

REZONING CASE H-24-12

STAFF REPORT

RECOMMENDATIONS/ACTIONS

STAFF RECOMMENDATION TO PLANNING & ZONING COMMISSION JUNE 3, 2024

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request and rezone the subject site(s) from PDP(IND)/Planned Development Project (Industrial) to PDP(GC)/ Planned Development Project (General Commercial) with performance conditions listed in **Appendix A** of this Staff Report.

INTRODUCTORY INFORMATION:

HEARINGS: Planning & Zoning Commission: June 10, 2024
Board of County Commissioners: July 30, 2024

APPLICANT: Spring Hill Development Investment, LLC

FILE NUMBER: H-24-12

REQUEST: Rezoning from PDP(IND)/Planned Development Project (Industrial) to PDP(GC)/Planned Development Project (General Commercial)

GENERAL LOCATION: North side of the intersection of Dorado Street and Industrial Loop; west side of the intersection of Industrial Loop and Anderson Snow Road.

PARCEL KEY NUMBER(S): 1059892, 1059909

APPLICANT'S REQUEST

The petitioner is seeking to rezone the subject property from PDP(IND)/Planned Development Project (Industrial) to PDP(GC)/Planned Development Project (General Commercial), in order to develop the combined 7.1 acre parcels with a mixed use retail and hotel use. The petitioner has indicated the development will consist of a 4 story, 100 room extended stay hotel (45,000 square feet) and two (2) 10,800 square foot retail plazas. Project will include associated parking, 10' vegetative perimeter buffer and drainage retention area located to provide additional buffering. No deviations are requested.

SITE CHARACTERISTICS

Site Size: 7.1 acres

Surrounding Zoning & Land Uses: North: PDP(IND); Undeveloped
South: PDP(IND); Undeveloped
East: PDP(GC); Veterinary Clinic
West: PDP(SF); Single Family

Current Zoning: PDP(IND)/ Planned Development Project (Industrial)

Future Land Use**Map Designation:** Airport Planned Development District**ENVIRONMENTAL REVIEW****Soil Type:** Candler Fine Sand

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 during the construction plans stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.

Protection Features: The property is not located within a Wellhead Protection Area (WHPA) according to County data resources.

Hydrologic Features: The subject property has no wetlands or Special Protection Areas (SPA) according to County data resources.

Habitat: Urban Open Lands 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 Basin Management Action Plan, the Weeki Wachee Springs Priority Focus Area (PFA) and the Weeki Wachee Outstanding Florida Springshed (OFS). The property is subject to a nutrient Total Maximum Daily Load (TMDL) for nitrate.

Comments: The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications and the Florida Yards and Neighborhoods Program for required plantings and buffers, as applicable.

Flood Zone: X

UTILITIES REVIEW

The Hernando County Utilities Department (HCUD) has indicated they currently do not supply water or sewer service to this parcel. Water and sewer mains are available

along Anderson Snow Road, Industrial Loop and Dorado Street. 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 the intersection of Dorado Street and Industrial Loop and the west side of the intersection of Industrial Loop and Anderson Snow Road. The petitioner has indicated two access points for the proposed development. One to Anderson Snow Road and the second to Dorado Street. The County Engineer has reviewed the petitioner's request and provided the following comments:

- A Traffic Access Analysis shall be required. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.
- Anderson Snow is a Collector Roadway. A Sidewalk along Anderson Snow Road is required for the entire length of the project parcel.
- The petitioner shall install sidewalks along Dorado Street for pedestrian connectivity between the subject project and the exiting neighborhood to the west.
- Driveway and Parking layout shall meet Hernando County Standards.
- The proposed driveway to Anderson Snow Road shall be limited to a right-in/right-out.
- Sidewalk connections shall be provided from all proposed buildings to Dorado Street and Anderson Snow Road.

LAND USE REVIEW

Residential Protection Standards

1. There shall be no speakers or other sound equipment located within 100 feet of any single family residential district property line.
2. There shall be no buildings containing alcoholic beverage dispensation establishments, convenience stores, or automotive and truck repair establishments located within 100 feet of any single family residential district property line.
3. No commercial activities which include customer entrances, drive-up windows, ordering boxes, or loading/unloading areas shall be allowed to

operate between the hours of 12 midnight and 7:00 a.m. within 100 feet of any single family residential district property line.

