

HERNANDO COUNTY ZONING AMENDMENT PETITION



Application to Change a Zoning Classification

Application request (check one):
Rezoning [] Standard [x] PDP
Master Plan [] New [] Revised
PSFOD [] Communication Tower [] Other
PRINT OR TYPE ALL INFORMATION

Date: 05/24/2022

File No. H11A Official Date Stamp:
Received
JUN 01 2022
Planning Department
Hernando County, Florida

APPLICANT NAME: Continental 682 Fund LLC

Address: W134 N8675 Executive Pkwy
City: Menomonee Falls State: WI Zip: 53051
Phone: 262-532-9352 Email:
Property owner's name: (if not the applicant)

REPRESENTATIVE/CONTACT NAME: Gwyn Wheeler

Company Name: Continental Properties Company
Address: W134 N8675 Executive Pkwy
City: Menomonee Falls State: WI Zip: 53051
Phone: 262-532-9352 Email: gwheeler@cproperties.com

HOME OWNERS ASSOCIATION: [] Yes [] No (if applicable provide name)

Contact Name:
Address: City: State: Zip:

PROPERTY INFORMATION:

- 1. PARCEL(S) KEY NUMBER(S): 1664434
2. SECTION 35, TOWNSHIP 23S, RANGE 18E
3. Current zoning classification: PDP
4. Desired zoning classification: PDP
5. Size of area covered by application: 35 +/- acres
6. Highway and street boundaries: Suncoast Parkway and Trillium Blvd
7. Has a public hearing been held on this property within the past twelve months? [] Yes [x] No
8. Will expert witness(es) be utilized during the public hearings? [] Yes [x] No (If yes, identify on an attached list.)
9. Will additional time be required during the public hearing(s) and how much? [] Yes [x] No (Time needed:)

PROPERTY OWNER AFFIDIVAT

I, Gwyn Wheeler, 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):

- [x] I am the owner of the property and am making this application OR
[] I am the owner of the property and am authorizing (applicant): Continental 620 Fund LLC, BY: Continental Properties Company, Inc.

BY: Gwyn Wheeler Signature of Property Owner

STATE OF FLORIDA WISCONSIN
COUNTY OF HERNANDO WAUKESHA

The foregoing instrument was acknowledged before me this 26th day of May, 2022, by who is personally known to me or produced as identification.

Daniel Hanke
Signature of Notary Public Daniel Hanke

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



S&C Trillium LLC ("Trillium") and Continental Properties Company Inc ("Continental") propose an amendment to the existing PDP (MF) Master Plan per Resolution Number 2005-287 and 2021-181(attached) located near the north west intersection of County Line Road and Trillium Boulevard in Hernando County, FL to increase the number of allowed residential units to 540. The existing approved PDP allows for 400 multifamily units on approximately 35 acres.

Land Use Intensity:

The proposed amendment is consistent with the spirit and intent of the original approved PDP (MF), associated Development Agreement, the County's adopted Comprehensive Plan and land development regulations. The property is designated as Residential on the Future Land Use Map and is zoned PDP-MF for Multifamily uses consistent with the Residential Plan Category designation. It does not exceed the intensity or number of multifamily units previously approved and would be compatible with the surrounding neighborhoods.

Environmental Considerations:

The proposed amendment will not change any previously assumed environmental impacts of the original approved PDP (MF). Due to the investigation done for Authentix Suncoast, it is likely that there are Gopher Tortoises present onsite. The Gopher Tortoises will be relocated per FWC regulations if the site is developed. There are no other known environmentally sensitive characteristics of the subject site.

Impact on Public Facilities:

- **Transportation Impact:**

The County has determined that the roadway capacity necessary for transportation concurrency related to the development of the property was fully satisfied and vested for all purposes including building permitting for 400 units. A new traffic concurrency will be requested for the proposed increase to of 140 units.

- **Drainage Impact:**

Storm water drainage will be handled on site per County and State requirements as previously approved on the PDP (MF).

- **Sanitary Sewer, Parks, recreation, Solid Waste and Public School Impact:**

A minimal increase in impact is anticipated from the previously approved PDP (MF) as the number of total maximum residential units is increasing from 400 to 540. The impact will be relatively minor due to the high number of studio and - bedroom units in the existing Authentix community and the proposed phase 2 community.

Sewer and Water Service:

The development will be served by central water and sewer that is currently available to the site.

