



City of Brooksville

Community Development Department
Chris Anderson, Director

CITY OF BROOKSVILLE PLANNING AND ZONING COMMISSION MEETING

**City Hall Council Chambers
201 Howell Avenue
Brooksville, FL 34601**

AGENDA

June 9, 2021

5:30 PM

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF MINUTES: February 10, 2021
- D. RZ 2021-04 – LANDBUILDER, LLC. PETITION REQUESTING REZONING FROM RPDP TO PDP-R The petition is a request to rezone an approximately 413-acre tract from RPDP (Residential Planned Development Project) to PDP-R (Planned Development Project-Residential). Located on the south side of Southern Hills Boulevard, north of Powell Road and approximately 2,250 feet east of the intersection of Broad Street and Southern Hills Boulevard, the subject tract was annexed into the City in May of 2003 and April of 2006. City Council adopted Ordinance Number 675 on October 18, 2004 rezoning the property to RPDP and allowing for the development of up to 925 detached single-family units, a model home sales center and a recreation center. The petitioner requests the property be rezoned to PDP-R and allowed to maintain the previously approved 925 detached single-family dwelling units, the recreation center and model homes, and to add 26 villa/duplex units along with an additional detached single-family unit. The area in which the villa/duplex use is proposed is currently identified for use by a model home center and the recreation center. The additional single-family unit is proposed to be located on a portion of an area that is presently platted for open space and drainage retention/detention.

RECOMMENDATION: The City Manager recommends that the Planning & Zoning Commission find the request compatible with the surrounding zoning and land use and consistent with the City's Comprehensive Plan and recommend that City Council approve the rezoning of this property from RPDP (Residential Planned Development Project) to PDP-R (Planned Development Project-Residential), subject to the following conditions:

1. Unless otherwise specified herein, the project shall be developed in accordance with the City of Brooksville Land Development Code as well as the rules and regulations of all applicable government entities.
2. The development shall be permitted a maximum of 926 single family detached dwelling units, 26 villa/duplex units, a recreation complex and model homes.
3. The uses shall be developed in accordance with the following standards:

Single family detached:

Minimum lot size:	6,120 square feet
Minimum lot width:	51 feet at building line
Minimum front yard:	20 feet
Minimum rear yard:	15 feet
Minimum side yard:	5 feet (In areas where the fire flow design is less than 1,500 gpm, the minimum side setback shall be 5.5 feet).
Maximum height:	45 feet
Driveway location:	Residential driveway access points to be located on private, minor streets located internal to the subdivision may be placed no closer than 5.5 feet to side lot lines, provided no safety issues or conflicts with infrastructure are apparent, as determined by the City's Departments of Public Works and Community Development.

Villa/Duplex:

Minimum lot size:	4,200 square feet (per unit)
Minimum lot width:	35 feet (per unit) at building line
Minimum front yard:	20 feet
Minimum rear yard:	15 feet
Minimum side yard:	5 feet/0 feet
Maximum height:	45 feet

4. Perimeter buffers around the project shall consist of a 25-foot building setback, including a fifteen-foot vegetative (natural or planted) buffer.
5. The developer shall construct a collector road from Powell Road north to the East/West road (Southern Hills Plantation Boulevard). The road will have a minimum right-of-way width of 80 feet and be constructed to meet all applicable City construction standards for a public collector road. Individual residential driveways will not be permitted on the collector road.
6. The collector road shall be maintained by the developer as a private road facility within the community, subject to the conditions of the Development Agreement dated May 28, 2003 between the City and Hampton Ridge Developers LLC, as amended. This road must be constructed prior to the issuance of the 400th residential Certificate of Occupancy (CO) for this property. If the road is not constructed by the time the 400th residential unit's CO is issued, permit activity

for new development in the community will cease until such time as when the internal collector road connection to Powell road is completed.

7. Cul-de-sacs may be approved up to a length of 1,300 feet as part of the subdivision platting process, provided said cul-de-sacs have a right-of-way diameter of 110 feet and a paved area of 80 feet, and all other safety issues or concerns are addressed, including enforcement of "No Parking" zones on the streets and cul-de-sacs.
8. The residential community entrance may incorporate appropriate signage and gating, consistent with community and Land Development Code standards.
9. Streets within the project area of the subdivision (behind the gates) shall be privately owned and maintained. All streets must be built consistent with the provisions of this zoning approval and meet City construction standards.
10. With the exception of the collector road (Cotillion Boulevard) from Powell Road to the East/West connector (Southern Hills Boulevard), all roads within the project shall be considered local roadways and may be accessed by residential lots. The local roads shall have a minimum 50-foot wide right-of-way containing two lanes each a minimum of 10 feet in width and sidewalks a minimum of 5 feet in width on at least one side of the right-of-way. The collector and all local roads shall be privately owned and maintained.
11. Provisions shall be included in the platting process to provide for easements for ingress and egress to allow for emergency services access and maintenance of the water and sewer facilities that the City will own and operate. For water and sewer easements that are outside of road rights-of-ways, a minimum 15-foot wide easement must be provided for all single lines and 30-feet for parallel pipe runs along with the right of ingress and egress across the properties the easements are located within.
12. The developer shall enter into a Utility Service Agreement with the City of Brooksville.

The developer shall construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District.

E. ADJOURNMENT

Please be advised that two or more City Council Members may attend and participate in this meeting. In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the City's Human Resource Administrator's Office no later than 48 hours in advance of the meeting at (352) 540-3810. Meeting agendas and supporting documentation are available from the City Clerk's office and on line on the City's website www.cityofbrooksville.us.

Any person desiring to appeal any decision with respect to any matter considered at this meeting, may need a record of the proceedings including the testimony and evidence upon which the appeal is to be based, and therefore must make arrangements for a court reporter to ensure that a verbatim record of the proceedings is made.

Consideration of the item identified on this agenda with an asterisk () is a quasi-judicial function of the Commission involving land use, and the following procedures apply:

- Disclosure of any ex parte communications by Commission members.
- Consideration of applications to intervene as a party, if any. "Request to Intervene/Expert Witness" forms and instructions may be obtained from the recording secretary prior to the scheduled time for consideration of the item.
- Qualification of sworn witnesses who wish to testify as an expert, based on statement of credentials made orally or set forth in application file.
- Swearing of witnesses who wish to give sworn testimony.
- Testimony of City staff witnesses, with cross-examination by applicant and party-interveners, if they request.
- Testimony of applicant and applicant's witnesses, with cross-examination by Commission and party-interveners, if they request.
- Testimony of party-interveners and their witnesses, with cross-examination by Commission and applicant, if they request.
- Testimony by members of the public who wish to address application. Any individual, not requesting/designated as an intervening party or expert witness may, upon being recognized by the Chairperson, present information to the Commission, and may be questioned by the Commission but is not required to be subject to cross examination, and need not be sworn in.
- Close of public hearing.
- Commission deliberation/vote.

**CITY OF BROOKSVILLE
PLANNING AND ZONING COMMISSION
REGULAR MEETING
MINUTES**

Joseph E. Johnston, III Council Chambers, 201 Howell Avenue, Brooksville, Florida

**February 10, 2021
5:30 PM**

Attending were Chairman Joseph P. Quinn, Elmer Korbus, Gary Sutton, Ronald Lawson, and alternates Michael Dolan and John Redpath. (Board Member George Rodriguez was absent). Also present were Chris Anderson, Community Development Director, Steven Gouldman, AICP, City Planner, Nancy Stuparich, City Attorney, Jennifer Battista, City Clerk and Concetta Cook, Recording Secretary.

The meeting was called to order at 5:30 p.m. by Chairman Quinn.

PLEDGE OF ALLEGIANCE

Those present stood for the Pledge of Allegiance.

APPROVAL OF MINUTES: January 13, 2021

Motion:

Motion was made by Korbus and seconded by Lawson to approve the January 13, 2021 minutes. Motion carried 5-0.

**RZ 2020-03 – CROOM ROAD LAND HOLDINGS, LLC–REZONING PETITION
REQUESTING REZONING FROM HERNANDO COUNTY AGRICULTURAL TO
CITY OF BROOKSVILLE PDP-MU**

Chairman Quinn asked the Madame Clerk if this item was properly advertised. Recording Secretary, Concetta Cook responded yes, this item was properly advertised in the November 8, 2020 edition of the Tampa Bay Times.

Chairman Quinn asked if any Board member had a conflict of interest on this item. Madame Clerk Jennifer Batista did a roll call with each Board member and no one did.

Chairman Quinn asked if any Board member has had any ex-parte communication to disclose any correspondence received, or observation of the site. Madame Clerk Batista had a roll call with each Board member. Board member Lawson looked at the site. Remaining Board members had nothing to disclose.

Chairman Quinn asked if there are any individuals who intend to participate as an Intervenor in this matter. Madame Clerk Batista mentioned there was one intervenor form completed by Mike Walker. David Schrader from the audience advised that he would like to be considered an intervenor and submitted his form to Madame Clerk Batista.

Chairman Quinn stated the Board already has qualified Community Development Director Chris Anderson and City Planner Steven Gouldman as expert witnesses in the field of land use planning and development in the City of Brooksville and have reviewed copies of their respective resumes and asked if there was any objection to their participation as expert witnesses in this proceedings. No one did.

Chairman Quinn asked if there was a motion to accept the Agenda back-up materials from staff into evidence.

Motion:

Motion was made by Lawson and seconded by Korbus to accept the Agenda back-up materials from staff into evidence. Motion carried 5-0.

Chairman Quinn asked if there were any individuals who would like to be qualified as expert witnesses on behalf of the applicant at this time. Chairman Donald Lacey, Coastal Engineering Associates has a Master's in Urban and Regional Planning, 48+ years in Land Use Planning, would like to be considered as an expert witness.

City Attorney Stuparich stated Mr. Lacey has already been accepted by this Board as an expert in land use planning and as he said appeared many times. He has been previously qualified by the Board, therefore no motion is needed.

Previously qualified Cliff Manuel, President of Coastal Engineering Associates would like to be an expert witness. No motion needed.

Recording Secretary, Cook swore in all who wished to speak or provide testimony during the public hearing.

Steve Gouldman, City Planner summarized the staff report, which is included below in its entirety:

INTRODUCTION & BACKGROUND INFORMATION:

The petition is a request for a rezoning from Hernando County Agricultural (AG) to City of Brooksville Planned Development Project-Mixed Use (PDP-MU) initiated by Croom Road Land Holdings, LLC. RZ 2020-03 is for a 442-acre tract located on the east side of Broad Street (U.S. 41) and north of Croom Road. The subject site was annexed into the City on June 6, 2005 and City Council approved a Comprehensive Plan Future Land Use change on August 6, 2018. The Comprehensive Plan Future Land Use change created and designated the property as Milk-A-Way Farms Mixed Use Development District (MFMUDD). The site contains five parcels identified by Hernando County Property Appraiser Key numbers 348975, 349171, 349938, 350408 and 349634. Approximately 230 acres within the site are identified on the FEMA Flood Insurance Rate Map as an AE Special Flood Hazard Area (SFHA), with 88 of those acres designated as wetlands. The acreage within the site not located in a Special Flood Hazard Area totals approximately 207 acres.

As noted above, the request is to rezone the property to PDP-MU and the petitioner proposes to develop the site with 999 residential units consisting of 657 single-family conventional dwellings, 150 villas and townhomes, 192 multi-family units and 50,000 square feet of commercial floor space. The petitioner also requests the ability to convert attached single-family units (two-family villas/townhomes) to single-family detached units at a 1 to 1 ratio.

According to the narrative and site plan submitted, the project as proposed will contain six development pods, with the development pods labeled as Commercial, Pod 1, Pod 2, Pod 3, Pod 4 and Pod 5. Five areas located within the project are designated as Community amenities, Recreation, Open space and Parks (CROP) areas, including one CROP area located central to the project that is proposed to contain 6,000 square feet of commercial floor space (Attachment 2-1 and Attachment 2-2).

