PASCO COUNTY, FLORIDA INTEROFFICE MEMORANDUM

TO: Debra M. Zampetti

Zoning/Code Compliance

Administrator

DATE: 7/8/11

FILE: ZN11-541

SUBJECT: Class I, Commercial

> Development Review - Family Dollar at Shadow Ridge Preliminary/Construction Site

Plan and Stormwater

Management Plan and Report (Project No. IPR11-018)

FROM: Cissy Rosenberg

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 the Zoning/Code Compliance Administrator.

Commission District:

Project Name: Developer's Name:

Location:

The Honorable Pat Mulieri, Ed. D. Family Dollar at Shadow Ridge

RKM Development Corp.

On the northwest corner of SR 52 and Shadow Ridge Blvd.; abutting Colony Road western side of parcel. Section 04, Township 25 South, Range 17

Fast

Parcel ID No.:

Zoning Districts:

Land Use Classification:

04-25-17-0000-00100-0050 (portion of)

1.28 Acres, m.o.l. (Project Site, AKA Lot 1)

ROR Retail/Office/Residential **PUD Planned Development District**

Transportation Corridor:

63.5 Feet from Centerline Existing Right-of-Way: Required Right-of-Way: 95 Feet from Centerline

Acreage:

Number of Units:

Type of Units: Retail

Square Feet: 8,000 Square Feet Pasco/Pasco Water/Sewage:

Transportation Impact Fee (TIF) Zone: Transportation Analysis Zone:

Roads: **Public** Certificate of Capacity: Initial

DEVELOPER'S REQUEST:

The developer of Family Dollar at Shadow Ridge is requesting approval of a Preliminary/Construction Site Plan and Stormwater Management Plan and Report for a onestory, 8,000-square-foot retail store on a 1.28 acre portion of the above referenced parcel.

BACKGROUND:

- The above-referenced project site retains its original zoning of PUD Planned Development District.
- 2. On October 22, 1974, the Pasco County approved a development order (DO) for a 613acre Development of Regional Impact (DRI) known as Sugar Creek DRI. Pasco County placed a PUD Planned Unit Development zoning designation on the Sugar Creek DRI in 1976 with the adoption of the Pasco County Zoning Ordinance.

FINDINGS OF FACT:

- 1. Presently, the subject site is an undeveloped portion of Sugar Creek DRI #038 designated for commercial use.
- 2. The subject property is located in Flood Zone "X". Development is subject to the requirements of the LDC, Article 700; Flood Damage Prevention.
- 3. The surrounding zoning consists of residential and commercial pursuits.
- 4. Preliminary/Construction Site Plan and Stormwater Management Plan and Report has been reviewed by the Zoning and Site Development Department, and it has been determined that the proposed use is consistent with the above-referenced zoning district's permitted uses.
- 5. The Preliminary/Construction Site Plan and Stormwater Management Plan and Report for the above-subject project was prepared for RKM Development Corp. by AVID Group and consists of 17 sheets originally signed and sealed on February 15, 2011; the sheets were last revised on June 3, 2011. The plans were originally received by the Zoning and Site Development Department on February 22, 2011, and final revisions were received on June 28, 2011.
- 6. Access to the property is from Shadow Ridge Blvd., a County-maintained road, which has approximately 100 feet of right-of-way and from Colony Road, a County-maintained road, which has approximately 50 feet of right-of-way, and has been designated a 4-lane, collector facility on Map 7-22, 2025 Future Number of Lanes, and Map 7-24, 2025 Future Roadway functional Classification, of the Comprehensive Plan.
- 7. The dedication of 71 feet of right-of-way from the centerline of Colony Road to Pasco County, and construction of a 5-foot wide ADA compliant sidewalk along the full frontage of Colony road, or payment to sidewalk fund may be deferred until development of Lot 2.
- 8. A Traffic Impact Study (TIS) application was submitted and found to be exempt from the requirement to provide a traffic study and a Substandard Roadway Analysis (SSRA).
- 9. On June 27, 2006, the Board of County Commissioners adopted the Corridor Preservation Tables in the Transportation Element of the Comprehensive Plan necessitating the preservation of right-of-way along certain roadways. In accordance with Corridor Preservation Table 7-4a, Colony Road, a County-maintained right-of-way, has been designated a four-lane collector facility with a proposed width of 142 feet and SR 52, an FDOT-maintained right-of-way, has been designated an 8-lane arterial facility with a proposed width of 190 feet.
- 10. The proposed request is consistent with the Pasco County applicable provisions of the Comprehensive Plan as conditioned.

