

#127

IGURSKI & HARRILL

ATTORNEYS AT LAW

THE HOLIDAY TOWER
2435 U.S. HIGHWAY 19 SUITE 350
HOLIDAY, FLORIDA 34691

GERALD A. FIGURSKI, P.A.
J. BEN HARRILL, P.A.
SHELLY MAY JOHNSON

TELEPHONE: (727) 942-0733
FAX: (727) 944-3711
EMAIL: law@figurskiharrill.com

February 21, 2001

John Meyer, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida 33702

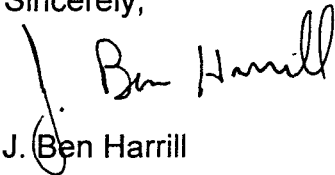
Re: Notice of Abandonment of the Development Order
for Bayonet Point Mall Development of Regional Impact

Dear Mr. Meyer:

Enclosed herein for your records, please find a certified copy of the recorded Notice of Abandonment of the Development Order for Bayonet Point Mall Development of Regional Impact.

In the event you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,



J. Ben Harrill

JBH/lc

Enclosure

BY COMMISSIONER _____

RESOLUTION NO. 01-062

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA APPROVING THE ABANDONMENT OF THE BAYONET POINT MALL DEVELOPMENT OF REGIONAL IMPACT SUBJECT TO SPECIFIED TERMS AND CONDITIONS.

WHEREAS, Pasco County has previously issued a development order for the Bayonet Point Mall Development of Regional Impact which had authorized the development of certain properties consisting of a 32.95 acre shopping mall and commercial development pursuant to Chapter 380, Florida Statutes; and,

WHEREAS, the Development Order was subsequently amended a total of three times by Pasco County which amendments had authorized the construction of a free-standing, multi screen theater, but the present owner no longer intends to develop the theater; and,

WHEREAS, a portion of the property included within the DRI, consisting of approximately 1.25 acres, is to be conveyed to an independent third party and developed separate from the mall without use of any common infrastructure, common plan of development, or common advertising; and,

WHEREAS, with the elimination of the theater and the 1.25 acre parcel the resulting development on the property will not exceed eighty (80%) of any applicable DRI threshold; and,

WHEREAS, Wilder Corporation, the present owner, has submitted an application for the abandonment of the development of regional impact requesting the County to approve the abandonment of the DRI; and,

WHEREAS, Pasco County has duly noticed and held the required public hearing in accordance with Rule 9J-2.0251, Florida Administrative Code, dealing with abandonment of development orders; and,

WHEREAS, the County has made the following findings of fact and conclusions of law

concerning abandonment of the DRI development order:

(A) The reason for abandonment of the DRI is the fact that the existing and remaining development will not exceed 80% of any applicable DRI threshold and the property will benefit from the redevelopment as a sub-DRI project without any adverse regional impacts.

(B) The impacts of any vertical development which has taken place under the terms of the DRI Development Order have been previously mitigated and the existing development does not exceed 80% of any applicable DRI threshold.

(C) The property is being broken down into two distinct pieces with Parcel "C" to be sold to an independent third party and not sharing common infrastructure with the remaining parcel unless mandated by the County for public safety purposes.

(D) The proposed abandonment will not affect areas previously set aside or identified for preservation or protection.

(E) The developer has complied with all conditions of the DRI Development Order which authorized existing development.

(F) The developer has not relied upon benefits granted to authorized developments of regional impact, pursuant to Chapters 163, 403, and 380, Florida Statutes, which would not otherwise be available after abandonment.

(G) Not all development plans are known at this time. However, since any development must be consistent with existing regulations and comprehensive plans and is currently in the appropriate land use districts, there will be no adverse impact from the proposed abandonment.

(H) The proposed development after abandonment will be consistent with the State Comprehensive Plan, the State Land Development Plan and the appropriate Comprehensive Regional Policy Plan. Development is consistent with the County comprehensive plans, the State Comprehensive Plan and the Tampa Bay Regional Policy Plan.

(l) The development is eligible to request abandonment pursuant to Rule 28.222, Florida Administrative Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled this ____ day of _____, 2000 that the development order approving the Bayonet Point Mall Development of Regional Impact is hereby abandoned subject to the following terms and conditions.

The conditions of abandonment are as follows:

1. Parcel "C" shall be sold to an independent third party and shall be developed separately from the remaining properties of the Wilder Corporation. There shall be no common plan of development, no common advertising and no shared infrastructure between Parcel "C" and the remaining properties. However, the County or State may, for public safety purposes, mandate shared infrastructure if determined to be in the public interest.

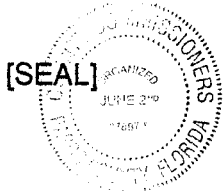
2. Wilder Corporation shall not develop the remaining commercial property, including Parcels "A" and "B", as the same are depicted in the Application for Abandonment cumulatively beyond 80 percent of the DRI threshold for the appropriate use(s) without obtaining a Binding Letter of Interpretation from the Florida Department of Community Affairs or be approved pursuant to Section 380.06, Florida Statutes.

3. Parcel "C:" as depicted in the Application for Abandonment shall not share a unified development plan with other lands which were previously part of the DRI, or lands adjacent thereto, if such plan would exceed the DRI thresholds set forth in Subsection 380.0651, Florida Statutes, or meets any criteria listed in Rule 9J-2.0275, FAC (Aggregation Rule).

4. All future development of the shopping center parcel and Parcels "A" and "B" shall further be subject to those conditions listed in Section I of Exhibit "A" which is attached hereto and incorporated herein by reference.

5. All future development of Parcel "C" shall be further subject to those conditions listed in Section II of Exhibit "A" which is attached hereto and incorporated herein by reference.

DONE AND RESOLVED this 28th day of November, 2000.



BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

ATTEST:

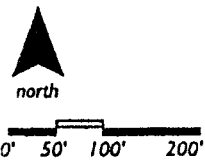
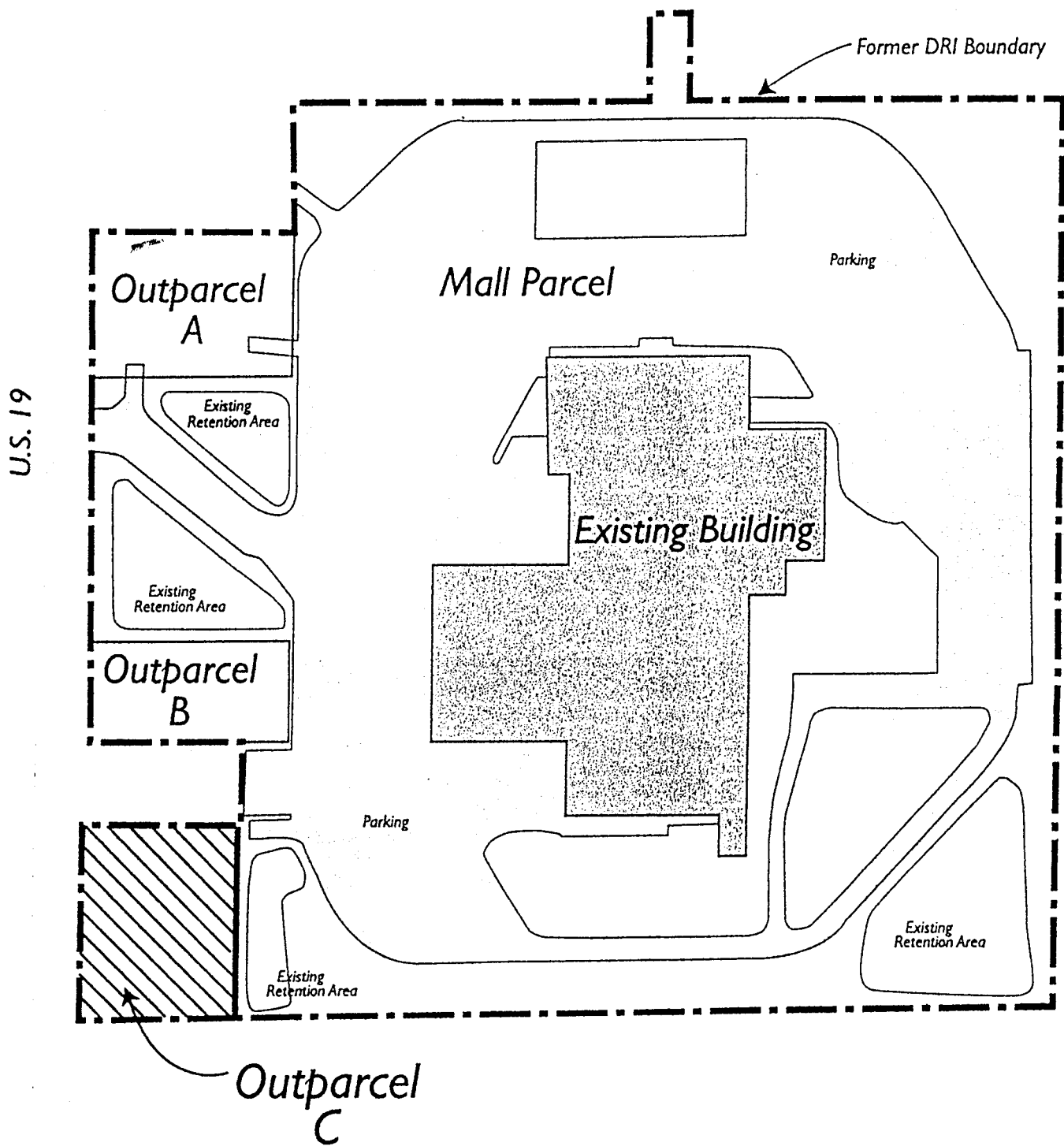
BY Jed Pittman BY [Signature]
Jed Pittman, Clerk Chairman

APPROVED AS TO LEGAL FORM AND SUFFICIENCY
OFFICE OF THE COUNTY ATTORNEY

STATE OF FLORIDA
COUNTY OF PASCO
THIS IS TO CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL OF REC-
ORD IN MY OFFICE. WITNESS MY HAND THE COUN-
TY'S OFFICIAL SEAL THIS Nov. 29, 2000
JED PITTMAN, CLERK TO THE BOARD

BY Robert D. Summer
ATTORNEY

BY Sandra Merkel D.C.



Request for Abandonment
Bayonet Point Mall DRI

Proposed Development Plan

EXHIBIT A SECTION I

CONDITIONS OF ABANDONMENT FOR BAYONET POINT MALL DEVELOPMENT OF REGIONAL IMPACT

1. The owners of Bayonet Point Mall, i.e., the Wilder Corporation, agree to waive, relinquish, and release any vested rights under Chapter 163.3167(8), Florida Statutes (F.S.), which may have arisen by virtue of the approved Development of Regional Impact (DRI). Future development shall be subject to consistency and concurrency with the Pasco County Comprehensive Plan and all regulations and provisions in the Pasco County Land Development Code, as amended.
2. Development shall not exceed the established thresholds for DRI's. The combined retail square footage for Bayonet Point Mall and Outparcels "A" and "B", shall not exceed 314,000 square feet of retail development. All preliminary/construction plans submitted for review to the Development Review Division shall include a cumulative total of retail square footage approved to date.
3. Development plans for the Bayonet Point Mall and Outparcels "A" and "B", shall be subject to review by the Growth Management/Zoning Department to ensure that development does not exceed any DRI threshold established by Chapter 380, F.S., or the Conditions of Abandonment.
4. All development shall comply with the applicable Federal, State, and local permitting regulations.
5. The discovery of any historical or archeological resources shall be reported to Pasco County and the Florida Division of Archives, History, and Records Management; and the disposition of such resources shall be determined in cooperation with the Division of Archives and Pasco County.
6. Any future development of Bayonet Point Mall or Outparcel "A" or Outparcel "B", shall donate to Pasco County one hundred ninety dollars (\$190.00) per one thousand (1,000) square feet of gross leasable area of commercial/retail development for public safety facilities and equipment. This rate shall remain until such time as the County adopts an EMS/Fire Protection Impact Fee Ordinance, after which the development will be subject to the rates of said ordinance.
7. Access to Outparcels "A" and/or "B" shall be derived from the paved internal parking area. There shall be no individual driveway access to these outparcels from U.S. Hwy 19.
8. The developer shall pay the cost of signalization at the intersection of the project's entrance driveway and U.S. Hwy 19, if deemed necessary by the Development Review Committee (DRC) and provided traffic warrants are met as required by Florida Department of Transportation (FDOT) and Pasco County Engineering Services Department, and approval is granted by FDOT.
9. Any development beyond 205,557 square feet shall provide a traffic study to the Growth Management/Zoning Department prior to submittal of any further preliminary/construction plans. The study shall be prepared in accordance with a methodology approved by Pasco County Development Services. The study shall evaluate U.S. Hwy 19 and the intersections, from Jasmine Boulevard to Fivay Road (Hudson Avenue). The DRC may require additional transportation

improvements at the time of preliminary/construction plan approval based upon the analysis of the traffic study by Pasco County.

10. The developer shall pay transportation impact fees for those vacant portions of the existing Bayonet Point Mall which have never received a Certificate of Occupancy (CO). Said fee shall be paid at the time of issuance of a CO. County records indicate approximately 84,777 leasable square feet of the 205,557 square feet of retail development have not received a CO.

SECTION II

CONDITIONS OF DEVELOPMENT APPROVAL FOR OUTPARCEL "C"

Outparcel "C" is intended for sale to an independent third party and shall be developed separately from the remaining properties of the Wilder Corporation, however, if Outparcel "C" is not sold to an independent third party, development of the property shall also be subject to the Conditions of Abandonment for Bayonet Point Mall, as described in Section I.

The developer of Outparcel "C" shall comply with the following conditions of development approval:

1. Development of Outparcel "C" shall be consistent with the Pasco County Comprehensive Plan and comply with the Pasco County Land Development Code, as amended.
2. Development of Outparcel "C" shall comply with the applicable Federal, State, and local permitting regulations.
3. The discovery of any historical or archeological resources shall be reported to Pasco County and the Florida Division of Archives, History, and Records Management; and the disposition of such resources shall be determined in cooperation with the Division of Archives and Pasco County.
4. Development plans for Outparcel "C" shall not exceed 5,352 square feet of retail development.
5. Access to Outparcel "C", shall be derived from the paved internal parking area. There shall be no individual driveway access to this outparcel from U.S. Hwy 19.



PASCO COUNTY, FLORIDA

Growth Management/Zoning Department
West Pasco Government Center, Suite 320
7530 Little Road
New Port Richey, FL 34654-5598
Phone: (727) 847-8140
FAX: (727) 847-8084

CERTIFIED MAIL NO. 7099 3400 0003 2541 6791
RETURN RECEIPT REQUESTED

December 6, 2000

John Meyer
DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

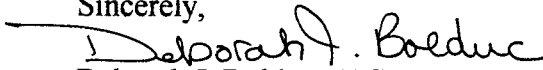
RE: Bayonet Point Mall Development of Regional Impact Development Order Abandonment

Dear Mr. Meyer:

Enclosed please find a certified copy of Resolution No. 01-062, signed by the Pasco County Board of County Commissioners approving the abandonment of the Bayonet Point Mall Development of Regional Impact (DRI), with conditions. The Bayonet Point Mall DRI abandonment was approved by the Pasco County Board of County Commissioners on November 28, 2000.

In accordance with Rule 9J-2.0251, Florida Administrative Code, Pasco County Growth Management/Zoning Department is rendering their decision which includes findings of fact and conclusions of law consistent with the provisions of the rule. Within 15 days after the expiration of the appeal period in Section 380.07, Florida Statutes, Pasco County will issue a Notice of Abandonment, to be recorded by the developer in accordance with Section 28.222, Florida Statutes. Upon recording of the Notice of Abandonment, a certified copy will be forwarded to your office.

Sincerely,


Deborah J. Bolduc, AICP
Senior Planner

Attachment

cc: Samuel P. Steffey, II, Growth Management Administrator

DJB/djb

c:/doc/corresp/tbrpcnewriv



NOTICE OF ABANDONMENT OF THE DEVELOPMENT ORDER
FOR BAYONET POINT MALL DEVELOPMENT OF REGIONAL IMPACT

Pursuant to Section 380.06(26), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 01-062, dated November 28, 2000, has approved the abandonment of the development order for a Development of Regional Impact known as Bayonet Point Mall (Resolution No. 86-158). The above-referenced abandonment resolution constitutes a land development regulation applicable to the property described in Exhibit A of the original development order.

A legal description of the property covered, the resolution authorizing abandonment, and the development order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, Pasco County Courthouse, Dade City, Florida.

The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in the above-mentioned Exhibit A nor actual nor constructive notice of any of the same under the authority of Section 380.06(26), Florida Statutes.

Chairman
Board of County Commissioners

APPROVED

JAN 23 2001

STATE OF FLORIDA
COUNTY OF PASCO

The foregoing Notice of Abandonment of the Development Order was acknowledged before me this 23rd day of January, 2001.



