

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Joaquin Servia
Development Review Manager

DATE: 5/21/15 FILE: PDD15-1085

SUBJECT: Heartland Dental at
Streetside, Lot 8 – Preliminary
Site/Construction Plan and
Stormwater Management Plan
and Report
(Project No. SML15-011)
Recommendation: Approval
with Conditions (Attachment
No. 1)

FROM: 
Beverly E. Trudell
Senior Development Review
Technician

REFERENCES: Land Development Code,
Sections 300, Procedures;
403, Site Development;
and 900, Development
Standards; Comm. Dist. 4

PROJECT DESCRIPTION:

Commission District:	The Honorable Mike Wells
Project Name:	Heartland Dental at Streetside
Developer's Name:	Professional Resource Development, Inc.
Location:	On the west side of Little Road and north of King Helie Boulevard (Attachment No. 2)
Parcel ID No.:	26-25-16-0100-00000-0080
Land Use Classification:	ROR – Retail/Office/Residential
Zoning District:	C-2 General Commercial
Acreage:	1.17 Acres, m.o.l.
Use/Square Feet:	Medical Offices, Retail & Restaurant/7,509 Square Feet
Flood Zone:	X
Water/Sewage:	Pasco/Pasco
Transportation Analysis Zone:	116
Mobility Fee Assessment District:	A
Mobility Fee Collection/Benefit District:	1
Roads:	Public
Certificate of Capacity:	Initial

DEVELOPER'S REQUEST:

The applicant/developer of Heartland Dental is requesting Preliminary Site/Construction Plan and Stormwater Management Plan and Report approval for a 3,220-square-foot medical office space, 1,100-square-foot personal services space, 1,400-square-foot restaurant space and

1,702-square-foot retail space all one-story totaling 7,509 square-feet (Attachment No. 3). Also requested is an alternative standard from the requirements of the Land Development Code (LDC), Section 1102.4, Large Scale Commercial, as further explained below (Attachment No. 4).

BACKGROUND AND FINDINGS OF FACT:

See Attachment No. 5

ALTERNATIVE STANDARDS REQUEST

The applicant/developer has requested a specific alternative standard from the LDC, Section 1102.4, Large Scale Commercial, requirements.

Subsection 1102.4.G.1.d, Large Scale Commercial, which, if approved, would relieve the applicant/developer of the requirement of limited no more than 20% of the parking spaces between the right-of-way and building. The applicant/developer is requesting to increase the parking spaces to 38% between the building and the right-of-ways.

Relief is being sought pursuant to the LDC, Section 407.5.B.1 & 2, as the purpose for the alternative standards which reads as follows: 1.) "The alternative standard meets or exceeds the intent and purpose of the code requirement at issue. 2.) No feasible engineering or construction solutions can be applied to satisfy the regulation."

The applicant states:

1) "The building has been pushed as close to the property line as possible to create an 'urban edge' and has been designed to blend in with the surrounding 'big box' development. This still creates a walkable, interconnected development, meeting the intent of the code. Placing the building against the road would have it face a retention pond and water treatment plant. This layout allows the 'front' to still face Little Road."

2) "Due to the shape and size of the site (pie shaped and approximately twice as wide along Little Road as at the rear) it is impossible to develop the site with the code required amount of parking between the building and right-of-way."

STAFF ANALYSIS:

Staff has reviewed the applicant's request and recommends approval. The site has two (2) rights-of-ways and due to the shape of the site the applicant would not be able to meet the parking requirement for their uses. The applicant/developer is also meeting the intent of the code and are providing the required walkable interconnections to the surrounding Large Scale developments.

CONCURRENCY ANALYSIS:

An Initial Certificate of Capacity is being issued for 7,509 one-story building. 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 Preliminary Site/ Construction Plan and Stormwater Management Plan and Report request with the attached conditions.

ATTACHMENTS:

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

PLANNING AND DEVELOPMENT DEPARTMENT ACTION:

APPROVED

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

Pasco County

By:  Date 5-21-15
For Substantial Compliance With
The Applicable Provisions of Pasco County
Land Development Regulations
And Their Intent

ATTACHMENT NO. 1 – CONDITIONS OF APPROVAL
Heartland Dental at Streetside

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 must be submitted to the Planning and Development Department:
 - a. The completed notarized acknowledgment portion of the attached agenda memorandum. The owner/developer are 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.