CONCURRENCY ANALYSIS:

An Initial Certificate of Capacity is being issued for a one-story 8,000-square-foot retail building. Any conditions required pursuant to the issuance of the certificate are attached to the Initial Certificate of Capacity.

RECOMMENDATION:

The Zoning and Site Development Department recommends approval of the Preliminary/Construction Site Plan and Stormwater Management Plan and Report with the following conditions:

Hard-Copy Site Development Permit

- 1. The owner/developer or project contractor shall obtain a hard-copy Site Development Permit from the Zoning and Site Development Department prior to commencing any construction. To obtain this permit, the following must be submitted to the Zoning and Site Development Department:
 - a. The completed notarized acknowledgment portion of the attached agenda memorandum.

- b. A copy of the Letter of Commitment to serve this project, a copy of the approved Florida Department of Environmental Protection Notice of Intent to use General Permit for construction of Water Main Extensions for PWS's Permit and a receipt for payment of Pasco County utility impact fees.
- c. A copy of the letter for Notification of Proposed Construction to the owners of the newspaper vending machines.
- d. Proof of Public Notice for Class I Development.

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

- 2. Utility service commitment fees shall be paid in accordance with the Pasco County Code of Ordinances, Chapter 110, Articles II and IV, as amended.
- 3. The applicant/developer or project contractor shall notify the Engineering Services Department at least two working days prior to commencing any activity on the site.

General

- 4. 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.
- 5. In the event ordinances/resolutions are adopted by the BCC including, but not limited to, solid waste, public safety, or wildlife, the developer shall be required to comply with such ordinances/resolutions.
- 6. The developer acknowledges that the Stormwater Management Plan and Report were designed for Lot 1 only. A Stormwater Management Plan and Report will be required upon development for Lot 2.
- 7. The developer acknowledges that in accordance with the LDC, Section 402, Concurrency Management System, the Initial Certificate of Capacity shall expire as approved on the attached Concurrency Certificate.
- 8. The owner/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.
- 9. All construction work, including roads, drainage, and utilities, shall be constructed in accordance with Pasco County design standards and tested in compliance with the Engineering Services Department's *Testing Specifications for Construction of Roads, Storm Drainage, and Utilities.*
- 10. The owner/developer shall acknowledge that should Pasco 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.
- 11. The owner/developer shall acknowledge that should Pasco 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.

- 12. The developer acknowledges that an appeal may be filed against the decision of the Zoning and Site 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.
- 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 except where project development schedules are established for Development of Regional Impacts and Florida-quality development, the preliminary site plan shall expire within four years of the original approval date of the preliminary site plan if Building Permits for the entire development have not been issued. In the event that the applicant/developer does not comply with this provision, the preliminary site plans, Stormwater Management Plan and Report, and construction plans related to the uncompleted portion of the preliminary site plan shall be deemed void, and approval shall be deemed withdrawn, unless an extension has been obtained from the DRC 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 a preliminary plan/preliminary site plan is voided, all subsequent submittals shall comply with regulations in effect at the time of the said resubmittals.

