



PASCO COUNTY, FLORIDA

"Bringing Opportunities Home"

WEST PASCO GOVERNMENT CENTER
PLANNING AND DEVELOPMENT DEPARTMENT
8731 CITIZENS DRIVE, SUITE 230
NEW PORT RICHEY, FL 34654
TELEPHONE: (727) 847-8132
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dmasumian@pascocountyfl.net

January 13, 2015

Jose De Jesus, P.E.
WRA ENGINEERING
4260 W. Linebaugh Ave.
Tampa, FL 33624
idejesus@wraengineering.com

RE: Cypress Creek Town Center – South Ring Rd. – SDU06-125
PDD15-474

Dear Mr. De Jesus:

Please be advised that the above referenced submittal has been reviewed and approved by this office for compliance with the codes and requirements of Pasco County. The amendment is as follows:

1. This plan is for infrastructure only, which is consistent with the original permit approval. The roadway alignment and internal intersection configurations remain the same.
2. The plans propose to complete the work initiated in 2007-2008. Stormwater infrastructure is already in place; however the routing of the structures is being modified slightly to be consistent with the recently approved mall plans by KimleyHorn. The mall plans and stormwater analysis show the South Ring Road are part of Basin E
3. The roadway will dead end just past the curve along the southern end of the slab currently existing. The curb cuts are proposed where previously approved by the county with the previous mall plans. No utility improvements are proposed with this modification (including fire protection) since no parcel development is proposed. All utilities are to remain in place.
4. The site was filled during the initial construction of the mall district, therefore no geotech investigation was performed for completion of the work proposed to complete the South Ring Road, which consists of minor grading, base, and pavement.

"Pasco County—Florida's premier county for balanced economic growth, environmental sustainability, and first-class services."

5. No parcel improvements are proposed with the South Ring Road. Any landscaping required by code would be constructed with the future development of the commercial parcels.

Please be advised, approval is subject to the following conditions:

1. All requirements and conditions of approval within Memorandum DR07-1099, as approved by the Planning and Development Department on March 15, 2007, and each subsequently approved amendment, remain in full for and effect.
2. Please provide a copy of the stamped SWFWMD approved permit and plans prior to the issuance of the hard copy site development permit.
3. Please contact Pasco County Stormwater Management at 727-834-3611 prior to the start of clearing and grubbing or soil disturbance for a soil erosion and sediment control pre-inspection meeting.
4. Sidewalks, driveways and associated curb ramps along the South Ring Road shall be constructed with the vertical improvements.
5. The owner/developer is hereby notified that any additional revisions shall be submitted to the Planning and Development Department for review and approval.

Please have the attached Developer's Acknowledgement signed, notarized and returned to our office.

Should you have any questions, please do not hesitate to contact our office at the above address or telephone number.

Sincerely,

Dorothy E. Masumian
Dorothy E. Masumian
Senior Development Review Technician

Dawn Sutton
Dawn Sutton
Planner I

cc: dsalmone@rejacobsgroup.com

DEVELOPER'S ACKNOWLEDGMENT:

The developer acknowledges that it has read, understood, and accepted the above-listed 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

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Joaquin Servia
Acting Development
Review Manager

DATE: 10/2/14 FILE: PDD14-1514

SUBJECT: Class III Commercial
Subdivision Development
Review -
Cypress Creek Town Center
Subdivision, Preliminary
Development Plan Substantial
Modification (Project
No. SDU06-125)
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. 3

PROJECT DESCRIPTION:

Commission District:
Project Name:
Developer's Name:
Location:

The Honorable Kathryn Starkey
Cypress Creek Town Center Subdivision
Tampa Premium Outlets, LLC
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.:

27-26-19-0010-00000-0013 (portion of
previous lot), 27-26-19-0010-00000-0014
(portion of previous lot), 27-26-19-0010-
00000-0016 (portion of previous lot), 34-26-
19-0000-00100-0040(previous lot),
27-26-19-0020-00500-0010, 27-26-19-
0020-00500-0020, 27-26-19-0020-00500-
0030, 27-26-19-0020-00500-0040

Land Use Classification:
Zoning District:
Acreage:
Number of Units:
Type of Unit:
Flood Zone:

ROR (Retail/Office/Residential)
MPUD Master Planned Unit Development
293 Total Acres, m.o.l.; 100 Acres -project.
7
Commercial/Retail
"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 Subdivision is requesting a preliminary development plan substantial modification approval to subdivide 100 acres into seven (7) commercial lots (Attachment No. 3).

BACKGROUND AND FINDINGS OF FACT:

See Attachment No. 4.

CONCURRENCY ANALYSIS:

An Initial Certificate of Capacity is being issued for seven commercial lots. Any conditions required pursuant to the issuance of the certificate are attached to the Initial Certificate of Capacity (Attachment No. 5).

RECOMMENDATION:

The Planning and Development Department recommends approval of the preliminary development plan substantial modification approval request with the attached conditions.

