

PASCO COUNTY, FLORIDA  
INTEROFFICE MEMORANDUM

TO: Debra M. Zampetti  
Zoning/Code Compliance  
Administrator

DATE: 2/19/09 FILE: ZN09-173

SUBJECT: Suncoast Crossings  
MPUD Master Planned Unit  
Development Amendment;  
Rezoning Petition No. 6196  
Recommendation: Approval  
with Conditions

  
FROM: Corelynn Burns  
Planner I

REFERENCES: Land Development Code,  
Section 522.6, Modifications;  
Comm. Dists. 2 and 3

It is recommended that the data herein presented be given formal consideration by the Zoning/Code Compliance Administrator.

Commission Districts:	The Honorable Pat Mulieri, Ed.D., and The Honorable Ann Hildebrand
Project Name:	Suncoast Crossings MPUD
Developers' Names:	Hogan Suncoast, LLC, and Hogan Suncoast II, LLC
Location:	On the south side of and abutting S.R. 54, and on the east and west of the Suncoast Parkway in Sec- tions 30, 31, and 32, Township 26 South, Range 18 East.
Zoning District:	MPUD Master Planned Unit Development
Future Land Use Classifications:	ROR (Retail/Office/Residential) and RES-3 (Residential - 3 du/ga)
Acreage:	688.9 Acres, m.o.l.
Water/Sewage:	Pasco/Pasco (Central)
No. of Dwelling Units:	1,078
Type of Dwelling Units:	Single-Family Attached, Single-Family Detached, and Multifamily
Commercial Acres/Square Feet:	570,800 Square Feet (Commercial) and 1,112,000 Square Feet (Office)
Other Land Uses:	21,019 Square Feet (Light Industrial/Assembly) and 100 Hotel Rooms

DEVELOPERS' REQUEST:

The developers/applicants are requesting to amend the previously approved conditions of approval and MPUD Master Planned Unit Development as follows:

1. To add research and development as an approved land use within those parcels designated as office located east of the Suncoast Parkway.
2. To revise, update and/or correct the Land Use and Phasing Table and the master plan to reflect all previous land use exchanges.
3. To move 38,000 square feet of unused office entitlements from Parcel G to Parcels J-1 through J-4.
4. To move 38,000 square feet of unused office entitlements from Parcel H to Parcels J-1 through J-4.
5. Staff has reviewed the developers'/applicants' request and finds the request consistent with the recent Notice of Proposed Change approval of January 27, 2009.

Additionally, staff has requested, under the Notice of Proposed Change, a change which updates the Land Use Equivalency Matrix and modifies the maximum level of office entitlements

permitted in the project from 1,081,000 square feet to 1,112,000 square feet. The master plan is being updated to reflect this change.

BACKGROUND:

1. On April 24, 2001, the Board of County Commissioners approved Suncoast Crossing MPUD Master Planned Unit Development (Petition No. 5730).
2. On April 24, 2001, the Board of County Commissioners approved the Suncoast Crossings Development of Regional Impact No. 246 (Resolution No. 01-198).
3. On March 23, 2004, the applicants filed an MPUD Master Planned Unit Development and a Notice of Proposed Change. This application was divided into two distinct applications due to the fact that some of the requested changes were nonsubstantial, those applicable to the Future Land Use Map change requirements for the Opinicus Corporation site, while others were substantial in that they concern the overall characteristics of the Suncoast Crossing Development of Regional Impact. The application under review during this time was substantial and concerned non-Opinicus issues. It was resubmitted in consolidation with the June 23, 2004, application on August 24, 2004, as described in Finding of Fact No. 5 below.
4. On April 15, 2004, the applicants filed a Small-Scale Comprehensive Land Use Amendment to change the Future Land Use Classification of the 5.28-acre site to be utilized by the Opinicus Corporation from RES-3 (Residential - 3 du/ga) to ROR (Retail/Office/Residential). Opinicus' business requirements include the PO-1 Professional Office and C-3 Commercial/Light Manufacturing Zoning District. The Board of County Commissioners approved this request on July 13, 2004.
5. On May 25, 2004, the Board of County Commissioners approved an amendment to the MPUD Master Planned Unit Development amending the development standards for Parcel C (GM04-921).
6. On July 31, 2004, the Board of County Commissioners approved a nonsubstantial amendment to the MPUD Master Planned Unit Development to allow office/light industrial development on Parcel I-1 (GM04-1121).
7. On January 11, 2005, the Board of County Commissioners approved, and subsequently amended on January 19, 2005, a substantial amendment to the MPUD Master Planned Unit Development to consolidate 980,900 square feet of the proposed 1,081,000 square feet of office use in parcels located east of the Suncoast Parkway and to include 70,800 square feet of commercial use ancillary to office use situated in the northern parcels bordering S.R. 54, within the eastern part of the MPUD Master Planned Unit Development (Rezoning Petition No. 6196).
8. On July 25, 2006, the Board of County Commissioners approved a nonsubstantial amendment to the MPUD Master Planned Unit Development to increase the single-family detached units by one with a corresponding decrease to the single-family attached units (GM06-1253).