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

Specific Conditions

2. The owner/developer acknowledges that approval of the Utilities Service Connection Application is required prior to the start of any activities to construct water, wastewater, or reclaimed water as applicable.
3. Prior to start of the clearing and grubbing, or any soil disturbance contact Pasco County Stormwater Management at 727-834-3611 for a soil erosion and sediment control, pre-inspection meeting.
4. The sidewalk located on the north of this site shall line up with the existing Arby's sidewalk as shown on sheet C1 of the approved plans.

General Conditions

5. The developer acknowledges that approval of this Preliminary Site Plan (PSP) does not establish vested rights with respect to construction of the project. Further, the developer acknowledges that no permit shall be issued or plat approved without the issuance of a Final Certificate of Capacity.
6. The applicant/developer acknowledges that approval of the alternative standards request as stated is based upon representation as set forth in the Preliminary Site Plan (PSP) submittal dated April 22, 2015, and received by the County on April 28, 2015. In the event that the Preliminary Site Plan (PSP) is deemed void and/or approval is withdrawn, then the alternative standards 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. Preliminary Site Plan (PSP) approval is contingent upon approval of alternative standard.

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 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 Land Development Code (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 acknowledge and agree 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).
15. The applicant/developer acknowledges that the Preliminary Site Plan (PSP) and all associated alternative standards requests shall expire within six years of the original approval date of the PSP if Building Permits for the entire development have not been issued. In the event that the applicant/developer does not comply with this provision, all plans related to the uncompleted portion of the 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. 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's *Manual on Uniform Traffic Control Devices* and FDOT standards.
17. For improvements within the County right-of-way with traffic-control devices, the applicant/developer shall submit to the Traffic Operations Division, "the submittal data form" for approval prior to the installation of any traffic-control devices within the County right-of-way.
18. All handicapped parking spaces shall be signed and marked in accordance with the Florida Department of Transportation FDOT standards index. All regular/standard parking spaces shall be striped in white.
19. 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.
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. 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.
23. 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.

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/office dimensional standards are in accordance with the appropriate zoning district regulations and uses within the LDC for specific parcel.

Building Permit/Certificate of Occupancy

28. 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 Land Development Code (LDC), Sections 300 and 403.
29. 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.
30. A Registered Landscape Architect or other person as authorized by Chapter 481, Florida Statutes, as amended or other type of professional as approved by the County Administrator or designee shall conduct a final field inspection. A Certificate of Compliance shall be provided to the County prior to platting, or where platting is not required, prior to issuance of the Certificate of Occupancy (CO)...
31. The owner/developer shall arrange for a final site inspection approval by the Engineering Services Department prior to the issuance of the Certificate of Occupancy occupancy/use of the permitted facilities.

OWNER'S /DEVELOPER'S ACKNOWLEDGMENT:

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

_____ Date

_____ Signature

_____ Print Name

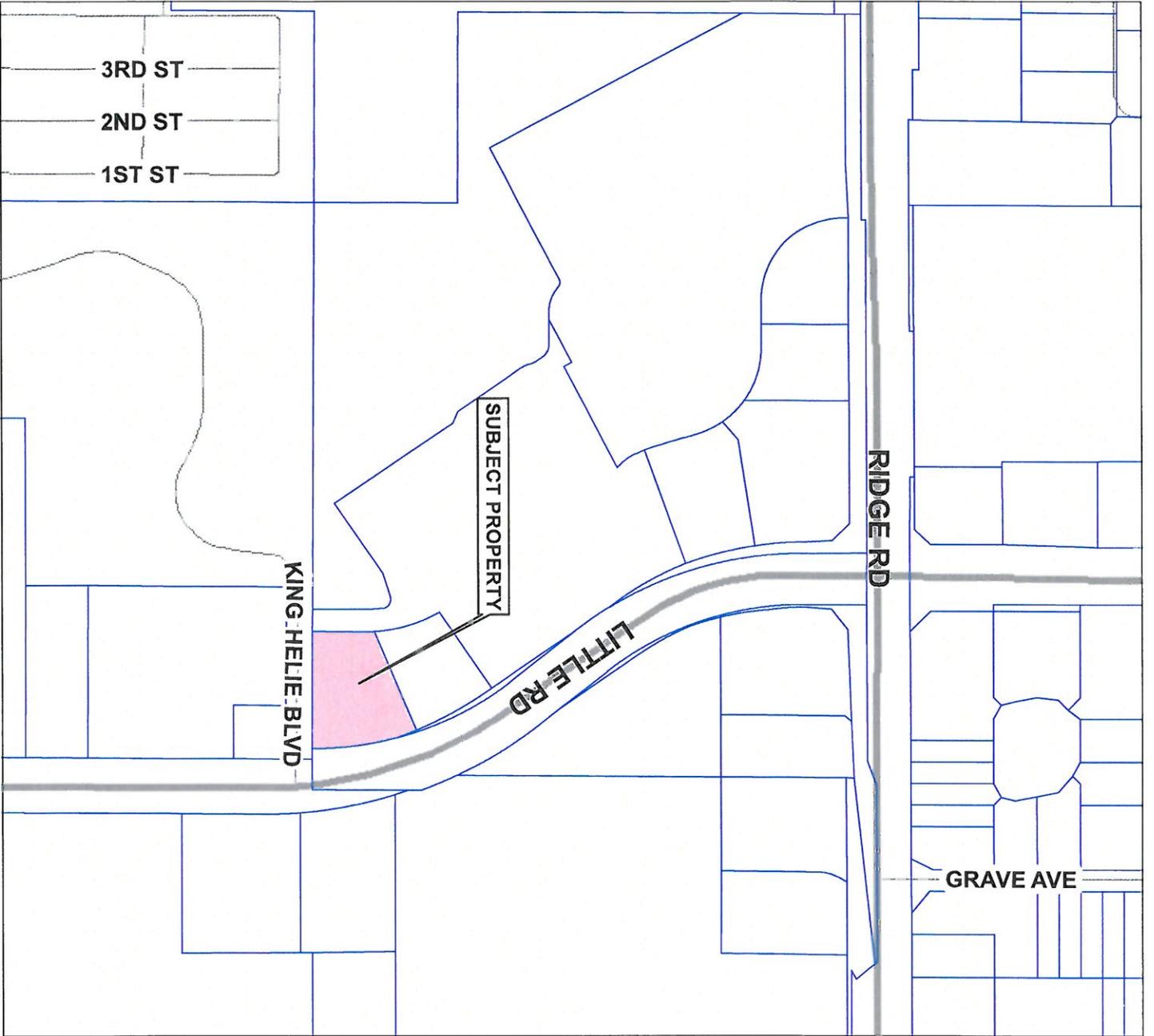
_____ Title

STATE OF FLORIDA
COUNTY OF _____

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

Seal:

_____ NOTARY



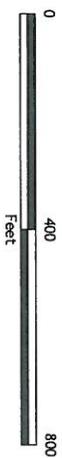
SML 15-011
Heartland Dental
at Streetside

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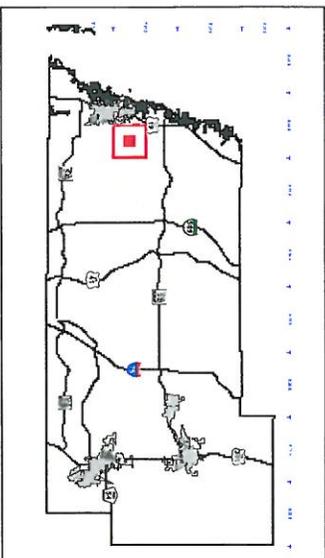
PHYSICAL ADDRESS:
 N/A