Construction Plan

- 15. No fill shall be placed within the 100-year floodplain designation unless compensating volume to mitigate the fill is provided on site or off site within the same basin and reviewed and approved by Pasco County.
- 16. All construction within Pasco County right-of-way will require a Right-of-Way Use Permit. The review and issuance of the Right-of-Way Use Permit shall be conducted in accordance with the LDC, Section 311, Right-of-Way Use Permit, and must be obtained prior to commencement of construction. The developer shall ensure that any improvements installed in rights-of-way are constructed to County standards.
- 17. In consideration of Pasco County's agreement to provide potable water and/or reclaimed water to the subject property, the owner/developer and its 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 owner/developer shall temporarily transfer to Pasco County any and all wateruse permits or water-use rights the owner/developer may have to use or consume surface water or groundwater within Pasco County for the duration of the production failure or shortfall.
 - b. Prior to the owner/developer selling water, water-use permits, or water-use rights, the owner/developer shall notify Pasco County, and Pasco County shall have a right of first refusal to purchase such water or water-use permits or water-use rights.
- 18. The developer shall provide fire protection in compliance with the Pasco County Code of Ordinances, Chapter 46, Article III, and any subsequent amendments. Raised pavement markings shall be installed.
- 19. If a Pasco County Global Positioning System (GPS) network point is located within the boundary of the site or within 50 feet of the same, the point shall be re-established using GPS methods and "Blue Booked" prior to the issuance of any Building Permits or the recording of any plat. Proof of the said Blue Booking shall be submitted to the County Surveyor prior to the issuance of the said permit or the recording of the said plat. If it is discovered that the said point has been destroyed by construction, then the owner/developer of the land will be responsible for payment to Pasco County in the amount of \$5,000.00 each.

- 20. Prior to any construction activity, the developer shall ensure that proper erosion and sediment control measures are in place. 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.
- 21. 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 Pasco County shall be notified within two working days of the resources found on the site.
- 22. 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 Pasco County shall be notified within two working days of the plant and/or animal species found on the site.

Building Permit/Record Plat/Certificate of Occupancy (CO)

- 23. Unless otherwise approved by the Emergency Services Director, when the development is record platted, or where a plat is not required, prior to the issuance of the first Building Permit, the development shall be included into a Pasco County Municipal Fire Service Taxing Unit to provide fire protection. The developer shall submit a petition for inclusion into the Pasco County Municipal Fire Service Taxing Unit at the time of record plat submission, or when no plat is required, prior to the issuance of the first Building Permit. In no case shall a Building Permit be issued until such a petition has been received by the Emergency Services Director.
- 24. The owner/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, and retaining walls.
- 25. Prior to the issuance of the CO, the owner/developer shall provide the Utility Services Branch with a copy of the recorded Merchants' Agreement and recorded copy of the 15' X 15' easement.
- 26. Prior to platting, or where platting is not required prior to the issuance of the first Certificate of Occupancy, the developer shall submit all necessary State and Federal permits including, but not limited to, dredge and fill, surface water, water distribution, wastewater collection, and reclaimed water from the appropriate agencies. The permit shall include the copies of the actual permit itself and all drawings that are approved by the respective regulatory agency. Any annual reports required by such agencies shall be submitted to the biologist and the stormwater engineer.
- 27. The owner 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 Preliminary/Construction Site Plan and Stormwater Management Plan and Report constitutes a finding by the Zoning and Site Development Department that the Preliminary/Construction Site 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 Preliminary/Construction Site 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.

