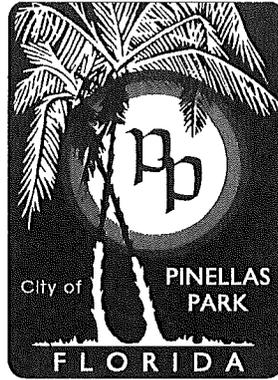


City of
PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100



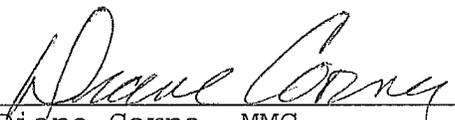
FLORIDA

PHONE • (727) 541-0700
FAX • (727) 544-7448
SUNCOM • 969-1011

STATE OF FLORIDA)
COUNTY OF PINELLAS) SS
CITY OF PINELLAS PARK)

I, Diane M. Corna, the duly qualified City Clerk of the CITY OF PINELLAS PARK, COUNTY OF PINELLAS, STATE OF FLORIDA, do hereby certify that the foregoing and hereto attached contains a full, true and correct copy of Resolution No. 05-28, adopted by the City Council of the City of Pinellas Park, Florida, on June 9, 2005, as the same appears of Record and in the files in my office.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the corporate seal of the said CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, this 7th day of March, 2006.



Diane Corna, MMC
City Clerk
City of Pinellas Park



RESOLUTION NO. 05-28

A RESOLUTION ADOPTING AN AMENDMENT TO THE DEVELOPMENT ORDER FOR THE SHOPPES AT PARK PLACE DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR A FINDING OF NO SUBSTANTIAL DEVIATION; AUTHORIZING THE MODIFICATION OF MAP H, INCLUDING THE ADDITION OF LAND INTO THE DEVELOPMENT ORDER; AND PROVIDING FOR AN EFFECTIVE DATE. (MS 2005-29)

WHEREAS, pursuant to the authority of Section 380.06, Florida Statutes, on December 27, 1973, the City Council of Pinellas Park, Florida (hereinafter called "City"), reviewed, approved and issued a Development Order for the Development of Regional Impact (DRI-DO) for Pinellas Square Mall DRI; and

WHEREAS, a Notice of Proposed Change to add a 7,200 square foot ice rink plus a 1,967 square foot staging area was approved on January 31, 1999;

WHEREAS, a Notice of Proposed Change to add a 20 screen cinema with 5,000 seats and 90,000 square feet of gross leaseable area was approved on April 8, 1999;

WHEREAS, a Notice of Proposed Change was approved by City Council on May 13, 2004 providing for the redevelopment of the Mall site with 523,000 square feet of retail space, a 90,000 square feet theatre with up to 4,000 seats; 124 multi-family residential units and a name change to "The Shoppes at Park Place."

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: FINDING OF FACT

1. On April 5, 2005, K.B. Parkside, LLC, submitted a Notice of Proposed Change (NOPC) to a previously approved DRI pursuant to Section 380.06(19), Florida Statutes, and 9j2.025 (11), FAC to amend the development order by adding a 0.44 acre parcel of land to the DRI with no

increase in development entitlements. The NOPC request is attached as Exhibit "A".

2. A public hearing pursuant to Section 380.06 (19), Florida Statutes, and a duly noticed public hearing was conducted on the NOPC by the Pinellas Park City Council on June 23, 2005. All interested parties and members of the public were afforded the opportunity to participate.
3. Based on the NOPC submitted and the testimony provided, the Pinellas Park City Council finds that the proposed change does not constitute a substantial deviation.

SECTION TWO: CONCLUSIONS OF LAW

1. Pinellas Park City Council is the governing body having jurisdiction over the review and approval of the NOPC, pursuant to Chapter 380.06 Florida Statutes, and is authorized and empowered to issue this Amendment to the Pinellas Square Mall DRI-DO.
2. The property does not lie within an Area of Critical State Concern.
3. The proposed development is consistent with the applicable local Comprehensive Plan and is consistent with the applicable local land development regulations.
4. The proposed development would not unreasonably interfere with the objective of the State Land Development Plan applicable to the area.
5. The proposed development is consistent with the Tampa Bay Comprehensive Regional Policy Plan and the State Comprehensive Plan.
6. The site is located within an adopted urban infill and redevelopment district and is consistent with the City of Pinellas Park land development regulations.
7. The provisions of this DRI-DO shall not be construed as a waiver of, or exception to, any local, state or federal law or regulation.
8. The impacts of this development, as conditioned by this DRI-DO, are adequately addressed pursuant to the requirements of Chapter 380.06, Florida Statutes, and the changes as approved by the Pinellas Park City Council, do not constitute a substantial deviation to the original DRI Development Order or subsequent amendments or create additional local impacts.
9. To the extent that the DRI-DO or NOPC, or any other document, is inconsistent with the terms and conditions of this Amendment to the DRI-DO, this Amendment to the DRI-DO shall prevail.

NOW THEREFORE, HAVING MADE THE AFOREMENTIONED FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE NOPC IS HEREBY APPROVED AND INCORPORATED BY REFERENCE HEREIN, SUBJECT TO THE FOLLOWING MODIFICATIONS AND CONDITIONS OF DEVELOPMENT SET FORTH IN THIS AMENDMENT TO THE DRI-DO:

SECTION THREE: GENERAL CONCLUSIONS

1. The Development Order of the Pinellas Square Mall shall be amended to allow the following uses and acreage:

PROPOSED DRI REVISIONS

	CURRENT DRI APPROVAL	PROPOSED DRI REVISIONS
Retail GLA	523,000 SF	0 SF
Theater GLA	90,000 SF	0 SF
TOTAL GLA	613,000 SF	0 SF
Theater Seats	3,400 Seats	0 Seats
Multi-family Residential	124 Units	0 Units
Site Area	66.119 Acres	66.56 +/- Acres

2. Map H is hereby amended, as shown in Exhibit B.
3. The legal description for the DRI property attached as Exhibit "C".
4. Within sixty (60) days of the issuance of the Amendment to the DRI-DO, the Developer shall cause a Notice of Adoption of this Amendment to be recorded among the Public Records of Pinellas County in accordance with Section 380.06 (15), Florida Statutes, and shall provide a copy of the recorded Notice to the City of Pinellas Park, the Tampa Bay Area Regional Planning Council and the Florida Department of Community Affairs.
5. The City Clerk is hereby directed to send certified copies of this Amendment to the DRI-DO within 5 days of the date of this Amendment to the TBRPC, the FDCA and the authorized representative of the applicants, by certified mail, return requested.
6. This Amendment to the DRI-DO shall take effect upon transmittal to the parties specified in Subsection 380.07(2) Florida Statutes.

SECTION FOUR.

1. That this Resolution shall be in full force and effect immediately after its adoption and approved in the manner provided by law.

PUBLISHED THE 27th DAY OF May, 2005
FIRST READING 9th DAY OF June, 2005
PUBLIC HEARING THE 9th DAY OF June, 2005
ADOPTED THIS 9th DAY OF June, 2005

AYES: (4) Bradbury, Butler, Taylor and Vice-Mayor Bailey-Snook.

NAYES: (0)

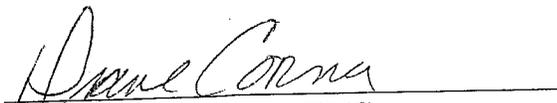
ABSENT: (1) Mayor Mischler

ABSTAIN: (0)

APPROVED THIS 9th DAY OF June, 2005


Patricia L. Bailey-Snook
VICE-MAYOR

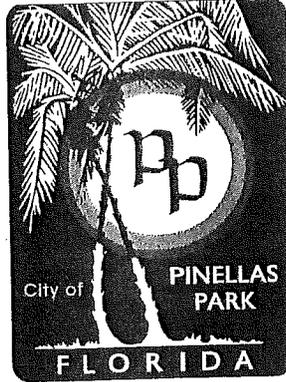
ATTEST:


Diane Corna, CMC
CITY CLERK

City of
PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100

May 25, 2005



FLORIDA

PHONE • (727) 541-0700
FAX • (727) 544-7448
SUNCOM • 969-1011

TO: Postmaster

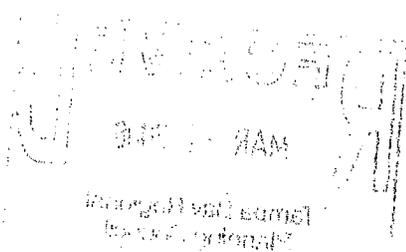
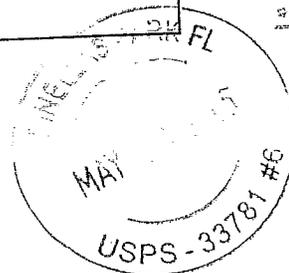
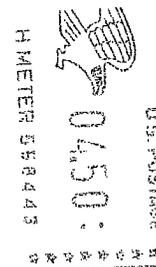
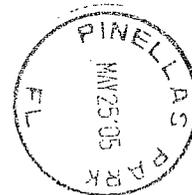
FROM: City Clerk's Office

SUBJ: CERTIFICATION OF MAILING RESOLUTION 05-28 (MS 2005-29)

Attached you will find TWO HUNDRED THIRTY NINE (39) PIECES OF MAIL TO BE CERTIFIED.

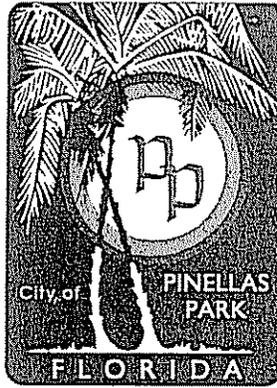
/csi

U.S. POSTAL SERVICE CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE - POSTMASTER	
Received From:	<i>City of Pinellas Park</i> <i>5141-78th Ave. N.</i> <i>Pinellas Park, FL 33781</i>
One piece of ordinary mail addressed to:	<i>(239) Two Hundred Thirty Nine</i> <i>pieces of mail to be certified</i>



City of
PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100



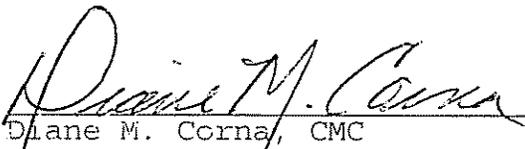
FLORIDA

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FAX • (727) 544-7448
SUNCOM • 969-1011

STATE OF FLORIDA)
COUNTY OF PINELLAS) SS
CITY OF PINELLAS PARK)

I, DIANE M. CORNA, the duly qualified City Clerk of the CITY OF PINELLAS PARK, COUNTY OF PINELLAS, STATE OF FLORIDA, do hereby certify that the foregoing and hereto attached contains a full, true and correct copy of Resolution 04-14 as the same appears of Record and in the files in my office, which was in effect as of May 13, 2004.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the corporate seal of the said CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, this 19th day of May, 2004.



Diane M. Corna, CMC
City Clerk
City of Pinellas Park



RESOLUTION NO. 04-14

A RESOLUTION ADOPTING AN AMENDMENT TO THE DEVELOPMENT ORDER FOR THE PINELLAS SQUARE MALL DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR A FINDING OF NO SUBSTANTIAL DEVIATION; AUTHORIZING THE MODIFICATION OF MAP H, INCLUDING THE ADDITION OF LAND INTO THE DEVELOPMENT ORDER, THE ADDITION OF MULTIFAMILY DEVELOPMENT AND THE REDEVELOPMENT AND REDESIGN OF THE COMMERCIAL DEVELOPMENT; THE RENAMING OF THE MALL TO THE SHOPPES AT PARK PLACE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the authority of Section 380.06, Florida Statutes, on December 27, 1973, the City Council of Pinellas Park, Florida (hereinafter called "City"), reviewed, approved and issued a Development Order for the Development of Regional Impact (DRI-DO) for Pinellas Square Mall DRI; and

WHEREAS, the Pinellas Square Mall DRI Development Order provides for up to 780,000 square feet of gross leaseable area (GLA) plus utilization of common areas for community, cultural and recreational purposes; and

WHEREAS, a Notice of Proposed Change to add a 7,200 square foot ice rink plus a 1,967 square foot staging area was approved on January 31, 1999;

WHEREAS, a Notice of Proposed Change to add a 20 screen cinema with 5,000 seats and 90,000 square feet of gross leaseable area was approved on April 8, 1999;

WHEREAS, the Pinellas Square Mall has never lived up to its economic expectations and the taxable value has fallen;

WHEREAS, the Pinellas Square Mall is located within an urban infill and Redevelopment District adopted by the City of Pinellas Park;

WHEREAS, the redesign and redevelopment of the mall will aid in the enhancement and revitalization of the urban infill and Redevelopment District; and

WHEREAS, these issues have caused the current development of Pinellas Square Mall to request a change in the Development Order to authorize the redevelopment and redesign of the mall, the addition of land into the DRI property, the addition of multi-family development, and a change of name to The Shoppes at Park Place;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: FINDING OF FACT

1. On October 21, 2003, K.B. Parkside, LLC, the new owners and the Developer of the Pinellas Square Mall, submitted a Notice of Proposed change (NOPC) to a previously approved DRI pursuant to Section 380.06(19), Florida Statutes, and 9j2.025 (11), FAC to amend the 1973 DRI-DO for the Pinellas Square Mall DRI to provide for the redevelopment of the mall, the addition of land and multi-family units, and a change of project name to The Shoppes at Park Place. The NOPC request is attached as Exhibit "A".
2. A public hearing pursuant to Section 380.06 (19), Florida Statutes, and a duly noticed public hearing was conducted on the NOPC by the Pinellas Park City Council on May 13, 2004. All interested parties and members of the public were afforded the opportunity to participate.
3. Based on the NOPC submitted and the testimony provided, the Pinellas Park City Council finds that the proposed change does not constitute a substantial deviation.

SECTION TWO: CONCLUSIONS OF LAW

1. Pinellas Park City Council is the governing body having jurisdiction over the review and approval of the NOPC, pursuant to Chapter 380.06 Florida Statutes, and is authorized and empowered to issue this Amendment to the Pinellas Square Mall DRI-DO.
2. The property does not lie within an Area of Critical State Concern.
3. The proposed development is consistent with the applicable local Comprehensive Plan and is consistent with the applicable local land development regulations.
4. The proposed development would not unreasonably interfere with the objective of the State Land Development Plan applicable to the area.
5. The proposed development is consistent with the Tampa Bay Comprehensive Regional Policy Plan and the State Comprehensive Plan.
6. The site is located within an adopted urban infill and redevelopment district and is consistent with the City of Pinellas Park land development regulations.

7. The provisions of this DRI-DO shall not be construed as a waiver of, or exception to, any local, state or federal law or regulation.
8. The impacts of this development, as conditioned by this DRI-DO, are adequately addressed pursuant to the requirements of Chapter 380.06, Florida Statutes, and the changes as approved by the Pinellas Park City Council, do not constitute a substantial deviation to the original DRI Development Order or subsequent amendments or create additional local impacts.
9. To the extent that the DRI-DO or NOPC, or any other document, is inconsistent with the terms and conditions of this Amendment to the DRI-DO, this Amendment to the DRI-DO shall prevail.

NOW THEREFORE, HAVING MADE THE AFOREMENTIONED FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE NOPC IS HEREBY APPROVED AND INCORPORATED BY REFERENCE HEREIN, SUBJECT TO THE FOLLOWING MODIFICATIONS AND CONDITIONS OF DEVELOPMENT SET FORTH IN THIS AMENDMENT TO THE DRI-DO:

SECTION THREE: GENERAL CONCLUSIONS

1. The Development Order of the Pinellas Square Mall shall be amended to allow the following uses and acreage: '

PROPOSED DRI REVISIONS

	CURRENT DRI APPROVAL	PROPOSED DRI REVISIONS
Retail GLA	690,000 SF	523,000 SF
Theater GLA	90,000 SF	90,000 SF
TOTAL GLA	780,000 SF	613,000 SF
Theater Seats	5,000 Seats	4,000 Seats
Multi-family Residential	0 Units	124 Units
Site Area	59.7 Acres	66 +/- Acres

2. The new project name shall be The Shoppes at Park Place.
3. Map H is hereby amended, as shown in Exhibit B.
4. The legal description for the DRI property attached as Exhibit "C".
5. A buildout date for the project and the Development Order expiration date are hereby established as December 31, 2014.
6. The Developer shall remove the three existing driveways that presently serve the Leverock's Restaurant property on US 19. These driveways shall be

replaced with one right-in/right-out driveway located farther away from the US 19 and 70th Avenue intersection. The Developer shall construct a new median on the mall property at the new driveway location to improve circulation and increase the throat depth. The removal and replacement of the driveways is subject to approval of the Florida Department of Transportation.

7. The Developer shall connect to the reclaimed water lines located on the south side of 70th Avenue and utilize the reclaimed water for site irrigation, to the maximum extent feasible.
8. The Developer shall coordinate with the Pinellas Suncoast Transit Authority (PSTA) regarding issues pertaining to: transfer area specifications; relocation of shelters, benches, trash baskets, landscaping and bike racks; and making provisions for electric and irrigation to the site.
9. The Developer shall proceed, to have approved by City Council, a “PUD overlay” prior to vertical development of the project.
10. Within sixty (60) days of the issuance of the Amendment to the DRI-DO, the Developer shall cause a Notice of Adoption of this Amendment to be recorded among the Public Records of Pinellas County in accordance with Section 380.06 (15), Florida Statutes, and shall provide a copy of the recorded Notice to the City of Pinellas Park, the Tampa Bay Area Regional Planning Council and the Florida Department of Community Affairs.
11. The City Clerk is hereby directed to send certified copies of this Amendment to the DRI-DO within 5 days of the date of this Amendment to the TBRPC,

the FDCA and the authorized representative of the applicants, by certified mail, return requested.

12. This Amendment to the DRI-DO shall take effect upon transmittal to the parties specified in Subsection 380.07(2) Florida Statutes.

SECTION FOUR.

1. That this Resolution shall be in full force and effect immediately after its adoption and approved in the manner provided by law.

PUBLISHED THE 30th DAY OF April, 2004

FIRST READING 13th DAY OF May, 2004

PUBLIC HEARING THE 13th DAY OF May, 2004

ADOPTED THIS 13th DAY OF May, 2004

AYES: (5) Council Members: Bailey-Snook, Bradbury, Butler, Taylor and Mayor Mischler

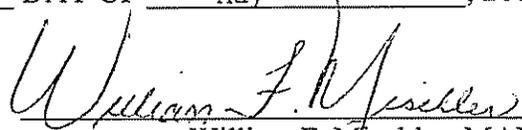
NAYES: (0)

ABSENT: (0)

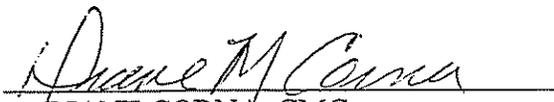
ABSTAIN: (0)

APPROVED THIS 13th DAY OF May, 2004

ATTEST:



William F. Mischler, MAYOR



DIANE CORNA, CMC
CITY CLERK

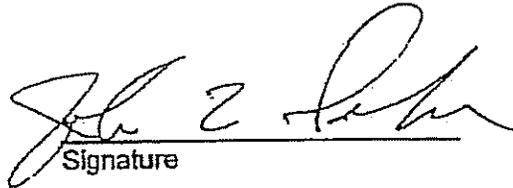
STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF COMMUNITY PLANNING
BUREAU OF LOCAL PLANNING
2555 Shumard Oak Blvd. Tallahassee, Florida 32399
850/488-4925

NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED DEVELOPMENT OF
REGIONAL IMPACT (DRI) SUBSECTION 380.06(19), FLORIDA STATUTES

Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, John Sabow, the undersigned owner/authorized representative of K B Parkside, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the Pinellas Parkside (fka Pinellas Park Shopping Center & Pinellas Square Mall) development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the city of Pinellas Park, to the Tampa Bay Regional Planning Council, and to the Bureau of Local Planning, Department of Community Affairs.

10/20/03
Date


Signature

2. Applicant (name, address, phone).

K B Parkside, LLC
Mr. Robert E. Schmidt, Jr., Managing Member
C/o Boulder Venture
4340 W Hillsborough Ave., Ste 212
Tampa, FL 33614
Ph (813) 873-2627

3. Authorized Agent. (name, address, phone).

Robert H. Pierro, PE
Avid Engineering
2300 Curlaw Road, Suite 2300
Palm Harbor, FL 34683
Ph (727) 789-9500

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

City of Pinellas Park
Pinellas County
Sections 27 & 34
Township 30 South
Range 16 East

5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, buildout date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

This proposed change will consist of rebuilding most of the existing mall infrastructure. The movie theater and Applebee's will be the only two buildings to remain unchanged. The existing two story enclosed mall will be transformed to a single story shopping center.

The changes to the access points to the project are minimum. The signalized access on Park Boulevard will remain in the same location. The right in / right out driveway on the Park Boulevard exit ramp will remain in the same location and a new median will be constructed on the mall property to improve circulation and increase throat depth. The main entrance on US 19 will remain as a directional driveway restricting Parkside drivers from taking a left turn onto US 19. Three existing driveways serving the Leverocks parcel on US 19 will be replaced by one new right in / right out driveway. This new driveway on US 19 will be located further away from the intersection of US 19 & 70th Avenue. The existing full access driveway on 70th Avenue serving the Leverocks will be relocated further away from the intersection of US 19 & 70th Avenue. Three new full access driveways will be constructed on 70th Avenue at the western portion of the site. A new full access driveway will be constructed on 41st Street and 68th Avenue to serve the multi-

family development.

Two additional parcels will be added to Parkside Mall. The Leverocks restaurant at the corner of US 19 and 70th Avenue, and the 3.815 acre overflow parking parcel located at the south east corner of 70th Avenue and 41st Street.

Redevelopment of the mall is proposed to start in 2004 upon receipt of the required permits. Construction is expected to be complete by 2014.

The Parkside Mall parcel includes 8.26 acres on the south side of 70th Avenue. Approximately half of this 8.26 acres was used for stormwater treatment and the other half was undeveloped.

