

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: April 24th, 2023

File No. _____ Official Date Stamp:
H-23-29
 Received
MAY 3 2023

Planning Department
Hernando County, Florida

APPLICANT NAME: Todd Mooney

Address: 9414 Lorendale Circle

City: Spring Hill

State: FL

Zip: 34608

Phone: 813.817.8492

Email: Mooney1325@yahoo.com

Property owner's name: (if not the applicant) Clever Cow LLC

REPRESENTATIVE/CONTACT NAME: Jon Riley

Company Name: Coastal Engineering Associates, Inc.

Address: 966 Candlelight Blvd

City: Brooksville

State: FL

Zip: 34601

Phone: (352)848-3425

Email: Jriley@coastal-engineering.com

HOME OWNERS ASSOCIATION: Yes No (if applicable provide name) High Point MHP

Contact Name: Durelle Bryrer

Address: 12207 Fairway Ave

City: Brooksville

State: FL

Zip: _____

PROPERTY INFORMATION:

1. PARCEL(S) **KEY** NUMBER(S): 1170618, 346717
2. SECTION 31, TOWNSHIP 22, RANGE 18
3. Current zoning classification: CPDP (SF) and (OP) with C1 uses
4. Desired zoning classification: PDP(MF)
5. Size of area covered by application: 44.96 acres
6. Highway and street boundaries: SR50
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 AFFIDIVAT

I, Todd Mooney, 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): _____

and (representative, if applicable): _____

to submit an application for the described property.

[Signature]
Signature of Property Owner

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 2nd day of May, 2023, by Todd Mooney who is personally known to me or produced _____ as identification.

[Signature]
Signature of Notary Public



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

Notary Seal/Stamp

H-23-29

Received

MAY 3 2023

AGENT OF RECORD LETTER

Planning Department
Hernando County, Florida

To: **HERNANDO COUNTY / SWFWMD / FDEP / FDOT**

I, **TODD MOONEY**, Authorized Person and Managing Member of CLEVER COW, LLC., the owner, hereby designate and appoint **COASTAL ENGINEERING ASSOCIATES, INC.**, as Agent of Record, with the authority to apply for and sign all documents; For the purpose of representing the entity during the Development Review Process, more specifically, Planning and Zoning Submittals/ Reviews/ Approvals (Rezoning, CPAM, Special Exception, and Conditional Use), Building Department Submittals/ Reviews/ Approvals (Conditional Plat, Subdivision, Construction Drawings, and Final Plat), as well as Application/Permitting Reviews/Approvals (SWFWMD/DEP/HCUD), with regard to: **H-22-13 (KEY NO. 01170618 & 00346717).**

Date: 9-9-22


Authorized Person (Signature)

Todd Mooney
Authorized Person (Printed Name)

Applicant's Information:

CLEVER COW, LLC.
9414 LORENDALE CIRCLE
SPRING HILLS, FL 34608

Applicant's Representative:

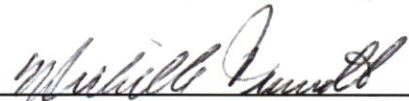
COASTAL ENGINEERING ASSOCIATES, INC.
966 CANDLELIGHT BLVD.
BROOKSVILLE, FL 34601

STATE OF Florida

COUNTY OF Hernando

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly qualified to administer oaths and take acknowledgments, Todd Mooney, to me known to be the person described in and who executed the above and foregoing Agent of Record Letter and who acknowledged before me that they executed the same for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid this 9th day of September, 2022.


