

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Joaquin A. Servia
Development Review Manager

DATE: 6/18/15 FILE: PDD15-1262

SUBJECT: Small Commercial
Development Review –
Cypress Creek North Parcel 1
- Preliminary Site Plan/
Construction Plan/Stormwater
Management Plan and Report
(Project No. SML15-014)
Recommendation: Approval
with conditions (Attachment
No. 1)


FROM: Dorothy E. Masumian
Senior Development
Review Technician

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

PROJECT DESCRIPTION:

Commission District:	The Honorable Mike Moore
Project Name:	Cypress Creek North, Parcel 1
Developer's Name:	Wesley Chapel Hotels, LLC
Location:	In Central Pasco, on the west side of Cypress Ridge Boulevard, approximately ¼ mile west of the intersection of SR 56 and Willow Oak Drive. (Attachment No. 2)
Parcel ID No.:	26-26-19-0000-00100-0210
Land Use Classification:	MU (Mixed Use)
Zoning District:	MPUD Master Planned Unit Development
Acreage:	2.58 Acres, m.o.l.
Use/Square Feet:	Hotel/80 rooms
Flood Zone:	"AE" & "X"
Water/Sewage:	Pasco
Transportation Analysis Zone:	287
Mobility Fee Assessment District:	A
Mobility Fee Collection/Benefit District:	3
Roads:	Public
Certificate of Capacity:	Initial

DEVELOPER'S REQUEST:

The applicant/developer of Cypress Creek North, Parcel 1 is requesting preliminary site plan (PSP)/ construction plan/stormwater management plan and report approval for an 80-room hotel on 2.58 acres (Attachment No. 3)

BACKGROUND AND FINDINGS OF FACT:

See Attachment No. 4

CONCURRENCY ANALYSIS:

An Initial Certificate of Capacity is being issued for an 80-room hotel. Any conditions required pursuant to the issuance of the certificate are attached to the Initial Certificate of Capacity.

RECOMMENDATION:

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

ATTACHMENTS:

- 1. Conditions of Approval
- 2. Location Map
- 3. Site Plan
- 4. Background and Findings of Fact
- 5. Initial Certificate of Capacity

JAS/DS/dem/pdd15-1262

PLANNING AND DEVELOPMENT DEPARTMENT ACTION:

APPROVED

B.C.C.
 D.R.C.
 JAS/DS

Pasco County

By: Burns Date 6-29-15

For Substantial Compliance With
 The Applicable Provisions of Pasco County
 Land Development Regulations
 And Their Intent

for Joaquin Silva

ATTACHMENT NO. 1 – CONDITIONS OF APPROVAL

Cypress Creek North – Parcel 1

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. Pasco County Utilities Service Connection Application approval required prior to the start of any activities to construct water, wastewater, or reclaimed as applicable.
 - d. National Pollutant Discharge Elimination System Permit/permit application.

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

Specific Conditions

2. The applicant shall have the Geotechnical Engineer provide a certification per LDC 807.
3. Prior to any construction activities, including site preparation, the applicant shall clearly field-demarkate the 25' offset upland buffer line, as shown on the final, approved site plans.
4. The owner/developer acknowledges that a minimum fire flow of 1500 gpm is required.
5. All construction activities, including but not limited to, clearing, digging, ditching, grading, grubbing, trenching or installing erosion or sediment controls, shall occur upslope from the clearly field-demarkated 25' offset upland buffer line; no construction activities shall occur within the 25' offset upland buffer.

General Conditions

6. The developer acknowledges that approval of this 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.
7. 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.
8. 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*.
9. 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.
10. 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.
11. 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.
12. 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 Land Development Code (LDC), Sections 300, 403, and 900.

