

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Amanda C. Boone, P.E.
Development Review Manager

DATE: 7//22/14 FILE: PDD14-1240

SUBJECT: Small Commercial
Development Review -
Talavera Amenities Center
(Project No. SML14-025)
Preliminary/ Construction Site
Plan, Stormwater
Management Plan and Report
Recommendation:
Approval with Conditions
(Attachment No. 1)


FROM: Beverly E. Trudell
Development Review
Technician II

REFERENCES: Land Development Code,
Sections 300, Procedures;
403, Site Development;
and 900, Development
Standards; Comm. Dist. 2

PROJECT DESCRIPTION:

Commission District:	The Honorable Pat Mulieri, Ed.D.
Project Name:	Talavera Amenities Center
Developer's Name:	M/I Homes of Tampa, LLC
Location:	On the west side of U.S. 41 and 1.3 miles m.o.l. north of S.R. 52 (Attachment No. 2)
Parcel ID Nos.:	03-25-18-0000-00700-0000, 04-25-18-0000-00800-0000 (a portion of)
Land Use Classification:	RES-3 (Residential - 3 du/ga)
Zoning District:	MPUD - Master Planned Unit Development
Acreage:	5.91 Acres, m.o.l.
Use/Square Feet:	Amenities Center/4000 Square Feet
Flood Zone:	"X"
Water/Sewage:	Pasco/Pasco
Transportation Analysis Zone:	40
Mobility Fee Assessment District:	B
Mobility Fee Collection/Benefit District:	2
Roads:	US Highway 41 (Public) Talavera Parkway (Public)
Certificate of Capacity:	Initial

DEVELOPER'S REQUEST:

The applicant/developer of Talavera Amenities Center is requesting a preliminary/construction site plan and stormwater management plan and report to construct a 4,000-square-foot cabana and pool with a 4,963-square-foot surface area (Attachment No. 3).

BACKGROUND AND FINDINGS OF FACT:

See Attachment No. 4.

RECOMMENDATION:

The Planning and Development Department recommends approval of the preliminary/construction site plan and stormwater management plan and report request with the attached conditions.

ACB/CB/BET/wpdata/drc/talavera_pdd141240/48

ATTACHMENTS:

1. Conditions of Approval
 2. Location Map
 3. Site Plan
 4. Background and Findings of Fact
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ATTACHMENT NO. 1 – CONDITIONS
TALAVERA AMENITIES CENTER

Hard-Copy Site Development Permit

1. Before commencing approved construction activities, the applicant/developer or project contractor shall obtain from the Planning and Development Department an authorization to commence approved construction, a.k.a. "a hard copy Site Development Permit." To obtain said authorization, the following, as applicable, must be submitted to the Planning and Development Department:
 - a. The completed notarized acknowledgment portion of the attached agenda memorandum. The owner/developer is hereby notified that the effective date of this development approval shall be the date of the final County action; however, no activity shall commence on site until such time as the acknowledgment portion of this document is completed (including notarization) and received by the Planning and Development Department.
 - b. A copy of the Southwest Florida Water Management District (SWFWMD) Permit and Plan. In the event the SWFWMD Permit and Plan require any changes to the County-approved plan, an amendment to the County-approved plan shall be submitted for review and approval prior to the issuance of the Site Development Permit.
 - c. National Pollutant Discharge Elimination System Permit/permit application.

No construction shall commence until the permit has been properly posted on the site.

General

2. The developer acknowledges that approval of this Preliminary Site Plan (PSP) does not establish vested rights with respect to construction of the project. Further, the developer acknowledges that no permit shall be issued or plat approved without the issuance of a Final Certificate of Capacity.
3. The developer acknowledges that in accordance with the LDC, Section 1301, Concurrency, the Initial Certificate of Capacity shall expire as approved on the attached Concurrency Certificate.
4. The applicant/developer or successors in interest are advised of the following restrictions:
 - a. No owner of the property within the development may construct or maintain any building, residence, or structure, or undertake or perform any activity in the wetlands, buffer areas, and upland conservation areas described in the approved plan or record plat unless prior approval is received from the SWFWMD pursuant to environmental resource permitting.

