

#246



PASCO COUNTY, FLORIDA

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ZONING AND SITE DEVELOPMENT
WEST PASCO GOVERNMENT CENTER
7530 LITTLE ROAD, SUITE 210
NEW PORT RICHEY, FL 34654

October 19, 2011

Mr. Ty Maxey, Principal Planner
Engelhardt, Hammer & Associates, Inc.
4343 Anchor Plaza Parkway, Suite 220
Tampa, FL 33634

RECEIVED

OCT 27 2011

ENGELHARDT, HAMMER & ASSOCIATES

RE: SunCoast Crossing Development of Regional Impact (DRI No. 246)
Request for 4-Year Development Order and Concurrency Extensions

Dear Mr. Maxey:

Please be advised that the following dates for the above referenced project have been extended pursuant to Resolution 11-301 (approved by the Board of County Commissioners on July 26, 2011):

The following dates have been extended consistent with the correspondence from the Tampa Bay Regional Planning Council dated September 29, 2011:

- The build-out date for state/regional purposes is hereby extended from:
 - December 31, 2014 to December 31, 2018.
- The expiration date for the Development Order is hereby extended from:
 - June 28, 2016 to June 28, 2020.

Staff will not be issuing a renewed Initial Certificate of Capacity for transportation concurrency purposes as this project is located within the County's Urban Service Area/Transportation Concurrency Exemption area. Pursuant to Ordinance 11-08, projects located in this area shall be exempt from the transportation concurrency and Traffic Study requirements of these regulations upon paying, or agreeing to pay, the mobility fees. If your client intends to invoke the mobility fee opt-out provision pursuant to Ordinance 11-08, this exemption will not apply and please contact this office immediately.

This extension is granted pursuant to Chapter 2011-139, Laws of Florida (HB 7207), and the Pasco County Board of County Commissioners' good faith interpretation of HB 7207. By accepting this extension, the applicant acknowledges that there are portions of HB 7207 that are ambiguous, and that there are contrary interpretations of HB 7207. Accordingly, by accepting this extension, the applicant agrees to hold Pasco County harmless in the event a court of competent jurisdiction determines that the extension granted by Pasco County was not legally granted.

Please contact me with any questions at akhalil@pascocountyfl.net or at 727-847-8132.

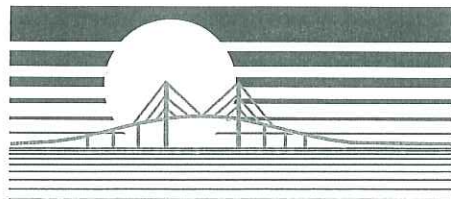
Sincerely,



Ahsan Khalil
Transportation Planner II

cc: File

#246



Tampa Bay Regional Planning Council

Chair
Commissioner Bill Dodson

Vice-Chair
Commissioner Jack Mariano

Secretary/Treasurer
Jill Collins

Executive Director
Manny Pumariega

September 25, 2009

Mr. Ty Maxey, Principal Planner
Engelhardt, Hammer & Associates
4343 Anchor Plaza Parkway, Suite 220
Tampa, FL 33634-7549

SUBJECT: DRI #246 - Suncoast Crossings, DRI Extension, Pasco County

Dear Mr. Maxey:

I am in receipt of your September 17, 2009 correspondence inquiring about an extension of the buildout date associated with the Suncoast Crossings DRI in south-central Pasco County. Your request is based on the fact that the Tampa Bay Regional Planning Council adopted a *Notice of Proposed Change Report* on June 9, 2008 concurring with the Applicant's request for three-year extensions of the Phase 1 and Phase 2 buildout dates to December 31, 2010 and December 31, 2014 respectively. This request was based on 2007 revisions to Subsection 380.06(19)(c), F.S. and applies to Developments of Regional Impact under "active" construction on July 1, 2007. Council staff did concur that the project met this qualifying criteria.

However, the Pasco County Board of County Commissioners adopted Resolution No. 09-105 on January 27, 2009 as an amendment to the Suncoast Crossings DRI. Contrary to the Council's NOPC Report, the County approved a five-year extension for Phase 1 and a one-year extension for Phase 2, with unified buildout dates of December 31, 2012. While Council staff was initially concerned with the granting of a five-year extension for Phase 1, contrary to the subject NOPC application, it was ultimately determined that the project would have qualified for the initial five-year extension **from a regional perspective** based on other provisions of Subsection 380.06(19)(c), F.S., based on the citation presented in red below.

The following constitutes Subsection 380.06(19)(c), F.S. expressed in its entirety:

"An extension of the date of buildout of a development, or any phase thereof, by more than 7 years shall be presumed to create a substantial deviation subject to further development-of-regional-impact review. An extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years shall be presumed not to create a substantial deviation. The extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a substantial deviation. These presumptions may

be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of 5 years or less is not a substantial deviation. For the purpose of calculating when a buildout or phase date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits. Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time. In recognition of the of the 2007 real estate market conditions, all phase, buildout, and expiration dates for projects that are developments of regional impact and under active construction on July 1, 2007, are extended for 3 years regardless of any prior extension. The 3-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection.”

The Applicant has currently requested a further two-year extension of the Phase 1 and Phase 2 buildout dates, to December 31, 2014.

In consideration of this request, Council staff has recognized that Resolution No. 01-198, adopted by the Pasco County Board of County Commissioners on April 24, 2001 as the Development Order, authorized buildout dates of December 31, 2007 and December 31, 2011 for Phases 1 and 2 respectively. Therefore, a Phase 1 buildout extension to December 31, 2014 would constitute an overall seven year extension for this Phase. A Phase 2 extension to the identical December 31, 2014 date would constitute a three-year extension from its initial approval period. It is for this reason that Council staff concludes that the Applicant's request would be reasonable and acceptable from a **regional perspective** when considering an extension period of five years or less (see red text citation above) compounded with a three-year extension granted by the 2007 legislature (see green text above).

If you should have any question(s), please do not hesitate to contact me.

Sincerely,



John M. Meyer
DRI Coordinator

cc: Cynthia Spidell, Pasco County
David Goldstein, Pasco County
Daniel Santos, FDOT
Bernard Piawah, FDCA

#246



PASCO COUNTY, FLORIDA

FAX (727) 847-8084
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NEW PORT RICHEY (727) 847-8193

GROWTH MANAGEMENT DEPARTMENT
WEST PASCO GOVERNMENT CENTER
7530 LITTLE ROAD, SUITE 320
NEW PORT RICHEY, FL 34654-5598

CERTIFIED MAIL NO. 7004 1160 0000 4437 9561
RETURN RECEIPT REQUESTED

February 4, 2009

Mr. John Meyer
DRI Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd., S-100
Pinellas Park, FL 33782

RE: Suncoast Crossings - Development of Regional Impact (#246)

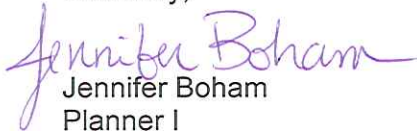
Dear Mr. Meyer:

Enclosed please find a certified copy of the Suncoast Crossings Development of Regional Impact #246 Development Order Amendment (Resolution No. 09-105), which is hereby rendered in accordance with Chapter 380.06, Florida Statutes and Chapter 9J-2.025 Florida Administrative Code. This development order was approved by the Pasco County Board of County Commissioners on January 27, 2009.

An original notice of adoption has been provided to the applicant's representative which must be recorded in accordance with F.S. 380.06(15)(f), and a copy of which will be kept on file in our offices.

Please feel free to contact this office if you have any questions.

Sincerely,


Jennifer Boham
Planner I

Enclosure

cc: Ty Maxey, Englehardt, Hammer & Associates, Inc., 3001 North Rocky Point Drive East, Suite 300, Tampa, FL 33607 (without attachments)
Bernard Piawah, Regional Planning Administrator, Florida Department of Community Affairs
2555 Shumard Oak Boulevard, Tallahassee, Fl. 32399-2100 (without attachments)
Samuel P. Steffey II, Growth Management Administrator (without attachments)

A RESOLUTION AMENDING THE SUNCOAST CROSSINGS DEVELOPMENT OF REGIONAL IMPACT/DEVELOPMENT ORDER (RESOLUTION NO. 01-198, REVISED BY RESOLUTION NOS. 04-222 AND 05-83); AMENDING THE LAND USE AND PHASING SCHEDULE; AMENDING MAP H; AMENDING THE LAND USE EQUIVALENCY MATRIX, REFLECTING PREVIOUSLY APPROVED LAND USE TRADE-OFF CONVERSIONS; EXTENDING THE BUILD-OUT DATES OF PHASES 1 AND 2 TO 2012; ADDING RESEARCH AND DEVELOPMENT AS AN APPROVED LAND USE WITHIN OFFICE PARCELS ON THE EAST SIDE OF THE PROJECT; DESIGNATING JLB SUNCOAST, LLC, AS THE MASTER DEVELOPER; INCREASING THE NUMBER OF SINGLE-FAMILY DETACHED BY ONE UNIT; AND DECREASING THE NUMBER OF SINGLE-FAMILY ATTACHED BY ONE UNIT.

WHEREAS, in accordance with Section 380.06, Florida Statutes (F.S.), on April 24, 2001, the Pasco County Board of County Commissioners (BCC) adopted a development order (DO) approving, with conditions, the Suncoast Crossings Development of Regional Impact (DRI) by Resolution No. 01-198 (DO); and

WHEREAS, on July 13, 2004, the BCC adopted Resolution No. 04-222, which established light industrial use as a new use via the Land Use Equivalency Matrix, allowed any combination of office and light industrial uses on Parcel I-1 that does not exceed the traffic demands of 105,000 square feet of office uses in accordance with the Land Use Equivalency Matrix, and revised Map H to reflect these changes; and

WHEREAS, on January 11, 2005, the BCC adopted Resolution No. 05-183, which utilized the Land Use Equivalency Matrix to reduce office uses and increase commercial uses from 500,000 to 570,800 square feet; transferred office entitlements of Parcels L and M to Parcels N and D; terminated the north-south road on the east side of the Suncoast Parkway, thereby eliminating a potential access to the south; added commercial and hotel uses as permitted uses on Parcels G and H; changed Parcel D from single-family/multifamily uses to office uses; applied the Land Use Equivalency Matrix to convert 241 multifamily units to 77,843 square feet of office uses in Parcel D; converted 2,980 square feet of office uses in Parcel M (east side) to 2,157 square feet of office uses in Parcel D (west side); converted 27,640 square feet of office uses in Parcel J (east side) to 20,000 square feet of office uses in Parcel D (west side); adjusted the boundaries of Parcels D, E, J, and N; established the East Wildlife Corridor; and revised Table 1, the Land Use and Phasing Schedule, the Land Use Equivalency Matrix, and Map H to reflect these changes; and

WHEREAS, on December 4, 2008, the Development Review Committee (DRC) approved the conversion of 44,914 square feet of office entitlements (east side) to 100 hotel rooms utilizing the Land Use Equivalency Matrix; and

WHEREAS, in accordance with Subsection 380.06(19), F.S., on July 20, 2007, Hogan Suncoast, LLC, and Hogan Suncoast II, LLC (together the developer), filed a Notice of Proposed Change (NOPC) to a previously approved DRI with Pasco County, with copies provided to the Tampa Bay Regional Planning Council (TBRPC) and the Florida Department of Community Affairs (FDCA); and

WHEREAS, the BCC is the governing body having jurisdiction over the review and approval of the DRI in accordance with Section 380.06, F.S., as amended; and

WHEREAS, the BCC has reviewed the NOPC, as well as related testimony and evidence submitted by each party and members of the general public; and

WHEREAS, the NOPC requested the following changes: 1) add research and development as an approved land use within those parcels designated as office and located east of the Suncoast Parkway within the Suncoast Crossings DRI pursuant to the BCC's May 8, 2007, determination that research and development is a permitted use within those parcels; 2) designate JLB Suncoast, LLC, as the new master developer; 3) increase the number of single-family detached units by one (1) and decrease the number of single-family attached units by one (1); 4) extend the build-out date of Phase 1 from 2007 to 2012 and Phase 2 from 2011 to 2012; 5) amend the Land Use Phasing Schedule to reflect previous land use exchanges; and 6) amend the Land Use and Phasing Schedule, attached hereto as Exhibit D and Map H, attached hereto as Exhibit C (collectively referred to as Proposed Changes); and

WHEREAS, staff initiated a change to the Land Use Equivalency Matrix to correct the maximum amount of office entitlements permitted to accurately reflect the approved total, 1,112,000 square feet, attached hereto as Exhibit E; and

WHEREAS, the BCC considered the Proposed Changes at its meeting on January 27, 2009.

NOW, THEREFORE, BE IT RESOLVED by the BCC of Pasco County, Florida, in regular session duly assembled this 27th day of January, 2009, that:

The Proposed Changes for the Suncoast Crossings DRI as set forth below are hereby adopted by the BCC.

SUNCOAST CROSSINGS DO AMENDMENT

1. Introduction. This resolution shall constitute an amendment to the Suncoast Crossings DO (DO Amendment).

2. General Findings of Fact.

The BCC makes the following general findings of fact:

a. The applicant/developer has filed, in accordance with Subsection 380.06(19), F.S., as amended, an NOPC for the Suncoast Crossings DRI and associated responses to requests for additional information. The applicant's/developer's NOPC submittal included data, analysis, and other clear and convincing evidence to rebut the presumption of a substantial deviation pursuant to Subsection 380.06(19), F.S.

b. The DO Amendment is a valid, final DO Amendment within the provision of Section 163.3167(8), F.S., affecting the real property described on Exhibit A, attached hereto, and incorporated herein.

- c. The NOPC includes a description of the Proposed Changes.
- d. A comprehensive review of the impacts generated by the Proposed Changes has been conducted by the County, the TBRPC, and the FDCA.
- e. The BCC scheduled and held a public hearing on the pending NOPC on January 27, 2009.
- f. Notice of the hearing was published in a newspaper of general circulation at least fifteen (15) days prior to the date set for the BCC hearing.
- g. At the public hearing, any member of the general public requesting to do so was given the opportunity to present written or oral communications.
- h. The BCC received and considered various other reports and information including, but not limited to, the recommendation of the Development Services Branch and the DRC.
- i. The Proposed Changes, together with all previous amendments, do not create additional, unmitigated, regional impacts on transportation or other public facilities, including water, wastewater, drainage, solid waste, recreation, and mass transit, from the original projections set forth in the Application for Development Approval.
- j. The extension of the Phase 1 build-out date to December 31, 2011, is supported by the ADA transportation analysis, which analyzed all Phases 1 and 2 traffic impacts cumulatively through December 31, 2011.
- k. On November 25, 2008, the BCC adopted amendments to the County's concurrency-management regulations to extend, without additional concurrency review or analysis, the concurrency expiration date of all projects in Pasco County by one (1) year (the One-Year Extension).
- l. The One-Year Extension extended the concurrency exemption/expiration period for the Suncoast Crossings DRI from December 31, 2011, to December 31, 2012.

3. Conclusions of Law. The BCC hereby finds as follows:

- a. This DO Amendment is consistent with the applicable provisions of the Land Development Code (local land development regulations).
- b. This DO Amendment is consistent with the applicable provisions of the adopted Pasco County Comprehensive Plan.
- c. This DO Amendment is consistent with the applicable provisions of the adopted State Comprehensive Plan.
- d. This DO Amendment is consistent with the report and recommendation of the TBRPC.

e. The presumption of a substantial deviation pursuant to Subsection 380.06(19) has been successfully rebutted by clear and convincing evidence, and any additional regional impacts caused by this NOPC will be adequately mitigated by this DO.

4. Order. Having made the above findings of fact and drawn the above conclusions of law, it is ordered that the Suncoast Crossings DO and, specifically, the Land Use and Phasing Schedule and Map H of the Suncoast Crossings DO, is hereby amended as follows:

a. Map H is hereby revised to reflect the Proposed Changes and the staff-initiated change. The prior version of Map H is hereby replaced with Map H, attached hereto as Exhibit C.

b. The Land Use and Phasing Schedule is hereby revised to reflect the Proposed Changes and the staff-initiated change. The prior version is hereby replaced with the Land Use and Phasing Schedule attached hereto as Exhibit D.

c. The new master developer is hereby designated JLB Suncoast, LLC.

d. The build-out dates for Phases 1 and 2 of the DRI are hereby extended to December 31, 2012.

e. Condition IV.D. of the DO is hereby amended to reflect the One-Year Extension of the project build-out date to December 31, 2012.

f. Any delay in the build-out dates beyond December 31, 2012, may require a new transportation analysis, in accordance with applicable law, as the basis for a DO amendment, which may include a re-evaluation of required transportation mitigation. The County Administrator or BCC may waive any applicable transportation-analysis requirements for any entitlements within the project that satisfy the Limited Exemptions criteria of the Concurrency Management Ordinance, Section 402.7; however, build-out-date extensions for such entitlements are still subject to the applicable statutory requirements of Subsection 380.06(19), F.S., as may be amended from time to time.

5. Notice of Adoption.

a. 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(15)(f), F.S., as amended.

b. The Board Records Department shall return five (5) signed and certified copies of this resolution, including all exhibits, and the Notice of Adoption with one (1) additional, original, executed Notice of Adoption to the Development Services Branch. The Growth Management Department shall then send copies of each document to the FDCA, the TBRPC, and the attorneys of record in these proceedings.

c. This resolution/DO Amendment shall be deemed rendered upon transmittal of copies to all recipients, in accordance with Rule 9J-2, Florida Administrative Code.

d. Severability: Each provision of this DO Amendment is material to BCC approval of this DO Amendment. Accordingly, the provisions are not severable. In the event any section, subsection,

sentence, clause, or provision of this resolution is declared illegal or invalid by a body with jurisdiction to make such determination, the remainder of the resolution shall be suspended until such time that the BCC modifies the DO Amendment to address the illegal or invalid provision; provided, however, such determination shall not affect the validity of a) DRI entitlement for which a completed application has been submitted, or approval has been received, for a preliminary plan, preliminary site plan, plat, construction plan, Building Permit, or Certificate of Occupancy; or b) any DRI mitigation committed to or performed as of the date the determination is made. Notwithstanding the foregoing, the resolution shall not be suspended if the applicant/developer and all affected successors or assigns agree to abide by all of the provisions of the resolution until an NOPC is adopted to modify the DO in order to address the illegal or invalid provision.

NOPCs to the DO shall not be considered challenges to the DO Amendment, and decisions by the BCC regarding any NOPC or the like shall not have the effect of suspending the DO Amendment under any circumstances. Notwithstanding the foregoing, if a third party challenges any section, subsection, sentence, clause, or provision of this resolution and the challenged portion of the resolution is subsequently declared illegal or invalid, the resolution shall not be suspended and shall remain in full force and effect, except for that portion declared illegal or invalid. If any section, subsection, sentence, clause, or provision of this resolution is declared illegal or invalid as the result of a third-party challenge, the applicant/developer shall cooperate with the County to amend this resolution to address the portion which has been declared invalid or illegal.

6. This resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED this 27th day of January, 2009.



Katie M. Cornick
PAULA S. O'NEIL, CLERK AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS OF
PASCO COUNTY, FLORIDA

Jack Mariano
JACK MARIANO, CHAIRMAN

APPROVED
JAN 27 2009

EXHIBITS

EXHIBIT A – Legal Description

EXHIBIT B – NOPC Application (Incorporated by Reference and on File with Pasco County Growth Management Department)

EXHIBIT C – Map H

EXHIBIT D – Land Use and Phasing Table

EXHIBIT E - Land Use Equivalency Matrix

EXHIBIT F – Notice of Adoption

PARCEL I:

That part of Section 30, Township 26 South, Range 18 East, lying South of the Southerly right-of-way line of State Road 54, less that portion taken for right-of-way pursuant to Order of Taking filed in Official Records Book 3814, page 1319, of the public records of Pasco County, Florida.

PARCEL II:

The North ¼ of Section 31, Township 26 South, Range 18 East, LESS AND EXCEPT the road right-of-way of State Road 54, less those portions taken for right-of-way pursuant to Orders of Taking filed in Official Records Book 3775, page 7 and Official Records Book 3814, page 1319 of the public records of Pasco County, Florida.

PARCEL III:

All of Section 31, Township 26 South, Range 18 East, LESS AND EXCEPT the North ¼ thereof and LESS AND EXCEPT right-of-way for State Road No. 54, less those portions taken for right-of-way pursuant to Orders of Taking recorded in Official Records Book 3775, page 7, and Official Records Book 3814, page 1319, of the public records of Pasco County, Florida.

PARCEL IV:

For a Point of Beginning, begin at the Northeast corner of Section 31, Township 26 South, Range 18 East, Pasco County, Florida; thence along the East boundary of Section 31, South 01°49'16" West, 2,465.65 feet to the East ¼ corner; thence continue along the East boundary of Section 31, South 01°48'47" West, 2,630.51 feet to the Southeast corner of Section 31; thence South 89°54'43" East, along the South boundary of Section 32, a distance of 377.00 feet; thence North 01°10'52" East, 2,630.33 feet; thence North 06°14'37" West, 2,479.31 feet to the Point of Beginning, LESS that portion taken for right-of-way pursuant to Order of Taking filed in Official Records Book 3775, page 7, of the public records of Pasco County, Florida.

More particularly described as follows:

EAST PARCEL

A parcel of land located in Pasco County, Florida being a portion of Section 30, Township 26 South, Range 18 East, lying South of State Road 54 and east of State Road 589 (Suncoast Parkway) that portion of Section 31, Township 26 South, Range 18 East lying East of State Road 58 (Suncoast Parkway) all as described in O.R. Book 3814, page 1319 of the Public Records of Pasco County, Florida and that portion of Section 32, Township 26 South, Range 18 East lying East of State Road

589 (Suncoast Parkway) as described in O.R. Book 3440, page 75 of the Public Records of Pasco County, Florida, more particularly described as follows:

Begin at the Northeast corner of the Northeast $\frac{1}{4}$ of said Section 31; thence, South $05^{\circ}58'47''$ East, 2479.16 feet (south $06^{\circ}14'37''$ East, 2479.31 feet - Deed); thence South $01^{\circ}36'40''$ West, 2631.31 feet (South $01^{\circ}10'52''$ East, 2630.33 feet - Deed) to a point on the South boundary line of said Section 32; thence North $89^{\circ}36'33''$ West, 376.63 feet (North $89^{\circ}54'43''$ West, 377.00 feet - Deed) along the South Boundary line of said Section 32 to a point on the Easterly right-of-way line of State Road 589 (Suncoast Parkway); thence along the Easterly right-of-way line of State Road 589, the following 13 courses:

1. North $14^{\circ}20'37''$ West, 3129.75 feet to the point of curvature of a curve to the left.
2. 1801.87 feet along the arc of said curve whose radius is 4783.66 feet, central angle is $21^{\circ}34'54''$ and has a chord bearing and distance of North $25^{\circ}08'03''$ West, 1791.23 feet;
3. North $29^{\circ}04'45''$ West, 250.16 feet;
4. North $26^{\circ}20'23''$ West, 270.76 feet to a point on the South boundary line of said Section 30;
5. South $89^{\circ}19'41''$ East, 131.93 feet along the South boundary line of said Section 30;
6. North $30^{\circ}39'47''$ East, 255.55 feet;
7. North $28^{\circ}47'58''$ West, 605.86 feet;
8. South $52^{\circ}48'09''$ West, 311.45 feet;
9. North $27^{\circ}24'29''$ West, 126.78 feet;
10. North $31^{\circ}13'14''$ West, 97.71 feet;
11. North $27^{\circ}24'24''$ West, 335.67 feet;
12. North $06^{\circ}22'17''$ East, 73.11 feet;
13. North $65^{\circ}13'37''$ East, 2772.01 feet

to a point on the Easterly boundary line of said Section 30; thence South $00^{\circ}19'48''$ West, 2312.05 feet along the Easterly boundary line of said Section 30 to the POINT OF BEGINNING.