4. No building within 100 feet of any single family district residential district property line shall be more than 20 feet in height.

Comments: The petitioner is proposing a 4-story hotel building along the west property line. Furthermore, the master plan proposes a retention area along the west in order to provide distance buffering against the exiting single family homes, in addition to a 10' vegetative buffer along the property line. If approved, the hotel shall meet the minimum requirements of the Residential Protection Standards for structures that exceed 20' in height.

5. All loading bays and loading docks must be a minimum of 100' from any residential district property line. Additionally, all loading bays and loading docks must be screened from view from the public right-of-way or single family residential district property line. Screening may include landscape plantings, berms, fences or walls.
6. Air conditioning and/or other operational equipment must be oriented away from single family residentially zoned property or screened to minimize noise impacts and reduce visual incompatibility to the single family residentially zoned property. Screening may include landscape plantings, berms, fences or walls.

Setbacks and Maximum Building Height

Minimum Building Setbacks:

- Anderson Snow Road: 75'
- North: 20'
- West: 100' (Residential Protection Standards apply for any structure 20' or higher)
- Dorado Street: 35'

Maximum Building Height:

The subject site is located within the Airport Influence Zone. Building heights should be coordinated with the Airport to ensure no conflict with flights paths.

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: If this project is approved, the petitioner should be required to provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring properties.

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. All applicable LDRs relating to large retail development must be met at the time of permit review.

The petitioner is proposing a Large Retail Development of approximately 69,600 square feet of commercial space. The County's LDRs provide that developments 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 are those the County must address under the Large Retail Development requirements:

1. 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 project boundary or any residential area 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.
2. For facilities that operate 24 hours a day, manned parking lot security is required between 10:00 PM and sunrise.
3. When the proposed commercial development consists of multiple buildings (excluding outparcels), 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 project boundary or any residential area and shall be screened at 100% opacity through the use of landscape plantings, berms, fences or walls.
4. Large Retail Outdoor lighting shall meet the following requirements:
 - a. All fixtures must be full-cutoff or shielded;

- b. All lights must be pointed downward with the exception of low level accent lighting not exceeding 40 watts;
 - c. No spillover of light is permitted beyond property boundaries;
 - d. Fixtures with outputs of 2,000 lumens or more require manual turn-off switches;
 - e. At least fifty percent (50%) of all parking lot lighting must be turned off within one hour after close of business or between 10 p.m. and sunrise, whichever occurs first;
 - f. No pole height shall exceed twenty-five (25) feet; and
 - g. The placement or use of searchlights shall be prohibited
- 5. All on-site advertising signs, including outparcels, 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 buildings developed on the subject property. Comments: The petitioner's master plan does not depict development signage along SR 50. The petitioner has not indicated the sizes or heights of the proposed signs. If approved, the petitioner shall meet all County LDR's for signage, including size, type, setback, and number.
- 6. The master plan shall meet the following increased setbacks and buffering requirements:
 - a. Setbacks. Where any side or rear lot line adjoins (excluding roads) a residential or agriculturally zoned parcel or an existing residential use, then no building shall be located within one hundred (100) feet of said lot line.
 - b. Perimeter Buffering. A perimeter buffer shall be required 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 planted with native plant species.
- 7. The site design shall provide that pedestrian circulation is coordinated onsite and between adjacent properties, providing for pedestrian circulation between complementary uses.
- 8. All internal walkways shall comply with Florida Accessibility Code design standards. Additionally, all internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, scored concrete, or stamped asphalt, to the extent not inconsistent with said standards.

9. Transit facilities, including but limited to bus stops, pull out lanes, transit related signage, shelters, and bicycle racks for transit users, shall be provided as determined by the County to accommodate transit service.
 - The County Design Standards for large retail projects provide guidelines for creating safer, efficient, pedestrian-friendly projects with human scale orientation, while discouraging large, nondescript buildings and “unfriendly” pedestrian design, limited landscaping, and vast non-shaded parking lots.

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

Landscape

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.

Parking

All required parking shall meet the requirements of the land development regulations. For Retail uses 4.0 parking spaces per 1,000 gross floor area (the total floor area contained within the building measured to the external face of the

external walls) and for hotels 1.0 parking space per room is required. The proposed retail square footage of 21,600, will require approximately 86 parking spaces, along with 100 parking spaces for the proposed 100 room hotel.

