PASCO COUNTY, FLORIDA
INTEROFFICE MEMORANDUM

TO:	Honorable Chairman and Members of the Board of County Commissioners	DATE: 4/**27**/15	FILE: PDD15-7109
THRU:	Don Rosenthal, M.B.A. Assistant County Administrator (Development Services)	SUBJECT:	Bexley South MPUD Master Planned Unit Development BCC: April 21, 2015, 1:30 p.m., New Port Richey (Continued from: 2/24/15 and 3/10/15) Recommendation: Approval with Conditions
FROM:	Carol B. Clarke, AICP Zoning Administrator/Assistant Planning and Development Administrator		
STAFF:	Corelynn Burns Planner II	REFERENCES:	Land Development Code, Section 522, Master Planned Unit Development District; Comm. Dist. 4

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

DESCRIPTION AND CONDITIONS:

Proposed is a rezoning request from an MPUD Master Planned Unit Development District, C-2 General Commercial District and C-1 Neighborhood Commercial District to an MPUD Master Planned Unit Development District to allow single-family residential, multiple family residential, office and retail/commercial on 1,733 acres, m.o.l.

The property is located on the north side of SR 54, approximately 1,800 feet east of the Suncoast Parkway, and north and south side of Tower Road, in Sections 07, 16, 17, 18, 19, and 30, Township 26 South, Range 18 East.

Commission District:	The Honorable Mike Wells
Project Name:	Bexley South
Applicants Names:	NNP Bexley LTD and NNP-Bexley LLC
Zoning District:	MPUD Master Planned Unit Development
Future Land Use Classification:	Proposed: PD (Planned Development) Existing: RES-3 (3 du/ga)/ROR (Retail/-Office/Residential)/CON (Conservation Lands)
Water/Sewage:	Pasco/Pasco
Flood Zone:	”A”, “X”, and “AE”
No. of Dwelling Units:	1,720

Type of Dwelling Units:	Single-Family (1,200)/Multiple-Family (520)
Commercial/Retail Square Feet:	94,500
Office Square Feet:	562,950 (Up to 1,800,000)*
Roads/Access:	SR 54/Bexley Village Boulevard (Public)

*Based on Land Use Equivalency Matrix trade-off table.

BACKGROUND:

1. On March 28, 2006, the Board of County Commissioners (BCC) approved a development order (Resolution No. 06-181) for the Bexley Ranch Development of Regional Impact No. 255 (GM06-383). The DRI consisted of 6,000 single-family dwelling units; 1,000 multiple-family dwelling units; 400,000 square feet of commercial; 250,000 square feet of office; and an 80-acre district park collocated with a combined elementary and middle school; one elementary school; and an optional 18-hole golf course on 6,872 acres.

2. On June 15, 2006, the DRC approved a land-use exchange (GM06-1090) for the DRI, specifically commercial entitlements for office entitlements, utilizing the land-use equivalency matrix as approved previously. The approved exchange resulted in 294,721 square-feet of commercial and 537,200 square-feet of office.

3. On November 21, 2006, the BCC approved a Development Agreement (DA) (GM07-18), which was subsequently amended on March 25, 2008 (GM08-181).

4. On December 19, 2006, the BCC approved a rezoning from an A-C Agricultural District to an MPUD Master Planned Unit Development District.

FINDINGS OF FACT:

1. Presently, the subject site is under development.

2. The surrounding zoning district and current/future land use is as follows:

Zoning District		Existing Use	Future Land Use
North:	MPUD Master Planned Unit Development	Unimproved	RES-3 (3 du/1 ga)/CON (Conservation)
South:	MPUD and A-C (Agricultural)	Unimproved	E-C (Employment Center)/RES-3
East:	MPUD	Residential Neighborhoods	E-C (Employment Center)/RES-3

Zoning District		Existing Use	Future Land Use
West:	Suncoast Parkway	One Residence (Abutting SR 54)	ROR (Retail/Office/Residential)/E-C (Employment Center)/RES-3

3. Previously, the subject property was part of the Bexley Ranch DRI/MPUD, Ashley Glen DRI/MPUD and Suncoast Commercial Development. A separate owner/developer is now the sole owner of what is to be known as Bexley South and the property will be developed pursuant to the approved MPUD rezoning. The remaining portion of Bexley Ranch DRI/MPUD will be known as Bexley North and will also be rezoned to a separate MPUD. Along with the rezoning applications, the Development of Regional Impact (DRI) will be rescinded and the Development Agreement (DA) will be canceled.

4. Newland Communities, the applicant, acquired the southwestern portion of the Bexley Ranch DRI in 2007. Newland Communities also acquired the Ashley Glen and Wells Fargo (aka Suncoast Commercial) properties at a later date. Ashley Glen received entitlements through a DRI approval and an MPUD rezoning. However, on January 23, 2012, the Board of County Commissioners (BCC) approved a rescission for the Ashley Glen DRI. The overlaying MPUD zoning will be superseded by the MPUD rezoning for Bexley South. The Wells Fargo site is currently zoned C-1 and C-2, and received a preliminary plan approval on April 24, 2008, and later received an approval to modified plans on November 8, 2012.

5. The original Bexley Ranch MPUD allowed a total of 6,000 single-family detached; 1,000 multiple-family units; 294,721 square-feet of commercial/retail; and 537,200 square-feet of office, as well as parks, District schools, and an optional golf course on approximately 6,872 acres. The Bexley South MPUD proposes 1,200 single-family detached/attached units; 520 multiple-family units; 94,500 square feet of commercial/retail; and 562,950 square-feet of office (although through a Land Use Equivalency Matrix trade-off table per the Subarea policy, office square-footage is allowed up to 1,800,000 square feet),as well as District school(s) on approximately 1,733 acres.

6. The original Ashley Glen MPUD/DRI allowed a total of 780 single-family attached (Townhouse/Condominium) and apartments; 444,000 square-feet of commercial; and 1,800,000 square-feet of office.

7. The Suncoast Commercial Development was submitted as a commercial subdivision; therefore, no intensity for the development was proposed at that time. The commercial subdivision received approval for a total of nine individual commercial lots. Square-footage of the development would have been calculated in accordance with the Future Land Use category's floor area ratio (FAR) determinant, which would have been .60 based on the ROR Future Land Use.

8. The proposed development is located within the Urban Service Area and is going to be developed as a mixed-use compact, high density/intensity development (MUTRM).

9. A Comprehensive Plan amendment has been requested by the applicant/developer's to change the Future Land Use category from RES-3 (Residential – 3 du/ga) and ROR

(Retail/Office/Residential) to PD (Planned Development) with a Subarea Policy requiring an MPUD (Master Planned Unit Development) rezoning. The required MPUD rezoning requests are running concurrently with the map amendment. On January 13, 2015, the BCC approved the Comprehensive Plan amendment to be transmitted to the Department of Economic Opportunity and other agencies for comments. The proposed Comprehensive Plan Amendment is scheduled for the April 21, 2015 BCC adoption hearing.

10. The proposed request is consistent with the Pasco County LDC, Chapter 400, Subsection 402.2 Zoning Amendment - MPUD Master Planned Unit Development, and with the applicable provisions of the Pasco County Comprehensive Plan.

ALTERNATIVES AND ANALYSIS:

1. Approve the rezoning request with the attached conditions.

2. Deny the rezoning request.

3. Recommend an alternative course of action.

RECOMMENDATION AND FUNDING:

The Planning and Development Department recommends that the BCC approve Alternative No. 1 and,

- Authorize the Chairman to sign and execute four original Resolutions, and
- Direct the Board Records Department to retain one original Resolution, and distribute the other three as follows:
  - Planning and Development Department
    Attention: Carol B. Clarke, AICP, Zoning Administrator/Assistant
    Planning and Development Administrator
  - Pasco County Property Appraiser
    Attention: Vicki Lewis, Senior Land Records Analyst
  - Andrea Zelman
    501 E. Kennedy Boulevard, Suite 1700
    Tampa, FL 33602

No Funding Required.

ATTACHMENT:

1. Location Map
2. Resolution
3. Exhibits A, B and C
4. Attachment C – Sandy Branch Drainage Easement
5. Exhibits D, E-1, E-2, E-3, E-4, E-5, F-1, F-2, and G

DEVELOPMENT REVIEW COMMITTEE ACTION: (3/26/15)

Approved Staff Recommendation With Revised Conditions:

17. All roads that will be used to access public-purpose sites, such as public school, park, library, and fire/rescue sites (as determined by the School Board, Parks and Recreation, Libraries Services Department, Emergency Services Department, Development Review Committee (DRC), or PDD, as applicable) shall be public roadways and constructed in accordance with applicable County/Florida Department of Transportation (FDOT) design, construction, and signage standards; e.g., Chapter 316, F.S., and the Manual of Uniform Traffic Control Devices standards. **These roads are identified as: Sunlake Boulevard, Mentmore Boulevard, Tower Road, and Bexley Village Drive.** Such roadways shall be deeded in fee simple to the County or FDOT, as applicable, prior to or concurrent with the first record plat containing such roadways or where no record plat is required, prior to or concurrent with the issuance of the first Certificate of Occupancy (CO) for a building utilizing such roadways.

56. Non-Residential Permitted Uses within Parcels 1, 2, and 3:

a. ~~Commercial Uses.~~ The commercial/retail uses shall be in accordance with the C-2 General Commercial Zoning District's permitted uses and specific conditional use for sale or consumption of alcoholic beverages pursuant to Section 526.3.A of the LDC. ~~and C-3 Commercial/Light Manufacturing~~ Except that the distance limitation for alcoholic beverages sales or consumption from school, park, place of worship, or church located within the Bexley South development shall be waived. However, any alcoholic beverages sales or consumption located within Bexley South that is located within 1,000 feet of any school, park, place of worship, or church located outside the boundary of the Bexley South development shall comply with the distance limitation.

b. **C-3 Commercial/Light Manufacturing (Light Manufacturing shall be designed in accordance with the LDC, Section 522.5.C and 522.5.E).**

c. **Section 522.5.D.1 of the LDC, EC-MPUD, Preferred Uses which shall comply with Section 522.5.C, Compatibility.**

d. ~~b.~~ Office Uses. The office uses shall be in accordance with the PO-2 Professional Office Zoning District's permitted and special exception uses.

57. Non-Residential Permitted Uses within Parcel 4:

a. ~~Commercial Uses.~~ The commercial/retail uses shall be in accordance with the C-1 Neighborhood Commercial Zoning District's permitted uses and specific conditional use for sale or consumption of alcoholic beverages pursuant to Section 525.3.A of the LDC except that the distance limitation for alcoholic beverages sales or consumption from school, park, place of worship, or church located within the Bexley South development shall be waived. However, any alcoholic beverages sales or consumption located within the Bexley South that is located within 1,000 feet of any school, park, place of worship, or church located outside the boundary of the Bexley South development shall comply with the distance limitation.

b. **Section 522.5.D.1 of the LDC, EC-MPUD, Preferred Uses which shall comply with Section 522.5.C, Compatibility.**

c. ~~b.~~ Office Uses. The office uses shall be in accordance with the PO-2 Professional Office Zoning District's permitted and special exception uses.

BOARD OF COUNTY COMMISSIONERS ACTION: 5 Ayes; 0 Nays (4/21/15)

Approved Staff Recommendation

EXHIBIT A

LEGAL DESCRIPTION

EXHIBIT A

7109

A par of land lying in Secs 7 &16-20, T26S, R18E, Pasco Co, FL, & being more par desc as fol:

Com at the SW cor of said Sec 16, said pt also lying on the Ely bdry of Ballantrae Vill 5, accdg to the plat thereof as rec in PB 52, Pgs 30-49, incl, of the Pub Rec of Pasco Co, FL; th alg the W bdry of said Sec 16, also being said Ely bdry of Ballantrae Vill 5, N00°22'14"E, 478.45' to a pt on the Sly r/w bdry of former Seaboard Coast Line RR, now abandoned, said pt also being the NEly cor of said Ballantrae Vill 5 for a POB; th alg said Sly r/w bdry, & the NEly bdry of said Ballantrae Vill 5, & also the Nly bdry of Ballantrae Vill 6, accdg to the plat thereof as rec in PB 53, Pgs 1-10, inc, of the Pub Rec of Pasco co, FL, the fol 3 courses: (1) S70°23'44"W, 1,615.67' to a pt on a curv; (2) Wly, 250.36' alg the arc of a cur to the right havg a rad of 5,789.58' & a central angle of 02°28'40" (chord bearg S71°37'21"W, 250.34'); (3) S72°52'10"W, 931.40' to a pt on the E bdry of the NW¼ of the aforesaid Sec 20, said pt also being the NWly cor of said Ballantrae Vill 6; th alg said E bdry of the NW¼ of Sec 20, N00°28'06"E, 125.88' to a pt on the Nly r/w bdry of said former Seaboard Coast Line RR; th alg said Nly bdry, S72°53'07"W, 1,930.40'; th S00°28'06"W, 92.31'; th alg a line lying 32' N of and parallel w/the aforesaid Sly r/w bdry of former Seaboard Coast Line RR, also being the Nly bdry of Suncoast Pointe Vills 2A, 2B, & 3, accdg to the plat thereof as rec in PB 59, Pgs 31-38, inc, of the Pub Rec of Pasco Co, FL, S72°53'07"W, 835.32' to a pt on the E Bdry of the aforesaid Sec 19; th alg said E bdry of Sec 19, S00°36'22"W, 33.59' to a pt of the aforesaid Sly r/w bdry of former Seaboard Coast Line RR, said pt also being the NWly cor of the aforesaid Suncoast Ponte Vills 2A, 2B, & 3; th alg said Sly r/w bdry the fol 2 courses: (1) S72°53'41"W, 3,020.39'; (2) S72°51'13"W, 1,346.12' to a pt on the Ely Ltd Access R/W line of SR 589, per FL Dept of Transportation R/W Sec Map# 97140.2301; th alg said Ely Ltd Access R/W Line, the fol 11 courses: (1) N05°43'13"W, 4,778.57'; (2) N55°28'08"E, 456.51'; (3) N09°17'48"W, 320.63'; (4) S81°16'01"W, 380.53'; (5) N05°43'13"W, 853.80' to a pt of curv; (6) Nly, 2,325.72' alg the arc of a curv to the right havg a rad of 22,718.31' & a central angle of 05°51'56" (chord bearg N02°47'15"W, 2,324.71'); (7) N76°53'33"E, 637.42'; (8) N15°31'45"W, 218.40'; (9) N76°25'34"W, 395.38'; (10) N89°35'01"W, 175'; (11) th N00°24'59"E, 1,192.32'; th S88°40'01"E, 196.65'; th S73°49'03"E, 622.74'; th N44°48'56"E, 713.35'; th N74°08'31"E, 657.14'; th