FINDINGS OF FACT:

1. Presently, the subject site contains 711 platted lots (single-family attached and single-family detached) and 344 condominium units. There is existing commercial development also.
2. Access to the property is from S.R. 54, which has varying right-of-way from 200-250 feet.
3. The subject property is located in Flood Zones "A" and "X"; and development within the area designated Zone "A" is subject to the requirements of Article 700, Flood Damage Prevention, of the Land Development Code.
4. The surrounding area is characterized by residential development.
5. The consolidation of applications submitted on June 23, 2004, and August 24, 2004, include proposals to:
  - a. Allow a continuous, six-foot PVC wall along the western boundary where a six-foot masonry wall was previously approved.
  - b. Move 55 multifamily units from Parcel D to Parcel E.

- c. Convert Parcels L and M from office to wildlife corridor, which was identified as part of the "critical linkage" identified in the 2002 Pasco County Habitat Study.
  - d. Convert Parcel N from mitigation to office use. Move 49,900 square feet of office entitlements from Parcels L and M to Parcel N.
  - e. Convert 241 multifamily units to 77,843 square feet of office on Parcel D.
  - f. Convert 2,980 square feet of office from Parcel J to 20,000 square feet of office on Parcel D.
  - g. Convert 27,640 square feet of office from Parcel J to 20,000 square feet of office on Parcel D.
  - h. Modify the boundary of Parcels E and D (consistent with the submitted Special Exception use application for a day-care center) with corresponding changes to the acreage of Parcels E and D.
  - i. Convert 98,703 square feet of office (from Parcels K, L, and M) for 70,800 square feet of retail (in Parcels G and H).
  - j. Correct the boundary lines between Parcels J and N to correspond with the actual ownership.
  - k. Revise the Land Use Table to reflect the proposed changes.
6. On January 11, 2005, at the Board of County Commissioners meeting, the applicants/developers clarified the square footage for Parcel A to be 258,563 square feet and for Parcel B to be 241,437 square feet. See Conditions of Approval, Instructions, Condition No. 2.a.
7. The proposed request is consistent with Article 300, Subsection 303.2(E)1, Criteria and Standards to be Considered in Review of Applications for Zoning Amendments, of the Pasco County Land Development Code and with the applicable provisions of the Pasco County Comprehensive Plan, October 2000.

ANALYSIS:

MPUD Master Planned Unit Development amendments must be reviewed in accordance with the Land Development Code, Section 522.6, Modifications, to determine if the proposed changes are substantial. The Zoning/Code Compliance Administrator shall review the record of the project and determine if any of the changes proposed are substantial or nonsubstantial in nature pursuant to the Land Development Code, Section 522.6.C.

Based upon the criteria established within the Land Development Code, Section 522.6.C, Modifications, the Zoning/Code Compliance Administrator has determined that the proposed amendment does not constitute a substantial change.

