

STAFF REPORT

HEARINGS: Planning & Zoning Commission: July 9, 2007

APPLICANT: Hernando County Board of County Commissioners

FILE NUMBER: SE-07-11

PURPOSE: Special Exception Use Permit for Heavy Manufacturing

GENERAL

LOCATION: East Side of American Flyer Way, approximately 1,000' north of Runway Drive

LEGAL

DESCRIPTION: A portion of Section 19, Township 23 South, Range 19 East, Hernando County, FL

FILE STATUS: All requirements necessary to conduct the public hearing have been satisfied.

CITIZEN

RESPONSE: Correspondence received as of the date of this report? Yes No

APPLICANT'S REQUEST:

The petitioner is requesting a special exception use permit for a heavy manufacturing in order to utilize the industrially zoned 13.79 acre property for the fabrication of pre-fabricated concrete panels. The 77,175 square manufacturing facility will require an outside concrete batch plant which will be located on the north side of the proposed building. An existing office located on the southern portion of the subject site will remain and continue to be used as the petitioners corporate office.

SITE CHARACTERISTICS:

Site Size: 13.79 acres

Surrounding Zoning; Land Uses: North: PDP(HID); Undeveloped
South: PDP(HID); Duratek Corporate Office
East: PDP(HID); Undeveloped
West: PDP(HID); Warehouse

Current Zoning: PDP(HID)/Planned Development Project(Heavy Industrial)

Future Land Use Map Designation: Airport Planned Development District

Flood Zone: C and a portion within the Squirrel Prairie flood plain.

SITE CIRCUMSTANCES:

The subject property is currently owned by Hernando County (Airport Property) and located within the Airport Planned Development District.

ENVIRONMENTAL REVIEW:

Soil Type: Candler Fine Sand and Sparr Fine Sand

Hydrologic

Features: The subject property contains no wetlands, Well Head Protection Area (WHPA), or Special Protection Area (SPA), according to County data resources.

Habitat: Candler fine sand provides a habitat suitable for gopher tortoises. Given the presence of the candler fine soils, gopher tortoise habitat and several commensal species have a moderate potential for occurring on the project site including eastern indigo snake (*Drymarchon corais*), Florida mouse (*Podomys floridanus*), Florida pine snake (*Pituophis melanoleucus mugitus*), and gopher frog (*Rana areolata*). Since there is the potential for this listed Species of Special Concern to be present, the site should be inspected prior to construction, and a Florida Fish and Wildlife Conservation Commission permit may be required prior to site alterations.

Flood Plain: According to County data resources a portion of the subject property is within the Squirrel Prairie flood plain. The 100-year flood plain should be delineated and shown on the site plan. All finished floor elevations, roadways, and driveways should be above the regulatory 100 year flood elevation.

Air Quality: The proposed facility has the potential to generate fugitive dust and should provide a dust suppression system. In addition, the facility will be required to obtain air construction and stormwater permits from the Department of Environmental Protection and Southwest Florida Water Management District.

UTILITIES REVIEW:

The Utilities Department has indicated that central water and sewer capacity is available to serve the subject site. A 12-inch water line is located along American Flyer Way. A 12-inch gravity line also exist along American Flyer Way.

Capacity of the existing infrastructure is dependent on the engineer's estimated flows for this parcel. Existing water and sewer upgrades may be required to supply the proposed development. The applicant will have to connect to water and sewer at the time of development, and demonstrate compliance with the connection standards of the applicable ordinances at the time they apply for development permits.

ENGINEERING & TRANSPORTATION REVIEW:

The subject property is located within the Airport Railpark and has access to US Hwy 41 via American Flyer Way.

The County Engineer has reviewed the request and indicated no engineering related issues with the proposal.

The Transportation Planning Coordinator has reviewed the request and indicated no transportation related issues with the proposal.

LAND USE REVIEW:

The petitioner proposes to develop the subject property with one (1) 77,175 square foot industrial building. The plan does not show the number of parking spaces for the proposed use. If the request is approved, the developer must provide the minimum number of parking spaces required for the use.

The petitioner is proposing a building height of 50' feet. The maximum building height in industrial districts is forty-five (45) feet and/or three (3) stories per the County's LDR. The maximum building height permitted may be increased provided one additional foot is added to each of the required yards for each additional foot of building height constructed over the maximum building height permitted. In such cases the minimum side yard requirement shall be thirty-five (35) feet plus one additional foot for each additional foot of building height constructed over the maximum building height permitted.

The setbacks are proposed as follows:

- Front: 35' Minimum; 40' Proposed (Due to Building Height of 50')
- Side: 20' Minimum; 25' Proposed (Due to Building Height of 50')
- Rear: 35' Minimum; 35' Proposed (Due to Building Height of 50')

The subject property is located within the airport influence zone as identified in the County's LDRs. The subject property is located within the airport influence zone. Certain uses face restrictions within the airport influence zone. The Airport Director indicates that if the request is approved, the petitioner shall provide an aviation easement.

A special exception use permit is an additional use which may be granted by the Planning and Zoning Commission in accordance with the LDRs. As part of the review, the P&Z must determine that the tract of land is suitable for the type of special exception use proposed by virtue of its location, shape, topography and nature of surrounding development. The P&Z has the ability to assign reasonable conditions to the approval, and may prescribe reasonable time limits for the special exception use permit.

A special exception use permit is a use which is appropriate in a zoning district if safeguards are imposed but which would impair the integrity and character of the district in which it is located, or in adjoining districts unless restrictions or conditions on location, size, extent and character of performance are imposed in addition to those imposed in the ordinance.

The special exception use permit is a land use determination only, all applicable development rules would have to be met if the permit is approved.

COMPREHENSIVE PLAN REVIEW:

The area is characterized by industrial, undeveloped parcels and County airport. The subject property is located within the Airport Planned Development District land use classification on the adopted Future Land Use Map. Uses allowed in this category include aviation, commercial, industrial, public facility, limited agriculture, limited rural development and interim continuation of vested residential development.

A special exception use permit for heavy manufacturing is appropriate, with performance conditions, based on the following conclusions:

1. The proposed heavy manufacturing would be compatible with the airport planned development district land use classification.
2. The proposed heavy manufacturing would be consistent with the Comprehensive Plan subject to compliance with all performance conditions.

NOTICE OF APPLICANT RESPONSIBILITY:

The special exception 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. Homeowners 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:

The Planning Staff recommends the Planning and Zoning Commission approve the petitioner's request for a Special Exception Use Permit for Heavy Manufacturing 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. The setbacks are approved as follows:
Front: 40' (Due to Building Height of 50')
Side: 25' (Due to Building Height of 50')
Rear: 35' (Due to Building Height of 50')
3. The developer shall provide an avigation easement.
4. The petitioner shall provide a wildlife survey, prepared by a qualified professional prior to any development occurring on the property. Further, copies of any required permits shall be provided prior to the issuance of development permits by Hernando County.
5. Development of the property shall comply with the County's flood plain management ordinance and Facility Design Guidelines pertaining to development in the 100 year flood plain.
6. The petitioner shall design a system to control and suppress fugitive dust.