

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

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

DATE: 7/29/14 FILE: PDD14-1269

SUBJECT: Large Commercial Development Review – Dr. Reddy Commerce Center - Construction Plan and Stormwater Management Plan and Report with Alternative Standard (Project No. LRG13-029)
Recommendation: Approval with Conditions (Attachment No. 1)


FROM: Dorothy E. Masumian
Development Review
Technician III

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:	Dr. Reddy Commerce Center
Developer's Name:	Dr. Sree Reddy
Location:	South Central Pasco County on the north side of S.R. 56, approximately one mile east of I-75 and one mile west of Bruce B. Downs Boulevard) (Attachment No. 2)
Parcel ID No.:	26-26-19-0000-00100-0160
Land Use Classification:	MU (Mixed Use)
Zoning District:	MPUD Master Planned Unit Development (MPUD)
Acreage:	2.79 Acres, m.o.l.
Use/Square Feet:	Cross-Fitness, 11,830 Square Feet; Cross-Fitness Retail, 600 Square Feet; Animal Hospital, 4,500 Square Feet; Martial Arts, 2,600 Square Feet; and Retail, 3,084 Square Feet; for a Total of 22,614 Square Feet
Flood Zone:	"AE"
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 Dr. Reddy Commerce Center is requesting approval of a construction plan and stormwater management plan and report for two multiuse buildings consisting of a 11,830-square-foot cross-fitness center, a 600-square-foot cross-fitness retail area, a 4,500-square-foot animal hospital, a 2,600-square-foot martial arts studio, and 3,084 square feet of retail, for a total of 22,614 square feet (Attachment No. 3). Also requested is an alternative standard from the requirements of the Land Development Code (LDC), Section 802, Tree Preservation and Replacement. The applicant/developer is requesting to allow payment into the Tree Mitigation Fund in lieu of replacing all inches of trees removed (Attachment No. 4).

BACKGROUND AND FINDINGS OF FACT:

See Attachment No. 5

ALTERNATIVE STANDARDS REQUEST NO. 1:

The applicant/developer has requested a specific alternative standard from the LDC, Section 802, Tree Preservation and Replacement, requirements.

Subsection 802.3.C.1.b.3, Tree Mitigation Fund, which, if approved, would relieve the applicant/developer of planting 505 inches of removed trees. A total of 621 inches are proposed to be removed with 116 inches being replaced, leaving a deficit of 505 inches.

Relief is being sought pursuant to the LDC, Section 407.5.B, as the purpose for the alternative standards which reads as follows: "The alternative standard meets or exceeds the intent and purpose of the Code requirement at issue."

The applicant states:

"In order to develop the site, a total of 621 inches of trees must be removed; however, there is only sufficient area available to plant 116 inches of replacement trees. As a result, the only solution will be to contribute into the Tree Replacement Fund. This proposal will meet or exceed the intent and purpose of the Code requirement at issue and will not adversely affect compliance with other Code provisions, development order(s) or permit(s)."

STAFF ANALYSIS:

Staff has reviewed the applicant's request and recommends approval; the applicant has demonstrated that the site cannot accommodate the total number of required replacement trees as the site would be overcrowded, making it difficult for the trees to survive. The Tree Mitigation Fund amount to be contributed shall be based on \$50.00 per inch of the total caliper inches of replacement trees for which the alternative standard request is approved, but not to exceed \$500.00 for each 2,000 square feet of the first floor building area ($22,614 \text{ SF} / 2,000 = 11.307 \times \$500.00 = \$5,653.50$) versus ($505 \text{ inches} \times \$50.00 = \$25,250.00$). The applicant shall pay \$5,653.50.

CONCURRENCY ANALYSIS:

An Initial Certificate of Capacity is being issued for a total of 22,614 square feet. Any conditions required pursuant to the issuance of the certificate are attached to the Initial Certificate of Capacity (Attachment No. 6).

RECOMMENDATION:

The Planning and Development Department recommends approval of the construction plan, stormwater management plan and report, and alternative standard request with the attached conditions.

