

**ALTERNATE #2
RESOLUTION NO. 14-07**

RESOLUTION OF THE TOWN OF ST. LEO TOWN COMMISSION
APPROVING SPR/VAR #14-A, THE SAINT LEO UNIVERSITY PLANT
OPERATIONS FACILITY WITH CONDITIONS.

WHEREAS, a Planned Unit Development (PUD) application (PUD #10-A) was approved by the Town of St. Leo Town Commission on June 4, 2010 to approve the Saint Leo University campus master plan (154.29+/- acres), and

WHEREAS, the Town of St. Leo Town Commission approved Saint Leo University Campus Master Plan PUD #10-A Major Modification #2 to expand the Saint Leo University West Campus, revise the projects list, including the Plant Operations Facility, and update the data table, pursuant to the Land Development Code (LDC) Article X, Development Review Procedures and Development Standards for General Site Plans and Planned Unit Developments, and

WHEREAS, Saint Leo University, Inc. has submitted an application to approve a site and landscape plan, and landscape buffer variance for the Plant Operations Facility, and

WHEREAS, a public hearing was advertised and held on May 12, 2014, June 9, 2014, July 14, 2014, and August 11, 2014, before the Town of St. Leo Town Commission, regarding the above referenced application, which gave full and complete consideration to the recommendations of the staff and evidence presented at the public hearing meetings.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF ST. LEO TOWN COMMISSION:

SECTION A. REQUEST

To approve a site and landscape plan and landscape buffer variance for the Plant Operations facility.

Variance Request

The Applicant is requesting variances to the Land Development Code (LDC) as follows (underline added for emphasis):

- Sec. 12.2. Landscape Buffers between Incompatible Uses

A. Required landscape buffering is in accordance with the Landscape Buffer Matrix (Table A), which establishes buffer types and requirements from abutting uses. Figure A illustrates the planting requirements for each buffer type. The buffer width requirements are based on two landscaping alternatives: the provision of landscaping only or the provision of landscaping with a fence, decorative masonry wall or berm. Where a wall or fence is provided or required by this section, all landscaping shall be in front of the wall or fence. All landscape buffers are required to be irrigated with an in-ground water efficient system and, where possible, utilize reclaimed water.

Table A footnote #4

4. Institutional and Business uses, because of their level of activity and scale of development, require greater buffering from abutting single-family and multifamily residential districts. The minimum required landscape buffer width shall be twenty (20)

feet, landscaped pursuant to the Buffer C planting requirements, and shall provide a six (6) foot high decorative solid fence or masonry wall. The required landscaping must be placed in front of the fence/wall.

For Institutional use adjacent to residentially zoned property and rights-of-way, a Type "C" buffer is required along the project's McMullen Drive (222.5 linear feet) frontage, which requires 4 Canopy trees, 5 Understory trees and 20 shrubs/100 linear feet and a decorative fence or wall.

The Applicant is meeting the buffer width and landscaping requirement; however, the Applicant is requesting a variance not to provide the decorative solid fence or wall, but to provide a decorative an open wrought-iron style fence consistent with existing perimeter campus fencing along S.R. 52.

SECTION B. EXHIBIT A

The following documents are attached to this resolution and incorporated herein by reference:

1. Town staff report with exhibits.
2. Applicant's application and submittal documents/plans.

SECTION C. FINDINGS AND CONCLUSIONS

Based on the staff report, submittals by the Applicant, and testimony at the public hearing, the proposed site and landscape plan, and landscape buffer variance will be consistent with the previously approved PUD #10-A, and the Town's Comprehensive Plan and LDC provided certain conditions are met, which are listed in Section D.

SECTION D. TOWN COMMISSION DECISION

The Town Commission APPROVES SPR/VAR #14-A WITH CONDITIONS, for the Plant Operations Facility project as submitted, (Exhibit A). The proposed project is consistent with PUD #10-A and Major Modifications #1 and #2 and LDC provided the following conditions are met:

1. McMullen Drive shall not be utilized as an entrance/exit for pass through vehicle access via the Plant Operations Facility to the internal roadway (golf cart path) by faculty or students or for truck deliveries to other campus facilities.
2. Pompanic Street shall not be utilized as an entrance/exit for pass through vehicle access via the Plant Operations Facility to the internal roadway (golf cart path) by faculty or students or for truck deliveries to other campus facilities.
3. The University shall only use the Marmion Snyder campus entrance via the cart path, not Pompanic Street, for all construction access to the Plant Operations Facility site. There shall be no construction vehicle access to the Plant Operations Facility via either McMullen Drive or Pompanic Street; instead construction vehicle access for the Plant Operations Facility is approved and shall occur via the Marmion Snyder campus S.R. 52 entrance. The University shall be allowed to stabilize the construction vehicle access route from Marmion Snyder campus entrance to the construction site with gravel or other appropriate stabilization material, concurrent with the initial site development work for the Plant Operations Facility.

4. Commercial truck turning movements from the Plant Operations facility onto Pompanic Street shall be limited to right-in/left-out. In addition, Saint Leo University shall post appropriate signage at the driveway exit from the Plant Operations Facility onto Pompanic Street, stating "Trucks No Right Turns", and trucks shall be prohibited from making westbound to northbound right turns onto Pompanic Street when exiting the Plant Operations Facility. To further enforce the "No Right Turn" restriction for exiting trucks, Saint Leo University shall include an appropriate, safe design feature at the Pompanic Street driveway exit, if feasible, which impedes such right turns by trucks, while allowing for safe right-turn movements for standard (non-truck) vehicular traffic. The specific traffic design feature shall be part of the construction plan approval process for the Plant Operations Facility; however, a preliminary design concept is attached in Exhibit A.
5. Concurrent with procurement by the Town of additional right-of-way from all other property owners having frontage on the east side of Pompanic Street from S.R. 52 to McMullen Drive, Saint Leo University shall provide the additional right-of-way along the portion of the Pompanic Street frontage that is owned by Saint Leo University, up to 25' of total right-of-way from the centerline of the existing right-of-way for Pompanic Street. The Town shall compensate Saint Leo University for the mutually agreed upon value of such additional right-of-way, in accordance with the PUD Major Modification #2 conditions, at the time of such conveyance. The University shall submit a revised site plan depicting the dedicated right-of-way.
6. As requested by the Florida Department of Transportation, and provided that the existing right-of-way is sufficient (or is procured by the Town or FDOT) to accommodate such improvement, Saint Leo University shall construct additional pavement to provide additional turning radius at the northeast quadrant of the existing SR 52/Pompanic Street intersection, to accommodate the westbound to northbound turning movement for truck traffic currently utilizing the road shoulder for such turning movement and proposed WB 62 truck traffic servicing the Plant Operations Facility. The additional pavement radius to be constructed by Saint Leo University shall be limited to that which can be constructed within the existing right-of-way (unless the Town or FDOT procures additional right-of-way) at said intersection, and shall be constructed concurrent with the development and construction of the Plant Operation Facility, or as soon thereafter as applicable permits are issued by FDOT for such additional pavement area for the expanded truck turning radius.
7. Preservation of the 44-inch DBH Laurel Oak as shown on the site plan. Pursuant to the recommendations contained in the report prepared by Samnik & Ballard, the University shall erect a barrier to be approved and inspected by the Town Planning Consultant around the dripline of the tree prior to the start of any site work, and said barrier to remain until the Building Official issues a final building inspection approval. Further, the University shall comply with the other Preservation Specification recommendations in the Samnik & Ballard report.
8. Any revisions to the attached Landscape Plan Alternative B shall be provided to the Town Planning Consultant for approval prior to the issuance of final building inspection of the project by the Town's Building Official. Any variances will require a public hearing pursuant to Article IX.
9. Submit a copy of the SWFWMD permit approval to the Town Clerk prior to issuance of a building permit for the site.
10. The aesthetic architectural design for the Plant Operations building shall comply with Condition #12 of the PUD Major Modification #2 conditions of approval. In the event the Town Planning Consultant contends that the University's proposed design does not meet said condition, the matter shall be referred to the Town Commission at the next scheduled Commission meeting for the Commission to determine such compliance.
11. There shall be no exposed outdoor storage of vehicles, equipment or materials (except within the vehicular use or any equipment or storage areas shown on the site plan), unless approved by the Town Commission.

12. All other applicable county, regional regulatory agency or state permits be obtained prior to commencement of development and that the issuance of a development permit does not in any way create any right on the part of an applicant to obtain a permit from a county, regional agency or state, and does not create any liability on the part of the Town for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfil the obligations imposed by the county, regional agency or state or undertakes actions that result in the violation of county, regional agency or state law.
13. No final inspection approval will be issued by the Town's Building Official until all the above conditions are met and a landscape inspection is conducted for compliance.
14. One (1) year after the completion of the project, the Town Commission or its designee shall inspect all landscaping requirements for compliance and the condition of the Laurel Oak. The Applicant shall be required to replace any trees or shrubs deemed to be in poor or dead condition within 45 days of said inspection. If the Laurel Oak is deemed to be in failing condition, then the University shall submit a tree removal permit application.
15. Commercial truck deliveries shall only occur between the hours of 6 AM to 6 PM on Monday through Friday.
16. Lighting shall be designed in a manner to eliminate any light spillage onto adjacent properties.