S57°19'45"E, 2,782.99'; th S67°16'01"E, 49.78'; th S57°16'07"E, 345.93'; th S42°32'02"E, 43.51'; th S03°22'19"E, 44.79'; th S00°48'37"E, 117.72'; th S07°20'00"W, 146.77'; th S09°30'27"W, 101.90'; th S18°23'48"W, 114.14'; th S10°18'11"W, 68.14'; th S23°15'32"W, 40.02'; th S32°04'18"W, 280.55'; th S25°15'33"W, 108.90'; th S06°57'47"W, 46.15'; th S30°07'14"W, 54.22'; th S37°51'28"W, 131.22' th S32°40'09"E, 30.49'; th S81°20'11"E, 183.95'; th N85°39'10"E, 201.94'; th S51°09'22"E, 151.30'; th S32°26'31"E, 63.29' th S41°00'19"E, 116.85'; th S20°10'27"E, 173.06'; th S30°35'06"E, 139.99'; th S03°09'51"W, 60.66'; th S33°13'59"W, 47.84'; th S44°27'12"W, 205.30'; th S62°20'15"W, 119.37'; th S24°21'36"W, 116.67'; th S53°04'07"E, 23.44'; th S16°43'53"E, 27.50'; th S11°10'38"W, 166.35'; th S28°14'39"E, 76.75'; th N77°42'21"E, 173.29'; th N83°28'38"E, 82.31'; th S65°42'30"E, 47.98'; th S50°34'07"E, 25.41'; th S37°25'04"E, 131.85'; th S65°37'57"E, 102.87'; th S50°14'12"E, 172.32'; th S41°23'23"E, 71.50'; th S30°24'59"E, 81.66'; th S23°05'40"E, 106.16'; th S22°14'36"E, 140.20'; th S03°30'59"W, 210.78', th S16°11'39"W, 117.17'; th S29°12'43"E, 156.80'; th S85°46'57"E, 228.04'; th N23°06'56"E, 28.48'; th N21°07'53"E, 68.97'; th N00°17'27"W, 64.22'; th N25°59'58"E, 165.66'; th N33°22'46"E, 110.60'; th S53°04'07"E, 16.65'; th N59°46'44"E, 34.51'; th S05°06'40"W, 117.20'; th S09°19'13"E, 48.40'; th S59°37'03"E, 126.59'; th S80°17'56"E, 107.85'; th S77°47'53"E, 39.75'; th N64°19'52"E, 2,063.22'; th S83°00'00"E, 289'; th S41°55'23"E, 310.04'; th S25°26'48"E, 307.61'; th S57°39'51"E, 611.84'; th S17°11'08"E, 316.90'; th S62°09'11"E, 263.19'; th S34°45'30"E, 229.37'; th S58°00'00"E, 116.91'; th S29°57'38"E, 135.61'; th S57°13'09"E, 372'; th N89°22'39"E, 121.08'; th S57°44'23"E, 58.74'; th N87°03'04"E, 115.37'; th N52°32'26"E, 47.71'; th N75°58'19"E, 201.38'; th N85°55'00"E, 99.82'; th S62°32'20"E, 99.69'; th S43°44'13"E, 269.36'; th S34°20'54"E, 165.88'; th S68°33'22"E, 33.26'; th S33°38'57"W, 253.66'; th S78°49'29"W, 195.11'; th S00°43'00"W, 177.97'; th S40°19'11"E, 459.58'; th S70°23'38"W, 1,022.78' to the W bdry of the aforesaid Sec 16; th S00°22'14"W, 119.17' to the POB, TOG W/

a par of land lying in Sec 30, T26S, R18E, Pasco Co, FL, being more partic desc as fol:

Com at the SE cor of Sec 19, T26S, R18E, Pasco Co, FL; run th N00°35'31"E, alg the E bdry of said Sec 19, a dist of 668.75'; th alg the E, N, & W bdries of those lands desc in ORB 1969, Pg 1445 of the Pub Rec of said Pasco Co by the fol 4 courses: (1) N00°36'12"E, a dist of 1,999.20' to the NE cor of the SE¼ of said Sec 19;

(2) th N00°35'46"E, a dist of 1,402.70' to a found concrete monument on the S bdry of SCL RR R.W; (3) th S72°53'46"W, a dist of 3,020.44' alg said r/w; (4) th departing said r/w S05°41'24"E, a dist of 5,129.33' to the POB; th cont S05°41'24"E, 1,663.01' to a POI w/the N r/w of SR 54 – Par 108 as rec in ORB 3814, Pg 1328 of the Pub Rec of said Pasco Co; th alg said r/w, N65°12'22"E, a dist of 457.08' to a POC; th SEly, 125.01' alg the arc of a curv concave Sly, havg a rad of 97' a central angle of 73°50'17" & a chord bearg S77°52'30"E, a dist of 116.53' to the SE cor of said Par 108, said pt being loc on the N r/w line of SR 54 per St of FL Rd Dept R/W Map Section# 1457-250; th alg said R/W N65°12'22"E, a dist of 176.66' to a POI w/the N r/w of SR 54 - Par 108 as rec in ORB 3814, Pg 1328 of the Pub Rec of said Pasco Co; th alg said r/w the fol 2 courses: (1) N65°12'22"E, a dist of 300.03' to a POC; (2) th NEly, 8.51' alg the arc of a cur concave Sly, havg a rad of 5,779.58', a central angle of 00°05'04" & a chord bearg N65°22'23"E, a dist of 8.51' to a POI w/the N r/w of SR 54 - Par 112 Part B, as rec in ORB 4110, Pg 942 of the Pub Rec of said Pasco Co; th alg said r/w the fol 2 courses: (1) N24°41'40"W, a dist of 12.37'; (2) th N65°15'36"E a dist of 36.17' to a POI w/the N r/w of SR 54 - Par 112 Part A as rec in ORB 4110, Pg 942 of the Pub Rec of said Pasco Co; th alg said r/w the fol 11 courses: (1) N00°31'20"W a dist of 215.96'; (2) N24°46'52"W, a dist of 49.58', (3) S65°09'22"W, a dist of 28.85'; (4) N24°50'28"W, a dist of 66.82'; (5) N65°07'53"E, a dist of 28.87'; (6) N24°47'00"W, for 172.33'; (7) N48°12'49"E for 81.45'; (8) N41°41'03"W a dist of 35'; (9) N48°25'00"E for 69.07'; (10) S41°39'14"E a dist of 27.32'; (11) N36°36'02"E a dist of 85.82' to a POI w/the E bdry of said lands des in ORB 1969, Pg 1445; th N02°24'20"W, alg said E bdry, a dist of 654.73'; th S87°35'31"W a dist of 1,170.88' to the POB AND

A par of land lying in Secs 19 & 30, T26S, R18E, Pasco Co, FL, being more part desc as fol:

Com at the SE cor of Sec 19, T26S, R18E, Pasco Co, FL; run th N00°35'31"E, alg the E bdry of said Sec 19, a dist of 668.75' to the POB; th alg the E, N, & W bdries of those lands des in ORB 1969, Pg 1445, of the Pub Rec of Pasco Co, FL by the fol 4 courses: (1) N00°36'12"E, a dist of 1,999.20' to the NE cor of the SE¼ of said Sec 19, (2) N00°35'46"E, a dist of 1,402.70' to a found concrete monument on the S bdry of SCL RR R/W, (3) S72°53'46"W, a dist of 3,020.44' alg said r/w, (4) S05°41'24"E, a dist of 5,129.33'; th departing said bdry, N87°35'31"E, 1,170.88' to a POI w/the E bdry of said lands des in ORB 1969, PG 1445; th alg said E bdry by the fol 2 courses: (1) N02°24'20"W, a dist of 2,543.51', (2) N89°59'26"E, a dist of 1,279.57' to the POB AND

the N 88' of a por of a former 120' Seaboard Coast Line RR R/W lying in the NW¼ of Sec 20, T26S, R18E, Pasco Co, FL, & being more partic desc as fol:

Com at the NW cor of Sec 20, T26S, R18E, Pasco Co, FL, & run th S89°12'32"E, 2,633.49' alg the N bdry of the NW¼ of said Sec 20 to the NE cor thereof; th S00°28'06"W, 326.42' alg the E bdry of the NW¼ of said Sec 20 to a pt on the Nly bdry of the former 120' Seaboard Coast Line RR R/W for a POB; th continue S00°28'06"W, 92.31'; th S72°53'07"W, 1,930.40', alg a line 88' Sly of as measured at right angles from the Nly 120' Seaboard Coast Line RR R/W Line; th N00°28'06"E, 92.31' alg the E bdry of prop as desc in ORB 5369, Pg 708, Pub Rec of Pasco Co, FL; th N72°53'07"E, 1930.40' alg said Nly 120' Seaboard coast Line RR R/W Line to the POB, Secs 07, 16-20, & 30, T26S, R18E, Pasco Co, FL.

EXHIBIT B

CONDITIONS OF APPROVAL

BEXLEY SOUTH
MASTER PLANNED UNIT DEVELOPMENT
CONDITIONS OF APPROVAL
REZONING PETITION NO. 7109
ORIGINAL REZONING PETITION NO. 6997 AND
A PORTION OF 6669

Master Development Plan

1. Development shall be in accordance with the application, plans, and information submitted on March 24, 2014, October 14, 2014, February 3, 2015, the Land Development Code (LDC) and the Comprehensive Plan, unless otherwise stipulated or modified herein. The original MPUD Master Planned Unit Development (MPUD) conditions of approval and Master Development Plan, Rezoning Petition No. 6997, as approved by the Pasco County Board of County Commissioners (BCC) on January 24, 2012, and a portion of Rezoning Petition No. 6669, as approved by the BCC on December 19, 2006, are hereby superseded by Rezoning Petition No. 7109.

Environmental

2. The Master Developer or parcel developer shall conduct and submit the results of a detailed listed species wildlife survey prior to each preliminary site plan approval for any unit or phase in accordance to Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service (USFWS) survey guidelines. The survey shall be sent to Zoning and Site Development, Pasco County Biologist, USFWS and FFWCC for further review and approval.

3. If, during construction activities, any evidence of the presence of State and/or Federally protected plant and/or animal species is discovered that would result in a take, work shall come to an immediate stop, and Pasco County shall be notified within two working days. Work may resume if construction activities are consistent with state and/or federal rules, guidelines or all pertinent permits have been obtained.

4. The developer shall complete a Gopher Tortoise Survey in accordance with the current FFWCC survey guidelines. A copy of this survey shall be sent to the PDD for further review and approval by the County Biologist and to the FFWCC prior to preliminary development plan/preliminary site plan approval. The developer shall provide issued gopher tortoise relocation permit and the after action report prior to issuance of the hard copy Site Development Permit.

5. Prior to PDP/PSP approval for each phase or increment of development:

   a) If construction commences in the Florida Sandhill Crane nesting season (January-August), preconstruction breeding season surveys shall be conducted within all suitable on-site habitats. If breeding activities are found, FFWCC and Pasco County shall be notified and consulted to determine the appropriate conservation and mitigation measures to be taken.

BCC
Apr 21 2015
APPROVED

b) Preconstruction surveys shall be conducted for southeastern American kestrels during their nesting season (April to August). If any are found, preservation and mitigation measures shall be proposed for impacts to habitats potentially utilized by southeastern American kestrels. All survey and habitat delineation methods as well as associated mitigation requirements should follow procedures as described in "Ecology and habitat protection needs of the southeastern American kestrel (Falco sparverius paulus) on large-scale development sites in Florida" (Stys, B. 1993, Florida Game and Fresh Water Fish Commission, Nongame Wildlife Program, Technical Report No. 13). FFWCC and the County shall be contacted for review and consultation.

c) Preconstruction surveys for Sherman's fox squirrels shall be conducted during their breeding seasons (May to August and November through January). If nests are found, the FFWCC shall be contacted for review and consultation to determine appropriate preconstruction conservation and mitigation measures. If a fox squirrel is observed foraging in the project area, construction activity shall cease until the fox squirrel has dispersed from the construction area.

d) Preconstruction breeding season surveys shall be conducted for Colonial Nesting Water Birds during their nesting season (March to August). If nesting is observed, FFWCC and Pasco County shall be notified and consulted to determine the appropriate conservation and mitigation measures to be taken.

6. Prior to issuance of the hard copy Site Development Permit, a copy of the Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit shall be submitted to the Planning and Development Department.

7. Wetlands (conservation/preservation areas) shall be as defined by the Pasco County Comprehensive Plan, Chapter 3, Conservation Element, Wetlands, Policy 1.3.1, and shown on all preliminary plans/preliminary site plans and construction plans/construction site plans.

Open Space/Buffering

8. A minimum 250-foot buffer shall be provided adjacent to the Suncoast Parkway. Measurement of this 250-foot distance shall be measured from the edge of the project's property line. However, where the generally north-south property line deviates to incorporate stormwater-related facility areas, these areas (a total of five acres) which incorporate open space and vegetation shall count toward meeting the 250-foot-buffer requirement. Stormwater ponds and mitigation areas are permitted within the 250-foot buffer area. Prior to approval of the first preliminary development plan/preliminary site plan, the developer shall submit a current aerial photograph showing the trees abutting the Suncoast Parkway. At each preliminary development plan/preliminary site plan approval, the Planning and Development Department (PDD) may also require additional, natural buffering within the open-space area, where appropriate.

9. Greenway corridors are identified on the Master Plan and are designed to allow for pedestrian connection throughout the project and shall be limited to recreational and conservation education land uses, including picnic shelters, gazebos, trail head and other similar facilities, and a trail system for recreational uses; e.g., walking/jogging,

BCC
Apr 21 2015
APPROVED

cycling, and rollerblading. In addition, project stormwater and floodplain mitigation ponds and wetland mitigation will be permitted within the greenway corridors. The recreational trails located within the greenway corridors may be concrete, wood, or other suitable material. Trails will vary in width, but shall be no less than five feet. Recreational trails that are not part of a public trail system will be maintained through the CDD or another entity other than Pasco County, to allow continued pedestrian access. Greenway corridors will be provided commensurate with adjacent development.

10. Revisions to the conceptual locations, alignments and shape of the greenway corridors, location, and number of vehicular crossings, as shown on the Master Plan, are allowed as long as the continuity of the corridors remain viable for open space, passive and active recreational purposes, and the overall amount of acreage allocated to greenway corridors is not reduced.

11. Neighborhood parks: green space greater than or equal to ½ acre may be counted toward the neighborhood park acreage requirement; however, this does not alleviate the developer from providing the required neighborhood park total acreage, or the requirements from the LDC Section 905.1, Neighborhood Parks.

Transportation/Circulation

Access Management

12. At each PDP/PSP review and approval, the DRC, County Engineer, or designee may require further site specific and/or internal intersection improvements. Intersection improvements shall be determined in accordance with the LDC, Access Management Standards, and/or Mixed-Use Trip Reduction Measures (MUTRM) as applicable, and as amended.

13. The access points shown on the master plan are conceptual only. Permanent placement of each access point shall be determined at the time of review with the corresponding PDP/PSP and shall meet established access-management criteria. Based on the corresponding PDP/PSP, the DRC, BCC, or County Administrator, or designee, may impose additional conditions on the applicant/developer.

14. The developer shall at its sole expense, design, permit and construct, the following site related roadway improvements which are depicted on Exhibit D, attached hereto and incorporated herein, to include all roadway appurtenances, as determined by the County and other permitting agencies, as applicable, to be necessary during the design and permitting of the improvements. These improvements are not eligible for mobility fee credits and consist of the following:

    a. Bexley Village Drive Segment A which commences at SR 54 and extends to Mentmore Boulevard, as shown in Exhibit D. Prior to the first record plat (or construction plan approval where no plat is required), the developer shall design and permit, at no cost to Pasco County, a four-lane, divided urban collector roadway within the required right-of-way, including all roadway appurtenances needed for the ultimate six-lanes. The design plans shall depict the location and width of the ultimate six-lane roadway. The developer shall construct four-lanes, at no cost to Pasco County, including the necessary drainage/retention, wetland,

BCC
Apr 21 2015
APPROVED

and floodplain mitigation facilities, all roadway appurtenances to accommodate the ultimate six-lane roadway, and any bicycle and/or pedestrian facilities, including all intersection improvements shown in Exhibit E-1 and E-2.

b. Bexley Village Drive Segment B which commences at Mentmore Boulevard and extends north to Tower Road, as shown in Exhibit D. The developer shall design and permit, at no cost to Pasco County, a two-lane divided urban collector roadway within the required right-of-way, including all roadway appurtenances needed for the ultimate six-lanes. The design plans shall depict the location and width of the ultimate six-lane roadway. Prior to record plat approval (or construction plan approval where no plat is required) for the 600th single-family dwelling unit or equivalent in gross p.m. peak hour trips, or as necessary to serve adjacent development, whichever occurs first, the developer shall construct, at no cost to Pasco County, two-lanes including the necessary drainage/retention, wetland, and floodplain mitigation facilities, all roadway appurtenances to accommodate the ultimate six-lane roadway, and any bicycle and/or pedestrian facilities, including all intersection improvements shown in Exhibit E-3.

c. Bexley Village Drive Segment C which commences at Tower Road and extends north to the northern boundary of Bexley South, as shown in Exhibit D. The developer shall design and permit, at no cost to Pasco County, a two-lane divided urban collector roadway within the required, including all roadway appurtenances needed for the ultimate four-lanes. The design plans shall depict the location and width of the ultimate four-lane roadway. Prior to record plat approval (or construction plan approval where no plat is required) for the 1,500th single-family dwelling unit or equivalent in gross p.m. peak hour trips, or as necessary to serve adjacent development, whichever occurs first, the developer shall construct, at no cost to Pasco County, two-lanes, including the necessary drainage/retention, wetland, and floodplain mitigation facilities, all roadway appurtenances to accommodate the ultimate four-lane roadway, and any bicycle and/or pedestrian facilities.

d. Tower Road Segment A which commences at Bexley Village Drive and extends to the eastern boundary of Bexley South, as shown in Exhibit D. The developer shall design and permit, at no cost Pasco County, a two-lane urban collector roadway within the required right-of-way, including all roadway appurtenances needed for the ultimate four-lanes. The design plans shall depict the location and width of the ultimate four-lane roadway. Prior to record plat (or construction plan approval where no plat is required) for the 1,500th single-family dwelling unit or equivalent in gross p.m. peak hour trips, or as necessary to serve adjacent development, whichever occurs first, the developer shall construct, at no cost to Pasco County, two-lanes (offset) including the necessary drainage/retention, wetland, and floodplain mitigation facilities, all roadway appurtenances to accommodate the ultimate four-lane roadway, and any bicycle and/or pedestrian facilities, including all intersection improvements shown in Exhibit E-4.

e. Mentmore Boulevard which commences at the existing terminus of Mentmore Boulevard and extends west to Bexley Village Drive as depicted on Exhibit D. The developer shall design and permit, at no cost Pasco County, a two-lane urban collector roadway within the required right-of-way, including all roadway

BCC
Apr 21 2015
APPROVED

appurtenances needed for the ultimate four-lanes. The design plans shall depict the location and width of the ultimate four-lane roadway. Prior to record plat (or construction plan approval where no plat is required) for the 600th single-family dwelling unit or equivalent in gross p.m. peak hour trips, or as necessary to serve adjacent development, whichever occurs first, the developer shall construct, at no cost to Pasco County, two-lanes (offset) including the necessary drainage/retention, wetland, and floodplain mitigation facilities, all roadway appurtenances to accommodate the ultimate four-lane roadway, and any bicycle and/or pedestrian facilities.