DEM/wpdata/drc/drreddy_cpsmpr_pdd141269/48

ATTACHMENTS:

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

**ATTACHMENT NO. 1 – CONDITIONS OF APPROVAL
DR. REDDY COMMERCE 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 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) Letter of Modification 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. A copy of all required State and Federal permits from the appropriate agencies, including drawings, plans, etc.
 - d. 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 any provisions of Pasco County ordinances and any rezoning conditions of approval not specifically waived shall be in full force and effect, including all impact fee ordinances. In the event ordinances/resolutions are adopted by the Board of County Commissioners (BCC) including, but not limited to, solid waste, public safety, or wildlife, the developer shall be required to comply with such ordinances/resolutions.
3. The developer acknowledges that no permit shall be issued without the issuance of a Final Certificate of Capacity.
4. The applicant/developer acknowledges that approval of the alternative standard request as stated is based upon representation as set forth in the construction plan submittal dated July 24, 2014, and received by the County on July 25, 2014. In the event that the construction plan is deemed void and/or approval is withdrawn, then the alternative standard request shall be considered void and all future development shall thereafter comply with all regulations currently in effect and shall be reviewed and approved as

- provided therein. Construction plan approval is contingent upon approval of alternative standard(s).
5. 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.
 6. 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.
 7. 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*.
 8. 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.
 9. 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.
 10. 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.
 11. 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.

12. 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.
13. In accordance with the LDC regarding Access Management Regulations, where a required/approved cross-access/frontage/reverse-frontage road is provided and shown on the approved plans, the applicant/developer acknowledges and agrees that this access shall be free and clear of any buildings, parking spaces (except as otherwise approved), landscaping, retention ponds, or any other obstruction (such as gates) that would prevent the free flow of traffic between the project and the neighboring properties, projects, or roadways. The applicant/developer acknowledges that this cross-access/frontage/reverse-frontage road is to remain open to the public, but maintained privately.
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).

Construction Plan

15. Prior to the issuance of the first record plat or where a record plat is not required, prior to the first Certificate of Occupancy (CO), the applicant/developer shall provide a letter from the FDOT stating that the improvements within the State right-of-way have been inspected and completed to its satisfaction.
16. 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 FDOT *Manual on Uniform Traffic Control Devices* and FDOT standards.
17. 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.
18. 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.
19. 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.

20. The developer shall provide fire protection in compliance with the Pasco County Code of Ordinances, Chapter 46, Article III, and any subsequent amendments.
21. 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).
22. The Timing and Phasing Application submitted by the applicant assumed the following land use:

An 11,830-square foot cross-fitness center, a 600-square foot cross-fitness retail area, a 4,500-square foot animal hospital, a 2,600-square foot martial arts studio, and 3,084 square feet of retail, for a total of 22,614 square feet.

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 Development Review Committee, BCC, or County Administrator or designee may impose additional conditions on the applicant or developer based on the updated County-approved traffic study.

23. 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.
24. 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.
25. 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.
26. 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

27. The commercial design standards are in accordance with the C-2 General Commercial Zoning District regulations and uses contained within the LDC:

Building Permit/Certificate of Occupancy

28. Unless otherwise approved by the Emergency Services Director, prior to the issuance of the first Building Permit, the development shall be included into a Pasco County Municipal Fire Service Taxing Unit to provide fire protection. The developer shall submit a petition for inclusion into the Pasco County Municipal Fire Service Taxing Unit at the time of record plat submission, or when no plat is required, prior to the issuance of the first Building Permit. In no case shall a Building Permit be issued until such a petition has been received by the Emergency Services Director.
29. 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.
30. 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.
31. Prior to the issuance of the first CO, monies shall be contributed to the Tree Mitigation Fund in the amount of \$5,653.50, for the caliper inches of replacement trees not planted at a rate set by resolution of the BCC.
32. 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 CO.
33. The owner/developer shall arrange for a final site inspection approval by the Engineering Services Department prior to the issuance of the CO.