- b. No owner of the property within the development may construct or maintain any building, residence, or structure, or undertake or perform any activity within the 100-year floodplain described in the approved plan and/or record plat of the subdivision unless prior approval is received from the SWFWMD, pursuant to environmental resource permitting.
 - c. No owner of the property may undertake any roadway improvements within this development unless prior written authorization or notification of exemption is received from the SWFWMD, pursuant to environmental resource permitting.
5. All construction work, including roads, drainage, and utilities, shall be constructed in accordance with County design standards and tested in compliance with the Engineering Services Department's *Testing Specifications for Construction of Roads, Storm Drainage, and Utilities*.
6. The applicant/developer shall acknowledge that should the County collect funds under a guarantee document, the developer shall authorize the County or its designee access to the property in question to complete the required work.
7. The applicant/developer shall acknowledge that should the County be required to institute legal proceedings in order to collect any funds under a guarantee document, the developer shall be responsible for attorney's fees and court costs incurred by the County in such action.
8. The developer acknowledges that an appeal may be filed against the decision of the Planning and Development Department within 30 days of the date of this approval. Any development that takes place within the 30-day-appeal deadline shall not establish vested rights with respect to construction of the project.
9. Site plans approved by the Planning and Development Department are the final approved documents. Changes/additions/deletions to approved site plans; i.e., building size, location, loading zones, etc., require revised site plan submittal, review fee, and approval in accordance with the LDC, Sections 300, 403, and 900.
10. The applicant/developer or project contractor shall notify the Project Management Division at least five working days prior to commencing any activity on the site.
11. Where underground water mains and hydrants are to be provided, they shall be installed, completed, and in service prior to combustibles being brought on site (National Fire Protection Association, NFPA-1, 16.4.3.1.3).
12. The applicant/developer acknowledges that the PSP and all associated alternative standards requests shall expire within six years of the original approval date of the PSP if Building Permits for the entire development have not been issued, or where a Building Permit is not required, all work authorized by the PSP shall be complete. In the event that the applicant/developer does not comply with this provision, all plans related to the uncompleted portion of the PSP approval shall be deemed void, and approval shall be deemed withdrawn, unless an extension has been obtained from the County Administrator or designee prior to expiration of any of the time limits provided above.

Any extension shall be applied for at least 60 days prior to expiration of any of the above time limits.

In the event the PSP is voided, all subsequent submittals shall comply with regulations in effect at the time of the said resubmittals.

Construction Plan

13. No fill shall be placed within the 100-year floodplain designation unless compensating volume to mitigate the fill is provided on site or off site within the same basin and reviewed and approved by the County.
14. The review and issuance of the Right-of-Way Use Permit shall be conducted in accordance with the LDC, Section 406.5, Right-of-Way Use Permit, and must be obtained prior to commencement of construction. The developer shall ensure that any improvements installed in rights-of-way are constructed to County standards.
15. In consideration of the County's agreement to provide potable water and/or reclaimed water to the subject property, the applicant/developer and its successors and assigns agree to the following:
 - a. In the event of production failure or shortfall by Tampa Bay Water (TBW), as set forth in Section 3.19 of the Interlocal Agreement creating TBW, the applicant/developer shall temporarily transfer to the County any and all water-use permits or water-use rights the applicant/developer may have to use or consume surface water or groundwater within the County for the duration of the production failure or shortfall.
 - b. Prior to the applicant/developer selling water, water-use permits, or water-use rights, the applicant/developer shall notify the County, and the County shall have a right of first refusal to purchase such water or water-use permits or water-use rights.
16. The developer shall provide fire protection in compliance with the Pasco County Code of Ordinances, Chapter 46, Article III, and any subsequent amendments.
17. Curb ramps are required at all intersections of curbs and sidewalks and shall be constructed in conformance with the uniform *Federal Accessibility Standards* published by the General Services Administration, Department of Housing and Urban Development, Department of Defense, and United States Postal Service (Section 336.045, Florida Statutes).
18. Prior to any construction activity, the developer shall ensure that proper erosion and sediment control measures are in place. The applicant/developer or project contractor shall notify the Stormwater Management Division at least two working days prior to commencing any site preparation, including clearing and grubbing work, for a preinspection of the sediment and erosion-control devices. The developer shall control all fugitive dust originating from the project site and shall indicate on the construction

drawings the manner in which fugitive dust is to be controlled. Further, all retention pond side slopes and associated swales shall be sodded to prevent soil erosion.

19. The applicant/developer acknowledges, in accordance with the LDC, Section 905.2, Landscaping and Buffering, wooden fences are not allowed as a visual screen in any of the buffer areas. If the applicant/developer proposes the use of a fence for a visual screen within any buffer area, vinyl fencing or chain-link fencing with black-out fabric or slats shall be used.

