

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO: Debra M. Zampetti
Zoning/Code Compliance
Administrator

DATE: 12/31/09 FILE: ZN10-087

SUBJECT: Class II, Commercial Development
Review - Hays Towne Center
Construction Plan and Stormwater
Management Plan and Report
(Project No. IIPR09-019)

FROM: Beverly E. Trudell
Development Review
Technician II

REFERENCES: Land Development Code,
Section 306, Development
Review Procedures;
Comm. Dist. 2

It is recommended that the data herein presented be given formal consideration by Zoning and Site Development Department.

Commission District:	The Honorable Pat Mulieri, Ed.D.
Project Name:	Hays Towne Center
Developer's Name:	Dunphy Properties
Location:	On the northwest corner of Hays Road and S.R. 52, Section 11, Township 25 South, Range 17 East.
Parcel ID No.:	11-25-17-0000-00100-0012
Land Use Classification:	ROR (Retail/Office/Residential)
Zoning District:	MPUD Master Planned Unit Development
Transportation Corridors:	S.R. 52 and Hays Road
Existing Rights-of-Way:	147.74 Feet Total and 35 Feet from Centerline
Required Rights-of-Way:	172 Feet Total and 71 Feet from Centerline
Flood Zones:	"A" and "C"
Hurricane Evacuation Zone:	N/A
Acreage:	24.87 Acres, m.o.l.
Number of Units:	6
Type of Units:	Retail, Grocery Store, Offices, Bank, and Conven- ience Store with Gas Pumps
Size of Unit:	106,026 Square Feet
Water/Sewage:	Pasco/Pasco
Transportation Impact Fee Zone:	2
Transportation Analysis Zone:	132
Present Land Use:	Vacant

DEVELOPER'S REQUEST:

The developer of Hays Towne Center is requesting approval of a construction plan and Stormwater Management Plan and Report for a 106,026-square-foot shopping center with retail, offices, bank, restaurant, and a convenience store with gas pumps.

BACKGROUND:

1. On June 24, 2008, the Board of County Commissioners approved Petition No. 6786, rezoning the parcel from A-C Agricultural to MPUD Master Planned Unit Development. The BCC also approved a variance to allow a 10-foot interim use for landscaping (Land Development Code [LDC], Section 319.6) along S.R. 52 and Hays Road within the corridor right-of-way and approved the request to dedicate any additional right-of-way along S.R. 52 (LDC, Section 319.8) to total 172 feet for S.R. 52.
2. On May 28, 2009, the Development Review Committee approved the commercial development preliminary plan and variance requests for Hays Town center (DR09-674).

FINDINGS OF FACT:

1. The construction plan and Stormwater Management Plan and Report have been reviewed by the Zoning and Site Development Department, and it has determined that the proposed use is consistent with the above-referenced zoning district's permitted uses.

2. The preliminary/construction site plan and Stormwater Management Plan and Report for the above-subject project were prepared for Dunphy Properties by RBF and consist of 45 sheets dated September 26, 2008; the sheets were last revised on October 5, 2009. The plans were originally received by the Zoning and Site Development Department on October 5, 2009, and final revisions were received on December 30, 2009.

3. Access to the property is from S.R. 52 and Hays Road.

4. Pursuant to Agenda Memorandum No. DR09-674, the following variances were approved:

Sections 306 and 610, Subdivision Requirements, to allow for future fee simple conveyance of land within the MPUD Master Planned Unit Development without the necessity of approval of a subdivision plat and/or further subdivision review.

CONCURRENCY ANALYSIS:

An Initial Certificate of Capacity for retail, grocery store, offices, bank, and convenient store with gas pumps was issued with the preliminary plan approval. The certificate is due to expire on May 28, 2015, for roads and on December 31, 2010, for all other facilities (except drainage).

RECOMMENDATION:

The Zoning and Site Development Department staff recommends approval of the construction plan and Stormwater Management Plan and Report for Hays Towne Center with the following conditions:

1. The owner/developer acknowledges that all previous conditions of approval of the preliminary plan (DR09-674) shall remain in full force and effect unless otherwise amended herein.
2. The developer acknowledges that any provisions of Pasco County ordinances and any rezoning conditions of approval not specifically waived shall be in full force and effect, including all impact fee ordinances.
3. 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 Zoning and Site Development Department.

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

DEVELOPER'S ACKNOWLEDGMENT:

The developer acknowledges that it has read, understood, and accepted the above-listed conditions of approval.

Date
STATE OF FLORIDA
COUNTY OF _____
DUNPHY PROPERTIES

Title

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

CMJ/DEM/ecm/drc011410/hayszn10087

ZONING AND SITE DEVELOPMENT ACTION:

Recommendation Approved _____/Disapproved _____