OWNER'S ACKNOWLEDGMENT:

The owner acknowledges that he 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.
 PDD

Pasco County

By Amadei Boone Date 29 JUL 14

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

(PDD14-1269)
Attachment No. 1
Page 6 of 6



LRG13-029
Dr. Reddy Commerce Center

26 26 19 0000 00100 0160

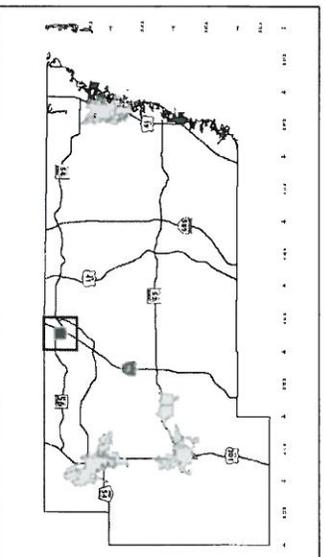
**PHYSICAL ADDRESS:
 NONE**

TAZ - 287
COMMISSION DISTRICT: 2

SUBJECT PROPERTY



Pasco County GIS | 10/30/2013 | aikhuoria



PASCO COUNTY
ZONING AND SITE DEVELOPMENT DEPARTMENT
ALTERNATIVE STANDARDS APPLICATION
SECTION 407.5, ALTERNATIVE STANDARDS,
LAND DEVELOPMENT CODE

The County Administrator or designee is authorized to approve alternative standards with conditions.

Requests for alternative standards may be made in conjunction with the filing of a development application. Alternatively, an application may be filed prior to submittal of an application. In that circumstance, sufficient information shall be submitted to permit a reasoned consideration of the request. Prior to filing a request for alternative standards, any applicant should review Section 303.6.C, Modification to Submittal Requirements. Sufficient information must be provided for the administrative official to make a determination (LDC 407.5.A).

PROJECT NAME: Dr. Reddy Commerce Center

PROJECT NO. (FROM DEVELOPMENT REVIEW DIVISION): LRG13-029

PARCEL ID NO.: 26-26-19-0000-00100-0160

SITE LOCATION: 27029 State Road 56, Wesley Chapel, FL 33544

OWNER: Sree Reddy, DVM, P.A.

NAME: _____

ADDRESS: 27227 State Road 56

Wesley Chapel, FL 33544

TELEPHONE NO.: (813) 600-7871

E-MAIL ADDRESS: skanuganti@yahoo.com

DEVELOPER: Same as Owner _____

NAME: _____

ADDRESS: _____

TELEPHONE NO.: (_____)

E-MAIL ADDRESS: _____

AUTHORIZED AGENT: Charles A. Otero, P.E.

AGENT ADDRESS: 13902 N. Dale Mabry Hwy, Suite 110

Tampa, FL 33618

TELEPHONE NO.: (813) 918-2498

E-MAIL ADDRESS: cotero@oteroengineering.com

ENGINEER: Same as Agent

NAME: _____

ADDRESS: _____

TELEPHONE NO.: (_____)

E-MAIL ADDRESS: _____

APPLICATION

Other than deviations from Access Management, Transportation—Corridor Spacing, and Signs, the County Administrator or designee shall consider the following criteria when reviewing an alternative standards request. First, either 1 or 2 shall be met. If either 1 or 2 apply, then all of 3, 4, and 5 shall be met:

(Applicant: use separate application for each requested code item.)

- A. Nature of Request. Describe generally the nature of the request, specific reason and section of the LDC from which the alternative standards is requested:

Approval to pay into the Tree Mitigation Fund in lieu of providing tree replacement.

LDC 802.3.B.1.b

- B. Demonstrate compliance with either number 1 or number 2:

1. The alternative standard meets or exceeds the intent and purpose of the Code requirement at issue.

In order to develop the site, a total of 621 inches of trees must be removed, however, there is only sufficient area available to plant 116 inches of replacement trees. As a result, the only solution will be to contribute into the Tree Replacement Fund.

This proposal will meet or exceed the intent and purpose of the Code requirement at issue and will not adversely affect compliance with other Code provisions, development order(s) or permit(s).

-
-
2. No feasible engineering or construction solutions can be applied to satisfy the regulation.

As stated above, there are no engineering or construction solutions that can be applied to satisfy the regulation.

then all of 3, 4, and 5 shall be met:

3. The alternative standard does not adversely affect compliance with other Code provisions, development order(s), or permit(s).
4. The alternative standard is not in conflict with other mandatory substantive requirements of local, State, or Federal law.
5. The alternative standard is consistent with the applicable provisions of the Comprehensive Plan.

