

## STAFF REPORT

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**HEARINGS:** Planning & Zoning Commission: July 11, 2022  
Board of County Commissioners: August 9, 2022

**APPLICANT:** Stein Investment Group

**FILE NUMBER:** H-22-31

**REQUEST:** Rezoning from AR-2/(Agricultural/Residential-2) and C-2/(Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses with Deviations

### GENERAL

**LOCATION:** North side of County Line Road, approximately 975' east of Springtime Street

### PARCEL KEY

**NUMBERS:** 190313, 190322

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### APPLICANT'S REQUEST:

The petitioner is requesting a rezoning from AR-2/(Agricultural/Residential-2) and C-2/ (Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) with specific C-2 uses with deviations to develop an 8.60-acre portion of a 17.40-acre site with five (5) commercial outparcels. The proposed outparcels will range from 0.78 to 1.98 acres with the largest tract north of the proposed reverse frontage road. The reverse frontage road is proposed to be extended from the neighboring Mariner Village Center. As part of the development, the petitioner is requesting 40,000 square feet of retail and a 101,600 square foot three story climate controlled self-storage facility. The remaining northern 8.80 acres has no proposed development at this time and will require a revision to the master plan upon development.

As part of the rezoning the petitioner is requesting the following C-2 uses and deviations:

#### Requested C-2 Uses:

- Mini Warehouses
- Tire & Automotive Accessory
- Automotive Service Establishment

**Requested Deviations:**

- Front Building Setback: 75' (deviation from 125')
- Internal Building Setback: 0'-15' between buildings (deviation from 10')
- Large Retail Development Front Buffer: 5' (deviation from 35')

**SITE CHARACTERISTICS:**

**Site Size:** 8.60 acres (parent 17.40 acres)

**Surrounding Zoning & Land Uses:**

North: AR2; Social Club  
South: Pasco County  
East: PDP(GC); Taco Bell, McDonalds, Undeveloped  
West: PDP(GC); Self Storage

**Current Zoning:** AR-2/(Agricultural/Residential-2) and C-2/(Highway Commercial)

**Future Land Use Map Designation:** Commercial

**ENVIRONMENTAL REVIEW:**

**Soil Type:** Candler Fine Sand

**Habitat:** Road frontage is developed on key # 190313 and shown as high intensity commercial and services while the remainder is shown as low intensity urban open land according to the Florida Cooperative Land Cover Classification System. Parcel key 190322 to the west is forested and shown as sandhill. Soils and cover are suitable for gopher tortoises.

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

**Archaeological Features:**

Archaeological site (North Sagino) was associated with Seven Hills DRI. The back half of parcel key #190313 falls within the North Sagino site. The proposed development poses “no adverse impact” to the site.

**Hydrologic**

**Features:** The property does not contain mapped wetlands, according to County data resources.

**Protection**

**Features:** The property does not contain any Special Protection Area (SPA), Wellhead Protections Areas (WHPAs), according to County data resources.

**Water**

**Quality:** This project is located within the Weeki Wachee Priority Focus Area identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System. Implementation of Florida Friendly Landscaping™ principles, techniques, and materials are designed to conserve water and reduce pollutant loading to Florida's waters.

**Flood Zone:** C

**UTILITIES REVIEW:**

The Hernando County Utility Department (HCUD) has indicated that it does not currently supply water or sewer service to this parcel. There is an existing 10-inch water main that stubs out at the end of the access road that dead ends at the eastern property line of key #190313. There is an existing 8-inch sewer gravity main that runs in the same access road, and an existing 16-inch sewer force main that runs along County Line Road. 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 north side of County Line Road, approximately 975' east of Springtime Street. The petitioner has proposed that access to the commercial parcels will be obtained from two locations on County Line Road. The primary access is proposed along the eastern boundary and is shared with Mariner Village. The second access point will be mid-way along the commercial frontage.

The County Engineer reviewed the request and indicated the following:

- Parcel key # 1792910 north of the development currently belongs to FDOT and is under legal review to be dedicated to Hernando County.
- A Traffic Access Analysis may be required. If required a Traffic Access Analysis must include a queuing analysis.
- Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer.

- The driveways and parking layout will have to meet County standards.
- The parcels for this development are located outside the floodplain.
- Development must comply with Hernando County Facility Design Guidelines and Southwest Florida Water Management District Environmental Resource Permitting Design Requirements.

