

#35



# PASCO COUNTY, FLORIDA

NEW PORT RICHEY  
DADE CITY  
LAND O' LAKES  
FAX

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

CERTIFIED MAIL NO. 7008 0150 0003 6535 4096  
RETURN RECEIPT REQUESTED

February 2, 2012

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

RE: Bayonet Point Shopping Mall Development of Regional Impact No. 35  
Development Order

Dear Mr. Meyer:

Enclosed please find an original of the Bayonet Point Shopping Mall Development of Regional Impact No. 35, Development Order (Resolution No. 12-93), 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 24, 2012.

Please contact me with any questions at (727) 847-8193 or [cspidell@pascocountyfl.net](mailto:cspidell@pascocountyfl.net).

Sincerely,

Cynthia D. Spidell, MBA  
Sr. Planner & DRI Coordinator

Enclosure

*[Faint, illegible markings and stamps at the bottom of the page]*

BY COMMISSIONER \_\_\_\_\_

RESOLUTION NO. 12-93

A RESOLUTION AMENDING THE DEVELOPMENT ORDER FOR BAYONET POINT SHOPPING MALL DEVELOPMENT OF REGIONAL IMPACT NO. 35 TO ADD ACREAGE TO THE PROJECT; TO SUB-PHASE THE REMAINING DEVELOPMENT; TO EXCHANGE A PORTION OF THE APPROVED RETAIL USE FOR MULTI-FAMILY USE; TO ELIMINATE CERTAIN RETAIL ENTITLEMENTS; TO ADD A LAND USE EQUIVALENCY MATRIX TO AUTHORIZE POTENTIAL OFFICE, MOVIE THEATRE, HOTEL AND/OR MOTEL ALTERNATIVE USES; TO REVISE MAP H; AND TO IMPLEMENT THE COUNTY'S MOBILITY FEE ORDINANCE AND TRANSPORTATION CONCURRENCY EXCEPTION AREA FOR THE DRI PROJECT WITHIN THE URBAN SERVICE AREA

**WHEREAS**, on July 23, 1974, the Board of County Commissioners of Pasco County adopted a Development Order approving with conditions, the Bayonet Point Shopping Mall Development of Regional Impact ("DRI") (the "Project") and granting development approval for 1,059,077 square feet of retail uses, without any Project buildout date or DRI Development Order expiration date (the original development order and all amendments thereto, are hereinafter individually and collectively referred to as the "DRI/DO," "DO," or "Development Order"); and

**WHEREAS**, on October 23, 1984, the Board of County Commissioners of Pasco County adopted Resolution 85-14 to re-phase the Project with Phase I (35.3 acres) only consisting of a retail shopping center plus outparcels for a total of 229,398 square feet approved for Phase I; and

**WHEREAS**, on February 11, 1986, the Board of County Commissioners of Pasco County adopted Resolution 86-120 to modify the required transportation improvements associated with the revised Phase I entitlements; and

**WHEREAS**, on May 1, 2009, in accordance with Section 380.06(19), Florida Statutes, as amended, Mid-Peninsula Realty Investment Group, LLC (the "Applicant") filed a Notice of Proposed Change ("NOPC") to a previously approved DRI DO for the Project requesting the following:

1. The addition of 3.96 acres to the Project;

2. To make no changes to the land area or the approved entitlements for the existing, developed Phase I of the Project owned by other parties, but to sub-phase the remaining 78.60 acres included in the NOPC Application into a Phase II and a Phase III;

3. To exchange 129,500 square feet of the remaining retail entitlements for the balance of the Project for 500 multi-family residential units;

4. To voluntarily eliminate 360,179 square feet of the remaining retail entitlements from the balance of the Project;

5. To add a Land Use Equivalency Matrix ("LUEM") for the balance of the Project to allow office, movie theatre, hotel and/or motel uses;

6. To establish corresponding Master Development Plan ("Map H") and Development Order condition modifications; and

**WHEREAS**, the Tampa Bay Regional Planning Council (the "TBRPC") determined that the NOPC Application documented a considerable reduction in traffic resulting from the new plan of development for Phase II and Phase III of the Project, thereby negating the requirement of a re-analysis of traffic from the state/regional perspective; and

**WHEREAS**, on July 12, 2011, the Board of County Commissioners of Pasco County adopted Ordinance No. 11-08 (the "Mobility Fee Ordinance") which created and implemented the Transportation Concurrency Exception Area for the Urban Service Area ("USA"), which USA includes the Project; and

**WHEREAS**, the Applicant for Phase II and Phase III approval has elected to implement the Mobility Fee Ordinance for said remaining phases of the Project, as the DRI/DO is modified herein; and

**WHEREAS**, the Project is not subject to County's timing and phasing requirements because (1) the transportation mitigation for the Project has either been completed or is not proposed to be eliminated or modified, and (2) the Project is not increasing gross daily trips; and

**WHEREAS**, no change is proposed by the Applicant for any of the existing Phase I portion of the Project that is owned by other parties, which Phase I shall continue to have 229,398 square feet of approved retail uses which shall not be affected by this DRI/DO Amendment; and

**WHEREAS**, the Pasco County Board of County Commissioners is the governing body having jurisdiction over the review and approval of the DRI in accordance with Section 380.06, Florida Statutes, as amended; and

**WHEREAS**, the culmination of review pursuant to Section 380.06, Florida Statutes, requires the approval, approval with conditions, or denial of an NOPC; and

**WHEREAS**, the Pasco County Board of County Commissioners held duly noticed public hearings on the NOPC, and reviewed the NOPC as well as all related testimony and evidence submitted by each party and members of the general public; and

**WHEREAS**, the Pasco County Board of County Commissioners desires at this time to amend the DO in accordance with the NOPC Application.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled that this NOPC for the Bayonet Point Shopping Mall DRI is approved with conditions, as set forth in the following DRI DO Amendment:

#### **BAYONET POINT SHOPPING MALL DEVELOPMENT ORDER AMENDMENT**

1. Introduction.

This Resolution shall constitute an amendment to the DO as previously amended.

2. General Findings of Fact.

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

a. The foregoing "Whereas" recital clauses are hereby incorporated as Findings of Fact.

b. The NOPC Application is incorporated into this DO Amendment by reference as Exhibit A.

c. The nature, type, scope, intensity, costs, and general impact of the Project, as revised, are summarized in the Tampa Bay Regional Planning Council ("TBRPC") NOPC Report, which is incorporated into this DO Amendment by reference as Exhibit B.

d. A description of the real property for Phase II and Phase III (Property) is attached as Exhibit C which is made part of this DO.

e. Concurrently with this DO Amendment, the Applicant has filed a small-scale amendment to the Comprehensive Plan to amend the Future Land Use Classification of that certain 3.542 acre, m.o.l., parcel (within the boundary of the original DRI) identified in the NOPC Application from RES-12 to COM (Commercial), to be consistent with balance of the retail portion of the Project as depicted on the revised plan of development for the Project. As

revised, the proposed development is consistent with the applicable provisions of the designated classifications and other applicable Goals, Objectives and Policies of the Comprehensive Plan.

f. On December 14, 2009, the TBRPC adopted its NOPC Report, indicating that the NOPC proposal was presumed to create a Substantial Deviation pursuant to subsections 380.06 (19)(e) 2.f, 380.06(19)(e)2.i., 380.06(19)(e)3, and 380.06(19)(e)5.a., Florida Statutes, but expressing the opinion that no unmitigated regional impacts would be expected upon adoption of a DO Amendment that included the recommendations of TBRPC and the NOPC stipulations of the Applicant in the DO Amendment.

g. The Board of County Commissioners scheduled and held a public hearing on the NOPC Application on January 24, 2012.

h. Notice of the hearing has been published in a newspaper of general circulation at least fifteen (15) days prior to the date set for the Board of County Commissioners hearing.

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

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

k. The Board of County Commissioners has received and considered various other reports and information including, but not limited to, the recommendation of the Planning and Growth Management Department and the Development Review Committee ("DRC").

l. The Applicant, Mid-Peninsula Realty Investment Group, LLC, shall be the developer-of-record for Phase II and Phase III of the DRI Project which are covered by the DO Amendment; however, Developers Diversified Realty shall remain the developer-of-record for Phase I of the Project, which it owns and manages.

m. The Development Order, as amended herein, is a valid final development order within the provisions of Section 163.3167(8), Florida Statutes, affecting the Phase II and Phase III Property.

### 3. Conclusions of Law.

The Board of County Commissioners hereby finds as follows:

a. The Project will not unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area encompassed by the DO Amendment.

b. As conditioned, this DO Amendment addresses issues raised consistent with the NOPC Report and the recommendations of the TBRPC.

c. As conditioned, this DO Amendment is consistent with the applicable provisions of the Pasco County Land Development Code (local land development regulations).

d. As conditioned, this DO Amendment is consistent with the applicable provisions of the adopted Pasco County Comprehensive Plan, as amended (the "Comprehensive Plan").

e. The land that is the subject of this DO Amendment is not in an Area of Critical State Concern.

f. As conditioned, this DO Amendment is consistent with the applicable provisions of the adopted State Comprehensive Plan, as amended.

g. Pursuant to Subsection 380.06(19)(e), Florida Statutes, the proposed changes are presumed to be a substantial deviation; however, it is the opinion of Pasco County, TBRPC, and other participating agencies that the Applicant has provided clear and convincing evidence to rebut the presumption of a substantial deviation and that no unmitigated regional impacts shall result. The proposed changes, therefore, do not constitute a substantial deviation pursuant to Chapter 380.06(19)(c), Florida Statutes.

4. Specific Conditions.

Having made the above Findings of Fact and having drawn the above Conclusions of Law, it is ordered that the Development Order and Map H are hereby amended as follows:

a. The parcel of land containing 3.96 acres, m.o.l., as described on Exhibit "D" attached hereto and incorporated herein, is added to the Project.

b. The Land Use Equivalency Matrix ("LUEM") set forth on Exhibit "E" attached hereto and incorporated herein, is hereby adopted for Phase II and Phase III of the Project, only.

c. The Master Development Plan, Map H, as depicted on Exhibit "F" attached hereto and incorporated herein, is hereby amended to include the Exhibit "D" parcel, to reflect the adoption of the LUEM for Phase II and Phase III, and to adopt and implement Phase II and Phase III of the Project, as approved herein. Phase I of the Project shall remain unchanged by this NOPC approval and this DRI/DO Amendment.

d. The phasing schedule for the Project shall be as follows:

<b>PHASE</b>	<b>RETAIL (Sq. Ft.)</b>	<b>RESIDENTIAL (Multi-Family Units)</b>
PHASE 1* (No Buildout Date)	229,398	0
PHASE 2 (No Buildout Date)	340,000	0
PHASE 3 (No Buildout Date)	0	500
<b>TOTAL</b>	<b>569,398</b>	<b>500</b>

\*Phase 1 entitlements are not possessed by the Applicant and shall remain unchanged.

e. For clarification only, the above phasing schedule reflects the conversion by the Applicant of 129,500 square feet of approved retail uses for 500 multi-family residential units in Phase III, and the voluntary elimination of 360,179 square feet of approved retail uses from Phase II and Phase III of the Project. Consequently, Phase II may contain up to 340,000 square feet of retail uses, and Phase III may contain up to 500 multi-family residential units, subject to application of the LUEM as set forth above. The existing, developed Phase I shall remain approved for 229,398 square feet of retail uses, pursuant to the prior DO approvals for Phase I.

f. Pursuant to Comprehensive Plan Policies FLU 9.1.7 and 9.2.2, the Project is located within the County's adopted Urban Service Area defined in Section 163.3164, Florida Statutes. In accordance with Ordinance No. 11-08, the Project is located within the Transportation Concurrency Exception Area and is exempt from transportation concurrency, subject to the payment of mobility fees. The new development within Phase II and Phase III of the Project therefore shall be subject to the applicable mobility fee schedule(s) pursuant to the Mobility Fee Ordinance, as amended from time to time. The Project is also exempt from the County's timing and phasing requirements because (1) the transportation mitigation for the Project has either been completed or is not proposed to be eliminated or modified, and (2) the Project is not increasing gross daily trips;

g. Development entitlements within Phase II and/or Phase III may be exchanged pursuant to the LUEM attached hereto as Exhibit "E." All proposed land use exchange requests first shall be submitted to the Pasco County Planning and Growth Management Department with copies to the FDCA and the TBRPC for verification as to implementation in accordance with the LEUM, this DO Amendment, and the Comprehensive Plan, as amended from time to time. Upon verification, which shall not be unreasonably withheld or delayed, the Pasco County Growth Management Department shall submit such exchange for approval on the consent agenda at the next available DRC meeting which is at least fourteen (14) days from submittal of the LUEM request to the Growth Management Department, FDCA, and TBRPC. The use of the LUEM then shall be reported in the next biennial report. Notwithstanding the foregoing, further land use exchanges from non-residential uses to residential uses shall be prohibited.

h. The total p.m. peak-hour, gross Project trips was estimated to be 1,510, which included 301 pass-by and 146 internal trips. The total gross daily trips were estimated to be 15,714 trips.

i. Any amendments to the land use mix or proposed phasing schedule, other than as described in this DO Amendment, shall be approved pursuant to the NOPC process as required by Section 380.06(19), Florida Statutes.

