

**INITIAL CERTIFICATE OF CAPACITY**

REQUIRED FOR DRIs, REZONINGS, PRELIMINARY SITE PLANS, PRELIMINARY 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

Completed Application Received On (Date): 4-15-09 Certificate Form Completed By : MC

Parcel I.D. #'s: 27-26-17-0000-00300-0010 (attach survey if project includes portion of parcel)

Project Name: \_\_\_\_\_ Subdivision Name: Ashley Lakes Commercial Center S/D

TAZ No.: 279 TAZ Map Version: GIS Map View

Applicant Name, Address, and Telephone Number: \_NAP, LLC 7500 College Pkwy, Ft. Myers 33907 239-278-1121 x-3317

Job Site Address: SR 54-South side; Gunn Hwy.- East side

Project has direct connection (See 402.5.C.5.A) to following collectors/arterials: SR 54 and Gunn Hwy.

Aggregated with another project? (See 402.5.C.5.B) Yes  No (If yes, identify project name and I.D. No. \_\_\_\_\_)

Prior building(s) on or after January 1, 1985? Yes  No (If yes, identify use and units/sq. ft. \_\_\_\_\_)

**Approval Sought (Check all that apply):**

- DRI
- Rezoning
- Preliminary Plan
- Preliminary Site Plan
- 1-yr Extension
- SB 360 2-yr Extension
- Nonresidential Subdivision
- Residential Subdivision into More than One Dwelling Unit Per Lot
- Public School Comprehensive Plan Consistency Review

**TYPE OF DEVELOPMENT**

(Use TIS Exhibits for land use description and units of measurement, and if not on Exhibits, use ITE land use codes and description)

(If not restricted by applicant, use maximum allowed by requested (rezoning or DRI) or approved (other approvals) zoning or land use, whichever is less)

<u>Residential</u>	<u>Nonresidential</u>
<input type="checkbox"/> Single Family	D.U. _____
<input type="checkbox"/> Mobile Home Park	D.U. _____
<input type="checkbox"/> Congregate Care Facility	D.U. _____
<input type="checkbox"/> Apartments	D.U. _____
<input type="checkbox"/> Low-Rise Condo/Townhouse	D.U. _____
<input type="checkbox"/> Hi-Rise Condominium	D.U. _____
<input type="checkbox"/> (3 or more stories)	D.U. _____
<input type="checkbox"/> Other Residential	D.U. _____
	Specific Use: Pharmacy W/Drive-Thru / <u>14,820</u> sq. ft.
	Specialty Retail / <u>15,000</u> sq. ft.
	Fast Food w/Drive-Thru / <u>4,500</u> sq. ft.
	Bank w/Drive-Thru / <u>5,000</u> sq. ft.
	Storage/ Display Area _____ / _____ sq. ft.

**EXEMPTIONS AND LIMITED EXEMPTIONS (Requires Authorized Signature)**

**\*EXEMPTIONS** (See 402.6 and Concurrency Applicability):

- A. ALL FACILITIES**
- Approved school consistency review or preliminary/construction plan prior to December 1, 2006
  - Complete application prior to December 1, 2006 (apply old 402 and TIS Guidelines)
  - Unexpired Certificate of Level of Service Compliance
  - Unexpired DRI approved prior to April 9, 1991
  - Unexpired Initial Certificate of Capacity

- B. ROADS ONLY**
- Unexpired DRI applied for or approved prior to December 1, 2006
  - Unexpired Traffic Study completed after June 4, 1999
  - Unexpired approved Traffic Study Methodology prior to December 1, 2006 (apply old TIS Guidelines)
  - Unexpired approved Development Agreement exempt from transportation concurrency

Exemption Expires On: \_\_\_\_\_  
Exemption Revoked On: \_\_\_\_\_

Authorized Growth Management Signature (required for roads only)

**\*LIMITED EXEMPTIONS** (See 402.7; requires signature from County Administrator or his designee):

- Public School or School Required for School Concurrency
- Governmental Building or Use
- Target Business (requires letter from PEDC)
- EC Preferred Industrial Uses and Corporate Business Park
- Affordable Housing (requires letter from Community Development)
- TND Development

Exemptions (check all that apply):

- Impact Fees or Interlocal Agreement As Proportionate Share (Roads Only)
- Traffic Study Waiver (Roads Only)
- 3 years committed capacity vs. 1 yr. (Roads Only)
- Extension of Certificate w/o Additional Review
- Other (requires CAO approval)

Authorized Signature

ISSUANCE DATE: \_\_\_\_\_  
(Use date of final zoning/development order approval)