## **LAND USE REVIEW:**

### **Large Retail Development Standards**

The subject request is considered a large retail development and as such must comply with the standards provided for in the LDRs. The standards include, but are not limited to, architectural style, parking design, internal pedestrian circulation, and buffering. The master plan approval is a conceptual review.

The petitioner is proposing a Large Retail Development with 101,600 square feet of self-storage and an additional four (4) commercial outparcels. The County's LDRs provide that development greater than 65,000 square feet in size require approval as a Planned Development Project. Because of the intensity of development, the County may require additional conditions to ensure appropriateness at a particular location.

The following items must be addressed under the Large Retail Development requirements at the time of permitting:

- Predominant exterior building material shall include architectural or split face block, brick, glass, wood, stucco, artificial stucco, stone or concrete with architectural finish.
- Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) shall be screened from view from the public right-of-way and neighboring residential parcels and enhanced by landscaping, wall and/or parapet.
- Signage shall be designed as part of a complete development system. The location(s) and design shall be reviewed and approved as part of the overall site plan. The predominant sign material shall include architectural or split faced block, brick, glass, wood, stucco, artificial stucco, or stone and be compatible with the principal building design.
- Service areas which include areas designated for loading and unloading of goods and refuse collection shall be buffered from rights-of-way and residentially zoned areas. Buffering shall consist of construction of a wall between the service area and abutting land use. All other applicable LDRs must be met in addition to this requirement.

**Setbacks**

Proposed Perimeter Building Setbacks:

County Line Road: 75' (deviation from 125')  
East: 20'  
West: 20'  
North: 20'

Proposed County Line Road Outparcel Setbacks:

County Line Road: 75' (deviation from 125')  
Side: 0'-15' between buildings (deviation from 10')  
Rear: 35' (from reverse frontage road)

**Comments:** The petitioner is requesting internal setback deviations of 0' feet to accommodate the outparcels. The proposed master plan as shown, does not warrant a 0' internal building setback deviation. If approved, the minimum internal setbacks shall be 10'.

**Buffers**

Large Retail Developments of over 25,000 square feet are required to have a buffer along the full length of all streets serving a large retail development. The buffer shall be a minimum of thirty-five (35) feet in width and comprised of retained natural vegetation or planted with native plant species.

The minimum commercial buffer shall consist of a five-foot landscaped separation distance. The multifamily or nonresidential use located on such lot shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosures. Such screening shall have a minimum height of five (5) [feet] and a maximum height of eight (8) feet, or an evergreen hedge with a minimum height of five (5) feet at the time of planting.

**Comments:** The petitioner is proposing a 20' landscape buffer along the north and northeast boundaries. The petitioner has not indicated any other additional buffers as required by the county LDRs. If approved, the petitioner shall provide the 20' landscape buffers along the north and northeast as indicated. Additionally, to keep continuity with the adjoining development to the east, the required 35' landscape buffer along County Line Road may be reduced to 15'. The remaining portions of development shall meet the minimum commercial standards of the County LDR's.

**Screening:**

Hernando County LDRs require that screening of outdoor storage from adjoining and contiguous properties by a wall, fence or other approved enclosures. Screening shall meet an eighty (80) percent opacity standard. Such screening

shall be located behind the building line and shall have a minimum height of five (5) feet and maximum of eight (8) feet.

**Comments:** If the proposed master plan is approved, the petitioner shall be required to screen the mini storage in accordance with the minimum requirements of the Land Development Regulations.

**Lighting**

The petitioner has not indicated any lighting provisions for the proposed uses. If approved, the petitioner will be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring residential parcels.

**Parking**

County Land Development Regulations (LDRs) require a minimum of 4.0 parking spaces per 1,000 square feet of commercial use and 0.5 parking spaces per seat for fast-food restaurants.

**Comment:** The petitioner shall meet the minimum parking requirements of the County LDRs.

**Landscaping**

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:**

The subject property is located within the Commercial land use classification on the adopted Future Land Use Map. The area is characterized by commercial uses with residential to the northeast.

**Commercial Category**

**Objective 1.04G:** The Commercial Category allows primarily retail, office, and commercial service uses with an overall average gross floor area ratio of 0.35 but also includes limited industrial, recreational and institutional uses. Residential and mixed uses may be allowed subject to locational criteria and performance standards.

