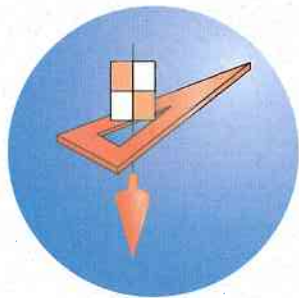


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May 16, 2008

Mr. Craig B. Weber  
Crown Community Development  
2940 Sports Core Circle  
Wesley Chapel, FL 33544

**RE: Cope Family Property – Pasco County  
Preliminary Due Diligence Investigation**

Dear Craig:

We appreciate your request to have us look at the above-referenced site, and are happy to provide you with information. As indicated in our proposal for these services, our investigation is two-tiered. This report represents the culmination of our efforts relative to the first tier of authorized services.

Specifically, we have conducted a cursory review of the property's entitlements, soils, wetlands, topography and etc., but have not visited the site, nor conducted an exhaustive review of all development constraints. We have performed a review of available in-house mapping and have looked primarily at the site's physical and regulatory challenges relative to drainage, wetlands, and land use. We can pursue the next tier of services, which might include geotechnical coordination, evaluation of utility availability, field reviews, pursuit of one or more conceptual layouts, estimates of infrastructure costs, and etc., upon your request. Based upon the currently authorized level of effort, we offer you the information provided below.

**GENERAL INFORMATION:**

Pasco County Tax Parcel I.D. Nos. 22-26-19-0000-00100-0000 and 23-26-19-0000-00100-0010

Acreage: 651.6 acres, mol.

Zoning: A-C (Agricultural District)

Future Land Use: EC (Employment Center)

Surrounding Land Use: RES-6 North, ROR South, RES-3 East, RES-6 and IL North; Bounded on West by S.R. 54 and East by I-75

Upland Acreage (based upon Heidt's wetland digital estimates): 285.2 +/- Acres

Wetlands and Water Features: 366.4 +/- Acres, Forested (cypress), with minor open water features.

Upland Floodplain (Source: Trout Creek Study, Ayers & Associates): 154.1 +/- Acres

Non-floodplain Upland: 131.1 +/- Acres

The subject parcel is located immediately north of and adjacent to the site for the proposed Cypress Creek Town Center, currently under construction, and is bounded on the west by S.R. 54 and on the east by Interstate 75.

## **ENTITLEMENTS**

The subject site is currently zoned A-C (Agricultural District) and has a Pasco County Comprehensive Plan Future Land Use category of EC (Employment Center). These are further described below.

### **Existing Zoning**

The subject site is currently zoned A-C, which designates it as an agricultural district in accordance with Article 500, Section 503 of the Pasco County Land Development Code. The principle uses in the A-C district include agriculture, general farming, and horticulture. Also allowed are single family detached dwellings on individual lots, home occupations, temporary roadside stands for sale of produce, public and private parks and playgrounds, noncommercial boat slips and piers, noncommercial recreation facilities, public and quasipublic buildings and facilities, residential treatment and care facilities. The maximum density allowed is one residential unit per 10 acres.

Accessory uses allowed include private garages and parking areas, private swimming pools and cabanas, signs, and other accessory uses customarily incidental to the permitted principal uses enumerated above. Conditional uses include gun and archery ranges clubs, indoor or outdoor firing and archery ranges, aircraft and helicopter landing fields, parachute drops, amusement parks, automobile race tracks, medical waste disposal facilities, auction houses, flea markets, drive-In theaters, construction and demolition debris dumps, sanitary landfills, yard trash disposal facilities, mining and/or reclamation, sludge, septage, and other waste disposal, wastewater treatment plants, fertilizer manufacturing, and saw mills.

In short, the capability to propose any uses that include residential components with densities in excess of one unit per 10 acres or general commercial uses will require rezoning of the site.