Authorized Signature

**EXPIRATION (See 402.3.A):**

All Facilities (other than roads): Certificate of Capacity  
Expires (or subject to additional review) On: \_\_\_\_\_ Revoked On: \_\_\_\_\_ Relinquished On: \_\_\_\_\_  
(6 yrs. from issuance)

Roads: Certificate of Capacity Expires (or subject to additional review) On: 12-31-2013 (GM to complete) Revoked On: \_\_\_\_\_ Relinquished On: \_\_\_\_\_

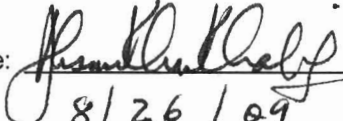
\*Completed Certificate of Capacity with limited exemptions or with exemptions for which no prior certificate of capacity has been issued must be distributed to the following: 1) Growth Management Administrator; 2) Engineering Services Director; 3) Parks and Recreation Director; 4) Transportation Manager; 5) Development Director; 6) MPO Transportation Planning Coordinator; 7) Assistant County Administrator for Development Services; 8) Assistant County Administrator for Utilities Services; 9) OMB Director; and 10) BCC as a noted item on agenda, excluding 3) and 8) if exemption is for roads only.

**CONCURRENCY REVIEW**

(To Be Completed by Department Listed Below Only; Leave Blank if a 402.6 Exemption Applies)

Comp. Plan Elements	Meets LOS Std.		Conditional Approval (attach conditions of approval)	Review Standards
	Yes	No		
Roads (Growth Management)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LDC 402.5, Transportation Element 2.4.1 and TIS Guidelines
Water/Water Supply (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A and Public Facilities Element 1.1 and 1.3
Sewer (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A and Public Facilities Element 3.1
Parks/Recreation (Parks)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.B and Recreation and Open Space Element 1.1
Solid Waste (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A and Public Facilities Element 4.1
Mass Transit (Public Transportation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A and Transportation Element 5.1

Reviewed by: Ahsan Khalil  
Transportation Planner II  
Title

Authorized Signature:   
8/26/09  
Date

➔ SEE ATTACHED CONDITIONS OF APPROVAL :

## **E) Recommended Improvements:**

### ***Site-Access Related Improvements***

1. Project site access connections shall be constructed in accordance with the spacing standards of the Pasco County Land Development Code, Section 618 – Access Management Regulations, and Florida Administrative Code, Chapter 14-97 – State Highway System Access Management Classification System and Standards, or applicable variances shall be obtained.
2. The developer(s)/applicant(s) shall construct Driveway “A” as a right-in/right-out connection to Gunn Highway in accordance with the project’s site plan as approved by the Pasco County Development Review Department. The design of this connection shall include physical channelization devices and median improvements as necessary to achieve the effective restriction of left-turn-in and left-turn-out movements. A northbound-to-eastbound right-turn lane shall be constructed on the Gunn Highway approach to Driveway “A” at a total length of 375 feet (including a 50 foot taper).
3. The developer(s)/applicant(s) shall construct Driveway “B” as a right-in/right-out/left-in connection to S.R. 54 in accordance with the project’s site plan as approved by the Pasco County Development Review Department. The design of this connection shall include physical channelization devices and median improvements as necessary to achieve the effective restriction of left-turn-out movements. An eastbound-to-southbound right-turn lane shall be constructed on the S.R. 54 approach to Driveway “B” at a total length of 430 feet (including a 50 foot taper). A westbound-to-southbound left-turn lane shall be constructed on the S.R. 54 approach to Driveway “B” at a total length of 455 feet (including a 50 foot taper).
4. The developer(s)/applicant(s) shall construct Driveway “C” as a full connection to Ashley Lakes Drive in accordance with the project’s site plan as approved by the Pasco County Development Review Department.
5. The developer(s)/applicant(s) shall construct a northbound-to-eastbound right-turn lane on the Gunn Highway approach to Ashley Lakes Drive at a total length of 375 feet (including a 50 foot taper).
6. The developer(s)/applicant(s) shall construct a southbound-to-eastbound left-turn lane on the Gunn Highway approach to Ashley Lakes Drive at a total length of 450 feet (including a 50 foot taper).

### **Off-Site Improvements**

7. The developer(s)/applicant(s) shall mitigate project impacts to the S.R. 54 / Gunn Highway intersection through the construction of (a) a second northbound-to-westbound left-turn lane, which when implemented will result in dual northbound-to-westbound left-turns at a total length of 900 feet (including a 100 foot taper), (b) roadway transitions in accordance with the latest edition of the Florida Department of Transportation Design Standards, and (c) traffic signal modifications as necessary.

