

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: June 13, 2022  
Board of County Commissioners: July 12, 2022  
Planning & Zoning Commission: October 31, 2022  
Board of County Commissioners: November 8, 2022

**APPLICANT:** AWN Spring Hill, LLC

**FILE NUMBER:** H-22-05

**REQUEST:** Master Plan Revision with a Rezoning to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses and Deviations

### GENERAL

**LOCATION:** Northeast Corner of Cortez Boulevard and Brookridge Central Boulevard

### PARCEL KEY

**NUMBERS:** 419372, 1246618, 346478

### PUBLIC INQUIRY

**WORKSHOP:** 08/16/2022

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### APPLICANT'S REQUEST:

The petitioner's request is to establish a Master Plan with deviations, to create a commercial campus with a variety of business types. The petitioner's proposal includes up to 350,000 square feet of commercial uses, with the potential of 13 individual commercial lots. The site is proposed to be developed with a coordinated access management strategy and a frontage road connecting Brookridge Central Boulevard to Grove Drive.

#### Requested Deviations:

1. **Southern Perimeter Setback:** 50' (deviation from 125') with the provision of a coordinated E-W access drive across the north boundary of the property, the large width of the existing SR 50 Right-of-way (ROW) and a coordinated access/circulation/parking plan.
2. **Side Setback on Commercial Lots:** 0' (deviation from 20') with 15' building separation.
3. **Specific C-2 uses:** Drive-In Restaurant, Mini-Warehouse and Automobile Service Establishment

**SITE CHARACTERISTICS:**

**Site Size:** 28.50 acres

**Surrounding Zoning:**

**Land Uses:** North: PDP(MH); Brookridge Subdivision  
South: C1, C-2, PDP(GC); existing commercial businesses  
East: PDP(GHC); existing commercial businesses  
West: PDP(GHC); existing commercial businesses

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

**Future Land Use Map Designation:** Commercial

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand / 0% to 5% Slopes

**Comment:** 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. The petitioner is required to comply with all applicable FWC regulations and permitting.

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

**Hydrologic Features:** There are three (3) class 3 wetlands on these properties.

**Protection Features:** This property is not within a wellhead protection area.

**Habitat:** This property contains commercial and services habitat as well as improved pasture and a stormwater treatment area.

**Flood Zone:** X

**UTILITIES REVIEW:**

The Hernando County Utilities Department (HCUD) does not currently supply water or sewer service to these parcels. There is an existing 12-inch water main that runs along the north side of Cortez Boulevard. There is an existing 8-inch sewer gravity main that runs along the western border of parcel 419372, and an existing 8-inch sewer gravity main that runs along parcel 1246618's southern border, jogging north/northeast to dump into a lift station, then a 6-inch sewer force main. HCUD has no objection to the submitted revised master plan, retaining the PDP(GC) with three C2 uses to create a commercial campus of 13 lots, subject to a utility capacity analysis and connection to the central water and sewer systems at time of vertical construction.

**ENGINEERING REVIEW:**

The petitioner has proposed a coordinated access, circulation and parking design that will include connections to Grove Road, Brookridge Central Boulevard and Cortez Boulevard. A continuous frontage road with limited direct access points is proposed across the property from Tundra Drive to an existing commercial access drive to Grove Road.

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

- This site contains several areas of FEMA Zone "AE" floodplain and other smaller "A" Zone areas. These must be addressed at the time of development. See map extract for sub-basin designations and floodplain (Key 419372)
- Geotechnical testing is required to substantiate the data used in the calculations.
- A Traffic Access Analysis is required.
- Traffic Access Analysis to include queuing analysis.
- Any improvements identified by the Traffic Access Analysis will be the developer's responsibility to install.
- All roads and driveways are to meet Hernando County Standards.
- Parking Layout is to meet Hernando County Parking Lot Standards.
- Access Management and Drainage permits required from the Florida Department of Transportation.

**LAND USE REVIEW:**

**Uses:**

In addition to the uses allowed in the Planned Development Project (General Commercial) district, the petitioner is requesting the following Highway Commercial uses:

- Drive-In Restaurant
- Mini-Warehouse
- Automobile Service Establishment

**Comments:** Given that this site is located along a major commercial corridor and is surrounded by existing and proposed commercial uses, these highway uses are compatible with the area and will not create an adverse impact to the adjacent residential community.