15. The developer shall design, permit and construct the following site related intersection improvements in conjunction with condition number 14, which are not eligible for mobility fee credits:

a. Bexley Village Drive at SR 54 in conjunction with condition 14.a above:

The developer shall construct a full access connection to SR 54 at Bexley Village Drive. The access connection shall include dual eastbound left-turn lanes, a westbound right-turn lane, southbound dual left-turn lanes, a southbound through lane and a southbound right-turn lane as shown in Exhibit E-1. Prior to approval of the PSP for more than the trip-equivalent of 94,500 square feet of commercial uses, or when warranted by MUTCD criteria, or prior to the record plat for the 600th dwelling unit, whichever occurs first, the developer shall conduct a Signal Warrant Analysis for the intersection of Bexley Village Drive and SR 54. At such time that the signal is warranted, the developer shall design, permit and install the signal.

b. Bexley Village Drive at Mentmore Boulevard in conjunction with condition 14.a above:

The developer shall construct a round-about at the intersection of Mentmore Boulevard and Bexley Village Drive. The round-about shall be constructed initially as a one lane round-about expandable to three lanes, as shown in Exhibit E-2.

c. Bexley Village Drive at Tower Road in conjunction with condition 14.b above:

The developer shall construct a round-about at the intersection of Tower Road and Bexley Village Drive. The round-about shall be constructed initially as a one lane round-about expandable to two lanes, as shown in Exhibit E-3.

d. Tower Road at Ballentrae Boulevard in conjunction with condition 14.d above:

The developer shall construct the intersection of Tower Road and Ballentrae Boulevard with the geometry shown in Exhibit E-4.

e. The construction by the developer of the improvements at the intersection of SR 54 and Bexley Village Drive, as set forth in Exhibit E-1 shall vest the Project against further required external access requirements for County purposes through December 31, 2025, subject to the following monitoring conditions (Note:

BCC
Apr 21 2015
APPROVED

these improvements are subject to FDOT approval at the time of development. FDOT may require additional improvements):

i. Eighteen (18) months following construction plan approval for vertical construction of fifty (50) percent of the MPUD entitlements in terms of the gross a.m. or p.m. peak hour Project trip generation (based on the Trip Generation Monitoring Table attached hereto as Exhibit F-1), or prior to construction plan approval for vertical construction of sixty (60) percent of the MPUD entitlements in terms of gross a.m. or p.m. peak hour Project trip generation (based on the Trip Generation Monitoring Table attached hereto as Exhibit F-1, the Master Developer shall institute a monitoring program to compare current traffic counts with future traffic projections, as shown in Exhibit F-2.

ii. Monitoring shall continue on a biennial basis until Project build-out or until additional projects are approved that access Bexley Village Drive. The Monitoring Report shall be submitted to the Planning and Development Department biennially from the date of commencement. Should the County Engineer or designee determine (in between biennial reporting dates) that storage lane queues entering the Project on SR 54 at Bexley Village Drive are spilling into thru lanes on SR 54, the County Engineer or designee may request an interim monitoring evaluation to evaluate and confirm if there is such a deficiency in storage length (to accommodate the queues) and propose possible improvements to cure such deficiency. Each monitoring event shall be conducted within a sixty (60) day period from the due date of each event to ensure that the counts are relatively current and shall be conducted when Pasco County schools are in session.

iii. The monitoring program shall consist of weekday, a.m. and p.m. peak hour directional counts from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m., with subtotals at fifteen (15) minute increments at the SR 54/Bexley Village Drive intersection. The total a.m. and p.m. peak hour trips will be compared to the total future traffic forecasts identified in Exhibit F-2.

iv. The results of each monitoring event shall be submitted to the Planning and Development Department.

v. If monitoring results demonstrate that the project traffic exceeds the projected traffic volumes identified in the Future Volume Trip Generation Monitoring Table, attached hereto as Exhibit F-2, by more than 5%, the County may require a re-evaluation of the access management study and additional access improvements may be required. However, in no event shall the Master Developer be responsible for access improvements related to the trips generated or accountable to the School Site.

BCC
Apr 21 2015
APPROVED

16. Each Construction Plan submittal for development within the MPUD shall include a cumulative reporting of the number of gross p.m. peak hour trips associated with the proposed project and the total associated with all prior Construction Plan approvals. The reporting shall also provide the number of equivalent single family dwelling units based on the gross p.m. peak hour trips, as determined per the Exhibit G (LUEM), for the proposed project and the cumulative total for all prior Construction Plan approvals for the project. In the event a proposed land use is not contained in the LUEM, the gross p.m. peak hour trips for the use shall be determined based on the Trip Generation Rates contained in the ITE, Trip Generation, 9th Edition.

17. All roads that will be used to access public-purpose sites, such as public school, park, library, and fire/rescue sites (as determined by the School Board, Parks and Recreation, Libraries Services Department, Emergency Services Department, Development Review Committee (DRC), or PDD, as applicable) shall be public roadways and constructed in accordance with applicable County/Florida Department of Transportation (FDOT) design, construction, and signage standards; e.g., Chapter 316, F.S., and the *Manual of Uniform Traffic Control Devices* standards. These roads are identified as: Sunlake Boulevard, Mentmore Boulevard, Tower Road, and Bexley Village Drive. Such roadways shall be deeded in fee simple to the County or FDOT, as applicable, prior to or concurrent with the first record plat containing such roadways or where no record plat is required, prior to or concurrent with the issuance of the first Certificate of Occupancy (CO) for a building utilizing such roadways.

18. Access to any commercial out-parcels shall be provided from internal drives or parking areas.

19. All internal access improvements shall be subject to compliance with the provisions of the County's access-management regulations and/or MUTRM standards as applicable at the time of preliminary development plan/preliminary site plan. At each preliminary development plan/preliminary site plan approval, the PDD may also require further internal site-access/site related intersection improvements and internal site-access/site-related roadway improvements except where otherwise approved in conjunction with the Master Roadway Plan.

20. Mobility fee credits may be awarded for creditable Transportation Capital Improvements, in accordance with Pasco County's mobility fee ordinance and regulations.

Off-Site Improvements

21. Unless constructed earlier by others, the developer shall extend the eastbound and westbound left turn lanes on SR 54 at the Suncoast Parkway, as shown in Exhibit E-5. The improvement shall occur by December 31, 2022, or prior to or concurrent with the submission of the first record plat, or construction plan approval where no plat is required, for development with the trip generation equivalent to 1876 gross p.m. peak hour trips. Nothing in this provision shall preclude the granting of mobility fee credits for such improvements where consistent with applicable County requirements and where construction of the improvements, if to be completed by developer, are governed by an approved Development Agreement.

BCC
Apr 21 2015
APPROVED

Dedication of Right-of-Way

22. In the case of private streets, dedication and maintenance shall be the responsibility of a Homeowner's Association, CDD, or other appropriate entity. Pasco County will not be responsible for the maintenance of any private streets. The request for the use of private streets shall be reviewed with the corresponding PDP/PSP. Where a street is required to provide traffic flow through the land (e.g. interconnection to abutting properties), an alternative standards request shall be necessary for the use of the private streets in accordance with Section 407.5 of the LDC. Streets internal to the development that do not provide interconnections to abutting properties may be private upon review and approval of the corresponding PDP/PSP.

23. Subject to the provisions of the LDC, Section 901.2.J. (Transportation-Corridor Management; Dedication-Rough Proportionality), the developer shall convey, at no cost to the County, the following amount of right-of-way for arterial/collector and major intersection right-of-way requirements):

    a. Mentmore Boulevard – the northern 60 feet from the centerline of construction. The right-of-way shall be provided from Bexley Village Drive to the eastern boundary of Bexley South.

    b. Bexley Village Drive - to total 142 feet. The right-of-way shall be provided from SR 54 to the eastern boundary of Bexley South.

    c. Tower Road - to total 120 feet. The right-of-way shall be provided from the western boundary to the eastern boundary of Bexley South.

24. Additional right-of-way may be needed for construction of the Tower Road's bridge over Suncoast Parkway. The developer shall reserve a maximum of 50 feet, unless otherwise approved by the County, on the north side of the Tampa Bay Water Easement along Tower Road from the Suncoast Parkway east approximately 2,000 feet.

25. In addition, the developer shall, at no cost to Pasco County, design, construct, provide, and obtain any and all permits required by any local, State, or Federal agency for appropriate and sufficient drainage/retention, wetland, and floodplain mitigation facilities on the developer's property or at another site acceptable to the County to mitigate all impacts associated with the initial and future planned (i.e., in the current County Comprehensive Plan Transportation Element or Metropolitan Planning Organization Long-Range Plan) improvements of Tower Road, Bexley Village Drive and Mentmore Boulevard within or adjacent to the boundaries of the developer's property including, but not limited to, mitigation for initial and future lanes of travel, shoulders, frontage roads, sidewalks, multimodal paths, medians, permanent slope easements (once grade of roadway is set) and other roadway appurtenances. The required drainage/retention, wetland, and floodplain mitigation facilities shall be determined at the time of the Stormwater Management Master Plan review for the portion(s) of the project adjacent to Tower Road, Bexley Village Boulevard and Mentmore Boulevard, and this paragraph of this condition shall expire after such stormwater management plans have been approved, unless such facilities are required pursuant to a

BCC
Apr 21 2015
APPROVED

development agreement approved pursuant to the LDC, Section 403. All stormwater management plans, reports, or calculations for the developer's project shall include a detailed scope of design and permitting parameters and a signed and sealed certification that such plans, reports, or calculations comply with this condition.

26. To the extent that any of the conditions of this approval constitute monetary or property exactions that are subject to *Nollan v. California Coastal Comm'n*, 483 U.S. 825 (1987), and *Dolan v. City of Tigard*, 512 U.S 374 (1994), the applicant/owner, and successors and assigns (a) agrees that there is a nexus and rough proportionality between such conditions and the impacts of this project/development, and that such conditions are necessary to ensure compliance with the criteria of the LDC and Comprehensive Plan that are applicable to this approval, and (b) waives any claims based on such conditions. This agreement/waiver was entered into voluntarily, in good faith, for valuable consideration, and with an opportunity to consult legal counsel, but does not affect the applicant/owner's ability to seek variances, administrative remedies, or modifications of the conditions of this approval through applicable processes in the LDC.

Design/Construction Specifications

27. Except for the parcel to the east known as Fuentes and as further identified as parcel ID number 30-26-18-0000-00200-0000, the developer shall provide interconnections to the surrounding adjacent properties as determined by the corresponding PDP/PSP. If any of the surrounding adjacent properties has approved PDP/PSP/construction plans prior to the Bexley development obtaining approvals, then prior to PDP/PSP approval, the developer of Bexley South shall supply evidence that it has coordinated with the developer(s) and engineer(s)/surveyor(s) of the adjoining parcels to identify and provide the location of any required interconnecting roadway. The following information shall be shown on all preliminary development plans/preliminary site plans and construction plans/construction site plans that include or abut the interconnecting roadway: location (by State plane coordinates), centerline, right-of-way width, cross section, elevation of centerline, grade, and centerline geometry (tangent bearing/curve geometry) to provide a seamless continuation of this road at property lines.

28. The applicant/developer shall provide cross-access to the adjacent/abutting property east of MPUD Parcel 2 in the manner set forth herein. Either by plat, or within ten (10) days of completion of construction of Bexley Village Drive, whichever occurs first, the applicant/developer shall provide a perpetual non-exclusive public ingress/egress easement a minimum of 142 feet in width from Bexley Village Drive to the eastern boundary of Bexley South in the approximate location identified on the MPUD plan. The easement shall be reviewed and approved by the Pasco County Attorney's Office prior to being recorded in the Official Records of the Clerk & Comptroller Office or provided by plat.

A full median cut shall be provided to accommodate the above-referenced ingress/egress easement and cross-access in the approximate location identified on the MPUD plan.

BCC
Apr 21 2015
APPROVED

The applicant/developer shall construct, in accordance with County standards, the cross-access road/interconnect contemplated herein from Bexley Village Drive east to the western edge of the jurisdictional wetland line when the corresponding parcel in which the cross-access road/interconnect is located is developed, or when the parcel on the adjacent property to which the applicant/developer's cross access road will connect is developed or when Bexley Village Drive is constructed, whichever occurs first.

The applicant/developer shall provide the adjacent/abutting owner(s) to the east a perpetual non-exclusive easement for the design, construction and installation of the cross-access road/interconnect as contemplated herein from the western edge of the jurisdictional wetland line to the eastern boundary of Bexley-South.

To the extent either segment of the cross-access/interconnects construction and installation contemplated herein requires a modification of any of the applicant/-developer's permits, the applicant/developer will, within ten (10) days' notice from the adjacent/abutting owner(s), cooperate with and allow the adjacent/abutting owners to initiate the necessary modification(s) to its permit(s) in order to effectuate the adjacent/abutting owner(s) construction and installation of the cross-access road/-interconnect contemplated herein. However, nothing stated herein shall obligate applicant/developer to modify or allow modification of any permit granted by the Army Corp of Engineers, unless there is no other reasonable alternative that would allow for construction of the cross-access road/interconnect contemplated herein. To the extent the modification(s) require additional wetland mitigation, the applicant/developer will provide the necessary wetland mitigation to effectuate the adjacent/abutting owner(s) construction and installation of the cross-access road/interconnect contemplated herein.

The applicant/developer shall bear the cost of maintaining the cross-access road/interconnect on its property and the adjacent/abutting owners to the east shall be responsible for maintaining the cross-access road/interconnect on its property, unless said roadway is dedicated to the County, who shall then be responsible for maintenance.

29. The developer shall provide internal public access from its adjacent residential development to the school site, and in accordance with *School Related Traffic Impact Study – Traffic Related Guidelines to Assist with School Site Selection for Public Schools in Pasco County*, dated October 1, 2008.

30. Prior to the first record plat (or construction plan approval where no plat is required), occurring after December 31, 2025 for any development that is not exempt pursuant Section 901.12 of the LDC, the developer shall submit an updated timing and phasing analysis utilizing a methodology approved by Pasco County. The County may impose additional conditions based upon the updated timing and phasing analysis as approved by Pasco County.

31. The timing and phasing application submitted by the applicant on March 24, 2014 assumes the following land uses: 1200 single family Single-Family dwelling units, 220 townhomes, 300 multi-family Single-Family dwelling units, 562,950 sq. ft. office, 94,500 sq. ft. retail and one (1) elementary school serving 750 students. Except for increases in development that is exempt pursuant to Section 901.12 of the LDC, any development generating greater traffic impacts shall require an updated Timing and Phasing Analysis. Updated analysis may require additional conditions.