Contains 215.615 acres, more or less.

WEST PARCEL

A parcel of land located in Pasco County, Florida being a portion of Section 30, Township 26 South, Range 18 East lying south of State Road 54 and Westerly of State Road 589 (Suncoast Parkway as described in O.R. Book 3814, Page 1319 of the Public Records of Pasco County, Florida and that

portion of Section 31 lying Westerly of State Road 589 (Suncoast Parkway) as described in O.R. Book 3775, page 7 of the Public Records of Pasco County, Florida, more particularly described as follows:

As a point of reference commence at the Northeast corner of the Northeast $\frac{1}{4}$ of said Section 31; thence South $05^{\circ} 58' 47''$ East, 2478.16 feet (South $06^{\circ} 14' 37''$ East, 2479.31 feet - Deed); thence South $01^{\circ} 36' 40''$ West, 2631.31 feet (South $01^{\circ} 10' 52''$ East, 2630.33 feet - Deed) to a point on the South boundary line of said Section 32; thence North $89^{\circ} 36' 33''$ West, 376.95 feet (North $89^{\circ} 54' 43''$ West, 377.00 feet - Deed) to the Southeast corner of the Southeast $\frac{1}{4}$ of said Section 31; thence North $88^{\circ} 52' 47''$ West, 414.60 feet along the South boundary line of said Section 31 to a point on the Westerly right-of-way line of State Road 589 (Suncoast Parkway) being the POINT OF BEGINNING; thence North $88^{\circ} 52' 47''$ West, 2263.86 feet to the Southwest corner of the Southeast $\frac{1}{4}$ of said Section 31; thence North $88^{\circ} 52' 47''$ West, 2480.50 feet along the South boundary line of said Section 31 to the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 31; thence North $00^{\circ} 26' 03''$ East, 2660.11 feet along the West boundary line of said Section 31 to the Northwest corner of the Southwest $\frac{1}{4}$ of said Section 31; thence North $00^{\circ} 11' 59''$ East, 2275.08 feet along the West boundary line of said Section 31 to a point on the Southerly right-of-way line of State Road 54; thence along the Southerly right-of-way of State Road 54 and the Westerly right-of-way line of State Road 589 (Sunshine Parkway) the following twenty-four (24) courses:

1. North $70^{\circ} 10' 38''$ East, 431.29 feet to a point on a curve to the left;
2. 401.47 feet along the arc of said curve whose radius is 4647.00 feet, central angle is $04^{\circ} 57' 00''$ and has a chord bearing and distance of North $67^{\circ} 42' 07''$ East, 401.35 feet;
3. South $24^{\circ} 46' 23''$ East, 30.00 feet;
4. North $65^{\circ} 13' 37''$ East, 1289.48 feet;
5. South $72^{\circ} 56' 43''$ East, 135.51 feet;
6. South $37^{\circ} 47' 58''$ East, 253.85 feet;
7. South $33^{\circ} 59' 06''$ East, 97.72 feet;
8. South $37^{\circ} 47' 56''$ East, 156.16 feet;
9. South $41^{\circ} 29' 21''$ East, 303.01 feet to a point on a curve to the right;
10. 65.57 feet along the arc of said curve whose radius is 2958.79 feet, central angle is $01^{\circ} 16' 11''$ and has a chord bearing and distance of South $38^{\circ} 29' 35''$ East, 65.57 feet to a point of reverse curvature.
11. 330.08 feet along the arc of said curve whose radius is 2958.79 feet, central angle is $06^{\circ} 23' 31''$ and has a chord bearing and distance of South $42^{\circ} 19' 26''$ East, 329.91 feet;
12. South $45^{\circ} 31' 11''$ East, 227.79 feet to a point on a curve to the right;

EXHIBIT "A"

MDG Suncoast, Inc.

Suncoast Crossings

13. 134.22 feet along the arc of a curve to the right whose radius is 3180.04 feet, central angle is $02^{\circ} 25' 06''$ and has a chord bearing and distance of South $44^{\circ} 18' 38''$ East, 134.21 feet;
14. South $37^{\circ} 11' 56''$ East, 158.83 feet to a point on the arc of a curve to the right;
15. 505.05 feet along the arc of said curve whose radius is 4383.66 feet, central angle is $06^{\circ} 36' 04''$ and has a chord bearing and distance of South $33^{\circ} 53' 53''$ East, 504.77 feet;
16. South $14^{\circ} 53' 01''$ West, 431.90 feet;
17. South $31^{\circ} 21' 42''$ East, 449.05 feet;
18. South $89^{\circ} 15' 10''$ East, 248.78 feet to a non-tangent curve concave to the Southwest;
19. 356.30 feet along the arc of said curve whose radius is 4386.66 feet, central angle is $04^{\circ} 39' 25''$ and has a chord bearing and distance of South $16^{\circ} 40' 19''$ East, 356.20 feet;
20. South $14^{\circ} 20' 37''$ East, 1104.38 feet;
21. South $40^{\circ} 04' 19''$ West, 329.54 feet;
22. South $24^{\circ} 05' 59''$ East, 580.12 feet;
23. North $41^{\circ} 56' 13''$ East, 204.02 feet;
24. South $14^{\circ} 20' 37''$ East, 1265.60 feet;

to the POINT OF BEGINNING.

Contains 473.333 acres, more or less.

Exhibit B








NOPC Application

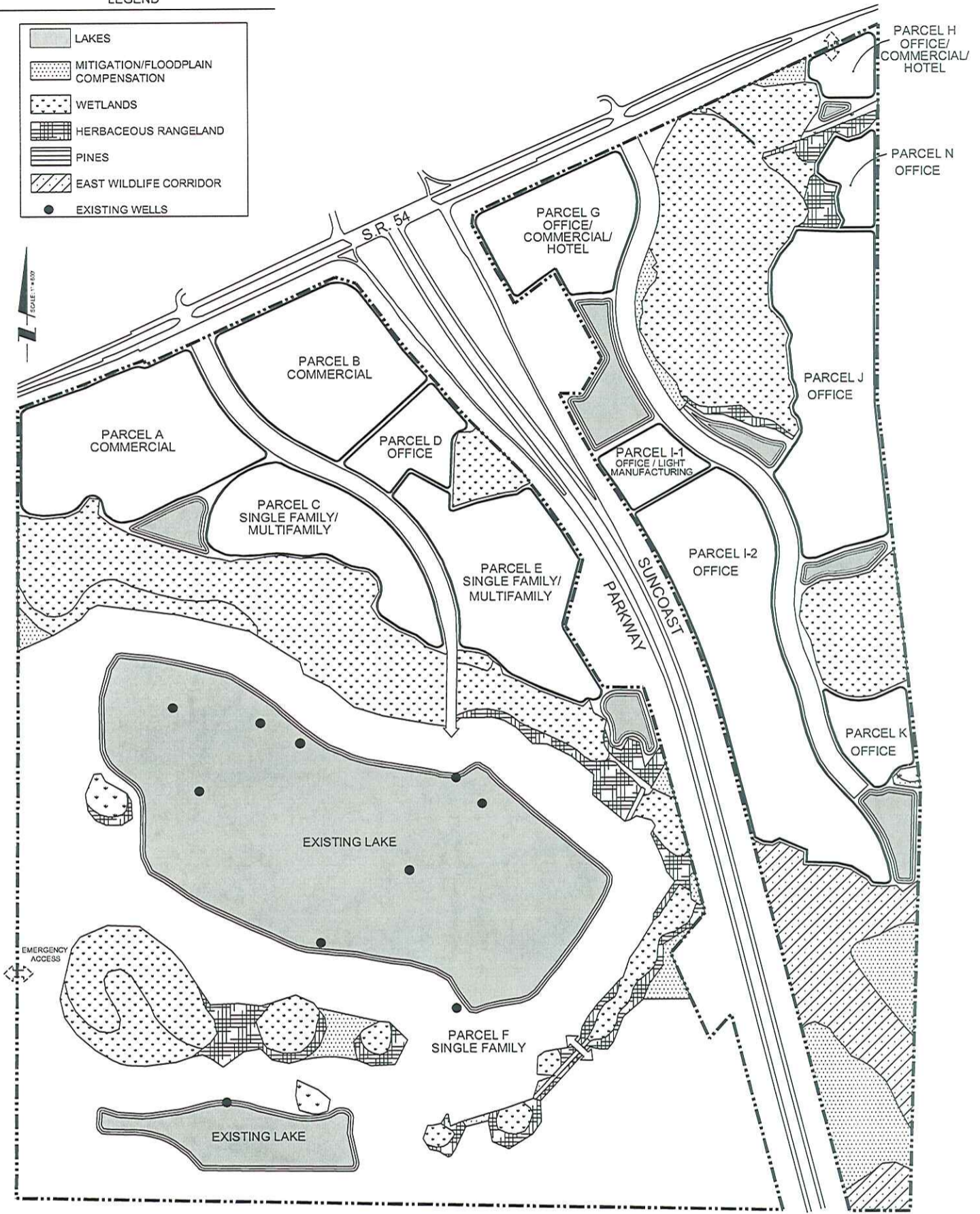
(Incorporated by Reference and on File with Pasco County Growth Management Department)

Exhibit C

Map H

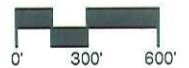
LEGEND

-  LAKES
-  MITIGATION/FLOODPLAIN COMPENSATION
-  WETLANDS
-  HERBACEOUS RANGELAND
-  PINES
-  EAST WILDLIFE CORRIDOR
-  EXISTING WELLS



Land Use	Phase 1 2001-12	Phase 2 2007-12	Total
Residential (dus)*			
Single Family Detached	551	N/A	551
Single Family Attached	183	N/A	183
Multi Family	344	N/A	344
Total	1,078	N/A	1,078
Commercial/Office (sq. ft.)*			
Commercial	570,800	N/A	570,800
Office**,**	512,000	600,000	1,112,000
Light Industrial/Assembly*,***	21,019	N/A	21,019
HOTEL*	100	0	100

SOURCES:
 Wilson Miller, Inc.
 Project Coordination, Planning, Transportation
 Ojara Engineering, Inc.
 Engineering
 Biological Research Associates, Ltd.
 Environmental
 Bricklomyer, Smolker & Bolves, P.A.
 Legal Counsel
 Flashkind & Associates, Inc.
 Economic



Scale: 1" = 600'

MAP H
 MASTER DEVELOPMENT PLAN
 Suncoast Crossings (DRI #246)
 Pasco County
 Revised: November 24, 2008

ENGELHARDT, HAMMER & ASSOCIATES
 Land Planning • GIS • Expert Testimony
 3001 N. Rocky Point Drive, Suite 300, Tampa, Florida 33607
 Telephone 813 282-3855, Fax 813 286-2308

JAN 27 2009
 APPROVED

* Entitlements are reflective of a land use conversion to exchange 44,914 square feet of office (east of Suncoast Parkway) for 100 hotel rooms (12/4/08 DRC) and all other conversions to date.

** For the purpose of this schedule, the definition of office includes research and development which may be constructed at a 1:1 ratio.

*** NOTE: Parcel I-1 is approved for both office and light industrial uses. Office square footage may be exchanged for additional light industrial square footage pursuant to the DRI Equivalency Matrix; however, maximum entitlements on Parcel I-1 shall not exceed the traffic demands for 105,000 square feet of office use. To date 21,019 square feet of light industrial (equivalent to 13,763 square feet of office) and an additional 76,364 square feet of office have been consumed on Parcel I-1 (Opinicus Site Plan, IIPR04-080, DRC Approved 2/18/08). The square footages for each use shall be reported and/or updated in the DRI Annual Report.

Exhibit D

TABLE 1

SUNCOAST CROSSINGS

LAND USE AND PHASING SCHEDULE

Land Use	Phase 1 2001-12	Phase 2 2007-12	Total
Residential (dus)*			
Single-Family Detached	551	N/A	551
Single-Family Attached	183	N/A	183
Multi-Family	344	N/A	344
Total	1,078	N/A	1,078
Commercial/Office (sq. ft.)*			
Commercial	570,800	N/A	570,800
Office**,***	512,000	600,000	1,112,000
Light Industrial/Assembly*,***	21,019	N/A	21,019
HOTEL*	100	0	100

* Entitlements are reflective of a land use conversion to exchange 44,914 square feet of office (east of Suncoast Parkway) for 100 hotel rooms (12/4/08 DRC) and all other conversions to date.

** For the purpose of this schedule, the definition of office includes research and development which may be constructed at a 1:1 ratio.

*** NOTE: Parcel I-1 is approved for both office and light industrial uses. Office square footage may be exchanged for additional light industrial square footage pursuant to the DRI Equivalency Matrix; however, maximum entitlements on Parcel I-1 shall not exceed the traffic demands for 105,000 square feet of office use. To date 21,019 square feet of light industrial (equivalent to 13,763 square feet of office) and an additional 76,364 square feet of office have been consumed on Parcel I-1 (Opinicus Site Plan, IIPR04-080, DRC Approved 10/28/04). The square footages for each use shall be reported and/or updated in the DRI Annual Report.

EXHIBIT "E"

LAND USE EQUIVALENCY MATRIX
SUNCOAST CROSSINGS DRI

Change To: Change From:	Office (Eastside)	Office (Westside)	Retail (Eastside)	Retail (Westside)	Single Family	Multi- Family	Hotel	Light Ind.
Office (Eastside)	N/A	724 sf/ksf (0.7236) ³	307 sf/ksf (0.3070) ³	554 sf/ksf (0.5538) ³	2.01 du/ksf (2.0076) ³	3.09 du/ksf (3.0932) ³	2.23 rooms/ksf (2.2265) ^{2,3}	1.53 sf/ksf (1.5272) ³
Retail (Westside)	1,806 sf/ksf (1.8056) ³	1,306 sf/ksf (1.3064) ³	554 sf/ksf (0.5544) ³	N/A	3.62 du/ksf (3.6248) ³	5.59 du/ksf (5.5852) ³	4.02 rooms/ksf (4.0201) ³	N/A
Single Family	498 sf/du (0.4981) ³	360 sf/du (0.3604) ³	153 sf/du (0.1529) ³	276 sf/du (0.2759) ³	N/A	1.54 dus/du (1.5408) ³	1.11 rooms/du (1.1091) ³	N/A
Multifamily	323 sf/du (0.3233) ³	234 sf/du (0.2339) ³	99 sf/du (0.0993) ³	179 sf/du (0.1790) ³	.65 du/du (.6490) ³	N/A	0.72 rooms/du (0.7198) ³	N/A
Office (Freestanding)	2,336 sf/ksf (2.3361) ³	1,690 sf/ksf (1.6903) ³	717 sf/ksf (0.7173) ³	1,294 sf/ksf (1.2938) ³	4.69 du/ksf (4.690) ³	7.23 du/ksf (7.2261) ³	5.20 rooms/ksf (5.2013) ³	N/A

1 Land use exchanges are based on net external p.m. peak hour, two-way project traffic. Use of this matrix shall be limited to the following minimums and maximums to ensure that impacts for transportation, water, wastewater, solid water, and affordable housing are not exceeded.

Land Use	Minimum	Maximum
Office	400,000 SF	1,112,000 SF
Retail	250,000 SF	570,800 SF
Single-Family	400 dus	900 dus
Multifamily	300 dus	800 dus
Hotel	0 rooms	250 rooms
Light Industrial	0 SF	190,000 SF

2 Example exchanges:

Add 100 hotel rooms by reducing the Eastside Office, 100 rooms/2.2265, office factor = 44,914; reduce office by 44,914 SF

3 Actual equivalency factor for use in calculations

Exhibit F

Notice of Adoption

**NOTICE OF ADOPTION OF AN AMENDMENT TO THE
DEVELOPMENT ORDER FOR THE SUNCOAST CRPSSINGS
DEVELOPMENT OF REGIONAL IMPACT**

Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. _____ dated _____, has adopted an amendment to the Development Order for a Development of Regional Impact known as Suncoast Crossings (Resolution No. 01-198). The above-referenced development order constitutes a land development regulation applicable to the property described in Exhibit "A" of the development order.

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 recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in above-mentioned Exhibit "A" nor actual nor constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

DONE AND RESOLVED this _____ day of _____, 20____

(SEAL)

ATTEST:

PAULA S. O'NEIL, CLERK & COMPTROLLER

JACK MARIANO, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

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
28th DAY OF January 2009
PAULA S. O'NEIL, CLERK & COMPTROLLER
BY: Katie M. Scornick DEPUTY CLERK

**NOTICE OF ADOPTION OF AN AMENDMENT TO THE
DEVELOPMENT ORDER FOR THE SUNCOAST CRPSSINGS
DEVELOPMENT OF REGIONAL IMPACT**

Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 09-105 dated 1-27-2009 has adopted an amendment to the Development Order for a Development of Regional Impact known as Suncoast Crossings (Resolution No. 01-198). The above-referenced development order constitutes a land development regulation applicable to the property described in Exhibit "A" of the development order.

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 recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in above-mentioned Exhibit "A" nor actual nor constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

DONE AND RESOLVED this 27th day of January 2009



Paula S. O'Neil
PAULA S. O'NEIL, CLERK & COMPTROLLER

Jack Mariano
JACK MARIANO, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

APPROVED
JAN 27 2009

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
28th DAY OF January 2009
PAULA S. O'NEIL, CLERK & COMPTROLLER
BY: Kathy M. Conrick DEPUTY CLERK

ENGELHARDT, HAMMER & ASSOCIATES

*Land Planning • GIS • Expert Testimony***VIA E-MAIL AND U.S. MAIL**

August 15, 2007

Mr. Michael LaSala, DRI Coordinator
Growth Management Department
Pasco County Government Center
7530 Little Road
New Port Richey, Florida 34654

**Re: Suncoast Crossings DRI
Use of Land Use Equivalency Matrix**

Dear Mike:

Last year, The Hogan Group sold a portion of the Suncoast Crossings property, located on the east side of the Suncoast Parkway, to a hotel developer. Specifically, the subject hotel property is located within Parcel G as depicted on the Suncoast Crossings MPUD Plan and the Suncoast Crossings DRI Map H. The hotel use has received all required permits from Pasco County Development Services, is currently under construction and should be completed before the end of this year.

In accordance with the Suncoast Crossings DRI Development Order, Paragraph V.B.1., Land Use Exchange, and the approved Suncoast Crossings Land Use Equivalency Matrix (Exhibit D of the Suncoast Crossings DRI Development Order), this letter will serve to advise of the conversion/equivalency factor used to permit the hotel entitlements on the subject property. The exchange of entitlements is as follows:

Add 100 Room Hotel by Reducing Eastside Office Square Footage
 $100 \text{ rooms} / 2.2265 \text{ (office eastside factor)} = 44,914 \text{ square feet}$

Therefore, the office entitlements as identified for Parcel G of the Suncoast Crossings MPUD Plan, and as identified on the Suncoast Crossings DRI Map H and within the Land Use and Phasing Schedule (Exhibit B of the Development Order), shall be reduced by 44,914 square feet.

Mr. Michael LaSala, DRI Coordinator
August 15, 2007
Page 2 of 2

Should you have any questions or require any additional information, please do not hesitate to contact me at 813.282.3855.

Respectfully submitted,



Ty Maxey
Principal Planner

Cc: ✓ John Meyer, Tampa Bay Regional Planning Council
Brenda Winningham, Florida Department of Community Affairs
Kent Fast, Florida Department of Transportation
Bill Knight, The Hogan Group
Tim Butts, AICP, Project Planner, WilsonMiller

EXHIBIT "D"

LAND USE EQUIVALENCY MATRIX
SUNCOAST CROSSINGS

Change To: Change From:	Office Eastside	Office Westside	Retail Eastside	Retail Westside	Single Family	Multi- Family	Hotel	Light Ind.
Office (Eastside)	N/A	724 sf/ksf (0.7236) ³	307 sf/ksf (0.3070) ³	554 sf/ksf (0.5538) ³	2.01 du/ksf (2.0076) ³	3.09 du/ksf (3.0932) ³	2.23 rooms/ksf (2.2265) ^{2,3}	1.53 sf/ksf (1.5272)
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Single Family	498 sf/du (0.4981) ³	360 sf/du (0.3604) ³	153 sf/du (0.1529) ³	276 sf/du (0.2759) ³	N/A	1.54 dus/du (1.5408) ³	1.11 rooms/du (1.1091) ³	N/A
Multifamily	323 sf/du (0.3233) ³	234 sf/du (0.2339) ³	99 sf/du (0.0993) ³	179 sf/du (0.1790) ³	0.65 du/du (0.6490) ³	N/A	0.72 rooms/du (0.7198) ³	N/A
Office (Freestanding)	2,336 sf/ksf (2.3361) ³	1,690 sf/ksf (1.6903) ³	717 sf/ksf (0.7173) ³	1,294 sf/ksf (1.2938) ³	4.69 du/ksf (4.690) ³	7.23 du/ksf (7.2261) ³	5.20 rooms/ksf (5.2013) ³	N/A

¹ Land use exchanges are based on net external p.m. peak hour, two-way project traffic. Use of this matrix shall be limited to the following minimums and maximums to ensure that impacts for transportation, water, wastewater, solid water, and affordable housing are not exceeded.

