

STAFF REPORT

HEARINGS: Planning & Zoning Commission: November 4, 2024
Board of County Commissioners: December 17, 2024

APPLICANT: Todd Mooney

FILE NUMBER: H-24-49

REQUEST: Rezoning from PDP(GHC) Planned Development Project/(General Highway Commercial) to CPDP/Combine Planned Development Project to include (Light Industrial) and (Highway Commercial) with deviations with specific C-2 uses

GENERAL

LOCATION: South side of Spring Hill Drive and west side of Broad Street (US Hwy 41)

PARCEL KEY: 1231599, 1335807

APPLICANT'S REQUEST:

The petitioner is requesting a rezoning from PDP(GHC) Planned Development Project/(General Highway Commercial) to CPDP/Combine Planned Development Project to include (Light Industrial) and (Highway Commercial) with deviations and specific C-2 Uses. The parcel is located at the intersection of Spring Hill Drive and Broad Street (US Hwy 41) and is adjacent to the Brooksville -Tampa Regional Airport. The petitioner is proposing to take advantage of the extensive frontage on arterial roadways by establishing three (3) common access points and creating up to ten (10) out parcels fronting the highway for commercial and light industrial uses. The petitioner has proposed a maximum of 500,000 square feet of development.

Requested Deviations:

1. **Eastern Perimeter Setback:** 75' (deviation from 125').
2. **Specific C-2 uses:** Drive-In Restaurant, Mini-Warehouse and Automobile Service Establishment
3. **Maximum Height Deviation:** 45' (deviation from 35')

SITE CHARACTERISTICS:

Site Size: 35.1 acres

Surrounding Zoning & Land Uses:

North: AG; Spring Hill Drive Agricultural
South: Airport
East: R1A; Residential
West: PDP(AF)

Current Zoning: PDP(General Highway Commercial)
Future Land Use Map Designation: Airport PDD

ENVIRONMENTAL REVIEW:

Soil Type: Nobleton Fine Sands, Masaryk Very Fine Sand, Kendrick Fine Sand

Comments: A comprehensive wildlife/gopher tortoise survey, prepared by a qualified professional, shall be conducted prior to any development occurring on the property. The petitioner is required to comply with all applicable FWC regulations.

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

Protection Features: A Well Head Protection Areas (WHPA) is located on the northwest corner of the property according to County data resources. The WHPA 2 is associated with a public supply well.

Water Quality Review: The proposed development is within the Weeki Wachee Priority Focus Area for the Weeki Wachee River Basin Management Action Plan and subject to a nutrient Total Maximum Daily Load (TMDL) for nitrate. Where stormwater is directed to retention/detention areas the developer shall use enhanced treatment methods to reduce nitrogen loading.

Comments: This project is located within the Weeki Wachee Basin identified by FDEP as contributing nutrients to the Weeki Wachee Riverine System. The petitioner shall meet the minimum recommendations of the Florida Yards & Neighborhoods (FYN) Program for design techniques and principles for all required landscaping.

AIRPORT REVIEW:

When this project was previously approved, lighting was a concern to the county. According to the Airport Manager at the time, each of the previously approved conditions regarding lighting (found herein) are still applicable; however, it should also be stipulated as part of the approval that the petitioner must demonstrate satisfactory compliance with federal aviation regulation's part 77 and Federal Aviation Administration "Advisory Circular (AC) 70/7460-1J" regarding Obstruction Marking and Lighting.

The Airport Authority has indicated that any development on the subject site will have to meet the requirements of the Federal Approach Slope Standards for building heights. An Avigation Easement shall be provided by the petitioner to the Hernando County Airport.

UTILITIES REVIEW:

HCUD does not currently supply water or sewer service to these parcels. However, water and sewer service are available. HCUD has no objection to the request, subject to a Utility Capacity Analysis and connection to the central water and sewer systems at the time of vertical construction.