The Commercial Pod, located adjacent to US 41/Broad Street and north of Yontz Road, is proposed to be developed in accordance with the Land Development Code (LDC) C4 zoning district standards and contain a maximum of 44,000 square feet of commercial and office floor area. Pod 1 is located immediately east of the Commercial Pod, while

Pod 5 is located adjacent to the project's south and west boundary and Pod 4 is east of Pod 5 and adjacent to Croom Road and one section of the project's eastern boundary. As shown on the land use table accompanying the site plan, a variety of housing types are proposed in Pods 1, 4 and 5. Specifically, the petitioner requests the option of having seven housing type scenarios in Pods 1 and 5 and three scenarios in Pod 4. The scenarios in Pods 1 and 5 include: 1) all single-family detached; 2) all attached villas/townhomes; 3) all multi-family; 4) a mixture of single-family detached, villas/townhomes and multi-family; 5) a mixture of single-family detached and attached villas/townhomes; 6) single-family detached and multi-family; or 7) attached villas/townhomes and multi-family. The three scenarios in Pod 4 include: 1) all single-family detached; 2) all attached villas/townhomes; or 3) a mix of single-family detached and attached villas/townhomes. Development standards for the detached single-family type include lots a minimum of 40 feet in width, front yards of 15 feet, 5-foot side yards and 10-foot rear yards. Villas/townhomes are proposed to be a minimum of 16 feet in width with 10-foot front and rear yards, 0 or 5-foot side yards for interior lots and 10-foot side yards for corner lot units. Garages, if provided, are proposed to be set back 22 feet from the front lot boundary. A vegetated buffer 20 feet wide is proposed along the project boundaries of Pod 4 and is to be developed in an easement that is included in the perimeter lots. The buffer area will result in a 30-foot building setback from the property boundary.

Pods 2 and 3 constitute approximately one-half of the overall site and are designated for single-family detached dwellings only. Pod 2 is located in the north-northeastern portion of the property, is separated from the remainder of the project by wetlands and is bounded on the north by Jacobson Road. Pod 2, as a result of the wetland area, appears more related to the large lot agriculturally-zoned properties to the north than to those within the project to the south of the wetland area. Pod 3 occupies the east and southeast portion of the site. As proposed, Pod 2 will have lots a minimum of 50 feet in width, front yards 15 feet in depth with garages set back 22 feet, side yards of 5 feet and rear yards of 10 feet. The petitioner proposes placing lots 60 feet in width containing 7 1/2-foot side yards adjacent to Jacobson Road. Pod 3 is proposed to have lots a minimum of 40 feet in width, with lots 60 feet in width adjacent to project boundaries. As in Pod 2, development standards for Pod 3 include front yards 15 feet in depth with garages set back 22 feet, side yards of 5 feet and rear yards of 10 feet. Lots a minimum width of 60 feet with 7 1/2-foot side yards are to be located adjacent to the project boundary. As is proposed in Pod 4, a vegetated buffer 20 feet in width is proposed along the project boundaries of Pods 2 and 3, and is to be developed in an easement that is included in the perimeter lots. The buffer area and 10-foot rear yard requirement will result in a 30-foot building setback from the property boundary.

It was stated above that the project site plan depicts five areas located within the property designated as CROPs—an acronym for Community amenities, Recreation, Open space and Parks.

As can be seen in Attachments 3-1 through 3-7, the creation of the CROP concept represents a culmination of the evolution of the idea of open space and community gardens in the proposed development. In the initial narrative submitted with the application in February 2019, the petitioner notes that “with approximately half the property being developed into housing, the resulting open space will become a major feature of the community, with utilization for appropriate recreation.” There is no mention of CROP areas, community gardens or a community farm in the narrative and no such items are shown on the February site plan (Attachment 3-1) or a plan submitted in March 2019 (Attachment 3-2). A revised site plan submitted in April 2020 depicts open space areas at the rear of a majority of residential lots throughout the project and identifies a Farm/Rec area located central to the project (Attachment 3-3). The narrative was not modified to address the inclusion of the open space areas or the Farm/Rec area.

In early June of 2020, a revised narrative submitted by the petitioner states that “the most striking features of the residential areas are the interspersing of green space and the minimizing of back-to-back lots...” and that “the applicant has also...placed significant open space tracts behind internal lots. These open spaces will provide neighborhood recreational space, drainage retention...and land for community gardens. The latter will bring the farm-to-table movement close to home, allowing residents to grow some of their own food. Similar communities, called ‘agri-hoods,’ are popping up all over the nation.” The narrative later states “the applicant will review the success of other ‘agri-hood’ communities in the nation to develop the plan for the use of project open space for community gardening. The plan will be shared with the City and any required standards or rules can be established.” The site plan submitted with the

revised narrative identifies the “open space tracts behind internal lots” and contains a centralized “Farm/Rec” area (Attachment 3-4).

In a revised narrative submitted in October 2020, it is stated that the “open space tracts behind internal lots” will provide recreational space and drainage and retention areas. Community gardens are not mentioned as uses within the open space tracts. The revised narrative also notes that “an important element of the project is [sic] central ‘farm’ for community agricultural endeavors and community gatherings.” The site plan submitted identifies a farm tract located central to the project and also depicts the above mentioned open spaces behind internal lots (Attachment 3-5).

A revised narrative submitted in November 2020 addresses recreation areas in the proposed project. The narrative states “in additional [sic] to trails, parks and or [sic] active and passive recreation areas the development may include a farm/community garden amenity including a barn and event spaces offering events, seasonal classes, and providing residents with the opportunity to volunteer to work with the professional farmers as they plant and tend to the crops, and share in the harvest of farm-fresh fruits, vegetables, herbs, flowers, honey and eggs and other agricultural products. The farm amenity may hold events and retail farmer’s markets catering to both community residents and the general public.” The site plan submitted no longer identifies significant open space tracts behind internal lots that could be used for community gardens (Attachment 3-6).

The latest narrative and site plan was submitted December 18, 2020 introduces the CROP area concept mentioned above (Attachment 2-1 and Attachment 2-2). The narrative does not mention nor does the site plan show significant open space tracts behind internal lots that could be used for community gardens. According to the narrative and site plan, CROP areas may contain “a community pool(s), clubhouse(s) and/ or a community farm.” The petitioner further states

“[A] community farm will be a professionally managed facility designed to foster community engagement by providing opportunities for recreation, education, training, special events, social interaction, and economic potential benefits in addition to enhancing community character. The community garden will be cultivated and harvested by residents of the surrounding area under the supervision of a community farm manager. While limited fruits and vegetables may be cultivated in designated open spaces throughout the PDP, other community farm infrastructure and activities, including barns, greenhouses, other farm structures, farm supplies and equipment storage, [sic] will be restricted to a designated farm tract to be designated on the construction plan submittal and final subdivision plat. Crops harvested from community gardens may be sold in a local farmer’s market or any portion of the project designated for commercial activity.”

As detailed above, the community garden has evolved into a full-blown commercial agricultural use. Staff is of the opinion that community gardens are not prohibited in residential zoning districts and sales from those gardens may be allowed on residentially-zoned lots. The language and proposed activities in the subject development, however, represent a commercial agricultural use not contemplated in the review and approval of the Comprehensive Plan Future Land Use designation. According to the petitioner’s narrative, “community farm uses will comply with CPA 2018; Milk-A-Way Farms Mixed Use Development District Comprehensive Land Use.”

As can be seen in the attached Comprehensive Plan language for the subject site, community farm is not mentioned, and the community farm concept was not contemplated in the Comprehensive Plan amendment process (Attachment 5). The petitioner, as noted in the November 2020 narrative quoted above, classifies the farm as a recreational use. Attachment 6 contains the City’s Land Development Code definitions of “Agriculture,” “Recreational uses, general indoor/ outdoor” and “Recreational use, passive.” As can be seen, the definitions for “Recreational uses, general indoor/ outdoor” and “Recreational use, passive” do not include agricultural activities or “Farm.” Staff therefore rejects the petitioner’s classification of agriculture as a recreational use. It must be considered that accepting the petitioner’s classification of a farm as a recreational or open space use will require modifications to Land Development Code definitions and will result in the ability to locate farms in locations not heretofore contemplated. Based on the above, staff finds the use as proposed is inconsistent with the underlying Comprehensive Plan Future Land Use designation.

COMPATIBILITY WITH SURROUNDING AREA:

As previously noted, the subject parcels are located on the east side of US 41/Broad Street and north of Croom Road. More generally, the property is located at the urban/suburban fringe and should be designed and developed to provide a transition from the more dense and intense developments to the south and west and the rural/residential environment to the north and east.

As the attached zoning map shows, a large tract is located immediately south of the site at the southeast corner of the intersection of US 41/Broad Street and Croom Road. The property is developed as a Recreational Vehicle (RV) and Mobile Home (MH) park with small lots and narrow setbacks containing significant density. A C-1 zoned property developed as a mobile home park is located at the northwest corner of the intersection of US 41/Broad Street and Croom Road. Further north along the west side of US 41/Broad Street are additional C-2 and C-3 zoned and developed properties, as well as an R-1B zoned and developed subdivision and a PDP-zoned (Planned Development Project) property developed as an RV park. The zoning pattern, as the zoning map shows, transitions from more intense and dense categories in the south to less intense and dense districts to the north away from the Brooksville City limits.

The applicant's proposal to permit a myriad of housing type mixtures in Pods 1, 4 and 5 without providing specifics for their locations in the Pods renders a precise analysis of the internal relationships impossible. It is clear, however, that the proposed types and development standards are urban in nature. The general development pattern along this segment of US 41/Broad Street as described above is itself suburban and the proposal for the western one-third of the property, with some modifications, would not be out of character with that which exists along the corridor.

Properties to the east of the subject site adjacent to Pods 2 and 3 are primarily large tracts zoned Agricultural (AG), which require a minimum lot size of 10 acres with one dwelling unit permitted. Additional properties zoned AR-2 are located to the north across Jacobson Road. The AR-2 zoning district requires a minimum lot size of one acre. The petitioner proposes, as previously stated, to develop in Pod 2 lots a minimum of 50 feet in width, front yards 15 feet in depth with garages set back 22 feet, side yards of 5 feet and rear yards of 10 feet. The petitioner proposes placing lots 60 feet in width containing 7 1/2-foot side yards adjacent to Jacobson Road. Pod 3 is proposed to have lots a minimum of 40 feet in width, with lots 60 feet in width containing 7 1/2-foot side yards adjacent to project boundaries. As in Pod 2, development standards for Pod 3 include front yards 15 feet in depth with garages set back 22 feet, side yards of 5 feet and rear yards of 10 feet. The agriculturally-zoned properties adjacent to the site, ranging in size from 4 to 7 acres, are developed with single family residences, accessory structures and significant open space. The adjacent zoning requires minimum rear yards of either 35 or 50 feet and side yards of either 10 feet or 35 feet. The proposed small lots and setbacks are therefore not in character with the semi-rural and rural large tracts to the north and east. It must also be noted that the above-mentioned lot pattern to the north and east extends well beyond the east and north project boundaries and no water or sewer services are contemplated for the area in the foreseeable future. Moreover, the properties to the north and northeast are designated Rural in the Hernando County Comprehensive Plan. The development pattern to the east and north is, in short, in an almost permanent state.

NATURAL RESOURCES AND FEATURES:

Two of the subject properties are developed with single-family uses and all of the parcels contain significant amounts of pasture land and small areas in a natural, moderately wooded state. According to the Soil Survey of Hernando County, the soils on the properties consist of Flemington Fine Sand (2 to 5% slopes), Blichton Loamy Fine Sand (2 to 5 % slopes), Kendrick Fine Sand (0 to 5 % slopes), Arredondo Fine Sand (0 to 5 % slopes), Kanapaha Fine Sand, Sparr Fine Sand (0 to 5 % slopes), Wauchula Fine Sand (0 to 5 % slopes) and Floridana Variant Loamy Fine Sand.

PUBLIC FACILITIES AND LEVEL OF SERVICE:

If approved, the site will be served by City water and sewer services. Primary access to the residential parcels will be via the Yontz Road extension shown on the site plan, with an emergency gated access drive proposed on Jacobson Road to the north. As shown on the project plan, Croom Road is depicted as extending from the southeastern edge of the

property, through the western portion and north to align with Yontz Road at US 41/Broad Street. The Yontz Road extension connecting to McIntyre Road is identified as an unfunded need in the Hernando/Citrus Metropolitan Planning Organization's (MPO) 2040 Long Range Transportation Plan. The petitioner's representative has indicated an effort to have the Yontz Road extension removed from the MPO 2040 Plan is forthcoming or is underway.

Based on data assumptions contained within the City's Comprehensive Plan, the analysis below depicts the impacts associated with the proposed uses, densities and intensities.

Trip Generation:

According to the ITE Trip Generation Manual (10th Edition), the proposed uses will generate 9,693 vehicle trips per day, with 756 P.M. Peak Hour trips. Specifically, a residential planned unit development (LUC 270) containing 999 dwelling units will generate approximately 7,493 daily vehicle trips and 620 P.M. Peak Hour trips. The 50,000 square feet of specialty retail (LUC 814) floor space will generate 2,200 daily vehicle trips with 136 P.M. Peak Hour trips. As required by ordinance, the developer will be required to submit a detailed traffic analysis to address improvements required as a result of the impact of new development on the level of service of the road network.