Elaine H. Phellips
~~Notary~~ Deputy Clerk
~~My Commission Expires~~

APPROVED AS TO LEGAL FORM AND SUFFICIENCY

Office of the County Attorney

By:

STATE OF FLORIDA
COUNTY OF PASCO

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE OR OF PUBLIC RECORD IN THIS OFFICE, WITNESS MY HAND AND OFFICIAL SEAL THIS 25 DAY OF JANUARY, 2001.

JED PITTMAN, CLERK OF PASCO COUNTY
BY DEPUTY CLERK

Rept: 475133
DS: 0.00
02/15/01
Rec: 6.00
IT: 0.00
Dpty Clerk

JED PITTMAN, PASCO COUNTY CLERK
02/15/01 04:30pm
OR BK 4538 Pg 1120

Register & Transfer
2435 V.S. Hwy 19
Suite 350
Holiday FL 34691



PASCO COUNTY, FLORIDA

DADE CITY (904) 521-4274
NEW PORT RICHEY (813) 847-8132

RECEIVED
MAY 18 1989

PLANNING AND ZONING DEPT.
PASCO COUNTY GOVT. COMPLEX
7432 LITTLE ROAD
NEW PORT RICHEY, FL 34654

Tampa Bay Regional
Planning Council

May 10, 1989

Ms. Suzanne Cooper
DRI Coordinator
Tampa Bay Regional
Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

RE: Bayonet Point Mall Development of Regional
Impact Development Order Amendment

Dear Ms. Cooper:

Attached please find for your records a copy of the Bayonet Point Mall Development of Regional Impact, Development Order Amendment (Resolution 89-166). The document was approved by the Pasco County Board of County Commissioners on May 2, 1989.

Sincerely,

Elizabeth A. Eginton

Elizabeth A. Eginton
Senior Planner

EAE/c051001:wp

Attachment

mailed 5/17/89
Received 5/18/89

BAYONET POINT MALL (F/K/A OUTLET WORLD OF PASCO COUNTY)
DEVELOPMENT OF REGIONAL IMPACT
DEVELOPMENT ORDER AMENDMENT
SUBSTANTIAL DEVIATION DETERMINATION

RESOLUTION AMENDING RESOLUTION NO. 87-220, AS AMENDED, REVISING THE CONDITIONS OF DEVELOPMENT APPROVAL FOR THE BAYONET POINT MALL (F/K/A OUTLET WORLD OF PASCO COUNTY) DEVELOPMENT OF REGIONAL IMPACT AND DETERMINING THAT THE PROPOSED CHANGE DOES CONSTITUTE A SUBSTANTIAL DEVIATION TO THE APPROVED DEVELOPMENT ORDER.

WHEREAS, on April 8, 1986, the Board of County Commissioners of Pasco County adopted Resolution No. 86-158, a Development of Regional Impact Development Order approving, with conditions, the Bayonet Point Mall (f/k/a Outlet World of Pasco County) Development of Regional Impact consisting of 205,557 square feet of commercial space in Phase 1 and 5,332 additional square feet in Phase 2.

WHEREAS, on February 17, 1989, Mr. Ben Osoffsky, as receiver for the Bayonet Point Mall filed a Notification Requesting a Change to an Approved Development Order, pursuant to Section 380.06(19), Florida Statutes; and

WHEREAS, on July 7, 1987, the Board of County Commissioners adopted Resolution 87-220 amending Resolution 86-158, which allowed the addition of a 2,524-seat movie theater and was determined not to be a substantial deviation to the approved Development Order; and

WHEREAS, on March 15, 1988, the Board of County Commissioners adopted Resolution 88-142 amending Resolutions 86-158 and 87-220, which substituted a 900-seat dinner theater for the movie theater.

WHEREAS, the proposed change would substitute a 1,975-seat freestanding movie theater for the dinner theater within the mall, thereby if approved, negating Resolution 88-142; and

WHEREAS, the Board of County Commissioners of Pasco County makes the following findings of fact:

1. Mr. Ben Osoffsky, as receiver for the Bayonet Point Mall, has filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact Development Order on Florida Department of Community Affairs Form BRM-08-86.
2. The developer has submitted the Request for Approval of a Proposed Change simultaneously to the Pasco County Planning and Zoning Department, the Tampa Bay Regional Planning Council, and the Florida Department of Community Affairs.

3. The Pasco County Board of County Commissioners is the local governing body having jurisdiction over the review and approval of said Development of Regional Impact in accordance with Section 380.06, Florida Statutes.
4. The Board of County Commissioners of Pasco County has given 15 days notice and held a public hearing on the above-referenced request on May 2, 1989.
5. Neither the Tampa Bay Regional Planning Council nor the Florida Department of Community Affairs has exercised its right to participate at the public hearing.
6. At the public hearing, all parties were afforded the opportunity to present evidence and argument on all issues and submit rebuttal evidence.
7. Additionally, at said public hearing, any member of the general public requesting to do so was given the opportunity to present written or oral communications.
8. The Board of County Commissioners has received and considered the recommendations of the Pasco County Planning Department and the Development Review Committee.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session duly assembled that:

1. The above-referenced proposed change to the Bayonet Point Mall Development of Regional Impact is a substantial deviation pursuant to Chapter 380.06(19), Florida Statutes, as amended, but does not require further Development of Regional Impact review as increased regional impacts attributable to the project will not ensue.
2. The proposed change to the Bayonet Point Mall Development of Regional Impact is approved.
3. Resolution 88-142 is hereby rescinded.
4. Resolution No. 87-220 is hereby reinstated as adopted on July 7, 1987, incorporating the following changes:

- a. Second and third paragraphs of the introduction:

WHEREAS, the above-referenced ADA was approved with conditions as set forth in the following Amended Development Order, and adopted by the Board of County Commissioners of Pasco County on April 8, 1986; and

WHEREAS, the current owner receiver of the property Nassau Land--6 Corporation Ben Osoffsky has filed a request for a nonsubstantial deviation determination for the Outlet World of Pasco County Development Ddevelopment of Rregional Impact, which has been renamed Bayonet Point Mall.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners in regular session, duly assembled this 7th 2nd day May, 1989 that:

The request for the proposed change (a 2,424 1,975-seat movie theater) be approved as set forth in the following Amended Development Order (DO), which is hereby adopted by the Board of County Commissioners.

b. Section A.15:

15. On ~~May-13; -1987~~ February 17, 1989 the developer filed with Pasco County, the TBRPC and the State Department Community Affairs a request for a substantial deviation determination pursuant to Section 380.06(19), Florida Statutes.
16. Notice of a public hearing on this request was given at least fifteen (15) days prior to the board hearing.
17. The Board of County Commissioners held a public hearing on the (non)substantial deviation determination request on ~~July -7; -1987~~ May 2, 1989.
18. At said public hearing, all parties were afforded the opportunity to present evidence and argument on all issues, conduct-cross-examination and submit rebuttal evidence.

c. Condition 8.c:

- c. The developer shall be subject to additional water service impact fees for the freestanding structure.

d. Condition 9.c:

- c. The developer shall be subject to additional sewer service impact fees for the freestanding structure.

e. Condition 12:

FINDINGS

The Outlet World of Pasco County development will have a negative impact on several regionally significant highway facilities within the primary impact area. The transportation systems improvements required to mitigate the negative impact of the proposed development have been identified in the ADA and TBRPC's report. The project will generate approximately 13,459 15,390 average daily vehicle trips on the regional roadways with 1,288 1,478 trips being produced during the peak hour. The primary transportation impacts will occur on U.S. Highway 19 and S.R. 52. Addition of the movie theater will add a maximum of 269 daily trips and a maximum of 51 peak hour trips.

f. Condition 13.b.:

- b. No Development (construction) shall occur on the movie theater site until original buffering requirements have been met.

g. Condition 20:

FINDINGS

A total of 230,909 square feet of commercial space will be provided within the Outlet World development, including 205,557 square feet in a shopping mall (Phase 1) and 25,352 square feet in three out parcels (Phase 2). The Phase 1 mall also includes a theater containing approximately 2,524 1,975 seats pursuant to the substantial deviation determination request of ~~May-13; -1987~~ February 17, 1989. ~~The projected-buildup-of-the-theater-is-winter-1987-88:~~ The theater will be located on approximately 1.55 acres within the original Phase 1 site.

The impact of this proposed commercial activity has been included in the Economic and Traffic Analysis done for this proposed development.

CONDITIONS

- a. The A total number of parking spaces allowed in the recent variance shall be provided for Phase 1. ~~shall not exceed 1,574.~~
- b. The developer shall be subject to additional transportation impact fees for the freestanding structure.

DONE AND RESOLVED THIS 9th DAY OF May, ~~1988~~ 1989.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

ATTEST:

BY:

Jed Pittman

JED PITTMAN, CLERK

by: Groanne L. Helmer

BY:

Allan G. Safranek, Jr.

ALLAN G. SAFRANEK, JR., CHAIRMAN

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

BY:

[Signature]
Attorney

STATE OF FLORIDA
COUNTY OF PASCO

THIS IS TO CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL OF REC-
D IN MY OFFICE. WITNESS MY HAND AND THE COUN-
TY'S OFFICIAL SEAL THIS 10th day of May, 1989

JED PITTMAN, CLERK TO THE BOARD

by: Groanne L. Helmer D.C.



PASCO COUNTY, FLORIDA

OFFICE OF THE COUNTY ATTORNEY

7530 Little Road

New Port Richey, Florida 33553

PHONE (813) 847-8120

J. Ben Harrill, Esq.
County Attorney

Lisa C. Bennett, Esq.
Karla A. Stetter, Esq.
Edward B. Helvenston, Esq.
Brent E. Simon, Esq.

July 14, 1987

Suzanne Cooper
D.R.I. Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
Saint Petersburg, FL 33702-2491

Dear Ms. Cooper:

Please find attached a resolution by the Pasco County Board of County Commissioners adopting an amended Development Order approving, with conditions, the Bayonet Point Mall (formerly Outlet World) Development of Regional Impact. This resolution was approved by the Board at the July 7, 1987 Commission meeting.

If you have any questions regarding this matter, please do not hesitate to call me or Douglas Uden at (813) 847-8132.

Sincerely yours,

Karla A. Stetter
Assistant County Attorney

KAS/jh

cc: Douglas Uden

H127
Master Plan



PASCO COUNTY, FLORIDA

OFFICE OF THE COUNTY ATTORNEY

7530 Little Road

New Port Richey, Florida 33553

PHONE (813) 847-8120

J. Ben Harrill, Esq.
County Attorney

April 21, 1986

David Smolker, Esq.
Lisa C. Bennett, Esq.
Karla A. Stetter, Esq.
Edward B. Helvenston, Esq.

Ms. Suzanne Cooper
DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard, Suite 219
St. Petersburg, FL 33702

RE: Outlet World DRI Development Order

Dear Suzanne:

Please find enclosed a certified copy of Resolution 86-158, approving with conditions the Outlet World DRI, adopted by the Board of County Commissioners of Pasco County on April 8, 1986.

If you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in dark ink, appearing to read "D. Smolker", is written over a horizontal line.

David Smolker
Chief Assistant County Attorney

DS/lrg
Enclosure

cc: Doug Uden

RESOLUTION ADOPTING AN AMENDED DEVELOPMENT ORDER APPROVING, WITH CONDITIONS, THE BAYONET POINT MALL (FORMERLY OUTLET WORLD) DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, Shumann Investments, Inc., has filed an Application for Development Approval (ADA) with the Pasco County Planning and Zoning staff; and

WHEREAS, the ADA has been received in accordance with Chapter 380.06, Florida Statutes; and

WHEREAS, the culmination of that review requires the approval, denial, or approval with conditions, of the above-referenced ADA; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session, duly assembled, this _____ day of _____, 19____, that:

The above-referenced ADA is approved with conditions, as set forth in the following Development Order (DO) which is hereby adopted by the Board of County Commissioners:

Outlet World, DRI

WHEREAS, the above-referenced ADA was approved with conditions as set forth in the following Amended Development Order, and adopted by the Board of County Commissioners of Pasco County on April 8, 1986; and

WHEREAS, the current owner of the property, Nassau Land Corporation, has filed a request for a nonsubstantial deviation determination for the Outlet World development of regional impact, which has been renamed Bayonet Point Mall.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session, duly assembled, this 7th day of July, 1987, that:

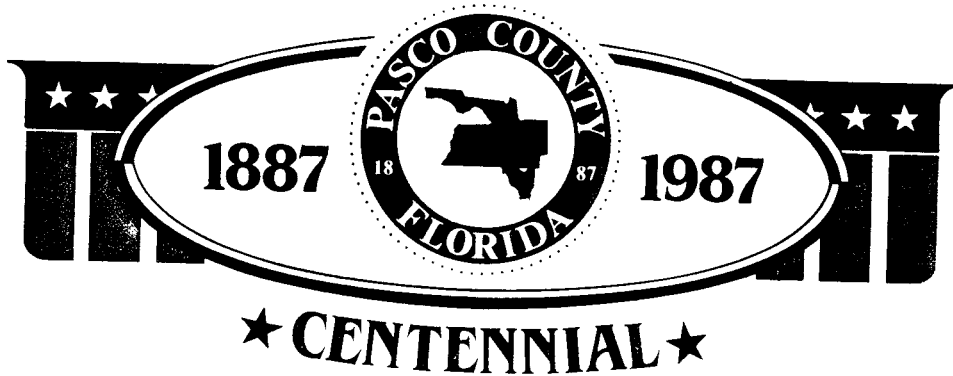
The request for the proposed change (a 2,524 seat movie theater) be approved as set forth in the following Amended Development Order (DO), which is hereby adopted by the Board of County Commissioners:

Bayonet Point Mall DRI
(formerly Outlet World)

A. General Findings of Fact

The Board of County Commissioners of Pasco County makes the following general Findings of Fact:

1. Shumann Investments, Inc., hereinafter referred to as "Shumann Investments," in accordance with Section 380.06, Florida Statutes, has filed with Pasco County an ADA for Outlet World Development of Regional Impact (DRI No. 127).
2. The Board of County Commissioners of Pasco County is the local government governing body having jurisdiction over the review and approval of said DRI in accordance with Section 380.06, Florida Statutes.



May Council
S

PASCO COUNTY PLANNING DEPARTMENT
7530 LITTLE ROAD
NEW PORT RICHEY, FL 34654
(813) 847-8132

April 8, 1988

Ms. Suzanne Cooper
DRI Coordinator
TAMPA BAY REGIONAL PLANNING COUNCIL
9455 Koger Blvd.
St. Petersburg, FL 33762

Re: Amendments to Outlet World of Pasco County (aka Bayonet Point Mall) DRI
Development Order

Dear Ms. Cooper:

Attached please find Notices of Adoption and Pasco County Board of County Commissioners Resolutions amending the development order for the Outlet World of Pasco County (aka Bayonet Point Mall) DRI. The first amendment, approved July 7, 1987, allowed development of a 2,524 seat movie theater as part of the project; the second amendment substituted a 900 seat dinner for the movie theater. Neither was determined to be a substantial deviation by the Board of County Commissioners.

The earlier amendment is included to update your records as a Notice of Adoption was never recorded by Pasco County. We apologize for the oversight. As a note of further information, the project may have to be considered currently not in compliance with the development order as no annual reports were submitted for 1986 or 1987. The developer has been notified twice with a final deadline of May 8, 1988. If no response is forthcoming by that date, no further building permits will be issued.

Please review the March 8 resolution and consider the receipt as initiating the 45 - day appeal period.

Sincerely,

Elizabeth A. Eginton
Elizabeth A. Eginton
Senior Planner

EAE/sw

Attachments

cc: William G. Munz, Deputy Assistant County Administrator
Samuel P. Steffey II, Planning Director
Kenneth W. Baginski, Zoning Administrator

127
Master D.C.

115-602
BCC

NOTICE OF ADOPTION OF DEVELOPMENT ORDER

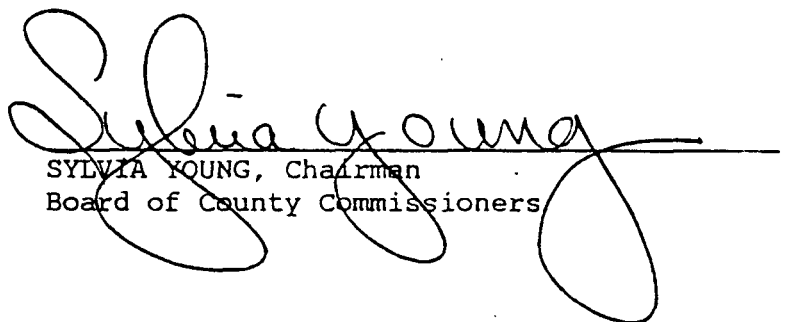
BAYONET POINT MALL (A/K/A OUTLET WORLD OF PASCO COUNTY) DRI

903
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1050

- - Pursuant to Section 380.06(14)(d), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 88, ⁻¹⁴² dated March 15, 1988, has adopted a Development Order for the Development of Regional Impact known as BAYONET POINT MALL (A/K/A OUTLET WORLD OF PASCO COUNTY). A legal description of the property covered and the Development Order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, Pasco County Courthouse, Dade City, Florida.