As discussed below, the site's future land use category dictates that the only rezoning allowed would be to the EC-MPUD (Employment Center Master Planned Unit Development) District. In February 2008, the Board of County Commissioners created Section 522.8 EC-MPUD standards in the Pasco County Land Development Code. This new language outlines the new EC-MPUD zoning district master plan requirements and development standards for EC-MPUD approvals. The standards are more stringent than typical business/office categories in Pasco County. The intent is to have corporate business parks, not individual condo/office type buildings that are prevalent in the County. Corporate business parks must have at least three multistory buildings, or 2 buildings with at least four stories or other corporate business park setting structures as approved by the Board of County Commissioners.

### Existing Future Land Use

The Pasco County Comprehensive Plan, effective in January 2007, designates the upland portions of the subject site as an Employment Center (i.e., EC) Future Land Use. The purpose of the EC land use designation, according to Pasco County Comprehensive Plan Policy 1.8.8 is to "implement the County's aggressive strategy to attract specific 'target businesses,' minimize urban sprawl, provide employment opportunities in close proximity to affordable housing, and to support alternative transportation strategies." The EC land use is designed and located to:

- Insure that higher density residential development and affordable housing is within close proximity to employment centers
- Maintain compatibility by providing a transition of land use types, densities, intensities, and heights to buffer existing neighborhoods from nonresidential areas
- Discourage urban sprawl by clustering targeted employment generating uses within Employment Centers along major transportation corridors
- Promote the development of target businesses that will provide jobs in close proximity to the County's existing residential areas, support future mass transit systems and make the most efficient use of the County's substantial investment in infrastructure and services
- Promote target business development in close proximity to the regional road network providing high visibility and convenient access; and
- Ensure sufficient availability of land to realize the economic development goals of the County.

The Employment Center is required to meet an area wide composite mix of land uses as detailed below:

General Use	Minimum	Maximum
Corporate Business Park or Targeted Primary Businesses or Industrial Uses	55%	75%
Multi-family Uses	20%	40%
Support Commercial/Office Uses	5%	20%

Single-family detached dwellings are prohibited in this future land use category. Also, commercial and/or retail uses that are designed to serve regional purposes are expressly prohibited. The EC FLU category has an intense maximum development potential with an FAR of 3.0 and residential density of 32 DU/acre.

The wetland portion of the subject site has a future land use classification as RES-3. This is typical of other designated Employment Centers. Essentially, the County modified uplands only to EC FLU. However, as the properties come in for rezoning, a condition



will likely be to convert the RES-3 Class I wetlands to CON FLU once jurisdictional lines are approved.

#### Land Use and Zoning Amendment

As indicated previously, to entitle the property for uses beyond low-density residential development or agriculturally oriented commercial pursuits, the property would need to be rezoned from its current A-C zoning district. As discussed, the only zoning district that is currently allowed—without a change to the Comprehensive Plan—is EC-MPUD.

If there is a desire to develop the parcel in a fashion other than what is contemplated in the EC land use as enforced by the EC-MPUD zoning district standards, a Comprehensive Plan Amendment (CPA) is required. At this time, the County has not adopted a schedule for the next cycle. It has been rumored the County may not accept CPA applications until 2009-2010. A CPA schedule is supposed to go to the BOCC for a decision in June 2008. A call has been placed to Matt Armstrong, Sr. Planner with Pasco County Growth Management, to discuss the history and rationale of the recent amendment from RES-3 to EC FLU and to gain an opinion on the probability of successfully changing it back to RES-3. Once this discussion is held, we will report any significant findings.

#### PHYSICAL DEVELOPMENT CONSTRAINTS

##### Wetlands

A large forested wetland occurs on the site. We estimate that 366.4 acres (56%) of the site is wetlands. The wetland is called "Cabbage Swamp". It is a named slough system that is a tributary of Trout Creek. The vast majority of the wetlands are dominated by a fairly dense canopy of cypress and wetland hardwoods such as oaks, maple and bays. It will be considered to be high quality by the agencies.

A 12-acre borrow pit was dug in the northeastern portion of the site (most likely for fill for I-75 construction). It will be considered a "surface water" or a wetland, depending on the agency involved.

