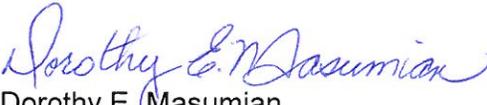


PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Joaquin A. Servia
Acting Development
Review Manager

DATE: 11/20/14 FILE: PDD15-224

SUBJECT: Large Commercial
Development Review –
Preliminary Site Plan
/Construction Plan and
Stormwater Management Plan
and Report, Cypress Creek
Town Center West Ring road
(Project No. LRG14-016)
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. 3

PROJECT DESCRIPTION:

Commission District:	The Honorable Kathryn Starkey
Project Name:	Cypress Creek Town Center West Ring Road
Developer's Name:	JG Cypress Creek, LLC
Location:	South Central Pasco County, on the southeast corner of S.R. 56 and Wesley Chapel Boulevard, Section 27, Township 26 South, Range 19 East (Attachment No. 2)
Parcel ID Nos.:	27-26-19-0020-00500-0010, (portion of)
Land Use Classification:	ROR (Retail/Office/Residential)
Zoning District:	MPUD Master Planned Unit Development
Acreage:	10 Acres, m.o.l.
Type of Unit:	Internal Drive
Flood Zone:	"A" and "X"
Water/Sewage:	Pasco County
Transportation Analysis Zone:	286
Mobility Fee Assessment District:	A
Mobility Fee Collection/Benefit District:	3
Roads:	Private
Certificate of Capacity:	Initial

DEVELOPER'S REQUEST:

The applicant/developer of Cypress Creek Town Center South is requesting a preliminary site plan (PSP) /construction plan and stormwater management plan and report approval for an internal roadway for the Cypress Creek Town Center Mall District (Attachment No. 3). This roadway, Sun Vista Drive, would serve as a reverse frontage road and provide access to the lots abutting SR 56 and Wesley Chapel Blvd ensuring no direct access to the collector/arterial road system.

BACKGROUND AND FINDINGS OF FACT:

See Attachment No. 4.

RECOMMENDATION:

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

JAS/DS/DEM/pdd15-224

ATTACHMENTS:

1. Conditions of Approval
2. Location Map
3. Site Plan
4. Background and Findings of Fact

**ATTACHMENT NO. 1 – CONDITIONS OF APPROVAL
Cypress Creek Town Center West Ring Road**

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 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 Modification Letter 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 acknowledge 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.
3. The developer acknowledges that approval of this Preliminary Site Plan - 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.
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 Land Development Code (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 acknowledge that the Preliminary Site Plan (PSP) shall expire within six years of the original approval date if all work authorized by the PSP is not 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. Where excavation in excess of 30,000 cubic yards is proposed to be removed from the site by using publicly dedicated rights-of-way, roadways, or easements, a Class I Mining Permit and Conditional Use Permit shall be required. Prior to construction plan approval, the developer shall submit calculations indicating the amount of excess fill that will result from development of the site. Prior to construction plan approval, the developer shall submit, along with a statement as to where and how the excess material will be disposed of, calculations indicating the amount of excess fill that will result from development of the property.
14. 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's *Manual on Uniform Traffic Control Devices* and FDOT standards.
15. If the project has internal roads that are to be named, street name signs shall be nine inches on all road classifications. All signs shall have six-inch Series B letters. All street name signs on private roads shall be standard D3 street name signs with the colors reversed: white background with green letters and border. At intersections with County- or State-maintained roads, the County- or State-maintained road shall be green background with white letters and border.
16. The developer shall show hydrant site locations on the construction plans. Raised pavement markings shall be installed.
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. 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.
20. 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.
21. The developer acknowledges that the grate elevations on the outparcels are lower than the DHW 100 of the receiving pond and shall be raised as part of the future outparcel development design and permitting.
22. The developer acknowledges that the sidewalks required along Sun Vista Drive and Grand Cypress Drive shall include 5-foot unobstructed Pedestrian Sidewalks on both sides. This pedestrian improvement shall be constructed with the vertical improvements for each abutting lot and shall be shown on the corresponding preliminary site plan/construction plans. In addition, each portion of adjacent development shall include an ADA compliant sidewalk from the proposed development to the West Ring Road pedestrian facility in accordance with the land Development Code. If continuous pedestrian network connection is not available during the development of any outparcel, the Master Developer shall construct sidewalks across the vacant lots as required by the County prior to the issuance of the first CO for that outparcel.