5. Additional Conditions

The Development Order is amended to add the following conditions:

a. If the residential component is developed in Phase III, said residential component shall be subject to the Hurricane Shelter Mitigation Fee, the Hurricane Evacuation Mitigation Fee, and the School Impact Fees applicable to such residential units at the time of such development, pursuant to applicable Pasco County ordinances then in effect. In addition, if the residential component is developed in Phase III, the Applicant shall prepare a Hurricane Evacuation Plan, consistent with Section 78-333 of the Pasco County Code of Ordinances, for the new residential component and submit same to Pasco County for approval, and to the TBRPC for review, prior to the issuance of the first site development permit for such new residential component of the Project. Furthermore, if the residential component is developed for the Project, such residential development component shall provide neighborhood park(s) and pay applicable parks and recreation impact fees pursuant to applicable Pasco County ordinances.

b. Transit

(1) The Applicant/Parcel Developer shall provide a Park-N-Ride facility within Phase III of the Project, at one of the two (2) locations conceptually depicted on Exhibit "G" hereto, or at such other location as mutually agreeable to the Applicant and Pasco County. The Park-N-Ride facility shall consist of a non-exclusive easement from the owner/developer in favor of Pasco County and/or its designee(s), for two hundred (200) parking spaces to be shared for mass transit parking purposes, on a non-exclusive basis with the Project, as more fully set forth in a future Park & Ride Easement Agreement to be approved by the County (the "Easement Agreement"). The owner/developer shall be entitled to mobility fee credits for the transit portion of the mobility fees applicable to Phase II and Phase III of the Project, the value of which shall be determined in the Easement Agreement. Such Easement Agreement shall be approved by the County prior to site plan approval for any Phase II or III commercial development.

(2) The Applicant/Parcel Developer shall provide a covered bus shelter/transit stop on the commercial portion of the site in close walking proximity to U.S. 19, or collocated with the Park-N-Ride facility within Phase III of the Project pursuant to applicable PCPT requirements. The details and location of such transit stop shall be determined in conjunction with PCPT at the time of site plan review. Costs incurred by the developer to construct such transit stop may be creditable toward the transit portion of the mobility fees applicable to Phase II and Phase III. If such costs are determined to be creditable in accordance with the mobility fee regulations, the value of such credits shall be set forth in the Easement Agreement.

c. Transportation Site Access Intersection Improvements.

(1) In addition to compliance with the mobility fee regulations and transit requirements as set forth herein, Phase II and Phase III of the Project shall require at a minimum the following site-access intersection improvements, the phasing of which shall be determined at the time of preliminary site plan/construction plan approval for the respective phases of the Project:

(a) U.S. 19/Beacon Woods Drive (Project Driveway # 1): Construction of the western leg of the intersection (eastbound approach) with 1 through lane, 1 left-turn lane, and 1 right-turn lane; and construction of a southbound right-turn lane;

(b) U.S. 19/Project Driveway # 2: Closure of the existing full median opening; and extension of the southbound right-turn lane to total 350 feet in length;

(c) U.S. 19/Edna Avenue (Project Driveway # 3): Conversion of the existing full median opening to a directional median opening; and extension of the southbound right-turn lane to total 350 feet in length.

(2) All access improvements, number of access points, spacing, and geometry of access points shown on Map H, attached hereto as Exhibit F, shall be subject to compliance with the provisions of the County's and the Florida Department of Transportation's (FDOT) access-management regulations. The Applicant/Developer shall design, permit, construct, and acquire right-of-way for such improvements at its sole expense. The Applicant/Developer shall be responsible for construction of all access improvements for the Project, unless otherwise approved by the DRC, prior to or concurrent with construction of infrastructure improvements to serve the portions of the Project necessitating such improvements as determined by the County at the time of preliminary site plan approval, and/or at the time of the issuance of Access Permits for the Project. At each preliminary plan/preliminary site plan approval, the DRC or Development Review Division may also require further site-access/site-related intersection improvements and site-access/site-related roadway improvements. The need and analysis for turn lanes, traffic signals, turn-lane lengths, and other site-access/site-related improvements shall also consider future DRI and non-DRI traffic that will utilize the same site-access/site-related improvements. These improvements are not creditable against the mobility fee requirements of the development.

d. The owner/developer acknowledges and agrees that no site development or building construction permit(s) can be issued for the disputed Florida Department of Transportation (FDOT) right-of-way area (parcel ID 04-25-16-0000-29900-0000), without mutual agreement of the FDOT and the owner/developer, or based upon a final, non-appealable court order concluding that the FDOT has no legal interest in the subject parcel.

6. Effective Date.

This DO Amendment shall become effective upon expiration of the appeal period for the companion small-scale Plan Amendment for this NOPC Application.

7. Procedures.

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(14)(1), Florida Statutes.

b. The Clerk of the Board of County Commissioners shall return four (4) signed originals of this DO Amendment and one (1) signed original Notice of Adoption to the

Pasco County Planning and Growth Management Department. The Pasco County Planning and Growth Management Department then shall send copies of each document to the FDCA, TBRPC, and to attorneys of record in these proceedings.

c. This DO Amendment shall be deemed rendered upon transmittal of copies to all recipients identified in Chapter 380, Florida Statutes.

8. Severability.

Each provision of this DO is material to the Pasco County Board of County Commissioners' approval of this DO. 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 Board of County Commissioners modifies the DO to address the illegal or invalid provision; provided, however, that such suspension shall not exceed nine (9) months in duration and such determination shall not affect the validity of 1) Limited exemption entitlements or DRI entitlements for which a complete application has been submitted, or approval has been received, for a preliminary plan, preliminary site plan, plat, construction plan, Building Permit, or CO; or 2) 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, and decisions by the Board of County Commissioners regarding any NOPC or the like shall not have the effect of suspending the DO 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.

DONE AND RESOLVED this 24th day of January, 2012.



*Paula S. O'Neil*  
BY \_\_\_\_\_  
PAULA S. O'NEIL, Ph.D., CLERK AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS OF  
PASCO COUNTY, FLORIDA

*Ann Hildebrand*  
By: \_\_\_\_\_  
ANN HILDEBRAND, CHAIRMAN

APPROVED  
IN SESSION

JAN 24 2012

PASCO COUNTY  
BCC

**EXHIBITS TO**  
**BAYONET POINT SHOPPING MALL DRI NO. 35**  
**DEVELOPMENT ORDER AMENDMENT**

- Exhibit A: NOPC Application (By Reference Only)
- Exhibit B: TBRPC NOPC Report (By Reference Only)
- Exhibit C: Legal Description of Phase II and Phase III Affected By the DO Amendment
- Exhibit D: Legal Description of 3.96 Acre Parcel Added to The DRI Project
- Exhibit E: Land Use Equivalency Matrix (LUEM)
- Exhibit F: Revised Master Development Plan (Map H)
- Exhibit G: Conceptual Depiction of Potential Park-N-Ride Facility Location(s)

**Exhibit A**

**NOPC Application (By Reference Only)**

**On File with the Planning & Growth Management Department**

**Exhibit B**

**TBRPC NOPC Report (By Reference Only)**

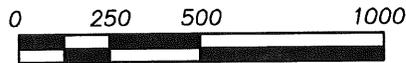
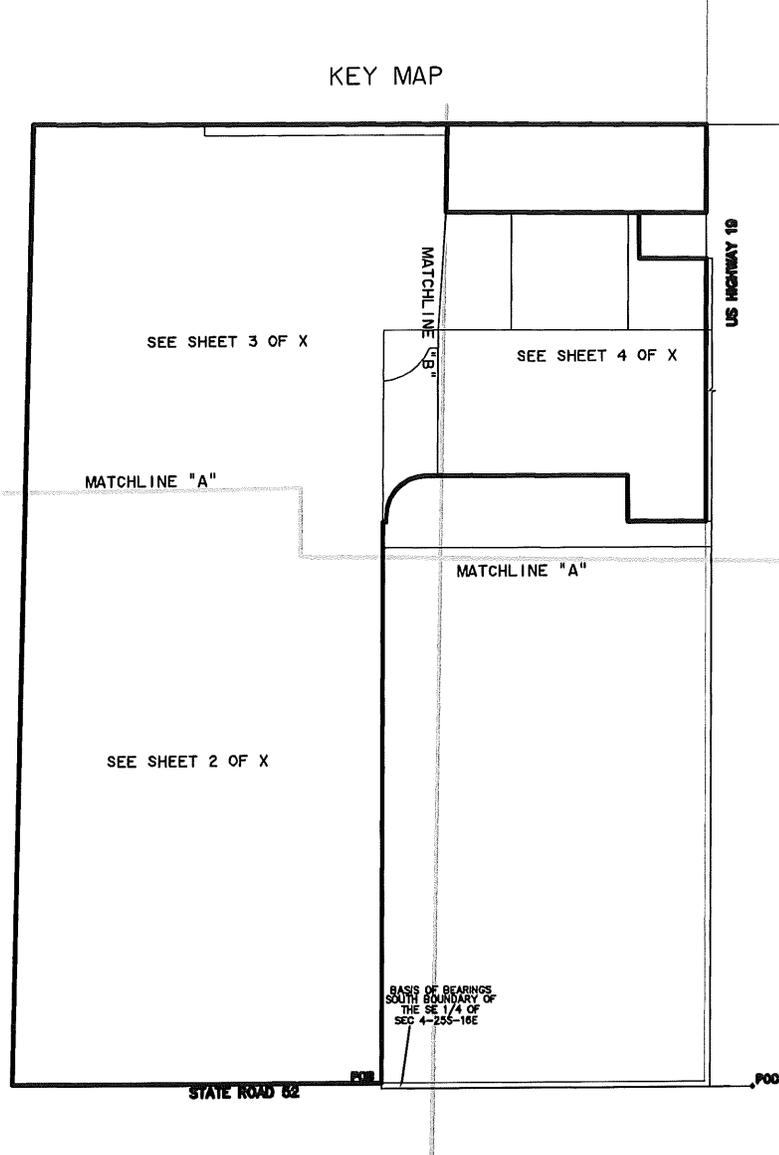
**On File with the Planning & Growth Management Department**