SECTION E. TOWN COMMISSION MOTION

The foregoing resolution was adopted by the St. Leo Town Commission vote as follows:

Richard H. Christmas, Mayor
James Hallett, O.S.B.
Gregory P. Smith
Donna DeWitt, O.S.B.
C. Arnold Curington

DULY PASSED AND ADOPTED this 11th day of August, 2014.

ATTEST:


Joan Miller, MMC, Town Clerk


Richard H. Christmas, Mayor

Approved as to form by:

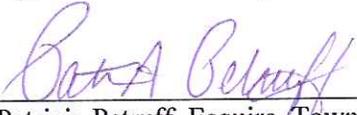

Patricia Petruff, Esquire, Town Attorney

EXHIBIT A
Town Staff Report/Exhibits
Applicant's Application and Supporting Documents



Town of St. Leo

**SITE/LANDSCAPE PLAN REVIEW (SPR) STAFF REPORT
SPR/VAR#14-A: Saint Leo University Plant Operations Project
Town Commission Meeting August 11, 2014**

Property Owner: Saint Leo University Inc.

Applicant: Saint Leo University Inc.

Representative: Arthur Kirk

Request: Site and Landscape Plan Approval for the Plant Operations Facility and variance to the landscape buffer fence/wall requirement.

Location/Legal Description: Southeastern quadrant of McMullen Drive and Pompanic Street intersection (Exhibit A).

Property Appraiser Folio: 01-25-20-0000-02200-0000, 01-25-20-0000-01800-0010 and 01-25-20-0020-00A00-0090.

Land Use Designation: Business

Zoning: Business

Project Overview

The proposed project is located within the northwest corner of the new expanded West campus (Exhibit A) and entails construction of a new 16,000+/- square foot Plant Operations facility (office and warehouse)(Exhibit B). The project was originally approved at the southwestern corner of the previous Campus boundary on S.R. 52. Pursuant to PUD 10-A, any University project is reviewed pursuant to General Site Plan Review requirements and approval by the Town Commission at a regularly scheduled (non-public hearing) meeting. The application and detailed project description are contained in Appendix A.

The project site (3.4+/- acre) is surrounded by properties designated Business (future land use and zoning) to the west, south and east, and Low Density and Medium Residential Density (future land use and zoning) to the north. To the north is a five lot single-family subdivision (Peggy's Hay Farm) approved by the Town in 2010. It is currently undeveloped.

The proposed Plant Operations facility will be accessed via Pompanic Street, which is classified as local residential street. Pompanic Street has shared maintenance between the Town of St. Leo and City of San Antonio. The project is adjacent to McMullen Drive, which is a platted right-of-way (50 feet), in which the underlying land is owned and the road is maintained by the City of San Antonio. However, the Town of St. Leo has regulatory authority over its use, function and any required improvements related to any development approvals utilizing McMullen Drive for access.

Variance Request

1. The Applicant is requesting variances to the Land Development Code (LDC) as follows (underline added for emphasis):

- Sec. 12.2. Landscape Buffers between Incompatible Uses

A. Required landscape buffering is in accordance with the Landscape Buffer Matrix (Table A), which establishes buffer types and requirements from abutting uses. Figure A illustrates the planting requirements for each buffer type. The buffer width requirements are based on two landscaping alternatives: the provision of landscaping only or the provision of landscaping with a fence, decorative masonry wall or berm. Where a wall or fence is provided or required by this section, all landscaping shall be in front of the wall or fence. All landscape buffers are required to be irrigated with an in-ground water efficient system and, where possible, utilize reclaimed water.

Table A footnote #4

4. Institutional and Business uses, because of their level of activity and scale of development, require greater buffering from abutting single-family and multifamily residential districts. The minimum required landscape buffer width shall be twenty (20) feet, landscaped pursuant to the Buffer C planting requirements, and shall provide a six (6) foot high decorative solid fence or masonry wall. The required landscaping must be placed in front of the fence/wall.

For Institutional use adjacent to residentially zoned property, a Type "C" buffer is required along the project's McMullen Drive (519.5 linear feet), which requires 4 Canopy trees, 5 Understory trees and 20 shrubs/100 linear feet and a decorative solid fence or wall.

The Applicant is requesting a variance not to provide the solid decorative fence or wall, but provide an open design wrought style fence (Exhibit C). It is noted that the University is complying with the Type "C" landscaping requirements (Exhibit D).

LDC Analysis

The following table provides an analysis of the site and landscape plan related to the LDC based on Institutional use within the Business Zoning District.

TABLE A
Analysis of Relevant Land Development Code
Sec. 10.9. PUD Development Guidelines and Requirements.

LDC	Requirement	Provided per Landscape Plan
Setbacks	50 feet (all property boundaries)	50+ feet
Parking (based on students)	N/A	17 spaces
McMullen Drive landscape buffer width	Type "C"= 20 feet with a solid fence or wall	Type "C": 20 Feet, but with open design wrought-iron style fence (requires variance)
McMullen Drive landscape buffer planting (approx. 519.5 linear feet)	Type "C" per 100 linear feet with fence: 4 Canopy trees= 21 5 Understory trees= 26 20 Shrubs= 104	Canopy trees=21 Understory trees= 26 Shrubs= 145
West Boundary landscape buffer width adjacent to Business Zoning	Type "B" with fence = 5 feet	Type "B"= 5 Feet
West Boundary landscape buffer planting (approx. 424.7 linear feet) ¹	Type "B" per 100 linear feet: 1 Canopy trees= 5 2 Understory trees= 9 12 Shrubs= 43	Canopy trees= 9 Understory trees= 11 Shrubs= 74
South boundary landscape buffer width adjacent to Business Zoning	Type "B" with fence = 5 feet	Type "B"= 5 Feet
South boundary landscape buffer planting (approx. 350 linear feet)	Type "B" per 100 linear feet : 1 Canopy trees= 4 trees 2 Understory trees= 7 trees 12 Shrubs= 42 shrubs	Canopy trees= 7 Understory trees= 9 Shrubs= 70
Parking lot east/south boundaries landscape buffer (approx. 270 linear feet)	5 feet wide with 1 tree/30 linear feet or 9 trees	5 foot wide buffer with 9 trees and a continuous hedge.
Stormwater (approx. 363 linear feet)	1 canopy or 2 understory trees/50 linear feet along top of bank or 8 canopy or 16 understory trees	8 trees around pond plus 5 tree credit for McMullen Dr. buffer.
Parking lot interior planters	1 tree/10 parking spaces and 1 tree at each end island	1 tree/10 parking spaces and 1 tree at each end island
Parking lot interior landscape (excess perimeter landscaping can count toward the interior requirement)	10% of vehicular use area (14,090 sq. ft.) or 1,409 sq. ft.	1,450 sq. ft. plus additional credit for excess perimeter buffer provided along west side of building.

Analysis of Relevant Land Development Code, Sec. 10.9. PUD Development Guidelines and Requirements.

3. Compatibility: The proposed PUD shall be compatible with adjacent land uses or zoning districts, or shall achieve compatibility through special design characteristics and buffers between incompatible uses to minimize differences between the proposed and existing surrounding land uses or zoning districts.

The University has indicated with the new expanded West Campus, locating the Plant Operations facility at the southeastern quadrant of the Pompanic Street/McMullen Drive intersection provides the greatest flexibility for future West campus development. The location of the Plant Ops facility is a significant change from the previous location, which was at the western edge of the current campus. This location was also adjacent to the fruit stand (designated Business) to the west, adjacent to the Monastery to the north and east, and accessed via S.R. 52. S.R. 52 has the capacity to handle large traffic volumes and truck traffic as opposed to Pompanic Street, which is a local street.

The proposed Plant Operations facility is now located adjacent to property designated with the Business future land use and zoning along the western boundary, and Low Density Residential future land use and zoning along the McMullen Drive (Peggy's Hay Farm subdivision, approved in 2010) boundary. Two properties to the west are residential uses; however, they are designated Business. The other adjacent property is a business. Properties along the west side of Pompanic Street within the City of San Antonio are designated commercial and low density residential.

The new location is accessed via Pompanic Street, a two-lane local street, which only has 18+/- feet of pavement width. It is unknown if Pompanic Street has sufficient right-of-way, pavement width or is constructed to safely handle truck traffic entering/exiting the Plant Operations site. The utilization of Pompanic Street for access to the Plant Operations facility could change its function from a residential street (serving primarily residential homes) to more of a commercial street given the truck traffic generated by the facility. Depending on traffic volume (trips and types of vehicles/trucks), the use of Pompanic Street for access to the Plant Operations facility may create compatibility issues with the residential character of the street and the adjacent low density residential designation. Further, there is an internal road (Exhibits A and B) connecting the Plant Operations facility with the West Campus (Monastery facility) that has been identified for only small golf cart use. Any use of Pompanic Street to access this internal road as secondary access for faculty, students or truck traffic would create significant incompatibility issues with adjacent residential land use, and increase traffic on Pompanic.

