

# HERNANDO COUNTY ZONING AMENDMENT PETITION



## Application to Change a Zoning Classification

### Application request (check one):

- Rezoning ☐ Standard ☒ PDP  
Master Plan ☐ New ☐ Revised  
PSFOD ☐ Communication Tower ☐ Other  
**PRINT OR TYPE ALL INFORMATION**

Date: 05/16/2022

File No. 11-22-39 Official Date Stamp:

Received

JUN 01 2022

Planning Department  
Hernando County, Florida

**APPLICANT NAME:** D.R. Horton, Inc

Address: 12602 Telecom Drive

City: Tampa

State: FL

Zip: 33637

Phone: (813)981-4336 Email: bmmihelich@drhorton.com

Property owner's name: (if not the applicant) Mak Family Partnership Ltd Et Al

**REPRESENTATIVE/CONTACT NAME:** Tatum Csorba

Company Name: Coastal Engineering Associates, Inc.

Address: 966 Candlelight Blvd

City: Brooksville

State: FL

Zip: 34601

Phone: (352)848-3425

Email: tcsorba@coastal-engineering.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No (if applicable provide name)

Contact Name:

Address:

City:

State:

Zip:

### PROPERTY INFORMATION:

1. PARCEL(S) KEY NUMBER(S): 394442, 394594, 394530, 394601, 394610 and 838231
2. SECTION 05,08,07,06, TOWNSHIP 23, RANGE 21
3. Current zoning classification: CPDP
4. Desired zoning classification: CPDP (SF, MF, OP, HC, RR)
5. Size of area covered by application: 1,311.40 Acres
6. Highway and street boundaries: West- I-75, North- Hwy 98, East- Kettering Road
7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No
8. Will expert witness(es) be utilized during the public hearings? ☐ Yes ☒ No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: )

### PROPERTY OWNER AFFIDAVIT

I, Kimbrough, James H., JR, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application OR

☒ I am the owner of the property and am authorizing (applicant): D.R. Horton, Inc.  
and (representative, if applicable): Coastal Engineering Associates, Inc. & Joel Tew  
to submit an application for the described property.

Signature of Property Owner

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of May, 20 22, by James Kimbrough, Jr. who is personally known to me or produced N/A as identification.

Signature of Notary Public



LINDSAY ANN MORGAN  
Commission # HH 022194  
Expires November 16, 2024  
Bonded thru Budget Notary Services

Effective Date: 11/8/16 Last Revision: 11/8/16

Notary Seal/Stamp

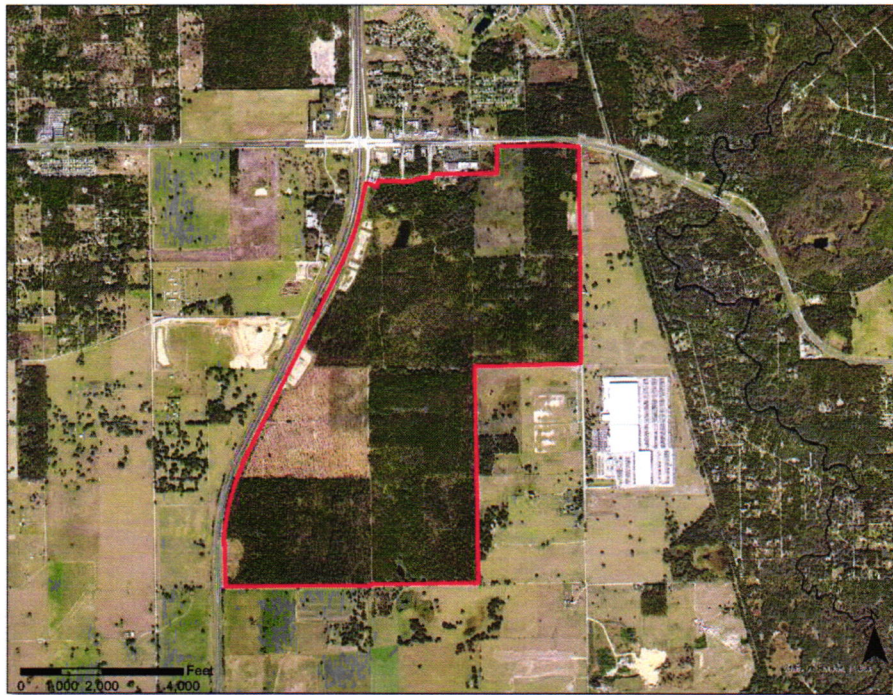
Received

JUN 01 2022

Planning Department  
County, Florida

REZONING APPLICATION – PROJECT NARRATIVE  
SUNRISE C-PDP and MASTERPLAN MODIFICATION

PARCEL KEY 394442, 394594, 394530, 394601, 394610 and 838231.