**Exhibit C**

**Legal Description of Phase II and Phase III Affected By the DO Amendment**

**THIS IS NOT A SURVEY**

NOTES: THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY. THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.  
 BASIS OF BEARINGS: SOUTH LINE OF THE SE 1/4 OF SEC 4- 25S-16E AS N89°53'00"W (SEE SKETCH AND LEGAL DESCRIPTION)



SCALE: 1" = 500'  
 GRAPHIC SCALE IN FEET



**ABBREVIATIONS LEGEND**

- E = East
- N = North
- ORB = Official Record Book
- PG(S) = Pages
- POB = Point of Beginning
- POC = Point of Commencement
- R/W = Right of Way
- S = South
- SEC = Section
- SR = State Road
- W = West
- xx° = Degrees
- xx' = Minutes (Bearings)
- xx" = Seconds (Bearing)
- xx' = Feet (Distances)

NOTE: THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS SOLELY BASED UPON THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR: MID PENINSULA REALTY INVESTMENT GROUP, LLC

SHEET DESCRIPTION: EXHIBIT C: SKETCH AND LEGAL DESCRIPTION OF PHASE II AND PHASE III AFFECTED BY THE DO AMENDMENT

SCALE: VARIES	DRAWN: JLW	CHECKED: JLW	COUNTY: PASCO
JOB NO. 149010	DATE: 9/01/11	SECTION: 4	TOWNSHIP: 25S RANGE: 16E

CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION SKETCH AND LEGAL DESCRIPTION OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER FLORIDA CERTIFICATE OF AUTHORIZATION No. 7345



CIVIL ENGINEERING 2300 CURLEW ROAD STE 201  
 LAND PLANNING PALM HARBOR, FLORIDA 34683  
 TRAFFIC/TRANSPORTATION 34683  
 LANDSCAPE ARCHITECTURE PHONE (727) 789-9500  
 ENVIRONMENTAL SCIENCES FAX (727) 784-6662  
 SURVEYING AVIDGROUP.COM  
 GIS

JOHN L. WABY  
 PROFESSIONAL LAND SURVEYOR  
 LICENSE NUMBER #4270  
 STATE OF FLORIDA

MATCHLINE "A" SEE SHEET 3 OF X

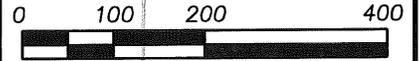
MATCHLINE "A"  
SEE SHEET 3 OF X

MATCHLINE "B"  
SEE SHEET 4 OF X

MATCHLINE "A"  
/ SEE SHEET 4 OF X

2612.83'

N01°18'24"E



SCALE: 1" = 200'  
GRAPHIC SCALE IN FEET



1524.71'

ORB 7990  
PG 133

S00°24'31"W

LINE TABLE		
LINE	BEARING	LENGTH
L3	N00°24'31"E	15.00'
L4	N89°53'00"W	1018.01'

BASIS OF BEARINGS  
SOUTH BOUNDARY OF  
THE SE 1/4 OF  
SEC 4-25S-16E

**POC**  
SE COR OF  
THE SE 1/4 OF  
SEC 4-25S-16E

NORTH R/W LINE OF S.R. 52

N89°53'00"W

1006.11'

**POB**

**STATE ROAD 52**

L3

L4

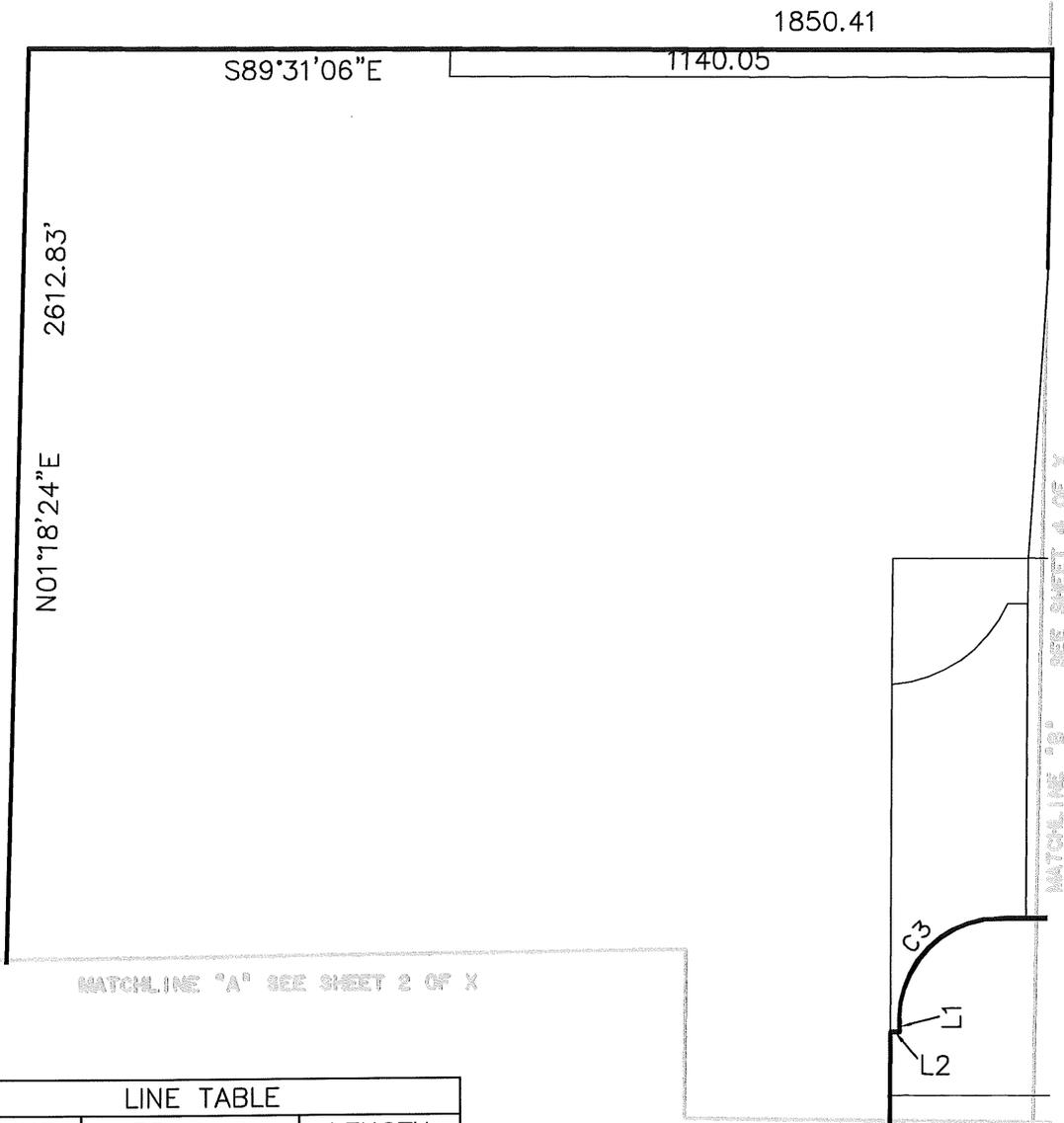
PREPARED FOR: MID PENINSULA REALTY INVESTMENT GROUP, LLC

SHEET DESCRIPTION: EXHIBIT C: SKETCH AND LEGAL DESCRIPTION OF PHASE II AND PHASE III AFFECTED BY THE DO AMENDMENT





SCALE: 1" = 200'  
GRAPHIC SCALE IN FEET



MATCHLINE "A" SEE SHEET 2 OF X

MATCHLINE "A" SEE SHEET 2 OF X

MATCHLINE "B" SEE SHEET 4 OF X

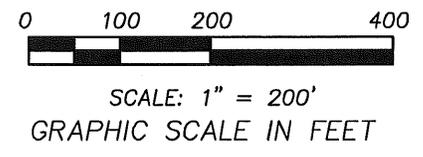
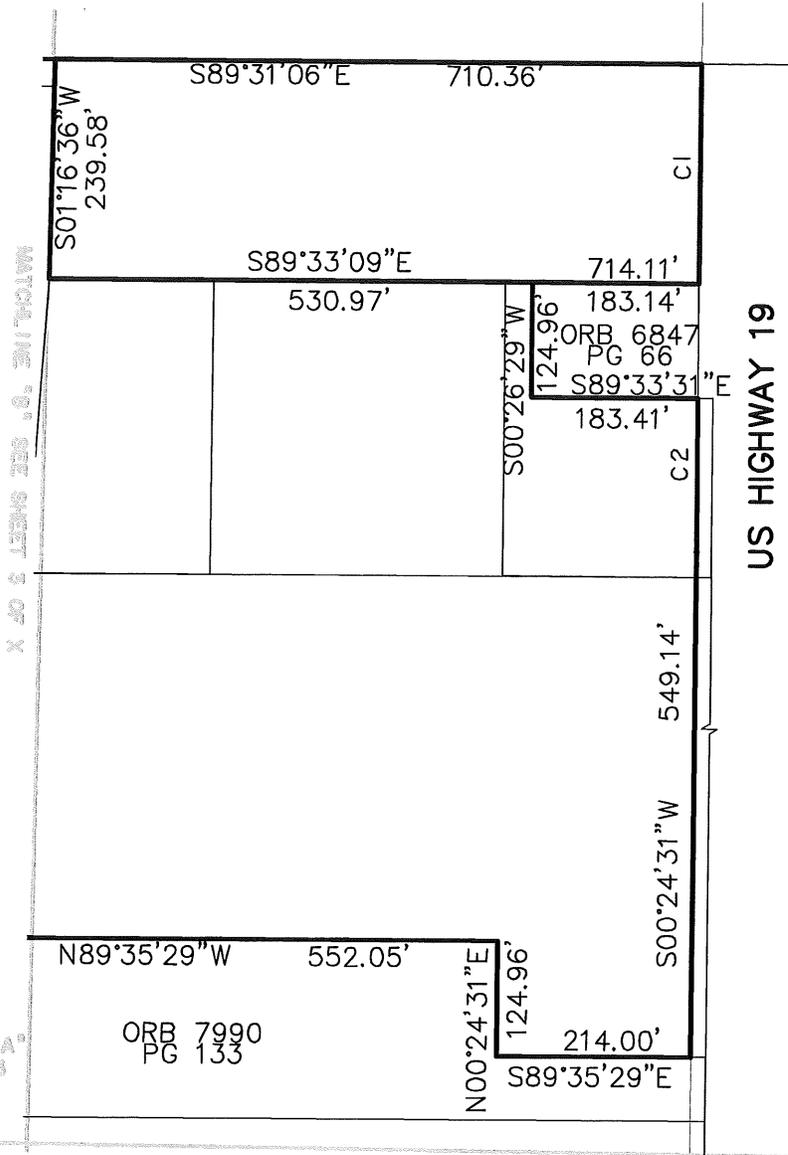
LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°24'31"W	14.96'
L2	N89°35'29"W	9.95'

CURVE TABLE					
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD
C3	110.00'	90°00'00"	172.79'	S45°24'31"W	155.56'

PREPARED FOR: MID PENINSULA REALTY INVESTMENT GROUP, LLC

SHEET DESCRIPTION: EXHIBIT C: SKETCH AND LEGAL DESCRIPTION OF PHASE II AND PHASE III AFFECTED BY THE DO AMENDMENT





MATCHLINE "A"  
SEE SHEET 3  
OF X

MATCHLINE "A" SEE SHEET 2 OF X

CURVE TABLE

CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD
C1	172036.59'	0°04'47"	239.14'	S00°22'40"W	239.14'
C2	172036.59'	0°03'20"	167.10'	S00°16'07"W	167.10'