NOTARY PUBLIC
State of Florida at Large

My Commission Expires:



- Personally known to me
- Presented identification _____
- DID Take an oath DID NOT take an oath

CLEVER COW – CORTEZ BLVD
 REZONING APPLICATION – PROJECT NARRATIVE
 CLEVER COW LLC
 PARCEL KEY #s 1170618 & 346717



**FIGURE 1: Clever Cow LLC - PARCEL KEY #s 1170618 & 346717 - Aerial
 SUBJECT PROPERTY**

The subject property is approximately 45 acres in size, with the northern half consisting of soils conducive to development and the southern half consisting primarily of floodplain, wetlands and a water feature. The northern half has been cleared and available for development for a number of years. It has almost 1,000 feet of frontage along SR 50, a six-lane arterial roadway, on which many of Hernando County's retail, medical, service and office opportunities reside. The properties across SR 50 house the Oak Hill Hospital complex, the emerging Waterford community (approved for over 1,100 single family detached homes and casitas) and a number of parcels along SR 50 for future retail and office development. The property to the east and south is a Boy Scout camp, with a Duke Energy power line and WREC sub-station immediately to the east. The property lying to the west is Unit 22 of the Spring Hill community, consisting of single family detached homes. A residential street that is part of that community (Brentlawn Street) "stubs" into the western boundary of the subject property, providing a second possible egress. The property has received a Combined Planned Development Project (CPDP) zoning (H 90-05) for proposed Commercial and Residential use. It lies within a Residential designation in the County

Comprehensive Plan's Future Land Use Map (FLUM), a designation consistent with the request in this application. The zoning and FLUM maps are provided in Figures 2 and 3.