JS/CB/DEM/wpdata/drc/cypresscreek_pdd141514/48

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 Subdivision

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 acknowledges that all conditions of previously approved Development Order, Developer Agreement, MPUD, Preliminary Site Plan/Construction Plan and Stormwater Management Plan and Reports unless specifically waived shall be in full force and effect.
3. The developer acknowledges that any provisions of Pasco County ordinances not specifically waived shall be in full force and effect, including all impact fee ordinances.
4. The developer acknowledges that approval of this Preliminary Development Plan - Nonresidential/Mixed Use (PDP-NR/MU) 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.

5. 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.
6. 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*.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. Prior to platting the first unit or phase, owners'/merchants' association documents, including Articles of Incorporation with proof of being filed with the Secretary of State,

State of Florida, restrictive covenants, and all exhibits, shall be submitted to the Engineering Services Department for review along with copies of instruments to be used to convey in fee simple the above-mentioned areas to the said association.

13. 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).
14. The applicant/developer acknowledges that the Preliminary Development Plan (PDP) shall expire within six years of the original approval date of the PDP-NR/MU if the project has not received construction plan approval for the entire development. Further, 100 percent of the project must be platted within ten years of the original PDP-NR/MU approval. In the event that the applicant/developer does not comply with this provision, all plans related to the uncompleted portion of the PDP-NR/MU 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 PDP-NR/MU is voided, all subsequent submittals shall comply with regulations in effect at the time of the said resubmittals.

Construction Plan

15. Prior to final site/construction plan approval of any project abutting a State roadway, the applicant/developer shall furnish to the Planning and Development Department a Letter of Intent indicating approval and/or an approved Driveway Permit from the Florida Department of Transportation (FDOT). Prior to the issuance of the first record plat, 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. Prior to construction plan approval, the developer shall submit a stormwater management plan in accordance with the LDC, Sections 300 and 902, to the Planning and Development Department for review and final determination. The construction plan time frame for review shall not begin until the stormwater management plan is submitted and passes content review.
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 FDOT's *Manual on Uniform Traffic Control Devices* and FDOT standards.
19. 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.

20. 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.
21. 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.
22. 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.
23. The developer shall show hydrant site locations on the construction plans. Raised pavement markings shall be installed.
24. 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).
25. The Timing and Phasing Application submitted by the applicant assumed the following land use:

Seven Commercial Lots

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 developer based on the updated County-approved traffic study.

26. 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.

27. The applicant/developers acknowledge, 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.
28. 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.
29. 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.
30. 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

31. The commercial standards are in accordance with the C-2 General Commercial zoning district regulations and uses.

Record Plat/Building Permit/Certificate of Occupancy

32. The developer acknowledges that the construction of CR 54 extension shall be completed to the satisfaction of the County and the easement over pond D shall be given to the County prior to the first Certificate of Occupancy.
33. 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.

34. Unless otherwise approved by the DRC or BCC, the applicant/developer agree to complete construction of all improvements required as a condition of platting within one year from the date that the plat is approved by the DRC or BCC. If the applicant fails to complete construction of the improvements within such time period, the County may exercise any of the following nonexclusive remedies: (1) enforce the assurance of completion of improvements guarantee document, (2) revoke the Final Certificate of Capacity or concurrency exemption issued for the platted entitlements, (3) vacate the plat, or (4) immediately cease the issuance of Building Permits within the plat. The applicant's signature of the acknowledgment form shall be considered an application for and consent to County vacation of the plat pursuant to Section 177.101, Florida Statutes, in the event of a default pursuant to this condition. Until such time that construction of such improvements is complete, the applicant/developer agree to include the following disclosure in all sales literature and sales documents for lots within the plat:

"CONSTRUCTION OF THE REQUIRED IMPROVEMENTS FOR THE LOT(S) IS NOT YET COMPLETE. COUNTY ISSUANCE OF CERTIFICATES OF OCCUPANCY AND OTHER COUNTY APPROVALS FOR VERTICAL IMPROVEMENTS MAY BE DELAYED OR WITHHELD UNTIL THE REQUIRED IMPROVEMENTS ARE COMPLETE."

For the purposes of this condition, the term "complete" shall mean that (1) the improvements have been completed in accordance with the standards set forth in the LDC, and in accordance with approved plans and specifications; (2) a Certificate of Completion has been issued by the County Administrator or designee(s) and other appropriate departments of the County; and (3) the assurance of completion guarantee has been released by the BCC.

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



PLANNING AND DEVELOPMENT DEPARTMENT ACTION:

APPROVED

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

Pasco County

By:  Date 10-3-14

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

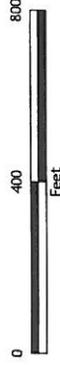
SDU06-125
Cypress Creek Towncenter
Subdivision

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27 26 19 0020 00500 0020
27 26 19 0020 00500 0030
27 26 19 0020 00500 0040