DEVELOPER'S ACKNOWLEDGMENT:

The 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

J. Owen Young

JAS/DS/dem/pdd15-224 attach1

PLANNING AND DEVELOPMENT DEPARTMENT ACTION:

APPROVED

- B.C.C.
- D.R.C.
-

Pasco County

By: *[Signature]* Date 11-21-14

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

(PDD15-224)
Attachment No. 1
Page 5 of 5

LRG14-016
Cypress Creek Town Center
West Ring Road

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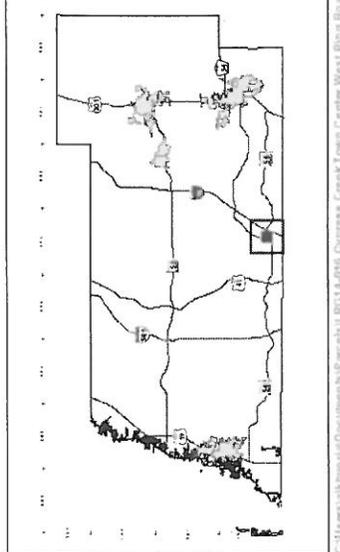
PHYSICAL ADDRESS:
2416 GRAND CYPRESS DR 318

TAZ - 286
COMMISSION DISTRICT: 3

SUBJECT PROPERTY



Pasco County GIS | 11/19/2014 | laikhuoria



**ATTACHMENT NO. 4 - BACKGROUND AND FINDINGS OF FACT
CYPRESS CREEK TOWN CENTER WEST RING ROAD**

BACKGROUND:

1. On November 23, 2004, the Board of County Commissioners (BCC) approved the Cypress Creek Town Center Development of Regional Impact (DRI) No. 252/ Development Order (DO) (Resolution No. 05-40).
2. On November 23, 2004, the BCC approved Rezoning Petition No. 6288, changing the zoning from an A-C Agricultural District to an MPUD Master Planned Unit Development District for Cypress Creek Town Center.
3. On April 26, 2005, the BCC approved a settlement agreement and an amended DO including the settlement agreement (Resolution No. 05-188).
4. On March 15, 2007, the Development Review Committee (DRC) approved the Preliminary Plan and Variance Request for Cypress Creek Town Center (Project No. SDU06-125) for 39 lots on 293 acres (Memorandum No. DR07-1092).
5. On March 15, 2007, the DRC approved a preliminary site plan for the Cypress Creek Town Center Mall District for 812,697 square feet of retail, 50,921 square feet of restaurants, and a 2,556-seat cinema (Memorandum No. DR07-1099).
6. On October 25, 2007, the DRC approved a preliminary site plan amendment for the Cypress Creek Town Center Mall District to decrease the retail to 846,544 square feet, increase the restaurant area to 91,403 with 17,100 square feet of outdoor patio seating, and increase the cinema to 2,582 seats (Memorandum No DR08-045).
7. On March 25, 2008, the BCC approved the recording of Cypress Creek Town Center for 273.515 acres into 32 commercial lots.
8. On July 22, 2014, the Zoning Administrator approved a Cypress Creek Town Center Bike and Pedestrian Master Plan, nonsubstantial modification (Memorandum No. PDD14-1050).
9. On October 3, 2014, the Planning and Development Department approved Cypress Creek Town Center Subdivision, Preliminary Development Plan Substantial Modification (Memorandum No. PDD14-1514) to create seven commercial lots (SDU06-125).

FINDINGS OF FACT:

1. Presently, the subject site is vacant.
2. The Cypress Creek Town Center West Wing Road, 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.

3. The PSP/construction plan and stormwater management plan and report for the above-subject project was prepared for JC Cypress Creek, LLC by WRA, and consists of 32 sheets dated May 15, 2014 the sheets were last revised on November 4, 2014. The plans were originally received by the Planning and Development Department on May 16, 2014, and final revisions were received on November 5, 2014
4. Access to the property is from S.R. 56, a Florida Department of Transportation-maintained road, which has 290 feet of right-of-way with approximately 150 feet of pavement.
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 applicable provisions of the Comprehensive Plan as submitted.

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