The University has indicated with the new expanded West Campus, locating the Plant Operations facility at the southeastern quadrant of the Pompanic Street/McMullen Drive intersection provides the greatest flexibility for future West campus development. However, the location of the Plant Ops facility has significantly changed from the previous location, which was at the western edge of the campus. This location was also adjacent to the fruit stand (designated Business) to the west, adjacent to the Monastery to the north and east, and accessed via S.R. 52. S.R. 52 has the capacity to handle large traffic volumes and truck traffic as opposed to Pompanic Street, which is a local street. The previous location was adjacent to Business and the institutional uses it would serve. The new location is adjacent to low density residential and accessed via Pompanic Street, a two-lane local street, which only has 18+/- feet of pavement width.

The University has provided perspective drawings illustrating the relationship of the building and proposed landscaping along Pompanic Street and McMullen Drive (Exhibit E). In terms of building design, all newer major campus buildings (since 2010) have been designed in a Mediterranean/Spanish Revival style architecture, which is compatible with the historic Abbey (Spanish/Mediterranean Revival). The building will have a red color metal roof and earhtone color walls as depicted in the perspective drawings (Exhibit E) and elevations (Exhibit E) submitted by the University. Although these colors are consistent with Spanish/Mediterranean Revival, the metal roofing and siding materials are not consistent with other campus architectural building designs and presents more of an industrial design.

In order to establish compatibility adjacent to the residential uses, measures such as, but not limited to, increased building, parking, access driveway and loading dock setbacks from residential, Mediterranean/Spanish Revival architectural façade features, and enhanced buffering should be utilized in site planning of the proposed Plant Operations facility. It is also noted that a 44-inch DBH Live Oak is being preserved.

5. Streets and Internal Transportation System: Streets shall be designed and constructed in accordance with the provisions of the Town of St. Leo Subdivision Regulations, with such modifications as may be approved as part of the plan submitted at all phases of Town review. Connection of the internal street system to the public road and highway network (via connectors of adequate design, construction, and capacity) shall be the responsibility of the developer and any required improvements shall be included in the PUD plans.

The proposed Plant Operations facility will only be accessed via Pompanic Street, which is classified as local residential streets. The adopted level of service (LOS) for Pompanic Street is D. Pompanic Street has shared maintenance between the Town of St. Leo and City of San Antonio. No access is shown via McMullen Drive, which is maintained by the City of San Antonio. However, the Town of St. Leo has regulatory authority over its use, function and any required improvements related to any future development approvals utilizing McMullen Drive for access.

Based on a traffic study prepared for the University by Raysor Transportation Consulting, LLC for the University, the anticipated traffic generated by the Plant Operations facility includes both car and truck traffic (Appendix A). Based on the Traffic Impact Study submitted by the University, the existing two-way daily traffic on Pompanic Street is 600-700 vehicles/day. This is below the LOS D standard. The traffic generated by the Plant Operations facility employees/visitors is a daily two-way volume ranging between 26-110 vehicles/day. This represents an increase in traffic of 3.7%-18.3%. The number of delivery trucks (such as UPSP/panel trucks) would range from 6-10 trips/day with large tractor-trailer trucks 2 trips/every other day. However, with growth of the University there could be increased vehicle and truck traffic on Pompanic Street in the future. The Town has retained Lincks and Associates, Inc. (Appendix B) to conduct a peer review of the Raysor Report. Pursuant to the Lincks Traffic Report, the worst case scenario should be the basis for evaluating traffic impacts (18.3%).

It is noted that the Raysor Traffic Analysis did not address sufficiency of right-of-way, roadbed construction to handle the additional trucks traffic or the typical size of the tractor-trailer trucks making deliveries. Further, based on discussion with FDOT staff, there are potential concerns by FDOT. Their recommendation is provide 12 foot wide lanes on Pompanic Street and increase the right turn turning radius onto Pompanic Street at the S.R. 52 intersection.

Pompanic Street has approximately 40 feet of maintained right-of-way and McMullen Drive has a width of 50 feet. Pursuant to the LDC, minimum right-of-way for a local street is 50 feet or as may be required depending upon traffic generation and vehicle types. Pursuant to information researched by the Town of St. Leo, Pompanic Street has 18+/- feet of pavement width and McMullen Drive has 16+/- feet of pavement width. Pursuant to the LDC, local road construction standards shall utilize Pasco County standards. Based on review of Pasco County standards, minimum pavement width for Pompanic Street would be 24 feet. Further, the Lincks Traffic Report determined that the existing condition of the roadbed is not sufficient to handle truck traffic nor meets County standards.

Pursuant to discussions with the University, there is agreement to work with the Town to address right-of-way, pavement width and reconstruction of Pompanic Street. Below is a summary in principal of the commitments:

- 1. Concurrent with procurement by the Town of additional right-of-way from all other property owners having frontage on the east side of Pompanic Street from S.R. 52 to McMullen Drive, Saint Leo University shall provide the additional right-of-way along the portion of the Pompanic Street frontage that is owned by Saint Leo University, up to 25' of total right-of-way from the centerline of the existing right-of-way for Pompanic Street. The Town shall compensate Saint Leo University at the agreed fair market value of \$1.74/per square foot (based on information provided by the Pasco County Property Appraiser's office) or as mutually agreed to.*
- 2. Pompanic Street shall be improved to provide additional road pavement all of which new roadway width shall be added to the east side of the existing roadway, with not less than a 12' standard lane within the jurisdiction of the Town of St. Leo. At the election of the Town of St. Leo (dependent on available right-of-way, cost, design limitations, etc.), a sidewalk on the east side of Pompanic Street may be included in the joint project. The Town and the University shall equally share the design, engineering, permitting and construction costs for the reconstruction of the road to meet minimum standards from SR 52 to McMullen Drive. The Town shall use existing transportation impact fee funds for its 50% share of the project, and the University shall receive transportation impact fee credits for its 50% share which it pays in cash, less the percent (yet to be determined) portion thereof which is the University's proportionate share for its Plant Operations Facility site-related impacts on Pompanic Street, per its Traffic Impact Study, which site-related costs are not impact fee creditable. The preliminary total budget (to be shared 50% each) for the road improvement. Based on an estimate prepared for the University by WRA, the cost ranges from \$219,400 to \$265,800. Based on the Linckes Report the estimated cost ranges between \$xx and \$XX.*
- 3. As requested by the Florida Department of Transportation, and provided that the existing right-of-way is sufficient (or is procured by the Town or FDOT) to accommodate such improvement, Saint Leo University shall construct additional pavement to provide additional turning radius at the northeast quadrant of the existing SR 52/Pompanic Street intersection, to accommodate the west-bound to north-bound turning movement for pre-existing truck traffic, which presently is utilizing the road shoulder for such turning movement. The additional pavement radius to be constructed by Saint Leo University shall be limited to that which can be constructed within the existing right-of-way (unless the Town or FDOT procures additional right-of-way) at said intersection, and shall be constructed concurrent with the development and construction of the Plant Operation Facility, or as soon thereafter as applicable permits are issued by FDOT for such additional pavement area for the expanded truck turning radius.*
- 4. Truck turning movements from the Plant Operations facility onto Pompanic Street shall be limited to right-in/left-out.*

Pursuant to LDC Concurrency requirements, no development permit shall be issued until adequate facilities are available to address the impacts of the development. There are a number of regulatory standards and references that would dictate a need to address LOS, including any physical constraints relative to existing design and construction of Pompanic Street. These include the following:

- a) F.S. Chapter 163, definitions: (28) "Level of service" means an indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.*
 - b) F.S. Chapter 163.3180. (g) Local governments are encouraged to coordinate with adjacent local governments for the purpose of using common methodologies for measuring impacts on transportation facilities.*
 - c) Pasco County Chapter 900, Section 901.4 Substandard Road Analysis and Mitigation, requires development to not only address LOS relative to volume capacity, but also pavement construction standards.*
 - d) Town of St. Leo LDC, Article XIV, requires residential streets to be constructed in accordance with Pasco County specifications.*
 - e) Town of St. Leo LDC, Article VI, Concurrency defines concurrency as a condition where specified facilities and services have or will have the necessary capacity to meet the adopted level of service standard at the time of impact of the development project. [Capacity in this context means both design and physical components of a roadway.] Further, this Article states "No development activity or final local development order may be approved unless it is found that the development is consistent with the Town of St. Leo Comprehensive Plan and that the provision of required public facilities will be available at the prescribed levels of service concurrent with the impact of the development on those facilities."*
6. Principal Vehicular Access Points: Principal vehicular access points to the PUD shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards for vehicular or pedestrian traffic. Acceleration, deceleration, and turn lanes and similar improvements may be required where existing or anticipated heavy traffic flows indicate a need for such improvements.