BCC
Apr 21 2015
APPROVED

32. Prior to the first PDP/PSP approval, the developer shall submit a Master Roadway Plan to the PDD for review. The plan shall include, at a minimum, right-of-way widths, roadway cross sections, number of lanes, intersection geometry, phasing, design speed, internal access points, and alignment for all major County collector and arterial roadways within the MPUD Master Planned Unit Development. The plan shall also demonstrate compliance with the County's collector and arterial design and spacing standards of the LDC, Section 901.1, Transportation Corridor Spacing. Approval of this plan must be obtained from the PDD prior to the first PDP/PSP submittal. The County shall reserve the right to require specific dates or deadlines for completion of construction for any portion of these roads and intersections.

33. The developer shall comply with the applicable County and Pasco County Public Transportation (PCPT) requirements to accommodate mass transit service for the project by providing the right-of-way and/or facilities as determined with the associated PDP/PSP for that parcel/phase of development. The applicant/developer and/or its successors agree to maintain the transit-accommodation facilities in good, working condition as determined by the PCPT and further agree to assume all liability, including obtaining additional insurance, if necessary, for the transit-accommodation facilities. The applicant/developer and its successors shall not refuse the PCPT, or any other transit authority, or any of its users/patrons access to such facilities.

34. The developer shall submit an overall pedestrian/bike path plan for Bexley South to the PDD for approval prior to approval of the first preliminary development plan/preliminary site plan, in accordance with the Land Development Code as amended or an alternative method acceptable to the PDD and in compliance with the handicapped provisions of Chapter 336.045, F.S., or other applicable law. In the absence of an approved pedestrian/bike path plan, compliance with the LDC is required.

35. Construction access (site and building) shall be limited to Bexley Village Drive, Tower Road (within the project boundary of Bexley South or Bexley North) and/or Sunlake Boulevard unless determined otherwise during the review of any preliminary development plan/preliminary site plan, except that Mentmore Boulevard shall not be used for construction.

36. As provided in Chapter 190, Florida Statutes, and subject to the BCC's separate approval, the CDD is hereby authorized to undertake the funding and construction of any of the projects, whether within or outside the boundaries of the CDD that are identified within this rezoning approval. Further, any obligations of the developer contained in this approval may be assigned to a CDD, homeowners'/property owners' association, or other entity approved by the County. However, such CDD shall not be authorized to levy assessments on any property either owned or to be owned by the County or School Board (Public Properties) that are located within the boundary of the CDD. All applicable documents pertaining to the undertaking of funding and construction by the CDD shall reflect the following:

    a. Public Properties shall not be considered benefited properties and shall not be assessed by the CDD.

BCC
Apr 21 2015
APPROVED

b. No debt or obligation of such CDD shall constitute a burden on any Public Property.

37. Each Construction Plan submittal for development within the MPUD shall include a cumulative reporting of the number of gross p.m. peak hour trips associated with the proposed project and the total associated with all prior Construction Plan approvals. The reporting shall also provide the number of equivalent single family dwelling units based on the gross p.m. peak hour trips, as determined per Exhibit F (LUEM), for the proposed project and the cumulative total for all prior Construction Plan approvals for the project. In the event a proposed land use is not contained in the LUEM, the gross p.m. peak hour trips for the use shall be determined based on the Trip Generation Rates contained in the ITE, Trip Generation, 9th Edition.

Utilities: Drainage, Water Service, Wastewater Disposal

38. The developer shall convey to Pasco County a non-exclusive flow-way easement for the purpose of preserving the natural drainage of the property and for the free-flow of stormwater and surface waters across the property, over and through the Sandy Branch wetland area, located in the southwest area of the site as generally shown on Attachment C. The easement, encumbering the **SWFWMD** jurisdictional wetlands, associated regulatory buffers and access only, shall be dedicated with the final record plat approval for any dwelling unit within or immediately adjacent to such drainage easement, but in no event shall the easement be dedicated later than December 31, 2018. It is expressly understood and agreed that this dedication shall not prohibit the use of the easement for any other environmental benefit sought by the owner, and the owner may reserve unto itself rights of ownership, including the right to grant additional rights which do not conflict with the rights granted to the County.

39. A Utilities Services Plan for the entire development shall be submitted to the Utilities Services Branch for review and approval prior to submittal of the first construction plan/construction site plan. This utility plan shall show, at a minimum, the following:

a. Trunk sewer lines and lift stations.

b. Main potable water lines and non-potable water lines, if applicable.

c. Sewage treatment facility locations, including discussion of the proposed method of treatment and the feasibility of a non-potable 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.

e. Utilities Services Plan shall include *AutoCAD* and PDF electronic files and hydraulic analysis for the water, wastewater, and reclaimed water systems and be in conformance with the Utilities Services Plan guidelines implemented by the Utilities Services Branch.

f. Prior to the first construction plan/construction site plan approval, the developer and the County shall enter into a Utilities Service Agreement.

BCC
Apr 21 2015
APPROVED

40. 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.

41. In consideration of Pasco County's agreement to provide potable water and/or reclaimed water to the subject property, the developer/owner and its successors and assigns, agree to the following:

    a. In the event of production failure or shortfall by Tampa Bay Water (TBW), as set forth in Section 3.19 of the Interlocal Agreement creating TBW, the developer/owner shall grant Pasco County access to, and shall cooperate with the County in the allocation of water generated within the project pursuant to any and all Water Use Permits or water-use rights the developer/owner may have to use or consume surface or ground water within Pasco County.

    b. Prior to the developer/owner selling water, Water Use Permits, or water-use rights, the developer/owner shall notify Pasco County, and Pasco County shall have a right of first refusal to purchase such water, Water Use Permits, or water-use rights.

Land Use

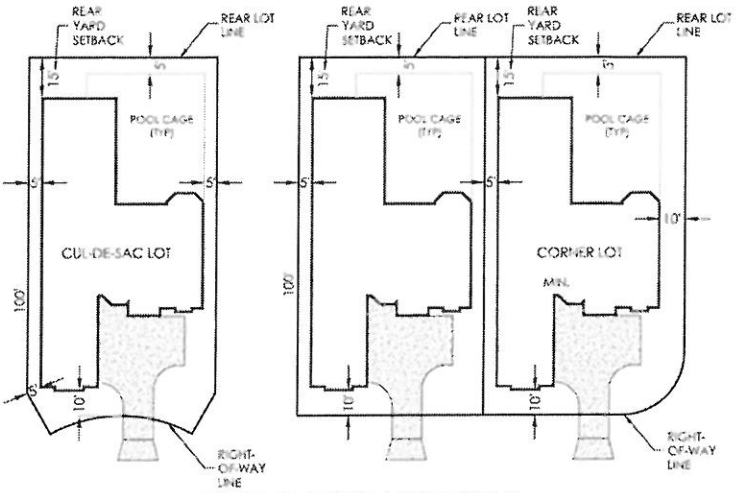
42. The approved residential, office, and commercial land use entitlements may be exchanged for other land uses in accordance with the Land Use Trade-Off Equivalency Matrix (LUEM) attached hereto as Exhibit G.

43. The development must comply with and meet the requirements of Section 901.13, MUTRM of the LDC, and the approved MUTRM master plan.

44. In addition to Bexley Village Drive, the applicant/developer shall provide at least one vehicular connection between Bexley North and Bexley South at a location to be approved by Pasco County, and as permitted by the appropriate regulatory agencies.

45. The residential dimensional standards for the Compact Development Area (CDA) are as follows:

BCC
Apr 21 2015
APPROVED



SIDE LOADED LOT DETAIL

TYPICAL LOT WIDTH TO BE BETWEEN 28' TO 120'

a. Single-Family Detached (Side Loaded Lot)

(1) Minimum Lot Width of 28 Feet

(2) Minimum Lot Depth of 100 Feet

(3) Minimum Front-Yard Setback of 10 Feet to Primary Structure and 20 Feet between garage and back of sidewalk or back of curb when no sidewalk is constructed

(4) Minimum Side-Yard Setback of 5 Feet*

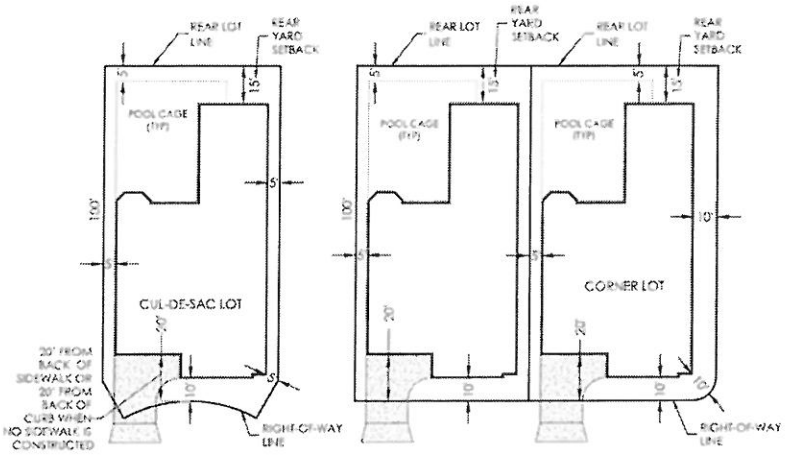
(5) Minimum Rear-Yard Setback of 15 Feet

(6) Maximum Building Height of 35 Feet

(7) Maximum Lot Coverage of 75 Percent - Principal and Accessory Structure

BCC
Apr 21 2015
APPROVED

DRC 3/26/15
BCC 4/21/15
Rev 4/10/15



FRONT LOADED LOT DETAIL

TYPICAL LOT WIDTH TO BE BETWEEN 28' TO 120'

b. Single-Family Detached (Front Loaded Lot)

(1) Minimum Lot Width of 28 Feet

(2) Minimum Lot Depth of 100 Feet

(3) Minimum Front-Yard Setback of 10 Feet to Primary Structure; 20 feet between garage and back of sidewalk or back of curb when no sidewalk is constructed

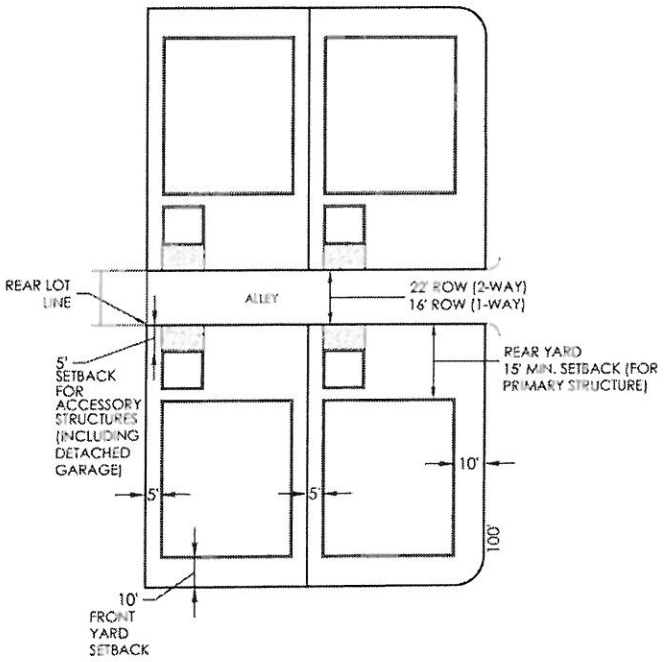
(4) Minimum Side-Yard Setback of 5 Feet*

(5) Minimum Rear-Yard Setback of 15 Feet

(6) Maximum Building Height of 35 Feet

(7) Maximum Lot Coverage of 75 Percent - Principal and Accessory Structure

BCC
Apr 21 2015
APPROVED



SINGLE-FAMILY DETACHED WITH ALLEY ACCESS

NOTE: TYPICAL LOT WIDTH TO BE BETWEEN 28' TO 120'

c. Single-Family Detached (Alley Access)

(1) Minimum Lot Width of 28 Feet

(2) Minimum Lot Depth of 100 Feet

(3) Minimum Front-Yard Setback of 10 Feet

(4) Minimum Side-Yard Setback of 5 Feet*

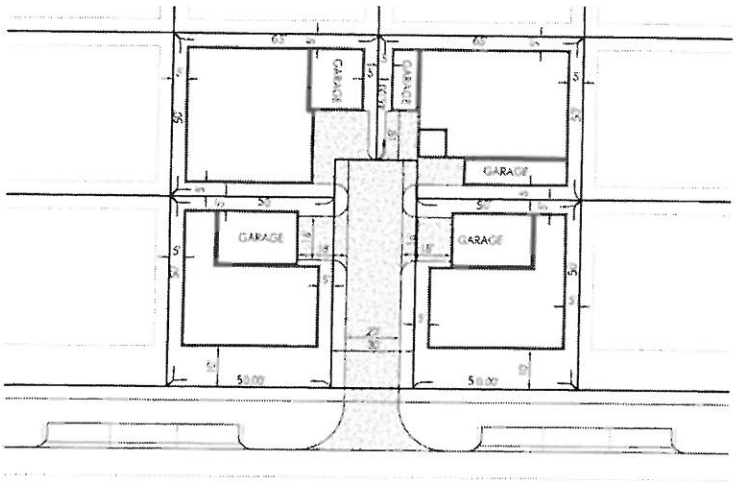
(5) Minimum Rear-Yard (Alley) Setback of 15 Feet for Primary Structure and 5 Feet for accessory structures (including detached garage)

(6) Maximum Building Height of 35 Feet

(7) Maximum Lot Coverage of 75 Percent - Principal and Accessory Structure

BCC
Apr 21 2015
APPROVED

DRC 3/26/15
BCC 4/21/15
Rev 4/16/15



SINGLE-FAMILY DETACHED CLUSTERED LOTS DETAIL

d. Single-Family Detached (Clustered Single Family Lots):

(Developed with 4-8 dwelling units clustered. The unit garages will face a shared courtyard).

(1) Minimum Lot Width of 50 Feet

(2) Minimum Lot Depth of 50 Feet

(3) Minimum Front-Yard Setback of 10 Feet External; 5 Feet Internal Facing the Common Courtyard For Primary Structure; 18 Feet For Garages

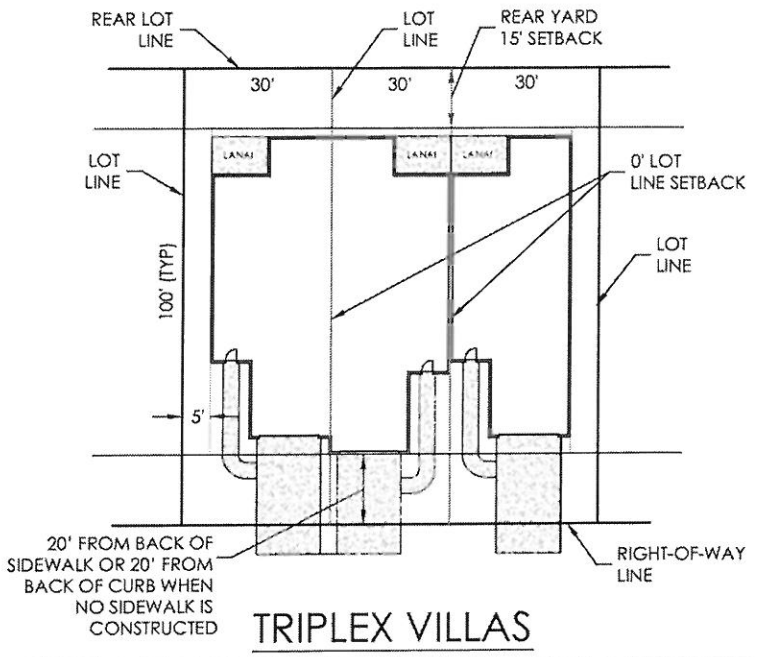
(4) Minimum Side-Yard Setback of 5 Feet*

(5) Minimum Rear-Yard Setback of 5 Feet

(6) Maximum Building Height of 35 Feet

(7) Maximum Lot Coverage of 75 Percent - Principal and Accessory Structure

BCC
Apr 21 2015
APPROVED



e. Single-Family Attached (Triplex Villas)

(1) Minimum Lot Width of 30 Feet

(2) Minimum Lot Depth of 100 Feet

(3) Minimum Front-Yard Setback of 20 feet from back of sidewalk or back of curb when no sidewalk is constructed