Water:

In total, water consumption within the project would be an estimated 273,111 gallons per day. Specifically, the proposed commercial development of 50,000 square feet of floor space would result in the consumption of an estimated 9,375 gallons of water per day. The estimate is based on the assumption that 0.1875 gallons per day are needed for every square foot of non-residential floor space. Water consumption for 999 residential units would be an estimated 263,736 gallons of water per day. The estimate is based on the Comprehensive Plan Level of Service for water consumption of 110 gallons per day per person and the 2010 U.S. Census average of 2.4 occupants per household in the City of Brooksville. Presently, the quantity of water required for the proposed development of this site is available and would not result in the City exceeding its allowable maximum consumption of 2.448 million gallons per day (current average daily use in the City is 1.497 MGD).

Sewer:

Effluent generation for the project would be an estimated 247,260 gallons per day. The proposed commercial development of 50,000 square feet of floor space scenario presented above would result in the generation of an estimated 7,500 gallons of effluent per day. The estimate is based on the assumption that 0.150 gallons per day are needed for every square foot of non-residential floor space. Effluent generation for 999 single-family conventional units would be an estimated 239,760 gallons per day. The estimate is based on the Comprehensive Plan Level of Service for effluent generation of 100 gallons per day per person and the 2010 U.S. Census average of 2.4 occupants per household in the City of Brooksville. Presently, the addition of the quantity of sanitary sewer effluent generated by the proposed development of this site can be accommodated by the City's 1.9 million gallons per day sewer treatment system capacity (current average daily use in the City is 0.908 MGD). It must be noted that system's capacity is sometimes exceeded during heavy and/or prolonged rain events. The City is and will continue to address the capacity issue.

Drainage: As noted above, approximately 212 acres of the project's 442 acres are located within Flood Zone X, which is defined as an area exhibiting minimal flood potential. The other half of the site is located within Special Flood Hazard Area Zone "AE," which means that the property has a greater than one percent chance of flooding in any given year. The City is responsible for ensuring that new development within Zone AE areas is constructed using methods that will minimize flood damages. Future development will therefore be required to meet Land Development Code regulations for development in Flood Hazard Areas as well as the SWFWMD 40D-4 permitting requirements and all City Comprehensive Plan policies relating to stormwater retention and conveyance.

Recreation Facilities:

There are no existing City or County recreation facilities in the immediate area. According to the Comprehensive Future Land Use designation created for the site, the project is required to contain open space and a neighborhood park within each development pod. The petitioner has acknowledged that a park will be provided in each residential pod. The

interconnection of open spaces and residential pods through the use of multi-purpose trails and sidewalks is mandated as well.

Public School Facilities:

According to the Hernando County School Board, a development containing 999 residential units would yield 319 students. Specifically, the project would generate 147 elementary school students, 73 middle school students and 99 high school students. The students would attend Brooksville Elementary, Parrott Middle and Hernando High. Parrott Middle School and Hernando High School have adequate capacity, while the students generated by the project would result in Brooksville Elementary being over capacity. The developer will be required to submit an application to the School Board for concurrency review and options to resolve any capacity issues will be explored.

NATURAL RESOURCES AND FEATURES:

Two of the subject properties are developed with single-family uses and all of the parcels contain significant amounts of pasture land and small areas in a natural, moderately wooded state. According to the Soil Survey of Hernando County, the soils on the properties consist of Flemington Fine Sand (2 to 5% slopes), Blichton Loamy Fine Sand (2 to 5 % slopes), Kendrick Fine Sand (0 to 5 % slopes), Arredondo Fine Sand (0 to 5 % slopes), Kanapaha Fine Sand, Sparr Fine Sand (0 to 5 % slopes), Wauchula Fine Sand (0 to 5 % slopes) and Floridana Variant Loamy Fine Sand.

BUDGET STATEMENT:

Costs for processing zoning requests are offset by applicable application fees.

LEGAL NOTE:

Section 163.3202(2)(b), Florida Statutes requires municipalities to regulate the use of land and water in accordance with land use categories included in the Comprehensive Future Land Use Element to ensure compatibility of adjacent uses and to provide for open space. Zoning districts are established throughout the City to accomplish these objectives. The City of Brooksville Zoning Map shows zoning categories assigned to individual parcels. If a rezoning is approved, the City of Brooksville Zoning Map is updated to show the change in use of the parcel [City of Brooksville Land Development Code, Article II, Part 2-1, Secs. 2-1.1 and 2-1.2(a)]. The proposed ordinance changing the zoning category for the parcels is legally sufficient as to form and has been properly advertised.

CITY MANAGER RECOMMENDATION:

The most recent site plan provided to staff for consideration was submitted on December 18, 2020 (Attachment 2-1 and Attachment 2-2). In staff's final review of all documents related to the petition, it was recognized that a rendering submitted contradicts the narrative and the rendering of the farm compound (Attachment 3-8) exist. Staff contacted the petitioner and was informed "the request and presentation to City Council will be for approval of the PDP plan and the conditions on its face as formally [submitted] in December 2020....We agree that the City approved master zoning plan will take precedence over the 'Agrihood Conceptual Plan-Milkaway Farms' submitted for general review."

The information presented and analyzed above reflects the petitioner's current request. Given the suburban, semi-rural and rural development of the general area, it is found that, overall, the request is not in character with the general existing and potential development pattern of the area, is inconsistent with the Comprehensive Plan and the City Manager therefore recommends that the Planning and Zoning Commission recommend to the City Council that the application be denied. Alternatively, the Planning Commission can find the proposed project is consistent with the Comprehensive Plan, is in character with surrounding development and recommend to City Council that Council direct staff to draft an ordinance reflecting the petitioner's request. The ordinance will need additional conditions not provided by the petitioner that address entitlements, Pod locations, right-of-way reservation, transportation impacts and mitigation, school issues, wildlife survey requirements, minimum requirements for the CROP areas, the size of neighborhood parks and other language to clarify requirements that will be applied in the subdivision and construction review process.

ATTACHMENTS:

1. Area Map

2. *Site Plans and Farm Compound Rendering*
3. *Hernando County Comments*
4. *MFMUDD Future Land Use Designation Language*
5. *Land Development Code Agriculture and Recreation Definitions*
6. *Review Termination*
7. *Petitioner's Current Narrative, Proposed Ordinance Conditions and Site Plan*
8. *Application (submitted by Coastal Engineering Associates, Inc. as Agent)*

Chairman Quinn asked if there are any questions from the Board to staff.

Commissioner Lawson asked who reviewed the information from Hernando County. City Planner Gouldman responded the Planning Department put it together and they sent it out to their various departments. Public Works, environmental review team, and the zoning team commented on it and put it together all in one document for us.

Commissioner Redpath asked for clarification in the Public School Facilities paragraph, the last sentence stating “options to resolve any capacity issues will be explored”. City Planner Gouldman deferred the clarification for the School Board representative to respond.

James Lipsey, representing the School Board came forward stating the ordinance for concurrency allows for the district to enter into a proportionate share mitigation agreement. If the district does not have, within the next 3 years, plans to add to capacity to that school, that would accommodate the proposed development, then the school board enters into a tri-party agreement between the school board, the City of Brooksville and the developer. The developer would provide a proportionate share of mitigation which would provide the funding needed for capacity.

The applicant, Adam Harden, Principal of Croom Road Land Holdings LLC, came forward to describe the Milk-A-Way Farms Development project, which would contain a maximum of 999 residential dwelling units; non-residential uses which could include commercial, office and recreation, with a maximum of 50,000 square feet of commercial and/or office space.

Motion:

Motion was made by Lawson and seconded by Korbus to accept the Milk-A-Way Farms Development materials from the applicant into the record. Motion carried 5-0.

City Attorney Stuparich requested another motion to be made to include additional documentation and pictures to be included in the record.

Motion:

Motion was made by Lawson and seconded by Sutton to accept the additional materials into the record. Motion carried 5-0.

Chairman Quinn asked if the applicant has any expert witnesses to present testimony regarding this matter.

Cliff Manuel, President Coastal Engineering, has come forward as the applicant's expert witness in farming and recreation. Mr. Manuel summarized the project in further detail in creating the CROP concept. The Community, Recreation amenity, Open-space, Parks all combined with the potential to farm, teach and have children participate in farming is something that is unique and very marketable for Milk-A-Way Farms.

Mr. Manuel further states, it was his intent over the last year or so that they would get the staff recommended approval. They completely disagree with the staff that it's inappropriate to combine agricultural farm with recreation. He believes projects like this is appropriate for the City of Brooksville.

Chairman Quinn asked if there are any questions from the Board to the expert witness.

Commissioner Sutton wanted to confirm the numbers 207 buildable acres to build 999 residences. Therefore, that is a density of about 5 residences per acre. Mr. Manuel responded that clustering the housing onto the developable acreage of the property. Clustering the units are on pods 1 and 2, that's where the higher density units are and the lower density units are on pods to the north and to the east.

Commissioner Sutton continues by stating that you're looking for a community with 0.20 of an acre of property, is that what the seller/development has done in terms of the density? Mr. Manuel responded that some retiring boomers and the millennials, two very large parts of the population, they don't want to mow their yard. They like a house with a very small yard. Millennials like a more cultivated community activities than a big lot.

Commissioner Sutton inquired about the 5ft setbacks and 10ft between dwellings if there would be anything special with requirements on fire protection. Mr. Manuel responded the City of Brooksville fire protection standards will meet the fire requirements.

Commissioner Sutton questioned how many acres are planned to be commercial. Mr. Manuel's response the total of 50,000 sq ft would be commercial, 44,000 sq ft is located on US41 between the main entrance at Yontz to the north. We have also asked for 6,000 sq ft neighborhood commercial to be located in the CROP area that would be used for selling farm amenities.

Commissioner Sutton asked for a cursory review on what will be done for the storm water situation. Mr. Manuel stated the wetlands will be avoided. The comp plan states, the wetlands will be left alone with the exception of required utility and roadway crossings, which was pointed out by staff. If there was an encroachment in the flood plain, we would mitigate the flood plain encroachment on site, through drainage retention areas, storm water ponds and flood mitigation systems.

Commissioner Lawson asked if they would anticipate traffic lights at Yontz and US41 or cannot happen due to the closeness of the two roads. Mr. Manuel responded, at this time they are not proposing the signals since there isn't enough commercial to justify it. The state should look at traffic warrants to decide where the traffic signal should go.

Chairman Quinn asked about the CROP on the eastern boundary says it's a minimum of 60 ft widths, would that apply to the setbacks of 50ft against the property boundary. Mr. Manuel's explained the Crop itself is 60 ft minimum and in there all the Crop activities could occur. The final design is a buffer and drainage. They felt that Crop would provide a better buffer than houses against that boundary.

Chairman Quinn asked about the rear setbacks, item #3 in the schedule states the minimum setbacks would be 50 ft off the boundaries. Mr. Manuel responded there would be no building setbacks within 50 ft but the Crop is 60 ft, so that issue doesn't apply.

Chairman Quinn asked if any intervenors or affected parties that would like to make a presentation.

Mike Walker, is currently building a home to the east side of this boundary on pod 3A, 1300 ft of the property fence line. His parcel is a 28 acre track, which will be adversely affected by the density proposed within the concept plan. The density is too extreme. The buffers are nice, however by the time the 2" caliper trees are mature enough to create a buffer, everyone in this room will not be here to appreciate them. He has requested, if this plan is to be considered, please reduce the density along those properties on the east or whomever it is being impacted the most, the buffer is extended and the trees increased in size.

David Shrader, has a property a few hundred feet from the proposed development and water floods his property in sever rains. Mr. Shrader passed around a picture showing flooding on his property in 1995. He has seen numerous times when Croom Road has been flooded. His questions how do you guarantee if this project were to get 1/3 completed, and there was a downturn in the economy, with the watershed in disarray, how is the project completed and to be sure something would create a bigger problem. Commission Quinn addressed his concerns there would still be subject to the City's ordinances. City Planner Gouldman stated bonding occurs at the construction stage to ensure everything is completed. Commissioner Quinn additionally stated bonds are required in a huge project like this if issues arise.

Mr. Shrader asked where the overflow goes. Mr. Manuel addressed his answer, all storm water that is in Milk-A-Way Farms periodically, goes to a large sinkhole complex called "Blue Sink" which is located on the northern boundary of the property. After the water has been stored and treated on site, it discharges into a downstream ditch system, then makes its way to the blue sink and the blue sink gets quality water. That is regulated in detail by the water management district.