In lieu of the above-mentioned off-site improvements, the developer(s)/applicant(s) shall pay a proportionate share in the amount of \$298,937 for the improvements specified in the condition above. This proportionate share shall be paid within 90 days of the date of the site plan/construction plan or zoning approval. This amount is based upon 2009 dollars. If the required payment is not received within the 90-day time frame, then payment shall be received prior to the issuance of the first Building Permit for commercial development and prior to the first record plat for residential development, or within 60 days of the County's written request, whichever occurs first. The required proportionate-share contribution shall be indexed by the latest adopted Impact Fee Ordinance should payment not be received within the 90-day time frame.

8. The developer(s)/applicant(s) shall mitigate project impacts to the S.R. 54 / Suncoast Parkway interchange through the construction of (a) a third westbound through lane commencing at the southbound ramps and extending eastward 0.5 miles, (b) a third northbound-to-westbound left-turn lane at a length of 350 feet, (c) roadway transitions in accordance with the latest edition of the Florida Department of Transportation Design Standards, and (d) traffic signal modifications as necessary.

In lieu of the above-mentioned off-site improvements, the developer(s)/applicant(s) shall pay a proportionate share in the amount of \$58,825 for the improvements specified in the condition above. This proportionate share shall be paid within 90 days of the date of the site plan/construction plan or zoning approval. This amount is based upon 2009 dollars. If the required payment is not received within the 90-day time frame, then payment shall be received prior to the issuance of the first Building Permit for commercial development and prior to the first record plat for residential development, or within 60 days of the County's written request, whichever occurs first. The required proportionate-share contribution shall be indexed by the latest adopted Impact Fee Ordinance should payment not be received within the 90-day time frame.

**Substandard Road Improvements**

9. The developer(s)/applicant(s) shall mitigate substandard shoulder and clear zone conditions on Gunn Highway through the payment of a substandard road fair share in the amount of \$4,893. This substandard road fair share shall be paid within 90 days of the date of the site plan/construction plan or zoning approval. This amount is based upon 2009 dollars. If the required payment is not received within the 90-day time frame, then payment shall be received prior to the issuance of the first Building Permit for commercial development and prior to the first record plat for residential development, or within 60 days of the County's written request, whichever occurs first. The required proportionate-share contribution shall be indexed by the latest adopted Impact Fee Ordinance should payment not be received within the 90-day time frame.

**F) Other Recommendations and/or Comments:**

NONE

**G) Proportionate Share Summary**

Total proportionate share payments (2009 dollars): \$357,762.  
Total estimated impact fees (FY 2009): ~~\$687,521.84~~ **690,521.84**

**CONCURRENCY REVIEW**

**(To Be Completed by Department Listed Below Only; Leave Blank if a 402.6 Exemption Applies)**

Comp. Plan Elements	Meets LOS Std.		Review Standards
	Yes	No	
Roads (Growth Management)	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.5, Transportation Element 2.4.1 and TIS Guidelines
Water/Water Supply (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 1.1 and 1.3
Sewer (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 3.1
Parks/Recreation (Parks)	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.B. and Recreation and Open Space Element 1.1
Solid Waste (Utilities)	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Public Facilities Element 4.1
Mass Transit (Public Transportation)	<input type="checkbox"/>	<input type="checkbox"/>	LDC 402.4.A. and Transportation Element 5.1

Authorized Signature: \_\_\_\_\_

*Michael A. Kirkpatrick*  
 Michael A. Kirkpatrick  
 Lead Utilities Inspector

Reviewed by: \_\_\_\_\_

Cindy A. Zatorski

Development Review Tech I  
 Title

August 20, 2009  
 Date

**ASHLEY LAKES COMMERCIAL CENTER    PID #27-26-17-0000-00300-0010    PCU 03-123.02**

We have reviewed the referenced parcel and have determined that this parcel is within the existing/future areas where water, wastewater and/or solid waste service(s) may be provided by Pasco County Utilities. An Application for Service, per County codes and ordinances, for water, wastewater and/or solid waste service(s) to this property must be submitted and will be subject to the following conditions:

The provision of water and wastewater services 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 Utility Services Agreement and a Utilities Service Plan, both acceptable to the County, and the payment of water and/or wastewater impact fees).

Likely points of service connection to the County's existing water transmission and wastewater collection facilities are available adjacent to the project development area. Off-site facilities and any on-site facilities will be addressed, as applicable, through the development approval process and approval of a project specific Utilities Service Plan (USP). Furthermore, the County may, as a matter of standard utility service policy, require necessary line extensions by the developer in accordance with the provisions of a standard Utilities Service Agreement. This agreement must be executed between the County and Owner/Developer prior to construction approval of the project.

