PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO:	Honorable Chairman and Members of the Board of County Commissioners	DATE:	11/21/2013	FILE:	PDD14-325 (RZ-7078)
THRU:	Michele Baker County Administrator	SUBJECT:	Starkey Ranch MPUD MPUD Modification WS-TSR, LLC **BCC: 12/17/13, 1:30 p.m., NPR** Recommendation: Approval with conditions		
FROM:	Carol B. Clarke Zoning Administrator Assistant Planning and Development Administrator				
PLANNER:	Cynthia D. Spidell Sr. Planner & DRI Coordinator	REFERENCES:	LDC, Section 522, MPUD Comm. Dist. 4		

The following is presented to the Board of County Commissioners for consideration.

PROJECT DESCRIPTION:

Commission District:	The Honorable Henry Wilson, Jr.
Project Name:	Starkey Ranch MPUD (Master Planned Unit Development)
Applicant's Name:	WS-TSR, LLC
Location:	North of and partially abutting S.R. 54; east of and abutting Starkey Boulevard, south of and abutting J. B. Starkey Wilderness Park
Parcel ID Nos.:	Various Parcels in Sections 16, 17, 19, 20, 21, 22, 27, 28 & 29; T 26 S – R 17 E (Attachment 1)
Acreage:	2,485 Acre(s), m.o.l.
Zoning District:	MPUD Master Planned Unit Development
Future Land Use Classification:	PD (Planned Development), CON (Conservation Lands)
Water/Sewage:	Public (Pasco)
No. of Dwelling Units:	5,050
Type of Dwelling Units:	Single-Family Attached Townhouses, Single-Family Detached, and Multiple Family
Use/Square Foot (non-residential)	250,000 office; 300,000 light industrial; 200,000 retail; 220 hotel rooms

DEVELOPER'S REQUEST:

The developer is requesting a modification to the Starkey Ranch MPUD (RZ 7027) to:

- Conform to the new Master Developer's actual development plan (Attachment 2).
    - This allows for 2 alternative MPUD plans in case the developer opts to convert one of the neighborhoods to an Adult Lifestyle Area.

- Facilitate the proposed public-private partnership between the Master Developer and the County for the collocated District Park/Library/Theatre/School Site.

- Reflect a more accurate and detailed MPUD Master Plan that is based upon ground-verified environmental, hydrological, geological, and related engineering studies.

- Update the conditions of approval to reflect the Master Developer's actual development plan and include the ultimate build-out access management improvements that would vest the developer's Phase 1 entitlements for access management purposes.

BACKGROUND:

1. On September 11, 2012, the Board of County Commissioners (BCC) approved the Starkey Ranch MPUD Master Planned Unit Development (Rezoning Petition No. 7027).

2. On August 16, 2013, the applicant/owner of Starkey Ranch MPUD submitted a modification to the MPUD.

3. On October 16, 2013, the applicant amended the MPUD modification application to reduce the number of specifically approved entitlements as follows:

    a. Decrease the total number of residential units by 778 units (from 5,050 to 4,272 units).
    b. Decrease Commercial/Retail by 30,000 square feet
    c. Decrease Office square by 100,000 square feet
    d. Decrease Light Industrial by 200,000 square feet

4. On October 29, 2013, the applicant submitted a revised Access Management Study reflecting the revised entitlement program for the MPUD. The purpose of the study was to determine the ultimate external access improvements required for the project at build-out (for their specifically approved entitlements a/k/a Phase 1).

FINDINGS OF FACT:

1. Access to the site will be from State Road 54 and Starkey Boulevard.

2. Pursuant to Comprehensive Plan Policy TRA 2.4.1, Starkey Ranch MPUD has been analyzed for transportation purposes as a Trip Reducing Project using Mixed-Use

Trip-Reduction Measures as further defined in the conditions of approval (Attachment 2).

3. Pursuant to LDC, Section 901.3.E.3.b., in the event an access management study is done, the volume/capacity ratio of turning movements on Major County Roads cannot exceed 1.2 for Trip-Reducing Projects (TRP) or exempt uses with a maximum delay of 120 seconds.

4. The access management study submitted showed delays exceeding the "1.2" volume/capacity ratio standard for TRP and the "120 seconds delay" standard.

5. Pursuant to LDC, Section 901.3.T, Alternative Standard Procedures, if an applicant wishes to deviate from the requirements of the Access Management section, an alternative standards request in accordance with LDC Section 407.5 must be submitted and approved by the DRC. A recommendation to the DRC shall be made by the County Engineer. Before making a recommendation on any alternative standard affecting the State highway system or within any municipality, the County Engineer shall consult with the FDOT.