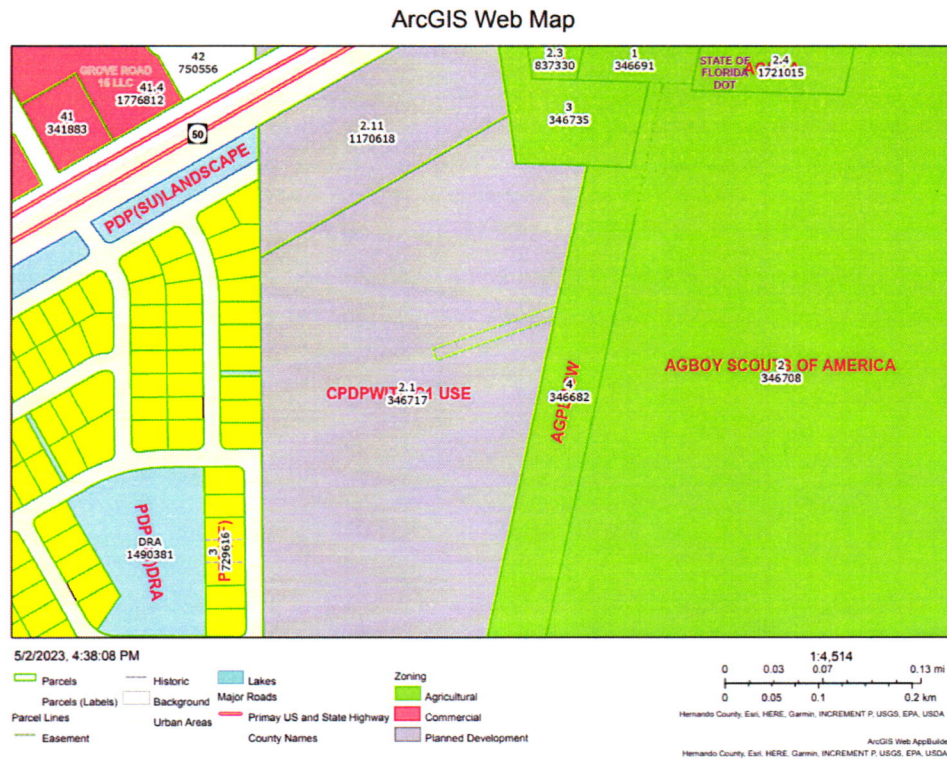


FIGURE 2: Clever Cow LLC - KEY #s 1170618 & 346717 – HERNANDO COUNTY GIS ZONING MAP

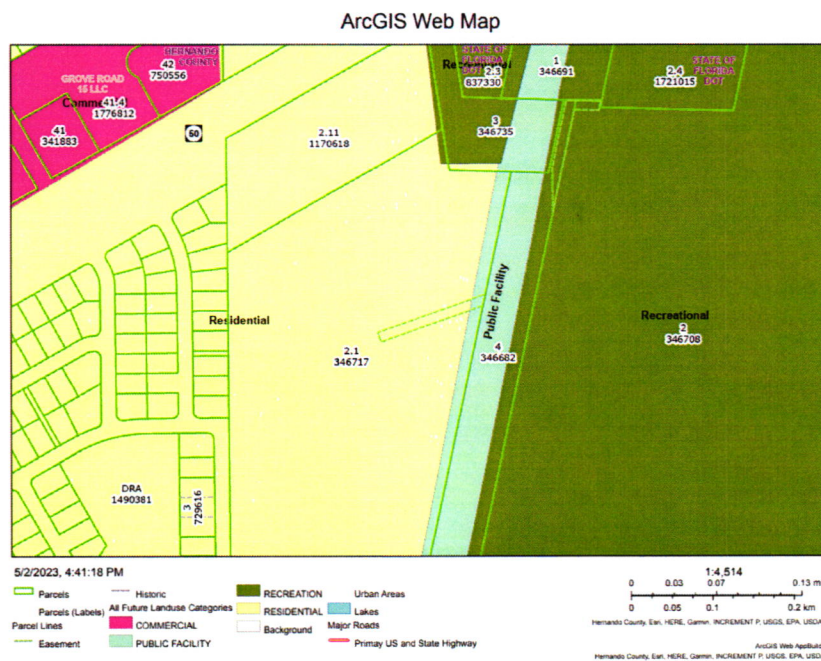


FIGURE 3: Clever Cow LLC - KEY #s 1170618 & 346717 – HERNANDO COUNTY GIS FLU MAP

APPLICANT'S REQUEST

Given the size of the property, visibility/access from SR 50, and the abundance of commercial, services and single family residential already along this stretch of SR 50, the applicant is proposing to replace the approved CPDP, removing the commercial and developing a missing residential element - an upscale market-rate apartment complex. These apartments (maximum of 350) would provide another housing option to professionals working nearby, especially those in the medical field in and around the Oak Hill Hospital.

The subject site is advantageous for such a development, in that:

- There is significant employment in the immediate area, with very limited upscale apartment housing available;
- It has direct access to a major arterial roadway (SR 50), with a dedicated directional left turn lane already in place;
- Most attractions, employment opportunities and the Suncoast Parkway lie to the east, making good use of the available direct access;
- There is sufficient upland to develop into a viable apartment complex;
- The developer can utilize the environmental features found on the south half of the property for aesthetic appeal and recreational use; and,
- There are sufficient trees along the western boundary to help in creating a visual buffer from the adjacent Spring Hill community

ZONING MASTER PLAN

At this point in conceptual planning, it is necessary to retain flexibility in land use and building location, however, the following development parameters are anticipated:

- A 40-foot wide 80% opacity vegetated buffer along the western boundary of the developed area, minimizing visual impact on the adjacent Spring Hill subdivision
- A 50 foot wide upland building setback with 25 foot wide upland buffer along the north side of the wetland area
- A 25-foot-wide landscape buffer along SR 50
- A 125-foot building setback from SR 50
- A 125-foot building setback from the southern boundary of the property
- The project's clubhouse and active recreation area to be no closer than 350 feet from the western boundary
- Project entrance to be located at the existing location of the SR 50 dedicated left turn lane
- Potential access to Brentlawn Street to be limited to exit only
- Recreational use of the southern half of the property to be passive in nature

SETBACKS AND BUFFERS

PERIMETER BUILDING SETBACKS

West: 125 feet.
North: 125 feet
South: 125 feet
East: 15 feet

INTERNAL BUILDING PARAMETERS

Multifamily: 15 feet between buildings
Height: 60 feet (45 feet within 200 feet of western boundary)

FROM WETLAND

Building setback 50 feet

BUFFERS

West: 40 feet (80% opacity) for the southern 800 feet of boundary, 25' natural buffer for remainder (as depicted on master plan)
North: 25 feet landscaped
South: None
East: None
From Wetland: 25 feet natural upland buffer

ENGINEERING REPORT

Master Plan

Enclosed

Draft of Protective Covenants

With no subdivision of lots, protective covenants are not required.