RECOMMENDATION:

The Zoning/Code Compliance Department staff has reviewed the developers'/applicants' request and recommends approval with the attached conditions.

ATTACHMENTS:

- 1. Conditions of Approval for Rezoning Petition No. 6196
- 2. Location Map
- 3. Master Plan

CB/zn/suncrszn09173/21

ZONING/CODE COMPLIANCE DEPARTMENT ACTION:

**Zoning Dept. Approved**  
 Recommendation: Approved /Disapproved \_\_\_\_\_  
 Non-substantial Modification

Date: 2-19-09 By: \_\_\_\_\_

**SUNCOAST CROSSINGS  
MASTER PLANNED UNIT DEVELOPMENT AMENDMENT  
CONDITIONS OF APPROVAL  
REZONING PETITION NO. 6196**

**Master Development Plans**

1. Development shall be in accordance with the application, plans, and information submitted November 5, 2008, and February 6, 2009, as supplemented, unless otherwise stipulated or modified herein.

**Open Space/Buffering**

2. Wetlands (conservation/preservation areas) shall be as defined by the Pasco County Comprehensive Plan and jurisdictional boundaries shall be delineated in accordance with the responsible regulatory agency; i.e., the Southwest Florida Water Management District, the Florida Department of Environmental Protection, or the Army Corps of Engineers. These boundaries may be adjusted following appropriate permit approval and shall be shown on each preliminary/site plan and platted as conservation/preservation areas.
3. The developer shall create a mandatory homeowners'/property owners'/condominium owners'/merchants' association in the form of a nonprofit corporation registered with the Secretary of State, State of Florida, or, where such association currently exists, proof of good standing shall be submitted to the County. This association shall provide for the maintenance of all open space, drainage areas, common areas, buffer areas, preservation/conservation areas, recreation areas, and other special purpose areas by the said association. Prior to platting the first unit or phase, or where platting is not required, prior to the first site plan approval, homeowners'/property owners'/condominium owners'/merchants' documents, including Articles of Incorporation with proof of being filed with the Secretary of State, State of Florida, restrictive covenants, and all exhibits, shall be submitted to the Engineering Services Department for review along with copies of instruments to be used to convey the above-mentioned areas to the said association.
4. The Development Review Committee may approve a master landscape/buffer plan for areas, including: all major internal roads, along S.R. 54, the Suncoast Parkway, areas designated "Landscape Buffer" on the master plan, and along the south and west boundaries of the project adjacent to development parcels, prior to the first preliminary/site plan approval. In the absence of an approved landscape buffer plan, the requirements of the Pasco County Land Development Code shall apply.
5. The developer shall comply with the provisions of the Pasco County Land Development Code, Section 602, Tree Removal and Protection, as amended. It is the intent of this condition to encourage the preservation of individual trees and/or groupings of trees whose size, location, species, and environmental function warrant their protection as public resources.
6. The developer or his successor shall comply with the Parks and Recreation Impact Fee Ordinance and the Neighborhood Parks Ordinance as amended, unless otherwise exempt pursuant to those ordinances.
7. Prior to any clearing or grubbing associated with the preliminary plan/preliminary site plan approval of any unit or phase, the developer shall submit a copy of any required Incidental Take Permit issued by the Florida Fish and Wildlife Conservation Commission to the Development Review Division (Permit No. PAS-48 issued on August 7, 2001, for development west of the Suncoast Parkway).
8. Residential lot lines shall not extend into jurisdictional wetlands except for the purpose of squaring off lots or where permitted by other agencies. Lot encroachments into jurisdictional areas will be reviewed at the time of construction plan review and approval.
9. East Wildlife Corridor Conditions of Approval:
  - a. Provide for a wildlife corridor to include the wildlife corridor wetland (15.07 acres, m.o.l.) and the wildlife corridor upland (6.10 acres, m.o.l.) 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, the said areas shall not be fenced or contain structures that would inhibit the movement of wildlife.