As noted previously, the Plant Operations facility will be accessed via Pompanic Street. No access has been shown via McMullen Drive. The internal road connecting the Plant Operations facility with the West Campus (Monastery) has been identified for small golf cart use. Based on compatibility issues identified in Criteria #3, any use of Pompanic Street to access this internal road as secondary access for faculty, students or truck traffic would create significant incompatibility issues with adjacent residential development.

Also see comments described in Criteria #5.

In addition there are Comprehensive Plan objectives that relate to traffic issues:

Transportation Element

TE Objective 1.5. Access Management

Control the number of access points of driveways and new roads intersecting with arterial, collector and local roads.

TE Policy 1.5.2. Require FDOT driveway permit for development access on state roads, Pasco County driveway permits on all County roads and Town driveway permits on all local roads prior to issuance of a Town of St. Leo building permit.

TE Objective 1.6 Level of Service Standards

TE Policy 1.6.2. All development shall comply with the Concurrency Management section of the LDC and no development orders shall be issued that cause the LOS to drop below the adopted LOS standards. Where building permits or development orders will cause the level of service to fall below the adopted standard for LOS, then the order must provide that no construction can commence until the development is served by roads which meet LOS for roads unless traffic impacts are satisfactorily addressed through mitigation or roadway projects identified in the FDOT, Pasco County or St. Leo CIE that are in place or are planned for construction within three (3) years after the approval of a building permit.”

Pursuant to the Lincks Traffic Report, the worst case scenario (18.3% increase) should be the basis for evaluating traffic impacts. Further, the Lincks Traffic Report determined that the existing condition of the roadbed is not sufficient to handle truck traffic nor meets County standards. Any increase in tractor-trailer traffic trips/week would require a new traffic analysis to ascertain the impacts to Pompanic Street and S.R. 52. The Lincks Report also noted that the turning radius (auto-turn) drawing provided by the University demonstrates truck turning movements southbound can be marginally accommodated within the existing pavement area. However, as noted previously, this issue will be resolved pending agreed upon cost sharing improvements to Pompanic Street by the University and the Town.

Pursuant to LDC Concurrency requirements, no development permit shall be issued until adequate facilities are available to address the impacts of the development. As noted previously, the University has committed to working with the Town to address right-of-way, pavement width and reconstruction of Pompanic Street and the S.R. 52 intersection.

9. Lake Jovita/S.R. 52 Visual Corridor: It is important to insure that the relationship between the view sheds of the unique hillside topography and natural landscape along State Road 52 and Lake Jovita, and the views of the historic St. Leo Abbey and Bell Tower, are preserved and protected. Factors to be considered in evaluating the impacts of development within a view shed include, but are not limited, to the following:

- Siting, massing and height of buildings and structures within the view shed.
- The relationship between the natural landscape and man-made features relative to massing, shapes, textures and contrast.
- The impact of altering the hillside topography and/or the relationship between the forested tree canopy and skyline.
- The location of the site relative to the view shed, topography and distance to the viewer.

The proposed Plant Operations building is located at the northwest corner of the expanded West Campus and will be over 300 feet from S.R. 52 and over 1,000 feet from Lake Jovita. This building will be a metal roofing and siding structure, which is not consistent with other campus architectural building materials and designs. Given its distance from Lake Jovita and S.R. 52, with appropriate landscape buffering around the site there may not be visibility issues. However, it is noted that the topography of the West Campus addition area slopes down from Lake Jovita toward S.R. 52; therefore, given its location, the Plant Operations building will be visible from S.R. 52. The University has provided a perspective drawing illustrating the view from S.R. 52 (Exhibit E).

Based on the above analysis, the site plan has deficiencies as described related to compatibility and LOS and street capacity issues raised in Criteria #3 and #5, as it relates to the location and access to the Plant Operations facility. However, as noted previously, the University has committed to working with the Town to address right-of-way, pavement width and reconstruction of Pompano Street and future intersection improvements at S.R. 52.

Town Commission Variance Review Criteria

The University has submitted with the site plan application a variance to Sec. 12.1 Landscape Buffers between Incompatible Uses, related to the required landscape buffer along McMullen Drive. Pursuant to the LDC (Section 9.2 A and B- Variance Hardship Criteria):

In making a decision on a variance request, the Town Commission shall consider the variance hardship criteria listed below.

All variance applications shall include responses by the applicant to the following criteria:

- 1. State the special conditions and/or circumstances applying to the building or other structure or land for which such variance is sought.*
- 2. Are the special conditions and/or circumstances peculiar to the property, structures, or buildings, and do not apply generally to neighboring lands, structures, or buildings in the same zoning district.*
- 3. Are the existing conditions and/or circumstances such that:*
 - a. The strict application of the provisions of this Chapter would deprive the applicant of reasonable use of said land, building, or structure; and*
 - b. The peculiar conditions and circumstances pertaining to the variance request are not the result of the actions by the applicant.*
- 4. The variance request is in harmony with and serves the general intent and purpose of this Chapter and the Comprehensive Plan including, but not limited to, important visual corridors (as adopted by resolution No. 01-03) and maintaining the Town's rural character.*
- 5. That the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.*
- 6. That allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by this Chapter and the individual hardships that will be suffered by a failure of the Town Commission to grant a variance.*

Variance Analysis

The Applicant is requesting a variance not to provide the solid decorative fence or wall, but construct a wrought-iron style open fence (Exhibit C). The justification provided by the Applicant does not have merit. The site is a plant operations facility use, which will have truck deliveries on a daily basis. The abutting property is designated Low Density Residential, although currently vacant; dictates a solid fence or wall should be required to mitigate potential visual, lighting and noise impacts.

Based on the analysis above and surrounding land use and zoning patterns, the requested fence/wall variance does not meet review criteria #1, # 2, #4 and #5.

Town Commission Decision Alternatives

The Town Commission has at least two decision-making alternatives:

Alternative #1: The Town Commission APPROVES SPR/VAR #14-A WITH CONDITIONS, EXCEPT DENIES THE FENCE/WALL VARIANCE, for the Plant Operations project as submitted, (Exhibits B-D- and Appendix A). The proposed project is consistent with PUD #10-A and Major Modifications #1 and #2 and LDC provided the following conditions are met:

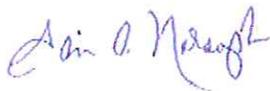
1. McMullen Drive shall not be utilized as an entrance/exit for pass through vehicle access via the Plant Operations facility internal roadway (golf cart path) by faculty or students or for truck deliveries to other campus facilities.
2. Pompanic Street shall not be utilized as an entrance/exit for pass through vehicle access via the Plant Operations facility internal roadway (golf cart path) by faculty or students or for truck deliveries to other campus facilities.
3. The University shall only use the Marmion Snyder campus entrance via the cart path, not Pompanic Street, for all construction access to the Plant Operations site and any future West Campus development.
4. Concurrent with procurement by the Town of additional right-of-way from all other property owners having frontage on the east side of Pompanic Street from S.R. 52 to McMullen Drive, Saint Leo University shall provide the additional right-of-way along the portion of the Pompanic Street frontage that is owned by Saint Leo University, to equal 25' of total right-of-way from the centerline of the existing right-of-way for Pompanic Street. The Town shall compensate Saint Leo University for the mutually agreed upon fair market value of such additional right-of-way, at the time of such conveyance. The University shall submit a revised site plan depicting the dedicated right-of-way.
5. As requested by the Florida Department of Transportation, and provided that the existing right-of-way is sufficient (or is procured by the Town or FDOT) to accommodate such improvement, Saint Leo University shall construct additional pavement to provide additional turning radius at the northeast quadrant of the existing SR 52/Pompanic Street intersection, to accommodate the westbound to northbound turning movement for truck traffic currently utilizing the road shoulder for such turning movement and proposed WB 62 truck traffic servicing the Plant Operations facility. The additional pavement radius to be constructed by Saint Leo University shall be limited to that which can be constructed within the existing right-of-way (unless the Town or FDOT procures additional right-of-way) at said intersection, and shall be constructed concurrent with the development and construction of the Plant Operation Facility, or as soon thereafter as applicable permits are issued by FDOT for such additional pavement area for the expanded truck turning radius.
6. Preservation of the 44-inch DBH Laurel Oak as shown on the site plan. Pursuant to the recommendations contained in the prepared by Samnik & Ballard, the University shall erect a barrier to be approved and inspected by the Town Planning Consultant, around the dripline of the tree prior to the start of any site work, and said barrier to remain until the Building Official issues a final building inspection approval. Further, the University shall comply with the other Preservation Specification recommendations in the Samnik & Ballard report.

