

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

PROCEEDINGS: Public Hearing Re: File No. H2482
Rezoning Petition Submitted by Mark
Keschl of Meridien Development, LLC
on Behalf of Haber

DATE: August 5, 2025

PLACE: Hernando County Courthouse
20 North Main Street
Brooksville, Florida

TRANSCRIBED BY:

CARLA GAIL DONATO
Court Reporter

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P R O C E E D I N G S

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CHAIRMAN HAWKINS: Okay. We're moving on to public hearings.

Mr. Administrator, can you please read entry of the proof of publication into the record?

MR. ROGERS: Public hearing items in the Hernando Sun, items E 1 and E 2, published on July 25, 2025. Public hearing items E 3 through E 10 were published in the Hernando Sun, published on May 30, 2025.

CHAIRMAN HAWKINS: Mr. Jouben, can you please poll the commissioners for ex parte communications?

MR. JOUBEN: Yes, sir.

Commissioner Champion?

COMMISSIONER CHAMPION: Yes.

MR. JOUBEN: Commissioner Allocco?

COMMISSIONER ALLOCCO: Yes.

MR. JOUBEN: Commissioner Amsler?

COMMISSIONER AMSLER: Yes.

MR. JOUBEN: Commissioner --

COMMISSIONER CAMPBELL: Campbell?

MR. JOUBEN: -- Campbell?

1 COMMISSIONER CAMPBELL: Yes.

2 MR. JOUBEN: Sorry, Jerry. Blank there
3 for a second.

4 And Mr. Chairman?

5 CHAIRMAN HAWKINS: Yes.

6 MR. JOUBEN: Then I'll give my standard
7 admonition that when making today's decisions
8 on the quasi-judicial items before you, you
9 may only consider the evidence that's either
10 admitted into evidence as part of the agenda
11 packet or is presented in today's hearing and
12 that's all you may consider. Thank you.

13 COMMISSIONER CAMPBELL: Understood.

14 CHAIRMAN HAWKINS: Anyone in the audience
15 that plans to speak, thinks they will speak,
16 or possibly may speak, if you feel the
17 intuition to speak, please rise as the clerk
18 administers the oath. If there's an
19 opportunity or a chance, please rise now and
20 be administered.

21 THE CLERK: Do you swear or affirm that
22 the testimony you're about to give is the
23 truth, the whole truth, and nothing but the
24 truth?

25 THE WITNESSES: (Indicating

1 affirmatively.)

2 * * * * *

3 CHAIRMAN HAWKINS: We're on to item 8,
4 and that is E 8, correct? Yes.

5 MS. MILLER: Michelle Miller, for the
6 record. The item E 8 on your agenda is a
7 rezoning petition submitted by Meridien
8 Development, LLC. The request is a rezoning
9 from PDP(SU)/Planned Development Project
10 (Special Use) to Planned Development Project
11 (General Commercial) with a specific C-2 use
12 for a drive-in restaurant with deviations.

13 This property has been in front of the
14 board a couple of times previously. This, I
15 believe, is the third time it's been in front
16 of the board. In this particular instance
17 the petitioner is proposing a five-block
18 commercial subdivision for various commercial
19 uses, including retail, restaurants,
20 financial institutions, medical and dental,
21 and business professional offices.

22 At the Planning and Zoning Commission
23 there was significant conversation related to
24 access to the proposed development. The P
25 and Z did recommend to completely eliminate

1 all access to Pinehurst Drive from the
2 subject site and they agreed that the
3 connection -- the frontage road connection to
4 the northern parcel was absolutely critical
5 to the project's success.

6 In discussion with the petitioner, they
7 are in full agreement with both of those
8 requests and they support the elimination of
9 the access to Pinehurst and are in agreement
10 that they will coordinate as necessary with
11 the owner to the property of the north --
12 owner of the property to the north, rather --
13 in order to facilitate any frontage road
14 connection that's necessary there.

15 And with that, I'd turn it over to the
16 petitioner for details on the project and to
17 answer any questions that you might have.

18 CHAIRMAN HAWKINS: Commissioner Allocco?

19 COMMISSIONER ALLOCCO: Before we move
20 forward maybe you can explain to me Planning
21 and Zoning. This has come before us and that
22 was the requirement in the past for any
23 further consideration, and yet they still
24 don't have that access, so why are we here?

25 CHAIRMAN HAWKINS: Right.

1 MS. MILLER: So the property to the north
2 is not owned by the petitioner.

3 COMMISSIONER ALLOCCO: Well, I get it.

4 MS. MILLER: And so in order to
5 facilitate that coordination, they wanted to
6 have the entitlements in place so that way
7 they can understand what that connection
8 might look like prior to any site development
9 permitting that would come in for the site.
10 They would then be required to coordinate and
11 to figure out was that frontage road --

12 COMMISSIONER ALLOCCO: Is that really how
13 it would work? Or would it just be that
14 they, well, you already gave us the approval
15 and we can't get it there, so then we'll just
16 go with this plan instead?

17 MS. MILLER: No, sir, because it's
18 actually specifically identified as --

19 COMMISSIONER ALLOCCO: Right.

20 MS. MILLER: -- condition number 11, and
21 so we could not approve the site
22 development --

23 COMMISSIONER ALLOCCO: Correct.

24 MS. MILLER: -- without that frontage
25 road connection.

1 COMMISSIONER ALLOCCO: I just -- I have
2 it -- I find it difficult. I'm just going to
3 say this. I was on here. I think Steve was
4 here for both of the previous iterations.
5 And from the very first one that's always
6 been the issue we've said. Nothing on
7 Pinehurst, and I know it came through with
8 one on Pinehurst that they're saying they
9 don't need. And nothing until you have
10 actual access to the north.

11 And again, we're back here, don't have
12 access to the north yet, and -- and I just --
13 we're going to hear the exact same people who
14 were here the last two times are going to get
15 up and they're going to speak, and we'll hear
16 the new -- we'll hear the new explanation
17 from the -- of the applicant. But it's been
18 the same every time. And -- and so I'm
19 just -- I'm just trying to figure out why
20 we're even here right now.

21 CHAIRMAN HAWKINS: I -- thank you,
22 Commissioner Allocco for kind of bringing up
23 the same point. I was -- I was on the board
24 the last time this came through. Exactly the
25 same sentiment.

1 You know, the one thing that -- that --
2 and I appreciate it -- the elimination of any
3 access on Pinehurst. That was not -- that
4 was not proposed last time. The traffic flow
5 in that area has changed significantly since
6 the last time that you've been here, as well
7 as some updates in regards to medians and the
8 closure of Pinehurst Drive across that -- at
9 that access and kind of cutting off those
10 things and making different turn lanes, which
11 I doubt are probably in this presentation,
12 but I'll wait to see if that's the case.

13 And then, you know, just the overall -- I
14 think the density of this. I would like to
15 see if that's reduced. It doesn't look --
16 subjectively it doesn't look like it's been
17 reduced from the last iteration of this.

18 So those are all things that are, I
19 think, extremely large hurdles for you guys
20 to get over. I think it's important for you
21 to understand that going into it.

22 You know, this was -- this was designated
23 as green space in Hernando County for a long
24 period of time, and, you know, this just
25 seems like a very intense use of that

1 particular parcel. So at that point I have
2 no other further comments and I see no other
3 lights on, so if you'd like to start, sir,
4 you're more than welcome.

5 MR. CONROY: Yes, hi. Thank you. And I
6 think we've done a lot of investigation on
7 this site, so hopefully we can allay -- we're
8 not going to be at the same dead end that
9 prior developers were at that couldn't commit
10 to closing off to Pinehurst and couldn't
11 commit to connecting to the north road,
12 because we've done that research and I can go
13 through that.

14 So I have a very brief summary of our
15 project. I think the planning staff did a
16 good job in their staff report going through
17 all the particulars and all the conditions.
18 I just want to -- we can start off with
19 respect to the zoning.