There are four, smaller isolated depressional wetlands onsite.

Due to the dense canopy cover and the broad transitional areas between wetlands and uplands, it is difficult to estimate the wetland/upland limits with certainty. The upland acreage will likely be revised following onsite environmental reviews. An exact figure can not be determined until wetland limits are flagged, reviewed by the Southwest Florida Water Management District (SWFWMD) and surveyed.

Since the wetlands onsite are largely high quality, one can assume that SWFWMD and the U.S. Army Corps of Engineers will discourage wetland impacts. We recommend that

impacts be limited to necessary road crossing for access and to the small, isolated wetlands, if possible. Wetland mitigation, in the form of wetland creation onsite, would likely result in about a 3-to-1 ratio as compared to wetland impact extent.

Pasco County and SWFWMD both have wetland buffering requirements. Since these are mostly "Category I" wetlands for the County, most will have a 25' minimum buffer required. In accordance with the 2007 Comprehensive Plan amendments and the subsequently adopted Wetland Protection Ordinance (Ordinance 08-01, adopted January 8, 2008), all required wetland buffers (15-foot minimum for Category II & III wetlands and 25-foot minimum for Category I wetland, the dominant Category on this site) must be placed within tracts when the site is platted or in easements if the site is not subdivided, and all building setbacks are measured from the buffer lines—they essentially become the new property lines.

It should be noted that access to the largest concentration of upland landmass—in the northern portion of the site—could not be gained without some impact to the Category I wetland system.

#### Uplands and Tree Protection

It is apparent from the aerial and from our knowledge of the general area, that the upland forest adjacent to the wetlands contains mature oaks and other native upland hardwoods. Some of these trees are sure to be fairly large. Some may be large enough to warrant the attention of Pasco County. A tree survey is recommended prior to detailed land planning efforts.

Some of the site is comprised by fairly natural pine/palmetto flatwoods. Some of these areas contain fairly dense planted pines.

More than one half of the uplands are improved pasture. It is apparent that the site is actively managed for cattle production. Bahia grass is the most common pasture plant.

It is likely that the planted pine areas will not warrant any tree protection or replacement measures as part of site development approvals. However, natural pine/palmetto flatwoods areas will require tree replacement if long-leaf pine trees are present. Oaks require protection or replacement (1 inch for every 3 inches of diameter removed for all species except live oaks), and live oak trees require inch-for-inch replacement. Tree replacement requirements, either in the form of planting or reimbursement of the County tree bank at \$100 per inch will likely be extensive.

#### Listed Species

Even though the site is located in an area that is fairly well developed, there is still the potential for listed animals to occur onsite. Protected animals could include sandhill

cranes, fox squirrels, gopher tortoises, American kestrels, other wading birds, etc. We would not expect that listed species occurrence would materially affect the use of the site; however, we would encourage a preliminarily listed species onsite review at the appropriate time.

#### Drainage/Floodplain Issues

The site is situated within an area recently studied by the Southwest Florida Water Management District (SWFWMD), as part of their Trout Creek Floodplain Study, which is being conducted in cooperation with Pasco County. The flood elevations determined as part of this study encumber a greater percentage of the site's upland acreage than the current FEMA Flood Insurance Rate Maps (FIRM). However, any Environmental Resource Permit (ERP) application filed with SWFWMD for development of the site will be reviewed with the Trout Creek study as a backdrop, since SWFWMD will consider it "best available information." Additionally, it is likely that, after completion of some ongoing processes that include peer review and public comment, the Trout Creek study will be used by Pasco County to make application to amend the FEMA FIRM as part of a County-wide effort to update FEMA's FIRM mapping.

Based upon the Trout Creek floodplain lines, it appears that approximately 154.1 acres of the site's roughly 285.2 acres of uplands are in the floodplain, leaving only about 131.1 acres of uplands that are not within the floodplain. Most of these floodplain-free upland area is concentrated on the northern end of the site, along with an island of approximately 30 acres in the center of the site, surrounded by Cabbage Swamp wetlands and its associated upland floodplain. A small amount of non-floodplain uplands can also be found along the frontage of S.R. 54.