WHERE DEVIATION(S) FROM SECTION 901.3, ACCESS MANAGEMENT AND 901.1, TRANSPORTATION—CORRIDOR SPACING IS/ARE REQUESTED, THEN THE APPLICANT/DEVELOPER SHALL COMPLY WITH THE FOLLOWING:

- C. Where an alternative standard is requested from Section 901.3, Access Management, or where deviations from Section 901.1, Transportation — Corridor Spacing are requested, the Development Review Committee (DRC) shall hear the request and consider the following criteria at a public hearing duly noticed pursuant to this Code, Section 304:
 1. No feasible engineering or construction solutions can be applied to satisfy the regulation; or
 2. The proposed alternative standard will maintain or improve collector/arterial roadway capacity and travel times without increasing the number or severity of accidents; or
 3. Compliance with the regulation will deny reasonable access.

WHERE DEVIATION(S) FROM SECTION 406.1, SIGNS IS/ARE REQUESTED, THEN THE APPLICANT/DEVELOPER SHALL COMPLY WITH THE FOLLOWING:

- D. Where an alternative standard is requested to increase the height of a monument sign, or to increase the size of a wall sign, the DRC shall hear the request and shall consider the following criteria at a public hearing duly noticed pursuant to this Code, Section 304:
1. Granting the request reduces the number of signs on the parcel and/or the number of registered billboards in the unincorporated areas of Pasco County. The request must achieve one or more of the following:
 - a. Removal of one or more unconstructed monument signs on the parcel visible from any right-of-way which the applicant otherwise would have been permitted to erect on the parcel; or
 - b. Removal of one or more nonconforming signs on the parcel visible from any right-of-way which the applicant otherwise would have been permitted to retain on the parcel; or
 - c. One or more registered billboards from any parcel in unincorporated Pasco County; or
 - d. Any combination of the above; and
 2. Granting the request reduces the overall sign structure area visible on the parcel from any right-of-way. The total sign structure area which applicant otherwise would have been permitted to erect or retain on the parcel must be reduced by at least thirty-five (35) percent. For the purposes of calculating the allowable sign structure area in this section, the actual size of registered billboards that are proposed to be removed will be used. All other requirements of Section 406.1, Signs of the Land Development Code (LDC), including, but not limited to, copy/sign structure ratios and required architectural features, must be observed for the proposed sign; and
 3. Granting the request does not result in excessive sign heights. The maximum height for a sign erected pursuant to this alternative standard may not exceed twenty (20) feet, or thirty (30) feet on controlled access roadways, even where a reduction in overall numbers of signs on the property and a reduction in overall sign structure area is achieved; and
 4. Granting the request does not result in the erection of pole signs or any other prohibited structures identified in this Code; and
 5. Granting the request meets or exceeds the stated intent and purpose of:
 - a. Section 406.1, Signs of the LDC; and
 - b. This section, which the specific intent and purpose of this section is:
 - (1) To allow applicants to combine monument sign height allowances (or to combine wall sign size allowances) in exchange for reducing the overall number and size of monument signs (or wall signs) which are, or may be, erected on the property; and

- (2) To provide an incentive for property owners to remove nonconforming signs and registered billboards in return for increased flexibility in the height of monument signs or increased size of wall signs; and
 - (3) To give flexibility in height and size to allow signs that are proportionate for the property, but not to approve signs of excessive heights or heights that will be inharmonious or incompatible with its surroundings. The sign should be compatible with building heights of the existing neighborhood and should not impose a foreign or inharmonious element to an existing skyline; and
 - (4) To ensure no pole signs or other prohibited sign is erected; and
 - (5) To approve signs which are compatible with other nearby signs, other elements of street and site furniture, and with adjacent structures. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering; and
 - (6) To ensure the location and placement of the sign will not endanger motorists; and
 - (7) To ensure the sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance; and
 - (8) To ensure the sign will not obstruct views of users of adjacent buildings to side yards, front yards, or to open space; and
 - (9) To ensure the sign will not negatively impact the visual quality of a public open space as a public recreation facility, square, plaza, courtyard, and the like; and
 - (10) To ensure the sign's lighting will not cause hazardous or unsafe driving conditions for motorists; and
6. Granting the request does not require Pasco County to compensate for any signage or registered billboards proposed to be removed. The owner(s) of any sign or registered billboard, and landowner(s) where such sign or registered billboard was erected, must provide a written acknowledgement in a form approved by the County Attorney's Office that:
- a. The increased height/size of signage obtained through approval of an alternative standard is just compensation, and is the sole compensation owing pursuant to Section 70.20, Florida Statutes and under any other legal theory available, for any sign and/or registered billboard removed from the property, or any sign which could have been erected but was not; and
 - b. The sign/registered billboard owner and the landowner waive any right to additional compensation under Section 70.20, Florida Statutes, or under

any other legal theory available, for any sign and/or registered billboard removed from the property, or which could have been erected but was not; and