PREPARED FOR: MID PENINSULA REALTY INVESTMENT GROUP, LLC  
SHEET DESCRIPTION: EXHIBIT C: SKETCH AND LEGAL DESCRIPTION OF PHASE II AND PHASE III AFFECTED BY THE DO AMENDMENT



LEGAL DESCRIPTION: EXHIBIT "C"- DESCRIPTION OF PHASE II AND  
PHASE III AFFECTED BY THE DO AMENDMENT

A PARCEL OF LAND LYING WITHIN THE EAST 1/2 OF THE SOUTHEAST 1/4 AND THE EAST 700 FEET OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 25 SOUTH, RANGE 16 EAST, COMPRISING OF TRACTS 37, 48 AND A PORTION OF TRACTS 34, 35, 36, 38, 40, 41, 42, 45, 47 LYING IN THE SOUTHEAST 1/4 OF SECTION 4, AS SHOWN ON THE PLAT OF PORT RICHEY LAND COMPANY SUBDIVISION, RECORDED IN PLAT BOOK 1, PAGE 61 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 25 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA ; THENCE N89°53'00"W ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 4, A DISTANCE OF 1,018.01 FEET; THENCE LEAVING SAID SOUTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 4, N 00°24'31"E, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING, SAME ALSO BEING A POINT ON THE NORTH RIGHT-OF-WAY OF STATE ROAD 52 (BEING A 30.00 FOOT WIDE ROAD RIGHT-OF-WAY PER THE PLAT OF PORT RICHEY LAND COMPANY SUBDIVISION, RECORDED IN PLAT BOOK 1, PAGE 61 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA ), SAME ALSO BEING THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND RECORDED IN OFFICIAL RECORD BOOK 3115, PAGE 782 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE N 89°53'00"W , ALONG SAID NORTH RIGHT-OF-WAY OF STATE ROAD 52, SAME ALSO BEING A LINE 15.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 4, A DISTANCE OF 1,006.11 FEET TO THE INTERSECTION WITH SAID NORTH RIGHT-OF-WAY OF STATE ROAD 52 AND THE WEST LINE OF THE EAST 700.00 FEET OF THE WEST 1/2 OF SAID SOUTHEAST 1/4 OF SECTION 4; THENCE N01°18'24"E, ALONG SAID WEST LINE OF THE EAST 700.00 FEET OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 4, A DISTANCE OF 2,612.83 FEET TO THE INTERSECTION WITH A LINE 15.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 4, SAME BEING THE SOUTH RIGHT-OF-WAY LINE OF AN UN-NAMED ROAD AS SHOWN ON SAID PLAT OF PORT RICHEY LAND COMPANY SUBDIVISION, RECORDED IN PLAT BOOK 1, PAGE 61 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE S 89°31'06"E , ALONG SAID LINE BEING 15.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 4, A DISTANCE OF 1850.41 FEET TO INTERSECT THE WESTERN RIGHT OF WAY OF US HIGHWAY 19( STATE ROAD 55) AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 140 30-2503, SAID POINT ALSO BEING TO THE POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT ; THENCE SOUTHERLY ALONG THE WESTERN RIGHT OF WAY AND THE ARC OF SAID CURVE, HAVING A RADIUS OF 172,036.59 FEET, A CENTRAL ANGLE OF 00°04'47", AN ARC LENGTH OF 239.14 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 00°22'40" WEST 239.14 FEET TO A NON TANGENT LINE AND THE NORTH LINE OF THAT CERTAIN PARCEL RECORDED IN OFFICIAL RECORDS BOOK 6847 PAGE 66 OF AFORESAID PUBLIC RECORDS ; THENCE ALONG THE NORTH, WEST AND SOUTH LINES OF SAID PARCEL THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTH 89°33'09" WEST FOR 183.14 FEET; (2) SOUTH 00°26'29" WEST FOR 124.96 FEET; (3) SOUTH 89°33'31" EAST FOR 183.41 FEET TO INTERSECT THE AFORESAID WESTERN RIGHT OF WAY OF US HIGHWAY 19 AND THE POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT ; THENCE ALONG THE SAID WESTERN RIGHT OF WAY THE FOLLOWING TWO (2) COURSES AND DISTANCE: (1) SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 172,036.59 FEET, A CENTRAL ANGLE OF 00°03'20", AN ARC LENGTH OF 167.10 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 00°16'07" WEST 167.10 FEET ; (2) SOUTH 00°24'31" WEST FOR 549.14 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL RECORDED IN OFFICIAL RECORDS BOOK 7990 PAGE 133 OF AFORESAID PUBLIC RECORDS ; THENCE ALONG THE NORTH AND WEST LINES OF SAID CERTAIN PARCEL THE FOLLOWING SEVEN (7) COURSES AND DISTANCES (1) NORTH 89°35'29" WEST FOR 214.00 FEET; (2) NORTH 00°24'31" EAST FOR 124.96 FEET; (3) NORTH 89°35'29" WEST FOR 552.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; (4) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 172.79 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 45°24'31" WEST 155.56 FEET; (5) SOUTH 00°24'31" WEST FOR 14.96 FEET; (6) NORTH 89°35'29" WEST FOR 9.95 FEET; (7) SOUTH 00°24'31" WEST FOR 1,524.71 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,426,129 SQUARE FEET OR 78.6531 ACRES, MORE OR LESS.

PREPARED FOR: MID PENINSULA REALTY INVESTMENT GROUP, LLC

SHEET DESCRIPTION: EXHIBIT C: SKETCH AND LEGAL DESCRIPTION OF PHASE II AND PHASE III AFFECTED BY THE DO AMENDMENT

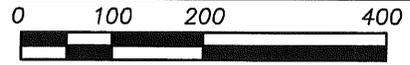


**Exhibit D**

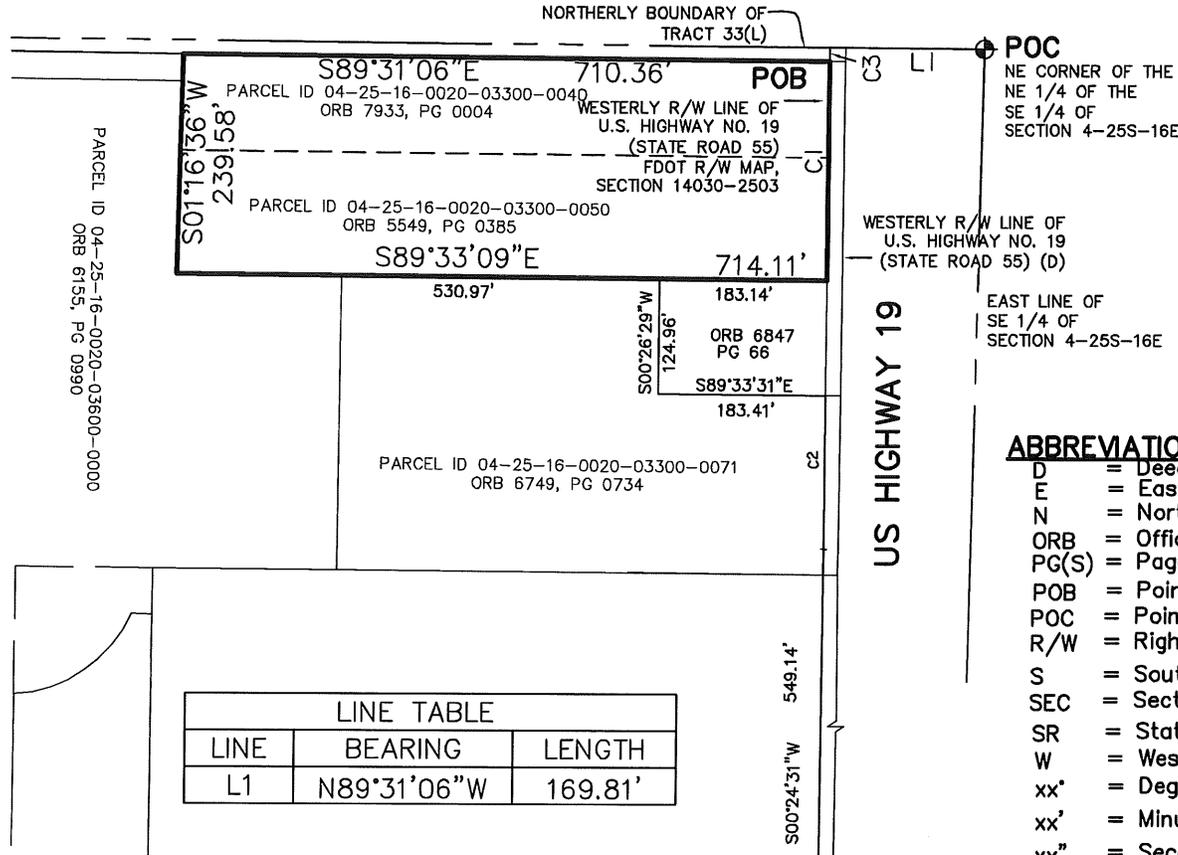
**Legal Description of 3.96 Acre Parcel Added to The DRI Project**

**THIS IS NOT A SURVEY**

NOTES: THIS LEGAL DESCRIPTION AND SKETCH WAS PREPARED WITHOUT THE BENEFIT OF A TITLE POLICY. THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. BASIS OF BEARINGS: THE SOUTH LINE OF THE SE 1/4 SEC 4-25S-16E BEING N89°53'00"W



SCALE: 1" = 200'  
GRAPHIC SCALE IN FEET



**ABBREVIATIONS LEGEND**

- D = Deed
- E = East
- N = North
- ORB = Official Record Book
- PG(S) = Pages
- POB = Point of Beginning
- POC = Point of Commencement
- R/W = Right of Way
- S = South
- SEC = Section
- SR = State Road
- W = West
- xx° = Degrees
- xx' = Minutes (Bearings)
- xx" = Seconds (Bearing)
- xx' = Feet (Distances)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°31'06"W	169.81'

CURVE TABLE					
CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD
C1	172036.59'	0°04'47"	239.14'	S00°22'40"W	239.14'
C2	172036.59'	0°03'20"	167.10'	S00°16'07"W	167.10'
C3	172036.59'	0°00'18"	15.00'	S00°25'12"W	15.00'

NOTE: THE GEOMETRY PERTAINING TO THE PARCEL OF LAND BEING DESCRIBED HEREIN (THE DESCRIPTION) IS SOLELY BASED UPON THE GEOMETRY AS DESCRIBED ON THE RECORDED DOCUMENTS AS NOTED HEREON AND IS SUBJECT TO AN ACCURATE FIELD BOUNDARY SURVEY.

