

RESOLUTION NO. 847-25

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS RELATED TO HEIGHT; APPROVING A CONDITIONAL USE TO EXCEED THE HEIGHT LIMITATIONS OF THE C1 (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT ON PARCEL NO. 26-25-21-0000-00700-0000; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application was filed by Wareco-Pasco I, LLC for a conditional use to exceed the height limitations of the C1 (Neighborhood Commercial) zoning district to allow an increase to a maximum of height of forty-eight feet (48') on hotel buildings to be located on approximately 8.52 acres (MOL) of real property generally located on the east of US 301, and north of Kossik Road with the parcel ID no: 26-25-21-0000-00700-0000; and

WHEREAS, the subject property zoning is C1 (Neighborhood Commercial) which allows up to maximum height of 30 feet or two stories; and

WHEREAS, the City of Zephyrhills Land Development Code, Subsection 7.01.01.04 allows for heights in excess of the maximum established for the zoning district to be considered as a conditional use in accordance with the following:

1. Mid-rise structures (between three and five stories inclusive) may be erected if all applicable requirements of Resolution #147 are met;
2. Mid-rise structures, when permitted, may be erected to a height not exceeding 75 feet if the building is set back from each setback line at least one additional foot for each additional two feet of building height above 30 feet; and
3. In no case shall a structure exceed the height limitations determined to protect the approach and clear air zones established for the Zephyrhills Municipal Airport, as currently adopted or subsequently amended.

WHEREAS, the application for a conditional use to exceed the height limitations of the zoning district has been found to be in compliance with the requirements of Subsection 7.01.01.04 and the standards of a conditional use outlined in Part 11.10.00 of the City of Zephyrhills Land Development Code; and

WHEREAS, the granting of the conditional use shall be subject to the following:

1. The holder of a conditional use permit shall be authorized to utilize the site or location of the use only in a manner specified in the written approval and conditions specified therein. Any substantial expansion, alteration or change in the conditional use authorized by the written approval must be reviewed by City Council in the same manner in which the original conditional use was reviewed.
2. An expansion, alteration or change of a conditional use shall be deemed to exist where a substantial modification of the standards provided for in number 1 above results from activity associated with the conditional use or a substantial change of circumstances or conditions arise.
3. The conditions and stipulations shall become part of the written approval and must followed by the applicant or any successor in interest.

4. The conditional use shall run with the subject property.
5. The conditional use shall obtain an approved site development plan and all necessary permits from the City of Zephyrhills or other jurisdictional entity and shall pay all related impact fees.
6. The additional conditions outlined on Exhibit "A" attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA:

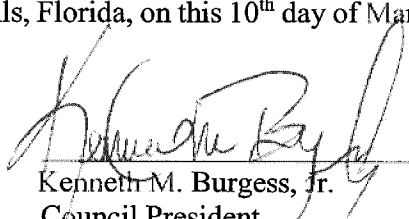
- Section 1.** The foregoing findings are incorporated herein by reference and made a part hereof.
- Section 2.** The application to exceed the height limitations of the C1 zoning district with a maximum of forty-eight feet (48') for the construction of one or more Hotels on the property with Parcel ID numbers: 26-25-21-0000-00700-0000 is hereby approved subject to the conditions contained herein and as outlined Exhibit "A" attached hereto incorporated herein by reference.
- Section 3.** The conditional use is approved for the benefit of the applicant and the applicant's successors and/or assigns and only for the use to construct two hotels with a maximum height of forty-eight feet (48') as specified within the application only, subject to the conditions stated herein. The character and benefit of this conditional use shall not change but may be transferred without City Council approval by resolution.
- Section 4.** The conditional use shall expire 12 months after the date of approval, unless a building permit application process, or access and/or drainage improvements for the benefit of the site have commenced or commercial check has been issued or initiated within the 12-month period.
- Section 5.** The City Council does hereby expressly find that the provisions of this resolution are in conformity with the Comprehensive Plan of the City of Zephyrhills, as amended.

This Resolution No. 847-25 shall run with the subject property and shall inure to the benefit of and be binding upon Wareco-Pasco I, LLC., as owner, and its successors and assigns. All references to "applicant" herein shall mean Wareco-Pasco I, LLC. and its successors and assigns.

The foregoing Resolution No. 847-25 was read and passed, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 10th day of March 2025.

Attest:


Ricardo Quinones, City Clerk


Kenneth M. Burgess, Jr.
Council President

The foregoing Resolution No. 847-25 was approved by me this 10th day of March 2025.


Melonie Bahr Monson, Mayor

Approved as to legal form and legal content for the
sole reliance of the City of Zephyrhills

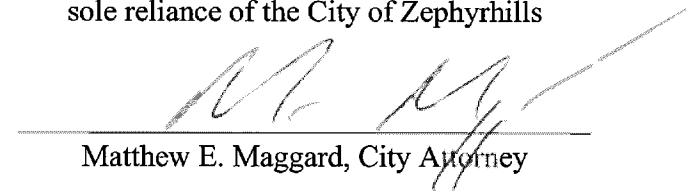

Matthew E. Maggard, City Attorney

Exhibit A
Conditions to Resolution 847-25

1. Any hotel to be constructed on the Property shall have, within the hotel building itself, a full-service restaurant, along with conference/banquet facilities. Additionally, the following designed standards must be met:
 - a. Multiple exterior primary surface paint colors.
 - b. Architectural and design accoutrements and various construction to break up monotony of a standard construction.
 - c. Roofline elements to provide varying roofline for aesthetic appeal.
 - d. Building frontage architectural offsets to provide additional architectural design and details to for aesthetic appeal.
 - e. Covered portico drive thru entrance.
2. Any hotel to be constructed on the Property shall not exceed forty-eight feet (48') in height.
3. Pursuant to the proposed project plans provided with this application, the Property, along with the parcel adjoining the Property immediately to the east, ("Townhome Parcel") shall be accessed by a privately maintained access from US 301 (the "Access Parcel"). Such Access Parcel shall be privately constructed and maintained by the Property owner, and the Townhome Parcel owner, and shall be constructed and maintained to City standards. Coordination of the construction and maintenance shall be by private agreement.
4. The hotel project shall provide the appropriate agreements for construction and maintenance of the drainage and stormwater retention that will be shared with and located on the Townhome Parcel. The issuance of any permit for the Property is contingent upon the Property Owner providing City with the property agreements with Townhome Parcel for stormwater drainage and retention as well as agreements for the construction and maintenance of the stormwater facilities proposed to be shared with the Townhome Parcel.
5. Property Owner shall use its best efforts to preserve trees on the Property along US 301.
6. Provide a perimeter type C landscape buffer.
7. Property Owner will cooperate with the City to provide an area for a potential future walking trail along the eastern perimeter of the Property, if feasible, based on engineering and safety considerations.