6. Pursuant to LDC, Section 407.5.C, where an access management alternative standard is requested, the DRC shall hear the request and consider the following criteria at public hearing duly noticed pursuant to this Code, Section 304:

   a. No feasible engineering or construction solutions can be applied to satisfy the regulation; or
   b. The proposed alternative standard will maintain or improve collector/arterial roadway capacity and travel times without increasing the number or severity of accidents; or
   c. Compliance with the regulation will deny reasonable access.

7. The County Engineer has determined that the applicable criterion is: Compliance with the regulation will deny reasonable access (LDC, Section 407.5.C.3).

8. Staff has incorporated the County Engineer's recommended conditions of approval (Attachment #4, MPUD Condition #17) which include:

   a. The Master Developer to construct intersection improvements at the external access points to the project (Attachment #2, MPUD Conditions of Approval Attachment A);
   b. Traffic Monitoring and Reporting; and
   c. Ensuring at time of site plan that the land uses being constructed are consistent with the assumptions in the traffic study.

9. Staff has consulted FDOT and has incorporated into MPUD Condition No. 17 (Attachment 2) that the access improvements set forth in the conditions of approval shall vest the project's specifically approved entitlements for local purposes only. FDOT may require additional improvements at the time of development as applicable.

10. On November 21, 2013, the DRC approved the alternative standard as conditioned by staff and recommended approval of the MPUD modification as conditioned by staff to the BCC.

11. On December 9, 2013, staff met with the developer/applicant to continue working on MPUD Condition No. 3 based on issues raised by the developer/applicant at the November 21, 2013 DRC meeting. As a result of this meeting, staff is including a change to MPUD Condition No. 3 that is different from the version that was presented to the DRC. Here is a strikethrough/underline tracked change version from what was presented to the DRC:

> 3. Wetlands (conservation/preservation areas) shall be as defined by the Pasco County Comprehensive Plan, Chapter 3, Conservation Element, Wetlands, Policy 1.3.1, and shown on all preliminary development plans/preliminary site plans and construction plans/construction site plans. Development shall comply with the wetland protection provisions of the Land Development Code as amended. In order to ensure the network of roadways and bicycle/pedestrian facilities, mix of uses, and development densities/intensities assumed in the County's timing and phasing and MUTRM analysis, and in order to ensure compliance with Pasco County Conservation Element Policy 1.5.4, wetland mitigation shall be located ~~exclusively within the Suburban Areas and the Mitigation Compatibility Area~~ as depicted on the MPUD **Master** Plan which provides priority wetland mitigation locations ~~The priority mitigation location for such wetland mitigation shall be~~ adjacent to the J.B. Starkey Wilderness Preserve. ~~County shall be provided with a copy of any proposed wetland mitigation plan(s) for the project, and shall have an opportunity to review and comment on such plan(s) before any permits are issued.~~ **Where there is a required upland buffer between wetlands identified on the MPUD Master Plan and development, upland buffer enhancement shall be provided. The upland buffer enhancement plan shall be submitted with the site plan.**

Staff is recommending approval of the revised condition.

ALTERNATIVES AND ANALYSIS:

1. Approve the MPUD modification as conditioned.

2. Approve the MPUD modification with additional changes.

3. Do not approve the MPUD modification.

4. Direct staff to pursue another course of action

RECOMMENDATION:

The Planning & Development Department staff recommends approval of Alternative No. 1 and

- Authorize the Chairman to sign and execute four original Resolutions, and
- Direct the Board Records Department to retain one original Resolution and distribute the other three as follows:
    - Planning & Development Department
      Attention: Richard E. Gehring
      Planning & Development Administrator
    - Pasco County Property Appraiser
      Attention: Vicki Lewis
      Senior Land Records Analyst
    - Joel R. Tew
      Tew & Associates
      2999 Palm Harbor Boulevard, Suite A
      Palm Harbor, FL 34683

Approved by BCC 12-17-2013

DEVELOPER'S ACKNOWLEDGMENT:

The developer/applicant acknowledges that it has read, understood, and accepted the above-listed conditions of approval.

02/19/2014

Date

Signature

Reed Berlinsky

Print Name

Title

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 02/19/2014 (date), by Reed Berlinsky (name of corporation acknowledging) a Florida (State or place of incorporation) corporation, on behalf of the corporation. He/she is personally known to me or who has produced _____ (type of identification) as identification.

Seal:

NOTARY PUBLIC STATE OF FLORIDA
MEGAN RUSSELL-BEAN
MY COMMISSION # EE 048042
EXPIRES: December 12, 2014
Bonded Thru Budget Notary Services

NOTARY

ATTACHMENTS:

1. Location Map
2. Resolution (Includes COA and Master Plan)
3. Conditions of Approval (Tracked Changes)