Development Standards

20. The Land Development Code C1 commercial design standards designation as dictated within the Talavera MPUD Master Planned Unit Development, Condition of Approval Rezoning Petition No. 6256, item 28.i.

Building Permit/Certificate of Occupancy

21. Site plans submitted with Building Permit applications are invalid as to final site approval unless stamped approved by the Planning and Development Department. These plans are submitted to show building location in regard to property line, other buildings, etc., only. The site must conform to those plans submitted and/or approved by the Planning and Development Department in accordance with the LDC, Sections 300 and 403.

22. The applicant/developer acknowledges that a Building Permit shall be obtained for all structures that have a footer, regardless of size, through the Central Permitting Division; i.e., including, but not inclusive of, buildings, accessories, dumpster walls, and retaining walls.
23. Prior to issuance of Certificate of Occupancy (CO), a wall or fence (wooden fences are prohibited) must be provide to separate the neighborhood park/amenity center from U.S. 41 required by instrument DR05-2234 item 55 approved on August 17, 2005.
24. A Registered Landscape Architect or other person as authorized by Chapter 481, Florida Statutes, as amended or other type of professional as approved by the County Administrator or designee shall conduct a final field inspection. A Certificate of Compliance shall be provided to the County prior to platting, or where platting is not required, prior to issuance of the CO.
25. The owner/developer shall arrange for a final site inspection approval by the Engineering Services Department prior to the issuance of the CO or use of the permitted facilities.

OWNER'S/DEVELOPER'S ACKNOWLEDGMENT:

The owner/developer acknowledges that it has read, understood, and accepted the conditions of approval.

_____ Date

_____ Signature

_____ Print Name

_____ Title

STATE OF FLORIDA
COUNTY OF _____

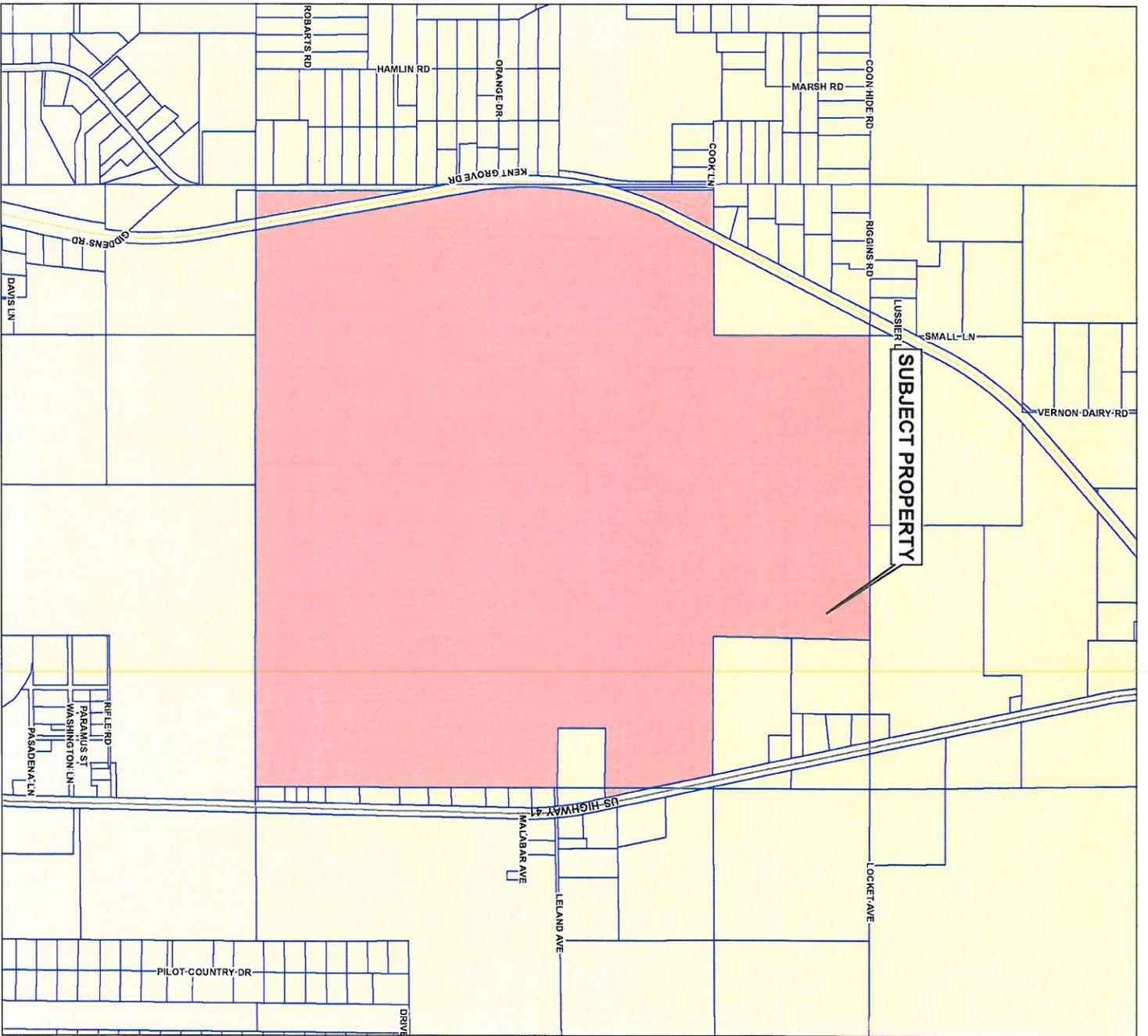
The foregoing instrument was acknowledged before me the _____
(date), by _____ (name of person
acknowledging), who is personally known to me or who has produced
_____ (type of identification) as identification.

