

STAFF REPORT

HEARINGS: Planning & Zoning Commission: March 13, 2023
Board of County Commissioners: April 11, 2023

APPLICANT: Glen Lakes Commons, LLC

FILE NUMBER: H-22-64

REQUEST: Master Plan Revision on Property Zoned PDP(MF)/Planned Development Project (Multifamily), PDP(GG)/Planned Development Project (General Commercial) And PDP(GHC)/Planned Development Project (General Highway Commercial) with Specific C-2 Uses and Deviations

GENERAL LOCATION: West of Commercial Way and south of Glen Lakes Boulevard

PARCEL KEY NUMBERS: 339798, 1150195

BACKGROUND

This project was previously approved by the Board of County Commissioners on March 8, 2022, under File No. H-21-69 Glen Lakes Commons. The petitioner's request was to rezone the property to PDP(MF)/Planned Development Project (Multifamily) with a Congregate Care Facility and PDP(GC)/Planned development Project (General Commercial) with Specific C-2 uses and with Deviations to develop the site with up to seven (7) commercial outparcels and a Life Care and Independent Living Facility.

The overall commercial square footage approved was 180,000 and the congregate care facility was approved for 70 independent units and 140 assisted living units. The petitioner also requested and was approved for the following C-2 uses: drive-in restaurants, mini-warehouse, and tire/automotive accessory establishment. Deviations for setbacks were also granted.

APPLICANT'S REQUEST

The petitioner is requesting a master plan revision to relocate the Drainage Retention Area (DRA) from the western border of the property to the northwestern project area, creating one large DRA and to increase the building height for the Assisted Living Facility from 45' to 53'.

Deviations Requested:

The petitioner seeks a deviation in the maximum building height for the Assisted Living Facility to accommodate a hipped roof:

- Maximum Building Height: 53' (deviation from 45')

SITE CHARACTERISTICS

Site Size:	22.5 acres
Surrounding Zoning & Land Uses:	North: PDP(GHC); Glen Lakes Golf and Country Club South: AG; Undeveloped East: PDP(GC); Undeveloped West: PDP(SF); Glen Lakes
Current Zoning:	PDP(GHC)/ Planned Development Project (General Highway Commercial), PDP(MF)/ Planned Development Project (Multi-Family), PDP(GHC)/Planned Development Project (General Highway Commercial)
Future Land Use Map Designation:	Commercial and Residential

ENVIRONMENTAL REVIEW

Soil Type:	Candler Fine Sand/0-5% Slopes, Tavares 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 and submitted during the construction plans stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.
Protection Features:	There are no Protection Features (Wellhead Protection Areas (WHPA) and Special Protection Areas (Special Protected Areas (SPAs)) on this site according to county data.
Hydrologic Features:	There are no Hydrologic Features (Sinkholes, Karst Sensitive Areas, and Wetlands) on this property according to county data.
Habitat:	This property is designated as Urban Open Pine, and Residential High Density >5 DU/Acre 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).
Water Quality:	The proposed development is within the Weeki Wachee River Basin Management Action Plan (BMAP), the Weeki Wachee Primary Focus Area (PFA), and the and Weeki Wachee Outstanding Florida Springs (OFS) Group.
Comments:	The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, plantings, and for required buffers, as applicable.

Natural vegetation is to be retained in the buffers and enhanced with trees and vegetation to meet 80% opacity requirement.

The Builder/Developer shall provide new property owners with Florida-Friendly Landscaping™ Program information and encourage the use of the principles, techniques, and landscaping recommendations. Information on the County's Fertilizer Ordinance and fertilizer use is to be included. Educational information is available through Hernando County Utilities Department.

Flood Zone: X, with a small portion of AE

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 west side of Commercial Way. There is an existing 10-inch sewer force main that runs along the north side of Glen Lakes Boulevard, and an existing 20-inch sewer force main that runs along the east side of Commercial Way.

HCUD has no objection to the proposed revised use for the southern portion of Parcel Key 1150195 to accommodate stormwater retention. HCUD had previously commented no objection to the proposed project for Parcel Key 339798 (H-21-69) to include an Assisted Living Facility along with 7 commercial lots, 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 lies between the Glen Lakes community and US Highway 19, just south of the Glen Lakes entrance. The County Engineer has reviewed the petitioner's request and indicated the following:

- The site contains one small area of Flood Zone AE, (El. 24.4) and an existing DRA at the intersection of Glen Lakes Blvd.
- Traffic Access Analysis is required and shall include queuing analysis.
- Any improvements identified by the Traffic Access Analysis will be the developer's responsibility to install.
- All roads and driveways shall be built to Hernando County Standards.
- Parking Layout shall meet Hernando County Parking Lot Standards.
- Access Management and Drainage permits required from the Florida Department of Transportation.
- Previous Master Plan performance conditions of H-21-69 remain in full force and effect.

LAND USE REVIEW

There is no requested change of use for this project. All previously approved performance conditions stand and are outlined in the Recommendations section of this staff report.