COMPREHENSIVE PLAN REVIEW

The subject site is located within the Airport Planned Development District on the Comprehensive Plan. Planned Development District (PDD) is a Future Land Use Map Category that provides coordinated planning of new developments and redevelopments with proposed multiple uses or types, or that have specialized or unique characteristics, or would benefit from a relatively high level of planning control and coordination. PDDs envision a mixture of land uses with the locations of each land use determined through a master planning process. Each individual PDD Category shall include an objective and strategy cluster formulated through the land use process specifically designed for the unique characteristics of the development, district or category. The densities and intensities assigned to each individual PDD are addressed in the Master Plan of the development.

Strategy 1.05B(6): Incompatible uses shall not be allowed within the Airport PDD. This includes, but is not limited to, residential development, hospitals, education facilities, nursing homes, religious establishments, and similar uses that would be impacted with respect to safety, noxious odors or noise emanating from the airport or that would detract from the land area designated for employment-based uses.

Strategy 1.05B(7): Commercial and industrial development must be compatible with airport operations and other airport activities. Industrial development shall generally be encouraged and incentivized over commercial for the purpose of protecting the employment base of the Airport PDD.

Comments: The Airport PDD encourages Industrial use above other uses in order to meet County goal of manufacturing and trade job opportunities. The subject site is undeveloped and is not an ideal location for industrial uses due to its proximity to residential uses to the west. The Hotel and retail uses proposed are considered ancillary commercial uses to the Airport PDD and therefore are not considered incompatible with the strategies of the Comprehensive Plan.

FINDINGS OF FACT

The requested rezoning from PDP(IND)/Planned Development Project (Industrial) to PDP(GC)/Planned Development Project (General Commercial) is appropriate:

1. The proposed project exceeds 65,000 square feet and therefore is considered a Large Retail Development. Appropriate performance conditions should be considered to mitigate impact.
2. As a PDP(GC)/ Planned Development Project (General Commercial) the development would be compatible with the Comprehensive Plan and the surrounding area.

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.

APPENDIX A
STAFF RECOMMENDATION TO PLANNING AND ZONING
COMMISSION

APPENDIX A – STAFF RECOMMENDATION TO PLANNING & ZONING COMMISSION

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request as a PDP/Planned Development Project and rezone the subject site(s) from PDP(IND)/Planned Development Project (Industrial) to PDP(GC)/Planned Development Project (General 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. This property is located outside the floodplain. Development on the site must conform to the stormwater design requirements of Hernando County Facility Design Guideline and Southwest Florida Water Management District Environmental Resource Permit process.
3. Minimum Building Setbacks:
Anderson Snow Road: 75'
North: 20'
West: 100' (Residential Protection Standards apply for any structure 20' or higher)
Dorado Street: 35'
4. The petitioner shall coordinate building heights with the Airport to ensure no conflicts with flight paths.
5. The development shall provide a minimum 10' vegetative buffer along the north, south and west property lines. A minimum 35' buffer shall be provided along Anderson Snow Road in accordance with the Large Retail Development Standards.
6. The development shall meet the minimum standards of the Large Retail Development standards.
7. The development shall meet the Residential Protection Standards
8. This 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.
9. A cross access easement or agreement between the commercial outparcels shall be provided at the time of subdivision plat approval.

10. The petitioner shall provide full cutoff fixtures and retain all light on-site and prevent light spillage onto neighboring properties.
11. A Traffic Access Analysis shall be required. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.
12. Anderson Snow is a Collector Roadway. A sidewalk along Anderson Snow Road is required for the entire length of the project parcel.
13. The petitioner shall install sidewalks along Dorado Street for pedestrian connectivity between the subject project and the exiting neighborhood to the west.
14. Driveway and parking layout shall meet Hernando County Standards.
15. The proposed driveway to Anderson Snow Road shall be limited to a right-in/right-out.
16. Sidewalk connections shall be provided from all proposed buildings to Dorado Street and Anderson Snow Road.
17. The developer is responsible for performing a utility capacity analysis and installing the required connection to the central water and sewer systems at time of vertical construction.
18. 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.
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.