The proposed change shows the west half of the 8.26 acres to be developed with multifamily units. The existing stormwater pond for the mall parcel will remain on the east half of the 8.26 acres

The additional multifamily units will be located on the north side of 70th avenue at the western portion of the site.

PROPOSED DRI REVISIONS		
	CURRENT DRI APPROVAL	PROPOSED DRI REVISION
RETAIL GLA	690,000 SF	523,000 SF
THEATER GLA	90,000 SF	90,000 SF
TOTAL GLA	780,000 SF	613,000 SF
THEATER SEATS	5,000 SEATS	4,000 SEATS
RESIDENTIAL UNITS	0 UNITS	124 UNITS
SITE AREA	59.7 ACRES	66.0 ACRES

See attached Master Development Plan and existing color photos.

6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.

See attached.

7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

See attached Exhibit A – Summary of Events

8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

One additional parcel will be added to Parkside Mall. The Leverocks restaurant at the corner of US 19 and 70th avenue. This parcel is shown on the Master Development Plan.

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

Yes, the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes. The project is being reduced substantially since its original approval.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S

YES

No

10. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

The DRI does not indicate any buildout date nor any phasing dates(s) for the project. It does contain some estimating of dates, but this was less than the Killlearn Lakes ADA contained and it was found not to have a buildout date.

The proposed buildout date for this project is 2014.

11. Will the proposed change require an amendment to the local government comprehensive plan?

The proposed change will not require an amendment to the local government comprehensive plan.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15), F.S., and 9J-2.025, Florida Administrative Code:

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

An updated master plan is attached.

13. Pursuant to Subsection 380.06(19)(t), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;
- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;

See attached Legal Descriptions

- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;

N/A

- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;

N/A

- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and**

N/A

- f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025 (7), F.A.C.**

N/A

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Attraction/Recreation	#Parking Spaces	N/A		
	#Spectators			
	#Seats			
	Site Locational Changes			
	Acreage, including drainage, ROW, easements, etc.			
	External Vehicle Tips			
	I.O. Conditions			
	ADA Representations			
	Runway (length)	N/A		
	Runway (strength)			
Airports	Terminal (gross square feet)			
	#Parking Spaces			
	#Gates			
	Apron Area (gross square feet)			
	Site Locational Changes			
	Airport Acreage, including drainage, ROW, easements, etc.			

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLANDRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Airports Continued..	#External Vehicle Traps			
	D.O. Conditions			
	ADA Representations			
	#Beds	N/A		
Hospitals	#Parking Spaces			
	Building (gross square feet)			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	External Vehicle Traps			
	D.O. Conditions			
Industrial	ADA Representations			
	Acreage, including drainage, ROW, easements, etc.	N/A		
	#Parking Spaces			
	Building (gross square feet)			
	#Employees			
	Chemical Storage (barrels & pounds)			
	Site locational changes			

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLAN DRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Industrial Continued...	#External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			
Mining Operations	Acreage mined (year)	N/A		
	Water withdrawal (gal/day)			
	Size of tracts (acres), including drainage, ROW, easements, etc.			
	Site locational changes			
	#External vehicle trips			
	D.O. conditions			
	ADA representations			
Office	Acreage, including drainage, ROW, easements, etc.	N/A		
	Building (gross square feet)			
	#Parking Spaces			
	#Employees			
	Building (gross square feet)			
	Site locational changes			
	#External vehicle trips			
	D.O. conditions			

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLAN DRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Office Continued...	ADA Representations			
Petroleum/Chemical Storage	Storage Capacity (barrels &/or pounds)	N/A		
	Distance to navigable waters (feet)			
	Site location changes			
	Facility Acreage, including drainage, ROW, easements, etc.			
	#External vehicle trips			
	D.O. conditions			
	ADA representations			
	#Boats, wet storage	N/A		
	#Boats, dry storage			
	Dredge and fill (cu. yds.)			
Petroleum storage (gals.)				
Site location changes				
Port Acreage , including drainage, ROW, easements, etc.				
#External vehicle trips				
D.O. conditions				
ADA representations				
Ports (various)				

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLAN DRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Residential	#Dwelling units	124	0	
	Type of dwelling units	Multi-Family		
	# of lots	2	0	
	Acreage, including drainage, ROW, easements, etc.	8.25 ac	0	
	Site locational changes	Parcel on N & S side of 70th		
	#External vehicle trips	877 vpd	0	
	D.O. conditions			
	Acreage, including drainage, ROW, easements, etc.	66.0	59.7	NOPC #2 4-8-99
	Floor space (gross square feet)	613,000 GLA/ 613,000 GFA	780,000 GLA/ 836,915 GFA	
	#Parking spaces	3,300	3,603	
#Employees	1,140	1,480		
Site locational changes				
#External vehicle trips	18,070 vpd	21,436 vpd		
D.O. conditions				
ADA representations				

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLAN DRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.

NOPC FORM

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Open space (all natural and vegetated non-aripervous surfaces)	Average	N/A		
	Site locational changes			
	Type of open space			
	D.O. conditions			
	ADA representations			
Preservation, buffer or special protection areas preservation (cont.)	Average	N/A		
	Site locational changes			
	Development of site proposed			
	D.O. conditions			
	ADA representations			

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLAN DRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.

NOPC FORM

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Hotel/Motel	#Rental units	N/A		
	Floor space (gross square feet)			
	#Parking spaces			
	#Employees			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	#External vehicle trips			
	D.O. conditions			
	ADA representations			
R.V. Park	Acreage, including drainage, ROW, easements, etc.	N/A		
	#Parking spaces			
	Buildings (gross square feet)			
	#Employees			
	Site locational changes			
	#External vehicle trips			
	D.O. conditions			
	ADA representations			

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLAN DRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.

PROPOSED DRI REVISIONS		
	CURRENT DRI APPROVAL	PROPOSED DRI REVISION
RETAIL GLA	690,000 SF	523,000 SF
THEATER GLA	90,000 SF	90,000 SF
TOTAL GLA	780,000 SF	613,000 SF
THEATER SEATS	5,000 SEATS	4,000 SEATS
RESIDENTIAL UNITS	0 UNITS	124 UNITS
SITE AREA	59.7 ACRES	66.0 ACRES

PROPOSED POTABLE WATER IMPACT for PARKSIDE MALL

	CURRENT DRI APPROVAL			PROPOSED DRI APPROVAL		
	UNIT	UNIT RATE	DAILY FLOW	UNIT	UNIT RATE	DAILY FLOW
RETAIL GLA	690,000 sf	0.17 gpd/sf	117,300 gpd	523,000 sf	0.17 gpd/sf	88,910 gpd
THEATER GLA	90,000 sf			90,000 sf		
TOTAL GLA	780,000 sf			613,000 sf		
THEATER SEATS	5,000 seats	4.00 gpd/seat	20,000 gpd	4,000 seats	4.00 gpd/seat	16,000 gpd
RESIDENTIAL UNITS	0 units			124 units	200 gpd/unit	24,800 gpd
TOTAL			137,300.0 gpd			129,710.0 gpd

PROPOSED SANITARY SEWER IMPACT for PARKSIDE MALL

	CURRENT DRI APPROVAL			PROPOSED DRI APPROVAL		
	UNIT	UNIT RATE	DAILY FLOW	UNIT	UNIT RATE	DAILY FLOW
RETAIL GLA	690,000 sf	0.15 gpd/sf	103,500 gpd	523,000 sf	0.15 gpd/sf	78,450 gpd
THEATER GLA	90,000 sf			90,000 sf		
TOTAL GLA	780,000 sf			613,000 sf		
THEATER SEATS	5,000 seats	4.00 gpd/seat	20,000 gpd	4,000 seats	4.00 gpd/seat	16,000 gpd
RESIDENTIAL UNITS	0 units			124 units	200 gpd/unit	24,800 gpd
TOTAL			123,500.0 gpd			119,250.0 gpd

PROPOSED SOLID WASTE IMPACT for PARKSIDE MALL

	CURRENT DRI APPROVAL			PROPOSED DRI APPROVAL		
	UNIT	UNIT RATE	DAILY AMOUNT	UNIT	UNIT RATE	DAILY AMOUNT
RETAIL GLA	690,000 sf	0.03 pds/day	20,700 pds	523,000 sf	0.03 pds/day	15,690 pds
THEATER GLA	90,000 sf	0.06 pds/day	5,400 pds	90,000 sf	0.06 pds/day	5,400 pds
TOTAL GLA	780,000 sf			613,000 sf		
THEATER SEATS	5,000 seats			4,000 seats		
RESIDENTIAL UNITS	0 units			124 units	10 pds/day	1,240 pds
TOTAL			26,100.0 pds			22,330.0 pds

PROPOSED TRAFFIC IMPACT FOR PARKSIDE MALL

TABLE 1
DAILY TRIP GENERATION ESTIMATES (PARKSIDE MALL REDEVELOPMENT)

DESCRIPTION	ITE Land-Use Category	ITE Land-Use Code	ITE Independent Variable		Daily 2-Way Trips (vpd)	Daily Pass-by Rate (%)	Pass-By 2-Way Trips (vpd)	Pass-By Trips In (vpd)	Pass-By Trips Out (vpd)	Net-New 2-Way Trips (vpd)	Net-New Trips In (vpd)	Net-New Trips Out (vpd)
			Number of Units	Number of Screens square feet								
FUTURE DEVELOPMENT:												
Apartments Complex	Apartment	220 ITE/E	124		877	0%	0	0	0	877	438	438
Movie Theater	Movie Theater	444 ITE/R	20		3,067	0%	0	0	0	3,067	1,533	1,533
Shopping Center	Shopping Center	820 ITE/E	523,000		10,750	24%	4,747	2,373	2,373	15,003	7,502	7,502
Total Proposed					23,694		4,747	2,373	2,373	18,947	9,474	9,474
EXISTING DEVELOPMENT (FOR CREDIT):												
Movie Theater	Movie Theater	444 ITE/R	20		3,067	0%	0	0	0	3,067	1,533	1,533
Shopping Center	Shopping Center	820 ITE/E	690,000		23,002	22%	5,233	2,617	2,617	15,309	6,185	6,185
Total Proposed					26,009		5,233	2,617	2,617	21,430	10,718	10,718
Net Difference					-2,975		-488	-243	-243	-2,488	-1,244	-1,244

⁽¹⁾ ITE Trip Generation Handbook, March 2001

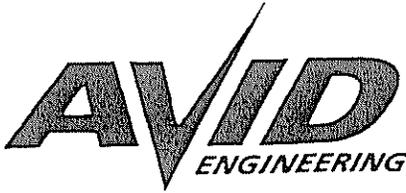
E = ITE Equation
R = ITE Average Rate

TABLE 2
PM PEAK HOUR TRIP GENERATION ESTIMATES (PARKSIDE MALL REDEVELOPMENT)

DESCRIPTION	ITE Land-Use Category	ITE Land-Use Code	ITE Independent Variable		PM PK-HR 2-Way Trips (vph)	PM PK-HR Pass-by Rate (%)	Pass-By 2-Way Trips (vph)	Pass-By Trips In (vph)	Pass-By Trips Out (vph)	Net-New 2-Way Trips (vph)	Net-New Trips In (vph)	Net-New Trips Out (vph)
			Number of Units	Number of Screens square feet								
FUTURE DEVELOPMENT:												
Apartments Complex	Apartment	220 ITE/E	124		68	0%	0	0	0	68	35	35
Movie Theater	Movie Theater	444 ITE/R	20		891	0%	0	0	0	891	403	427
Shopping Center	Shopping Center	820 ITE/E	523,000		1,871	24%	460	216	234	1,421	602	730
Total Proposed					2,648		460	216	234	2,395	1,203	1,195
EXISTING DEVELOPMENT (FOR CREDIT):												
Movie Theater	Movie Theater	444 ITE/R	20		891	0%	0	0	0	891	403	427
Shopping Center	Shopping Center	820 ITE/E	690,000		2,247	22%	406	239	259	1,748	639	608
Total Proposed					3,137		406	239	259	2,639	1,302	1,337
Net Difference					-290		-48	-23	-25	-241	-100	-142

⁽¹⁾ ITE Trip Generation Handbook, March 2001

E = ITE Equation
R = ITE Average Rate



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LC-0000361 Authorization #6139

January 14, 2004

John M. Meyer
DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard, Suite 219
St. Petersburg, FL 33702

RE: **Park Place (Parkside Mall)**
Notice of Proposed Change, City of Pinellas Park
Avid Job No. 049-041

Dear Mr. Meyer:

The following are a list of comments sent to our office on November 21, 2003. For your convenience we have listed your comments in **bold** and our responses in *italics*.

Comments

- 1. The Council's 1999 Development Order Amendment Report included a request for the applicant to formally change the name of the project in conjunction with the next Notice of Proposed Change (NOPC) application to be submitted. A project name change can only be formally recognized through the NOPC process and the change itself is not a Substantial Deviation as identified in Section 380-06(19)(e)2.a, F.S. The project name could be "Pinellas Parkside" or any other currently envisioned project name.**

The new name of the project is "Park Place"

- 2. TBRPC is requesting that a reasonable time period for project buildout and Development Order expiration be established and recognized within the Development Order. Is the applicant proposing December 31, 2014 as the project buildout date and Development Order expiration date?**

Yes, December 31, 2014 is the project buildout date and Development Order expiration date.

- 3. Please submit the draft Development Order Amendment language to coincide with the proposal.**

See attached

4. **Project Acreage:**

- A. **Within Question #5 of the NOPC application, the applicant requested an increase in acreage from “63.6” to “66.0” acres. Would this 2.4-acre addition be limited strictly to the acquisition of the Amoco station and Leverocks parcels. What is the size of each of these parcels?**

The Amoco parcel is 0.5 acres and the Leverocks parcel is 1.9 acres.

- B. **Exhibit A characterizes the site area to be 55.3 acres (site area) plus a 4.442 (pond) for a total of 59.742 acres. Please note that TBRPC records do not recognize the 3.815-acre “Overflow Parking Parcel” within the Development Order and/or within the 1999 Notice of Proposed Change application. If this parcel was added to the project site through zoning or some other planning process, it has not automatically authorized within the Development Order. Therefore, please revise your response to Question #5 of the NOPC application to indicate that the 3.815-acre “Overflow Parking Parcel” is being proposed for addition to the project site within the current NOPC application. In addition, please provide a graphic, which clearly depicts the locations of this Overflow Parking Parcel.**

Revised response to Question #5.

5. This proposed change will consist of rebuilding most of the existing mall infrastructure. The movie theater and Applebee’s will be the only two buildings to remain unchanged. The existing two story enclosed mall will be transformed to a single story shopping center.

The changes to the access points to the project are minimum. The signalized access on Park Boulevard will remain in the same location. The right in / right out driveway on the Park Boulevard exit ramp will remain in the same location and a new median will be constructed on the mall property to improve circulation and increase throat depth. The two driveways on Park Boulevard serving the Amoco service station site will be closed. The main entrance on US 19 will remain as a directional driveway restricting Parkside drivers from taking a left turn onto US 19. Three existing driveways serving the Leverocks parcel on US 19 will be replace by one new right in / right out driveway. This new driveway on US 19 will be located further away from the intersection of US 19 & 70th Avenue. The existing full access driveway on 70th Avenue serving the Leverocks will be relocated further away from the intersection of US 19 & 70th Avenue. Three new full access driveways will be constructed on 70th Avenue at the western portion of

the site. A new full access driveway will be constructed on 41st Street and 68th Avenue to serve the multi-family development.

Three additional parcels will be added to Parkside Mall. The Leverocks restaurant at the corner of US 19 and 70th Avenue, the Amoco service station on Park Boulevard located east of the Applebee's restaurant, and the 3.815 acre overflow parking parcel located at the south east corner of 70th Avenue and 41st Street.

Redevelopment of the mall is proposed to start in 2004 upon receipt of the required permits. Construction is expected to be complete by 2014.

The Parkside Mall parcel includes 8.26 acres on the south side of 70th Avenue. Approximately half of this 8.26 acres was used for stormwater treatment and the other half was undeveloped.

The proposed change shows the west half of the 8.26 acres to be developed with multifamily units. The existing stormwater pond for the mall parcel will remain on the east half of the 8.26 acres

The additional multifamily units will be located on the north side of 70th avenue at the western portion of the site.

PROPOSED DRI REVISIONS		
	CURRENT DRI APPROVAL	PROPOSED DRI REVISION
<i>RETAIL GLA</i>	<i>690,000 SF</i>	<i>523,000 SF</i>
<i>THEATER GLA</i>	<i>90,000 SF</i>	<i>77,000 SF</i>
<i>TOTAL GLA</i>	<i>780,000 SF</i>	<i>600,000 SF</i>
<i>THEATER SEATS</i>	<i>5,000 SEATS</i>	<i>3,400 SEATS</i>
<i>RESIDENTIAL UNITS</i>	<i>0 UNITS</i>	<i>124 UNITS</i>
<i>SITE AREA</i>	<i>59.7 ACRES</i>	<i>66.0 ACRES</i>

See attached Master Development Plan and existing color photos.

5. It appears that non-potable water for irrigation purposes was not factored into the Proposed Potable Water analysis within the application; please revise accordingly to include provisions for such factor. Please note that current potable water rates can be used for both existing and proposed development for comparative purposes. It is anticipated that the irrigation demands associated with the multi-family parcel would be greater than the retail parcel. Is reclaimed water currently available adjacent to the multi-family site? If in fact the potable water demand is greater with the new plan for development and reclaimed water is available to the site, would the applicant be willing to restrict the use of potable water for irrigation purposes on the multi-family and/or all retail parcels through the incorporation of a Development Order Condition?

The existing mall uses a private well for irrigation purposes. Reclaimed water is not currently available.

The existing irrigation demand is 186,000 gallons per week based upon providing 1" of irrigation per week.

The proposed irrigation demand is 222,000 gallons per week based upon providing 1" of irrigation per week.

The applicant will comply with current SWFWMD and Pinellas Park irrigation requirements. The applicant is not willing to add additional irrigation requirements to the development order.

Pinellas Park is in the process of extending reclaimed water to this area. The applicant will connect to reclaimed water if available.

6. The applicant has proposed the closure of three U.S. 19 and one 70th Avenue North access points. These access points currently serve the existing Leverocks restaurant. In exchange, two new access point location (one along U.S. 19 and one along 70th Avenue North) are being requested and located slightly further from the U.S. 19/70th Avenue North intersection. Would these access points be limited to "right-in/right-out"?

The new access point on US 19 will be restricted to "right-in/right-out". The two new access points on 70th Avenue will be full access.

7. Records for the original project appear to be very limited and brief, please state for the record that the 8.26-acre parcel located along the south side of 70th Avenue North was included in the original mall proposal.

I could not locate a legal description for the original mall proposal. Section 26, Stormwater Disposal, of the original DRI describes the location of the stormwater pond as being south of 70th Avenue and west of 40th Street on property owned by the developer. Exhibit 5, Drainage Map, within the original DRI, shows the 8.26 acre parcel. Therefore, it is my opinion the 8.26-acre parcel located along the south side of 70th Avenue North was included in the original mall proposal.

- 8. What is the size of the current stormwater pond? What is the size of the proposed stormwater pond?**

The existing stormwater pond parcel is 4.442 acres. The existing stormwater pond will remain as the primary stormwater treatment facility.

- 9. Please identify whether or not the location or configuration of the movie theatre will change.**

The interior of the movie theater will remain the same. The entry and ticket windows will be relocated to the north side of the building.

- 10. It is understood that provisions with Pinellas Suncoast Transit Authority (PSTA) may exist with the former mall owner. Please identify these provisions. To what extent will these provisions be honored by the new mall parcel owner? In addition, does the former mall have provisions with Amtrak? If so, to what extent will these provisions be honored at the proposed revised site?**

There is no known formal written agreement with Pinellas Suncoast Transit Authority (PSTA) and the former mall owner. However, the current developer is willing to work with PSTA and Pinellas Park to relocate the transfer station. The new transfer station is proposed to be located on 70th Avenue and is shown on the Master Development Plan.

There is no known formal written agreement with Amtrak except for a standard lease. Amtrak will be an opportunity to lease facilities at the new mall.

- 11. Transportation Impact Analysis:**

- A. Since the submitted transportation analysis assumed traffic associated with the existing 16-screen movie theatre, it would be expected that the proposed Development Order amendment would include language limiting the maximum number of screens to 16. Otherwise, please revise the traffic impact analysis to reflect the 20 screens (with corresponding 179 p.m. peak hour/614 daily trips) in the future tense.**

The 16 screens for the proposed development plan was an error. The trip generation estimates have been revised to reflect 20 screens for future conditions. See attached Table 1 and 2 (revised).

- B. Why did the “PM Peak Hour” and “Daily Trip” analyses assume a 22 percent reduction of traffic associated with the “Shopping Center” in the existing development scenario and 24 percent in the future development scenario? It was the TBRPC’s intention to request an “apples to apples” comparison. Please revise as appropriate.**

The pass-by equation contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual, results in lower pass-by rates for larger shopping centers. The theory is that as shopping centers get larger the pass-by rates decrease.

12. Master Development Plan:

- A. What is the definition of “approximate building envelope” as depicted on the proposed Master Development Plan?**

The “approximate building envelope” shows the general location of proposed structures. It is not an exact location and the final building envelope may vary.

- B. Please provide acknowledgement that the Master Development Plan and/or any other aspect of the NOPC application can be copied, if necessary, in conjunction with the NOPC/DRI review.**

The Master Development Plan and/or any other aspect of the NOPC application can be copied, if necessary, in conjunction with the NOPC/DRI review.

- C. The 70th Avenue entry across from the 38th Street as “existing”. As verification, please provide at least one aerial picture without the black lines depicting the project boundaries.**

The 70th Avenue entry across from the 38th Street was existing for the original mall construction. This driveway was removed during the movie theater construction. This driveway does not exist today. This driveway is required for the PSTA transfer station.