20 You can see it's commercial zoning up and
21 down State Route 19. To the north,
22 commercial zoning with Winn Dixie; to the
23 west, with Walmart; and to the south, with
24 another shopping center. Even on a portion
25 of Pinehurst, a portion of that is also

1 commercial zoned property. And just the
2 portion that's north of that commercial is
3 residential property that we acquired.

4 Currently the site is vacant. We do feel
5 this is a very good infill site to take
6 advantage of the traffic and to take
7 advantage of the fact that it's surrounded by
8 commercial. It meets the definition of an
9 infill site, which is one of the goals for
10 the Comprehensive Plan. And so we feel it's
11 appropriate to rezone this.

12 Right now the site is vacant other than
13 for a homeless camp. There's a large
14 homeless camp in the middle of the site.
15 Just -- you can see it. Just the garbage and
16 such that they're generating is not really
17 appealing.

18 This was our initial site plan and this
19 is a site plan that you correctly would say
20 that it's the same plan that you've turned
21 down in the past. It's a little bit
22 different than the plan in the past in that
23 this was the earlier plan. They had proposed
24 six or seven out-lots, one of them being a
25 Wawa, which is much more intense than what

1 we're proposing.

2 We're proposing five out-lots and not
3 something the size of a Wawa that would
4 generate traffic and trucks and things of
5 that nature.

6 CHAIRMAN HAWKINS: Mr. DePablo, where is
7 that particular rendition located in our
8 agenda packet for the site plan?

9 MR. DEPABLO: The original?

10 CHAIRMAN HAWKINS: No, sir, the updated.

11 MR. CONROY: We have -- you want to see
12 the most updated plan?

13 CHAIRMAN HAWKINS: Because I'm not seeing
14 it in the agenda packet. It was not
15 provided. It was not provided.

16 COMMISSIONER CHAMPION: There's one that
17 was similar.

18 CHAIRMAN HAWKINS: The one that -- no,
19 that's not it. That's the old --

20 MR. CONROY: I have it here. What I was
21 going to try to do is talk through the old
22 plan. So this is the newest plan that we
23 generated. I wanted to explain a little bit
24 about how we got to this plan.

25 MR. JOUBEN: I'm asking --

1 CHAIRMAN HAWKINS: It's not. I don't see
2 it in the agenda packet. It's not.

3 MR. JOUBEN: So right now this still has
4 to be admitted into evidence. We don't have
5 it.

6 CHAIRMAN HAWKINS: Do you have enough
7 copies to supply the board?

8 MR. CONROY: Yes, we do. Yes, we do.
9 And I wanted to explain a little bit about
10 how we got to this plan. Specifically, when
11 we left the P and Z meeting back in June, we
12 were given a condition we have to connect to
13 the north parcel -- or the north frontage
14 road and we have to eliminate the Pinehurst
15 connection.

16 We had located our connection to
17 Pinehurst across the street from the
18 commercial, so we thought that would be more
19 acceptable. And our biggest concern was on
20 connecting -- connecting to the north
21 frontage road was very difficult because the
22 road stops approximately 100 feet.

23 This is a picture where -- this is our
24 property line, the north property line. This
25 is where the road, the frontage road stops.

1 It's about 100 feet, maybe 120 feet. There's
2 a gap.

3 And number one, we didn't know at the
4 time if we had the legal right to connect to
5 that north frontage road. And number two,
6 the challenge --

7 CHAIRMAN HAWKINS: Sir, if I may, for
8 orientation purposes, can you turn that
9 completely 180?

10 MR. CONROY: I can but this is kind of
11 north, going up. This is going up the same
12 orientation as this. It's a zoom-in of this
13 area right here.

14 CHAIRMAN HAWKINS: Okay.

15 MR. CONROY: This is the Suncoast here
16 and this is the frontage road that comes down
17 and into --

18 CHAIRMAN HAWKINS: I can see it.

19 MR. CONROY: -- the Suncoast parking lot.

20 CHAIRMAN HAWKINS: Thank you. I can see
21 it. Thank You.

22 MR. CONROY: Yeah, it's a little --
23 little -- so we have, number one, we had a
24 gap that we had to figure out can we legally
25 close that gap and can we construct it even

1 if we wanted to.

2 Number two, this floodplain area is
3 compensatory storage for the floodplain. So
4 then we had to look and evaluate whether we
5 could, from a civil engineering standpoint
6 get that to be modified, get that to be
7 relocated, and put that in a ball.

8 Since June we've done a lot of research.
9 Our legal counsel can speak to the fact that
10 he's comfortable based on information your
11 County Engineer was helpful in providing us.
12 He's comfortable we can have the legal
13 rights -- with the help of the County and the
14 help of Suncoast -- we will have the legal
15 right to connect to that road.

16 We had to determine that before I could
17 take that next step on eliminating Pinehurst,
18 because the site doesn't work without one or
19 the other. Once we determined the legal --
20 we had the legal right to connect, we then
21 talked to the civil engineer and he felt very
22 comfortable and he gave us confidence that we
23 would be able to, from an engineering
24 standpoint, solve the floodplain issue.

25 As long as we can solve the floodplain

1 issue, that makes the connection to the north
2 road feasible. It's still a substantial
3 cost, but it made it feasible. It's -- and
4 we understand that we'd be bearing that cost
5 to make this happen.

6 In addition -- sorry, just lost my train
7 of thought. So that would allow us to
8 eliminate the Pinehurst -- any connection at
9 all to Pinehurst and simply rely on this
10 north road connection.

11 Not -- once we've determined it was
12 feasible, we also had to talk to some of our
13 tenants because we didn't want to find out
14 that without connection to Pinehurst, some of
15 the tenants would bail on us. We had three
16 tenants lined up; a coffee user, a
17 quick-serve chicken, and a quick-serve
18 hamburger place. One of them did decide to
19 not move forward because of the loss of the
20 Pinehurst access, but the other two agreed to
21 move forward as long as we can connect to the
22 north frontage road.

23 So based on that research from my
24 engineer, from my legal team, and from the
25 tenant response, we feel that we could still

1 go forward with this and this would still be
2 economically viable for us to move forward
3 and do this development.

4 We're looking for the prior use -- the
5 prior -- this prior developer that proposed
6 six or seven out-lots, they were looking at
7 doing 65,000 square feet of retail. We're
8 looking to do less than 22,000 square feet,
9 so it's a much less intense use. I know
10 that's been a concern of some of the people
11 as well.

12 CHAIRMAN HAWKINS: Sir, what are the --
13 with that intensity, with lot one and lot two
14 and lot five, are those -- are those being
15 held for potential development in the future?

16 MR. CONROY: Yes. Yes. We just don't
17 have them spoken for.

18 CHAIRMAN HAWKINS: So you're talking
19 about the 22,000 square feet as presented --

20 MR. CONROY: All five.

21 MR. KERTH: Total.

22 MR. CONROY: All five total.

23 CHAIRMAN HAWKINS: Please --

24 MR. KERTH: Got you. No problem, sir.
25 Thank you.

1 CHAIRMAN HAWKINS: So 22,000 total with
2 all lots, not just what's presented today?

3 MR. CONROY: Correct. Correct.

4 CHAIRMAN HAWKINS: Commissioner Allocco,
5 do you have a question, sir?

6 COMMISSIONER ALLOCCO: I do. I'm just --
7 I'm trying to follow the -- I'm trying to
8 follow the time line. Because you did take
9 this to Planning and Zoning with all the
10 things that it was denied for last time and
11 that's why I'm kind of confused.

12 And -- and, again, and I'm not personally
13 comfortable approving something based off of
14 what you might be able to get in the future
15 and that's where I'm hung up on this. For me
16 to be comfortable with this, you'd have to
17 come back to me and say, we have approval of
18 this connection. Not a potential connection,
19 but you actually have an agreement in place
20 to move forward.

21 Because you don't get -- and so we're not
22 approving this based off -- you're asking us
23 to approve it with a condition that maybe you
24 can do this in the future. And that's where
25 I'm hung up.

1 MR. CONROY: Well, I will say the prior
2 developer had two curb cuts on Pinehurst, one
3 of them directly across from the residential.
4 We've eliminated that, reduced it to one, and
5 then we shifted that entrance southward to be
6 across from the commercial so that it
7 wouldn't disrupt the residential. So that is
8 a substantial change in what the previous one
9 proposed.