- b. 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 Development of Regional Impact (DRI).
- c. The Villa Rosa Borrow Pit Haul Route and the East Wildlife Corridor shall be restored in accordance with all conditions of the Southwest Florida Water Management District permits and the Consent Orders for the Villa Rosa Borrow Pit Haul Route. The 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 the 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.
- d. 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 the 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.
- e. Provide a legal description and sketch of the East Wildlife Corridor to the Growth Management Department for review within 90 days of approval of this Notice of Proposed Change 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 (approved August 21, 2007).
- f. Execute and record a conservation easement in favor of the 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 (as of February 10, 2009; not yet executed).
- g. 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 Southwest Florida Water Management District 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).
- h. The East Wildlife Corridor, at a minimum, shall be buffered by a silt screen during abutting construction activities.
- i. 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 Southwest Florida Water Management District permits and Consent Orders, and these conditions of approval.
- j. 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 the 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), and/or trimming or cutting of any native species of vegetation.

- k. 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:
- (1) 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.
  - (2) 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.
  - (3) Supply, install, and maintain nest boxes to encourage use by ducks, owls, and other birds along the East Wildlife Corridor.
- l. 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 Southwest Florida Water Management District 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 by the developer and/or such other responsible merchants' association.

### Transportation/Circulation

#### Access Management

10. The developer shall provide a secondary functional access and emergency access to each increment in accordance with the Land Development Code, as amended. The emergency access may be barricaded in a manner found acceptable by the Development Review Division and the Emergency Services Department.
- The developer shall provide for a stub-out on the project's west boundary for emergency access to Phillips Road as depicted on the Master Development Plan (done with Ivy Lakes Estate).
11. Prior to final site/construction plan approval of any unit or phase proposing access from a State roadway, the owner/developer shall furnish an approved Driveway/Connection Permit to the Development Review Division from the Florida Department of Transportation.
12. At each preliminary/site plan approval, the Development Review Committee may also require further intersection improvements along the internal road intersections and S.R. 54. Intersection improvements shall be determined in accordance with the Pasco County Land Development Code, as amended.
13. Access to any commercial out-parcels shall be provided from internal drives or parking areas with the exception of the office/commercial parcel located in the northeast corner of the development.
14. Pasco County, with funding and technical assistance provided by the Florida Department of Community Affairs, the Florida Department of Transportation, and the Tampa Bay Regional Planning Council, is assessing the existing and future traffic conditions of 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 County Commission 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.

#### Dedication of Right-of-Way

15. Private (nonpublic) roadways may be utilized within the development.

16. In the case of private streets, or if the County does not accept the streets for maintenance, dedication to the appropriate maintenance entity (other than Pasco County) may be approved by the Development Review Committee at the time of preliminary plan/preliminary site plan approval.
17. The developer shall donate, provide a perpetual right-of-way easement, or transfer by plat or fee simple deed to Pasco County the appropriate amount of right-of-way for the internal and abutting roadways as they are currently functionally classified. Sufficient right-of-way shall be donated so that the typical roadway meets the Florida Department of Transportation standards. The developer shall transfer all right-of-way and shall provide all necessary documents and/or information pertaining to the above-mentioned transference of right-of-way for external roadways to the Real Estate Division prior to any preliminary/site plan approvals. Reductions in right-of-way may occur, if approved by the County, if road stormwater drainage is accommodated; e.g., may include urban roadway designs with a stormwater sewer system or stormwater easements into retention areas within adjoining increments.
18. Vehicular-access rights shall be dedicated to Pasco County concurrently with final record platting for each phase of any increment, or where no plat is required, prior to construction plan approval along the rear of all double frontage lots that abut nonlocal roads within or adjoining the project.