7. Provide the required solid fence or wall along McMullen Drive to be approved by the Town Planner.
8. Any revisions to the attached Landscape Plan Alternative B shall be provided to the Town Planning Consultant for approval prior to the issuance of final building inspection of the project by the Town's Building Official. Any variances will require a public hearing pursuant to Article IX.
9. The Applicant shall provide within 90 calendar days, an Agreement signed by the Applicant, for approval by the Town Commission that in essence states: that when a building permit is submitted to the Town for development of the first lot within the Peggy's Hay Farm subdivision, the Applicant shall construct a solid PVC fence or decorative masonry wall, minimum six feet in height along the entire McMullen Drive landscape buffer (260+/-) within 90 days from receipt of written notice from the Town that a building permit has been issued, and that said wall shall be located behind the landscape buffer. Said Agreement shall be recorded in the public records of Pasco County by the Applicant, and shall run with the land.
10. Submit a copy of the SWFWMD permit approval to the Town Clerk prior to issuance of a building permit for the site.
11. Establish a cohesive architectural design for all campus buildings by submitting a revised architectural design of the Plant Operations building that incorporates Mediterranean/Spanish Revival architectural features on the east façade, which is visible from S.R. 52, to be approved by the Town Planning Consultant, unless deemed appropriate to require Town Commission approval.
12. Any subsequent change to the architectural design of the building shall be approved by the Town Planning Consultant, unless such change is recommended for Town Commission approval.
13. There shall be no outdoor storage of vehicles (except within the vehicular use areas shown on the site plan), equipment or materials, unless approved by the Town Commission.
14. All other applicable county, regional regulatory agency or state permits be obtained prior to commencement of development and that the issuance of a development permit does not in any way create any right on the part of an applicant to obtain a permit from a county, regional agency or state, and does not create any liability on the part of the Town for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfil the obligations imposed by the county, regional agency or state or undertakes actions that result in the violation of county, regional agency or state law.
15. No final inspection approval will be issued by the Town's Building Official until all the above conditions are met and a landscape inspection is conducted for compliance.
16. One (1) year after the completion of the project, the Town Commission or its designee shall inspect all landscaping requirements for compliance and the condition of the Laurel Oak. The Applicant shall be required to replace any trees or shrubs deemed to be in poor or dead condition within 45 days of said inspection. If the Laurel Oak is deemed to be in poor condition, then the University shall submit a tree removal permit application.

Alternative #2: The Town Commission APPROVES SPR/VAR #14-A WITH CONDITIONS, for the Plant Operations project as submitted, (Exhibits B-D and Appendix A). The proposed project is consistent with PUD #10-A and Major Modifications #1 and #2 and LDC provided the following conditions are met:

1. McMullen Drive shall not be utilized as an entrance/exit for pass through vehicle access via the Plant Operations facility internal roadway (golf cart path) by faculty or students or for truck deliveries to other campus facilities.
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12. There shall be no outdoor storage of vehicles (except within the vehicular use areas shown on the site plan), equipment or materials, unless approved by the Town Commission.
13. All other applicable county, regional regulatory agency or state permits be obtained prior to commencement of development and that the issuance of a development permit does not in any way create any right on the part of an applicant to obtain a permit from a county, regional agency or state, and does not create any liability on the part of the Town for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfil the obligations imposed by the county, regional agency or state or undertakes actions that result in the violation of county, regional agency or state law.
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15. One (1) year after the completion of the project, the Town Commission or its designee shall inspect all landscaping requirements for compliance and the condition of the Laurel Oak. The Applicant shall be required to replace any trees or shrubs deemed to be in poor or dead condition within 45 days of said inspection. If the Laurel Oak is deemed to be in poor condition, then the University shall submit a tree removal permit application.



Jan A. Norsoph, AICP
Engelhardt, Hammer & Associates, Inc.
Town of St. Leo Planning Consultant

Engelhardt, Hammer & Associates reserves the right to update this report upon becoming aware of new or updated information.