10 And as far as what we hope to do, this is
11 not what we hope to do. We will connect to
12 that north frontage road.

13 I can't -- I can't guarantee that I have
14 a SWFWMD permit until I get approval here
15 from the board, then do the engineering
16 plans, then submit to SWFWMD. But I can tell
17 you our engineer, Bohler Engineering, has
18 been very confident that that is a solvable
19 engineering issue and it's a permitable
20 engineering issue.

21 And our attorney can speak to as far as
22 the feasibility and the -- go ahead.

23 MR. BENDA: Thanks, Jim. Kyle Benda from
24 Benda Law. Thank you, Commissioners, for
25 hearing this.

1 As far as the ability to connect, which
2 is I think what your concern is, is you're
3 going to approve it and then there's never
4 going to be a road that connects the frontage
5 road there.

6 So I think on one -- one aspect is
7 because this is a planned development project
8 you are approving this exact plan. If this
9 plan doesn't get built, there's no vested
10 entitlement to build anything. Right? So
11 you'll have a rezoning that says this is
12 permitted, but then when you go for
13 construction permits they're not going to get
14 anywhere because you don't have the
15 preconditions required like what Ms. Miller
16 was saying.

17 But the property to the north is a
18 commercially platted piece of property.
19 Right? So the Winn Dixie, the SunTrust, all
20 of those are part of a plat. And in that
21 plat there was that little strip just to the
22 north -- I can kind of -- like this little
23 strip right here to the north that we've been
24 talking about was in the plat reserved for a
25 future right-of-way.

1 I think a few years later after the -- I
2 don't think it was a few years, but when the
3 SunTrust was building the bank itself, they
4 basically needed to rearrange their drainage
5 for that property, right, to meet the
6 compensatory storage with the floodplain
7 that's on those properties.

8 And I believe Coastal Engineering was the
9 engineer of record who did that application,
10 but as part of that there was a deed of
11 dedication specifically from SunTrust to the
12 County for right-of-way in that exact same
13 area.

14 So I think Mr. Crosby can speak to it.
15 I received documents -- our team received
16 documents from Mr. Herring about that whole
17 scenario on how that -- how that happened,
18 and kind of confirmed that the County does
19 have right-of-way there. Right? There was a
20 dedication of right-of-way for this
21 ingress/egress purpose. So that, you know,
22 SunTrust, no one can contest that. You know,
23 no one can contest building a road in that
24 area.

25 The -- I think the little wrinkle is the

1 engineering, right? And that's kind of the
2 timeline of Planning and Zoning and then
3 working with the County Engineer, Department
4 of Public Works, our own engineering team
5 about the feasibility to then create this
6 plan to provide the commission what we
7 believe the commission wanted from all of the
8 previous iterations of this project.

9 So that was able to be made happen.
10 Right? The right-of-way is there. We may
11 need maybe a small agreement or maybe
12 Mr. Crosby can come on the record and just
13 kind of confirm that the County would allow
14 the use of that right-of-way, or at least
15 acknowledge that it exists for us to make
16 that connection.

17 But it's going to require a modification
18 of the SWFWMD permit for SunTrust. Right?
19 So there's going to have to be a private
20 agreement between my client and SWFWMD -- or
21 not SWFWMD, but SunTrust, basically for them
22 to allow us to apply to SWFWMD in their name
23 to modify that permit. And then we have to
24 meet those requirements for SWFWMD.

25 That leads me to Section 125.022 (5) of

1 the Florida Statutes, which states that,
2 quote, "For any development permit
3 application filed with the county after July
4 1, 2012..." -- rezoning is a development
5 permit application -- "...a county may not
6 require as a condition of processing or
7 issuing a development permit or development
8 order that an applicant obtain a permit or
9 approval from any state or federal agency."

10 So you can't deny this saying, oh, you
11 need to get -- because you can't -- you don't
12 have a SWFWMD permit right now, we're going
13 to deny it. But, you know, if you approve
14 the rezoning and SWFWMD says we're never
15 going to modify this permit, the project
16 fails anyway. All that's lost here is the
17 time and money to get to this point, but --
18 so I'll leave it at that. If you have any
19 questions I'll --

20 CHAIRMAN HAWKINS: We have some lights on
21 here. Commissioner Champion?

22 COMMISSIONER CHAMPION: Thank you. I
23 don't have a problem with this as long as we
24 can confirm we can connect to the
25 right-of-way. Because, I mean, you're not

1 going to go spending thousands and thousands
2 of dollars trying to -- trying to mitigate
3 this if you don't have an approval.

4 And if it's contingent upon that, then
5 it's contingent upon that. I mean, it's
6 not -- I'm more concerned about what the
7 citizens have to say about it, especially
8 since you -- if we're cutting off the access
9 to Pinehurst.

10 So what problems would they have with it?
11 I mean, I know no one really wants anything
12 in their back yard, but it is commercial
13 property. It is on 19. But we don't want
14 people going down Pinehurst and cutting
15 through neighborhoods either. So I'm
16 interested to hear what they have to say.
17 Thank you.

18 CHAIRMAN HAWKINS: Commissioner Amsler?

19 COMMISSIONER AMSLER: Was this in the
20 original advertised packet? So can we
21 legally even vote on this?

22 MR. JOUBEN: It would depend on what we
23 advertised.

24 MS. MILLER: So if I may? The use --
25 the use has not changed. The petitioner has

1 been working through the issues as identified
2 by the Planning and Zoning Commission.
3 Unfortunately, we were not made privy to
4 that -- to the most recent master plan until
5 the hearing today. However, it's --

6 COMMISSIONER AMSLER: Did anyone -- did
7 anyone see this before today?

8 MS. MILLER: No, sir. But since the use
9 has not changed, the board can accept it as
10 evidence and consider it as part of your
11 decision today. It just was not included in
12 the packet previously, as we were not privy
13 to it (indiscernible.)

14 COMMISSIONER AMSLER: I think -- I think
15 this is more a continuance situation. If he
16 can go get the road taken care of, I think it
17 would be -- he'd be in a much better position
18 before this particular board. Getting into
19 all the legal jargon, I don't really have an
20 appetite for on this project. I think you go
21 get the proper permissions to develop this or
22 you don't develop it.

23 COMMISSIONER CHAMPION: Well, he's saying
24 he does have the right-of-way.

25 MR. BENDA: If I may?

1 COMMISSIONER AMSLER: He's saying no one
2 can contest it. Which, I mean, he's on the
3 record as an attorney. I mean, I think it
4 could be contested. But I could be wrong,
5 known to be wrong. It's just my two cents.
6 We'll see what everyone has to say on that.
7 But back to you, Mr. Chair.

8 CHAIRMAN HAWKINS: All right. Thank you,
9 Commissioner Amsler.

10 I guess the thing that caught me off
11 guard, and just full transparency, is that
12 the site plan that was in our agenda packet
13 that we prepared for, right, coming into this
14 hearing is much different than what was
15 presented to us today. And this is the first
16 time that -- you know, Planning and Zoning
17 didn't even see this rendition. They voted
18 basically to put those conditions into your
19 plan. Right? Which I understand.

20 I appreciate you setting this or giving
21 this to us because to Commissioner Champion's
22 point, you know, the frontage road, this is
23 obviously updated and is a little bit more,
24 you know --

25 MR. BENDA: Is what you wanted, is it

1 not?

2 CHAIRMAN HAWKINS: Well, the thing
3 that -- the thing that I would like to see
4 personally -- and I don't know if it's --
5 this is me being personal and just saying --
6 is to remove -- and I'd like to hear from the
7 public on this, too -- but just removing the
8 possibility of lot one or lot two from the
9 plan.

10 COMMISSIONER AMSLER: I was thinking
11 similar.

12 CHAIRMAN HAWKINS: Yeah. So when you
13 talk about that particular intersection --
14 been here a long time, you know, since 2007.
15 A lot of people in the neighborhood here.
16 That is a -- and we're updating that
17 transportation currently in that intersection
18 because it's an extremely dangerous
19 intersection. It has -- only has two turn
20 lanes to the south, one to the north, and
21 then one to the west.