Development Schedule

A development schedule has not been prepared.

Proposed Improvements

Offsite construction will include connection to HCUD utilities and construction of access to SR 50 and a restricted exit-only connection to Brentlawn Street. The above will be accomplished in accordance with the regulations and standards of the Hernando County Engineer and the Hernando County Utilities Department.

Adequate Access

The project will have its entrance directly from SR 50 at the location of the dedicated let-turn lane near the eastern boundary of the property. An exit-only access is proposed at Brentlawn Street, an existing residential street in Spring Hill Unit 22, which connects to the signal at the SR 50/Nightwalker Road intersection. SR 50 has an excellent level of service at this location.

Topography

As shown in Figure 4, site topography ranges from approximately 62' high along the eastern boundary with the WREC sub-station to an elevation of 22' in the water feature in the southern portion of the property. Stormwater will be treated and retained in conformance with SWFWMD regulations.



FIGURE 4: Clever Cow LLC - KEY #s 1170618 & 346717 Topography Map

Floodplain

The property is located on Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (FIRM) community panel 12053C0168D, effective date of February 2, 2012. As depicted on Figure 5, the map shows the northern portion of the site above the 100 year floodplain, with the southern half the property being in an AE designation, with an elevation of 22 feet.

National Flood Hazard Layer FIRMette

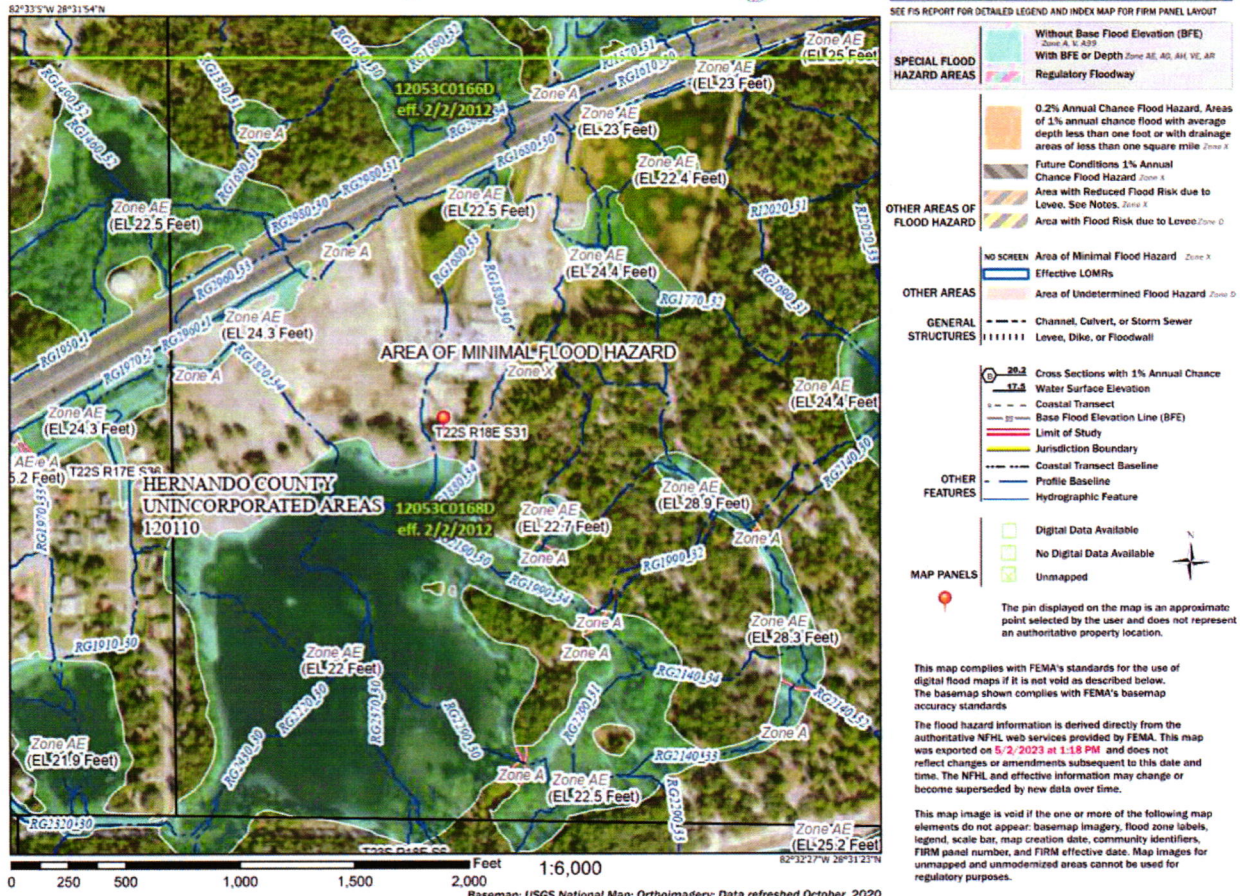


Figure 5. Clever Cow LLC - KEY #s 1170618 & 346717 Floodplain Map

Soils

Soils on the north portion of the property consist entirely of Candler and Tavares fine sands, well-drained soils conducive to development. Refer to Figure 6 for more information.



Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
9	Basinger fine sand, 0 to 2 percent slopes	0.2	0.4%
10	Basinger fine sand, depressional, 0 to 1 percent slopes	23.4	48.1%
14	Candler fine sand, 0 to 5 percent slopes	13.2	27.0%
49	Tavares fine sand, 0 to 5 percent slopes	10.8	22.2%
99	Water	1.1	2.2%
Totals for Area of Interest		48.7	100.0%

Figure 6. Clever Cow LLC - KEY #s 1170618 & 346717 Soils Map

Site Environmental

A preliminary site visit was conducted in April, 2023. The following are the results of the site visit:

- The proposed project site consists of uplands, currently used to graze cattle and a large wetland area containing an assemblage of herbaceous wetland vegetation and an open water area.