Design/Construction Specifications

19. Alternative roadway design standards may be considered and approved by the Development Review Committee at the time of each preliminary plan approval.
20. All development access points that intersect with S.R. 54 shall be constructed as required by the Florida Department of Transportation and the Engineering Services Department. The developer shall pay the cost of signalization of these intersections if such signalization is deemed to be necessary by the Development Review Committee and meets required Florida Department of Transportation and Engineering Services Department traffic warrants.
21. The developer shall submit a plan to the Development Review Division indicating roadway alignment, cross section, right-of-way, and construction phasing of the internal roads and intersections. Approval of this plan must be obtained from the Development Review Committee prior to preliminary/site plan approval of the first increment. The County shall have the right to require specific dates for completion of construction for any portion of these roads required to provide safe access to the increment which is subject of the submittal at the time of each preliminary/site plan approval. The said phasing can be amended at the request of the developer by the Development Review Committee.

Special Considerations

22. The Development Review Committee may approve a pedestrian/bike path plan prior to approval of the first preliminary site plan, which provides an alternative method of pedestrian/bike path circulation from the Pasco County Land Development Code, as amended. Such pedestrian/bike path plans shall comply with the handicapped provisions of Chapter 336.045, Florida Statutes. In the absence of an approved pedestrian/bike path plan, the following standards will apply: 1) sidewalks shall be constructed in accordance with the Pasco County Land Development Code, as amended; 2) bicycle lanes shall be provided along all internal roadways above local status in accordance with the Pasco County Land Development Code; and 3) bicycle facilities shall be in conformance with the Florida Department of Transportation *Bicycle Planning and Design Manual*.

**Utilities: Drainage, Water Service, Wastewater Disposal**

23. The developer shall submit a Stormwater Management Plan and Report for each development phase or increment in accordance with the Pasco County Land Development Code, as amended. The said plans shall be approved prior to or simultaneous with application for construction plan review for the development phase/increment in question. No design for an individual increment/phase or portion of an increment/phase shall be dependent upon the ultimate construction of future increments/phases, unless an interim design for drainage is approved by the Development Review Division. The said plan may be provided in two separate plans (office/commercial east of the Suncoast Parkway and commercial/office/residential west of the Suncoast Parkway).
24. The developer shall provide access easements, a minimum of 15 feet in width, around the stormwater ponds to provide maintenance accessibility. The said easements shall be shown on all preliminary plan/preliminary site plans and construction plans/construction site plans and shall be conveyed to Pasco County prior to or concurrently with the associated record plat, or where platting is not required, prior to site plan approval of the affected parcel. Maintenance responsibility will be identified per Condition No. 3.

25. Finished floor elevations for all habitable structures shall be at or above the 100-year floodplain elevation. All preliminary/site plan submittals shall provide 100-year flood elevation data.
26. A Master Utility Plan for the entire development shall be submitted to the Utilities Services Branch for review and approval, prior to submittal of the first preliminary/site plan. The said plan may be provided in two separate plans (office/commercial east of the Suncoast Parkway and commercial/office/residential west of the Suncoast Parkway). This utility plan shall minimally show the following:
  - a. Trunk sewer lines and lift stations.
  - b. Main potable water lines and nonpotable water lines, if applicable.
  - c. Sewage treatment facility locations, including discussion of the proposed method of treatment and the feasibility of a nonpotable water system for irrigation.
  - d. Method of lighting all nonlocal roads shall be submitted at the time of record plat submittal for each unit or phase.

Master utility plans shall be presented in a written format in conformance with the Master Utility Plan guidelines implemented by the Utilities Services Branch. Prior to the first preliminary/site plan approval, the developer and the County shall enter into a Utilities Service Agreement.

27. The developer shall construct all water and wastewater facilities within the development to current Pasco County standards. A complete set of instructions may be obtained from the Utilities Services Branch.

**Land Use**

28. Development of the project shall proceed pursuant to the applicable mix of land uses described in Table 1. The number of units and density, however, may increase or decrease within any specific development increment (parcel) shown on the Master Development Plan as provided for herein.

<b>TABLE 1</b>	
<b>Approved Land Uses</b>	
<b>Land Use</b>	<b>Project Size</b>
Single-Family (du)	551
Single-Family Attached (du)	183
Multifamily (du)	344
Commercial (SF)	570,800
Office (SF)	1,112,000
Light Manufacturing	21,019*

\* Note: Parcel I-1 is approved for both office and light manufacturing. Office square footage may be exchanged for additional light industrial square footage pursuant to the Development of Regional Impact 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. The square footages for each use shall be reported and/or updated in the Development of Regional Impact Annual Report.