### General

This Sunrise C-PDP and Master Plan modification is part of the process for the termination of the existing Sunrise DRI and its related Development Order, and adoption of the new Development Agreement. Together the revised C-PDP and Master Plan, and the new Development Order, will supersede and replace the prior existing, vested DRI Development Order (DRI DO) and prior C-PDP and Master Plan. The same legal and planning process recently was utilized and successfully completed for Lake Hideaway DRI, as an example. Sunrise C-PDP also will remain subject to the existing I-75/SR 50 PDD as more specifically set forth in the Sunrise Development Agreement (Sunrise DA), which has been submitted for review and approval concurrently with this C-PDP and Master Plan Modification.



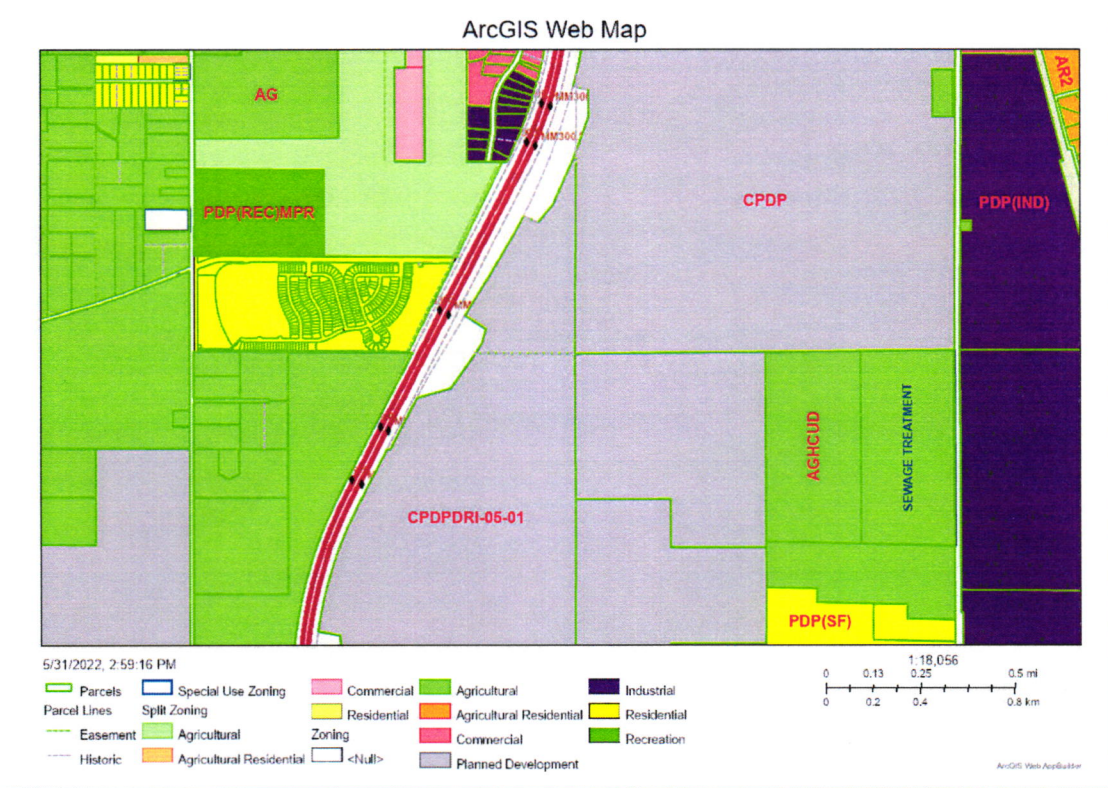


Figure 1. Sunrise (Key No. 394442, 394594, 394530, 394601, 394610 and 838231.) Current Zoning Map