22 The reason that Pinehurst was such a big
23 sticking point for me initially was because
24 of it acting kind of as its own frontage
25 road, which is being kind of abused today, to

1 be honest.

2 You know, lots one and two are kind of
3 that -- that area of kind of uncertainty of
4 what's going to happen with that intersection
5 as it continues to, you know, to grow in the
6 future and those types of things.

7 And the other thing that I want to be
8 clear on is that there was a lot -- when this
9 first came out, this -- we had a commissioner
10 actually kind of run a campaign based on this
11 -- on the fountain being removed for this
12 particular project, which couldn't be further
13 from the truth. I think we need to have
14 clarity on that.

15 COMMISSIONER AMSLER: He got elected, by
16 the way.

17 CHAIRMAN HAWKINS: I know. I just -- I
18 want to say that that was never -- that was
19 never a part of this, nor would it ever be a
20 part of it. I think that needs to be on the
21 record.

22 COMMISSIONER CAMPBELL: It was
23 effective, apparently.

24 CHAIRMAN HAWKINS: It was effective.

25 COMMISSIONER CHAMPION: A hundred

1 percent.

2 CHAIRMAN HAWKINS: So, you know, it -- to
3 me -- and this is just a personal preference,
4 you know, as that intersection continues
5 to -- because there may be a need for two
6 right lane turns, you know, two, you know,
7 cross-section turns; two turns, you know, an
8 expansion of that, you know, for broader
9 discussion as we're -- as we're trying to
10 work through this today.

11 Commissioner Allocco?

12 COMMISSIONER ALLOCCO: I want to go back
13 to Mr. Benda's comment about what couldn't be
14 required. For you to get any of those things
15 that you said we couldn't have it dependent
16 upon, you would still have to have some sort
17 of memorandum of understanding with the
18 actual property owner, which is Suncoast
19 Credit Union, right, for you to even apply to
20 modify their permit?

21 And that's basically what's happened in
22 the past, is that -- my understanding is that
23 whoever the previous developer was, they
24 couldn't come to an agreement to modify that.
25 And so you haven't provided -- if you had

1 that, we would be -- again, it's just -- it's
2 just -- there's so much of this, well, we can
3 get this, we can get that, we can get this,
4 we can get that, and then the community gets
5 in an uproar because they don't have any --
6 any confidence as to what's actually
7 happening.

8 And I'm a little frustrated that we just
9 got this today.

10 MR. CONROY: I can say -- just to try to
11 allay your -- increase your confidence, we
12 have had discussions with Suncoast. I've
13 actually had a meeting with them on site.
14 They've actually given me this site plan,
15 which was their original civil engineering
16 plan to help us try to figure out the
17 engineering aspect of it.

18 This is actually their civil engineering
19 plan from Suncoast. So we've had discussion
20 with them. I've had face-to-face meeting
21 with two or three of them and they've
22 indicated verbally that they'll work with us.
23 They'd love to see something developed to the
24 south of them so that that frontage road
25 continues south.

1 CHAIRMAN HAWKINS: Okay. Mr. DePablo, is
2 the future land use for this particular
3 parcel residential or commercial? What does
4 the Comp Plan say?

5 COMMISSIONER ALLOCCO: It says it's
6 landscape buffer.

7 MR. DEPABLO: It's residential.

8 CHAIRMAN HAWKINS: Okay. So why are we
9 not doing a Comp Plan amendment prior to any
10 of this?

11 MR. DEPABLO: The Comprehensive Plan does
12 allow infill without a Comp Plan amendment as
13 long as it's on an arterial road and it has
14 proper ingress and egress, so that's the
15 position staff took. But in any other
16 scenario, if there was no commercial
17 designation to the north --

18 CHAIRMAN HAWKINS: But the arterial road
19 has been taken off the table at this point?

20 MR. CONROY: 19.

21 MR. DEPABLO: 19.

22 CHAIRMAN HAWKINS: 19? Okay.

23 MR. DEPABLO: Yes, sir

24 (Simultaneous speaking.)

25 CHAIRMAN HAWKINS: Not a connector road.

1 Understood.

2 MR. DEPABLO: And so it meets infill
3 policies. We don't have many scenarios left
4 like this from a Comp Plan standpoint in the
5 county, but there are policies and strategies
6 in place that do afford a land owner to move
7 ahead without a full-blown Comp Plan
8 amendment.

9 CHAIRMAN HAWKINS: Mr. Jouben?

10 MR. JOUBEN: I just want to circle back
11 to a comment that Commissioner Amsler had
12 made earlier that the board had discussed.

13 This is a rezoning to a PDP and we
14 have -- no one's seen this site plan.

15 CHAIRMAN HAWKINS: Right.

16 MR. JOUBEN: Can you address whether or
17 not -- or this is maybe for the applicant,
18 Mr. Benda -- how we have adequate public
19 notice of this application?

20 CHAIRMAN HAWKINS: Well, and to that
21 point, I think the public is kind of in the
22 same position as we are as what we've
23 digested as the site plan, which is
24 completely different from today.

25 MR. BENDA: So if I may? And I agree

1 with Mr. Jouben. It is what Commissioner
2 Amsler is getting at is a due process issue,
3 right? A public notice issue.

4 But if you look at the conditions in the
5 staff report from the Planning and Zoning
6 Commission, particularly condition 12, it
7 takes out a bunch of language and says there
8 shall be no access to Pinehurst.

9 So it was considered by Planning and
10 Zoning. Obviously there's engineering that
11 has to be done by third parties who can
12 complete it. But if you look at the original
13 application, this frontage road connection
14 was always shown on the original plan. It
15 was really just the access to Pinehurst on
16 the south end. Right? But because Planning
17 and Zoning said we're giving a recommendation
18 of approval if there's no access to
19 Pinehurst, right, well, you just block that
20 off and it's the same plan.

21 And you can still see the connection to
22 the north and now we've just kind of made it
23 more apparent that that is the only thing
24 that we are seeking.

25 And then to Commissioner Allocco's point,

1 if you look at condition 25 in the staff
2 report, which is going to be in every
3 rezoning that y'all ever approve or deny or
4 consider, is the petitioner shall provide a
5 revised plan in compliance with whatever it
6 is y'all approve. Right?

7 So, so many instances -- I would say
8 almost every PDP you're going to have a plan,
9 and then you're going to issue a new
10 condition that's going to change portions of
11 that plan, and then the applicant has a
12 certain amount of time to resubmit a new plan
13 that reflects what y'all have approved.
14 Right?

15 So I think we're in a similar situation
16 here, right? Planning and Zoning said no
17 access to Pinehurst. The applicant said,
18 okay, to do that we need to connect to the
19 frontage road to the north. And that issue
20 is properly within all of the pleadings -- or
21 not the pleadings -- but the application
22 packet since this was submitted.

23 I think the very initial plan showed a
24 potential connection to the frontage road to
25 the north, so I don't think there's a problem

1 with notice. You know, no one was coming
2 here not prepared to talk about Pinehurst or
3 that frontage road.

4 CHAIRMAN HAWKINS: On your side. I
5 understand that.

6 MR. BENDA: I think everyone was going to
7 come up here and object to access to
8 Pinehurst. And pulling traffic off of
9 Pinehurst, the only way to do that is by
10 connecting to that north frontage road.

11 MR. CONROY: And just for the record,
12 that north frontage road is shown on this
13 site plan because the original site plan
14 submitted is a dotted line. Because at that
15 time we didn't know we could connect to the
16 north frontage road so we said should a
17 connection to the north frontage road,
18 because prior applicants were told if that
19 connection is ever made available, you guys
20 will have to extend your road. So we had
21 that delineated on this site plan as well.

22 MR. BENDA: And I think the prior
23 applicants took the position that they could
24 not connect to that frontage road where, you
25 know, through some -- you know, I think

1 working with the Department of Public Works,
2 that's the confirmation that y'all might
3 want. You know, some kind of right-of-way
4 use agreement, if y'all want to do that.