PREPARED FOR: MID PENINSULA REALTY INVESTMENT GROUP, LLC

SHEET DESCRIPTION: EXHIBIT D: SKETCH AND LEGAL DESCRIPTION OF 3.91 ACRE PARCEL ADDED TO THE DRI PROJECT

SCALE: VARIES	DRAWN: JLW	CHECKED: JLW	COUNTY: PASCO	CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION SKETCH AND LEGAL DESCRIPTION OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER FLORIDA CERTIFICATE OF AUTHORIZATION No. 7345
JOB NO. 149010	DATE: 9/01/11	SECTION: 4	TOWNSHIP: 25S RANGE: 16E	

**AVID GROUP** CIVIL ENGINEERING 2300 CURLEW ROAD STE 201  
LAND PLANNING PALM HARBOR, FLORIDA  
TRAFFIC/TRANSPORTATION 34688  
LANDSCAPE ARCHITECTURE PHONE (727) 789-9500  
ENVIRONMENTAL SCIENCES FAX (727) 784-6662  
SURVEYING AVIDGROUP.COM  
GIS

JOHN L. WABY  
PROFESSIONAL LAND SURVEYOR  
LICENSE NUMBER #4270  
STATE OF FLORIDA

LEGAL DESCRIPTION: EXHIBIT D: LEGAL DESCRIPTION OF 3.91 ACRE PARCEL ADDED TO THE DRI PROJECT

A PARCEL OF LAND BEING A PORTION OF THE NORTH 1/2 OF TRACTS 33 AND 34 OF THE PORT RICHEY LAND COMPANY SUBDIVISION OF SECTION 4, TOWNSHIP 25 SOUTH, RANGE 16 EAST, AS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 1, PAGE 61 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 25 SOUTH, RANGE 16 EAST,  
; THENCE NORTH 89°31'06" WEST ALONG THE NORTHERLY LINE OF THE SAID NORTHEAST 1/4 AND THE NORTHERLY BOUNDARY OF SAID TRACT 33 FOR 169.81 FEET THE WESTERN RIGHT OF WAY OF US HIGHWAY 19 (STATE ROAD 55) AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 140 30-2503, SAID POINT ALSO BEING TO THE POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT ; THENCE ALONG THE SAID WESTERLY RIGHT OF WAY THE FOLLOWING TWO (2) COURSES AND DISTANCES; (1) SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 172,036.59 FEET, A CENTRAL ANGLE OF 00°00'18", AN ARC LENGTH OF 15.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 00°25'12" WEST 15.00 FEET TO THE POINT OF BEGINNING; (2) CONTINUE SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 172,036.59 FEET, A CENTRAL ANGLE OF 00°04'47", AN ARC LENGTH OF 239.14 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 00°22'40" WEST 239.14 FEET TO A NON TANGENT LINE AND THE NORTH LINE OF THAT CERTAIN PARCEL RECORDED IN OFFICIAL RECORDS BOOK 6847 PAGE 66 OF AFORESAID PUBLIC RECORDS ; THENCE NORTH 89°33'09" WEST ALONG SAID NORTH LINE FOR 183.14 FEET; THENCE CONTINUE NORTH 89°33'09" WEST ALONG SAID LINE FOR 530.97 FEET; THENCE NORTH 01°16'36" EAST FOR 239.58 FEET INTERSECTION WITH A LINE 15.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 4, SAME BEING THE SOUTH RIGHT-OF-WAY LINE OF AN UN-NAMED ROAD AS SHOWN ON AFORESAID PLAT OF PORT RICHEY LAND COMPANY SUBDIVISION, RECORDED IN PLAT BOOK 1, PAGE 61 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE S 89°31'06"E , ALONG SAID LINE BEING 15.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 4, A DISTANCE OF 710.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 170,461 SQUARE FEET OR 3.9133 ACRES, MORE OR LESS.

PREPARED FOR: MID PENINSULA REALTY INVESTMENT GROUP, LLC

SHEET DESCRIPTION: EXHIBIT D: SKETCH AND LEGAL DESCRIPTION OF 3.91 ACRE PARCEL ADDED TO THE DRI PROJECT



**Exhibit E**

**Land Use Equivalency Matrix (LUEM)**

**TABLE 3.3**  
**Bayonet Point Shopping Mall DRI No. 35 (ADA # 0874-137)**  
**Land Use Equivalency Matrix**

CHANGE FROM → CHANGE TO ↓	MULTI-FAMILY RESIDENTIAL (UNITS)	RETAIL/SERVICE (1,000 SF)	OFFICE (1,000 SF)	HOTEL/MOTEL (ROOMS)	MULTI-SCREEN MOVIE THEATRE (SEATS)
MULTI-FAMILY RESIDENTIAL (UNITS)	N/A	N/A	N/A	N/A	N/A
Net New Trips Ratio	N/A	N/A	N/A	N/A	N/A
RETAIL/SERVICE (1,000 SF)	0.259	N/A	N/A	0.366	0.053
Net New Trips Ratio	5.719 / 22.099	N/A	N/A	8.084 / 22.099	1.165 / 22.099
OFFICE (1,000 SF)	0.573	2.215	N/A	0.810	0.117
Net New Trips Ratio	5.719 / 9.978	22.099 / 9.978	N/A	8.084 / 9.978	1.165 / 9.978
HOTEL/MOTEL (ROOMS)	0.707	2.734	N/A	N/A	0.144
Net New Trips Ratio	5.719 / 8.084	22.099 / 8.084	N/A	N/A	1.165 / 8.084
MULTI-SCREEN MOVIE THEATRE (SEATS)	4.911	18.975	N/A	6.941	N/A
Net New Trips Ratio	5.719 / 1.165	22.099 / 1.165	N/A	8.084 / 1.165	N/A

**EXAMPLE EXCHANGE:**

To convert from residential to motel, multiply the reduction in number of residential units by the equivalency factor to get the number of equivalent motel rooms.

100 residential units x 0.707 (res. equiv. factor) = 70.7motel rooms

Reduce residential by 100 units to add 70 motel rooms to the project.

<b>LAND USE:</b>	<b>PROPOSED:</b>	<b>MAXIMUM:</b>
<b>RESIDENTIAL (UNITS)</b>		
Phase I Tract	0	N/A
Phase II Tract	0	0
Phase III Tract	500	500
<b>RETAIL/SERVICE (SF)</b>		
Phase I Tract	229,398	229,398
Phase II Tract	340,000	340,000
Phase III Tract	0	0
<b>OFFICE (SF)</b>		
Phase I Tract	0	N/A
Phase II Tract	0	no limitation
Phase III Tract	0	no limitation
<b>HOTEL/MOTEL (ROOMS)</b>		
Phase I Tract	0	N/A
Phase II Tract	0	no limitation
Phase III Tract	0	no limitation
<b>MULTI-SCREEN MOVIE THEATRE (SEATS)</b>		
Phase I Tract	0	N/A
Phase II Tract	0	4,500
Phase III Tract	0	0

A. Any modification of the Land Use Equivalency Matrix shall require a Substantial Deviation determination through the Notice of Proposed Change process.

B. The developer shall submit all proposed equivalency conversions to the Tampa Bay Regional Planning Council and the Florida Department of Community Affairs for review and comment a minimum of 14 days prior to final authorization granted by Pasco County. All authorized conversions shall be duly noted in respective Biennial Reports.

C. The Land Use Equivalency Matrix only applies to the Phase II & III Tracts. It does not apply to the Phase I Tract.

11/2/2009

DAILY TRIP GENERATION for ESTABLISHMENT OF AVE RATES TO USE in EQUIVALENCY MATRIX																				
Commercial (Phase 1 & 2)	Shopping Center	820	square feet	569,398	$\ln(T)=0.65 \ln(X)+5.83$	21,036	Overall Internal Rate	-	Internal Trips	1,971	External Trips	19,065	Pass By Rate	34%	Pass By Trips	6,482	Net-New Trips	12,583	Ave. Daily NN Trip Rate	22.099
Office (trip rate based ave rate)	General Office	710	square feet	100,000	$T=11.01(X)$	1,101			103	998	0%	0	0%	0	998	9.978				
Hotel/Motel (trip rate based ave rate for Hotel)	Hotel	310	rooms	200	$T=8.92(X)$	1,784			167	1,617	0%	0	0%	0	1,617	8.084				
Movie Theater (trip rate same ratio pk:daily as per screen)	Multiplex Movie Theater	445	seats	4,500	$T=0.1*12.85*(x)^{(1)}$	5,783		-	542	5,241	0%	0	0%	0	5,241	1.165				
Residential - Multi-Family (Phase 3)	Apartment	220	dwelling units	500	$T=6.06(X)+123.56$	3,155		-	296	2,859	0%	0	0%	0	2,859	5.719				
								<b>9.37%</b>												

(1) - Based on PM Peak Hour on a Friday \* 12.85 conversion to Daily Trips

Prepared by: AVID Group

K:\PROJECTS\100\149010\DOC\TRAFFIC\20091102\_Trip Generation for LAND USE EQUIVALENCY MATRIX.xls

**Exhibit F**

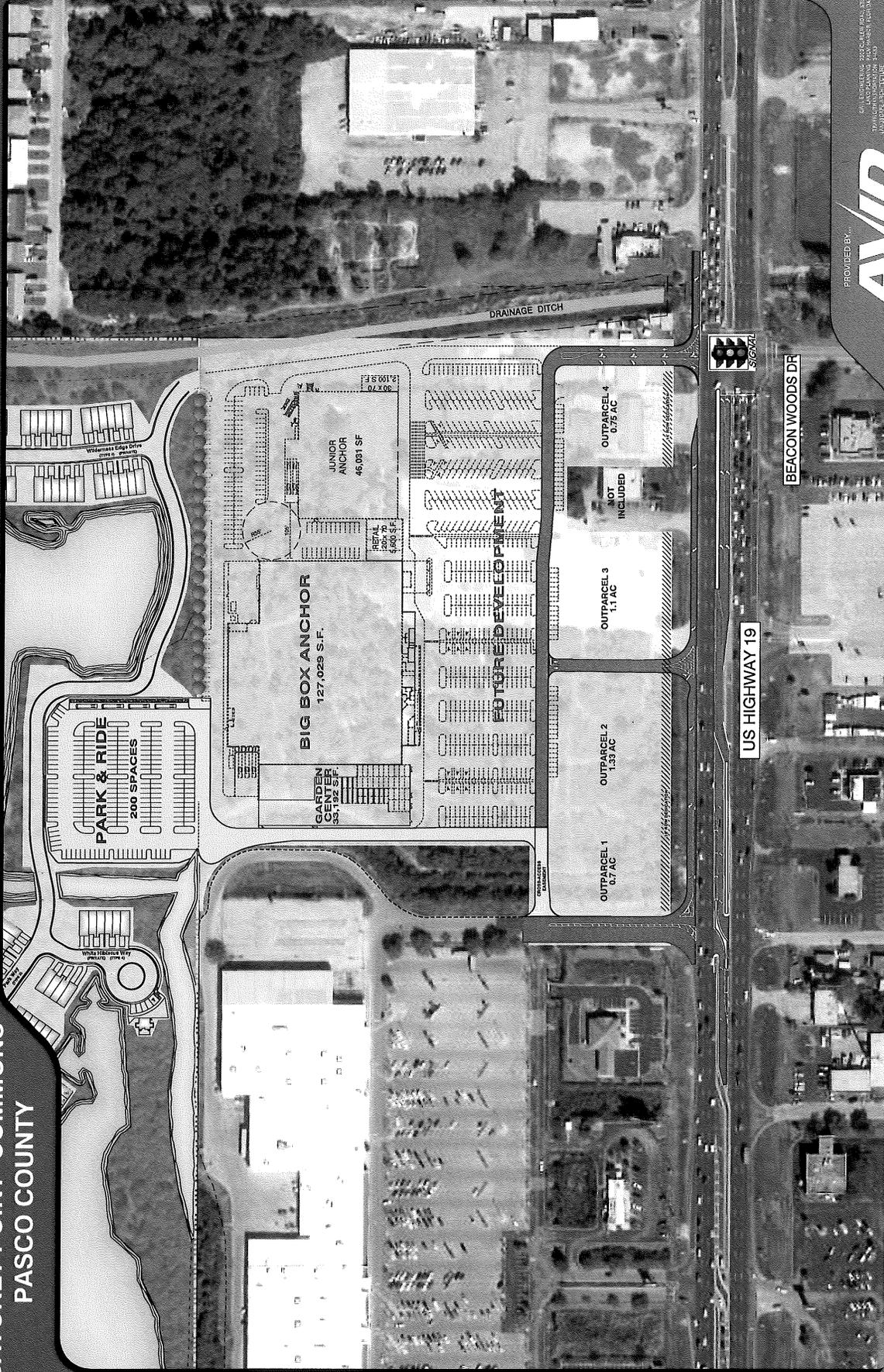
**Revised Master Development Plan (Map H)**





**BAYONET POINT COMMONS  
PASCO COUNTY**

**"PARK & RIDE" CONCEPT PLAN**



PROVIDED BY:  
**AVID GROUP**

PREPARED FOR:  
**MID PENINSULA REALTY INVESTMENT GROUP, LLC.**

DATE: 10/05/2010  
PROJECT: 10-010  
SHEET: 50  
DRAWN BY: M. Modin  
CHECKED BY: S. Shebbe

THIS CONCEPT PLAN IS PREPARED FOR THE CLIENT'S USE ONLY. THE CLIENT'S USE OF THIS CONCEPT PLAN IS LIMITED TO THE PROJECT AND SITE SPECIFIC INFORMATION. THE CLIENT'S USE OF THIS CONCEPT PLAN FOR ANY OTHER PROJECT OR SITE IS AT THE CLIENT'S SOLE RISK. THE CLIENT'S USE OF THIS CONCEPT PLAN FOR ANY OTHER PROJECT OR SITE IS AT THE CLIENT'S SOLE RISK. THE CLIENT'S USE OF THIS CONCEPT PLAN FOR ANY OTHER PROJECT OR SITE IS AT THE CLIENT'S SOLE RISK.