- D. Are there size restrictions (in terms of square feet) for any/all of the 10 exterior parcels? Likewise, are there size restrictions**

for any/all of the three large interior parcels? If an outparcel were to be constructed larger than illustrated, please confirm that either the other retail parcels are to be reduced in size accordingly or the overall number of outparcels would be reduced and that the overall maximum amount of retail square footage would remain at 523,000 square feet

There are no size restrictions for the exterior parcels or the interior parcels. The only size restriction is the overall 523,000 gfa for the retail. The overall maximum amount of retail square footage will remain at 523,000 square feet

- E. Assuming that the location and configuration of the movie theatre will not change, as questioned in Comment #9, above, please verify that the southernmost point of the theatre is accurately located only 75' (or so) north from the 70th Avenue North, using the scale provided.

The southernmost point of the theatre is located 83' north from the 70th Avenue North right of way per the latest survey.

- F. Please amend the "Proposed DRI Revisions: legend to reflect an existing acreage which would exclude the Leverocks and Amoco parcels and the Overflow Parking Parcel (i.e. 59.742 acres), consistent with Comment #4.B., above.

See revised Master Development Plan.

Florida Department of Transportation comments reviewed by Kent Fast

1. We reviewed the applicant's responses to review agency comments. The NOPC requests a buildout date extension until December 31, 2008, in order to complete the project. The transportation analysis was conducted differently than I would have preferred, however, I believe it is sufficient to show that the remaining portion of the project will not adversely impact the level of service on adjacent state roadways. The Department does not object to this extension of the buildout date until December 31, 2008.

No comment

2. We reviewed the NOPC proposal for the development of the Pinellas Square Mall. It appears that the overall traffic impact will be reduced. However, the addition of 124 residential units located along

the south side of 70th Avenue North may add to traffic congestion on the street if access is not planned correctly.

The trip generation estimates associated with the multi family development proposed for 70th Avenue are 58 vph inbound and 28 vph outbound during the PM peak hour. The existing 4 lane cross section on 70th Avenue has adequate capacity to accommodate this traffic. The specific related to driveway design will be addressed with the City during the site plan review process.

- 3. How large is the current stormwater pond, and does relocation of the pond trigger a recalculation of stormwater retention requirements to current SWFWMD standards?**

The existing stormwater pond parcel is 4.442 acres. The existing stormwater pond will remain as the primary stormwater treatment facility. The treatment system within the existing stormwater pond is proposed to remain unchanged.

- 4. Please explain what "building envelope" means on the proposed site plan.**

The "approximate building envelope" shows the general location of proposed structures. It is not an exact location and the final building envelope may vary.

- 5. The applicant is cautioned to coordinate proposed driveway location changes with the Florida Department of Transportation District 7 permits office (727-570-5101) to insure that access management and safety standards are maintained. Approval of a land use concept for this project in no way implies approval of changes in driveway configuration.**

Agreed

City of Pinellas Park comments reviewed by Dean Neal

- 1. In the Substantial Deviation Determination Chart, some items are left blank that should have a response as follows:**

- A. Residential Land Use - # of lots, site locational changes, # of external vehicle trips.**

See attached revised page 8 of the Substantial Deviation determination Chart.

- B. Wholesale/Retail – expressions of GFA and GLA seem to be used interchangeably, please use GFA or state both terms. # of parking spaces, # of employees, trips, etc.

Trip estimates are related to Gross Leasable Area (GLA). To be consistent with ITE rates the GLA should be used for trip calculation purposes.

- C. Provisions for demolition. The owner/developer will be required to provide to the City of Pinellas Park, prior to the issuance of a final local development order and subject to the approval by the City Manager or his designee, a demolition plan to include phasing of demolition, hours of operation, numbers of truck trips expected, haul route identification, cubic yards of soil to be removed off-site, provisions for truck wash-down, provisions for security bonding of potentially impacted City infrastructure, provisions for dust and noise abatement, and provisions for responding to complaints during demolition and construction.

Agreed

Department of Environmental Protection comments reviewed by Brenda Arnold

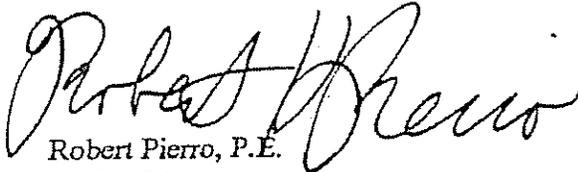
1. In regard to the relocation of the stormwater pond, it is essential that the level of treatment, at minimum, remain the same and that the pond is of adequate size with no increase in loading.

Agreed.

Enclosed for your review are the requested materials. Should you have any questions or require additional information regarding this submittal, please contact our office at (727) 789-9500.

Sincerely,

AVID ENGINEERING, INC.



Robert Pierro, P.E.
Project Manager

PROPOSED TRAFFIC IMPACT FOR PARKSIDE MALL

TABLE 1 (revised)
DAILY TRIP GENERATION ESTIMATES (PARKSIDE MALL REDEVELOPMENT)

DESCRIPTION	ITE Land-Use Category	ITE Land-Use (Code)	Independent Variable	Size	Daily 2-Way Trips (vpd)	Daily Pass-by Rate (%)	Pass-By 2-Way Trips (vpd)	Pass-By Trips In (vpd)	Pass-By Trips Out (vpd)	Net-New 2-Way Trips (vpd)	Net-New Trips In (vpd)	Net-New Trips Out (vpd)
FUTURE DEVELOPMENT												
Apartments Complex	Apartment	ITE /E	Number of Units	124	877	0%	0	0	0	877	438	438
Movie Theater	Movie Theater	444	Number of Screens	20	3,067	0%	0	0	0	3,067	1,533	1,533
Shopping Center	Shopping Center	820	square feet	523,000	19,750	24%	4,747	2,373	2,373	15,003	7,502	7,502
Total Proposed					23,594		4,747	2,373	2,373	18,947	8,474	8,474
EXISTING DEVELOPMENT (FOR CREDIT)												
Movie Theater	Movie Theater	444	Number of Screens	20	3,067	0%	0	0	0	3,067	1,533	1,533
Shopping Center	Shopping Center	820	square feet	690,000	23,602	22%	5,233	2,617	2,617	18,369	9,185	9,185
Total Proposed					28,668		5,233	2,617	2,617	21,430	10,718	10,718
Net Difference					-2,974		-486	-243	-243	-2,488	-1,244	-1,244

(1) ITE Trip Generation Handbook, March 2001

E = ITE Equation
R = ITE Average Rate

TABLE 2 (revised)
PM PEAK HOUR TRIP GENERATION ESTIMATES (PARKSIDE MALL REDEVELOPMENT)

DESCRIPTION	ITE Land-Use Category	ITE Land-Use (Code)	Independent Variable	Size	PM PK-HR 2-Way Trips (vph)	PM PK-HR Pass-by Rate (%)	Pass-By 2-Way Trips (vph)	Pass-By Trips In (vph)	Pass-By Trips Out (vph)	Net-New 2-Way Trips (vph)	Net-New Trips In (vph)	Net-New Trips Out (vph)
FUTURE DEVELOPMENT												
Apartments Complex	Apartment	ITE /E	Number of Units	124	86	0%	0	0	0	86	58	28
Movie Theater	Movie Theater	444	Number of Screens	20	681	0%	0	0	0	681	403	427
Shopping Center	Shopping Center	820	square feet	523,000	1,871	24%	450	218	234	1,421	682	739
Total Proposed					2,848		450	218	234	2,388	1,203	1,195
EXISTING DEVELOPMENT (FOR CREDIT)												
Movie Theater	Movie Theater	444	Number of Screens	20	691	0%	0	0	0	691	483	427
Shopping Center	Shopping Center	820	square feet	660,000	2,247	22%	488	239	259	1,749	639	909
Total Proposed					3,137		488	239	259	2,639	1,302	1,337
Net Difference					-280		-48	-23	-28	-241	-100	-142

(1) ITE Trip Generation Handbook, March 2001

E = ITE Equation
R = ITE Average Rate

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE	
Residential	#Dwelling units	124	0		
	Type of dwelling units	Multi-Family			
	# of lots	2	0		
	Acres, including drainage, ROW, easements, etc.	8.25 AC	0		
	Site locational changes	Parcel on N & S side of 70th			
	#External vehicle trips	877 vpd	0		
	D.O. conditions				
	Wholesale, retail, service	Acres, including drainage, ROW, easements, etc.	66.0	59.7	NOPC #2, 4-8-99
		Floor space (gross square feet)	600,000 GLA/ 600,000 GFA	780,000 GLA/ 816,915 GFA	
		#Parking spaces	3,300	3,603	
#Employees		1,140	1,480		
Site locational changes					
#External vehicle trips		18,070 vpd	21,436 vpd		
D.O. conditions					
ADA representations					

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLAN DRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.

RESOLUTION #0499-__24
PINELLAS SQUARE MALL DRI
AMENDED DEVELOPMENT ORDER

A RESOLUTION ADOPTING AN AMENDMENT TO THE DEVELOPMENT ORDER FOR THE PINELLAS SQUARE MALL DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR A FINDING OF NO SUBSTANTIAL DEVIATION; AUTHORIZED A MODIFICATION OF THE MATTER DEVELOPMENT PLAN ~~THE CONSTRUCTION OF A CINEMA COMPLEX;~~ PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the authority of Section 380.06, Florida Statutes, on December 27, 1973, the City Council of Pinellas Park, Florida (hereinafter called "City"), reviewed, approved and issued a Development Order for the Development of Regional Impact ("DRI-DO") Pinellas Square Mall DRI; and

WHEREAS, the Pinellas Square Mall DRI Development Order provides for up to 780,000 square feet of gross leasable area (GLA) plus utilization of common areas for community, cultural and recreational purposes, and

WHEREAS, the Pinellas Square Mall has never lived up to its economic expectations and the taxable value has fallen; and

WHEREAS, ~~t~~The Pinellas Square Mall has recently changed ownership and the new owner is in the process of implementing a repositioning and renovation plan for the mall; and

WHEREAS, ~~One of the~~ repositioning and renovation include a modification of the _____ ~~concepts believed to be crucial to the mall's success is a~~ cinema complex; and

WHEREAS, these issues have caused the current developer of Pinellas Square Mall to request a change in the Development Order to authorize _____ the cinema complex use.

NOW, THEREFORE BE IT RESOLVED by the MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, as follows:

SECTION ONE: FINDING OF FACT

1. On _____, ~~2003 January 13, 1999,~~ KB Parkside, LLC, John Hancock Mutual Life Insurance Company, new owners and the Developer of the Pinellas Square Mall, submitted a Notice of Proposed Change (NOPC) to a previously approved DRI pursuant to Section 380.06(19), Florida Statutes, and 9j2.025 (11) FAX, to amend the 1973 DRI-DO for the Pinellas Square Mall DRI to provide for the development of a cinema complex.

2. A public hearing pursuant to Section 830.06 (19), Florida Statutes, was advertised on _____ ~~March 25, 1999,~~ and a duly noticed public hearing was conducted on the NOPC by the Pinellas Park City Council on

_____ April 8, 1999. All interested parties and members of the public were afforded the opportunity to participate.

3. Based on the NOPC submitted and the testimony provided, the Pinellas Park City Council finds that the proposed change does not constitute a substantial deviation.

SECTION TWO: CONCLUSIONS OF LAW

1. Pinellas Park City Council is the governing body having jurisdiction over the review and approval of the NOPC, pursuant to Chapter 380, Florida Statutes, and is authorized and empowered to issue this Amendment to the Pinellas Square Mall DRIDDO.

2. The property does not lie within an Area of Critical State Concern.

3. The proposed development is consistent with the applicable local Comprehensive Plan and is consistent with the applicable local land development regulations.

4. The proposed development would not unreasonably interfere with the objective of the State Land Development Plan applicable to the area.

5. The proposed development is consistent with the Tampa Bay Comprehensive Regional Policy Plan and the State Comprehensive Plan.

6. The provisions of this DRI-DO shall not be construed as a waiver of, or exception to, any local, state or federal law or regulation.

7. The impacts of this development, as conditioned by this DRI-DO, are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, and the changes as approved by the Pinellas Park City Council, do not constitute a substantial deviation to the original DRI Development Order or subsequent amendments or create additional local impacts.

8. To the extent that the DRI-DO or NOPC, or any other document, is inconsistent with the terms and conditions of this Amendment to the DRI-ADO, this Amendment to the DRI-DO shall prevail.

NOW THEREFORE, having made the aforementioned Findings of Fact and Conclusions of Law, the NOPC is hereby approved and incorporated by reference herein, subject to the following modifications and conditions of development set forth in this Amendment to the DRI-DO:

SECTION THREE: GENERAL CONCLUSIONS

1. The Development Order for the Pinellas Square Mall shall be amended as follows: ~~to~~

<u>PROPOSED DRI REVISIONS</u>		
	<u>CURRENT DRI APPROVAL</u>	<u>PROPOSED DRI REVISIONS</u>
<u>RETAIL GLA</u>	<u>690,000 SF</u>	<u>523,000 SF</u>
<u>THEATER GLA</u>	<u>90,000 SF</u>	<u>77,000 SF</u>
<u>TOTAL GLA</u>	<u>780,000 SF</u>	<u>600,000 SF</u>
<u>THEATER SEATS</u>	<u>5,000 SEATS</u>	<u>3,400 SEATS</u>
<u>RESIDENTIAL UNITS</u>	<u>0 UNITS</u>	<u>124 UNITS</u>
<u>SITE AREA</u>	<u>59.7 ACRES</u>	<u>66.0 ACRES</u>

~~_____ allow a cinema complex with up to 20 screens and with seating capacity for up to 5,000 customers. The complex is expected to occupy 90,000 square feet GLA and will be incorporated into the mall by replacement of approximately 13,000 square feet of existing commercial floor area plus expansion of the building by approximately 77,000 square feet. Additionally, 11,400 square feet now occupied by a 3-screen theater with 1,014 total seating will be vacated and will be available for other commercial use. Leasable floor area of non-theater uses after the proposed change will total 590,000 square feet.~~

~~2. No more than one fourth of the movies in a facility shall start on the hour, one fourth to start ten minutes later, another one fourth to start at twenty minutes after the hour, and the final one fourth at thirty minutes after the hour.~~

3. Within sixty (60) days of the issuance of the Amendment to the DRI-DO, the Developer shall cause a Notice of Adoption of this Amendment to be recorded among the Public Records of Pinellas County in accordance with Section 380.06 (15), Florida Statutes, and shall provide a copy of the recorded Notice to the City of Pinellas Park, the Tampa Bay Regional Planning Council and the Florida Department of Community Affairs.

34. The City Clerk is hereby directed to send certified copies of this Amendment to the DRI-DO within 5 days of the date of this Amendment to the TBRPC, the FDCA and the authorized representative of the applicants, by certified mail, return receipt requested.

45. This Amendment to the DRI-DO shall take effect upon transmittal to the parties specified in Subsection 380.07 (2), Florida Statutes.

SECTION FOUR.

1. That this Resolution shall be in full force and effect immediately after its adoption and approval in the manner provided by law.

PUBLISHED THE 26th DAY OF MARCH, 2004~~1999~~.

FIRST READING 8th DAY OF APRIL, 2004~~1999~~.

PUBLIC HEARING THE 8th DAY OF APRIL, 2004~~1999~~.

ADOPT THIS 8th DAY OF APRIL, 2004~~1999~~.

AYES: (5) Council Members: ~~Bailey, Butler, Taylor, Williams and Mayer Mischler~~

NAYES: (0)

ABSENT: (0)

ABSTAIN: (0)

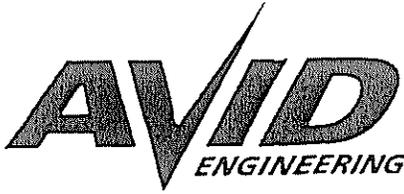
APPROVED this 8th Day of April, 2004~~1999~~.

William F. Mischler, Mayor

Grace Kolar, City Clerk

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G:\SMH\SCHMIDT\Parkside Mall\Wachovia Refinance\RESOLUTION #99-24(12-29Edit).doc



2300 Curlew Road, Suite 100 Palm Harbor, FL 34683
Phone (727) 789-9500 Fax (727) 784-6662 www.avideng.com
LC-0000361 Authorization #6139

March 4, 2004

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

RE: DRI #14 - Parkside Mall
Notice of Proposed Change, City of Pinellas Park
Avid Job No. 049-041

Dear John:

The following are a list of comments sent to our office on February 17, 2004. For your convenience we have listed your comments in **bold** and our responses in *italics*.

Summary of changes since the last submittal

The Amoco station parcel has been deleted from the project.

The movie theater was changed to reflect 20 screens with 90,000 sf of building area (per NOPC #2). The number of seats will change to 4,000 seats.

The total retail area will remain as 523,000sf.

The total GLA was changed to 613,000 GLA to reflect changes due to the movie theater.

The site area (without the Amoco parcel) is 66.0 acres. See attached Summary of Project Areas to document this acreage.

The following exhibits have been revised and are included in this submittal;

Master Development Plan

Substantial Deviation Determination Chart (page 8, total floor space)

Proposed Traffic Impact for Parkside Mall (show 20 screens as future)

Proposed DRJ Revisions chart (revised theater GLA, Total GLA, theater seats and site area)

Proposed Impact charts for potable water, sanitary sewer, and solid waste (changed theater GLA and theater seats)

Parkside Mall legal descriptions (deleted Amoco parcel)

Tampa Bay Regional Planning Council comments

Request for Additional Information comments

1. **The Tampa Bay Regional Planning Council had formerly indicated that name "Park Place" is already utilized for a Development of Regional Impact within the City of Clearwater (DRI #92). This project is located along the north side of Gulf to Bay Boulevard, generally across from the Clearwater Mall. This applicant may wish, at this early stage, to establish its own unique identity and project name and carry it forward through this NOPC application.**

The project name will remain as "Parkside Mall".

2. **During a February 10, 2004 conversation with Mr. Bob Pierro, it was indicated that the Amoco Station parcel would not be added (and can no longer be considered) as part of the mall renovation proposal. Regardless of whether or not the Amoco station was included in the existing 690, 000 sq. ft. of approved retail entitlements, please modify the proposed Master Development Plan as appropriate to illustrate exclusion of this parcel from the DRI.**

The Amoco Station parcel is no longer included in this application. The Master Development Plan has been revised.

3. **Is the applicant continuing to seek approval for 523,000 sq. ft of retail development (excluding the Amoco station parcel) and the development of 10 outparcels.**

Yes

4. **If the Amoco station was included in the tables portraying existing data in terms of trip generation (traffic), potable water, wastewater and solid waste, please revise these tables accordingly.**

See revised tables

5. **It is noted that the Master Development Plan has been further revised to re-establish the location of the stormwater pond in its current**

location (south side of 70th Avenue North) and designate the former proposed location of the stormwater pond as multi-family residential. As a result, the multi-family residential will now be located on both the north and south sides of 70th Avenue North.

Agreed

6. It is stated in response to TBRPC's Question #8 that "the existing stormwater pond will remain as the primary stormwater treatment facility." Please describe the other stormwater treatment facility (ies) proposed to serve the project by type and location. In addition, please identify which development entitlements will be served by each stormwater treatment facility.

The area north of 70th Avenue will continue to drain to the existing stormwater pond located on the south side of 70th Avenue.

The multi-family parcel on the south side of 70th Avenue will have a separate storm water facility.

A pre-application meeting was held with Richard Alt of SWFWMD on January 29, 2004. Based on this meeting the parcel north of 70th Avenue will be submitted to SWFWMD for a "No Permit Required" request. The multi family parcel south of 70th Avenue will require a new stormwater facility and will be required to obtain a stormwater ERP permit.

7. As a follow-up to TBRPC's Question #12.C. How could a 70th Avenue/38th Street North access point be classified as "existing" when, according to your response, "this driveway does not exist today." Please revise the Master Development Plan to reflect this access as "new."

See revised Master Development Plan

Florida Department of Transportation comments

1. The applicant has addressed my question regarding the trip generation from the 124 proposed multi-family units. I have no further issues.
2. The applicant is cautioned that approval of the Master Development Plan Map "H" should not be construed as an endorsement of any number of proposed access point(s) at specific location(s). The developer must comply with the access management rules in affect at the time of connection permit application to the Florida Department of Transportation. Likewise, any traffic signals will only be approved

if in conformance with Manual of Uniform Traffic Control Device (MUTCD) standards after review by the FDOT District Seven Traffic Operations Department. Thank you for this opportunity to comment.

Agreed

Pinellas Suncoast Transit Authority comments

1. Thank you for the opportunity to review the preliminary site plan for Park Side Mall. Your plans for the mall have made significant progress since I last spoke with Bob Pierro.
2. As we discussed over the phone, the conceptual plans looks very good. The bus transfer pad is sufficiently long and wide enough to meet our passenger needs. We do feel that the driveway at the west end of the transfer area needs to be widened from 30' to 48'. Our suggestion would be to take the 18 additional feet from the landscaped area at the east end of the transfer area. This still leaves the transfer concrete pad in its original configuration (width and length) and provides 48' of driveway width at both ends. The additional width at the west end is needed for east-bound buses to properly maneuver a left followed by a hard right in order to line-up the north edge of the transfer area.

Agreed

3. We would also expect to relocate shelters, benches, trash baskets, landscaping, and bike racks to this area. This would call for electric and irrigation to be provided, but this can be addressed at a later date.

Agreed

Southwest Florida Water Management District comments

1. A new Environmental Resources Permit (ERP) or modification of an existing ERP will likely be required to address surface water management as part of the proposed changes. It is recommended that the applicant establish a pre-application meeting with District regulatory staff to discuss the proposed project modifications. Such meetings are beneficial in highlighting any specific surface water management technical information needs that may be required for the permitting and development of the proposed project. For more information regarding the District's permitting process, please visit www.watermatters.org.

A pre-application meeting was held with Richard Alt of SWFWMD on January 29, 2004. Based on this meeting the parcel north of 70th Avenue will be submitted to SWFWMD for a "No Permit Required" request. The multi family parcel south of 70th Avenue will require a new stormwater facility and will be required to obtain a stormwater ERP permit.