**Strategy 1.04G(1):** Commercial development as envisioned on the Future Land Use Map is intended primarily for locations at major intersections and along major corridors where service to local and regional markets are enhanced by transportation patterns. New commercial zoning is directed to these

mapped areas. Commercial areas that are not mapped but are allowed under this Future Land Use Category include neighborhood commercial and specialty commercial uses as described in this Plan, commercial approved as part of mixed use developments, commercial designated by planned development districts, the infill development of existing commercial areas, commercial areas extending from designated commercial nodes, and pre-existing commercially developed and designated areas. Frontage roads and cross-access between commercial uses are required where needed in accordance with the provisions of this Plan and adopted land development regulations.

**Comments:** The subject property is in a Commercial land use designation according to the Future Land Use Map. The proposed use is consistent with the Hernando County Comprehensive Plan.

**County Line Road**

**Strategy 1.08B(1):** The corridor segment from Waterfall Drive to Mariner Boulevard is experiencing a transitioning pattern. New development proposals in this corridor segment with the exception of single family residential shall use the Planned Development Project (PDP) master plan process. The following guidelines apply in review of proposed projects and requested zoning changes:

- a. The area west of Mariner Boulevard to Springtime Street may be considered as part of the Commercial Category node as depicted on the Future Land Use Map;
- b. Appropriate uses for parcels fronting on County Line Road between Springtime Street and Oak Lake Boulevard generally include office, institutional, corporate park or other commercial uses with low to moderate trip generation rates;
- c. all other applicable standards for non-residential development shall apply including appropriate buffering from agricultural and residential uses;
- d. in lieu of a frontage road, cross-access shall be provided between parcels and uses to the extent possible, including the establishment of shared drives and easements to accomplish this purpose.

**Comments:** The subject property is in the Commercial future land use category and within the existing commercial node at Mariner Boulevard and County Line Road. The petitioner is also providing connection to the access road on the eastern parcel for interconnectivity. The proposed uses are consistent with this category and the strategies for the County Line Road corridor.

**FINDINGS OF FACT:**

A rezoning from AR-2/(Agricultural/Residential-2) and C-2/(Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses with deviations is appropriate based on the following:

1. The petitioner’s requested C-2 uses are appropriate and compatible with the surrounding area.
2. Due to the overall square footage of the proposed project, the development is considered a Large Retail Development and therefore requires a minimum 35’ landscape buffer along County Line Road. Staff reviewed the petitioner’s requested deviation from 35’ to 5’ and determined that 5’ landscape buffer would not meet the intent of the Large Retail Development buffer requirement. However, in order to keep continuity with the adjoining development to the east, staff would consider a reduction from 35’ to 15’. All other requested deviations are justified and are not considered adverse to the public interest.
3. 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 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 rezoning from AR-2/ (Agricultural/Residential-2) and C-2/(Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses with Deviations, and 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. The project shall be limited to 141,600 square feet of Commercial.
5. The northern 8.80 acres shall require a master plan upon development.
6. C-2 uses shall be limited to the following:
  - Mini Warehouses
  - Tire & Automotive Accessory
  - Automotive Service Establishment
7. The petitioner shall provide the 20' landscape buffers along the north and northeast. Additionally, a 15' landscape buffer shall be provided along County Line Road. The remaining portions of development shall meet the minimum commercial standards of the County LDR's.
8. The site design shall provide that pedestrian circulation is coordinated on site and between adjacent properties providing for pedestrian circulation between complementary uses.
9. A cross access easement or agreement between the commercial parcels shall be provided at the time of subdivision plat approval.

10. Minimum Perimeter Building Setbacks:
  - County Line Road: 75' (deviation from 125')
  - East: 20'
  - West: 20'
  - North: 20'

Minimum County Line Road Outparcel Setbacks:

  - County Line Road: 75' (deviation from 125')
  - Side: 10' (deviation from 20')
  - Rear: 35' (from reverse frontage road)
11. 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.
12. 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.
13. 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.
14. The following Large Retail Standards shall be met:
  - Predominant exterior building material shall include architectural or split face block, brick, glass, wood, stucco, artificial stucco, stone or concrete with architectural finish.
  - Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) shall be screened from view from the public right-of-way and neighboring residential parcels and enhanced by landscaping, wall and/or parapet.
  - Signage shall be designed as part of a complete development system. The location(s) and design shall be reviewed and approved as part of the overall site plan. The predominant sign material shall include architectural or split faced block, brick, glass, wood, stucco, artificial stucco, or stone and be compatible with the principal building design.
  - Service areas which include areas designated for loading and unloading of goods and refuse collection shall be buffered from rights-of-way and residentially zoned areas.

