavation permits.
12. 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.