5 But, you know, the SWFWMD issue and then
6 the issues with drainage to build the road
7 across that point, I think is covered by
8 Section 125.022(5).

9 But to kind of bring it full circle, the
10 scope of today's proceeding is that the
11 applicant has to show that this proposed plan
12 is consistent with the Comprehensive Plan.
13 Which based on the infill development
14 principles and, you know, dealing with
15 commercial 19 and the commercial infill,
16 complying with all those requirements in the
17 Comprehensive Plan, I would contend that the
18 applicant has met their burden to show that
19 it's consistent with the plan. Right?
20 Nineteen is commercial up and down 19.

21 So now the -- kind of the tenor of the
22 meeting turns to the County has to point to
23 some competent, substantial evidence that
24 there is incompatibility with the surrounding
25 land uses or some kind of non-compliance with

1 the code requirements or the, you know, the
2 Comprehensive Plan as a whole, so.

3 CHAIRMAN HAWKINS: Understood. Thank
4 you.

5 Commissioner Amsler?

6 COMMISSIONER AMSLER: Thank you,
7 Mr. Chairman. Just for a frame of
8 reference -- and correct me if I'm wrong,
9 Attorney Jouben -- we potentially have the
10 right and legal basis to deny this if
11 infrastructure is lacking or the change
12 adversely affects adjacent uses. We have
13 solid footing on that.

14 And this has also basically been a buffer
15 for -- since the inception in 1967 of the
16 community, correct? Omar may know part of
17 that answer.

18 But either way, this is all based on a
19 hypothetical. You've presented it like this
20 is a done deal on this road, but if that road
21 doesn't happen we've already rezoned it at
22 that point and then you can reimagine the
23 project to remarket it in a different way.

24 MR. JOUBEN: The question I would -- I
25 would respond to that with a question to

1 staff.

2 If it's approved at this rezoning and the
3 road is not available or constructed, what
4 would be -- in the capacity as administrative
5 official, what would be -- would they -- what
6 density and intensity uses would be inherent
7 in the parcel? None?

8 MR. DEPABLO: None. I mean, basically
9 the project will sit with what would seem
10 like entitlements but failure to meet them
11 would make the project null and void, if that
12 makes sense.

13 MR. JOUBEN: That answers part of the
14 question. The standard for rezonings is
15 always the same. You have to comply with the
16 procedural requirements of the zoning code
17 and you have to -- the applicant has to show
18 by competent and substantial evidence that,
19 you know, its burden. And then the burden
20 shifts back to the County.

21 So whether it's -- I don't think it's
22 residentially -- the fact that it's been
23 treated as a buffer historically is not going
24 to factor in. It's a question about whether
25 or not it's compliant with the Comp Plan and

1 meets all the normal standards for rezoning.

2 Did I answer that or did I make everybody
3 more confused?

4 (Simultaneous cross-talk.)

5 MR. BENDA: If I could add to that?

6 COMMISSIONER AMSLER: I think we should
7 probably go to the public.

8 CHAIRMAN HAWKINS: Commissioner Allocco?

9 COMMISSIONER AMSLER: I think we should
10 go to the public.

11 CHAIRMAN HAWKINS: Yeah. Commissioner
12 Allocco?

13 COMMISSIONER ALLOCCO: Looking at your
14 number 23, your buffer requirements, another
15 one of the things that's a little -- that is
16 a concern for the community -- I don't know
17 if you're picking me up or not -- if you look
18 at your design, it says 25-foot landscape
19 buffer along US 19.

20 You know, this has been a community
21 buffer for many years, you know, and it's
22 kind of nice when you're going up US 19. You
23 don't see all the nastiness in the woods that
24 you just showed pictures of. You got this
25 nice buffer that just -- it just -- you're in

1 a commercial zone, it doesn't look like
2 Hudson. All right? You got this nice
3 commercial US 19 and you see some green. You
4 see something that's just kind of nice for a
5 change.

6 This 25-foot landscape buffer, what does
7 that -- what does that actually look like?
8 Because, I mean, if you have a business
9 that's hidden by the trees, who would want to
10 have their business there? And if it's not a
11 land -- if it's not -- and if you can see
12 through it, is it really a buffer? All
13 right. You follow what I'm saying?

14 So is this going to actually be a
15 landscape buffer or are we talking about
16 shrubs? What are we talking about in a
17 landscape buffer between US 19 and the
18 stores? Because without something
19 substantial there the sound will travel
20 through.

21 Because you're going to talk about
22 parking lots. You're talking, you know, it's
23 going to be mostly parking lot, right? So
24 the sound from US 19 is now going to flood
25 into this community.

1 And if something was to go here, we want
2 it to kind of be kind of nice. I don't know
3 if you've -- I'm sure you've been to other
4 places in the country. You go up to -- you
5 go up to some of the areas in South Carolina,
6 for instance. It's almost hard to find the
7 businesses that are there. You got to know
8 they're there, right? That's not really good
9 for business, but it's nice for the community
10 because it provides, again, a buffer.

11 This was designed to be a buffer between
12 US 19 and the residential community off of
13 Pinehurst. So how do you plan on handling
14 that with this landscape buffer to make it
15 actually function as a buffer?

16 MR. CONROY: I think that there is a
17 balance that you have to do as to along State
18 Road 19, and you have to balance this
19 building of the commercial properties and
20 buildings with the landscaping. And you can
21 do that by clustering certain groupings of
22 landscaping to create a green environment,
23 while still giving yourself some visibility
24 windows. And we would meet all the landscape
25 ordinances and everything else that are

1 required up and down there.

2 And I will also say that up and along
3 what we felt the homes here are the most
4 affected because these homes actually back
5 right up to our commercial property, which is
6 one of the reasons we specifically located
7 that detention pond up in that area to give
8 it open area and green area. And then also
9 there's a 35-foot landscape buffer that goes
10 all the way along their back yards that's
11 literally almost a forest now, that we would
12 try to not change that grade so that we could
13 retain the vast majority -- maybe 20, 30
14 feet -- of that natural vegetation so that
15 from their back yards it won't look any
16 different than it does today.

17 COMMISSIONER ALLOCCO: Thank you.

18 CHAIRMAN HAWKINS: Okay. I see no
19 further lights on. At this point we'll go to
20 the public.

21 MR. ANGELIADIS: I have a question.
22 Already established before the P and Z, so I
23 don't know if I'm bound to the three-minute
24 (indiscernible) much longer than the three
25 minutes. Because I represent the Rabbitts,

1 who are neighbors on Alderwood there.

2 But George Angeliadis, for the record,
3 Lucas, Macyszyn & Dyer Law Firm, 2190 Spring
4 Hill Drive. You know, I think Mr. Amsler
5 raised some good points regarding due process
6 issues. I think that Mr. Hawkins raised some
7 good issues with regard to density.

8 And, you know, I'll address the elephant
9 in the room. And we're all glad -- I guess
10 most of us are glad -- that Pinehurst is
11 being taken out of the equation. I wish we
12 would have known that before today because
13 that's not what was presented at the P and Z
14 and that's not what the traffic study that
15 they submitted to the County was based on.

16 And the traffic study, which I will
17 provide to you as evidence -- this is, I
18 would submit to you, competent and
19 substantial evidence. The traffic study that
20 was based on the previous configuration of
21 five parcels there, five lots being
22 developed, resulted in 3,172 new trips, daily
23 trips. I'm going to repeat that again:
24 3,172 new daily trips.

25 And when you take that into

1 consideration in conjunction with the road
2 safety audit report that the County conducted
3 and completed and presented in April, 2025,
4 there's already a queuing and shockwave
5 effect, according to this report, on page
6 five, identified by -- and this was conducted
7 by Hernando County Public Works Engineering
8 Division, task order number 26 of 18-R00006:
9 Identified by field observation during
10 various times of the day, that formation of
11 que for the right turn and left turn
12 movements overlap each other and create
13 shockwave conditions in traffic stream on
14 Spring Hill Drive in the westbound direction.