Land Use	Minimum	Maximum
Office	400,000 SF	1,081,000 SF
Retail	250,000 SF	570,800 SF
Single-Family	400 dus	900 dus
Multifamily	300 dus	800 dus
Hotel	0 rooms	250 rooms
Light Industrial	0 SF	190,000 SF

² Example exchanges:
Add 100 hotel rooms by reducing the Eastside Office, 100 rooms + 2.2265, office factor = 44,914; reduce office by 44,914 SF

³ Actual equivalency factor for use in calculations



PASCO COUNTY, FLORIDA

FAX (727) 847-8084
DADE CITY (352) 521-4274
LAND O' LAKES (813) 996-7341
NEW PORT RICHEY (727) 847-8193

GROWTH MANAGEMENT DEPARTMENT
WEST PASCO GOVERNMENT CENTER
7530 LITTLE ROAD, SUITE 320
NEW PORT RICHEY, FL 34654-5598

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 21, 2004

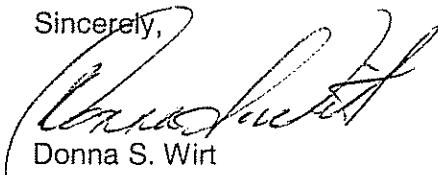
Mr. John Meyer, DRI Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Boulevard
Pinellas Park, FL 33782

RE: Suncoast Crossings - DRI No. 246, DO Amendment

Dear Mr. Meyer:

Enclosed please find a certified copy of the Suncoast Crossings Development of Regional Impact (DRI) No. 246, Development Order (DO) Amendment (Resolution No. 05-83), which is hereby rendered in accordance with Chapter 380.06, Florida Statutes. This DO amendment was approved by the Pasco County Board of County Commissioners on January 11, 2005.

Sincerely,



Donna S. Wirt
Planner II

DSW/ltr/agm67asncst/67a(1)

Enclosure

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

**RESOLUTION AMENDING THE DEVELOPMENT ORDER FOR
THE SUNCOAST CROSSINGS DEVELOPMENT OF REGIONAL
IMPACT (RESOLUTION NO. 01-198)**

WHEREAS, in accordance with Section 380.06, Florida Statutes (F.S.), on April 4, 2001, the Pasco County Board of County Commissioners (Board) adopted a Development Order (DO) approving, with conditions, the Suncoast Crossings Development of Regional Impact (Project), by Resolution No. 01-198 (Development Order [DO]); and,

WHEREAS, on March 23, 2004, MDG Suncoast, LLC, and Hogan Suncoast, LLC (together, Developer), filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact (NOPC), pursuant to Subsection 380.06(19), with Pasco County, Florida (County), with copies provided to the Tampa Bay Regional Planning Council (TBRPC), the Florida Department of Community Affairs (FDCA), and the Florida Department of Transportation (FDOT); and,

WHEREAS, the NOPC proposed to amend the DO to 1) apply the Equivalency Matrix to reduce office uses and increase commercial uses from 500,000 square feet to 570,800 square feet; and 2) transfer office entitlements of Parcels L and M to Parcels N and D; 3) terminate the north-south road on the east side of the Suncoast Parkway at the southernmost development parcel, thereby also eliminating a potential access to the south; 4) add commercial and hotel uses as permitted uses on Parcels G and H; 5) change Parcel D from single-family/multifamily uses to office uses and apply the Equivalency Matrix to convert 241 multifamily units to 77,843 square feet of office uses in Parcel D; 6) apply the Equivalency Matrix to convert 2,980 square feet of office uses in Parcel M (east side) to 2,157 square feet of office uses in Parcel D (west side); 7) apply the Equivalency Matrix to convert 27,640 square feet of office uses in Parcel J (east side) to 20,000 square feet of office uses in Parcel D (west side); 8) adjust the boundaries of Parcels D and E and Parcels J and N; 9) establish the East Wildlife Corridor; and 10) revise Map H, the Land Use and Phasing Schedule, and the Equivalency Matrix to reflect these changes (collectively, as modified by this resolution, the Proposed Changes); and,

WHEREAS, the Proposed Changes are presumed not to create a substantial deviation pursuant to Subsection 380.06(10)(c), F.S.; and,

WHEREAS, the NOPC has satisfactorily addressed all regional issues related to the Proposed Changes; and,

WHEREAS, the Board, as the governing body of the local government having jurisdiction pursuant to Chapter 380, F.S., is authorized and empowered to consider amendments to DRIs; and,

WHEREAS, the public notice requirement of Chapter 380.06(19), F.S., has been satisfied; and,

WHEREAS, the Board has reviewed the Proposed Changes as well as all related testimony and evidence submitted by each party and members of the general public.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled that the Proposed Changes to the Project DO as described in the NPOC are approved and the DO is amended as set forth below:

I. GENERAL FINDINGS OF FACT

The Board, having received the NPOC and having received all related comments, testimony and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

- A. The DO is a valid, final DO within the provision of Section 163.3167(8), F.S., affecting the property described on Exhibit "A" attached hereto and incorporated herein.
- B. The NPOC includes a description of the Proposed Changes.
- C. A comprehensive review of all the impacts generated by the Proposed Changes, together with all previous amendments, has been conducted by County, the TBRPC, and the FDCA.
- D. The Proposed Changes, together with all previous amendments, do not create additional, unmitigated, regional impacts on transportation or other public facilities, including water, wastewater, drainage, solid waste, recreation, and mass transit from the original projections set forth in the Application for Development Approval (ADA).
- E. The property is not located in an area of critical state concern as designated by Chapter 380.05, F.S.

II. CONCLUSIONS OF LAW

The Board, having made the above findings of fact, reaches the following conclusions of law:

- A. Development in accordance with the Proposed Changes will not unreasonably interfere with the achievement of the objectives of the adopted State Comprehensive Plan.
- B. As conditioned, changes are consistent with Pasco County land development regulations and the adopted local comprehensive plan.
- C. The Proposed Changes, together with all previous amendments, do not create additional, unmitigated impacts to public facilities or any type of unmitigated regional impact beyond those treated under the DO. The proposed amendments, therefore, do not constitute a substantial deviation from the DO pursuant to Chapter 380.06, F.S.
- D. Nothing herein shall limit or modify the rights originally approved by the DO of the protection afforded under Section 163.3167(8), F.S.
- E. The Proposed Changes, once effective, are consistent with the provisions of Section 402, Pasco County Land Development Code; the Pasco County Concurrency Management System; and the

development rights granted by the DO, as amended hereby, remain vested thereunder through September 23, 2010.

F. The Proposed Changes are consistent with the recommendation of the TBRPC.

G. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record and these proceedings, the various departments of the County and Developer are authorized to approve/conduct development as described herein.

H. The review by the County, TBRPC, and other participating agencies and interested citizens reveals that the Proposed Changes do not create additional, unmitigated impacts on regionally significant natural resources, facilities, and services beyond those previously reviewed in the ADA, and that mitigation of all impacts are adequately addressed pursuant to the requirements of Chapter 380, F.S.

III. ORDER

The Board, having made the above findings of fact and having drawn the above conclusions of law, hereby approves the Proposed Changes and the proposed development as defined herein and orders that the DO be amended as follows:

A. Map H is hereby revised to reflect the Proposed Changes. The original Map H attached to the DO as Exhibit "F" is hereby replaced with the Map H attached hereto as Exhibit "F."

B. Table 1, the Land Use and Phasing Schedule, is hereby revised to reflect the Proposed Changes. The prior version of Table 1 is hereby replaced with Table 1 attached hereto as Exhibit "B."

C. The Equivalency Matrix is hereby revised to reflect the Proposed Changes. The original Equivalency Matrix attached to the DO as Exhibit "D" is hereby replaced with the Equivalency Matrix attached hereto as Exhibit "D."

D. Amend Section F, Vegetation and Wildlife, to add the following:

1. Provide for a wildlife corridor to include the wildlife corridor wetland (15.07 acres mol) and the wildlife corridor upland (6.10 acres mol) land areas as set forth on Figure A, which is incorporated herein by reference, hereinafter referred to as the "East Wildlife Corridor". The East Wildlife Corridor shall not include the Permitted and Proposed Mitigation / Floodplain Compensation Areas depicted on Figure A, however said Areas shall not be fenced or contain structures that would inhibit the movement of wildlife.

2. Depict the East Wildlife Corridor on all future preliminary plans, amendments to preliminary plans, construction plans, amendments to the MPUD Master Planned Unit Development and/or amendments to the Suncoast Crossings DRI.

3. The Villa Rosa Borrow Pit Haul Route and the East Wildlife Corridor shall be restored in accordance with all conditions of Southwest Florida Water Management District (SWFWMD) permits and the Consent Orders for the Villa Rosa Borrow Pit Haul Route. Said restoration shall commence on or before February 28, 2005 and all restoration shall be completed on or before March 30, 2005. All excavation and hauling from the Villa Rosa Borrow Pit shall cease on or before February 28, 2005. If the Developer fails to meet any of the time frames set forth herein or fails to restore the Haul Route as required pursuant to the permits and Consent Orders it shall be considered a default of this approval. Upon said default, the issuance of building permits, plats and other development approvals shall cease until all of the requirements of this paragraph are met. The County agrees to give the Developer notice of default. The Developer agrees that it will acquire no vested rights in any development approval, plat or permit issued while there exists an uncured event of default of this approval. Any continued monitoring and/or maintenance required by the said permits and/or consent orders shall be accomplished by the Developer. Nothing herein shall preclude the Developer from curing such default subsequent to March 30, 2005. The Developer shall notify the County when the default is completely cured.

4. The Villa Rosa Borrow Pit Haul Route shall not interfere with the flow of water through the site. Upon notice from the County, the Haul Route shall be cut by the Developer when necessary to allow unimpeded water flow. The notice shall set forth the deadline for cutting the Haul Route. Should the Developer fail to cut the Haul Route pursuant to the notice, the County may cut the Haul Route and be reimbursed by the Developer. If the Developer fails to cut the Haul Route pursuant to said notice, it shall be considered a default of this approval. Failure to reimburse the County shall be considered a default. Upon default, the issuance of building permits, plats and other development approvals shall cease until all of the requirements of this paragraph are met. The County agrees to give the Developer notice of default. The Developer agrees that it will acquire no vested rights in any development approval, plat or permit issued while there exists an uncured event of default of this approval.

5. Provide a legal description and sketch of the East Wildlife Corridor to the Growth Management Department for review within ninety (90) days of approval of this NOPC by the Board of County Commissioners. Such legal description shall be approved by the County Biologist, which approval shall not be unreasonably withheld or delayed.

6. Execute and record a conservation easement in favor of Pasco County as approved by the County Attorney's Office for the East Wildlife Corridor, prior to the earlier of: a) construction plan approval for Parcel I-2; or b) December 31, 2006.

7. There shall be no intrusion such as, but not limited to, lot lines, construction equipment, fill material, dredging and filling activities, grading, or other construction-related activities into the East Wildlife Corridor. Restoration activities as required by the SWFWMD permits and Consent Orders for the Villa Rosa Borrow Pit Haul Route must be complete within the Wildlife Corridor no later than March 30, 2005. Mitigation areas and stormwater attenuation and treatment facilities shall not be constructed within the East Wildlife Corridor. Clearly label the East Wildlife Corridor on all design and construction plans and communicate the protected nature of this corridor with the Developer and construction contractor(s).

8. The East Wildlife Corridor, at a minimum, shall be buffered by a silt screen during abutting construction activities.

9. The East Wildlife Corridor shall be monitored, managed, and maintained by the Developer or a designated merchants association in accordance with the conservation easement and Federal law, the existing SWFWMD permits and consent orders, and these conditions of approval.

10. Incorporate clear and concise language into the governing documents of any designated merchants association that the East Wildlife Corridor is not the property of the adjacent landowner and is a dedicated and officially recorded conservation area and regional wildlife corridor. Activities interfering with the quality of this natural corridor are prohibited and any form of encroachment or alteration could be reported to Pasco County for immediate enforcement action. Activities causing a negative effect on the conservation area include, but are not limited to, dumping of any kind (fill dirt, lawn clippings, landscaping trimmings, etc.), application of chemicals of any kind (except to remove nuisance species as part of the management plan), trimming or cutting of any native species of vegetation.

11. The Developer or a designated merchants association will implement a management plan to ensure the long-term viability and success of the East Wildlife Corridor. Specific components to the management plan will include:

a. Erection and maintenance of signage along the East Wildlife Corridor identifying the area as "protected conservation area – no trespassing." Signs shall be installed on the north, south and east sides of the East Wildlife Corridor at a spacing of approximately 350 feet.

b. Implement an annual inspection program to identify and remove any nuisance or exotic species that might colonize the East Wildlife Corridor. Specific target species include Brazilian Pepper, Chinese Tallow, and Primrose Willow.

c. Supply, install, and maintain nest boxes to encourage use by ducks, owls, and other birds along the East Wildlife Corridor.

12. Notwithstanding the foregoing, the Developer and/or such other responsible merchants association shall have the right to access the East Wildlife Corridor for the purpose of: a) restoring the Villa Rosa Borrow Pit Haul Route in accordance with all conditions of applicable SWFWMD permits and Consent Orders, including any continued monitoring and/or maintenance required by the said permits and/or Consent Orders; b) constructing, monitoring and maintaining the Mitigation / Floodplain Compensation Areas (as depicted on Figure A), which are not a part of the East Wildlife Corridor, in accordance with applicable regulatory permits; and c) to implement the requirements of the wildlife corridor management plan set forth herein. Any damage resulting from the above activities shall be remedied the Developer and/or such other responsible merchants association.

E. Effective Date and Transmittals. This resolution shall take effect immediately upon adoption.

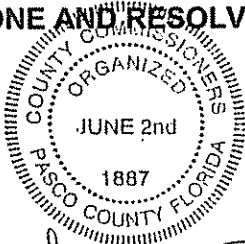
Upon adoption, certified copies of this resolution shall be transmitted by the County's Clerk of the Circuit Court, via certified mail, to the FDCA, TBRPC, and the applicant, pursuant to Chapter 380, F.S.

The Applicant shall record a Notice of Adoption of this resolution as required pursuant to Chapter 380, F.S.

DONE AND RESOLVED this 11th day of January 2005

(SEAL)

ATTEST:



BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA

Jed Pittman
JED PITTMAN, CLERK

Patner
CHAIRMAN

APPROVED AS TO LEGAL FORM AND SUFFICIENCY
Office of the Pasco County Attorney

APPROVED
JAN 11 2005

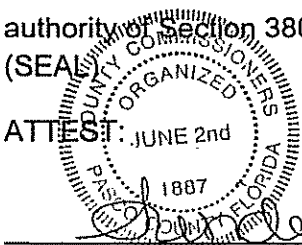
W. Cynthia Blis
ATTORNEY

**NOTICE OF ADOPTION OF AN AMENDMENT TO
THE DEVELOPMENT ORDER FOR THE
SUNCOAST CROSSINGS DEVELOPMENT OF REGIONAL IMPACT**

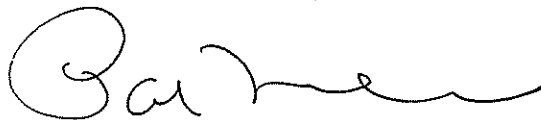
Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 05-83 dated 01-11-05, has adopted an amendment to the development order (DO) for a Development of Regional Impact known as Suncoast Crossings (Resolution No. 01-198). The above-referenced DO constitutes a land development regulation applicable to the property described in Exhibit "A" of the DO.

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 recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in above-mentioned Exhibit "A" nor actual nor constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

(SEAL)
ATTTEST: JUNE 2nd

JED PITTMAN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA



CHAIRMAN APPROVED

JAN 11 2005

STATE OF FLORIDA
COUNTY OF PASCO

The foregoing Notice of Adoption of DO was acknowledged before me this _____ day of _____, 2005.

Notary Public
State of Florida at Large
My Commission Expires:

APPROVED AS TO LEGAL FORM AND SUFFICIENCY
Office of the Pasco County Attorney


ATTORNEY

EXHIBIT "A"
Legal Description

PARCEL I:

That part of Section 30, Township 26 South, Range 18 East, lying South of the Southerly right-of-way line of State Road 54, less that portion taken for right-of-way pursuant to Order of Taking filed in Official Records Book 3814, page 1319, of the public records of Pasco County, Florida.

PARCEL II:

The North ¼ of Section 31, Township 26 South, Range 18 East, LESS AND EXCEPT the road right-of-way of State Road 54, less those portions taken for right-of-way pursuant to Orders of Taking filed in Official Records Book 3775, page 7 and Official Records Book 3814, page 1319 of the public records of Pasco County, Florida.

PARCEL III:

All of Section 31, Township 26 South, Range 18 East, LESS AND EXCEPT the North ¼ thereof and LESS AND EXCEPT right-of-way for State Road No. 54, less those portions taken for right-of-way pursuant to Orders of Taking recorded in Official Records Book 3775, page 7, and Official Records Book 3814, page 1319, of the public records of Pasco County, Florida.

PARCEL IV:

For a Point of Beginning, begin at the Northeast corner of Section 31, Township 26 South, Range 18 East, Pasco County, Florida; thence along the East boundary of Section 31, South 01°49'16" West, 2,465.85 feet to the East ¼ corner; thence continue along the East boundary of Section 31, South 01°48'47" West, 2,630.51 feet to the Southeast corner of Section 31; thence South 89°54'43" East, along the South boundary of Section 32, a distance of 377.00 feet; thence North 01°10'52" East, 2,630.33 feet; thence North 06°14'37" West, 2,479.31 feet to the Point of Beginning, LESS that portion taken for right-of-way pursuant to Order of Taking filed in Official Records Book 3775, page 7, of the public records of Pasco County, Florida.

More particularly described as follows:

EAST PARCEL

A parcel of land located in Pasco County, Florida being a portion of Section 30, Township 26 South, Range 18 East, lying South of State Road 54 and east of State Road 589 (Suncoast Parkway) that portion of Section 31, Township 26 South, Range 19 East lying East of State Road 58 (Suncoast Parkway) all as described in O.R. Book 3814, page 1319 of the Public Records of Pasco County, Florida and that portion of Section 32, Township 26 South, Range 18 East lying East of State Road

589 (Suncoast Parkway) as described in O.R. Book 3440, page 75 of the Public Records of Pasco County, Florida, more particularly described as follows:

Begin at the Northeast corner of the Northeast $\frac{1}{4}$ of said Section 31; thence, South $05^{\circ}58'47''$ East, 2479.16 feet (south $06^{\circ}14'37''$ East, 2479.31 feet - Deed); thence South $01^{\circ}36'40''$ West, 2631.31 feet (South $01^{\circ}10'52''$ East, 2630.33 feet - Deed) to a point on the South boundary line of said Section 32; thence North $89^{\circ}36'33''$ West, 376.63 feet (North $89^{\circ}54'43''$ West, 377.00 feet - Deed) along the South Boundary line of said Section 32 to a point on the Easterly right-of-way line of State Road 589 (Suncoast Parkway); thence along the Easterly right-of-way line of State Road 589, the following 13 courses:

1. North $14^{\circ}20'37''$ West, 3129.75 feet to the point of curvature of a curve to the left.
2. 1801.87 feet along the arc of said curve whose radius is 4783.66 feet, central angle is $21^{\circ}34'54''$ and has a chord bearing and distance of North $25^{\circ}08'03''$ West, 1791.23 feet;
3. North $29^{\circ}04'45''$ West, 250.16 feet;
4. North $26^{\circ}20'23''$ West, 270.76 feet to a point on the South boundary line of said Section 30;
5. South $89^{\circ}19'41''$ East, 131.93 feet along the South boundary line of said Section 30;
6. North $30^{\circ}39'47''$ East, 255.55 feet;
7. North $28^{\circ}47'58''$ West, 605.86 feet;
8. South $52^{\circ}48'09''$ West, 311.45 feet;
9. North $27^{\circ}24'29''$ West; 126.78 feet;
10. North $31^{\circ}13'14''$ West, 97.71 feet;
11. North $27^{\circ}24'24''$ West, 335.67 feet;
12. North $06^{\circ}22'17''$ East, 73.11 feet;
13. North $65^{\circ}13'37''$ East, 2772.01 feet

to a point on the Easterly boundary line of said Section 30; thence South $00^{\circ}19'48''$ West, 2312.05 feet along the Easterly boundary line of said Section 30 to the POINT OF BEGINNING.

Contains 215.615 acres, more or less.

WEST PARCEL

A parcel of land located in Pasco County, Florida being a portion of Section 30, Township 26 South, Range 18 East lying south of State Road 54 and Westerly of State Road 589 (Suncoast Parkway as described in O.R. Book 3814, Page 1319 of the Public Records of Pasco County, Florida and that

portion of Section 31 lying Westerly of State Road 589 (Suncoast Parkway) as described in O.R. Book 3775, page 7 of the Public Records of Pasco County, Florida, more particularly described as follows:

As a point of reference commence at the Northeast corner of the Northeast $\frac{1}{4}$ of said Section 31; thence South $05^{\circ} 58' 47''$ East, 2479.16 feet (South $06^{\circ} 14' 37''$ East, 2479.31 feet - Deed); thence South $01^{\circ} 36' 40''$ West, 2631.31 feet (South $01^{\circ} 10' 52''$ East, 2630.33 feet - Deed) to a point on the South boundary line of said Section 32; thence North $89^{\circ} 36' 33''$ West, 376.95 feet (North $89^{\circ} 54' 43''$ West, 377.00 feet - Deed) to the Southeast corner of the Southeast $\frac{1}{4}$ of said Section 31; thence North $88^{\circ} 52' 47''$ West, 414.60 feet along the South boundary line of said Section 31 to a point on the Westerly right-of-way line of State Road 589 (Suncoast Parkway) being the POINT OF BEGINNING; thence North $88^{\circ} 52' 47''$ West, 2263.86 feet to the Southwest corner of the Southeast $\frac{1}{4}$ of said Section 31; thence North $88^{\circ} 52' 47''$ West, 2480.50 feet along the South boundary line of said Section 31 to the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 31; thence North $00^{\circ} 26' 03''$ East, 2660.11 feet along the West boundary line of said Section 31 to the Northwest corner of the Southwest $\frac{1}{4}$ of said Section 31; thence North $00^{\circ} 11' 59''$ East, 2275.08 feet along the West boundary line of said Section 31 to a point on the Southerly right-of-way line of State Road 54; thence along the Southerly right-of-way of State Road 54 and the Westerly right-of-way line of State Road 589 (Sunshine Parkway) the following twenty-four (24) courses:

1. North $70^{\circ} 10' 38''$ East, 431.29 feet to a point on a curve to the left;
2. 401.47 feet along the arc of said curve whose radius is 4647.00 feet, central angle is $04^{\circ} 57' 00''$ and has a chord bearing and distance of North $67^{\circ} 42' 07''$ East, 401.35 feet;
3. South $24^{\circ} 46' 23''$ East, 30.00 feet;
4. North $65^{\circ} 13' 37''$ East, 1289.48 feet;
5. South $72^{\circ} 56' 43''$ East, 135.51 feet;
6. South $37^{\circ} 47' 58''$ East, 253.85 feet;
7. South $33^{\circ} 59' 06''$ East, 97.72 feet;
8. South $37^{\circ} 47' 56''$ East, 156.16 feet;
9. South $41^{\circ} 29' 21''$ East, 303.01 feet to a point on a curve to the right;
10. 65.57 feet along the arc of said curve whose radius is 2958.79 feet, central angle is $01^{\circ} 16' 11''$ and has a chord bearing and distance of South $38^{\circ} 29' 35''$ East, 65.57 feet to a point of reverse curvature.
11. 330.08 feet along the arc of said curve whose radius is 2958.79 feet, central angle is $06^{\circ} 23' 31''$ and has a chord bearing and distance of South $42^{\circ} 19' 26''$ East, 329.91 feet;
12. South $45^{\circ} 31' 11''$ East, 227.79 feet to a point on a curve to the right;

13. 134.22 feet along the arc of a curve to the right whose radius is 3180.04 feet, central angle is $02^{\circ} 25' 06''$ and has a chord bearing and distance of South $44^{\circ} 18' 38''$ East, 134.21 feet;
14. South $37^{\circ} 11' 56''$ East, 158.83 feet to a point on the arc of a curve to the right;
15. 505.05 feet along the arc of said curve whose radius is 4383.66 feet, central angle is $06^{\circ} 36' 04''$ and has a chord bearing and distance of South $33^{\circ} 53' 53''$ East, 504.77 feet;
16. South $14^{\circ} 53' 01''$ West, 431.90 feet;
17. South $31^{\circ} 21' 42''$ East, 449.05 feet;
18. South $89^{\circ} 15' 10''$ East, 248.78 feet to a non-tangent curve concave to the Southwest;
19. 356.30 feet along the arc of said curve whose radius is 4386.66 feet, central angle is $04^{\circ} 39' 25''$ and has a chord bearing and distance of South $16^{\circ} 40' 19''$ East, 356.20 feet;
20. South $14^{\circ} 20' 37''$ East, 1104.38 feet;
21. South $40^{\circ} 04' 19''$ West, 329.54 feet;
22. South $24^{\circ} 05' 59''$ East, 580.12 feet;
23. North $41^{\circ} 56' 13''$ East, 204.02 feet;
24. South $14^{\circ} 20' 37''$ East, 1265.60 feet;

to the POINT OF BEGINNING.