The above referenced Development Order constitutes a land development regulation applicable to the property described in Exhibit "A".

The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in Exhibit "A" nor actual nor constructive notice of any of the same under the authority of Section 380.06(14)(d), Florida Statutes.


SYLVIA YOUNG, Chairman
Board of County Commissioners

State of Florida)

County of Pasco)

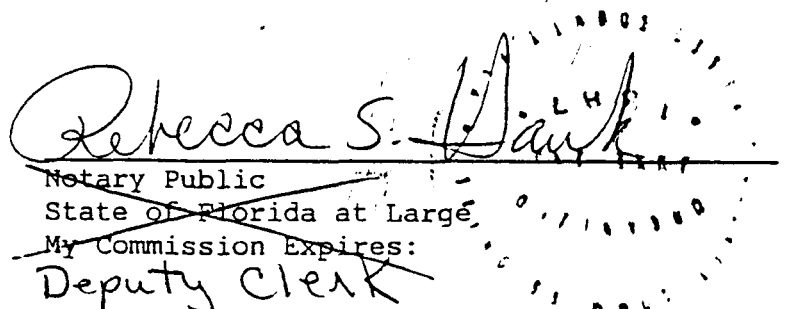
The foregoing Notice of Adoption of Development Order was acknowledged before me this

15th day of March, 1988.

440968

FILED IN RECORD
CLERK OF CIRCUIT COURT
PASCO COUNTY, FLORIDA

MAR 30 2 47 PM '88


Notary Public
State of Florida at Large
My Commission Expires:
Deputy Clerk

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

RECORD VERIFIED

JED PITTMAN

Clerk Circuit Court, Pasco County

By J. Danks Attorney

A parcel of land situated in Section 3, Township 25 South, Range 16 East described as follows: Tract 29 and the North one third of Tracts 30, 31 and 32 of PORT RICHEY LAND COMPANY'S SUBDIVISION in Section 3, Township 25 South, Range 16 East as recorded in Plat Book 1, Page 61 of the Public Records of Pasco County, Florida, being more particularly described as follows:

Begin at the Southeast corner of Lot 40 of Ol Paola Subdivision as recorded in Plat Book 9, Page 37 of the Public Records of Pasco County, Florida and run thence N.89°22'13"W., along the Southerly line of said Ol Paola Subdivision 1020.98 feet; thence S.00°38'32"W., 150.00 feet; thence N.39°25'58"W., 229.00 feet to the Easterly right-of-way line of State Road No. 55 (U.S. Highway No. 19); thence S.01°03'17"W., along said Easterly right-of-way line, 520.36 feet; thence S.89°29'01"E., 1242.79 feet to a point on the Westerly line of Country Club Estates Unit Two, as recorded in Plat Book 9, Page 36 of the Public Records of Pasco County, Florida; thence N.01°34'47"E., along said Westerly line 662.57 feet to Point of Beginning.

PAPREL B

A portion of Tracts 30, 31 and 32, PORT RICHEY LAND COMPANY SUBDIVISION of Section 3, Township 25 South, Range 16 East, Pasco County, Florida, being further described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 3; thence run along the South boundary of the Northwest 1/4 of said Section 3, South 89°38'36" East, a distance of 78.79 feet to the Easterly right-of-way line of State Road No. 55, Section 14030 (U.S. Highway No. 19) as it is now established; thence run along said Easterly right-of-way line, North 0°38'48" East, a distance of 503 feet to the Point of Beginning; thence continue North 0°38'48" East, a distance of 167.64 feet; thence South 89°30'13" East, a distance of 1242.51 feet; thence South 1°33'54" West, a distance of 524.85 feet; thence North 89°30'13" West, a distance of 988.06 feet; thence North 0°38'48" East, a distance of 157 feet; thence North 89°30'13" West, a distance of 250 feet to the Point of Beginning.

PAPREL C

Part of the South two-thirds of Tract 30 of PORT RICHEY LAND COMPANY'S SUBDIVISION of Section 3, Township 25 S., Range 16 E., recorded in Plat Book 1, Page 61, Public Records of Pasco County, Florida, being further described as follows:

Commence at SW corner of NW 1/4 of said Section 3; thence run along W. boundary of Section 3, North 1°35'54" East 418 feet; thence South 89°30'13" East, 74.23 feet to Easterly r/w line of U.S. Highway 19, as now constructed for Point of Beginning; thence continue South 89°30'13" East 250 feet; thence South 00°38'48" West 272 feet; thence North 89°30'13" West 250 feet to said Easterly r/w line; thence along said r/w line North 00°38'48" East 272 feet to Point of Beginning.

PAPREL D

Lot 32, OL PAOLA SUBDIVISION according to the map or plat thereof as recorded in Plat Book 9, Page 37, of the Public Records of Pasco County, Florida.

ALL BEING THE LANDS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the Southwest corner of the Northwest 1/4 of Section 3, Township 25 South, Range 16 East, Pasco County, Florida; thence run S.39°38'36"E., 78.79 feet to the Easterly right-of-way of U.S. Highway 19 as now constructed; thence along said right-of-way N.00°38'32"E., 145.75 feet to the Point of Beginning; thence S.39°34'08"E., 1237.36 feet; thence along the West line of Country Club Estates, Unit Two, as recorded in Plat Book 9, Page 36, of the Public Records of Pasco County, Florida and its Southerly extension N.01°30'22"E., 1193.08 feet to the Southeast corner of Lot 40 of Ol Paola Subdivision as recorded in Plat Book 9, Page 37, of the Public Records of Pasco County, Florida; thence along the Southerly line of said subdivision N.39°25'58"W., 480.43 feet to the Southeast corner of Lot 32; thence along the East line of Lot 32, N.00°32'57"E., 100.00 feet; thence N.39°25'58"W., 60.00 feet; thence S.00°32'57"W., 100.00 feet; thence continuing along the Southerly line of said subdivision, N.39°25'58"W., 480.46 feet; thence S.00°38'32"W., 150.00 feet; thence N.39°25'58"W., 229.00 feet to the Easterly right-of-way of U.S. Highway 19; thence along said right-of-way S.00°38'32"W., 662.57 feet; thence S.39°30'13"E., 250.00 feet; thence S.00°38'48"W., 65.00 feet; thence N.39°30'13"W., 250.00 feet to Point of Beginning.

BY COMMISSIONER _____

RESOLUTION NO. 88-142

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY AMENDING RESOLUTION NO. 87-220, REVISING THE CONDITIONS OF DEVELOPMENT APPROVAL FOR THE BAYONET POINT MALL DEVELOPMENT OF REGIONAL IMPACT TO APPROVE SUBSTITUTION OF A DINNER THEATER IN PLACE OF A MOVIE THEATER, AND DETERMINING THAT THE PROPOSED CHANGE DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION.

WHEREAS, on July 7, 1987, the Board of County Commissioners of Pasco County adopted Resolution No. 87-220, a DRI Development Order approving, with conditions, the Bayonet Point Mall Development of Regional Impact; and

WHEREAS, on February 19, 1988, the Developer filed with Pasco County, the Tampa Bay Regional Planning Council, and the Florida Department of Community Affairs, a request for a non-substantial deviation determination pursuant to Section 380.06(19), Florida Statutes; and

WHEREAS, the proposed change would substitute a nine hundred (900) seat dinner theater for a two thousand five hundred twenty-four (2,524) seat movie theater within Phase I of the project; and

WHEREAS, the Board of County Commissioners of Pasco County held a public hearing on the above-referenced request on March 15, 1988, and all parties were afforded the opportunity to present evidence and argument on all issues, conduct cross-examination, and submit rebuttal evidence.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session duly assembled that:

1. The above-referenced proposed change to the Bayonet Point Mall DRI does not constitute a substantial deviation and, therefore, does not require further regional impact review pursuant to Section 380.06(19), Florida Statutes.

2. The proposed change to the Bayonet Point Mall DRI is approved and Resolution No. 87-220 is hereby amended incorporating the approved change.

DONE AND RESOLVED this 15th day of March, 1988.

(SEAL)

ATTEST:

BY

Jed Pittman
Jed Pittman, Clerk

Dr. Rebecca S. Dank

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

BY

[Signature]
Attorney

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY

Sylvia Young
Sylvia Young, Chairman

parcel of land situated in Section 3, Township 25 South, Range 16 East described as follows: Tract 29 and the North one third of Tracts 30, 31 and 32 of PORT RICHEY LAND COMPANY'S SUBDIVISION in Section 3, Township 25 South, Range 16 East as recorded in Plat Book 1, Page 61 of the Public Records of Pasco County, Florida, being more particularly described as follows:
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PARCEL B

A portion of Tracts 30, 31 and 32, PORT RICHEY LAND COMPANY SUBDIVISION of Section 3, Township 25 South, Range 16 East, Pasco County, Florida, being further described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 3; thence run along the South boundary of the Northwest 1/4 of said Section 3, South 89°38'36" East, a distance of 78.79 feet to the Easterly right-of-way line of State Road No. 55, Section 14030 (U.S. Highway No. 19) as it is now established; thence run along said Easterly right-of-way line, North 0°38'48" East, a distance of 503 feet to the Point of Beginning; thence continue North 0°38'48" East, a distance of 167.64 feet; thence South 89°30'13" East, a distance of 1243.51 feet; thence South 1°33'54" West, a distance of 524.85 feet; thence North 89°30'13" West, a distance of 988.06 feet; thence North 0°38'48" East, a distance of 357 feet; thence North 89°30'13" West, a distance of 250 feet to the Point of Beginning.

PARCEL C

Part of the South two-thirds of Tract 30 of PORT RICHEY LAND COMPANY'S SUBDIVISION of Section 3, Township 25 S., Range 16 E., recorded in Plat Book 1, Page 61, Public Records of Pasco County, Florida, being further described as follows:

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PARCEL D

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NOTICE OF ADOPTION OF DEVELOPMENT ORDER

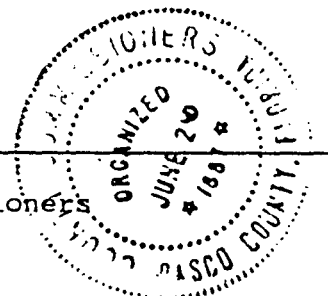
BAYONET POINT MALL (A/K/A OUTLET WORLD OF PASCO COUNTY), DRI

Pursuant to Section 380.06(14)(d), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 87;²²⁰ dated July 7, 1987, has adopted a Development Order for the Development of Regional Impact known as BAYONET POINT MALL (A/K/A OUTLET WORLD OF PASCO COUNTY). A legal description of the property covered and the Development Order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, Pasco County Courthouse, Dade City, Florida.

The above referenced Development Order constitutes a land development regulation applicable to the property described in Exhibit "A".

The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in Exhibit "A" nor actual nor constructive notice of any of the same under the authority of Section 380.06(14)(d), Florida Statutes.

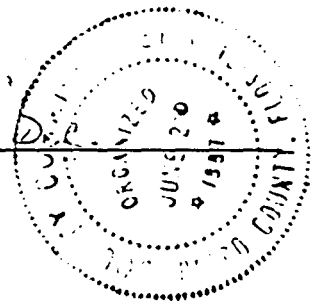
[Signature]
GUYA YOUNG, Chairman
Board of County Commissioners



State of Florida)
County of Pasco)

The foregoing Notice of Adoption of Development Order was acknowledged before me this 29th day of March, 1988.

[Signature]
By: Beth L. Velez, D.P.
Notary Public
State of Florida at Large
My Commission Expires:
Deputy Clerk



440967

FILED FOR RECORD
CLERK OF CIRCUIT COURT
PASCO COUNTY, FLORIDA

MAR 30 2 46 PM '88

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

RECORD VERIFIED
JED PITTMAN
Clerk Circuit Court, Pasco County

By *[Signature]* Attorney

land situated in Section 3, Township 25 South, Range 16 East as follows: Tract 29 and the North one third of Tracts 30, 31 and 32 of PORT RICHEY LAND COMPANY'S SUBDIVISION in Section 3, Township 25 South, Range 16 East as recorded in Plat Book 1, Page 61 of the Public Records of Pasco County, Florida, being more particularly described as follows: Begin at the Southeastern corner of Lot 40 of Ol Paola Subdivision as recorded in Plat Book 9, Page 37 of the Public Records of Pasco County, Florida and run thence N.89°22'13"W., along the Southerly line of said Ol Paola Subdivision 1020.38 feet; thence S.00°38'32"W., 150.00 feet; thence N.39°25'58"W., 229.00 feet to the Easterly right-of-way line of State Road No. 55 (U.S. Highway No. 19); thence S.01°03'17"W., along said Easterly right-of-way line, 520.96 feet; thence S.89°29'01"E., 1242.79 feet to a point on the Westerly line of Country Club Estates Unit Two, as recorded in Plat Book 9, Page 36 of the Public Records of Pasco County, Florida; thence N.01°34'47"E., along said Westerly line 662.57 feet to Point of Beginning.

PART 3

A portion of Tracts 30, 31 and 32, PORT RICHEY LAND COMPANY SUBDIVISION of Section 3, Township 25 South, Range 16 East, Pasco County, Florida, being further described as follows:

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PART 4

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PART 5

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ALL BEING THE LANDS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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RESOLUTION ADOPTING AN AMENDED DEVELOPMENT ORDER APPROVING, WITH CONDITIONS, THE BAYONET POINT MALL (FORMERLY OUTLET WORLD) DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, Shumann Investments, Inc., has filed an Application for Development Approval (ADA) with the Pasco County Planning and Zoning staff; and

WHEREAS, the ADA has been received in accordance with Chapter 380.06, Florida Statutes; and

WHEREAS, the culmination of that review requires the approval, denial, or approval with conditions, of the above-referenced ADA; and

~~NOW, THEREFORE, BE IT RESOLVED~~ by the Board of County Commissioners of Pasco County in regular session, duly assembled, this _____ day of _____, 19____, that:

~~The above-referenced ADA is approved with conditions, as set forth in the following Development Order (DO) which is hereby adopted by the Board of County Commissioners:~~

~~Outlet World, DRI~~

WHEREAS, the above-referenced ADA was approved with conditions as set forth in the following Amended Development Order, and adopted by the Board of County Commissioners of Pasco County on April 8, 1986; and

WHEREAS, the current owner of the property, Nassau Land Corporation, has filed a request for a nonsubstantial deviation determination for the Outlet World development of regional impact, which has been renamed Bayonet Point Mall.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session, duly assembled, this 7th day of July, 1987, that:

The request for the proposed change (a 2,524 seat movie theater) be approved as set forth in the following Amended Development Order (DO), which is hereby adopted by the Board of County Commissioners:

Bayonet Point Mall DRI
(formerly Outlet World)

A. General Findings of Fact

The Board of County Commissioners of Pasco County makes the following general Findings of Fact:

1. Shumann Investments, Inc., hereinafter referred to as "Shumann Investments," in accordance with Section 380.06, Florida Statutes, has filed with Pasco County an ADA for Outlet World Development of Regional Impact (DRI No. 127).
2. The Board of County Commissioners of Pasco County is the local government governing body having jurisdiction over the review and approval of said DRI in accordance with Section 380.06, Florida Statutes.

3. The Board of County Commissioners is in receipt of a sufficiency notification from the Tampa Bay Regional Planning Council (TBRPC), dated October 11, 1985.
4. The Board of County Commissioners has scheduled public hearings on the above-referenced ADA before the Pasco County Planning Commission and before the Board.
5. Notice of such notice has been published at least 60 days prior to the date set for the Board hearing.
6. Both the Pasco County Planning Commission and the Board of County Commissioners have held public hearings on the above-referenced ADA on February 12, 1986, and April 8, 1986 (continued from February 25, 1986, and March 11, 1986), respectively.
7. At said public hearings, all parties were afforded the opportunity to present evidence and argument on all issues, conduct cross-examination, and submit rebuttal evidence.
8. Additionally, at said public hearings, any member of the general public requesting to do so was given the opportunity to present written or oral communications.
9. The Board of County Commissioners has received and considered the TBRPC report on the above-referenced ADA.
10. The Board of County Commissioners has received and considered the recommendation of the Pasco County Planning Commission and various other reports and information, including but not limited to, the recommendation of the Pasco County Planning and Zoning staffs.
11. The real property involved in this proposed DRI is owned by Shumann Investments, and a description of said real property is attached hereto as Exhibit "A" and made a part hereof by reference.
12. The nature, type, scope, intensity, density, costs, and general impact of the proposed DRI is that which is summarized on composite Exhibit "B" attached hereto and incorporated by reference herein. (TBRPC impact synopsis)
13. The land use designation for the area subject to the ADA is commercial.
14. Zoning on the property which is subject to the ADA is C-2 (General Commercial).
15. On May 13, 1987, the developer filed with Pasco County, the TBRPC, and the State Department of Community Affairs a request for a nonsubstantial deviation determination pursuant to Section 380.06(19), Florida Statutes.
16. Notice of a public hearing on this request was given at least fifteen (15) days prior to the Board hearing.