Seal: _____
NOTARY

PLANNING AND DEVELOPMENT DEPARTMENT ACTION:

APPROVED B.C.C.
 D.R.C.
 P.D.D.

Pasco County
By Amanda L. Brown Date 23 JUL 14
For Substantial Compliance With
The Applicable Provisions of Pasco County
Land Development Regulations
And Their Intent



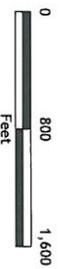
SML14-025
Talavera Amenity Center

03 25 18 0000 00700 0000
04 25 18 0000 00800 0000

PHYSICAL ADDRESS:
NONE

TAZ - 39
COMMISSION DISTRICT: 2

 **SUBJECT PROPERTY**



Pasco County GIS | 7/23/2014 | alkhunra



ATTACHMENT NO. 4 - BACKGROUND AND FINDINGS OF FACT
TALAVERA AMENITIES CENTER

BACKGROUND:

1. On September 21, 2004, the Board of County Commissioners approved rezoning the subject parcel to MPUD, f.k.a. Edwards Grove (Petition No. 6256).
2. On August 17, 2005, the former Development Review Division approved the Talavera Phase 1A preliminary plan through instrument DR05-2234.
3. On July 25, 2007 the former Development Review Division approved the Talavera Phase 1A construction and stormwater management plans through instrument SDU05-060.

FINDINGS OF FACT:

1. Presently, the subject site is unimproved.
2. The preliminary/construction site plan and stormwater management plan and report have been reviewed by the Planning and Development Department, and it has been determined that the proposed use is consistent with the above-referenced zoning district's permitted uses.
3. The preliminary/construction site plan and stormwater management plan and report for the above-subject project were prepared for M/I Homes of Tampa, LLC, by King Engineering Associates, Inc., and consist of 14 sheets, dated January 17, 2014; the sheets were last revised on June 13, 2014. The plans were originally received by the Planning and Development Department on March 5, 2014, and final revisions were received on June 17, 2014.
4. Access to the property is from Talavera Parkway, a County-maintained road, which is planned to have 120 feet of right-of-way with 24 feet of pavement when Talavera 1A is constructed (Memorandum No. SDU05-060).
5. A Timing and Phasing Application was submitted and found to be exempt from the requirement to provide a timing and phasing analysis and a Substandard Roadway Analysis.
6. The proposed request is consistent with the Pasco County applicable provisions of the Comprehensive Plan as submitted.

The Planning and Development Department's approval of this preliminary/construction site plan and stormwater management plan and report constitutes a finding by the Planning and Development Department that the preliminary/construction site plan and stormwater management plan and report, as conditioned, are consistent with those Goals, Objectives, and Policies of the Comprehensive Plan and those provisions of the LDC that are applicable to preliminary/construction site plan and stormwater management plan and report approvals. This action is based on the office review of the plans, supporting documentation, and certifications of the Engineer of Record.