- c. If the sign/registered billboard owner and landowner are not the same entity requesting approval of the alternative standard, the applicant for an alternative standard must agree to defend, indemnify, and hold the County harmless for any claim for compensation by other persons, in a form approved by the County Attorney's Office.

E. Denial of Alternative Standards. Any request for an alternative standard which does not meet the criteria above will be denied, and the applicant shall either:

- 1. Comply with this Code; or
- 2. For those alternative standards not heard by the DRC pursuant to Section 407.5.C and D, the applicant/developer may request consideration of the alternative standard by the DRC. The standard of review for the DRC shall be the same as for the County Administrator or designee; or
- 3. For those alternative standards heard by the DRC pursuant to Section 407.5.C and D, a denial may be appealed to the Board of County Commissioners pursuant to the LDC, Section 407.1, Appeals.

ADDITIONAL ITEMS REQUIRED FOR ALTERNATIVE STANDARDS:

1. Two signed and sealed legal descriptions and sketches to be supplied at time of application.
2. Copy of Warranty Deed or proof of ownership X
3. Copy of Last Year's Tax Bill X
4. Notarized Agent of Record Letter (if applicable) X
5. Is this application the result of a Notice of Violation? No If so, please attach a copy of the notice.
6. Alternative Standards Fee:
 - a. \$200.00 for each item requested for new developments, and no review fee for redevelopment(s).
 - b. For *Access Management, Transportation—Corridor Spacing, Private street w/interconnections, and Signs*: \$600.00 Base Fee plus \$200.00 for each alternative standards request.
 - c. For determination by the DRC where otherwise DRC approval was not required pursuant to Section 407.5: \$400.00.

Check made payable to: Pasco County Board of County Commissioners.

I certify that all the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.

I consent to the entry in or upon the premises described in this application by any authorized official of Pasco County for the purpose of posting, maintaining, and removing such notices as may be required by law.

DATE: July 17, 2014

APPLICANT'S SIGNATURE: 

APPLICANT'S REPRESENTATIVE: Charles A. Otero

ADDRESS: 13902 N. Dale Mabry Hwy, Suite 110

CITY: Tampa STATE: FL

ZIP CODE: 33618

ATTACHMENT NO. 5 - BACKGROUND AND FINDINGS OF FACT
DR. REDDY COMMERCE CENTER

BACKGROUND:

1. On June 18, 2002, the BCC approved the Cypress Creek Development of Regional Impact (DRI).
2. On August 20, 2002, the BCC approved the Cypress Creek MPUD (Petition No. 5787).
3. On January 23, 2003, the 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 (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 (DO) 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.
11. On May 12, 2009, the BCC adopted Resolution No. 09-205, an amendment to the DO 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 an unimproved portion of the Cypress Creek DRI No. 244 and further designated as Parcel 10 on Map H and Parcel 5 of the MPUD Map.

2. The preliminary site plan 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.
3. The construction plan and stormwater management plan and report for the above-subject project was prepared for Dr. Reddy by Otero Engineering, Inc., and consists of 12 sheets dated April 7, 2014; the sheet was last revised on July 17, 2014. The plan was originally received by the Planning and Development Department on April 15, 2014, and final revisions were received on July 25, 2014.
4. Access to the property is from S.R. 56, an FDOT-maintained road, which has 290 feet of right-of-way.
5. A Timing and Phasing Application was submitted and found to be exempt from the requirement to provide a traffic study and a Substandard Roadway Analysis.
6. The proposed request is consistent with the Pasco County applicable provisions of the Comprehensive Plan as submitted.
7. The parking space calculations, shown on the preliminary plan for the proposed development and uses, have been based on information provided by the developer and may not be adequate if there are any changes in use with future redevelopment.

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