ENGINEERING REVIEW:

The subject site is located on the south side of Spring Hill Drive and west of Broad Street (US Hwy 41). The petitioner has indicated two (2) access points to Spring Hill drive and one on Broad Street (US Hwy 41). The County Engineer has reviewed the petitioners' request and indicated the following:

- The proposed development is located in two watersheds. The Powell watershed and Squirrel Prairie. Squirrel Prairie is an administrative Floodplain.
- The driveway connections will require FDOT access management permits and possibly FDOT drainage permits.
- A Traffic Access Analysis is required. Any improvements identified by the Traffic Access Analysis will be the responsibility of the developer to install.
- The internal roadway shall be a major local / commercial and could be a collector depending on the number of trips associated with this project.
- Sidewalk along Spring Hill Drive will be required.
- Sidewalks along Broad Street/US Hwy 41, are within the FDOT jurisdiction, and may be required.
- The buildings will need to be connected to the sidewalks along Spring Hill Drive and Broad Street/US 41.
- Connectivity of project to the intersection (Spring Hill Drive & Broad Street/US Hwy 41), shall be thru Hernando County parcel key number 1640503 and is to align with Evening Star Ave.
- The developer shall provide a transit stop with amenities.

LAND USE REVIEW:

The petitioner proposes a maximum of 500,000 square foot for the proposed project. The maximum building area permitted for single buildings or single site development with multiple buildings with the same use and owned and managed by the same entity in the commercial zoning districts provided for in this section shall be limited to sixty-five thousand (65,000) square feet. Any single building, or single site development with multiple buildings with the same use and owned and managed by the same entity, greater than sixty-five thousand (65,000) square feet may apply for approval through the Planned Development project section of this ordinance.

Large Retail Project: Any new commercial retail project, whose total gross building area equals or exceeds 25,000 square feet, specifically mercantile uses, and or shopping center uses. For the purpose of determining building area, multiple buildings located closer than 20 feet together shall be considered one building.

The petitioners proposed overall square footage exceeds the 65,000 square foot threshold and therefore shall meet the minimum standards of the Large Retail Project ordinance. These

standards are intended to provide developers of large retail building development with 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.

Building Setbacks:

- North: Spring Hill Drive 75'
- South: 35'
- East: Broad Street 75' (Deviation from 125')
- West: 35'

Internal Industrial/Commercial

- Building Separation: 20'

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

Landscaping:

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

Buffers:

The Petitioner is proposing the following landscape buffers:

- North: 35' Landscape Buffer
- South: 15' Natural Vegetative Buffer where no DRA is created
- East: 35' Landscape Buffer
- West: 15' Natural Vegetative Buffer where no DRA is created

Lighting:

County LDRs require lighting that enhances the visual impact of the project on the community and specifically addresses 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: The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner should be required meet the minimum requirements of the Airports lighting plan and where permissible provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring uses.

Building Height

The petitioner is proposing a maximum height deviation from 35' to 45'.

Comments: The petitioner shall coordinate the height of all buildings with the Airport prior to development.

COMPREHENSIVE PLAN REVIEW:

Objective 1.05B: The Airport Planned Development District (Airport PDD) is created to facilitate maximum utilization of the Brooksville/Tampa Bay Regional Airport as a center for aviation and aviation-related uses, industrial and business park uses and the development of private lands in support of an employment center.

Strategy 1.05B(1): The Airport PDD includes both public and privately owned lands. Primary uses allowed include a mixture of aviation, commercial, industrial, and public facilities. Recommended uses for publicly owned airport properties are guided by the Airport Master Plan for the Brooksville-Tampa Bay Regional Airport, as updated from time to time

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 subject site is located within the Airport PDD on the County's adopted Comprehensive Plan. The proposed uses are compatible with the surrounding area and consistent with the Comprehensive Plan.

FINDING OF FACTS:

A rezoning from PDP(GHC) Planned Development Project/(General Highway Commercial) to CPDP/Combine Planned Development Project to include (Light Industrial) and (Highway Commercial) with deviations is appropriate and is compatible with the surrounding area and consist 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's associations or architectural review committees require submission of plans for review and approval. The applicant for this land use request should contact the local association or the Public Records for all restrictions applicable to this property.

STAFF RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend the Board of County Commissioners adopt a resolution approving the petitioner's request for a rezoning from PDP(GHC) Planned Development Project/ (General Highway Commercial) to CPDP/Combine

Planned Development Project to include (Light Industrial) and (High Commercial) with deviations and specific C-2 uses 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. A comprehensive wildlife/gopher tortoise survey, prepared by a qualified professional, shall be conducted prior to any development occurring on the property. The petitioner is required to comply with all applicable FWC regulations.
3. Perimeter Building Setbacks
 - North (Spring Hill Drive): 75'
 - South: 35'
 - East (Broad Street): 75' (Deviation from 125')
 - West 35'