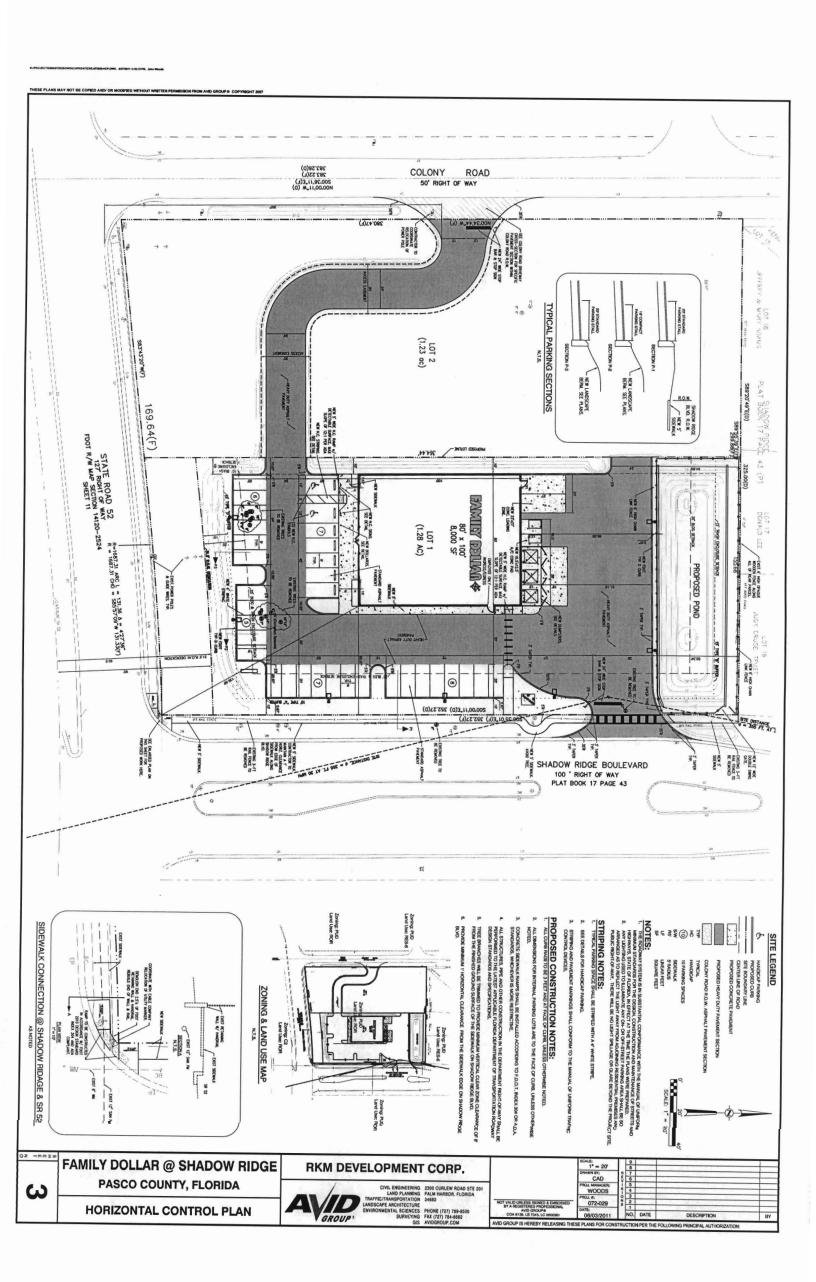
DEVELOPERS' ACKNOWLEDGMENT:

Date	Signature
	Print Name
	Title
STATE OF FLORIDA COUNTY OF	_
	ed before me this (name
	, on behalf of the corporation. He/she is personally (type of
Seal:	NOTARY
	NOTARY
Seal: ATTACHMENT: 1. Site Plan 2. Initial Certificate of Capacity	NOTARY
<u>ATTACHMENT</u> : 1. Site Plan	NOTARY
ATTACHMENT: 1. Site Plan 2. Initial Certificate of Capacity	

APPROVED B.C.C. D.R.C. ZSD

AMENDMENT

By: Date 7-8-2011
For Substantial Compliance With
The Applicable Provisions of Pasco County
Land Development Regulations
And Their Intent



INITIAL CERTIFICATE OF CAPACITY

REQUIRED FOR BUILDING PERMIT ISSUANCE FOR NONRESIDENTIAL DEVELOPMENT, RESIDENTIAL DEVELOPMENT NOT REQUIRING SUBDIVISION PLAT, AND RESIDENTIAL SUBDIVISIONS INTO MORE THAN ONE DWELLING UNIT PER LOT; FINAL PLAT APPROVAL FOR RESIDENTIAL SUBDIVISIONS INTO ONE DWELLING UNIT PER LOT; AND PUBLIC SCHOOL PRELIMINARY/CONSTRUCTION PLAN APPROVAL

Completed Certificate Must Be Attached to the Agenda Item and Approval Document

Complete Application (Date):	03/01/11			Certificate Completed by:	D. Hı	uber
Parcel ID No(s):	04-25-17-00	00-00100-0050				h survey if project includes n of parcel)
Project Name:	Family Doll	ar @ Shadow Ridge			No:	1PR11-018
Applicant Name, A	Address, and one Number:	Colony Road, LLP P.C). B	ox 2108 Elfers, FL 34680		
Job Site Address:	Shadow Rid	ige Boulevard/SR 52 no	orth	west corrner		
	direct connecti 2.5.A.) to the force collectors/a	ollowing	e Bl	vd and Colony Road		
Aggregated with another	project? (Se	e 402.5.C.5.B)	1o (I	If yes, identify project name a	nd I.D.	No.)
				identify use and units/sq. ft.)		
Approval Sought (Check						
DRI				Nonresidential Subdivision		
Rezoning			\square	Residential Subdivision into		
☐ Preliminary Plan ☐ Preliminary Site			<u> </u>	Public School (Comprehens	ive Pla	n Consistency Review)
☐ Preliminary Site	<u> РіаП</u>					
		TYPE OF DE	ΞVΙ	ELOPMENT		