2. **The redevelopment of the Parkside Mall is an excellent opportunity for the applicant to implement low impact design elements throughout the site such as:**
 - a. **Shallow vegetated swales in all parking areas.**
 - b. **Appropriate Florida Friendly plant selections.**
 - c. **Recessed garden areas throughout parking and building landscape areas.**
 - d. **Porous pavement and other pervious pavement technologies.**
 - e. **Stabilized grass areas for overflow parking.**
 - f. **Retention of the maximum amount of existing native vegetation.**
 - h. **Public education to advocate pollution prevention measures.**

Noted

3. **Impervious surfaces such as parking lots and rooftops cause more stormwater runoff and pollutant loads than any other type of land use. Low Impact designs provide alternatives that can successfully reduced runoff and pollution loads.**

Noted

Florida Department of Environmental Protection comments

1. **The Southwest District office of the Florida Department of Environmental Protection has reviewed the above referenced submittal and offers the following comments at this time.**
2. **Pursuant to stormwater issues regulated under 62-330 F.A.C., the project is required to obtain an Environmental Resource Permit under Southwest Florida Water Management District's (SWFWMD) rules 4OD-4. The appropriate construction/operation and maintenance permit is issued after the submittal of construction plans,**

details, calculations and supporting information for the stormwater management system has been approved by Southwest Florida Water Management District.

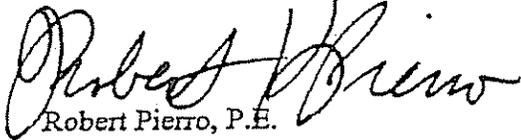
A pre-application meeting was held with Richard Alt of SWFWMD on January 29, 2004. Based on this meeting the parcel north of 70th Avenue will be submitted to SWFWMD for a "No Permit Required" request. The multi family parcel south of 70th Avenue will require a new stormwater facility and will be required to obtain a stormwater ERP permit.

3. **We appreciate the opportunity to comment on this project as part of the DRI process. Any comments provided previously and those above are not necessarily the final position of the Department and may be subject to revision pursuant to additional information and further review, These comments and those previously made do not preclude or deem exempt the applicant from any permitting responsibilities that are required by the FDEP or other applicable agencies. If I can be of further assistance, please do not hesitate to contact me at (813) 744-6100, ext. 440.**

Enclosed for your review are the requested materials. Should you have any questions or require additional information regarding this submittal, please contact our office at (727) 789-9500.

Sincerely,

AVID ENGINEERING, INC.



Robert Pierro, P.E.

Project Manager

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE	
Residential	#Dwelling units	124	0		
	Type of dwelling units	Multi-Family			
	# of lots	2	0		
	Acres, including drainage, ROW, easements, etc.	8.25 ac	0		
	Site locational changes	Parcel on N & S side of 70th			
	#External vehicle trips	877 vpd	0		
	D.O. conditions				
	Wholesale, retail, service	Acres, including drainage, ROW, easements, etc.	66.0	59.7	NOPC #2 4-8-99
		Floor space (gross square feet)	613,000 GLA/ 613,000 GFA	780,000 GLA/ 836,915 GFA	
		#Parking spaces	3,300	3,603	
#Employees		1,140	1,480		
Site locational changes					
#External vehicle trips		18,070 vpd	21,436 vpd		
D.O. conditions					
ADA representations					

NOTE: IF A RESPONSE IS TO BE MORE THAN ONE SENTENCE, ATTACH A DETAILED DESCRIPTION OF EACH PROPOSED CHANGE AND COPIES OF THE PROPOSED MODIFIED SITE PLAN DRAWINGS. THE BUREAU MAY REQUEST ADDITIONAL INFORMATION FROM THE DEVELOPER OR HIS AGENT.

NOPC FORM

PROPOSED TRAFFIC IMPACT FOR PARKSIDE MALL

TABLE 1
DAILY TRIP GENERATION ESTIMATES (PARKSIDE MALL REDEVELOPMENT)

DESCRIPTION	ITE Land-Use Category	ITE Land-Use (Code)	Independent Variable	Size	Daily 2-Way Trips (vpd)	Daily Pass-by Rate (%) ⁽¹⁾	Pass-By 2-Way Trips (vpd)	Pass-By Trips In (vpd)	Pass-By Trips Out (vpd)	Net-New 2-Way Trips (vpd)	Net-New Trips In (vpd)	Net-New Trips Out (vpd)
FUTURE DEVELOPMENT												
Apartments Complex	Apartment	ITE/JE	Number of Units	124	877	0%	0	0	0	877	439	439
Movie Theater	Movie Theater	ITE/JR	Number of Screens	20	3,067	0%	0	0	0	3,067	1,533	1,533
Shopping Center	Shopping Center	ITE/JE	square feet	523,000	19,750	24%	4,747	2,373	2,373	16,003	7,502	7,502
Total Proposed					23,894		4,747	2,373	2,373	19,947	9,474	9,474
EXISTING DEVELOPMENT (FOR CREDIT)												
Movie Theater	Movie Theater	ITE/JR	Number of Screens	20	3,067	0%	0	0	0	3,067	1,533	1,533
Shopping Center	Shopping Center	ITE/JE	square feet	690,000	23,802	22%	5,233	2,617	2,617	18,369	9,185	9,185
Total Proposed			G.L.A.		28,669		5,233	2,617	2,617	21,436	10,718	10,718
Net Difference					-2,975		-488	-243	-243	-2,488	-1,244	-1,244

⁽¹⁾ ITE Trip Generation Handbook, March 2001

E = ITE Equation
R = ITE Average Rate

TABLE 2
PM PEAK HOUR TRIP GENERATION ESTIMATES (PARKSIDE MALL REDEVELOPMENT)

DESCRIPTION	ITE Land-Use Category	ITE Land-Use (Code)	Independent Variable	Size	PM PK-HR 2-Way Trips (vph)	PM PK-HR Pass-by Rate (%) ⁽¹⁾	Pass-By 2-Way Trips (vph)	Pass-By Trips In (vph)	Pass-By Trips Out (vph)	Net-New 2-Way Trips (vph)	Net-New Trips In (vph)	Net-New Trips Out (vph)
FUTURE DEVELOPMENT												
Apartments Complex	Apartment	ITE/JE	Number of Units	124	86	0%	0	0	0	86	58	28
Movie Theater	Movie Theater	ITE/JR	Number of Screens	20	891	0%	0	0	0	891	463	427
Shopping Center	Shopping Center	ITE/JE	square feet	523,000	1,871	24%	450	216	234	1,421	682	739
Total Proposed					2,848		450	216	234	2,398	1,203	1,168
EXISTING DEVELOPMENT (FOR CREDIT)												
Movie Theater	Movie Theater	ITE/JR	Number of Screens	20	891	0%	0	0	0	891	463	427
Shopping Center	Shopping Center	ITE/JE	square feet	690,000	2,247	22%	488	239	259	1,749	830	909
Total Proposed			G.L.A.		3,137		488	239	259	2,630	1,302	1,337
Net Difference					-290		-48	-23	-28	-241	-100	-142

⁽¹⁾ ITE Trip Generation Handbook, March 2001

E = ITE Equation
R = ITE Average Rate

PROPOSED DRI REVISIONS		
	CURRENT DRI APPROVAL	PROPOSED DRI REVISION
RETAIL GLA	690,000 SF	523,000 SF
THEATER GLA	90,000 SF	90,000 SF
TOTAL GLA	780,000 SF	613,000 SF
THEATER SEATS	5,000 SEATS	4,000 SEATS
RESIDENTIAL UNITS	0 UNITS	124 UNITS
SITE AREA	59.7 ACRES	66.0 ACRES

PROPOSED POTABLE WATER IMPACT for PARKSIDE MALL

	CURRENT DRI APPROVAL			PROPOSED DRI APPROVAL		
	UNIT	UNIT RATE	DAILY FLOW	UNIT	UNIT RATE	DAILY FLOW
RETAIL GLA	680,000 sf	0.17 gpd/sf	117,300 gpd	523,000 sf	0.17 gpd/sf	88,910 gpd
THEATER GLA	90,000 sf			90,000 sf		
TOTAL GLA	780,000 sf			613,000 sf		
THEATER SEATS	5,000 seats	4.00 gpd/seat	20,000 gpd	4,000 seats	4.00 gpd/seat	16,000 gpd
RESIDENTIAL UNITS	0 units			124 units	200 gpd/unit	24,800 gpd
TOTAL			137,300.0 gpd			129,710.0 gpd

PROPOSED SANITARY SEWER IMPACT for PARKSIDE MALL

	CURRENT DRI APPROVAL			PROPOSED DRI APPROVAL		
	UNIT	UNIT RATE	DAILY FLOW	UNIT	UNIT RATE	DAILY FLOW
RETAIL GLA	690,000 sf	0.15 gpd/sf	103,500 gpd	523,000 sf	0.15 gpd/sf	78,450 gpd
THEATER GLA	90,000 sf			90,000 sf		
TOTAL GLA	780,000 sf			613,000 sf		
THEATER SEATS	5,000 seats	4.00 gpd/seat	20,000 gpd	4,000 seats	4.00 gpd/seat	16,000 gpd
RESIDENTIAL UNITS	0 units			124 units	200 gpd/unit	24,800 gpd
TOTAL			123,500.0 gpd			119,250.0 gpd

PROPOSED SOLID WASTE IMPACT for PARKSIDE MALL

	CURRENT DRI APPROVAL			PROPOSED DRI APPROVAL		
	UNIT	UNIT RATE	DAILY AMOUNT	UNIT	UNIT RATE	DAILY AMOUNT
RETAIL GLA	690,000 sf	0.03 pds/day	20,700 pds	523,000 sf	0.03 pds/day	15,690 pds
THEATER GLA	90,000 sf	0.06 pds/day	5,400 pds	90,000 sf	0.06 pds/day	5,400 pds
TOTAL GLA	780,000 sf			613,000 sf		
THEATER SEATS	5,000 seats			4,000 seats		
RESIDENTIAL UNITS	0 units			124 units	10 pds/day	1,240 pds
TOTAL			26,100.0 pds			22,330.0 pds

PARKSIDE MALL LEGAL DESCRIPTIONS

Existing Parkside Mall Parcel

All of Lot 1, Block 1 of Pinellas Park Mall Partial Replat, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66, and 67 of the public records of Pinellas County, Florida.

All of Lot 1, Block 2 of Pinellas Park Mall, according to the map or plat thereof recorded in Plat Book 71, Pages 95, 96, and 97 of the public records of Pinellas County, Florida.

(see attached)

New Parcels

Leverocks Parcel (see attached)

PARKSIDE MALL PARCEL

LEGAL DESCRIPTION OF SHOPPING CENTER

PARCEL I:

That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the West line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence South 89 deg 57 min 27 sec East along said North right-of-way line, a distance of 299.01 feet to the Point of Beginning; thence due North, a distance of 199.19 feet; thence North 77 deg 32 min 33 sec East, a distance of 136.71 feet; thence due North, a distance of 95.07 feet; thence North 12 deg 27 min 27 sec West, a distance of 421.29 feet; thence North 77 deg 32 min 33 sec East, a distance of 160.33 feet; thence South 12 deg 27 min 27 sec East, a distance of 80.63 feet; thence North 77 deg 32 min 33 sec East, a distance of 41.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 28.00 feet; thence North 77 deg 32 min 33 sec East, a distance of 210.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 20.00 feet; thence North 77 deg 32 min 33 sec East, a distance of 15.83 feet; thence North 12 deg 27 min 27 sec West, a distance of 37.67 feet; thence North 77 deg 32 min 33 sec East, a distance of 45.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 50.00 feet; thence North 77 deg 32 min 33 sec East, a distance of 223.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 344.58 feet to a point on the South right-of-way of Park Boulevard; thence 74.79 feet along said South right-of-way line and along an arc to the left having a radius of 1917.86 feet and a chord of 74.78 feet, bearing North 82 deg 29 min 39.4 sec East; thence South 12 deg 27 min 27 sec East, a distance of 388.13 feet; thence South 77 deg 32 min 33 sec West, a distance of 157.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 473.50 feet; thence North 77 deg 32 min 33 sec East, a distance of 53.25 feet; thence South 00 deg 27 min 33 sec West, a distance of 367.27 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 57 min 27 sec West along said right-of-way line, a distance of 803.03 feet to the Point of Beginning.

PARCEL II:

That part of Lot 1 in Block 2 of PINELLAS PARK MALL, according to the map or plat thereof recorded in Plat Book 71, Pages 95, 96 and 97, of the public records of Pinellas County, Florida, (being part of the North 1/2 of Section 34, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence South 00 deg 04 min 17 sec West, a distance of 30.00 feet to a point on the South right-of-way of 70th Avenue North; thence north 89 deg 54 min 37 sec West along the said South right-of-way line, a distance of 30.00 feet to the Point of Beginning; thence South 00 deg 04 min 17 sec West, a distance of 599.29 feet; thence North 89 deg 52 min 41 sec West, a distance of 460.00 feet; thence North 00 deg 04 min 17 sec East, a distance of 57.19 feet; thence North 37 deg 25 min 47 sec East, a distance of 299.97 feet; thence North 30 deg 48 min 38 sec East, a distance of 35.17 feet; thence North 00 deg 04 min 17 sec East, a distance of 273.12 feet to a point on the South right-of-way line of 70th Avenue North; thence South 89 deg 54 min 37 sec East along said South right-of-way line, a distance of 260.00 feet to the Point of Beginning.

PARCEL III:

That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the West line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 54 min 37 sec West along said North right-of-way line, a distance of 635.34 feet to a point of intersection with the East right-of-way line of 41st Street North (50 foot wide); thence North 00 deg 02 min 15 sec West along said right-of-way line, a distance of 270.39 feet to the Point of Beginning; thence continuing North 00 deg 02 min 15 sec West along said East right-of-way line, a distance of 333.19 feet; thence South 89 deg 53 min 11 sec East, a distance of 436.10 feet; thence due South, a distance of 332.32 feet; thence due West, distance of 435.88 feet to a point on the East right-of-way line of 41st Street North (50 foot wide), said point also being the Point of Beginning.

PARCEL IV:

That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the West line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 54 min 37 sec West along said North right-of-way line, a distance of 635.34 feet to a point of intersection with the East right-of-way line of 41st Street North (50 foot wide); thence North 00 deg 02 min 15 sec West along said right-of-way line, a distance of 603.58 feet; thence South 89 deg 53 min 11 sec East, a distance of 454.15 feet; thence North 00 deg 01 min 49 sec West, a distance of 159.21 feet to the Point of Beginning; thence continuing North 00 deg 01 min 49 sec West, a distance of 484.14 feet to a point on the South right-of-way line of Park Boulevard; thence South 89 deg 51 min 44 sec East, a distance of 181.32 feet; thence South 00 deg 01 min 40 sec East, a distance of 134.34 feet; thence South 89 deg 55 min 18 sec East, a distance of 163.40 feet; thence North 00 deg 01 min 23 sec West, a distance of 129.85 feet to a point on the new South-right-of-way of Park Boulevard; thence South 86 deg 13 min 59 sec East along said right-of-way line, a distance of 77.91 feet; thence South 17 deg 00 min 00 sec East, a distance of 89.22 feet; thence South 42 deg 00 min 00 sec West, a distance of 332.36 feet; thence South 12 deg 27 min 27 sec East, a distance of 89.48 feet; thence South 77 deg 32 min 33 sec West, a distance of 251.14 feet to the Point of Beginning.

PARCEL V:

TOGETHER WITH all real property rights, title and interests, including but not limited to easements for parking, access, ingress and egress, driveways, roadways, sidewalks, arcades, corridors, stairways, elevators, escalators, ramps, balconies, encroachments, footings and supports, utilities, and all other easements over and across common areas and facilities and improvements granted by New Operating Agreement recorded in O.R. Book 4361, Page 264, as amended by First Amendment to New Operating Agreement recorded in O.R. Book 4473, Page 724; Second Amendment to New Operating Agreement recorded in O.R. Book 4737, Page 1062 and Term Agreement recorded in O.R. Book 4828, Page 1898, over and across the following described (3) three parcels:

1. That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Northwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 27; thence North 89 deg 51 min 44 sec West along the centerline of Park Boulevard, a distance of 181.32 feet; thence South 00 deg 01 min 49 sec East, a distance of 50.00 feet to a point on the South right-of-way line of Park Boulevard; thence continuing South 00 deg 01 min 49 sec East, a distance of 484.14 feet to the Point of Beginning; thence North 77 deg 32 min 33 sec East, a distance of 473.44 feet; thence South 12 deg 27 min 27 sec East, a distance of 160.21 feet; thence North 77 deg 32 min 33 sec East, a distance of 31.50 feet; thence South 12 deg 27 min 27 sec East, a distance of 401.29 feet; thence due South, a distance of 95.07 feet; thence South 77 deg 32 min 33 sec West, a distance of 136.71 feet; thence due South, a distance of 199.19 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 57 min 27 sec West along said North right-of-way line, a distance of 299.01 feet; thence continuing along said right-of-way line North 89 deg 54 min 37 sec West, a distance of 635.34 feet to a point of intersection with the East right-of-way line of 41st Street North (50 foot wide); thence North 00 deg 02 min 15 sec West along said East right-of-way line, a distance of 270.39 feet; thence due East, a distance of 435.88 feet; thence due North, a distance of 332.32 feet; thence South 89 deg 53 min 11 sec East, a distance of 18.05 feet; thence North 00 deg 01 min 49 sec West, a distance of 159.21 feet to the Point of Beginning.

2. That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the west line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence South 89 deg 57 min 27 sec East along said right-of-way line, a distance of 1102.04 feet to the Point of Beginning; thence North 00 deg 27 min 33 sec East, a distance of 367.27 feet; thence South 77 deg 32 min 33 sec West, a distance of 53.25 feet; thence North 12 deg 27 min 27 sec West, a distance of 473.50 feet; thence North 77 deg 32 min 33 sec East, a distance of 157.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 388.13 feet to a point on the South right-of-way line of Park Boulevard; thence 30.19 feet along an arc to the left having a radius of 1917.86 feet and a chord of 30.19 feet, bearing North 80 deg 55 min 29 sec East; thence North 80 deg 28 min 25 sec East, a distance of 107.99 feet; thence North 88 deg 14 min 04 sec East, a distance of 71.12 feet; thence South 65 deg 43 min 34 sec East, a distance of 28.27 feet; thence South 38 deg 05 min 04 sec East, a distance of 70.88 feet; thence South 31 deg 55 min 34 sec East, a distance of 155.26 feet; thence South 31 deg 56 min 28 sec East, a distance of 244.22 feet; thence South 28 deg 57 min 39 sec East, a distance of 150.22 feet; thence South 31 deg 56 min 28 sec East, a distance of 231.12 feet; thence South 37 deg 21 min 47 sec East, a distance of 104.24 feet; thence 245.26 feet along an arc to the right having a radius of 5679.65 feet and a chord of 245.24 feet, bearing South 29 deg 33 min 02 sec East; thence South 58 deg 11 min 32 sec West, a distance of 71.62 feet; thence South 31 deg 56 min 28 sec East, a distance of 50.00 feet; thence South 58 deg 11 min 32 sec West, a distance of 100.00 feet; thence North 31 deg 56 min 28 sec West, a distance of 150.00 feet; thence South 58 deg 11 min 32 sec West, a distance of 150.00 feet; thence South 31 deg 56 min 28 sec

East, a distance of 50.00 feet; thence South 58 deg 11 min 32 sec West, a distance of 100.00 feet; thence North 31 deg 56 min 28 sec West, a distance of 101.40 feet; thence South 58 deg 11 min 32 sec West, a distance of 50.00 feet; thence North 89 deg 57 min 27 sec West, a distance of 39.83 feet; thence South 12 deg 27 min 27 sec East, a distance of 108.37 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 57 min 27 sec West along said right-of-way line, a distance of 288.45 feet to the Point of Beginning.

3. That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Northwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 27, thence North 89 deg 41 min 46 sec East along the centerline of Park Boulevard, a distance of 85.63 feet; thence South 00 deg 18 min 14 sec East, a distance of 50.00 feet; thence South 86 deg 13 min 59 sec East, a distance of 77.73 feet to a point on the new South right-of-way line of Park Boulevard; thence South 86 deg 13 min 59 sec East, a distance of 77.91 feet to the Point of Beginning; thence continuing South 86 deg 13 min 59 sec East along said right-of-way line, a distance of 107.00 feet; thence South 00 deg 16 min 44 sec East, a distance of 8.34 feet; thence North 89 deg 43 min 16 sec East, a distance of 26.00 feet; thence North 00 deg 16 min 44 sec West, a distance of 6.50 feet; thence South 86 deg 13 min 54 sec East, a distance of 234.02 feet; thence 339.98 feet along an arc to the left having a radius of 1917.86 feet and a chord of 339.54 feet; bearing North 88 deg 41 min 23.6 sec East; thence South 12 deg 27 min 27 sec East, a distance of 344.58 feet; thence South 77 deg 32 min 33 sec West, a distance of 223.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 50.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 45.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 37.67 feet; thence South 77 deg 32 min 33 sec West, a distance of 15.83 feet; thence South 12 deg 27 min 27 sec East, a distance of 20.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 210.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 28.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 41.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 80.63 feet; thence South 77 deg 32 min 33 sec West, a distance of 160.33 feet; thence South 12 deg 27 min 27 sec East, a distance of 20.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 31.50 feet; thence North 12 deg 27 min 27 sec West, a distance of 160.21 feet; thence South 77 deg 32 min 33 sec West, a distance of 222.30 feet; thence North 12 deg 27 min 27 sec West, a distance of 89.48 feet; thence North 42 deg 00 min 00 sec East, a distance of 332.36 feet; thence North 17 deg 00 min 00 sec West, a distance of 89.22 feet to a point on the new South right-of-way line of Park Boulevard, said point also being the Point of Beginning.