Contains 473.333 acres, more or less.

EXHIBIT "B"

Land Use and Phasing Schedule

EXHIBIT "B"

**Suncoast Crossings
Land Use and Phasing Schedule**

Land Use	Phase 1 2001-07	Phase 2 2007-11	Total
Residential (dus)			
Single-Family Detached	550	N/A	550
Single-Family Attached	184	N/A	184
Multifamily	<u>344</u>	N/A	<u>344</u>
Total	1,078	N/A	1,078
Commercial/Office (sq. ft.)			
Commercial	570,800	N/A	570,800
Office	540,500	540,500	1,081,000
Light Industrial/Assembly	190,000*	N/A	190,000*

*NOTE: Parcel I-1 is approved for both office and light industrial uses. Maximum office entitlements on Parcel I-1 shall be 105,000 square feet. This office square footage may be exchanged for light industrial square footage pursuant to the DRI Equivalency Matrix, which could yield 190,000 square feet of light industrial and no office square footage, or any combination of office and light industrial square footage that does not exceed the traffic demands for 105,000 square feet of office use. The square footages for each use shall be reported and/or updated in the DRI Annual Report.

EXHIBIT "D"

Land Use Equivalency Matrix

EXHIBIT "D"

LAND USE EQUIVALENCY MATRIX
SUNCOAST CROSSINGS

Change To: Change From:	Office Eastside	Office Westside	Retail Eastside	Retail Westside	Single Family	Multi- Family	Hotel	Light Ind.
Office (Eastside)	N/A	724 sf/ksf (0.7236) ³	307 sf/ksf (0.3070) ³	554 sf/ksf (0.5538) ³	2.01 du/ksf (2.0076) ³	3.09 du/ksf (3.0932) ³	2.23 rooms/ksf (2.2265) ^{2,3}	1.53 sf/ksf (1.5272)
Retail (Westside)	1,806 sf/ksf (1.8056) ³	1,306 sf/ksf (1.3064) ³	554 sf/ksf (0.5544) ³	N/A	3.62 du/ksf (3.6248) ³	5.59 du/ksf (5.5852) ³	4.02 rooms/ksf (4.0201) ³	N/A
Single Family	498 sf/du (0.4981) ³	360 sf/du (0.3604) ³	153 sf/du (0.1529) ³	276 sf/du (0.2759) ³	N/A	1.54 dus/du (1.5408) ³	1.11 rooms/du (1.1091) ³	N/A
Multifamily	323 sf/du (0.3233) ³	234 sf/du (0.2339) ³	99 sf/du (0.0993) ³	179 sf/du (0.1790) ³	0.65 du/du (0.6490) ³	N/A	0.72 rooms/du (0.7198) ³	N/A
Office (Freestanding)	2,336 sf/ksf (2.3361) ³	1,690 sf/ksf (1.6903) ³	717 sf/ksf (0.7173) ³	1,294 sf/ksf (1.2938) ³	4.69 du/ksf (4.690) ³	7.23 du/ksf (7.2261) ³	5.20 rooms/ksf (5.2013) ³	N/A

¹ Land use exchanges are based on net external p.m. peak hour, two-way project traffic. Use of this matrix shall be limited to the following minimums and maximums to ensure that impacts for transportation, water, wastewater, solid water, and affordable housing are not exceeded.

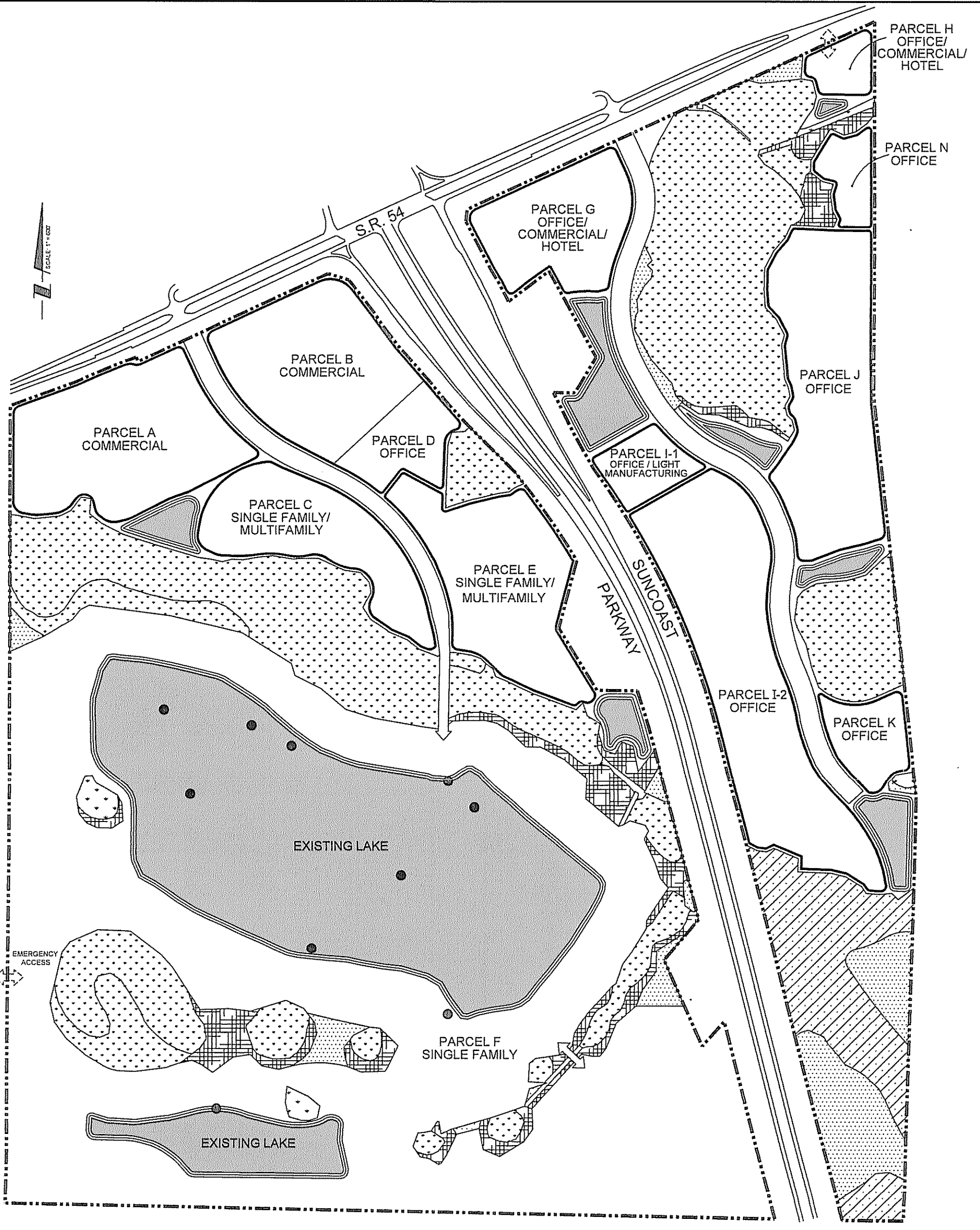
Land Use	Minimum	Maximum
Office	400,000 SF	1,081,000 SF
Retail	250,000 SF	570,800 SF
Single-Family	400 dus	900 dus
Multifamily	300 dus	800 dus
Hotel	0 rooms	250 rooms
Light Industrial	0 SF	190,000 SF

² Example exchanges:
Add 100 hotel rooms by reducing the Eastside Office, 100 rooms + 2.2265, office factor = 44.914; reduce office by 44,914 SF

³ Actual equivalency factor for use in calculations

EXHIBIT "F"

MAP H



LEGEND

- LAKES
- MITIGATION/FLOODPLAIN COMPENSATION
- WETLANDS
- HERBACEOUS RANGELAND
- PINES
- EAST WILDLIFE CORRIDOR
- EXISTING WELLS

LAND USE*	PROJECT PHASING		TOTAL
	PHASE 1 (2001-2007) S.F./UNITS	PHASE 2 (2007-2011) S.F.	
RESIDENTIAL (226.7 AC.)			
SFD	550	N/A	550
SFA	184	N/A	184
MF	344	N/A	344
TOTAL	1,078	N/A	1,078
COMMERCIAL (48.9 AC.)			
OFFICE	540,500	540,500	1,081,000
LIGHT MANUFACTURING (90.0 AC.)			
	190,000**	N/A	190,000**
(95.3 AC.)			

* Land uses may be modified in accordance with the Equivalency matrix provided in the Development Order.

** Parcel I-1 is approved for both office and light industrial uses. Maximum office entitlements on Parcel I-1 shall be 105,000 sf. This office square footage may be exchanged for light industrial square footage pursuant to the DRI Equivalency Matrix, which could yield 190,000 sf of light industrial and no office square footage, or any combination of office and light industrial square footage that does not exceed the traffic demands for 105,000 sf of office use. The square footages for each use shall be reported and/or updated in the DRI Annual Report.

SOURCES:

BCC

WilsonMiller, Inc.
Project Coordination, Planning, Transportation
JAN 11 2005

Otaro Engineering, Inc.
Engineering

Biological Research Associates, Ltd.
Environmental

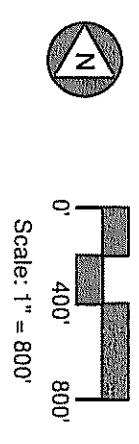
Brickmeyer, Smoker & Bolves, P.A.
Legal Counsel

Fishkind & Associates, Inc.
Economic

APPROVED

RECEIVED

JAN 21 2005



Map H

GENERAL DEVELOPMENT PLAN

Suncoast Crossings (DRI #246)

Pasco County

Revised: November 3, 2004

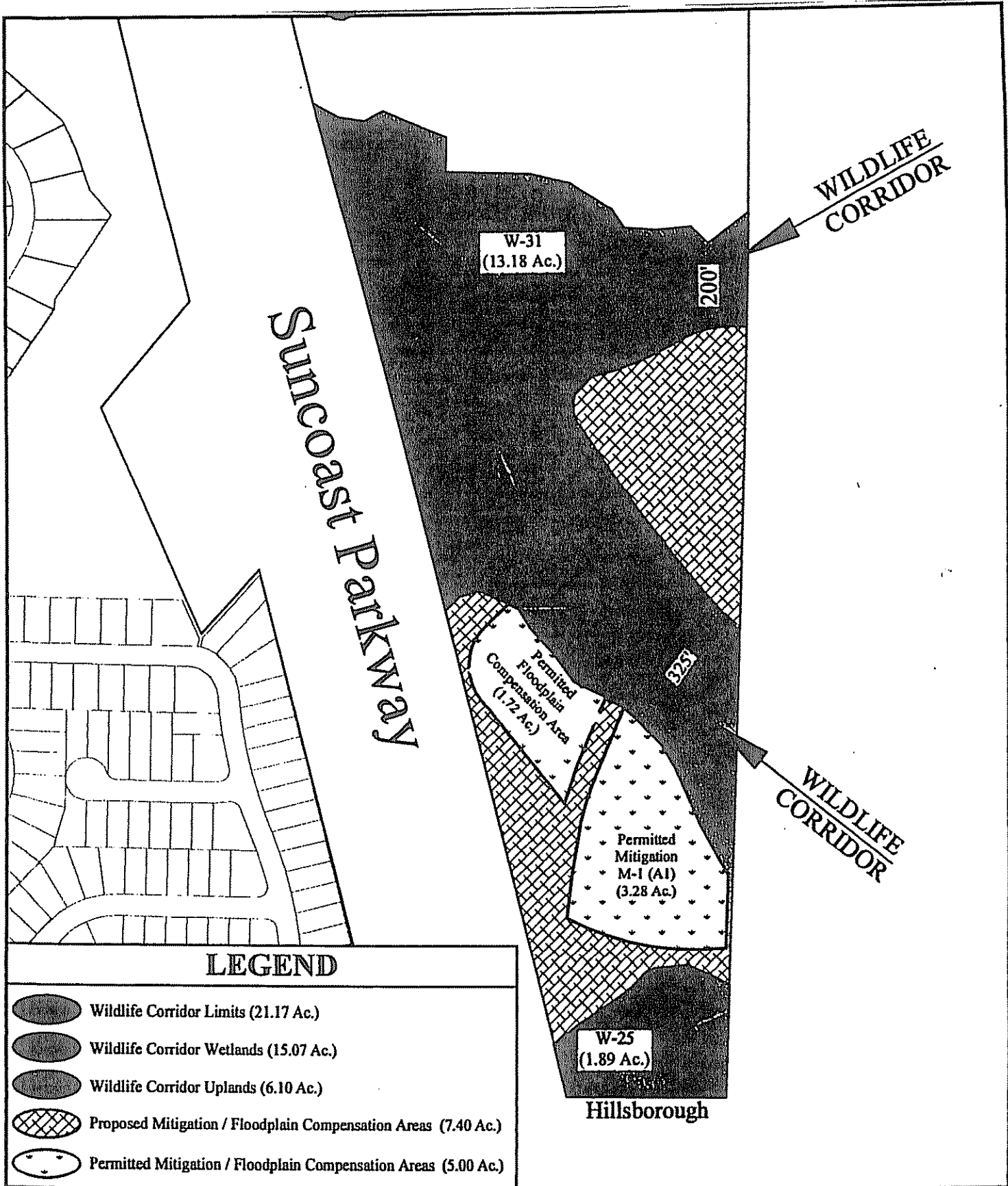
ENGELHARDT, HAMMER & ASSOCIATES

Planning · Engineering · Landscape Architecture

5444 Bay Center Drive, Suite 122, Tampa, FL 33609

Telephone 813 282-3855, Fax 813 286-2308

EXHIBIT "G"
EAST WILDLIFE CORRIDOR



LEGEND

- Wildlife Corridor Limits (21.17 Ac.)
- Wildlife Corridor Wetlands (15.07 Ac.)
- Wildlife Corridor Uplands (6.10 Ac.)
- Proposed Mitigation / Floodplain Compensation Areas (7.40 Ac.)
- Permitted Mitigation / Floodplain Compensation Areas (5.00 Ac.)

300 0 150 300 1 inch = 300 ft.

SH-



Preparation Date: 11/03/04	Revision Date:
Project Manager: WBC	CAD QA/QC:
Project #: 4466-001-B72	CAD Operator: JMB

Exhibit G
Suncoast Crossings - East
Wildlife Corridor
Pasco County, FL

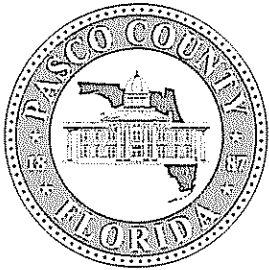
Biological Research Associates

3910 US HIGHWAY 301 N.
 SUITE 180
 TAMPA, FLORIDA 33619
 (813) 664-4500 FAX (813) 664-0440
www.biologicalresearch.com



Q:\gis\4466\001\working\cad бра\eastside-wildlife-corridor.dwg

#246



PASCO COUNTY, FLORIDA

FAX (727) 847-8084
DADE CITY (352) 521-4274
LAND O' LAKES (813) 996-7341
NEW PORT RICHEY (727) 847-8193

GROWTH MANAGEMENT DEPARTMENT
WEST PASCO GOVERNMENT CENTER
7530 LITTLE ROAD, SUITE 320
NEW PORT RICHEY, FL 34654-5598

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

July 26, 2004

Mr. John Meyer, DRI Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Boulevard
Pinellas Park, FL 33782

RE: Suncoast Crossings - DRI No. 246, DO Amendment

Dear Mr. Meyer:

Enclosed please find a certified copy of the Suncoast Crossings Development of Regional Impact (DRI) No. 246, Development Order (DO) Amendment (Resolution No. 04-222), which is hereby rendered in accordance with Chapter 380.06, Florida Statutes. This DO amendment was approved by the Pasco County Board of County Commissioners on July 13, 2004.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna S. Wirt".

Donna S. Wirt
Planner II

DSW/ltr/agm67a/67a(1)

Enclosure


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

PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM


TO: Honorable Chairman and
Members of the Board of
County Commissioners

DATE: 7/6/04

FILE: GM04-1122

THRU: 
Bipin Parikh, P.E.
Assistant County Administrator
(Development Services)

SUBJECT: Suncoast Crossings DRI No. 246,
Notice of Proposed Change;
Development of Regional Impact/
Development Order Amendment
BCC Meeting Date: 7/13/04,
6:30 p.m., NPR

FROM: 
Samuel P. Steffey II
Growth Management Administrator

REFERENCES: Section 380.06(19), Florida
Statutes; Comm. Dist. 2;
CAC Planning Dist. 5

It is recommended that the data herein presented be given formal consideration by the Board of County Commissioners.

DESCRIPTION AND CONDITIONS:

The development order (DO) for the Suncoast Crossings Development of Regional Impact (DRI) was approved with conditions by Resolution No. 01-198 on April 24, 2001.

Presently, the developer of the Suncoast Crossings DRI No. 246 wishes to make the following modifications to the DO:

1. Add light industrial to the Equivalency Matrix in order to accommodate light manufacturing needs of the Opincus Corporation.
2. Permit any combination of office and light manufacturing uses on Parcel I-1 that does not exceed traffic demands for 105,000 square feet of office uses in accordance with the Equivalency Matrix.
3. Revise Map H to reflect these changes.

On June 10, 2004, the Development Review Committee approved the Growth Management Department's recommendation that the Board determine that the development does not require further DRI review and approved proposed changes to the DRI.

In accordance with statutory guidelines, this change is not presumed to be a substantial deviation.

ALTERNATIVES AND ANALYSIS:

1. Approve the proposed changes.
2. Approve the proposed changes with additional modifications or conditions.
3. Deny the proposed changes.
4. Recommend further DRI review.
5. Direct staff as to other action desired by the Board.

RECOMMENDATION:

The Growth Management Department staff recommends that the Board approve Alternative No. 1 above and determine that:

1. The development does not require further DRI review.
2. The DO be amended as indicated in the attached resolution.
3. The remaining conditions of the DRI/DO for Resolution No. 01-198, as subsequently amended, shall remain in full force and effect.

It is further recommended that the Chairman be authorized to sign the attached resolution and Notice of Adoption, to execute the resolution, and to direct Secretarial Services to return five certified copies of the resolution and the Notice of Adoption to the Growth Management Department. The Growth Management Department will then send the requisite copies to the appropriate parties.

ATTACHMENTS:

1. Resolution
2. Notice of Adoption

SPS *SPS*

SPS/DSW/ai/fgm041122/31

APPROVED AGENDA ITEM FOR

BCC

DATE JUL 13 2004

BY APPROVED

BY COMMISSIONER _____

RESOLUTION NO. 04-222

RESOLUTION AMENDING THE DEVELOPMENT ORDER
FOR THE SUNCOAST CROSSINGS DEVELOPMENT OF REGIONAL IMPACT
(RESOLUTION NO. 01-198)

WHEREAS, in accordance with Section 380.06, Florida Statutes, on April 4, 2001, the Pasco County Board of County Commissioners ("**Board**") adopted a Development Order approving, with conditions, the Suncoast Crossings Development of Regional Impact (the "**Project**"), by Resolution No. 01-198 ("**Development Order**"); and

WHEREAS, on March 23, 2004, MDG Suncoast, LLC and Hogan Suncoast, LLC (together, the "**Developer**"), filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact (the "**NOPC**"), pursuant to Subsection 380.06(19), with Pasco County, Florida ("**County**"), with copies provided to the Tampa Bay Regional Planning Council ("**TBRPC**"), the Florida Department of Community Affairs (DCA), and the Florida Department of Transportation ("**FDOT**"); and

WHEREAS, the NOPC proposed to amend the Development Order to (1) add light industrial uses to the Equivalency Matrix for the Project; (2) permit any combination of office and light industrial uses on Parcel I-1 that does not exceed the traffic demands for 105,000 square feet of office uses in accordance with the Equivalency Matrix; and (3) revise Map H to reflect these changes (collectively, as modified by this Resolution, the "**Proposed Changes**"); and

WHEREAS, the Proposed Changes are presumed to create a substantial deviation pursuant to Subsection 380.06(19)(e)5.c., Florida Statutes; and

WHEREAS, the NOPC has satisfactorily addressed all regional issues related to the Proposed

Changes and presented clear and convincing evidence to rebut the presumption of a substantial deviation; and

WHEREAS, the Board, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider amendments to DRIs; and

WHEREAS, the public notice requirement of Chapter 380.06(19), Florida Statutes, has been satisfied; and

WHEREAS, the Board has reviewed the Proposed Changes, as well as all related testimony and evidence submitted by each party and members of the general public.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled that the Proposed Changes to the Suncoast Crossings Development Order as described in NOPC are approved and the Development Order is amended as set forth below:

I. GENERAL FINDINGS OF FACT

The Board, having received the NOPC and having received all related comments, testimony and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

A. The Development Order is a valid, final development order within the provision of Section 163.3167(8), Florida Statutes, affecting the property described on **Exhibit "A"** attached hereto and incorporated herein.

