

REZONING CASE H-24-04

STAFF REPORT

RECOMMENDATIONS/ACTIONS

STAFF RECOMMENDATION TO PLANNING & ZONING COMMISSION JULY 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 to rezone to PDP(GC) with specific C-2 use of outdoor storage with performance conditions listed in **Appendix A** of this Staff Report

INTRODUCTORY INFORMATION

HEARINGS: Planning & Zoning Commission: July 8, 2024
Board of County Commissioners: August 27, 2024

APPLICANT: Sunbelt Rentals on behalf of Jackson Land & Building Inc.

FILE NUMBER: H-24-07

REQUEST: Rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC)/ Planned Development Project (General Commercial) with a Specific C-2 use

GENERAL LOCATION: Southeast corner of SR 50 and Colorado Street and north of Frankfort Road

PARCEL KEY NUMBER: 997531, 997844

APPLICANT'S REQUEST:

The petitioner is requesting a rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC)/ Planned Development Project (General Commercial) with a Specific C-2 use for outdoor storage in order to expand their existing business. The subject property currently has a Sunbelt Rental 4,810 square foot building. The request is to combine this parcel with the parcel immediately to the East. The combined parcel would allow for an additional 9,100 square foot with an attached 1,200 square foot wash bay for equipment maintenance, and repair: along with an approximately 61,445 square foot outdoor storage area. As part of the request the petitioner is requesting a deviation of the current eastern boundary setback from 35', reduced to 25'.

SITE CHARACTERISTICS:

Site Size: 7.50 Acres

Surrounding Zoning & Land Uses:

North:	AG; Undeveloped
South:	R1A; Undeveloped
East:	C1, R1A; Undeveloped
West:	C2, R1A, AR2; Undeveloped, Mobile Home, Lawn Mower Repair Shop

Current Zoning: C-2 (Highway Commercial) and R1A (Residential)

**Future Land Use
Map Designation:** Commercial

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.

**Water Quality
Review:**

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

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.

Natural vegetation is to be retained in the buffers and enhanced with trees and vegetation to meet 80% opacity requirement. Invasive plant species if present are to be removed during the development process.

**Protection
Features:**

There are no protection features (Wellhead Protection Areas (WHPAs) present on this parcel.

Comments: A comprehensive floral survey shall be prepared by a qualified professional at the construction plan approval stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.

**Hydrologic
Features:**

There are no hydrologic features (Special Protection Areas (SPAs), sinkholes, karst sensitive areas, or wetlands) present on this parcel.

Flood Zone: X

UTILITIES REVIEW:

Hernando County Utilities Department (HCUD) currently supplies commercial water service to this parcel. There is a sewer force main that runs along Cortez Boulevard in front of this parcel. HCUD has no objection to the request subject to connection to the central sewer system if required per Ordinance at time of vertical construction.

ENGINEERING REVIEW:

The subject site is located on the southeast corner of SR 50 and Colorado Street and north of Frankfort Road. The petitioner has one exiting driveway to Colorado Street and proposes an additional driveway just south of the existing on in order to provide better circulation with the property. The County Engineer has reviewed the request and indicated the following:

- All floodplain encroachment must be compensated.
- Stormwater runoff shall be treated and attenuated.
- Stormwater ponds shall be located outside of floodplains.
- The petitioner must obtain all permits from Hernando County, including right-of-way use permit and other applicable agencies. Required to meet all applicable regulations for construction and use of the property.
- Locust Road is to be paved to the Southern Property Line to current County standards.
- Colorado Street is to be improved to a Major Local/Commercial Road from Cortez Blvd to the southern access point.
- Sidewalks are required along all roadways (Locust Road, Cortez Boulevard, Colorado Street). A waiver to the sidewalk requirement can be granted, per Ordinance requirements with a contribution to sidewalk fund.
- Provide sidewalk/pedestrian connectivity from the building to the sidewalks.
- Traffic Access Analysis may be required. Trip generation for entire project site to be provided by applicant at time of site development.
- FDOT Access Management permit/authorization shall be required.

LAND USE REVIEW:**Setbacks**

Proposed Building Setbacks:

Cortez Blvd (North):	125'
Colorado St (West):	35'
Frankfort Rd (South):	35'
Locust Rd (East):	25' (deviation from 35')

Comments: The petitioner is requesting a deviation along Locust Road, a platted but undeveloped road at this time.

Buffers

County LDRs require buffering consisting of a minimum five (5) foot landscape separation distance. The use shall be permanently screened from the adjoining and contiguous properties by a wall, fence, and/or approved enclosure. Such screening shall be a minimum height of five (5) feet and a maximum height of eight (8) feet. The petitioner's site plan does not indicate any provisions for buffering.

Comments: Petitioner proposes a 5' buffer on the outside of the proposed fence on the northern portion of the site, down to the proposed drainage retention area. The proposed plan indicates a drainage retention pond along the south the will provide buffering against southern parcels. If approved, the petitioner must provide the minimum buffering required by the County's LDRs.

Parking

County LDRs require four (4) spaces per 1,000 square feet of retail. If approved, the petitioner must provide the minimum parking requirements of the County's LDRs.

Lighting

The petitioner has not indicated any provisions for lighting of the subject property. If approved, the petitioner must provide full or semi-cutoff fixtures as required by the County LDR, in order to retain all light on site and prevent any light spillage onto neighboring residential uses.

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:**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 is required where needed in accordance with the provisions of this Plan and adopted land development regulations.

Comments: The subject site has an existing commercial use and directly fronts and has access to a Major Arterial roadway. Furthermore, is located in a commercial corridor. The proper use is consistent with the Comprehensive plan.

FINDING OF FACTS:

A rezoning from R1-A (Residential) and C-2 (Highway Commercial) to PDP(GC)/Planned Development Project (General Commercial) with a specific C-2 use is compatible with the surrounding area and is consistent with the County's adopted Comprehensive Plans.

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.

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 to **Error! Reference source not found.**

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. Minimum Building Setbacks:
Cortez Blvd (North): 125'
Colorado St (West): 35'
Frankfort Rd (South): 35'
Locust Rd (East): 25' (deviation from 35')
3. A 5' landscape buffer shall be provided on the outside of the proposed fence on the northern portion of the site, down to the proposed drainage retention area.
4. A comprehensive floral and faunal (wildlife) survey shall be prepared by a qualified professional at the construction plan stage of development. The petitioner is required to comply with all applicable FWC regulations and permitting.
5. Invasive plant species, if present, are to be removed during the development process.
6. 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.
7. The petitioner shall be required to provide full cutoff fixtures and retain all light on-site to prevent any light spillage onto neighboring properties.
8. Connection to the Central Sewer System shall be made at the time of vertical construction.
9. All floodplain encroachment shall be compensated.
10. Stormwater runoff shall be treated and attenuated.
11. Stormwater ponds shall be located outside of floodplains.
12. Locust Road shall be paved to the southern property line to current County standards.

13. Colorado Street is to be improved to a Major Local/Commercial Road from Cortez Boulevard to the southern access point.
14. Sidewalks are required along all roadways (Locust Road, Cortez Boulevard, Colorado Street). A wavier to the sidewalk requirement can be granted, per Ordinance requirements with a contribution to sidewalk fund.
15. Provide sidewalk/pedestrian connectivity from the building to the sidewalks.
16. Traffic Access Analysis may be required. Trip generation for entire project site to be provided by applicant at time of site development.
17. FDOT Access Management permit/authorization shall be required.
18. 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.