Public Comment

Chairman Quinn opened the floor for public comment. There was none.

Chairman Quinn opened the discussion of the Board.

Commission Dolan questioned if the Commission approved this tonight and it was approved by the City Council, the developer still has to bring everything back for approval. City Planner Gouldman explained that the comprehensive plan change set up the future land use designation. Future land use designations give you the ability to have certain densities or intensities considered at the zoning stage. We are now in the zoning process, request the amount of units needed up to 999 units. Commissioner Quinn further explained that the zoning stage is a broader view and what you can do with the land use designation. City Planner Gouldman stated the request is to rezoning from currently its agricultural standing to make it a planned development project to allow the 999 units.

Chairman Quinn had a question on the PDP boundary, is the 20 ft easement buffer part of the additional 20ft of lot depth. Mr. Manuel response included the minimum lot size is 100ft and would like to provide that buffer. It can be an easement or a track. If it is an easement, then the lots need to be 120ft on that boundary in order to incorporate the 20ft into it so they are deeper. The other thing we have agreed to based on staff input, all the perimeter adjacent lots to the boundary would be 60ft. We also considered and agreed to 7.5ft side yard setbacks for those lots.

Commission Lawson questioned where the utilities would be located on these lots. Mr. Manuel responded sewer, water and power in the front of these lots, in the road right of way, not in the private lots.

Commissioner Korbus questioned if the 7.5ft side setbacks would change the density. Mr. Manuel stated the additional setbacks between buildings were included in the larger 60ft lots to create more

green space. Commissioner Korbus requested to increase the buffer around the eastern side of the property, where there is 20ft buffer. Mr. Manuel stated the buffers are trees.

Chairman Quinn questioned City Planner Gouldman what would it take to address the merging the Agricultural, Recreational Open Space. First step would take City Council making a determination that Agriculture is a recreational use. Then, the definitions would need to be modified in the land development code for recreational uses as well as open space. Following that, it would allow agricultural uses to go in areas that currently are not used agriculturally. Chairman Quinn asked if we can just limit it to the Milk-A-Way PDP. Mr. Gouldman responded no, the interpretation will be applied to the code.

Adam Harden, the applicant came forward to say he respectfully disagrees. Section 2.2 allowable uses provides that all uses are potentially permanent in a planned development project district subject to the policy of the comprehensive plan. Further, in the land development code section 11, the definition of agricultural it includes any activity that includes either a community garden or a community farm. The definition of recreation uses general indoor outdoor includes but not limited to.

City Planner Gouldman respectfully disagrees with Mr. Harden. First it must be noted, as you stated, all uses are potentially permitted in planned development project districts, subject to the policies of the comprehensive plan. There are 2 clauses in there, one is potentially and the other is subject to the policies of the comprehensive plan. At staff level, what they are proposing, is not a recreation use. City Council has the ultimate decision as to whether or not it is a recreation use. As far as the land development code requirement is concerned, the code specifically says, the City Manager or his designee makes interpretations of land development code. If you don't agree with that, you make an appeal with the Planning and Zoning Commission. It is not decided in a quasi-judicial zoning process.

City Attorney Stuparich commented by clarifying, typically in the quasi-judicial you're asked to apply criteria to the application that is in front of you. There is a separate process for a straight interpretation of what is in the code. You are faced with looking at the criteria that has plain meaning. To apply that, it does require you to make some type of interpretation what do those words mean. That's where there is a difference between staff and the applicant. In your backup materials, staff has recognized there could be 2 interpretations of it. For that reason, staff has given you an alternative. They have asked you to either deny the request for the basis of being not in character with the general existing and potential overall development pattern and that it is inconsistent with the comprehensive plan using the interpretation that staff plan. The staff has provided an alternative that the comprehensive plan is consistent with it and that would be the interpretation from the applicant that is suggesting to you. If you were to approve it, staff is asking you consider the additional conditions that the applicant has set for from Attachment 1 pages 4-8 as well as additional conditions that staff feels needs to be in there.

Mr. Gouldman stated those would be conditions that would be added at the City Council level. Staff is saying that they do not agree with the applicants conditions.

Motion:

Motion was made by Dolan and seconded by Sutton to approve the staff's alternate recommendation for City Council to direct staff to draft an ordinance reflecting the petitioner's request.

Discussion – Commissioner Lawson would like the density reduced a little and the buffers on the perimeter expanded a little. Commissioner Redpath and Commissioner Korbus agreed.

Commissioner Lawson wanted to add that he is not a big fan of 40ft – 60ft lots, however understands the applicant's concept.

Commissioner Redpath is less concerned about there being a farm. Everyone else's concern about density may help the scenario a little bit. There isn't a lot of big business coming in the City of Brooksville and 40,000 or 50,000sq ft of commercial being added isn't going to tap a 999 unit on the location or whatever you're trying to fill the big voids.

City Attorney stated that the Board is voting on the alternative that staff has provided. If there are additional conditions to be added, the motion needs to be modified.

The motion was modified by Dolan and seconded by Sutton to approve the staff's alternative recommendations with additional conditions to include a review of the reduction of density and an enhancement of the perimeter buffering.

Motion carried 5-0.

ADJOURNMENT

Upon proper motion and there being no further business to come before the Commission, the meeting was adjourned at 7:43 PM.

Joseph P. Quinn, Chairman
Planning and Zoning Commission
Minutes Approved on:



AGENDA ITEM MEMORANDUM

TO: PLANNING AND ZONING COMMISSION

VIA: CHRIS ANDERSON, COMMUNITY DEVELOPMENT DIRECTOR

FROM: STEVE GOULDMAN, AICP, CITY PLANNER

SUBJECT: ORDINANCE NUMBER 930—RZ 2021-04 – LANDBUILDER, LLC. PETITION REQUESTING REZONING FROM RPDP TO PDP-R

DATE: JUNE 9, 2021

INTRODUCTION & BACKGROUND INFORMATION:

The petition is a request to rezone an approximately 413-acre tract from RPDP (Residential Planned Development Project) to PDP-R (Planned Development Project-Residential). Located on the south side of Southern Hills Boulevard, north of Powell Road and approximately 2,250 feet east of the intersection of Broad Street and Southern Hills Boulevard, the subject tract was annexed into the City in May of 2003 and April of 2006. City Council adopted Ordinance Number 675 on October 18, 2004 rezoning the property to RPDP and allowing for the development of up to 925 detached single family units, a model home sales center and a recreation center. The petitioner requests the property be rezoned to PDP-R and allowed to maintain the previously approved 925 detached single family dwelling units, the recreation center and model homes, and to add 26 villa/duplex units along with an additional detached single family unit. The area in which the villa/duplex use is proposed is currently identified for use by a model home center and the recreation center. The additional single family unit is proposed to be located on a portion of an area that is presently platted for open space and drainage retention/detention.

COMPATIBILITY WITH SURROUNDING AREA:

The development is located adjacent to the Southern Hills Plantation development to the north, west-northwest and east. A mix of large lot agricultural properties are located to the south across Powell Road and to the west and southwest of the subject tract. As previously noted, the parcels to be modified are located on the west side of Cotillion Boulevard immediately south of Southern Hills Boulevard. Development along Southern Hills Boulevard adjacent to and to the north of the site is anticipated to include commercial as well as residential uses. The villa/duplex units will be located immediately north of the recreation center and west of a retention pond and office facilities associated with Southern Hills Plantation. Based on the above, staff finds the request compatible with the development pattern in the general area.

PUBLIC FACILITIES AND LEVEL OF SERVICE:

The subject development is and will continue to be served by City water and sewer services and a Utility Service Agreement with the City is in effect. Primary access to the

project is and will continue to be via Southern Hills Boulevard and Cotillion Boulevard. Based on data assumptions contained within the City's Comprehensive Plan, the analysis below depicts the impacts associated with the proposed use.

Trip Generation:

As stated previously, the subject tract was previously approved for the development of 925 detached single family dwelling units. According to the ITE Trip Generation Manual (8th Edition), 925 detached single family dwellings (LUC 210) will generate approximately 8,862 daily vehicle trips with 935 P.M. Peak Hour trips. A detailed traffic analysis was submitted with the original rezoning and the required improvements are restated below. The ITE Trip Generation Manual (8th Edition), indicates the addition of 26 villa/duplex units (LUC 230) will generate approximately 151 daily vehicle trips and 14 P.M. Peak Hour trips.

Water:

In total, water consumption within the project would be an estimated 251,328 gallons per day. The estimate is based on the Comprehensive Plan Level of Service for water consumption of 110 gallons per day per person and the 2010 U.S. Census average of 2.4 occupants per household in the City of Brooksville. Presently, the quantity of water required for the proposed development of this site is available and would not result in the City exceeding its allowable maximum consumption of 3.672 million gallons per day (current average daily use in the City is 1.129 MGD).

Sewer:

Effluent generation for the 26 villa/duplex units and the 926 single-family conventional units would be an estimated 228,480 gallons per day. The estimate is based on the Comprehensive Plan Level of Service for effluent generation of 100 gallons per day per person and the 2010 U.S. Census average of 2.4 occupants per household in the City of Brooksville. Presently, the addition of the quantity of sanitary sewer effluent generated by the proposed development of this site can be accommodated by the City's 1.9 million gallons per day sewer treatment system capacity (current average daily use in the City is .824 MGD). It must be noted that system's capacity is sometimes exceeded during heavy and/or prolonged rain events. The City is and will continue to address the inflow and infiltration issue.

Drainage:

The land area of the subject tract is located within Flood Zone X and Flood Zone AE. Flood Zone X is defined as an area exhibiting minimal flood potential. The AE Flood Zone is defined as an area inundated by 1% annual chance flooding and in which Base Flood Elevations (BFEs) have been determined. Future development will be required to meet Land Development Code regulations for development in Flood Hazard Areas as well as the SWFWMD 40D-4 permitting requirements and all City Comprehensive Plan policies relating to stormwater retention and conveyance.

Recreation Facilities:

A variety of City and County parks and recreation facilities are available to serve the subject site.

Public School Facilities:

The development is an age 55+ restricted community and will therefore have minimal impact on area schools.

NATURAL RESOURCES AND FEATURES:

A portion of the property is developed with single family residential uses, a recreation center complex and model homes. According to the Soil Survey of Hernando County, the soils on the property consist of Blichton Loamy Fine Sand (2 to 5% slopes), Flemington Fine Sandy Loam (2 to 5% slopes), Floridana Variant Loamy Fine Sand, Kendrick Fine Sand (0 to 5% slopes), Nobleton Fine Sand (0 to 5% slopes), Samsula Muck (0 to 1% slopes) and Wauchula Fine Sand (0 to 5% slopes).

BUDGET STATEMENT:

Costs for processing zoning requests are offset by applicable application fees.

LEGAL NOTE:

Section 163.3202(2)(b), Florida Statutes requires municipalities to regulate the use of land and water in accordance with land use categories included in the Comprehensive Future Land Use Element to ensure compatibility of adjacent uses and to provide for open space. Zoning districts are established throughout the City to accomplish these objectives. The City of Brooksville Zoning Map shows zoning categories assigned to individual parcels. If a rezoning is approved, the City of Brooksville Zoning Map is updated to show the change in use of the parcel [City of Brooksville Land Development Code, Article II, Part 2-1, Secs. 2-1.1 and 2-1.2(a)]. The proposed ordinance changing the zoning category for the parcels is legally sufficient as to form and has been properly advertised.

RECOMMENDED CONDITIONS OF APPROVAL:

The City Manager recommends that the Planning & Zoning Commission find the request compatible with the surrounding zoning and land use and consistent with the City's Comprehensive Plan and recommend that City Council approve the rezoning of this property from RPDP (Residential Planned Development Project) to PDP-R (Planned Development Project-Residential), subject to the following conditions:

1. Unless otherwise specified herein, the project shall be developed in accordance with the City of Brooksville Land Development Code as well as the rules and regulations of all applicable government entities.
2. The development shall be permitted a maximum of 926 single family detached dwelling units, 26 villa/duplex units, a recreation complex and model homes.

3. The uses shall be developed in accordance with the following standards:

Single family detached:

Minimum lot size:	6,120 square feet
Minimum lot width:	51 feet at building line
Minimum front yard:	20 feet
Minimum rear yard:	15 feet
Minimum side yard:	5 feet (In areas where the fire flow design is less than 1,500 gpm, the minimum side setback shall be 5.5 feet).
Maximum height:	45 feet
Driveway location:	Residential driveway access points to be located on private, minor streets located internal to the subdivision may be placed no closer than 5.5 feet to side lot lines, provided no safety issues or conflicts with infrastructure are apparent, as determined by the City's Departments of Public Works and Community Development.