Trillium and Continental request to amend the PDP Master Plan to allow for deviations from the code to provide additional flexibility in potential developments as follows:

1. *Appendix A, Article IV, Section 2. G. 4. (k): Maximum number of multifamily dwelling units per building: Twelve (12). (Twenty-four units approved in resolution 2021-181)*
 - *Increase the maximum number of units to 28 units per building*
 - *Justification: Allowing for a greater number of units per building will help reduce overall building costs by reducing the number of building pads, while minimizing site work and infrastructure improvement needs. A more compact development will increase the overall efficiency in use of the land use, it will minimize the impacts to adjacent properties, reduce impacts on the natural environment, all while reducing the cost of development. This increased efficiency will help translate to reduced rents, therefore, providing a more affordable housing option for County residents.*
2. *Resolution 2005-287 - P & Z Recommendation #5: If two-or three-story buildings are constructed along property lines adjacent to single family, there shall be a 20' landscape buffer with a 6' solid wall or fence, and trees planted one every 25'.*
 - *Provide a 25' min enhanced landscape buffer in lieu of an opaque fence adjacent to the Trillium Property lines. One evergreen tree and 2 shrubs planted every 30' on center*
 - *Justification: Installing a second opaque fence on this frontage would create an inaccessible area that would be difficult to maintain. An enhanced landscape buffer will create a more aesthetically pleasing separation between the two uses.*
3. *Signage: A 2 panel monument sign at 64 sf total sign area each side on a 5' masonry base to allow for one sign panel for each multifamily community. Sign to be located on tax key #1796220 (Track J).*

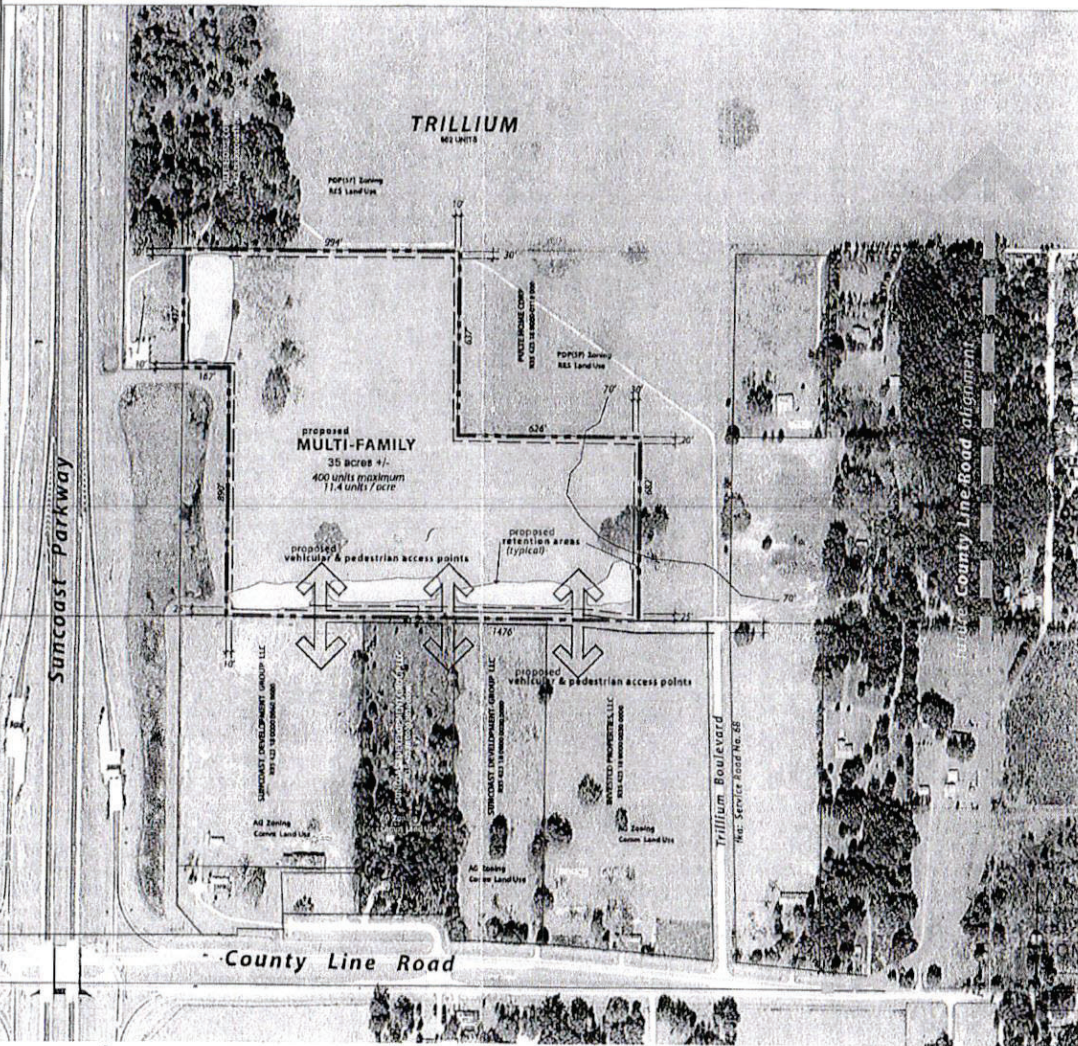
In conclusion, Trillium and Continental request approval of the amended PDP Master Plan, enclosed, which will abide by all dimensional criteria in the previously approved Resolution Number 2005-287 and 2021-181 Master Plan, with the exception of the above outlined deviation requests. Trillium is currently in the early stages of property sale negotiations with Continental 682 Fund LLC, by: Continental Properties Company, Inc, the developer, owner and operator of Authentix Suncoast and a leading multifamily developer, with a strong national and local presence. As a developer of over 30,000 multifamily homes, including over 5,000 in Florida. Continental has the industry knowledge and expertise to help guide landowners, municipalities, and other stakeholders on strategies to bring greater housing choices, while enhancing affordability and economic vibrancy.