- Buffering shall consist of construction of a wall between the service area and abutting land use. All other applicable LDRs must be met in addition to this requirement.
15. 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 July 11, 2022, the Planning and Zoning Commission voted 5-0 to recommend the Board of County Commissioners adopt a Resolution approving the petitioner's request for a rezoning from AR-2/ (Agricultural/Residential-2) and C-2/(Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses with Deviations, and 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. 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. The project shall be limited to 141,600 square feet of Commercial.
5. The northern 8.80 acres shall require a master plan upon development.
6. C-2 uses shall be limited to the following:
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7. The petitioner shall provide the 20' landscape buffers along the north and northeast. Additionally, a 15' landscape buffer shall be provided along County Line Road. The remaining portions of development shall meet the minimum commercial standards of the County LDR's.
8. The site design shall provide that pedestrian circulation is coordinated on site and between adjacent properties providing for pedestrian circulation between complementary uses.
9. A cross access easement or agreement between the commercial parcels shall be provided at the time of subdivision plat approval.

10. Minimum Perimeter Building Setbacks:
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Minimum County Line Road Outparcel Setbacks:

  - County Line Road: 75' (deviation from 125')
  - County Line Road (Lot 1): 65' (Deviation from 125')
  - Side: 10' (deviation from 20')
  - Rear: ~~35'~~ 20' (from reverse frontage road)
11. 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.
12. 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.
13. 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.
14. The following Large Retail Standards shall be met:
  - Predominant exterior building material shall include architectural or split face block, brick, glass, wood, stucco, artificial stucco, stone or concrete with architectural finish.
  - Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) shall be screened from view from the public right-of-way and neighboring residential parcels and enhanced by landscaping, wall and/or parapet.
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  - Service areas which include areas designated for loading and unloading of goods and refuse collection shall be buffered from rights-of-way and residentially zoned areas.

- Buffering shall consist of construction of a wall between the service area and abutting land use. All other applicable LDRs must be met in addition to this requirement.

15. A 6 foot wall or fence shall be constructed along the northern and northeast boundaries where adjacent to Royal Palms.

~~15.~~16. 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 August 9, 2022, the Board of County Commissioners voted 4-0 to adopt Resolution 2022-153 approving the petitioner's request for a rezoning from AR-2/ (Agricultural/Residential-2) and C-2/(Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) with Specific C-2 uses with Deviations, and 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.
4. The project shall be limited to 141,600 square feet of Commercial.
5. The northern 8.80 acres shall require a master plan upon development.
6. C-2 uses shall be limited to the following:
  - Mini Warehouses
  - Tire & Automotive Accessory
  - Automotive Service Establishment
7. The petitioner shall provide the 20' landscape buffers along the north and northeast. Additionally, a 15' landscape buffer shall be provided along County Line Road. The remaining portions of development shall meet the minimum commercial standards of the County LDR's.
8. The site design shall provide that pedestrian circulation is coordinated on site and between adjacent properties providing for pedestrian circulation between complementary uses.
9. A cross access easement or agreement between the commercial parcels shall be provided at the time of subdivision plat approval.
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Minimum County Line Road Outparcel Setbacks:

County Line Road: 75' (deviation from 125')  
County Line Road (Lot 1): 65' (Deviation from 125')  
Side: 10' (deviation from 20')  
Rear: 35' 20' (from reverse frontage road)

11. 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.
12. 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.
13. 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.
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  - Predominant exterior building material shall include architectural or split face block, brick, glass, wood, stucco, artificial stucco, stone or concrete with architectural finish.
  - Any noise producing machinery or equipment (refrigeration units, air conditioning, chillers, etc.) shall be screened from view from the public right-of-way and neighboring residential parcels and enhanced by landscaping, wall and/or parapet.
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  - Service areas which include areas designated for loading and unloading of goods and refuse collection shall be buffered from rights-of-way and residentially zoned areas.



- Buffering shall consist of construction of a wall between the service area and abutting land use. All other applicable LDRs must be met in addition to this requirement.
15. A 6 foot wall or fence shall be constructed along the northern and northeast boundaries where adjacent to Royal Palms.
- ~~15.~~16. 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.