29. The residential design standards are as follows:

a. Single-Family Detached - Type 1

- (1) Minimum Lot Width of 50 Feet<sup>1</sup>; Maximum Lot Width of 79.99 Feet
- (2) Minimum Lot Depth of 100 Feet
- (3) Minimum Front-Yard Setback of 20 Feet
- (4) Minimum Side-Yard Setback of 7.5 Feet<sup>2</sup>
- (5) Minimum Rear-Yard Setback of 15 Feet
- (6) Minimum Lot Area of 5,500 Square Feet<sup>1</sup>
- (7) Maximum Lot Coverage of 65 Percent—Including Accessory Structures
- (8) All other standards of the R-4 High Density Residential District shall apply.

b. Single-Family Detached - Type 2

- (1) Minimum Lot Width of 80 Feet<sup>2</sup>
- (2) Minimum Lot Depth of 100 Feet
- (3) Minimum Front-Yard Setback of 25 Feet
- (4) Minimum Side-Yard Setback of 7.5 Feet
- (5) Minimum Rear-Yard Setback of 20 Feet
- (6) Minimum Lot Area of 9,000 Square Feet<sup>1</sup>
- (7) Maximum Lot Coverage of 65 Percent—Including Accessory Structures
- (8) All other standards of the R-4 High Density Residential District shall apply.

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<sup>1</sup>Residential lots adjacent to the southern 2,000 feet of the western boundary of MPUD shall have a minimum of 7,100 square feet (65 feet wide). Residential lots adjacent to the remaining western boundary of MPUD shall have a minimum of 10,000 square feet (80 feet wide).

<sup>2</sup>Side-yard setbacks may be reduced to five feet based upon the following conditions being met prior to construction plan approval for each phase or unit. Should the conditions not be met, the minimum side setback shall be 7.5 feet.

- The engineer of record shall provide to Pasco County signed and sealed, design calculations for each typical lot demonstrating compliance with Pasco County's drainage criteria.
- Pasco County typical Lots A, B, and C will have side-yard swales with side-slopes no greater than 4:1 and a depth no greater than 18 inches.
- Side-yard swales shall be sloped to create positive outfall to the front or rear of each lot with velocities no greater than allowable for grasses stabilization, as in the FDOT *Drainage Manual*.
- Swales shall be sodded in place by the developer, and the maintenance responsibility will be that of the homeowner.
- No obstruction shall be permitted in the swale area between houses that impairs the intended function of the swale.
- Gutters shall be installed (directed to the street) on the side lot lines, unless otherwise approved by the DRD at the time of Building Permit Certificate of Occupancy (CO).