BOC ACTION:

The Board of County Commissioners voted 4-1 to adopt Resolution 2005-087 approving the petitioner's request to amend from Agricultural to POP (off) Plan and Development Project (Plan) zoning with the following performance conditions:

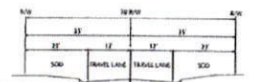
- The petitioner must obtain all permits from Hernando County and meet all applicable land development regulations, for other contribution in cost of the property, and complete all applicable development review processes.
- The housing products are as proposed as follows:
Single story multi-unit buildings
2.5 story multi-unit buildings
- The housing products shall be grouped together in pods.
- Perimeter setbacks are as follows:
From the Parkway: 20'
From the north: 30'
From the south: 20'
From the east: 30'
From the west: 10'
- If two- or three-story buildings are constructed along property lines adjacent to single family, there shall be a 30' setback buffer with all 4' wide walk to fence, and trees planted one every 25'. If single story buildings are constructed, only the setback buffer will be required.
- The development shall be served by central water and sewer.
- The petitioner shall enter into a developer's agreement which will require them to pay their proportionate share of utility infrastructure improvements to mitigate impacts associated with development of the project.
- Prior to any development on the site, the petitioner shall be required to prepare an unlanded access plan analyzing the roadway capacity needed and the network required to serve the site. Additionally, the plan will include the street and access management existing to the adjacent commercial/office development, as well as the pedestrian facilities through the site and interconnecting to the commercial/office.
- The petitioner shall work with the county to design their access so that it can be aligned with the future County Line Road.
- The petitioner shall provide a revised plan in compliance with all of the performance conditions within 30 calendar days of BOC approval. A \$200.00 late submission fee will be required in the event the plan is not submitted within the specified time frame. Failure to submit the revised plan within 30 business days from BOC approval will result in the zoning becoming null and void.
- The petitioner shall provide a roadway with a minimum 40' R/W as required by the County Engineer, constructed to County standard, between this project and the connector project to the south.
- A maximum of 400 multi-family dwelling units are allowed.

NOTE PLEASE NOTE THAT DEVELOPMENT ACTIONS TAKEN IN RELIANCE WITH THIS ZONING APPROVAL MUST BE CONSISTENT WITH THE APPROVED MASTER PLAN, DEVELOPER'S DRAWINGS, DEVELOPER'S REPRESENTATIONS ON THE RECORD, AND THE APPROVAL CONTAINED BY THE BOC.

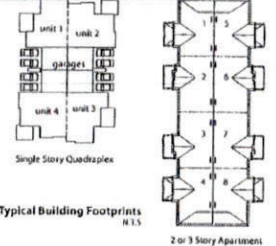


LEGAL DESCRIPTION:

EAST 1/2 OF NORTHWEST 1/4 OF SOUTHWEST 1/4 AND WEST 1/2 OF WEST 1/2 OF NORTHWEST 1/4 OF SOUTHWEST 1/4 AND EAST 1/2 OF SOUTHWEST 1/4 OF NORTHWEST 1/4 SOUTHWEST 1/4 AND WEST 1/2 OF SOUTHWEST 1/2 OF NORTHWEST 1/4 OF SOUTHWEST 1/4, SECTION 35, TOWNSHIP 23S RANGE 18E.



Received
 Typical Road Cross-Section
 NOV 01 2005
 Hernando County
 Planning Department



GENERAL NOTES

- This Master Development Plan relies upon publicly available data for information regarding project boundary, network, topography, adjacent zoning and land use, roadway locations and adjacent property owners.
- This Master Development Plan illustrates anticipated shared access points along proposed east-west road and expected building types, both of which are subject to change. Detailed building layout, parking, internal project circulation, landscaping, etc. will be provided on future site plan submissions.
- This Master Development Plan has been prepared in cooperation with developers of the adjacent southern parcels to jointly coordinate and place for the north-south quadrant of a General Commercial Node as defined by the Hernando County Comprehensive POP (off) Plan.