PARCEL VI:

Being part of the Southwest 1/4 of the Southeast 1/4 of Section 27, Township 30 South, Range 16 East, County of Pinellas, State of Florida, and being more particularly described as follows:

Commencing at the Northwest corner of said Southwest 1/4, run thence North 89 deg 41 min 46 sec East, 85.63 feet; thence South 00 deg 18 min 14 sec East, 50.00 feet; thence South 86 deg 13 min 59 sec East, 77.73 feet; thence South 00 deg 01 min 23 sec East, 129.85 feet; thence North 89 deg 55 min 18 sec West, 143.40 feet to the Point of Beginning; thence continuing North 89 deg 55 min 18 sec West 20.00 feet; thence North 00 deg 01 min 40 sec West, 134.35 feet; thence South 89 deg 51 min 44 sec East, 20.00 feet; thence South 00 deg 01 min 40 sec East, 134.32 feet to the Point of Beginning.

LEVEROCKS PARCEL

PARCEL ONE:

Lot 1, Block 3, PINELLAS PARK MALL according to the plat thereof, as recorded in Plat Book 71, Pages 95, 96 and 97, Public Records of Pinellas County, Florida, LESS that part conveyed to City of Pinellas Park recorded in O.R. Book 8030, Page 943, Public Records of Pinellas County, Florida.

PARCEL TWO:

Lot 185, LESS that part conveyed to City of Pinellas Park recorded in O.R. Book 4141, Page 1306, and Lots 186, 187 and 188, Block 2, and Lots 165, 166, 242 and 243, Block 4, HOMELAND SUBN., according to the plat thereof, as recorded in Plat Book 6, Page 29, Public Records of Pinellas County, Florida.

PARCEL THREE:

Commence at the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida; thence South 89°57'27" East, along the South boundary of said Section 27, a distance of 460.15 feet more or less; thence North 00°02'33" East 30.00 feet to a point on the Northerly right of way line of 70th Avenue North per O.R. Book 4141, Page 1309, Public Records of Pinellas County, Florida, and the Westerly right of way line of Avenue "D" per HOMELAND SUBN. as recorded in Plat Book 6, Page 29, Public Records of Pinellas County, Florida, and the POINT OF BEGINNING; thence North 31°56'28" West along said Westerly right of way line 228.90 feet to a point on the Southern boundary of PINELLAS PARK MALL PARTIAL REPLAT as recorded in Plat Book 79, Pages 65 through 67, Public Records of Pinellas County, Florida, thence North 58°11'32" East along said Southern boundary a distance of 25.00 feet; thence South 31°56'28" East, 150.00 feet; thence North 58°11'32" East, 25.00 feet; thence South 31°56'28" East along the Easterly boundary of said Avenue "D" a distance of 110.01 feet; thence North 89°57'27" West along said Northerly right of way line of 70th Avenue North a distance of 58.85 feet to the POINT OF BEGINNING, all being in the Southeast 1/4 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida.

Summary of Project Areas for Parkside Mall

The area of the mall north of 70th Avenue per the Platted boundary is 56.17 acres. Of this 56.17 acres, 0.26 acres was sold to Leverocks and 55.91 acres was developed as the mall site. The original DRI exhibits stated the original mall site was 55.3 acres, however I have not been able to find an overall legal description or survey to verify this acreage. There have been apparent right of way dedications and right of way vacations and it is my opinion the 55.3 acres was a preliminary acreage determined at the time the DRI was applied for and the final acreage was never updated.

The new acreage is as follows;

Original parcel north of 70 th Ave	56.17 acres
Acreage sold to Leverocks	-0.26 acres
Area south of 70 th Avenue	8.25 acres
Leverocks addition	1.89 acres
Current overall acreage	66.05 acres

PARKSIDE MALL PARCEL

LEGAL DESCRIPTION OF SHOPPING CENTER

PARCEL I:

That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the West line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence South 89 deg 57 min 27 sec East along said North right-of-way line, a distance of 299.01 feet to the Point of Beginning; thence due North, a distance of 199.19 feet; thence North 77 deg 32 min 33 sec East, a distance of 136.71 feet; thence due North, a distance of 95.07 feet; thence North 12 deg 27 min 27 sec West, a distance of 421.29 feet; thence North 77 deg 32 min 33 sec East, a distance of 160.33 feet; thence South 12 deg 27 min 27 sec East, a distance of 80.63 feet; thence North 77 deg 32 min 33 sec East, a distance of 41.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 28.00 feet; thence North 77 deg 32 min 33 sec East, a distance of 210.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 20.00 feet; thence North 77 deg 32 min 33 sec East, a distance of 15.83 feet; thence North 12 deg 27 min 27 sec West, a distance of 37.67 feet; thence North 77 deg 32 min 33 sec East, a distance of 45.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 50.00 feet; thence North 77 deg 32 min 33 sec East, a distance of 223.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 344.58 feet to a point on the South right-of-way of Park Boulevard; thence 74.79 feet along said South right-of-way line and along an arc to the left having a radius of 1917.86 feet and a chord of 74.78 feet, bearing North 82 deg 29 min 39.4 sec East; thence South 12 deg 27 min 27 sec East, a distance of 388.13 feet; thence South 77 deg 32 min 33 sec West, a distance of 157.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 473.50 feet; thence North 77 deg 32 min 33 sec East, a distance of 53.25 feet; thence South 00 deg 27 min 33 sec West, a distance of 367.27 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 57 min 27 sec West along said right-of-way line, a distance of 803.03 feet to the Point of Beginning.

PARCEL II:

That part of Lot 1 in Block 2 of PINELLAS PARK MALL, according to the map or plat thereof recorded in Plat Book 71, Pages 95, 96 and 97, of the public records of Pinellas County, Florida, (being part of the North 1/2 of Section 34, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence South 00 deg 04 min 17 sec West, a distance of 30.00 feet to a point on the South right-of-way of 70th Avenue North; thence north 89 deg 54 min 37 sec West along the said South right-of-way line, a distance of 30.00 feet to the Point of Beginning; thence South 00 deg 04 min 17 sec West, a distance of 599.29 feet; thence North 89 deg 52 min 41 sec West, a distance of 460.00 feet; thence North 00 deg 04 min 17 sec East, a distance of 57.19 feet; thence North 37 deg 25 min 47 sec East, a distance of 299.97 feet; thence North 30 deg 48 min 38 sec East, a distance of 35.17 feet; thence North 00 deg 04 min 17 sec East, a distance of 273.12 feet to a point on the South right-of-way line of 70th Avenue North; thence South 89 deg 54 min 37 sec East along said South right-of-way line, a distance of 260.00 feet to the Point of Beginning.

PARCEL III:

That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the West line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 54 min 37 sec West along said North right-of-way line, a distance of 635.34 feet to a point of intersection with the East right-of-way line of 41st Street North (50 foot wide); thence North 00 deg 02 min 15 sec West along said right-of-way line, a distance of 270.39 feet to the Point of Beginning; thence continuing North 00 deg 02 min 15 sec West along said East right-of-way line, a distance of 333.19 feet; thence South 89 deg 53 min 11 sec East, a distance of 436.10 feet; thence due South, a distance of 332.32 feet; thence due West, distance of 435.88 feet to a point on the East right-of-way line of 41st Street North (50 foot wide), said point also being the Point of Beginning.

PARCEL IV:

That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the West line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 54 min 37 sec West along said North right-of-way line, a distance of 635.34 feet to a point of intersection with the East right-of-way line of 41st Street North (50 foot wide); thence North 00 deg 02 min 15 sec West along said right-of-way line, a distance of 603.58 feet; thence South 89 deg 53 min 11 sec East, a distance of 454.15 feet; thence North 00 deg 01 min 49 sec West, a distance of 159.21 feet to the Point of Beginning; thence continuing North 00 deg 01 min 49 sec West, a distance of 484.14 feet to a point on the South right-of-way line of Park Boulevard; thence South 89 deg 51 min 44 sec East, a distance of 181.32 feet; thence South 00 deg 01 min 40 sec East, a distance of 134.34 feet; thence South 89 deg 55 min 18 sec East, a distance of 163.40 feet; thence North 00 deg 01 min 23 sec West, a distance of 129.85 feet to a point on the new South right-of-way of Park Boulevard; thence South 86 deg 13 min 59 sec East along said right-of-way line, a distance of 77.91 feet; thence South 17 deg 00 min 00 sec East, a distance of 89.22 feet; thence South 42 deg 00 min 00 sec West, a distance of 332.36 feet; thence South 12 deg 27 min 27 sec East, a distance of 89.48 feet; thence South 77 deg 32 min 33 sec West, a distance of 251.14 feet to the Point of Beginning.

PARCEL V:

TOGETHER WITH all real property rights, title and interests, including but not limited to easements for parking, access, ingress and egress, driveways, roadways, sidewalks, arcades, corridors, stairways, elevators, escalators, ramps, balconies, encroachments, footings and supports, utilities, and all other easements over and across common areas and facilities and improvements granted by New Operating Agreement recorded in O.R. Book 4361, Page 264, as amended by First Amendment to New Operating Agreement recorded in O.R. Book 4473, Page 724; Second Amendment to New Operating Agreement recorded in O.R. Book 4737, Page 1062 and Term Agreement recorded in O.R. Book 4828, Page 1898, over and across the following described (3) three parcels:

1. That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Northwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 27; thence North 89 deg 51 min 44 sec West along the centerline of Park Boulevard, a distance of 181.32 feet; thence South 00 deg 01 min 49 sec East, a distance of 50.00 feet to a point on the South right-of-way line of Park Boulevard; thence continuing South 00 deg 01 min 49 sec East, a distance of 484.14 feet to the Point of Beginning; thence North 77 deg 32 min 33 sec East, a distance of 473.44 feet; thence South 12 deg 27 min 27 sec East, a distance of 160.21 feet; thence North 77 deg 32 min 33 sec East, a distance of 31.50 feet; thence South 12 deg 27 min 27 sec East, a distance of 401.29 feet; thence due South, a distance of 95.07 feet; thence South 77 deg 32 min 33 sec West, a distance of 136.71 feet; thence due South, a distance of 199.19 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 57 min 27 sec West along said North right-of-way line, a distance of 299.01 feet; thence continuing along said right-of-way line North 89 deg 54 min 37 sec West, a distance of 635.34 feet to a point of intersection with the East right-of-way line of 41st Street North (50 foot wide); thence North 00 deg 02 min 15 sec West along said East right-of-way line, a distance of 270.39 feet; thence due East, a distance of 435.88 feet; thence due North, a distance of 332.32 feet; thence South 89 deg 53 min 11 sec East, a distance of 18.05 feet; thence North 00 deg 01 min 49 sec West, a distance of 159.21 feet to the Point of Beginning.

2. That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the west line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence South 89 deg 57 min 27 sec East along said right-of-way line, a distance of 1102.04 feet to the Point of Beginning; thence North 00 deg 27 min 33 sec East, a distance of 367.27 feet; thence South 77 deg 32 min 33 sec West, a distance of 53.25 feet; thence North 12 deg 27 min 27 sec West, a distance of 473.50 feet; thence North 77 deg 32 min 33 sec East, a distance of 157.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 388.13 feet to a point on the South right-of-way line of Park Boulevard; thence 30.19 feet along an arc to the left having a radius of 1917.86 feet and a chord of 30.19 feet, bearing North 80 deg 55 min 29 sec East; thence North 80 deg 28 min 25 sec East, a distance of 107.99 feet; thence North 88 deg 14 min 04 sec East, a distance of 71.12 feet; thence South 65 deg 43 min 34 sec East, a distance of 28.27 feet; thence South 38 deg 05 min 04 sec East, a distance of 70.88 feet; thence South 31 deg 55 min 34 sec East, a distance of 155.26 feet; thence South 31 deg 56 min 28 sec East, a distance of 244.22 feet; thence South 28 deg 57 min 39 sec East, a distance of 150.22 feet; thence South 31 deg 56 min 28 sec East, a distance of 231.12 feet; thence South 37 deg 21 min 47 sec East, a distance of 104.24 feet; thence 245.26 feet along an arc to the right having a radius of 5679.65 feet and a chord of 245.24 feet, bearing South 29 deg 33 min 02 sec East; thence South 58 deg 11 min 32 sec West, a distance of 71.62 feet; thence South 31 deg 56 min 28 sec East, a distance of 50.00 feet; thence South 58 deg 11 min 32 sec West, a distance of 100.00 feet; thence North 31 deg 56 min 28 sec West, a distance of 150.00 feet; thence South 58 deg 11 min 32 sec West, a distance of 150.00 feet; thence South 31 deg 56 min 28 sec

East, a distance of 50.00 feet; thence South 58 deg 11 min 32 sec West, a distance of 100.00 feet; thence North 31 deg 56 min 28 sec West, a distance of 101.40 feet; thence South 58 deg 11 min 32 sec West, a distance of 50.00 feet; thence North 89 deg 57 min 27 sec West, a distance of 39.83 feet; thence South 12 deg 27 min 27 sec East, a distance of 108.37 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 57 min 27 sec West along said right-of-way line, a distance of 288.45 feet to the Point of Beginning.

3. That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Northwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 27, thence North 89 deg 41 min 46 sec East along the centerline of Park Boulevard, a distance of 85.63 feet; thence South 00 deg 18 min 14 sec East, a distance of 50.00 feet; thence South 86 deg 13 min 59 sec East, a distance of 77.73 feet to a point on the new South right-of-way line of Park Boulevard; thence South 86 deg 13 min 59 sec East, a distance of 77.91 feet to the Point of Beginning; thence continuing South 86 deg 13 min 59 sec East along said right-of-way line, a distance of 107.00 feet; thence South 00 deg 16 min 44 sec East, a distance of 8.34 feet; thence North 89 deg 43 min 16 sec East, a distance of 26.00 feet; thence North 00 deg 16 min 44 sec West, a distance of 6.50 feet; thence South 86 deg 13 min 54 sec East, a distance of 234.02 feet; thence 339.98 feet along an arc to the left having a radius of 1917.86 feet and a chord of 339.54 feet; bearing North 88 deg 41 min 23.6 sec East; thence South 12 deg 27 min 27 sec East, a distance of 344.58 feet; thence South 77 deg 32 min 33 sec West, a distance of 223.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 50.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 45.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 37.67 feet; thence South 77 deg 32 min 33 sec West, a distance of 15.83 feet; thence South 12 deg 27 min 27 sec East, a distance of 20.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 210.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 28.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 41.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 80.63 feet; thence South 77 deg 32 min 33 sec West, a distance of 160.33 feet; thence South 12 deg 27 min 27 sec East, a distance of 20.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 31.50 feet; thence North 12 deg 27 min 27 sec West, a distance of 160.21 feet; thence South 77 deg 32 min 33 sec West, a distance of 222.30 feet; thence North 12 deg 27 min 27 sec West, a distance of 89.48 feet; thence North 42 deg 00 min 00 sec East, a distance of 332.36 feet; thence North 17 deg 00 min 00 sec West, a distance of 89.22 feet to a point on the new South right-of-way line of Park Boulevard, said point also being the Point of Beginning.

PARCEL VI:

Being part of the Southwest 1/4 of the Southeast 1/4 of Section 27, Township 30 South, Range 16 East, County of Pinellas, State of Florida, and being more particularly described as follows:

Commencing at the Northwest corner of said Southwest 1/4, run thence North 89 deg 41 min 46 sec East, 85.63 feet; thence South 00 deg 18 min 14 sec East, 50.00 feet; thence South 86 deg 13 min 59 sec East, 77.73 feet; thence South 00 deg 01 min 23 sec East, 129.85 feet; thence North 89 deg 55 min 18 sec West, 143.40 feet to the Point of Beginning; thence continuing North 89 deg 55 min 18 sec West 20.00 feet; thence North 00 deg 01 min 40 sec West, 134.35 feet; thence South 89 deg 51 min 44 sec East, 20.00 feet; thence South 00 deg 01 min 40 sec East, 134.32 feet to the Point of Beginning.

LEVEROCKS PARCEL

PARCEL ONE:

Lot 1, Block 3, PINELLAS PARK MALL according to the plat thereof, as recorded in Plat Book 71, Pages 95, 96 and 97, Public Records of Pinellas County, Florida, LESS that part conveyed to City of Pinellas Park recorded in O.R. Book 8030, Page 943, Public Records of Pinellas County, Florida.

PARCEL TWO:

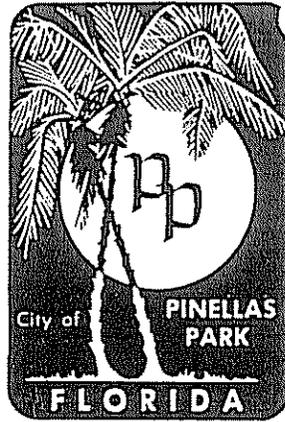
Lot 185, LESS that part conveyed to City of Pinellas Park recorded in O.R. Book 4141, Page 1306, and Lots 186, 187 and 188, Block 2, and Lots 165, 166, 242 and 243, Block 4, HOMELAND SUBN., according to the plat thereof, as recorded in Plat Book 6, Page 29, Public Records of Pinellas County, Florida.

PARCEL THREE:

Commence at the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida; thence South 89°57'27" East, along the South boundary of said Section 27, a distance of 460.15 feet more or less; thence North 00°02'33" East 30.00 feet to a point on the Northerly right of way line of 70th Avenue North per O.R. Book 4141, Page 1309, Public Records of Pinellas County, Florida, and the Westerly right of way line of Avenue "D" per HOMELAND SUBN. as recorded in Plat Book 6, Page 29, Public Records of Pinellas County, Florida, and the POINT OF BEGINNING; thence North 31°56'28" West along said Westerly right of way line 228.90 feet to a point on the Southern boundary of PINELLAS PARK MALL PARTIAL REPLAT as recorded in Plat Book 79, Pages 65 through 67, Public Records of Pinellas County, Florida, thence North 58°11'32" East along said Southern boundary a distance of 25.00 feet; thence South 31°56'28" East, 150.00 feet; thence North 58°11'32" East, 25.00 feet; thence South 31°56'28" East along the Easterly boundary of said Avenue "D" a distance of 110.01 feet; thence North 89°57'27" West along said Northerly right of way line of 70th Avenue North a distance of 58.85 feet to the POINT OF BEGINNING, all being in the Southeast 1/4 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida.

City of
PINELLAS PARK

6051 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100



301 # 14
FLORIDA

PHONE • (727) 541-0700

FAX • (727) 541-0780

April 9, 1999

Tampa Bay Regional Planning Council
Attn: Mr. Manny L. Pumariega
9455 Koger Boulevard
Suite 1219, Room 119
St. Petersburg, FL 33702

RE: A resolution adopting an amendment to the Development Order for the Pinellas Square Mall development of Regional Impact; providing for a finding of no substantial deviation; authorizing the construction of a cinema complex; providing for an effective date.

Dear Mr. Seibert:

Attached to this letter you will find a copy of the advertising and Resolution for the DRI. This item was approved by City Council on April 8, 1999.

If you require further information, please contact me at (727) 541-0756.

Thomas L. Shevlin
Assistant Community Development Administrator

dsh/

Attachment



PRINTED ON RECYCLED PAPER

RESOLUTION # 99-24
PINELLAS SQUARE MALL DRI
AMENDED DEVELOPMENT ORDER

A RESOLUTION ADOPTING AN AMENDMENT TO THE DEVELOPMENT ORDER FOR THE PINELLAS SQUARE MALL DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR A FINDING OF NO SUBSTANTIAL DEVIATION; AUTHORIZING THE CONSTRUCTION OF A CINEMA COMPLEX; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the authority of s. 380.06 Florida Statutes, on December 27, 1973 the City Council of Pinellas Park, Florida (herinafter called "City") reviewed, approved and issued a Development Order for the Development of Regional Impact ("DRI-DO") Pinellas Square Mall DRI; and

WHEREAS, the Pinellas Square Mall DRI Development Order provides for up to 780,000 square feet of gross leasable area (GLA) plus utilization of common areas for community, cultural and recreational purposes, and

WHEREAS, Pinellas Square Mall has never lived up to its economic expectations and the taxable value has fallen; and

WHEREAS, the Pinellas Square Mall has recently changed ownership and the new owner is in the process of implementing a repositioning and renovation plan for the mall; and

WHEREAS, one of the repositioning and renovation concepts believed to be crucial to the mall's success is a cinema complex; and

WHEREAS, these issues have caused the current developer of Pinellas Square Mall to request a change in the Development Order to authorize the cinema complex use.

NOW, THEREFORE BE IT RESOLVED by the MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA AS FOLLOWS:

SECTION ONE: FINDINGS OF FACT

1. On January 13, 1999, John Hancock Mutual Life Insurance Company, new owners and the Developer of the Pinellas Square Mall, submitted a Notice of Proposed Change (NOPC) to a previously approved DRI pursuant to s. 380.06(19) Florida Statutes and 9j-2.025 (11) FAC, to amend the 1973 DRI-DO for the Pinellas Square Mall DRI to provide for the development of a cinema complex.

2. A public hearing pursuant to Section 380.06 (19), Florida Statutes, was advertised on March 25, 1999 and a duly noticed public hearing was conducted on the NOPC by the Pinellas Park City Council on April 8, 1999. All interested parties and members of the public were afforded the opportunity to participate.

3. Based on the NOPC submitted and the testimony provided, the Pinellas Park City Council finds that the proposed change does not constitute a substantial deviation.

SECTION TWO: CONCLUSIONS OF LAW

1. Pinellas Park City Council is the governing body having jurisdiction over the review and approval of the NOPC, pursuant to Chapter 380, Florida Statutes, and is authorized and empowered to issue this amendment to the Pinellas Square Mall DRI-DO.

2. The property does not lie within an Area of Critical State Concern.

3. The proposed development is consistent with the applicable local Comprehensive Plan is consistent with the applicable local land development regulations.

4. The proposed development would not unreasonably interfere with the objective of the State Land Development Plan applicable to the area.

5. The proposed development is consistent with the Tampa Bay Comprehensive Regional Policy Plan and the State Comprehensive Plan.