B. The NOPC includes a description of the Proposed Changes.

C. A comprehensive review of all the impacts generated by the Proposed Changes,

together with all previous amendments, has been conducted by Pasco County (County), the Tampa Bay Regional Planning Council (TBRPC), and the Department of Community Affairs, State of Florida (DCA).

D. The Proposed Changes, together with all previous amendments, do not create additional, unmitigated regional impacts on transportation or other public facilities, including water, wastewater, drainage, solid waste, recreation, and mass transit from the original projections set forth in the Application for Development Approval (ADA).

E. The property is not located in an area of critical state concern as designated by Chapter 380.05, Florida Statutes.

II. CONCLUSIONS OF LAW

The Board, having made the above findings of fact, reaches the following conclusions of law:

A. Development in accordance with the Proposed Changes will not unreasonably interfere with the achievement of the objectives of the adopted State Comprehensive Plan.

B. The Proposed Changes are consistent with Pasco County land development regulations and the adopted local comprehensive plan.

C. The Proposed Changes, together with all previous amendments, do not create additional, unmitigated impacts to public facilities or any type of unmitigated regional impact beyond those treated under the Development Order. The proposed amendments, therefore, do not constitute a substantial deviation from the Development Order pursuant to Chapter 380.06, Florida Statutes.

D. Nothing herein shall limit or modify the rights originally approved by the Development Order of the protection afforded under Section 163.3167(8), Florida Statutes.

E. The Proposed Changes, once effective, are consistent with the provisions of Section

402, Pasco County Land Development Code; the Pasco County Concurrency Management System; and the development rights granted by the Development Order, as amended hereby, remain vested thereunder through September 23, 2010.

F. The Proposed Changes are consistent with the recommendation of TBRPC.

G. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record and these proceedings, the various departments of the County and Developer are authorized to approve/conduct development as described herein.

H. The review by the County, TBRPC and other participating agencies and interested citizens reveals that the Proposed Changes do not create additional, unmitigated impacts on regionally significant natural resources, facilities and services beyond those previously reviewed in ADA, and that mitigation of all impacts are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.

III. ORDER

The Board, having made the above findings of fact and having drawn the above conclusions of law, hereby approves the Proposed Changes and the Proposed Development as defined herein and orders that the Development Order be amended as follows:

A. Section IV.A.1, Table 1, is revised to permit any combination of office and light industrial uses on Parcel I-1 that does not exceed the traffic demands for 105,000 square feet of office uses as follows:

TABLE 1 (Revised)
 SUNCOAST CROSSINGS
 LAND USE AND PHASING SCHEDULE

Land Use	Phase 1 2001-07	Phase 2 2007-11	Total
Residential (dus)			
Single-Family Detached	550	N/A	550
Single-Family Attached	184	N/A	184
Multifamily	<u>585</u>	N/A	<u>585</u>
Total	1,319	N/A	1,319
Commercial/Office (sq. ft.)			
Commercial	500,000	N/A	500,000
Office	600,000	600,000	1,200,000
Light Industrial/Assembly	0-190,000*	N/A	0-190,000*

*NOTE: Parcel I-1 is approved for both office and light industrial uses. Maximum office entitlements on Parcel I-1 shall be 105,000 sf. This office square footage may be exchanged for light industrial square footage pursuant to the DRI Equivalency Matrix, which could yield 190,000 sf of light industrial and no office square footage, or any combination of office and light industrial square footage that does not exceed the traffic demands for 105,000 sf of office use. The square footages for each use shall be reported and/or updated in the DRI Annual Report.

- B. **Exhibit "D"**, the Equivalency Matrix, is revised as follows to add light industrial uses. The original **Exhibit "D"** is hereby replaced with the Revised Exhibit "D" attached hereto.
- C. Map H is hereby revised to reflect the Proposed Changes. The original Map H attached to the Develop Order as **Exhibit "F"** is hereby replaced with the Map H attached hereto as **Exhibit "F"**.
- D. Effective Date And Transmittals. This resolution shall take effect immediately upon adoption. Upon adoption, certified copies of this resolution shall be transmitted by the County's Clerk of the Circuit Court, via certified mail, to DCA, TBRPC and the applicant, pursuant to Chapter 380, Florida Statutes.

Applicant shall record a Notice of Adoption of this resolution as required pursuant to Chapter 380, Florida Statutes.

DONE AND RESOLVED THIS 13th day of July, 2004.



Jed Pittman
JED PITTMAN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: [Signature]
CHAIRMAN

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

BY: [Signature]
ATTORNEY

APPROVED
JUL 13 2004

**NOTICE OF THE ADOPTION OF AMENDMENT TO THE
DEVELOPMENT ORDER FOR THE SUNCOAST CROSSINGS
DEVELOPMENT OF REGIONAL IMPACT**

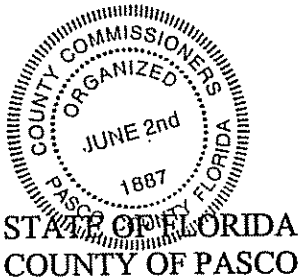
Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 04-222 dated 7-13-04, has adopted an amendment to the Development Order for a Development of Regional Impact known as Suncoast Crossings (Resolution No. 01-198). The above referenced Development Order constitutes a land development regulation applicable to the property described in Exhibit "A" of the Development Order.

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 recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in above-mentioned Exhibit "A" nor actual nor constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: [Signature]
CHAIRMAN
BOARD OF COUNTY COMMISSIONERS



The foregoing Notice of Adoption of Development Order was acknowledged before me this 13th day of July, 2004.

[Signature]
Notary Public
State of Florida at Large
My Commission Expires:

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

By: [Signature]
ATTORNEY

EXHIBIT "A"
Legal Description

PARCEL I:

That part of Section 30, Township 26 South, Range 18 East, lying South of the Southerly right-of-way line of State Road 54, less that portion taken for right-of-way pursuant to Order of Taking filed in Official Records Book 3814, page 1319, of the public records of Pasco County, Florida.

PARCEL II:

The North $\frac{1}{4}$ of Section 31, Township 26 South, Range 18 East, LESS AND EXCEPT the road right-of-way of State Road 54, less those portions taken for right-of-way pursuant to Orders of Taking filed in Official Records Book 3775, page 7 and Official Records Book 3814, page 1319 of the public records of Pasco County, Florida.

PARCEL III:

All of Section 31, Township 26 South, Range 18 East, LESS AND EXCEPT the North $\frac{1}{4}$ thereof and LESS AND EXCEPT right-of-way for State Road No. 54, less those portions taken for right-of-way pursuant to Orders of Taking recorded in Official Records Book 3775, page 7, and Official Records Book 3814, page 1319, of the public records of Pasco County, Florida.

PARCEL IV:

For a Point of Beginning, begin at the Northeast corner of Section 31, Township 26 South, Range 18 East, Pasco County, Florida; thence along the East boundary of Section 31, South $01^{\circ}49'16''$ West, 2,465.85 feet to the East $\frac{1}{4}$ corner; thence continue along the East boundary of Section 31, South $01^{\circ}48'47''$ West, 2,630.51 feet to the Southeast corner of Section 31; thence South $89^{\circ}54'43''$ East, along the South boundary of Section 32, a distance of 377.00 feet; thence North $01^{\circ}10'52''$ East, 2,630.33 feet; thence North $06^{\circ}14'37''$ West, 2,479.31 feet to the Point of Beginning, LESS that portion taken for right-of-way pursuant to Order of Taking filed in Official Records Book 3775, page 7, of the public records of Pasco County, Florida.

More particularly described as follows:**EAST PARCEL**

A parcel of land located in Pasco County, Florida being a portion of Section 30, Township 26 South, Range 18 East, lying South of State Road 54 and east of State Road 589 (Suncoast Parkway) that portion of Section 31, Township 26 South, Range 19 East lying East of State Road 58 (Suncoast Parkway) all as described in O.R. Book 3814, page 1319 of the Public Records of Pasco County, Florida and that portion of Section 32, Township 26 South, Range 18 East lying East of State Road

589 (Suncoast Parkway) as described in O.R. Book 3440, page 75 of the Public Records of Pasco County, Florida, more particularly described as follows:

Begin at the Northeast corner of the Northeast $\frac{1}{4}$ of said Section 31; thence, South $05^{\circ}58'47''$ East, 2479.16 feet (south $06^{\circ}14'37''$ East, 2479.31 feet - Deed); thence South $01^{\circ}36'40''$ West, 2631.31 feet (South $01^{\circ}10'52''$ East, 2630.33 feet - Deed) to a point on the South boundary line of said Section 32; thence North $89^{\circ}36'33''$ West, 376.63 feet (North $89^{\circ}54'43''$ West, 377.00 feet - Deed) along the South Boundary line of said Section 32 to a point on the Easterly right-of-way line of State Road 589 (Suncoast Parkway); thence along the Easterly right-of-way line of State Road 589, the following 13 courses:

1. North $14^{\circ}20'37''$ West, 3129.75 feet to the point of curvature of a curve to the left.
2. 1801.87 feet along the arc of said curve whose radius is 4783.66 feet, central angle is $21^{\circ}34'54''$ and has a chord bearing and distance of North $25^{\circ}08'03''$ West, 1791.23 feet;
3. North $29^{\circ}04'45''$ West, 250.16 feet;
4. North $26^{\circ}20'23''$ West, 270.76 feet to a point on the South boundary line of said Section 30;
5. South $89^{\circ}19'41''$ East, 131.93 feet along the South boundary line of said Section 30;
6. North $30^{\circ}39'47''$ East, 255.55 feet;
7. North $28^{\circ}47'58''$ West, 605.86 feet;
8. South $52^{\circ}48'09''$ West, 311.45 feet;
9. North $27^{\circ}24'29''$ West, 126.78 feet;
10. North $31^{\circ}13'14''$ West, 97.71 feet;
11. North $27^{\circ}24'24''$ West, 335.67 feet;
12. North $06^{\circ}22'17''$ East, 73.11 feet;
13. North $65^{\circ}13'37''$ East, 2772.01 feet

to a point on the Easterly boundary line of said Section 30; thence South $00^{\circ}19'48''$ West, 2312.05 feet along the Easterly boundary line of said Section 30 to the POINT OF BEGINNING.

Contains 215.615 acres, more or less.

WEST PARCEL

A parcel of land located in Pasco County, Florida being a portion of Section 30, Township 26 South, Range 18 East lying south of State Road 54 and Westerly of State Road 589 (Suncoast Parkway as described in O.R. Book 3814, Page 1319 of the Public Records of Pasco County, Florida and that

portion of Section 31 lying Westerly of State Road 589 (Suncoast Parkway) as described in O.R. Book 3775, page 7 of the Public Records of Pasco County, Florida, more particularly described as follows:

As a point of reference commence at the Northeast corner of the Northeast $\frac{1}{4}$ of said Section 31; thence South $05^{\circ} 58' 47''$ East, 2479.16 feet (South $06^{\circ} 14' 37''$ East, 2479.31 feet - Deed); thence South $01^{\circ} 36' 40''$ West, 2631.31 feet (South $01^{\circ} 10' 52''$ East, 2630.33 feet - Deed) to a point on the South boundary line of said Section 32; thence North $89^{\circ} 36' 33''$ West, 376.95 feet (North $89^{\circ} 54' 43''$ West, 377.00 feet - Deed) to the Southeast corner of the Southeast $\frac{1}{4}$ of said Section 31; thence North $88^{\circ} 52' 47''$ West, 414.60 feet along the South boundary line of said Section 31 to a point on the Westerly right-of-way line of State Road 589 (Suncoast Parkway) being the POINT OF BEGINNING; thence North $88^{\circ} 52' 47''$ West, 2263.86 feet to the Southwest corner of the Southeast $\frac{1}{4}$ of said Section 31; thence North $88^{\circ} 52' 47''$ West, 2480.50 feet along the South boundary line of said Section 31 to the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 31; thence North $00^{\circ} 26' 03''$ East, 2860.11 feet along the West boundary line of said Section 31 to the Northwest corner of the Southwest $\frac{1}{4}$ of said Section 31; thence North $00^{\circ} 11' 59''$ East, 2275.08 feet along the West boundary line of said Section 31 to a point on the Southerly right-of-way line of State Road 54; thence along the Southerly right-of-way of State Road 54 and the Westerly right-of-way line of State Road 589 (Sunshine Parkway) the following twenty-four (24) courses:

1. North $70^{\circ} 10' 38''$ East, 431.29 feet to a point on a curve to the left;
2. 401.47 feet along the arc of said curve whose radius is 4647.00 feet, central angle is $04^{\circ} 57' 00''$ and has a chord bearing and distance of North $67^{\circ} 42' 07''$ East, 401.35 feet;
3. South $24^{\circ} 46' 23''$ East, 30.00 feet;
4. North $65^{\circ} 13' 37''$ East, 1289.48 feet;
5. South $72^{\circ} 56' 43''$ East, 135.51 feet;
6. South $37^{\circ} 47' 58''$ East, 253.85 feet;
7. South $33^{\circ} 59' 06''$ East, 97.72 feet;
8. South $37^{\circ} 47' 58''$ East, 156.16 feet;
9. South $41^{\circ} 29' 21''$ East, 303.01 feet to a point on a curve to the right;
10. 65.57 feet along the arc of said curve whose radius is 2958.79 feet, central angle is $01^{\circ} 16' 11''$ and has a chord bearing and distance of South $38^{\circ} 29' 35''$ East, 65.57 feet to a point of reverse curvature.
11. 330.08 feet along the arc of said curve whose radius is 2958.79 feet, central angle is $06^{\circ} 23' 31''$ and has a chord bearing and distance of South $42^{\circ} 19' 26''$ East, 329.91 feet;
12. South $45^{\circ} 31' 11''$ East, 227.79 feet to a point on a curve to the right;

13. 134.22 feet along the arc of a curve to the right whose radius is 3180.04 feet, central angle is $02^{\circ} 25' 06''$ and has a chord bearing and distance of South $44^{\circ} 18' 38''$ East, 134.21 feet;
14. South $37^{\circ} 11' 56''$ East, 158.83 feet to a point on the arc of a curve to the right;
15. 505.05 feet along the arc of said curve whose radius is 4383.66 feet, central angle is $06^{\circ} 36' 04''$ and has a chord bearing and distance of South $33^{\circ} 53' 53''$ East, 504.77 feet;
16. South $14^{\circ} 53' 01''$ West, 431.90 feet;
17. South $31^{\circ} 21' 42''$ East, 449.05 feet;
18. South $89^{\circ} 15' 10''$ East, 248.78 feet to a non-tangent curve concave to the Southwest;
19. 356.30 feet along the arc of said curve whose radius is 4386.66 feet, central angle is $04^{\circ} 39' 25''$ and has a chord bearing and distance of South $16^{\circ} 40' 19''$ East, 356.20 feet;
20. South $14^{\circ} 20' 37''$ East, 1104.38 feet;
21. South $40^{\circ} 04' 19''$ West, 329.54 feet;
22. South $24^{\circ} 05' 59''$ East, 580.12 feet;
23. North $41^{\circ} 56' 13''$ East, 204.02 feet;
24. South $14^{\circ} 20' 37''$ East, 1265.60 feet;

to the POINT OF BEGINNING.

Contains 473.333 acres, more or less.

EXHIBIT "D"

Land Use Equivalency Matrix

(Revised 3/04)

EXHIBIT D

**Equivalency Matrix
Suncoast Crossings
(Revised 6/04)**

Change To: Change From:	Office Eastside	Office Westside	Retail Eastside	Retail Westside	Single Family	Multi- Family	Hotel	Light Ind.
Office (Eastside)	N/A	724 sf/ksf (0.7236) ³	307 sf/ksf (0.3070) ³	554 sf/ksf (0.5538) ³	2.01 du/ksf (2.0076) ³	3.09 du/ksf (3.0932) ³	2.23 rooms/ksf (2.2265) ^{2,3}	1.53 sf/ksf (1.5272)
Retail (Westside)	1,806 sf/ksf (1.8056) ³	1,306 sf/ksf (1.3064) ³	554 sf/ksf (0.5544) ³	N/A	3.62 du/ksf (3.6248) ³	5.59 du/ksf (5.5852) ³	4.02 rooms/ksf (4.0201) ³	N/A
Single Family	498 sf/du (0.4981) ³	360 sf/du (0.3604) ³	153 sf/du (0.1529) ³	276 sf/du (0.2759) ³	N/A	1.54 dus/du (1.5408) ³	1.11 rooms/du (1.1091) ³	N/A
Multi-Family	323 sf/du (0.3233) ³	234 sf/du (0.2339) ³	99 sf/du (0.0993) ³	179 sf/du (0.1790) ³	0.65 du/du (0.6490) ³	N/A	0.72 rooms/du (0.7198) ³	N/A
Office (Freestanding)	2,336 sf/ksf (2.3361) ³	1,690 sf/ksf (1.6903) ³	717 sf/ksf (0.7173) ³	1,294 sf/ksf (1.2938) ³	4.69 du/ksf (4.690) ³	7.23 du/ksf (7.2261) ³	5.20 rooms/ksf (5.2013) ³	N/A

¹ Land use exchanges are based on net-external p.m. peak hour two-way project traffic. Use of this matrix shall be limited to the following minimums and maximums to ensure that impacts for transportation, water, wastewater, solid water, and affordable housing are not exceeded.

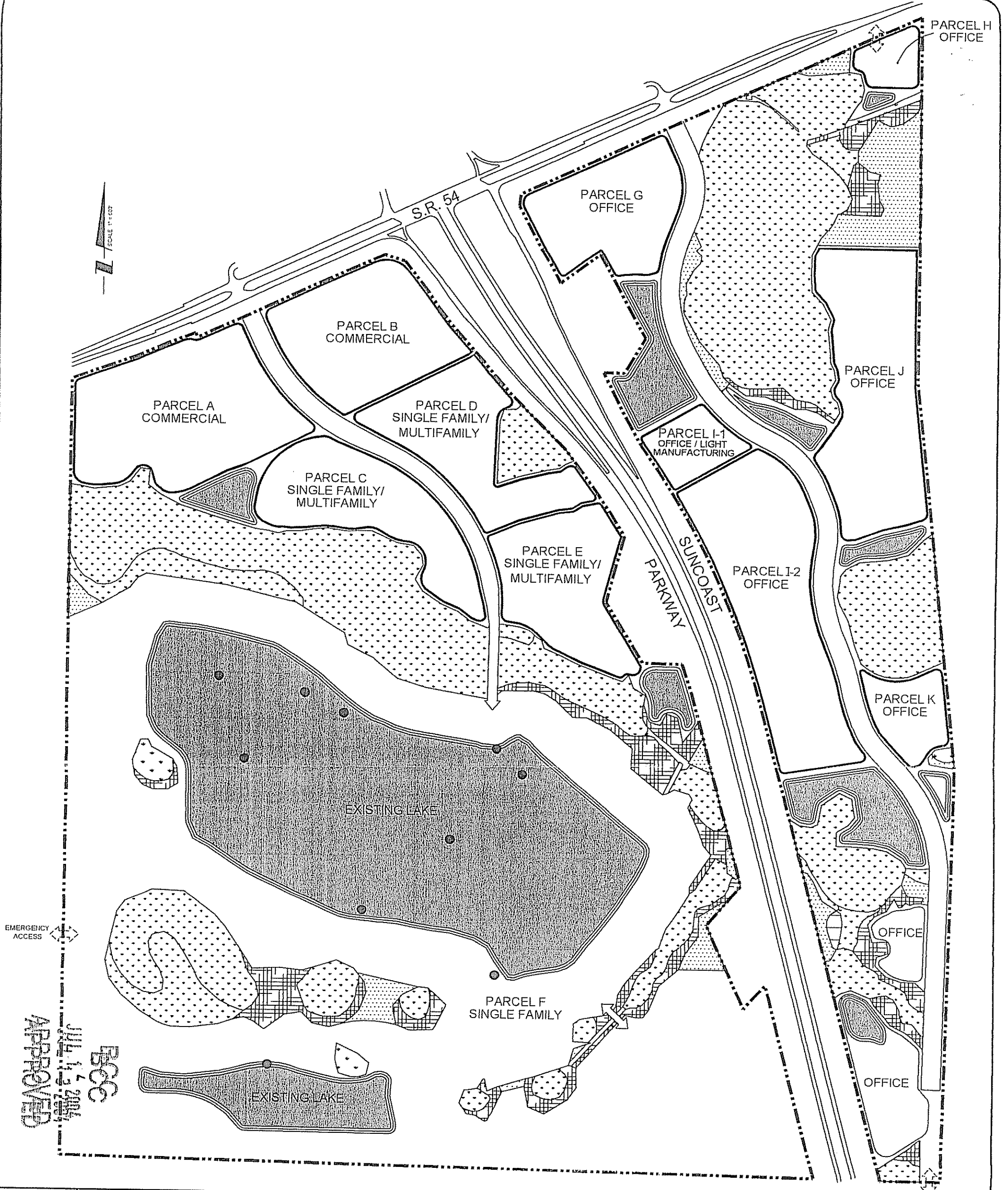
<u>Land Use</u>	<u>Minimum</u>	<u>Maximum</u>
Office	400,000 sf	1,286,170 sf
Retail	250,000 sf	570,800 sf
Single-Family	400 dus	900 dus
Multi-Family	300 dus	800 dus
Hotel	0 rooms	250 rooms
Light Industrial	0 sf	190,000 sf

² Example exchanges:
Add 100 hotel rooms by reducing Eastside Office, 100 rooms ÷ 2.2265, office factor = 44.914; reduce office by 44,914 sf

³ Actual Equivalency factor for use in calculations

EXHIBIT "F"

Map H



APPROVED
 JUL 14 2004
 BCC

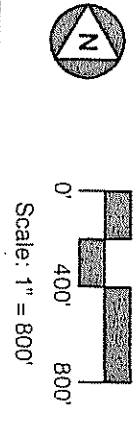
LEGEND

- LAKES
- MITIGATION AREAS
- WETLANDS
- HERBACEOUS RANGELAND
- PINES
- EXISTING WELLS

LAND USE*	PROJECT PHASING		TOTAL
	PHASE 1 (2001-2007) S.F./UNITS	PHASE 2 (2007-2011) S.F.	
RESIDENTIAL (226.7 AC)			
SFD	550	N/A	550
SFA	184	N/A	184
MF	585	N/A	585
TOTAL	1,319	N/A	1,319
COMMERCIAL (45.3 AC)			
OFFICE	600,000	600,000	1,200,000
LIGHT MANUFACTURING (5.3 AC)	190,000**	N/A	190,000**

* Land uses may be modified in accordance with the Equivalency matrix provided in the Development Order.
 ** Parcel I-1 is approved for both office and light industrial uses. Maximum office entitlements on Parcel I-1 shall be 105,000 sf. This office square footage may be exchanged for light industrial square footage pursuant to the DRI Equivalency Matrix, which could yield 190,000 sf of light industrial and no office square footage, or any combination of office and light industrial square footage that does not exceed the traffic demands for 105,000 sf of office use. The square footages for each use shall be reported and/or updated in the DRI Annual Report.