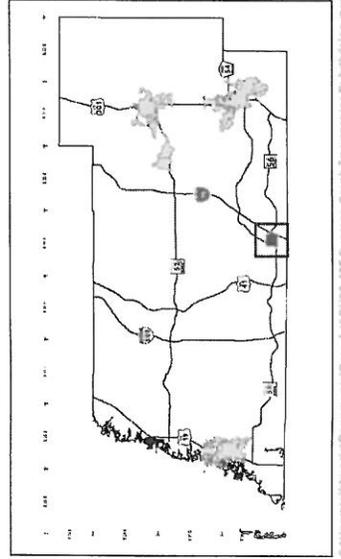
PHYSICAL ADDRESS:
NONE

TAZ - 286
COMMISSION DISTRICT: 3

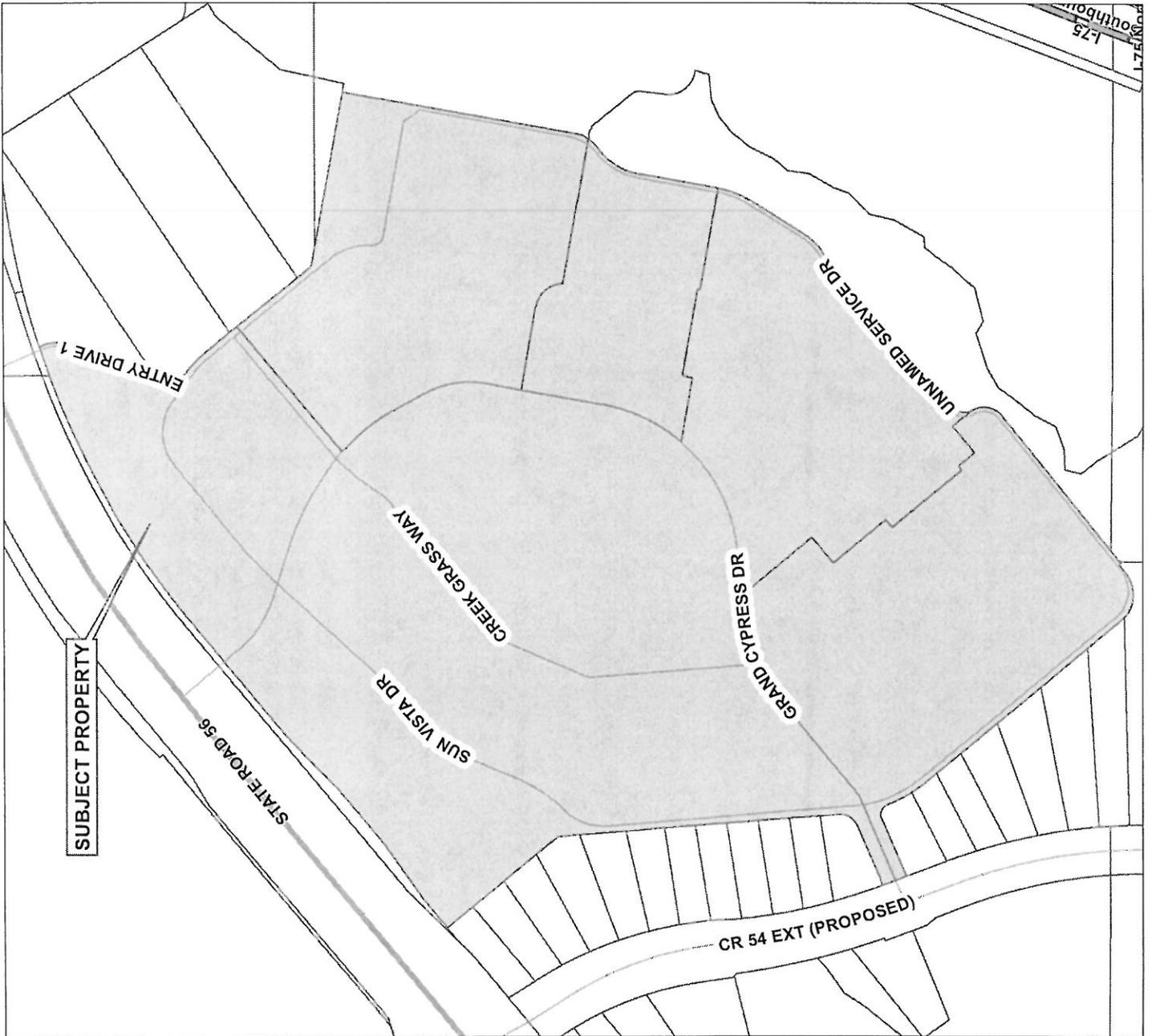
SUBJECT PROPERTY



Pasco County GIS | 9/22/2014 | aikhuoria



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**ATTACHMENT NO. 4 - BACKGROUND AND FINDINGS OF FACT
CYPRESS CREEK TOWN CENTER SUBDIVISION**

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).

FINDINGS OF FACT:

1. Presently, the subject site is vacant.
2. The Cypress Creek Town Center Subdivision, preliminary development plan substantial modification 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 preliminary development plan substantial modification for the above-subject project was prepared for JC Cypress Creek, LLC by Kimley-Horn and Associates, Inc., and consists of nine sheets dated June 9, 2014; the sheets were last revised on August 19,

2014. The plans were originally received by the Planning and Development Department on June 20, 2014, and final revisions were received on August 29, 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 development 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.