6. The provisions of this RRI-DO shall not be construed as a waiver of or exception to any local, state or federal law or regulation.

7. The impacts of this development, as conditioned by this DRI-DO, are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, and the changes as approved by the Pinellas Park City Council do not constitute a substantial deviation to the original DRI Development Order or subsequent amendments or create additional local impacts.

8. To the extent that the DRI-DO or NOPC, or any other document is inconsistent with the terms and conditions of this Amendment to the DRI-ADO, this Amendment to the DRI-DO shall prevail.

NOW THEREFORE, having made the aforementioned-Findings of Fact and Conclusions of Law, the NOPC is hereby approved and incorporated by reference herein, subject to the following modifications and conditions of development set forth in this Amendment to the DRI-DO:

SECTION THREE: GENERAL CONDITIONS

1. The Development Order for the Pinellas Square Mall shall be amended to allow a cinema complex with up to 20 screens and with

seating capacity for up to 5,000 customers. The complex is expected to occupy 90,000 square feet GLA and will be incorporated into the mall by replacement of approximately 13,000 square feet of existing commercial floor area plus expansion of the building by approximately 77,000 square feet. Additionally, 11,400 square feet now occupied by a 3-screen theater with 1,014 total seating will be vacated and will be available for other commercial use. Leasable floor area of non-theater uses after the proposed change will total 690,000 square feet.

2. No more than one-fourth of the movies in a facility shall start on the hour, one-fourth ten minutes later, another one-fourth at twenty minutes after the hour, and the final one-fourth at thirty minutes after the hour.

3. Within sixty (60) days of the issuance of the Amendment to the DRI-DO, the Developer shall cause a Notice of Adoption of this Amendment to be recorded among the Public Records of Pinellas County in accordance with Section 380.06 (15), Florida Statutes, and shall provide a copy of the recorded Notice to the City of Pinellas Park, the Tampa Bay Regional Planning Council and the Florida Department of Community Affairs.

4. The City Clerk is hereby directed to send certified copies of this Amendment to the DRI-DO within 5 days of the date of this Amendment to the TBRPC, the FDCA and the authorized representative of the applicants, by certified mail, return receipt requested.

5. This Amendment to the DRI-DO shall take effect upon transmittal to the parties specified-in Subsection 380.07 (2),

Florida Statutes.

SECTION FOUR:

1. That this Resolution shall be in full force and effect immediately after its adoption and approval in the manner provided by law.

PUBLISHED THE 26th DAY OF March, 1999.

FIRST READING 8th DAY OF April, 1999.

PUBLIC HEARING THE 8th DAY OF April, 1999.

ADOPT THIS 8th DAY OF April, 1999.

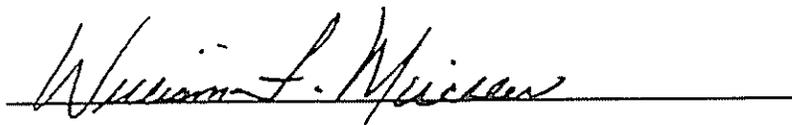
AYES: (5) Council Members: Bailey, Butler, Taylor, Williams and Mayor Mischler

NAYES: (0)

ABSENT: (0)

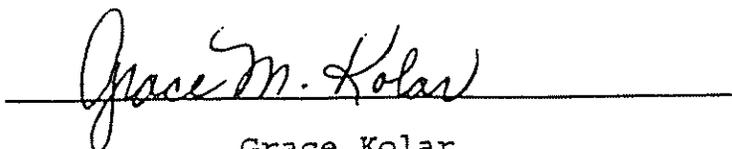
ABSTAIN: (0)

APPROVED THIS 8th DAY OF April, 1999.



William F. Mischler

Mayor



Grace Kolar
City Clerk

Pinellas News

(727) 894-2411

CITY OF PINELLAS PARK
Attn: Mrs. Grace M. Kolar
P.O. BOX 1100
PINELLAS PARK, FL 33780-1100

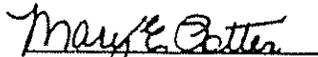
NO. :032640
ACCT:10005-3
Case Number: N/A

FAX (727) 894-2511

COUNTY OF PINELLAS
STATE OF FLORIDA

Before the undersigned authority personally appeared, Mary E. Potter who on oath says that she is the Legal Account Executive of the Pinellas News a weekly newspaper published in St. Petersburg located within Pinellas County, Florida: that the attached copy of advertisement NOTICE OF PUBLIC HEARING UPON RESOLUTION in the matter of RESOLUTION NO. 99-24 in the Pinellas County Circuit Court, was published in the said newspaper in the issues of MARCH 26, 1999.

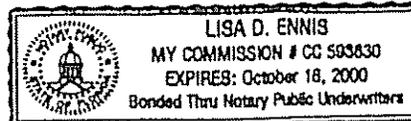
Affiant further says that the said Pinellas News is a newspaper published at St. Petersburg, in said Pinellas County, Florida, and that the said newspaper heretofore has been continuously published in said Pinellas County, each week and has been entered as a second class mail matter at the post office in St. Petersburg in said Pinellas County, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.


Mary E. Potter

The foregoing instrument was acknowledged before me by Mary E. Potter personally known to me This 26 Day of MARCH 1999, AD.



Notary Public



NOTICE OF PUBLIC HEARING UPON RESOLUTION
Notice is hereby given that the City Council of Pinellas Park, Florida hold a PUBLIC HEARING upon the following RESOLUTION NO. 99-24 Hall, 5141 78th Avenue, Pinellas Park, Florida on the 8th day of April, 1999, P.M., the title of said Resolution being as follows:

RESOLUTION NO. 99-24
PINELLAS SQUARE MALL DRI
AMENDED DEVELOPMENT ORDER
A RESOLUTION ADOPTING AN AMENDMENT TO THE DEVELOPMENT ORDER FOR THE PINELLAS SQUARE MALL DEVELOPMENT REGIONAL IMPACT: PROVIDING FOR A FINDING OF NO SUBSTANTIAL DEVIATION; AUTHORIZING THE CONSTRUCTION OF A CINEMA COMPLEX; PROVIDING FOR AN EFFECTIVE DATE.

This Resolution is available for review, in the City Clerk's Department. Interested parties are invited to attend this meeting and be heard. Any person who decides to appeal any decision of the City Council, Board, or City Commission, with respect to any matter considered at this meeting need a record of the proceedings, and for such purpose, may need to ensure that abatim record of the proceedings is made, which records includes the testimony evidence upon which the appeal is to be based.

The City maintains a tape recording of all public hearings. In the event you wish to appeal a decision, the tape may or may not adequately insure a verbatim record of the proceedings, therefore, you may wish to provide a court reporter at your expense.

FOR THE HEARING IMPAIRED - An interpreter for individuals with hearing impairment will be made available upon request, made at least 72 hours in advance. Also, an Assistive Hearing Device (magnifier) is available from the City Clerk for use in Council Chambers and all meeting rooms throughout the City. This document is available in the following accessible formats: Braille, Large Print, Audio Tape, and Electronic File on Computer Disks.

GRACE M. KOLAR, CMC
CITY CLERK
CITY OF PINELLAS PARK
Mar 26, 1999

10005

03264

Friday
3/26/99
317 pieces
EK

March 26, 1999

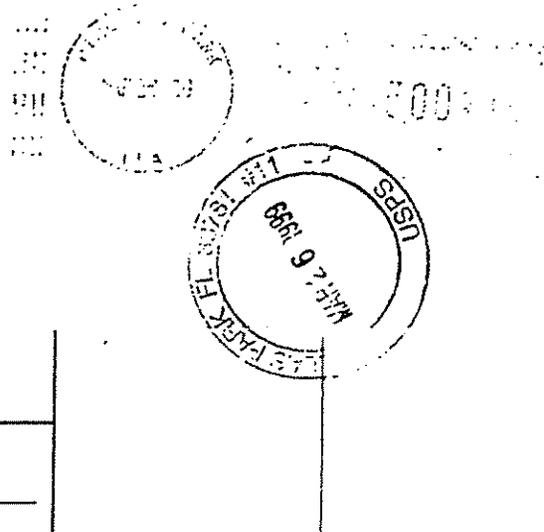
TO: Postmaster
FROM: City Clerk's Office
SUBJ: CERTIFICATION OF MAILING RESOLUTION 99-24

Attached you will find THREE HUNDRED SEVENTEEN (317) PIECES TO BE CERTIFIED.

/csi

U.S. POSTAL SERVICE CERTIFICATE OF MAILING	
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER	
Received From:	<u>City of Poinsett Park</u> <u>5141 - 78th Ave. W</u> <u>Poinsett Park, FL 33781</u>
One piece of ordinary mail addressed to:	<u>(317) pieces of mail to be</u> <u>certified</u>

PS Form 3817, Mar. 1989



ST. PETERSBURG TIMES

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA } S.S.
COUNTY OF PINELLAS }

Before the undersigned authority personally appeared C. Egan
who on oath says that he is Legal Clerk
of the St. Petersburg Times
a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of
advertisement, being a Legal Notice
in the matter RE: City of Pinellas Park, FL Public Hearing

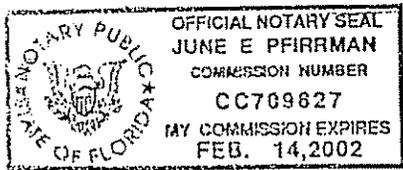
_____ in the _____ Court
was published in said newspaper in the issues of March 25th, 1999

Affiant further says the said St. Petersburg Times
is a newspaper published at St. Petersburg, in said Pinellas County, Florida, and that the said newspaper
has heretofore been continuously published in said Pinellas County, Florida, each day and has been
entered as second class mail matter at the post office in St. Petersburg, in said Pinellas County, Florida, for
a period of one year next preceding the first publication of the attached copy of advertisement, and affiant
further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate,
commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

C. Egan
Signature of Affiant

Sworn to and subscribed before
me this 2nd day of
April A.D. 19 99

June E. Pfirman
Notary Public



Personally known or produced identification _____
Type of identification produced _____

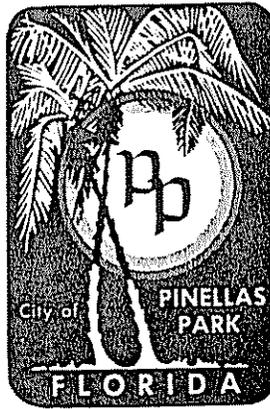
(SEAL)

Legal Notices	Legal Notices
CITY OF PINELLAS PARK, FLORIDA	
PUBLIC HEARING	
The City Council of the City of Pinellas Park will hold a Public Hearing in City Council Chambers, 5141 78th Avenue North at 7:30 p.m. on Thursday, April 8, 1999. At this meeting the City Council will entertain all public comment regarding any item on their agenda.	
All case files are available for review at the Technical Services Building, 6051 78th Avenue North, in the Zoning Division.	
CASE: Determination of substantial deviation to the DR for the Pinellas ParkSide Mall.	
REQUEST: A Resolution adopting an amendment to the development order for the Pinellas Square Mall, (development of regional impact) Providing for a finding of no substantial deviation; Authorizing the construction of a cinema complex; Providing for an effective date.	
LOCATION: Generally located at the southwest corner of the U.S. 19/Park Boulevard intersection in the City of Pinellas Park.	
NOTICE	
You are invited to register your opinions either at the public hearing or by a letter stating the reasons for your opinions. Letters should be addressed to the Zoning Division, Post Office Box 1100, Pinellas Park, Florida 33780. For more information, please contact the Zoning Division.	
Any written communication should be received 8 days prior to the public hearing date in order to be made a part of the record and letters should be addressed to the Zoning Division, Post Office Box 1100, Pinellas Park, Florida 33780. All oral communication concerning this case is prohibited by Florida State law unless made at the public hearing. For more information, please contact the Zoning Division.	
Any person who decides to appeal any decision of the City Council, City Board or City Commission, with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.	
The City maintains a tape recording of all public hearings. In the event that you wish to appeal a decision, the tape may not adequately ensure a verbatim record.	
FOR THE HEARING IMPAIRED - An interpreter for individuals with hearing impairment will be made available upon requests made at least 72 hours in advance. Also, an Assistive Hearing Device (magnifier) is available from the City Clerk for use in Council Chambers and all meeting rooms throughout the City. This document is available in the following accessible formats: Braille, Large Print, Audio Tape, and Electronic File on Computer Disks.	
THOMAS L. SHEVLIN ASSISTANT COMMUNITY DEVELOPMENT ADMINISTRATOR (990129082) 3/25/99	

TB -

City of
PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 34664-1100



FLORIDA

PHONE • (813) 541-0700
FAX • (813) 544-7448
SUNCOM • 969-1011

February 3, 1997

Ms. Julia Greene
Tampa Bay Regional Planning Council
9455 Koger Boulevard
Suite 1219, Room 119
St. Petersburg, Florida 33702

RE: CASE NO. MS 97-6 - AMENDMENT TO AN APPROVED DEVELOPMENT ORDER
FOR THE PINELLAS SQUARE MALL, DEVELOPMENT OF REGIONAL IMPACT

Dear Ms. Greene:

Attached is a Certified copy of the City of Pinellas Park's
Resolution No. 97-5 for the above referenced case. This material
was APPROVED by City Council on January 23, 1996.

If you require any further information, please contact me at
(813) 541-0756.

Sincerely,

Thomas L. Shevlin
Zoning Division Director

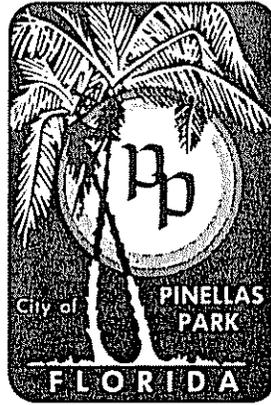
TLS/pak

Attachments

pc: James Madden
Paula Cohen
Department of Community Affairs

City of
PINELLAS PARK

5141 - 78TH AVE. • PINELLAS PARK, FLA 34665-2498



FLORIDA

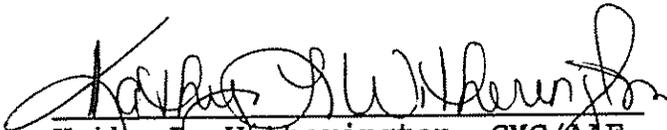
PHONE • (813) 541-0700
FAX • (813) 544-7448
SUNCOM • 969-1011

STATE OF FLORIDA)
COUNTY OF PINELLAS)
CITY OF PINELLAS PARK)

SS

I, KATHY L. WITHERINGTON, the duly qualified Deputy City Clerk of the CITY OF PINELLAS PARK, COUNTY OF PINELLAS, STATE OF FLORIDA, do hereby certify that the foregoing and hereto attached contains a full, true and correct copy of Resolution No. 97-5, adopted by the City Council of the City of Pinellas Park, Florida, on January 23, 1997, as the same appears of Record and in the files in my office.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the corporate seal of the said CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, this 24th day of January, 1997.


Kathy L. Witherington, CMC/AAE
Deputy City Clerk
City of Pinellas Park

RESOLUTION NO. 97-5

A RESOLUTION ADOPTING AN AMENDMENT TO THE DEVELOPMENT ORDER FOR THE PINELLAS SQUARE MALL DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the authority of Section 380.06 Florida Statutes, on December 27, 1973, the City Council of the City of Pinellas Park, Florida reviewed, approved and issued a Development Order for the Pinellas Square Mall DRI; and

WHEREAS, the Pinellas Square Mall development order provides for up to 780,000 square feet of gross leasable area (GLA) plus utilization of common areas for community, cultural, and recreational purposes; and

WHEREAS, the actual leasable area of the Pinellas Square Mall is 682,373 square feet as shown in the plot plan, dated February 10, 1995, attached hereto as **EXHIBIT 1**; and

WHEREAS, Pinellas Square Mall has never realized its initial economic expectations, and the current occupancy rate thereof is less than fifty percent (50%), and over the past four years the taxable value thereof has decreased by approximately twenty percent (20%); and

WHEREAS, that certain real property described in **EXHIBIT 2** attached hereto, together with the Pinellas Square Mall located thereon, has recently changed ownership and the new owner, John Hancock Mutual Life Insurance Company, having an address c/o Divaris Property Management, Pinellas Square Mall, 7200 U.S. 19 North, Suite 608, Pinellas Park, Florida 33781, (813) 525-7243, is in the process of implementing a repositioning and renovation plan for the mall; and

WHEREAS, the Pinellas Square Mall has recently changed ownership and the new owner is in the process of implementing a repositioning and renovation plan for the mall; and

WHEREAS, one of the repositioning and renovation concepts believed by the new owner to be crucial to the mall's success is a small ice skating rink of 7,200 square feet to be used as a marketing tool to attract people to the mall and to provide recreation for children while their parents shop; and

WHEREAS, these factors have caused the new owner of Pinellas Square Mall to request a change in the development order to authorize the use of the common area for an ice skating rink.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: FINDINGS OF FACT

1. On December 2, 1996, John Hancock Mutual Life Insurance Company, the new owner of the Pinellas Square Mall, submitted a notice of proposed change (NOPC) to a previously approved DRI pursuant to Section 380.06 (19) Florida Statutes and 9J2.025 (11) FAC, to amend the 1973 Development Order (ADO) for the Pinellas Square Mall DRI to provide for the utilization of common space within the mall for an ice skating rink of approximately 7,200 square feet plus a staging and mechanical area of approximately 1,967 square feet.
2. A public hearing pursuant to Section 380.06 (19), Florida Statutes, was advertised on January 3, 1997, and a duly noticed public hearing was conducted on the NOPC by the Pinellas Park City Council on January 23, 1997. All interested parties and members of the public were afforded the opportunity to participate.
3. Based on the NOPC submitted and the testimony provided, the Pinellas Park City Council finds that the proposed change is an ancillary facility and does not constitute a substantial deviation.

SECTION TWO: CONCLUSIONS OF LAW

1. The Pinellas Park City Council is the governing body having jurisdiction over the review and approval of the NOPC pursuant to Chapter 380, Florida Statutes, and is authorized and empowered to issue this Amendment to the Pinellas Square Mall DRI without the necessity of further development of regional impact review.
2. The property does not lie within an Area of Critical State Concern.
3. The proposed development is consistent with the applicable local Comprehensive Plan and is consistent with the applicable local Land Development Code regulations.
4. The proposed development would not unreasonably interfere with the objectives of the State Land Development Plan applicable to the area.
5. The proposed development is consistent with the Tampa Bay Comprehensive Regional Policy Plan and the State Comprehensive Plan.
6. The provisions of this ADO shall not be construed as a waiver of or exception to any local, state or federal law or regulation.
7. The impacts of this development, as conditioned by this ADO, are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, and the changes as approved by the Pinellas Park City Council do not constitute a substantial deviation to the original DRI Development Order or subsequent amendments or create additional local or regional impacts.
8. To the extent that the ADA or NOPC, or any other document is inconsistent with the terms and conditions of this Amendment to the ADO, this Amendment to the ADO shall prevail. Except as amended hereby, the ADO and any previously adopted

amendments thereto, and other documents relating thereto, shall remain in full force and effect according to their terms.

NOW, THEREFORE, having made the aforementioned Findings of Fact and Conclusions of Law, the NOPC is hereby approved and incorporated by reference herein, subject to the following modifications and conditions of development set forth in this Amendment to the ADO:

1. The development order for the Pinellas Square Mall shall be amended to allow an ancillary ice skating rink to be constructed on the ground level, center court location consisting of 7,200 square feet for the skating rink and 1,967 square feet for the staging and mechanical areas to support the skating rink as shown on EXHIBIT 3 attached hereto.
2. Within sixty (60) days of the issuance of this Amendment to the ADO, the Developer shall cause a Notice of Adoption of this Amendment to be recorded among the public records of Pinellas County, in accordance with Section 308.06 (15), Florida Statutes, and shall provide a copy of the recorded Notice to the City of Pinellas Park, and the Tampa Bay Regional Planning Council and the Florida Department of Community Affairs.
3. The City Clerk is hereby directed to send certified copies of this Amendment to the ADO within 5 days of the date of this Amendment to the Tampa Bay Regional Planning Council, the Department of Community Affairs and the authorized representative of the applicants, by certified mail, return receipt requested.
4. This Amendment to the ADO shall take effect upon transmittal to the parties specified in Subsection 380.07 (2), Florida Statutes.

5. Unless amended pursuant to the procedures outlined in Section 380.06(19), Florida Statutes, the build-out date for the development authorized by this development order shall be five (5) years from the effective date of this amended Development Order.

SECTION FOUR: That this Resolution shall be in full force and effect immediately after its adoption and approval in the manner provided by law.

PUBLISHED THE 10th DAY OF January, 1997.
FIRST READING 23rd DAY OF January, 1997.
PUBLIC HEARING THE 23rd DAY OF January, 1997.
ADOPTED THIS 23rd DAY OF January, 1997.

AYES: (5) Council Members: Bailey, Burke, Mischler, Williams and
Mayor Bradbury

NAYS: (0)

ABSENT: (0)

ABSTAIN: (0)

APPROVED THIS 23rd DAY OF January, 1997.