13. 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.
14. 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).
15. The applicant/developer acknowledges that the PSP shall expire within six years of the original approval date of the PSP if Building Permits for the entire development have not been issued. 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

16. 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.
17. Unless otherwise approved by the County Engineer, driveway, road, and intersection improvements requiring roadway widening and/or left-turn, storage lane construction shall also include an asphaltic concrete overlay of the entire limits of the intersection improvement area to the County's specifications as approved by the County.
18. Section 316.0745, Florida Statutes, requires that all traffic-control signing and markings on private property opened to the general public be in conformance with the Florida Department of Transportation's (FDOT) *Manual on Uniform Traffic Control Devices* and FDOT standards.
19. All handicapped parking spaces shall be signed and marked in accordance with the FDOT standards index. All regular/standard parking spaces shall be striped in white.
20. All construction within non-County-maintained right-of-way will require a Driveway Connection Permit. The applicant/developer shall obtain a Driveway Connection Permit from the County.
21. In consideration of the County's agreement to provide potable water and/or reclaimed water to the subject property, the applicant/developer and their 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.
22. The developer shall provide fire protection in compliance with the Pasco County Code of Ordinances, Chapter 46, Article III, and any subsequent amendments.
23. 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).
24. The Timing and Phasing Application submitted by the applicant assumed the following land use:

80-room hotel

Any development of land use that generates greater traffic impacts than those assumed shall require an updated Timing and Phasing Application utilizing a methodology approved by the County. The DRC, BCC, or County Administrator or designee may impose additional conditions on the applicant or developer based on the updated County-approved Timing and Phasing Analysis.
25. 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.
26. 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.
27. The applicant/developer acknowledges, in accordance with the LDC, Section 905.2, Landscaping and Buffering, any plant materials of whatsoever type and kind required by

the Landscape and Buffering regulations and this approval, shall be replaced within thirty days of their demise and/or removal.

28. If, during construction activities, any evidence of historic resources including, but not limited to, aboriginal or historic pottery, prehistoric stone tools, bone or shell tools, historic trash pits, or historic building foundation, are discovered, work shall come to an immediate stop, and the Florida Department of Historic Resources (State Historic Preservation Officer) and the County shall be notified within two working days of the resources found on the site.
29. If, during construction activities, any evidence of the presence of State and Federally protected plant and/or animal species is discovered, work shall come to an immediate stop, and the County shall be notified within two working days of the plant and/or animal species found on the site.

Development Standards

30. The commercial dimensional standards shall be in accordance with Land Development Code, Section 526, C-2 General Commercial District, as amended.

Building Permit/Certificate of Occupancy

31. Site plans submitted with Building Permit applications are invalid as to final site approval unless stamped approved by the Planning and Development Department or the. 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 Land Development Code (LDC), Sections 300 and 403.
32. 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.
33. 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 issuance of the Certificate of Occupancy (CO).
34. The owner/developer shall arrange for a final site inspection approval by the Engineering Services Department prior to the issuance of the CO.

OWNER/ DEVELOPER'S ACKNOWLEDGMENT:

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

Date

Signature

Print Name

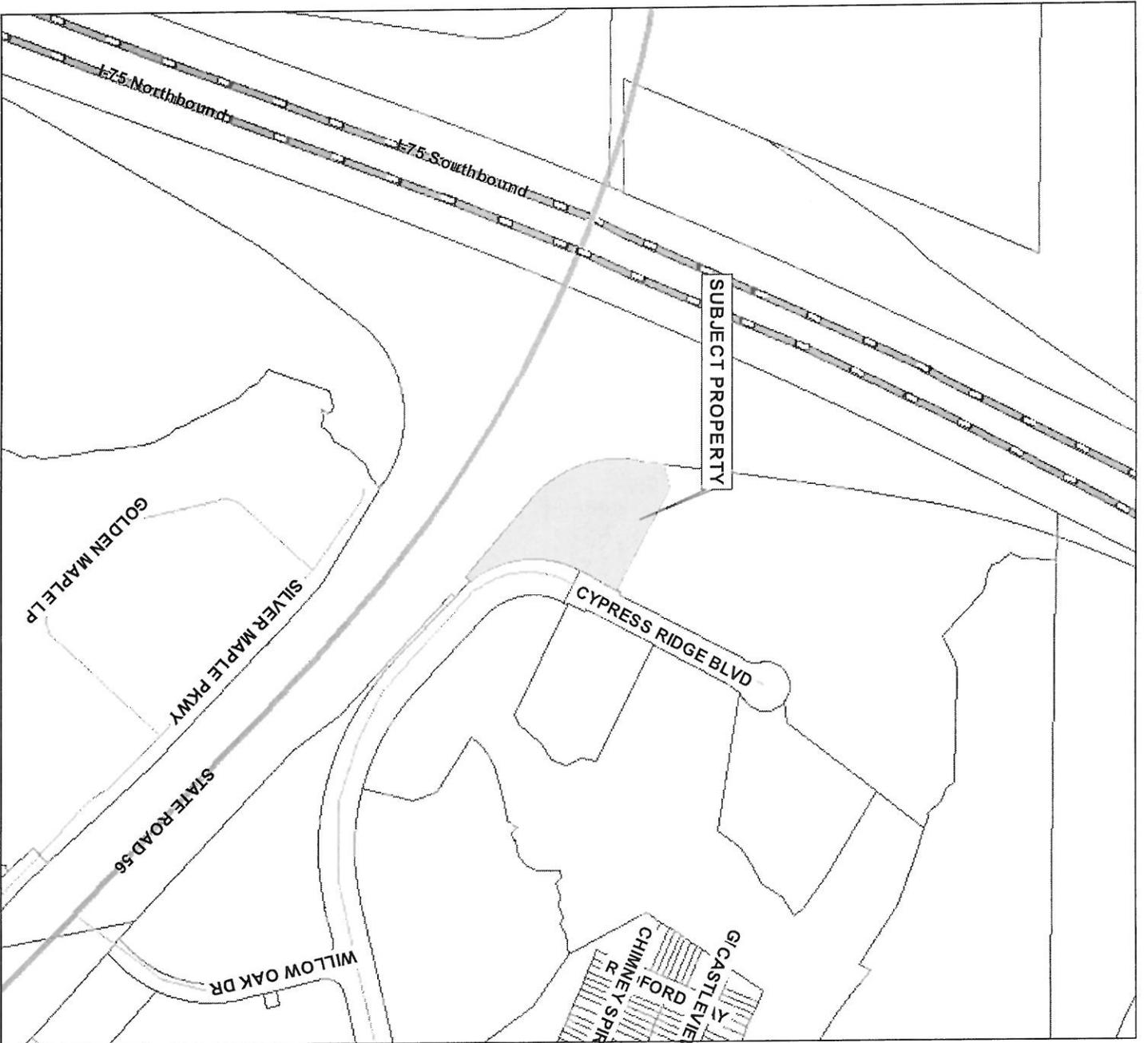
Title

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____
(date), by _____ (name
of corporation acknowledging) a _____
(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



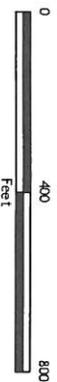
SML15-014
Cypress Creek North, Parcel 1

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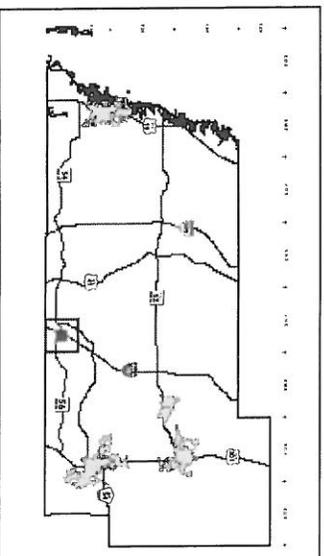
PHYSICAL ADDRESS:
 NONE

TAZ - 287
 COMMISSION DISTRICT: 2

 SUBJECT PROPERTY



Pasco County GIS | 3/1/2015 | aikkuorta



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ATTACHMENT NO. 4 - BACKGROUND AND FINDINGS OF FACT
Cypress Creek North – Parcel 1

BACKGROUND:

1. On June 18, 2002, the Board of County Commissioners (BCC) approved the Cypress Creek Development of Regional Impact (DRI).
2. On August 20, 2002, the BCC approved the Cypress Creek MPUD Master Planned Unit Development (Petition No. 5787).
3. On January 23, 2003, the Development Review Committee (DRC) approved the Cypress Creek DRI, Phase 2, infrastructure preliminary/construction site plan (Memorandum No. DR03-520).
4. On October 21, 2003, the BCC approved, with conditions, an amendment to the Cypress Creek MPUD Master Planned Unit Development (Memorandum No. GM04-0015).
5. On October 7, 2004, the DRC denied the Cypress Creek DRI, Phase 4, and infrastructure preliminary/construction site plan (Memorandum No. DR04-2468).
6. On January 27, 2005, the DRC approved the Cypress Creek DRI, Phase 4 infrastructure preliminary/construction site plan (Memorandum No. DR05-704).
7. On December 1, 2005, the DRC approved the Cypress Creek DRI, Phase 3, drainage improvements, with conditions (Memorandum No. DR06-369).
8. On December 5, 2006, the BCC adopted Resolution No. 07-63, an amendment to the Development Order for the Cypress Creek DRI.
9. On December 20, 2007, the former Development Review Division approved the Cypress Creek, Parcel 11A, Phases 1A and 1B, preliminary/construction site plan and stormwater management plan and report, with conditions (Memorandum No. DR08-417).
10. On November 25, 2008, the BCC adopted amendments to the County's concurrency-management regulations to extend, without additional concurrency review or analysis, the concurrency expiration date of all projects in Pasco County by one year (the one-year extension).
11. On May 12, 2009, the BCC adopted Resolution No. 09-205, an amendment to the Development Order for the Cypress Creek DRI.
12. On March 18, 2014, the Planning and Development Department approved, with conditions, a nonsubstantial amendment to the Cypress Creek MPUD, to add "skating rink" as a use to Parcel 1 (Memorandum No. PDD14-618).

FINDINGS OF FACT:

1. Presently, the subject site is unimproved. The site is the remainder of Parcel 1 of Cypress Creek DRI No. 244.
2. The owner/developer has submitted the following documents:
 - a. Letter from Withlacoochee River Electric Co-Op.
3. The PSP/construction plan and stormwater management plan and report has 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 and with the Pasco County applicable provisions of the Comprehensive Plan, as submitted.
4. The PSP/construction plan and stormwater management plan and report for the above-subject project was prepared for Wesley Chapel Hotels, LLC by Howard Civil Engineering and consists of 12 sheets dated March 11, 2015; the sheets were last revised on June 13, 2015. The plans were originally received by the Planning and Development Department on April 23, 2015, and final revisions were received on June 18, 2015.
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 (SSRA).

The Planning and Development Department's approval of this PSP/construction plan and stormwater management plan and report constitutes a finding by the Planning and Development Department that the PSP/construction plan and stormwater management plan and report, as conditioned, is consistent with those Goals, Objectives, and Policies of the Comprehensive Plan and those provisions of the LDC that are applicable to PSP/construction 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.

INITIAL CERTIFICATE OF CAPACITY

REQUIRED FOR PRELIMINARY SITE PLANS, PRELIMINARY DEVELOPMENT PLANS,
NONRESIDENTIAL SUBDIVISION, RESIDENTIAL SUBDIVISION INTO MORE THAN ONE DWELLING UNIT
PER LOT, AND PUBLIC SCHOOL COMPREHENSIVE PLAN CONSISTENCY REVIEW
To Be Completed By Department Responsible for Approval Sought;
Completed Certificate Must Be Attached to the Agenda Item and Approval Document

Complete Application (Date):	1/30/15	Certificate Completed by:	PJB
Parcel ID No(s):	26-26-19-0000-00100-0210 <small>(attach survey if project includes portion of parcel)</small>		
Project Name:	Cypress Creek North, Parcel 1	No:	SML15-014
Applicant Name, Address, and Telephone Number:	Blalock Pasco Trust c/o Trevor Howard, 111 2 nd Ave, NE, Ste 900, St. Petersburg, FL 33701 (813) 962-6565		
Job Site Address:	Cypress Ridge Blvd, Northeast corner of I-75 & SR 56		
Does the applicant want to opt out of the mobility fee system pursuant to LDC 1302? <input type="checkbox"/> Yes <input type="checkbox"/> No (If Yes, then transportation concurrency will apply and TIS application is required.)			
Project subject to Development of Regional Impact (DRI) Development Order or to a Development Agreement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Approval Sought (Check All that apply):			
<input type="checkbox"/>	Preliminary Development Plan	<input type="checkbox"/>	Nonresidential Subdivision
<input checked="" type="checkbox"/>	Preliminary Site Plan	<input type="checkbox"/>	Residential Subdivision into more than one dwelling unit
<input type="checkbox"/>		<input type="checkbox"/>	Public School (Comprehensive Plan Consistency Review)