15 And this is in reference to the Pinehurst
16 area: Because of the queuing and vehicles
17 trying to compete for entry into respective
18 axillary lanes -- I'm sorry -- auxiliary
19 lanes is associated with inadequate que
20 lanes.

21 So what we're doing is we're adding 3,172
22 new daily trips to that situation.

23 In the event you are going to consider
24 this today, some issues I wanted to raise
25 with regard to conditions. Condition number

1 16 indicates -- it was changed from 100 to
2 200. I think number 17 should be consistent
3 and change from 100 to 200 as well.

4 With regard to buffer requirement under
5 23, indicates in paragraph 23, it says, 80
6 percent opacity, but in the next paragraph 80
7 is stricken and it says 100 required. So I
8 was going to ask about that, if the 80 needs
9 to be changed to 100 as well. I'm not sure
10 what the fencing requirements or allowances
11 are for this type of development, but we
12 would request if this is going to be
13 addressed and approved today that the
14 highest, you know, fencing be allowed because
15 it appears that the County is recommending
16 fencing to achieve 100 percent opacity.

17 The other thing I wanted to address is it
18 appears -- and, you know, I don't know this
19 as evidence, but maybe some of the residents
20 can speak to it -- it appears that there may
21 be a path being developed for maybe purposes
22 of construction. I don't know. We would ask
23 that any construction not -- construction
24 activity or construction ingress/egress not
25 occur through Pinehurst.

1 So those are the things I wanted to bring
2 to your attention. I think there is plenty
3 of competent, substantial evidence to deny
4 this if you choose; deny it just based on the
5 traffic report and the County's report. But,
6 again, we are happy that Pinehurst is taken
7 off the table. Thank you.

8 CHAIRMAN HAWKINS: Thank you. I think
9 we, as a board, need to make sure that we
10 have the legal ability to continue this item,
11 because I believe Commissioner Amsler brings
12 up a good point.

13 Mr. Jouben, Mr. DePablo, do we have
14 sufficient -- I mean, I know this is the
15 board making this decision.

16 COMMISSIONER ALLOCCO: I think that we
17 need to disclose -- that this needed to be
18 viewed in the packet.

19 MR. JOUBEN: The only question is whether
20 (indiscernible.)

21 CHAIRMAN HAWKINS: Understood. I
22 just -- and I've got no problem hearing the
23 public. I just want to make sure that we're
24 under the right frame of reference and mind
25 as we continue, because they have been

1 sitting here all day. I have no problem
2 listening to them. But we need to make a
3 decision whether or not we're going to make a
4 decision on this today.

5 COMMISSIONER AMSLER: I mean, I think at
6 the minimum probably -- I haven't
7 obviously -- I haven't decided how I'm going
8 to vote on this. But I think we likely need
9 to protect the board and at least probably a
10 continuance so it can be properly advertised
11 out of an abundance of caution.

12 COMMISSIONER CAMPBELL: I agree.

13 MR. JOUBEN: The question is whether or
14 not there's adequate public notice and that's
15 the opinion -- a decision by the board.

16 I would question one point brought up
17 by -- I want to say opposing counsel, but
18 that's not really accurate -- Mr. Angeliadis.
19 Well, I keep wanting to call Judge
20 Angeliadis. Whether or not the traffic study
21 is currently valid.

22 COMMISSIONER AMSLER: Right.

23 MR. JOUBEN: And that would be
24 Mr. Crosby.

25 CHAIRMAN HAWKINS: Mr. Crosby, if you

1 could come forward and -- Mr. Crosby? With
2 the update to --

3 MR. CROSBY: Todd Crosby, Acting Public
4 Works Director, County Engineer. Currently
5 the traffic study that was presented to us
6 included the Pinehurst connection.
7 Therefore, the distribution of traffic on the
8 different -- there's going to be more onto
9 the driveways that are accessing US 19 and
10 the signal at -- down the road there.

11 The plat -- the plat actually shows that
12 50 foot in front of Suncoast as future
13 right-of-way, so that is in place. I don't
14 know how the -- I would need to see the deed
15 of dedication that they said they had and
16 that they would also have to work with the
17 private land owner, you know, with SWFWMD.

18 CHAIRMAN HAWKINS: Okay. Commissioner
19 Allocco?

20 COMMISSIONER ALLOCCO: To -- to continue
21 with the idea of the traffic study, that
22 first entrance off of US 19 looks problematic
23 to me, now, without Pinehurst there because
24 it's so close to that signal. And I don't
25 know what that distance is but, I mean,

1 people are going to be in a right-hand turn
2 lane trying to go north, and then they're
3 going to be right away in a turn lane trying
4 to get into this development. And so I would
5 be concerned about what that looks like on a
6 traffic study.

7 You know, the next one up is far enough
8 out of the way that, you know, you can make
9 your motion to the, you know, middle lanes of
10 US 19 if you're continuing to go -- you know,
11 if you're trying to go north. But,
12 otherwise, it seems to me like there would be
13 a significant number of accidents potentially
14 in that spot right there because they're just
15 coming off of a traffic signal.

16 MR. CROSBY: And FDOT will dictate those
17 connections. We usually follow their
18 recommendations when it's on their system.

19 COMMISSIONER ALLOCCO: Right. But
20 they're going to be -- I would think that
21 they're going to be dependent upon a traffic
22 study --

23 MR. CROSBY: Right.

24 COMMISSIONER ALLOCCO: -- to make those
25 decisions.

1 MR. CROSBY: But they have spacing
2 standards and things like that that they have
3 to go by.

4 COMMISSIONER ALLOCCO: I would think it
5 would seem -- it seems to me it would be
6 different. The outcome is going to be
7 different if that entrance from Pinehurst
8 that was basically directly across from that
9 is no longer there.

10 MR. YATES: This is Michael Yates with
11 Palm Traffic and we prepared the traffic
12 study.

13 We have met with FDOT on the access
14 connection point. We had some higher volumes
15 and they were okay with that location. They
16 actually dictated that location and the
17 location to the north. So they've seen it
18 and DOT has conceptually approved those
19 locations.

20 COMMISSIONER AMSLER: May I follow up?
21 That was with or without the Pinehurst
22 access?

23 MR. YATES: It was with the Pinehurst
24 access but it actually had more volume than
25 without the Pinehurst access.

1 CHAIRMAN HAWKINS: So unfortunately we
2 are getting to a point now where we're
3 dealing with something that wasn't properly
4 advertised or noticed as well as taking into
5 consideration a traffic study that is
6 currently null and void.

7 I think we have to move to a continuance
8 at this point. That's my opinion.

9 COMMISSIONER CHAMPION: I was going to
10 say the same thing.

11 MR. JOUBEN: I would just say I think the
12 problem at this point is the -- the traffic
13 study that supports the application, based on
14 Mr. Crosby's testimony, is not going to be
15 competent, substantial evidence that could
16 support the rezoning.

17 CHAIRMAN HAWKINS: Correct.

18 MR. JOUBEN: So it's a question if you
19 went -- if they really had to go forward
20 today, I don't see how you could --

21 CHAIRMAN HAWKINS: Legally do it.

22 MR. JOUBEN: I think there would be a
23 lack of competent, substantial evidence.

24 CHAIRMAN HAWKINS: Commissioner
25 Champion?

1 COMMISSIONER CHAMPION: I just think
2 we're -- we're wasting the time of the
3 citizens and the petitioner by -- I don't see
4 how we can vote on this, I mean, based on
5 your point.

6 CHAIRMAN HAWKINS: Yep.

7 COMMISSIONER AMSLER: I think our hands
8 are probably tied today just because of some
9 of those things.

10 I would make a motion to continue until a
11 later date so that we can make sure we're all
12 proper on it.

13 COMMISSIONER CHAMPION: Second.

14 COMMISSIONER AMSLER: And then, I mean, I
15 don't know if we have to go through the
16 motions of having everyone comment or if, you
17 know, but --

18 COMMISSIONER ALLOCCO: Can the public
19 comment?

20 MR. JOUBEN: It's up to the board.

21 COMMISSIONER ALLOCCO: We've opened
22 public comment.

23 COMMISSIONER CHAMPION: We've opened it,
24 but it's not going to make a difference.
25 It's going to be continued to a future

1 hearing.