17. The Board of County Commissioners held a public hearing on the nonsubstantial deviation request on July 7, 1987.
18. At said public hearings, all parties were afforded the opportunity to present evidence and argument on all issues, conduct cross-examination, and submit rebuttal evidence.

B. Specific Findings on Impact and Conditions Restricting Development.

1. Water Quantity and Drainage

Findings

The drainage system has been designed and constructed to provide proper drainage for the entire site (Phases I and II). Pasco County and the Southwest Florida Water Management District have approved the system, along with it having received a FDER exemption permit.

All on-site systems, structures, and detention areas will be maintained by the developer or subsequent owner(s).

Conditions

- a. Measures shall be instituted to design, construct, and maintain the drainage system such that water quality and quantity comply with TBRPC's Stormwater and Lake System Maintenance and Design Guidelines (1978).

2. Wetlands

Findings

No preservation areas, including wetlands, exist on the site.

Conditions

- a. None.

3. Flood Plains

Findings

The site lies within the 100-year Flood Hazard Zones A-13, B, and C. All finished floor elevations for habitable structures will be constructed above the 100-year flood plain elevation. Pasco County does participate in the National Flood Insurance Program.

Conditions

- a. The developer shall promote awareness of and shall cooperate with local and regional authorities having jurisdiction to issue hurricane evacuation orders. The developer shall prepare a plan to ensure the safe and orderly evacuation of those employees who, for security or administrative reasons, are in the building after an evacuation order is issued by: (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) informing all employees of evacuation routes out of the flood prone area and measures to be followed in the event of same; and (3) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first annual report submitted after occupancy of any portion of the project.
- b. Elevations for all habitable structures shall be at or above the base 100-year flood elevation.

4. Soils

Findings

The soils at the site have slight limitations for low buildings without basements. Limitations are severe to moderate for steep pond embankments; however, steep embankments will not be utilized in designs for this site. These soil characteristics, however, provide a good permeability for the stormwater retention/detention system. There are no known mineral deposits in the general area or on the site.

Conditions

- a. Please refer to Condition 5.a.
- b. The developer shall be responsible for maintenance of all open space areas within the project site.

5. Air Quality

Findings

Major sources of air emissions associated with the Outlet World development are construction activities such as site clearing, and the estimated 10,672 daily external vehicle trips generated by the development.

Conditions

- a. The developer shall implement those measures referenced in the ADA in order to reduce erosion, fugitive dust, and air emissions.

6. Natural Vegetation and Wildlife

Findings

The entire 32.95-acre project site was completely cleared of vegetation prior to submittal of the DRI application. Prior to clearing, the site supported a valuable habitat of longleaf pine, turkey and post oaks known as longleaf pine - Xeric Oak Sandhill Community, a regionally significant habitat type. This vegetative community ordinarily supports a variety of plants and animals and is essential to several species listed as endangered, pursuant to Section 39-27.03-.05, F.A.C. In its current condition, however, the project site does not constitute a prime natural habitat for most species of wildlife, including endangered or threatened species due to its disturbed state, and the presence of surrounding residential and commercial development and U.S. 19.

Conditions

- a. In the event that any rare, endangered, or threatened species (Sections 39-27.03-.05, F.A.C.) are observed frequenting the site for nesting, feeding, or breeding, proper mitigation measures shall be employed in cooperation with the Florida Game and Fresh Water Fish Commission.

7. Historical and Archaeological Sites

Findings

No historical or archeological sites have been found on the property. The Division of Archives, History and Records Management has indicated that there are no such sites recorded within the project area.

Conditions

- a. Should any significant historical or archaeological site be discovered during construction, the proper authorities shall be immediately notified and their recommendation for preservation and excavation will be implemented.

8. Water Supply

Findings

The average total daily demand for potable water for this project is estimated to be 46,000 gallons. This estimate is based on a presumed consumption rate of 0.2 gallons per square feet of commercial space per day. This includes projected needs for landscape irrigation, a use which could be supplied by nonpotable water. There

are currently no plans to use nonpotable water for this purpose. Potable water will be supplied by Pasco County from the Starkey, Crossbar, and Cypress Creek Wellfields. The water distribution system will be designed to provide fire flow pressure of 1,250 gallons per minute, in addition to providing acceptable pressure for domestic demands. A permit will be required by FDER for the potable water distribution system. No on-site wells are planned.

Conditions

- a. Prior to building permit approval within Phase II, the developer shall submit, to the County, proof of adequate water supply capabilities for that phase.
- b. Prior to Phase II approval, the developer shall submit, to the County, a plan showing the feasibility of a nonpotable water system for landscape irrigation.

9. Wastewater

Findings

The projected average daily wastewater flows for each phase of development, expected to be domestic in character, are: Phase I - 31,000 gallons; Phase II - 4,000 gallons. The Beacon Woods sewage treatment plant will handle flows from this project. The applicant obtained a general permit (#CS51-098130) on January 23, 1985, which allows connection of the Outlet World development to the Beacon Woods sewage treatment plant for a maximum flow of 29,000 gallons per day. This is to serve Phase I only. No additional flows (wet-line permits) will be allowed from this or any other development to the Beacon Woods plant until there is compliance with state and County rules and regulations.

Additionally, Pasco County has required (in a letter contained in the ADA, Appendix C) that the developer bear the construction costs for on-site and off-site conveyance facilities.

Conditions

- a. A utility service agreement shall be entered into between the developer and the County prior to construction drawing approval of the first site plan approval within Phase II.
- b. Prior to any development approval within Phase II, the developer shall provide the County and TBRPC assurances that adequate wastewater treatment and disposal capabilities are available. This shall include concurrence by the Florida Department of Environmental Regulation.

10. Solid Waste

Findings

The Outlet World of Pasco County development is projected to generate 4.62 tons per day of commercial solid waste at build-out. This estimate is based on a generation rate of four pounds per 100 square feet of commercial space per day.

Solid waste generated during construction and through development operation is to be collected by Waste Aid Systems, Inc., and will be transported to a County landfill site. A letter was provided from the County indicating available capacity to accept wastes generated by the development through the year 1990.

It is assumed that all wastes generated by the proposed development will be commercial in character, and that no hazardous wastes will be generated. The variety and nature of federally defined and listed hazardous materials makes it unlikely that absolutely no hazardous wastes would be generated, however.

Conditions

- a. Each new site plan approval will be contingent upon the developer submitting a letter from the County Landfill Section reflecting that adequate solid waste disposal capacity is available to serve the proposed land use of that plan.
- b. The applicant shall provide to all Outlet World businesses information that:
 - (1) Indicates types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers/areas; and
 - (2) Indicates the location of the specially-designated hazardous waste and materials containers/areas; and
 - (3) Advises of applicable statutes and regulations regarding hazardous wastes and materials at the time of purchase or lease.
- c. The applicant shall require that any hazardous waste be transported and disposed of in a manner consistent with applicable regulations through restrictive covenants.
- d. Separate hazardous waste storage areas within the project shall be provided and designated. These areas shall be accessible to all

businesses and shall be clearly marked and/or colored so as to clearly distinguish the areas intended for hazardous wastes and materials (Hazardous wastes are those substances and materials defined in Subsection 503.703(21), F.S., and listed in Title 40 CFR Part 261). Proof of such provisions shall be indicated within the annual report.

11. Energy

Findings

Average daily electrical demand for the development is projected to be 11,315 kilowatt hours per day at build-out, with a peak hour demand of 2,309 kilowatts. The energy requirements are based on a daily demand rate of 0.049 kilowatt hours, peak hour demand rate of 0.01 kilowatts per square foot of commercial space. No present plans exist for providing on-site use of natural gas, oil, or coal. Electrical energy will be the primary source of energy. All electrical energy will be supplied by the Withlacoochee River Electric Cooperative, Inc., which has indicated in a letter in the ADA its ability to serve the project.

No unusual energy conservation measures have been incorporated into the design of the project. It is stated in the ADA that the location and nature of the project will allow a reduction in vehicle trip miles; therefore, lowering gasoline consumption.

Conditions

- a. The developer shall submit with the first annual report a plan and program for energy conservation that will be implemented by the development.

12. Transportation

Findings

The Outlet World of Pasco County development will have a negative impact on several regionally significant highway facilities within the primary impact area. The transportation system improvements required to mitigate the negative impact of this proposed development have been identified in the ADA and TBRPC's report. The project will generate approximately 13,459 average daily vehicle trips on the regional roadways, with 1,288 trips being produced during the peak hour. The primary transportation impacts will occur on U.S. Highway 19 and S.R. 52.

Conditions

- a. Transportation Improvement Alternatives - The Outlet World development will have a substantial negative impact on several regional highway facilities. Roadway improvements required to mitigate the negative impact of this proposed development on transportation facilities have been identified in the ADA. The two alternatives which follow are measures which are designed to mitigate the negative transportation impact associated with the Outlet World DRL. One of these two alternatives must be implemented by the developer.

Alternative I

- (1) Funding commitments from responsible entities for the following roadway improvements must be secured prior to issuance of building permits for Phase II. Without funding commitments for these improvements/provisions, construction permits shall not be issued for Phase II.
- (a) Improve the capacity of the intersection of U.S. 19 and Jasmine Boulevard by constructing an additional westbound to southbound left-turn lane to create dual lefts. The Outlet World of Pasco County development will contribute 8.6 percent of the Level of Service D peak hour capacity of this facility at project build-out.
 - (b) Construct the project entrance at U.S. 19 as to allow proper ingress and egress to the development. The appropriate design configuration shall be as stipulated by Pasco County.
 - (c) Improve the capacity of U.S. 19 between New York Avenue (Sunset Avenue) and Fivay Road by constructing one additional northbound and one additional southbound lane to create a six-lane divided arterial. The Outlet World of Pasco County development will contribute 7.9 percent of the Level of Service "C" daily capacity of this facility at project build-out.
 - (d) Improve the capacity of U.S. 19 between the site driveway (entrance) and S.R. 52 by upgrading the

facility to a six-lane limited access roadway. The Outlet World of Pasco County development will contribute 18.7 percent of the Level of Service C daily capacity of this facility at build-out.

- (e) Improve the capacity of U.S. 19 between S.R. 52 and Jasmine Boulevard by upgrading the facility to a six-lane limited access roadway. The Outlet World of Pasco County development will contribute 12.2 percent of the Level of Service C daily capacity of this facility at build-out.
 - (f) Improve the capacity of U.S. 19 between Jasmine and Embassy by upgrading the facility to a six-lane limited access roadway. The Outlet World of Pasco County development will contribute 10.4 percent of the Level of Service C daily capacity of this facility at project build-out.
 - (g) Improve the capacity of S.R. 52 between U.S. 19 and Fivay Road by constructing one additional eastbound lane and one additional westbound lane to create a four-lane divided arterial. The Outlet World of Pasco County development will contribute 18 percent of the Level of Service C daily capacity of this facility at project build-out.
 - (h) Improve the capacity of S.R. 52 between Fivay and Hicks Roads by constructing one additional eastbound lane and one additional westbound lane to create a four-lane divided arterial. The Outlet World of Pasco County development will contribute 12.2 percent of the Level of Service C daily capacity of this facility at project build-out.
- (2) To assure that the transportation impacts of this development have been accurately projected by the ADA traffic analysis, field surveys and a report of findings shall be conducted to determine actual vehicle trips generated by the Outlet World development every year after the initial certification of occupancy and issued through project build-out as part of the

annual report. This survey and report shall be conducted by the applicant and shall be approved by Pasco County, the West Pasco County Metropolitan Planning Organization, and the Tampa Bay Regional Planning Council. After review of the survey and report findings, the reviewing agencies or developer may request that the Development Order be revised accordingly.

Alternative II

- (1) In the event that commitments for transportation improvements are adequate to permit only partial approval of this development, the capacity and loading of transportation facilities in the Outlet World transportation area, including, but not limited to, the regional roadways and intersections referenced in Alternative I, shall be limiting factors in any approvals. Accordingly, the developer will generate and provide Pasco County, Tampa Bay Regional Planning Council, Florida Department of Transportation, and the Pasco County Metropolitan Planning Organization, pursuant to the provisions of Section 380.06, Florida Statutes, with updated current traffic counts on the above roadways and projections of traffic volumes that will result from the completion of the currently approved project construction, plus that to be generated by the next portion of which the developer is seeking approval. Each updated traffic analysis shall serve to verify the findings of the original DRI traffic analysis findings (referenced in this report in Alternative I) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the regional roadways at a satisfactory Level of Service, daily Level of Service C, D at peak hours. Both the traffic counts and the projection of traffic volume shall be prepared consistent with generally accepted traffic engineering practices and the original ADA. Upon obtaining written recommendations from Tampa Bay Regional Planning Council staff, and prior to any specific preliminary or site plan approval, Pasco County or its designee shall ensure, in written findings of fact, that the

above roadways and intersections are operating at or above an average daily Level of Service C, D at peak hours, and that the expected trips to be generated by such approval would not cause the roadways to operate below an average daily Level of Service C, D at peak hours.

b. The developer shall provide the funding to the County for the following intersection signalizations and improvements within ninety (90) days of the adoption of this Development Order.

(1) One hundred percent (100%) of the cost of signalization and geometric improvements per FDOT requirements of the mall entrance with U.S. Highway 19. The signalization will include the coordination of this signal with existing/proposed signals along U.S. 19 at Beacon Woods Drive and at S.R. 52.

(2) Fifty percent (50%) of the cost of design, signalization, and geometric improvements of the Beacon Woods Drive and U.S. 19 intersection. The signalization will include the coordination of this signal with existing/proposed signals along U.S. 19 at S.R. 52 and at the entrance to Outlet World.

13. Recreation and Open Space

Findings

The proposed project will contain planted and irrigated open space in the buffer areas adjacent to residential areas, interior planters, and the driveway median. All grassed areas will be Argentine Bahia. Open space areas will be maintained by the owner. There will be no parks or open space dedicated to the public.

Conditions

a. All open space, including landscape buffer, shall be maintained by the owner.

14. Educational Facilities

Findings

There are no residential units within this development which would create the need for educational facilities.

Conditions

a. None.

15. Health Care

Findings

There will be no medical or health care facilities provided on the project site. The closest hospital is Bayonet Point Regional Medical Center located on Fivay road, approximately 1.5 miles from the site. Emergency medical service can be provided from the nearest rescue unit located 1.5 miles from the project site. The unit is manned by a paramedic and an Emergency Medical Technician. Response time is estimated at three minutes.

No projection has been made as to additional manpower or equipment that may be needed to adequately serve the development.

Conditions

- a. Prior to the site plan approval of Phase II and with the submittal of the first annual report, the developer shall submit, to the County, proof that adequate EMS/Fire Protection Service and response time is currently available (as determined by the Emergency Services Director) within a distance of this development which allows an acceptable response time. If such service and/or response time are deemed not to be adequate, the developer shall not obtain any further development approvals. As an alternative to the preceding sentences, the developer shall donate, to the County, one hundred ninety dollars (\$190.00) per one thousand (1,000) square feet of gross leasable area of commercial for public safety facilities and equipment. This rate shall remain until such time as the County adopts EMS/Fire Protection impact fee ordinances, after which the development will be subject to the rates of such ordinance.
- b. Prior to the issuance of any building permits for Phase II, the developer shall enter into an agreement with Pasco County, or its designee, which will permit rent-free utilization of the shopping mall as an emergency shelter (also required in the amended DCA/Developer Agreement).

16. Fire Protection

Findings

The ADA states that, "All buildings are being constructed according to applicable fire codes. Outlet World will be served by the Pasco County Fire Department with the closest fire station located at 7192 Rhodes Road in Hudson, approximately 1.5 miles from the site. No new substations are planned.

Conditions

- a. Please refer to Condition 15.a., Health Care.

17. Police Protection

Findings

Outlet World of Pasco County will have a tenant's association which will hire security guards. Many tenants may choose to install alarm systems. No other on-site security is planned other than regular patrolling activities by the Pasco County Sheriff's Department. A letter from the Pasco County Sheriff's Department, contained in the Sufficiency Response, indicated the average response time for emergency protection was, between April 1 and May 31, approximately five minutes. No assurance has been provided that the Pasco County Sheriff's Department can adequately serve the Outlet World development through build-out.

Conditions

- a. Prior to any approval within Phase II, the developer shall provide the County assurances that adequate police protection is available to service this project.

18. Housing

Findings

There are no housing units proposed in this development.

Conditions

- a. None.

19. Economy

Findings

The total construction expenditure for the proposed Outlet World of Pasco County (Phase I) development is estimated to be \$9.40 million (1985 dollars) of which approximately 95 percent will be spent in the region. The first phase of the project is expected to yield \$161,730 in ad valorem taxes per year. During construction of Phase I, an average of 40 construction jobs per year will be generated. Upon completion of Phase I, which has already occurred, the development is expected to generate 315 permanent job opportunities with an estimated annual payroll of \$3.14 million (1985 dollars). One hundred percent of the permanent employees are expected to be drawn from the local labor market.

Conditions

- a. None.