External Commercial Lot Building Setbacks:

- Front: 75'
- Rear: 35'
- Side: 20'

Internal Industrial/Commercial:

- Building Separation: 20'

4. Buffers:
 - North: 35' Landscape Buffer
 - South: 15' Natural Vegetative Buffer where no DRA is created
 - East: 35' Landscape Buffer
 - West: 15' Natural Vegetative Buffer where no DRA is created
5. The petitioner shall coordinate the height of all buildings with the Airport prior to development.
6. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
7. The petitioner shall be required to meet the minimum requirements of the Airports lighting plan and where permissible provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring uses.
8. A Traffic analysis is required at the time of development. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.
9. The internal roadways shall be classified as either Major Local / Commercial or Collector depending on the number of trips associated with this project.
10. The petitioner shall add transit stop with amenities.

11. The petitioner shall be required to construct the driveway connection to meet FDOT standards.
12. The petitioner shall provide parking spaces (including disabled parking spaces), drive aisles, signage and pavement markings per County Standards.
13. The petitioner shall provide a sidewalk along Spring Hill Drive and Broad Street (US Hwy 41) for the entire property frontage as required by FDOT.
14. The petitioner shall provide Connectivity of project to the intersection (Spring Hill Drive & Broad Street/US Hwy 41), shall be through Hernando County parcel key number 1640503 and is to align with Evening Star Avenue connect.
15. The petitioner shall conduct a Utility Capacity Analysis and connection to the central water and sewer systems at time of vertical construction.
16. The petitioner shall submit to the Aviation Authority a lighting plan for the project and shall receive Authority approval of the plan prior to any further development approvals for the project. Any light that was located or placed so that it produced an aviation hazard as determined by the Aviation Authority shall be corrected if ordered by the Authority.
17. The petitioner must demonstrate satisfactory compliance with Federal Aviation Regulations Part 77 and Federal Aviation Administration "Advisory Circular (AC) 70/7460 1J" regarding Obstruction Marking and Lighting.
18. Roofing shall be non-glaring for all structures within the project. Any future problem determined by the Aviation Authority shall be corrected if ordered by the Authority.
19. The petitioners proposed overall square footage exceeds the 65,000 square foot threshold and therefore shall meet the minimum standards of the Large Retail Project.
20. An Avigation Easement shall be provided by the petitioner to the Hernando County Airport.
21. 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 Action:

On November 4, 2024, 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 PDP(GHC) Planned Development Project/ (General Highway Commercial) to CPDP/Combine Planned Development Project to include (Light Industrial) and (High Commercial) with deviations and specific C-2 uses 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. A comprehensive wildlife/gopher tortoise survey, prepared by a qualified professional, shall be conducted prior to any development occurring on the property. The petitioner is required to comply with all applicable FWC regulations.
3. Perimeter Building Setbacks
 - North (Spring Hill Drive): 75'
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External Commercial Lot Building Setbacks:

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5. The petitioner shall coordinate the height of all buildings with the Airport prior to development.
6. The petitioner must meet the minimum requirements of Florida Friendly Landscaping™ publications for design techniques, principles, materials, and plantings for required landscaping.
7. The petitioner shall be required to meet the minimum requirements of the Airports lighting plan and where permissible provide full cutoff fixtures and retain all light on-site and prevent any light spillage onto neighboring uses.

8. A Traffic analysis is required at the time of development. Any improvements identified by the Traffic Access Analysis shall be the responsibility of the developer.
9. The internal roadways shall be classified as either Major Local / Commercial or Collector depending on the number of trips associated with this project.
10. The petitioner shall ~~add~~ coordinate transit stop with amenities with the County's Transit Department.
11. The petitioner shall be required to construct the driveway connection to meet ~~FDOT~~ County standards.
12. The petitioner shall provide parking spaces (including disabled parking spaces), drive aisles, signage and pavement markings per County Standards.
13. The petitioner shall provide a sidewalk along Spring Hill Drive and Broad Street (US Hwy 41) for the entire property frontage as required by ~~FDOT~~ County standards.
14. The petitioner shall provide connectivity of project to the intersection (Spring Hill Drive & Broad Street/US Hwy 41), shall be through Hernando County parcel key number 1640503 and is to align with Evening Star Avenue connect.
15. The petitioner shall conduct a Utility Capacity Analysis and connection to the central water and sewer systems at time of vertical construction.
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