2 CHAIRMAN HAWKINS: So on the floor right
3 now we have a motion and a second for
4 continuance.

5 COMMISSIONER AMSLER: Continuance.

6 CHAIRMAN HAWKINS: Okay.

7 COMMISSIONER AMSLER: Right now.

8 CHAIRMAN HAWKINS: With that in mind,
9 public, you're more than welcome to speak.
10 You guys have been here. I've got no problem
11 with it. Unfortunately, we're not going to
12 be able to use anything you say at the next
13 hearing because you're going to have to say
14 it again. So --

15 MR. JOUBEN: Mr. Chairman?

16 CHAIRMAN HAWKINS: Yes?

17 MR. JOUBEN: I would say the applicant
18 will hear what they have to say.

19 CHAIRMAN HAWKINS: Yeah, I think that's
20 good, that the applicant hears what they have
21 to say. But just keep that in mind, okay?
22 Thank you.

23 MR. HALL: Hi. My name is Bruce Hall and
24 I'm a resident on Pinehurst Drive. And I'll
25 come back and I'll say this stuff again.

1 Originally that area was planned as a
2 buffer as has already been mentioned several
3 times. People bought properties in there
4 because they knew that they'd be insulated
5 from 19. It's also in a protected bird
6 sanctuary. It's posted all around that area
7 that that is a bird sanctuary.

8 In addition, it's also in the Weeki
9 Wachee Springs priority focus area which is
10 not just the watershed, but the area inside
11 the watershed that contributes the most to
12 the aquifer that feeds Weeki Wachee Springs.
13 So that's of concern also.

14 Now, the applicant showed pictures of
15 trash in the woods. And the only thing I
16 could say to that is that can be cleaned up.
17 And also if you walk around any strip mall up
18 and down 19, around the perimeter where the
19 grass -- where it meets the grass, there is
20 loads of trash, all kinds of trash lining the
21 perimeter.

22 So showing that garbage in the woods, you
23 know, they're not going to be going in there
24 and cleaning the place up, you know? I mean,
25 there's going to be an equivalent volume of

1 trash after five, six years in the
2 surrounding woods.

3 The only other thing that I would
4 recommend is, you know, there's a lot of
5 vacant businesses up and down 19 in already
6 commercial properties. Why not repurpose one
7 of those areas instead of developing one of
8 the few green areas in that space? Thank
9 you.

10 CHAIRMAN HAWKINS: Thank you, sir.

11 MS. LEHR: He might be asleep, he might
12 not. We're not sure yet. I have not been
13 sworn. Do I need to swear?

14 CHAIRMAN HAWKINS: Yes, ma'am.

15 MS. LEHR: I don't mind swearing. Which
16 hand, right hand or left?

17 THE CLERK: Your right hand, please, if
18 you can.

19 CHAIRMAN HAWKINS: Somebody hold that
20 baby for her.

21 THE CLERK: Perfect. Do you swear or
22 affirm that the testimony you're about to
23 give is the truth, the whole truth, and
24 nothing but the truth?

25 MS. LEHR: You got it.

1 THE CLERK: Thank you.

2 MS. LEHR: All right. So since we're
3 already continuing this I won't bore you with
4 everything I was going to bore you with
5 today, but I will mention that --

6 MR. JOUBEN: Your name for the record,
7 please.

8 MS. LEHR: Oh, I'm sorry. My name is
9 Kalyn Lehr. I live on Newmark. I'm part of
10 the Pinehurst area. Like I said, I'm not
11 going to bore you with what I was going to
12 say. I'll save it for next time.

13 But I will say this. I don't appreciate
14 having to sit here all day with my little guy
15 and trying to keep him entertained and
16 missing work to be turned away. And I'm not
17 saying it's you guys. But why didn't the
18 developer submit this sooner knowing that
19 this was going to be happening? Knowing that
20 they were told this, you know, X number of
21 months ago at the P and Z meeting that this
22 wasn't going to fly, and then they go and
23 change the plan for today.

24 Now I'm going to have to take another day
25 off of work, potentially bring him with me

1 again, and go through this whole painful
2 process all over again. I just want it on
3 record that me, as an employed citizen, I
4 don't appreciate that. I don't like wasting
5 my time. I could be working. I don't want
6 to burn my PTO doing this. I'd rather be at
7 the beach.

8 And like I said, I understand it's not
9 you guys. I get it. Because you guys said
10 the same thing that I was thinking, why
11 wasn't this given to us sooner, knowing that
12 this was a requirement for the project to be
13 approved? That's all.

14 CHAIRMAN HAWKINS: Thank you, ma'am.

15 MS. LEHR: Thank you. Sorry, give me
16 like 30 seconds to collect my stuff here.

17 CHAIRMAN HAWKINS: No problem.

18 MS. DODSON: Hi, my name is Kelly Dodson.
19 I am a resident of Hernando County. One of
20 the things I wanted you to think about is
21 they mentioned a chicken place, a Chick-fil-A
22 being built there. If you could think about
23 Cortez and all the traffic that it produces
24 with a chicken place. They are now on
25 Commercial -- you know, in that area I think

1 that's a safety risk. But most
2 importantly -- and I'm not going to go into
3 detail because this is not going to count
4 until I come back the next one -- but the
5 very first hearing we had there was an issue
6 where Mr. Herring had given the right-of-way
7 in the deal with Suncoast. I don't know if
8 you remember that.

9 So I went to Suncoast, leaving that day
10 or it was the next day. I went to Suncoast.
11 I spoke with corporate and they assured me
12 100 percent they are not giving that
13 right-of-way away. I have accounts there and
14 spoke with them, and they assured me they're
15 not going to do that. So I'm going to tell
16 you that. Not telling you who I talked with,
17 but it's not happening. Thank you.

18 CHAIRMAN HAWKINS: Thank you.

19 MS. CUPO: Good afternoon. My name is
20 Taylor Cupo. I have to be sworn in.

21 CHAIRMAN HAWKINS: Okay. If there's
22 anybody else that is here that needs to be
23 sworn, please stand up now.

24 THE CLERK: Do you swear or affirm that
25 the testimony you're about to give is the

1 truth, the whole truth, and nothing but the
2 truth?

3 MS. CUPO: I do.

4 THE CLERK: Thank you.

5 MS. CUPO: So my name is Taylor Cupo. I
6 live off of Newmark Street right by the
7 wooded parcel. I've lived over here for a
8 little over two years, and over those two
9 years the traffic has just been getting worse
10 and worse.

11 I drive a big truck. Getting out of the
12 community has gotten worse and worse every
13 single day. The Spring Hill Drive median is
14 really small, so I can't fit in there. So a
15 majority of the time I have to go on
16 Pinehurst. And it just -- it's not worth
17 trying to go through there because of the
18 traffic.

19 And the -- like Commissioner Allocco
20 said, the wooded parcel is really nice to
21 see. I grew up in New Jersey so being able
22 to see those woods, that's why we moved over
23 here. Just having that space, having that,
24 you know, nice buffer, seeing the birds, the
25 raccoons, whatever else is out there.

1 The homeless people over there, they do
2 not bother us. I walk by myself with my dogs
3 and I'm never worried about them. They don't
4 bother us. A community where big -- those
5 proposed businesses being built would bother
6 the community. We don't want them there and
7 it would not benefit the community at all
8 because it would, if anything, want us to
9 leave. Because everything that is proposed
10 to be in that spot is within 20 minutes of
11 driving north, south, whatever.

12 So we just want you guys to hear us and
13 we appreciate your time. Thank you.

14 CHAIRMAN HAWKINS: Thank you, ma'am.

15 MS. EDWARDS: Hi. My name is Nancy
16 Edwards. I'm a resident of Hernando County
17 and I'm here today representing Hernando
18 Audubon. Our primary mission is the
19 preservation and protection of natural
20 habitats within the county.