Villa/Duplex:

Minimum lot size:	4,200 square feet (per unit)
Minimum lot width:	35 feet (per unit) at building line
Minimum front yard:	20 feet
Minimum rear yard:	15 feet
Minimum side yard:	5 feet/0 feet
Maximum height:	45 feet

4. Perimeter buffers around the project shall consist of a 25-foot building setback, including a fifteen-foot vegetative (natural or planted) buffer.
5. The developer shall construct a collector road from Powell Road north to the East/West road (Southern Hills Plantation Boulevard). The road will have a minimum right-of-way width of 80 feet and be constructed to meet all applicable City construction standards for a public collector road. Individual residential driveways will not be permitted on the collector road.
6. The collector road shall be maintained by the developer as a private road facility within the community, subject to the conditions of the Development Agreement dated May 28, 2003 between the City and Hampton Ridge Developers LLC, as amended. This road must be constructed prior to the issuance of the 400th residential Certificate of Occupancy (CO) for this property. If the road is not constructed by the time the 400th residential unit's CO is issued, permit activity for new development in the community will cease until such time as when the internal collector road connection to Powell road is completed.

7. Cul-de-sacs may be approved up to a length of 1,300 feet as part of the subdivision platting process, provided said cul-de-sacs have a right-of-way diameter of 110 feet and a paved area of 80 feet, and all other safety issues or concerns are addressed, including enforcement of “No Parking” zones on the streets and cul-de-sacs.
8. The residential community entrance may incorporate appropriate signage and gating, consistent with community and Land Development Code standards.
9. Streets within the project area of the subdivision (behind the gates) shall be privately owned and maintained. All streets must be built consistent with the provisions of this zoning approval and meet City construction standards.
10. With the exception of the collector road (Cotillion Boulevard) from Powell Road to the East/West connector (Southern Hills Boulevard), all roads within the project shall be considered local roadways and may be accessed by residential lots. The local roads shall have a minimum 50-foot wide right-of-way containing two lanes each a minimum of 10 feet in width and sidewalks a minimum of 5 feet in width on at least one side of the right-of-way. The collector and all local roads shall be privately owned and maintained.
11. Provisions shall be included in the platting process to provide for easements for ingress and egress to allow for emergency services access and maintenance of the water and sewer facilities that the City will own and operate. For water and sewer easements that are outside of road rights-of-ways, a minimum 15-foot wide easement must be provided for all single lines and 30-feet for parallel pipe runs along with the right of ingress and egress across the properties the easements are located within.
12. The developer shall enter into a Utility Service Agreement with the City of Brooksville.
13. The developer shall construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District.

ATTACHMENTS: (1) Draft Ordinance No. 930 with Exhibit “A,” Legal Description, Exhibit “B,” RZ 2021-04 Zoning Map and Exhibit “C, Master Site Plan.

(2) RZ Petition (As submitted by Donald R. Lacey, AICP, Coastal Engineering Associates, Inc. as Agent for LandBuilder, LLC.

ORDINANCE NO. 930

AN ORDINANCE AMENDING THE ZONING MAP AND APPROVING THE REZONING OF PROPERTY APPROXIMATELY 413 ACRES IN SIZE, GENERALLY DESCRIBED AS LOCATED ON THE SOUTH SIDE OF SOUTHERN HILLS BOULEVARD, NORTH OF POWELL ROAD AND APPROXIMATELY 2,250 FEET EAST OF THE INTERSECTION OF BROAD STREET AND SOUTHERN HILLS BOULEVARD IN THE CITY OF BROOKSVILLE, FLORIDA, AND MORE PARTICULARLY DESCRIBED IN SECTION 2, FROM ZONING DISTRICT CLASSIFICATION RPDP (RESIDENTIAL PLANNED DEVELOPMENT PROJECT) TO PDP-R (PLANNED DEVELOPMENT DISTRICT-RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AS FOLLOWS:

SECTION 1. FINDINGS. The City Council does hereby find that the proposed zoning of this property with a PDP-R designation is consistent with the City's Comprehensive Plan and is compatible with existing land uses in the area.

SECTION 2. REZONING & ZONING MAP AMENDMENT. That the following described property in the City of Brooksville, Florida is hereby zoned as a PDP-R (Planned Development Project – Residential) with residential uses.

Petitioner:	LandBuilder, LLC. Donald R. Lacey, AICP, Coastal Engineering Associates, Inc., Agent
Legal Description:	See Attachment "A" for the complete Legal Description
Location:	This parcel is 413 acres in size and is located on the south side of Southern Hills Boulevard, north of Powell Road and approximately 2,250 feet east of the intersection of Broad Street and Southern Hills Boulevard. Attachment "B" provides a graphic view of the property.

The aforementioned property located within the City of Brooksville, Florida, is hereby assigned a zoning classification of PDP-R (Planned Development Project – Residential), and the zoning map of the City of Brooksville shall be amended accordingly. The Planned Development Project shall be subject to the following conditions:

1. Unless otherwise specified herein, the project shall be developed in accordance with the City of Brooksville Land Development Code as well as the rules and regulations of all applicable government entities.
2. The development shall be permitted a maximum of 926 single family detached dwelling units, 26 villa/duplex units, a recreation complex and model homes.
3. The uses shall be developed in accordance with the following standards:

Single family detached:

Minimum lot size:	6,120 square feet
Minimum lot width:	51 feet at building line
Minimum front yard:	20 feet
Minimum rear yard:	15 feet
Minimum side yard:	5 feet (In areas where the fire flow design is less than 1,500 gpm, the minimum side setback shall be 5.5 feet).
Maximum height:	45 feet
Driveway location:	Residential driveway access points to be located on private, minor streets located internal to the subdivision may be placed no closer than 5.5 feet to side lot lines, provided no safety issues or conflicts with infrastructure are apparent, as determined by the City's Departments of Public Works and Community Development.

Villa/Duplex:

Minimum lot size:	4,200 square feet (per unit)
Minimum lot width:	35 feet (per unit) at building line
Minimum front yard:	20 feet
Minimum rear yard:	15 feet
Minimum side yard:	5 feet/0 feet
Maximum height:	45 feet

4. Perimeter buffers around the project shall consist of a 25-foot building setback, including a fifteen-foot vegetative (natural or planted) buffer.
5. The developer shall construct a collector road from Powell Road north to the East/West road (Southern Hills Plantation Boulevard). The road will have a minimum right-of-way width of 80 feet and be constructed to meet all applicable City construction standards for a public collector road. Individual residential driveways will not be permitted on the collector road.
6. The collector road shall be maintained by the developer as a private road facility within the community, subject to the conditions of the Development Agreement dated May 28, 2003 between the City and Hampton Ridge Developers LLC, as amended. This road must be constructed prior to the issuance of the 400th

residential Certificate of Occupancy (CO) for this property. If the road is not constructed by the time the 400th residential unit's CO is issued, permit activity for new development in the community will cease until such time as when the internal collector road connection to Powell road is completed.

7. Cul-de-sacs may be approved up to a length of 1,300 feet as part of the subdivision platting process, provided said cul-de-sacs have a right-of-way diameter of 110 feet and a paved area of 80 feet, and all other safety issues or concerns are addressed, including enforcement of "No Parking" zones on the streets and cul-de-sacs.
8. The residential community entrance may incorporate appropriate signage and gating, consistent with community and Land Development Code standards.
9. Streets within the project area of the subdivision (behind the gates) shall be privately owned and maintained. All streets must be built consistent with the provisions of this zoning approval and meet City construction standards.
10. With the exception of the collector road (Cotillion Boulevard) from Powell Road to the East/West connector (Southern Hills Boulevard), all roads within the project shall be considered local roadways and may be accessed by residential lots. The local roads shall have a minimum 50-foot wide right-of-way containing two lanes each a minimum of 10 feet in width and sidewalks a minimum of 5 feet in width on at least one side of the right-of-way. The collector and all local roads shall be privately owned and maintained.
11. Provisions shall be included in the platting process to provide for easements for ingress and egress to allow for emergency services access and maintenance of the water and sewer facilities that the City will own and operate. For water and sewer easements that are outside of road rights-of-ways, a minimum 15-foot wide easement must be provided for all single lines and 30-feet for parallel pipe runs along with the right of ingress and egress across the properties the easements are located within.
12. The developer shall enter into a Utility Service Agreement with the City of Brooksville.
13. The developer shall construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District.

SECTION 3. SEVERABILITY. Should this Ordinance contain any provisions that are in conflict with any law or are declared null or void by a court of competent jurisdiction, such provisions shall be severed and all remaining provisions of this Ordinance shall continue in effect.

SECTION 4. EFFECTIVE DATE. This Ordinance and zoning of the properties described hereto shall take effect immediately upon its adoption as provided by Florida law.

**CITY OF BROOKSVILLE
Ordinance No. 930**

Attest: _____ By: _____
Jennifer J. Battista, CMC Pat Brayton
City Clerk Mayor

PASSED on First Reading:
FIRST NOTICE published on:
SECOND NOTICE published on:
PASSED on Second and Final Reading:

APPROVED AS TO FORM FOR THE RELIANCE OF
THE CITY OF BROOKSVILLE ONLY:

Vose Law Firm, LLP
City Attorney

VOTE OF COUNCIL:

Bailey _____
Bell _____
Erhard _____
Vice Mayor Battista _____
Mayor Brayton _____