Building Height

The petitioner has requested an increase in the maximum building height from 45' to 53' to accommodate a hipped roof instead of a flat one. The petitioner states they will not be increasing the living area or number of floors in the building. The residential protection standards remain applicable on the westernmost lots of the development. Buildings over 20' in height must be at least 100' from the western property line and the mini-warehouse storage may only open toward the east of the property (facing U.S. Highway 19).

Land Use Provisions of the previous approval (H-21-69)

Buffer Requirement

A 30' natural vegetative buffer (enhanced where needed to achieve to 80% opacity) along the western boundary of the site, where development parcels are adjacent to existing residential lots.

The remaining areas must meet the minimum buffer requirements of the Commercial Design Standards and Community Appearance Ordinance. A buffer landscape plan shall be provided at the time of site development.

Lighting

The petitioner is required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential parcels. Security lighting shall be shielded from the neighboring residential use to the north.

Parking

County Land Development Regulations (LDRs) require a minimum of 4.0 parking spaces per 1,000 square feet of commercial use. Additionally, 2.0 parking spaces per 100 units of self-storage capacity and 0.3 parking spaces per bed for congregate care facilities.

The petitioner shall provide a minimum of 63 parking spaces for the congregate care facility. The petitioner shall meet the minimum parking requirements of the County Land Development Regulations (LDRs).

Retail Development Standards:

This project will consist of 180,000 square feet of commercial which will be integrated with the proposed multifamily. Although the project does not meet the Large Retail development square footage of 65,000, specific standards are being applied from the Large Retail Development Standards due to the mixed-use complexity and size of the project.

- Mechanical/operational equipment including HVAC located at ground level shall be set back at least one hundred (100) feet from any property line external to the development site and shall be visually shielded through enhanced screening or shall be located on the roof and shall be visually shielded with a parapet wall. All mechanical/operational equipment shall be sound attenuated as necessary to comply with the county's noise ordinance.

- Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) for the commercial outparcels shall be placed on the roof and screened by a parapet wall with a similar architectural style as the building.
- Where the proposed commercial development consists of multiple buildings (excluding out parcels), then loading areas and loading docks should be situated between said buildings in a manner which allows the buildings to act as screens. All loading areas/docks shall be set back at least one hundred (100) feet from any property line external to the development site and shall be screened at 100% opacity through the use of landscape plantings, berms, fences, or walls. The County may require the use of absorptive noise barrier walls for commercial noise reduction.
- All outdoor lighting shall meet the specific use regulations for commercial lighting under Article III.
- All on site advertising signs, including out parcels, shall be designed as part of a complete signage system and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in this code.
- The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. All on-site advertising signs, including outparcels and the subdivision entrance signs, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in this code. Size sizes and location shall meet the minimum requirements of the County LDR's.

Landscape

The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials, and plantings for required landscaping.

COMPREHENSIVE PLAN REVIEW

As previously documented in file H-21-69, the proposed uses are consistent with the comprehensive plan.

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. 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 Master Plan Revision and 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. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Furthermore, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
3. Minimum Building Setbacks, square footage and building height:

Perimeter Setbacks:

- East: 75' (deviation from 125')
- North/South: 20'
- West: 45'

Internal Setbacks:

- Front (from the internal road): 35'
- Side (North & South): 10' (deviation from 20')
- Rear (East & West): 15' (deviation from 35')

Maximum Building Height:

- 53' for the ALF (deviation from 45')
- 45' for all other lots

Maximum Commercial square footage: 180,000 square feet

4. A cross access easement or agreement between the commercial outparcels shall be provided at the time of subdivision plat approval.
5. The petitioner shall provide a Traffic Access Analysis in accordance with the requirements of the County Engineer at the time of permitting. The Traffic Access Analysis shall include a queuing analysis and a signal warrant analysis at Glen Lakes Boulevard and Commercial Way (US Highway19). Any improvements identified and required by the Traffic Access Analysis, which could include off-site public improvements, will be the responsibility of the developer.
6. A utility capacity analysis and connection to the central water and sewer systems is required at the time of vertical construction.
7. All roads and driveways shall be built to Hernando County Standards.
8. Parking layout shall meet Hernando County Parking Lot Standards. The petitioner shall provide a minimum of 63 parking spaces for the congregate care facility.