20. Shopping Centers

Findings

A total of 230,909 square feet of commercial space will be provided within the Outlet World development, including 205,557 square feet in a shopping mall (Phase I) and 25,352 square feet in three out-parcels (Phase II). The Phase I mall also includes a theater containing approximately 2,524 seats pursuant to the non-substantial deviation determination request of May 13, 1987. The projected build-out of the theater is winter 1987/88. The theater will be located on approximately 1.55 acres within the original Phase I site. The impact of this proposed commercial activity has been included in the economic and traffic analyses done for this proposed development.

Conditions

- a. The total number of parking spaces for Phase I shall not exceed 1,594.

C. Conclusions of Law

The Board of County Commissioners hereby finds as follows:

1. The Outlet World DRI will not unreasonably interfere with the achievement of the objectives of the State Land Development Plan, if any, applicable to the area encompassed in ADA;
2. The development is consistent with local land development regulations;
3. The development is consistent with the report and recommendations of the Regional Planning Agencies.
4. The development is not in an area of critical state concern.
5. The change proposed pursuant to the nonsubstantial deviation determination request dated May 13, 1987, is not a substantial deviation to the DRI development order for the Outlet World DRI approved April 8, 1986.

D. General Conditions Restricting Development

1. Development of the area embraced by the ADA shall be governed by the standards and procedural provisions of adopted comprehensive plans, elements thereof, and land development regulations.
2. Construction of all improvements shall be governed by applicable County building, plumbing, electrical, energy, and other codes or regulations.

3. Installation of public facilities shall conform to all applicable County, state, and federal codes and regulations.
4. All of the developer's commitments set forth in the ADA and summarized in the final report by TBRPC shall be honored by the developer, except for those commitments which have been superceded by specific terms of this DO.

E. Monitoring Procedures

1. Monitoring of this development shall be at the time of the Annual Report submittal and during review of the development approvals. The local official responsible for monitoring the Outlet World DRI shall be the County Administrator or his designee.

F. Duration

1. This DO shall take effect on April 8, 1986.
2. The duration of the DO shall be a period of five years, provided that the effective period may be extended by the Board upon a showing of good cause. If the development does not commence within three years of the date of adoption, the County may deem this as noncompliance with the DO and, thus, a substantial deviation.
3. The County agrees that the approved DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction for three years from the date of adoption, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the DO have occurred, or that the DO was based on substantially inaccurate information provided by the developer, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

G. Annual Report

1. Shumann Investments shall provide an annual report to the official responsible for monitoring the DRI, the TBRPC, and the state land planning agency on March 11th of each year during the term of the DO. The report shall include, at a minimum, the following information:
 - a. Any changes in the proposed plan of development;
 - b. Description of the development activities which have occurred over the previous year, including a summary of the number, type, and location of residential units and commercial structures;
 - c. A description of development activity proposed for the next year;
 - d. A statement setting forth names and addresses of any assignees or successors in interest to this DO.

H. Amendment/Substantial Deviations

All proposed substantial and material changes to a DRI for which a DO has been approved shall be submitted to the Board of County Commissioners for a substantial deviation determination prior to implementation of such changes by the developer. As used in this paragraph, the term substantial deviation means any change to a previously approved DRI which creates a reasonable likelihood of additional significant adverse regional impacts or any other significant regional impact which was not previously reviewed by the Board of County Commissioners or the Regional Planning Agency.

Prior to amending any provision in this development or issuing any substantial deviation determination, the County shall provide TBRPC with reasonable notice of its intent to consider such an amendment. Such notice shall be reasonably calculated to permit TBRPC to appear at the public hearing or present written comments on the proposed change prior to the effective date of the amendment or change.

I. Effect of DO/ADA

1. The requirements of and conditions imposed by this DO shall constitute regulations or restrictions which restrict the development of the property described in Exhibit "A" attached hereto. Following the adoption of this DO, all plans for development on the referenced property shall be consistent with the conditions and restrictions recited in this DO. Such regulations and restrictions shall be binding upon all successors in interest to any of the parties hereto.
2. All development of the property subject to this DO shall substantially conform to the ADA filed by Shumann Investments, unless otherwise modified by the provisions of this DO. Said ADA is attached hereto as Exhibit "C".

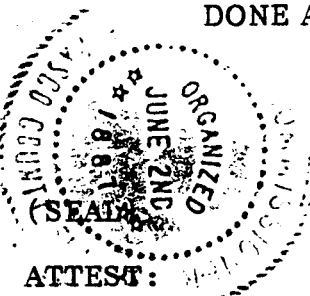
J. Miscellaneous Provisions

1. A Notice of Adoption of this Resolution shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with Section 380.06(14)(a), Florida Statutes, and the DO contained herein shall govern the development of the Outlet World DRI.
2. The County Attorney is hereby authorized and directed to cause a certified copy hereof to be served on the State Land Planning Agency, the TBRPC, and upon attorneys of record in these proceedings for Outlet World.
3. Funds collected from fees imposed under this DO shall be placed in separate trust accounts for each type of capital improvement for which the fee was collected, including education facilities and public safety facilities. Thereafter monies collected shall be used solely for the expansion of such capital improvements necessitated by the impacts of the development approved in the DO.

K. Severability

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Resolution is held invalid, the remainder of the Resolution shall be construed as not having contained said section, subsection, sentence, clause, or provision, and shall not be effected by such holding.

DONE AND RESOLVED this 7th day of July, 1987.



ATTEST:

BY: Jed Pittman
JED PITTMAN, CLERK
By: Elaine N. Mitchell, DC

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: Ann Hildebrand
ANN HILDEBRAND, CHAIRMAN

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

[Signature] Attorney

RESOLUTION ADOPTING AN AMENDED DEVELOPMENT ORDER APPROVING, WITH CONDITIONS, THE BAYONET POINT MALL (FORMERLY OUTLET WORLD) DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, Shumann Investments, Inc., has filed an Application for Development Approval (ADA) with the Pasco County Planning and Zoning staff; and

WHEREAS, the ADA has been received in accordance with Chapter 380.06, Florida Statutes; and

WHEREAS, the culmination of that review requires the approval, denial, or approval with conditions, of the above-referenced ADA; and

~~NOW, THEREFORE, BE IT RESOLVED~~ by the Board of County Commissioners of Pasco County in regular session, duly assembled, this _____ day of _____, 19____, that:

The above-referenced ADA is approved with conditions, as set forth in the following Development Order (DO) which is hereby adopted by the Board of County Commissioners:

Outlet World, DRI

WHEREAS, the above-referenced ADA was approved with conditions as set forth in the following Amended Development Order, and adopted by the Board of County Commissioners of Pasco County on April 8, 1986; and

WHEREAS, the current owner of the property, Nassau Land Corporation, has filed a request for a nonsubstantial deviation determination for the Outlet World development of regional impact, which has been renamed Bayonet Point Mall.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session, duly assembled, this 7th day of July, 1987, that:

The request for the proposed change (a 2,524 seat movie theater) be approved as set forth in the following Amended Development Order (DO), which is hereby adopted by the Board of County Commissioners:

Bayonet Point Mall DRI
(formerly Outlet World)

A. General Findings of Fact

The Board of County Commissioners of Pasco County makes the following general Findings of Fact:

1. Shumann Investments, Inc., hereinafter referred to as "Shumann Investments," in accordance with Section 380.06, Florida Statutes, has filed with Pasco County an ADA for Outlet World Development of Regional Impact (DRI No. 127).
2. The Board of County Commissioners of Pasco County is the local government governing body having jurisdiction over the review and approval of said DRI in accordance with Section 380.06, Florida Statutes.

3. The Board of County Commissioners is in receipt of a sufficiency notification from the Tampa Bay Regional Planning Council (TBRPC), dated October 11, 1985.
4. The Board of County Commissioners has scheduled public hearings on the above-referenced ADA before the Pasco County Planning Commission and before the Board.
5. Notice of such notice has been published at least 60 days prior to the date set for the Board hearing.
6. Both the Pasco County Planning Commission and the Board of County Commissioners have held public hearings on the above-referenced ADA on February 12, 1986, and April 8, 1986 (continued from February 25, 1986, and March 11, 1986), respectively.
7. At said public hearings, all parties were afforded the opportunity to present evidence and argument on all issues, conduct cross-examination, and submit rebuttal evidence.
8. Additionally, at said public hearings, any member of the general public requesting to do so was given the opportunity to present written or oral communications.
9. The Board of County Commissioners has received and considered the TBRPC report on the above-referenced ADA.
10. The Board of County Commissioners has received and considered the recommendation of the Pasco County Planning Commission and various other reports and information, including but not limited to, the recommendation of the Pasco County Planning and Zoning staffs.
11. The real property involved in this proposed DRI is owned by Shumann Investments, and a description of said real property is attached hereto as Exhibit "A" and made a part hereof by reference.
12. The nature, type, scope, intensity, density, costs, and general impact of the proposed DRI is that which is summarized on composite Exhibit "B" attached hereto and incorporated by reference herein. (TBRPC impact synopsis)
13. The land use designation for the area subject to the ADA is commercial.
14. Zoning on the property which is subject to the ADA is C-2 (General Commercial).
15. On May 13, 1987, the developer filed with Pasco County, the TBRPC, and the State Department of Community Affairs a request for a nonsubstantial deviation determination pursuant to Section 380.06(19), Florida Statutes.
16. Notice of a public hearing on this request was given at least fifteen (15) days prior to the Board hearing.

17. The Board of County Commissioners held a public hearing on the nonsubstantial deviation request on July 7, 1987.
18. At said public hearings, all parties were afforded the opportunity to present evidence and argument on all issues, conduct cross-examination, and submit rebuttal evidence.

B. Specific Findings on Impact and Conditions Restricting Development.

1. Water Quantity and Drainage

Findings

The drainage system has been designed and constructed to provide proper drainage for the entire site (Phases I and II). Pasco County and the Southwest Florida Water Management District have approved the system, along with it having received a FDER exemption permit.

All on-site systems, structures, and detention areas will be maintained by the developer or subsequent owner(s).

Conditions

- a. Measures shall be instituted to design, construct, and maintain the drainage system such that water quality and quantity comply with TBRPC's Stormwater and Lake System Maintenance and Design Guidelines (1978).

2. Wetlands

Findings

No preservation areas, including wetlands, exist on the site.

Conditions

- a. None.

3. Flood Plains

Findings

The site lies within the 100-year Flood Hazard Zones A-13, B, and C. All finished floor elevations for habitable structures will be constructed above the 100-year flood plain elevation. Pasco County does participate in the National Flood Insurance Program.

Conditions

- a. The developer shall promote awareness of and shall cooperate with local and regional authorities having jurisdiction to issue hurricane evacuation orders. The developer shall prepare a plan to ensure the safe and orderly evacuation of those employees who, for security or administrative reasons, are in the building after an evacuation order is issued by: (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) informing all employees of evacuation routes out of the flood prone area and measures to be followed in the event of same; and (3) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first annual report submitted after occupancy of any portion of the project.
- b. Elevations for all habitable structures shall be at or above the base 100-year flood elevation.

4. Soils

Findings

The soils at the site have slight limitations for low buildings without basements. Limitations are severe to moderate for steep pond embankments; however, steep embankments will not be utilized in designs for this site. These soil characteristics, however, provide a good permeability for the stormwater retention/detention system. There are no known mineral deposits in the general area or on the site.

Conditions

- a. Please refer to Condition 5.a.
- b. The developer shall be responsible for maintenance of all open space areas within the project site.

5. Air Quality

Findings

Major sources of air emissions associated with the Outlet World development are construction activities such as site clearing, and the estimated 10,672 daily external vehicle trips generated by the development.

Conditions

- a. The developer shall implement those measures referenced in the ADA in order to reduce erosion, fugitive dust, and air emissions.

6. Natural Vegetation and Wildlife

Findings

The entire 32.95-acre project site was completely cleared of vegetation prior to submittal of the DRI application. Prior to clearing, the site supported a valuable habitat of longleaf pine, turkey and post oaks known as longleaf pine - Xeric Oak Sandhill Community, a regionally significant habitat type. This vegetative community ordinarily supports a variety of plants and animals and is essential to several species listed as endangered, pursuant to Section 39-27.03-.05, F.A.C. In its current condition, however, the project site does not constitute a prime natural habitat for most species of wildlife, including endangered or threatened species due to its disturbed state, and the presence of surrounding residential and commercial development and U.S. 19.

Conditions

- a. In the event that any rare, endangered, or threatened species (Sections 39-27.03-.05, F.A.C.) are observed frequenting the site for nesting, feeding, or breeding, proper mitigation measures shall be employed in cooperation with the Florida Game and Fresh Water Fish Commission.

7. Historical and Archaeological Sites

Findings

No historical or archeological sites have been found on the property. The Division of Archives, History and Records Management has indicated that there are no such sites recorded within the project area.

Conditions

- a. Should any significant historical or archaeological site be discovered during construction, the proper authorities shall be immediately notified and their recommendation for preservation and excavation will be implemented.

8. Water Supply

Findings

The average total daily demand for potable water for this project is estimated to be 46,000 gallons. This estimate is based on a presumed consumption rate of 0.2 gallons per square feet of commercial space per day. This includes projected needs for landscape irrigation, a use which could be supplied by nonpotable water. There

are currently no plans to use nonpotable water for this purpose. Potable water will be supplied by Pasco County from the Starkey, Crossbar, and Cypress Creek Wellfields. The water distribution system will be designed to provide fire flow pressure of 1,250 gallons per minute, in addition to providing acceptable pressure for domestic demands. A permit will be required by FDER for the potable water distribution system. No on-site wells are planned.

Conditions

- a. Prior to building permit approval within Phase II, the developer shall submit, to the County, proof of adequate water supply capabilities for that phase.
- b. Prior to Phase II approval, the developer shall submit, to the County, a plan showing the feasibility of a nonpotable water system for landscape irrigation.

9. Wastewater

Findings

The projected average daily wastewater flows for each phase of development, expected to be domestic in character, are: Phase I - 31,000 gallons; Phase II - 4,000 gallons. The Beacon Woods sewage treatment plant will handle flows from this project. The applicant obtained a general permit (#CS51-098130) on January 23, 1985, which allows connection of the Outlet World development to the Beacon Woods sewage treatment plant for a maximum flow of 29,000 gallons per day. This is to serve Phase I only. No additional flows (wet-line permits) will be allowed from this or any other development to the Beacon Woods plant until there is compliance with state and County rules and regulations.

Additionally, Pasco County has required (in a letter contained in the ADA, Appendix C) that the developer bear the construction costs for on-site and off-site conveyance facilities.

Conditions

- a. A utility service agreement shall be entered into between the developer and the County prior to construction drawing approval of the first site plan approval within Phase II.
- b. Prior to any development approval within Phase II, the developer shall provide the County and TBRPC assurances that adequate wastewater treatment and disposal capabilities are available. This shall include concurrence by the Florida Department of Environmental Regulation.

10. Solid Waste

Findings

The Outlet World of Pasco County development is projected to generate 4.62 tons per day of commercial solid waste at build-out. This estimate is based on a generation rate of four pounds per 100 square feet of commercial space per day.

Solid waste generated during construction and through development operation is to be collected by Waste Aid Systems, Inc., and will be transported to a County landfill site. A letter was provided from the County indicating available capacity to accept wastes generated by the development through the year 1990.

It is assumed that all wastes generated by the proposed development will be commercial in character, and that no hazardous wastes will be generated. The variety and nature of federally defined and listed hazardous materials makes it unlikely that absolutely no hazardous wastes would be generated, however.

Conditions

- a. Each new site plan approval will be contingent upon the developer submitting a letter from the County Landfill Section reflecting that adequate solid waste disposal capacity is available to serve the proposed land use of that plan.
- b. The applicant shall provide to all Outlet World businesses information that:
 - (1) Indicates types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers/areas; and
 - (2) Indicates the location of the specially-designated hazardous waste and materials containers/areas; and
 - (3) Advises of applicable statutes and regulations regarding hazardous wastes and materials at the time of purchase or lease.
- c. The applicant shall require that any hazardous waste be transported and disposed of in a manner consistent with applicable regulations through restrictive covenants.
- d. Separate hazardous waste storage areas within the project shall be provided and designated. These areas shall be accessible to all

businesses and shall be clearly marked and/or colored so as to clearly distinguish the areas intended for hazardous wastes and materials (Hazardous wastes are those substances and materials defined in Subsection 503.703(21), F.S., and listed in Title 40 CFR Part 261). Proof of such provisions shall be indicated within the annual report.

11. Energy

Findings

Average daily electrical demand for the development is projected to be 11,315 kilowatt hours per day at build-out, with a peak hour demand of 2,309 kilowatts. The energy requirements are based on a daily demand rate of 0.049 kilowatt hours, peak hour demand rate of 0.01 kilowatts per square foot of commercial space. No present plans exist for providing on-site use of natural gas, oil, or coal. Electrical energy will be the primary source of energy. All electrical energy will be supplied by the Withlacoochee River Electric Cooperative, Inc., which has indicated in a letter in the ADA its ability to serve the project.

No unusual energy conservation measures have been incorporated into the design of the project. It is stated in the ADA that the location and nature of the project will allow a reduction in vehicle trip miles; therefore, lowering gasoline consumption.