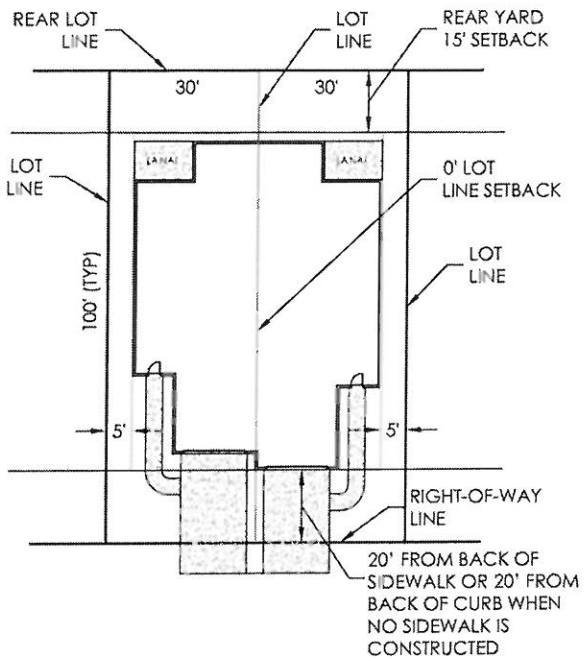
(4) Minimum Side-Yard Setback of 0 Feet (Shared Common Wall)/5 Feet (10 Feet Between Structures)*

(5) Minimum Rear-Yard Setback of 15 Feet

(6) Maximum Building Height of 35 Feet

(7) Maximum Lot Coverage of 75 Percent - Principal and Accessory Structure

BCC
Apr 21 2015
APPROVED



DUPLEX VILLAS

NOTE: A 10' MINIMUM UTILITY EASEMENT SHALL BE LOCATED ALONG ALL FRONT LOT LINES

f. Single-Family Attached (Duplex Villas)

(1) Minimum Lot Width of 30 Feet

(2) Minimum Lot Depth of 100 Feet

(3) Minimum Front-Yard Setback of 20 feet from back of sidewalk or back of curb when no sidewalk is constructed

(4) Minimum Side-Yard Setback of 0 Feet (Shared Common Wall)/5 Feet (10 Feet Between Structures)*

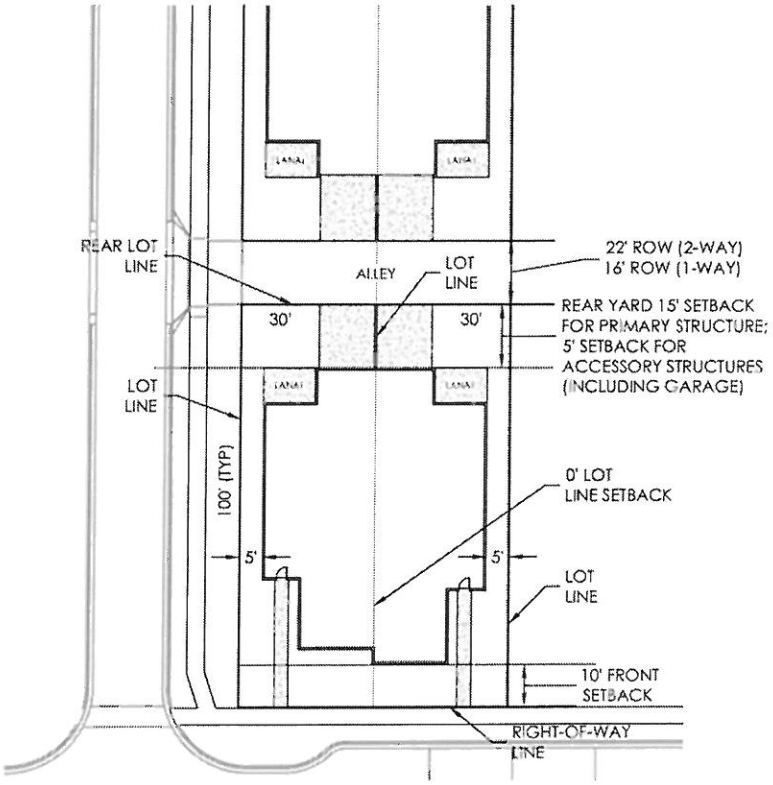
(5) Minimum Rear-Yard Setback of 15 Feet

(6) Maximum Building Height of 35 Feet

(7) Maximum Lot Coverage of 75 Percent - Principal and Accessory Structure

BCC
Apr 21 2015
APPROVED

DRC 3/26/15
BCC 4/21/15
Rev 4/10/15



DUPLEX VILLAS WITH ALLEY ACCESS

g. Single-Family Attached (Duplex Villas with Alley Access)

(1) Minimum Lot Width of 30 Feet

(2) Minimum Lot Depth of 100 Feet

(3) Minimum Front-Yard Setback of 10 Feet From Back of Sidewalk or back of curb when no sidewalk is constructed

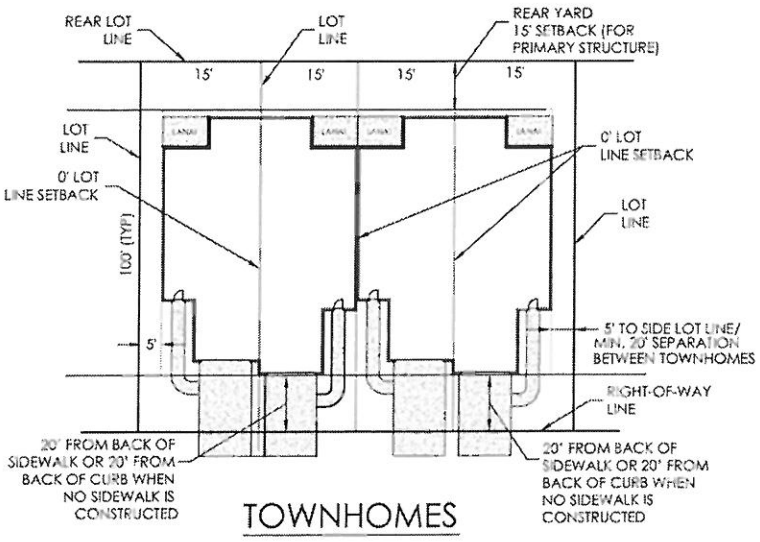
(4) Minimum Side-Yard Setback of 0 Feet (Shared Common Wall)/5 Feet (10 Feet Between Structures)*

(5) Minimum Rear-Yard (Alley) Setback of 15 Feet for primary structures and 5 Feet for accessory structures (including detached garage)

(6) Maximum Building Height of 35 Feet

(7) Maximum Lot Coverage of 75 Percent - Principal and Accessory Structure

BCC
Apr 21 2015
APPROVED



h. Single-Family Attached (Townhomes)

(1) Minimum Lot Width of 15 Feet

(2) Minimum Lot Depth of 100 Feet

(3) Minimum Front-Yard Setback of 20 Feet from back of sidewalk or back of curb when no sidewalk is constructed

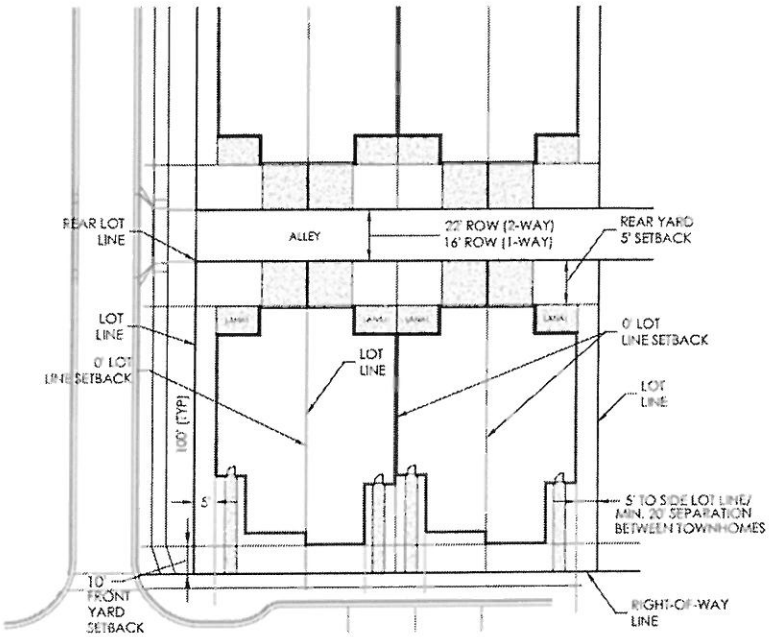
(4) Minimum Side-Yard Setback of 0 Feet (Shared Common Wall)/5 Feet (20 Feet Between Structures)*

(5) Minimum Rear-Yard Setback of 15 Feet for primary structures

(6) Maximum Building Height of 35 Feet

(7) Maximum Lot Coverage of 100 Percent - Principal and Accessory Structure

BCC
Apr 21 2015
APPROVED



TOWNHOMES WITH ALLEY ACCESS

i. Single-Family Attached (Townhomes with Alley Access)

(1) Minimum Lot Width of 15 Feet

(2) Minimum Lot Depth of 100 Feet

(3) Minimum Front-Yard Setback of 10 Feet from back of sidewalk or back of curb when no sidewalk is constructed

(4) Minimum Side-Yard Setback of 0 Feet (Shared Common Wall)/5 Feet (20 Feet Between Structures)*

(5) Minimum Rear-Yard (Alley) Setback of 5 Feet

(6) Maximum Building Height of 35 Feet

(7) Maximum Lot Coverage of 100 Percent - Principal and Accessory Structure

*The use of 5 foot side-yard setbacks are subject to compliance with LDC Section 902.2.K.2.b. If the applicant cannot meet this criteria, then a minimum of 7.5 feet side-yard setback shall be used.

**On corner lots where there is more than one front, one front-yard shall not be less than 10 feet.

BCC
Apr 21 2015
APPROVED

46. The residential dimensional standards within the Non-CDA areas shall be as follows:

Single-Family Detached

(1) Minimum Lot Width of 50 Feet

(2) Minimum Lot Depth of 110 Feet

(3) Minimum Front-Yard Setback of 20 Feet from back of sidewalk or back of curb when no sidewalk is constructed

(4) Minimum Side-Yard Setback of 5 Feet*

(5) Minimum Rear-Yard Setback of 15 Feet for primary structures

(6) Maximum Building Height of 35 Feet

(7) Maximum Lot Coverage of 65 Percent - Principal and Accessory Structure

*The use of 5 foot side-yard setbacks are subject to compliance with LDC Section 902.2.K.2.b. If the applicant cannot meet this criteria, then a minimum of 7.5 feet side-yard setback shall be used.

**On corner lots where there is more than one front, one front-yard shall not be less than 10 feet.

47. Where the landscape buffers are located within easements for residential or multiple-family developments, the applicable minimum side or rear yard shall be increased by the width of the required/provided buffer easement, or the applicable side- or rear-yard setback, as set forth above shall be measured from the landscape buffer easement or tract line.

48. Single-Family Attached (Townhouses/Zero Lot Line) and Apartments/Condos: Land considered for the neighborhood park requirements or used for stormwater retention/detention shall be a minimum of 20 feet from the rear of the structure units and a minimum of 15 feet from the side of the structure units.

49. Only open black powdered coated or black wrought iron fences may be allowed in the side yards.

50. Recreation and amenity-centers within the CDA must be 20 foot maximum setback from edge of curb if located in Neighborhood Center per the LDC, Section 901.13.E.8.b.

51. No conventional front loaded single-family detached units shall be allowed in Parcel 3. The total number of dwelling units for Parcel 3 shall not exceed 520 units unless otherwise approved through the Land Use Trade-Off Equivalency Matrix, and for Parcel 4 shall not exceed 1,200 units unless approved through the LUEM (Exhibit G). Such units may be relocated to the adjacent parcel; however, this shall not authorize an increase in the overall residential dwelling units for the project unless otherwise provided through a Land Use Trade-Off.

BCC
Apr 21 2015
APPROVED

52. The non-residential dimensional standards shall be in accordance with the following:

Table 2 – Non-Residential Development

Product	Lot Width	Max Building Coverage	Front Yard Setback	Rear Yard Setback	Minimum Side yard			Height
	Min (feet)	%	Min (feet)	Adjacent Residential (feet)	Adjacent Residential (feet)	Adjacent Commercial, Office or Industrial (feet)	Abutting Public ROW (feet	Height (feet)
Commercial	N/A	65	10	30	25	0	10	45
Day care, Churches	N/A	65	10	30	25	10	10	45
School	N/A	65	10	30	25	10	10	60
Recreation Facilities	N/A	65	10	15	15	10	10	45
Office	N/A	65	10	30	25	0	10	Up to 12 stories
Hotel	N/A	65	10	30	25	0	10	100

53. The maximum floor area for the commercial/retail portion shall not exceed 94,500 square feet of gross floor area, including out-parcels unless approved through the LUEM (Exhibit G). Such square footage may be relocated to the Parcel 2; however, this shall not authorize an increase in the overall commercial/retail square footage for the project unless otherwise provided through a Land Use Trade-Off.

54. The maximum floor area for the office portion shall not exceed 562,950 square feet of gross floor area, including out-parcels unless approved through the LUEM (Exhibit G). Such square footage may be exchanged for multi-family or retail uses (or some combination thereof) provided that all uses are integrated and the design is in accordance with the subarea policy. However, this shall not authorize an increase in the overall office square footage for the project unless otherwise provided through a Land Use Trade-Off.

55. Day care, churches, and recreation facilities shall be permitted through-out the residential area and shall be developed in accordance with PO-2 Professional Office dimensional standards.

56. Non-Residential Permitted Uses within Parcels 1, 2, and 3:

    a. The commercial/retail uses shall be in accordance with the C-2 General Commercial Zoning District's permitted uses and specific conditional use for sale or consumption of alcoholic beverages pursuant to Section 526.3.A of the LDC. Except that the distance limitation for alcoholic beverages sales or consumption from school, park, place of worship, or church located within the Bexley South development shall be waived. However, any alcoholic beverages sales or consumption located within Bexley South that is located within 1,000 feet of any

BCC
Apr 21 2015
APPROVED

school, park, place of worship, or church located outside the boundary of the Bexley South development shall comply with the distance limitation.

b. C-3 Commercial/Light Manufacturing (Light Manufacturing shall be designed in accordance with the LDC, Section 522.5.C and 522.5.E).

c. Section 522.5.D.1 of the LDC, EC-MPUD, Preferred Uses which shall comply with Section 522.5.C, Compatibility.

d. Office Uses. The office uses shall be in accordance with the PO-2 Professional Office Zoning District's permitted and special exception uses.

57. Non-Residential Permitted Uses within Parcel 4:

a. The commercial/retail uses shall be in accordance with the C-1 Neighborhood Commercial Zoning District's permitted uses and specific conditional use for sale or consumption of alcoholic beverages pursuant to Section 525.3.A of the LDC except that the distance limitation for alcoholic beverages sales or consumption from school, park, place of worship, or church located within the Bexley South development shall be waived. However, any alcoholic beverages sales or consumption located within the Bexley South that is located within 1,000 feet of any school, park, place of worship, or church located outside the boundary of the Bexley South development shall comply with the distance limitation.

b. Section 522.5.D.1 of the LDC, EC-MPUD, Preferred Uses which shall comply with Section 522.5.C, Compatibility.

c. Office Uses. The office uses shall be in accordance with the PO-2 Professional Office Zoning District's permitted and special exception uses.

58. Interim agricultural activities shall be permitted until commencement of development for that portion of the proposed development.

Education Facilities

Payment of Impact Fees

59. The developer shall pay any applicable school impact fees for the impacts of the residential component of the MPUD to the District School Board of Pasco County (School Board) in accordance with the terms of the School Impact Fee Ordinance, No. 01-06, adopted February 27, 2001, as amended.

School Concurrency

60. The developer shall be required to comply with all applicable provisions of the adopted School Concurrency Ordinance, as amended and the requirements to provide for school capacity as may be mandated from time to time.