**NOTICE OF ADOPTION OF THE DEVELOPMENT ORDER AMENDMENT  
FOR THE BAYONET POINT SHOPPING MALL  
DEVELOPMENT OF REGIONAL IMPACT NO. 35**

Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 2-93 dated January 24, 2012, has adopted a development order amendment (DO Amendment) for a Development of Regional Impact. The above-referenced DO Amendment constitutes a land development regulation applicable to the property described in Exhibit "C" and "D" of the DO Amendment.

A legal description of the property covered and the DO Amendment may be examined upon request at the Office of the Clerk to the Board of County Commissioners of the Pasco County Courthouse, Dade City, Florida.

The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in the above-mentioned Exhibit C or actual constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

**DONE AND RESOLVED** this 24th day of January, 2012.



\_\_\_\_\_  
PAUL J. NEIL, Ph.D., CLERK AND COMPTROLLER

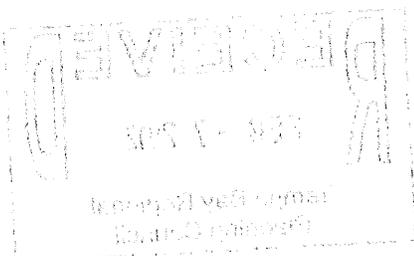
BOARD OF COUNTY COMMISSIONERS OF  
PASCO COUNTY, FLORIDA

\_\_\_\_\_  
ANN HILDEBRAND, CHAIRMAN

APPROVED  
IN SESSION

JAN 24 2012

PASCO COUNTY  
BCC





# PASCO COUNTY, FLORIDA

## OFFICE OF THE COUNTY ATTORNEY

7530 Little Road  
New Port Richey, Florida 33553  
PHONE (813) 847-8120

J. Ben Harrill, Esq.  
County Attorney

David Smolker, Esq.  
Lisa C. Bennett, Esq.  
Dorothy Trogolo, Esq.

February 19, 1986

Ms. Sheila C. Benz  
DRI Coordinator  
Tampa Bay Regional Planning Council  
9455 Koger Boulevard  
St. Petersburg, FL 33702

RE: Resolutions amending Lakes Development  
of Regional Impact and Bayonet Point  
Shopping Mall Development of Regional Impact

Dear Ms. Benz:

Please find enclosed two resolutions of the Board of County Commissioners of Pasco County adopted on February 11, 1986 and amending the Development Orders of the Bayonet Point Shopping Mall Development of Regional Impact and the Lakes Development of Regional Impact. The amendment to the Lakes DRI would extend the use of certain property within the DRI as a non-commercial, recreational facility for the Boys and Girls Club of Pasco County to February 19, 1989. The amendment to the Bayonet Point Shopping Mall DRI modifies certain road improvement requirements set forth in the original development order.

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

Very truly yours,

David Smolker  
Chief Assistant County Attorney

DS/lrg  
Enclosures

35 master  
p.o.

RESOLUTION AMENDING RESOLUTION 85-14 AND THE DEVELOPMENT ORDER OF THE BAYONET POINT SHOPPING MALL DRI; AMENDING A CONDITION IN PARAGRAPH 3.B (4) TO REFLECT A CHANGE IN THE IMPROVEMENTS TO THE U. S. 19 AND S. R. 52 INTERSECTION.

BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled this 11th day of February, 1986, that the condition of Resolution 85-14, which is an amendment to the original Development Order of The Bayonet Point Shopping Mall Development of Regional Impact (DRI), is hereby amended to read as follows:

"3. In conjunction with development of Phase I, the developer shall make the following road improvements, if not already made, subject to Florida Department of Transportation approval where required, prior to issuance of the first certificate of occupancy within Phase I:

A. State Road 52 shall be 4-laned (westerly) from U.S. 19 to the main southerly entrance to the shopping center.

B. The intersection of State Road SR 52 and U. S. 19 shall have:

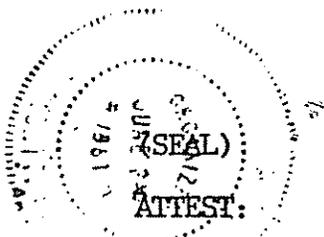
- (1) Left turn stack lane (east bound to north bound) on SR 52 at U. S. 19 with a turn arrow signalization
- (2) Thru lane (east bound)
- (3) Right turn lane (east bound to south bound)
- (4) Left turn stack lane ~~Dual-left-turn-lanes~~ (north bound to west bound) with a turn arrow signalization
- (5) Right turn lane (west bound to north bound)"

DONE AND RESOLVED this 11th day of February, 1986.

BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA

BY Curtis L. Law  
CURTIS L. LAW  
Chairman

APPROVED AS TO LEGAL FORM AND CONTENT  
BY Bill Small  
Attorney



BY Jed Pittman  
JED PITTMAN, Clerk

by: Sherry Dargatzis D.C.

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 AND THE COUNTY'S OFFICIAL SEAL THIS February 17, 1986  
JED PITTMAN, CLERK TO THE BOARD

BY Sherry Dargatzis D.C.

#35

SB =  
file

BY COMMISSIONER SAFRANEK

RESOLUTION NO. 85-14

RESOLUTION BY THE BOARD OF COUNTY  
COMMISSIONERS OF PASCO COUNTY,  
FLORIDA, AMENDING THE BAYONET POINT  
SHOPPING MALL DRI DEVELOPMENT ORDER

WHEREAS, on July 23, 1974, the Board of County Commissioners for Pasco County approved a development order for a development of regional impact (DRI) known as the "Bayonet Point Shopping Mall DRI", which was proposed to consist of an enclosed regional shopping mall of 1,189,077 square feet to be located on 111 acres at the northwest corner of State Road 52 and U. S. Highway 19. A reduced copy of the original Site Plan is attached hereto and incorporated herein as Exhibit "1", and

WHEREAS, the proposed regional mall was never constructed and the subject property has remained vacant except for construction of a 41,500 square foot building product store and a 4,200 square foot auto parts store at the northernmost four (4) acres of the overall site fronting along U. S. Highway 19, and

WHEREAS, the original DRI applicant and developer is currently proposing to abandon the regional enclosed mall proposal and is instead proposing to phase the development of the 111 acres with Phase I consisting of a 193,998 square foot shopping center and 5 out-parcel lots each proposed for commercial development consisting of approximately 6,000 square feet for a total of 225,198 square feet to be located on approximately 35.3 of the total 111 acres, and

WHEREAS, such a change to a previously approved Development of Regional Impact requires amendment of the Bayonet Point Mall DRI Development Order, and

WHEREAS, the Board of County Commissioners of Pasco County, Florida, has determined, pursuant to Chapter 380, Florida Statutes, that the proposed change to the Bayonet Point Shopping Mall DRI Development Order is not a substantial deviation to the previously approved DRI, as is evidenced by a copy of Bayonet Point Shopping Mall DRI No. 35-Substantial Deviation Determination adopted and ratified by the Board on October 23, 1984, and attached hereto and incorporated herein as Exhibit "2", and

#35- Montad-o file

WHEREAS, central sewer service will be provided to Phase I by the Gulf Highland Sewer Plant, owned and operated by Pasco County and central water service will be provided by Pasco County from its force main located along U. S. 19 and adjacent to Phase I.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners in and for Pasco County, Florida, in regular session duly assembled that the Bayonet Point Shopping Mall DRI Development Order is hereby amended as follows:

1. The original regional mall proposal is deemed abandoned and replaced by a proposal for a phased development of the overall 111 acre site with Phase 1 to involve 35.3 acres and consist of a 193,998 square feet shopping center and five (5) out-parcels each of which is proposed to approximately contain individual commercial structures of approximately 6,000 square feet each. A reduced copy of the Site Plan for Phase I is attached hereto and incorporated herein as Exhibit "3".

2. The developer shall dedicate to Pasco County an additional five (5) feet of road right-of-way in addition to the twenty (20) feet of road right-of-way already required under the original development order to be dedicated along the north side of State Road 52 adjacent to the DRI site.

3. In conjunction with development of Phase I, the developer shall make the following road improvements, if not already made, subject to Florida Department of Transportation approval where required, prior to issuance of the first certificate of occupancy within Phase I:

A. State Road 52 shall be 4-laned (westerly) from U. S. 19 to the main southerly entrance to the shopping center.

B. The intersection of State Road SR 52 and U. S. 19 shall have:

- (1) Left turn stack lane (east bound to north bound) on SR 52 at U. S. 19 with a turn arrow signalization
- (2) Thru lane (east bound)
- (3) Right turn lane (east bound to south bound)
- (4) Dual left turn lanes (north bound to west bound)
- (5) Right turn lane (west bound to north bound)

C. Two, and only two, entrance/exit access cuts on U. S. 19 (not including the existing northerly access cuts servicing the building products store and the auto parts store).

D. Left turn stack lanes at each entrance on U. S. 19 (north bound to the west bound entry):

E. The internal road network at the shopping center shall provide access to the out parcels A, B and C, that front U. S. 19. In addition, the internal access/egress/parking network shall be connected to and integrated with Phase 2 when the same is developed.

4. The developer shall pay as a fee his proportionate share of costs of future multi-laning of State Road 52 attributable to the traffic impact of Phase I. The fees shall be calculated by multiplying the square footage of gross leaseable area for each structure by \$0.4669183044. The fee shall be paid to the County by the developer for the entire shopping center structure prior to issuance of the first certificate of occupancy within said structure. For each out-parcel, the developer shall pay to the County the fee prior to issuance of the certificate of occupancy for any structure developed on that particular out-parcel. Said fees shall be deposited by Pasco County in a trust fund and earmarked for road improvements along that portion of State Road 52 which will be impacted by traffic attributable to Phase I. If the County adopts a transportation impact fee ordinance prior to payment of the proportionate share set forth herein, the developer shall pay, at the time specified by said ordinance, the amount specified by such ordinance in lieu of payment of said proportionate share.

5. The developer shall comply with all terms, conditions, and recommendations set forth in the original Bayonet Point Shopping Mall DRI Development Order except where the same are clearly inconsistent with or amended, either expressly or impliedly, by the terms and provisions of this amendment.

DONE AND RESOLVED this 23 day of October, 1984.