COMMISSION DISTRICT: 4

 SUBJECT PROPERTY



Pasco County GIS | 5/14/2015 | shalucha



S:\GIS\shalucha\Documents\Real Estate\Beverly Trudel\SML_15-011.mxd



INTERPLAN ARCHITECTURE / ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

604 COURTLAND STREET
SUITE 100
ORLANDO, FLORIDA 32804
PH 407.645.5008
FX 407.629.9124
AA 003420 CA 8460

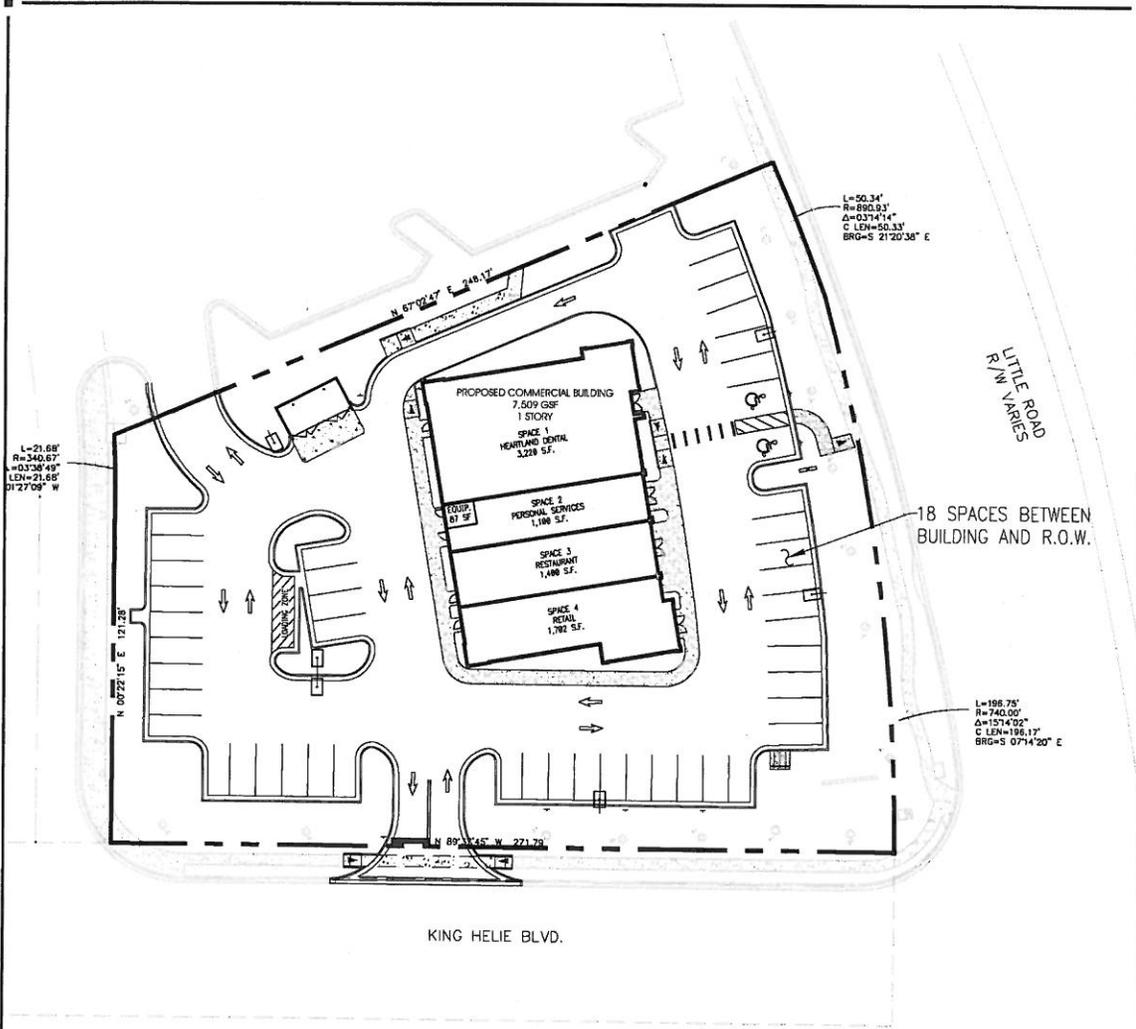
HEARTLAND DENTAL CARE LLC

NEW PORT RICHEY
LITTLE ROAD

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PROJECT NO: 2014.0393
DATE: 4-7-15

SK1
CHECKED:

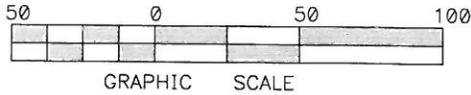


PARKING REQUIRED = 42 SPACES
 PARKING PROVIDED = 47 SPACES

SITE WITH ALTERNATIVE STANDARD



NORTH



GRAPHIC SCALE

INTERPLAN ARCHITECTURE / ENGINEERING
 INTERIOR DESIGN
 PROJECT MANAGEMENT
 604 COURTLAND STREET
 SUITE 100
 ORLANDO, FLORIDA 32804
 PH 407.645.5008
 FX 407.629.9124
 AA 003420 CA 8660

HERATLAND DENTAL
 LITTLE RD & KING HELIE BLVD.
 NEW PORT RITCHEY, FLORIDA

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EX2
 CHECKED:

RECEIVED
 SML15-011
 APR 28 2015
 PSPCP SW-Rd 3
 PDD ZONING & INTAKE

2 of 2

ATTACHMENT NO. 5 - BACKGROUND AND FINDINGS OF FACT
Heartland Dental at Streetside

BACKGROUND:

1. On February 24, 1987, the Board of County Commissioners (BCC) approved a rezoning from A-C Agricultural to C-2 General Commercial, Petition No. 3569.
2. On May 11, 2006, the Development Review Committee (DRC) approved a Subdivision Preliminary Plan with conditions for Streetside at Little and Ridge Road to subdivide 43.81 acres into nine (9) commercial lots, Memorandum No. DR06-1419.
3. On November 30, 2016, the DRC approved to Amend Condition No. 50, of Memorandum No. DR06-1419 via Memorandum No. DR07-318.

FINDINGS OF FACT:

1. Presently, the subject site is unimproved.
2. The Preliminary Site/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.
3. The Preliminary Site/Construction Plan and Stormwater Management Plan and Report for the above-subject project was prepared for Professional Resource Development, Inc. by Interplan, LLC and consist of 11 sheets dated December 5, 2014; the sheets were last revised on April 22, 2015. The plans were originally received by the Planning and Development Department on January 9, 2015, and final revisions were received on April 28, 2015.
4. 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 Preliminary Site/Construction Plan and Stormwater Management Plan and Report constitutes a finding by the Planning and Development Department that the Preliminary Site/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 approvals. This action is based on the office review of the plans, supporting documentation, and certifications of the Engineer of Record.

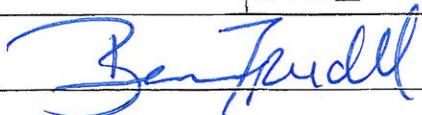
INITIAL CERTIFICATE OF CAPACITY

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):	1/22/15 REVISED 3/31/15	Certificate Completed by:	PJB REVISED D.HUBER <small>(attach survey if project includes portion of parcel)</small>
Parcel ID No(s):	26-25-16-0100-0000-0080		
Project Name:	Heartland Dental at Streetside	No:	SML15-011
Applicant Name, Address, and Telephone Number:	Professional Resource Development, Inc., c/o Interplan LLC, 604 Courtland Street, Ste. 100, Orlando, FL 32804 (407) 645-5008		
Job Site Address:	Little Rd. - West side; King Helie Blvd., - North side		
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 type="checkbox"/> Yes <input checked="" 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"/>	Public School (Comprehensive Plan Consistency Review)

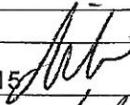
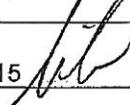
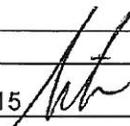
TYPE OF DEVELOPMENT

Number of Units	Unit Measure	Description
FROM 7,455 TO 7,509	sq. ft.	Commercial

Expiration (1300 LDC)		
All facilities (other than roads and schools) expire on:	5/21/2021	(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 type="checkbox"/>
Schools: Certificate of Capacity expires or is subject to additional review on:		or N/A <input checked="" type="checkbox"/>
Issuance Date:	5/21/2015	

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 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 03/31/15 
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 03/31/15 
Parks/Recreation(Parks) <input checked="" 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 03/31/15 
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]

Heartland Dental at Streetside Parcel ID # 26-25-16-0100-0000-0080 PCU# 15-103.01

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