BCC
Apr 21 2015
APPROVED

Potential Conveyance of Land

61. The developer shall convey, at no cost to the School District other than the credits hereinafter described, land for a school site for development of an educational facility proposed to serve the Bexley South MPUD and surrounding developments (School Site).

    a. The total School Site shall accommodate an elementary school, adjacent to Tower Road and as generally depicted on the approved master plan with the specific location to be approved by the School District and the County without the necessity for a substantial modification application if the site is relocated. The School Site shall be a total minimum of eighteen (18) acres of contiguous, developable uplands if the Developer provides the School Site stormwater off-site, and the Developer shall assume responsibility for the construction and maintenance of stormwater/drainage for the site. Should stormwater be accommodated on the School Site, the School Site shall be a total minimum of twenty-two (22) acres of contiguous, developable uplands and the School District shall assume responsibility for the construction and maintenance of stormwater/drainage within such twenty-two (22) acre area. Wetlands, required buffers around wetland areas, and jurisdictional buffers shall not be eligible to be counted toward the required acreages for the foregoing conveyances. Ditches, rivers, or other water boundaries that would preclude development shall also not be eligible to be counted toward the required acreage(s) for the foregoing conveyances.

    b. The School Site shall be conveyed to the School District prior to issuance of a building permit for the 600th residential dwelling unit within Bexley South MPUD, unless otherwise required by the School District to commence school site construction at an earlier date. The Developer shall provide the School District with a legal description, sketch, and all other conveyance documents, as required by the School District for such School Site, within thirty (30) days after notice of such required conveyance. All conveyances shall be in a form acceptable to the School District, be free and clear of all liens, be exempt from boundaries of all special districts, and be exempt from all covenants and deed restrictions.

    c. The Developer shall provide all off-site infrastructure as applicable, including but not limited to access roads, sidewalks , intersection improvements, stormwater drainage and utilities (including but not limited to potable water, sewer, electric, cable, and telephone) in accordance with the LDC, and where applicable, the Utility Services Plan, to the proposed entrance to the School Site; all such connections shall be brought to the physical boundaries of such site such that no additional jack-and-bore work will be required under any access roads. The School District shall provide the Developer a minimum six (6) month written notice regarding commencement of construction; whereupon the Developer shall cooperate with the School District to provide both temporary construction water and temporary construction access to the boundaries of the school site. Notwithstanding the foregoing, the obligation to provide the infrastructure to the school site shall remain the obligation of the Developer and/or School District and the County shall have no responsibility to provide such infrastructure.

BCC
Apr 21 2015
APPROVED

d. Access to the School site shall be consistent with the study prepared by Volkert and Associates, Inc. "*School Related Traffic Impact Study – Traffic Related Guidelines to Assist with School Site Selection for Public Schools in Pasco County*" dated October 1, 2008.

e. Landscape buffers shall be provided along all County collector roadways in accordance with the Land Development Code as amended.

f. If a roadway conveyance or if the School Site conveyance creates a strip of land between the proposed access roads and the School Site, the developer shall be required to adjust or provide additional conveyances as requested by and at no cost to the School Board.

g. To the extent necessary, the School Board shall provide all necessary consents, easements, approvals, or other permit applications requested by the developer that are necessary for the developer to provide roadway, potable water, sewer, and drainage facilities required by this condition.

h. The Developer shall receive credit against School Impact Fees for the foregoing conveyance in the amount of 115 percent of the Pasco County Property Appraiser's value at the time of conveyance if such conveyance shall occur within 120 days of this MPUD approval date. Should the conveyance occur after 120 days of the MPUD approval date, the Developer shall receive said credits for the foregoing conveyance in the amount of 115 percent of the Pasco County Property Appraiser's value at the time of conveyance and which shall not exceed Twenty-Five Thousand and 00/100 Dollars ($25,000.00) per upland acre actually conveyed to the School District. Said credits shall not begin to accrue until such conveyance is complete. If stormwater is accommodated off-site, the credit shall be based on eighteen (18) acres, which includes the acres to accommodate stormwater off-site. If stormwater is accommodated on-site, the credit shall be based on twenty-two (22) acres or the actual acreage conveyed. Prior to the commencement of work on the designated school site, the Developer shall provide a detailed scope of work, along with itemized cost estimates for the on-site development work which they propose to complete, to the Department of Planning, Pasco County Schools, at least 60 days prior to the initiation of work. Credits for this work shall be limited to site development on or within the designated school site and may include items such as soils remediation, importation and compaction of fill dirt in addition to materials testing. Upon approval of the proposed costs, the Developer shall commence work and upon completion, present a detailed scope of services provided, along with an itemized actual costs and quantities report. The School District, at its option, may request to see the actual contract and payment for such services provided prior to acceptance of the request cost credits.

i. Any request(s) by the Developer to change any of the Developer's deadlines pursuant to this section must be approved by the School District and the DRC or Board of County Commissioners no later than one (1) year in advance of the deadline.

BCC
Apr 21 2015
APPROVED

Procedures

62. Unless required elsewhere within the conditions of approval, all conveyances shall occur at record plat or construction plan approval where a record plat is not required or within 90 days of County's request, whichever occurs first. All conveyances shall include access easements, be in a form acceptable to the Real Estate Division, and be free and clear of all liens and encumbrances, including exemption from all covenants and deed restrictions.

63. If the PDPs and/or PSPs for the entire MPUD are not approved by December 31, 2025, the conditions of approval shall expire for those portions of the MPUD that do not have (unexpired) preliminary development plan or preliminary site plan approval. If the MPUD expires, a new MPUD must be applied for and approved by the BCC, and the conditions of approval shall be in accordance with the Comprehensive Plan and LDC in effect at that time.

64. Any development that would exceed the densities or intensities, or is not consistent with the applicable guiding principles under the subarea policy, shall require an amendment to the subarea policy (Comprehensive Plan Policy FLU 7.1.5).

65. In addition to complying with the above conditions, no activity shall commence on site until such time as the acknowledgment portion of the BCC approved document is completed (including notarization) and received by the PDD after the BCC action.

66. All conditions of this MPUD approval are material to the BCC approval. Accordingly, the conditions are not severable. In the event any section, subsection, sentence, clause, or provision of these conditions or the rezoning resolution is challenged and declared illegal, invalid, or in violation of any statutory or constitutional requirement by a body with jurisdiction to make such determination, the remainder of the conditions and MPUD approval shall be suspended until such time that the BCC modifies the MPUD conditions of approval to address the illegal or invalid provision, provided that such suspension shall not exceed nine months in duration. However, such determination shall not affect the validity of 1) MPUD entitlements for which a complete application has been submitted, or approval has been received, for a preliminary development plan, preliminary site plan, plat, construction plan, building permit, or Certificate of Occupancy; or 2) any MPUD mitigation committed to or performed as of the date the determination is made, unless such approvals or mitigation are specifically declared to be illegal, invalid, or unenforceable. Requests for BCC-approved modifications to the MPUD or the MPUD conditions of approval shall not be considered challenges and decisions by the BCC regarding any modification or the like shall not have the effect of suspending the conditions and the MPUD approval under any circumstances. Notwithstanding the foregoing, the MPUD shall not be suspended as to certain lands within the MPUD if the developer for such lands agrees to abide by all of the provisions of the MPUD until an amendment is adopted to modify the MPUD in order address the illegal or invalid provision. Notwithstanding the foregoing, if a third party challenges any section, subsection, sentence, clause, or provision of this MPUD and the challenged portion is subsequently declared illegal or invalid, the MPUD 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 MPUD is declared illegal or invalid as the result of a third party challenge, the developer shall cooperate with the

BCC
Apr 21 2015
APPROVED

County to amend this MPUD to address the portion which has been declared invalid or illegal.

67. If the corresponding PD (Planned Development) Land Use Classification change (Comprehensive Plan Amendment) is found not to be in compliance by the Florida Department of Economic Opportunity or otherwise challenged by a third party, this MPUD Master Planned Unit Development shall not become effective unless and until the Land Use classification change is ultimately found to be in compliance after an administrative hearing or through a compliance agreement per Chapter 163, Florida Statutes.

68. This MPUD Master Planned Unit Development shall not be effective until the corresponding PD (Planned Development) Land Use Classification change is effective.

OWNER'S/DEVELOPER'S ACKNOWLEDGMENT:

The owner/developer acknowledges that it has read, understood, and accepted the above-listed conditions of approval. **Do not sign until you receive a copy of this petition with the Board of County Commissioners results.**

_____ _____
Date Signature

_____
Print Name

_____
Title

STATE OF FLORIDA _____

COUNTY OF _____

I hereby certify on this _____ day of _____, _____, A.D., before me personally appeared the owner/developer, _____or personal representative, 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:

_____ _____
(Date) Notary Public, State of _____ at Large

BCC
Apr 21 2015
APPROVED

OWNER'S/DEVELOPER'S ACKNOWLEDGMENT:

The owner/developer acknowledges that it has read, understood, and accepted the above-listed conditions of approval. **Do not sign until you receive a copy of this petition with the Board of County Commissioners results.**

_____ Date

_____ Signature

_____ Print Name

_____ Title

STATE OF FLORIDA _____

COUNTY OF _____

I hereby certify on this _____ day of _____, _____, A.D., before me personally appeared the owner/developer, _____ or personal representative, 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:

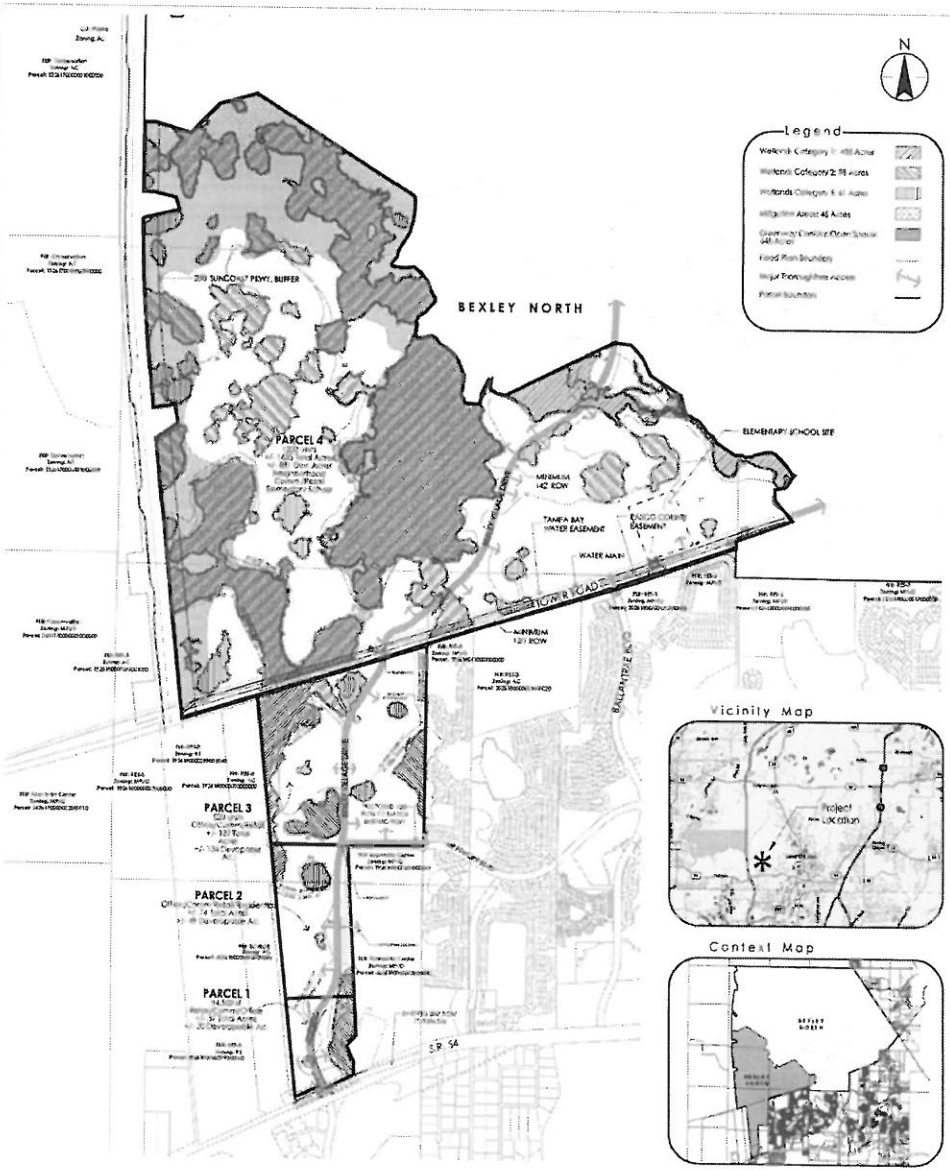
_____ (Date)

_____ Notary Public, State of _____ at Large

BCC
Apr 21 2015
APPROVED

EXHIBIT C

MASTER PLAN



PARCEL	LAND USE DESCRIPTION	TOTAL PROPOSED NO. OF DWELLING UNITS OR S.F. (SF)
1	Retail/Commercial	[illegible]
1A (+- acres)	Hotel	
2	Office/Commercial	[illegible]
2B (+- acres)	Hotel	
3	Residential, Community Amenities, Commercial	[illegible]
7A (+- acres)	Multi-family	
	Office	
	Commercial/Retail	
4	Residential, Community Amenities, Commercial	[illegible]
4A (+- acres)	2 Story Non-Age Restricted Apartments	
	Single-Family Attached/Detached	
	Mixed Use Residential/Commercial	
	Hotel/Resort	
	Clubhouse/Gateway	
	Hotel/Resort/Golf	
TOTALS	TOTAL ACREAGE	1,731
	TOTAL DEVELOPED ACREAGE	1142
	TOTAL OF SINGLE-FAMILY UNITS	1,200 (1.4 du/acre)
	TOTAL OF DWELLING UNITS	3,215 (1.9 du/acre)
	TOTAL OFFICE SQ. FT.	347,750
	TOTAL RETAIL/COMMERCIAL SQ. FT.	70,500

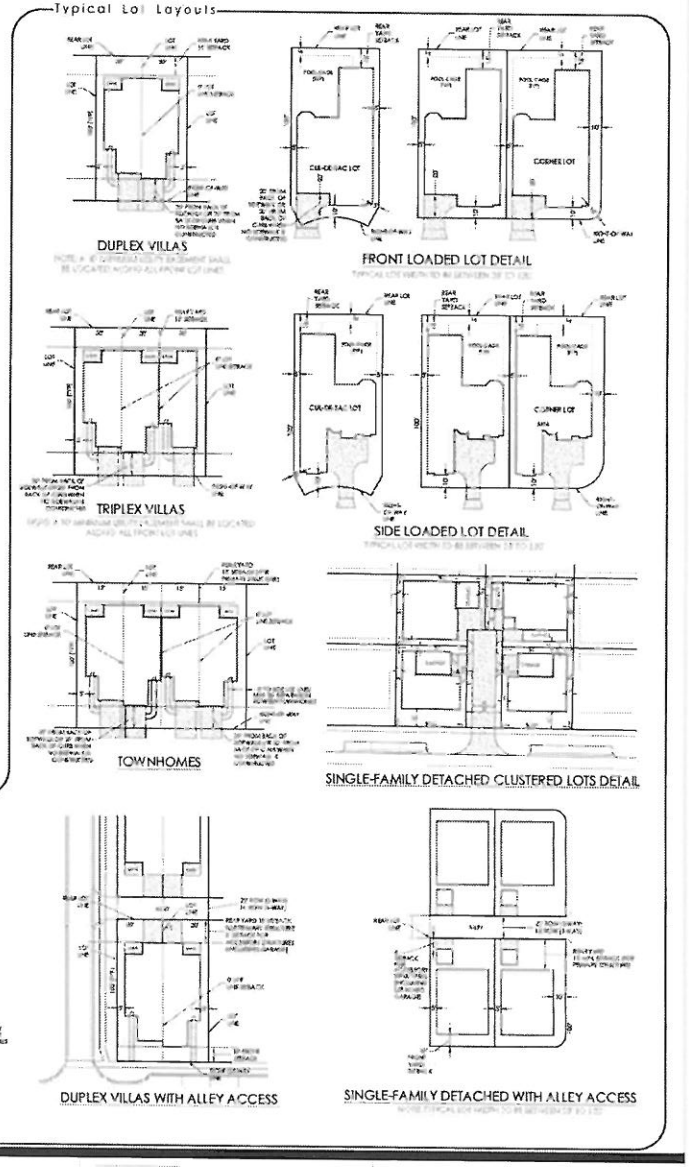
(1) Multi-family units may be the equivalent of up to 20% of the total dwelling units in the form of Live/Work units, or Secondary units.

(2) Office, commercial and retail uses land are permitted in Parcels 1 & 1A. Total permitted Parcel 1 office and retail square footage of all office uses not to exceed 50% of all retail/commercial uses.