- c. Single-Family Attached Townhouse<sup>3</sup>
- (1) Minimum Lot Width of 20 Feet
  - (2) Minimum Lot Depth of 100 Feet
  - (3) Minimum Front-Yard Setback of 20 Feet
  - (4) Minimum Side-Yard Setback of 7.5 Feet<sup>2</sup> (applies to end units only)
  - (5) Minimum Rear-Yard Setback of 10 Feet
  - (6) Minimum Lot Area of 2,000 Square Feet
  - (7) Maximum Lot Coverage of 65 Percent—Including Accessory Structures
  - (8) All other standards of the MF-1 Multiple Family Medium Density District shall apply.
- d. Parcel "C" Fee Simple, Townhouse Development Standards
- (1) Minimum Lot Width of 16.00 Feet
  - (2) Minimum Lot Depth of 55.00 Feet
  - (3) Minimum Front-Yard Setback of 15.00 Feet (from the Building Front to the Private Drive Aisle and Parking Area)\*
  - (4) Minimum Lot Area of 890 Square Feet
  - (5) Maximum Lot Coverage of 100 Percent
  - (6) Minimum Building Separation of 20.00 Feet
  - (7) All other standards of the MF-1 Multiple Family Medium Density shall apply.
- \*Vehicular right-of-way tract within Parcel "C" is identified as "Private Drive Aisles and Parking Areas." The boundary of this tract shall be delineated on the record plat with the appropriate words and figures.
- e. Multifamily<sup>4</sup>
- (1) Minimum Front-Yard Setback of 30 Feet\*\*
  - (2) Minimum Side-Yard Setback of 20 Feet\*\*
  - (3) Minimum Rear-Yard Setback of 20 Feet\*\*
  - (4) Maximum building height shall not exceed three stories (67.5 feet).
  - (5) All other standards of the MF-2 Multiple Family High Density District shall apply.
- \*\*Building line setbacks are measured from the property line.
- f. The office design standards and uses shall be in accordance with regulations for the PO-2 Professional Office District of the Land Development Code except as follows:
- (1) Office development in parcels along the east boundary of the MPUD Master Planned Unit Development shall comply with the following setbacks from the said boundary:
    - (a) One- and two-story structures shall set back a minimum of 100 feet.
    - (b) Three-story structures shall set back a minimum of 150 feet.
    - (c) Four-story structures shall set back a minimum of 200 feet.

<sup>3</sup>Two to nine units attached, sold fee simple.

<sup>4</sup>Multifamily tracts may also be developed with single-family detached and townhouse units, subject to Condition No. 32.c.

- (2) No height limitations on office parcels adjacent to the Suncoast Parkway subject to the limitations of the floor area ratio of each parcel as it relates to allowable development shown on the master plan as measured in square feet.
  - (3) There shall be a minimum of 30,000 square feet of office uses (excluding banking facilities) on Parcels G.
- g. The commercial development shall be in accordance with regulations for the C-2 General Commercial District of the Land Development Code except as follows:
- (1) Development along the east boundary of the MPUD Master Planned Unit Development shall comply with the setbacks of Condition No. 29.f(1).
  - (2) No single retail user greater than 20,000 square feet, with the exception of a hotel/motel use, shall be permitted in a freestanding building on Parcels G and H.
  - (3) Allowable development shall also include the permitted and special exception uses of the C-1 Neighborhood Commercial District EXCEPT the following:
    - (a) Residential treatment facilities.
    - (b) Medical waste facilities.
    - (c) Helicopter landing pad.
    - (d) Adult entertainment establishments.
    - (e) Automotive towing service.
    - (f) Travel trailer park.
    - (g) Automotive race tracks.
    - (h) Construction and demolition debris services.
- h. The commercial/light manufacturing development shall conform to C-3 Commercial/Light Manufacturing development standards.
- Parcel I-1 may be developed with any combination of office and light manufacturing uses that does not exceed the traffic demands for 105,000 square feet of office uses.
- i. The total aggregate number of dwelling units shall not exceed 1,078.
- j. The maximum floor area for the commercial portion shall not exceed 570,800 square feet gross floor area.
- k. The maximum floor area for the office portion shall not exceed 1,112,000 square feet gross floor area.
- l. Parcels may be developed out of numerical sequence and in multiples as long as the parcel being developed does not rely upon infrastructure construction of future parcels.
30. Principal structures (exclusive of swimming pools) shall be set back at least 35 feet from the right-of-way of the major internal roads. However, this setback may be reduced to 25 feet if a six-foot-high wall or other acceptable buffer as approved by the Development Review Committee is provided.
31. The maximum square footages for Parcel I-1 shall be governed by Condition No. 29.h in accordance with the Suncoast Crossings Development of Regional Impact.
32. Upon submittal of an amendment request of the developer, and upon recommendation of the Zoning/Code Compliance Administrator, the Development Review Committee may amend residential use designations to intensify or deintensify development; i.e., R-3 Medium Density Residential to R-4 High Density Residential, or MF-1 Multiple Family Medium Density to R-4 High Density Residential, provided that:
- a. The number of units and density does not increase by more than 20 percent within any specific increment shown on the Master Development Plan and there is a corresponding increase or decrease, as appropriate, in some other increment to indicate that the total unit cap of 1,319 is not exceeded.