BOARD OF COUNTY COMMISSIONERS OF  
PASCO COUNTY, FLORIDA

(SEAL)

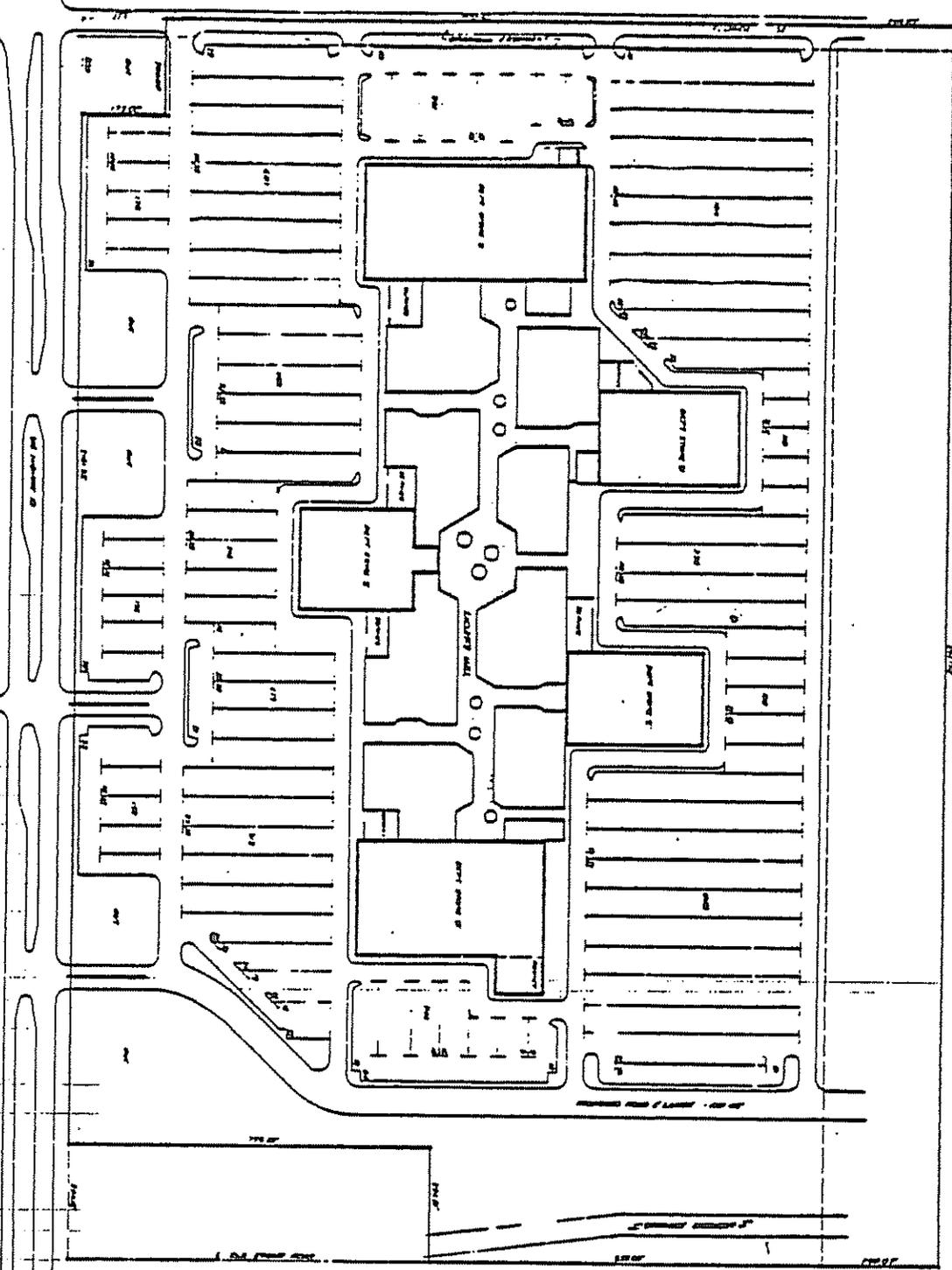
BY James L. Hollingsworth  
JAMES L. HOLLINGSWORTH, PH.D.

ATTEST:

BY Jed Pittman  
JED PITTIMAN, Clerk  
*J. Norman Eastman*

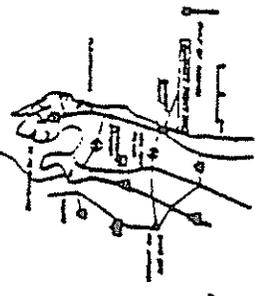
APPROVED AS TO LEGAL FORM AND CONTENT  
Office of the County Attorney

BY D. D. Smalhe  
Attorney



Scale Approx. 1" to 370'  
 (Not exact due to photo  
 reduction)

SITE PLAN



DATA

Dept Store	'A'	166,277 Sq Ft
'B'	120,000	
'C'	120,000	
'D'	208,800	
'E'	104,000	

Retail Stores 719,077 Sq  
340,000

Enclosed Hall 130,000

TOTAL 1,189,077

Site Area: 95+ Acres (Inclusive of  
 Out Parcels)  
 Parking: 6,184 Cars (62 Bays x 9'  
 Car Stalls)

**Bayonet Point Mall**

EXHIBIT 15-1

EXHIBIT "1"

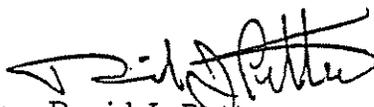
PASCO COUNTY, FLORIDA  
INTER-OFFICE MEMORANDUM

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

DATE: 10/15/84

FILE: PL84-828

SUBJECT: Bayonet Point Shopping Mall, DRI No. 35  
Substantial Deviation Determination

FROM:   
David J. Pettrow  
Planning Director

REFERENCES:

It is recommended that the data herein presented be given formal consideration by the County Commission.

DESCRIPTION AND CONDITIONS:

On July 23, 1974, the Pasco County Board of County Commissioners approved a Development Order (DO) for a Development of Regional Impact (DRI) known as Bayonet Point Shopping Mall. The DO approved an enclosed mall of 1,059,077 square feet of gross leasable area (total coverage area of 1,189,077 square feet) on 111 acres at the northwest corner of S.R. 52 and U.S. Highway 19.

The proposed regional shopping mall was never constructed and the property has remained vacant except for a building products store (Scotty's) and an auto parts store (ACE) on the northernmost four (4) acres along U.S. 19. The original DRI applicant/owner (Developers Diversified) is currently proposing a much smaller strip shopping center with five (5) individual freestanding stores in front (Phase 1). Since this proposal is different than the original concept, the County should determine whether it substantially deviates from the original DO.

Florida Statutes, Chapter 380 (DRI), sets forth criteria which may be used in determining whether a change is a substantial change requiring additional review. As the statute states, "Substantial deviation" means any change to the previously approved Development of Regional Impact which creates a reasonable likelihood of additional adverse regional impact, or any other regional impact created by the change not previously reviewed by the regional planning agency."

ALTERNATIVES AND ANALYSIS:

Subsection (17)(b) of Chapter 380 states, "In determining whether a Development of Regional Impact previously approved . . . is subject to further review pursuant to this section, the local government shall consider the following changes which shall be presumed not to be substantial deviations requiring further review" and lists seven criteria. Using the criteria, the following should be considered:

1. "An increase in the number of dwelling units of not more than 5 percent or 200 dwelling units, whichever is less."

There are no dwelling units proposed within this submittal (Phase 1).

**Finding: No deviation.**

2. "A decrease in the number of dwelling units which does not require a major redistribution of density."

The original submittal did not propose any dwelling units, nor does this current submittal.

**Finding: No deviation.**

3. "A decrease in the area set aside for common open space of not more than 5% or 50 acres, whichever is less."

The original plan proposed approximately seventeen (17) acres of open space (Source: Moratorium Waiver Request dated June 6, 1974). What was considered as open space, however, consisted mostly of retention ponds and drainage swales. The current proposal is showing approximately ten and one-half (10.5) acres of undisturbed lowlands with approximately seven (7) acres of retention/detention area. The Ace Auto Parts store has its own on-site retention. Consequently, the proposed change actually increases the amount of open space, particularly, undisturbed open space.

**Finding: No deviation.**

4. "An increase in the area set aside for common open space."

As stated above in Number 3, there is actually an increase in the amount of open space.

**Finding: No deviation.**

5. "An increase in the floor area proposed for nonresidential use of not more than 5 percent or 10,000 square feet, whichever is less."

The original D.O. approval was for a 1,059,077 square foot (gross leasable area) enclosed mall with a total covered area of 1,189,077 square feet. This square footage is considered nonresidential floor area. The current proposal for Phase 1 which entails a 192,378 square foot shopping center (no enclosed main corridor) and five (5) outparcel lots with a maximum of 6,000 square feet of gross leasable area each (5 x 6,000 square feet = 30,000). Since the Scotty's Building Products Center and the Ace Auto Parts store were included in the original DRI parcel, the 45,700 square feet (Scotty's 41,500 + Ace's 4,200 = 45,700) should also be included with this determination. In total, Phase 1 will contain a maximum of 263,878 square feet (192,378 + 30,000 + 41,500 + 4,200 = 268,078 square feet). This proposed total is a reduction in floor area from the original; it is not an increase.

**Finding: No deviation.**

6. "A decrease in the regional impact of the development."

As stated in Criteria No. 5 above, the proposed change is a reduction in nonresidential floor area and should, thus, reduce many of the impacts which were originally predicted for a one million square foot shopping mall. The information presented in the DRI Study (ADA) is, however, at least ten (10) years old. Things such as traffic volumes, water capacity, and sewer service have changed in this area. Though the impacts of the current proposal should be considerably less than a regional shopping mall, the development should still be responsible for alleviating any adverse impacts generated from this facility.

The applicant has submitted a series of updated traffic studies based on much more current traffic volumes and methodologies. The new analysis did not include the 41,500 square foot Scotty's facility nor the Ace Auto Parts store. The September 19, 1984 analysis was based on discussions with Tampa Bay Regional Planning Council and Pasco County Planning Department staff. The analysis used a figure of 225,198 sq. ft. of gross leasable area (g.l.a.) to compute the 11,400 average daily trips generated by Phase 1 (the shopping center and the five outparcels).

The updated traffic studies gave intersection improvements needed for the Phase 1 development. The first updated traffic analysis indicated that the majority of the existing northbound traffic would use the two new entrances on U.S. 19. Staff feels that such cross traffic turning movements would not be wise unless signalized. However, due to the recently proposed outlet mall and/or Beacon Drive signalization on U.S. 19 to the north, any further signalization in this area of U.S. 19 is ill-advised at this time. Consequently, the northbound exiting (outbound) traffic should be diverted to the already signalized State Road 52 intersection; with improvements to be made at this intersection.

The two entrances (labelled "New Street" and "New Entrance" on the site plan) on U.S. 19 should not be signalized at this time, however, left turn stack lanes should be installed in the U.S. 19 median (northbound to westbound; entry). Access (entrance and exit) to the out parcels along U.S. 19 (parcels A, B and C) should not be directly on the federal highway, but obtain access from the internal road network of the shopping center; as was also originally proposed in the mall DRI study (ADA). Since the existing Scotty's facility is in the DRI, access from this internal road network should also be provided to Scotty's parking lot.