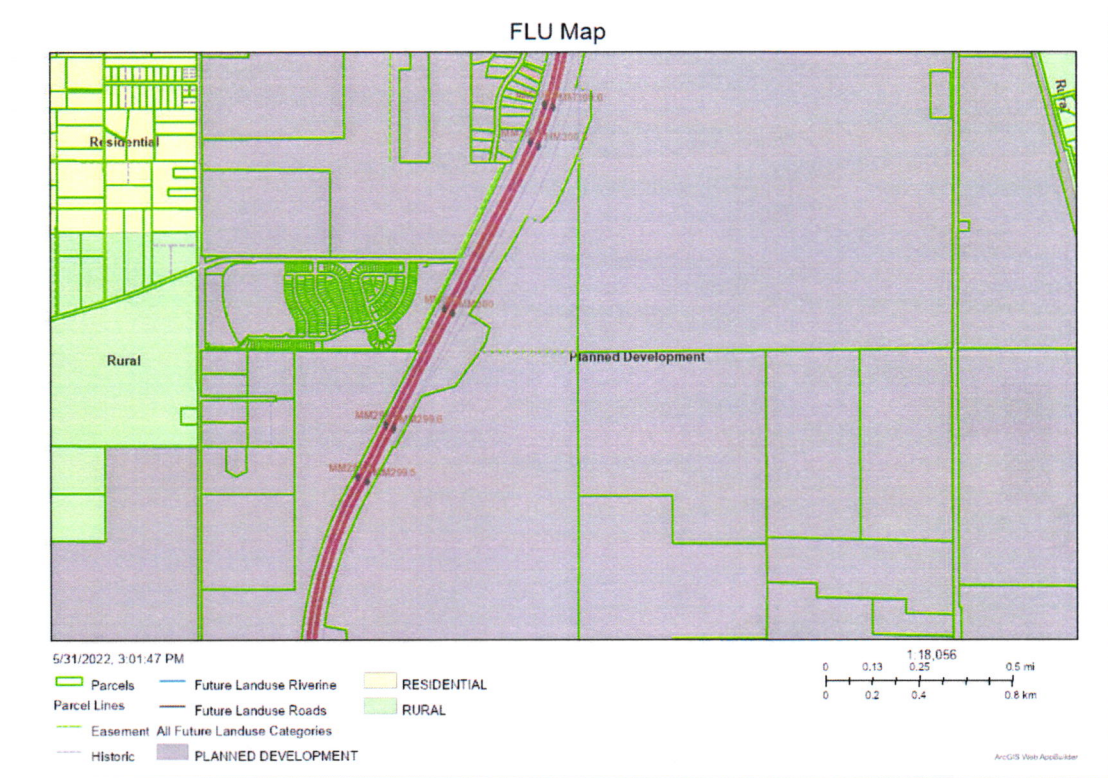


Figure 2. Sunrise (Key No. 394442, 394594, 394530, 394601, 394610 and 838231.) Current Zoning Map

<b><u>PROPERTY DESCRIPTION</u></b>		<b><u>ZONING</u></b>	<b><u>FLU</u></b>
<b>NORTH</b>	6.80 acres owned by JMBA Goup LLP	<b>PDP(GC)</b>	<b>PDP</b>
	12.0 acres owned by 31070 Cortez Blvd Associates	<b>PDP(GC)</b>	<b>PDP</b>
	2.30 acres owned by Jericho Road Ministries Inc	<b>PDP(GC)</b>	<b>PDP</b>
	5.0 acres owned by Mak Family Partnership	<b>AG</b>	<b>PDP</b>
	3.80 acres owned by Racetrac Petroleum Inc	<b>PDP(HC)</b>	<b>PDP</b>
	2.80 acres owned by Cracker Barrel Old Country Store Inc	<b>PDP(GC)</b>	<b>PDP</b>
<b>SOUTH</b>	309.20 acres owned by Jack Melton Family Inc	<b>AR</b>	<b>PDP</b>
	80.60 acres owned by Clark Opal Trustee	<b>AG</b>	<b>PDP</b>
	80.40 acres owned by Hernando County	<b>AG</b>	<b>PDP</b>
<b>EAST</b>	49.80 acres owned Mak Family Partnership LTD Et AL	<b>AG</b>	<b>PDP</b>
	102.20 acres owned by Pedone Lee K, Ariana Dairy Farm Inc	<b>PDP(SF)</b>	<b>PDP</b>
<b>WEST</b>	175	-	-

Sunrise DRI is as an approved, vested, mixed-use project on approximately 1,311.40 acres located in the southeastern quadrant of the Interstate 75 – SR 50 intersection (Sections 5,6,7 & 8, Township 23 South, Range 21 East). The current project area is slightly less than the total area approved under the DRI and existing C-PDP and Master Plan, because certain drainage retention areas have been conveyed to FDOT and Hernando County for adjacent roadway projects pursuant to the DRI DO. The existing, vested Sunrise C-PDP zoning and master plan was approved by the Hernando County Board of County Commissioners on December 10, 2008 (File # H-08-13 – Resolution #2008-236), consistent with the approved Development of Regional Impact (DRI) Development Order and I-75/SR 50 PDD which were concurrently adopted by the Board of County Commissioners on September 12, 2007. The project is presently approved under the DRI DO and the existing C-PDP and Master Plan for the following mix of land uses:

Single Family Residential	4,200 dwelling units
Multifamily Residential	600 dwelling units
Motel/Hotel	75 units
Retail Commercial/Office/Min-Warehouse	405,000 square feet
Golf (As Optional Use)	18 holes

Note: A land use trade-off matrix (LUEM) established in the Development Agreement also allows some exchange of entitlements

In connection with the termination of the DRI DO, the Applicant is not seeking to increase any of the previously approved, vested entitlements, which vesting will be carried forward into the Sunrise DA and C-PDP and Master Plan. However, the Applicant has elected not to implement the golf course option which was provided under the prior DRI DO and C-PDP (due to changed market conditions), and instead will implement a revised Master Plan including more diverse,

inter-generational housing product options, and a variety of open space and recreational amenities more appropriate for today's market demand.

As now proposed, the Sunrise project is planned to provide housing products to meet the residential needs of a broad demographic range of potential residents. This could include a wide mix of detached single-family homes, villas, townhomes, and both single family and multifamily rental housing. The products also will be designed to fulfill inter-generational housing options for first-time buyers, young professionals and young families with children, empty nesters, housing to support emerging workforce needs, and age-restricted or age-targeted retirement communities, including both fee simple for-sale and rental products in each category of housing.

Sunrise will also continue to include the pre-existing, approved commercial and office space to serve the needs of both project residents and the surrounding I-75/SR 50 regional community. The C-PDP master plan therefore allows multifamily, commercial, office and hotel uses in a mixed-use area in the northern portion of the C-PDP adjacent to SR 50 and Kettering Road (approximately 1,311.40 acres of mixed-use area), while locating the single family uses in the central and southern portions of the C-PDP.

As stated above, the single-family portion of the C-PDP will consist of a coordinated residential community, constructed in three or more phases and containing a number of distinct housing "pods." Housing pods will be oriented toward different elements of the market, but all will be coordinated within a diverse community with integrated functional connectivity. Sunrise Parkway, an I-75/SR 50 PDD designated collector roadway running N-S through the project, will provide primary access to all elements of the community from SR 50 to the southernmost housing pods. The Sunrise Parkway corridor will incorporate landscaping, trees, greenspace and a 10 foot side paved multi-purpose pathway. The developer will also be completing the eastern extension of Cracker Crossing Boulevard, the collector/reverse frontage road that will serve the Mixed Use phase of the project. Other elements of the transportation network are addressed in the Adequate Access Analysis section, below and a Transportation Impact Study has been prepared and submitted with this application, pursuant to the methodology required by the Hernando County Engineer.

Recreation facilities and opportunities, both active and passive, will be located in each phase and depicted on each conditional plat, meeting neighborhood park requirements as set forth in the Land Development Code. The I-75 Buffer Area and the Oak Hammock Preservation Area shall be counted toward the open space requirements for the Project, and if such areas contain trails or other access, or other passive use facilities for Project residents, also shall count toward the neighborhood park requirements for the Project. Neighborhood parks may be co-located adjacent to the Oak Hammock Preserve or the natural area near the southern boundary, facilitating parking and/or pedestrian access for passive use. Active recreational activities will not be placed in areas designated for buffers and passive open space; however, passive uses such as trails, picnic areas, and educational viewing can be accommodated. The Developer will provide a network of trails, sidewalks, and bicycle/pedestrian facilities to interconnect the Oak Hammock



Preservation Area, neighborhood parks, commercial areas, the school site (if utilized), buffers, and conservation areas throughout the Development. A conceptual connectivity plan will be provided with each conditional plat or phase of development. Connectivity may use open/recreation space, upland buffers, and perimeter buffer areas and trails may be designed to be pervious or impervious, as determined appropriate by the site characteristics by the developer.

The proposed Sunrise project site had been historically used as ranch land but was largely converted to a planted sand and slash pine tree farm approximately thirty-five years ago. Two previously excavated borrow pits (related to earlier I-75 roadway improvements) are located in the northwest portion of the property. Since the original DRI approval, the Florida Department of Transportation also acquired additional parcels along the western boundary of Sunrise to retain drainage from the widening of Interstate 75, and an easement for a large stormwater facility in the northern portion of the DRI to support the pending SR 50 construction. Hernando County also has acquired stormwater easements to support its prior improvements to Sunrise Parkway and Cracker Crossing Boulevard in the northern portion of the DRI. Soils on the project site are fast-draining Candler sands and very conducive to development and on-site stormwater management. Site design and engineering will address drainage and the appropriate incorporation of the excavation features found on-site.