General Notes

1. Landscape, hardscape, maintenance berm, cross access easements, and connection points are conceptual and subject to review and approval by Pasco County Development Standards and Site Plan review at the master site plan level.
2. Development of this Site, but not limited to wetlands, lakes, hardwood uses, mitigation, drainage and other information shall be submitted for approval at the master site plan level. Defining open space and uses shall be approved at time of preliminary site plan review and shall be consistent with the PUD ordinance.
3. The site has within Flood Zones "AE", "X" and "X" or according to FEMA flood maps.
4. Water and wastewater services shall be provided by Pasco County.
5. Electric service shall be provided by Progress Energy.
6. The management of common areas and facilities shall be Bexley Community Development District or Homeowners Association.
7. Parcel 2 is within Wellfield Protection Area, a Special Protection Area within Pasco County.
8. Form of building types are form-based and may include a single-family, detached, single-family attached, and townhouse and multi-family unit. Multi-family unit shall be permitted only as an accessory use to a townhouse. Lofts are not permitted.
9. Method of storage to protect the community from Pasco County Off-Road Vehicle, motorcycle, and other vehicles are prohibited, and subject to change based on detailed permitting through the appropriate agencies.
10. Residential units may be within Hillsborough Road Zone 14. During the land use the Hillsborough County. However, the developer will notify as soon as it is known of such development.

Typical Lot Layouts



Revision

Issued

Consultants

Cardno ENTRIX

FOWLER WHITE BURNETT

MEI

FEDNA

Stantec

Stantec Consulting Services Inc.

5709 North 20th Street

Tampa, Florida 33610

Tel. (813) 251-9100

www.stantec.com

Fax (813) 251-0959

Certificate of Authorization #2101

FCAL #LC-0000119

Client/Project

BEXLEY

Newland Communities

BEXLEY SOUTH

Pasco County, FL

Title

BEXLEY SOUTH

MPUD PLAN

Project No. 215611761

Scale 1 : 1000'-0"

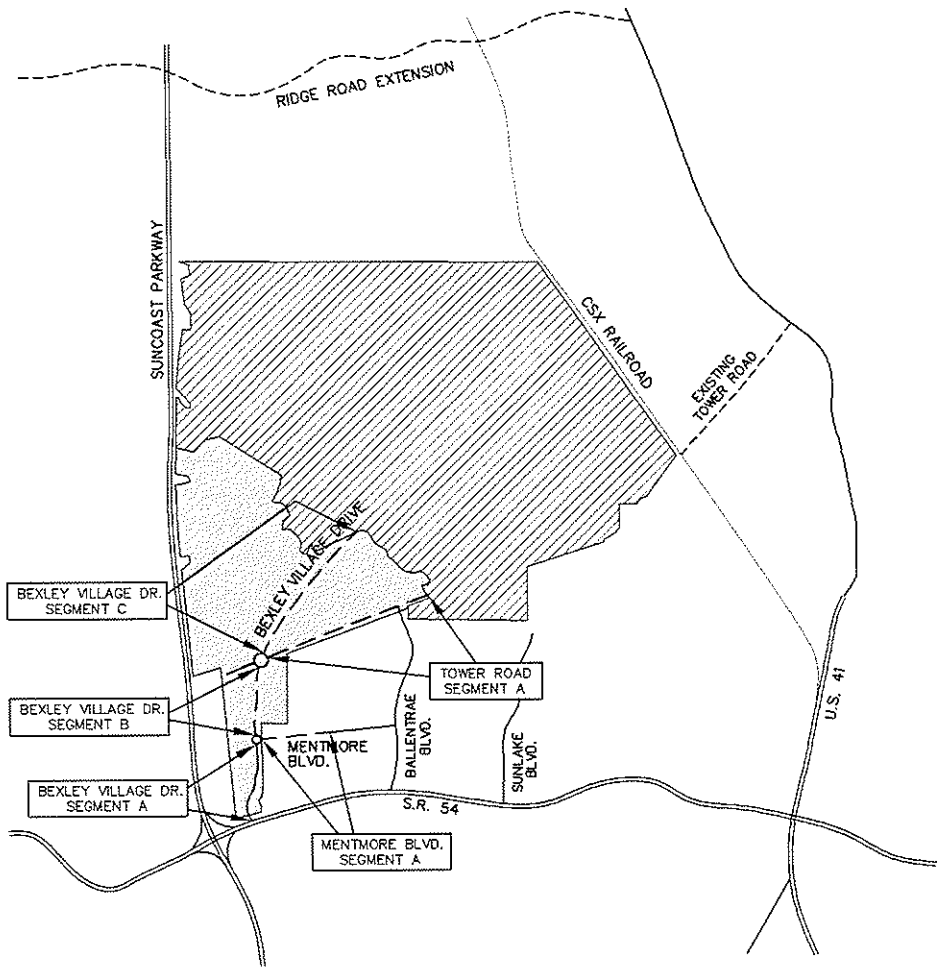
Drawing No.

Sheet 1 of 1

Revision 0

BCC
Apr 21 2015
APPROVED

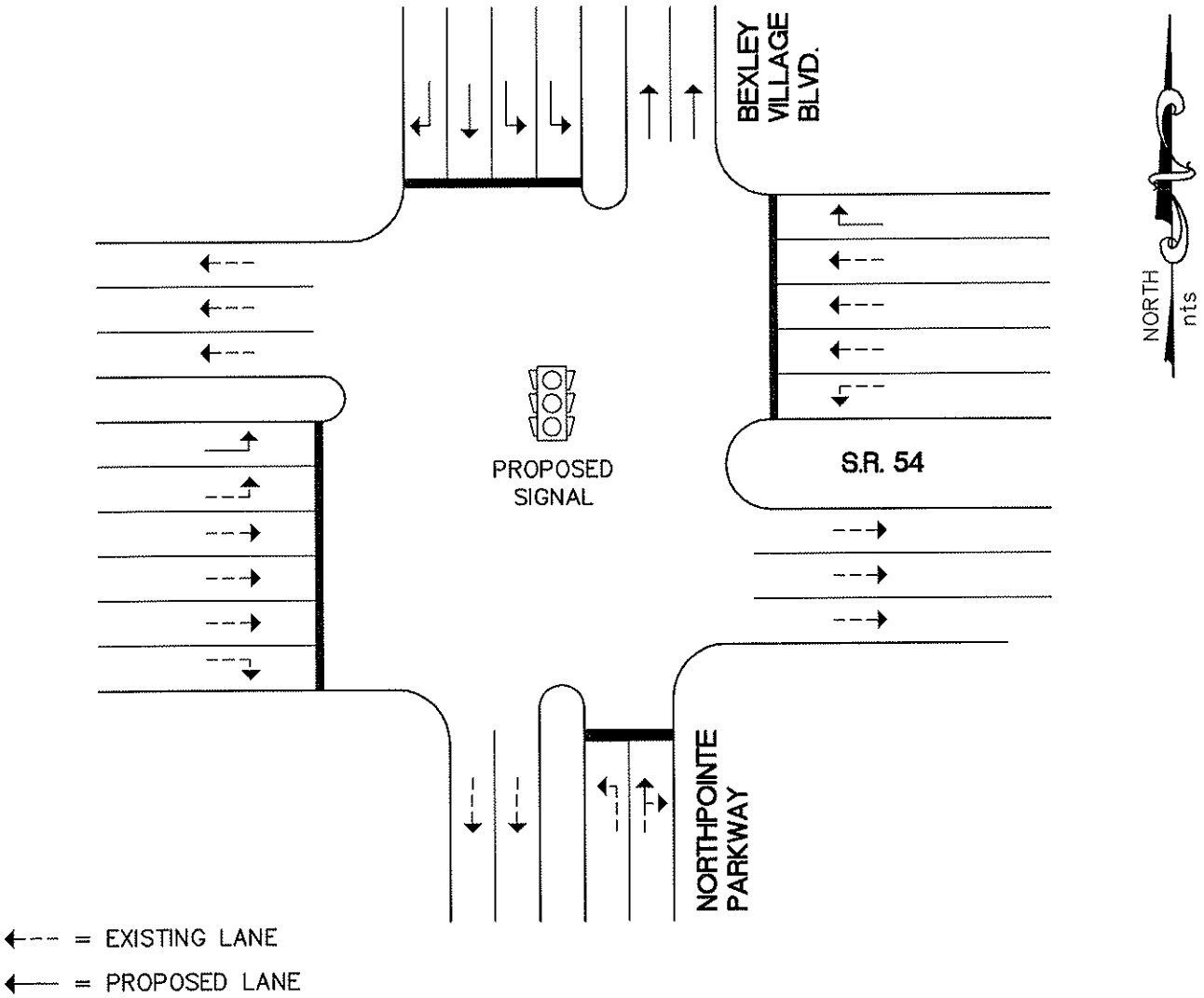
EXHIBIT D



LEGEND	
— —	2 LANE ROAD
- - - - -	2 LANE ROAD RESURFACING
———	4 LANE ROAD
═══	6 LANE ROAD
	BEXLEY – NORTH
	BEXLEY – SOUTH

NOT TO SCALE

BEXLEY SOUTH - ROADWAY LINK IMPROVEMENTS

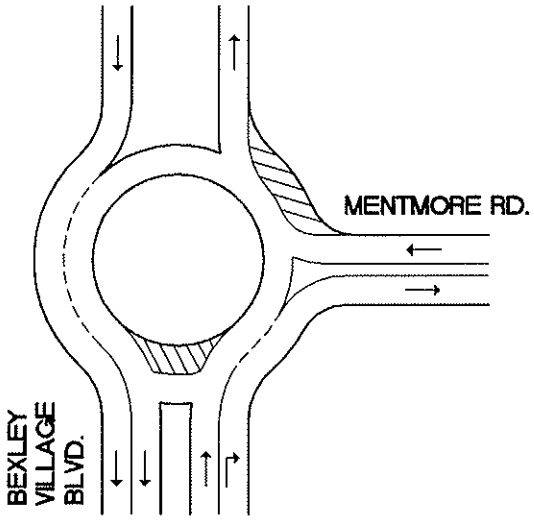


INITIAL INTERSECTION GEOMETRY

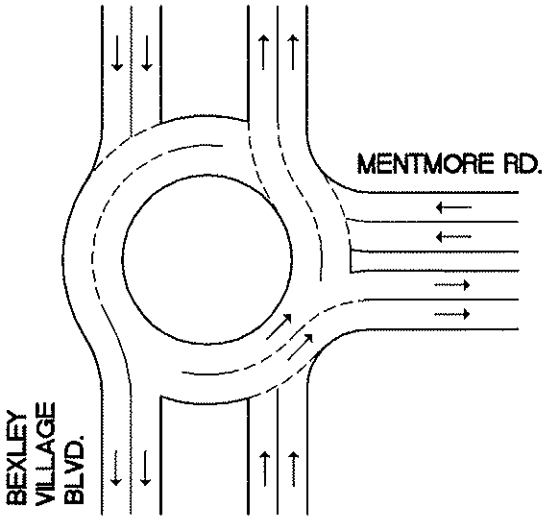
MOVEMENT	LANES	LANE LENGTH (1)
EBL	2	600'
WBR	1	500'
SBL	2	405'
SBR	1	655'

(1) TURN LANE LENGTH INCLUDE DECELERATION AND TAPER.