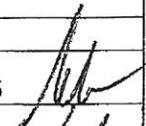
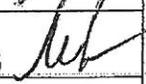
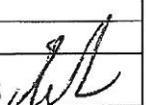
TYPE OF DEVELOPMENT

Number of Units	Unit Measure	Description
82	rooms	Hotel

Expiration (1300 LDC)		
All facilities (other than roads and schools) expire on:	6/29/2021	(6 yrs from issuance)
Roads(Only applies if project subject to transportation concurrency) Certificate of Capacity expires or is subject to additional review on: (click N/A if transportation concurrency does not apply)		or N/A <input checked="" type="checkbox"/>
Schools: Certificate of Capacity expires or is subject to additional review on:		or N/A <input checked="" type="checkbox"/>
Issuance Date:	6/29/15	<i>Dorothea Masumian</i>

Completed Certificate of Capacity which has been issued to be distributed as follows:
1) Applicant 2) Shared Directory: 1-LOS, and 3) Project File.

INITIAL CERTIFICATE OF CAPACITY

	Yes	No	Conditional Approval	Review Standards	Reviewed By & Authorized Signature/Date
Roads <input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 1301.6.D and Chapter 7 Transportation Analysis	
Water/Water Supply (Utilities) or <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LDC 1301.6.A and Chapter 10 Public Facilities Element	Mike Kirkpatrick 02/03/15 
Sewer (Utilities) or <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LDC 1301.6.A and Chapter 10 Public Facilities Element	Mike Kirkpatrick 02/03/15 
Parks/Recreation(Parks) <input type="checkbox"/> N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 1301.6.B and Chapter 5 Recreation and Open Space Element	
Solid Waste (Utilities) Or <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LDC 1301.6.A and Chapter 10 Public Facilities Element	Mike Kirkpatrick 02/03/15 
School or <input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 1301.6.C & Chapter 8 Public School Facilities Element and School District Concurrency Implementation Procedures Manual	

[Type or Copy and Paste Below]

Cypress Creek North, Parcel 1 Parcel ID # 26-26-19-0000-00100-0210 PCU# 00-245.68

Conditions of Approval for Water:

Pasco County Utilities has reviewed the referenced parcel and has determined that this parcel is within the existing area where water services are provided by Pasco County Utilities. A Service Connection Application, per County codes and ordinances, for water service to this property must be submitted and will be subject to the following conditions:

The provision water service is contingent upon the County obtaining adequate water supply from Tampa Bay Water; receiving all the necessary permits and approvals to implement and construct the County's planned system improvements and facility expansions needed to serve the development; and the Developer's, and its successors or assigns, compliance with the conditions of Pasco County Code Chapters 46 and 110, (including but not limited to the obligation to execute and implement, as applicable, a Utilities Service Agreement and a Utilities Service Plan, both acceptable to the County, and the payment of water impact fees).

Conditions of Approval for Wastewater:

Pasco County Utilities has reviewed the referenced parcel and has determined that this parcel is within the existing area where wastewater services are provided by Pasco County Utilities. A Service Connection Application, per County codes and ordinances, for wastewater service to this property must be submitted and will be subject to the following conditions:

Completed Certificate of Capacity which has been issued to be distributed as follows:

- 1) Applicant
- 2) Shared Directory: 1-LOS, and 3) Project File.

The provision wastewater service is contingent upon the County receiving all the necessary permits and approvals to implement and construct the County's planned system improvements and facility expansions needed to serve the development; and the Developer's, and its successors or assigns, compliance with the conditions of Pasco County Code Chapter 110, (including but not limited to the obligation to execute and implement, as applicable, a Utilities Service Agreement and a Utilities Service Plan, both acceptable to the County, and the payment of wastewater impact fees).

Conditions of Approval for Solid Waste:

Pasco County Utilities has reviewed the referenced parcel and has determined that this parcel is within the existing area where solid waste services are provided by Pasco County Utilities.

The provision of solid waste service is contingent upon the County receiving all the necessary permits and approvals to implement and construct the County's planned disposal system improvements and facility expansions needed to serve the development; and the Developer's, and its successors or assigns, compliance with the conditions of Pasco County Code Chapter 90 and other applicable regulatory requirements.

Completed Certificate of Capacity which has been issued to be distributed as follows:

- 1) Applicant 2) Shared Directory: 1-LOS, and 3) Project File.

Revised 9-20-13