SOURCES:
 WilsonMiller, Inc.
 Project Coordination, Planning, Transportation
 Engineering
 Otaro Engineering, Inc.
 Engineering
 Biological Research Associates, Ltd.
 Environmental
 Brickleyer, Smolker & Bolvae, P.A.
 Legal Counsel
 Fishkind & Associates, Inc.
 Economic

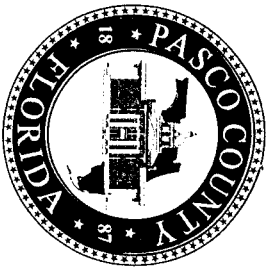


Map H
GENERAL DEVELOPMENT PLAN
 Suncoast Crossings
 Pasco County
 Revised: May 20, 2004

ENGELHARDT, HAMMER & ASSOCIATES
 Planning, Engineering, Landscaping, Architecture
 5444 Bay Center Drive, Suite 122, Tampa, FL 33609
 Telephone 813 282-3855, Fax 813 286-2308

RECEIVED
 JUL 7 3 2004

#246



PASCO COUNTY, FLORIDA

Growth Management/Zoning Department
West Pasco Government Center
7530 Little Road, Suite 320
New Port Richey, FL 34654
Tel. (727) 847-8140
Fax (727) 847-8084

CERTIFIED MAIL NO. 70000600002445219231
RETURN RECEIPT REQUESTED

May 9, 2001

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

RE: Suncoast Crossings - Development of Regional Impact #246
Development Order

Dear Mr. Meyer:

Enclosed please find a certified copy of the Suncoast Crossings Development of Regional Impact #246, Development Order (Resolution No. 01-198), which is hereby rendered in accordance with Chapter 380.06, Florida Statutes. This development order was approved by the Pasco County Board of County Commissioners on April 24, 2001.

Sincerely,

Michael LaSala, AICP
Planner II
ML/ml
Enclosure

cc: Samuel P. Steffey II, Growth Management Administrator

311



2001055346

BY COMMISSIONER _____

RESOLUTION NO. 01-198

R Bd. Rec. *HK*
684

A RESOLUTION ADOPTING A DEVELOPMENT ORDER APPROVING, WITH CONDITIONS, THE SUNCOAST CROSSINGS DEVELOPMENT OF REGIONAL IMPACT (DRI NO. 246)

Rept: 493278 Rec: 168.00
DS: 0.00 IT: 0.00
04/27/01 Dpty Clerk

115-002 ch

chnc. filed an Application for Development Approval (ADA) for a Development of Regional Impact (DRI) known as SUNCOAST CROSSINGS; and,

JED PITTMAN, PASCO COUNTY CLERK
04/27/01 03:09pm 1 of 37
OR BK 4595 Pg 661

WHEREAS, the Pasco County Board of County Commissioners (the Board) is the governing body having jurisdiction over the review and approval of DRIs in Pasco County in accordance with Section 380.06, F.S., as amended; and,

WHEREAS, the culmination of review pursuant to Section 380.06, F.S., requires approval, approval with conditions, or denial of ADA; and,

WHEREAS, this Development Order (DO) for the SUNCOAST CROSSINGS DRI was adopted by the Board on _____,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled that, this _____ day of _____, 2001, ADA for the SUNCOAST CROSSINGS DRI is approved with conditions as set forth in the following DO, which is hereby adopted by the Board:

I. GENERAL FINDINGS OF FACT

The Board makes the following general findings of fact:

A. MDG Suncoast, Inc. (the Applicant/Developer), has filed, in accordance with Section 380.06, F.S., as amended, ADA for the SUNCOAST CROSSINGS DRI and associated responses to requests for additional information, collectively referred to herein as the application.

B. The nature, type, scope, intensity, density, cost, and general impact of the proposed SUNCOAST CROSSINGS DRI, in part, are those which are summarized in composite Exhibit A, ADA and Sufficiency Responses, and in Exhibit B, the specific findings of fact and regional impacts contained in Pages 1 through 39 of the Tampa Bay Regional Planning Council (TBRPC) DRI Final Report. Both Exhibits A and B are incorporated into this DO by reference.

C. The real property encompassed by the SUNCOAST CROSSINGS DRI is owned by TKL Land Development, Inc. A description of the real property is attached hereto as Exhibit C (Legal Description) and incorporated herein.

D. The Pasco County Comprehensive Plan (the Comprehensive Plan) Future Land Use Map designations for the area subject to the application are ROR (Residential/Office/Retail) and RES-3 (Residential, 3 dwelling units per acre). The proposed development is consistent with the provisions of these land use classifications and other goals, objectives, and policies of the Comprehensive Plan.

E. On September 26, 2000, TBRPC notified Pasco County that the sufficiency review was complete, that TBRPC had initiated the preparation of its DRI Final Report, and that the local government should set a date for a public hearing on the pending application.

F. The Board has scheduled and held public hearings on the application on March 27, 2001 (continued from December 19, 2000, and February 27, 2001).

G. Notice of the hearing has been published in a newspaper of general circulation at least sixty (60) days prior to the date set for the Board hearing.

H. At the public hearing, all parties were afforded the opportunity to present evidence and argument on all issues and to submit rebuttal evidence.

I. Additionally, at the public hearing, any member of the general public requesting to do so was given the opportunity to present written or oral communications.

J. The Board has received and considered the TBRPC DRI Final Report on the application.

K. The Board has received and considered various other reports and information including, but not limited to, the recommendation of the Pasco County Development Services Branch and the Development Review Committee (DRC).

II. CONCLUSIONS OF LAW

The Board hereby finds that the SUNCOAST CROSSINGS DRI:

A. Will not unreasonably interfere with the achievement of the objectives of the State Comprehensive Plan and State Land Development Plan applicable to the area encompassed by the application.

B. As conditioned, this DO is consistent with the report and recommendation of TBRPC.

C. As conditioned, this DO is consistent with the Pasco County Land Development Code (local land development regulations).

D. As conditioned, this DO is consistent with the adopted Comprehensive Plan, as amended.

E. The land that is the subject of this DO is not in an area of critical State concern.

III. APPROVAL STIPULATION

A. Specific approval of the application is hereby granted with conditions.

B. The requirements of and conditions contained in this DO shall regulate the development of the property described in Exhibit C. Following the adoption of this DO, all plans for development on this property shall be consistent with the conditions and restrictions recited herein. Such conditions and restrictions shall be binding upon all Developer's successors in interest to the property.

In the event the County believes violation of the provisions hereof has occurred, the County Administrator or his designee may issue a Notice of Noncompliance to the Developer and

recommend that the Board establish a hearing to consider the alleged violation. After providing the Applicant with an opportunity to be heard and if it is determined by the Board that a violation has occurred, the Board may require that all development related to the violation shall cease until the violation has been corrected.

C. All development specifically authorized by this DO shall be carried out in accordance with the provisions hereof.

1. Adverse impacts shall be mitigated as specified in this DO.

2. The Developer's Commitments set forth in Exhibit E shall be honored by the Developer, except as they may be superseded by specific terms of this DO.

D. Development of the SUNCOAST CROSSINGS DRI shall be governed by the standards and procedural provisions of the Comprehensive Plan in effect at the time of adoption of this DO unless otherwise provided for in this DO. Land development regulations shall be applied in a manner which is consistent with Chapter 163.3194(1)(b), F.S. In the event of a conflict between land development regulations and this DO, DO shall prevail.

E. The approved DRI shall not be subject to downzoning, unit density reduction, or intensity reduction for fifteen (15) years from the date of adoption, unless the County can demonstrate that substantial changes in the conditions underlying the approval of DO have occurred or that 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.

F. As provided in Chapter 190, F.S., Community Development District(s) (CDD) are hereby authorized to undertake the funding and construction of any of the projects, whether within or without the boundaries of the District, which are identified within this DO. Further, any obligations of the Developer contained in this DO may be assigned to CDD, homeowner/property owner association, or other entity approved by Pasco County.

G. The property is currently utilized for agricultural activities. It is understood that, while the use will cease when DRI is built out, portions of the property may continue to be used for agricultural activities until said property is developed in accordance with this DO.

IV. PHASING AND DURATION

A. Phasing Schedule:

1. Development of SUNCOAST CROSSINGS shall proceed in accordance

with the phasing schedules stated in Table 1 below:

TABLE 1
SUNCOAST CROSSINGS
LAND USE AND PHASING SCHEDULE

Land Use	Phase 1 2001-07	Phase 2 2007-11	Total
Residential (dus)			
Single-Family Detached	550	N/A	550
Single-Family Attached	184	N/A	184
Multifamily	<u>585</u>	N/A	<u>585</u>
Total	1,319	N/A	1,319
Commercial/Office (sq. ft.)			
Commercial	500,000	N/A	500,000
Office	600,000	600,000	1,200,000

B. Duration:

1. This DO shall become effective upon its adoption in accordance with

Section 380.06, F.S.

2. The duration of DO shall be a period of fifteen (15) years from its effective

date. The effective period may be extended by the Board upon a showing of good cause and as provided by statutes. Application for such extension shall be made at least sixty (60) days prior to the expiration date.

C. Commencement of Development:

If physical development of SUNCOAST CROSSINGS has not commenced within

three (3) years of the effective date of this DO, the Board shall determine, pursuant to Section 380.06(19), F.S., as amended, and the procedures outlined in Section VI.B.1 hereof, whether the delay represents a substantial deviation from DO. For the purpose of DO, "commencement of development" shall mean the commencement of development of infrastructure, roadways, or vertical development, unless otherwise approved by Pasco County.

D. Build-out of Project:

The build-out date of the entire project shall be as of December 31, 2011.

V. SPECIFIC CONDITIONS

A. Development Components:

Subject to the possible exchange of land uses as described elsewhere herein, the

project consists of the land uses by phase as described in Table 1.

B. Land Use Exchange:

1. Development entitlements within the project may be exchanged pursuant to the Land Use Equivalency Matrix set out in Exhibit D attached hereto. Land use exchange requests shall be provided to, and approved by, the County, with copies to the Florida Department of Community Affairs (FDCA) and TBRPC, and the use thereof shall be reported in the next Annual Report.

2. Any amendments to the land use mix or proposed phasing schedule, other than those described herein, shall be approved pursuant to the Notice of Proposed Change (NOPC) as required by Section 380.06(19), F.S., which approval shall not be withheld for mere acceleration or deceleration of phases if otherwise there is compliance with the terms of DO. Any departure in project build-out from the phasing schedule set forth in DO shall be subject to review to determine if such departure constitutes a substantial deviation pursuant to Section 380.06(19), F.S.

C. Water Quality and Drainage:

1. Development of SUNCOAST CROSSINGS shall not result in Levels of Service for off-site drainage structures below acceptable standards as established in the adopted Comprehensive Plan and Land Development Code.

2. The project's stormwater management system shall be designed, constructed, and maintained to meet or exceed Chapters 17-25 and 40D-4, or 40D-40, Florida Administrative Code (FAC), and Pasco County stormwater management requirements. Treatment shall be provided by biological filtration wherever feasible. Best management practices for reducing adverse water quality impacts as required by the regulations of Pasco County and other appropriate regulatory bodies shall be implemented. In addition, the Developer shall comply with the following design requirements:

a. All swales shall be fully vegetated and operational.

b. Dry stormwater retention/detention areas, including side slopes and bottoms, shall be fully vegetated as required.

c. The Developer or other responsible entities shall ensure that the stormwater management system is being properly maintained in keeping with its design and is providing the level of stormwater storage and treatment as established in the Environmental Resource Permit.

d. Should the Developer discover that any portion of the stormwater system is not being adequately maintained or that the system is not functioning properly, the Developer shall, within seven (7) days, report such fact to the County and shall promptly undertake any necessary repairs or modifications to the system. The Annual Report shall include any such problems and the necessary repairs or modifications to remedy them, as well as what repairs or modifications to the system have been undertaken since the previous Annual Report.

e. Landscape design and maintenance in the residential areas of the development shall follow the guidelines for lawn and landscape maintenance as set forth in the Florida Yards and Neighborhoods Program.

3. Should any noticeable soil slumping or sinkhole formation become evident, the Developer shall immediately notify the County and SWFWMD, and adopt one or more of the following procedures as determined to be appropriate by the County and SWFWMD:

a. If the slumping or sinkhole formation becomes evident before or during construction activities, stop all work (except for mitigation activities) in the affected area and remain stopped until the County and SWFWMD approve resuming construction activities;

b. Take immediate measures to ensure no surface water drains into the affected areas;

c. Visually inspect the affected area;

d. Excavate and backfill as required to fill the affected area and prevent further subsidence;

e. Use geotextile materials in the backfilling operation, when appropriate;

f. If the affected area is in the vicinity of a water retention area, maintain a minimum distance of five (5) feet from the bottom of the retention pond to the surface of the limerock, clay, or karst connection; or

g. If the affected area is in the vicinity of a water retention area and the above methods do not stabilize the collapse, relocate the retention area.

4. Planning and development of SUNCOAST CROSSINGS shall conform to the rules adopted by SWFWMD for the Northern Tampa Bay Water Use Caution Area. The Annual Report shall identify what actions have been taken to comply with said rules.

5. In order to protect surface water quality, stormwater exiting the site shall meet all applicable State water quality standards. The Developer shall develop a surface water quality monitoring program if required in the permitting process. The following parameters shall be included within any required water quality monitoring program:

a. Sampling locations and specific parameters (including nutrients, pesticides, herbicides, and stormwater parameters), frequency (minimum of twice annually) of monitoring, and reporting shall be subject to Pasco County, the Florida Department of Environmental Protection (FDEP), and other appropriate regulatory bodies' approval.

b. All water quality analytical methods and procedures shall be thoroughly documented and shall comply with the Environmental Protection Agency (EPA)/FDEP quality control standards and requirements.

c. The monitoring results shall be submitted to FDEP, SWFWMD, and Pasco County. Should the monitoring indicate that applicable State water quality standards are not being met, the violation shall be reported to Pasco County and other appropriate regulatory bodies immediately. In the event there is a violation of any State water quality standard, the specific construction or other activity identified as causing the violation shall cease until the violation is corrected. In the event that the specific construction or other activity causing the violation cannot be identified, all construction in the subbasin shall cease until the violation is corrected.

6. A groundwater quality monitoring program shall be developed in coordination with FDEP and SWFWMD to establish parameters, methodology, and locations of monitoring sites if required in the permitting process. Any such program shall be submitted to FDEP and SWFWMD for review and to Pasco County for approval, and shall be included in the next Annual Report. Any required groundwater quality monitoring program shall be instituted before construction begins to provide background data and shall continue to project build-out. If reclaimed water for irrigation purposes is used in the future, any groundwater monitoring program will be amended as required by the permit for use of reclaimed water. In the event there is a violation of any State water quality standard, the specific construction or other activity identified as causing the violation shall cease until the violation is corrected. Monitoring results shall be included in the Annual Report.

D. Wetlands:

1. Wetlands shall be protected in accordance with all applicable County, State, and Federal laws, rules, and regulations.

2. Development plans for each parcel in the project shall include specific limits of wetlands pursuant to wetland delineation surveys to be conducted in coordination with SWFWMD and other regulatory agencies as may be applicable.

3. Prior to development plan approval for any parcel, the Applicant shall submit a wetland/lake management plan to SWFWMD for review and to Pasco County for approval. The plan shall address, but not be limited to, control of exotic species, mitigation of impacted wetlands, control of on-site water quality, and restoration of natural hydroperiods in on-site wetlands.

4. Existing annual hydroperiods, normal pool elevation, and seasonal high water elevations shall be substantially maintained in conformance with permitting by all appropriate jurisdictional entities.

5. Buffering around all wetland areas shall be as required, pursuant to the Comprehensive Plan policies current at the time of this DO approval, or SWFWMD regulations at the time permits are obtained, whichever is more restrictive, to provide an upland transition into the wetland areas and to protect the natural system from development impacts.

6. All mitigation areas and littoral shelves shall be monitored in accordance with the requirements of the appropriate permitting agency.

E. Flood Plain/Disaster Preparedness:

1. Elevation for all habitable structures shall be at, or above, a 100-year flood plain elevation. All preliminary plan/preliminary site plan submittals shall show 100-year flood plain elevations. Roadways providing access to residential areas shall be at, or above, flood plain elevations as identified in the Pasco County Land Development Code.

2. No fill shall be added within the 100-year flood plain without storage compensation.

F. Vegetation and Wildlife:

1. The Developer shall comply with the rules and regulations of all applicable agencies regarding the protection of listed wildlife and plant species found on site.

G. Historical and Archaeological Sites:

Should any historical or archaeological resources be encountered within the project, measures shall be taken in coordination with the Florida Department of State, Division of Historical Resources, and Pasco County to either protect and preserve the site(s) in place or to mitigate any adverse impacts consistent with the requirements in Rule 9J-2.043, FAC. DO shall be amended to incorporate any required mitigation consistent with 1A-46, FAC. If any significant resources are found, a Certificate of Appropriateness must be obtained from the County pursuant to requirements of the Land Development Code.

H. Land:

1. Best management practices to reduce soil erosion and fugitive dust shall be implemented.

2. Prior to commencing development, the Developer shall provide the Pasco County Engineering Services Department, Survey Division, with two (2) pair of Global Positioning Satellite (GPS) control points with twenty-four (24) hour access. The location shall be mutually determined by the Developer and the County Surveyor. The Developer's existing survey shall be valid for permitting purposes until final plat approval is requested. All final plats will be referenced from this point (FAC 21HH-6). All GPS points shall be installed per FAC 21HH-6.

1. Utilities: Water Supply, Wastewater Treatment, and Electric Power Services:

1. Water and wastewater services will be provided by Pasco County, in accordance with Chapter 110 of the Pasco County Code of Ordinances, as amended. The Developer shall construct all water and wastewater facilities within the development to Pasco County standards in effect when application is made for connection.

2. Development of the project shall not result in levels of service for water and wastewater services below the acceptable levels of service established in the Comprehensive Plan. Documentation of adequate capacity to serve the project shall be obtained from Pasco County.

3. The Developer agrees to use the lowest quality water reasonably available and suitable for a given purpose in order to reduce the unnecessary use of potable water and groundwater. Potable water (i.e., water that is treated and provided through a public distribution system) shall not be used for the irrigation of common areas if other more appropriate sources are available.

4. Water saving fixtures shall be required in the project, as mandated by the Florida Water Conservation Act (Section 553.14, F.S.), and xeriscape-type landscaping shall be encouraged within the project.

5. The Developer shall encourage the use of high-efficiency, low-volume plumbing fixtures, appliances, and irrigation throughout the project.

6. Prior to construction, the Developer shall provide the County with evidence that adequate water supply capacity and wastewater capacity for that construction is available. Said assurance shall include adequate water supply for firefighting purposes. Pasco County shall have the right to rely on assurances of adequate potable water supply from Tampa Bay Water.

J. Solid/Hazardous/Biohazardous Waste and Recycling:

1. The collection, transportation, and disposal of solid waste are controlled by Chapter 90 of the County Code of Ordinances and shall take place in accordance with the terms thereof.

2. Development of the project shall not result in levels of service for solid waste collection/disposal below the acceptable levels of services established in the Comprehensive Plan. Documentation of adequate disposal capacity, including assurance of adequate hazardous/biohazardous waste and material disposal to service the project shall be obtained from Pasco County or other appropriate entities.

3. The Developer or his designee shall advise businesses within the project of applicable statutes and regulations regarding hazardous waste and materials, including those listed in Rule 9J-2.044, FAC.

4. Solid waste recycling shall be given a high priority, and a specific plan shall be submitted to and approved by Pasco County to maximize solid waste recycling for all phases of and all types of development within Suncoast Crossings.

K. Energy:

1. The energy conservation measures referenced in the Developer's Commitments, attached hereto as Exhibit E, shall be implemented.

2. All SUNCOAST CROSSINGS tenants, businesses, and residents in the project shall be encouraged to:

a. Use energy alternatives, such as solar energy, waste heat recovery, and cogeneration;

b. Use landscaping, building orientation, and building construction and design to reduce heat gain;

c. Institute programs to promote energy conservation by employees, buyers, suppliers, and the public;

d. Institute recycling programs; and

e. Reduce levels of operation of all air conditioning, heating, and lighting levels during nonbusiness hours.

L. Transportation:

1. Specific approval is hereby granted for Phases 1 and 2 of the SUNCOAST CROSSINGS DRI, as defined herein, subject to the conditions outlined herein.

2. Impact Fee Credits: The Developer is eligible to apply for impact fee credits pursuant to Chapter 380.06, F.S., and Pasco County Ordinance No. 90-04, as it may be amended, and the Developer shall receive credits as authorized by the ordinance and other Land Development Regulations.

3. Access Management: Access to S.R. 54 for the project shall generally be as shown on Map H, attached hereto as Exhibit F, subject to compliance with the Florida Department of Transportation (FDOT) access management regulations.

4. Mitigation Options: The following options are established for purposes of mitigating the SUNCOAST CROSSINGS DRI transportation impacts. Prior to preliminary plan/preliminary site plan approval for the first parcel, the Developer shall, by written notice to the County, select one (1) of the following alternatives to mitigate the project's transportation impacts.

a. Option 1: Proportionate Share Payment.

(1) The Developer's proportionate share contribution for those improvement projects listed in Exhibit G (Required Improvements) attached hereto, as calculated in accordance with Section 163.3180(12), F.S., and Rule 9J-2.045, FAC, is Two Million Seven Hundred Sixty-One Thousand Eight Hundred Thirty and 00/100 Dollars (\$2,761,830.00) (the proportionate share). The Developer or its successors may elect this option to pay the proportionate share to the County as full mitigation for the transportation impacts of the project. The proportionate share shall be used to pay for the cost of any of the required improvements or other improvements deemed appropriate by the County. The Developer shall pay the proportionate share to the County on or before January 1, 2003, unless the County, within ninety (90) days after the Developer elects this option, notifies the Developer that the County will require the Developer to proceed in accordance in Section 4.a(2), below.

(2) If the Developer elects this Option 1, the County may require the Developer to enter into a Roadway Construction Agreement (RCA) with Pasco County and/or FDOT, as applicable to expend some or all of the proportionate share, subject to the following terms and conditions:

(a) RCA shall be in the form of either a local government development agreement, consistent with Sections 163.3220 through 163.3243, F.S.; an interlocal agreement; an

FDOT joint participation agreement; or a written acceptance by the County and/or FDOT, as applicable. Any RCA shall be included in the next Annual Report.