The challenge presented by the presence of such an expansive floodplain is that, while development can occur within the floodplain, the fill volume encroachments within it must be compensated for on a "cup-for-cup" basis, with the compensatory excavation occurring between the existing grade below the floodplain elevation and the wet season water table. The upland soils located within the upland floodplains are classified by the National Resource Conservation Service (NRCS) as Narcoossee, Eaugallie, Paisley and Pomona sands, which typically exhibit wet season water tables within a foot of the ground surface. This means that compensatory storage would need to rely on a horizontal spread, versus depth, in order to provide adequate compensation. It appears that some of the floodplain fills might need to be relatively deep, due to the relief on the site (particularly in the 30-acre island), which further exacerbates the issue.

Detailed engineering design efforts are required to quantify the nature and extent of floodplain encroachments and required compensatory excavation. However, based upon experience with similar sites, there may be an opportunity to develop within approximately 50 percent of the upland floodplain (77 Acres +/-), while providing at least 50 percent of that acreage in floodplain compensation—which can also do double-duty as wetland mitigation. Based upon these assumptions, the developable acreage of the site might be characterized as follows:



**Developable Acreage Estimate:**

(1)	Non-floodplain Upland Acreage =	131.1+/- Acres
(2)	50% of Upland Floodplain = $154.1/2 =$	77 +/- Acres
(3)	Developable Uplands = $131 + 77 =$	208 +/- Acres
(4)	Stormwater Detention (20%+/-) =	41 +/- Acres
(5)	Floodplain/Wetland Mitigation =	39 +/- Acres
(6)	Net Developable Uplands = $208-31-39 =$	128 +/- Acres

Note that, from the net available acreage, the site would have to also accommodate landscape buffers along adjacent property boundaries and S.R. 54, and would have to accommodate building setbacks measured from the wetland buffer lines.

The acreages computed above is subject to change in accordance with final, field-confirmed wetland delineation and detailed engineering design. To accurately define earthwork volumes and refine floodplain encroachments, a detailed on-site topographical survey also will need to be pursued. Also note that, until a style of development is selected (Employment Center, retail, office or residential), an analysis of yield will be held in abeyance.

**Earthwork**

Without detailed topography, as mentioned above, and an analysis of the on-site *in situ* soils, it is difficult to quantify the amount of fill material required or to assess the need for import. However, based upon experience with other sites in the Trout Creek basin, we might assumed that there are clayey soils within the top 6' to 8' of the ground surface that will make on-site yield from stormwater and floodplain excavation areas inefficient.

**SUMMARY**

The subject site presents several development challenges. The first challenge is that its land use category requires a very specific mix of uses that may or may not be timed for a near-term benefit. Changing the land-use to take advantage of market opportunities that exist (perhaps multi-family and retail uses) could be challenging in the current political climate in Pasco County. Timing is an issue if an amendment to the Comprehensive Plan is desired. The other challenges are physical/technical challenges associated with the site's wetland and floodplain configuration.

Because the site is divided by a large Category I wetland, the developable pockets are non-contiguous, and it will be difficult to provide a single compact center. The Employment Center, if pursued, will require multiple access points off of SR 54 and will have minimal access within the development for vehicles, bicycles and pedestrians to travel between land use types.

In addition to the problems with configuring a cohesive site, the challenges associated with physical development of the site are primarily the result of the high percentage of

Mr. Craig B. Weber  
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wetland and upland floodplain. These issues, along with the expected stormwater detention requirements significantly erode the developable footprint of the site.

Please let us know if you have any questions, or if you would like for us to pursue additional analytical efforts to better define the site's best use. We appreciate the opportunity to be of assistance.

Sincerely,

**HEIDT & ASSOCIATES, INC.**



Edwin J. Rogers, P.E.  
Project Manager

Enclosures

cc: Terry O. Frankiewicz, CC Industries, Inc.  
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