- b. If any redistribution of units is proposed, pursuant to the guidelines listed in this condition, the developer shall submit an amended Master Development Plan to the Zoning/Code Compliance Administrator illustrating unit redistribution. Residential use may not be intensified within any one increment, as provided above, following approval of the plat or final site plan for the first unit in that increment without review and approval by the Board of County Commissioners.
  - c. Once development has commenced in an increment/bubble, the unit type cannot be changed without review by the Zoning/Code Compliance Administrator and approved by the Development Review Committee.
33. The developer may designate, on the Master Development Plan, a site or sites which do not exceed a total of two acres to be used for recreational vehicle storage for the exclusive use of the residents. Such site or sites shall have appropriate landscape buffering and must be approved by the Zoning/Code Compliance Administrator, and shall be shown on the approved Master Development Plan. The site or sites must obtain commercial site plan approval prior to development and be owned by the mandatory homeowners'/property owners'/condominium owners'/merchants' association.
34. A six-foot wall (masonry or Styrofoam with stucco exterior) shall be constructed along the office parcels which directly abut the eastern project property line, and a six-foot wall (masonry or Styrofoam with stucco or PVC exterior) shall be constructed along the west project perimeter adjacent to the single-family parcel.

#### Procedures

35. Unless otherwise approved by the Emergency Services Director, when the development is record platted, or where a plat is not required, prior to issuance of the first Building Permit, the development shall be included into a Pasco County Municipal Fire Service Taxing Unit to provide fire protection.
36. The developer shall annually submit to the Development Review Division documentation indicating the cumulative number of COs issued for the project.
37. Development shall be in accordance with the approved Master Development Plan. All plans shall be governed by the Land Development Code in effect at the time of submittal.
38. A preliminary plan must be approved for an entire increment/phase prior to any phased construction drawing approval. The maximum number of units and the density of each residential increment shall not exceed the limits shown on the Master Development Plan. A preliminary site plan must also be approved for each multifamily (nonfee simple), recreational vehicle, or commercial increment in its entirety prior to any phased site plan approval. Submittals shall also include a detailed breakdown of the individual plan approvals, including the plan name and increment or phase designation as it relates to the Master Development Plan, acreage of the site, total number of units, or gross floor area ratio of commercial space which have received preliminary/site plan approval, construction plan approval, and/or record plat approval.
39. In the event ordinances/resolutions are adopted by the Board of County Commissioners establishing Countywide impact fees for the purpose of funding schools, solid waste, public safety, parks/recreation, libraries, and/or wildlife mitigation, the developer shall be required to pay the said fees, subject to applicable credits, in accordance with the ordinance(s) or resolution(s).
40. Any decisions or matters which, under the conditions of the MPUD Master Planned Unit Development, require approval or allow modification by the Development Review Committee, or require approval by the Zoning/Code Compliance Administrator may be appealed in accordance with the Land Development Code, as amended.
41. Rezoning of this property with conditions of approval does not constitute the development order, nor does it relieve any developer of responsibilities under the State of Florida Growth Management Legislation as implemented by the Florida Department of Community Affairs and Pasco County.

42. The owner/applicant is hereby notified that the effective date of this approval shall be the date of the final County action; however, no activity shall commence on site until such time as the acknowledgment portion of this document is completed (including notarization) and received by the Growth Management Department.

DEVELOPER'S ACKNOWLEDGMENT:

The owner/applicant acknowledges that it has read, understood, and accepted the above-listed conditions of approval.

\_\_\_\_\_  
(Date)

I hereby certify on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, A.D., before me personally appeared the owner/applicant, to me known to be the person described in and who executed the foregoing document and severally acknowledged the execution thereof to be his free act and deed for the uses and purposes therein expressed.

Witness my hand and seal at \_\_\_\_\_, \_\_\_\_\_ County, Florida, the day and year aforesaid.

My commission expires:

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_ at Large