EXHIBIT "A" LEGAL DESCRIPTION

PROPERTY DESCRIPTION

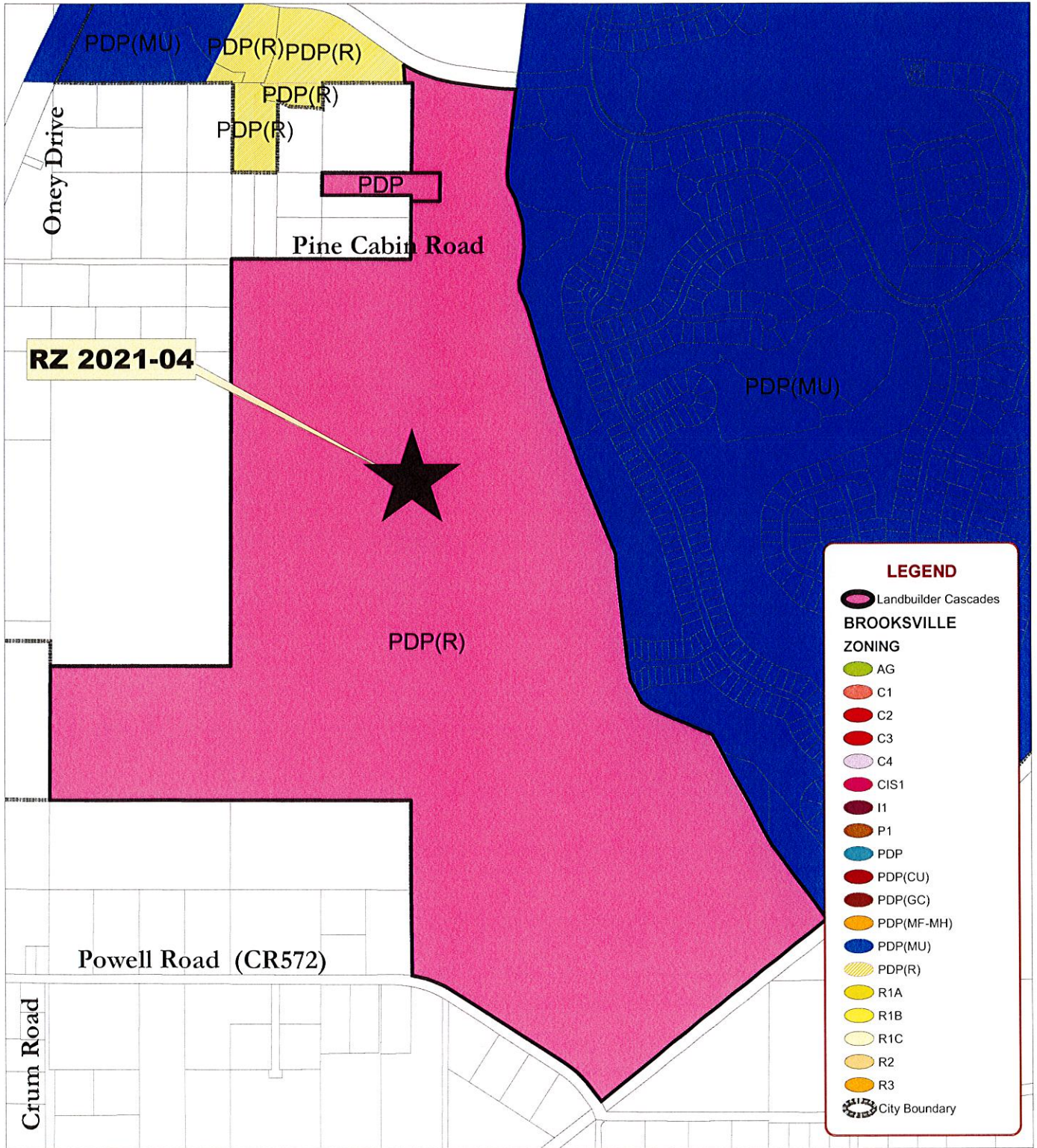
A PARCEL OF LAND LYING IN AND BEING A PART OF SECTIONS 4, 9, 10 AND 16, TOWNSHIP 23 SOOTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 9; THENCE N 00°17'24" E A DISTANCE OF 495.05 FEET; THENCE N 89°56'10" W A DISTANCE OF 664. 19 FEET; THENCE N 00°12'16" E A DISTANCE OF 165. 16 FEET; THENCE S 89°55'42" W A DISTANCE OF 664. 43 FEET; THENCE N 00°16'55" E A DISTANCE OF 660.35 FEET; THENCE N 89°47'38" W A DISTANCE OF 38.21 FEET; THENCE N 26°19'35" A DISTANCE 31.31 FEET; THENCE N 01°17'12" W A DISTANCE OF 56.61 FEET; THENCE N 05°39'10" W A DISTANCE OF 53.89 FEET; THENCE N 72°47'15" E A DISTANCE OF 5.74 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1060.00 FEET, A DELTA OF 21°58'10", A CHORD DISTANCE OF 403.96 FEET AND A CHORD BEARING OF S 71°02'25" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 406.45 FEET TO THE POINT OF TANGENCY; THENCE S 82°01'30" E A DISTANCE OF 180.06 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2560.00 FEET, A DELTA OF 05°20'01", A CHORD DISTANCE OF 238. 22 FEET AND A CHORD BEARING OF S 84°41'31" E; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 238.30 FEET; THENCE S 09°16'01" W A DISTANCE OF 738.72 FEET THENCE S 03°49'30" E A DISTANCE OF 574.96 FEET; THENCE S 18°22'51" E A DISTANCE OF 1983.76 FEET; THENCE S 25°17'46" E A DISTANCE OF 508.97 FEET; THENCE S 03°48'51" E A DISTANCE OF 991.52 FEET THENCE S 69°56'33" E A DISTANCE OF 1013. 97 FEET; THENCE S 39°12'36" E A DISTANCE OF 1222. 00 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF SEABOARD COASTLINE RAILROAD; THENCE ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE S 52°11'38" W A DISTANCE OF 856.48 FEET; THENCE S 00°18'40" W A DISTANCE OF 38.13 FEET; THENCE S 52°11'38" W A DISTANCE OF 134. 79 FEET; THENCE N 89°47'54" W A DISTANCE OF 32. 48 FEET; THENCE S 52°11'38" W A DISTANCE OF 1452. 28 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF POWELL ROAD; THENCE ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE N 37°34'05" W A DISTANCE OF 132.86 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 785.30 FEET, A DELTA OF 18°45'13", A CHORD DISTANCE OF 255.89 FEET AND A CHORD BEARING OF N 47°52'08" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 257. 04 FEET TO THE POINT OF TANGENCY; THENCE N 57°14'45" W A DISTANCE OF 448.10 FEET THENCE N 57°12'10" W A DISTANCE OF 551.70 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1388.82 FEET; A DELTA OF 05°18'15", A CHORD DISTANCE OF 128.50 FEET AND A CHORD BEARING OF N 59°52'29" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 128. 55 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 367.04 FEET, A DELTA OF 25°54'42", A CHORD DISTANCE OF 164. 58 FEET AND A CHORD BEARING OF N 75°28'57" W; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 165.99 FEET; THENCE N 00°37'21" E A DISTANCE OF 1299.15 FEET; THENCE N 89°51'08" W A DISTANCE OF 2659.94 FEET; THENCE N 00°25'56" E A DISTANCE OF 982.09 FEET; THENCE S 89°51'42" E A DISTANCE OF 1328.98 FEET; THENCE N 00°25'20" E A DISTANCE OF 2977. 22 FEET TO THE NORTH BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 9; THENCE ALONG SAID NORTH BOUNDARY S 89°53'35" E A DISTANCE OF 1328. 46 FEET TO THE POINT OF BEGINNING.

CONTAINING 412. 77 ACRES, MORE OR LESS.



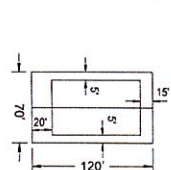
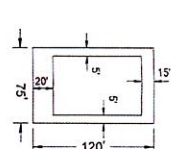
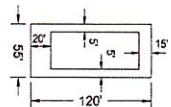
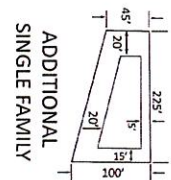
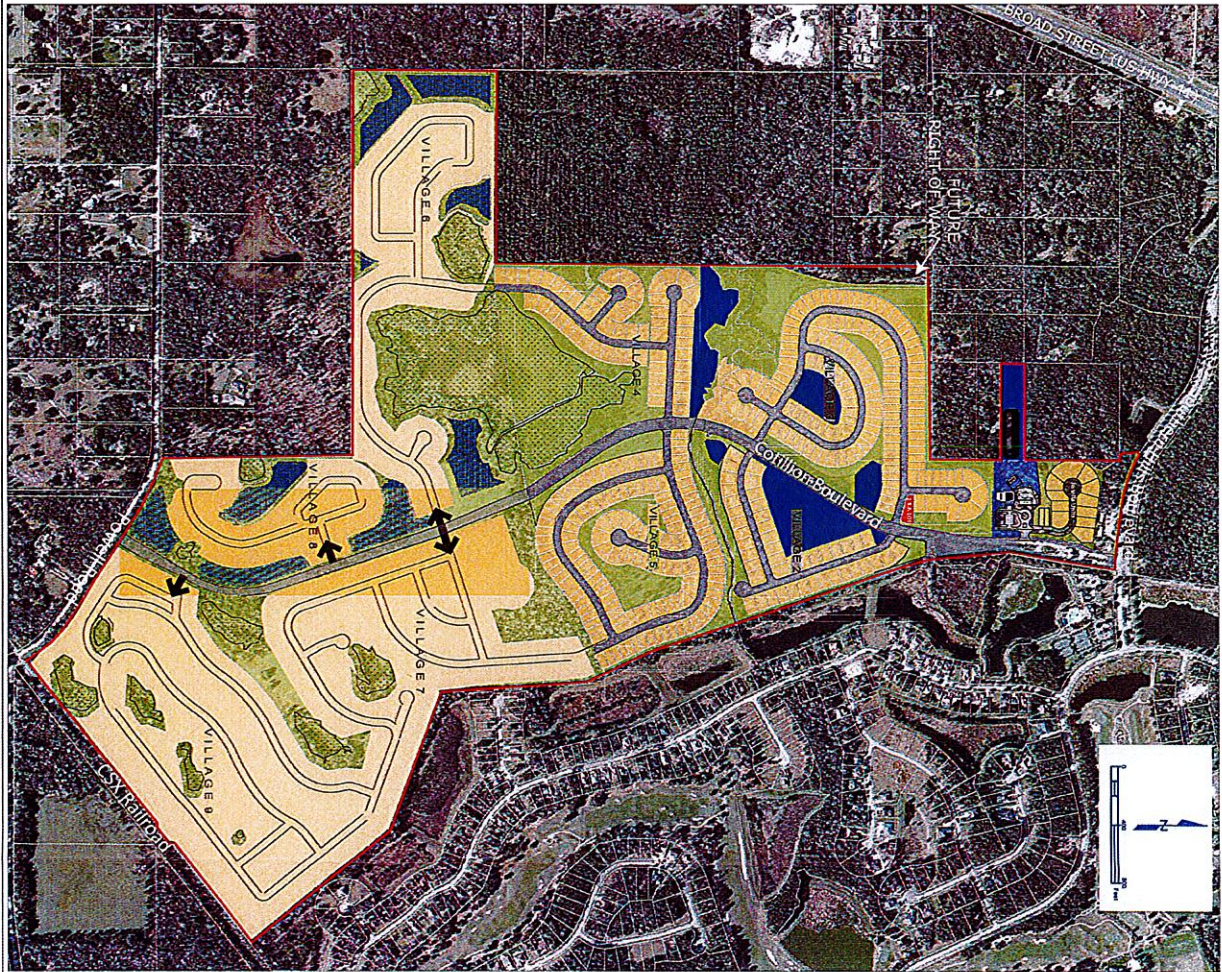
EXHIBIT "B" TO ORD. NO. 930 LANDBUILDER, LLC RZ 2021-04



*Base map information provided by the Hernando County Property Appraiser's office.
Map created by the Brooksville Community Development Department.
Disclaimer: This map is intended for planning purposes only, and should not be used to determine the precise location of any feature shown thereon.
F:\Esri\ArcMap Projects\City Zoning 02192016.mxd

EXHIBIT "C"
MASTER SITE PLAN

PRINTED: 04/19/2021



TYPICAL LOTS - NOT TO SCALE

SITE DATA

APPLICANT: LANDBUILDER, LLC
6522 GUNN HIGHWAY
TAMPA, FL 33625
NUMBER OF LOTS: 952
AREA: APPROX. 413 AC.

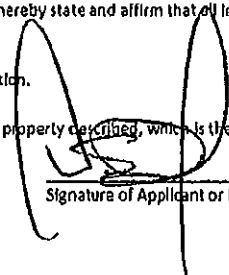
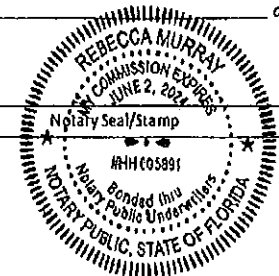
DESIGNATED AREAS	USE	ACREAGE
	PROJECT BOUNDARY (APPROX. TOTAL)	413
	RESIDENTIAL (ALL CATEGORIES)	341
	RECREATION / CLUBHOUSE	3
	ADDITIONAL SF RESIDENTIAL LOT	MIN. 9,000 S.F.
	OPEN SPACE/PARKWAY	32
	WETLANDS	36

CITY OF BROOKSVILLE REZONING PETITION

Application for Public Hearing

Date: February 23, 2021

Type all information. If you need any assistance, call the Community Development Department at (352) 540-3810.

APPLICANT: LandBuilder, LLC		
Mailing Address: 6522 Gunn Highway, Tampa, FL 33625		
Daytime Telephone:	FAX No:	E-Mail Address: devonrushnell@landbuilder.com
REPRESENTATIVE: Donald R. Lacey, A.I.C.P. and Coastal Engineering Associates, Inc.		
Mailing Address: 966 Candlelight Boulevard, Brooksville, FL 34601		
Daytime Telephone: 352-848-9423	FAX No:	E-Mail Address: dlacey@coastal-engineering.com
PUBLIC CONTACT PERSON: Donald R. Lacey		
Daytime Telephone: 352-848-9423	FAX No:	E-Mail Address: dlacey@coastal-engineering.com
Will Expert Witness be utilized during the public hearings? No		
Legal Description: Type below the complete legal description of the property, including street address, if any, and the names of all owners. Include Section, Township and Range; and if applicable, Subdivision Name, Lot, Block, and Unit Number. Attach additional sheet if necessary. Cascades at Southern Hills Plantation Ph 1 Replat Tract A Amenity Center/DRA. Parcel Key No. 380554. S/T/R - 09/23S/19E For legal description of entire SHP refer to the attached.		
Size of Area Covered by Application: 10.3		
Highway and Street Boundaries: Cotillion Boulevard		
Current Zoning Classification: RPDP		
Rezoning Requested: Retain RPDP with change in use from recreation to single family attached residential in portion of key no. 380554 for 13 duplex units (26 total units).		
Proposed Use of Property: Residential - Single-family Attached		
Has a public hearing been held on this property within the past twelve months? Yes.		
ACKNOWLEDGMENT		
This acknowledgment must be signed in the presence of a Notary Public.		
I, <u>Devon S. Rushnell</u> , hereby state and affirm that all information submitted within this petition is in all respects true and correct to the best of my knowledge and belief and that:		
<input checked="" type="checkbox"/> I am the owner of the property covered under this application. <input type="checkbox"/> I am the legal representative of the owner or lessee of the property described, which is the subject matter of this application.		
 Signature of Applicant or Representative		
STATE OF FLORIDA, <u>Hillsborough</u>		
COUNTY OF <u>Hillsborough</u>		
Sworn to (or affirmed) and subscribed before me by means of <input checked="" type="checkbox"/> physical presence or <input type="checkbox"/> online notarization, this <u>10</u> day of <u>March</u> , 20 <u>21</u> , by <u>Devon S. Rushnell</u> , who is personally known to me or who has produced _____ as identification.		
<u>Rebecca Murray</u> Signature of Notary Public		
		

**LANDBUILDER, LLC-CASCADES VILLAS
PLANNED DEVELOPMENT PROJECT
ZONING NARRATIVE**

PROJECT OVERVIEW

The attached rezoning petition covers two changes in the northernmost portion of the *Cascades at Southern Hills* (Cascades) development, a 413-acre residential community located in Sections 9 and 16, Township 23 South, Range 19 East, within the limits of the City of Brooksville, Hernando County, Florida. The overall property is currently zoned Planned Development Project (PDP) Residential (R) (RPDP) and the City's Comprehensive Plan Future Land Use Map shows Cascades is located within a Suburban Residential 2.5 designation. The present Master Plan for Cascades was approved on October 18, 2004 by the City of Brooksville by Ordinance No. 675. The Master Plan allowed for 925 single-family units, a model home sales center, and a recreation center.