The Development Order requires certain specific roadway and intersection improvements to be made. It also states that Florida Department of Transportation and the County Planning Department should determine the length of the six-laning of U.S. 19 north and south of State Road 52, and four-laning State Road 52 east of U.S. 19. The Federal Highway, U.S. 19, has recently been six-laned, however, State Road 52 remains only a two-lane facility. Florida D.O.T. is currently analyzing the need and feasibility of multi-laning State Road 52. The Development Order requires that the commitment for four-laning S.R. 52 be made prior to issuance of building permits and the completion of the multi-laning before issuance of a Certificate of Occupancy. Since there is no commitment to construct the multi-laning, either the Development Order must be amended or this project cannot begin nor be completed. If this project would pay its proportionate share of the costs of improving S.R. 52, the County may feel that this development should be allowed

to proceed. It should be noted, however, that S.R. 52 has over double the traffic that it was designed for (LOS "C" for two lane facility is 11,800 vehicles per day; S.R. 52 will have 23,142 average vehicles per day by 1985). Consequently, it would appear that the DRI should pay its proportionate share of multilaning State Road 52. A formula for calculating this share is shown in Exhibit A attached. The proportionate share is \$105,149.0683 for Phase 1 (\$0.4669183044 per sq. ft.).

The capacity for water and sewer service has not been reserved for this project, although, capacity may exist. Like other DRI developments in Pasco County, capacity for these services should be shown prior to issuing building permits. Normally, a utility agreement is formed between the County and the developer, which outlines the capacity reserved and the cost of such a reservation and connection.

It should be noted that this Substantial Deviation Determination is referring to only the Phase 1 proposal. If, at a later date, Phase 2 (possibly a hotel/motel) and Phase 3 (possibly 700 townhouse dwelling units) are submitted, another determination for these submittals would be needed.

**Finding: No deviation.**

7. "A change required by permits, conditions, or requirements imposed by the Department of Environmental Regulation, the Department of Natural Resources, or any water management district created by S. 373.069 or any of their successor agencies or by any appropriate federal regulatory agency."

This determination is not basing its findings upon changes in permit conditions or requirements imposed by the above-mentioned agencies.

**Finding: Not applicable/no deviation.**

#### RECOMMENDATION:

It is recommended that the Board of County Commissioners determine that the proposed change (Phase 1) is not a substantial deviation provided that the following conditions are met and it is further recommended that the Board instruct the Chairman to sign the attached resolution amending the Development Order.

1. The developer agrees to make the following roadway improvements prior to the issuance of the first Certificate of Occupancy, provided that Florida Department of Transportation does not specifically object to such improvements:
  - A. S.R. 52 shall be four-laned (westerly) from U.S. 19 to the main southernly entrance to the shopping center.
  - B. The intersection of S.R. 52 and U.S. 19 shall have:
    - (1) left turn stack lane (eastbound to northbound) on S.R. 52 at U.S. 19 with turn arrow signalization.
    - (2) through lane (eastbound)
    - (3) right turn lane (eastbound to southbound)
    - (4) dual left turn lanes (northbound to westbound)
    - (5) right turn lane (westbound to northbound)
  - C. Only two entrance/exit access cuts on U.S. 19 (not including the existing Scotty's and Ace Auto Parts' cuts) shall be allowed:
    - (1) left turn stack lane at each entrance on U.S. 19 (northbound to westbound; entry)
    - (2) the internal road network of the shopping center shall provide access to the outparcels (A, B and C) along U.S. 19. In addition, the internal road network shall be connected to the Scotty's facility parking area (Phase II).

2. The developer(s) agrees to pay his proportionate share for the multi-laning of S.R. 52. The proportionate share shall be the square footage of gross leasable area for the structure multiplied by \$0.4669183044. The proportionate share shall be paid to the County for the entire shopping center structure prior to the issuance of the first Certificate of Occupancy within the center. The outparcels shall pay to the County said fee prior to issuance of the Certificate of Occupancy for that particular outparcel structure. Said funds collected are to be deposited in a trust fund and earmarked for improvements on S.R. 54 for the area which is impacted by this project. If the County adopts a transportation impact fee ordinance for commercial land uses, such as this project, the developer(s) shall pay that amount as specified by ordinance in lieu of the \$0.4669183044 per square foot amount.

ATTACHMENT:

Resolution  
Exhibit A

DJP/DU/d8/24/1

APPROVED AGENDA ITEM

FOR \_\_\_\_\_

BY \_\_\_\_\_

EXHIBIT A

Phase 1 = Shopping Center and 5 Outparcels total 225,198 of gross leasable area (g.l.a.)

225,198 x 0.0506 trips/φ = 11,400 trips generated by Phase 1 (5,700 inbound; 5,700 outbound)

20% of trips generated by Phase 1 will use S.R. 52 east of U.S. 19

25% of existing trips will be captured by the Shopping Center (Phase 1)

11,400 trips x .20 x .75 (captured ratio) = 1,710 trips area placed on S.R. 52 from Phase 1

Assume that if less than 4.5% of trips on S.R. 52 at Level of Service "C" (11,800 ADT) are from Phase 1 that we will not require proportionate share on that road link 11,800 x 0.045 = 531 trips

At this point that 530 trips or less on S.R. 52 are from Phase 1, the proportionate share formula will not be applied for that remaining road segment.

Assume a trade area of 2.25 miles from shopping center with 100% of trips within this radius. So 100% of trips will dissipate within 2.25 miles or one car will get off S.R. 52 every eight feet (2.25 miles x 5,280 ft. = 13,306 ft. - 1,710 trips = 7.78 ft. or 8 ft.).

1,710 Phase 1 trips - 530 trips = 1,180 trips x 8 ft. = 9,440 ft. - 5,280 ft. = 1.8 miles

Consequently, Phase 1 will have more than 4.5% of the LOS "C" traffic on S.R. 52 1.8 miles east of U.S. 19 (shopping center site).

Since the trip dissipation is a straight ratio of 1 car per 8 feet, we will half the 1.8 mile distance to get the average trip length, which is .9 miles (1.8 - 2 = .9). LOS "C" for four lane divided arterial is 27,900 ADT.

FDOT average of construction of four lane rural section is 1,100,000 per mile (Oct. '83)

PROPORTIONAL SHARE FORMULA

$$\frac{1,710}{27,900 - 11,800} \times 1,100,000/\text{mi.} \times .9 = 105,149.0683$$

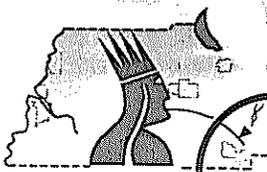
$$105,149.0683 - 225,198 = 00.4669183044/$$

PHASE 1  
PROPORTIONATE SHARE

Shopping center square footage is 193,998 = 90,581.217

As each outparcel is built upon the gross leasable area square footage for that structure should be multiplied by 0.4669183044 per square foot to obtain that structure's proportionate share fees.





# Pasco County

BOARD OF COMMISSIONERS

Pasco County Courthouse, 410 E. Meridian Ave., Dade City, Florida 33525 County Building, 830 Sunset Rd., New Port Richey, Florida 33552

September 12, 1974

Tampa Bay Regional Planning Council  
3151 3rd. Avenue North  
Suite 540  
St. Petersburg, FL 33713

Dear Sir:

Enclosed you will find a copy of the Development Order for Bayonet Point Mall.

If you have any further questions concerning this matter please contact my office.

Very truly yours,

Miller Newton  
Clerk to the Board

MN/mjg

Enclosure

RECEIVED  
SEP 18 1974  
TAMPA BAY REGIONAL  
PLANNING COUNCIL

Walter M. Voorhees  
(Chairman)  
District No. 4  
Rt. 2, Box 2133  
New Port Richey, Fla.

Mathew J. Prahasky  
(Vice-Chairman)  
District No. 5  
P.O. Box 656  
New Port Richey, Fla.

Bill Hamilton  
District No. 1  
San Antonio, Fla.

Louie Holt  
District No. 2  
Box 1775  
Zephyrhills, Fla.

Dan Chambers, Jr.  
District No. 3  
County Building  
New Port Richey, Fla.

George V. Knoblock  
County Administrator

Miller Newton  
Clerk to Board

Peter M. Dunbar  
County Attorney

DCI # 35

D. R. I. DEVELOPMENT ORDER

Let it be known that pursuant to Section 380.06 (7), Florida Statutes the Pasco County Board of County Commissioners has heard at a public hearing held on July 23, 1974, the application for development approval for Bayonet Point Mall, a development of regional impact consisting of a commercial shopping center of 1,059,077 gross leasable area to be located in Pasco County on July 23, 1974.

Pursuant to Section 380.06 and after due consideration of the consistency of this development with regulations, and the regional report, this body took the following action:

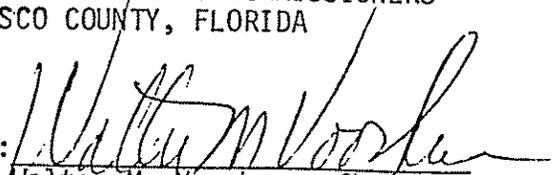
Approval with conditions(see attached memorandums).

Copies of this order are to be sent immediately to the Division of State Planning, to Tampa Bay Regional Planning Council, and to Developers Diversified, Three Commerce Park Square, 23200 Chagrin Blvd., Cleveland, Ohio, 44122.

PASSED AND ADOPTED THIS 23rd day of July, 1974.

BOARD OF COUNTY COMMISSIONERS  
PASCO COUNTY, FLORIDA

By:

  
Walter M. Voorhees, Chairman

ATTEST:

  
Miller Newton, Clerk of Circuit Court

021 #35  
13-74-35

# Pasco County Planning Department

DADE CITY, FLORIDA 33525

(904) 567-5271 EXT. 66

July 23, 1974

## MEMORANDUM

TO: THE BOARD OF COUNTY COMMISSIONERS  
FROM: WILLIAM O. WILEY, JR., PLANNING DIRECTOR  
RE: DEVELOPMENT OF REGIONAL IMPACT APPLICATION

Bayonet Point Mall by Developers Diversified

The Planning Department recommends approval of the Bayonet Point Mall application with the following conditions:

1. That the developer agree to comply with the recommendations of Tampa Bay Regional Planning Council as approved by the Executive Committee on July 8, 1974.
2. That the developer agree to cooperate with the United States Geological Survey in establishing a one hundred (100) year flood frequency level for the site and if the site is determined to be below that level, to comply with at least one of the following conditions as required by the Pasco County Board of County Commissioners:
  - a. Construction of the first flood elevation of the building above the one hundred (100) year flood frequency, or;
  - b. Flood proof the building below the one hundred (100) year flood frequency, or;
  - c. Notify all prospective tenants that the first floor elevation of the building is below the one hundred (100) year flood frequency and that the building will not be flood proved; and, therefore, the required insurance rates will be higher than normal.
3. The developer agrees to coordinate with the Florida Department of Transportation in construction of the required transportation facility improvements. All required improvements will be constructed and operational prior to the opening of the mall or a certification of occupancy will not be issued by Pasco County.
4. The developer agrees to dedicate to Pasco County twenty (20) additional feet of right-of-way along the north side of State Road 52 adjacent to the site to increase the capacity of the road to a collector status.

5. The developer agrees to construct and maintain transit facility shelters on the site which will provide restricted loading zones for buses and covered areas with sufficient seating capacity to meet the needs of the proposed Pasco County Transit System as determined by the Board of County Commissioners.

6. The developer agrees to comply with the proposed Pasco County Zoning Ordinance and to submit a landscape plan for review by the staff prior to completion of the project.

WOW/hjf

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PASSED AND ADOPTED THIS 23rd day of July, 1974.

BOARD OF COUNTY COMMISSIONERS  
PASCO COUNTY, FLORIDA

  
William M. Voornees, Chairman

ATTEST:

  
Miller Newton, Clerk of Board

API  
6/2

# Pasco County Planning Department

DADE CITY, FLORIDA 33525

(904) 567-5271 EXT. 66

July 23, 1974

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  - b. Flood proof the building below the one hundred (100) year flood frequency, or;
  - c. Notify all prospective tenants that the first floor elevation of the building is below the one hundred (100) year flood frequency and that the building will not be flood proofed; and, therefore, the required insurance rates will be higher than normal.
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WOW/hjf