9. Access Management and Drainage permits required from the Florida Department of Transportation.
10. Geotechnical subsurface testing and reporting in accordance with the County's Facility Design Guidelines shall be conducted for all Drainage Retention Areas (DRA) within the proposed project. This condition cannot be waived.
11. The mixed-use development (commercial and multifamily) shall be limited to a single pedestal sign along Commercial Way (US Highway 19). The sign size shall meet the minimum requirement of the County LDRs.
12. The predominant sign material shall be similar to the material (e.g., brick, stone, etc.) of the commercial buildings developed on the subject property. All on-site advertising signs, including outparcels and the subdivision entrance signs, shall be designed as part of a complete signage system, and shall be limited to ground mounted monument type signs. Ground mounted monument type signs are signs where the bottom edge of the sign is no greater than ten (10) feet above grade and which otherwise meets all sign requirements in the Hernando County Code of Ordinances.
13. This project is subject to the Residential Protection Standards. These standards will be applied at the time of site development for the applicable parcels.
14. The mini-warehouse storage may only open toward the east of the property (facing U.S. Highway 19).
15. Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) for nonresidential buildings shall be placed on the roof and screened by a parapet wall with a similar architectural style as the building, or placed behind the buildings, screened from view from the public right of way and enhanced by landscaping and/or wall.
16. The commercial development shall provide a lighting plan at the time of development which complies with the lighting standards for Large Retail Development.
17. The development must provide detailed elevation plans and/or renderings and site plans illustrating the proposed facade and site design at the time of permitting. The site and building design must demonstrate compliance with the County's design standards for large retail development, and shall use architectural features, textures and materials consistent with the other development in the area.
18. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for design techniques, principles, materials and plantings for required landscaping.
19. The developer shall provide a water and sewer capacity analysis at the time of conditional plat in accordance with the requirements of the Hernando County Utilities Department.
20. The petitioner shall provide a 30' natural vegetative buffer, enhanced to 80% opacity, along the western boundary of the subject site. The remaining areas shall meet the minimum buffer requirements of the Commercial Design Standards and

the Community Appearance Ordinance. A buffer landscape plan shall be provided at the time of site development.

21. C-2 uses shall be limited to drive-in restaurants, mini-warehouse, and tire/automotive accessory establishment.
22. The site is approved for a congregate care facility with 70 dependent units and 140 assisted living units.
23. The congregate care facility shall have safe and convenient access through sidewalks, crosswalks, and bicycle/pedestrian paths to the commercial uses.
24. Access to Commercial Way (US Highway 19) from the individual parcels must be approved by FDOT.
25. 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.

P&Z RECOMMENDATION:

On March 13, 2023, the Planning and Zoning Commission voted 4-1 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Master Plan Revision and Deviations with the following modified 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. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Furthermore, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
3. Minimum Building Setbacks, square footage and building height:

Perimeter Setbacks:

- East: 75' (deviation from 125')
- North/South: 20'
- West: 45'

Internal Setbacks:

- Front (from the internal road): 35'
- Side (North & South): 10' (deviation from 20')
- Rear (East & West): 15' (deviation from 35')

Maximum Building Height:

- ~~53' for the ALF (deviation from 45')~~ 45' ALF
- 45' for all other self-storage facility

Maximum Commercial square footage: 180,000 square feet

4. A cross access easement or agreement between the commercial outparcels shall be provided at the time of subdivision plat approval.
5. The petitioner shall provide a Traffic Access Analysis in accordance with the requirements of the County Engineer at the time of permitting. The Traffic Access Analysis shall include a queuing analysis and a signal warrant analysis at Glen Lakes Boulevard and Commercial Way (US Highway19). Any improvements identified and required by the Traffic Access Analysis, which could include off-site public improvements, will be the responsibility of the developer.
6. A utility capacity analysis and connection to the central water and sewer systems is required at the time of vertical construction.
7. All roads and driveways shall be built to Hernando County Standards.

8. Parking layout shall meet Hernando County Parking Lot Standards. The petitioner shall provide a minimum of 63 parking spaces for the congregate care facility.
9. Access Management and Drainage permits required from the Florida Department of Transportation.
10. Geotechnical subsurface testing and reporting in accordance with the County's Facility Design Guidelines shall be conducted for all Drainage Retention Areas (DRA) within the proposed project. This condition cannot be waived.
11. The mixed-use development (commercial and multifamily) shall be limited to a single pedestal sign along Commercial Way (US Highway 19). The sign size shall meet the minimum requirement of the County LDRs.
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14. The mini-warehouse storage may only open toward the east of the property (facing U.S. Highway 19).
15. Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) for nonresidential buildings shall be placed on the roof and screened by a parapet wall with a similar architectural style as the building, or placed behind the buildings, screened from view from the public right of way and enhanced by landscaping and/or wall.
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19. The developer shall provide a water and sewer capacity analysis at the time of conditional plat in accordance with the requirements of the Hernando County Utilities Department.

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21. C-2 uses shall be limited to drive-in restaurants, mini-warehouse, and tire/automotive accessory establishment.
22. The site is approved for a congregate care facility with 70 dependent units and 140 assisted living units.
23. The congregate care facility shall have safe and convenient access through sidewalks, crosswalks, and bicycle/pedestrian paths to the commercial uses.
24. Access to Commercial Way (US Highway 19) from the individual parcels must be approved by FDOT.
25. Hotel to be placed perpendicular to the Glen Lakes wall, as long as its within the 100' Residential Protection Standards boundary which limits commercial building heights to 20'. In this configuration, windows facing Glen Lakes shall be accent hallway windows. If the hotel is positioned outside of the 100', the hotel shall be permitted at 45'.
26. 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.