Sunrise is consistent with the Hernando County Comprehensive Plan and will not require an amendment to the Plan to accommodate this proposed development. The Comp Plan establishes several "planned development districts" in the County, within which mixed land uses are envisioned. The proposed Sunrise project is located within one of these areas, the Interstate-75/State Road 50 (I-75/SR50) Planned Development District (PDD). The I-75/SR50 PDD was established to provide some guidelines to growth in this "gateway" to Hernando County, particularly in the areas of land use mix, access and aesthetic appeal. Sunrise is consistent with the intent of the I-75/SR 50 PDD in the following ways:

- It provides a master plan for approximately 27% of the PDD area, providing an impetus in the overall planning of the area;
- It establishes a multifaceted residential community in the PDD, a component that is integral to the success of the district;
- The proposed residential and commercial components of Sunrise are well within the percentage ranges for those land uses established within the PDD;
- It is consistent with the commercial/light industrial corridor that has emerged on the east side of Kettering Road;
- It will incorporate criteria for increased landscaping;
- It provides an integrated roadway network within the project, incorporating a community collector road, a reverse frontage road, access to all SR 50 median cuts and a potential future access to undeveloped property to the south; and,
- The project master plan will accommodate pedestrian and bicycle traffic.

Sunrise will have few, if any, impacts to natural resources due to the very limited extent and presence of such resources on the project site. As described previously, the Sunrise project site is former pasture and agricultural land, the predominant portion of which was converted to the current silviculture operation located on the site today. These previous land uses have virtually eliminated most of the natural vegetative communities and habitat areas that would have historically been found on the project site. The two remaining natural vegetative communities and/or habitat areas remaining on the site have been incorporated into the project's design. To the extent there is existing, native vegetation in the designated wetland buffers, conservation easement areas, and perimeter buffers maintained by the HOA and/or CDD which attract pollinators or provide food, shelter or habitat for wildlife, the native vegetation will be preserved, to the extent reasonably feasible. A comprehensive wildlife survey will be provided prior to any development occurring on the property.

Since Sunrise's original DRI approval, several major improvements in public infrastructure have taken place. Most significant are the increases in road capacity, with the six-laning of Interstate 75 and ongoing six-laning of State Road 50. The Hernando County Utilities Department has added a potable water well, increased capacity to its Lockhart Road Water Plant and provided additional improvements in its wastewater transmission system. There have also been recent land use approvals for other developments within the I-75/SR 50 PDD, including two residential communities (Trilby Estates, Benton Hills) and two industrial sites (for distribution centers) on the east side of Kettering Road.

A potential school site identified in the I-75/SR 50 facility analysis is still available adjacent to Sunrise C-PDP, and is addressed in the Sunrise DA, along with the vested DRI DO provisions and the other aspects of the I-75/SR 50 PDD which are applicable to Sunrise C-PDP.

#### OPEN SPACE & BUFFERS

Open space and buffers shall generally meet the minimum requirements of the Code of Ordinances, Hernando County, Florida, and shall generally include the Oak Hammock Preservation Area and the I-75 Buffer Area (as identified in the proposed C-PDP Rezoning and Master Plan), other jurisdictional wetland buffers, neighborhood park sites, vegetated buffers, pedestrian trails that provide for connectivity, and areas of open space preservation. These will ultimately be approved in conjunction with conditional plat, construction plans review and/or site development review. Two areas with project specific buffers are the Oak Hammock Preservation area with a 50 foot vegetative buffer and the I-75 Buffer area, where the buffer will be 100 feet in width where immediately adjacent to highway and 25 feet in width where drainage retention areas abut the highway.