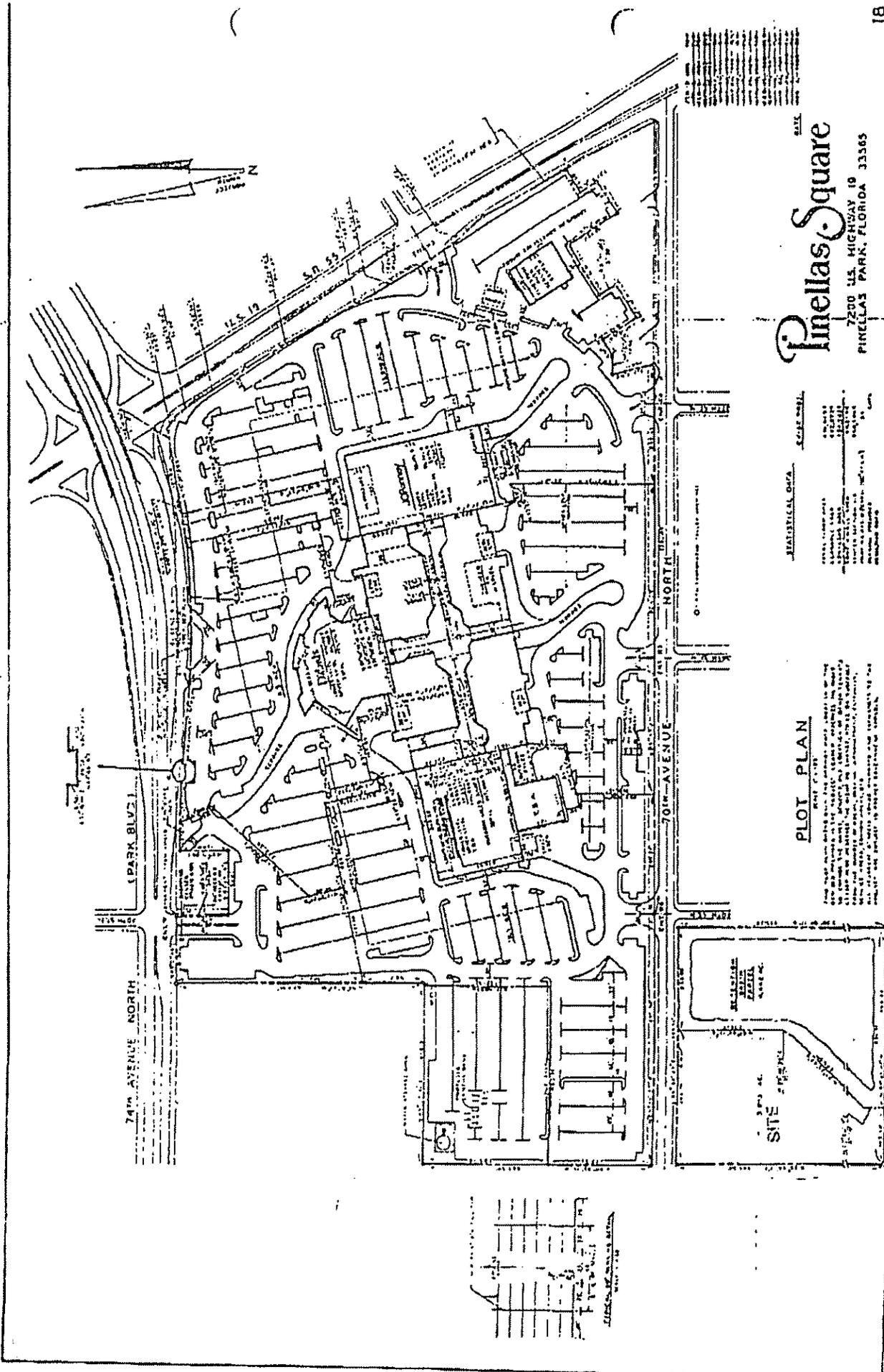
Cecil W. Bradbury
Cecil W. Bradbury
MAYOR

ATTEST:

Grace M. Kolar
Grace M. Kolar
CITY CLERK

APPROVED AS TO FORM AND CONTENT:

Thomas E. Reynolds
Edward D. Foreman, City Attorney



Pinellas Square
 7200 U.S. HIGHWAY 19
 PINELLAS PARK, FLORIDA 33365

STATISTICAL DATA

STATISTICAL DATA	SCALE
TOTAL AREA	100,000
TOTAL FLOOR AREA	1,000,000
TOTAL PARKING SPACES	1,000
TOTAL RETAIL SPACES	100
TOTAL OFFICE SPACES	100
TOTAL RESIDENTIAL UNITS	100

PLOT PLAN

THIS PLOT PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO THE APPROVAL OF THE CITY OF PINELLAS PARK. THE CITY ENGINEER HAS REVIEWED THIS PLOT PLAN AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE CITY OF PINELLAS PARK. THE CITY ENGINEER HAS NOT REVIEWED THE ARCHITECTURAL DRAWINGS AND IS NOT RESPONSIBLE FOR THE DESIGN OF THE BUILDINGS OR THE LANDSCAPE ARCHITECTURE.

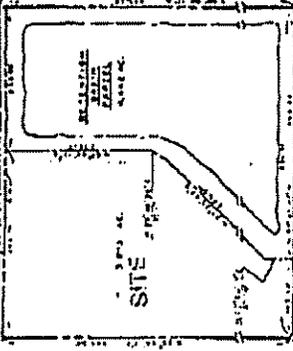


EXHIBIT 1

L A W Y E R S T I T L E
I N S U R A N C E C O R P O R A T I O NN A T I O N A L H E A D Q U A R T E R S
R I C H M O N D , V I R G I N I A

LEGAL DESCRIPTION CONTINUED

PARCEL I:

That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the West line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence South 89 deg 57 min 27 sec East along said North right-of-way line, a distance of 299.01 feet to the Point of Beginning; thence due North, a distance of 199.19 feet; thence North 77 deg 32 min 33 sec East, a distance of 136.71 feet; thence due North, a distance of 95.07 feet; thence North 12 deg 27 min 27 sec West, a distance of 421.29 feet; thence North 77 deg 32 min 33 sec East, a distance of 160.33 feet; thence South 12 deg 27 min 27 sec East, a distance of 80.63 feet; thence North 77 deg 32 min 33 sec East, a distance of 41.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 28.00 feet; thence North 77 deg 32 min 33 sec East, a distance of 210.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 20.00 feet; thence North 77 deg 32 min 33 sec East, a distance of 15.83 feet; thence North 12 deg 27 min 27 sec West, a distance of 37.67 feet; thence North 77 deg 32 min 33 sec East, a distance of 45.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 50.00 feet; thence North 77 deg 32 min 33 sec East, a distance of 223.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 344.58 feet to a point on the South right-of-way of Park Boulevard; thence 74.79 feet along said South right-of-way line and along an arc to the left having a radius of 1917.86 feet and a chord of 74.78 feet, bearing North 82 deg 29 min 39.4 sec East; thence South 12 deg 27 min 27 sec East, a distance 388.13 feet; thence South 77 deg 32 min 33 sec West, a distance of 157.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 473.50 feet; thence North 77 deg 32 min 33 sec East, a distance of 53.25 feet; thence South 00 deg 27 min 33 sec West, a distance of 367.27 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 57 min 27 sec West along said right-of-way line, a distance of 803.03 feet to the Point of Beginning.

PARCEL II:

That part of Lot 1 in Block 2 of PINELLAS PARK MALL, according to the map or plat thereof recorded in Plat Book 71, Pages 95, 96 and 97, of the public records of Pinellas County, Florida, (being part of the North 1/2 of Section 34, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence South 00 deg 04 min 17 sec West, a distance of 30.00 feet to a point on the South right-of-way of 70th Avenue North; thence north 89 deg 54 min 37 sec West along the said South right-of-way line, a distance of 30.00 feet to the Point of Beginning; thence South 00 deg 04 min 17 sec West, a distance of 599.29 feet; thence North 89 deg 52 min 41 sec West, a
(continued)

Case Number 9600114

Exhibit 2

L A W Y E R S T I T L E
I N S U R A N C E C O R P O R A T I O NN A T I O N A L H E A D Q U A R T E R S
R I C H M O N D , V I R G I N I A

LEGAL DESCRIPTION CONTINUED

distance of 460.00 feet; thence North 00 deg 04 min 17 sec East, a distance of 57.19 feet; thence North 37 deg 25 min 47 sec East, a distance of 299.97 feet; thence North 30 deg 48 min 38 sec East, a distance of 35.17 feet; thence North 00 deg 04 min 17 sec East, a distance of 273.12 feet to a point on the South right-of-way line of 70th Avenue North; thence South 89 deg 54 min 37 sec East along said South right-of-way line, a distance of 260.00 feet to the Point of Beginning.

PARCEL III:

That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the West line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 54 min 37 sec West along said North right-of-way line, a distance of 635.34 feet to a point of intersection with the East right-of-way line of 41st Street North (50 foot wide); thence North 00 deg 02 min 15 sec West along said right-of-way line, a distance of 270.39 feet to the Point of Beginning; thence continuing North 00 deg 02 min 15 sec West along said East right-of-way line, a distance of 333.19 feet; thence South 89 deg 53 min 11 sec East, a distance of 436.10 feet; thence due South, a distance of 332.32 feet; thence due West, distance of 435.88 feet to a point on the East right-of-way line of 41st Street North (50 foot wide), said point also being the Point of Beginning.

PARCEL IV:

That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 27, thence North 00 deg 01 min 40 sec West along the West line of the Southeast 1/4 of said Section 27, a distance of 30.00 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 54 min 37 sec West along said North right-of-way line, a distance of 635.34 feet to a point of intersection with the East right-of-way line of 41st Street North (50 foot wide); thence North 00 deg 02 min 15 sec West along said right-of-way line, a distance of 603.58 feet; thence South 89 deg 53 min 11 sec East, a distance of 454.15 feet; thence North 00 deg 01 min 49 sec West, a distance of 159.21 feet to the Point of Beginning; thence continuing North 00 deg 01 min 49 sec West, a distance of 484.14 feet to a point on the South right-of-way line of Park Boulevard; thence South 89 deg 51 min 44 sec East, a distance of 181.32 feet; thence South 00 deg 01 min 40 sec East, a distance of 134.34 feet; thence South 89 deg 55 min 18 sec East, a distance of 163.40 feet; thence

(continued)

Case Number 9600114

L A W Y E R S T I T L E
I N S U R A N C E C O R P O R A T I O NN A T I O N A L H E A D Q U A R T E R S
R I C H M O N D , V I R G I N I A

LEGAL DESCRIPTION CONTINUED

North 00 deg 01 min 23 sec West, a distance of 129.85 feet to a point on the new South right-of-way of Park Boulevard; thence South 86 deg 13 min 59 sec East along said right-of-way line, a distance of 77.91 feet; thence South 17 deg 00 min 00 sec East, a distance of 89.22 feet; thence South 42 deg 00 min 00 sec West, a distance of 332.36 feet; thence South 12 deg 27 min 27 sec East, a distance of 89.48 feet; thence South 77 deg 32 min 33 sec West, a distance of 251.14 feet to the Point of Beginning.

PARCEL V:

TOGETHER WITH all real property rights, title and interests, including but not limited to easements for parking, access, ingress and egress, driveways, roadways, sidewalks, arcades, corridors, stairways, elevators, escalators, ramps, balconies, encroachments, footings and supports, utilities, and all other easements over and across common areas and facilities and improvements granted by New Operating Agreement recorded in O.R. Book 4361, Page 264, as amended by First Amendment to New Operating Agreement recorded in O.R. Book 4473, Page 724; Second Amendment to New Operating Agreement recorded in O.R. Book 4737, Page 1062 and Term Agreement recorded in O.R. Book 4828, Page 1898, over and across the following described (3) three parcels:

1. That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of Pinellas County, Florida, (being part of the South 1/2 of Section 27, Township 30 South, Range 16 East, Pinellas County, Florida) more particularly described as follows:

Commence at the Northwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 27; thence North 89 deg 51 min 44 sec West along the centerline of Park Boulevard, a distance of 181.32 feet; thence South 00 deg 01 min 49 sec East, a distance of 50.00 feet to a point on the South right-of-way line of Park Boulevard; thence continuing South 00 deg 01 min 49 sec East, a distance of 484.14 feet to the Point of Beginning; thence North 77 deg 32 min 33 sec East, a distance of 473.44 feet; thence South 12 deg 27 min 27 sec East, a distance of 160.21 feet; thence North 77 deg 32 min 33 sec East, a distance of 31.50 feet; thence South 12 deg 27 min 27 sec East, a distance of 401.29 feet; thence due South, a distance of 95.07 feet; thence South 77 deg 32 min 33 sec West, a distance of 136.71 feet; thence due South, a distance of 199.19 feet to a point on the North right-of-way line of 70th Avenue North; thence North 89 deg 57 min 27 sec West along said North right-of-way line, a distance of 299.01 feet; thence continuing along said right-of-way line North 89 deg 54 min 37 sec West, a distance of 635.34 feet to a point of intersection with the East right-of-way line of 41st Street North (50 foot wide); thence North 00 deg 02 min 15 sec West along said East right-of-way line, a distance of 270.39 feet; thence due East, a distance of 435.88 feet; thence due North, a distance of 332.32 feet; thence South 89 deg 53 min 11 sec East, a distance of 18.05 feet; thence North 00 deg 01 min 49 sec West, a distance of 159.21 feet to the Point of Beginning.

2. That part of Lot 1 in Block 1 of PINELLAS PARK MALL PARTIAL REPLAT, according to the map or plat thereof recorded in Plat Book 79, Pages 65, 66 and 67 of the public records of (continued)

Case Number 9600114

L A W Y E R S T I T L E
I N S U R A N C E C O R P O R A T I O N
N A T I O N A L H E A D Q U A R T E R S
R I C H M O N D , V I R G I N I A

LEGAL DESCRIPTION CONTINUED

sec East along said right-of-way line, a distance of 107.00 feet; thence South 00 deg 16 min 44 sec East, a distance of 8.34 feet; thence North 89 deg 43 min 16 sec East, a distance of 26.00 feet; thence North 00 deg 16 min 44 sec West, a distance of 6.50 feet; thence South 86 deg 13 min 54 sec East, a distance of 234.02 feet; thence 339.98 feet along an arc to the left having a radius of 1917.86 feet and a chord of 339.54 feet, bearing North 88 deg 41 min 23.6 sec East; thence South 12 deg 27 min 27 sec East, a distance of 344.58 feet; thence South 77 deg 32 min 33 sec West, a distance of 223.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 50.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 45.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 37.67 feet; thence South 77 deg 32 min 33 sec West, a distance of 15.83 feet; thence South 12 deg 27 min 27 sec East, a distance of 20.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 210.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 28.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 41.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 80.63 feet; thence South 77 deg 32 min 33 sec West, a distance of 160.33 feet; thence South 12 deg 27 min 27 sec East, a distance of 20.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 31.50 feet; thence North 12 deg 27 min 27 sec West, a distance of 160.21 feet; thence South 77 deg 32 min 33 sec West, a distance of 222.30 feet; thence North 12 deg 27 min 27 sec West, a distance of 89.48 feet; thence North 42 deg 00 min 00 sec East, a distance of 332.36 feet; thence North 17 deg 00 min 00 sec West, a distance of 89.22 feet to a point on the new South right-of-way line of Park Boulevard, said point also being the Point of Beginning.

PARCEL VI:

Being part of the Southwest 1/4 of the Southeast 1/4 of Section 27, Township 30 South, Range 16 East, County of Pinellas, State of Florida, and being more particularly described as follows:

Commencing at the Northwest corner of said Southwest 1/4, run thence North 89 deg 41 min 46 sec East, 85.63 feet; thence South 00 deg 18 min 14 sec East, 50.00 feet; thence South 86 deg 13 min 59 sec East, 77.73 feet; thence South 00 deg 01 min 23 sec East, 129.85 feet; thence North 89 deg 55 min 18 sec West, 143.40 feet to the Point of Beginning; thence continuing North 89 deg 55 min 18 sec West 20.00 feet; thence North 00 deg 01 min 40 sec West, 134.35 feet; thence South 89 deg 51 min 44 sec East, 20.00 feet; thence South 00 deg 01 min 40 sec East, 134.32 feet to the Point of Beginning.

L A W Y E R S T I T L E
I N S U R A N C E C O R P O R A T I O NN A T I O N A L H E A D Q U A R T E R S
R I C H M O N D , V I R G I N I A

LEGAL DESCRIPTION CONTINUED

sec East along said right-of-way line, a distance of 107.00 feet; thence South 00 deg 16 min 44 sec East, a distance of 8.34 feet; thence North 89 deg 43 min 16 sec East, a distance of 26.00 feet; thence North 00 deg 16 min 44 sec West, a distance of 6.50 feet; thence South 86 deg 13 min 54 sec East, a distance of 234.02 feet; thence 339.98 feet along an arc to the left having a radius of 1917.86 feet and a chord of 339.54 feet, bearing North 88 deg 41 min 23.6 sec East; thence South 12 deg 27 min 27 sec East, a distance of 344.58 feet; thence South 77 deg 32 min 33 sec West, a distance of 223.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 50.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 45.00 feet; thence South 12 deg 27 min 27 sec East, a distance of 37.67 feet; thence South 77 deg 32 min 33 sec West, a distance of 15.83 feet; thence South 12 deg 27 min 27 sec East, a distance of 20.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 210.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 28.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 41.00 feet; thence North 12 deg 27 min 27 sec West, a distance of 80.63 feet; thence South 77 deg 32 min 33 sec West, a distance of 160.33 feet; thence South 12 deg 27 min 27 sec East, a distance of 20.00 feet; thence South 77 deg 32 min 33 sec West, a distance of 31.50 feet; thence North 12 deg 27 min 27 sec West, a distance of 160.21 feet; thence South 77 deg 32 min 33 sec West, a distance of 222.30 feet; thence North 12 deg 27 min 27 sec West, a distance of 89.48 feet; thence North 42 deg 00 min 00 sec East, a distance of 332.36 feet; thence North 17 deg 00 min 00 sec West, a distance of 89.22 feet to a point on the new South right-of-way line of Park Boulevard, said point also being the Point of Beginning.

PARCEL VI:

Being part of the Southwest 1/4 of the Southeast 1/4 of Section 27, Township 30 South, Range 16 East, County of Pinellas, State of Florida, and being more particularly described as follows:

Commencing at the Northwest corner of said Southwest 1/4, run thence North 89 deg 41 min 46 sec East, 85.63 feet; thence South 00 deg 18 min 14 sec East, 50.00 feet; thence South 86 deg 13 min 59 sec East, 77.73 feet; thence South 00 deg 01 min 23 sec East, 129.85 feet; thence North 89 deg 55 min 18 sec West, 143.40 feet to the Point of Beginning; thence continuing North 89 deg 55 min 18 sec West 20.00 feet; thence North 00 deg 01 min 40 sec West, 134.35 feet; thence South 89 deg 51 min 44 sec East, 20.00 feet; thence South 00 deg 01 min 40 sec East, 134.32 feet to the Point of Beginning.

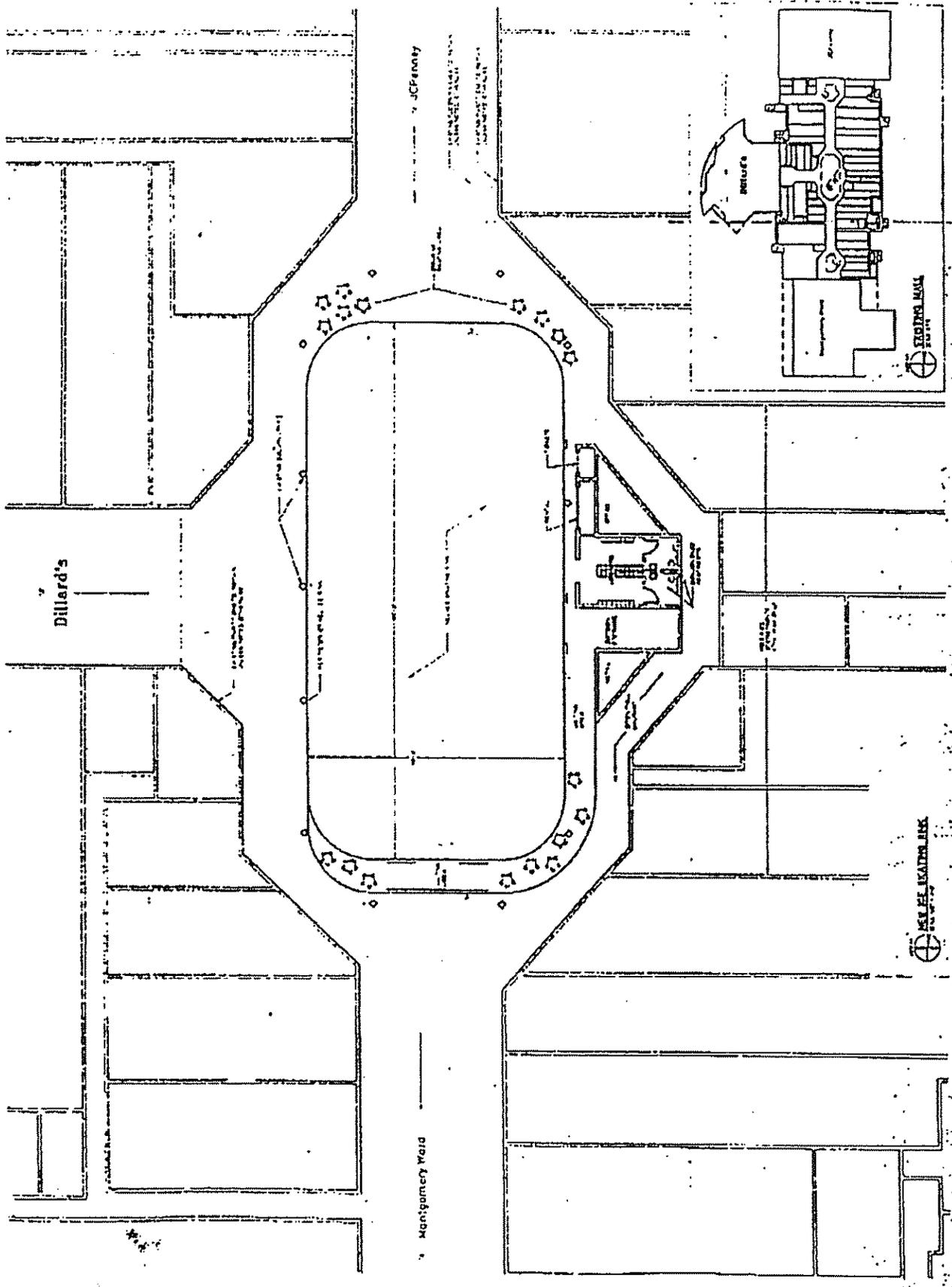


Exhibit 3

Exhibit 3

CITY OF PINELLAS PARK, FLORIDA

REGULAR COUNCIL MEETING

MINUTES

I hereby certify this is a True and Correct Copy of the original document on file in the City Clerk's Office of The City of Pinellas Park, Florida.