The provision of solid waste service is contingent upon the County receiving all permits and approvals necessary 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.

RECEIVED

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INITIAL CERTIFICATE OF CAPACITY

REQUIRED FOR DRIs, REZONINGS, PRELIMINARY SITE PLANS, PRELIMINARY 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

Completed Application Received On (Date): 4-15-09 Certificate Form Completed By : MC

Parcel I.D. #'s: 27-26-17-0000-00300-0010 (attach survey if project includes portion of parcel)

Project Name: Subdivision Name: Ashley Lakes Commercial Center S/D

TAZ No.: 279 TAZ Map Version: GIS Map View

Applicant Name, Address, and Telephone Number: NAP, LLC 7500 College Pkwy, Ft. Myers 33907 239-278-1121 x-3317

Job Site Address: SR 54-South side; Gunn Hwy.- East side

Project has direct connection (See 402.5.C.5.A) to following collectors/arterials: SR 54 and Gunn Hwy.

Aggregated with another project? (See 402.5.C.5.B) Yes X No (If yes, identify project name and I.D. No.)

Prior building(s) on or after January 1, 1985? Yes x No (If yes, identify use and units/sq. ft.)

Approval Sought (Check all that apply):

- DRi, Rezoning, Preliminary Plan, Preliminary Site Plan, 1-yr Extension, SB 360 2-yr Extension, Nonresidential Subdivision, Residential Subdivision into More than One Dwelling Unit Per Lot, Public School Comprehensive Plan Consistency Review

TYPE OF DEVELOPMENT

(Use TIS Exhibits for land use description and units of measurement, and if not on Exhibits, use ITE land use codes and description) (If not restricted by applicant, use maximum allowed by requested (rezoning or DRI) or approved (other approvals) zoning or land use, whichever is less)

Table with columns for Residential and Nonresidential development types and their units/measurements. Includes categories like Single Family, Mobile Home Park, Congregate Care Facility, etc.

EXEMPTIONS AND LIMITED EXEMPTIONS (Requires Authorized Signature)

- \*EXEMPTIONS (See 402.6 and Concurrency Applicability): A. ALL FACILITIES: Approved school consistency review or preliminary/construction plan prior to December 1, 2006, Complete application prior to December 1, 2006, Unexpired Certificate of Level of Service Compliance, Unexpired DRI approved prior to April 9, 1991, Unexpired Initial Certificate of Capacity

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- B. ROADS ONLY: Unexpired DRI applied for or approved prior to December 1, 2006, Unexpired Traffic Study completed after June 4, 1999, Unexpired approved Traffic Study Methodology prior to December 1, 2006, Unexpired approved Development Agreement exempt from transportation concurrency

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Exemption Expires On: Exemption Revoked On:

Authorized Signature

Authorized Growth Management Signature (required for roads only)

ISSUANCE DATE: (Use date of final zoning/development order approval) Authorized Signature

EXPIRATION (See 402.3.A): All Facilities (other than roads): Certificate of Capacity Expires (or subject to additional review) On: (6 yrs. from Issuance) Revoked On: Relinquished On: Roads: Certificate of Capacity Expires (or subject to additional review) On: 12-31-2013 (GM to complete) Revoked On: Relinquished On:

\*Completed Certificate of Capacity with limited exemptions or with exemptions for which no prior certificate of capacity has been issued must be distributed to the following: 1) Growth Management Administrator; 2) Engineering Services Director; 3) Parks and Recreation Director; 4) Transportation Manager; 5) Development Director; 6) MPO Transportation Planning Coordinator; 7) Assistant County Administrator for Development Services; 8) Assistant County Administrator for Utilities Services; 9) OMB Director; and 10) BCC as a noted item on agenda, excluding 3) and 8) if exemption is for roads only.

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(To Be Completed by Department Listed Below Only; Leave Blank If a 402.6 Exemption Applies)

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Mass Transit (Public Transportation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LDC 402.4.A and Transportation Element 5.1

Reviewed by: J. Williams  
Trans Admin Manager  
Title

Authorized Signature: Shelma Williams  
12-3-09  
Date

I + was agreed upon by all parties that the developer will send a check for \$12,000 - made to the "Pasco County Board of County Commissioners" to be deposited into Acct # B128-316-011 to be used for purchase of a bus shelter to be placed in the Row on SR 54 when transit service is available.