21 The original land use designation for
22 land parcels subject to rezoning require
23 green space functioning as a natural barrier
24 for the residential area to the west of
25 Pinehurst from the noise and traffic

1 congestion along US 19. It was originally
2 depicted in an advertisement brochure from
3 Deltona Corporation, included in the approved
4 Deltona Master Plan as a green landscaping
5 barrier fronting US Highway 19 as part of the
6 main entrance into Spring Hill area.

7 We urge you to maintain this green space
8 as part of the historical entrance to Spring
9 Hill. The Audubon Society believes this
10 parcel should be retained as green space and
11 continue to serve the residential area to the
12 east as a natural buffer and wildlife
13 habitat.

14 The proposed development would not only
15 eliminate functionality of the natural
16 barrier as originally intended, but in fact
17 add to the noise, traffic congestion, this
18 green space was intended to buffer. We
19 encourage you to maintain this land parcel as
20 green space as initially designated by
21 previous Hernando County decision makers.
22 Thank you.

23 CHAIRMAN HAWKINS: Thank you.

24 MS. HEATON: Hi. My name is Louella
25 Heaton. I live at 5452 Alderwood Street,

1 which is about three houses from Pinehurst,
2 my husband and I.

3 And I did my research. Here's 60 signed
4 petitions just on Alderwood Street. We do
5 not want this.

6 Another thing, too, that's new -- because
7 I know I'm not going to bore you. You guys
8 already know about the traffic and yada,
9 yada, yada. But with those two hurricanes we
10 had last summer, that woods did its job. I
11 mean, it really helped the wind, you know.

12 And, you know, if for some reason this
13 insanity is approved at some point, on
14 Pinehurst we really are going to need like a
15 big brick wall to protect us from the noise,
16 the pollution, and help with some of that,
17 you know, wind stuff. And that's all I got
18 to say. Thank you all for your service.

19 CHAIRMAN HAWKINS: Thank you, ma'am.

20 MS. RABBITT: Good afternoon. My name is
21 Brenda Rabbitt, R-a-b-b-i-t-t. I reside at
22 5488 Newmark Street, which I'll show you on
23 the map. It's right here. (Indicating.)

24 If you look at that, the buffer is wider
25 up along here. However, by my house there's

1 minimal buffer. We are going to experience
2 extreme interruption in our lifestyle. So I
3 appreciate everything y'all do, and I'll see
4 you next time.

5 CHAIRMAN HAWKINS: Thank you, ma'am.

6 MR. RABBITT: Good afternoon. My name's
7 Dave Rabbitt, 5488 Newmark Street. As Brenda
8 showed you, we live in the house that's going
9 to be right by Chick-fil-A. I want to thank
10 you for your service to Hernando County, but
11 I'm going to save my ammunition for later.

12 Omar, can you please put the County --
13 your rendition of the County seal that was up
14 there earlier today?

15 MR. DEPABLO: I think
16 it's (indiscernible.)

17 MR. RABBITT: Your County seal, Hernando
18 County seal.

19 MR. DEPABLO: I would have to ask IT to
20 put it up. They have it.

21 MR. ROGERS: We can do it after the --
22 we can do it after the hearing.

23 MR. RABBITT: There we go. Thank you.
24 Appreciate that. I ask you, what do you see?
25 I see green space. I see waterways. And I

1 see wildlife. I don't see strip malls. I
2 don't see access roads. And I don't see fast
3 food restaurants. Thank you for your time.

4 CHAIRMAN HAWKINS: Thank you,
5 Mr. Rabbitt.

6 MR. ANGELIADIS: The only thing I was
7 going to add, if you're contemplating a
8 continuance is that rather than -- before you
9 set a date certain, you find out how long the
10 applicant's going to need to get a new
11 traffic study and then require them to submit
12 the application with new traffic study within
13 a certain number of days before this new
14 date.

15 CHAIRMAN HAWKINS: Thank you, sir. Thank
16 you, sir.

17 You know what's interesting? I wish you
18 guys were all here for our last meeting when
19 we were talking about the intersections over
20 there. I think you guys are going to be very
21 happy with those improvements, you know,
22 because they're going to directly affect you,
23 and then also a lot of that traffic that's on
24 Pinehurst currently today.

25 So Commissioner Champion?

1 COMMISSIONER CHAMPION: I appreciate the
2 citizens coming up. And I did a little
3 research on the property. And, you know, I
4 guess for next time you can't come up here
5 and talk about the Audubon and it's birds and
6 all that stuff. It's been in private hands
7 for 30-plus years. It's been taxed as a
8 usable parcel for 30-plus years.

9 Something will go on it one day. Just
10 telling you that. They have property rights.
11 Something's going to go on it. It's not
12 going to stay green space. The only way to
13 guarantee that is to buy it. If you buy it,
14 you can do what you want with it.

15 But they're being taxed on \$223,000 for
16 the land and it's been like that for 30-plus
17 years, paying taxes on it. You can't take
18 away their rights for the property to say I
19 want green space, sorry. That's not going to
20 happen.

21 But a viable, you know, argument is no
22 access on Pinehurst, buffer space, things
23 like that. That's all viable things. So I
24 would just suggest that when you come up and
25 just say I like to see the birds, it goes in

1 one ear and out the other. Not even going to
2 consider it, because it's not a viable
3 reason. It's not your land. You know, it's
4 going to be commercial.

5 I mean, common sense will say that piece
6 will be commercial unless someone buys it and
7 decides I'm going to leave it alone. So, I
8 mean, next time just come up and talk about
9 the facts. And A lot of you did, you know?
10 A lot of you did a great job, and your
11 attorney, Judge Angeliadis, does a good job
12 every time he comes up so those are good
13 arguments to have. But just -- just a word
14 for the future. Thank you.

15 CHAIRMAN HAWKINS: Commissioner
16 Campbell?

17 COMMISSIONER CAMPBELL: Thank you, Mr.
18 Chairman. One thing I'd like to point out is
19 several residents mentioned Chick-fil-A
20 specifically. I wanted to mention that the
21 current owner of Chick-fil-A on State Road
22 50, it's my understanding has nothing to do
23 with this Chick-fil-A. So he's a great
24 community partner, so don't hold that against
25 him. He has nothing to do with this. This

1 is corporate. And so, please, I'd appreciate
2 the applicant keeping it neutral and just
3 saying a chicken restaurant. But, you know,
4 just keep that in mind.

5 CHAIRMAN HAWKINS: We still have a motion
6 and a second for continuance. Is there
7 anything else we need to add to that motion,
8 Michelle?

9 MS. MILLER: Only my recommendation would
10 be to postpone to a future hearing date with
11 all re-advertising costs being paid by the
12 applicant. That way that burden would be on
13 them.

14 CHAIRMAN HAWKINS: Including updated site
15 plans as well as transportation or traffic
16 study.

17 MS. MILLER: I can insert that.

18 CHAIRMAN HAWKINS: I just -- I need a
19 motion stating that.

20 COMMISSIONER AMSLER: So moved.

21 CHAIRMAN HAWKINS: Got a motion from
22 Commissioner Amsler, second from Commissioner
23 Champion.

24 Any further discussion? All in favor,
25 Aye?

1 (Commissioners indicating Aye.)

2 CHAIRMAN HAWKINS: Any opposed?

3 MR. CONROY: Could I just have a two --
4 minute -- just two minutes for rebuttal?
5 I'll talk really fast?

6 CHAIRMAN HAWKINS: Sorry, sir. The
7 case -- at this point we're closed. We'll
8 hear you at the continuance.

9 MR. CONROY: Okay. Thank you.

10 CHAIRMAN HAWKINS: Thank you.

11 (Proceedings concluded.)

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1 STATE OF FLORIDA)

2 COUNTY OF HERNANDO)

3 I, CARLA GAIL DONATO, Court Reporter, certify
4 that I was authorized to and did transcribe from
5 videotaped recording the foregoing proceedings and
6 that the transcript is a true record of said
7 proceedings prepared to the best of my ability
8 from the videotaped recording.

9 Dated this 8th day of December, 2025.

10

11 /s/ Carla Gail Donato
12 CARLA GAIL DONATO

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