Conditions

- a. The developer shall submit with the first annual report a plan and program for energy conservation that will be implemented by the development.

12. Transportation

Findings

The Outlet World of Pasco County development will have a negative impact on several regionally significant highway facilities within the primary impact area. The transportation system improvements required to mitigate the negative impact of this proposed development have been identified in the ADA and TBRPC's report. The project will generate approximately 13,459 average daily vehicle trips on the regional roadways, with 1,288 trips being produced during the peak hour. The primary transportation impacts will occur on U.S. Highway 19 and S.R. 52.

Conditions

- a. Transportation Improvement Alternatives - The Outlet World development will have a substantial negative impact on several regional highway facilities. Roadway improvements required to mitigate the negative impact of this proposed development on transportation facilities have been identified in the ADA. The two alternatives which follow are measures which are designed to mitigate the negative transportation impact associated with the Outlet World DRI. One of these two alternatives must be implemented by the developer.

Alternative I

- (1) Funding commitments from responsible entities for the following roadway improvements must be secured prior to issuance of building permits for Phase II. Without funding commitments for these improvements/provisions, construction permits shall not be issued for Phase II.
 - (a) Improve the capacity of the intersection of U.S. 19 and Jasmine Boulevard by constructing an additional westbound to southbound left-turn lane to create dual lefts. The Outlet World of Pasco County development will contribute 8.6 percent of the Level of Service D peak hour capacity of this facility at project build-out.
 - (b) Construct the project entrance at U.S. 19 as to allow proper ingress and egress to the development. The appropriate design configuration shall be as stipulated by Pasco County.
 - (c) Improve the capacity of U.S. 19 between New York Avenue (Sunset Avenue) and Fivay Road by constructing one additional northbound and one additional southbound lane to create a six-lane divided arterial. The Outlet World of Pasco County development will contribute 7.9 percent of the Level of Service "C" daily capacity of this facility at project build-out.
 - (d) Improve the capacity of U.S. 19 between the site driveway (entrance) and S.R. 52 by upgrading the

facility to a six-lane limited access roadway. The Outlet World of Pasco County development will contribute 18.7 percent of the Level of Service C daily capacity of this facility at build-out.

- (e) Improve the capacity of U.S. 19 between S.R. 52 and Jasmine Boulevard by upgrading the facility to a six-lane limited access roadway. The Outlet World of Pasco County development will contribute 12.2 percent of the Level of Service C daily capacity of this facility at build-out.
 - (f) Improve the capacity of U.S. 19 between Jasmine and Embassy by upgrading the facility to a six-lane limited access roadway. The Outlet World of Pasco County development will contribute 10.4 percent of the Level of Service C daily capacity of this facility at project build-out.
 - (g) Improve the capacity of S.R. 52 between U.S. 19 and Fivay Road by constructing one additional eastbound lane and one additional westbound lane to create a four-lane divided arterial. The Outlet World of Pasco County development will contribute 18 percent of the Level of Service C daily capacity of this facility at project build-out.
 - (h) Improve the capacity of S.R. 52 between Fivay and Hicks Roads by constructing one additional eastbound lane and one additional westbound lane to create a four-lane divided arterial. The Outlet World of Pasco County development will contribute 12.2 percent of the Level of Service C daily capacity of this facility at project build-out.
- (2) To assure that the transportation impacts of this development have been accurately projected by the ADA traffic analysis, field surveys and a report of findings shall be conducted to determine actual vehicle trips generated by the Outlet World development every year after the initial certification of occupancy and issued through project build-out as part of the

annual report. This survey and report shall be conducted by the applicant and shall be approved by Pasco County, the West Pasco County Metropolitan Planning Organization, and the Tampa Bay Regional Planning Council. After review of the survey and report findings, the reviewing agencies or developer may request that the Development Order be revised accordingly.

Alternative II

- (1) In the event that commitments for transportation improvements are adequate to permit only partial approval of this development, the capacity and loading of transportation facilities in the Outlet World transportation area, including, but not limited to, the regional roadways and intersections referenced in Alternative I, shall be limiting factors in any approvals. Accordingly, the developer will generate and provide Pasco County, Tampa Bay Regional Planning Council, Florida Department of Transportation, and the Pasco County Metropolitan Planning Organization, pursuant to the provisions of Section 380.06, Florida Statutes, with updated current traffic counts on the above roadways and projections of traffic volumes that will result from the completion of the currently approved project construction, plus that to be generated by the next portion of which the developer is seeking approval. Each updated traffic analysis shall serve to verify the findings of the original DRI traffic analysis findings (referenced in this report in Alternative I) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the regional roadways at a satisfactory Level of Service, daily Level of Service C, D at peak hours. Both the traffic counts and the projection of traffic volume shall be prepared consistent with generally accepted traffic engineering practices and the original ADA. Upon obtaining written recommendations from Tampa Bay Regional Planning Council staff, and prior to any specific preliminary or site plan approval, Pasco County or its designee shall ensure, in written findings of fact, that the

above roadways and intersections are operating at or above an average daily Level of Service C, D at peak hours, and that the expected trips to be generated by such approval would not cause the roadways to operate below an average daily Level of Service C, D at peak hours.

- b. The developer shall provide the funding to the County for the following intersection signalizations and improvements within ninety (90) days of the adoption of this Development Order.

- (1) One hundred percent (100%) of the cost of signalization and geometric improvements per FDOT requirements of the mall entrance with U.S. Highway 19. The signalization will include the coordination of this signal with existing/proposed signals along U.S. 19 at Beacon Woods Drive and at S.R. 52.
- (2) Fifty percent (50%) of the cost of design, signalization, and geometric improvements of the Beacon Woods Drive and U.S. 19 intersection. The signalization will include the coordination of this signal with existing/proposed signals along U.S. 19 at S.R. 52 and at the entrance to Outlet World.

13. Recreation and Open Space

Findings

The proposed project will contain planted and irrigated open space in the buffer areas adjacent to residential areas, interior planters, and the driveway median. All grassed areas will be Argentine Bahia. Open space areas will be maintained by the owner. There will be no parks or open space dedicated to the public.

Conditions

- a. All open space, including landscape buffer, shall be maintained by the owner.

14. Educational Facilities

Findings

There are no residential units within this development which would create the need for educational facilities.

Conditions

- a. None.

15. Health Care

Findings

There will be no medical or health care facilities provided on the project site. The closest hospital is Bayonet Point Regional Medical Center located on Fivay road, approximately 1.5 miles from the site. Emergency medical service can be provided from the nearest rescue unit located 1.5 miles from the project site. The unit is manned by a paramedic and an Emergency Medical Technician. Response time is estimated at three minutes.

No projection has been made as to additional manpower or equipment that may be needed to adequately serve the development.

Conditions

- a. Prior to the site plan approval of Phase II and with the submittal of the first annual report, the developer shall submit, to the County, proof that adequate EMS/Fire Protection Service and response time is currently available (as determined by the Emergency Services Director) within a distance of this development which allows an acceptable response time. If such service and/or response time are deemed not to be adequate, the developer shall not obtain any further development approvals. As an alternative to the preceding sentences, the developer shall donate, to the County, one hundred ninety dollars (\$190.00) per one thousand (1,000) square feet of gross leasable area of commercial for public safety facilities and equipment. This rate shall remain until such time as the County adopts EMS/Fire Protection impact fee ordinances, after which the development will be subject to the rates of such ordinance.
- b. Prior to the issuance of any building permits for Phase II, the developer shall enter into an agreement with Pasco County, or its designee, which will permit rent-free utilization of the shopping mall as an emergency shelter (also required in the amended DCA/Developer Agreement).

16. Fire Protection

Findings

The ADA states that, "All buildings are being constructed according to applicable fire codes. Outlet World will be served by the Pasco County Fire Department with the closest fire station located at 7192 Rhodes Road in Hudson, approximately 1.5 miles from the site. No new substations are planned.

Conditions

- a. Please refer to Condition 15.a., Health Care.

17. Police Protection

Findings

Outlet World of Pasco County will have a tenant's association which will hire security guards. Many tenants may choose to install alarm systems. No other on-site security is planned other than regular patrolling activities by the Pasco County Sheriff's Department. A letter from the Pasco County Sheriff's Department, contained in the Sufficiency Response, indicated the average response time for emergency protection was, between April 1 and May 31, approximately five minutes. No assurance has been provided that the Pasco County Sheriff's Department can adequately serve the Outlet World development through build-out.

Conditions

- a. Prior to any approval within Phase II, the developer shall provide the County assurances that adequate police protection is available to service this project.

18. Housing

Findings

There are no housing units proposed in this development.

Conditions

- a. None.

19. Economy

Findings

The total construction expenditure for the proposed Outlet World of Pasco County (Phase I) development is estimated to be \$9.40 million (1985 dollars) of which approximately 95 percent will be spent in the region. The first phase of the project is expected to yield \$161,730 in ad valorem taxes per year. During construction of Phase I, an average of 40 construction jobs per year will be generated. Upon completion of Phase 1, which has already occurred, the development is expected to generate 315 permanent job opportunities with an estimated annual payroll of \$3.14 million (1985 dollars). One hundred percent of the permanent employees are expected to be drawn from the local labor market.

Conditions

- a. None.

20. Shopping Centers

Findings

A total of 230,909 square feet of commercial space will be provided within the Outlet World development, including 205,557 square feet in a shopping mall (Phase I) and 25,352 square feet in three out-parcels (Phase II). The Phase I mall also includes a theater containing approximately 2,524 seats pursuant to the non-substantial deviation determination request of May 13, 1987. The projected build-out of the theater is winter 1987/88. The theater will be located on approximately 1.55 acres within the original Phase I site. The impact of this proposed commercial activity has been included in the economic and traffic analyses done for this proposed development.

Conditions

- a. The total number of parking spaces for Phase I shall not exceed 1,594.

C. Conclusions of Law

The Board of County Commissioners hereby finds as follows:

1. The Outlet World DRI will not unreasonably interfere with the achievement of the objectives of the State Land Development Plan, if any, applicable to the area encompassed in ADA;
2. The development is consistent with local land development regulations;
3. The development is consistent with the report and recommendations of the Regional Planning Agencies.
4. The development is not in an area of critical state concern.
5. The change proposed pursuant to the nonsubstantial deviation determination request dated May 13, 1987, is not a substantial deviation to the DRI development order for the Outlet World DRI approved April 8, 1986.

D. General Conditions Restricting Development

1. Development of the area embraced by the ADA shall be governed by the standards and procedural provisions of adopted comprehensive plans, elements thereof, and land development regulations.
2. Construction of all improvements shall be governed by applicable County building, plumbing, electrical, energy, and other codes or regulations.

3. Installation of public facilities shall conform to all applicable County, state, and federal codes and regulations.
4. All of the developer's commitments set forth in the ADA and summarized in the final report by TBRPC shall be honored by the developer, except for those commitments which have been superceded by specific terms of this DO.

E. Monitoring Procedures

1. Monitoring of this development shall be at the time of the Annual Report submittal and during review of the development approvals. The local official responsible for monitoring the Outlet World DRI shall be the County Administrator or his designee.

F. Duration

1. This DO shall take effect on April 8, 1986.
2. The duration of the DO shall be a period of five years, provided that the effective period may be extended by the Board upon a showing of good cause. If the development does not commence within three years of the date of adoption, the County may deem this as noncompliance with the DO and, thus, a substantial deviation.
3. The County agrees that the approved DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction for three years from the date of adoption, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the DO have occurred, or that the DO was based on substantially inaccurate information provided by the developer, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

G. Annual Report

1. Shumann Investments shall provide an annual report to the official responsible for monitoring the DRI, the TBRPC, and the state land planning agency on March 11th of each year during the term of the DO. The report shall include, at a minimum, the following information:
 - a. Any changes in the proposed plan of development;
 - b. Description of the development activities which have occurred over the previous year, including a summary of the number, type, and location of residential units and commercial structures;
 - c. A description of development activity proposed for the next year;
 - d. A statement setting forth names and addresses of any assignees or successors in interest to this DO.

H. Amendment/Substantial Deviations

All proposed substantial and material changes to a DRI for which a DO has been approved shall be submitted to the Board of County Commissioners for a substantial deviation determination prior to implementation of such changes by the developer. As used in this paragraph, the term substantial deviation means any change to a previously approved DRI which creates a reasonable likelihood of additional significant adverse regional impacts or any other significant regional impact which was not previously reviewed by the Board of County Commissioners or the Regional Planning Agency.

Prior to amending any provision in this development or issuing any substantial deviation determination, the County shall provide TBRPC with reasonable notice of its intent to consider such an amendment. Such notice shall be reasonably calculated to permit TBRPC to appear at the public hearing or present written comments on the proposed change prior to the effective date of the amendment or change.

I. Effect of DO/ADA

1. The requirements of and conditions imposed by this DO shall constitute regulations or restrictions which restrict the development of the property described in Exhibit "A" attached hereto. Following the adoption of this DO, all plans for development on the referenced property shall be consistent with the conditions and restrictions recited in this DO. Such regulations and restrictions shall be binding upon all successors in interest to any of the parties hereto.
2. All development of the property subject to this DO shall substantially conform to the ADA filed by Shumann Investments, unless otherwise modified by the provisions of this DO. Said ADA is attached hereto as Exhibit "C".

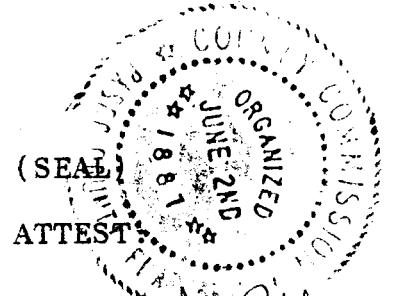
J. Miscellaneous Provisions

1. A Notice of Adoption of this Resolution shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with Section 380.06(14)(a), Florida Statutes, and the DO contained herein shall govern the development of the Outlet World DRI.
2. The County Attorney is hereby authorized and directed to cause a certified copy hereof to be served on the State Land Planning Agency, the TBRPC, and upon attorneys of record in these proceedings for Outlet World.
3. Funds collected from fees imposed under this DO shall be placed in separate trust accounts for each type of capital improvement for which the fee was collected, including education facilities and public safety facilities. Thereafter monies collected shall be used solely for the expansion of such capital improvements necessitated by the impacts of the development approved in the DO.

K. Severability

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Resolution is held invalid, the remainder of the Resolution shall be construed as not having contained said section, subsection, sentence, clause, or provision, and shall not be effected by such holding.

DONE AND RESOLVED this 7th day of July, 1987.



BY: Jed Pittman
JED PITTMAN, CLERK
By: Elaine H. Mitchell, DC

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: Ann Hildebrand
ANN HILDEBRAND, CHAIRMAN

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

[Signature]
Attorney

RESOLUTION ADOPTING A DEVELOPMENT ORDER
APPROVING, WITH CONDITIONS, THE OUTLET
WORLD DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, Shumann Investments, Inc., has filed an Application for Development Approval (ADA) with the Pasco County Planning and Zoning staff; and

WHEREAS, the ADA has been received in accordance with Chapter 380.06, Florida Statutes; and

WHEREAS, the culmination of that review requires the approval, denial, or approval with conditions, of the above-referenced ADA;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session, duly assembled, this 8th day of April, 1986, that:

The above-referenced ADA is approved with conditions, as set forth in the following Development Order (DO) which is hereby adopted by the Board of County Commissioners:

Outlet World, DRI

A. General Findings of Fact

The Board of County Commissioners of Pasco County makes the following general Findings of Fact:

1. Shumann Investments, Inc., hereinafter referred to as "Shumann Investments," in accordance with Section 380.06, Florida Statutes, has filed with Pasco County an ADA for Outlet World Development of Regional Impact (DRI No. 127).
2. The Board of County Commissioners of Pasco County is the local government governing body having jurisdiction over the review and approval of said DRI in accordance with Section 380.06, Florida Statutes.
3. The Board of County Commissioners is in receipt of a sufficiency notification from the Tampa Bay Regional Planning Council (TBRPC), dated October 11, 1985.
4. The Board of County Commissioners has scheduled public hearings on the above-referenced ADA before the Pasco County Planning Commission and before the Board.
5. Notice of such notice has been published at least 60 days prior to the date set for the Board hearing.
6. Both the Pasco County Planning Commission and the Board of County Commissioners have held public hearings on the above-referenced ADA on February 12, 1986, and April 8, 1986 (continued from February 25, 1986, and March 11, 1986), respectively.
7. At said public hearings, all parties were afforded the opportunity to present evidence and argument on all issues, conduct cross-examination, and submit rebuttal evidence.

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8. Additionally, at said public hearings, any member of the general public requesting to do so was given the opportunity to present written or oral communications.
9. The Board of County Commissioners has received and considered the TBRPC report on the above-referenced ADA.
10. The Board of County Commissioners has received and considered the recommendation of the Pasco County Planning Commission and various other reports and information, including but not limited to, the recommendation of the Pasco County Planning and Zoning staffs.
11. The real property involved in this proposed DRI is owned by Shumann Investments, and a description of said real property is attached hereto as Exhibit "A" and made a part hereof by reference.
12. The nature, type, scope, intensity, density, costs, and general impact of the proposed DRI is that which is summarized on composite Exhibit "B" attached hereto and incorporated by reference herein. (TBRPC impact synopsis)
13. The land use designation for the area subject to the ADA is commercial.
14. Zoning on the property which is subject to the ADA is C-2 (General Commercial).