Margaret Robertson
City Clerk
Date 1-3-74

City Auditorium
December 27, 1973

Meeting was called to order at 4:30 P.M., by Vice Mayor Devoe, with Councilmen Bailey, Donald and Burke, City Attorney Chumbley, City Manager Holland, City Clerk Robertson and others present.

ABSENT: Mayor Dinsmore

INVOCATION was given by Councilman Donald.

PLEDGE OF ALLEGIANCE was led by Council.

MINUTES

Minutes of the Regular Council meeting of December 13, 1973, were APPROVED as received. Minutes of the Civil Service Board meeting of December 12, 1973, were RECEIVED.

OLD BUSINESS

73-33-1 THIRD AND FINAL READING OF ORDINANCE NO. 666 RE: WATER ASSESSMENT W-2-73 (49th Street & 82nd Avenue West of 52nd Street, South on 52nd Street to 80th Avenue (52nd Lane, 52nd Way and 62nd Way.)

MOTION was made by Councilman Donald to read Ordinance No. 666 by title only, seconded by Councilwoman Bailey.

City Attorney Chumbley read Ordinance No. 666 by title only, entitled as follows:

ORDINANCE NO. 666

MOTION was made by Councilman Donald for the adoption of Ordinance No. 666 on its third and final reading, seconded by Councilwoman Bailey.

Roll Call Vote:

Voting Yea: Councilmen Donald, Burke, Bailey and Vice Mayor Devoe.
Voting Nay: None
Absent: Mayor Dinsmore
Abstaining: None

MOTION CARRIED.

NEW BUSINESS

73-33-1 REGIONAL IMPACT REPORT - PINELLAS PARK SHOPPING MALL (Edward J. DeBartolo Corp.)

Vice Mayor Devoe opened the public hearing at 4:35 P.M.

City Manager Holland read the recommendations of the Tampa Bay Regional Planning Council from the Edward J. Bartolo Corporation letter dated December 20, 1973, with reference to the Pinellas Park Shopping Mall as follows:

"The Tampa Bay Regional Planning Council, on December 11, 1973, forwarded to you their recommendations on the above referenced project. It was recommended that the project be approved; however, five summary recommendations for action were included. These are listed below and numbered 1 through 5, for reference:

1. It is recommended that the developer provide or donate a facility for public use, such as a community pavilion, public meeting room, nursery or other such facility free of charge. The mall corridor should not be construed as an adequate facility for public use.
2. The question as to whether the area can support such a large regional shopping facility must be seriously considered by local officials.
3. Local officials should examine the aesthetic characteristics of the shopping center in terms of local community standards and the preservation of as many trees as possible. The developer should submit architectural and landscape drawings to the Pinellas Park Zoning Administrator and the Tampa Bay Regional Planning Council prior to development.
4. The entrance/exits on Park Boulevard, the U.S. 19/Park Boulevard eastbound bypass ramp, U.S. 19 and 70th Avenue as detailed by the developer must be provided to adequately handle the traffic generated. Also, the termination of 40th Street between Park Boulevard and 70th Avenue North with a signalized entrance/exit at 40th Street and Park Boulevard is essential for orderly traffic movement.
5. It is recommended that the city establish a means for evaluating the current availability of low-cost housing in the immediate area and the relationship between the availability of such housing and employment demands of the proposed facility.

Charles McSwain, Regional Planner, representing the Tampa Bay Regional Planning Council, presented himself as an economic advisor.

He stated the problems they anticipated in the labor supply in the lower to middle income class, which would continue the current trend, but not change it. He also anticipated problems with middle income housing.

Robert J. Schreiber, vice president of the Edward J. DeBartolo Corporation of Youngstown, Ohio, developers of this project, called Pinellas Square, plan a two-level mall with two-level parking, which will be the first of its kind on the west coast of Florida. If approved, grading will begin in February, start of foundations in early summer and expected opening will be in the fall of 1976. DeBartolo Corporation and Penney's will own this project in a joint venture. He produced a map of the area involved, and pointed out the landscaping which, at \$250,000 is the largest budget allocated to landscaping by his company. He pointed out that this is the first impact report to be submitted in the State of Florida.

Milton Steinlauf, 4600 71st Avenue, asked what concrete proposal could be expected to assure the City of the project getting started within the next two or three years. He also asked what the ultimate disposal of the vacations currently being granted would be made. He also asked clarification of the traffic requirements.

Mr. Greiner replied that plans are being made for a signal at 40th Street, widening of the ramp, return lane, etc.

City Manager Holland clarified there would be signals at U.S. 19 at 70th and Park Boulevard at 40th Street.

Mr. Schreiber explained that the vacations of the streets were put in escrow.

Councilman Burke and City Manager Holland explained that the vacations were put in escrow, but not recorded until and unless construction was started within two years.

Robert McKibben, 3790 70th Avenue, asked about the drainage facilities

on 70th Avenue, and if a left turn would be put on the highway turning on 70th Avenue. City Manager Holland stated there would be a right of way on U. S. 19, turning on 70th Avenue, and that a water retention area is being planned, for the runoff.

Alfred Bouchette, 41st Street, asked about the possible devaluation of his property which is very near the proposed shopping project. He was assured that the landscaping was such that the value of his property should not go down.

There were no further comments and public hearing was closed at 5:00 P.M.

City Attorney Chumbley read Resolution No. 73-84 in full, entitled as follows:

RESOLUTION NO. 73-84

A RESOLUTION APPROVING APPLICATION FOR DEVELOPMENT OF REGIONAL IMPACT AND DEVELOPMENT APPROVAL FOR THE PINELLAS PARK SHOPPING MALL IN PINELLAS PARK, FLORIDA, MADE BY THE EDWARD J. -DEBARTOLO CORPORATION.

MOTION was made by Councilman Burke to adopt Resolution No. 73-84, seconded by Councilwoman Bailey.

Roll Call vote:

Voting Yea: Councilmen Bailey, Burke, Donald, and Vice Mayor Devoe
Voting Nay: None
Absent: Mayor Dinsmore
Abstaining: None

MOTION CARRIED.

RESOLUTION NO. 73-84

A RESOLUTION APPROVING APPLICATION FOR DEVELOPMENT OF REGIONAL IMPACT AND DEVELOPMENT APPROVAL FOR THE PINELLAS PARK SHOPPING MALL IN PINELLAS PARK, FLORIDA, MADE BY THE EDWARD J. DEBARTOLO CORPORATION.

WHEREAS, the City Council of the City of Pinellas Park has considered all applicable factors pursuant to Chapter 380 of the Florida Statutes, and has favorably considered the application made by the Edward J. DeBartolo Corporation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PINELLAS PARK, FLORIDA that the application made by the Edward J. DeBartolo Corporation for development of Regional Impact and Development approval, be and the same is hereby approved.

The foregoing resolution was proposed by Councilman Burke, who moved its adoption, was seconded by Councilwoman Bailey and upon Roll Call the vote was:

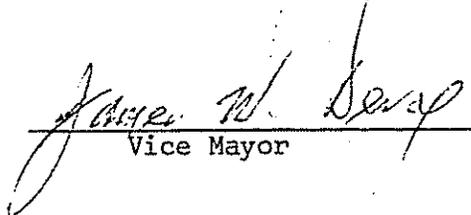
Ayes: Councilmen Burke, Donald and Bailey, and Vice Mayor Devoe

Nays: None

Absent: Mayor Dinsmore

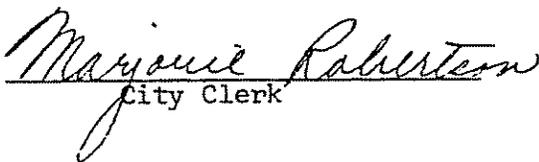
Abstaining: None

Adopted at Regular session of the City Council of the City of Pinellas Park, this 27th day of December, 1973.



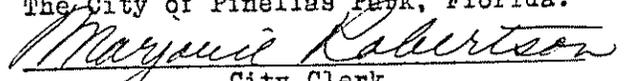
Vice Mayor

ATTEST:



City Clerk

I hereby certify this is a True and Correct Copy of the original document on file in the City Clerk's Office of The City of Pinellas Park, Florida.



City Clerk
Date 1-3-74

TAMPA BAY REGIONAL PLANNING COUNCIL

3151 Third Avenue North, Suite 540
St. Petersburg, Florida 33713

Telephone: (813) 898-0891

December 11, 1973

City Manager's Office
City Hall
7690 59th Street North
Pinellas Park, Florida 33565

Attention: Mr. George Campbell

Subject: DRI #14 - Pinellas Park Shopping Mall

Dear Sir:

Pursuant to the provisions of the Florida Environmental Land and Water Management Act of 1972, the staff of the Tampa Bay Regional Planning Council has reviewed the above referenced project as required by the State statute.

Enclosed are our findings and recommendations with regard to this project. We are in hopes that these findings and recommendations will be of assistance to you in determining the quality of future growth in this area of Pinellas Park.

Please be advised that the legislation requires a copy of the development order issued pertaining to this development be forwarded to the State Division of Planning, at such time as final action is taken on the proposed development. We are requesting a copy for our files.

Should you desire additional information, please feel free to contact this office.

Sincerely,


Scott D. Wilson
Acting Director

SDW/jmf

Enclosure

cc: Mr. Wallace Hawkes



THE EDWARD J. DEBARTOLO CORPORATION

P. O. BOX 3287 • 7620 MARKET STREET • YOUNGSTOWN, OHIO 44512 • (216) 758-4531

LEGAL DEPARTMENT

ROBERT J. SCHREIBER
Vice President
Chief Counsel

ARTHUR D. WOLFCALC, JR.
Secretary
Assistant Counsel

December 20, 1973

Attorneys
JAMES R. LOSHINSKY
DALE E. BRICKER
RONALD S. GIMPLE
RONALD L. EVANS
GEORGE A. SCHMIDT

Lease Coordinator
WOODROW H. STONE

City Manager's Office
City Hall
7690 59th Street North
Pinellas Park, Florida 33565

Re: Pinellas Park Shopping Mall
Statement on Development of Regional Impact

Dear Sir:

The Tampa Bay Regional Planning Council, on December 11, 1973, forwarded to you their recommendations on the above referenced project. It was recommended that the project be approved; however, five summary recommendations for action were included. These are listed below and numbered 1 through 5 for reference:

- 1) It is recommended that the developer provide or donate a facility for public use, such as a community pavilion, public meeting room, nursery or other such facility free of charge. The mall corridor should not be construed as an adequate facility for public use.
- 2) The question as to whether the area can support such a large regional shopping facility must be seriously considered by local officials.
- 3) Local officials should examine the aesthetic characteristics of the shopping center in terms of local community standards and the preservation of as many trees as possible. The developer should submit architectural and landscape drawings to the Pinellas Park Zoning Administrator and the Tampa Bay Regional Planning Council prior to development.
- 4) The entrance/exits on Park Boulevard, the U.S. 19/Park Boulevard east-bound bypass ramp, U.S. 19 and 70th Avenue as detailed by the developer must be provided to adequately handle the traffic generated. Also the termination of 40th Street between Park Boulevard and 70th Avenue North with a signalized entrance/exit at 40th Street and Park Boulevard is essential for orderly traffic movement.
- 5) It is recommended that the city establish a means for evaluating the current availability of low-cost housing in the immediate area and the relationship between the availability of such housing and employment demands of the proposed facility.

City Manager's Office
Re: Pinellas Park
Page 2
December 20, 1973

In response to the Planning Council's recommendations, we would like to offer the following comments:

- 1) We do plan to provide a public meeting room in the Pinellas Park Mall. This facility would be similar to the one provided in the Tyrone Square Mall in St. Petersburg and will contain not less than 1,000 square feet of usable space. The space would be made available (on a first come/first serve basis) to non-profit groups free of charge (except for a nominal clean-up charge). It would also be made available to other organized groups, for a nominal rental charge. In addition, we have had a considerable degree of success in utilizing the mall area for various civic and cultural activities (note enclosed calendar of events for Palm Beach Mall and Tyrone Square Mall). We plan to continue with these types of activities in the mall area of this project, in addition to the public room.
- 2) Attached is a trade area study which was prepared by The Edward J. DeBartolo Corporation in contemplation of constructing a regional center in the Pinellas Park area. The study concludes that the trade area can support the proposed shopping mall.
- 3) Our consultants (J. E. Greiner Company, Inc.) are presently working with Mr. Betika of Pinellas Park in order to develop an acceptable landscape plan. This plan, along with architectural schematics and elevations of the actual buildings will be submitted for review to appropriate agencies, including the Tampa Bay Regional Planning Council, when completed.
- 4) The access points to the various arterial highways have been reviewed with Florida Department of Transportation and others over a period of several years. As stated in the DRI, design considerations were made when plans for the S.R. 694/U.S. 19 Interchange were developed to reflect access requirements to the shopping mall. The Tampa Bay Regional Planning Council recommendations are in line with these design considerations. The liaison with the responsible highway agencies will continue, leading up to ultimate issuance of driveway permits.
- 5) The impact on low cost housing and the ability to supply employment demands is essential to successful mall operation. Experience at the J. C.

City Manager's Office
Re: Pinellas Park
Page 3
December 20, 1973

Penney, Sears and Maas retail outlets in Tyrone Square and the Sears and Maas retail outlets in De Soto Square (Bradenton, Florida) indicates that 66 per cent of the employees represent secondary employment (not the head of a household), while only 34 per cent are actually heads of a household. Of the 34 per cent, approximately half are employed for secondary income (semi-retired employees receiving pensions, etc.).

Over 20 per cent of the shopping mall's employees will be earning over \$8,000 annually. This 20 per cent generally represents the heads of households.

The proposed shopping center is not expected to induce individuals to move their residences into the region but to the contrary, will employ individuals who are already in the region. It is the experience of the developer which indicates that 90 per cent of the employees will be from the local area. The 10 per cent who are induced into the area will be mostly store managers and often individuals brought in by tenants who are generally part of that 20 per cent over \$8,000 figure and will not increase the demand on lower priced housing.

In summary, we concur in the Tampa Bay Regional Planning Council's recommendations. Further, we feel that the project, as proposed, is in concert with their findings.

Let me take this opportunity to assure you of our continued cooperation in developing a project that will be consistent with the needs, as well as the goals and objectives of the community and the region.

Very truly yours,

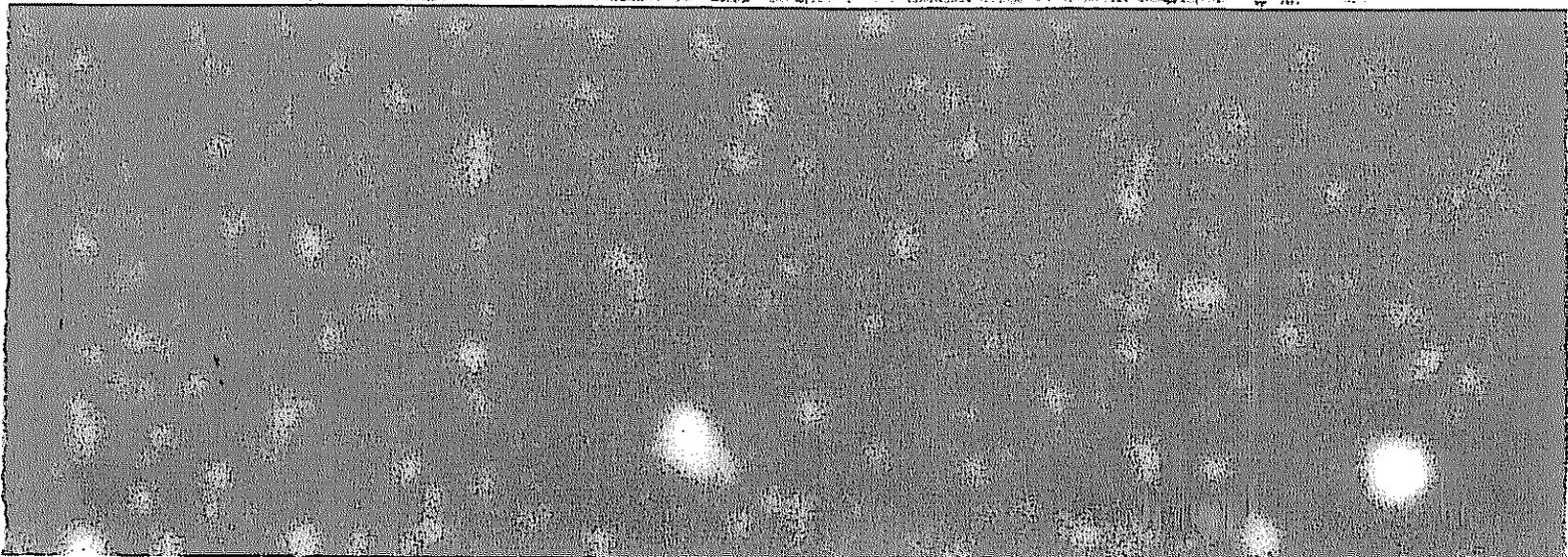
THE EDWARD J. DeBARTOLO
CORPORATION

By 
Robert J. Schreiber, Vice President

RJS/rlr
Enclosures

cc: Mr. Scott D. Wilson, Acting Director
Tampa Bay Regional Planning Council

Division of State Planning



THE PINELLA PARK POST
 PUBLISHED WEEKLY
 PINELLAS PARK, (PINELLAS COUNTY), FLORIDA

STATE OF FLORIDA
 COUNTY OF PINELLAS:

Before the undersigned authority personally appeared Judson Bailey, who on oath says that he is the President of the Pinellas Park Publishing Company, Inc., publisher of the Pinellas Park Post, a weekly newspaper published at Pinellas Park, in Pinellas County, Florida: that the attached copy of

advertisement, being a NOTICE OF PUBLIC HEARING

_____ in the matter of

APPROVAL FOR A DEVELOPMENT OF REGIONAL IMPACT

in the CITY OF PINELLAS PARK Court, was published

in said newspaper in the issues of November 29, 1973

Affiant further says that the said Pinellas Park Post is a newspaper published at Pinellas Park, in said Pinellas County, Florida, and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each week and has been entered as second class mail matter at the post office in Pinellas Park, in said Pinellas County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Judson Bailey

Sworn to and subscribed before me

this 30th day of November A.D. 19 73

K. M. Bailey

 (SEAL) Notary Public

NOTARY PUBLIC STATE OF FLORIDA
 MY COMMISSION EXPIRES JULY 19, 1976
 BONDED UNDER GENERAL INSURANCE UNDERWRITERS

**CITY OF PINELLAS PARK
 NOTICE OF PUBLIC HEARING**
 Date November 27, 1973

To Whom It may Concern:

Notice is hereby given that the City of Pinellas Park has received an application for Development approval for a Development of Regional Impact pursuant to Section 380.06, Florida Statutes, from Edward J. DeBartolo Corporation.

If approved, the applicant wishes to develop the following:

1. Type of Development: Regional Shopping Center
2. Size of Project: approximately 56 acres
3. Location of Project Site: Bounded on the north by Park Boulevard, on the east by U.S. 19, on the South by 70th Avenue and on the west 100 feet west of 40th Street between Park Boulevard and 72nd Avenue and 600 feet east of 40th Street between 72nd Avenue and 70th Avenue.
4. General description of proposed development: four department stores, several smaller retail and commercial establishments and an enclosed central mall.

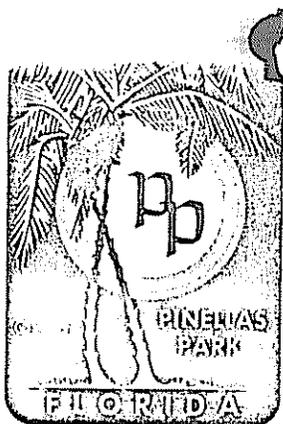
A public hearing concerning this project will be held at the Pinellas Park City Center.

1. Date: December 3, 1973
2. Time: 4:30 p.m.
3. Place: City Center, 7691 - 59th Street

Further information concerning this application may be obtained from: Gen. L. J. Camp, Acting Planning and Zoning Administrator, City of Pinellas Park, 7691 - 59th Street, Pinellas Park, FL 33781

(s) George F. ... Adm.
 Acting Planning and Zoning Administrator
 PP Nov. 29

City of
PINELLAS PARK
CITY HALL 7690 • 59TH STREET • 33565



LAP
10
to
103/42
FLORIDA
PHONE • 544-8831

January 3, 1974

Division of State Planning
Bureau of Land Planning
725 S. Bronough Street
Tallahassee, Florida 32304

Subject: Land Development Order - DRI for Pinellas Park Shopping Mall,
Pinellas Park, Florida

Gentlemen:

At a regular meeting of the Pinellas Park City Council, held on December 27, public hearing was held pursuant to Chapter 380 of the Florida Statutes on the developments of regional impact report submitted in behalf of the Edward J. DeBartolo Corporation for the construction of a shopping center mall on a fifty six acre tract southwest of the intersection of Park Boulevard and U. S. 19.

By Resolution No. 73-84, the Council approved the application for the construction of the shopping mall. A copy of the Resolution, together with an excerpt from the City Council Minutes is attached hereto as an enclosure.

In addition to these attachments, there are also enclosed the following:

1. Tampa Bay Regional Planning Council letter dated December 11 covering their findings and recommendations.
2. Letter of December 20 from the Edward J. DeBartolo Corporation commenting on the Tampa Bay Regional Planning Council's recommendations.
3. Copy of legal ad for Public Hearing.

Very truly yours,

CITY OF PINELLAS PARK, FLORIDA


Geo. E. Campbell
Acting Planning and Zoning Administrator

enclosures: a/s

cc: Tampa Bay Regional Planning Council - w/a

13-73-14