#### PERIMETER BUILDING SETBACKS

North: 125 feet where adjacent to SR 50; 50 feet where adjacent to Cracker Crossing

South: 35 feet

West: 100 feet where adjacent to I-75; 40 feet where FDOT drainage retention areas abut I-75

East: 50 feet where adjacent to Kettering Road; 35 feet elsewhere

#### RESIDENTIAL LOT SIZES & BUILDING SETBACKS

##### Minimum Building Size - Hernando County Land Development Code

##### Single Family Detached Housing

40 ft width, 4,800 sq ft lots size, with setbacks: front 25', side 5' and rear 15'

50 ft width, 6,000 sq ft lots size, with setbacks: front 25', side 5' and rear 15'

60 ft width, 7,200 sq ft lots size, with setbacks: front 25', side 5' and rear 15'

##### Rental Single Family Detached Housing

40 ft width, 4,800 sq ft lots size, with setbacks: front 25', side 5' and rear 15'

##### Villas (Single Family Attached Housing

65 ft width, 7,800 sq ft lots size (32.5 ft each side), with setbacks: front 25', side 0'/5' and rear 15'

##### Townhomes

18 ft width, 1,800 sq ft lot size, with setbacks: front 20', side 0' and rear 15' (15' between buildings)

#### MULTIFAMILY

Standard – Hernando County Land Development Code and Facility Design Guidelines

Casitas – Minimum Residential Building Size 600 sf.; 10 ft minimum separation between residences

#### MIXED USE COMMERCIAL

Hernando County Land Development Code, except for side setbacks, which can be 0 ft.



## PRELIMINARY ENGINEERING REPORT

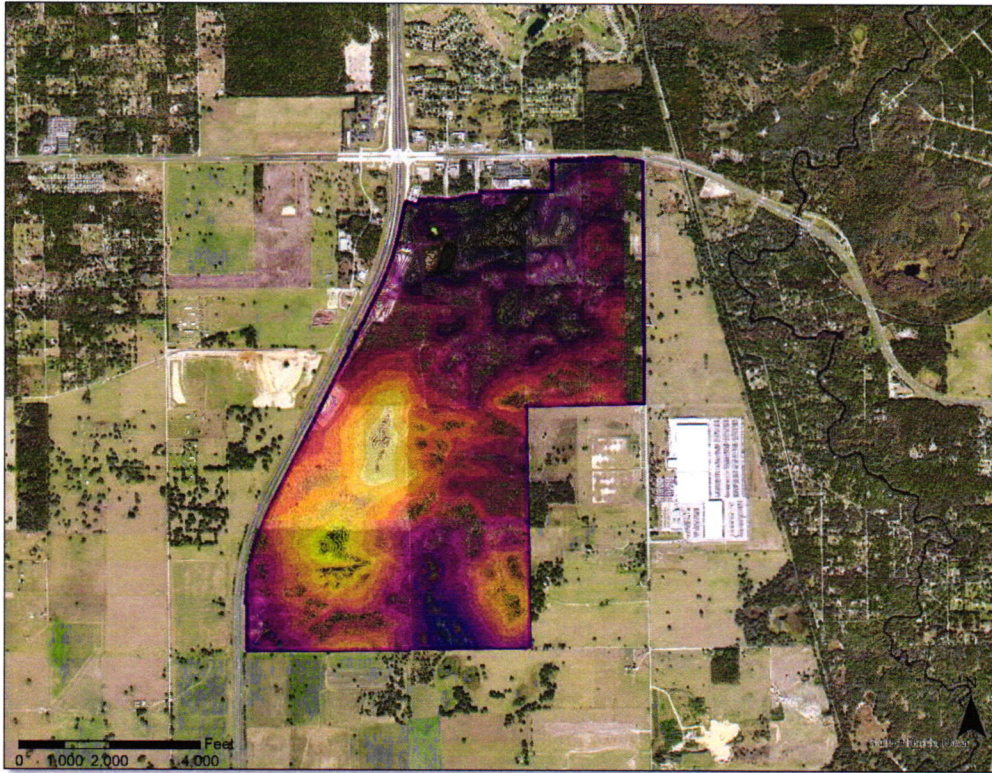


Figure 3. *Sunrise* (Key No. 394442, 394594, 394530, 394601, 394610 and 838231.) Topo Map

- A. TOPOGRAPHY - The rolling terrain of the property incorporates a number of hills with the highest elevations (up to 170 ft MOL) in the southwest portion of the site. Elevations decrease as you move northward, with the lowest elevation (60 ft MOL) reached in the natural preservation parcel in the Mixed Use area. The project will be designed to complement the topography and minimize site disturbance and erosion by construction phasing, limiting site clearance while maximizing retention of existing vegetation, timely revegetation of cleared areas, and preservation of existing grades and slopes in Development design and construction.



- B. FLOOD PLAIN – Virtually the entire property is above the 100 year floodplain and contains soils that percolate rapidly. Areas within the site identified within the 100 year floodplain consist of the large dirt pit in the northwest corner of the site, the area depicted for natural preservation in the Mixed Use area, a drainage retention area recently constructed for SR 50 and Sunshine Parkway stormwater and a few minor depressional areas. The Developer will comply with the County’s Flood Damage Prevention and Protection Ordinance, Federal Emergency Management Agency (“FEMA”) regulations and SWFWMD regulations, using the best available data regarding flood plains/flood-prone areas, as authorized by law and accepted by SWFWMD and the County at the time of construction plans approval.