EXHIBIT A

Aerial Map

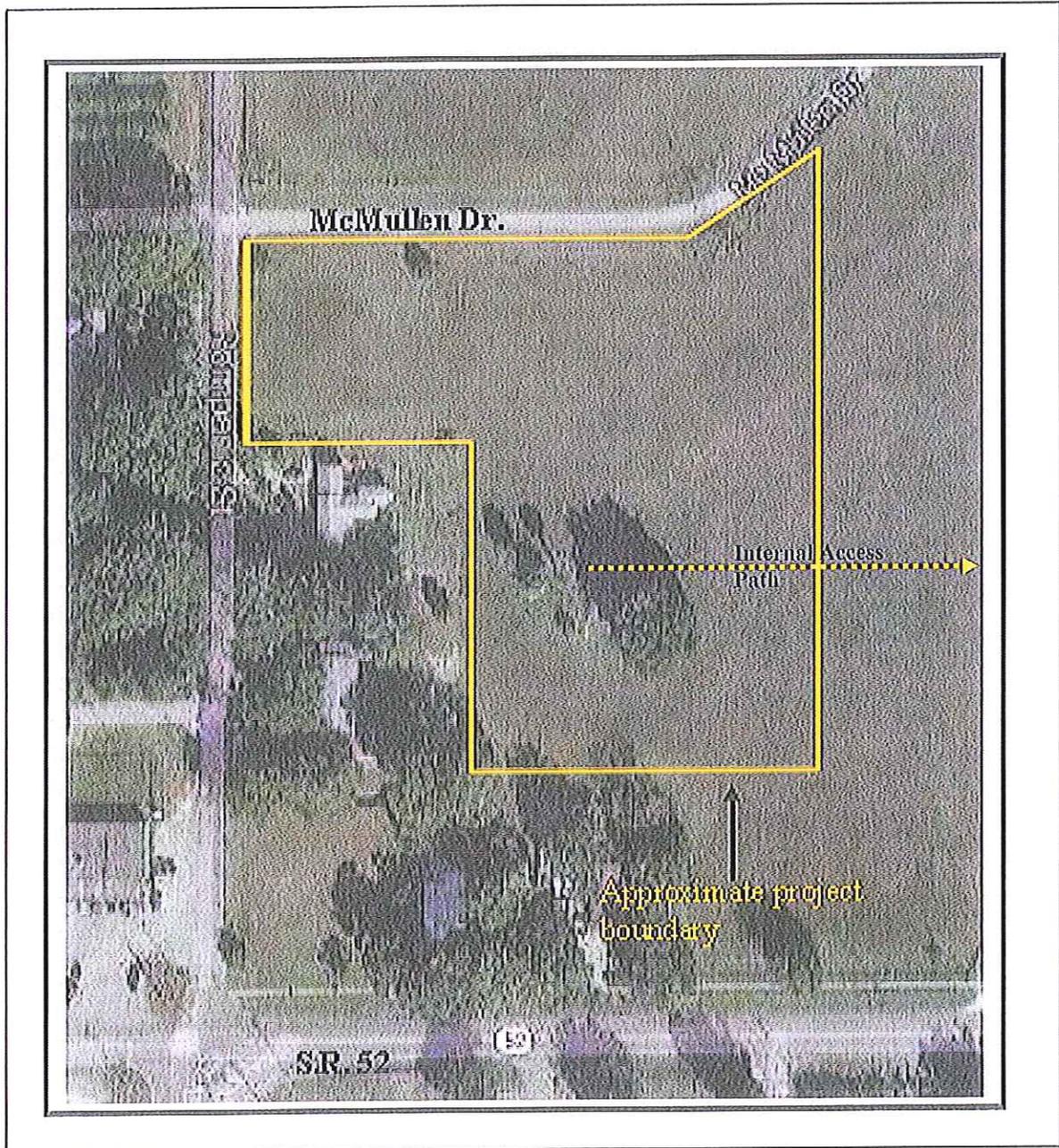


EXHIBIT B
Site Plan

EXHIBIT C
Fence Design

EXHIBIT C
Proposed Landscape/Open Fence Buffer

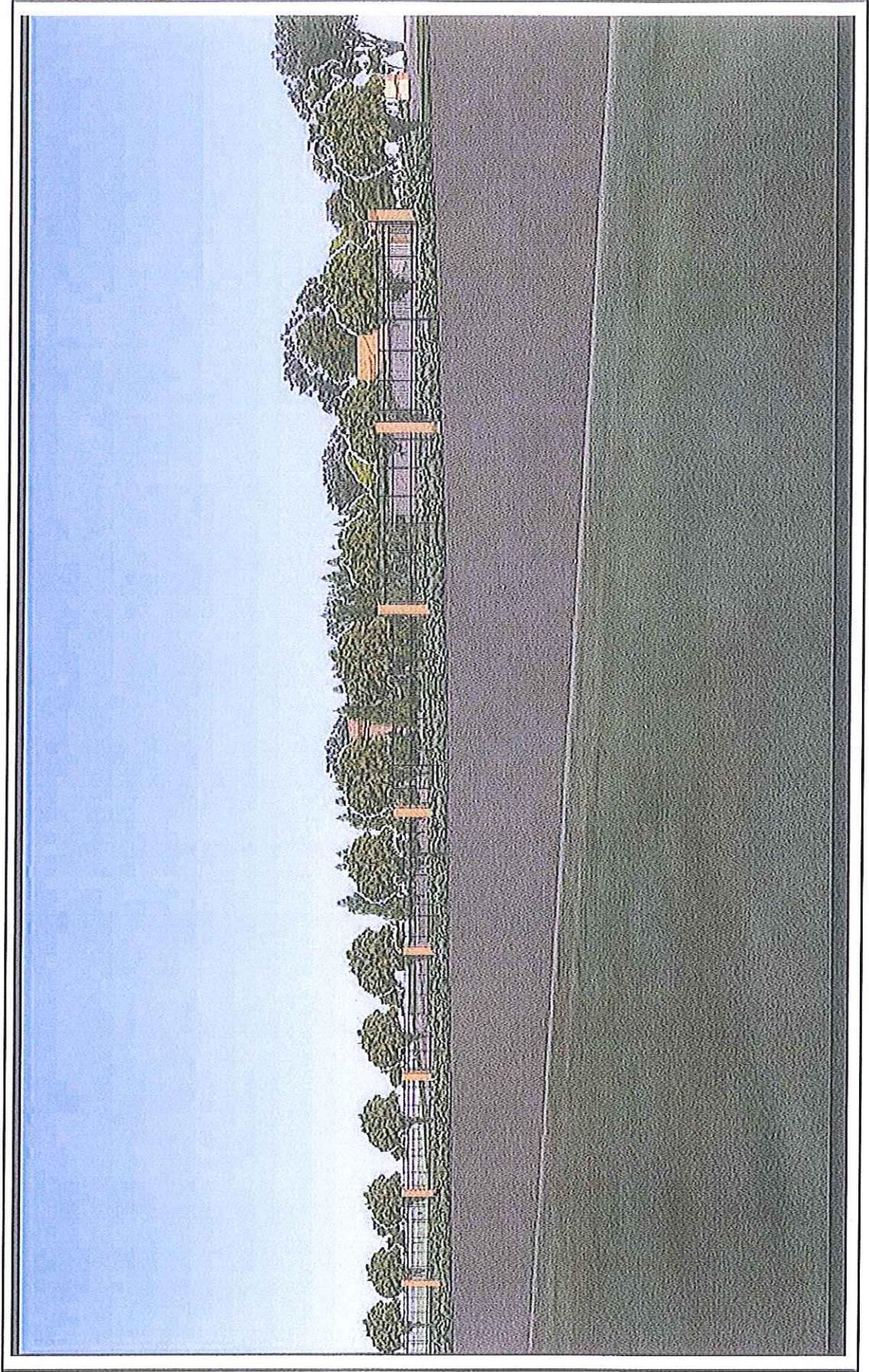
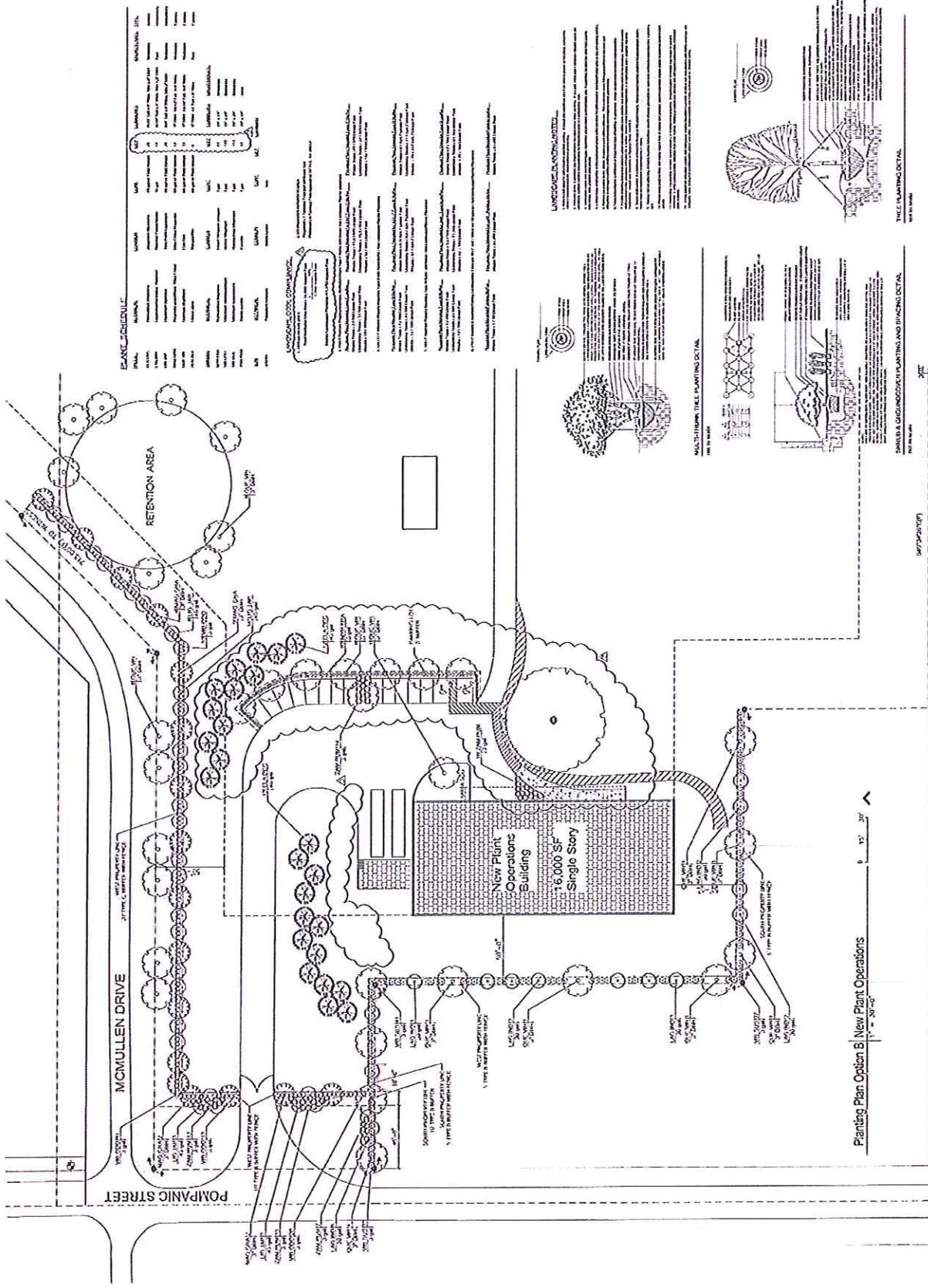


EXHIBIT D
Landscape Plan



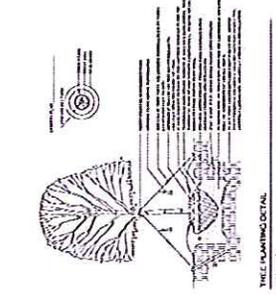
PLANT	REMARKS	QUANTITY	LOCATION
1	1' 12\"/>		

LANDSCAPE DESIGN NOTES:

1. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
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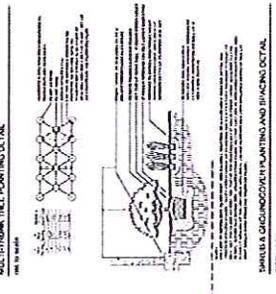
LANDSCAPE PLANTING DETAIL:

1. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:



MULTITIER TREE PLANTING DETAIL:

1. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:

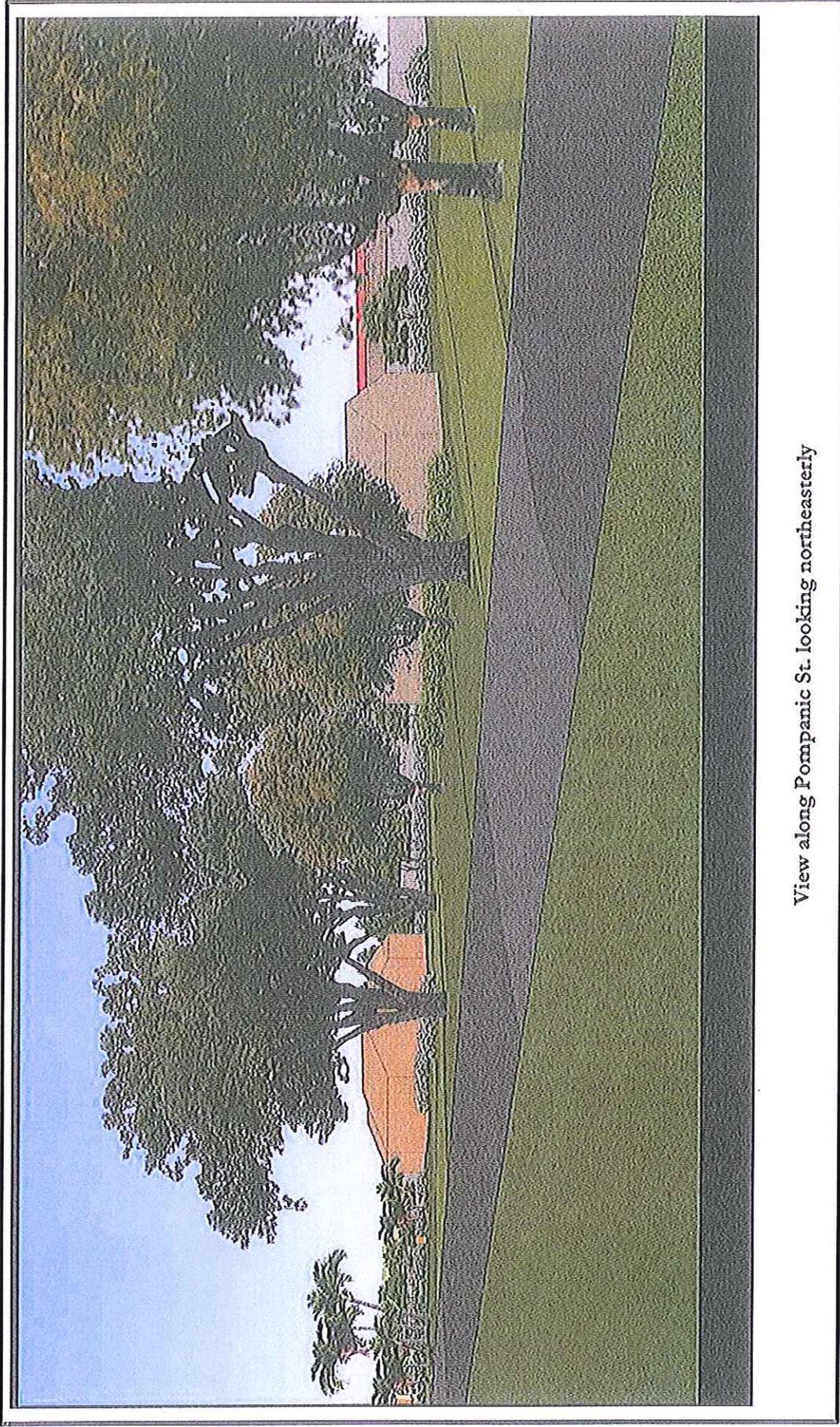


Planting Plan Option B | New Plant Operations

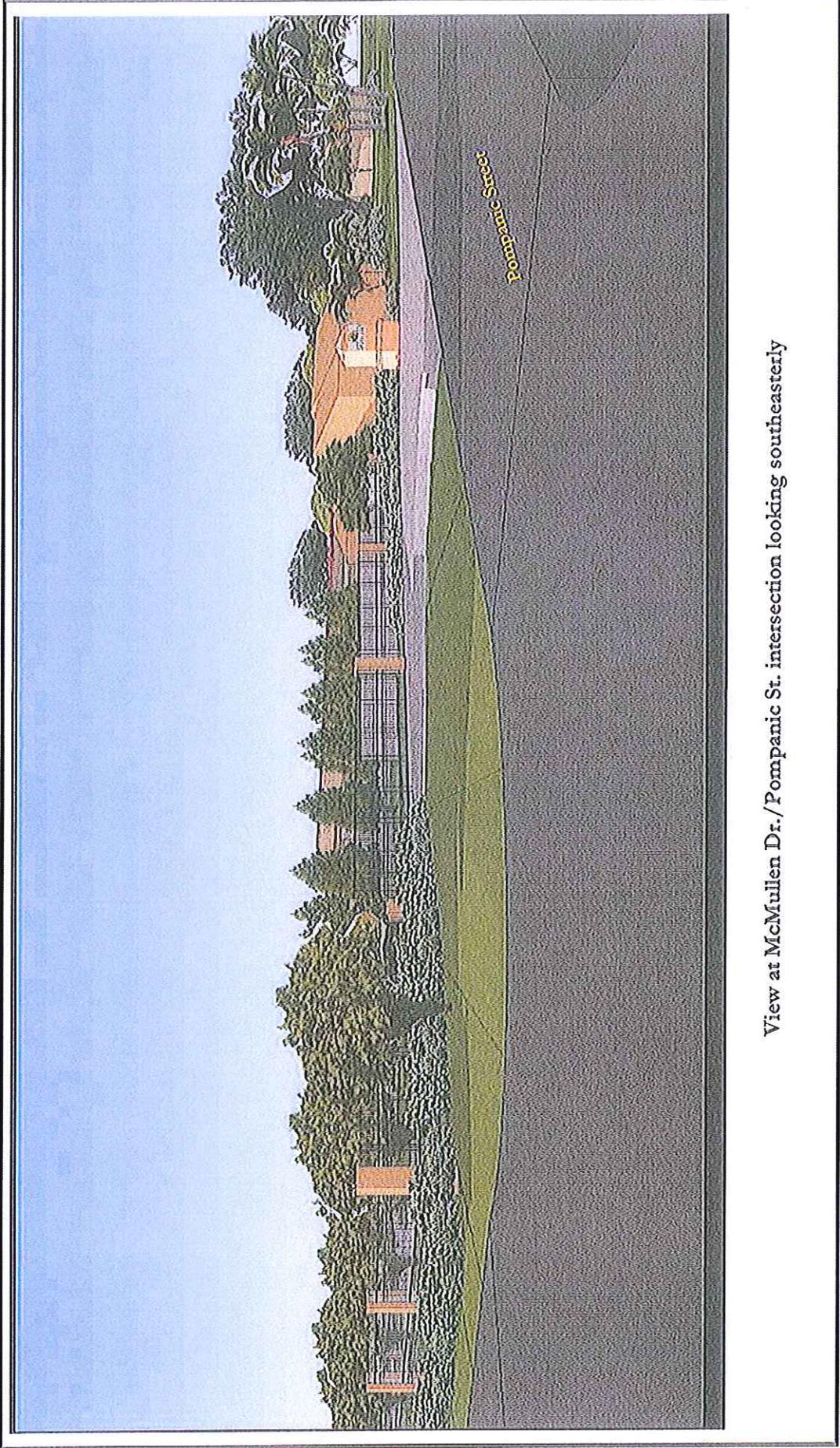
EXHIBIT E

- **Building Elevations**
- **Perspective Renderings**

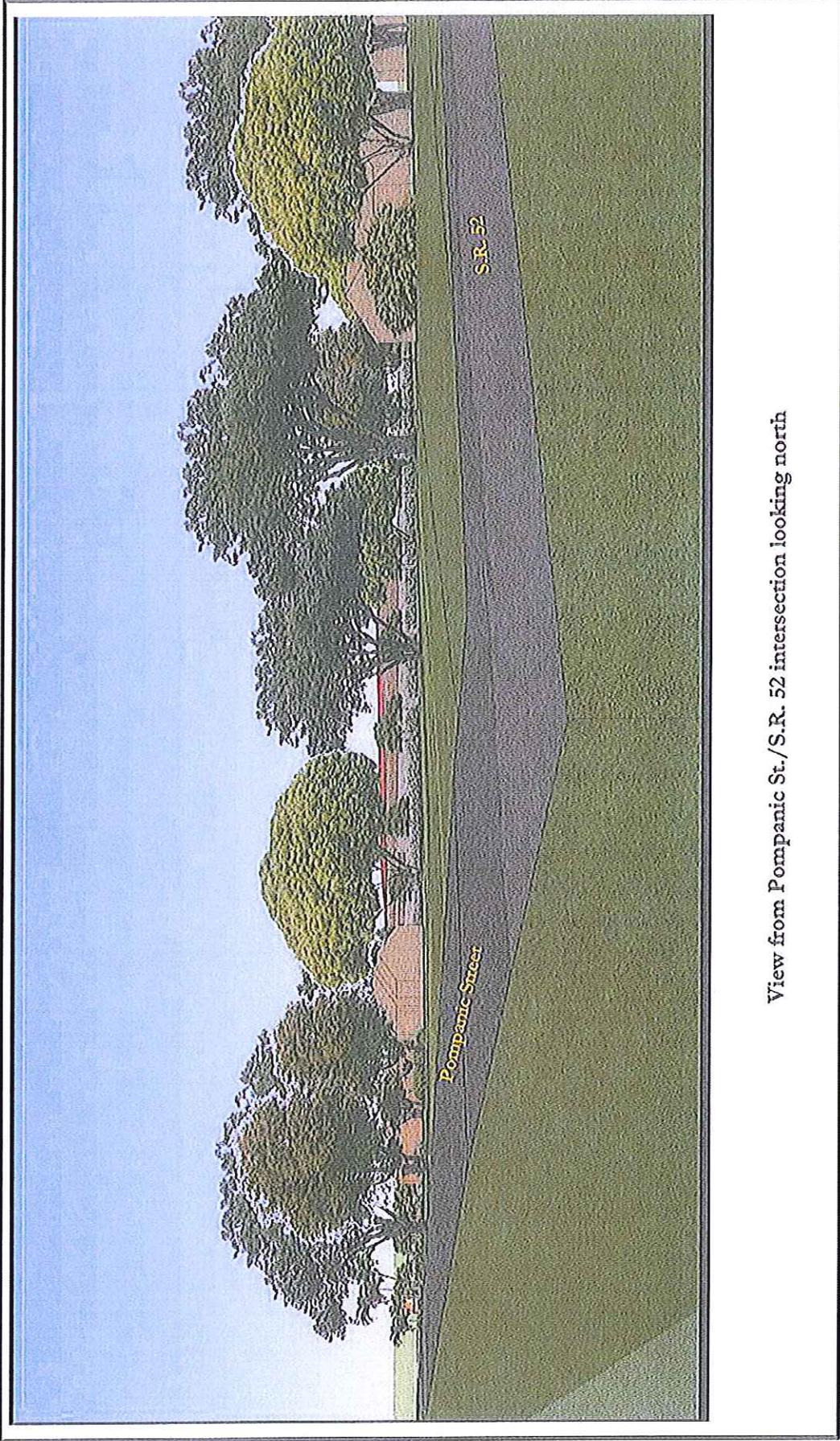
SAINT LEO UNIVERSITY PLANT OPERATIONS PERSPECTIVE RENDERINGS