B. Specific Findings on Impact and Conditions Restricting Development.

1. Water Quantity and Drainage

Findings

The drainage system has been designed and constructed to provide proper drainage for the entire site (Phases I and II). Pasco County and the Southwest Florida Water Management District have approved the system, along with it having received a FDER exemption permit.

All on-site systems, structures, and detention areas will be maintained by the developer or subsequent owner(s).

Conditions

- a. Measures shall be instituted to design, construct, and maintain the drainage system such that water quality and quantity comply with TBRPC's Stormwater and Lake System Maintenance and Design Guidelines (1978).

2. Wetlands

Findings

No preservation areas, including wetlands, exist on the site.

Conditions

- a. None.

3. Flood Plains

Findings

The site lies within the 100-year Flood Hazard Zones A-13, B, and C. All finished floor elevations for habitable structures will be constructed above the 100-year flood plain elevation. Pasco County does participate in the National Flood Insurance Program.

Conditions

- a. The developer shall promote awareness of and shall cooperate with local and regional authorities having jurisdiction to issue hurricane evacuation orders. The developer shall prepare a plan to ensure the safe and orderly evacuation of those employees who, for security or administrative reasons, are in the building after an evacuation order is issued by: (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) informing all employees of evacuation routes out of the flood prone area and measures to be followed in the event of same; and (3) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first annual report submitted after occupancy of any portion of the project.
- b. Elevations for all habitable structures shall be at or above the base 100-year flood elevation.

4. Soils

Findings

The soils at the site have slight limitations for low buildings without basements. Limitations are severe to moderate for steep pond embankments; however, steep embankments will not be utilized in designs for this site. These soil characteristics, however, provide a good permeability for the stormwater retention/detention system. There are no known mineral deposits in the general area or on the site.

Conditions

- a. Please refer to Condition 5.a.
- b. The developer shall be responsible for maintenance of all open space areas within the project site.

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NOTICE OF ADOPTION OF DEVELOPMENT ORDER

OUTLET WORLD DRI

Pursuant to Section 380.06(14)(d), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 86-158, dated April 8, 1986, has adopted a Development Order for the Development of Regional Impact known as Outlet World. A legal description of the property covered and the Development Order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, Pasco County Courthouse, Dade City, Florida.

The above referenced Development Order constitutes a land development regulation applicable to the property described in Exhibit "A".

The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in Exhibit "A" nor actual nor constructive notice of any of the same under the authority of Section 380.06(14)(d), Florida Statutes.

Curtis L. Law
CURTIS L. LAW, Chairman
Board of County Commissioners

State of Florida)
County of Pasco)

The foregoing Notice of Adoption of Development Order was acknowledged before me this 8th day of April, 1986.

Jed Pittman
Notary Public - State of Florida at Large
My Commission Expires:



APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

W. D. Small

Attorney

RECORD VERIFIED
JED PITTMAN
Clerk Circuit Court, Pasco County

A. Hill

APR 9 3 10 PM '86

FILED FOR RECORD
JED PITTMAN
CLK. CIR. CT. PASCO COUNTY, FL

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O.R. 1494 PG 0232

5. Air Quality

Findings

Major sources of air emissions associated with the Outlet World development are construction activities such as site clearing, and the estimated 10,672 daily external vehicle trips generated by the development.

Conditions

- a. The developer shall implement those measures referenced in the ADA in order to reduce erosion, fugitive dust, and air emissions.

6. Natural Vegetation and Wildlife

Findings

The entire 32.95-acre project site was completely cleared of vegetation prior to submittal of the DRI application. Prior to clearing, the site supported a valuable habitat of longleaf pine, turkey and post oaks known as longleaf pine - Xeric Oak Sandhill Community, a regionally significant habitat type. This vegetative community ordinarily supports a variety of plants and animals and is essential to several species listed as endangered, pursuant to Section 39-27.03-.05, F.A.C. In its current condition, however, the project site does not constitute a prime natural habitat for most species of wildlife, including endangered or threatened species due to its disturbed state, and the presence of surrounding residential and commercial development and U.S. 19.

Conditions

- a. In the event that any rare, endangered, or threatened species (Sections 39-27.03-.05, F.A.C.) are observed frequenting the site for nesting, feeding, or breeding, proper mitigation measures shall be employed in cooperation with the Florida Game and Fresh Water Fish Commission.

7. Historical and Archaeological Sites

Findings

No historical or archeological sites have been found on the property. The Division of Archives, History and Records Management has indicated that there are no such sites recorded within the project area.

Conditions

- a. Should any significant historical or archaeological site be discovered during construction, the proper authorities shall be immediately notified and their recommendation for preservation and excavation will be implemented.

8. Water Supply

Findings

The average total daily demand for potable water for this project is estimated to be 46,000 gallons. This estimate is based on a presumed consumption rate of 0.2 gallons per square feet of commercial space per day. This includes projected needs for landscape irrigation, a use which could be supplied by nonpotable water. There are currently no plans to use nonpotable water for this purpose. Potable water will be supplied by Pasco County from the Starkey, Crossbar, and Cypress Creek Wellfields. The water distribution system will be designed to provide fire flow pressure of 1,250 gallons per minute, in addition to providing acceptable pressure for domestic demands. A permit will be required by FDER for the potable water distribution system. No on-site wells are planned.

Conditions

- a. Prior to building permit approval within Phase II, the developer shall submit, to the County, proof of adequate water supply capabilities for that phase.
- b. Prior to Phase II approval, the developer shall submit, to the County, a plan showing the feasibility of a nonpotable water system for landscape irrigation.

9. Wastewater

Findings

The projected average daily wastewater flows for each phase of development, expected to be domestic in character, are: Phase I - 31,000 gallons; Phase II - 4,000 gallons. The Beacon Woods sewage treatment plant will handle flows from this project. The applicant obtained a general permit (#CS51-098130) on January 23, 1985, which allows connection of the Outlet World development to the Beacon Woods sewage treatment plant for a maximum flow of 29,000 gallons per day. This is to serve Phase I only. No additional flows (wet-line permits) will be allowed from this or any other development to the Beacon Woods plant until there is compliance with state and County rules and regulations.

Additionally, Pasco County has required (in a letter contained in the ADA, Appendix C) that the developer bear the construction costs for on-site and off-site conveyance facilities.

Conditions

- a. A utility service agreement shall be entered into between the developer and the County prior to construction drawing approval of the first site plan approval within Phase II.
- b. Prior to any development approval within Phase II, the developer shall provide the County and TBRPC assurances that adequate wastewater treatment and disposal capabilities are available. This shall include concurrence by the Florida Department of Environmental Regulation.

10. Solid Waste

Findings

The Outlet World of Pasco County development is projected to generate 4.62 tons per day of commercial solid waste at build-out. This estimate is based on a generation rate of four pounds per 100 square feet of commercial space per day.

Solid waste generated during construction and through development operation is to be collected by Waste Aid Systems, Inc., and will be transported to a County landfill site. A letter was provided from the County indicating available capacity to accept wastes generated by the development through the year 1990.

It is assumed that all wastes generated by the proposed development will be commercial in character, and that no hazardous wastes will be generated. The variety and nature of federally defined and listed hazardous materials makes it unlikely that absolutely no hazardous wastes would be generated, however.

Conditions

- a. Each new site plan approval will be contingent upon the developer submitting a letter from the County Landfill Section reflecting that adequate solid waste disposal capacity is available to serve the proposed land use of that plan.
- b. The applicant shall provide to all Outlet World businesses information that:
 - (1) Indicates types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers/areas; and
 - (2) Indicates the location of the specially-designated hazardous waste and materials containers/areas; and

(3) Advises of applicable statutes and regulations regarding hazardous wastes and materials at the time of purchase or lease.

- c. The applicant shall require that any hazardous waste be transported and disposed of in a manner consistent with applicable regulations through restrictive covenants.
- d. Separate hazardous waste storage areas within the project shall be provided and designated. These areas shall be accessible to all businesses and shall be clearly marked and/or colored so as to clearly distinguish the areas intended for hazardous wastes and materials (Hazardous wastes are those substances and materials defined in Subsection 503.703(21), F.S., and listed in Title 40 CFR Part 261). Proof of such provisions shall be indicated within the annual report.

11. Energy

Findings

Average daily electrical demand for the development is projected to be 11,315 kilowatt hours per day at build-out, with a peak hour demand of 2,309 kilowatts. The energy requirements are based on a daily demand rate of 0.049 kilowatt hours, peak hour demand rate of 0.01 kilowatts per square foot of commercial space. No present plans exist for providing on-site use of natural gas, oil, or coal. Electrical energy will be the primary source of energy. All electrical energy will be supplied by the Withlacoochee River Electric Cooperative, Inc., which has indicated in a letter in the ADA its ability to serve the project.

No unusual energy conservation measures have been incorporated into the design of the project. It is stated in the ADA that the location and nature of the project will allow a reduction in vehicle trip miles; therefore, lowering gasoline consumption.

Conditions

- a. The developer shall submit with the first annual report a plan and program for energy conservation that will be implemented by the development.

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Findings

The Outlet World of Pasco County development will have a negative impact on several regionally significant highway facilities within the primary impact area. The transportation system improvements required to mitigate the negative impact of this proposed development have been identified in the ADA and TBRPC's report. The project will generate approximately 13,459 average daily vehicle trips on the regional roadways, with 1,288 trips being produced during the peak hour. The primary transportation impacts will occur on U.S. Highway 19 and S.R. 52.

Conditions

- a. Transportation Improvement Alternatives - The Outlet World development will have a substantial negative impact on several regional highway facilities. Roadway improvements required to mitigate the negative impact of this proposed development on transportation facilities have been identified in the ADA. The two alternatives which follow are measures which are designed to mitigate the negative transportation impact associated with the Outlet World DRI. One of these two alternatives must be implemented by the developer.

Alternative I

- (1) Funding commitments from responsible entities for the following roadway improvements must be secured prior to issuance of building permits for Phase II. Without funding commitments for these improvements/provisions, construction permits shall not be issued for Phase II.

- (a) Improve the capacity of the intersection of U.S. 19 and Jasmine Boulevard by constructing an additional westbound to southbound left-turn lane to create dual lefts. The Outlet World of Pasco County development will contribute 8.6 percent of the Level of Service D peak hour capacity of this facility at project build-out.

- (b) Construct the project entrance at U.S. 19 as to allow proper ingress and egress to the development. The appropriate design configuration shall be as stipulated by Pasco County.

- (c) Improve the capacity of U.S. 19 between New York Avenue (Sunset Avenue) and Fivay Road by constructing one additional northbound and one additional southbound lane to create a six-lane divided arterial. The Outlet World of Pasco County development will contribute 7.9 percent of the Level of Service "C" daily capacity of this facility at project build-out.
- (d) Improve the capacity of U.S. 19 between the site driveway (entrance) and S.R. 52 by upgrading the facility to a six-lane limited access roadway. The Outlet World of Pasco County development will contribute 18.7 percent of the Level of Service C daily capacity of this facility at build-out.
- (e) Improve the capacity of U.S. 19 between S.R. 52 and Jasmine Boulevard by upgrading the facility to a six-lane limited access roadway. The Outlet World of Pasco County development will contribute 12.2 percent of the Level of Service C daily capacity of this facility at build-out.
- (f) Improve the capacity of U.S. 19 between Jasmine and Embassy by upgrading the facility to a six-lane limited access roadway. The Outlet World of Pasco County development will contribute 10.4 percent of the Level of Service C daily capacity of this facility at project build-out.
- (g) Improve the capacity of S.R. 52 between U.S. 19 and Fivay Road by constructing one additional eastbound lane and one additional westbound lane to create a four-lane divided arterial. The Outlet World of Pasco County development will contribute 18 percent of the Level of Service C daily capacity of this facility at project build-out.
- (h) Improve the capacity of S.R. 52 between Fivay and Hicks Roads by constructing one additional eastbound lane and one additional westbound lane

to create a four-lane divided arterial. The Outlet World of Pasco County development will contribute 12.2 percent of the Level of Service C daily capacity of this facility at project build-out.

- (2) To assure that the transportation impacts of this development have been accurately projected by the ADA traffic analysis, field surveys and a report of findings shall be conducted to determine actual vehicle trips generated by the Outlet World development every year after the initial certification of occupancy and issued through project build-out as part of the annual report. This survey and report shall be conducted by the applicant and shall be approved by Pasco County, the West Pasco County Metropolitan Planning Organization, and the Tampa Bay Regional Planning Council. After review of the survey and report findings, the reviewing agencies or developer may request that the Development Order be revised accordingly.

Alternative II

- (1) In the event that commitments for transportation improvements are adequate to permit only partial approval of this development, the capacity and loading of transportation facilities in the Outlet World transportation area, including, but not limited to, the regional roadways and intersections referenced in Alternative I, shall be limiting factors in any approvals. Accordingly, the developer will generate and provide Pasco County, Tampa Bay Regional Planning Council, Florida Department of Transportation, and the Pasco County Metropolitan Planning Organization, pursuant to the provisions of Section 380.06, Florida Statutes, with updated current traffic counts on the above roadways and projections of traffic volumes that will result from the completion of the currently approved project construction, plus that to be generated by the next portion of which the developer is seeking approval. Each updated traffic analysis shall serve to verify the findings of the original DRI traffic analysis findings (referenced in this report in Alternative I) or shall indicate alter-

nate transportation improvements or mechanisms which, when implemented, will maintain the regional roadways at a satisfactory Level of Service, daily Level of Service C, D at peak hours. Both the traffic counts and the projection of traffic volume shall be prepared consistent with generally accepted traffic engineering practices and the original ADA. Upon obtaining written recommendations from Tampa Bay Regional Planning Council staff, and prior to any specific preliminary or site plan approval, Pasco County or its designee shall ensure, in written findings of fact, that the above roadways and intersections are operating at or above an average daily Level of Service C, D at peak hours, and that the expected trips to be generated by such approval would not cause the roadways to operate below an average daily Level of Service C, D at peak hours.

b. The developer shall provide the funding to the County for the following intersection signalizations and improvements within ninety (90) days of the adoption of this Development Order.

(1) One hundred percent (100%) of the cost of signalization and geometric improvements per FDOT requirements of the mall entrance with U.S. Highway 19. The signalization will include the coordination of this signal with existing/proposed signals along U.S. 19 at Beacon Woods Drive and at S.R. 52.

(2) Fifty percent (50%) of the cost of design, signalization, and geometric improvements of the Beacon Woods Drive and U.S. 19 intersection. The signalization will include the coordination of this signal with existing/proposed signals along U.S. 19 at S.R. 52 and at the entrance to Outlet World.

13. Recreation and Open Space

Findings

The proposed project will contain planted and irrigated open space in the buffer areas adjacent to residential areas, interior planters, and the driveway median. All grassed areas will be Argentine Bahia. Open space areas will be maintained by the owner. There will be no parks or open space dedicated to the public.

Conditions

- a. All open space, including landscape buffer, shall be maintained by the owner.

14. Educational Facilities

Findings

There are no residential units within this development which would create the need for educational facilities.

Conditions

- a. None.

15. Health Care

Findings

There will be no medical or health care facilities provided on the project site. The closest hospital is Bayonet Point Regional Medical Center located on Fivay road, approximately 1.5 miles from the site. Emergency medical service can be provided from the nearest rescue unit located 1.5 miles from the project site. The unit is manned by a paramedic and an Emergency Medical Technician. Response time is estimated at three minutes.

No projection has been made as to additional manpower or equipment that may be needed to adequately serve the development.

Conditions

- a. Prior to the site plan approval of Phase II and with the submittal of the first annual report, the developer shall submit, to the County, proof that adequate EMS/Fire Protection Service and response time is currently available (as determined by the Emergency Services Director) within a distance of this development which allows an acceptable response time. If such service and/or response time are deemed not to be adequate, the developer shall not obtain any further development approvals. As an alternative to the preceding sentences, the developer shall donate, to the County, one hundred ninety dollars (\$190.00) per one thousand (1,000) square feet of gross leasable area of commercial for public safety facilities and equipment. This rate shall remain until such time as the County adopts EMS/Fire Protection impact fee ordinances, after which the development will be subject to the rates of such ordinance.

- b. Prior to the issuance of any building permits for Phase II, the developer shall enter into an agreement with Pasco County, or its designee, which will permit rent-free utilization of the shopping mall as an emergency shelter (also required in the amended DCA/Developer Agreement).

16. Fire Protection

Findings

The ADA states that, "All buildings are being constructed according to applicable fire codes. Outlet World will be served by the Pasco County Fire Department with the closest fire station located at 7192 Rhodes Road in Hudson, approximately 1.5 miles from the site. No new substations are planned.

Conditions

- a. Please refer to Condition 15.a., Health Care.