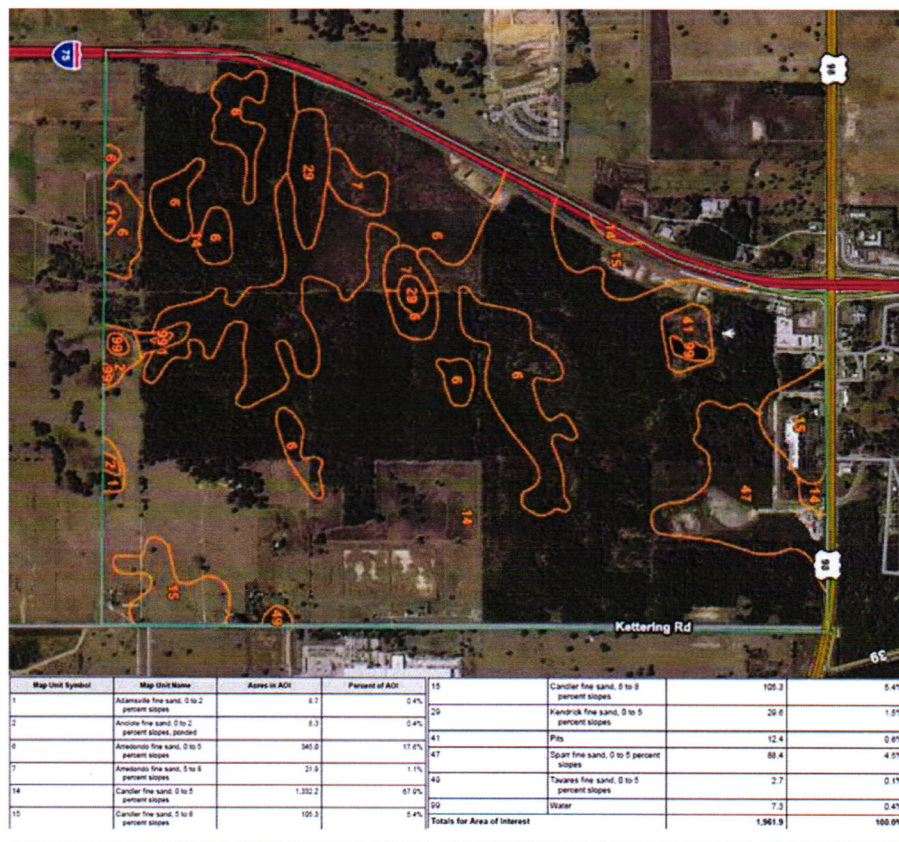


Figure 4. Sunrise (Key No. 394442, 394594, 394530, 394601, 394610 and 838231.) Soils Map

- C. SOILS – The Sunrise site is located on the eastern edge of the Brooksville Ridge, an area characterized by rolling sandhills and closed basin drainage. Soil associations within the Sunrise site include the Candler-Tavares-Paola and Arrendondo-Sparr-Kendrick associations. The great majority of soils found on site are moderately to excessively well drained sand soils. These soils are very conducive to development and to the efficient functioning of drainage retention areas. A geotechnical report prepared by a Florida Registered Geotechnical Professional Engineer will be provided for review by the County Engineer at the time of construction plans review to identify and recommend best management practices (BMPs) and professionally recognized engineering that address

the identification of unsuitable soils, if present. Soil borings will be used to verify that suitable soil cover is maintained between each DRA bottom and any subsurface limestone rock strata, limestone pinnacles, or potential karst connections, consistent with applicable regulatory criteria.

- D. VEGETATION – Approximately 35 years ago, most of the improved pastures associated with this project were converted into pine plantations that are currently dominated by slash pine and sand pine. Within the pine plantation matrix is a small remnant area that supports sandhill vegetation, dominated by live oak and turkey oak. An oak hammock is located in the northern portion of the site. Two small wetland areas are located in the preservation area along the southern boundary of the property. The Developer will protect wetland areas through a combination of BMPs; SWFWMD and FDEP Environmental Resource Program (ERP) permitting criteria; compliance with the rules and regulations of the U.S. Environmental Protection Agency (EPA) and compliance with NPDES regulations.
- E. DRAINAGE – The Sunrise site is characterized by rolling hills, permeable soils and closed-basin drainage. Current drainage on the site occurs within and between the individual basins that comprise the site. No surface streams or other natural conveyance features provide discharge from the project site. The drainage system will be designed and constructed to retain stormwater on site in accordance with the Environmental Resource Permitting (ERP) regulations of SWFWMD. The Developer shall develop a grading plan that utilizes the pre-development topography to the maximum extent reasonably feasible. The grading plan will be provided to the County at the time of, and in connection with, each conditional plat, or functional equivalent, application.