APPLICANT REQUEST

This application request is for a master plan modification for an addition of 27 single-family residential units (26 single-family attached duplex villas and one single family detached residence where a prefab building is currently placed at the northwest corner of Cotillion Boulevard and Fort King Run). The single-family attached duplex villa product would be placed on approximately 5.8 undeveloped acres to the north of the present recreation center. Specifically, the applicant is requesting to rezone Key No. 380554 to include 26 villas (13 duplex units) and Key No. 1599826 to allow for one residential single family detached unit. No change in zoning is being requested for the northern end of Key No. 380554, which presently contains the project's sales center. It should be noted that the applicant may use one of the duplex lots for models. The request would increase the maximum number of allowable dwelling units within the overall Master Plan from 925 to 952. With this application, the petitioner requests the property retain the RPDP zoning designation and update the Master Plan to include 27 additional residential units. The request also covers adding the western 2.5 acres of parcel Key No. 380554 into the Cascades master plan. This 2.5 acres will be used solely to accommodate stormwater retention from the clubhouse and the proposed 26 single-family attached duplex villas.

No changes are being requested for the remaining areas within the Cascades (Phase 1 - ongoing housing construction; Phase 2 – platted with pending development; Phases 3 & 4 – undeveloped). The density, 2.3 dwellings units per gross acre, is well within the 2.5 dwellings per acre allowed within the City of Brooksville Suburban Residential comprehensive plan designation.

The revised master plan included in this submittal depicts the general location and configuration of the proposed duplex/villa project and the single-family lot. It also displays the remaining lands within Cascades. To provide a more detailed view of the proposed villa area, an additional exhibit for the villas has been prepared and attached. A typical villa lot is 70' x 120' with the 70' width being achieved at the building setback line for lots where front footage is on a curve.

Access to the 26 villas will be from Cotillion Boulevard a collector roadway via the existing entrance to the recreation center. The single-family detached unit will have direct access to either Fort King Run or Nottaway Place. The project will be served with City of Brooksville central water and sewer via existing infrastructure. As part of Cascades at Southern Hills Plantation, the proposed villas will be able to enjoy the adjacent Amenity Center. As the over-all Cascades at Southern Hills Plantation community moves forward, an additional recreation area may be located in future phases.

Buffers: For the 26 duplex villas, no buffer is needed or required as there are no adjacent residential lots. The single-family detached unit will have 5' building setback adjacent to existing residential home on the north, consistent with the existing lots on Nottaway Place.

Building Residential Setbacks (as previously approved with master plan):

Villas (Duplex lots)	Front: 20'	Side: 5'/0'	Rear: 15'
Single Family Detached Lots	Front: 20'	Side: 5'	Rear: 15'

Maximum Height for Residential Buildings: 45' (as previously approved)

- I. **Proposed Master Plan-** Amended overall Zoning Master Plan and Cascades Villas - Rezoning are being submitted herewith.
- II. **Draft of Protective Covenants.**
Draft Protective Covenants has not yet been prepared for the villas but will be prepared prior to final platting.
- III. **Preliminary Engineering Report.**
 - A. Topography & Drainage – Topographical elevations on the villa site range from a low of approximately 92 m.s.l. to a high of approximately 102' m.s.l.
 - B. Floodplain – F.I.R.M. 12053C 0193D indicates the villa and single family detached site are within Zone X.
 - C. Soils – Soil type for the villa site is Nobleton fine sand, 0 to 5 percent slopes.
Soil type for the single-family detached site is Kendrick fine sand, 0 to 5 percent slopes.
 - D. Environmental – A preliminary site visit was conducted on April 20, 2020 related to the proposed Cascades Villas project. The following are the result of the site visit.
 - The subject project site is a forested parcel, comprised of a canopy of slash pine trees, with a subcanopy containing a mixture of oak tree species (laurel and live oak).
 - Ground cover is primarily pine straw and leaf litter.
 - No listed species were observed.
 - One wetland area, Wetland F-14 (0.14 acres) is located in the northwest corner of the proposed project site.
- IV. **Development Schedule.** Development is anticipated to take place by late 2021 early 2022.

- V. **Adequate Access.** Access will be gained from U.S. Highway 41, via Southern Hills Boulevard and Cotillion Boulevard. All three roadways have capacity and an excellent level of service.
- VI. **Water and Sewer.** The proposed villas and single-family detached site will be served with central water and sewer by the City of Brooksville Utilities Department.
- VII. **Drainage.** The existing drainage retention area (DRA) located to the southwest on Key 380554 was designed to accommodate the proposed project. Stormwater runoff will be directed to the DRA.
- VIII. **Development of Regional Impact Thresholds.**
The proposed development is below all DRI thresholds and not subject to DRI review or comprehensive plan review for DRI size projects pursuant to Section 380.06(12), Florida Statutes.
- IX. **Previous approvals.**
- Ordinance No. 675 (RZ204-02) – Passed on second and final reading on Oct. 18, 2004. This ordinance and zoning classification for of Planned Development Project (PDP) with a Special Exception Use for a Residential Planned Development Project (RPDP), including a recreation complex and model homes center.

APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Devon Rushnell, President LandBuilder, LLC the owner(s) in fee simple of the below described real property hereby appoint Donald R. Lacey, Vice President, CEA Inc. as my (our) agent to file required petitions, sign required documents, make representations as to Issues of fact and to appear, as may be necessary, before the appropriate City of Brooksville authority. My agent shall also have the authority to commit myself as owner to the necessary future performance conditions as may be directed by the appropriate City authority as a condition of granting my petition.

(Insert Legal Description Below)

Tracts "A" as shown on the plat of Cascades at Southern Hills Plantation Ph 1 Replat according to the map of plat there of as recorded in Plat Book 39, Page 1 of the public records of Hernando County, Florida.

Signature of Owner

Date

STATE OF FLORIDA

COUNTY OF Hillsborough

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this

10th day of March 2020, by Devon Rushnell, who is personally known to me or who has produced _____ as identification.

Signature of Notary Public

Notary Seal





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[Cascades at Southern Hill](#)

[Events](#) [Name History](#)

Detail by Entity Name

Florida Not For Profit Corporation
CASCADES AT SOUTHERN HILLS RESIDENTS' ASSOCIATION, INC.

Filing Information

Document Number	N05000009210
FBI/EIN Number	42-1702174
Date Filed	09/08/2005
Effective Date	09/08/2005
State	FL
Status	ACTIVE
Last Event	AMENDED AND RESTATED ARTICLES/NAME CHANGE
Event Date Filed	09/12/2005
Event Effective Date	NONE

Principal Address

2005 Pan Am Circle
Suite 300
Tampa, FL 33607

Changed: 02/22/2019

Mailing Address

2005 Pan Am Circle
Suite 300
Tampa, FL 33607

Changed: 02/22/2019

Registered Agent Name & Address

MERITUS ASSOCIATIONS
2005 Pan Am Circle
Suite 300
Tampa, FL 33607

Name Changed: 04/15/2016

Address Changed: 02/22/2019

Officer/Director Detail

Name & Address

Title President

RUSHNELL, DEVON
2005 Pan Am Circle
Suite 300
Tampa, FL 33607



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CORPORATIONS
an official State of Florida website

Department of State / Division of Corporations / Search Records / Search by Entity Name /

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Landbuilder LLC

[Events](#) [Name History](#)

Detail by Entity Name

Florida Limited Liability Company
LANDBUILDER, LLC.

Filing Information

Document Number	L09000123176
FE/EIN Number	38-3807829
Date Filed	12/30/2009
State	FL
Status	ACTIVE
Last Event	LC NAME CHANGE
Event Date Filed	10/07/2013
Event Effective Date	NONE

Principal Address

6522 GUNN HIGHWAY
TAMPA, FL 33625

Mailing Address

6522 GUNN HIGHWAY
TAMPA, FL 33625

Registered Agent Name & Address

FLINT, SARA K
6522 GUNN HIGHWAY
TAMPA, FL 33625

Authorized Person(s) Detail

Name & Address

Title Manager, President

RUSHNELL, DEVON S
6522 GUNN HIGHWAY
TAMPA, FL 33625

Title Manager, VP, Treasurer, Asst Secretary

Flint, Sara K
6522 Gunn Highway
Tampa, FL 33625

Title Secretary

Rocha, Michael
6522 GUNN HIGHWAY
TAMPA, FL 33625

Title Manager

Suarez, Jack
6522 GUNN HIGHWAY
TAMPA, FL 33625

Annual Reports

Report Year	Filed Date
2018	04/24/2018
2019	04/24/2019
2020	02/20/2020



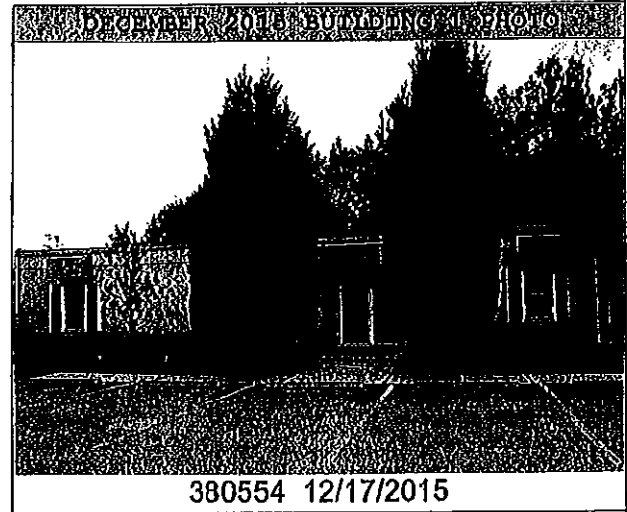
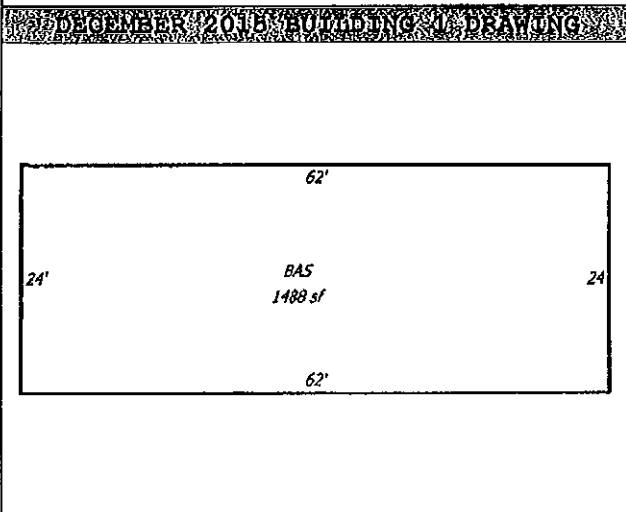
HERNANDO COUNTY, FLORIDA PROPERTY RECORD CARD

2020 PRELIMINARY TAX ROLL

KRY # 00380554 PRINTED 09/17/20 PAGE 2

BUILDING 1 CONSTRUCTION		
	DESCRIPTION	
FLOOR COVER	CARPET/HD TL	
ROOF STRUCTR	LOW/MIN HANG	
ROOF COVER	ROOF OVER	
INTERIOR	DRY WALL	
HTG & AC	PKG HEAT/AIR	