**Setbacks:**

**Perimeter Setbacks:**

- North: 100'
- East: 20'
- West: 20'
- South: 50'

**Commercial Lot Setbacks:**

- Front: 30'
- Side: 0' with 15' between buildings
- Rear: 25'

**Parking:**

County LDRs require minimum off-street parking ratios based on the type of use. If the master plan is approved, the petitioner shall be required to meet the minimum parking requirements of the Land Development Regulations.

**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.

**Large Retail Development Standards:**

The petitioner has indicated that the proposed project will consist of 350,000 square feet of commercial square footage. Due to the complexity and size of the project, it will be required to meet large retail development standards as specified below:

- Commercial development with any single building, or single site development with multiple buildings with the same use and owned and managed by the same entity, greater than 65,000 square feet of gross floor area is only allowable through approval as a Planned Development Project and which otherwise satisfies these requirements and this article. This type of development may be compatible in a given commercial zoning district but because of its size, intensity, increased traffic-generation, extended hours of operation, or proximity to residential areas/districts or public schools require additional conditions as a prerequisite for approval at a requested location. The applicant shall have the burden of adequately demonstrating compliance with all of the minimum standards set forth below and otherwise contained within this article. The governing body, in their sole discretion and following public hearing and notice, shall be the final arbiter of determining whether compliance with these minimum standards has been adequately demonstrated and whether to approve, approve in part or deny a particular request hereunder.
- 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.
- 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 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 master plan shall meet the following increased setbacks and buffering requirements:
  - *Setbacks.* Where any side or rear lot line adjoins (excluding roads) a residential- or agricultural-zoned property or an existing residential use, then no building shall be located within one hundred (100) feet of said lot line.

- *Buffering.* A thirty-five (35) ft. wide buffer screened at 80% opacity at a height of six (6) feet above finished grade shall run along each rear and/or side property line which abuts any residential or agricultural zoned property. This buffer shall be screened through the use of landscape planting and landscape berms and may be augmented through the use of fences or walls, existing natural vegetation, and/or a combination thereof. The County may require the use of absorptive noise barrier walls for commercial noise reduction.
- The applicant shall demonstrate that the proposed use is appropriate to the property in question, is compatible with existing and planned uses in the area and demonstrate compliance with the County Comprehensive Plan.

**Large Retail Development Signage:**

- County LDRs require that any commercially zoned parcel(s) with less than one hundred (100) linear feet of road frontage will be allowed one (1) sign not to exceed one hundred (100) square feet in sign area. Commercially zoned parcels with a road frontage in excess of one hundred (100) linear feet will be allowed one (1) square foot of sign area per linear foot of road frontage with a maximum of two hundred (200) square feet of sign area. For commercially zoned parcels on all other roads and for parcels within any zoning district other than commercial or residential there shall be a maximum of fifty (50) square feet of sign area.
- Shopping centers, malls, strip plazas and other buildings housing more than one (1) business or activity may display no more than one (1) sign for each two hundred (200) feet of frontage, provided they are at least two hundred (200) feet apart along public streets and provided each sign does not exceed the maximum allowed according to County LDRs. The petitioner must meet the minimum sign standards as required by the County LDRs.

**Minimum County Required Sign Setbacks (based on total sign surface area):**

Up to 75 square feet in area:	5' from property line
75 square feet and up to 150 square feet in area:	10' from property line
150 square feet or greater:	20' from property line

**COMPREHENSIVE PLAN REVIEW:**

The subject site is located within the Commercial land use classification; the request is consistent with the Goals, Objectives and Strategies for this classification.

**FINDINGS OF FACT:**

The Master Plan Revision with a Rezoning to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses and Deviations is appropriate based on the following:

1. The subject site is within the Commercial land use category and the proposed uses are consistent with that category.
2. The petitioner has provided adequate buffering from the existing residential development adjacent to the site.
3. The subject site shall be required to meet all large retail development standards.
4. The proposed development presents no adverse impact to the surrounding neighborhood.

**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 deny the petitioner's request for a Master Plan Revision with a Rezoning to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses and Deviations due to the lack of required documentation for the County to properly evaluate the request.

**P&Z RECOMMENDATION:**

On June 13, 2022, the Planning and Zoning Commission voted 5-0 to postpone the petitioner's request for a Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial) to a future hearing date, with the applicant incurring all readvertising costs.