#### LIST OF PLANNED PUBLIC IMPROVEMENTS

On site wastewater pump stations, force mains and water lines will be constructed by the owner/developer and dedicated to the County in accordance with the Sunrise Development Water and Sewer Service Agreement, along with the dedication of necessary easements and tracts.

#### STATEMENT OF DEVELOPER'S INTENT WITH RESPECT TO CONSTRUCTION OF IMPROVEMENTS PRIOR TO RECORDING SUBDIVISION PLAT OR BONDING INSTRUMENTS

Public improvements will be constructed or bonded prior to final platting.

#### DEVELOPMENT SCHEDULE

Development is anticipated to begin in 2023.,

#### ADEQUATE ACCESS ANALYSIS

The surrounding highway network consists of Interstate 75 and State Road 50, both



operating at very good levels of service due to recent improvements by the Florida Department of Transportation. Kettering Road, which bounds the property to the east is also operating at a very good level of service and is planned for eventual expansion to four lanes with anticipated industrial and residential development within the SR 50/I-75 PDD. The developer will provide needed right-of-way for any portion of Kettering Road contiguous with and adjacent to Sunrise's eastern boundary, with all right-of-way for Kettering Road being deemed Compensable Right-of-Way pursuant to the Development Agreement.

The developer will construct Sunrise Parkway, an I-75/SR 50 PDD designated collector roadway running N-S through the project, which will provide primary access to all elements of the community from SR 50 to the southernmost housing pods. The right-of-way will extend from S.R. 50 south to the southernmost boundary of Sunrise. Any portion of the Sunrise Parkway right-of-way which is deemed Compensable Right-of-Way pursuant to the I-75/SR 50 PDD will be compensable to the party conveying the right-of-way at fair market value, in cash or through issuance of Roads Impact Fee and Roads Impact Fee Surcharge credits.

The developer will also provide right-of-way and construct the extension of Cracker Crossing Boulevard, a parallel collector road to SR 50, from its existing terminus at Sunrise Parkway, eastward to its intersection with Kettering Road. Any Compensable Right-of-Way pursuant to the I-75 SR 50 PDD shall be subject to the same Compensable R/W provision. The Cracker Crossing extension also shall be deemed to satisfy the County's Frontage Road Ordinance and Facility Design Guidelines, as applicable to the portion of the Development's mixed-use area.

A second E-W collector road from Sunrise Parkway to Kettering Road is anticipated to be located at the identified potential school site (generally as shown on the proposed Zoning Master Plan) or at the southern boundary of Sunrise (Dashback Street). If located at Dashback, the future construction will be the responsibility of others, with the Sunrise developer providing compensable right of way, pursuant to the Development Agreement. If located as shown on the Zoning Master Plan, construction of the roadway to the school site boundary will be the responsibility of the Sunrise developer, with ROW and construction compensable pursuant to the Development Agreement

#### DEVELOPMENT OF REGIONAL IMPACT STATEMENT IF REQUIRED

The existing DRI is being terminated as part of this zoning and development agreement process..

#### WATER SUPPLY AND SEWAGE DISPOSAL PLANS

The Developer will enter into a Water and Sewer Service Agreement with the Hernando

County Utilities Department (HCUD) pursuant to standard terms and conditions applicable within Hernando County; provided, however, that the service commitment shall be consistent with the Sunrise Development Agreement. On site wastewater pump stations, force mains and water lines will be constructed by the owner/developer and dedicated to the County in accordance with the Water and Sewer Service Agreement, along with the dedication of necessary easements and tracts.

#### REQUESTED DEVIATIONS

Residential Lot Sizes – 40' wide lots, villas and townhomes all require a deviation from the LDR minimum lot size of 6,000 square feet. The requested reductions are consistent with recent projects approved by the County.

Residential Lot Setbacks – The request to reduce side setbacks to 5 feet (0 feet for villas and townhomes) and rear setbacks to 15 feet are consistent with recent projects approved by the County and can reasonably be achieved thru good engineering.