(b) RCA shall require the receiving governmental agency to apply the contributed monies towards the completion of one (1) or more of the required improvements or other improvements deemed appropriate by the County.

(c) The specific nature and scope of the selected improvement(s) shall be set forth in RCA.

(d) RCA shall address the timing of the Developer's payments toward design, right-of-way acquisition, and construction of the selected improvement(s).

(3) The proportionate share has been calculated in Year 2000 dollars; this amount shall be updated at the time of payment in accordance with the FDOT Price Trends Index.

If the Developer elects this Option 1, the Developer shall not be entitled to credits against the proportionate share for impact fees paid prior to payment of the proportionate share or the execution of RCA, as applicable.

Further, the Developer shall not be entitled to impact fee credits in excess of its contributions pursuant to this

Option 1. Impact fees due in excess of Developer's contributions pursuant to this Option 1 shall be paid in accordance with the County's Impact Fee Ordinance as may be amended from time to time.

(4) Any delay in the build-out date of the project shall require new transportation analysis as the basis for a DO amendment which may include a recalculation of the proportionate share amount.

(5) No further Building Permits shall be issued by Pasco County subsequent to the triggering of a need for an improvement shown in Exhibit G until RCA has been executed or the Developer has paid the total proportionate share to the County. Further, should the Developer default under RCA, no further Building Permits shall be issued until the Developer has cured the default and is in compliance with RCA.

b. Option 2: Level of Service (LOS) Monitoring. If the Developer selects this option, the following conditions shall apply:

(1) The Developer shall submit a Traffic Impact Analysis (TIA), to demonstrate that a portion of the project proposed for development would not result in levels of service on impacted roadways lower than the adopted, acceptable LOS established in the Comprehensive Plan in effect at the time.

(2) Prior to conducting the initial TIA and any subsequent TIA, a methodology meeting shall be held to determine appropriate professional standards and assumptions to be included in TIA. If the reviewing agencies cannot agree on approval of the methodology, the final decision shall be the sole responsibility of FDCA. TIA shall conform to professional standards and shall serve to verify the results of the ADA traffic analysis. TIA shall be prepared using the most recent traffic data, including the project

and surrounding area traffic counts. Following completion of TIA, the Developer shall be responsible for updating TIA and submitting it to the reviewing agencies on a schedule tied to incremental development approval.

(3) The completed TIA shall be submitted to FDCA, TBRPC, and FDOT for review and comment, and to Pasco County for review and approval.

(4) Pasco County shall not issue Building Permits for development that would result in LOS below the adopted peak hour LOS, as determined by the results of TIA, and where the development consumes five (5) percent or greater of the adopted LOS capacity of the facility, unless DO is amended to contain a binding commitment to provide the needed roadway mitigation consistent with Rule 9J-2.045, FAC. Mitigation measures shall be included in DO by the filing and processing of NOPC for a DO amendment pursuant to Section 380.06(19), F.S.

(5) If the Developer selects this Option 2, the Developer cannot subsequently select the proportionate share option without an amendment to DO to establish a new proportionate share amount based on a new transportation analysis in accordance with Section 380.06, F.S.

5. State Road 54 (S.R. 54) Corridor Study:

Pasco County, with funding and technical assistance provided by the Florida FDCA, FDOT, and TBRPC, is assessing the existing and future traffic conditions on S.R. 54 between Little Road and Morris Bridge Road in a study effort known as the State Road (S.R.) 54 Corridor Study. The unbuilt portions of the property shall be required to comply with the recommendations of the S.R. 54 Corridor Study that are adopted by the Board as generally applicable regulations governing access connections, signalization, setback requirements, landscaping, internal traffic circulation systems, and signage. The unbuilt portions of the project are defined as any project improvement that is not governed by an approved preliminary plan/preliminary site plan upon the adoption of the applicable regulations.

6. Trip Generation Monitoring:

The Developer shall provide external p.m. peak hour counts and projected counts at the project entrances in conjunction with an application for approval of a preliminary plan/preliminary site plan. If the project's external trips exceed the estimated (projected, plus counted) project traffic for the corresponding phase of development in the original ADA analysis by more than five (5) percent, the Applicant/ Developer shall provide a revised transportation analysis in accordance with Subsection 380.06(19), F.S. Initiation of this monitoring shall commence after the issuance of Certificates of Occupancy for 1,600 residential units (or the equivalent in terms of trip generation) and shall be continued to build-out. The monitoring data shall be included in each Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, Pasco County may conduct a substantial deviation determination pursuant to Subsection 380.06(19), F.S., and may amend DO to change or require additional roadway improvements.

7. Transportation System Management (TSM) Program:
In the first year following the issuance of a Certificate of Occupancy for the first office development in the project, the Developer or its successor shall initiate a TSM program to divert vehicle trips from the p.m. peak hour. The TSM program shall include an annual assessment of the actual achievement of trips diverted from the p.m. peak hour as a result of the program. Results of the TSM program shall be included in each Annual Report.

M. Air Quality:

1. Best management practices, as identified in ADA, shall be employed during site preparation and construction to minimize air quality impacts.
2. Prior to approval of any Building Permits in Phase 2 of the project, the Developer or its successor may submit an air quality analysis regarding applicable Phase 2 transportation improvements consistent with the statutes and rules in effect at that time. If any unmitigated, adverse, air quality impacts are identified as being caused by traffic generated by the project, this DO shall be amended to incorporate conditions for curing or mitigating such impacts.

N. Educational Facilities:

1. Developer agrees to pay to the District School Board of Pasco County the sum of One Hundred Fifty-Three Thousand Eighty and 00/100 Dollars (\$153,080.00) as full mitigation for the impacts of the SUNCOAST CROSSINGS DRI to the Pasco County school system. This payment shall be made on or before sixty (60) days after the effective date of DO.

O. Recreation and Open Space:

The Developer shall provide a private neighborhood park, to be maintained by an entity other than Pasco County, of at least two (2) acres in size in the residential portion of the project. The Developer or its successor shall also pay a fee of Two Hundred Fifty Dollars and 00/100 (\$250.00) per dwelling unit for facilities and Fifty and 00/100 Dollars (\$50.00) per dwelling unit for maintenance (unless modified by ordinance) to the Pasco County Parks and Recreation Department Program. Said fee shall be paid at the time of record plat. Lots platted with the above-reference fees paid in conjunction with this condition prior to Pasco County adopting a parks and recreation Impact Fee Ordinance or resolution shall be deemed vested.

P. Health Care/Police/Fire:

Pasco County shall provide fire, police, and EMS service to the development. The Developer shall be required to pay impact fees for such services at such time as the County adopts an Impact Fee Ordinance for any or all of such services.

Q. Housing:

1. The Developer has completed an Affordable Housing Assessment for the nonresidential component of SUNCOAST CROSSINGS and determined that the existing housing supply is

adequate to meet the anticipated demand for very low-, low-, and moderate-income, housing units for development of all planned commercial and office uses.

2. The Developer's Affordable Housing Assessment used 1990 U.S. Census data as its source for rental vacancy data. In order to ensure that employees of the project will find adequate housing opportunities reasonably accessible to their places of employment and validate the results of the assessment, it is necessary to compare the 1990 U.S. Census data to the 2000 U.S. Census data. Should the rental vacancy data from the 2000 U.S. Census be the same as or higher than the rate utilized in the assessment, then no reassessment shall be required. However, if the 2000 U.S. Census rental vacancy rate is more than two (2) percent lower than the vacancy rate utilized in the assessment, the Applicant shall be required to conduct a revised assessment. The revised assessment shall be submitted for review and approval to FDCA, Pasco County, and TBRPC no later than December 31, 2002. If the reassessment identifies an unmet need for affordable housing at any time during Phase 2 of the project and the impact is deemed significant, then the Developer shall develop a mitigation program in coordination with FDCA, Pasco County, and TBRPC. Should the reassessment be required and show a significant unmet demand for affordable housing, the results of the reassessment shall be incorporated into this DO through NOPC that would be submitted by the Developer to Pasco County no later than March 30, 2003. If such NOPC is required but has not been submitted to Pasco County by March 30, 2003, no additional permits for nonresidential development shall be issued until said NOPC is submitted. Any necessary mitigation measures shall be adopted by a DO amendment prior to issuance of preliminary plan/preliminary site plan for any remaining nonresidential development.

R. General Conditions:

1. Should the Developer divest himself of all interest in the project prior to the expiration of this DO, the Developer shall designate the successor entity to be responsible for preparation of the Annual Report.

2. In the event ordinances or resolutions are adopted by the Board establishing County impact fees for the purpose of funding schools, solid waste, public safety, libraries, and/or wildlife mitigation, the Developer shall be required to pay said fees, subject to applicable credits, in accordance with the ordinance(s) or resolution(s).

VI. PROCEDURES

A. Annual Reports:

1. Monitoring of the SUNCOAST CROSSINGS DRI by the County shall be the responsibility of the County Administrator or his designee.

2. The Developer shall provide an Annual Report on the required form to the Development Services Branch, TBRPC, and FDCA on the anniversary date of final adoption of this DO each year during the term of this DO. The contents of the Annual Report shall meet the requirements of Section 380.06(18), F.S., and shall include all additional data and information as required in this DO.

3. If the Annual Report is not submitted within thirty (30) days after the due date, Pasco County shall notify the Developer and shall declare the project not to be in compliance with DO. Should the report not be submitted within thirty (30) days after such notification, all ongoing development activity, further issuance of Building Permits, and extension of services to the project shall cease immediately pursuant to Section 380.06(17), F.S., as amended, until a public hearing has been held, pursuant to Section 380.06(19), F.S., as amended, to determine if a substantial deviation has occurred.

4. In addition to the required elements of the Annual Report, the Developer shall include:

a. The cumulative number of units developed through the land use tradeoff mechanism;

b. The cumulative number of units (by type and square feet of retail and office) with site plan approval (preliminary plan; construction plan; site plan), final plat approval, and Certificates of Occupancy;

c. A synopsis of all DRI and zoning amendments;

d. A synopsis of ownership (major parcels);

e. A list of DRI/DO conditions of approval and whether said conditions have been met by the developer.

B. Amendments/Substantial Deviations:

1. Proposed changes to this DO are subject to review pursuant to the provisions of Section 380.06(19), F.S., as amended, prior to implementation of such changes. Application to amend any provision of this DO shall be made on the required form (Notice of a Proposed Change to a Previously Approved DRI), and shall be provided by the Developer to TBRPC, FDCA, and Pasco County.

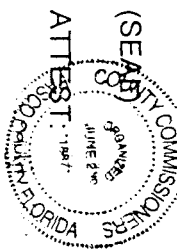
C. Notice of Adoption:

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(15)(f), F.S., as amended.

2. The Clerk of the Circuit Court, Secretarial Services, for the Board shall return eight (8) signed and certified copies of this DO and Notice of Adoption to the Pasco County Development Services Branch. The Development Services Branch shall then send out the copies of each document to FDCA and TBRPC, and to attorneys of record of these proceedings.

D. Severability: 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, clause, or other provision, and shall not be affected by such holding.

DONE AND RESOLVED this 24 day of April, 2001.



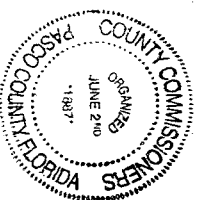
BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: [Signature]
JED PITTMAN, CLERK

BY: [Signature]
STEVE SIMON, CHAIRMAN

APPROVED AS TO LEGAL FORM AND SUFFICIENCY APPROVED
Office of the County Attorney APR 24 2001

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-
ORD IN MY OFFICE. WITNESS MY HAND THE COUN-
TY'S OFFICIAL SEAL THIS 24th day of April
JED PITTMAN, CLERK TO THE BOARD
BY: [Signature] D.C.

EXHIBITS

OR BK **4595** PG **677**
17 of 37

- A. ADA*, Sufficiency Responses*
- B. TBRPC DRI Final Report*
- C. Legal Description
- D. Land Use Equivalency Matrix
- E. Developer's Commitments
- F. Map H
- G. Transportation Impact Summary

* Incorporated by reference

EXHIBIT C

OR BK 4595 PG 678

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LEGAL DESCRIPTION

MDG Suncoast, Inc.

Suncoast Crossings

LEGAL DESCRIPTION

PARCEL I:

That part of Section 30, Township 26 South, Range 18 East, lying South of the Southerly right-of-way line of State Road 54, less that portion taken for right-of-way pursuant to Order of Taking filed in Official Records Book 3814, page 1319, of the public records of Pasco County, Florida.

PARCEL II:

The North ¼ of Section 31, Township 26 South, Range 18 East, LESS AND EXCEPT the road right-of-way of State Road 54, less those portions taken for right-of-way pursuant to Orders of Taking filed in Official Records Book 3775, page 7 and Official Records Book 3814, page 1319 of the public records of Pasco County, Florida.

PARCEL III:

All of Section 31, Township 26 South, Range 18 East, LESS AND EXCEPT the North ¼ thereof and LESS AND EXCEPT right-of-way for State Road No. 54, less those portions taken for right-of-way pursuant to Orders of Taking recorded in Official Records Book 3775, page 7, and Official Records Book 3814, page 1319, of the public records of Pasco County, Florida.

PARCEL IV:

For a Point of Beginning, begin at the Northeast corner of Section 31, Township 26 South, Range 18 East, Pasco County, Florida; thence along the East boundary of Section 31, South 01°49'16" West, 2,465.85 feet to the East ¼ corner; thence continue along the East boundary of Section 31, South 01°48'47" West, 2,630.51 feet to the Southeast corner of Section 31; thence South 89°54'43" East, along the South boundary of Section 32, a distance of 377.00 feet; thence North 01°10'52" East, 2,630.33 feet; thence North 06°14'37" West, 2,479.31 feet to the Point of Beginning, LESS that portion taken for right-of-way pursuant to Order of Taking filed in Official Records Book 3775, page 7, of the public records of Pasco County, Florida.

More particularly described as follows:

EAST PARCEL

A parcel of land located in Pasco County, Florida being a portion of Section 30, Township 26 South, Range 18 East, lying South of State Road 54 and east of State Road 589 (Suncoast Parkway) that portion of Section 31, Township 26 South, Range 19 East lying East of State Road 58 (Suncoast Parkway) all as described in O.R. Book 3814, page 1319 of the Public Records of Pasco County, Florida and that portion of Section 32, Township 26 South, Range 18 East lying East of State Road

MDG Suncoast, Inc.

Suncoast Crossings

589 (Suncoast Parkway) as described in O.R. Book 3440, page 75 of the Public Records of Pasco County, Florida, more particularly described as follows:

Begin at the Northeast corner of the Northeast $\frac{1}{4}$ of said Section 31; thence, South 05°58'47" East, 2479.16 feet (South 06°14'37" East, 2479.31 feet - Deed); thence South 01°36'40" West, 2631.31 feet (South 01°10'52" East, 2630.33 feet - Deed) to a point on the South boundary line of said Section 32; thence North 89°36'33" West, 376.63 feet (North 89°54'43" West, 377.00 feet - Deed) along the South Boundary line of said Section 32 to a point on the Easterly right-of-way line of State Road 589 (Suncoast Parkway); thence along the Easterly right-of-way line of State Road 589, the following 13 courses:

1. North 14°20'37" West, 3129.75 feet to the point of curvature of a curve to the left.
2. 1801.87 feet along the arc of said curve whose radius is 4783.66 feet, central angle is 21°34'54" and has a chord bearing and distance of North 25°08'03" West, 1791.23 feet;
3. North 29°04'45" West, 250.16 feet;
4. North 26°20'23" West, 270.76 feet to a point on the South boundary line of said Section 30;
5. South 89°19'41" East, 131.93 feet along the South boundary line of said Section 30;
6. North 30°39'47" East, 255.55 feet;
7. North 28°47'58" West, 605.86 feet;
8. South 52°48'09" West, 311.45 feet;
9. North 27°24'29" West, 126.78 feet;
10. North 31°13'14" West, 97.71 feet;
11. North 27°24'24" West, 335.67 feet;
12. North 06°22'17" East, 73.11 feet;
13. North 65°13'37" East, 2772.01 feet

to a point on the Easterly boundary line of said Section 30; thence South 00°19'48" West, 2312.05 feet along the Easterly boundary line of said Section 30 to the POINT OF BEGINNING.

Contains 215.615 acres, more or less.

WEST PARCEL

A parcel of land located in Pasco County, Florida being a portion of Section 30, Township 26 South, Range 18 East lying south of State Road 54 and Westerly of State Road 589 (Suncoast Parkway as described in O.R. Book 3814, Page 1319 of the Public Records of Pasco County, Florida and that

MDG Suncoast, Inc.

Suncoast Crossings

portion of Section 31 lying Westerly of State Road 589 (Suncoast Parkway) as described in O.R. Book 3775, page 7 of the Public Records of Pasco County, Florida, more particularly described as follows:

As a point of reference commence at the Northeast corner of the Northeast $\frac{1}{4}$ of said Section 31; thence South $05^{\circ} 58' 47''$ East, 2479.16 feet (South $06^{\circ} 14' 37''$ East, 2479.31 feet - Deed); thence South $01^{\circ} 36' 40''$ West, 2631.31 feet (South $01^{\circ} 10' 52''$ East, 2630.33 feet - Deed) to a point on the South boundary line of said Section 32; thence North $89^{\circ} 36' 33''$ West, 376.95 feet (North $89^{\circ} 54' 43''$ West, 377.00 feet - Deed) to the Southeast corner of the Southeast $\frac{1}{4}$ of said Section 31; thence North $88^{\circ} 52' 47''$ West, 414.60 feet along the South boundary line of said Section 31 to a point on the Westerly right-of-way line of State Road 589 (Suncoast Parkway) being the POINT OF BEGINNING; thence North $88^{\circ} 52' 47''$ West, 2263.86 feet to the Southwest corner of the Southeast $\frac{1}{4}$ of said Section 31; thence North $88^{\circ} 52' 47''$ West, 2480.50 feet along the South boundary line of said Section 31 to the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 31; thence North $00^{\circ} 26' 03''$ East, 2660.11 feet along the West boundary line of said Section 31 to the Northwest corner of the Southwest $\frac{1}{4}$ of said Section 31; thence North $00^{\circ} 11' 59''$ East, 2275.08 feet along the West boundary line of said Section 31 to a point on the Southerly right-of-way line of State Road 54; thence along the Southerly right-of-way of State Road 54 and the Westerly right-of-way line of State Road 589 (Sunshine Parkway) the following twenty-four (24) courses:

1. North $70^{\circ} 10' 38''$ East, 431.29 feet to a point on a curve to the left;
2. 401.47 feet along the arc of said curve whose radius is 4647.00 feet, central angle is $04^{\circ} 57' 00''$ and has a chord bearing and distance of North $67^{\circ} 42' 07''$ East, 401.35 feet;
3. South $24^{\circ} 46' 23''$ East, 30.00 feet;
4. North $65^{\circ} 13' 37''$ East, 1289.48 feet;
5. South $72^{\circ} 56' 43''$ East, 135.51 feet;
6. South $37^{\circ} 47' 58''$ East, 253.85 feet;
7. South $33^{\circ} 59' 06''$ East, 97.72 feet;
8. South $37^{\circ} 47' 56''$ East, 156.16 feet;
9. South $41^{\circ} 29' 21''$ East, 303.01 feet to a point on a curve to the right;
10. 65.57 feet along the arc of said curve whose radius is 2958.79 feet, central angle is $01^{\circ} 16' 11''$ and has a chord bearing and distance of South $38^{\circ} 29' 35''$ East, 65.57 feet to a point of reverse curvature.
11. 330.08 feet along the arc of said curve whose radius is 2958.79 feet, central angle is $06^{\circ} 23' 31''$ and has a chord bearing and distance of South $42^{\circ} 19' 26''$ East, 329.91 feet;
12. South $45^{\circ} 31' 11''$ East, 227.79 feet to a point on a curve to the right;

MDG Suncoast, Inc.

Suncoast Crossings

13. 134.22 feet along the arc of a curve to the right whose radius is 3180.04 feet, central angle is 02° 25' 06" and has a chord bearing and distance of South 44° 18' 38" East, 134.21 feet;
 14. South 37° 11' 56" East, 158.83 feet to a point on the arc of a curve to the right;
 15. 505.05 feet along the arc of said curve whose radius is 4383.66 feet, central angle is 06° 36' 04" and has a chord bearing and distance of South 33° 53' 53" East, 504.77 feet;
 16. South 14° 53' 01" West, 431.90 feet;
 17. South 31° 21' 42" East, 449.05 feet;
 18. South 89° 15' 10" East, 248.78 feet to a non-tangent curve concave to the Southwest;
 19. 356.30 feet along the arc of said curve whose radius is 4386.66 feet, central angle is 04° 39' 25" and has a chord bearing and distance of South 16° 40' 19" East, 356.20 feet;
 20. South 14° 20' 37" East, 1104.38 feet;
 21. South 40° 04' 19" West, 329.54 feet;
 22. South 24° 05' 59" East, 580.12 feet;
 23. North 41° 56' 13" East, 204.02 feet;
 24. South 14° 20' 37" East, 1265.60 feet;
- to the POINT OF BEGINNING.
- Contains 473.333 acres, more or less.

EXHIBIT D

LAND USE EQUIVALENCY MATRIX

(REVISED)

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EXHIBIT D

Equivalency Matrix
Suncoast Crossings
(Revised 7/00)

Change To: Change From:	Office Eastside	Office Westside	Retail Eastside	Retail Westside	Single Family	Multi- Family	Hotel
Office (Eastside)	N/A	724 sf/ksf (0.7236) ³	307 sf/ksf (0.3070) ³	554 sf/ksf (0.5538) ³	2.01 du/ksf (2.0076) ³	3.09 du/ksf (3.0932) ³	2.23 rooms/ksf (2.2265) ^{2,3}
Retail (Westside)	1,806 sf/ksf (1.8056) ³	1,306 sf/ksf (1.3064) ³	554 sf/ksf (0.5544) ³	N/A	3.62 du/ksf (3.6248) ³	5.59 du/ksf (5.5852) ³	4.02 rooms/ksf (4.0201) ³
Single Family	498 sf/du (0.4981) ³	360 sf/du (0.3604) ³	153 sf/du (0.1529) ³	276 sf/du (0.2759) ³	N/A	1.54 dus/du (1.5408) ³	1.11 rooms/du (1.1091) ³
Multi-Family	323 sf/du (0.3233) ³	224 sf/du (0.2339) ³	99 sf/du (0.0993) ³	179 sf/du (0.1790) ³	0.65 du/du (0.6490) ³	N/A	0.72 rooms/du (0.7198) ³
Office (Freestanding)	2,336 sf/ksf (2.3361) ³	1,690 sf/ksf (1.6903) ³	717 sf/ksf (0.7173) ³	1,294 sf/ksf (1.2938) ³	4.69 du/ksf (4.690) ³	7.23 du/ksf (7.2261) ³	5.20 rooms/ksf (5.2013) ³

¹ Land use exchanges are based on net external p.m. peak hour two-way project traffic. Use of this matrix shall be limited to the following minimums and maximums to ensure that impacts for transportation, water, wastewater, solid water, and affordable housing are not exceeded.