BUILDING 1 AREAS							
BAS	EX	PAV	DR	POOL	REPLACEMENT	DEPRECIATED	
CODE	AREA	CODE	AREA	CODE	CODE	VALUE	VALUE
AUXILIARY							



BUILDING 1 FEATURES													
CODE	DESCRIPTION	YEAR	AREA	UNIT	QUANTITY	UNIT PRICE	TOTAL	REPLACEMENT	DEPRECIATED	VALUE	VALUE	VALUE	VALUE
PV4-1	PAVEMENT, CONCRETE	2005	7	15	105			236	236				
WDK-1	WOOD DECK	2005	10	10	100			475	95				

BUILDING 2 INFORMATION									
NUMBER	2	YEAR BUILT	2005	CAP YEAR		STORIES	1.0		
CODE	02	DEPRECIATION %	28%	EXCL. FROM CAP?	Y	ROOMS	5		
DESC	MANUFACTURED HOMES	ADD'L DEPREC.	0%			BEDROOMS	0		
L. UPDT	2015	OVERRIDE RATE				BATHROOMS	2		

BUILDING 2 CONSTRUCTION		
	DESCRIPTION	
FOUNDATION	PIERS	
EXTERIOR WAL	CEMENT FIBER	
FRAME	2X6 WOOD FRM	
FLOOR SYSTEM	WOOD WITH	
FLOOR COVER	CARPET/HD TL	
ROOF STRUCTR	LOW/MIN HANG	
ROOF COVER	ROOF OVER	
INTERIOR	DRY WALL	
HTG & AC	PKG HEAT/AIR	

BUILDING 2 AREAS							
BAS	EX	PAV	DR	POOL	REPLACEMENT	DEPRECIATED	
CODE	AREA	CODE	AREA	CODE	CODE	VALUE	VALUE
BAS	B		Y			172.00	1,488.00
TOTAL						1,488.00	87,569
ADJUSTED						1,488.00	63,050
BASE						1,488.00	
AUXILIARY							

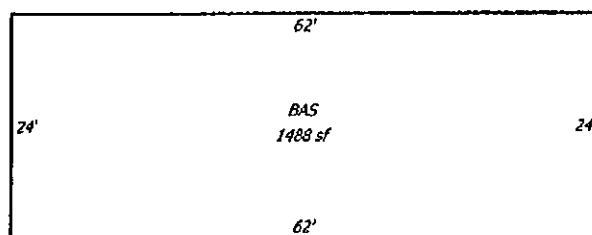


HERNANDO COUNTY, FLORIDA PROPERTY RECORD CARD

2020 PRINTED IN FLORIDA

KEY # 00380554 PRINTED 09/17/20 PAGE 3

DECEMBER 2005 BUILDING 2 DRAWING



DECEMBER 2005 BUILDING 2 PHOTO



380554 12/17/2015

BUILDING 2 FEATURES

CODE	DESCRIPTION	YEAR	QUANTITY	UNIT	VALUE	TOTAL	AVG
PV4-1	PAVEMENT, CONCRETE	2005	7	15	105	236	236
WDK-1	WOOD DECK	2005	10	10	100	475	95

STANDALONE FEATURES AND OUT BUILDINGS

CODE	DESCRIPTION	YEAR	QUANTITY	UNIT	VALUE	TOTAL	AVG
PV3-1	PAVEMENT, ASPHALT C	2005			10696	13,370	13,370
PV4-1	PAVEMENT, CONCRETE	2005	4	125	500	1,125	1,125

BUSINESSES ON PROPERTY

KEY	ADDRESS	BUSINESS NAME
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ADDRESSES ON PROPERTY

STATE	COUNTY	CITY	ADDRESS
FL	HERNANDO	SOUTHERN HILLS	19790 SOUTHERN HILLS BLVD
FL	HERNANDO	SOUTHERN HILLS	19796 SOUTHERN HILLS BLVD
FL	HERNANDO	PINE CABIN	PINE CABIN RD
FL	HERNANDO	PINE CABIN	PINE CABIN RD
FL	HERNANDO	COTILLION	5459 COTILLION BLVD

BUILDING PERMITS

APPLICANT	APPLY DATE	PERMIT #	CODE	DESCRIPTION	ISSUED	STATUS	FINISHED	VALUE
B190516	8/01/19	B190516	LP	L P GAS	8/01/19	FINALED	9/06/19	567
B180765	12/28/18	B180765	ZP	ZONING PERMIT ONLY	12/28/18	FINALED	6/01/19	15,000
B180617	10/15/18	B180617	TS	TEMP. CONSTR TRAILER	10/15/18	FINALED	9/02/19	1,000
B180584	9/28/18	B180584	CS	COMM SWIMMING POOL	2/20/19	FINALED	10/23/19	95,000
B180583	9/28/18	B180583	AC	COMM ACCESSORY STRUCTURE	9/28/18	FINALED	10/23/19	514,034
B170055	7/11/17		CONC	CONCEPTUAL REVIEW		EXPIRED		600,000
B196082	8/07/06	B196082	SCLR	SITE CLEARING	8/07/06	FINALED	10/09/06	60,000
B191505	5/26/06	B191505	CONC	CONCEPTUAL REVIEW	6/14/06	FINALED	6/14/06	1
B175572	9/29/05	B175572	DE	DEMOLITION	9/29/05	FINALED	3/09/06	2,000
B175565	9/29/05	B175565	DE	DEMOLITION	9/29/05	FINALED	3/09/06	2,000
B174158	9/13/05	B174158	S3	ON SITE SIGN	9/21/05	EXPIRED		1,900
B174156	9/13/05	B174156	WS	WALL SIGN	9/21/05	EXPIRED		2,200
B174154	9/13/05	B174154	WS	WALL SIGN	9/21/05	EXPIRED		2,200



HERNANDO COUNTY, FLORIDA PROPERTY RECORD CARD

2020-2021 FISCAL YEAR

KEY # 00380554 PRINTED 09/17/20 PAGE 4

BUILDING PERMITS

PERMIT #	PERMIT DATE	PERMIT TYPE	CODE	DESCRIPTION	ISSUED	STATUS	FINISHED	VALUE
1173143	8/30/05	1173143	CN	COMM. LAWN IRRIGATION	9/16/05	FINALED	9/19/05	9,800
1163044	4/29/05	1163044	MO	MOBILE MANUFACTURED OFFI	6/14/05	FINALED	9/21/05	47,500
1158377	3/01/05	1158377	MO	MOBILE MANUFACTURED OFFI	6/14/05	FINALED	9/21/05	47,500
1036700	2/17/98	1036700	PO	PORCH	2/18/98	FINALED	3/20/98	7,689

PROPERTY SALES

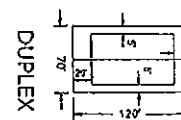
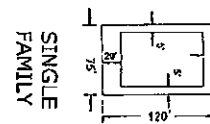
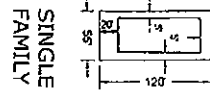
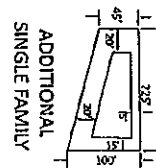
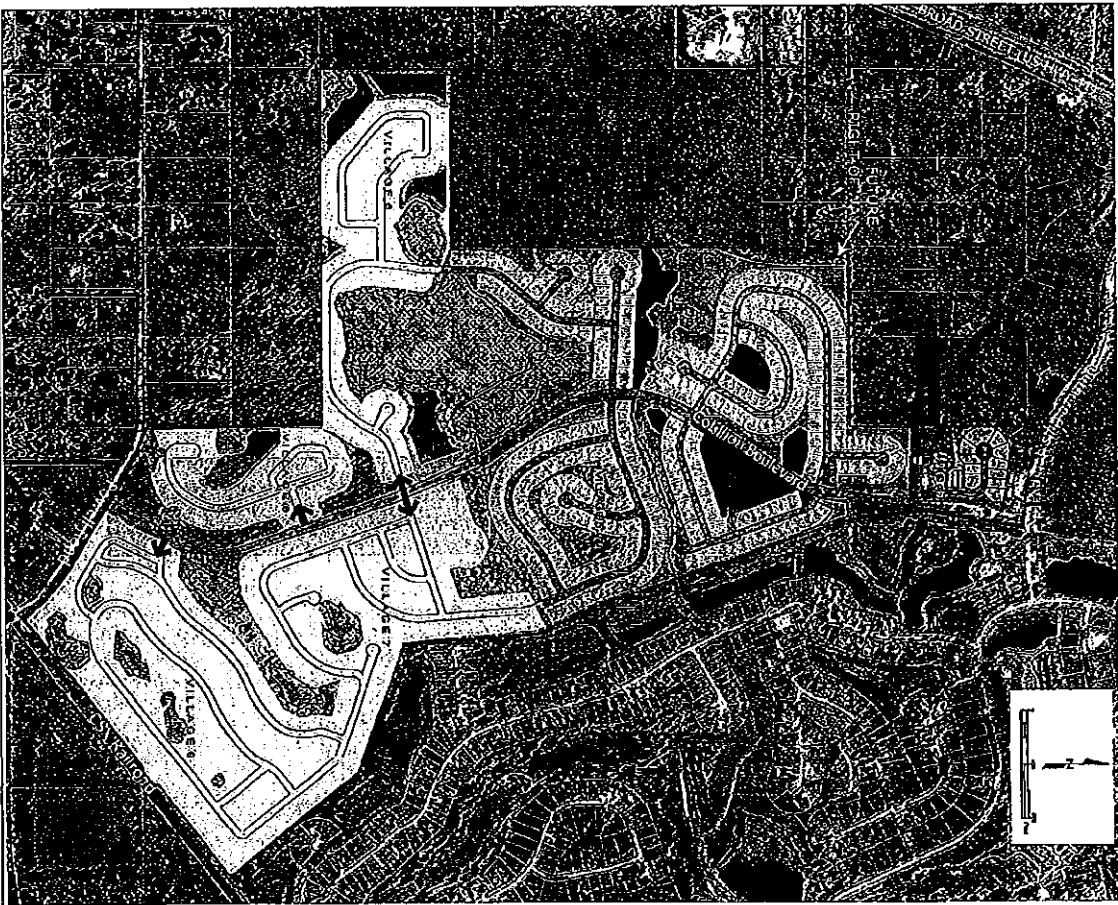
DATE	RECORDED	REASON	CODE	DESCRIPTION	VALUE	AREA	CODE	COOR	COOR	COOR	VALUE
10/11/18	LANDBUILDER LLC	D	DISQUALIFIED	N	FS	3677	1498	0			100
01/05/06	CASCADES AT SOUTHERN HILLS RES	M	MULTIPLE PARC	Y	QC	0001	0001	0			100
12/08/04	LEVITT & SONS OF HERN CO LLC	M	MULTIPLE PARC	Y	WD	1942	0521	0			9,200,000
01/04/02	HAMPTON RIDGE DEVELOPERS LLC	M	MULTIPLE PARC	Y	WD	1488	1651	0			2,915,200
08/02/00	MARPAK LLC	M	MULTIPLE PARC	Y	WD	1363	0492	0			2,574,400
03/01/82	BOSTICK GUY &	D	DISQUALIFIED	Y	WD	0499	0469	0			632,400
01/01/80	GEN PORTLAND CEMENT CO		INVALID CODE	N		0000	0000	0			0

PROPERTY APPRAISER INSPECTIONS

DATE	ROLL	REASON	CODE	REASON
12/17/15	2016	196	017	5 YEAR REVIEW
04/20/10	2010	196	001	BUILDING PERMIT
06/02/04	2004	196	015	GREEN BELT REVIEW
04/09/03	2003	196	015	GREEN BELT REVIEW

PROPERTY APPRAISER NOTES

JANUARY 01 2010
CONSTRUCTION OFFICE
SALES OFFICE



TYPICAL LOTS - NOT TO SCALE

SITE DATA

APPLICANT: LANDBUILDER, LLC
 6522 GUNN HIGHWAY
 TAMPA, FL 33625
 NUMBER OF LOTS 952
 AREA: APPROX. 413 AC.

ESTIMATED AREAS	USE	ACRES
	PROJECT PROPERTY (APPROX. TOTAL)	413
	RESIDENTIAL PLOT CORNERS	341
	W/CRACKS/OUTCROPS	3
	ADDITIONAL 5% RESIDENTIAL LOT	MIN. 5,000 S.F.
	OFFICE SPACE/REVENUE	75
	WETLANDS	26