RECEIVED BY: STEPHANIE

HEARING DATE: 10-12-05

COMMENTS:

See PD-519 for specific conditions of approval
 FILED BY: cmm



Designed	dlc
Drawn	gh/da
Checked	ct
QC	

FLORIDA DESIGN CONSULTANTS, INC.
 Engineers, Environmentalists, Surveyors & Planners

prepared for:
Michael Cavalaris
 Investco Properties, LLC
 P.O. Box 612
 Palm Harbor, FL 34682

sheet description:
The Crossings
 at Trillium
 Master Development Plan

7	REVISION	DATE	BY

job number:	2005-0039
sheet:	1
DATE:	08/01/05
BY:	dlc

*Revised***RESOLUTION NUMBER 2005-287**

WHEREAS, Hernando County has adopted zoning regulations pursuant to Chapter 163 and Section 125.01(1), *Fla. Stat.*, which authorize the County to regulate the use of land in the unincorporated areas of Hernando County, Florida, and take action on the request herein; and,

WHEREAS, the Hernando County Board of County Commissioners (BOCC) conducted a duly advertised public hearing on October 12, 2005, to consider the requested changes in zoning on the specified parcel(s) in Hernando County, Florida, as more fully described below.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA AS FOLLOWS:

APPLICANT: Michael Cavalaris (FKA Terry E. Whaley, Sr.) **FILE NUMBER:** H-05-91

PURPOSE: Rezoning from (AG) Agricultural to PDP(MF)/Planned Development Project (Multifamily).

GENERAL

LOCATION: Approximately 1,200' north of County Line Road, east side of Suncoast Parkway.

LEGAL

DESCRIPTION: A portion of Section 35, Township 23 South, Range 18 East, Hernando County, FL (legal description is lengthy; on file in the Planning Department).

REQUEST: Rezoning from (AG) Agricultural to PDP(MF)/Planned Development Project (Multifamily); and subject to performance condition(s) as enumerated in the BOCC Meeting Results Memorandum (which is incorporated herein by reference and made a part hereof). The representations contained in the Applicant's rezoning application are incorporated herein by reference and made a part hereof and are relied upon by the County to be true and correct. For purposes herein, it is presumed that all requisite notice and advertising requirements have been satisfied.

**FINDINGS
OF FACT:**

ALL of the facts and conditions set forth in the County's staff memoranda and presented to the BOCC in connection with the public hearing in this matter are incorporated herein by reference and made a material part of this Resolution as integral to the BOCC's action. The BOCC finds that the testimony and record supporting approval of the request to be credible and to constitute competent substantial evidence. In further support thereof, the BOCC makes the following specific findings of fact:

1. Approval of the rezoning to PDP(MF), not to exceed the intensity proposed, would be compatible with the surrounding neighborhood with performance conditions.
2. The transportation impacts resulting from rezoning the subject property as approved herein will require off-site transportation improvements and mitigation acceptable to the County as a prerequisite for development to proceed; or development shall wait until transportation concurrency is available along the affected corridor. The failure of the parties to agree on the off-site transportation improvements and mitigation, absent the availability of transportation concurrency, will cause the County to withhold subsequent development approvals including, but not limited to, the issuance of building permits.
3. Based upon the foregoing, the proposed rezoning would be consistent with the County's adopted Comprehensive Plan subject to compliance with all performance conditions herein.

CONCLUSIONS OF LAW:

The BOCC is authorized to act on this matter pursuant to Chapters 125 and 163, Fla. Stat. Accordingly, after public hearing and testimony, being fully advised in the record, and based upon competent substantial evidence, the BOCC makes the following specific conclusions of law:

1. The proposed rezoning is consistent with the County's adopted Comprehensive Plan subject to compliance with all performance conditions set forth in the BOCC Meeting Results Memorandum.

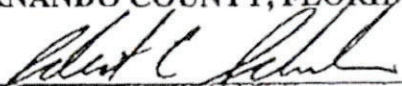
ACTION:

After notice and public hearing, based upon the record in this matter and ALL of the findings of fact and conclusions of law above, the BOCC hereby APPROVES the Rezoning from (AG) Agricultural to PDP(MF)/Planned Development Project (Multifamily); subject to all conditions set forth in the BOCC Meeting Results Memorandum which is incorporated herein by reference and made a part hereof. Any requests, uses, variances or exceptions not specifically approved herein are hereby deemed DENIED.

ADOPTED IN REGULAR SESSION THE 12th DAY OF OCTOBER, 2005

**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest: 
KAREN NICOLAI

By: 
**ROBERT C. SCHENCK
CHAIRMAN**

(SEAL)

R:\RESOLUTIONS\whalb911.r

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
BY 