Land Use	Minimum	Maximum
Office	400,000 sf	1,286,170 sf
Retail	250,000 sf	570,800 sf
Single-Family	400 dus	900 dus
Multi-Family	300 dus	800 dus
Hotel	0 rooms	250 rooms

² Example exchanges:
Add 100 Hotel rooms by reducing Eastside Office, 100 rooms ÷ 2.2265, office factor = 44.914; reduce Office by 44,914 sf

³ Actual Equivalency factor for use in calculations

EXHIBIT E

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DEVELOPER'S COMMITMENTS

DRI NO. 246 - SUNCOAST CROSSINGS

PASCO COUNTY

SECTION III - DEVELOPER COMMITMENTS
DRI #246 - SUNCOAST CROSSINGS
PASCO COUNTY

The following commitments have been made by, or on behalf of, the applicant in the Application for Development Approval (ADA) or the Sufficiency Response (SR):

GENERAL

The (Land Use) Equivalency Matrix will not affect the Phasing Schedule. (SR/Page 1.6)

VEGETATION AND WILDLIFE

1. The applicant will apply for appropriate permits for the relocation and/or mitigation of gopher tortoises. (ADA/Page 12.14)
2. The applicant will mitigate impacts to natural communities and state and federally listed wildlife and plant resources through the standard Environmental Resource Permit and Florida Fish and Wildlife Conservation Commission permitting processes. (ADA/Page 12.14)
3. Mitigation by habitat re-creation will employ native plant materials which replace natural value and function. The developer will design a monitoring plan to demonstrate that (FRSRPP) success criteria are met. (SR/Page 1.5)
4. In areas where wet pasture surrounds the main wetland (areas mapped as herbaceous rangeland), this non-native non-natural wet area will be restored and the restored area will provide additional buffer between developed areas and the regionally-significant resource. (SR/Page 1.6)
5. The applicant agrees to provide a buffer zone to the limit of the existing native vegetation. (SR/Page 2.4)
6. The applicant will provide box culverts, conspans or comparable means to convey river flows and to provide wildlife crossings within the Anclote wetlands. (SR/Page 2.5)

WETLANDS

1. Approximately 143.1 acres of wetlands on-site will be protected in accordance with the newly proposed policies for wetland preservation contained in the updated Conservation Element of the Pasco County Comprehensive Plan. (ADA/Page 10.4)
2. The applicant will use best management practices such as silt fencing and hay bales to protect wetlands during construction. (ADA/Page 13.5)

3. Forested wetlands will be designed to compensate for the losses to existing forested wetlands. (ADA/Page 13.6)
4. The property owners association(s) will specify maintenance and preservation of the wetland and wetland buffer areas through association documents which will require participation from all land owners within the project. (SR/Page 2.6)
5. Impervious surfaces (other than roadway crossings and associated sidewalks and control structures for the surface water management system) will not be built within wetland buffers. (SR/Page 2.6)
6. The site drainage system will be designed so that wetlands will receive sufficient stormwater runoff to maintain or restore their natural hydroperiods. Water control structures controlling water levels in the wetlands that are incorporated into the project drainage system will be designed to maintain or restore the natural hydroperiods of the wetlands. In no case will stormwater runoff from developed areas be allowed to discharge directly into wetlands without pretreatment. (SR/Page 2.8)

WATER QUALITY

1. Construction Best Management Practices will be used to prevent construction related turbidity and erosion problems. A plan to regularly monitor and maintain, as necessary, erosion and turbidity control measures will be designed and implemented. (ADA/Page 14.4)
2. Suncoast Crossings will encourage the use of xeriscape techniques and the responsible use of water, pesticides and fertilizers by its occupants. (ADA/Page 14.4)
3. The Development Order will contain conditions which require the development and implementation of groundwater monitoring plans to ensure that unacceptable degradation does not occur. (SR/Page 1.3)
4. Prior to development the Developer shall prepare a detailed hydrogeologic analysis including aerial photography, field visits and the use of hydrologic and hydrogeologic data to identify areas which are at greater risk for groundwater contamination. The Developer shall to the extent possible, locate the stormwater retention and detention areas away from areas that are identified with a higher risk of interaction with the groundwater system. (SR/Pages 2.11, 3.3)
5. Where these (stormwater retention and detention) facilities must be constructed in areas of higher susceptibility, the Developer will conduct a higher level of geotechnical investigation including ground penetrating radar and test borings to help determine specific design considerations. (SR/Pages 2.11, 2.17)
6. Pond and stormwater management facilities will be constructed during the initial phases of construction to control stormwater runoff, thereby preventing direct runoff from disturbed areas from entering the South Branch of the Anclote River. Containment areas will also be constructed around areas where equipment and fuel storage tanks are located to prevent the possibility of fuel spills impacting surface and groundwater quality. (SR/Page 2.11)

7. Upon completion of project buildout, any wells at suitable locations to meet future groundwater monitoring requirements associated with the use of reclaimed water will be preserved. (SR/Page 2.12)
8. An integrated pest management program will be designed and implemented to address the responsible use of water, pesticides and fertilizers to protect both surface and groundwater quality. The program will be implemented through a property owners association. (SR/Page 2.12)
9. All existing wells which have no future use shall be abandoned in accordance with SWFWMD requirements. (SR/Page 2.15)
10. A geotechnical investigation of the property, including an assessment for sinkhole potential, will be completed prior to development. (SR/Page 2.15)
11. The Developer agrees to participate in the Florida Yards and Neighborhoods Program and Landscape design and maintenance in the residential and multifamily areas of the Development and follow the guidelines for lawn and landscape maintenance. (SR/Page 2.16)
12. If future improvements make reuse feasible, a groundwater monitoring network will be devised and implemented to detect any degradation in groundwater quality. The development will install a separate irrigation piping system, designed so that it can serve as an irrigation water distribution system for reclaimed water when it becomes available. The monitoring plan will be submitted for review and approval by Pasco County and the Florida Department of Environmental Protection prior to initiation of reuse. (SR/Page 2.16)
13. The Developer shall, in coordination with SWFWMD, implement stormwater design and management techniques such as:
 - lining stormwater ponds with a clay layer or synthetic liner
 - designing shallower ponds
 - ensuring that ponds and swales are properly grassed
 - setting a maximum depth for stormwater storage
 - maintaining a minimum distance between pond bottoms and the top of the linerrock implementation of a site specific groundwater quality monitoring system (SR/Page 2.17)
14. No pumping of groundwater aquifers will be utilized to maintain lake levels. (SR/Page 2.17)
15. If ditches were to be constructed, appropriately designed water control structures will be incorporated in their design to maintain water surfaces at elevations above the seasonal high water levels to prevent dewatering of the water table. (SR/Page 2.18)

SOILS

1. All buildings will be constructed on compacted fill materials with habitable structure finished floor elevations set at or above the determined 100-year flood elevation. (ADA/Page 15.1)
2. Efforts to prevent or control wind and water soil erosion may include the following:
 - Provide staked silt fence or hay bales prior to commencement of construction
 - Regularly inspect the silt fence or hay bales during construction to ensure they are functioning and in good condition
 - Control fugitive dust by watering during clearing and grading activities
 - Sod or seed and mulch all cleared areas as soon as possible (ADA/Page 15.2)

FLOODPLAINS

1. Any loss of 100-year floodplain storage volume will be compensated by the excavation and creation of equal storage volume within the 100-year floodplain. (ADA/Page 16.1)
2. There will be no increase in the potential for off site flooding due to the development of this site. The stormwater management system will be designed to provide attenuation for on site flows resulting from any increase in pervious area. (ADA/Page 16.2)
3. The Developer will use the amended FEMA information when it is formally adopted. (SR/Page 2.20)

WATER SUPPLY

1. Once (construction) activities are completed, the existing (ten) wells will be properly abandoned. (ADA/Page 17.3)
2. Xeriscaped lawns and common areas will be encouraged in the project to reduce the demand for water supply. (ADA/Page 17.4)
3. The Development Order will contain conditions which require the lowest quality water reasonably available, suitable and appropriate. All water saving measures will be enforced through property owners associations. (SR/Pages 1.3, 3.2)
4. The project will offer fixtures such as low flush toilets, low supply taps and showers to reduce the demand for water supply. (ADA/Page 17.4, SR/Page 3.2)
5. The Development Order will contain a condition or conditions which meet this (TBRPC's) water conservation policy/*SRPP Policy 4.3.14* (SR/Page 1.4). In addition, the developer will implement the following suggestions posed by the Southwest Florida Water Management District: use of plants which thrive in the soils and micro-climate of the development;

efficiently designed irrigation systems; and automatic rain shut-off devices on all automatic irrigation systems. (SR/Page 3.6)

6. The Developer has agreed to construct a dual system for the potential utilization of reclaimed water when made available by Pasco County and for reuse alternatives of stormwater disposal. (SR/Pages 1.4, 3.7)

WASTEWATER MANAGEMENT

No permanent septic tanks will be installed. (ADA/Page 18.2)

STORMWATER MANAGEMENT

1. The project's stormwater management system will be integrated into the natural wetlands, ensuring that surface and groundwater quality during and after development will meet or exceed all state and local water quality standards. (ADA/Page 10.10)
2. Wetland/mitigation areas will be incorporated into the stormwater plan. The post-development 25-year peak discharge rate will not exceed the existing conditions 25-year peak discharge rate. All development runoff will receive a minimum of one-inch of treatment prior to discharge from the site. (ADA/Page 19.2)
3. The Development Order will contain a condition requiring inspection and maintenance of all stormwater facilities. The design of stormwater management facilities will complement open space, recreation and conservation objectives as feasible and appropriate. (SR/Page 1.4)
4. The master stormwater management system will be designed to ensure that no stormwater runoff will be discharged directly into any lake or wetland that are part of the stormwater management system. Prior to discharging to existing lakes and wetlands, stormwater runoff will be pretreated via mechanical systems such as sediment traps to reduce sediment transport and skimming systems to remove floating debris and litter. In addition, pollution prevention and best management practices such as the controlled application of pesticides and fertilizers will be employed. These policies and practices will be implemented through property owners associations. (SR/Page 3.11)
5. The stormwater system proposed for the project will meet all applicable SWFWMD, Pasco County, FDOT and FDEP requirements. (SR/Page 3.12)

SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

1. Residents and commercial tenants will be provided with information at the time of purchase or lease which identifies hazardous materials and proper procedures for the disposal of such materials including any requirements for separation of hazardous waste. (SR/Page 3.13)

2. Applicable federal and state laws will be followed for the disposal of any medical wastes should they be located within the project. (SR/Page 3.13)

TRANSPORTATION

The applicant has no future intentions to provide private or public access to the south. (SR/Page 1.6)

AIR QUALITY

1. The project will utilize state-of-the-art methodologies for prevention of fugitive dust particles during construction. (ADA, page 10.11)
2. To minimize wind erosion clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. Watering procedures will be employed as necessary to minimize fugitive dust. (ADA/Page 22.1)
3. Measures to be employed to minimize fugitive dust will include sodding, seeding, mulching, or planting of landscaped material in cleared and disturbed areas. (ADA/Page 22.1)
4. No parking lot will have a peak hour traffic of equal to or greater than 1,500 vph. (SR/Page 4.10)
5. Based on air quality evaluation criteria, the applicant will commit to fund and/or construct an additional lane in each direction (to six-lane divided) along SR54 from the east side of the Suncoast Parkway to the eastern signalized access drive into the project during Phase I; and the SR54 improvement from US41 to Collier Parkway (to six-lane divided); and the SR54/US41 (add a westbound left turn lane) and SR54/Collier Parkway intersection (add east-, north-, and southbound left turn lanes) improvements during Phase II. (SR/Page 4.10, Table 22-1)

AFFORDABLE HOUSING

Mitigation for unmet affordable housing demand will be provided pursuant to one or a combination of the options outlined in the ECFRPC methodology and Rule 9J-2.048, F.A.C. (SR/Page 5.1)

POLICE AND FIRE PROTECTION

1. The developer will review the concepts of a "fire safe community" to determine their applicability. (SR/Page 6.1)
2. The developer will provide appropriate mitigation for police, fire and emergency medical service to the proposed project which will be established in the Development Order. (SR/Page 6.2)

RECREATION AND OPEN SPACE

1. Approximately 295 acres will remain as open space, lakes and wetlands. (ADA/Page 26.1)
 2. It is anticipated that the project will provide connecting bikeways and pedestrian paths to this system (the Suncoast Parkway Trail). (ADA/Pages 26.1, 29.3)
 3. The Developer will provide a 2 acre minimum private community park in the residential portion of the project. (SR/Page 6.3)
 4. The Developer will provide appropriate mitigation for park facilities for the proposed project which will be established in the Development Order. (SR/Page 6.3)
- EDUCATION**
- The Developer will provide appropriate mitigation for school facilities for the proposed project which will be established in the Development Order. (SR/Page 6.5)

ENERGY

The project will utilize both electric power and natural gas as sources of energy. Energy conservation techniques, including the use of increased insulation, high efficiency mechanical devices, cross ventilation, solar heating and cooling, and low pressure sodium lamps for external lighting. Xeriscape landscaping will be recommended whenever possible to reduce irrigation and energy needs. (ADA/Page 29.3)

Exhibit F

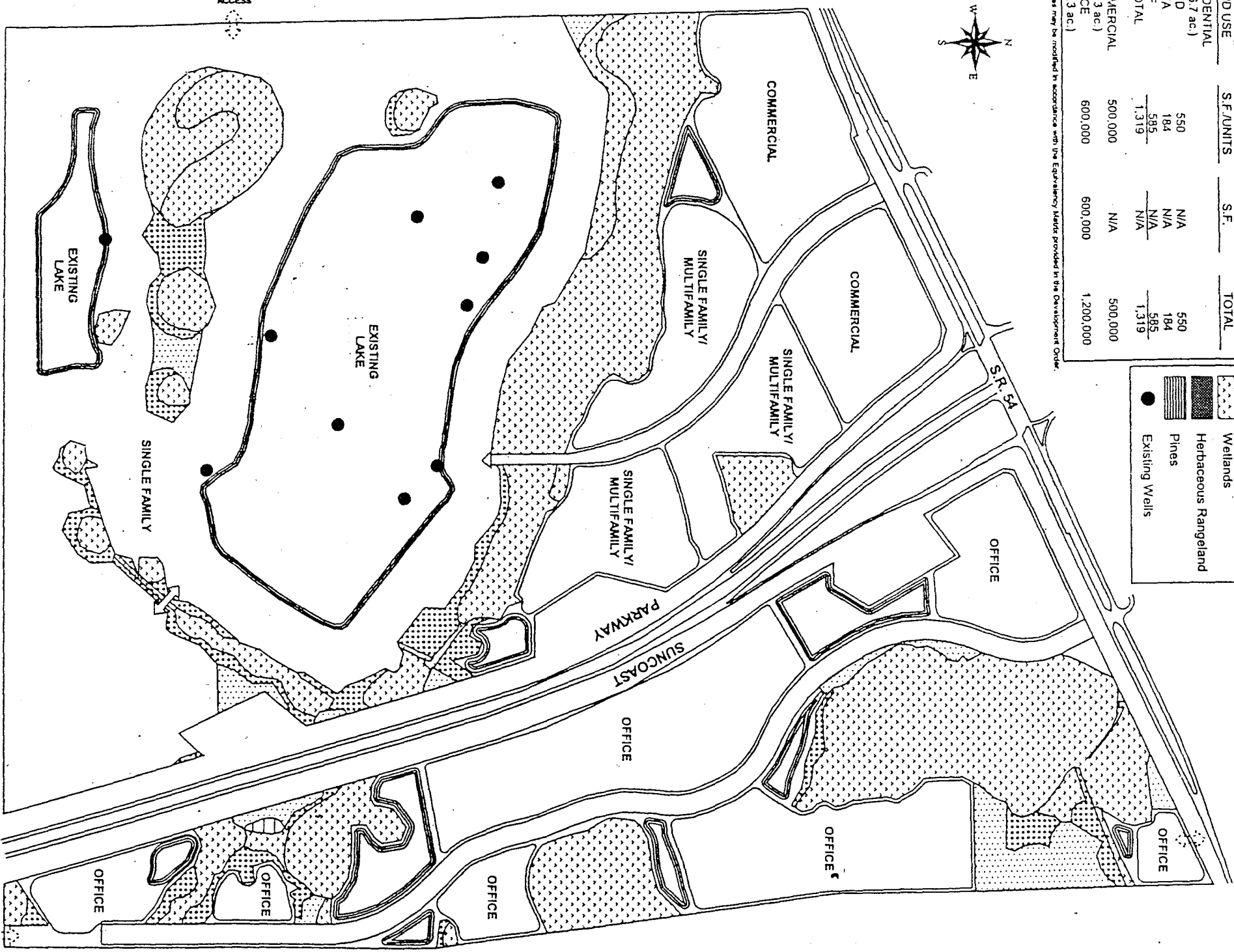
MAP H

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LAND USE *	PROJECT PHASING		TOTAL
	PHASE 1 (2001-2007) S.F./UNITS	PHASE 2 (2007-2011) S.F.	
RESIDENTIAL (226.7 ac.)	550	N/A	550
SFD	184	N/A	184
SFA	585	N/A	585
MF	1,319	N/A	1,319
TOTAL	500,000	N/A	500,000
COMMERCIAL (45.3 ac.)	600,000	600,000	1,200,000
OFFICE (95.3 ac.)			

* Land uses may be modified in accordance with the Equivalency Matrix provided in the Development Order.

	Lakes
	Mitigation Areas
	Wetlands
	Herbaceous Rangeland
	Pines
	Existing Wells



POTENTIAL
EMERGENCY
ACCESS

MAP H
GENERAL DEVELOPMENT
PLAN

April 4, 2000

SUNCOAST CROSSINGS

A Development of Regional Impact by:

MDG Suncoast, Inc.
an affiliate of Morin Development Group

WilsonMiller, Inc.
Project Coordination, Planning,
Transportation

Otero Engineering, Inc.
Engineering

Biological Research
Associates, Ltd.
Environmental

Brickleyer, Smolker
& Bolvas, P.A.
Legal Counsel

Fishkind & Associates, In
Economic

Exhibit G

TRANSPORTATION IMPACT SUMMARY

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**EXHIBIT G
SUNCOAST CROSSING
Transportation Impact Summary ¹**

Roadway	Distance	Level of Service ²	Required Improvement	Level of Service After Improvement ²	Cost of Improvement ³	Developer Share ⁴	Development Triggers		
							External PM Trips	Development Amount	Anticipated ⁵ Date
Phase 1 (2007)									
Intersections None	N/A	N/A	Site Access Only	N/A	N/A	N/A	N/A	N/A	N/A
Roadway Links SR 54 from Suncoast Pkwy to East Project Drive	0.23 mi.	F / 1,850	4 Lane to 6 Lane	C / 2,780	\$ 544,364	100.0% / \$544,364	2,558 vph	411,825 sf ⁶ (retail)	2006 (Sept.)
Phase 2 (2011)									
Intersections SR 54/Livingston Road	N/A	N/A	Signalize	B	\$120,000	3.4%/\$4,080	N/A	N/A	When warranted
SR 54/Collier Parkway	N/A	F/6,611	EB/WB thru Lane ⁷ ; SB right turn lane; and EB, NB & SB left turn lanes	D/10,226	\$629,200	27.9%/\$69,841	2,893 VPH	933,200 sf ⁶ (office)	2009 (Feb.)
SR 54/US 41	N/A	E/10,852	EB/WB thru Lane ⁷ ; and WB left turn lane	D/11,103	\$175,000	100%/\$175,000	2,893 vph	933,200 sf ⁶ (office)	2009 (Feb.)
Roadway Links SR 54 from East Project Drive to US 41	N/A	N/A	Monitor per D.O.	N/A	N/A	N/A	N/A	N/A	N/A
SR 54 from US 41 to Collier Parkway	1.78 mi.	F / 1,850	4 Lane to 6 Lane	C / 2,780	\$4,290,298 ⁷	28.5% / \$1,222,735	3,288 vph	1,024,492 sf ⁶ (office)	2009 (Sept.)
SR 54 from Collier Parkway to Livingston Road	0.62 mi.	F / 1,850	4 Lane to 6 Lane	D / 2,780	\$1,494,374 ⁷	14.4% / \$215,190	2,893 vph	933,200 sf ⁶ (office)	2009 (Feb.)
SR 54 from Livingston Road to SR 56	1.50 mi.	F / 1,850	4 Lane to 6 Lane	D / 2,780	\$3,615,420	14.4% / \$520,620	2,893 vph	933,200 sf ⁶ (office)	2009 (Feb.)
Total					\$10,878,666	\$2,761,830			

- 1 Improvements based on parcelized trip generation of office land use and assumption that 18 background DRI projects will remain on current build-out schedules through 2011.
- 2 Level of Service / Service Volume
- 3 Additional two lanes (4 lane to 6 lane) \$1,731,200 x 103.9% = \$1,798,717 plus Design, Survey, CEI and Overhead which is 34% of construction cost, i.e., \$611,564. Total cost is \$2,410,281 per mile, right-of-way available.
- 4 Project traffic divided by increased service volume amount, per DCA Transportation Standards Rule, to identify project percentage.
- 5 Total amount of Retail development which triggers improvement, includes all Residential.
- 6 Total amount of Office development which triggers improvement, includes all Residential and Commercial development.
- 7 Cost included in thru lane improvement.
- 8 Actual date is dependent on actual Development Amount constructed.

R
684
Pd. Rec. *fh*

NOTICE OF ADOPTION OF THE
DEVELOPMENT ORDER FOR THE SUNCOAST CROSSINGS
DEVELOPMENT OF REGIONAL IMPACT

chg 115-002

Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 01-118 dated 04/24/01, has adopted the development order for a Development of Regional Impact known as Suncoast Crossings. The above-referenced development order constitutes a land development regulation applicable to the property described in Exhibit "C" of the development order.

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 recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in above-mentioned Exhibit "C" nor actual constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

[Signature]
STEVE SIMON, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
APPROVED

APR 24 2001

State of Florida)
County of Pasco)

The foregoing Notice of Adoption of Development Order was acknowledged

before me this 24th day of April, 2001.

[Signature]
Notary Public
State of Florida at Large
My Commission Expires: June 2nd 2001

APPROVED AS TO LEGAL FORM AND SUFFICIENCY
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 RECORD IN MY OFFICE. WITNESS MY HAND THE COUNTY'S OFFICIAL SEAL THIS May 1, 2001

[Signature]
D.C.