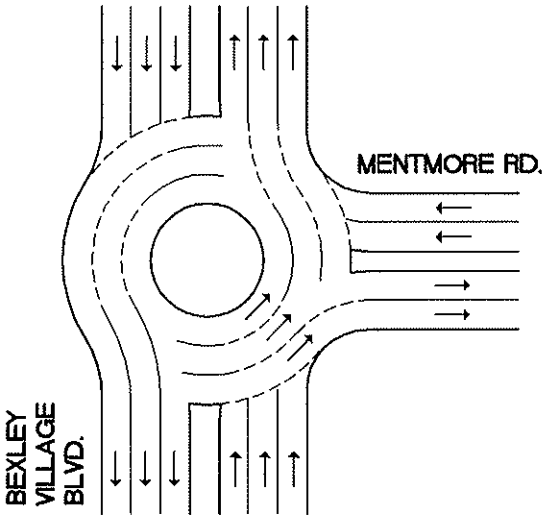
EXHIBIT E-1



INITIAL INTERSECTION GEOMETRY

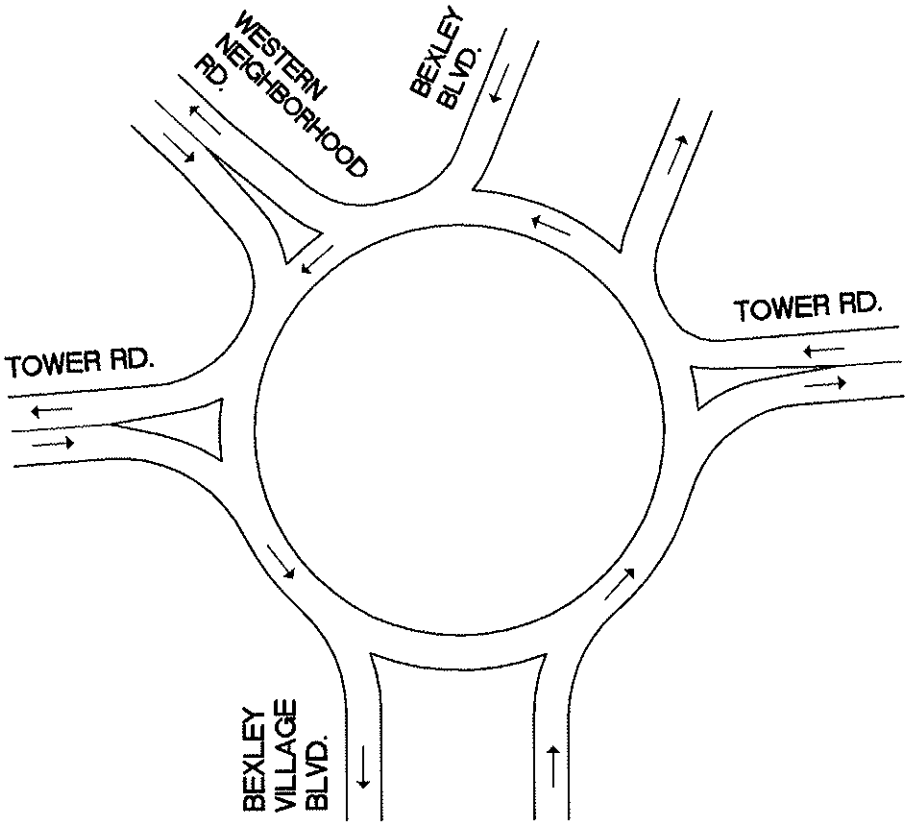


INTERIM INTERSECTION GEOMETRY

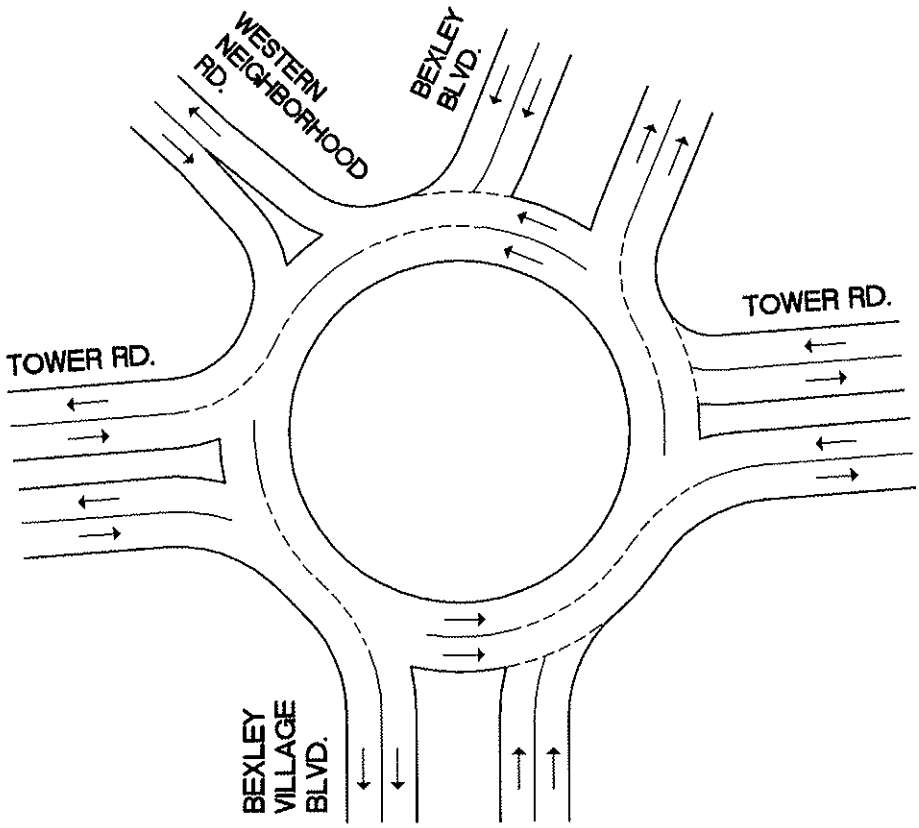


ULTIMATE INTERSECTION GEOMETRY

EXHIBIT E-2

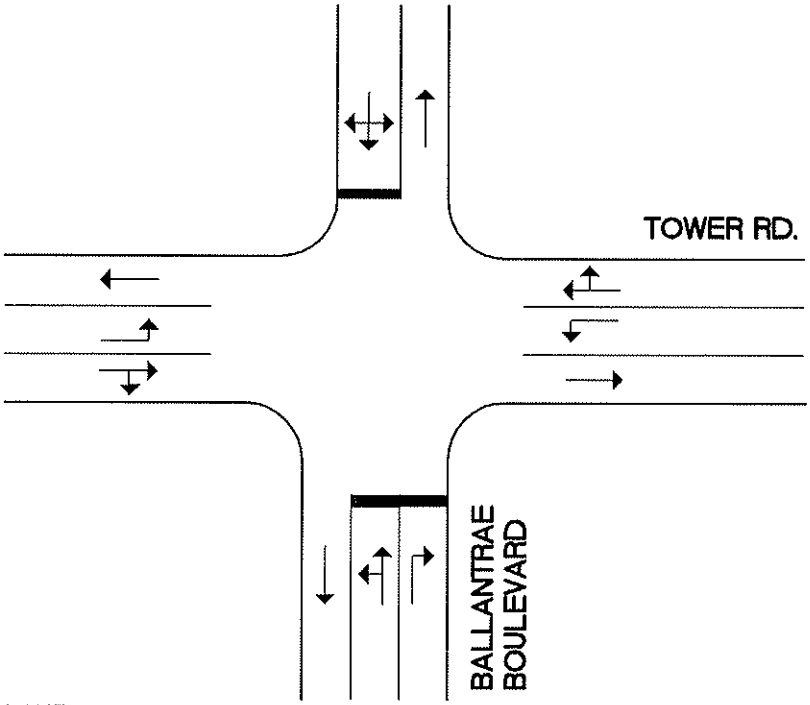


INITIAL INTERSECTION GEOMETRY



ULTIMATE INTERSECTION GEOMETRY

EXHIBIT E-3



←--- = EXISTING LANE

←— = PROPOSED LANE

INITIAL INTERSECTION GEOMETRY

MOVEMENT	LANES	LANE LENGTH (1)
EBL	1	235'
WBL	1	235'
NBR	1	250'

(1) TURN LANE LENGTH INCLUDE DECELERATION AND TAPER.

EXHIBIT E-4

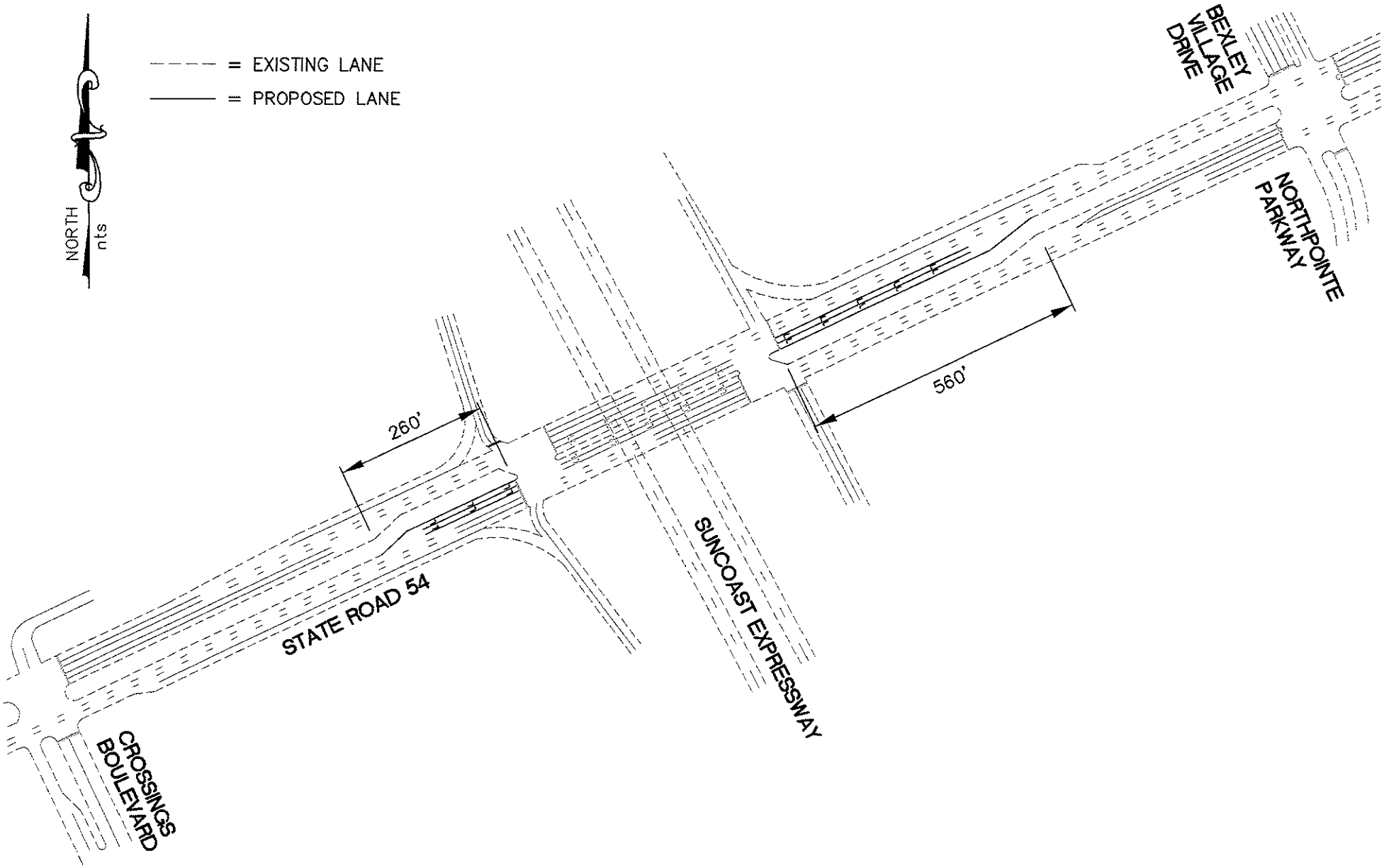

NORTH
nts
= EXISTING LANE
= PROPOSED LANE
BEXLEY VILLAGE DRIVE
NORTHPOINTE PARKWAY
560'
260'
SUNCOAST EXPRESSWAY
STATE ROAD 54
CROSSINGS BOULEVARD

EXHIBIT E-5

EXHIBIT F-1

TRIP GENEARTION MORITORING TABLE

Gross PM Peak Hour Trip Generation		
In	Out	Total
1,268	1,412	2,680

EXHIBIT F-2

FUTURE TRAFFIC VOLUMES (1)

Roadway	Location	PM Peak Hour Trip Ends	
		NB	SB
Bexley Village Drive	North of SR 54	840	995

(1) Source: Timing and Phasing Analysis dated September, 2014, prepared by Lincks & Associates, Inc.

EXHIBIT G

LAND USE EQUIVALENCY MATRIX
Bexley South

Trade From	Trade To: Single Family Detached (DU's)	Duplex/Villa/ Townhome (DU's)	Multi-Family (DU's)	Office (KSF)	Shopping Center (KSF)	Light Industrial (KSF)	Hotel (Room)
Single Family Detached (DU's)	1.000	1.563	1.339	0.647	0.234	0.773	1.250
Duplex/Villa/Townhome (DU's)	0.640	1.000	0.857	0.414	0.150	0.495	0.800
Multi-Family (DU's)	0.747	1.167	1.000	0.483	0.175	0.577	0.933
Office (KSF)	-	-	2.071	1.000	0.363	1.196	1.933
Shopping Center (KSF)	4.267	6.667	5.714	2.759	1.000	3.299	5.333

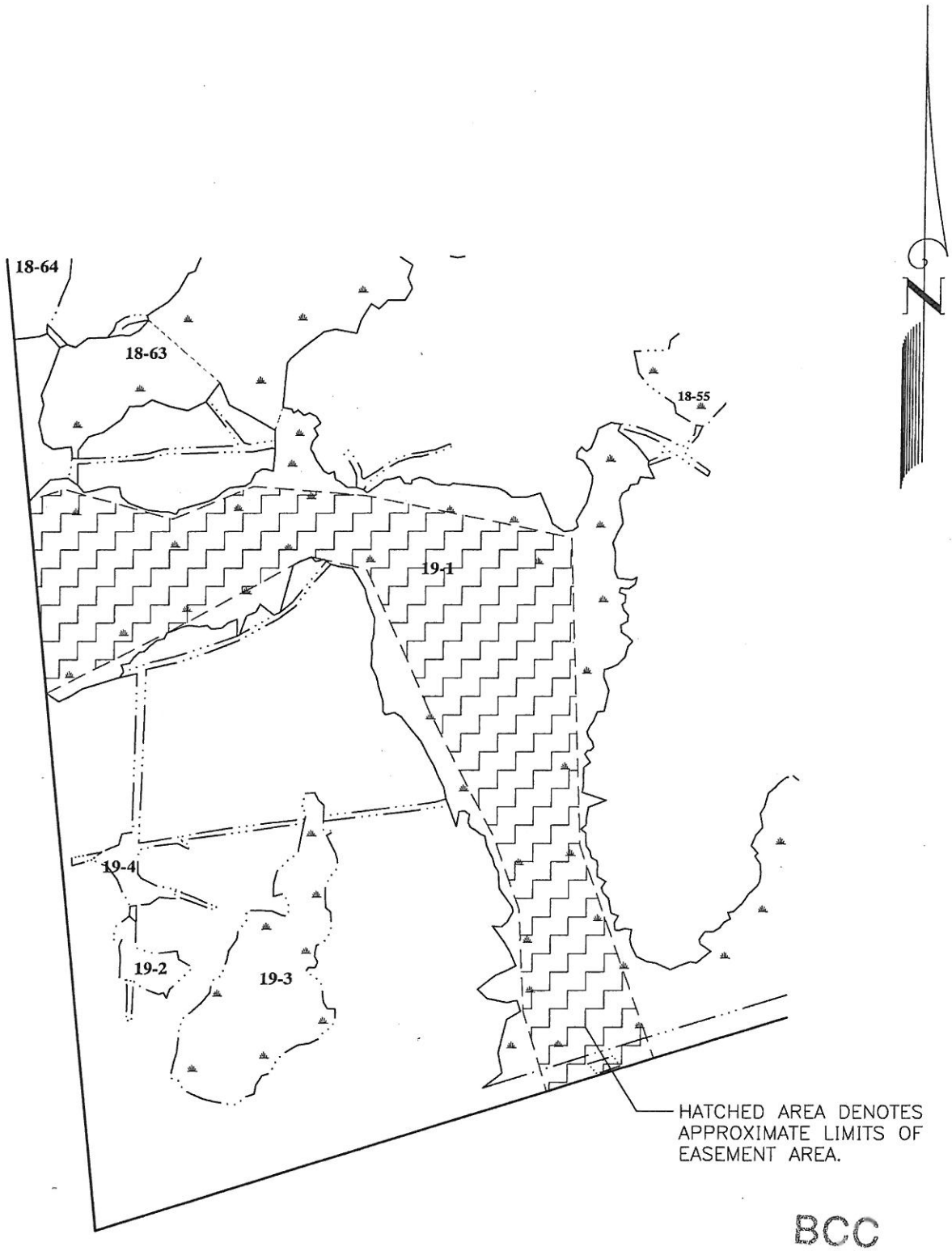
Trip Rates:

Single Family Detached	0.75	TE/DU
Duplex/Villa/Townhome	0.48	TE/DU
Multi-Family	0.56	TE/DU
Office (1,800,000 SF)	1.16	TE/KSF
Shopping Center	3.20	TE/KSF
Light Industrial	0.97	TE/KSF
Hotel	0.60	TE/ROOM

Example:

Convert (Trade From) 150 Single Family Detached DU's to Office (Trade To)

150 x 0.647 = 97 KSF of Office



BCC
DEC 19 2006
APPROVED

EXHIBIT C
SANDY BRANCH DRAINAGE EASEMENT

Attachment C

EXHIBIT C (CONT.)

Drainage Easement
Corporation

Return to: Secretarial Services/Board Records

instrument prepared by:
Joseph D. Richards, Esq.
County Attorney's Office
West Pasco Government Center
7530 Little Road, Suite 340
New Port Richey, FL 34654

Property Appraiser's Parcel ID (Folio)
Number(s):

Permanent Drainage Easement

THIS INDENTURE, made this ___ day of _____, A. D., 2006, between, **[insert name]** a Florida **[insert corporate form]**, existing under the laws of the State of FLORIDA, having its principal place of business at **[insert address]**, hereinafter referred to as the Grantor, and PASCO COUNTY, a Political Subdivision of the State of Florida, whose address is 37918 Meridian Avenue, Dade City, Florida 33525, hereinafter referred to as the Grantee.

WHEREAS, the Grantor owns and holds the following described real property:

SEE EXHIBIT "A" ATTACHED HERETO
AND BY REFERENCE MADE A PART HEREOF.

AND WHEREAS, the Grantee desires to secure a nonexclusive drainage easement in said real property.

AND WHEREAS, the Grantor has agreed to convey said interest in said real property to the Grantee.

WITNESSETH, that the Grantor for good and valuable consideration by the Grantee, the receipt whereof is hereby acknowledged and by these presents does remise, release and quit-claim unto the Grantee, a nonexclusive, permanent drainage easement over and across the following described real property:

SEE EXHIBIT "A" ATTACHED HERETO
AND BY REFERENCE MADE A PART HEREOF.

This conveyance is solely for the purpose of maintaining natural drainage and the free flow of stormwater and other surface waters with a limited right of ingress and egress to perform maintenance activities related thereto for Grantee's agents and necessary equipment.

It is expressly understood and agreed that the GRANTOR reserves onto itself rights of ownership of the easement premises not inconsistent with the easement rights granted herein, including the grant of additional rights not in conflict with the rights granted herein; provided, however, the following activities shall be prohibited on the easement premises:

(a) Construction or placing of buildings, roads, signs, utilities, or other structures on or above the ground;

(b) Dumping or placing of soil or other substances or material as fill or dumping or placing trash, waste, or unsightly or offensive materials;

(c) Removal or destruction of trees, shrubs, or other vegetation, with exception of nuisance and exotic plant species as may be required by Grantee;

Attachment C

(d) Surface use except for purposes that permit the land or water areas to remain in their natural condition; and

(e) Activity detrimental to drainage, flood control, water conservation, or erosion control.

TO HAVE AND TO HOLD the same with all and singular appurtenances thereunto belonging or in anywise appertaining to the granting of this easement by law or equity to the only proper use and benefit of the Grantee, or its successors or assigns.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized the day and year first above written.

SEAL

ATTEST:

[insert Corp. name]

BY:_____

Name:_____
Title:_____

BY:_____

Name:_____
Title:_____

Signed, sealed and delivered in the presence of:

_____
1st Witness signature

_____
2nd Witness signature

_____
1st Witness print name

_____
2nd Witness print name

STATE OF _____

COUNTY OF _____

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared _____ and _____, well known to me to be the _____ and _____ respectively of the corporation, named as Grantor in the foregoing conveyance, and that he/she/they severally acknowledged executing the same in the presence of the two subscribing witnesses freely and voluntarily under the authority duly vested in them by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation. (He/she/they are/is personally known to me) or (have/has produced _____ as identification), and who (did/did not) take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, A.D., 2006.

(SEAL)

_____
Notary Signature
My Commission Expires:_____

C:\Documents and Settings\cspidell.PASCOCOUNTYFL.001\Local Settings\Temporary Internet Files\OLK206\Drainage easement corp form (JDR version).doc

Attachment C