**BOCC ACTION:**

On July 12, 2022, the Board of County Commissioners voted 5-0 to postpone the petitioner's request for a Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial) to a future hearing date, with the applicant incurring all readvertising costs.

**NOTE:** Subsequent to the Board of County Commissioners hearing on July 12, 2022, the petitioner provided the additional information necessary to process the application. The updated staff recommendation is below:

**REVISED 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 on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial) 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. All onsite lighting must provide for full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring properties. Security lighting shall be shielded from the neighboring residential use to the north.
3. A Traffic Access Analysis and Queuing Analysis shall be required. Any improvements identified by the Traffic Access Analysis will be installed by developer.
4. This site contains several areas of FEMA Zone "AE" floodplain and other smaller "A" Zone areas. These must be addressed at the time of development.
5. Geotechnical testing is required to substantiate the data used in the calculations. This shall be submitted at the time of site plan approval.
6. All roads and driveways are to meet Hernando County Standards.
7. The parking layout is to meet Hernando County Parking Lot Standards.
8. Access Management and Drainage permits are required from the Florida Department of Transportation.
9. The project shall be limited to 350,000 square feet of Commercial.
10. C-2 uses shall be limited to the following:
  - Drive-In Restaurant
  - Mini-Warehouse

- Automobile Service Establishment
11. The petitioner shall be required to meet the minimum parking requirements of the Land Development Regulations.  
All onsite lighting must provide for full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring properties. Security lighting shall be shielded from the neighboring residential use to the north.
  12. The site design shall provide that pedestrian circulation is coordinated on site and between adjacent properties providing for pedestrian circulation between complementary uses.
  13. The petitioner shall 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, as applicable.
  14. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any construction for the project occurring on the property. Copies of any required permits shall be provided prior to site alteration or construction.
  15. The developer shall provide a utility capacity analysis at the time of development and connect to water and sewer at the time of vertical construction.
  16. Perimeter Setbacks:
    - North: 100'
    - East: 20'
    - West: 20'
    - South: 50'
  17. Commercial Lot Setbacks:
    - Front: 30'
    - Side: 0' with 15' between buildings
    - Rear: 25'
  18. The petitioner shall be required to meet all the Large Retail Development Standards.
  19. The petitioner shall provide a revised plan in compliance with all 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 October 31, 2022, the Planning and Zoning Commission voted 4-0 to recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial) 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. All onsite lighting must provide for full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring properties. Security lighting shall be shielded from the neighboring residential use to the north.
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  14. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any construction for the project occurring on the property. Copies of any required permits shall be provided prior to site alteration or construction.
  15. The developer shall provide a utility capacity analysis at the time of development and connect to water and sewer at the time of vertical construction.
  16. Perimeter Setbacks:
    - North: 100' (loading dock); 75' building
    - East: 20'
    - West: 20'
    - South: 50'
  17. Commercial Lot Setbacks:
    - Front: 30'
    - Side: 0' with 15' between buildings
    - Rear: 25'
  18. The petitioner shall be required to meet all the Large Retail Development Standards.
  19. Commercial establishments with drive-through lanes shall be limited to those parcels immediately adjacent to Cortez Boulevard.
  20. The developer may allow golf cart access to the development subject to review and approval by the County Engineer's Office.
  - ~~19.~~21. The petitioner shall provide a revised plan in compliance with all 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.

**BCC ACTION:**

On November 8, 2022, the Board of County Commissioners voted 4-0 to adopt Resolution 2022-217 approving the petitioner's request for a Master Plan Revision on Property Zoned PDP(GHC)/Planned Development Project (General Highway Commercial) with the following unmodified 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. All onsite lighting must provide for full cutoff fixtures and retain all light on site to prevent any light spillage onto neighboring properties. Security lighting shall be shielded from the neighboring residential use to the north.
3. A Traffic Access Analysis and Queuing Analysis shall be required. Any improvements identified by the Traffic Access Analysis will be installed by developer.
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    - North: 100' (loading dock); 75' building
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  20. The developer may allow golf cart access to the development subject to review and approval by the County Engineer's Office.
  21. The petitioner shall provide a revised plan in compliance with all the performance conditions within 30 calendar days of BCC approval. Failure to



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