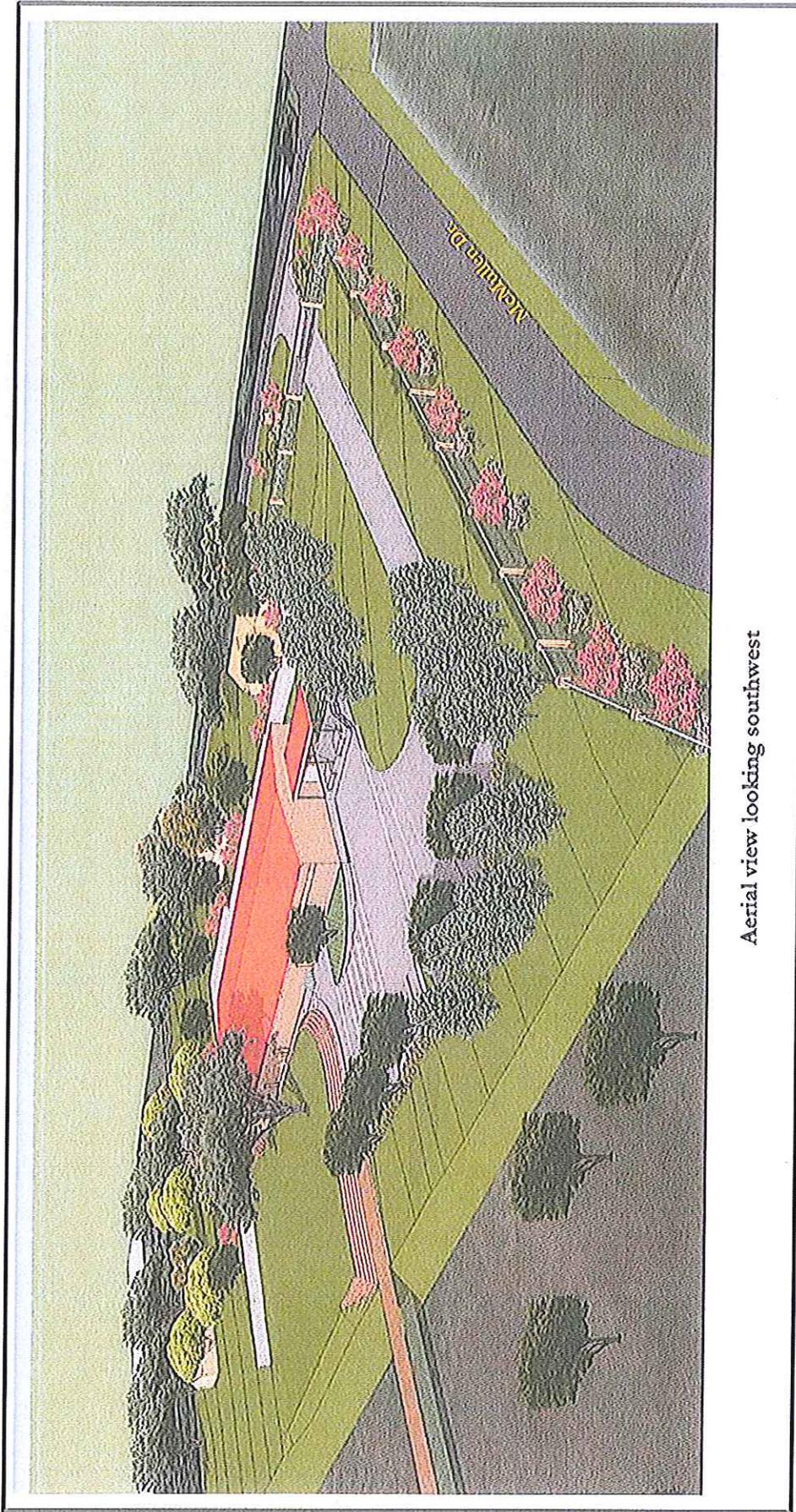
View along Pompano St. looking northeasterly



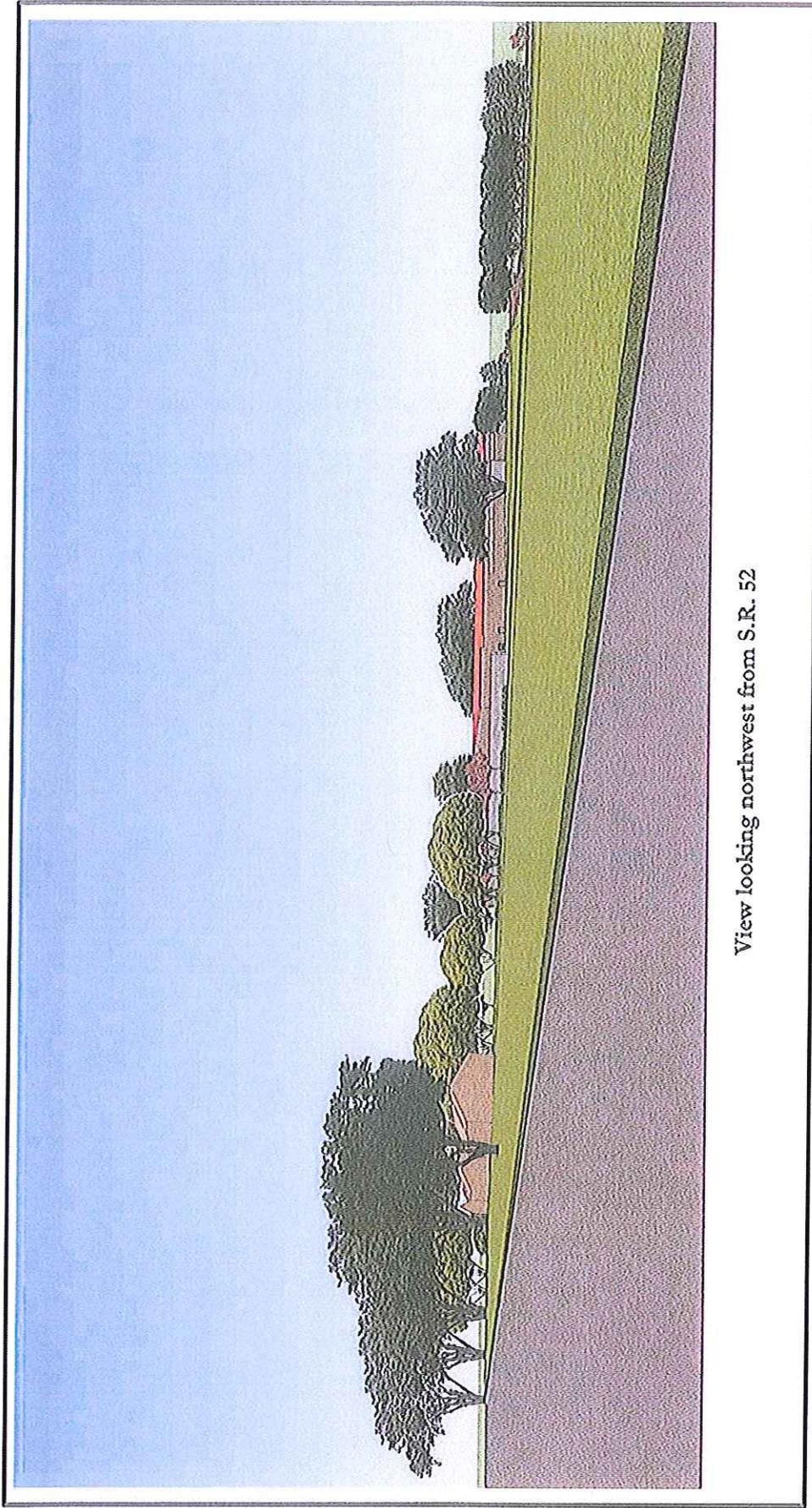
View at McMullen Dr./Pompano St. intersection looking southeasterly



View from Pompanic St./S.R. 52 intersection looking north



Aerial view looking southwest



View looking northwest from S.R. 52