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Project entitled to Limited Exemption	,		YES		NO			
						Co	•	rator or BCC Chairman gnature
				E	xpirati	on (402.3.A, LD	C)	
	All	faciliti	es (other	than ro	ads and	schools) expire on	7-8-201	(6 yrs from issuance)
Roads: Certificate of	of Ca	pacity	expires o	ır is sul	bject to a	dditional review on	7-8-2	0/3
Schools: Certificate	of Ca	pacity	expires o	r is sul	bject to a	dditional review on		or N/A ⊠
Issuance Date:		7-	8-20	11			Mund	On Cild
						DRC approval, ng approval, etc.)	Auth	norized Signature

	Yes	No	Conditional Approval	Review Standards	Reviewed By & Authorized Signature/Date
Roads	M			LDC 402.5, Transportation Element 2.4.1 and TIS Guidelines	Junklinklis
Nater/Water Supply (Utilities)				LDC 402.4.A and Public Facilities Element 1.1 and 1.3	
Sewer (Utilities)				LDC 402.4.A and Public Facilities Element 3.1	
Parks/Recreation(Parks)				LDC 402.4.B and Recreation and Open Space Element 1.1	
Solid Waste (Utilities)				LDC 402.4.A and Public Facilities Element 4.1	
Mass Transit (Public Transportation)				LDC 402.4.A and Transportation Element 5.1	, ,
School or N/A				LDC 402.4.C, Public School Facilities Elements 1.1 and 1.2, and School District Concurrency Implementation Procedures Manual	
			Пуре	or Copy and Paste Below]	

					PCU 11-103.27
				e (e.g. DRC approval, Il, zoning approval, etc.)	Authorized Signature
			INITIAL	CERTIFICATE OF CAPACITY	
	Yes	No	Conditional Approval	Review Standards	Reviewed By & Authorized Signature/Date
Roads				LDC 402.5, Transportation Element 2.4.1 and TIS Guidelines	1.1
Water/Water Supply (Utilities)			Ø	LDC 402.4.A and Public Facilities Element 1.1 and 1.3	Mike Kirkpatrick 3-8-2011
Sewer (Utilities)	·		×	LDC 402.4.A and Public Facilities Element 3.1	Mike Kirkpatrick 3-8-2011
Parks/Recreation(Parks)				LDC 402.4.B and Recreation and Open Space Element 1.1	11/
Solid Waste (Utilities)			Ø	LDC 402.4.A and Public Facilities Element 4.1	Mike Kirkpatrick 3-8-2011
Mass Transit (Public Transportation)				LDC 402.4.A and Transportation Element 5.1	
School or N/A				LDC 402.4.C, Public School Facilities Elements 1.1 and 1.2, and School District Concurrency Implementation Procedures Manual	

Type or Copy and Paste Below!

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:

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 necessa 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.

	V		Conditional Approval	Review Standards	Reviewed By & Authorized Signature/Dat
	Yes	No		LDC 402.5, Transportation Element	Authorized Signature/Dat
Roads				2.4.1 and TIS Guidelines	
Vater/Water Supply Utilities)				LDC 402.4.A and Public Facilities Element 1.1 and 1.3	
Sewer (Utilities)				LDC 402.4.A and Public Facilities Element 3.1	
Parks/Recreation(Parks)				LDC 402.4.B and Recreation and Open Space Element 1.1	
Solid Waste (Utilities)				LDC 402.4.A and Public Facilities Element 4.1	
Mass Transit Public Transportation)				LDC 402.4.A and Transportation Element 5.1	Thelma I. Williams 3/2/11
School or				LDC 402.4.C, Public School Facilities Elements 1.1 and 1.2, and School District Concurrency Implementation Procedures Manual	
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