17. Police Protection

Findings

Outlet World of Pasco County will have a tenant's association which will hire security guards. Many tenants may choose to install alarm systems. No other on-site security is planned other than regular patrolling activities by the Pasco County Sheriff's Department. A letter from the Pasco County Sheriff's Department, contained in the Sufficiency Response, indicated the average response time for emergency protection was, between April 1 and May 31, approximately five minutes. No assurance has been provided that the Pasco County Sheriff's Department can adequately serve the Outlet World development through build-out.

Conditions

- a. Prior to any approval within Phase II, the developer shall provide the County assurances that adequate police protection is available to service this project.

18. Housing

Findings

There are no housing units proposed in this development.

Conditions

- a. None.

19. Economy

Findings

The total construction expenditure for the proposed Outlet World of Pasco County (Phase I) development is estimated to be \$9.40 million (1985 dollars) of which approximately 95 percent will be spent in the region. The first phase of the project is expected to yield \$161,730 in ad valorem taxes per year. During construction of Phase I, an average of 40 construction jobs per year will be generated. Upon completion of Phase 1, which has already occurred, the development is expected to generate 315 permanent job opportunities with an estimated annual payroll of \$3.14 million (1985 dollars). One hundred percent of the permanent employees are expected to be drawn from the local labor market.

Conditions

- a. None.

20. Shopping Centers

Findings

A total of 230,909 square feet of commercial space will be provided within the Outlet World development, including 205,557 square feet in a shopping mall (Phase I) and 25,352 square feet in three out-parcels (Phase II). The impact of this proposed commercial activity has been included in the economic and traffic analyses done for this proposed development.

Conditions

- a. None.

C. Conclusions of Law

The Board of County Commissioners hereby finds as follows:

1. The Outlet World DRI will not unreasonably interfere with the achievement of the objectives of the State Land Development Plan, if any, applicable to the area encompassed in ADA;
2. The development is consistent with local land development regulations;
3. The development is consistent with the report and recommendations of the Regional Planning Agencies.
4. The development is not in an area of critical state concern.

D. General Conditions Restricting Development

1. Development of the area embraced by the ADA shall be governed by the standards and procedural provisions of adopted comprehensive plans, elements thereof, and land development regulations.

2. Construction of all improvements shall be governed by applicable County building, plumbing, electrical, energy, and other codes or regulations.
3. Installation of public facilities shall conform to all applicable County, state, and federal codes and regulations.
4. All of the developer's commitments set forth in the ADA and summarized in the final report by TBRPC shall be honored by the developer, except for those commitments which have been superceded by specific terms of this DO.

E. Monitoring Procedures

1. Monitoring of this development shall be at the time of the Annual Report submittal and during review of the development approvals. The local official responsible for monitoring the Outlet World DRI shall be the County Administrator or his designee.

F. Duration

1. This DO shall take effect on April 8, 1986.
2. The duration of the DO shall be a period of five years, provided that the effective period may be extended by the Board upon a showing of good cause. If the development does not commence within three years of the date of adoption, the County may deem this as noncompliance with the DO and, thus, a substantial deviation.
3. The County agrees that the approved DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction for three years from the date of adoption, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the DO have occurred, or that the DO was based on substantially inaccurate information provided by the developer, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

G. Annual Report

1. Shumann Investments shall provide an annual report to the official responsible for monitoring the DRI, the TBRPC, and the state land planning agency on March 11th of each year during the term of the DO. The report shall include, at a minimum, the following information:
 - a. Any changes in the proposed plan of development;
 - b. Description of the development activities which have occurred over the previous year, including a summary of the number, type, and location of residential units and commercial structures;
 - c. A description of development activity proposed for the next year;
 - d. A statement setting forth names and addresses of any assignees or successors in interest to this DO.

H. Amendment/Substantial Deviations

All proposed substantial and material changes to a DRI for which a DO has been approved shall be submitted to the Board of County Commissioners for a substantial deviation determination prior to implementation of such changes by the developer. As used in this paragraph, the term substantial deviation means any change to a previously approved DRI which creates a reasonable likelihood of additional significant adverse regional impacts or any other significant regional impact which was not previously reviewed by the Board of County Commissioners or the Regional Planning Agency.

Prior to amending any provision in this development or issuing any substantial deviation determination, the County shall provide TBRPC with reasonable notice of its intent to consider such an amendment. Such notice shall be reasonably calculated to permit TBRPC to appear at the public hearing or present written comments on the proposed change prior to the effective date of the amendment or change.

I. Effect of DO/ADA

1. The requirements of and conditions imposed by this DO shall constitute regulations or restrictions which restrict the development of the property described in Exhibit "A" attached hereto. Following the adoption of this DO, all plans for development on the referenced property shall be consistent with the conditions and restrictions recited in this DO. Such regulations and restrictions shall be binding upon all successors in interest to any of the parties hereto.
2. All development of the property subject to this DO shall substantially conform to the ADA filed by Shumann Investments, unless otherwise modified by the provisions of this DO. Said ADA is attached hereto as Exhibit "C".

J. Miscellaneous Provisions

1. A Notice of Adoption of this Resolution shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with Section 380.06(14)(a), Florida Statutes, and the DO contained herein shall govern the development of the Outlet World DRI.
2. The County Attorney is hereby authorized and directed to cause a certified copy hereof to be served on the State Land Planning Agency, the TBRPC, and upon attorneys of record in these proceedings for Outlet World.
3. Funds collected from fees imposed under this DO shall be placed in separate trust accounts for each type of capital improvement for which the fee was collected, including education facilities and public safety facilities. Thereafter monies collected shall be used solely for the expansion of such capital improvements necessitated by the impacts of the development approved in the DO.

K. Severability

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Resolution is held invalid, the remainder of the Resolution shall be construed as not having contained said section, subsection, sentence, clause, or provision, and shall not be effected by such holding.

DONE AND RESOLVED this 8th day of April, 1986.

(SEAL)

ATTEST:

BY: Jed Pittman
Jed Pittman, Clerk
Bo: Rebecca S. Hawk

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: Curtis L. Law
CURTIS L. LAW, CHAIRMAN

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

[Signature]
Attorney

PARCEL A

A parcel of land situated in Section 3, Township 25 South, Range 16 East described as follows: Tract 29 and the North one third of Tracts 30, 31 and 32 of PORT RICHEY LAND COMPANY'S SUBDIVISION in Section 3, Township 25 South, Range 16 East as recorded in Plat Book 1, Page 61 of the Public Records of Pasco County, Florida, being more particularly described as follows:

Begin at the Southeasterly corner of Lot 40 of Di Paola Subdivision as recorded in Plat Book 9, Page 37 of the Public Records of Pasco County, Florida and run thence N.89°22'13"W., along the Southerly line of said Di Paola Subdivision 1020.88 feet; thence S.00°58'32"W., 150.00 feet; thence N.89°26'58"W., 228.00 feet to the Easterly right-of-way line of State Road No. 55 (U.S. Highway No. 19); thence S.01°03'17"W., along said Easterly right-of-way line, 520.96 feet; thence S.89°29'01"E., 1242.79 feet to a point on the Westerly line of Country Club Estates Unit Two, as recorded in Plat Book 9, Page 86 of the Public Records of Pasco County, Florida; thence N.01°34'47"E., along said Westerly line 668.57 feet to Point of Beginning.

PARCEL B

A portion of Tracts 30, 31 and 32, PORT RICHEY LAND COMPANY SUBDIVISION of Section 3, Township 25 South, Range 16 East, Pasco County, Florida, being further described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 3; thence run along the South boundary of the Northwest 1/4 of said Section 3, South 89°38'36" East, a distance of 78.79 feet to the Easterly right-of-way line of State Road No. 55, Section 14030 (U.S. Highway No. 19) as it is now established; thence run along said Easterly right-of-way line, North 0°58'48" East, a distance of 503 feet to the Point of Beginning; thence continue North 0°58'48" East, a distance of 167.64 feet; thence South 89°30'13" East, a distance of 1243.51 feet; thence South 1°33'54" West, a distance of 524.85 feet; thence North 89°30'13" West, a distance of 988.06 feet; thence North 0°58'48" East, a distance of 357 feet; thence North 89°30'13" West, a distance of 250 feet to the Point of Beginning.

PARCEL C

Part of the South two-thirds of Tract 30 of PORT RICHEY LAND COMPANY'S SUBDIVISION of Section 3, Township 25 S., Range 16 E., recorded in Plat Book 1, Page 61, Public Records of Pasco County, Florida, being further described as follows:

Commence at SW corner of NW 1/4 of said Section 3; thence run along W. boundary of Section 3, North 1°35'54" East 418 feet; thence South 89°30'13" East, 74.28 feet to Easterly r/w line of U.S Highway 19, as now constructed for Point of Beginning; thence continue South 89°30'13" East 250 feet; thence South 00°58'48" West 272 feet; thence North 89°30'13" West 250 feet to said Easterly r/w line; thence along said r/w line North 00°58'48" East 272 feet to Point of Beginning.

PARCEL D

Lot 32, DI PAOLA SUBDIVISION according to the map or plat thereof as recorded in Plat Book 9, Page 37, of the Public Records of Pasco County, Florida.

ALL BEING THE LANDS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the Southwest corner of the Northwest 1/4 of Section 3, Township 25 South, Range 16 East, Pasco County, Florida; thence run S.89°38'36"E., 78.79 feet to the Easterly right-of-way of U.S. Highway 19 as now constructed; thence along said right-of-way N.00°58'32"E., 145.75 feet to the Point of Beginning; thence S.89°34'08"E., 1237.86 feet; thence along the West line of Country Club Estates, Unit Two, as recorded in Plat Book 9, Page 86, of the Public Records of Pasco County, Florida and its Southerly extension N.01°30'23"E., 1193.08 feet to the Southeasterly corner of Lot 40 of Di Paola Subdivision as recorded in Plat Book 9, Page 37, of the Public Records of Pasco County, Florida; thence along the Southerly line of said subdivision N.89°26'58"W., 480.43 feet to the Southeasterly corner of Lot 32; thence along the East line of Lot 32, N.00°32'57"E., 100.00 feet; thence N.89°26'58"W., 60.00 feet; thence S.00°32'57"W., 100.00 feet; thence continuing along the Southerly line of said subdivision, N.89°26'58"W., 480.46 feet; thence S.00°58'32"W., 150.00 feet; thence N.89°26'58"W., 228.00 feet to the Easterly right-of-way of U.S. Highway 19; thence along said right-of-way S.00°58'32"W., 688.27 feet; thence S.89°30'13"E., 250.00 feet; thence S.00°58'48"W., 85.00 feet; thence N.89°30'13"W., 250.00 feet to aforesaid right-of-way; thence along said right-of-way S.00°58'32"W., 272.21 feet to the Point of Beginning.

PROJECT SUMMARY

TYPE OF DEVELOPMENT: Shopping Center/Commercial

LOCATION: Northwest Pasco County

TOTAL DEVELOPMENT AREA: 32.95 Acres

Phase I:	30.04 Acres
Phase II:	2.91 Acres

PHASING SCHEDULE:

	<u>Commercial</u> <u>(Sq.Ft.)</u>
Phase I (1984-1985)	205,557
Phase II (1985-1986)	25,352
TOTAL	230,909

PHASE I ONLY

ESTIMATED PROJECT CONSTRUCTION

EXPENDITURES:	\$9,400,000
Within Region:	\$8,930,000 (95 percent)

ESTIMATED AD VALOREM

TAX YIELD:	\$161,730
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TOTAL PROJECT

SEWAGE TREATMENT:

Estimated Average Flows at Build-Out:	35,000 gallons per day
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WATER SUPPLY:

Estimated Total Average Daily Requirement at Build-Out:	46,000 gallons per day
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AIR EMISSIONS:

Estimated Average Daily Generation at Build-Out:	Hydrocarbons: 496 lbs per day
	Carbon Monoxide: 4,786 lbs per day
	Nitrogen Oxides: 355 lbs per day

SOLID WASTE:

Estimated Average Daily Generation at Build-Out:	4.62 Tons per Day
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ENERGY:

Projected Average Daily Requirement at Build-Out:	11,315 kilowatt hours
Peak Hour Demand:	2,309 kilowatts

TRANSPORTATION:

Average Daily Trips (ADT):	13,459
Peak Hour Trips:	1,288

Primary Transportation Network
U.S. 19
S.R. 52

TOTAL PROJECT BUILD-OUT:

1986

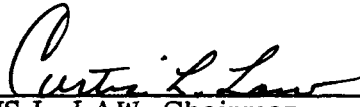
NOTICE OF ADOPTION OF DEVELOPMENT ORDER

OUTLET WORLD DRI

Pursuant to Section 380.06(14)(d), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 86- , dated April 8, 1986, has adopted a Development Order for the Development of Regional Impact known as Outlet World. A legal description of the property covered and the Development Order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, Pasco County Courthouse, Dade City, Florida.

The above referenced Development Order constitutes a land development regulation applicable to the property described in Exhibit "A".

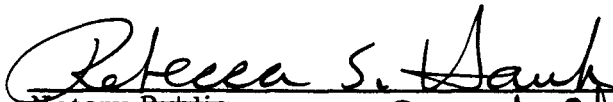
The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in Exhibit "A" nor actual nor constructive notice of any of the same under the authority of Section 380.06(14)(d), Florida Statutes.


CURTIS L. LAW, Chairman
Board of County Commissioners


State of Florida)

County of Pasco)

The foregoing Notice of Adoption of Development Order was acknowledged before me this 8th day of April, 1986.


~~Notary Public~~
~~State of Florida at Large~~
~~My Commission Expires~~ Deputy Clerk

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney


Attorney

PARCEL A

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PARCEL B

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PARCEL B

A portion of Tracts 30, 31 and 32, PORT RICHEY LAND COMPANY SUBDIVISION of Section 3, Township 25 South, Range 16 East, Pasco County, Florida, being further described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 3; thence run along the South boundary of the Northwest 1/4 of said Section 3, South 89°38'36" East, a distance of 78.79 feet to the Easterly right-of-way line of State Road No. 55, Section 14030 (U.S. Highway No. 19) as it is now established; thence run along said Easterly right-of-way line, North 0°58'48" East, a distance of 503 feet to the Point of Beginning; thence continue North 0°58'48" East, a distance of 167.64 feet; thence South 89°30'13" East, a distance of 1243.51 feet; thence South 1°33'54" West, a distance of 524.85 feet; thence North 89°30'13" West, a distance of 988.06 feet; thence North 0°58'48" East, a distance of 357 feet; thence North 89°30'13" West, a distance of 250 feet to the Point of Beginning.

PARCEL C

Part of the South two-thirds of Tract 30 of PORT RICHEY LAND COMPANY'S SUBDIVISION of Section 3, Township 25 S., Range 16 E., recorded in Plat Book 1, Page 61, Public Records of Pasco County, Florida, being further described as follows:

Commence at SW corner of NW 1/4 of said Section 3; thence run along W. boundary of Section 3, North 1°35'54" East 418 feet; thence South 89°30'13" East, 74.28 feet to Easterly r/w line of U.S Highway 19, as now constructed for Point of Beginning; thence continue South 89°30'13" East 250 feet; thence South 00°58'48" West 272 feet; thence North 89°30'13" West 250 feet to said Easterly r/w line; thence along said r/w line North 00°58'48" East 272 feet to Point of Beginning.

PARCEL D

Lot 32, DI PAOLA SUBDIVISION according to the map or plat thereof as recorded in Plat Book 9, Page 37, of the Public Records of Pasco County, Florida.

ALL BEING THE LANDS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the Southwest corner of the Northwest 1/4 of Section 3, Township 25 South, Range 16 East, Pasco County, Florida; thence run S.89°38'36"E., 78.79 feet to the Easterly right-of-way of U.S. Highway 19 as now constructed; thence along said right-of-way N.00°58'32"E., 145.75 feet to the Point of Beginning; thence S.89°34'08"E., 1237.86 feet; thence along the West line of Country Club Estates, Unit Two, as recorded in Plat Book 9, Page 86, of the Public Records of Pasco County, Florida and its Southerly extension N.01°30'23"E., 1193.08 feet to the Southeasterly corner of Lot 40 of Di Paola Subdivision as recorded in Plat Book 9, Page 37, of the Public Records of Pasco County, Florida; thence along the Southerly line of said subdivision N.89°26'58"W., 480.43 feet to the Southeasterly corner of Lot 32; thence along the East line of Lot 32, N.00°32'57"E., 100.00 feet; thence N.89°26'58"W., 60.00 feet; thence S.00°32'57"W., 100.00 feet; thence continuing along the Southerly line of said subdivision, N.89°26'58"W., 480.46 feet; thence S.00°58'32"W., 150.00 feet; thence N.89°26'58"W., 228.00 feet to the Easterly right-of-way of U.S. Highway 19; thence along said right-of-way S.00°58'32"W., 688.27 feet; thence S.89°30'13"E., 250.00 feet; thence S.00°58'48"W., 85.00 feet; thence N.89°30'13"W., 250.00 feet to aforesaid right-of-way; thence along said right-of-way S.00°58'32"W., 272.21 feet to the Point of Beginning.