- Typical tree species consist of sand pine, slash pine and live oak trees.
- A few large trees (> 18" DBH) were detected, however their health rating is low. The Hernando County Tree Ordinance prohibits removal of trees four (4) inches in diameter at breast height (DBH) and larger without approval and appropriate mitigation. Tree replacement must be conducted in accordance with the Hernando County Tree and Landscaping ordinance (where applicable). Additional mitigation may be required for the removal of trees 18 inches and greater, depending on their health.
- The ground cover consists of bare sand, pine straw, ruderal vegetation, and various wetland herbaceous species.
- Two gopher tortoise burrows were detected in eastern and western fence lines (i.e. property lines).
- Herbaceous freshwater wetlands and an open water area dominate the southern half of the property.
- One wetland-dependent avian species (Little blue heron) was observed.
- No other state or federally listed species were detected.
- Listed aquatic fauna species were not detected.

Utilities

The project will be served with central water and sewer. Discussions will be held with the Hernando County Utilities Department (HCUD) regarding capacity and points of connection. A pump station is likely to be needed and a utility analysis will be conducted prior to design and permitting.

Drainage

This project is within Southwest Florida Water Management District. Stormwater will be handled and wetlands protected consistent with SWFWMD regulations. The exact size and location of all DRAs will be determined during the preliminary engineering design phase.

Deviations:

Frontage Road

We are requesting a deviation from having to construct a frontage road with the following justification:

- There is no commercial land use proposed for the property
- There is no commercial or residential land use to the east (WREC sub-station, Duke power line, Boy Scout camp).
- The land use to the west is residential and the existing connection to the property is via a residential street (Brentlawn Street)

We are requesting a deviation from the maximum building height (45'), allowing a building heights up to 60', with the following justification:

- Building height within 200' of the western boundary will be limited to 45'
- Allowing 4-story buildings elsewhere on site will provide:
 - More flexibility in the location of buildings
 - Ability to provide more green space
 - Justification for the inclusion of elevators